



+ 20



...remembering the forgotten

Rewriting Australian History



**The untold stories of
John Oxley's
1817 & 1818 Expeditions**



**An E-Book By E.V.(Tim) Crampton
Prepared By Josh Crampton**

* John Oxley portrait from:- nla.pic-vn3509743

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By
E.V.(Tim)Crampton
Lake Tyers Beach
Victoria
Australia 3909

Email: tim@crampton.com.au

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Preface

- The Great Unknowns!

Having attended school in the 1940's & 1950's, like thousands before me, I learnt of the journeys of Mitchell, Burke & Wills, Eyre, Stuart, Sturt, Oxley and others; however not a word of Fraser, Byrne, Simpson, Hubbard, Butler, Williams and hundreds of others who are the Great Unknown.

My great-great grandfather George Simpson, was '*chainman to surveyors*' on John Oxley's 1817 & 1818 expeditions and it was this association which has led me to seek recognition of, and for the members of these two expeditions.

Without the Great Unknowns Oxley could not have got any further than the existing boundaries of Sydney and his place in history would have been restricted to the archives noting his position as Surveyor General; as happened to his predecessors Alt and Grimes.

Being selected as members of explorative expeditions, convicts escaped the dread of everyday life in the populated areas of the Colony and ate when their 'masters' did; although at times hunger accompanied them. On their return they also faced the opportunity of receiving pardons and in some cases land grants. Joseph Smith, a fourteen year old, transported in 1790, aboard *Neptune*, for seven years for stealing two linen shirts, two linen neck handkerchiefs, three pairs of cotton stockings and one linen waistcoat¹ in his '*Voluntary Letter from an Old Settler*' gives a view on early life in New South Wales; a life that was known to have made men draw straws to see who would kill another, in order that they could also escape, through being hung.

"I arrived in the Colony fifty six years since; it was Governor Phillips time, and I was fourteen years old; there were only eight houses in the Colony then. I know myself and eighteen others laid in a hollow tree for seventeen weeks and cooked out of a kettle with a wooden bottom; we used to stick it in a hole in the ground and make a fire around it. I was seven years in bondage, and then started working for a living where ever I could get it. There was plenty of hardship then, I have often taken grass, pounded it, and made soup from a native dog . I would eat anything then. For seventeen weeks I had only five ounces of flour a day. We never got full ration except when the ship was in harbor. The motto was 'Kill them, or work then, their provision will be in store'. Many the time I have been yoked like a bullock with twenty or thirty others to drag along timber. About eight hundred died in six months at a place called Toongabbie, or Constitution Hill". Further in the text he goes on to say..... "They used to have a large hole for the dead, once a day men were sent down to collect the corpses of prisoners and throw them in without any ceremony or service. The native dogs used to come down at night and fight and howl in packs, gnawing the poor dead bodies." And further..... "I new a man hung there and then for stealing a few biscuits, and another for stealing a duck frock. A man was condemned, no time, take him to a tree, and hang him. The overseers were allowed to flog in the fields. Often have seen men been taken from the gang, had fifty, and sent back to work. Any man would have committed murder for a month's provisions. I would have committed three murders for a week's provisions. I was chained seven weeks on my back for being out getting wild greens, wild herbs. The Reverend Marsden [known as the flogging Parson] used to come it tightly to force some confession. Men were obliged to tell lies to prevent their bowels from being cut out by the lash. The Laws were bad then. If an Officer wanted a man's wife, he would send the husband to Norfolk Island....."²

1 www.oldbaileyonline.org THE PROCEEDINGS OF THE OLD BAILEY REF: T17880402-54

2 Ian Richardson, St Albans NSW accessed at <http://www.saintalbans.org.au/moreinfo.html>

Whilst little recognition is given to members of the expeditions in Oxley's journals, his commendations to Governor Lachlan Macquarie proved to be of great value. Without the resultant pardons and grants it is safe to say that their futures would possibly have been bleak, without marriage and family.

For this their descendants can be thankful.

E.V.(Tim)CRAMPTON

Pen Picture



E V (TIM) CRAMPTON b.1938 –
Grandson of George Simpson,
'chainman to the surveyors'
on the 1817 & 1818 Oxley Expeditions

Born at Eugowra, the western extremity of George William Evans' 1815 discovery expedition of the Lachlan River, to Emma Stone,- granddaughter of Frederick Lewis Simpson; only child of George Simpson and his second wife, Mary Cooke, and George Crampton – grandson of William Crampton who was an original settler on *The Island*, formed between the Lachlan River and Island Creek, where the 1817 expedition departed from its journey along the Lachlan River and headed south, overland.

His first six years were a nomadic existence. George and Emma packed up their few possessions, Thelma(12), Colin(7) Beryl(2)and Tim(1) and headed to Victoria, where , as a member of a team, George left his own mark on the Victorian landscape, having earlier done so in NSW, with the construction of concrete grain silos at Rainbow, Boort, Dunolly, Cannie Ridge, Ultima, Nyah west, Muroa, Jeparit, Bridgewater Rutherglen , Yarrawonga and others.

It was at Rutherglen where the family settled in 1944 and Tim grew up as a typical sports mad country lad, who worked at the Summer Garden Café and Backman's Menswear from the age of 9 years till 17. After finishing schooling at Rutherglen and Wangaratta High School it was off to Bendigo Teachers' College; the wish of his dad, who saw it as a safe job, should another depression come. Colin was a brilliant born teacher however not Tim.

In 1960 he joined the Commonwealth Bank, met and married Marjorie Mathieson and lived the Australian dream; a house in suburban Chadstone and a young family- Stephen, Darren and Carolyn, till 1975 when the Crampton wanderlust took over with a move to the Grampians in western Victoria, where in partnership they developed the Rose's Gap Deer Park & nature Reserve, on the historic Troopers' Creek Road, where Chinese immigrants made their way to the goldfields, from Robe SA. During this time Tim was Chairman of Wimmera Tourism. In 1979 the partnership disbanded and the family moved to the east of Victoria where Tim became the Exec..Director of the Victorian Eastern Development Assoc. till 1982. and Marj both mother and father on many occasions. After a year managing an award winning tourist park, then Marj caring for a sick sister and Tim consulting to the Vic. Ski Committee, the family returned to Melbourne in 1984 where Tim became General Manager of Cobb & Co Coaches.

Tim saw the name as belonging to Australia and the company merely its guardians who must treat it with due respect and ensure it was not denigrated in any way. This lead a leading Travel Operator to write '*...your operation has been unmatched by any other organisation in Australia.*'

This insistence on the highest standards resulted in Tim being awarded the ITOA National Award for outstanding services and contribution to the Inbound Tourism Industry in 1996 and the inaugural life membership of ITOA Vic/Tas in 1999.

In 1998 Tim and Marj returned to Eastern Victoria where they retired at Lake Tyers Beach, overlooking the lake, beach and ocean.

It was here that Tim became involved with Family History research, first with his paternal side then his maternal tree where he discovered George Simpson, convict from Hemsworth, West Riding, Yorkshire.

The next discovery was George's membership of the Oxley expeditions of 1817 and 1818. Having been educated and taught history in the 1950's he only knew of Oxley, Hume and Hovell, Sturt, Burke and Wills, Eyre and other 'supermen' who did everything by themselves - never a mention of the harness menders, coopers, guides, boat builders, butchers etc etc.

Determined that at least George and the other 'unknowns' of the Oxley expeditions would no longer go unrecognised, Tim began his research which lead to +20.....

Acknowledgements

Researchers and historians do not create history, merely recognize that history is the present, in the future and by delving into the past, attempt to give recognition and present their material in a way which will be accurate, interesting and enthuse those who read the collected material. To achieve this, dependency on original material, and ascertaining the accuracy of past historians, transcribers and collators is essential.

I make the following acknowledgements at the front of the book, rather than the rear where one usually finds them hidden away in the finest of print.

The Internet:

An invaluable tool, so long as one does not say '*It's on the internet so it must be true.*' or '*It's on the internet so it must be false*'

Old Bailey Online: <http://www.oldbaileyonline.org/>

The University of Hertfordshire's Professor of Eighteenth-Century History, Tim Hitchcock, who with his co-director of the project to make the trials of The Old Bailey available to the whole world, Sheffield University's Professor Robert Shoemaker, expressed what every historian and researcher feels when they enter the underbelly of 17th, 18th and 19th century London

"The Old Bailey Sessions Proceedings are the very stuff of social history. Published eight times a year, they give detailed accounts of every felony trial conducted for the City of London and Middlesex between 1674 and 1834. In total they amount to some twenty-five million words, recounting 100,000 trials. They give details of what was certainly the most important event in most of 100,000 lives, and recount the stress and pain suffered when a broader population confronted violence and theft, murder and assault. It is not hyperbole to say that all of human life is here. The Old Bailey Online currently gives anyone with an Internet connection free access to eleven million words of this text. The site attracts between 1,000 and 2,000 visitors a day from around the world, and the full twenty-five million words of text is available online, free and in its entirety."

Never have we been able to be transferred in such a manner; a manner that guarantees reality and assures its readers that they are experiencing life, that was, with all their senses.

I had the pleasure of making contact with Tim and it was pleasing to know that he was rewarded by the way people responded to his work:-

"I have to say, that the Old Bailey has been a real joy to me. I have been working at 'history from below' for almost 30 years now, but this is the first project that feels like it has actually affected how people see their own past!"

To Professors Hitchcock and Shoemaker and their team, no thanks can ever be enough.

New South Wales State Records:

Whilst The Old Bailey Online provided access to the convicts in England, it was the New South Wales State Records which allowed entry to the lives of the convicts, the military, settlers and emancipists in the colony of New South Wales.

Online the NSW State Records provide information at:

http://www.records.nsw.gov.au/archives/indexes_online_3357.asp

Society of Australian Genealogists

Invaluable for Ships' Musters and Ticket of Leave Indexes at :
<http://www.sag.org.au/>

State Library of Victoria

Whilst residents of NSW have access to the State Records and Mitchell Library in Sydney, Victorian residents, such as myself, are fortunate to be able to access historical publications and copies of NSW State records at SLV cnr. Swanston & Latrobe Sts, Melbourne.

NSW BDM's

The Victorian Government has decided that it is better to sell the records of the people who then have to pay to access them. Congratulations to the Government of NSW who have made the Births, Deaths and Marriages Indexes available to all, free of charge at :
<http://www.bdm.nsw.gov.au/familyHistory/search.htm>

Joy Murrin Family History Services

To Joy and her family for their assistance in saving time, travel and money in accessing BDMs.

Descendants

To the descendants of John Oxley, John Harris, Richard Watts, George Simpson, George Hubbard, and George William Evans, who supported and assisted me in the production of this book.

Historians & Researchers -Past & Present

To Ida Lee Marriott- *Early Australian Explorers*

Ernest Favenc- *The History of Australian Exploration*

Richard Johnson - *The Search for the Inland Sea: John Oxley, Explorer, 1783-1828*

A.Keith Weatherburn - *George William Evans, Explorer*

John Richie - *The Evidence of the Bigge Reports*

Margaret Szalay - *Tasmania Bound*

Conrad Plowman - *Indexes of York Assizes, Yorkshire*

Lachlan & Elizabeth Macquarie - *Journeys in Time - Journals of Lachlan & Elizabeth Macquarie 1809-1822*

Dr. Gillian Davies & Christine Carwardine - *Charles Fraser the First Botanist*

William Molesworth - gg-grandson of 8th Viscount Molesworth

Malcolm R. Sainty & Keith A. Johnson editors - *1828 Census of New South Wales*

Carol J. Baxter editor - *General muster of New South Wales, 1814*

- *General muster and land and stock muster of New South Wales 1822*
- *General muster of New South Wales 1823, 1824, 1825*

Richard Hughes - *The Fatal Shore*

Transcribers of Historical Records and Documents

Who make our work much easier and save failing eyesight.

Church of Latter Day Saints Family Search at www.familysearch.org

Whilst one has to be careful taking ancestral submissions at face value, they enable contact with descendants who can prove valuable.

However the site provided reliable information through the International Genealogical Index (IGI) and their Family History Library Catalogue which provides access to innumerable historical documents.

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Author's Note

This book was written to recognise all who took part in the Oxley Expeditions of 1817-1818 and the importance of all to the completion of the task.

The nine members who participated in both expeditions appear before those who participated only in the 1818 expedition. They are then sorted alphabetically, thus avoiding any suggestion that any one was of lesser value to the Expeditions than another.

Whilst George Hubbard did not travel on the second expedition, his participation, in the building the boats at Wellington Valley depot, was of the utmost importance, hence his inclusion as a participant in both expeditions.

Order of Appearance

BLAKE James
BYRNE Patrick
EVANS George William
FRASER Charles
HUBBARD George
OXLEY John Joseph William Molesworth
SIMPSON George
WARNER William
WILLIAMS James
BUTLER Barnaby
CUNNINGHAM Allan
DWYER John
ELLISS Thomas
HARRIS John
KING George
LLOYD Francis
MAGGS William
PARR (Thomas)William
SHIPPEY Henry
WATTS Richard
WILLIAMS John

Expedition Members 1817 and 1818 Who were they?

It is important to establish who actually accompanied John Oxley on his two expeditions into the interior.

Members of the 1817 Lachlan River Expedition

As published in Oxley's 'Journals of Two Expeditions into the Interior of New South Wales'
Appendix 1. Part 1a.

1	John Oxley, Esq.,	chief of the expedition.
2	Mr. George William Evans, second in command.	
3	Mr. Allan Cunningham,	King's botanist.
4	Charles Fraser,	colonial botanist.
5	William Parr,	mineralogist.
6	George Hubbard,	boat-builder.
7	James King,	1st boatman, and sailor.
8	James King,	2nd horse-shoer.
9	William Meggs,	butcher.
10	Patrick Byrne,	guide and horse leader.
11	William Blake,	harness-mender.
12	George Simpson,	for chaining with surveyors.
13	William Warner,	servant to Mr. Oxley.

(Signed,) L. MACQUARIE.
Sydney,

Members of Oxleys 1818 Macquarie River Expedition

As requested by John Oxley (*Colonial Secretary Index Jan 1818 Reel 6065 , 4/1798 Pp 106*)

1.	John Oxley	esq Surveyor General
2.	Mr Evans	Assistant
3.	C.Fraser	Botanist
4.	P.Burne	Huntsman
5.	James Williams	Smith
6.	William Meggs	Butcher
(Meggs obliterated & replaced with George Rouse)		
7	---Simpson	
8.	J.Blake	
9.	J.Warner	Mr Oxley's man
10.	F.Lloyd	Mr Oxley's man
11.	R.Kippas	Rough Carpenter
12.	R.Watts	Labourer
13.	Thos Ellis	Labourer
14.	Thos Cribb	Labourer
15.	John Dwyer	Boat Builders Boy

Alan Cunningham confirms the configuration of the party(but not the names) on the first expedition, in his Journal for 28th April 1817:-

*'This morning about 9 o'clock the following persons, who composed this grand Western Expedition, left the last human habitation westward in order to survey the river downwards and trace it to its supposed junction with the Macquarie, and the disengagement of their union on the south-west coast:--Oxley Esqre. Surveyor-General; Mr. G. W. Evans Assist. do.; Charles Fraser of 46th Regt., as collector for Lord Bathurst; S. Parr, a boat builder; and seven persons as loaders of pack horses, and myself. **'Thirteen in all**, with 14 horses and 2 boats.*

Evidence shows that both lists require amendment.

FIRST EXPEDITION:

- James King is listed twice in the 1817 Expedition. This is obviously a typographical error and an omission
- The following entry from the Colonial Secretary Index shows:-

KING George, per *Admiral Gambier*(2)

- Member of John Oxley's expedition
- Paid from Police Fund for services on Oxley's Expedition

George King was one of 13 persons, serving in the maritime services sentenced to life, at court martials in various parts of the world; transferred back to England and then transported to New South Wales, on the Admiral Gambier.

In the 1823/4/5 Muster he is listed as 'mariner' and in the 1828 Census he is listed as 'boatman'.

- James Williams is not shown as a member of the first expedition. However the Government & General Order of Dec 1818 confirms his participation as does the Colonial Secretary's Index:-

*WILLIAMS James per 'General Hewitt' 1814
Horse-shoer. Member of Oxley's expedition*

Hence the first James King is **George King**.

The second James King is **James Williams**

As there is no other horse shoer, Williams should be listed as – **horse shoer**

Other entries in the Colonial Secretary Index confirm his participation in both expeditions.

Hence James King should never have been included in the list of members in the first expedition.

- William Meggs should be MAGGS
Entries from Colonial Secretary Index shows William MAGGS who arrived aboard the 'Indefatigable' in 1815
 - was on list of members of Oxley's expedition
 - labourer in Oxley's expedition, received issue of shoes
 - shepherd to Oxley in petition of mitigation of sentence
 - paid from Police Fund for services on Oxley's expedition
- Blake should be James Blake.
 - listed as James on 'Fortune' indents
 - recorded as James on pardon
 - recorded as James in 1828 Census

- on all preparations for expedition listed as James
Oxley first referred to him as William, in his journal, when he was speared; this would have lead to some notoriety and him, or others, using William for a period.

SECOND EXPEDITION

On 25th May 1818, Oxley using his knowledge of the men who had accompanied him on the first expedition, and his requirements for the second expedition, wrote to Lachlan Macquarie -

"Some of the persons originally named to accompany me have been changed for more competent to undergo the Fatigue and more useful for their qualifications."

- Rouse, replacement for Maggs, did not go on 2nd expedition and Blake took over as stock-keeper (Maggs having been shepherd in 1st expedition)
- Barnaby Butler became labourer in place of Cribb
- John Williams was added to the expedition as cooper.
- Dr John Harris was added after volunteering to go.
- Henry Shippey replaced Kippas
- P.Burne was Patrick Byrne, who went on both expeditions
- Warner was named as waterman, having been in that occupation in London and later Sydney

Probably the strongest confirmation of the majority of members who participated in both expeditions, can be found in the Government & General Order made by His Excellency, the Governor, dated 12 December 1818, in response to John Oxley's favourable report, relative to the conduct of twelve convicts who accompanied him on his second tour of discovery to the Interior.

The following extract from this order is very exact in its direction:-

'To those of the Party (five in Number) who had been employed on Mr Oxley's former Expedition in 1817, His Excellency is pleased to extend Absolute Pardons, and the like distinguished Indulgencies to two others of the last expedition, whom superior Intelligence and Abilities were particularly serviceable on this Occasion.

The remaining five persons are granted Conditional Pardons by His Excellency.

1	William Warner	Absolute Pardon
2	Patrick Byrne	Do
3	James Blake	Do
4	George Simpson	Do
5	James Williams	Do
6	Francis Lloyd	Do
7	John Dwyer	Do
8	John Williams	Conditional Pardon
9	Bernard Butler	Do
10	Thomas Ellis	Do
11	Richard Watts	Do
12	Henry Shippey	Do

*By His Excellency's Command
Signed I.T.Campbell
Secretary*

From this documentation we can state without fear of contradiction that:-

#1-5:

Warner, Byrne, Blake, Simpson & James Williams were members of both the 1817 & 1818 expeditions

#6-7:

Lloyd & Dwyer were on the second expedition as were #8-12, John Williams, Bernard Butler, Thomas Ellis, Richard Watts and Henry Shippey;

In consideration of the foregoing the Expeditions' members are amended as:-

1817 Lachlan River Expedition:

1	John Oxley,	Esq., chief of the expedition.
2	Mr. George William Evans,	second in command.
3	Mr. Allan Cunningham,	King's botanist.
4	Charles Fraser,	colonial botanist.
5	William Parr,	mineralogist.
6	George Hubbard,	boat-builder.
7	George King,	1st boatman, and sailor.
8	James Williams,	Smith.
9	William Maggs,	butcher.
10	Patrick Byrne,	guide and horse leader.
11	James Blake,	harness mender/storekeeper
12	George Simpson,	for chaining with surveyors.
13	William Warner,	servant to Mr. Oxley.

Richard Lewis	Superintendent Bathurst	Plus
William Cox esq	Landholder/magistrate Bathurst	Plus:

1818 Macquarie River Expedition

1.	John Oxley esq	Surveyor General
2.	George William Evans	Second in command
3.	John Harris	Surgeon
4.	Charles Fraser	Botanist
5.	Patrick Byrne	Huntsman
6.	James Williams	Smith
7.	George Simpson	Chainman to surveyors
8.	James Blake	Harness mender/stock keeper
9.	William Warner	Waterman
10.	Francis Lloyd	Mr Oxley's man
11.	Henry Shippey	Carpenter
12.	Richard Watts	Labourer
13.	Thomas Ellis (Elliss)	Labourer

14.	Barnaby Butler	Labourer
15.	John Williams	Cooper
16.	John Dwyer	Boat Builders Boy
Plus		
	George Hubbard**	Boat builder
	Richard Lewis	Superintendent of Bathurst
	Corporal Partridge	Of 48th Regiment
	Thomas Thatcher(aka Thacker)	& John Hall

Note:1

Blake was referred to as William Blake by Oxley when describing Blake's spearing, in his Journal, and in the listing of members in the same Journal.

Note 2:

Butler was known as Bernard, Barnabus, Barnaby however he was convicted in Ireland as Barnaby and transferred under that name.

Note3.

Thomas Ellis is recorded on the ship's indents and his pardon as ELLISS

Note 4:

Whilst George Hubbard did not go on whole of second expedition he was involved with boat preparation at Wellington Valley and returned to Bathurst on 5th June 1818

Note 5:

Richard Lewis accompanied both expeditions with preparations at the depots Superintendent at Bathurst. Accompanied John Oxley on part of his expedition along Lachlan River (Colonial Secretary Index Reel 6034; SZ7 p.181) 1818 expedition Set out to return to Bathurst from Oxley's expedition (CSI Reel 6068; 4/1814 p.50c)

Note 6:

As replacement(s) were required for Hubbard, John Williams, cooper and Henry Shippey, coach builder would have been included to assist John Dwyer. Shippey, a coach builder replaced Kippas, who had a broken leg.

Barnaby Butler replaced Thomas Cribb as labourer; receiving a conditional pardon.

Note 7:

Numbers of participants of second expedition is confirmed by Governor's letter of 5th Dec 1818-

*"-----and his excellency having in consequence accepted the farther services of Mr. Oxley, on a second expedition; the party consisting of **John Oxley, Esq.**, surveyor general; **John Harris, Esq.**, late surgeon of the 102nd regiment, (who most liberally volunteered to accompany the expedition); **Mr. Evans**, deputy surveyor general; and **Mr. Charles Fraser**, colonial botanist; **together with twelve men**, having eighteen horses and two boats, and*

provisions for twenty-four weeks, took their final departure on the 4th of June last, from a depot prepared for the occasion in the Wellington Valley, at about ninety miles west of Bathurst'

Note 8:

William Cox was responsible for organizing the expeditions' requirements and accompanied the party to the depot on the Lachlan River .

Note 9:

Thomas Thatcher(aka Thacker), a private of the 48th Regiment, and John Hall traveled with the second expedition for 2½ weeks before returning to Bathurst with a report from Oxley for Governor Macquarie.

Expedition Members - Their Stories

James(aka William) Blake

b. c. 1778/1780
Labourer/Harness mender &
Stock keeper/Farmer/Labourer



James Blake was sentenced to life transportation at Sussex on 23 March, 1812 and subsequently arrived in the Colony on 11th June 1813 aboard "Fortune 2".

The passenger index which also included other expedition members, Parr, Shippey and Simpson, described James as:-'Labourer, 31years, fair complexion, black hair, hazel eyes, 5feet 5 inches' [1.65m]¹

In the list of persons selected to go on the 1817 expedition down the Lachlan River, Blake is listed in Macquarie's instructions to Oxley as 'Harness Mender'² however he is also recorded as 'Stock keeper', when receiving issue of shoes.³

As with most of the convict members of the expedition, no mention is made of Blake; however he evidently did well enough to have Oxley request him to be 'Harness mender/ Stock keeper' for the 1818 expedition down the Macquarie River.⁴

Some historians refer to James as William Blake (aka James) however there is no doubt the reverse is true.

The extract from Oxley's journal, of the 1818 Expedition to the Inland , appears to be the commencement of Blake being called 'William'.

*Oct 26th One of the men, William Blake, had entered the brushes about a hundred yards from the rest of the people on the north side, with the design of cutting a cabbage palm: he had cut one about half through, when he received a spear through his back, the point of it sticking against his breast bone. On turning his head round to see from whence he was attacked, he received another, which passed several inches through the lower part of his body: he let fall the axe with which he was cutting, and which was instantly seized by a native, the only one he saw; and it was probably the temptation of the axe that was the principal incitement to the attack. Blake was immediately put into the boat and sent over to the south side, where the doctor was, who fortunately succeeded in extracting both the spears; but from the nature of the wounds, his chance of recovery was considered very doubtful.*⁵

The free persons of the colony commonly referred to convicts by their surnames and perusal of Oxley, Cunningham and Evans journals show this to be the case on both expeditions, George Simpson, who was with Oxley for both expeditions was recorded solely as 'Simpson' on the list of 1818 expedition members. The use of William for Blake's first name was the only time a first name

1 NSW Records Ships Indents. *Fortune 2* , 1813

2 John Oxley. Journals of Two Expeditions into the Interior of New South Wales. Appendix Part 1, Instructions for conducting and leading first expedition from Governor Lachlan Macquarie

3 Colonial Secretary Index (Reel 6046; 4/1737 p.329

4 Ibid (Reel 6065; 4/1798 p.106)

5 John Oxley , Journals of Two Expeditions into the Inland of NSW

was recorded in the two journals.

John Oxley was a very well read person, and when he returned from England in 1812, he brought with him the Oxley family books which formed part of his library which became part of the 'lending library' created by some of the leading persons of the Colony, for the benefit of others without access to such a treasure trove of knowledge.¹

One of the leading poets of this era was William Blake(1757-1827), with whose works Oxley would have been extremely familiar; leading him, late at night, after months of arduous and mentally fatiguing exploration, to record Blake, in error, as William.

Although seriously wounded, Blake survived, due to the expertise of the surgeon John Harris. No doubt Blake became somewhat famous in the Colony and probably found it an advantage to retain the use of his new first name; although he was happy to revert to James when receiving his Absolute Pardon, in December 1818.² On June 10th 1819 he, together with 6 other members were given a donation totalling £39 for their services.³

On 17th August 1820 Commission Bigge, investigating the charges leveled against William Cox, by the Colonial Botanist, Charles Fraser, heard evidence from several witnesses at Bathurst.

The registration of James Blake as a witness is further confirmation that he indeed was *James* and not *William* Blake.

James provided the following evidence to the Commissioner:-

- He lived at Bathurst for two years where he was a Government stockman.
- Government men laid bricks, sawed timber, built a house, sheep yards and stock yards on Cox's land.
- Government horses and bullocks were used to haul Cox's provisions and supplies.
- Cox undersupplied men from the 'Slops and Stores', a specific example was the supply of 1 pair of shoes to James, whereas he was entitled to 4 pairs per annum.
- Upon complaining about receiving only one pair of shoes, he was threatened by Lewis* that unless he was quite about the shoes and anything else, he would be sent down to Sydney.
* *Superintendent of Bathurst*
- Victuals were issued to Cox's men, who were 'off stores', from the Government Stores.
- Two horses that died on Oxley's 1817 expedition had been replaced by Cox in place of two good horses.
- Cox promised him emancipation (*at least a Conditional Pardon*) in 1816, if he went to his Stockyard and minded his sheep. It wasn't received and he was sent on Oxley's first expedition and went on the 1818 expedition where he was wounded by natives. He then obtained a full pardon.
- Two horses were sent with Byrne and himself to prevent them being worked by anyone else before the expedition. Cox wanted the horses, they refused.
- The horses which were in poor condition when supplied with Robert Hazard, died from inflamed bowels; Cox charged them with poisoning the horses and they were sent down to Sydney. They were acquitted of the charge.⁴

1 Biography of the Life of John Oxley RN as held by the Oxley family. See John JWM Oxley, this book.

2 Colonial Secretary Index (Reel 6038, SZ759, pp543-4)

3 Ibid (reel 6038; SZ759 p.542)

4 The Evidence of the Bigge Reports – New South Wales under Governor Macquarie. /John Ritchie Vol 1 The Oral Evidence, Wm Heineman Aust P/L 1971 ISBN 085561 027 1

He was again registered as William when he sought permission to marry.¹ However, as was general practice the Minister, Rev. Robert Cartwright wrote and filed the application to the Governor, at Liverpool on 30th December 1820.

J. Atkinson, Principal Clerk, conveyed the Governor's approbation on 9th January 1821.

The 'Free' following his name, in his application to marry, is indicative of him receiving an Absolute Pardon and hence being a 'free person'

It was not only Blake, using two first names, who made it hard for researching, as his marriage to Ann at St Lukes, Liverpool, was recorded in the present day NSW Marriage Index as follows:-

Reg.No.	V18212689 3B/1821
Groom	POLAKE William
Bride	KEOGH Ann
District	CF. St Lukes Church of England Liverpool

The original recorder of the event wrote his "B's" with a flourish which resulted in it being taken for a "Po"



ie

The NSW Register of Births, Deaths and Marriages has accepted the author's submission and registered a duplicate record under the name of Blake.²

- Ann Keogh, aged 31 years, was sentenced to 7 years transportation at Dublin in 1815 and arrived in the Colony aboard "Canada" in 1817.³
- Blake was recorded in 1822 Muster as:-

"James Blake, Farmer, Liverpool – married"⁴

- In 1824 Henry Allen of Liverpool was given occupation of land in the Lake George district with James in charge.⁵

*Henry Allen
Liverpool*

I am directed by the Governor to convey to you his sanction for the temporary occupation of 600 acres of land around your stockyard to be erected at a spot between Marlow & Munkerraw about 16 miles to the southward of Lake George , for the use of your herd as a grazing Run to be placed under the charge of James Blake free, provided it is now depasturing by no person occupant, that the cattle kept thereon are marked as described on the Margin,(shown below) and until as such time as the Government may choose(six months notice previously be given) to revoke this

1 Colonial Secretary Index (Reel 6007; 4/3503 p.7)

2 NSW BDM reg.no. V18212689 3B/1821

3 NSW State Records Ships Indents 'Canada' 1817

4 General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter Sydney : ABGR in association with the Society of Australian Genealogists, 1988

5 Colonial Secretary Index (Reel 6013; 4/3511 p.293)

indulgence and return the holding to itself.

H.A., near ship

*By His Excellency's Commission
F.Goulburn Colonial Secretary Officer*

25 May 1824

and in the 1828 Census, where he is recorded as **James**, as:-

"*Superintendent, Lake George, Goulburn Plains . Employer Capt. Brooks. 50 years*" whilst Ann was recorded as '*wife, free by servitude. 37 years*'¹ Ann evidently regarded James as a 'good catch' as she must have told him she was 32 when they married, whereas if she was 31 when she was sentenced in 1815, she would have been 44 years old in 1828. Being this age probably contributed to James and Ann having no children.

In all musters/census Blake was recorded as James; thus contradicting the use of William on his application to marry.

Nothing is known of James till 1851 when on 2nd April a James Blake, labourer, aged 73 years, residing at Campbelltown, was buried at St John's RC Church at Parramatta.² No other details are provided on the death certificate.

The age of this James corresponds to him being 50 years at the time of the 1828 Census; no other recorded James Blake qualifies.

Thanks to the expertise of John Harris, James was given another 33 years to participate in the country that he helped to open up to thousands of farmers, graziers and towns folk.

1 Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson Sydney : Library of Australian History, 1980.

2 NSW BDM Death Certificate 694 V118



Patrick Byrne (aka Burn/Burns/Burne)

c.1778

Labourer/Huntsman/Guide/Horseleader/Stockman

Patrick Byrne, of the City of Dublin, was sentenced to life transportation, at Kildare, Ireland, in 1811¹ and transferred to New South Wales aboard *Archduke Charles*; departing Cork on 15 May 1812, with 147 male and 54 female convicts. The journey took an incredible 277 days, a day over 9 months; arriving on 16th February 1813,²

Patrick was described as Labourer 5'5"³ - 5' 6" (1.68m) , dark ruddy complexion, black-grey hair with hazel eyes.⁴

On 19th February Patrick, *listed as Burne*, disembarked, and with others, was forwarded to Windsor for distribution.⁵

In the 1814 Muster he is shown as being under the charge of William Jacklin, who arrived in the colony in 1791, settled at Pitt Town and later was granted land further down the Hawkesbury River at Portland Head.⁶

Governor Macquarie, keen to see the new lands, discovered by George William Evans and his party, and to be the first official traveller across the Great Divide, departed on 25th April 1815, with Mrs Macquarie and his official party . Following the new Western Road across the Blue Mountains and Great Divide they arrived at the Grand Depot on the Bathurst Plains on 4th May.⁷

Having spent an almost idyllic 10 days on the Plains, and having decide that this would be the site for a town, which he named Bathurst, in honour of Earl Bathurst, Principal Secretary of State, Macquarie and his party departed for Sydney on 11. May 1815.

'Having sent off all our spare heavy Baggage two days ago before us, and having now made all my arrangements at Bathurst, I set out from it this day at 1 p.m. on my return to Sydney. -- Before our departure some of the Natives who were with us yesterday came in to see us and remained at Bathurst till we left it. -- I left Mr. Meehan the Dy. Surveyor General at Bathurst for the purpose of Surveying and laying down on a chart the whole of the Lands fit for Cultivation and grazing [I] have Explored in this new Country.

I have also left Mr. Evans the Dy. Surveyor at Bathurst for the purpose of proceeding on a further Tour of Discovery for the distance of one Hundred miles in a South West direction from Bathurst, in hopes of falling in with the Macquarie River in that Quarter. -- Mr. Evans takes with him 3 men and 2 Horses to carry his Provisions on this Tour, which he hopes to complete in six weeks.⁸

A.K.(Keith) Weatherburn, a descendant of G W Evans, in his book, "George William Evans, explorer", published by Angus & Robertson (1966) names the three men accompanying Evans as,

1 Peter Mayberry's Irish Convicts to NSW 1791-1831 at <http://www.pcug.org.au/~ppmay/convicts.htm>

2 Australian Shipping 1788-1968 at Convictions www.blaxland.com

3 On record of issue of Conditional pardon dd 5th Jun 1815

4 NSW State Records Ships Indents *Archduke Charles* 1813

5 Colonial Secretary Index. (Reel 6002; 4/3491, p.400)

6 General muster of New South Wales, 1814 / edited by Carol J. Baxter. Sydney : Australian Biographical and Genealogical Record in association with the Society of Australian Genealogists, 1987 & Colonial Secretary Index Wm Jacklin of Pitt Town and Portland Head

7 Lachlan Macquarie 'Tour to the new discovered Country, April 1815' Macquarie Uni. Library at <http://www.lib.mq.edu.au/all/journeys/1815/>

8 Ibid

George Kane (alias Thomas Appledore). Patrick Nurns and John Tygh. It states his source as the Evans Memorial, 8 kms from Cowra on the Billimari Road.¹

Tygh would have been, **John Tighe** who was granted 100acres, 2 cows and £5 as guide to the Cox party, building the new Western Road* and came to the colony as John Tygue aboard Anne¹.²

Nurns would be **Patrick Byrne** who was to be guide to both the 1817 & 1818 Oxley Expeditions.

Oxley, in his 1817 Journal states “*The creek was named Byrne's Creek, after one of the present party, who had accompanied Mr.Evans in his former journey.*” and Allan Cunningham states ‘*Evans named it the Lachlan in honour of the Governor, and established a military dépôt at a spot which he called Byrne's Creek.*’³

Patrick must have greatly impressed George Evans as it was most uncommon for a convict to be honoured by the application of their name to a geographical feature. Unfortunately his name was not to be used through history; Byrne's Creek is now known as Mandagery Creek.

When it is considered that it was common for Patrick to be recorded as *BURNS* and the recording of history often depended on the transcribing of names, from almost illegible script, we can see that *BURNS* has been transcribed as *NURNS*.

The author made a journey to the above mentioned monument in August 2005 and was pleased to see the error associated with Byrne's name had been corrected from Nurns and the name of James Butler also added.

This means the monument now lists 4 people going with Evans, contrary to the above extraction from Macquarie's journal which authorized 3 persons

It should be pointed out at this point that whilst there is a tendency for some to think James Burne, who accompanied Blaxland, Wentworth and Lawson during May 1813, Evans on his 1813-14 journey to the Bathurst Plains, and was dismissed by Cox during the building of the New Western Road, and Patrick Byrne were the same person; this is not the case.

Richard Johnson in his ‘*In Search of the Inland Sea*’ refers to Patrick as being bad tempered ; quoting M.H. Ellis in his book “*Lachlan Macquarie*” who states Cox employing “*As guide he engaged the mysterious Mr Byrne who had been with the previous expeditions – a man of irascible temper and high stomached outlook and a lover of his own freedom.*”

This is true that this person was on both expeditions ie. with Blaxland, Wentworth and Lawson and with Evans to Bathurst Plains in 1813

However it wasn't our Patrick.

George Mackaness in ‘*Fourteen Journeys over the Blue Mountains of NSW 1813-1814*’ states Evans companions on his 1813 journey to cross the Great Divide consisted of two freemen Richard Lewis, James Burns or Byrnes and 3 convicts, John Tygh, John Coogan, John Grover. And these persons were paid from the Police Fund on 23rd May 1814 and are listed in the *Colonial Secretary Index (Reel 6038; SZ758 p.489)* for their discoveries - Burns paid as Burne , Coogan as

1 AK Weatherburn ‘George William Evans, explorer’ published by Angus & Robinson (1966)

2 Memoirs of William Cox, J.P.Anonymous .

Project Gutenberg at <http://gutenberg.net.au/ebooks04/0400191.txt>

3 John Oxley' Journals of Two Expeditions into the Interior of New South Wales' Part I Apr 29th 1817; and Allen Cunningham's Journals - Ida Lee at Gutenberg Project.

Cogan; he was Cogan on receipt of his Conditional Pardon on 9th February 1814 and Tygh as Tighe. John Tighe was the guide to Cox's party building the New Road and was registered as John Tygue on his Conditional Pardon, received on the same day as John Cogan and John Grover..

James Burne, who was employed by Cox as a superintendent, on the building of the New Road over the mountains refused to take orders unless directly from Cox and left the party when Cox told him that he would convey orders however he wished. Burns would not have been able to leave unless he was a freeman, which Patrick wasn't at that time.

Patrick Byrne arrived in the colony on 16th February 1813 and was not a freeman in May of that year; in fact his Conditional Pardon for accompanying Evans to Lachlan River in 1815, was granted on 5th June of 1815.¹

With the land west of the Great Divide opened forever, the mystery to be solved was "Where do all the rivers run?"

On 24th March 1817 Governor Lachlan Macquarie issue instructions to John Oxley "*....for conducting and leading an expedition for the purpose of prosecuting the discoveries made some time since to the westward of the Blue Mountains of New South Wales, by Mr. George William Evans.....*"²

Oxley was selected as Earl Bathurst, Secretary of State for the Colonies, instructed that the person in charge was to be an "*....officer belonging to this government.*"

The order continued...

First.—With the view of facilitating the objects of the present expedition, and in justice to his former zealous and successful exertions in making the original discoveries in the interior, to the westward of the Blue Mountains; the Right Honourable the Secretary of State has directed, that in the farther prosecution of these discoveries, Mr. George William Evans, deputy surveyor of lands, should be associated with the person appointed to head and direct the expedition; and to be considered the second in command of it. You are therefore to consider Mr. Evans as next in command to yourself during the progress of the expedition, and to consult with him on all operations and points connected therewith; it being presumed from his local experience in the interior, he will be able to afford you very useful information and assistance.³

It is therefore safe to assume that Evans would have strongly recommended the inclusion of Patrick in the persons to accompany Oxley and himself. Patrick was selected as *Guide and Horseleader*.⁴

Apart from a reference to Simpson and later, Blake in the second journey, Byrne was the only convict to be named in the Cunningham and Oxley Journals.

From Cunningham's Journal:

1817

- "July 7th. Monday. This morning Mr. Oxley left our encampment on his journey westerly, accompanied by Fraser, **Burns** and Simpson, with provisions for six days...."

Oxley

- "July 25thhas fallen 3½ inches since last night, and in 4 hours it dropped 1½ inches. **Burns**, who had

1 NSW State Records Index of Convict Pardons CP 5th (Reel 774; 4/4430, COD 088)

2 John Oxley' Journals of Two Expeditions into the Interior of New South Wales' Appendix Part I no 1

3 Ibid

4 Ibid , No.1a

*visited with his dogs the elevated grounds, brought us a fine large emu which they had selected from a large flock. He reported that about 2 miles south from us he came to the shores of an extensive lake, forming a very large sheet of water encircled by a sandy beach*¹

From Oxley's Journal:

1817

-“July 25. . Our bridge was finished by one o'clock, but it being too late to cross the horses and baggage this evening, I went in company with **Byrne** on horseback to view the country to the southward.”

-“August 2 We were again disappointed in our hopes of crossing by means of trees, as the flood which still continued swept them away as soon as felled. I sent **Byrne** up the stream to endeavour to find a better place; but he returned in the afternoon without any success:...

-” Aug 3I rode up the river with **Byrne** to see the branch: I found it but an inconsiderable one, being merely a lagoon, except in times of flood like the present,..”²

1818

For the second expedition, Patrick was designated as '*Huntsman*'

-“June 24 **Byrne**, who was at the head of the hunting party, surprised an old native man and woman, the former digging for rats, or roots, the other lighting a fire: they did not perceive him till he was within a few yards of them, when the man threw his wooden spade at Byrne, which struck his horse; then taking his old woman by the hand, they set off with the utmost celerity, particularly when they saw the dogs,...”³

These few, scarce references to Patrick's participation, belies his importance to the expedition. It is quite obvious that Patrick, with his dogs, was invaluable to the survival of the party. With the loss of provisions from the boats, in the early days on the Lachlan, the game brought down, kangaroos, emus, and even a native dog(dingo), provided the much needed protein and sustenance.

Naturally Patrick was amongst those who received Absolute Pardons, on the return of the 1818 expedition.⁴ He also received a donation for his services, from the Police Fund, in the March quarter of 1819,⁵ which followed a '*donation for services as guide over the Mountains*' and '*'horned cattle'*', in March 1818.⁶

What has never been pointed out, by Oxley, Evans or historians from that day to this, is that Patrick did not have to participate in either of the expeditions as he was a free man within the colony, having held a Conditional Pardon since 5th June 1815. Macquarie had extended the courtesy of announcing Parr would be the mineralogist on the first expedition, even though he only held a Ticket of Leave and did not receive a Conditional Pardon till February 1818.

Patrick returned to the Bathurst area where, in October 1820 he was called to give evidence against William Cox before the Bigge Commission. Commissioner Bigge, was appointed to conduct an exhaustive investigation, into the Government and life of the Colony.

Charles Fraser made a written submission to Commissioner Bigge, accusing William Cox of

1 Allen Cunningham's Journals - Ida Lee at Gutenberg Project.

2 John Oxley' Journals of Two Expeditions into the Interior of New South Wales' Chapter 1.

3 Ibid Chapter II

4 Colonial secretary Index (Reel 6038;SZ759,pp.543-4)

5 Ibid (Reel 6038;SZ1044, p.54)

6 Ibid (Reel 6048; 4/1742 p44)

illegally using Government servants, stock, land and stores for his own use.

As a result Commissioner Bigge conducted hearings at Bathurst, during 1820, to hear evidence from convicts and emancipists who had been involved in working for Cox. Those giving evidence included James Blake, Patrick Byrne, and Richard Kippas.

Kippas, a rough carpenter, who had been listed to go with Oxley, broke a leg and had to be replaced. Interestingly he gave evidence that 5 months after his arrival aboard the *Indefatigable* he, and several other convicts escaped to the west of the mountains in an endeavour to reach a Dutch settlement on the west coast of Australia. He claimed they reached a point 150 miles west of Bathurst. This would have been within 20 miles(32kms) of present day Condobolin.

One may say it is a most unlikely scenario however why was he chosen to go with Oxley and not confined to the Goal Gang.

The submitted evidence indicated Cox was not only guilty of misappropriating labour, stock, property, stores and materials but also of recommending an excess of pardons for convicts.

When we consider the persons who gave supporting evidence to Fraser's submission, it clearly illustrates that Fraser, the Colony botanist on both expeditions, spent hours around the camp fire, discussing more than the weather, with the convict members of the party.

On 12th October 1820, at a sitting of the Bigge Commission, in Bathurst, Patrick gave evidence that :-

- He was first employed to accompany Mr Evans from Bathurst to Lachlan River; (*this is additional confirmation that he was one of the three persons on this journey*) for which he received his Emancipation.(*he received his Conditional Pardon on 5th June 1815*)
- He was sent to Mr Cox to mark out the road from Bathurst to Limestone Rock, a distance of 56 miles (90 kms) after which he stayed at Bathurst making bricks and getting timber at StringyBark and splitting it for post rails.
- Cox never paid him (*he was emancipated and due to be paid for his labours*) for marking the road or his work afterwards.
- He came up in March and went down in May 1816. Cox promised to recommend him to the Governor to get a Farm, as he said it would be better for him than getting a pardon. Patrick never received such a recommendation.
- In January 1817 he came up(*to Bathurst*), to mark the road to the depot site on the Lachlan River. Cox, Lewis(*Superintendent of Bathurst*) and two soldiers accompanied him.
- There was widespread abuse of use of Government men and animals by Cox and Lewis.

In his evidence James Blake swore before the Commissioner

- Two horses were sent with Byrne and himself to prevent them being worked by anyone else before the expedition. Cox wanted the horses, they refused.
- The horses which were in poor condition when supplied by Robert Hazard, died from inflamed bowels; Cox charged them with poisoning the horses and they were sent down to Sydney. They were acquitted of the charge.¹

¹ The Evidence of the Bigge Reports – New South Wales under Governor Macquarie.....John Ritchie Vol 1 The Oral Evidence, Wm Heineman Aust P/L 1971 ISBN 085561 027 1

On Wednesday 18th October , Commissioner Bigge departed Bathurst to meet with Governor Macquarie who was on an inspection of Western and Southern Countries some time since discovered by Chas.Throsby “*He was attended by Mr. Secry. Scott, Mr. Oxley, Mr. Cordeaux, and Dr. Hill -- and also by Chas. Fraser, the Colonial Botanist, besides a numerous Retinue of Servants -- all mounted, having 7 Pack Horses to carry their Baggage. ---They [left] Bathurst on Wednesday the 18th. Instant and have been 9 days on the way -- the distance (measured) from Bathurst Town to Bathurst Lake being 138 miles.*”¹

Patrick Byrne was one of the servants, and would have relished riding, after many thousands of miles, mostly walking on the expeditions.

Some years after this journey, on New Year’s day, 1825, Patrick, who was living at Emu Valley, near Bathurst, sent a letter to Major Morisset, the Commandant of Bathurst, requesting a promised reward which had not been paid. Unable to write he made his mark.

The reward, of £4, promised by Governor Macquarie, was for Patrick finding a horse, the property of the Crown.²

During the journey of inspection to Lake Bathurst, on Sunday 22nd October 1820, Macquarie’s party lost 9 or 10 horses, three belonging to Macquarie, and as not all were found; Patrick most likely found one during the party’s return to Sydney.³

Robert Fopp, who arrived in the Colony in 1809, as a butler to Governor Macquarie, remained in the Colony and took up land at numerous places in the Colony. He also had considerable cattle under the charge of Patrick at Emu Valley, near Bathurst.⁴

Patrick was here when he was appointed, by Governor Brisbane in early 1823, on the recommendation of Mr Lawson, to guide Percy Simpson’s party, with oxen and carts, from Bathurst to establish the settlement of Wellington Valley, where Simpson was to be Superintendent.⁵

Byrne refused point blank, saying the only track he knew was that which he had traveled with Mr Oxley, and it was unfit for carts.

Simpson sent George Chambers,(his principal overseer, who later in 1823 planned to overthrow the Wellington Valley establishment and steal the cattle) to have Patrick reconsider his decision.⁶

On 9th February Chambers wrote to Percy Simpson, advising that he had contacted Patrick Burns(sic) at Emu Valley who replied

“.. *he will by no means undertake to guide the Govt. Drays to that Station, but is willing to accompany myself or the Commandant or any other person or persons, in company with Three Pack Horses and three men so as to Mark a Road, for your further guidance hereafter with the Govt. Drays, as he clearly foresees the necessity of men to erect Bridges for passing the Govt.Drays to form the Establishment, which would at least occupy seven or eight weeks to convey the Govt. Drays to Wellington Valley*

At the same time he has requested Mr Fopp to proceed to Bathurst to have interview with the Commandant,

1 From Library , Macquarie University; Lachlan Macquarie ‘Journal of A Tour of Inspection to the Western and Southern Countries some time since discovered by Chas.Throsby Esqr. In Octr. & Novr. 1820

2 Colonial Secretary Index (Reel: 6065;4/1801 p.11)

3 From Library , Macquarie University; Lachlan Macquarie ‘Journal of A Tour of Inspection to the Western and Southern Countries some time since discovered by Chas.Throsby Esqr. In Octr. & Novr. 1820

4 Colonial Secretary Index , FOPP Robert)

5 Ibid (Reel 6069;4/1818 pp.10,35-44)

6 Ibid (Reel 6069; 4/1818 pp.88, 92-3, 97-121, 124-5, 127-8, 131-49, 166, 169, 179-80)

as he is one of the persons whose cattle he has under his Charge and whatever arrangement Mr Fopp may make, respecting the same he is immediately ready and willing to Comply with, as fair (sic) as regards Marking a Road retuning to his c????? again directly.

George Chambers

On the following day, Robert Fopp wrote Percy Simpson ,

"In compliance with your request I have to Inform you that I have not the least objection to Patrick Burn(sic) to go to Mark the Road to forward the expedition to Wellington Valley, and to return immediately - But to accompany the Wagons both ways will take him at least two months therefore as he has Charge of his stock which amounts to about six hundred – I cannot take upon myself to give you him for that time.

Robert Fopp

Fopp's letter counters Simpson's claim Patrick was only trying to get more money to carry out the guiding duties. Rather Patrick showed himself to be a man of principles who saw his duty was to those who had entrusted him with a fortune in livestock. Patrick appears to have also supervised Sergeant Whalen's property and stock. Charles Fraser, Colonial Botanist, in evidence to the Bigge Commission, at Bathurst, in 1820, stated - "Patrick Byrne is I believe Storekeeper to Sergeant Whalan and some other individuals at Sidmouth Valley."¹

Sergeant Charles Whalan was the commandant of the Governor's Body Guard of Light Horse.

The records merely state the robbery took place at Patrick's house at Emu Valley; with no mention of ownership of the land. However as Patrick requested permission from Mr Fopp before acceding to Percy Simpson's request, Mr Fopp was at the very least, the owner of the greatest number of cattle

Simpson made other arrangements by using the services of a native from the Wellington Valley. They took the oxen and drays by another route that saw the drays sunk to their axles. However they did succeed in getting through; and the settlement was established.

Later in 1823, Patrick's house at Emu Valley was robbed by John Bates (*Asia 1820*), Uriah Smith (*Mangles 1820*), George Pierce (*Agamemnon 1820* aka Pease/Purse), James Harris (*Hadlow 1820*), John Askey (*Grenada 1819*), and William Green (*Earl St. Vincent 1820*). Bates, Askey and Green are specifically recorded as having deserted from Wellington Valley whilst all were living 'in the bush'.²

The six offenders were convicted, sentenced to 100 lashes, at Bathurst, in Dec 1823 and transferred to Port Macquarie and Wellington Valley.

Patrick evidently loved the lands he helped open up. In the muster of 1822 he is recorded in the area,³ as he was in the 1823/4/5 Muster,⁴ employed by Aspinall, of Aspinall & Browne, merchants; and in the 1828 Census⁵ he is again recorded at Bathurst, as 50 years of age 'labourer', the owner of 15 cattle but no land.

1 The Evidence of the Bigge Reports – New South Wales under Governor Macquarie.....John Ritchie Vol 1 The Oral Evidence, Wm Heineman Aust P/L 1971 ISBN 085561 027 1 p.175-6 Letter to Bigge Aug 1820.

2 Colonial Secretary Index (Reel 6023;4/6671 p.107)

3 General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter Sydney : ABGR in association with the Society of Australian Genealogists, 1988

4 General muster list of New South Wales 1823, 1824, 1825 / edited by Carol J. Baxter Sydney : Australian Biographical & Genealogical Record for the Society of Australian Genealogists, 1999

5 Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson. Sydney : Library of Australian History, 1980



George William Evans

5th Jan 1780 - 16 Oct 1852

Commissary-Storekeeper/Surveyor/ Explorer/Book seller-publisher/Art teacher

"George William Evans, Deputy-Surveyor of Lands, came forward at this stage as the most prominent figure in Australian exploration. To him is due the honour, without dispute or cavil, of being the first discoverer of an Australian river flowing into the interior. For some reason he has never received adequate recognition of his important explorations, and he is well-nigh forgotten by the people of New South Wales, the state that has benefited most by his labours. After Oxley's second expedition, his name appears to have been overshadowed by his official superior's. Yet his work was invariably successful, and his labour in the field unremitting."¹

1780 -1802

George William Evans, the first of twelve children, was born to William Evans and Ann Southam, at Warwick²,where his father is widely reported as being secretary to the Earl of Warwick. In 1859 the fourth creation of the title of Earl of Warwick was invested on Francis Greville, the Lord Brooke, who controlled Warwick Castle. His full title becoming *The Earl Brooke and Earl of Warwick*; he applied for permission to use the more prestigious Earl of Warwick solely. This was not granted however it became commonly used.

The Second Earl Brooke and Earl of Warwick, George Greville, succeeded to the title in 1773 and it was to him that William Evans was Secretary.³

There are varying reports of his birth date however in his historical work "A Geographical Historical and Topographical Description of Van Diemen's Land"⁴ he records his birth date as 5th January 1780.

Growing up in the safe environs of Warwick Castle William was afforded an education which allowed him to be trained in art and apprenticed to an engineer/architect where he gained some surveying knowledge.⁵

In 1798, with professional knowledge and the urge to travel, George gained passage to Cape Province, aboard a ship commanded by Captain Thomas Melville, a friend of his father. The journey was obviously an enjoyable one for young George and the captain's 15 year old daughter, Jennett who was named after her mother; she was christened at St. George In The East, Stepney, London, England, on 7th September 1783.⁶

1 *The Explorers of Australia and their Life-Work*, by Ernest Favenc, Explorer and author; Whitcombe and Tombs Limited 1908

2 A.L Graeme-Evans extracted from Vol 2. Tasmanian Rogues and Absconders 1803-1875 for Tasmania Week series published by The Mercury newspaper

3 Wikipedia - Earl of Warwick

4 "A Geographical Historical and Topographical Description of Van Diemen's Land" by George William Evans, published in London, England in 1822

5 A.L Graeme-Evans extracted from Vol 2. Tasmanian Rogues and Absconders 1803-1875 for Tasmania Week series published by The Mercury newspaper.

6 LDS Family search IGI records Saint George In The East, Stepney, London, England

Rather than being a shipboard ‘fling’ it was to be the real thing, with them being married on 14th April 1802, by the Chaplaincy of the British Forces at Capetown.¹

Upon his arrival he gained employment in the Naval Storekeeper’s Department at the Cape of Good Hope for the next four years till the British left this colony.

In his Memorial of September 1824, to Governor Brisbane George details his departure from Cape of Good Hope and arrival in New South Wales “.... now induced upon the breaking up of the establishments, in that Colony at the Peace of Amiens of 1802, to accompany Captain Kent, of the Royal Navy, in His Majesty’s Ship ‘Buffalo’, in which Ship Mr Oxley, the present Surveyor General of New South Wales, then an Officer / to Sydney where His Excellency Governor King was pleased to appoint your Memorialist as Acting Deputy Commissary, there being no opening for your Memorialist in the Surveyor General’s Department until after the departure of Surveyor General Grimes in 1804 for Europe; when His Excellency was pleased to appoint your Memorialist to that situation.”²

1802 - 1809

Also aboard *Buffalo* on its arrival in Sydney, on 16th October 1802, was Major George Johnston, later Lieutenant Colonel, who assumed Lieutenant Governorship on 26 January 1808 and arrested Governor Bligh; and administered the colony until 28 July 1808.³

George’s stated position of *Acting Deputy Commissary*, was referred to in the Colony, as Storekeeper. A fortnight after arrival George was appointed to this position in charge of the issue and receipt of grain at Parramatta , a position he held till August 1803,⁴ when he was appointed Acting Surveyor General of Lands, replacing Charles Grimes⁵ who was given leave of absence to England from 1804 to 1806 .

On the other side of the globe, Britain declared war on France and the loyal followers of the King, formed Loyalist Associations in the Colony, in readiness for any repercussions which might eventuate. The Parramatta Loyalist Association was formed in December 1803.⁶

Its first call to arms was not against the French, but rather the Irish rebels who broke out of the Castle Hill Barracks with the intention of joining other rebel convicts and marching firstly on Parramatta, and then on Sydney, to seize ships and make their way to Ireland and freedom.

The rebels never made it to Parramatta, but 15 were killed and the rest captured, punished and returned to confinement by the men of the NSW Corp, led by Major George Johnston at, what was to be known as, The Battle of Vinegar Hill, on 5th March 1804.⁷

One of the Loyalists at Parramatta was Sergeant Major George William Evans, who was promoted to Lieutenant of Parramatta Association on 3rd May 1804.⁸

The first Land Grants in Parramatta were made on 30th March 1791, amongst which were grants on the north bank of the Parramatta River, directly opposite Macarthurs’ Elizabeth Farm. The Webb brothers, seamen from the Sirius received adjacent land grants at ‘The Fields of

1 LDS Family search . source ‘Military Records(births,marriages and burials) Cape Province 1795-1803

2 Colonial Secretary Index (Reel 6060; 4/1775 p.144).

3 Ibid; preface to JOHNSTON, George (Lieutenant Colonel).

4 Ibid; (Reel 6037;SZ990,pg 54)

5 Ibid; (Reel 6037;SZ991 pg 57)

6 Ibid: (Reel 6039, SZ756 pp.653; Reel 6037, SZ991 pp.83-4)

7 *The Battle of Vinegar Hill*. Lynette Ramsey Silver. Doubleday. 1989

8 Colonial Secretary Index (Reel 6037;SZ992 p.47)

Mars"(Parramatta)of 60 acres on 22 February 1792 and 30 acres on 25th July 1794, that they sold to Captain Thomas Melville, George's father-in-law for the sum of £100.¹

Capt. Melville was a hero to people of the Colony which was on the verge of famine, when he brought Speedy , load with provisions, into Port Jackson on 8th June 1794. His report that there were a further 5 provision ships on the way reassured the Colony that the Government wanted the settlement to succeed.²

Capt. Melville presented the land to his daughter, Jennet, and her husband, George who later sold the property

The property became the site of Moreton House, later Macarthur House, home of the Headmaster of Kings School.

Thanks to the foresight, dedication and hard work of Dick Pyke, Macarthur House has been restored and stands at 8 Melville St, Parramatta.

Mr Pike tells of the foundations of an old jetty amongst the mangroves and the remnants of an old cottage garden, on the lowest levels which he located in the early 1960's. As the first notable floods of the 1800's were in 1806 it is possible these historic traces were here prior to that date.

George's surveying duties were centered on the Nepean River, South Creek, Richmond Hill areas and in September 1804, George made the first of many notable discoveries when he discovered the New Western River, which joined the Nepean River. In 1810 Governor Macquarie, on being told by a native inhabitant that it was called *Warragombie*, directed that it be called that in future. It is known today as the Warragamba River.³

Further river exploration took place in September – October 1804 when George explored 25 miles up the Hawkesbury River, charting previously unknown waters. His explorations were set to continue in the new year, when he was to examine Shoal's Haven. This did not happen till 1812.⁴

Just eighteen months after commencing his surveying duties for the Government, they came to an abrupt end when he was discharged on February 25th 1805 by Governor Philip Gidley King, for fraud .5

The following advertisement, in the Sydney Gazette of 30th December 1804 was the beginning of the end of George William Evans term as Acting Surveyor-General of Lands.

The Sydney Gazette 30th December 1804

Secretary's Office

Whereas a Grant of Land not yet executed, but having the Colonial Seal affixed thereto, made out upon parchment in the name of Mr G.W.Evans of 459 ½ acres, has by some means been purloined from this Office. I do hereby offer a Reward for Ten Guineas for the Discovery thereof and bringing to conviction the offender.

D D MANN Clerk

1 *The Cradle City of Parramatta* by James Jervis edited by George Mackanass, City of Parramatta

2 The New South Wales Diary of Richard Atkins, published by the Division of Law, Macquarie University sourced online at http://www.law.mq.edu.au/scnsw/html/atkins_intro.htm

3 Journal of a Tour/of Governor Macquarie's first Inspection of the Interior of the Colony commencing on Tuesday the 6th Nov. 1810. Macquarie University Library

4 Sydney Gazette 27th January 1805

5 National Library of Aust online at www.nla.gov.au/exhibitions/upsidedown/timeline/1805.htm/

This advertisement was followed by the publication of a General Order, in the Gazette on 24th February 1805

"In consequence of an unexecuted Grant of Land being purloined from The Secretary's Office by a person who had access thereto, and the names of the Governor, Secretary and necessary Witnesses forged, for the purpose of making an illegal Transfer thereon, which, when transacted the Grant appears to have been destroyed, to prevent the Offender being tried by a Criminal Court for their forgeries: but such a deliberate breach of Trust, and the Evils resulting thereby to the security of personal property will not admit to such acts passing unpunished His Excellency has removed the Offender from the public Situation he held and directed the Ground to revert to the Crown."

The next passage revokes an existing Order to ensure the same offence could not happen in the future.

The last paragraph, below, does not mention George Evans by name, obviously in an attempt by Governor King to afford him some protection from universal scorn and in recognition of the association between the two families and the Melvilles.

'All future Applications ***** Land are to be made in writing to the Secretary, until a person can be appointed to do the duty of the Surveyor General during his absence.'

One can only ponder what affect Evans' discharge and subsequent curtailing of his explorations had on the development of the Colony.

The ensuing years saw George and Jennett, and their blossoming young family, farming on their Hawkesbury River property.

In September of 1810 their family consisted of :-

Ann Southam b.1803 d. 1885 m. Richard William Fryett 1818 Hobart

Harriett b. 1804 Sydney m John Beamont 1820 Hobart

William Melville b. 1806/7 Sydney

Elizabeth Margaret Linney b.1809 Sydney.¹

Their family was completed with a further three children –

George Francis b after 1810 Hobart m (1) Rebecca Letitia I. Faulkner 1837 Hobart (2) Jane Eliza Swifte(Keach) 1854 Hobart

John Thomas b. Windsor NSW, 1812 d. 1871 m. Mary Downey 1837 Hobart

Jane Isabella b.Hobart 1820 d 1905 Burwood NSW m. Vincent W. Giblin 1841 Brighton Tas.

Their eldest son George, had been left with Jennet's parents on departing Cape of Good Hope in 1802 and did not arrive in the Antipodes till late 1825.

However their farm years proved to be traumatic.

On 27th March 1806 the Hawkesbury River flooded; vividly described in the *Sydney Gazette* of 30th March, reaching a height of 48 feet (14.64m) at Windsor Bridge. Five persons drowned, wheat and barley reserves were destroyed and innumerable stock of every description was carried away. In August the river flooded again to a height of 47feet(14.33m) and in October a lesser height of

¹ Colonial Secretary Index (Reel 6002;4/3490C,p.169)

30feet(9.15m) was reached.¹
The results were catastrophic.

Not only did the Evans' suffer, but so did all the residents on the Hawkesbury and ultimately the colonies of New South Wales and Van Diemen's Land, as the Hawkesbury was the 'Food Bowl' of the Colonies.

Near famine conditions resulted and just as the agriculture production was normalizing, the Hawkesbury was struck again. In May and August of 1809 flood levels of 48 feet(14.64m) and 47 $\frac{1}{2}$ feet(14.49m) were recorded.²

Evans was appointed to the position of Deputy Surveyor of Lands at Port Dalrymple, by Lieut.Governor Paterson, on 27th October 1809 , '*until an opportunity shall offer of going thither to do duty at this Settlement'*

Paterson submitted this appointment to the Secretary of State to the Colonies, for confirmation on 6th November, however Lieut. Colonel Lachlan Macquarie took command of the Colony, and in so doing set about reversing many of the grants and appointments which had accompanied the removal of Governor Bligh.

1810 -1812

George, eager to see that he didn't lose his recently return to the Government fold, wrote to Governor Macquarie :-³

18th Jan 1810

Sir,

Having been appointed by Lieut Governor Paterson to act as Surveyor and having fulfilled that duty for the last three month, I have attended in obedience to your Excellency's Commands to surrender my charts of that part of the Colony which I have been directed to do duty in. I have at the same time taken the liberty to enclose letters of recommendation from some good personages in England which I request your Excellency will have the goodness to peruse, and if you should be pleased to appoint me surveyor; I flatter myself with competent to the duty and that my conduct will meet your Excellency's approbation.

G W Evans

Whilst no immediate response to his application to be appointed Surveyor was forthcoming George's application for his family to be victualled from Stores, as a married person in the employ of the Government, was approved.

Later in the month Evans was requested to advise whereabouts of papers, books and mathematical instruments taken from William Bligh at the time of his arrest; these included pocket compass/ case of drawing instruments/ circumferentor with sights (a surveyor's compass superseded by the theodolite). / and a parallel ruler.⁴

Evans requested permission to have the instruments and issued the following receipt on 31st Jan 1810.

Sir,

I have this day received from His Excellency the Governor the following Mathematical Instruments to be used in the service of the Government by me as a Land Surveyor. Viz:-

1 Disastrous Decade by Michelle Nichols(Deerubbin Press 2001) sourced from <http://www.hawkesburyhistory.org.au/articles/floods.html>

2 Ibid

3 Colonial Secretary Index (Reel 6042; 9/2736 p.12)

4 Ibid (Reel6042; 9/2736 p.37)

1 case of Drawing Instruments
1 circumferentor with sights
A parallel ruler

I have also belonging to Government a Mahogany Pocket Compass for all which I hold myself responsible.

To Campbell Esq

Signed

Secretary, Sydney

G W Evans

During the next two years his survey and exploration work included accompanying Macquarie up the New Western River (*Warragoombie/Warragamba*) River and setting up the 'Macquarie Towns'- Pitt Town, Windsor, Wilberforce, Richmond and Castlereagh.¹

It was 1812 before he took up duties in Van Diemen's Land.

Departing Port Jackson on 4th November 1811, aboard the *Lady Nelson*, Governor and Mrs Macquarie on their way to Van Diemen's Land were forced to take shelter the next dayand anchored in Jervis's* Bay at 1 p.m. under the Lee of Bowen Island, in six fathom water, and most excellent safe anchorage²

(*Macquarie's misspelling of Jervis can be attributed to the fact that his first wife and his man servant were both named Jarvis)

Obviously impressed with the potential of such a fine anchorage George William Evans was sent by Macquarie to investigate the area.

Incredibly no record of this journey is recorded in the Colonial Secretary Index where all correspondence to/from the Governor's office between 1788 -1825 are recorded. However an *Anonymous Journal of an Expedition Overland from Jervis Bay to Mr Broughton's Farm near Appin, March 25th - April 17 (1812)* attributed to G.W. Evans, is found at the Mitchell Library as *Journal C709*.

Historian A K(Keith) Weatherburn , historian and a direct descendant of G.W. Evans, records, in R.A.H.S. JOURNAL Vol 46, Pt 2 June 1960, that comparison of peculiar spellings with Evans Surveyor's Field Book no.96, and the evidence of a handwriting expert leaves no doubt that the report was the work of Evans. His Memorial to Governor Brisbane in September 1824 also confirms his participation in the journey. Whilst he recollects it being 1811, Weatherburn confirms a calendar check of the days/dates that it was 1812.

Much of the following is indebted to Mr Weatherburn in his R.A.H.S. article *Exploration of the Jervis Bay, Shoalhaven and Illawarra Districts, 1797 – 1812.*

Evans and his party, which included the young aborigine named Bundle, who had impressed Governor Macquarie during his inspection tour of the Cowpastures district in 1810,³ and most likely recommended that Evans take him on the journey, departed Port Jackson on March 26, 1812 aboard the *Lady Nelson*.

During March 28th and April 2nd a land survey of the Jervis Bay shoreline took place, during which time Evans was bitten by a snake. Fortunately he survived and on April 3rd the party set forth from the present day site of Huskisson, for 5 ½ miles along the south bank of the Currambee Creek, where they crossed in a bark canoe, no doubt fashioned by Bundle.

1 Tracking & Mapping the Explorers, Vol.1, The Lachlan River, John Whitehead 2003 Coonabarabran NSW Pg.31

2 Journey to/from Van Diemens Land to New South Wales 1811 Lachlan Macquarie - Macquarie University Library

3 Journal of a Tour of Governor Macquarie's first Inspection of the Interior of the Colony 1810. Macquarie University Library

Weatherburn acknowledges Evans as the builder of the bark canoes, which he may have claimed to have done, however we see Oxley, in their later explorations to the inland, ridiculing the efforts of his men attempting to make craft for river crossing, saying the natives would be laughing at their attempts. It is therefore safe to say Bundle would have been responsible for the successful crossing of the rivers on this journey.

The party camped at Flat Rock Creek on the night of April 4th before following the creek downstream to the Shoalhaven River, about 1 ½ miles (2.4km) west of the present day Nowra, where another bark canoe was made.

The value of Bundle is illustrated in Evans account of the crossing

I ventured to swim but felt the cramp coming on; I returned to the shore. Two of the men could not swim which ‘Bundle’ conveyed over in the canoe. I remained till last, fearful that if I had used it first my weight might swamp her, as it was very bad and leaked much; I stripped myself and sent my clothes over; it rained hard; at last it came to my turn; I ventured into the canoe and brought it down within two inches of the water; Thank God I landed safe: we were six hours making the Bank and conveying ourselves and our Baggage over.

This passage also lets us know that George was very much like his portraits that show him to be of stocky build.

Today, approximately 6 miles(10kms) north of Nowra we are able to see the panorama surrounding Cambewarra Lookout, where George recorded his feelings upon scaling Cambewarra Mountain; an ascent of three miles which took 10 hours through heavy brush, massive timber, vines and undergrowth; “one of the finest views I have ever seen; it would have been impossible for a Painter to Beautify it.” From the summit he saw a broad expanse of water to the south of Jervis Bay.... St George’s Basin.

The intention had been to travel directly north to Appin; however Evans could see that it would be an impossible task and descended through vines and briars, over thirty to forty foot cliffs; lowering the baggage using the measuring chain, to the valley of Bundewallah Creek that was followed to a point half a mile north of the present site of Berry.

At this point the party turn towards the coast, crossing Broughton Mill, and Broughton Creeks and Crooked River; reaching the coast at Black Point.(near present day Gerroa)

Evans concluded “..it is my opinion that if the small River (Broughton Creek) is Navigable this part of the Country would make a beautiful Settlement.”

On April 11th they commenced north along the coast passing the present day sites of Kiama and Port Kembla. Six miles (10kms) north of Red Point(Port Kembla) Evans decided to head inland and set a course of West 20° N for Mr Broughton’s hut at Appin.

In his Memorial, of 6th September 1824, to Governor Brisbane, George vividly describes the hardships endured –

‘.....suffered incredible hardships and difficulties in so doing, having been without food for three days together and nearly exhausted when he reached the inhabited parts of the Country, but fortunately succeeded in completely ascertaining the value of the immediate Country, part of which is now in progress of settlement.’¹

1 Colonial Secretary Index (Reel 6060; 4/1775 p.144).

George must have had an extremely strong constitution at this time, as the following month, 25th May 1812, he, together with James Meehan was ordered to Van Diemen's Land to straighten out the mess that passed for surveying on the island at that time¹ and eradicate the backlog of applications and rebuild confidence amongst the inhabitants.

The surveying had been in the hands of George Prideaux Harris and Peter Bernard French Mills.

Harris came out on *Calcutta* as deputy surveyor for the 1803 settlement at Port Phillip before the transfer to the Derwent in 1804. He appears to have carried out his duties for the next four years before being charged with insubordinate conduct and was dismissed as Deputy Commissary after just five months. He died in late 1810; leaving his family destitute.

Mills was Deputy Surveyor and Harbour Master at Port Dalrymple 1807 -1812 ; he was also Superintendent of Government Stock for nine months in 1810; and was deemed an outlaw in 1814 after absconding from the law and defrauding his creditors.²

The financial situation of both men enforces Governor Macquarie's statement that the payment for Surveyors in Van Diemen's Land was 'totally inadequate'

To add to the problems, Norfolk Island was in the process of closing down and from 1806, to its closure in 1814, the inhabitants were transferred to Van Diemen's Land where they were allocated land grants, mostly in the area of New Norfolk and Norfolk Plains.

His directions to the two surveyors were very precise; outlining what was required of them in the smallest detail.

- Resurvey, measure and record all Grants previously allocated in Van Diemen's land, which included settlements in the Port Dalrymple and Derwent areas.
 - Survey all new Grants not yet registered
 - Survey and record the site of George Town
 - Survey 50 sites of varying sizes at Norfolk Plains for freemen at Norfolk Island in readiness for their return
 - Explore, survey and report upon river '*twenty miles south east of George Town which flows into the sea near the entrance to Bass Strait, which I have named Clarence River*'
 - Erect 'finger boards' in the Launceston and Hobart Town areas to ensure travellers are made aware of direction to various settlements.
 - Survey and report on four areas most suitable for establishment of Military Posts between Launceston and Hobart Town; to be on the route Macquarie had travelled in 1811.
- As a result of this survey, Macquarie in his final visit to Van Diemen's Land recorded in his Journal that the towns to be built on these sites would be
- #1. Perth, on the Esk River 14 miles from Launceston
 - #2. Campbell Town. 27 miles from Perth, on the north bank of Elizabeth River
 - #3. Oatlands, a further 30 miles south on the Great Lagoon, on the Westmoreland Plains
 - #4. Brighton, on the peninsula formed by River Jordan and Strathallan Creek, within 3 miles of River Derwent.³

As Evans recorded in his Memorial to Governor Brisbane in September 1824, the sorting out of problems associated with land previously taken up by the settlers from Norfolk Island, was '*..the difficult and perplexing duty of settling and arranging the disputes of the Settlers from Norfolk*

1 Ibid; (Reel 6038; SZ758 p.297)

2 Ibid: introduction for both Harris & Mills

3 A *Journal of a Voyage and Tour of Inspection of VDL 1821 'Journeys in Time'* Macquarie University Library,

Island'.

Five months later, on 7th November 1812, George was finally rewarded by Governor Macquarie when he was appointed Acting Deputy Surveyor General of Lands in Van Diemen's Land, subject to the wishes of His Highness, the Prince Regent.¹

However George only had twelve months to apply himself to the task of straightening out the problems of the surveying department on Van Diemen's Land before he was recalled to New South Wales by Governor Macquarie, with the instructions to*commence the Ascent of the Blue Mountains from the extremity of the present known country at Emu Island, distant about thirty six miles from Sydney, and thence proceed in a nearly west direction as the nature of the Country he had to explore would admit, and to continue his Journey as Far as his Means would enable him.*

1813 - 1814

On 20th November 1813 in his quest to fulfill Macquarie's instructions and cross the Great Dividing Range, Evans and a party of five departed Emu Island (*now known as Emu Plains*).

Evans determined to make for the termination of Blaxland, Wentworth and Lawson's termination point as quickly as possible, resting the animals on expected good pasture. By following the ridges defined by their predecessors, the party achieved in six days what Blaxland, Wentworth and Lawson had done in 21 days; however it wasn't without problems. Medicine bottles were smashed, horses became fatigued and natives were heard around the party. In the pursuit of speed, chaining had to be left for their return journey.

Four days later he caught a tantalising view, a glimpse of the outskirts of the vast interior. There before him, the first white man to look upon the scene, lay the open way to two thousand miles of fair pasture-lands and brooding desert-wastes -- of limitless plains and boundless rolling downs -- of open grassy forests and barren scrubs.²

At this historic time he merely wrote "*I came to a very high mount, when I was much pleased with the sight westward. I think I can see 40 miles which had the look of open country*".

Descending from the ranges the party camped by a stream where they caught a Murray Cod, the first of the species to be tasted by a European. This river was called the Fish River which joined the Campbell; the combined stream being named the Macquarie River.

They followed the Macquarie to a point '*...now 98½ miles from the limitation of Mr. Blaxland's excursion."*

The plains that he now strode he called 'Bathurst Plains" after Earl Bathurst, Principal Secretary of State for Colonies.

'.....I cannot speak too much of the Country, the increase of Stock for some 100 Years cannot overrun it; the Grass is so good and intermixed with variety of herbs....'

The traveling for some days had been so rough that the men were now almost barefoot: the stones and grass had cut their pampooters to pieces. Nor could they hope to renew them, since the dogs would not chase the kangaroo and, says Evans, "there is no certainty of obtaining skins for our feet." Whilst *pampooters* cannot be found in any dictionary or on the Internet, thanks to Ben Carter, a trainee librarian at Penrith NSW, the mystery of 'pampooters' is solved.

1 Colonial SecretaryIndex(Reel 6038:SZ758 p.325)

2 The Explorers of Australia and their Life-Work. Ernest Favenc, Whitcomb and Tombs Ltd

Incredibly Ben was able to recall a similar word from Dymphna Lonnergan's 'Sounds Irish - The Irish Language in Australia' where she details Irish words which were used by natives who came in contact with Irish convicts; either those who went bush or were shepherds. One such word was 'pamputa' = shoe, from the Arun Islands off the West Coast of Ireland. Another was 'pampooties', Irish-English for a shoe made from rawhide.¹

In this case Evans would have heard Byrne, Tighe and/or Cogan referring to the shoes by their Irish name.

The horses' backs were also in a bad condition, and seeing no hopes of getting to the end of the high range of hills on which he then was, Evans determined on December 16th to turn back on the following day. He ascertained the distance traveled, from Blaxland, Wentworth and Lawson's termination point, by the distance chained by his men.²

On their return they kept at a distance from the rivers where good pastures provided their stock with food; and on the Bathurst Plains they made their only contact with natives, 2 women and 4 children to whom they gave fish, hooks, twine and a tomahawk; and played with the children.

On 29th December, reaching the base of the ridge upon which Blaxland, Wentworth and Lawson had terminated their journey, the party saw a blackened landscape and the top of the ridges alight with a bushfire.

Thankfully they were not on the ridges when the fires roared up the slopes or they would have stood no chance of surviving the holocaust. As it was they were faced, not only with the task of chaining in an area of fallen trees and branches, but also remarking their path for future journeys across the mountains. Seven weeks after their departure, the party arrived back at Emu Island on 8th January 1814..

Governor Macquarie, overjoyed with the discovery of fine grazing plains and large streams, proclaimed a Government Order which was published in the *Sydney Gazette*, on 12th February, 1814 :-

"It having been long deemed an Object of great Importance by His Excellency the Governor to ascertain what Resources this Colony might possess in the Interior, beyond its present known and circumscribed Limits, with a View to meet the Demands of its rapidly encreasing Population; and the great Importance of the Discovery of new Tracts of good Soil being much enhanced by the Consideration of the long continued droughts of the present Season, so injurious in their Effects to every Class of the Community in the Colony, His EXCELLENCE was pleased some Time since to equip a Party of Men, under the direction of Mr George William Evans, one of the Assistant Land Surveyors (in whose Zeal and Abilities for such an Undertaking he had well branded Reason to confide), and to furnish him with written Instructions for his Guidance in endeavouring to find a Passage over the Blue Mountains and ascertaining the Quality and general Properties of the Soil he should meet with to the Westward of them.

Object been happily effected, and Mr. Evans with his entire Party all in good Health, the Governor is pleased to direct, that the following Summary of his Tour of Discovery extracted from his own Journal, shall be published for general Information.

Mr. Evans, attended by five Men, selected for their Knowledge of the Country, and habituated to such Difficulties as might be expected to occur, was supplied with Horses, Arms, and Ammunition, and a plentiful Store of Provisions for a two Months Tour. His instructions were, that he commence the Ascent of the Blue Mountains from the Extremity of the present known country at Emu Island,

1 'Sounds Irish-The Irish Language in Australia ' Dymphna Lonergan . Lythum Press, Adelaide pg.26

2 Early Explorers in Australia. Chapter Exploration of the Interior: by Ida Lee, Methuen & Co Ltd.London 1925

distant about thirty six miles from Sydney, and thence proceed in a nearly west direction as the nature of the Country he had to explore would admit, and to continue his Journey as far as his Means would enable him.

On Saturday, the 20th of November last, the party proceeded from Emu Island, and on the 5th Day, having then effected their Passage over the Mountains, arrived at the Commencement of a Valley on the western Side of them, having passed over several tracts of tolerably good Soil, but also over much rugged and very difficult Mountain; proceeding through this Valley, which Mr. Evans describes as beautiful and fertile, with a rapid running Stream running through it, he arrived at the Termination of the Tour lately made by Messrs G. Blaxland, W. C. Wentworth, and Lieutenant Lawson.

Commencing in the western Direction prescribed in his Instructions for the course of 21 days from this station, Mr Evans then found it necessary to return, and on the 8th of January he arrived back at Emu Island, after an Excursion of seven complete Weeks. During the Course of this Tour, Mr. Evans passed over several Plains of great Extent, with Hills and Vallies abounding in the richest Soil, and with various Streams of Water and Chains of Ponds. The Country he traversed measured 98½ Miles beyond the Termination of Messrs. Blaxland, Wentworth, and Lawson's Tour, and not less than 150 from Emu Island.

The greater Part of these Plains are described as being nearly free of timber and Brush wood, and in Capacity equal (in Mr Evans' opinion) to every Desire and which this Colony may have for an Extension of Tillage and Pasture lands for a Century to come.

The Stream already mentioned continues its Course in a westerly Direction and for several miles through the Vallies, with many and great Accessions of other Streams, becomes a capacious and beautiful River, abounding in Fish of very large Size and fine Flavour, many of which weighed not less than 15lbs. This River is supposed to empty itself into the Ocean on the western Side of New South Wales, at Distance of from 2 to 300 Miles from the Termination of the Tour.

From the Summits of some very high Hills, Mr. Evans saw a vast Extent of flat Country laying in a westerly Direction, which appeared to be bounded at a Distance of about 40 Miles by other Hills. The general Description of these heretofore unexplored Regions, given by Mr. Evans is, that they very far surpass in Beauty and Fertility of Soil any he has seen in New South Wales or Van Diemen's Land.

In Consideration of the Importance of these Discoveries, and calculating upon the Effect they May have on the future Prosperity of this Colony, His Excellency the Governor is Pleased to announce his Intention of presenting Mr. Evans with a Grant of 1000 Acres of Land in Van Diemen's Land, where he is to be stationed as Deputy Surveyor; and further, to make him a pecuniary Reward from the Colonial Funds, in Acknowledgement of his diligent and active Services on this occasion.

His Excellency also means to make a pecuniary Reward to the two Free Men who accompanied Mr. Evans, and a Grant of Land to each of them. To the three Convicts who also assisted in this Excursion, the Governor means to grant Conditional Pardons and a small Portion of Land to each of them, these Men having performed the Services required of them entirely to the Satisfaction of Mr. Evans.

The Governor is happy to embrace this Opportunity of conveying his Acknowledgements to Gregory Blaxland and William Charles Wentworth, and Lieutenant William Lawson, of the Royal Veteran Company, for their enterprizing and arduous Expeditions on the Tour of Discovery which they voluntarily performed in the Month of May last, when they effected a passage over the Blue

Mountains, and proceeded to the Extremity of the first Valley particularly alluded to in Mr. Evan's Tour, and being the first Europeans who had accomplished the Passage over the Blue Mountains. The Governor is desirous to confer on these Gentlemen substantial Marks of his Sense of their meritorious Exertions on this Occasion, means to present each of them with a Grant of 1000 Acres of Land in this newly discovered Country.'

*By Command of His Excellency
The Governor,
J.T. Campbell, Secretary*

George Evans received £130, from the Police Fund, on 30th April 1814, under the inscription '*for his exertions in making late important discoveries to the westward of the Blue Mountains and for his Extra Duties and Expenses whilst employed in the Surveying Service in VDL*', whilst the other five members shared a total of £25.¹

A month later on 25th May, Evans received his land grant² whilst other grants were made to the other five members of the party, later that year on 12th December.³

The members of the party were:-

Two free men-	James Burne (<i>Byrne, Burns</i>) Richard Lewis
Three convicts-	John Tighe (<i>Tye/Tygh/Tygue/Teague</i>) came as Tygue per <i>Anne 1</i> , 1801 John Grover per <i>Anne 2</i> , 1810 John Cogan (<i>Coogan</i>) Per "Tellicherry", 1806

Burne, who arrived aboard *Anne 1*, in 1801, as James Byrne, was sentenced to life transportation, at Carlow, Ireland for '*breaking.....intent stealing*' (the shipping records being partly destroyed and Irish records non existing). He accompanied Blaxland, Wentworth and Lawson on their journey across the Blue Mountains, and was referred to as a '*man who hunted kangaroos in the mountains*'.⁴ Blaxland, in his journal, doesn't name the persons who accompanied Wentworth, Lawson and himself on their successful journey, however in his Dedication to John Oxley Parker esq. he mentions "*I found a person who had been accustomed to hunt the kangaroo in the mountains, in the direction I wished to go; who undertook to take the horses to the top of the first ridge*", when describing his previous attempt to find a way across the mountains. Evans confirmed Burne's participation with Blaxland, Wentworth and Lawson, but was less than impressed when he wrote of their first day into the mountains ... *James Burns(sic) having several times mistaken his former track little was achieved on the first day.*

Burne had received a Conditional Pardon on 10th June 1813,⁵ for his services with Blaxland, Wentworth and Lawson; hence his position as *free man* with Evans. A Conditional Pardon entitled him to that status within the Colony.

On 31st January 1814 Burne received an Absolute Pardon.⁶

Burne went with William Cox, as a superintendent on the New Road, till 2nd August 1814, when

1 Colonial Secretary Index (Reel 6038; SZ758 p.487)

2 Ibid: (Reel 6071; 4/6577 pp.99-101)

3 Ibid : (Fiche 3266; 9/2652 p.20)

4 "Australian Explorers-Gregory Blaxland" Roma Reilly

5 NSW State Records Tickets of leave, emancipation, and pardon records, 1810-19

6 Ibid

Burne was given very short shift by Cox for refusing to take relayed orders from Cox, via Lewis.

Burne left immediately.

There were two James Byrne who arrived aboard Anne1, in 1801. This has caused much speculation about who went with the explorers. There are several pieces of evidence which show with some certainty which courses their lives took:-

James 1:

Strangely, was recorded on his indents as convicted at Wicklow of *Murder..burning house* for which he only received 7 years.

From as early as 1806

Muster he continued to be recorded as Byrne

He states in his memorial of 31st Aug 1824 that he received his emancipation on 14 Nov 1809; two years late due to loss of his indents.

All muster records show him as FBS (free by servitude) No mention is ever made of crossing Blue Mountains.¹

He settled at Appin,, married and raised a large family

James 2:

Convicted of *Breakingintent....stealing* (indent badly damaged) sentenced to Life at Carlow, Ireland. From 1806 Muster referred to as BURNE(or Burn (s))

Went with Blaxland Wentworth Lawson 1813

Received

Conditional Pardon 1813

Went

with Evans 1813-14

Received Absolute Pardon in 1814 where his details show him to be *5ft 6inches tall, of dark complexion with dark brown hair and hazel eyes*. Arrived on *Anne1 – 1801- labourer- life* together with notation '*A Conditional Pardon given to this man #292, 10th June 1813*' Both pardons were received soon after the return of the expeditions to Emu Island.

Supervisor with Cox on building of New Western Road.

Dismissed 2nd Oct 1814 and replaced by Thomas Hobby to whom he was assigned in the 1806 Muster.

Another James Byrne has been put forward as the Burne(Burns) who crossed the Blue Mountains, he being James Bourn who arrived on the *Hercules* in 1802; however his Memorials of 1824-5 show that he was renting land and requesting a land grant. As James Burne received a land grant from Governor Macquarie, the claims that he was with the explorers has no validity.

Following his dismissal by Cox no trace has been found of James Burne, under any form of name in Musters, Census or shipping departures and his land grant remained unclaimed in 1818. A Private James Byrne departed the Colony in 1822 as a member of the 46th Regiment however whilst nine members of the regiment were named as past convicts, James Byrne was not amongst them.

Bill Peach, in his book '*The Explorers*' states that Burns, who went with Blaxland had gone with

1 Colonial Secretary Index Fiche 3081 ; 4/1836B No 151A p.703

Caley in 1804, and acknowledges the chapter to Johanna A Richards, editor 'Blaxland, Wentworth, Lawson. No mention could be found of any Burns, or other person going with Caley and BWL in her work..

Dr Joan B Webb, in her biography of George Caley, *Reflections on the Colony of NSW: George Caley*, edited by J E B Curry, *Devil's Wilderness*, edited by Alan E J Andrews and Governor King in his letter to Earl Camden 2nd Nov.1805 all agree that the men taken by Caley were 'the strongest men in the colony who were accustomed to living in the woods'; the only variation being Andrews claiming there were three, not four. This variation may have been by Caley taking his faithful aboriginal lad, Daniel Moowantin plus three 'ticket of leave men.

Richard Johnson, in his biography of John Oxley mistakenly, attributed Burne's bad temper to Patrick Byrne, and when we consider his temper, inability to get on with others and Blaxland's description of a man who hunted kangaroos in the mountains, it is possible that he turned his back on civilization.

Richard Lewis was sentenced to 7 years transportation, at Surrey in 1800; departing Spithead on 12 February 1802 aboard *Coromandel*, he arrived at Port Jackson a day over four months later. George Hall, in his Journal of the voyage of the Coromandel recorded on March 7th "Very calm and sultry wind variable a prisoner(sic) accused of attempting to incite a mutiny was examined and farther heard about it only double ironed. Four prisners(sic) had their irons knockd(sic) Quite off. Vis Harris, Richd Addams R. Lewis, Chanker - Cape Verd Islands seen from the mast head..." Richard claimed to Commissioner Bigge his term had expired in 1807 however he received his Certificate of Emancipation on 1st February 1811,¹ some 9 years after his departure from England. Perhaps his term was extended because of the episode aboard *Coromandel*.

Lewis was assigned to George Evans at his Mulgrave Place property; an association which led to him accompanying Evans on his 1813 journey.

Richard had commenced an association with Mary Ann Roberts , which resulted in six children from 1810 to 1824,² before they married at St James CoE , Sydney, in 1825.³

Richard and Mary Ann swore on oath that they had entered into a contract to marry, in affidavits to the Colonial Secretary on 29th December 1824.⁴

Lewis went with William Cox, as superintendent on the construction of the New Road and was rewarded with the position of Superintendent and Overseer of Bathurst. He assisted Oxley in the 1817 and 1818 expeditions in establishing the Lachlan depot, west of present day Cowra and the Wellington Vale depot, on the Macquarie River and continued his association with Cox at Bathurst. This association saw him mentioned before the Bigge Inquiry where evidence indicated Cox was not only guilty of misappropriating labour, stock, property, stores and materials but also of recommending an excess of pardons for convicts.

In 1824 Major Morissett, Commandant at Bathurst, advised the Colonial Office that David Brown of 'Tellicherry' and Richard Taylor 'Eliza', had been murdered at Samuel Terry & Richard Lewis' stations some 16 miles north of Bathurst.⁵ The same year Lewis' gave evidence of these murders in the trial of John Johnston, William Clarke, John Nicholson, Henry Castles, and John Crear, charged with manslaughter following an assault on an aboriginal black woman, which terminated in

1 State Records of NSW -Tickets of Leave, emancipation and Pardon records 1810-1819 (Reel 601, 4/4427, p.538-39)

2 NSW BDM

3 Ibid

4 Colonial Secretary Index (Reel 6028; 2/8305 pp.103-6)

5 Ibid Colonial Secretary Index Reel 6013: 4/3511 p. 587

death.¹

These killings did not discourage Lewis as he applied for the purchase of 1000 acres, held under certificate of occupancy, at Capita, north of Bathurst, for the pasturing of some 110 horned cattle and 1100 sheep, in order that he could provide for his wife and 6 children. William Cox supported his application to the extent that he recommended he be allowed 2000 to 3000 acres.²

Richard and Mary Ann's 'married life' was to be short lived; Richard dying in 1828. However with a sizeable land holding and similar holding of stock Mary Ann soon found a new companion; marrying James Evans, at Church of England, Kelso in the following year.³

When Lewis landed in the colony just after the turn of the century he could not have dreamt that he would flourish as he had.

The convicts who accompanied George had varied futures.

Tighe, Grover and Cogan all received Conditional Pardons on 1st February 1814, *in consideration of his discovering good land to the westward of the Blue Mountains.*⁴

John Tighe, who was tried in 1798, at Cork, Ireland as Teague, was transported for life, aboard *Anne* 1 in 1801 and pardoned as Tygue on 1st February 1814. He was also known as Tye and Tyrgh.

In the 1805-6 Muster he is recorded as being assigned to Mr Arndell, Magistrate for the Hawkesbury in the County of Cumberland.

Following his crossing of the Great Divide with Evans, Tighe (referred to as Tye in Cox's Journal) was guide to William Cox's party, building the New Western Road across the Great Divide to Bathurst.

For this he received 100 acres⁵, two cows and £5.

During the construction of the road Tighe took a week off to return to Windsor, In March 1815, two months after the completion of employment with Cox he married Sarah McDonald at Windsor.⁶ Sarah was a convict, sentenced at Middlesex in December 1812, and arrived aboard *Wanstead* in 1814.

The newly weds were soon parted when John accompanied George Evans from Bathurst, following Governor Macquarie's visit to the new lands in May 1815.

He is recorded in the 1828 Census as being a blacksmith at Richmond.

There are no records of his death in the NSW registrations however a Sarah Tighe is recorded as marrying John Booth in 1836.

John Cogan aka Coogan, another Irishman, was sentenced to life transportation at Kildare, in 1803 and arrived in Sydney aboard *Tellicherry* in 1806. For the next seven years he was assigned to John Palmer, Commissary, Landholder and Magistrate.

1 Decisions of the Superior Courts of NSW, Law Faculty Macquarie NSW published in *Sydney Gazette*, 12th August 1824

2 Colonial Secretary Index (Fiche 3097; 4/1838A No.582 pp.417-24)

3 NSW BDM's

4 State Records of NSW T/L, emancipation and Pardon records (Reel 601; 4/4427 p.721)

5 Colonial Secretary Index (Reel 6048; 4/1742 p.61)

6 Ibid; (Reel 6004; 4/3493 p.501)

Like Tighe, Cogan also received cash and land grant for his services and, although not recorded in the NSW marriage records he was married and was farming at Bringelly till 7th January 1826 when tragedy struck.

Mrs Cogan was sitting at the door of a Mr McGill's house when Michael McGlynn came up and asked Mrs Cogan to go to another house; she refused. James Burke took her by the arm and led her away from the house. John Cogan rushed from a haystack and knocked Burke down. Cornelius Donahue, who like Burke was assigned to Wm Cox and had also arrived aboard *Southworth* in 1822, approached Cogan and was also knocked down.

Burke who had recovered and gone back to the house, claimed it was McGill, (who had been charged the previous week, by Cogan, with having stolen goods from Mrs Cogan) who had taken an axe and struck Cogan. However McGill's testimony was a contradiction to that of Burke. He stated that as he was standing by the deceased, Burke came up and struck Cogan under the ear with an axe, which felled him at his feet. McGill in attempting to take the axe from him narrowly escaped himself. Burke again struck the deceased on the shin bone. Donahue then came up and made a blow at McGill with a hoe,, which struck into the ground. Donahue was heard to say, in English, to Burke, "don't strike poor Cogan," and immediately after, directly the reverse in Irish. Donaghue was indicted to stand trial as accessory after the deed whilst Burke was duly sentenced to death for Cogan's murder, and hanged on Monday 9th March 1826.¹

Mrs Coughan married James Smith at Liverpool, in 1827.

The last of the trio, John Grover (aka George Grover), sentenced to life transportation, at Oxford, on 20th April 1808 arrived aboard *Anne 2* in 1810.² John, the 6th child of 4 boys and 4 girls born to William and Sarah Grover, was christened at St Giles, City of Oxford, 10th Jan 1787.³

Just 4 years after his arrival in the colony, Grover, like the other two convicts, was emancipated and like Tighe and Cogan, received cash payments and land grant; thus setting him on the right footing for his future in the colony. However this was not to be!

On 25th July 1821, John Grover appeared before the Sydney Criminal Court where he faced the charges of feloniously stealing, from David Hosely, on 22nd September 1820, at Samuel Terry's Rose Hill farm, 20 dollars*, nine 3 shilling pieces and 39 dumps* and putting him in bodily fear. [*Governor Macquarie had the centres of Spanish dollars punched out, leaving a ring (the holey dollar) valued at 5 shillings and a dump or core valued at one shilling and three pence].⁴

Evidence was given that he was seen approaching Hosely, a shepherd for Mr Terry, with a pistol behind his back. Hosely identified him and attested that he was forced to strip and was robbed of the stated coinage. However a constable stated he had seen Grover 12 miles away on the same day: after adjournments he was convicted and sentenced to death on 30th August 1821.

The following day John's sentence was commuted by Governor Macquarie 'on the Sole and Express Condition that he shall continue to reside in the Colony of New South Wales during the Term of his Natural Life and be kept at hard labour.'⁵

Perhaps it was the evidence that allowed the commutation or perhaps Macquarie was rewarding Grover a second time for his exploration with Evans.

1 Decisions of the Superior Courts of New South Wales 1788-1899 Published by the Law Faculty Macquarie University
R.v Burke Donahu

2 NSW State Records Ships Indents, *Anne 2*

3 LDS Familysearch .org Parish registers 1576-1958 Church of England. St. Giles' Church ,Oxford,

4 Reserve Bank of Australia Currency Notes Museum - website

5 Colonial Secretary Index (Reel 6070; 4/2129.1 pp.5, 18)

On 12th September he was transported to Newcastle, aboard *Elizabeth Henrietta*.¹ Having experienced the joy of freedom he rebelled at the incarceration of the Newcastle settlement and absconded in January 1822; only to be recaptured and returned there during the following month.² During this year he was referred to in the 1822 Muster as ‘Government employee’.³

John evidently decided to behave as he was sent to Port Macquarie , aboard *Sally*, in February 1822⁴ to the new settlement where, when it was established in 1821, the “*Best-behaved convicts to be sent to Port Macquarie as artificers & labourers to carry out public works in new penal settlement with promise of ticket of leave or pardon after 18 months if satisfactory*”⁵

John evidently continued to work with the authorities, as the 1823/4/5 Muster shows him as ‘*Constable at Port Macquarie*’.⁶

With the authorities in England concerned that there was no settlement sufficiently harsh for repeat offenders, they ordered the re-establishment of Norfolk Island for such a purpose. It was here that he was registered in the 1828 Census,⁷ most likely as a constable as he is next reported absconding from position of watch-house keeper at Penrith, from whence he was reported as being dismissed in the Sydney Gazette of 1832.⁸

John Grover was to spend the rest of his days as a convict; registered in the 1837 Convict Muster assigned to Michael Hyane of Illawarra and dying in 1852,⁹ when he was recorded as 64 years of age; without ever recapturing the freedom which he had gained and lost, over 30 years prior.

Governor Macquarie went beyond his published promise of pecuniary and land rewards for George Evans.

In his letter of 25th May 1814, to Lieut. Governor Davey, he made his admiration for George evident and declared that he should receive

- 1000 acres , exclusive of the 300 acres promised on him going to Van Diemens Land with Mr Meehan. George to choose the land himself.
- 4 men on Government Stores, 6 cows, 4 working oxen; on credit for 3 years – to be paid in money or kind at expire of that time.
- Use of a Government Horse to offset the costs of travel between Hobart, Port Dalrymple and elsewhere as his salary in that colony was “totally inadequate”
- A land allotment for a house in Hobart.¹⁰

Two days later Governor Macquarie, despite having the highest regards for Evans and his achievements, wrote to the surveyor, instructing him, in no uncertain manner, that no land was to be measured for any person without a written order from him and relayed through Lieut. Governor. Should the Lieut. Governor require expedient measuring it was permissible, however Evans must inform Macquarie immediately in writing. He further instructed Evans that there was to be no

1 Ibid; (Reel 6008;4/3504 p.362)

2 Ibid; (Reel 6067; 4/1808 pp.41-2) (Reel 6008; 4/3504A p.477)

3 General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter. Sydney : ABGR in association with the Society of Australian Genealogists, 1988.

4 Colonial Secretary Index (Reel 6019; 4/3864 pp.390-1)

5 Ibid; (Reel 6015; 4/1748 pp.282-5)

6 General muster list of New South Wales 1823, 1824, 1825 / edited by Carol J. Baxter. Sydney : ABGR for the Society of Australian Genealogists, 1999

7 Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson, Sydney : Library of Australian History, 1980.

8 Jenny Fawcett; www.genseek.net/scons32q.htm - www.genseek.net/scons32b.htm

9 Ibid: www.genseek.net/cdeathsg.htm & NSW BDM's V1852842 38B/1852

10 Colonial Secretary Index (Reel 6071; 4/6577 pp.99-101)

deviation to Macquarie's plan laid out for Hobart Town.¹

In May of 1814 the Evans family was united in Hobart Town, however Jennett and the children soon found that the family would be without a husband and father; a situation which would regularly arise over the next four years.

During September and October 1814 George was involved in two land transactions which leaves one to ponder 'why?'.

On 11th September, Henry Hacking of Hobart Town, sold '*Land bound on the North by Mr Gunnings Lease, on the west by George's Square on the south by Murray St and on the East by Sullivan Cove*' for the sum of two hundred pounds sterling.²

Exactly one month later, George William Evans sold the property to Thomas Davey Esquire (Lieut. Governor of Van Diemen's Land), for the sum of two hundred pounds sterling.³

These were strange transactions which may have had several reasons for taking place.

Henry Hacking may not have wished to sell the property to Davey. Perhaps because Davey was a drunkard and womanizer; or, even though he was the pilot of Hobart Town he may have had a dislike for officialdom as he was the first pilot of Port Jackson in 1803 but later that year was transported to Van Diemen's Land for stealing Naval stores; or it may have been a method of hiding the transaction in return for a pension, which Hacking received in 1816⁴ whatever the reason, Evans' association with Davey would have been strengthened.

1815 - 1816

At the beginning of 1815 Governor Macquarie, appreciative George's achievements and with further exploration in mind for him, expressed his wish for George to return from his surveying duties in Van Diemen's Land, to join him on the first official journey over the New Western Road to the new lands west of the Great Divide and the depot on the Banks of the Macquarie River.⁵

This was to be the first official journey across the Great Dividing Range, on the road constructed under the direction of William Cox.".... 14 July 1814 Cox received a letter from Governor Macquarie accepting his voluntary offer to superintend the making of a road across the blue mountains from a ford on the river Nepean, Emu Plains, to a "centrical part of Bathurst Plains". He was given 30 labourers and a guard of eight soldiers. Work was begun on 18 July 1814 and it was finished on 14 January 1815.⁶

The total distance of the road was 101 ½ miles, consisting of:-

1st stage, from Emu Ford to Springwood.....	12 miles
2nd " " Jamieson's Valley..16 "	
3rd " " Blackheath	13 "
4th " " Cox's River	15 "
5th " " Fish River	16 "
6th " " Sidmouth Valley8 "	

1 Ibid; (Reel 6071; 4/6577 pp.111-15)

2 Ibid: (Fiche 3261; 4/433 p.14)

3 Ibid

4 Ibid; Introduction HACKING Henry

5 Ibid; (Reel 6004; 4/3493 p.428)

6 The Australian Dictionary of Biography, by Percival Serle

7th "	" Campbell River	11 "
8th "	" Bathurst.....	10½ "¹

Departing 25th April 1815, the official party consisting of Governor Macquarie and Mrs Elizabeth Macquarie, John Thomas Campbell [Secretary to the Governor], Dr. William Redfern, William Cox, Sir John Jamison; John Oxley, George Evans, James Meehan [surveyors]; John Lewin [artist]; Major Henry Antill, Lieutenant John Watts [military officers]; Joseph Bigg [coachman] and George Jarvis [manservant], crossed the Blue Mountains and Great Divide via the newly constructed route arriving at the Macquarie River on Thursday 4th May 1815.^²

The following Sunday, after Divine Service the Governor named “.... *"Bathurst" in honor of the noble Earl of that name. I prefaced it by complimenting Mr. Cox and Mr. Evans, and their respective Parties for discovering this fine Country, and afterwards facilitating our access to it so easily and overcoming such extraordinary difficulties in so doing.* --The ceremony concluded by all of us drinking Prosperity to the new Town of Bathurst.”^³

After another three days of exploring and being charmed by the new lands, His Excellency and party, excepting George William Evans, departed on their return journey over the once impassable barrier to the east.

"I have also left Mr. Evans the Dy. Surveyor at Bathurst for the purpose of proceeding on a further Tour of Discovery for the distance of one Hundred miles in a South West direction from Bathurst, in hopes of falling in with the Macquarie River in that Quarter. -- Mr. Evans takes with him 3 men and 2 Horses to carry his Provisions on this Tour, which he hopes to complete in six weeks."^⁴

The unnamed trio were in fact four in number:-

John Tighe - a member of Evans' successful crossing of the Great Divide.

Thomas Appledore, aka George Kane, sentenced to 7 years transportation, arrived per *Earl Cornwallis* 1801.

Patrick Byrne, Irish convict sentenced to life transportation, arrived per *Archduke Charles* 1813.

James Butler, sentenced to life transportation, arrived on *Admiral Gambier* 1808.

In Evans Diary,9a, transcribed in *Historical Records of Australia Series 1, Vol 8, p.619*, he records

'I beg to state that the under named persons were very attentive and obedient to my orders
--- George Kane alias Thomas Appledore, James Butler also John Tighe, Patrick Nurns '^⁵

G.W.Evans D.y Surveyor

A.K.(Keith) Weatherburn, a direct descendant of Evans, names the trio in his book “*George William Evans – Explorer*” as :- George Kane(alia Thomas Appledore), Patrick Nurns, and John Tygh; using a plaque at Philip's Crossing eight kms, from Cowra on the Billimari Road inscribed with

1 Memoirs of William Cox, J.P.. William Brooks and Co., Printers Sydney and Brisbane. 1901

2 Lachlan Macquarie , Journey to the new discovered Country 25 April- 19 May 1815. Macquarie University Library

3 Ibid

4 Ibid.

5 Sourced from Cowra & District Historical Society & Museum Inc.

"George Kane, alias Thomas Appledore". The reason for the alias is a mystery. In his journal of Friday 19th May, Botanist Alan Cunningham referred to him as *Appledove*, an obvious error in transcribing.

In Evans journal to Macquarie he details the members as:-

*James Butler, George Kane alias Thos Appledore, Patrick Burns also John Tyghe who accompanied me each journey previous to this.*¹

The plaque at that point now includes Butler, and *Nurns* now reads Byrne.

Appledore was convicted at the Devon Western Assizes in 1799 of stealing copper at the Devonport Docks and was sentenced to transportation for the term of seven years. He was transported aboard '*Earl Cornwallis*' arriving in Sydney on 12 June 1801. Although Thomas' sentence was due to be completed in 1806, he was awarded a grant of 50 acres in the District of Evan as a "discharged soldier" on 1 July 1803. By the 1822 Muster, Thomas was well established on 75 acres at Birdseye Corner on the Nepean River producing wheat, maize, fruit and running 50 hogs. In 1832 Appledore was farming 100 acres. Thomas Appledore died on 22 October 1841 and was buried at St Stephen's Church Penrith.²

John Tighe, as detailed earlier, had numerous spellings of his name.

There is no evidence of any *Nurns* ever existing in the Colony. No indents, pardons, births, deaths or marriages. The explanation of the name is clear when we see that Patrick Byrne, at various times, was referred to as *Burne*, *Burn*, *Burns*. At a time he was referred to as *Burns* the name has been transcribed as *Nurns*.

The absolute proof of Patrick Byrne having been the other member of the party is found in Oxley's Journal of the 1817 Expedition where he recorded ... *The creek was named Byrne's Creek, after one of the present party, who had accompanied Mr. Evans in his former journey....* and Cunningham, describing Evans party arriving at the Lachlan River on 25th May 1815 states *Evans named it the Lachlan in honour of the Governor, and established a military dépôt at a spot which he called Byrne's Creek.*

James Butler, sentenced to life transportation at the Old Bailey , on 14th January 1807 was charged with stealing £3.16.0, in company of William Marsden, on 15th December 1806. Marsden aged 19years and Butler, aged 15 years, were sentenced to death, but recommended to mercy by the jury.³ Butler arrived in Port Jackson aboard Admiral Gambier on 20th December 1808.

He received a Conditional Pardon on June 5th 1815 for his services with Evans to the Lachlan River; and was recorded at the time of his trial as being a seaman. He was of small stature , 5feet 5inches tall of pale complexion with light brown hair and hazel eyes.

Five years later Butler petitioned Governor Macquarie for '-- such quantity of Land as your Excellency may deem adequate for the want.' Butler also advised that he had married a native girl, had two children and lived 'by the 'produce of a rented farm in the district of Evan' (Penrith area). He was granted 50 acres of land.⁴

Following Macquarie's departure from Bathurst to Sydney, Evans' party prepared for their journey; only to be delayed by one of the horses throwing its load and damaging the tackling. Having repaired the equipment the party departed south west on the following morning of Saturday 13th May.

1 Vol 8, P 619, Historical Records of Australia

2 Presentation to Penrith Council History Council ; John Mitchell,Woking,Surrey,Eng

3 Oldbaileyonline.org

4 Colonial Secretary Index (Fiche 3015; 4/1823 No. 106 pp.239-40)

Throughout this journey the land measurements were taken by chaining. A chain being 22 yards ie 80 chains = 1 mile.

Monday was met with the disappearance of the horses which had not been properly tethered . The men were sent in search of them but returned later in the day without success. This did not disturb Evans who went out himself and found the horses and recorded “ ...*the walk afforded me the opportunity of seeing a part that was before obscured from sight.....*”¹

It was the reaction of a man who could instill confidence in his men and recognize and appreciate opportunities as they arose.

On 24th May Evans wrote “*An(sic) handsomer and finer Country I never saw than what I have been over these last two Days.....*”²

Continuing SW towards present day Cowra, Evans named the area “Oxley’s Plains and described the river he had discovered as being ‘...equal to the Macquarie River.

Having followed the river westward to a point south of present day Eugowra, he named the creek that joined the river, Byrne’s Creek, after Patrick, a member of his party.

Restricted by their provisions, the party was forced to begin their return, however not before Evans had inscribed a tree with ‘Evans 1st June 1815.’³

The following day, from an ascended height Evans recorded a plea to Macquarie “..*I ascended the Height; no Country can possibly have a more interesting aspect; so much so that, if a further trace into the interior is required at a future period, I respectfully beg leave to offer myself for the Service. I see no end of traveling.*”⁴

On the same day he recorded a somewhat inaccurate ‘....*no doubt the Stream connects with Macquarie or some other River further West.*’ But it would be left to Charles Sturt to locate the Stream connecting with the Murrumbidgee River.

Evans named the Stream the ”Lachlan River”.

A month after their departure the party arrived back at Bathurst, a destination which Evans would see again in 1817 and 1818. For Patrick Byrne it would become his home..

Mid July, George departed Sydney aboard ‘Emu’ for Van Diemen’s Land where he would spend the next twenty months immersed in his surveying duties and no doubt, taking the opportunity to spend what little time he could, with his family.⁵

Earl Bathurst, His Majesty’s Principal Secretary of State to Colonies, in a letter dated at London, 4th December 1815, to Governor Lachlan Macquarie proclaimed.....

“.....I cannot withhold from you my sincere congratulations upon the attainment of an object, which has been so often , but in vain attempted by your predecessors in the Government, nor refrain from expressing my Sense of the Exertions and Perseverance of Mr Evans and those who

1 Australian Discovery-edited by Ernest Scott, Book 2: Discovery by Land, Chapter IV Evans's Discovery of the Lachlan - Gutenberg Project

2 Ibid

3 Ibid

4 Ibid

5 Colonial Secretary Index (Reel 6004; 4/3494 p.125)

accompanied him in the course of his journey.

He continued with instructions for the journey of discovery to be undertaken as soon as possible and instructed that a depot be set up at the Lachlan from which to commence the journey.

Whilst the Earl of Bathurst, who had been approached by persons desirous of leading such a party, had the power to appoint the commander of the party and those to take part, he merely laid out the attributes required and left the appointments to Governor Macquarie.¹

1817

Evans was widely regarded as Macquarie's favourite explorer however on 24th March 1817 , it was Oxley who was made Commander of the expedition, with Evans as his second-in-command.

As Evans' reputation as an explorer was unchallenged, and as a surveyor he was more than capable, it leads one to ask, why the necessity for two leaders; especially when one considers Macquarie's direction to Oxley..... ‘and to consult with him on all operations and points connected therewith; it being presumed from his local experience in the interior, he will be able to afford you very useful information and assistance.’

Perhaps there could have been more than a grain of truth in the conspiracy theory expounded in John Oxley's Biography , as presented by the Oxley family:-

“Meehan.....Macquarie at once appointed his protégé – Deputy Surveyor General, and Inspector of Roads and Bridges, and subsequently devised a scheme for promoting him to the coveted office, held by Oxley, who was on the point of starting to explore the interior –‘Oxley might be lost’. Macquarie urged that his protégé should be made Deputy Surveyor General, with the immediate right of succession to the principal situation in the event of it becoming vacant, by whatever cause. The despatch was silent as to the civil condition of the nominee, but the Australian wastes were not fatal to Oxley, and Macquarie’s plot was futile”.²

In his instructions to Oxley, of 24th March 1817, Macquarie advised that William Cox had prepared a depot on the Lachlan River and most of the provisions, for a five months journey, had already been placed there and remained under guard.

Having decided that carriage of the provisions by water, rather than by horse, would be better, Macquarie had sent a boat builder, to prepare boats for the journey. This builder would have been George Hubbard.³

In the same instructions Oxley was directed to depart Sydney on 31st March, to arrive at Bathurst on 8th April, meet William Cox and proceed to the depot, however his departure from Sydney was delayed till 7th April; with rain delaying departure from Bathurst till the 20th and arrival at the depot till the afternoon of the 25th April.

Should a full description of the party's expedition along the Lachlan and return to Bathurst be described in full, the purpose of this book would be lost. That is to recognize the men as individuals; and as was the practice in those days, very few references are made, by name, of the persons taking part in the expedition.

1 Ibid; (Reel 6045; 4/1733 p.95)

2 John Joseph William Molesworth Oxley - Biography according to Oxley Family- see chapter this book

3 Appendix #1 .Journals of Two Expeditions into Interior of New South Wales –John Oxley

Full descriptions of the 1817 Expedition can be found in:-

“*Journals of Two Expeditions into the Interior of New South Wales*” by John Oxley, London : Murray, 1820; -Adelaide : Libraries Board of South Australia, 1964. ---
Also available on the internet at <http://www.gutenberg.org/catalog/>

‘*Early Explorers of Australia*’ by Ida Lee , Methuen & Co Ltd.London 1925
Also available on the internet at <http://gutenberg.net.au/pages/cunningham.html>

‘*The search for the inland sea : John Oxley, explorer, 1783-1828*’ by Richard Johnson, Melbourne University Press 2001

Tracking and mapping the explorers. Volume 1, The Lachlan River exploration, 1817, Oxley - Evans – Cunningham by John Whitehead ISBN 0-646-43038-6

Australian Discovery-edited by Ernest Scott, Book 2: Discovery by Land, Chapter V Oxley's Exploration of the Lachlan.

Also available on the internet at <http://gutenberg.net.au/ausdisc/ausdisc00-index.html>

On 26th April 1817 commenced a journey which would take the party along the Lachlan River to the junction of what is now Island Creek, which, though the party were never to know, rejoins the Lachlan further west. (as fate would decree, the author's g-grandfather, William Crampton established ‘Newlands’ on The Island, 55 years later)

At the first junction, Oxley recorded on 18th May “.....we commenced our journey towards the coast.” in a south westerly direction, taking them to a point approximately 20 kilometres north east of the site, of present day Griffiths.

Had they continued on their south easterly tack for another 50 kilometres, they would have discovered the Murrumbidgee River, which connects to the Lachlan River, before meandering onto the Murray River, east of Boundary Bend.

However on 6th June their course was set north west, then north, till, on 23rd June ‘.....we suddenly came upon the banks of the river; I call it the river, for it could certainly be no other than the Lachlan’.

During this sector of the journey it was discovered that several casks of flour had been lost from the boats and not disclosed by those in charge of the boats and provisions. This led to concerns over the rations for the rest of the journey and on 18th June ‘Some of our party began even now to anticipate the resources of famine, for a large native dog being killed, it was pronounced, like lord Peter’s loaf, in the Tale of a Tub, to be true, good, natural mutton as any in Leadenhall-market, and eaten accordingly:....’

On reaching the Lachlan ‘..... it was resolved to go down the stream as long as there was a chance of its becoming more considerable, and until our provisions should be so far expended as barely to enable us to return to Bathurst.’

On the 7th July, having traveled some 150 kilometres to a point south of present day Booligal, Oxley declared ‘...it was with infinite regret and pain that I was forced to come to the conclusion, that the interior of this vast country is a marsh and uninhabitable’ and ‘ my intention to penetrate farther westward being thus frustrated, I returned to the tent about three

o'clock, and determined, should the horses appear sufficiently recovered and refreshed, finally to quit this western part of the country on Thursday next..'

After returning along the course whence they had departed a month earlier , the party came upon a large lake which was named Regent's Lake, after the Prince Regent.

Evans took half a day, on 26th July to view the lake and make some sketches. The lake is now know as Lake Cargelligo.

With the Lachlan in flood and the lands to the east impassable, it was decided to construct a raft from cypress pine trees and together with a native bark canoe, cross the Lachlan River and strike out to the east, to join with the Macquarie River. Adjacent to their intended crossing point they discovered a '*...a tumulus*, which was apparently of recent construction (within a year at most). It would seem that some person of consideration among the natives had been buried in it, from the exterior marks of a form which had certainly been observed in the construction of the tomb and surrounding seats. The form of the whole was semicircular. Three rows of seats occupied one half, the grave and an outer row of seats the other; the seats formed segments of circles of fifty, forty-five, and forty feet each, and were formed by the soil being trenched up from between them. The centre part of the grave was about five feet high, and about nine long, forming an oblong pointed cone.'*'* a mound over a grave

At this point, 40 kilometres, west of present day Condobolin, on the south side of the Lachlan River, the Goobotherapy Indigenous memorial and the John Oxley memorial mark this era in history.

After four days constructing the raft, on 3rd August, Oxley with Byrne, set out to inspect the southern bank of the River, whilst George Evans supervised the completion of the raft and the transfer of the luggage and supplies to the northern bank. A somewhat more difficult task than George had experience, five years earlier at the rivers on his Jervis Bay expedition.

The following day the party set out on their quest to join with the Macquarie River, then follow it south to Bathurst.

Traveling NE for nearly one hundred miles (160km) Oxley decided, on 14th August, with horses in need of water and feed and the men depending on the dogs to provide them with kangaroos and emus, to head east. Crossing the Bogan River the party continued east, passing north of present day Peak Hill, before striking what Oxley named Wellington Valley and Bell River which, less than a mile on discovered it joined with the Macquarie River..

On 21st August, Oxley, in the company of Evans and Cunningham, set out for an excursion down the Macquarie where he reported '*.... I shall not in this place attempt to describe the rich and beautiful country that opened to our view in every direction. Alternate fine grazing hills, fertile flats and valleys, formed its general outline; whilst the river, an object to us of peculiar interest, was sometimes contracted to a width of from sixty to eighty feet between rocky cliffs of vast perpendicular height, and again expanded into noble and magnificent reaches of the width of at least two hundred feet, washing some of the richest tracts of land that can be found in any country.'*' Their spirits rekindled, the next week was one of hope and expectation that they would soon reach Bathurst which they did, on the evening of 29th August ¹.

Cunningham's last paragraph, on arrival in Bathurst, clarifies an aspect of the expedition which highlights the endurance of the men accompanying Oxley.

"We have been absent from Bathurst 19 weeks and have in our route formed a circle of upwards of 1,200 miles within the parallels Of 34°30' and 32° S. lat: and between the meridians Of 149°43'00"

¹ Chapter 1. *Journals of Two Expeditions into Interior of New South Wales –John Oxley*

and 143°40'00" East, and have ascertained that the country south of the parallel Of 34° and west of the meridian of 147°30' East is altogether uninhabitable and useless. We have all, Mr. Oxley excepted, walked since we left the boats in May last a circuitous route Of 750 miles. ^{“¹}

In writing to Governor Macquarie, upon completion of the expedition, Oxley reported of Evans – “*I feel the most particular pleasure in informing your Excellency of the obligations I am under to Mr. Evans, the deputy surveyor, for his able advice and cordial co-operation throughout the expedition; and, as far as his previous researches had extended, the accuracy and fidelity of his narrative was fully established.*”²

With his exploratory duties completed, George returned to his surveying duties in Van Diemen's Land; however within 5 months he was to learn that he would once more be heading into the Interior of New South Wales.

1818

In January of the new year, George was again selected as second-in-command to Oxley, to explore the Macquarie River, in the hope that the riddle of where the rivers flowing west ended their journey. He sailed from Hobart Town, aboard *Greyhound* on the last day of March 1818.³ Preparations took place over the next four months, with the establishment of a depot at the Wellington Valley, storage of required equipment and supplies, and the construction of the boats, under the guidance of George Hubbard, who was a member of the first expedition, the previous year. Having been appointed as boat builder at Port Dalrymple, Hubbard's duties would finish at Wellington Valley, on the departure to the party down the Macquarie.

Ernest Favenc, writing of the second expedition states ‘*He had with him, as next in command, the indefatigable Evans,...*’ . In deed a great compliment, as Favenc was himself an explorer.

A full description of the 1818 expedition can be found at:- “*Journals of Two Expeditions into the Interior of New South Wales*” by John Oxley, London : Murray, 1820;

-Adelaide : Libraries Board of South Australia, 1964. ---

Also available on the internet at <http://www.gutenberg.org/catalog/> and Evans' discovery of the Castlereagh at “*Journals of Two Expeditions into the Interior of New South Wales*” by John Oxley, London : Murray, 1820;

-Adelaide : Libraries Board of South Australia, 1964. ---

Appendix 2 Part II No IV *Diary of Mr. Evans, Deputy Surveyor General, from the 8th, to the 18th of July 1818.* Also available on the internet at <http://www.gutenberg.org/dirs/etext04/xpnsw10.txt>

On 6th June the party of eighteen men, eight horses, two boats and provisions for twenty-four weeks departed Wellington Valley whilst others who had carried out the preparations for the expedition, including George Hubbard and Richard Lewis, superintendent and overseer of Bathurst, returned to that settlement.

Full of hope and expectations, and encouraged by the absence of untoward difficulties, through the following two and a half weeks, they passed through country which gave all the indication of being

1 *Early Explorers of Australia*’ by Ida Lee , Methuen & Co Ltd.London 1925 at <http://gutenberg.net.au/pages/cunningham.html>

2 . *Journals of Two Expeditions into Interior of New South Wales* –John Oxley Chapter 1

3 Archives of Tasmania Index of departures 1817-1867

good land for the eager pastoralists and new settlers.

You would have already seen that there were only sixteen men listed as members of the second expedition, but eighteen left Bathurst.

It having been prearranged for Governor Macquarie to be given an interim report, Oxley detailed high hopes of their future success and forwarded the report, on 23rd June, via Thomas Thatcher(aka Thacker), a private of the 48th Regiment, and John Hall. Thus, the party was reduced to the sixteen listed participants.

Within a week of the tidings being sent to Governor Macquarie, the land became lower and the river tended to overflow thus preventing the men and horses ashore remaining in sight of the boats. On June 30th Oxley decided to take the larger boat and accompanied by four volunteers would attempt to follow the main stream downstream, allowing a month for this attempt.

In Oxley's absence it was decided that Evans would take a party north east for 50-60 miles *in order that we might be prepared against any difficulties that might occur in the first stages of a journey to the north-east coast.*

John Williams, the cooper, was set the task of making smaller casks, as those carried on the horses were too large for the horses.

Oxley departed on 2nd July, a day of extreme storms. By the evening of the next day, with the landscape flooded and the streams surrounded by six-seven foot reeds, Oxley's opinion was '*..decidedly in favour of our being in the immediate vicinity of an inland sea, or lake, most probably a shoal one, and gradually filling up by immense depositions from the higher lands, left by the waters which flow into it.*

Just five days after setting out of their voyage, Oxley and his volunteers returned up river, where he found the experienced Evans had moved the camp to Mt Harris, approximately 30 miles north of present day Warren, to avoid the rising waters.

The next day Evans departed on his planned excursion, and whilst it is not recorded who accompanied him, it is reasonable he would have taken his long time guide Patrick Byrne would have been the first selected and as Evans recorded daily distances, George Simpson would have been another.

By their return on 18th July, the party had traveled over 170 miles through dreary, marshy and brush cover land. However on 11th July and again on their return they '*..crossed the stream of which was thirty or fort yards wide, but the bed nearly one hundred yards, the banks being eight or nine feet high.*' The river was named the Castlereagh..

The whole expedition, having departed Mt Harris on 20th July, arrived at the Castlereagh a week later, however due to its raised level was unable to cross till the 2nd August. They proceeded through the bogey Pilliga country, where loaded horses couldn't pass. Detouring they climbed a conical hill near present day Mullaley, west of Gunnedah. Here fine, undulating, pastoral land stretched before them. Named Liverpool Plains, the area stretches south through the Gunnedah, Quirindi and Murrundi regions.

After crossing the Plains they arrived at the Peel River, which was crossed by bridging it by falling large trees. One member of the expedition almost drowned when he tried to swim across with a horse. Oxley described the lands as being '*impossible to find a finer or more luxuriant country than it waters*'.

After bypassing a massive crevasse and passing through the Walcha district, Oxley and Evans ascended to a peak where the view caused Oxley to record on 23rd September - '*....Bilboa's ecstasy at the first sight of the South Sea could not have been greater than ours, when on gaining the summit of this mountain, we beheld Old Ocean at our feet: it inspired as with new life'*

The descent to the river, sighted from Sea View Mount, was a horrendous experience one for man and beast alike; however the river, named Hastings River, provided the guide for the expedition to the coast. Overlooking the entrance of the river to the ocean, Oxley named the inlet Port Macquarie.

The present day Mt Seaview is east of the mount from which they sighted the ocean. It is thought Mt Kokomerican was more likely their Sea View Mount.¹

Following the coast the barrier of the Manning River estuary was overcome with the recovery and repair of the lifeboat from the wrecked *Jan*. The carriage of the boat enabled the crossing of various waterways and the safe arrival a day's journey short of Port Nelson. Here Evans and Harris, bathing at the base of a cliff were attacked by natives hurling spears. Fortunately neither man was injured but Evans lost his clothes in his dive to escape..

The following day, the party arrived at Port Stephens where Evans, with three others, crossed the port and traveled overland to Newcastle.

Once more George William Evans had successfully fulfilled the task allotted by his Governor. Oxley in his letter to Governor Macquarie, written on arrival at Port Stephens commended Evans for his services. *The general merits of Mr. Evans are so well known to your excellency, that it will here be sufficient to observe, that by his zealous attention to every point that could facilitate the progress of the expedition, he has endeavoured to deserve a continuance of your excellency's approbation.*

1819 -1826

Early December 1818, George was reunited with his family, when he arrived in Hobart aboard the brig *Prince Leopold*, formerly *Rosetta*.² And what a surprise awaited him. His oldest daughter Ann Southam, just 15 years old, had married Richard Fryett on the very day that George had rowed across Port Stephens, on his way to Newcastle. The following year, his second daughter, 16 year old Harriett married 31 year old John Beamont, on 11th September 1820. Beamont, provost-marshall at the time of the marriage, had explored the central plateau of the island colony, in 1817. This no doubt gave the two men common ground for discussion around the fire, at family gatherings..

With his absence from surveying duties for six months, George was once again faced with a heavy work load and applied himself with his usual gusto. This was softened in June 1820 when Governor Macquarie extended his thanks for a view of Hobart that George had painted and given to the governor. Macquarie was so impressed with the gift that he requested similar views of Parramatta and Newcastle.³

In April 1821, Governor Macquarie departed Sydney for an inspection of Van Diemens Land; a

1 'Timbertown' website - First Europeans in the district.

2 Colonial Secretary Index (Reel 6006; 4/3499 pp.181,189)

3 Ibid; (Reel 6049; 4/1744 pp 368-9)

journey which would finish on 12 July, with his return to Sydney.

On May 5th Governor Macquarie accompanied by M^{rs}. Macquarie, his son Lachlan, Lt. Gov..Sorell and his son Edmund, Judge Advocate Wylde, Lt. Robinson, Lt. Macquarie, Doc. Redfern, and Mr.Evans departed Hobart to travel over land to Port Dalrymple; reaching Launceston on 10th May. Evans standing with Governor Macquarie was illustrated on 15th when he and Doc. Redfern were invited to dine with him at the Commandant's house at George Town.

Thursday, 17th May Evans accompanied Governor Macquarie on an inspection of Low Head before investigating land to the north-east. A fine valley suitable for 18 settlers, with 30 acre allotments, was found. On the following Saturday Evans was in the party which departed George Town for Launceston. During the journey Evans had the opportunity to renew acquaintances with George Hubbard. A description of this journey can be read in the chapter on *George Hubbard - Boat Builder*.

Returning south, Macquarie, with Major Bell, Redfern and Evans, inspected the new road from Elizabeth Town to New Norfolk and the district of Macquarie, during the first week of June. A fortnight later Evans was included in a party which inspected the Districts of Pitt Water and Coal River, during which an area was confirmed as the township of Sorell.¹

During Macquarie's visit, Sorell resubmitted his proposal to Gov. Macquarie, to set up a settlement for 'incorrigibles' at Macquarie Harbour "*I am now induced again to submit to Your Excellency the benefit that would arise from an early establishment being formed at Macquarie Harbour, for which, should Your Excellency approve of it, immediate steps would be taken by the preparation of huts, etc., in frame, so that after an examination by the Deputy Surveyor, in order to determine with accuracy the points on which we already possess information (for which purpose, Mr. Evans could repair thither in the early Spring), the persons destined to form the establishment could be dispatched with all necessary supplies at the commencement of the summer.*"²

Evans wasn't sent as proposed but on 8th December, with the proposal for a settlement approved, Sorell advised Lt. John Cuthbertson, the newly appointed Commandant of the intended settlement that '*Mr. Evans, Deputy-Surveyor-General of the Colony, is instructed to accompany you in order to examine and survey the shores of the harbour with a view to assisting you with his opinion and experience, as to the most eligible point for fixing the settlement, security from flooding, contiguity to fresh water, and to land most capable of cultivation, and where at least vegetables can be raised, proximate to the places of labour for coal and timber and to anchorage and landing places for vessels and boats, are the main points for attention in deciding upon the spots to be occupied.*'³

Evans on return from Macquarie Harbour, aboard *Sophia*, in February 1822, provided Lt.Gov. Sorell with a detailed report,of his journey to set up the settlement on the west coast. He advised of the abundance of Huon Pine, the presence of coal, the necessity of clearance of timbered land if crops were to be grown, the mile wide mouth of the Gordon River, the abundance of fresh water, the problems with entry to the huge harbour; but above all he saw the advantage of the establishment at Macquarie Harbour was it would be '*a place of secure transportation, is the certainty that the persons sent thither can have no communication with the eastern side of the island, so completely shut in is this part of the surrounding rugged, closely wooded, and altogether*

1 Lachlan Macquarie; Journal of visit to Van Diemens Land Apr -July 1820; Macquarie University Library

2 Ian Brand's Macquarie Harbour Research, Dept of Primary Industries and Water Treatment Library Services : sourced from HRA I/X/528 Lieutenant Governor to Governor, N.S.W. 25 June 1821

3 Ibid; sourced from 8 TSA/CSO1/134/3229 Lieutenant Governor to Commandant and Magistrate December 1821

*impracticable country, that escape by land is next to impossible.*¹

Evans was proved correct; only one escapee ever reached the east coast; that being the infamous Alexander Pearce, who in two escapes, cannibalized his co-escapees.²

In between his surveying and parental duties, and not doubt on board ships, George was writing a book for prospective emigrants to Van Diemen's Land which culminated in the publication of '*A Geographical, Historical and Topographical Description of Van Diemen's Land*' printed in London in 1822.

The book included :-

- Important hints to emigrants
- List of necessary articles to take
- Information when applying for land Grants
- View of Hobart Town
- 720 sq inch map of VDL.
- Harbour and river soundings. etc

The book, with maps sold for 15s or separately 7s.6d each.³ A second edition under the title *History and Description of the Present State of Van Diemen's Land* appeared in 1824. A French translation was published at Paris in 1823.⁴

Macquarie had made it quite clear that the Deputy Surveyor's salary was '*quite inadequate*' and Sorell who had a high opinion of Evans, sanctioned the acceptance of 'presents of office' by the surveyors to supplement their salaries. It was also a practice to 'throw in' additional pieces of land with the issue of land grants.⁵ These practices resulted in some disgruntled settlers and they were supported by the new lieutenant-governor, Sir George Arthur who had arrived from a period of autocratic rule in Honduras and a successful court action by his deputy for wrongful imprisonment.⁶

Arthur wrote to the Secretary of State for the Colonies, charging Evans with bribery and illegally disposing of Crown Lands.⁷

On 4th September 1824, whilst in Sydney, George wrote to Frederick Goulburn , the Colonial Secretary, requesting the opportunity to defend himself against Lieut. Governor Arthur's charges

1 Ian Brand's Macquarie Harbour Research, Dept of Primary Industries and Water Treatment Library Services

2 *Hobart Town Gazette*, 6 August 1824

sourced online from <http://www.austlii.edu.au/au/other/TASSupC/1824/11.html>

3 A Geographical, Historical and Topographical Description of Van Diemen's Land, GW Evans, John Souter London 1822

4 *Dictionary of Australian Biography*. Percy Serle, Angus & Robertson 1949, sourced online at <http://gutenberg.net.au/dictbiog/0-dict-biogE.html>

5 Ibid

6 Ibid: sourced at <http://gutenberg.net.au/dictbiog/0-dict-biogA.html#arthur1>

7 Ibid sourced online at <http://gutenberg.net.au/dictbiog/0-dict-biogE.html>

Sir,

Absence in the Interior and a longer detention than I had anticipated, have presented me from paying my personal respects to you, since the honor of my first introduction by Mr Oxley. I now beg leave to state for your Information, the nature of this public business, which has called me to Sydney, and to lay before you a Memorial and copy of Documents already submitted to His Excellency the Governor, who has favoured(sic) me , thro' Captain Fennell, that, from this strong Recommendations and Testimonials of my Conduct conveyed by these papers,, he feels every disposition to forward my Views: - but, that consequently upon some complaint alleged against me and forwarded by Lieut Governor Arthur, he must necessarily withhold my Memorial, until I shall have exculpated myself from such imputation.

I should observe, Sir, that I wrote many months ago, to my friends in England, stating to them my wish to retire from the public services; who presented a Memorial on my behalf to Earl Bathurst; his Lordship in consequence, addressed a Letter to the Earl of Warwick, assuring his Lordship that my application, when forwarded through the regular channels of His Excellency the Governor should meet favourable consideration. This original Letter is now in His Excellency's Hands.

Lieut. Governor Arthur's Letter, containing a Charge, as it has been intimated to me, of my requiring Donations from the Settlers, was forwarded by the same Ship which conveyed me to this place. Had I been pre apprised of any such intended charge, I certainly should not have quitted Hobart Town, till I had refuted the unfavourable Accusation. But, his Honor, far from manifesting any hostile feeling towards me, parted on terms of apparent friendship and even commissioned me to purchase cattle for him, from this settlement, which has been the occasion of my last weeks journey up the Country. I think after Twenty two years of active and irreproachable public service, I have reason to complain of this conduct as at least uncandid and unfair, Against the injurious effects of it, I hope, Sir, I may so far solicit your protection, as to request to be furnished with a copy of the Letter, containing the Allegations against me; and the Interposition of your Influence for ensuring me an impartial Investigation of charges which, I hesitate not to aver, are false, malicious and altogether without foundation.

Captain Robinson to whom I have long been known, will have the goodness to certify you of the late Lieut. Governor Sorell's opinion of my conduct as well as of the sentiments, entertained of my Character and Services, by all the most respectable Inhabitants of Van Diemen's Land.

I repeat, Sir, my respectful, but earnest treaty for your protection and for your good offices in procuring, on my Behalf, a fair and open Investigation, in which, I confide, I shall prove myself, not undeserving of the attention which I have ventured to crave from you.

I have the honor to be, Sir,
with much truth, and respect
Your faithful and Obedient Humble Servant¹

G.W.Evans

George either learnt that things would not be in his favour to continue to contest Lieut. Governor Arthur, or assumed that to do so may endanger his chances of a pension; as two days later he submitted his application for retirement to Governor Sir Thomas Brisbane.

1 Colonial Secretary Index (Reel 6060; 4/1775 p.143

To His Excellency Sir Thomas Brisbane Kt,

Governor in Chief of His Majesty's Territory of
New South Wales and its Dependancies
Major General and Commander of the Forces
& & &

*The Memorial of George William Evans
Surveyor General of Van Diemen's Land*

Humbly Hereweth

That your Memorialist having served His Majesty, under Admiral Christian and Sir Roger Curtis, in the Naval Storekeeper's Department at the Cape of Good Hope, for upwards of Four Years, now induced upon the breaking up of the establishments, in that Colony at the Peace of Amiens of 1802, to accompany Captain Kent, of the Royal Navy, in His Majesty's Ship Buffalo, in which Ship Mr Oxley, the present Surveyor General of New South Wales, then an Officer / to Sydney where His Excellency Governor King was pleased to appoint your Memorialist as Acting Deputy Commissary, there being no opening for your Memorialist in the Surveyor General's Department until after the departure of Surveyor General Grimes in 1804 for Europe; when His Excellency was pleased to appoint your Memorialist to that situation

That while your Memorialist filled this post he was constantly employed in its most arduous duties, independent of constructing all the Government plans, drawings and projections, and having reduced the general Territorial Map to a convenient scale for the purpose of its being transmitted to His Majesty's Ministers, having thus had the honour to construct the first Geographical Representation of the Colony for their information.

That in the Year 1811, your Memorialist was employed to survey the Eastern coast to the Southward of Port Jackson, and was the first person by whom Jarvis's Bay was examined and Surveyed; on which occasion your Memorialist having volunteered to discover his way back by Land through a Country which no European had ever before me passed, your Memorialist suffered incredible hardships and difficulties in so doing, having been without food for three days together and nearly exhausted when he reached the inhabited parts of the Country, but fortunately succeeded in completely ascertaining the value of the immediate Country, part of which is now in progress of settlement.

That in the Year 1812, Mr Oxley having been very fortunate as to obtain in England, the appointment of Surveyor General of the Colony, upon the retirement of Mr Grimes, your Memorialist continued to serve in the Department upon the permanent Establishment as Deputy Surveyor.

That your Memorialist was soon after employed in Van Diemen's Land in the difficult and perplexing duty of settling and arranging the disputes of the Settlers from Norfolk Island, then just abandoned, independent of Surveying and Charting; as much of Van Diemen's Lands as was then accessible, on your Memorialist's return from whence His Excellency Governor Macquarie was pleased to place your Memorialist upon the permanent Establishment in this Island, on which he has ever since continued.

That in the year 1813 your Memorialist was called upon to conduct an Expedition in order to penetrate the range called the Blue Mountains , with which great difficult your Memorialist effected, and succeeded in discovering the extensive and important Country, now called Bathurst; Mr Oxley remaining in Sydney in the execution of the Head Quarters duty of the Department, whereby this laborious and important service devolved upon your Memorialist.

That in the year 1815, your memorialist was again sent for from Van Diemen's Land, to attend His Excellency Governor Macquarie to Bathurst, when it was His Excellency's pleasure to confide to your Memorialist a further prosecution of his former discoveries in the interior of New Holland and it was in consequences of your Memorialist's successful performances of this duty that His Excellency was pleased to set on foot that Expedition, afterwards undertaken by the Surveyor General Oxley and your memorialist, the particulars of which are sufficiently well known to your Excellency to render it unnecessary to mention them further, than that , after a long and protracted, and fatiguing Expedition / the result which is now before the Public / your Memorialist having fully completed all the duties confided to him, was ordered to return to his station in Van Diemen's Land.

That in the Year 1818 your Memorialist was a third time sent for to Sydney on the second Expedition, when it was your Memorialist's fortune always to be employed in advance, and to have penetrated further into the interior than any other individual ; the particulars of this Expedition are so well known to Your Excellency, that, Memorialist will only remark that he was enabled, by passing the mouth of Port Stephens, accompanied by two men only, to reach Newcastle and obtain relief for the Expedition, which having remained behind would otherwise, in all human probability, have been lost.

Your Excellency will thus perceive that Memorialist has served His Majesty altogether more than twenty four years, upwards of Twenty Years of which has been employed in the most active, arduous, fatiguing and distressing duties in this Territory, having been Weeks together in the interior, on foot, exposed to all the vicissitudes of the weather, subjected to chance for ever a supply of Food, with no covering but a Blanket, for days without being perfectly dry; thus undergoing for so long a period, fatigues and difficulties which have had at last the effect of breaking up your Memorialist's constitution and inflicting upon him a permanent Chronic Rheumatism, from which your Memorialist is seldom free; finding himself therefore unable to continue in the performance of the active duties which are still required of him: having a large family to support, your Memorialist is desirous of obtaining, the permission of His majesty to retire from his office of Surveyor General and becoming a settler on this Island upon the footing, and with the indulgence granted to those arriving from England, trusting that Your Excellency will be pleased to consider that Memorialist's long services and the peculiar nature of them do not render him unworthy of Your Excellency conferring upon him the great obligation of recommending him to His Gracious Sovereign that, he may be permitted to retire from his present Office of Surveyor General of Van Diemen's Land upon such Pension or Retirement allowance, as Your Excellency may be pleased to consider your Memorialist is fairly entitled to, which he humbly submits his long Services and the arduous and exhausting nature of them give him some claim to hope may be equal to his present pay; particularly as in the common course of nature, such a mark of His Majesty's Royal Bounty cannot be of a very long duration.¹

*And Your Memorialist as is duty bound
Will ever pray.*

G.W.Evans

*Hobart Town
Van Diemen's Land*

George evidently forgot, or chose to forget, about the years he was farming or his dismissal in 1805.

Wracked by stress and physical suffering, George suffered a further blow when he had to bury his

¹ Ibid: (Fiche 3087:4/1837A No319 p.247)

wife, Jennett , in April of 1825, leaving him with 5 year old Jane and teenagers John, George Francis and Elizabeth.

As fate would have it, George jnr who had finally decided to visit the Colony, no doubt to visit the grave of his mother, missed his father George, when he arrived in Hobart on 16th November 1826, aboard *Leda*, as his father had departed Hobart for England aboard *Henry*, on the same day, with his new wife, Lucy Parris Lempriere and children George Francis, John Thomas and Jane Isabella.¹

Jennet had died the previous year, however young George was able to meet Ann, who had married Richard W Fryett, Government auctioneer, and Harriet who had married John Beaumont, Provost Marshall and explorer as well as the younger siblings. It must have been a shock to George to have learnt he had a brother called George Francis; as a child was only given the same Christian name when the other sibling had died.

On his return to Warwickshire, George supplemented his pension of £200pa with art teaching. Whilst in England George met William Glover, father of the famed landscape painter, John Glover, in 1827 and sold him 80 acres of land in Tasmania, in return for £300 worth of paintings. John Glover migrated to Tasmania in 1831.²

George and Lucy named their first son, George who was christened at Leamington Priors, Warwick, in October 1827. George II, who died at Glebe NSW in 1897, married Agnes M. Rogers in 1854. George and Lucy evidently had no intent of returning to Australia at this stage as, not only was George and Jennett's first child named George, their sixth child was christened George Francis.

In addition to their first born, George, George and Lucy had a further seven children:-

Isabella Parris b. before 1830 London

m.

i. Augustus F Piguenit

ii Charles W Anthony

iii Frederick Hunt

Lucy b. 1831 London m. Frederick George Swan

Charles b. 1832 Sydney NSW

Charlotte Ann b. 1838 Sydney

Henry W. b. 1841

Sydney Edward Lempriere b. 29th Jun 1844 d. two days later.

Mary Lempriere b. 1845 Hobart d. 1921 Newtown NSW m. Edwin J Turpin 1886 Fiji

Intending to return to New South Wales, George negotiated to forego his annual pension in return for a lump sum payment of £600. George and Lucy, with four year old George, three year old Charles and baby Lucy, departed England aboard *Elizabeth*, in March 1832.

On his return from England George took up the position of Art Master, at The Kings School; located at 'Harrisford' in George St., Parramatta. In 1836 the School transferred to 3 Marist Place, O'Connell St. Parramatta, where it remained till 1964. George's tenure continued to 1843.

1 Archives of Tasmania , Index of departures 1817-1867

2 John Glover - Timeline accessed at <http://www.tmag.tas.gov.au/Glover2003/timeline.htm>

During his time in Sydney, George also conducted a book store in Bridge St. Sydney where he was also a publisher. It is not known how many books he published however 'Love Story/by A.

Bushman (William Harvey Christie, 1808-1873) was published by George, in 1841, and has been reproduced as an e-book by The University of Sydney and is available on the internet. During this period George also established the Australian Circulating Library, a subscription based library.

Lucy who conducted a finishing school at 6 The Colonade, 1834; Sydney, Albion House, Millers Point, 1835; and Castlereagh St, Sydney, 1836-7; balanced her teaching whilst managing her mother's duties to George and Lucy. However she was forced to give up tutoring the young ladies of Sydney upon becoming pregnant with Charlotte.

Lucy, with her three children returned to Hobart in 1839 to live. George evidently visited Hobart in the next years as Lucy gave birth to Henry in 1841 and Sydney in Jun 1844.

One would like to think that George's move to Hobart in early 1844 was due to him missing his wife and children. However he was unable to re-let *Warwick Lodge*, his property at Newtown Bay, and returned to take up residence there. The following year another daughter, Mary was born.

Following the sale of 1000 acres, at Ulva, to Simeon Lord, a former convict who arrived in the Second Fleet, pioneer sealing entrepreneur, merchant, ship-owner, land owner and manufacturer, (refer chapters: John Harris , Thomas William Parr) in 1841, Evans applied for a land grant. This was denied.

George continued his sell-off of lands he held in Hobart and the Argyle district, before selling *Warwick Lodge* to his son, George Francis, in 1848, and moving to 58 Macquarie St, Hobart. The same year, Lucy married Frederick Swan, an Army Officer. After the birth of their first child they left Australia to St. Helena a remote volcanic island in the South Atlantic about 1,100 miles (1,770 km) from the west coast of Africa. At the time of the 1881 British Census, Frederick was Assistant Commissary Gnl (Army) on Mauritius while Lucy and four of her grown children were living at 64 Tavistock Road North Side, London. Three of the children were born on St Helena between 1853 and 1859. Whilst George and Lucy had a young family, his son George Francis and Rebecca were expanding their family at the same time, with 9 children between 1838 and 1853. George's grand daughter, Harriett Fryett married Richard Pitt in 1846 and presented George with great-grandsons in 1849 and 1851; and Mary Ann Fryett who married Nathaniel Olding presented him with a great, grand-daughter in 1848.

John Beumont, who explored the Central Highlands of Van Diemen's land in 1817, married Harriet Evans in 1820, and retired from the position of sheriff, in 1841 no doubt spent many hours reminiscing with his father in law, about their exploits into the unknown.

On 17th August 1849, Lucy Parris Evans died, and was buried at New Town , Hobart; behind the Old Orphan School and St John's Church.

In the Memory of

LUCY PARRIS

The beloved and affectionate Wife of

GEORGE WILLIAM EVANS

Warwick Lodge New Town Bay

Who deeply deplores his Painful loss

She departed this life on the 17th day

of August 1849.

Aged 42 years

After his death in 1852, the following inscription, in slightly smaller script was added:-

Also

GEORGE WILLIAM EVANS

Died Octr 16th 1818

Aged 74'

Keith Weatherburn notes Evans sold Warwick Lodge in 1848, this being so, George evidently noted Lucy being resident at Warwick Lodge in order that she, and he would be remembered in the future as being people of standing.

The headstone was moved from St John's to St Andrew's Anglican Church, Evandale, a northern Tasmanian town that was named after George.

Following Lucy's death George moved to 167 Macquarie St, under the care of a daughter, later assisted by a servant Harriet Vokes and a labourer, Thomas Hart. It was here he died "by visitation of God in a natural way to wit of Disease of the Heart and not otherwise", soon after 10pm on Saturday 16th October 1852.²

I reserve the last word on George William Evans for Alan Keith Weatherburn, his descendant, historian and biographer.

"For the most part Evans seems to have been a very human individual who served his country well and sought little personal recognition for his meritorious achievements. His name which should be remembered by a grateful nation, and not allowed to fall into obscurity because of inadequate historical coverage and the malevolent and unjust accusations of a despotic Lieutenant Governor.

1 Headstone at St Andrews, Evandale Tasmania

2 George William Evans, Explorer - A.K.Weatherburn

Charles Fraser (aka Frazer/Frazier)

**14 Apr.1791 - 22 Dec. 1831
Soldier / Gardener/Colonial Botanist/
Superintendent of NSW Botanic Gardens.**

For over 170 years Charles Fraser has been recorded as being born circa 1788 at Blair Atholl; and at his death, in 1831, he was registered as being 45 years of age.

However he was born at Blair Atholl, Perthshire, Scotland on 14th April 1791, the third of five children born to James Fraser and Willhelmina Rattray¹

All the children were christened at the Church of Scotland, Blair Atholl.

Louisa	b. 17 Feb 1785	ch. 27 Feb 1785
Ann	b. 12 Feb 1787	ch. 13 Feb 1787
Charles	b. 14 Apr 1791	ch. 18 Apr 1791
Elisabeth		ch. 30 Nov 1795
John	b. 2 Oct 1797	ch. 4 Oct 1797

Whilst there was a Charles Fraser born in 1793 at Blair Atholl, the proof of Charles parentage is to be found in Cunningham's dairy of his 1828 exploration to Mt Lindsey, with Fraser and Capt. Logan, when he records:-

"On the 8th we stood away to the north-east across Duhunty's Plain, and in two miles and a half reached the forest ground watered by the Logan, which had become a connected stream. In another two miles to the N.E. we entered a second plain, . . . containing about 700 acres, to which was given the name of Rattray, after a relative of Mr. Fraser."²

The author located this passage and made the connection to Charles' birth in 2005. However in later research he discovered Dr Gillian Davies and Christine Carwardine B.Sc. had made the same connection, in a paper presented to the Australian Garden History 2004 Conference, at Sydney.

In his obituary, Charles was recorded as probably having spent some of his youth in the nurseries of the Duke of Norfolk. However Christine Cawardine, through her research in Scotland, was able to give a more detailed view of Charles' early life.

Blair was the name of the estates of the Dukes of Atholl, some 16000 acres (6475ha). The Second and Fourth Dukes planted some twenty million trees, with the larch trees being the first planted in large numbers in Scotland.³ The famous poet, Rabble Burns wrote a poem from Bruar Water requesting the 4th Duke to plant trees at the Falls of Bruar.

1 Familysearch.org Church of Latter Days Saints

2 Early Explorers in Australia'From the Log-Books and Journals by Ida Lee F.R.G.S., Hon. F.R.A.H.S. Chapter XVIII'Further Exploraions of Queensland. Determination of Cunningham's Gap.From Cunningham's Report to Governor Darling

3 From presentation to AGHS 2004 Conference , Sydney, by Dr Gillian Davies with research by Christine Carwardine BSc

A James Fraser, likely, Charles' father, was a tenant at Old Blair between 1779 –1800.¹ Charles started work as a gardener and was said by Alexander Macleay (Colonial Secretary 14 Jun 1825 – 2 Jan 1837) to have gained his education in some of the best gardens in Scotland. His practical horticultural skills were first learnt at Blair Castle where even the Kitchen Garden had been landscaped with an ornamental lake and numerous lead statutes. Thus he grew up with gardening on a grand scale.

Fraser had knowledge of the Edinburgh Gardens with its Superintendent William McNab, where he would have seen the Australian collection and possibly some of Robert Brown's Australian herbarium specimens. He also knew the Glasgow Botanic Gardens, corresponding with Stewart Murray its Superintendent, all his life. Once Fraser was established at the Sydney Gardens, correspondence developed with William Jackson Hooker, then Professor of Botany and Director at Glasgow, who in time became a friend supplying him with books, magazines and even local newspapers.²

Charles Fraser's arrival in the Colony is subject to supposition , however the following can be supported:-

- The 1822 General Muster of NSW records *Charles Frazer(sic), Colonial Botanist 'came free' 'Windham'*.
- 'Windham' arrived in Sydney on 11th February 1814, with the HQ 46th Reg. under the command of Lt.Col Molle.
- 'Windham' departed Sydney on 14th April to the Derwent and Ceylon, with a detachment of the 73rd Reg.
- The 1828 Census of NSW records *Charles Fraser -39. Came Free. Guildford 2. 1816 . Botanist Govt Gdns.*
- Charles enlisted in the 56th (West Essex) Regiment of Foot on 8th June 1815 at Sandown, Isle of Wight.³
- The 56th was used for escort duties aboard ships to / from the Colony; and it was in this capacity that a detachment arrived in Port Jackson, aboard 'Guildford' on 8th April 1816, in charge of a complement of 230 Irish convicts.⁴
-

For Charles to have arrived on both 'Windham' and 'Guildford' he must have returned to England and enlisted in the 56th Regiment, as had he been a member of the 46th Regiment at that time, he would have remained in the Colony. Likewise, had he come free, as indicated in the 1922 General Muster, he would also been allowed to remain. This would appear to leave only one other alternative – Charles was a crew member on the 'Windham'.

The reason for his return to Sydney may have rested with Governor Macquarie, renowned for making use of the abilities of the members of the Colony, be they free or convicts. Becoming aware of Fraser's botanical abilities he may have recommended that Fraser return to England and enlist in the 56th Regiment, as its members were used on guard duties aboard convict ships coming to the Colony..

Having thus enlisted, he returned aboard 'Guildford' and Fraser was transferred to the

1 Ibid

2 Ibid

3 Ibid

4 Fraser, Charles. Introduction. Also *Convictions: Australian Shipping on the Net* by Peter Larson

46th (South Devonshire) Regiment of Foot, which was stationed in the Colony.

Two months after his arrival in Sydney, Governor Macquarie proclaimed the Sydney Botanic Gardens. Charles was supposedly appointed Superintendent of the Gardens at that time, however Macquarie's instructions to Fraser, in relation to his accompaniment of Oxley's 1817 expedition, refer to him as 'Botanist and Gardener'¹

22 - 2-1817

Instructions for Pvte Charles Fraser of the 46th Regiment of Foot, Botanist and Gardener

Deeming it expedient to send you on the Expedition of Discovery under orders to proceed to explore the Country to the Westward of the Blue Mountains and now fitting out under John Oxley Esq, surveyor general of Lands ; you are to be governed by the following instructions

1st You are to place yourself under the orders of the said Mr Oxley Esq. on his arrival at Bathurst and obey such orders and Instructions as you shall receive from him from time to time during the continuance of the Service you are now going upon giving every assistance in your power in facilitating and forwarding the complete process of the same, whether by Land or by Water, and not consider any duty required of you - such as carrying provisions, leading of Pack Horses, or rowing in boats – as incompatible with the more immediate Duties you are to be principally employed upon during the Expedition.

2nd . It being necessary that a separate Collection of Botanical seeds and Plants should be made for his majesty's Ministers at Home and for this government [independent of that to be made by Mr Cunningham ,the King's Botanist also proceeding on this Expedition], your exertions are to be more particularly directed to the execution of this Service – you are accordingly to make a Collection in Triplicate of all rare and new Plants and seeds you meet with in the new discovered Country, during the continuance of the Expedition of discovery; packing up and preserving the same with all possible care, so as to deliver them all safe her to me on the return of the Expedition to Sydney. – You are on no account to give away any of those Plants or Seeds you may Collect to any other Person whatsoever excepting me. – But you are at liberty to give any reasonable assistance in your power to Mr Cunningham, the Botanist during the Service.

3rd You will set out tomorrow for Parramatta in order to proceed from thence in charge of a Convoy of Provisions and Stores for Bathurst for the use of the expedition, and you will receive your instructions on this head from MrWm. Cox esq, at Parramatta.

*I am yours
LM*

Accordingly, Fraser, referred to as Frazer by Oxley, carried out his duties as directed.

As was normal with reports by Oxley, there were minimal references to those accompanying him; with Fraser's participation only being recorded once:²

1 Colonial Secretary Index; Reel 6068; 4/1814 pp.7-9, 27

2 John Oxley Journals pf Two Expeditions into Inland of New South Wales Part I

June 22

“.....Frazer, our botanical soldier, also returned from Mount Bowen, in Goulburn’s Range; but was not fortunate enough to find any thing new in vegetation, as it had been lately burnt: it was, however, remarkable that the panerarium Macquarie should be found growing in great abundance at the very top; this plant never being found except near moist Places, and in the vicinity of water. At the foot of Mount Bowen, Frazer fell in with a native camp, which had not been quitted more than a day or two: among the reliques were three or four pearl muscles, such as we had observed on the river; and it is probable that these may have been the property of natives who live more immediately in that vicinity. These shells are used as knives, being ground very sharp against the rocks, and certainly for a scraper they may answer very well.”

In comparison, Cunningham is mentioned eleven times, plus Mount Cunningham, named after the King’s botanist, gaining even more references.

However, Cunningham shows that Oxley did appreciate Fraser when he recorded Oxley naming a Mount after the ‘*His Excellency’s collector*’.

Cunningham gives a better description of Fraser’s participation with no less than sixteen passages recording his work on the expedition; including a passage which tells us that Fraser was at the Lachlan depot for a month before Cunningham’s arrival; during which time he carried out his botanical duties:-

7th Sunday (May)

I visited the rocky hills on the left bank in company with C. Fraser of the 46th Regt., who had been sent as one of our party, in order to form a separate collection of seeds and specimens for Earl Bathurst. We were both well armed in case of attack from the natives. Fraser had been before on these hills, in his pursuits of the Flora (to which he is very much attached) during the period of time he had been at this dépôt, viz: about one month. Having crossed the grassy flats near the River we ascended the rugged stony hills, where I found the following interesting plants.”¹

Though mention of his men by name was scant, Oxley appreciated the efforts of those who traveled with him and was ever ready to praise their performances to his superiors, and recommend just rewards.

Appendix 1 Journal of Exploration into the Interior of New South Wales

Letter from Oxley to Governor Macquarie, advising of his return from first expedition.

Bathurst, August 30, 1817.

“It would perhaps appear presumptuous in me to hazard an opinion upon the merits of persons engaged in a pursuit in which I have little knowledge; the extensive and valuable collection of plants found by Mr. A. Cunningham, the King’s botanist, and Mr. C.

1 ‘Early Explorers in Australia’ From the Log-Books and Journals by Ida Lee F.R.G.S., Hon. F.R.A.H.S. Chapter 6, Allan Cunningham . ‘Bathurst to Farewell Hill 20 April – 17 May, 1817

Frazer(sic), the colonial botanist, will best evince to your excellency the unwearied industry and zeal bestowed in the discovery and preservation of them; in every other respect they also merit the highest praise.

In the following year, Fraser was appointed as sole botanist to accompany Oxley's second expedition of exploration, to the interior. In his journal of this expedition, Oxley fails to give any recognition to Fraser or his work, however in his letter to Governor Macquarie, from Port Stephens, he again shows his appreciation of his men, and in the case of Fraser reported the following:-

Port Stephens, November 1, 1818.

Mr. Charles Fraser, the colonial botanist, has added many new species to the already extended catalogue of Australian plants, besides an extensive collection of seeds, etc.; and in the collection, and preservation, he has indefatigably endeavoured to obtain your excellency's approval of his services.¹

Fraser together with Cunningham '... an accession of upwards of Five Hundred Plants totally different from those hitherto collected or known in this country' during the 1817 expedition.²

In the 1818 expedition, as sole botanist he collected upwards of 700 specimens.³

The Government Order of 5th November, recorded in *Appendix II, No V, of Journal of Exploration into the Interior of New South Wales*, shows Macquarie's appreciation of the endeavours of the party....

GOVERNMENT, AND GENERAL ORDERS.

Government House, Parramatta, December 5, 1818.

CIVIL DEPARTMENT.

The sanguine hope which his excellency the governor was induced to entertain, that, by pursuing the course of the Macquarie River, which had been discovered running in a north-west direction by John Oxley, Esq., on his return last year from tracing the course of the Lachlan to the south-west, would have amply compensated for the disappointment sustained on that occasion; and his excellency having in consequence accepted the farther services of Mr. Oxley, on a second expedition; the party consisting of John Oxley, Esq., surveyor general; John Harris, Esq., late surgeon of the 102nd regiment, (who most liberally volunteered to accompany the expedition); Mr. Evans, deputy surveyor general; and Mr. Charles Fraser, colonial botanist; his excellency is happy in offering his most cordial congratulations to John Oxley, Esq., the conductor of this expedition, and to John Harris, Esq., Mr. Evans, and Mr. Fraser, on

1 Journals of Two Expeditions into the Interior of New South Wales by John Oxley. *Journal of An Expedition in Australia. Appendix , Part II. No.V*

2 "The Royal Botanic Gardens Sydney" a History 1816 – 1955, Lionel Gilbert, Melbourne ,Oxford University Press ISBN o 195547195 P.30

3 'Charley Fraser, first grower of Australian plants in Australia',Association of Societies for Growing Australian Plants Newsletter #55 March 2000 , Peter Olde

their safe return from this arduous undertaking.”

In the Quarter ending 31st March, 1819, payments were made from the Police Fund, for the services of Oxley, Cunningham and Fraser on the 1817 expedition.

It is interesting to note that Oxley and Cunningham received remuneration of £200 and £50 respectively, ordered by His Royal highness, the Prince Regent, whilst Fraser, who was paid at the Governor's direction, received £75.¹ Macquarie was intent on retaining the graces of Earl of Bathurst and took care to advise him of the botanical success of the expedition and sent dried seeds of 150 species and drawings by Mr Lewin. His preference for services to Bathurst rather than the King was shown when he refused Cunningham, the King's Botanist, his request to retain his expedition horse and suggested he request approval from “your Employers at Home “ to purchase one.²

1819 saw Fraser again accompanying Oxley and Alan Cunningham. This time, to Port Macquarie where Cunningham and Fraser explored up the Hastings River, for four days in mid May.³

Three cases, containing all the rare and choice plants discovered and collected by Fraser were forwarded by MacQuarie to Earl Bathurst for the King in England in 1819”.⁴

In January of 1819, John Thomas Bigge was appointed Commissioner of Inquiry, to thoroughly investigate all aspects of the administration of the Colony and the life of the inhabitants. His investigation also involved agriculture which lead to association with Fraser who accompanied Bigge to Van Diemen's Land in 1820.

During his two expeditions with Oxley, Fraser who was described in his obituary as “.....usually the convivial and agreeable companion” no doubt spent considerable time with the men around the camp fire and learnt of William Cox's less than legal exploitation of men and Government supplies; which led to Fraser making a written submission to Commissioner Bigge, accusing William Cox of illegally using Government servants, stock, land and stores for his own use. As a result Commissioner Bigge conducted hearings at Bathurst, during 1820, to hear evidence from convicts and emancipists who had been involved in working for Cox.

Those giving evidence included James Blake, Patrick Byrne, and Richard Kippas. The submitted evidence indicated Cox was not only guilty of misappropriating labour, stock, property, stores and materials but also of recommending an excess of pardons for convicts.⁵

Following the hearings at Bathurst, Commissioner Bigge, together with a party including John Oxley and Charles Fraser, departed on 17th October to Lake Bathurst, 138 miles to the south, where they met Governor Macquarie and his party on 26th October. Following

1 Colonial Secretary Index ; Reel 6038; SZ1044 p.53

2 The Royal Botanic Gardens Sydney” a History 1816 – 1955, Lionel Gilbert, Melbourne ,Oxford University Press ISBN o 195547195 P.30

3 Colonial Secretary Index; Reel 6034 SZ8 pp 4-8

4 'Charley Fraser, first grower of Australian plants in Australia' Association of Societies for Growing Australian Plants Newsletter #55 March 2000 P.Olde

5 The Evidence of the Bigge Reports – New South Wales under Governor Macquarie.....John Ritchie Vol 1 The Oral Evidence, Wm Heineman Aust P/L 1971 ISBN o85561 027 1

inspection of the Lake George area the parties returned to Parramatta, arriving on 9th November 1820.¹

In 1821 Charles indicated his desire to remain in the colony by applying for a grant of land.²

The Humble Petition of Charles Fraser

Respectfully States

That Memorialist arrived in this Colony in the year 1816, and now holding the appointment of Colonial Botanist, and acting in that Capacity attended J Oxley Esq. Surveyor General on his expeditions into the interior.

That memorialist has never received any indulgence of Land in this Colony, and it being his intention to reside herein, respectfully ?????? to, your Excellency maybe pleased to grant him such a part as he shall be considered deserving of.

And memorialist will gratefully Pray etc

Charles Fraser

4 Sep 1821

On the same day Governor Macquarie responded to Charles' petition in an extremely generous manner

Mr Charles Frazer will be permitted to settle in the Colony, and as such will receive a Grant of 500 acres of Land with three Government Men on the Store for six months from the date of him taking possession of his land.

*LM
Sydney*

4 Sept 1821

Charles' statement '*...and now holding the appointment of Colonial Botanist..*' supports Peter Olde who states '*...1 January 1821 Fraser was appointed formally to the position...;* Dr Gillian Davies confirms

Fraser was shown to be highly regarded by Macquarie when he wrote to his successor, Sir Thomas Brisbane KGB, from aboard ship "Surrey", in Port Jackson, on 15th February 1822,³ sending

"List of Names of Persons holding appointments under Government thus strongly recommended to the Patronage, Protection and kindness of His Excellency Governor Sir

1 Journeys in Time 1809 - 1822, a joint initiative of Macquarie University and the State Library of New South Wales. - Journal of a Tour of Inspection to the Western and Southern Countries some time since discovered by Chas. Throsby Esqr. ---in Octr. & Novr. 1820. Lachlan Macquarie

2 Colonial Secretary Index; Fiche 3036; 4/1826 No.48

3 Ibid : Reel 6020; 2/8130 p.355

Thomas Brisbane KGB; namely”

Macquarie proceeded to list 12 persons, of which three are of interest :-

#3. Mr Jas Meehan Dep Surveyor Gen.

No mention was made of John Oxley, Surveyor General; thus enhancing the Oxley family claim of Meehan being Macquarie's favourite, in the Surveyor General's Department

#9. Mr Charles Fraser Colonial Botanist

A final tribute to a man who had assisted Macquarie to gain the graces of Earl Bathurst

#12 Sergeant Chas Whalan Commission of the Light Horse

The Light Horse was the Governor's Body Guard of Light Horse, and whilst Whalan has no connection with the Oxley expeditions I have included him to add to the mystery of the naming of the Light Horse Brigade's horses as 'Walers'. Whilst the usual source of the name is attributed to the fact that horses from India were bred with horses in the Colony and when they were sold overseas, and used by the Light Horsemen, they were referred to as "Walers", after their New South Wales origins.

The horses in the early 1800's were extremely prized and it is more than likely the horses, instead of being referred to as belonging to the *Governor's Body Guard of Light Horse*, were referred to by the shorter "*Whalan's*" which over the years became "*Walans/Walens/Walers*".

Gov. Brisbane evidently honoured Macquarie's request. The following year, whilst collecting Red Cedar seedlings around Rosehill, with a cart and two horses he met an envious Allan Cunningham who had neither horse or cart.¹

Fraser is described in his obituary “.... *his office of botanist and his talent threw him continually into every variety of company, of whom he was usually the convivial and agreeable companion.*” Mathew John Richardson, a nurseryman, sentenced to seven years transportation, found this to be very true.

Richardson arrived in Sydney aboard 'Lord Eldon' in 1817. He worked in the new Government gardens, no doubt under the direction of Charles Fraser. In February 1821, pardoned by Governor Macquarie, he returned to England aboard "Dromedary" with plants seeds and rock specimens for Earl Bathurst and others.

Just eight months later, following his arrest for house breaking, he received the death sentence which was commuted to life transportation. He arrived in Hobart aboard "Arab", at the latter end of 1822 and was put to work as a gardener till May 1823 when Lieut. Governor Sorrell sought permission from Governor Darling for Richardson to return to Sydney in the company of Colonial Botanist Fraser.² No doubt at the behest of Fraser who was to again guide and influence Richardson's life

1 From presentation to AGHS 2004 Conference , Sydney, by Dr Gillian Davies with research by Christine Carwardine BSc

2 Colonial Secretary Index: CSI Reel 6010; 4/3508 p.253

He worked as a gardener at Sydney Botanic Gardens, flourishing under Fraser's tutoring; subsequently accompanying Oxley to Port Macquarie and Moreton Bay in 1823-4. Departing Sydney in late 1824 to Melville Island.¹ he was Overseer of the Botanic Gardens there,² prior to the abandonment of the settlement in 1829.

On June 29th of that year, just two years before he died, Fraser again showed his willingness to assist Richardson and displayed confidence in his abilities when he submitted a petition to the Governor :-³

29/4835 20/ June 1829

Botanic Garden
20th June 1829

Sir,

I have the honor to submit to the kind consideration of His Excellency the Governor the case of John Richardson Convict for Life, who has been employed for several years as Gardener at Melville Island, from which Settlement he returned by the Ship Lucy Ann. From the character given him by the various Commandants under which he served and the testimony [sic] which I can justly bear to his previous conduct I consider him an abject _____ of His Excellency's clemency.

Should the Govt be in search of a person as a Collector of subjects in Natural History, I can safely recommend him.

*I have the honor to be
Your Obedient Servant*

C.Fraser

Col. Botanist

Fraser had sponsored William Baxter, an English gardener collecting seeds and plants for nurserymen, on his expedition to Western Australia in 1828-9; and Richardson joined Baxter there in 1829.

Unfortunately, Richardson , without the guidance of Fraser, who died in 1831, reverted to his lawless ways and found himself facing lashings and time on a Road Gang, in the Blue Mountains.

Even from his grave Fraser's guidance and recommendation came to Richardson's aid when he was appointed plant collector with Thomas Mitchell's third expedition. Mitchell's subsequent complimentary report, to the Governor, lead to Richardson's Conditional Pardon in 1837.

This time Richardson did not let his old benefactor down. He continued gardening, married Catherine Doyle in 1852, at Singleton, had seven children and died in 1882.⁴

1 Ibid: Reel 6066; 4/1802 pp.85-6, 92

2 Ibid: Reel 6070; 4/6037 p.61

3 Transcript provided to Philip Short, Northern Territory Herbarium, Palmerston by Mrs Barbara Richardson

4 'John Richardson, an early collector from Melville Island, Northern Territory' by Philip Short, Northern

Unstinting his application to his profession, Charles dedicated himself, not only to the development of the Botanic gardens but continued collecting throughout the Colony and further a field.

Charles departed Sydney on New Years Day, 1826, aboard HM Sloop Larne, under the command of Lt Kingcombe RN; together with The Venerable the Archdeacon Thomas Hobes Scott, Major Lockyer , 57th Regiment and Adjutant Lt. W Neilley of the 40th Regiment.¹

After disembarking the Archdeacon at Hobart Town, the Larne traveled to the North Island of New Zealand where it visited the Bay Islands and River Thames before proceeding north, to Norfolk Island.

From Norfolk Island HMS Larne set course to Hobart Town where Archdeacon Scott rejoined the ship; departing Hobart Town on 25th March it reached Sydney, after a three month journey, on Monday 3rd April 1826.²

It was here that Charles almost lost his life when the lighter overturned whilst carrying him to shore. Although unable to swim he survived; however he lost his copy of Robert Brown's *Prodromus Florae Novae Hollandiae et Insulae Van Diemen* essential for classifying new plants.³

The same year he revisited Tasmania, before visiting Western Australia, with Captain Stirling in the following year.⁴

It was his visit to Western Australian with Captain James Stirling that earned him an eternal place in the history of Australia's largest State.

In 1824 a settlement had been founded on Melville Island to protect against French and American incursions.⁵ However, within a couple of years the Secretary of State for the Colonies, had received reports that the settlement was not realizing expectations and ordered Governor Darling, in Sydney, to remove the settlement; if necessary to a more suitable site.

The HMS Success, a 32 gun man-o-war, under the command of Captain James Stirling, was in Port Jackson and became the Governor's choice to carry out the transition.

Captain Stirling, understanding the problems created by monsoonal rains, wrote to Darling on 8th Dec 1826, suggesting that, rather than waiting till the monsoonal rains abated, he should use the time to investigate the possibility of settlement in the south

Territory Herbarium, Palmerston .Australian Systemic Botany Society [asbs/newsletter/newsletter-#112 Sept 2002](#) .

Australian National Botanic Gardens Biography: Extracted from: A.E.Orchard (1999) *A History of Systematic Botany in Australia*, in Flora of Australia Vol.1, 2nd ed., ABRS, and Barbara Richardson, pers com

1 The Sydney Gazette 2nd Jan 1826-Shipping news

2 The Sydney Gazette 5th April 1826 pg7

3 From presentation to AGHS 2004 Conference , Sydney, by Dr Gillian Davies with research by Christine Carwardine BSc

4 Australian National Botanic Gardens Biography: Extracted from: A.E.Orchard (1999) *A History of Systematic Botany in Australia*, in Flora of Australia Vol.1, 2nd ed., ABRS

5 Colonial Secretary Index :Reel 6013, 4/3512 pp.238-42; Reel 6019, 4/3792 pp.1-5

west of Western Australia.

Darling, aware of American whalers and French ships posing a threat to British superiority in the area, had sent Major Edmund Lockyer with a party of soldiers and convicts to set up a garrison at King George's Sound, earlier that year.¹ Agreeing with Stirling's proposal he duly advised Earl Bathurst in a communication on 18th December 1826.

On 17th January 1827 HMS Success left Port Jackson; Charles Fraser, a fellow Scot accompanied Stirling.

A little over six weeks later Success rounded Cape Leeuwin, passed Rottnest Island, and anchored close to an island in Cockburn Sound, some 20 kilometres south of the entrance to the Swan River. Stirling planted a garden here which caused Captain Fremantle to name it Garden Island in 1829

On March 8th, two boats, a cutter and a gig, carrying Stirling, Fraser and 17 men set off to explore the Swan River, entering the mouth at what is now Fremantle .

Impressed by what he saw, and influenced by a mild summer, Stirling recorded on 13th March:-

*'The richness of the soil, the bright foliage of the shrubs, the majesty of the surrounding trees, the abrupt and red-coloured banks of the river occasionally seen and the blue summits of the mountains from which we were not far distant made the scenery around this spot as beautiful as anything of this kind I had ever witnessed.'*²

Charles Fraser was also impressed, and his report, added to Stirling's report and recommendations, influenced Governor Darling to communicate with the Secretary for the Colonies, Sir George Murray, recommending the establishment of a colony on the Swan River.

Following strenuous lobbying by Stirling, Sir George Murray, Secretary for the Colonies commanded the setting up of a town on the Swan River.

Like Fraser, Murray came from Perthshire and chose Perth as the name for the new settlement; a choice that met with agreement by the fellow Scot, Stirling.

In June 1828, at the direction of Governor Darling, Fraser and Cunningham departed aboard 'Lucy Ann' for the settlement at Moreton Bay where they were to undertake collection of plants and select a site for a public garden. After visiting Port Macquarie they landed at Moreton Bay on 1st July, where they were welcomed by Captain Patrick Logan, Commandant of the settlement. Logan was detested by his men and convicts alike, for his cruelty.

Logan's regiment, the 57th, had been nicknamed "The Steelbacks" because floggings were such a common occurrence for its own members. His imposition of this and even more extreme punishment on convicts is not defensible. However, despite this facet of this administration he was an excellent administrator, creating a settlement of substantial

1 The History of Australian Exploration . JC Steele , Chapter III

2 Department of the Premier and Cabinet, 175th Anniversary of Western Australia,
<http://www.175anniversary.wa.gov.au>

brick and stone buildings, including a school and hospital. He formed outstations and was a noted explorer.¹

Fraser, Cunningham and Logan selected and pegged a site on the Brisbane River, known today as Gardens Point, adjacent to Parliament House. Convicts cleared the site and it was used as a vegetable garden, which Logan saw as more necessary for a growing settlement , than decorative plants. The site remained a public garden till 1855 when the Botanic Gardens , now known as City Botanic gardens, were opened.

On 27th July, Fraser, Cunningham and Logan departed south west from Brisbane to what is now the MacPherson range, along the Queensland/New South Wales border where Logan and Fraser attempted to climb Mt Lindsey, rugged peak. Fraser made it to around halfway before he descended. He wrote of his experience “we putt(sic) off our shoes...and climbed on past a dreadful chasm and a dreadful labyrinth of emourous rocks and experienced a frightful time holding on by our own great toes”.²

With determination which was typical of the man, Logan continued alone to the summit; successfully descending some five hours after Fraser.

In September 1831, Surveyor- General Major Thomas Livingston Mitchell was taking an expedition to the interior but declined taking Fraser because he refused to give an undertaking not to keep a journal. Fraser took off instead to his loved Bathurst region for November and December on his last fatal collecting expedition.³

Charles Fraser's service to the Colony, and world botany, came to an end when returning from this journey to the Bathurst area, in December 1831
He died at Parramatta as a result of apoplexy (stroke).

DIED, at Parramatta , on Thursday last,
Mr Charles Fraser, for many years Superintendent of the Botanical Gardens, Sydney, Mr F. had been in a declining state of health for some time, but his death occurred somewhat suddenly.⁴

THE LATE MR. FRASER – *In our obituary of this day inserted elsewhere, will be found the name of Mr Charles Fraser, who for many years had the superintendence of the Botanical Garden at Sydney. There have been few men less beholden to schooling, who have displayed so cultivated an understanding, and so enlarged a knowledge of the branch of natural philosophy to which his pursuits in this Country were principally devoted, as did Mr Fraser. His youth was spent in the nurseries of (we think) the Duke of Norfolk. There he imbibed an acquaintance with practical gardening. His ‘coup d’essai’ (ed: first attempt) in this Colony was in the ranks of the 73rd regt. Where his untutored but aspiring genius pointed him out to the notice of Governor Macquarie, who, ever ready to foster and bring forward depreciated merit, introduced the private soldier into the Government Botanical Garden, of which he subsequently directed the management,*

1 City of Logan Website: <http://www.logan.qld.gov.au/NR/rdonlyres/012E5AD4-C4FD-439E-8B5D4AD5639DD614/0/RichinHistoryPatrickLogan.pdf> - with resources

2 From presentation to AGHS 2004 Conference , Sydney, by Dr Gillian Davies with research by Christine Carwardine BSc

3 Ibid

4 Sydney Gazette, Saturday,31st December 1831

*and continued to do so to the hour of his decease. Few of our readers yet forget the name of Fraser. There are, we think, few of whom “Charley Fraser” was not personally known. Full of anecdote and observation, his office of botanist and his talent threw him continually into every variety of company, of whom he was usually the convivial and agreeable companion. Paradoxical as it may seem , yet it is the way of the world – for a man having such unnumberless acquaintances as he, perhaps none had in proportion fewer friends. Naturally of a plethoric habit, his convivial disposition probably contributed, not a little to induce the apoplectic attack of which he expired during yesterday se’nnight, at Parramatta, apparently in his 44th year. His death is a loss to science. We have not heard yet who Mr Fraser’s successor is to be, but should presume Mr Graham, formerly an assistant Superintendent of the Botanical Garden under Mr. Fraser, to be by no means an unfit sort of person for the vacant office.*¹

Interestingly Charles is noted as “...a man having such unnumberless acquaintances as he, perhaps none had in proportion fewer friends”. An indication that he was devoted to his profession, was continually on the move and held his positions and the admiration of the Governors through his ability; not through the sponsorship of English nobility.

His main collections are at:-

Arnold Arboretum Herbarium, Harvard University, Cambridge Mass.USA
British Museum (The Natural History Museum) London England
Cambridge University, Cambridge, England
Royal Botanic Gardens, Edinburgh, Scotland
Royal Botanic Gardens, Kew, England
Missouri Botanical Gardens, St Louis, Missouri, USA
Royal Botanic Gardens, Sydney, Australia
Oxford University, Oxford , England²
- memorials to a memorable early Australian.

1 Published in The Australian, Vol. 8 No.692. Friday 30th December 1831 was copied to Sydney Gazette on the following day.

2 The Australian Government Department of the Environment and Heritage, Australian National Botanic Gardens, biography –thanks to Jim Croft



George Hubbard

Boat Builder

chr.7 March 1790 - d.15 March 1874

Deal in East Kent, is a seaside village sitting above a network of tunnels which were used by smugglers; it looks across the Channel to France, just 25 miles distant.

Prime Minister William Pitt, was determined to end smuggling by the Deal boatmen, who had the right, under charter, to freely import goods in return for their services as Cinque Port men in providing what had been long recognised as the sole naval defence of the realm risking their lives and their boats, in saving the lives of shipwreck victims. In 1784, with the Deal boats pulled up on shore, due to inclement weather, sent a regiment of soldiers to destroy and set light to the boats whilst a cutter sat offshore to prevent any escape.

The Deal boat men were determined to assert their right to trade and continued to do so during the Napoleonic Wars (1799-1815)¹. It was during this time that a young boat builder grew up and learnt his trade. Born to George Hubbard and Sara Cavel, young George was christened on 7th March 1790, at St Leonards² whose registers commenced in 1599³.

There could be no better school for an eager apprentice, keen to absorb knowledge handed down through the centuries.

Two literary giants had varying views of Deal and its men. In the 17th century Daniel Defoe wrote:⁴

*If I had any satire left to write,
"Could I with suited spleen indite,
"My verse should blast that fatal town,
"And drown'd sailors' widows pull it down;
"No footsteps of it should appear,
"And ships no more cast anchor there.
"The barbarous hated name of Deal shou'd die,
"Or be a term of infamy;
"And till that's done, the town will stand
"A just reproach to all the land"*

Whilst Charles Dickens' 19th century view was somewhat more glowing⁵

"These are among the bravest and most skilful mariners that exist. Let a gale rise and swell into a storm, and let a sea run that might appal(sic) the stoutest heart that ever beat; let the light ships on the sands throw up a rocket in the darkness of the night; or let them hear through the angry roar the signal guns of a ship in distress, and these men

1 Wikipeadia -The Free Encyclopeadia *Deal Kent*

2 Mrs G Lawry Broadmeadows Victoria, direct descendant of George Hubbard.

3 St Leonards History by Dick Barton- at www.digiserve.com/peter/deal-gen.htm

4 Wikipeadia - The Free Encyclopeadia *Deal Kent*

5 Ibid

spring up with activity so dauntless, so valiant and heroic, that the world cannot surpass it.... For this and the recollection of their comrades, whom we have known, whom the raging sea has engulfed before their children's eyes in such brave efforts whom the secret sand has buried, let us hold the boatmen in our love and honour, and be tender of the fame they well deserved."

The motto of the town is 'Adjuvate Advenas' (*Befriend the Stranger*),¹ something young George took a little too literally. Recently married to Ann White, on 13th February 1812,² George left his pregnant wife to '*feloniously aid and assist two French prisoners of war on parole, in their escape from Welshpool, in the County of Montgomery*'.³ It has been rumoured that one of the prisoners was related to Ann, and when one considers that Welshpool, in the middle of Wales, is some 250miles (400kms) from Deal, one would think that there would have to be a very strong reason for George to undertake such a journey. However the reason was not any relationship with Ann; at his trial "*Hubbard said that he kept a public house in Deal, and that the General, on his return to France was to intercede for the liberation of Hubbard's brother, who is a prisoner there.*"⁴

The 'SHREWSBURY CHRONICLE' of Friday 12th December, 1812 reported the events associated with George's failed attempt to return the prisoners to France.

'Another French Officer's name is added to the list of Dishonor by attempting to break his parole from Welsh Pool, with the assistance of an Englishman. On Monday General Francis Andre Bron, with Francois Fain, midshipman, and interpreter to the General, were re-taken in this town, together with George Hubbard, who is charged with aiding their escape. On their examination before Wm. Smith, Esq. it appears that Hubbard had gone several times from hence to Welsh Pool and back within a few days previous, in chaises, and that on Sunday last he had gone in a chaise from hence to Welsh Pool, and after discharging the postboy, ordered a chaise and four from the Oak Inn, to start from Shrewsbury about ten o'clock. His conduct at the Oak having excited suspicion, the Rev. Mr. Jones and Mr Griffiths, bailiffs of Pool, determined to be on the alert, especially as they had not met with the Commissary to communicate to him their mistrust. Having been informed that Hubbard had been at the Bear Inn, in Pool, where General Bron lodged, it occurred to them that an attempt was about to be made by the stranger, to make the escape of the General. ---- They therefore sent a Corporal in the Montgomeryshire Militia in disguise to the Bear Inn, with directions to call for some beer and to watch the conduct of the General and his Servant; and at the same time they directed the Driver of the Chaise which was ordered to be in readiness at the Oak, to proceed slowly, and if Hubbard ordered him to stop for the purpose of taking up any person on the road, but at the same time he was further directed, as soon as he arrived at Shrewsbury, to prepare assistance there, if none previously came from Pool, and secure the passengers until Mr Jones and Mr Griffiths arrived. About half-past 9 o'clock the trusty Corporal returned and later told the Bailiffs that he had missed Fain, the Servant, after the General's bell had gone, and that he was convinced something was on foot ---- Meanwhile the chaise was permitted to set off, at the hour appointed, and the Bailiffs proceeded to search the lodgings of the General. On their way, they met with the Commissary, whom they informed of their suspicions, and directed him to go to the

1 Deal Kent at www.aboutdeal.co.uk/

2 Mrs G Lawry Broadmeadows Victoria, direct descendant of George Hubbard

3 Ibid sourced from

4 Margaret Szalay- sourced from Grace Lawry, Victoria- both descendants of George Hubbard

General's lodgings. The Commissary soon returned and informed them that the General had escaped accompanied by his Interpreter Mr. Fain. The Bailiffs immediately dispatched the Sergeant-at-Arms for the Borough, with directions to go after the Chaise, but not to stop it; and if they reached Shrewsbury before the Bailiffs, to secure the parties until the latter arrived. They at the same time ordered a Chaise and four for themselves, and as the Commissary could procure a Horse, they took him with them. Upon their arrival in this town, about 8 O'clock on Monday morning, they found the General, his Interpreter, and Hubbard in custody at the Lion; and shortly afterwards, with the assistance of Mr. Tumpkins, of that Inn, and Mr. Williams of the Unicorn (Constables of the Watch) the culprits were lodged in our county Goal. ---- Hubbard says he kept a public house in Deal, and that the General, on his return to France was to intercede for the liberation of Hubbard's brother, who is a prisoner there.

Much credit is due to all parties who assisted in apprehending the prisoners, but at the same time, it must be acknowledged that the Transport Board are eminently indebted to Mr. Jones and Mr.

Griffiths for the skilful and prudent measures they adopted and the promptitude they displaced. Had it not been for them, the prisoners, in all probability, might have reached their country.¹

Found guilty of the charge, George was sentenced to transportation for life.²

Departing Portsmouth on 26th August 1813, aboard *General Hewitt*, George,³ set sail down the English Channel for a journey to the antipodes; little did they realise theirs would be a journey into hell.

Arriving in Port Jackson on 7th February 1814, Percy Earl. *General Hewitt*'s Master immediately faced an enquiry into the deaths and sickness amongst the convicts and the accommodation afforded the troops.⁴

The "General Hewitt" was a 960-ton ship with a crew of around 80 and 14 guns, under the command of Percy Earl(e), with Richard Hughes as ship's surgeon. It was one of the largest ships to carry convicts to the colonies, and this disaster voyage was her only trip as a convict transport. The ship's capacity was 500 persons. On this voyage, the ship carried 515 people, 300 convicts, 70 soldiers from the 46th Regiment with 15 of their wives and children, a group of officials, free settlers and their families, and a large crew. Also on board was a J. Piper. The ship was also filled beyond capacity with excess cargo, which was added to during the voyage (such as the Captain's purchases of Madeira wines), to sell for his personal profit when the ship reached Port Jackson.

Between Madeira and Rio de Janeiro, dysentery broke out among the convicts with 19 deaths, and leaving the rest of the prisoners in a poor state of health. For the rest of the voyage, basic sanitary measures were neglected. When the ship arrived in Sydney on the 7th February 1814, there were 266 male convicts on board - 34 had died during the voyage, approximately 1 in 8. Governor Macquarie described the survivors as being "in

1 Grace Lawry, Margaret Szalay, sourced from 'Shrewsbury Chronicle' Dec 11th, 1812

2 Ibid

3 Australian Shipping 1788-1968 . Convictions at www.blaxland.com

4 Colonial Secretary Index (Reel 6044; 4/1729 pp381-4,386-97; 4/3493 pp.89-92; 4/1730pp.381-3)

a very weak and sickly state" with 10 admitted to hospital on arrival.

Governor Macquarie appointed a Court of Enquiry into the situation, led by William Redfern, the colony's Chief Surgeon and a former convict. William Redfern was the most skilled and popular surgeon in Sydney, later known as the "father of Australian medicine". The enquiry determined that the Commander had been negligent in his duty of care and recommended that the Commissioners of the Transport Board review the facts and take action against the Commander. This was recorded as being one of three calamitously bad ships that arrived in 1814, the others being the "Surry", and the "Three Bees". The lessons learnt from these three voyages lead to improved conditions and rules for later convict voyages.¹

Also aboard *General Hewitt* was Surgeon John Harris who George would meet at the beginning of Oxley's 1818 expedition, James Williams, blacksmith on both expeditions and Francis Greenway, architect,² who like George would benefit from Governor Macquarie's aim to emancipate those who could prove their value to the future of the Colony. Artist Joseph Lycett(Lysaght) transported for forgery was also aboard and a daughter is said to have traveled with Ann aboard *Wanstead*. Unlike Hubbard and Greenway, Lycett quickly reverted to his old ways and was sent to Newcastle and it wasn't till 1817 that he returned to Sydney where he undertook work for Macquarie. Macquarie granted him a full pardon on his second last day as Governor. Lycett conned funds for passages for himself and two daughters to return to England. There he had his *Views in Australia* published. By 1827 he had reverted to forgery, was arrested and rather than face transportation to Australia, cut his throat. He died four months later. His youngest daughter, Emma, aged 21, returned to Australia in 1833 as an assisted female immigrant.³ Emma married George Slater at Scots Church, Sydney in the same year.⁴

Whilst George was facing trial and a new life in NSW,⁵ Ann gave birth to a son, George, on 19th March 1813, at Deal, who died as a baby⁶. Heartbroken at the thought of spending her life without her beloved George, Ann made arrangements to travel as a free passenger aboard *Wanstead*, a women's convict ship which sailed from Spithead, two days before *General Hewitt*, but arrived almost a month earlier on 9th January 1814.⁷

As fate would have, there were two Ann Hubbards on the *Wanstead*. One a convict who was rather a 'naughty' girl in her time in the Colony⁸ listed on the ship's indents as Ann Hubbert, sentenced to 14 years transportation, at Stafford, on 14th August 1811.⁹

George and Ann, together with a convict servant are recorded in the 1814 Muster as :-¹⁰

No.	Res.	Name	Ship of Arrival	Status	Stores	Remarks
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1 Extract from the family history: *TASMANIA BOUND*:The Weymouth, Hubbard, Harris & McPhail family stories, collected by Margaret Szalay (published in 2004)

2 Ibid- introductions to George Hubbard, James Williams, Francis Greenway

3 *John Lycett-Convict Artist* John McPhee Visiting Curator Museum of Sydney at Historic Houses Trust website

4 NSW BDMs Marriage certificate Reg # V1833340 73A

5 Mrs G Lawry Broadmeadows Victoria, direct descendant of George Hubbard

6 Ibid

7 Convict Women to NSW 1788-1828 A Perth DPS Project

8 Colonial Secretary Index -introduction to HUBBARD Ann

9 Convict Women to NSW 1788-1828 A Perth DPS Project

10 Margaret Szalay sourced from 1814 Muster.

					s		
548	Sydney	George Hubbard	General Hewitt	C	On	Dockyards	
6							
675	Sydney	Ann Hubbard	Wanstead	F	Off	Wife of G.Hubbard	
2							
685	Sydney	Elizabeth Beckworth	Wanstead	C	Off	To Mrs Hubbard	
4							

With George back at his trade in the Dockyard, and his wife nearby, things must have been more than George could have hoped for, especially as Ann also had the assistance of Elizabeth Beckworth (Beckwith) a lass from Kent.¹ The presence of Elizabeth would prove to be of great advantage; George being transferred to Newcastle in December to repair and maintain the boats on the Hunter River.

In 1814 Newcastle was home to re-offending convicts and a detachment of Military guards, under the command of Lt. Thomas Thompson.² It was a settlement that was vital to Sydney, not solely as a place of dread where offenders and Irish rebels could be sent but also for the coal and cedar that were vital to the existence of Sydney.

George was kept busy applying his trade to the boats that were being harshly treated by convicts, continually driven to meet their targets. However he could not stop thinking of Ann, especially as his first Christmas, in the colony, came and went.

Unbeknown to George his time in Newcastle was not to be an extended stay. On March 25th 1815 *Estramina* was sent to Newcastle with a dispatch *requesting return of boat builder*;³ six days later George was returning to Sydney.⁴

Returned to the Sydney Dockyard, George happily applied himself, knowing that he was once again near his beloved. Before the year was out, Ann became pregnant; a darling girl, Sarah Sophia born on 12 Aug 1816⁵ and named after her grandmother.

Apprenticed to George was a young Irish lad, John Dwyer who had been transported as a 15 year old in 1813, aboard *Three Bees*. Little did George and young John know what the future and Governor Macquarie had in store for them.

In 1813 Blaxland, Wentworth and Lawson had found a way that would lead others across the Blue Mountains; in November of that year Macquarie sent Evans to locate a usable passage through to the lands beyond.

Upon receiving Evans glowing reports, it is envisaged that Macquarie, the great planner, established his plan for the development of the new lands. This included the part to be played by the boat builder(s). He foresaw the necessity of boats to aid future discoveries inland and he foresaw the need for a boat builder in the developing Van Diemen's Land.

During his 1815 journey to the Bathurst Plains and the proclamation of the site of the township of Bathurst, Macquarie sent *Mr. Evans the Dy. Surveyor at Bathurst for the purpose of proceeding on a further Tour of Discovery for the distance of one Hundred*

1 Convict Women to NSW 1788-1828 A Perth DPS Project *Wanstead Beckwith*

2 Colonial Secretary Index, Introduction Thompson Thomas Lt.

3 Ibid (Reel 6004; 4/3493 p.500)

4 Ibid (Reel 6066:4/1805 p.182)

5 NSW BDM's birth certificate V18164136 1B/1816 & V1816642 7/1816

miles in a South West direction from Bathurst, in hopes of falling in with the Macquarie River in that Quarter.¹

Evans and his party discovered, not the Macquarie River to the west, but a river which Evans named the Lachlan River, after Macquarie.

The next part of Macquarie's planning took place in 1817, with John Oxley's first expedition into the Inland of NSW.

Prior to the departure of the exploration party it was necessary to establish a base at which preparations could take place.

It was here, on a bank, overlooking the Lachlan River, a hundred metres or so, downstream from what is now known as Davidson's Bridge, on the Bilimara Road, that the Depot was sited, on what is now Craig Lamond's "Eurimba" property.²

Having stood on the very spot where my great great grandfather delivered, and broke in horses, for the expedition, nearly 190 years ago and had every nerve end in my body attacked; I have no doubt John Whitehead is right in nominating this as the location of the Depot.

It was here that George Hubbard built the boats that were to carry the provisions down the Lachlan River and it was from here that the party departed on April 27th 1817.

Not having experienced the rivers of the flat inland country they were not expecting the twisting meandering course which confronted them; nor were they expecting the large limbs which snap from river eucalypts in the cool evenings after scorching days or the trees felled by suddenly rising and falling flood waters.

As a result of these impediments the journey by boats was slow, with those on horseback and walking having to wait hours until the boats and provisions arrived. Oxley makes no mention by name of Hubbard but does record:-

"May 4 ----- It appeared that the large boat had got stoved against a tree under water, and that the people were obliged to unload and haul her on shore to undergo some repairs, which they had effected; but the rain prevented them from paying her bottom. They expected to be able to proceed in an hour or two, as the weather had begun to clear up. It was fortunate that no damage had befallen any part of the boat's lading.³

Cunningham recorded the event in similar terms, with Hubbard recorded as Hubbert.. He also gives mention to George on other occasions:-⁴

20th. July Friday. In order to lighten our baggage we overhauled the ironwork that we had carried with us from the river, under the idea it would have been found useful in our journey to the coast. On a tree we left ten pairs of horse shoes, and some of the less useful parts of the boat builder's tools.

1 Gov. Macquarie's Journal Tour to the New Discovered Lands April 1815, 11th May 1815-Library Macquarie University in conjunction with Public Library of New South Wales.

2 Tracking and Mapping the Explorers Vol 1. John Whitehead p.82

3 John Oxley 'Journals of Two Expeditions into the Interior of New South Wales' May 4

4 Cunningham's Journal Chapter 7 from Australian Explorers - Ida Lee, sourced from Gutenberg Project

1817. August 1st. Friday. *The river has decreased about 14 inches in the course of the night. Our boat builder finished the raft and we launched her.*

30th July Wednesday. Oxley having satisfied himself that this river is the Lachlan and that it would answer no purpose to advance further on its banks (having already arrived near the confines of the large swamps) has resolved to try the experiment of falling trees over the stream to form a bridge, or construct a raft that would convey our luggage and provisions over the river in a safe and dry condition. ***The boat-builder with some of the people were accordingly employed to fall the timber and form a raft with all possible despatch.*** Repapered my green specimens that had been collected some days. Rain without intermission in showers all the forenoon

6th August Wednesday: ‘.....’Oxley having satisfied himself that this river is the Lachlan and that it would answer no purpose to advance further on its banks (having already arrived near the confines of the large swamps) has resolved to try the experiment of falling trees over the stream to form a bridge, or construct a raft that would convey our luggage and provisions over the river in a safe and dry condition. ***The boat-builder with some of the people were accordingly employed to fall the timber and form a raft with all possible despatch’***

Cunningham also records the abandonment of the boats¹ , near the junction of the Lachlan River and Island Creek. By coincidence it was near this area were my paternal gg-grandfather, William Crampton, took up land in 1872.

May 18th. Sunday. *Our boats being of no further use to us we hauled them up on the bank leaving them with keel upwards; barked them over in order to preserve them as long as possible from the action and effects of the weather, in case we should be obliged to return to them in consequence of any unforeseen accident. We likewise divided the provisions that had been conveyed by the boats equally among the whole of the horses (both saddle and pack), leaving under the boats. all weighty iron tools that we might reasonably conclude we should not require on our new course. I here sowed--near the spot where we left the boats--some peach stones and quince seeds.*

Following the safe return of the party to Bathurst , on 29th August, George returned to his duties at the Dockyard.

On 29th January 1818, George was granted a Free Pardon. “...in consequence of meritorious behaviour on late expedition with John Oxley.”² This was the only pardon, of any type, issued to any of the convicts on the first expedition, no doubt because Macquarie already knew that he planned a second journey down the Macquarie and if he granted the deserved Pardons he would not have had the use of the experienced members on the second expedition. The granting of the Pardon to George at that time would have been influenced by the direction of Earl Bathurst who had written to Governor Macquarie in a letter that arrived aboard *Friendship* on 14th January 1818.

Earl Bathurst to Governor Macquarie - Despatch No. 98, per ship “Friendship”; acknowledged by Gov. Macquarie 3.3.1818:-

1 Ibid

2 NSW State Records -Tickets of Leave,emancipation and pardon records, 1810-19 (Reel 601: 4/4427 p.78)

Downing Street, 26th May 1817

Dear Sir

I herewith transmit to you the Copy of a letter which has been received from the Home Department dated the 22nd instant, containing the recommendation of Lord Sidmouth that George Hubbard who was convicted in the year 1813 of aiding the escape of French Prisoners, and transported for Life in the ship General Hewitt, should receive a free Pardon provided he has conducted himself with propriety during his stay in New South Wales¹

George must have had extremely influential friends in England as Lord Sidmouth, born Henry Addington was the Speaker of the House of Commons, Prime Minister 1801 to 1805 when he was elevated to the House of Lords and created Lord Sidmouth. He became Home Secretary in 1812.²

Lord Sidmouth was an arch conservative and anti-emancipist, so he would have only made the request to Lord Bathurst at the behest of person(s) of extreme influence.

George was described on his pardon as being 5 feet 9 inches, of fair complexion, with light brown hair and hazel eyes.

In June of 1819 Hubbard was paid from the Police Fund for his services on the 1817 Expedition.³ George continued to work at the Dockyard, as a free man, but now drawing a wage for his labour.⁴ Just as important to George would have been completing married life by moving in with Ann.

During April 1818, the Depot crew for the second expedition, set up at Wellington Valley; included George and his apprentice John Dwyer who would be going on the expedition in place of George.

On 2nd June Oxley, in the company of Dr John Harris arrived at the Depot where we found the boats, etc. in perfect readiness for our immediate reception.⁵ The following day, with a commendation 'for faithful discharge of work..' George, in company of Richard Lewis, Superintendent of Bathurst and Corporal Partridge, of the 42nd Regiment, returned to Bathurst, from whence he returned to Sydney and his duties at the Dockyard.

As was Oxley's usual reward for diligence, he wrote, in his report to Governor Macquarie of 5th June ".... Corporal Partridge and Hubbard the boat builder in the Trust and Duty required of them have conducted themselves in such a manner, as I trust will appear to merit your Excellency's approbation."⁶

By now he was the Government Boat Builder, and referred to as such when paid his wages on 15th August.⁷ A month later, on 19th September 1818, George was appointed Government Boat Builder at George Town, on the eastern entrance to Port Dalrymple,

1 Margaret Szalay sourced from ref: HRA I / IX, pp. 415, 416

2 Henry Addington later Lord Sidmouth(1757-1844) Bloy, Marjorie. "Victorian Legislation: a Timeline." *The Victorian Web*. <http://www.victorianweb.org/history/legisl.html>. 16 April 2006 sourced 14 May 2006

3 Colonial Secretary Index (Reel 6038; SZ1044 p.55)

4 Ibid (Reel 6038; SZ759 pp.440, 475)

5 John Oxley 'Journals of Two Expeditions into the Interior of New South Wales' PartII June2nd

6 Colonial Secretary Index (Reel 6068 , 4/4814 p.45)

7 Ibid (Reel 6038; SZ759 p.492)

now the Tamar River, and given a land grant, cattle and stores by Governor Macquarie.¹

Government & General Orders²

*Government House Sydney
Saturday 19th Sept 1818*

Civil Department

His Excellency the Governor has been pleased to appoint Mr George Hubbard to be Government Boat Builder at George Town, Port Dalrymple, in Van Diemen's Land, with a Salary of Fifty Pounds Sterling per Annum, commencing on and from the first of the next Month of October, and to be paid from the Police Fund of that Island.

*By Command of His Excellency
The Governor
J T Campbell
Secretary*

The previous day Gov. Macquarie requisitioned Stores from the Commissary ³

Requisition for Stores for the use of G.Hubbard, Boat Builder at George Town, Port Dalrymple.

18 September 1818 to David Allen Esq , Dep. Commissary Gen.

2 Turning Saws	1 Plough
2 Hand Saws	1 Brass Slide Rule
2 Jack Planes	1 Iron Brace
1 Trying Plane	2 Wood Rasps
2 Smoothing Planes	2 Bead Planes
1 Dozen Augers	2 Rabbet Planes
1 Dozen Chisels	2 Moulding Planes
½ Dozen Gouges	1 Oil Stone
2 Adzes	4 Doz Hand Saw Files
2 Axes	2 Doz Crosscut Saw Files
2 Tomah Hawks	2 Pitch Pots
2 Doz Gimblets	1 Pair of Cramps
1 Brace and set of bits	1 Large Iron Vice
1 Pair of pincers	2 Saw Setts
2 Hammers	2 Pitch Ladles
2 Hand mauls	1 Large Rough File
2 Spoke Shaves	1 Cask Pitch
½ Doz Caulking Irons	1 Cask Tar
2 Caulking Mallets	½ Oakune
2 pairs of Compasses	2 Dozen Chalk lines and 1 Tool Chest

1 Ibid(Reel 6006; 4/3499 pp 71-72)

2 Ibid (Reel 6038 SZ759 P.509)

3 Ibid(Reel 6006; 4/3499 pp 50)

Elizabeth Henrietta departed Sydney, on 27th September, with George and his family, directly to Port Dalrymple,¹ where they occupied land opposite the Watch House; which was sold to Joseph Solomon in 1831.² Solomon held six ‘cart licences’³ and the site would have been ideal for the loading and unloading of goods.

George’s immediate task was to build “....one serviceable Launch and two smaller good stout boats for service of George Town, for bringing materials for Works, and going backwards and forwards between that station and Launceston”

Ann was 7 ½ months pregnant when she departed Sydney and on 6th November their second daughter, Catherine was born. From then onwards the family expanded at regular intervals:-

George	b. 26 Jan 1821	George Town
James Bassett(Bussey)	b. 4 Nov 1822	, Launceston
Elizabeth Ann	b. 30 Jun 1825,	George Town
Mary Jane	b. 29Jun 1827,	Launceston
Edward John	b. 15 Oct 1828,	Launceston ⁴

and married: -

Sarah Sophia - Charles Radcliffe	15 Jul 1833, Launceston
Catherine - William Weymouth	25 Nov 1840, Launceston
George - Sophie Davey	23 Apr 1850, Adelaide SAust
James Bassett - Mary Curtis	28 Aug 1855 Launceston
Elizabeth Ann - Charles Norton Parish	2 May 1843 Launceston
Mary Jane - John Henry Cordell	28 Feb 1849 Greenhythe
Edward John - Christina Davey	abt 1858 Maldon Victoria ⁵

In 1820, Commissioner Bigge, accompanied by Dr John Harris, visited Van Diemen’s land in early 1820, as part of his inquiry into the State of the Colonies of New South Wales and Van Diemen’s Land. He recorded :-

G.Hubbard Superintendent of boat Builders	£50pa
Ogilvie and Blackall , Overseers	£25 each ⁶

The following year Governor Macquarie made a journey to Van Diemen’s Land. On Saturday 19th May 1821, Governor Macquarie having completed his visit to George Town set out to travel to Launceston after visiting land near the eastern arm of the Tamar River. “.....Anxious to ascertain the accuracy of the report of there being an extensive Tract of Good Land at the upper end of the “Eastern Arm” of the River Tamar, I had resolved on touching there on my [way] to Launceston, as it was only about 5 miles

1 Australian Shipping 1788-1968 Departures, 1818 *Elizabeth Henrietta*, Convictions at www.blaxland.com

2 Launceston Historical Society Inc. *Boat builder made a mark in the colony* - Des Wooton 2004

3 Jenny Fawcett-Genseek at www.genseek.net/carts.htm Cart Licences Tasmania Launceston District

4 Darren Johnson sourced Tasmania BDM’s Birth Certificates

5 Ibid and Victoria & Sth Aust BDM’s

6 Punishment and profit; the reports of Commissioner John Bigge on the Colonies of New South Wales and Van Diemen’s Land, 1822-1823; their origins, nature and significance [by] John Ritchie. p.55

off the Road, and with this view had appointed M^r.

Hubbard the Boat Builder and M^r. Moulds the Sup^{dt}. of Carpenters at George-Town (who were well acquainted with the Ground), to meet us on the Road to conduct us to the Eastern Arm. ---They accordingly met us on the Road 12 miles from George-Town, and conducted us to the Head of the Eastern Arm through a very broken rugged Forest Country, and so rocky as hardly to be practicable for a Horse. ---We got to the Eastern Arm, however, in about two Hours, and there found very fine Forest Land -- but rather too hilly for Cultivation --; but were assured by our Guides that about 3 miles further on there was a large Plain of Ten Mile in length running along the River, of very good & useful land fit for any purpose. ---We had every reason to believe this report from the appearance of the Land we were now on -- but the day was too far advanced to enable us to visit this new Tract, and therefore we determined on retracing our steps back again to the Main Road. ---With this view we took a man with us for a Guide, who pretended to know the way through the Bush better than either Hubbard or Moulds, both of whom we left at the Eastern Arm to return Home to George-Town by Water, they having a Boat at the former.¹ The party became lost, Denning, Oxley's Orderly, became separated from the party and it poured rain, The party final reached Launceston 9 o'clock at night; after Rev Redfern threw his reins over his horse's neck to allow the horse to find his own way to the road, following which George Wm. Evans took over as guide. Denning arrived at Launceston on Monday , after being lost for two days Macquarie did not report what happened to the 'guide'.

Ann was again pregnant when the family moved to Launceston in 1827. George continued his boat building in the area of Charles Street and the Canal where he also bought seven blocks of land.² George built a hotel on one of these blocks and named it 'Deal Cutter',³ recognizing his home town and his boat building. The hotel was recorded in 1832 and 1833 went it was advertised for sale.⁴ George had sold his George Town site in 1831an following the sale of the 'Deal Cutter' he sold the other properties in 1835⁵.

Johnathon Griffith, who emigrated to Launceston in 1822, was a landholder involved in several commercial activities including ship building and sealing. In 1828 he set up a whaling station at Portland and Port Fairy, on Victoria's south west coast.⁶

Margaret Szalay , author of *Tasmania Bound: The Weymouth, Hubbard, Harris & McPhail family stories*; advises George went to Portland Bay with Griffiths in, possibly, 1832-33 and was with the Henty operation in 1834 - 36. Ann was recorded in the Henty papers as visiting Portland briefly in December 1835 with two daughters, probably Elizabeth Ann (10) and Mary Jane (8) before returning to Launceston where the other children remained, probably with Sarah who had married Charles Radcliffe in 1833. According to the Henty papers, George was doing a bit of trading on his own behalf in Whale bone and oil.⁷

1 Gov..Macquarie's Journal of a Voyage and Tour of Inspection to Van Diemen's Land 1821-19th May. - Library Macquarie University in conjunction with Public Library of New South Wales

2 Launceston Historical Society Inc. *Boat builder made a mark in the colony* - Des Wooton 2004

3 Ibid

4 Jenny Fawcett-Genseek at www.genseek.net/taspubbs.htm Tasmania Publicans 1825-1845

5 Launceston Historical Society Inc. *Boat builder made a mark in the colony* - Des Wooton 2004

6 Ibid -Johnathon and John Griffiths - Peter Cox

7 *TASMANIA BOUND: The Weymouth, Hubbard, Harris & McPhail family stories*, collected by Margaret

If one was to make an assumption it could be that George liquidated his assets in order to make a killing in the whaling industry. This assumption is made more feasible when we consider:-

- the whaling industry closed down in Port Fairy in 1843, due to the lack of whales. Portland would have been similarly affected.
- Australia's first depression struck from 1841 to 1844; causing a dramatic decrease in wool and commodity prices, employers unable to pay workers and wholesale bankruptcies
- Ann died at Hobart in 1843; an indication that George, probably suffering financially, had returned from Victoria and moved from Launceston to Hobart.
- He established a trust which ensured that he would not lose property that would otherwise be in his name.

Wooton in '*Boat builder made a mark in the colony*' Launceston Historical Society Inc. 2004 claims '... later back in Launceston he tried his hand in a grocery business at the corner of Brisbane and St John St.'

Margaret Szalay clearly shows this George Hubbard to be another person:
The following information came from an obituary in 1912 of the other George Hubbard living in Launceston (the third of this name in the colony).

George Hubbard (1831-1912) arrived in Melbourne from Liverpool in 1858 on the clipper "Red Jacket" as a free colonist to take up a position in Geelong, moving on to Launceston in 1859. It was this George Hubbard who was a partner from 1863 in the grocery business, McEachern & Hubbard, on corner Brisbane & St. John Streets, and he later owned the M.E.I. China Emporium on the corner of George & Brisbane Streets in Launceston which operated into the early 1900s.

George died in March 1874, and the following advertisement appeared in the Launceston Examiner on 5th January 1875:-

NOTICE

The undersigned having purchased the entire stock in the trust estate of Mr George Hubbard, beg to notify their intention to carry on both branches of the business, and trust by strict personal attention and a constant supply of first-class articles to receive the support of their friends and public generally.

Also,

That they have become the purchasers of all the book debts in connection therewith, and beg respectfully to request that all accounts be paid direct to them.
Purchasers holding musical instruments on the instalment principle in the above estate are also respectfully requested to pay up all arrears to the undersigned only.

McPHAIL & WEYMOUTH

Brisbane St

(Late George Hubbard)

From reproduction in *TASMANIA BOUND*:The Weymouth, Hubbard, Harris & McPhail family stories, collected by Margaret Szalay (published 2004)

A second advertisement in the same edition advertised Fine Art Gallery and 'Fancy Goods' from MCPHAIL & WEYMOUTH, Late George Hubbard.



John Joseph William Molesworth

Oxley

ch. 6 Jul 1784 – d. 26 May 1828

Naval Officer & Surveyor General of Lands New South Wales

John Oxley married Isabella Molesworth at Saint Martin in the Fields, Westminster, London, on 9th January 1783.¹

John Joseph William Molesworth Oxley was born to John Oxley and Isabella at Kirkham Abbey near Westow, North Yorkshire and christened on 6th July 1784 at C o E Parish Church, Bulmer, Yorkshire. Isabella was transcribed as Arabella.²

The Oxley family have long held the belief that Isabella was the daughter of Richard Nassau Molesworth, the 4th Viscount Molesworth.

This is illustrated in the correspondence that John Norton Oxley, elder son of John Oxley and Emma (nee Norton) directed to the 8th Viscount Molesworth, dated 18th September 1888³ :-

" My attention has been called to an entry in "Burke's Peerage" which, if uncontradicted seriously affects my pedigree, viz. "Richard Nassau 4th Viscount Molesworth having died unmarried the title reverted to his cousin" - In this Colony I have always been supposed to be his legitimate descendant and heir to whatever advantage may attach to his Estate, and with the evidence I hold I could not deny it (although I have never attempted to ascertain this position) without branding my Great Grand mother [presumably Mary Lever] with charade [?], her Daughter [presumably Isabella Molesworth] with illigitimacy [sic] and my Father [John Oxley, the explorer] with importune and fraud. The Reason I have not interfered before is immaterial, and so far as I am personally concerned I should continue as I am, believing that no honour other than those gained by the individual himself are of much worth, but I find I am not quite a free Agent, those that are gone as well as those present and to come, require that this [?] ancestor should attach to my Coat.

An English gentleman⁴ lately married into my family requires me now to publicly correct in England, if he has not already done so himself Burke's assertion that Richard Nassau 4th V: died unmarried. - All the same I may have no claim to the title and it is not now a question of Title with me although my Father's Executor, a distinguished lawyer advised, "there was no bar and the claim could not be disputed".

I shall be glad to know from yourself how this error originated and under what advice Robert 5th V. succeeded [?] the title.

1 Latter Day Saints Family Search; Parish registers for St. Martin-in-the-Fields Church, Westminster, 1550-1926 Batch M001452, Source Call #0561156-8

2 Latter Day Saints Family Search; CoE Parish Church of England (Yorkshire), Bishop's Transcripts 1596-1867; The Parish register of Bulmer 1571-1837; Parish registers for Bulmer 1571-1889

3 William Molesworth, the g.g-grandson of the 8th Viscount Molesworth

4 Most likely Ernest Everard ROW , born in Devon and married Mary Molesworth Oxley in 1885

I have the honour to remain your humble Servant

J. N. Oxley

Apart from providing the above transcript, William Molesworth, the g.g-grandson of the 8th Viscount Molesworth advised:-

Dear Tim,

Dan Isted has passed me your query about the Oxley/Molesworth connection, which for the present still seems to be dependant on family lore. I have been searching for corroborating evidence that the 4th Viscount Molesworth married & produced children, although as yet to no avail. I lay out what I have seen so far, which I taking the liberty of copying to some other Molesworths in Australia, who will be very interested in this affair.

You have probably seen the Parish Register of St. Martin-in-the-Fields, which is in the Mormon's FamilySearch & also at the Westminster Archives in London. This confirms indeed that John Oxley, father of the explorer, married an Isabella Molesworth. Both are described as "of this Parish" & were married at St. Martin-in-the-Fields on 9th January 1783, however it does not identify her parents. Two of their sons are said to have attended the King's School in Canterbury. My enquiries there confirm that Henry and Thomas, sons of John and Isabella Oxley, were indeed alumni, the former admitted in 1802, however records again do not give Molesworth details.

More recently I have seen and annotated a letter (private collection) from John Norton Oxley, son of the explorer, written from "Auburn, near Sydney, New South Wales", addressed to my great-grand-father, the 8th Viscount, & dated 18th September 1888

William further advised-

The Doncaster Archives show that Edlington was later administered to the husbands of the 4th Viscount's three surviving sisters. Presumably a similar fate befell Brackenstown and the other substantial Irish estates, which an obituary in the Gentleman's Magazine (1793) put at not less than £10,000 per year! The title passed to his nephew, Robert, eldest son of the Hon. William Molesworth, the third son of the 1st Viscount

No birth records of Isabella Molesworth or Isabella Lever have been found, nor any records of Richard Nassau Molesworth, the 4th Viscount Molesworth marrying Margaret or Mary Lever. Furthermore John Norton Oxley's statement "..... an entry in "Burke's Peerage.....Richard Nassau 4th Viscount Molesworth having died unmarried the title reverted to his cousin" is confirmed by 'Debrett's Peerage & Baronetage'

In all fairness to the Oxley family and its descendants I must include here a copy of a document, supplied by Eric Oxley Row, great-great grandson of John JWM Oxley and written by a grandson of John Oxley's sister, Isabella Margaret Molesworth Dixon in which he records what his mother Elizabeth Isabella Twells(nee Dixon) told him.

'Things my Mother told me':-

First of all our grandfather Oxley married Isabella Molesworth who was then about sixteen years of age at St. Martin's in the Fields, London. It was a stolen marriage (from York I believe) and her father Lord Molesworth never saw her afterwards, though after his death in 1792 Lady Molesworth was reconciled to her daughter and stayed once at least

with her in Kirkham.

My mother always spoke of her grandmother as 'Lady' Molesworth and her names were Isabella(after her mother) and Margaret Molesworth after her grandmother.

Lord Molesworth cut his daughter's name out of the register.-you see I am recalling my mother's own words without attempting to explain them.

After our grandmother Oxley's death my mother and her brother(Henry Lewis Molesworth Oxley) lived with their grandmother Molesworth at Canterbury, where Henry went to the Kings School and afterwards to St.Omers where he became a Roman Catholic and entered the order of St. Dominic.

My mother became acquainted with Mr Broughton, afterwards first Bishop of Australia, when one of the masters where Uncle Henry was at school, and he often spoke of the kindness he had received from old Lady Molesworth when he was at the Kings School Canterbury.

The little miniature represents Miss Molesworth at the time of her marriage with John Oxley. She was engaged to Lord Digby, but eloped with John Oxley which caused her father's anger against her. Lady Molesworth's name was (Isabella) Margaret Lever, whose father was a writer to the Signet in Edinburgh, and was in some degree related to Flora McDonald of Jacobite fame.

My mother had a fine old engraving of Robert, Viscount Molesworth, with his arms beneath the portrait. She said he was her great-grandfather. I send you a copy of a miniature of Mrs Oxley, our grandmother.*

The Elizabeth Villeneuve who witnessed the marriage of John Oxley and Isabella Molesworth, was maid to Lady Molesworth and helped her young mistress in her run-away marriage. At the time of this marriage in 1783 the Molesworths are supposed to have been living at Croydon in Surrey.

Richard Molesworth, father of Isabella Molesworth, who succeeded to the title in 1858, had a son Gerald or Reginald who died in infancy and is the baby sitting on his mother's lap playing with the pearls round her neck, in the oil painting which was painted by John Foldsome in 1763.

Our grandmother's eyes were deep blue and those of the child in the picture, brown. My mother said he died in childhood.

Lady Molesworth died and was buried at Canterbury.

**(Ed note:Robert was the name of both the 1st and 5th Viscounts Molesworth and the 4th Viscount who is claimed as Isabella's father was Richard Nassau)*

William Molesworth in his thesis at Trinity College, University of Dublin wrote
"Richard was succeeded by his son, Richard Nassau, in 1753. Said to have led a profligate life, he died heirless, intestate and insane, so that his substantial estate, worth some £10,000 a year at his death in 1793, was divided between his surviving sisters with its inevitable fragmentation."

When we read the following definitions of 'profligate'

noun: a recklessly extravagant consumer

noun: a dissolute man in fashionable society
adjective: recklessly wasteful
adjective: unrestrained by convention or morality

it is easy to make a reasonable assumption that Isabella was an offspring of Richard Nassau Molesworth however, at that period in history, she would not have held any legitimate status.

1 am inclined to believe:-

- Margaret Lever was Isabella's mother
- Richard Nassau could have been the father but never married Margaret
- Margaret used the Molesworth name to gain the greatest advantage for Isabella
- Richard and John Oxley snr. never met.
- Margaret used the story of Richard disowning Isabella for marrying Oxley as reason for them not meeting

At this stage I implant the following 'Biography of John Oxley R.N' as held by the Oxley family.

. BIOGRAPHY OF THE LIFE OF JOHN OXLEY .R.N.

- copy of documentation provided by Eric Oxley Row, g-g-grandson of John JWM Oxley.

Lieutenant John Oxley R.N., who was a distinguished officer in the Royal Navy., and Surveyor General of Lands in New South Wales., from 1812-28, was a Yorkshireman - being born In 1783, and was the eldest six brothers, sons of John and Isabella of Kirkham Abbey, near Westow - Yorkshire. The second brother, Richard Molesworth was also a Lieutenant In the Royal Navy and died at sea in 1818. Henry, Lewis Molesworth, the third brother, was educated at Ridley School, Canterbury and afterwards went to St.Omers where he joined the Church of.Rome and was ordained Priest in1820. Thomas the next brother was also in the Navy and was lost at sea in 1819. Two brothers, George and Charles, died in childhood, and were buried with their Mother who died in 1795, at Westow.

There is little known of his early life,, but it seems to have been a happy one, as he refers later in life to the "*once happy family who surrounded the Kirkham fireside*"

He had the misfortune to lose his parents in early life; his Mother dying in 1795 when he was only 12 years old. Of his Father's death there is no record, but it must have been in early life , as on Oxley's return to England in 1810, all the family were scattered., and in writing to his brother he said , "*For I feel almost & as an isolated being without family or connections, long separated as I have been from my paternal ones*".

Thomas was living on the bounty of a distant relative. Henry and his only sister, Isabella Margaret Molesworth , were being brought up, and educated by the maternal Grandmother – Lady Molesworth, who was then residing at Canterbury.

He does not seem to have been of a naturally strong constitution, apparently suffering

from some constitutional weakness of the kidneys, which not only caused him much suffering but also caused his early death in 182, at the age of 45 years.

As regards his religious opinions, he seems to have been fairly broad minded, for when writing to his brother who had joined the Church of Rome, and referring to his conversion he says “ *I am not one of those bigoted enthusiasts who believe no one can be saved, beyond the pale of their own faith, far from it, mine is the religion of nature, and of reason. Never would I attempt to intrude my opinions on a subject, which concerns the individual alone.*”

I most sincerely trust, this conversion has not been hurried and nothing but the fullest of conviction could have induced you to change the faith you we're brought up in. Of that you must be the best judge, thou I cannot but observe that in the whole of my experiences(and a large one it has been) I never knew any good to result from unsettled principles.”

He also seems to have been of a very proud, as well as of' a haughty and sensitive disposition. In writing his brother In reference to the disunions that appeared to exist in his family, he says – “ *How distressing to my pride, and my feelings has been my return to my native land. One brother, an alien to his country, and his name; another by his imprudence liable to, punishment from the offended laws of his country, with nothing but youth to plead his excuses; and a third, ever dear to me, and, not now less dear, professing a different faith A sister then, is all that is left of the once happy family who surrounded the Kirkham fireside; she alone remained steadfast in the paths of rectitude, though surrounded by temptations and unprotected even by her nearest relatives. Pardon me Henry, you know not the pride nay even haughtiness, of my nature, and how ill it stoops to disgraces even in its connections. I feel this degradation as my own, and I almost blush when my family name is mentioned. Forgive me Henry, my feelings are warm, and the present temper of my mind, unsettled by the disunions, that appear to exist in our family. For my own part, I entered the Naval Service much against my inclinations, and in fact to the injury of my health. Time and reason have destroyed my prepossession against it, and while my King, and Country want my services they shall command them, and it is my dearest hope, that I may not perish undistinguished, in the crowd, should fortune prevent me, from ranking in the list of me, I trust it shall never present me from enjoying the, perhaps, more enviable satisfaction of a self approving mind.”*

Oxley was a Mason, and brought out to Australia a letter of introduction, written in English, French and Latin, from the Army and Navy, Masonic Lodge of -----, the original is still in existence. In 1799, at the age of sixteen, he was appointed to the Navy. A story that he was fond of telling was that when he visited the Admiralty, with a view to entering the Navy, the Admiral he interviewed asked him his name, and when told that it was John William Joseph(sic) Molesworth Oxley, he remarked “*Damn it all, plain John Oxley is god enough*”. And from that time he was known only as John Oxley.

On 12th of April 1799, he was appointed Midshipman to the ‘Venerable’. Captain Sir W. Fairfax on the Channel Station, reappointed to the ‘Venerable’ 8th January 1801, Captain Sir W. Hood, to the West Indies, Cadiz and Gibraltar; date of discharge – 20th November 1801. On the 19th December 1801 he was appointed as A.B.Midshipman, to the ‘Buffalo’. Captain Lieutenant Kent, to the East Indies, and discharged 13th February 1802. On 13th February 1802 reappointed to the ‘Buffalo’ as Midshipman, and Master’s Mate to Captain

King, and Captain Kent, to New South Wales. He was discharged on the 17th March 1805, appointed Acting Lieutenant on 13th March 1805, to the 'Buffalo', captain Houston. Discharged 25th November 1807. In a despatch from Ex Governor King to secretary Marsden written on board HMS 'Buffalo' 8th November 1806, he states "*Mr John Oxley has acted as Lieutenant of the "Buffalo" since March 1805, on Lieutenant B.Kent being lent to the "Investigator". He is a very active, sober and attentive young man. As no opportunity offered of his passing his examination for lieutenant, until the arrival of captain Bligh, I have requested the Officer to give Mr Oxley another Acting Order after fate of his passing. In a despatch from Governor Bligh, to Captain Short, written at Government House , Sydney, 10th December 1806.*

Re complaints from Tetly and Lye. In consequence therefore of these circumstances, and your request, I have directed Captain King, captain Houston and Lieutenant Oxley, to proceed on board "The Porpoise"and inquire into the representations you have made, as likewise those of Lieutenant Tetly, and Mr Lye, with directions to report to me thereon."

Oxley must have returned to England after his discharge in 1807, as he was appointed on the 15th. of January. 1808, as Lieutenant on the 'Porpoise', and he and Captain Porteous arrived in Port Jackson on the 16th November 1808, in the ship 'Speke', Captain Tugston - and 97 female prisoners.

He left New South Wales for England in H.M.S 'Porpoise' in 1810, with Ex. Governor Bligh, and was discharged in 1811.

There is a memorandum amongst the historical record that states:-

Lieutenant John Oxley, of the Royal.Navy, presented a memorial to Mr Peel. the Under Secretary of State, come time ago, praying to receive the situation of Naval Officer in the colony of New South Wales, an appointment of £100 per annum. and which Mr Oxley is particularly qualified to fill. A long term of service in that country, as First Lieutenant of H.M.S. "Buffalo" and H.M.S. 'Porpoise' successively, and first Lieutenant Commander on various urgent occasions of vessels In His Majesty's Colonial Service, has enabled him to gain every kind of local information. He has been actively instrumental in effecting some of the most important and useful nautical surveys., taken in that distant,, and unknown part of the world. He is now on the eve of publishing a pamphlet containing sailing directions for the intricate navigation of the South Seas, to which are added, some remarks on Colonial policy. He Is a young man of considerable talents, of excellent principles, of strict honour and, integrity, indefatigable, in the duties of his calling and has invariably gained the esteem of his brother officers.

Should Mr, Oxley be fortunate enough to obtain the appointment in question, his friends are confident., that his past conduct and character, furnish a powerful guarantee for his performing the duties of it with such an industrious and unremitting assiduity and attention as cannot fail to benefit His, Majesty's service, in, that Colony, at the same time that it will do credit to the individual who may condescend to select and honour with their patronage.

Evidently he did not get this appointment, or preferred another. On the 18th July 1811 he writes to the Under-Secretary Peel, 8 Queens Square, Westminster:-

Sir,

Having learnt that Mr. Grimes has this day resigned the situation of Surveyor of Lands, in New South Wales, in consequences of ill health, I am encouraged to hope you will not deem my present application to you to succeed him, an act of presumption. Should I be so fortunate as to engage your favour, Sir, my very best endeavours will be exerted to merit such a distinction, and the gratitude such kindness must inspire will end only with my life.

I have etc.,

John Oxley.

On the 6th. December 1811, he again writes to,

Under -Secretary Peel, 8 Queens Square, Westminster:-

Sir

I trust you will pardon the liberty I am taking in again addressing you on the subject of my application to succeed Mr Grimes. I am induced to trouble you on this occasion from a fear that it might have been represented that I was connected with Mr Mc Arthur(sic) or others concerned in the late transactions in N.S.Wales.(sic)

I respectfully beg leave solemnly to assure you that I am not in any way connected either with Mr McArthur(sic) or his, family, or with any person at all implicated in that affair.

I was In England at the period it happened and did not arrive in the colony until the November following and from that time I served under the personal command of Admiral Bligh, until the

return of the ship to England, last year and I have every reason to believe that Admiral Bligh was perfectly satisfied with my conduct during the time I served under his command.

I humbly beg leave to refer to the letters of Admiral Hunter, Mrs King (widow. of the late Governor King) and Captain Kent of His Majesty's Ship "Agincourt" who have given testimony to correctness of my conduct and character, during the long period I served in that colony.

I remain etc.,

John Oxley.

Mr.. Oxley was appointed Surveyor General of New South Wales on the 1st. January 1812. Upon receiving appointment of Surveyor General, Oxley settled up his family affairs which appear to have been in an unsatisfactory state and left for Australia, for the third time in, H.M.S. 'Buffalo', arriving in New South Wales on the 25th. October 1812, bringing with him his family possessions or what was saved from the wreck- library, pictures, glass, China, plate and household furniture.

Unfortunately all these were sold at his town house, a comfortable, two storied house

which stood at the corner of King and Streets; by his Executors at his death. The house was bought by the Trustees of St. James' Church and was used for many years, as a Parsonage, for the incumbent of the Parish.

Oxley's salary as Surveyor General was £273-15-0 per annum.

For particulars of his official life explorations and discoveries see official records and diary. The latter is in the Mitchell Library

In 1816 he was given a grant of 1000 acres, which he chose in the County of Cumberland, on the Cowpasture River. He called the place 'Kirkham' after his old Yorkshire home. He was also given another grant of 800 acres, adjoining, which he called "Elderslie". At 'Kirkham' he built his country home, a large comfortable house, and started farming. He won in 1825 a Silver Teapot, at the Agricultural Show, for the best Australian merino- two toothed Ewe-lambs, the second best rams and the third best Ewes. He also planted an avenue of "English Oak" trees at Kirkham; but the house has long been demolished to make room for a more stately, and modern residence, and the Oak Trees have nearly all been destroyed by an insect, the 'Borer', although every experiment has been tried to stop their ravages, and save the trees. There is still a large building on the estate in first class preservation, showing the good work that was put in to the buildings at that time. It is built of brick and contains large stabling and coach-house accommodation, three dwelling houses for labourers and a large loft, where Divine Service used to be held in the early days, by the Reverend Samuel Marsden; before there was any place built, specially for that purpose, in the district. He was entitled to further grants, and selected some larger blocks near Berrima which he called '*Wingecarribee*', but having died before payment of the purchase money, the same was remitted by the Government, on account of his valuable services and the land was granted to his widow and children. On part of this land stands the township of Bowral, and the first Iron House erected in the Colony. It was erected by his son, Henry Molesworth Oxley; the whole of the materials having been imported, ready fitted, with a view to saving expense, but in consequence of breakages, and various difficulties, the experiment turned out a very troublesome and unsatisfactory one and little, or no saving on the cost of erecting an ordinary brick one.

On 31st October 1821, he was married by special license at St. Phillips Church Sydney New South Wales, by the Reverend William Cowper, to Emma – youngest surviving daughter, of John Norton Esq. of '*Fairlight*' place, "Mulgoa" New South Wales, and late of Orr-place, "*Fairlight*" Sussex, England. She was a very highly educated English gentlewoman, of high practical ability, and managed her husband's estate with much ability, and success, during his frequent absences to the interior of the colony. After her husband's death, she went to reside with her brother Nathaniel, who had been a Lieutenant in the Royal navy, and his Captain having been killed at the taking of Batavia from the Dutch, he succeeded to the temporary command of his ship, with not unreasonable expectation of retaining it permanently, but in those days of favouritism, through influence in high quarters, he was doomed to be disappointed as a young Officer, who he thought had no claims but his high connections, or political influence, was promoted over his head; in consequence of which, he retired in disgust, and took up his residence at "*Fairlight-place*", and ultimately, he was placed on the list of retired commanders.

Mrs Oxley afterwards went with her two sons to reside at 'Kirkham', and when their education had been finished under the Rev. Robert Forrest and at Kings School,

accompanied them on a visit to England, and France, and on their return, the eldest son John Norton Oxley carried on farming operations on a large scale at 'Kirkham' working energetically and scientifically, and superseding the old windmill, by a steam flourmill, but the rise in price of labour, consequent on the gold discovery, made farming unprofitable, and the spread of "Rust" having made it impossible to grow wheat in the district, the mill became almost worthless, and finally demolished.

In the meantime, the second son Henry Molesworth Oxley, had been engaged in sheep farming, at 'Wingecarribee', which produced a very small income, and the two brothers determined to take it up, and stock a run, beyond the then borders of civilisation in Queensland. This led to the sacrifice of the greater portion of 'Wingecarribee' and the whole of 'Kirkham', after which, the widow out of the small amount saved from the wreck, purchased a home at Hunter's Hill, where her surviving son and his family, ultimately joined her, and soothed her declining years until her death, which took place on the 11th April 1885. She was much beloved by all who knew her, and was fond of a quiet retired life. She was always active being endowed with a more than usually good constitution. She passed away after a short illness, at the ripe old age of 87 years.
She was interred in the churchyard of St. Ann's, Ryde.

Oxley was appointed a member of the Legislative Council, on the 11th August 1824.

In his letters to his wife, he continually referred to his health, which seemed to be causing him much pain, and suffering, and in May 1828, he submitted his resignation to His Excellency-General Darling:-

'Kirkham'
14th May 1828

Sir,

I beg to submit a statement, and request to your Excellency, which I have no doubt will meet with your Excellency's usual indulgence. I have served 26 years in the Public Service of this Colony, 17 of which as Surveyor-general.

In the performance of the different duties on which I have been employed, my health has suffered severely, particularly from the fatigue, and privations I underwent during the Expeditions, I conducted into the interior of the Colony.

I have been suffering from extreme ill-health for the last nine months, and I now feel myself entirely unable to fulfil efficiently the duties of my office, and I fear there is little probability that it will ever be so far restored as to enable me to do so. Under these circumstances, and my length of service, I trust I do not ask too much of your Excellency, when I request to be permitted to retire on the half pay of my rank, together with such future compensation in land, as the services which it may be presumed I have rendered the colony, during so long a period, and in some degree to compensate for the heavy personal expenses I necessarily incurred, on proceeding on the various expeditions, both by sea, and land, on which I had been employed.

I confidently rely on your Excellency's protection, and recommendation of an old, and who may confidently say he has faithfully and zealously served his country in its Naval and Civil Services together, for a period of nearly 30 years.

I have the honour to be,

*Your Excellency's
Most obedient and humble servant*

J.Oxley S.G.

Oxley died twelve days after this letter was written; on Whit Monday, 26th May 1828, in his 45th years, at 'Kirkham', leaving a widow and two sons – John Norton and Henry Molesworth, aged 4 years and 2 years respectively. His remains were removed to Sydney and his funeral took place on Wednesday 26th May. "The Sydney Gazette" of the 30th May 1828 states:-

The funeral obsequies of the late Surveyor General of the colony (John Oxley Esq.) took place on Wednesday last, on which occasion his mortal remains were attended to their 'last narrow house' by so numerous an assemblage of the rank and respectability, as fully demonstrated the esteem in which the deceased was held, as a private gentleman, and the deep sense entertained by the Government of the colony, of the loss it had sustained in the deprivation of his services as a Public Service were fully appreciated, and his decease unfeignedly regretted by the first personage of the colony, will be at once admitted on a perusal of the Government order announcing the appointment of his successor, nevertheless, we feel we are but paying a just tribute to the consideration of His Excellency the Governor, whilst we avail ourselves of the opportunity of stating, for the gratification of the sorrowing relatives of the deceased gentleman, that a party, which was to have been held at Government House, on the evening of Tuesday, was put off, out of respect to his memory. In pursuance of the notice that appeared in the public journals, the procession moved from the late town residence of the deceased, in Macquarie Street, at about a quarter past 3 o'clock, in the afternoon to the Church of St James, where the funeral service was read by the Rev. Richard Hill. The body of the deceased was then replaced on the hearse, the mournful train proceeding towards the place of internment in the following order:- The Rev. Messers Marsden, Cowper, and Hassal, followed by the Medical Attendants of the deceased preceded the hearse, which was followed by Mr Oxley's relatives, his brother-in-law, James Norton Esq. Walking as Chief Mourner. Immediately after, followed the officers of the garrison, together with those of HMS 'Rainbow'. These were succeeded by His Honor, the Chief Justice, Mr Justice Stephen, and Mr Justice Dowling, in their robes of office, together with nearly the whole members of the Australian Bar, and the officers of the Supreme Court, in their robes and bands.

The Honourable Mr McLeay, with a numerous assemblage of the Civil Officers and Magistrates of the colony followed, whilst the rear was brought up by a long line of carriages; the foremost of which was that of His Excellency, The Governor.

Altogether, the colony has seldom witnessed an assembly, on a similar occasion, more remarkable for rank, respectability, and numbers.

The Pall Bearers to Oxley were:-

Dty. Commissioner General - Laidley
Collector of Customs- Captain Rossi
St. Surgeon - McLeod
Dty.Commissioner- Waugh
Secretary to the Governor - J P Campbell Esq.

Principal Surgeon - Dr Bowman,

In the Government order issued upon the occasion of his death, and dated May 27th 1828, the following words occur:-

"From the nature of the colony, the office of Surveyor General, is amongst the most important under the Government, and to perform its duties, in a manner Mr Oxley has done for a long series of years is as honourable to his zeal and abilities, as it is painful for the Government to be deprived of them. It is always gratifying to the Government to record its approbation of the services of meritorious public officers, and in assigning Mr Oxley's name a distinguished place in that class, the Government would do honour to his memory in the same degree as it feels the loss it has sustained in his death."

In July 1893 the Government erected a statue to his memory in a niche in the Bridge Street front of the Lands Office, Sydney. As there was no one living with a personal recollection of the Explorer, the sculptor (W.P.MacIntosh) had mainly to depend on the photograph of a miniature representing Oxley when quite a young man, and some further details obtained from Mr Henry Halloran. The following extract from a letter from Mr Halloran, written a few months before he died (October 1892) bears the highest testimony of all, to his worth. 'He took me to his own office table when I entered the Public Service in May 1827, and was fatherly kind to the young student boy who came to him, and I retain the most affectionate remembrance of the dear friend of early days. Would there be more like him in this disorderly present.'

On July 29th 1914, a Memorial Cairn, marking the spot on the Lachlan River (23 miles west of Condobolin) where Oxley camped 97 years ago, was unveiled by Mr J.Estoll Minister for Labour.

Oxley was buried in the Devonshire Street Cemetery, beside the Botanist Allen Cunningham, but when the Government resumed the Cemetery for Railway purposes, the grave could not be located, as the stone which had covered the grave had been removed as many others had by persons who did not mind desecrating the graves of the dead.

In the discovery of the Brisbane River, Oxley has been charged by several writers with a despicable and disingenuous vanity with his respect to his account of the discovery of the Brisbane River. In his official report to the Governor he omits all reference to his meeting with 'Pamphlet' and 'Finnegan' and it is to the preservation of Mr Uniack's (sic Uniacke) journal, that prosperity owes the information, respecting the essential instrumentality of these men in this discovery of the River but there is now reason to believe that Oxley's memory has been in this matter unjustly aspersed.

There has been brought to light, as recently as 1886, amongst a lot of old field books in the Surveyor General's Office in Sydney, in Oxley's handwriting, a detailed narrative in a diary form, and apparently written on the dates set down, relating to his second visit to Moreton Bay, and the River Brisbane. From the tenor of this, there is every reason to believe, that a similar diary had been kept by Oxley on the earlier occasion , and had contained fuller and more detailed particulars than the formal and official reports to the Governor, which alone had been preserve, until this little book mentioned came to light. At any rate in this diary there is no indication that Oxley had ever thought of the

narratives of 'Finnegan' and 'Pamphlet' as matters to be suppressed. He refers to them in the sense of facts widely and generally known, and his entries clear up a commonly received misapprehension about the fate of 'Parsons' which owing to the absence of authentic information, every writer who has hitherto dealt with this matter, had unavoidably fallen into. As this note book has not been published, Oxley's own words may now be given here:-

The date is September 1824. The scene Moreton Bay.

After dinner, the Whaleboat was lowered down, and I proceeded in her, for our old station on 'Pumice Stone' River, for the purpose of seeing if the bottle which was left near the wooding place in my former journey had been removed. It had been left for the purpose of informing Mr Parsons, the remaining man of the unfortunate boat's crew wrecked here in 1823 (March) that a vessel had been here during his absence, and that his two companions had quitted the coast. I confess I was by no means sanguine that this man had survived. It will be recollect he had quitted his companions, and proceeded singly towards the north, labouring under the delusion that he was to the soutward of Sydney. He had taken a northerly direction near 12 months ago, and considering the nature of the population and the privations he must necessarily suffer for want of food, etc. the chances were he no longer existed. It was therefore with feelings of the most pleasing description, that amongst the group on the beach at landing, the first man was recognised as our long lost countryman, and close by him the venerable old man so often mentioned as the kind protector of 'Pamphlet'.

The expression ('It will be recollect') and the words ('So often mentioned) with regard to the venerable old native, affords ample indication, that previous accounts, probably by Oxley himself, were then in existence of the 'Pamphlet – Finnegan' episode.

Uniack's(sic) account does not give prominence to any particular old native, as a special protector of 'Pamphlet's'. Oxley's memory may therefore, be relieved of the only stigma which has been attached to it....that of seeking to glorify himself by unworthy suppression of facts. It seems likely that in those days , it was regarded as scarcely proper and decent to introduce the names of prisoners of the Crown into an account of occurrences, when addressing the Governor. 'Pamphlet' and 'Finnegan' were in all likelihood ticket of leave men. In any case, it is quite apparent that a number of Oxley's journals, or books, or memoranda relating to his first voyage to Moreton Bay, have been lost or mislaid.

On the resignation of Surveyor General Grimes, Governor Macquarie who had admitted his assistant, one James Meehan, to his table , appointed him Acting Surveyor General, and was disconcerted when the Earl of Liverpool appointed Oxley, an old companion of Flinders, as the new Surveyor General. It might here be mentioned that James Meehan an assigned convict to Surveyor General Grimes, had been employed in a trusted capacity, and though he had no scientific knowledge, except in practical mensuration, he was, during the absence of Grimes in England, allowed to manage the department.

Meehan had been transported during the Irish Rebellion of 1798. Macquarie at once appointed his protégé – Deputy Surveyor General, and Inspector of Roads and Bridges, and subsequently devised a scheme for promoting him to the coveted office, held by Oxley, who was on the point of starting to explore the interior – 'Oxley might be lost'. Macquarie urged that his protégé should be made Deputy Surveyor general, with the immediate right of succession to the principal situation in the event of it becoming vacant, by whatever cause. The despatch was silent as to the civil condition of the nominee, but the Australian wastes were not fatal to Oxley, and Macquarie's plot was

futile.

FINALE

In Memorium: The foregoing could possibly have been lost to history, if it had not been provided by Eric Oxley Row, a gg-grandson of John JWM Oxley.

Early 2005 I had the privilege to talk to Eric, a man of small stature, being just 5'2" (1.57m).

Amongst other things, he told me of his service in New Guinea in World War II; which led me to thinking of the great debt we owe to him and his fellow Australians. It also triggered comparison with members of the 1817 & 1818 expeditions where men of similar stature served their new country.

At no stage did Eric talk of personal achievements however I came upon the following announcement:-

*OAM Australia Day 2003 :
Eric Oxley ROW, North Rocks, NSW.
For service to the veteran community, particularly
through the welfare activities of the Concord sub-branch of
the Returned and Services League of Australia.*

Rest in peace Eric, you will forever stand tall amongst all men. Eric Oxley ROW (22 Dec 1921 - 2 Oct 2005)

The dislike of Oxley, alluded to in the Oxley family papers is supported in historical documents of the day:-

- New South Wales Governor's Despatches 1817-1818 to Colonial Office, Great Britain.
Pg 679. ¹

Secret and Confidential

List of the Names, Designations, of Persons, Residing at present in the Colony of N.S.Wales who have always manifested an opposition to the measures and administration of Governor Macquarie:-

(Macquarie lists 12 persons, making a range of complaints against each; inc Discontented/Intriguing/Vindictive/Seditious)

10. Mr John Oxley Surveyor Gent Intriguing and Discontented

N.B. All the above mentioned Persons have long been in the habit of writing Home the most gross misrepresentations.

*L.Macquarie
N.S.Wales
1st Dec 1817*

This Despatch was written at the time Macquarie was proclaiming Oxley as the Colony's

¹ State Library of NSW Heritage Gallery Image a991001

hero, on the return of the first expedition to the inland of New South Wales.

- When he wrote to his successor, Sir Thomas Brisbane KGB, from aboard ship "Surrey", in Port Jackson, on 15th February 1822 .¹

 Sending:-

" List of Names of Persons holding appointments under Government thus strongly recommended to the Patronage, Protection and kindness of His Excellency Governor Sir Thomas Brisbane KGB; namely"

Macquarie proceeded to list 12 persons

#3. *Mr Jas Meehan Dep Surveyor Gen.*

No mention was made of John Oxley, Surveyor General

One can also see Macquarie carried his dislike into the Surveyor General's Department, ensuring Oxley was kept away from Sydney. Of the 192 Field Survey books constructed between 1813 and 1827 Oxley was responsible for only 24 (10 in company with James Meehan). The 14 books, solely Oxley's surveys, were all done away from Sydney - along the Lachlan & Macquarie Rivers and along the east coast, as far north as Port Curtis (Gladstone).

- 3 The Bigge Commission, into the conduct of Government and life in New South Wales and Van Diemen's Land included Commissioner Bigge interrogating Oxley about the issue of land grants:

Bigge: Q. *Then you are not consulted in the conditions of a grant its possible inconvenience or its final adoption?*

Oxley: A. *Certainly not. I have generally found these points have previously been settled between His Excellency and my present Deputy Mr Meehan; and in many cases the orders have been directed to him without any reference to me; with respect to the Town allotments I have never been on any occasion consulted except as to signing the description of the lease or grant which had been previously measured by Mr Meehan, I presume under the authority of the Governor.*²

Why did this animosity exist?

Before his hand over of the control of the Colony , Governor Bligh met, and no doubt gave a full account of the actions of the officers of the NSW Corps to, Macquarie. In his Memorial to Lord Viscount Castlereagh, His Majesty's Principal Secretary of State for the Colonies, &c., &c., &c., Rev.Henry Fulton, Acting Chaplain Sydney, New South Wales, wrote on 14th February, 1809

".....when Captain Porteus arrived with Lieutenant Oxley, His Excellency warned

1 Colonial Secretary Index :Reel 6020; 2/8130 p.355

2 The Evidence of the Bigge Reports – New South Wales under Governor Macquarie.....John Ritchie Vol 1 The Oral Evidence, Wm Heineman Aust P/L 1971 Agriculture p.67

them of the impropriety of associating with rebels, invited them to his house and table, but told them if they became intimate with rebels they could no longer be considered as his friends. Notwithstanding this, they soon accepted invitations to dine from the principal rebels, and became their intimate friends; and it is confidently asserted that Captain Porteus and Lieutenant Oxley have accepted grants of lands from them to the amount of a thousand acres each. Besides, after the arrival of Lt.-Colonel Paterson, who superseded Lt.-Colonel Foveaux in the government of this colony, Porteus and Oxley joined in a letter of thanks to Foveaux for his good government, though he (Foveaux) had disobeyed, harassed(sic), and seriously insulted their Governor and Commodore; that when, by Lt.-Governor Paterson's order, great indignity and outrage were lately offered to their Governor and Commodore's person, and that they could easily have awed them who obeyed, and Paterson who gave the order, to desist, by threatening them with the guns of His Majesty's ship Porpoise, they acquiesced in these outrages, were seen in familiar conversation with the rebels, and used no endeavours to liberate His Excellency from his very close confinement;.....¹

Such details could have only had one source, that being Governor Bligh, who no doubt conveyed the same to the incoming Governor Macquarie

On applying to join the Navy, John Oxley proceeded to give his full name, whereupon he was cut short by the interviewing officer with a gruff 'plain John Oxley is good enough'; so for the rest of his life he was known only as John Oxley.²

He entered the Navy as a Midshipman on *Venerable* at the age of 16, in 1799. Two years later he transferred to *Buffalo*, under Captain William Kent.

The following year, as master's mate, aboard "Buffalo", he partook of coastal survey work.³ Arriving aboard the same ship was George William Evans.⁴ Little could they imagine how their futures would interweave.

1804-5 saw Oxley with Lieutenant Charles Robbins. "I was in Western Port in 1804-5, having been sent by Captain Kent, of the 'Buffalo' to accompany Lt Robbins in 'Integrity' Cutter to ascertain whether it afforded any site for forming a settlement..." The lack of water resulted in a negative report.⁵

In 1807 *Buffalo* returned to England and Oxley gained his commission as First Lieutenant and was appointed to HMS Porpoise under the command of Captain John Porteus. To take up his appointment he returned to Sydney on the convict ship *Speke*, arriving on 16th November 1808, at a time of rebellion and unrest in the Colony which led to the arrest of Governor William Bligh.

Bligh with his daughter Mary departed Sydney on the Porpoise on 13 March 1809, with instructions to sail direct to England without touching any part of the territory. Instead Bligh ordered Captain Kent to go to Hobart Town, arriving there 29 March 1809.

1 Memorial of Rev Henry Fulton, Chaplain, 14 February 1809, in *Historical Records of New South Wales*, Vol. VII, pp. 27-321

2 Biography of the Life of John Oxley R.N.- copy of documentation provided by Eric Oxley Row, g-g-grandson of John JWM Oxley.

3 G.McBryde Qld The Explorers ABC Education Dept

4 Colonial Secretary Index ; Introductions Evans George Wm & Oxley John

5 Ibid : (Reel 6020; 2/8130 pp. 41-2)

On arrival at Hobart Town, Bligh and his daughter and members of his party took up residence at Government House, which he described as being a miserable shell of three rooms with walls a brick thick, neither wind or water proof and without conveniences. Bligh decided to remain on board the Porpoise. Mary continued to stay at Government House until she too went on the Porpoise with her father, claiming she had been insulted by Governor Collins parading around with his mistress on his arm.

As things became worse between the two men Bligh moved the Porpoise down river and established a blockade, stopping all shipping in and out of Hobart Town. (the Porpoise carried ten - nine pound guns) He first stood off Sandy Bay but later moved down near a point off Bruny Island (now called Bligh Point).¹

During his time around VDL Oxley took the opportunity to prepare a report on life on Hobart and Port Dalrymple..

On 1st January 1810, Macquarie proclaimed the reinstatement of Bligh prior to Macquarie taking office and on 17th January *Porpoise*, with Bligh aboard, sailed into Sydney Cove.

HMS Porpoise with Oxley as first Officer, together with Bligh, having handed over his office to Lachlan Macquarie, departed Port Jackson on 12th May 1810.

Many land grants were handed out to members of the establishment after the overthrow of Bligh; Oxley being a recipient of such a grant “1000 acres. Rent £1 pa after 5 years” on 21st February 1809.² All land grants issued during the time of the rebel government were cancelled by Macquarie however Oxley’s sought renewal of his grant on 7th April,³ it was renewed five days later,⁴ before *Porpoise* departed to England . This grant was confirmed on 10th June 1815 and a year later an adjoining grant of 820 acres was registered on 20th June 1816. The following year Oxley received a further 600 acres, at Appin, on 26th March 1817.⁵

Oxley retired from the Navy in 1811 and after a failed application for the position of Naval Officer at Sydney, he was appointed Surveyor General of Lands for New South Wales on 1st January 1812. He departed aboard *Minstrel* and arrived in Port Jackson on 26th Oct 1812.

Apart from Oxley, aboard *Minstrel* were 127 female convicts, Col. Thomas Davey, who was to be Lieutenant Governor of Van Dieman’s Land⁶ and Mrs Sophia Warner,⁷ wife of convict William Warner who became Oxley’s servant on the 1817 and waterman on the 1818 expeditions.

1 Irene Schaffer - Tasmania researcher, author, genealogist Website:
<http://members.optusnet.com.au/~schafferi/#E>

2 Land Grants 1788-1809 edited by P J Ryan BA Australian Documents Library Sydney Book C # 1419 Oxley John

3 Colonial Secretary Index (Reel 6068;4/1814 pp.1-2)

4 Ibid (Reel 6002;4/3490B p.179)

5 Historical records of Australia Series 1 Vol X p.564

6 Ibid Introduction Davey, Thomas

7 Ibid Introduction Warner Sophia

Amongst the convict women was a young lass, Charlotte Jane Thorp(e) who was sentenced to 7 years transportation earlier that year, at the Old Bailey.¹

CHARLOTTE JANE THORP, theft : simple grand larceny, 19th February, 1812.

The Proceedings of the Old Bailey Ref: t18120219-22

CHARLOTTE JANE THORP was indicted for feloniously stealing, on the 21st of January, a shawl, value 4 s. a mantle, value 10 s. a tippet, value 6 d. and a petticoat, value 2 s. the property of Patrick Harlow.

PATRICK HARLOW. I live at Coney, in Hertfordshire. The prisoner was my house-maid, I discharged her in January 1811.

Q. Was your house robbed - A. It was.

Q. Among other things was there a shawl lost - A. Yes, from Mrs. Harlows dressing-room.

Q. By what means did it appear that the robbery had been affected - A. From various circumstances, it appeared that the thief found his way into the house the preceeding evening, and secreted themselves in one of the bed chambers, and when the family were asleep they stole the property.

Q. What, the house had not been broken open - A. No.

Q. But you found that some person must have been within - A. Yes.

Q. In the course of last month did any thing occur to you - A. On the evening of the 21st of January in consequence of what my butler told me, between seven and eight o'clock I searched the house, I found one of my rooms in the house fastened on the inside, a key which had been on the outside before was within, I addressed myself to the prisoner, supposing her to be on the inside, I had the door broken open, and found her in the room.

Q. Did you then charge her with being the person who had robbed your house before, in the first place, did you promise her any favour, or threaten her if she did not confess - A. I did not, I was very anxious to know because, I did not know whom to suspect. I asked her whether that was the first time she came there with that intent, she said no, it was not the first time that she came there with that intent. I asked her whether it was her that robbed the house in November, she said it was, she told me that some of the things were at Chelsea. I accompanied Vickrey the officer to her lodgings, she took us to her lodgings, the woman of the house in which she lodged was there, and by her desire took us into a room, and there she produced articles.

¹ Tim Hitchcock and Robert Shoemaker, Old Bailey Proceedings Online CHARLOTTE JANE THORP, theft : simple grand larceny, 19th Feb 1812.THE PROCEEDINGS OF THE OLD BAILEY REF: t18120219-22 (www.oldbaileyonline.org, 17 June 2003)

JOHN VICKREY. I am an officer of Bow-street. The prisoner handed these things out of the box herself.

Prosecutor. I have no doubt they are my property.

The prisoner said nothing in her defence, nor called any witnesses to her character.

GUILTY, aged 17. Transported for Seven Years. First Middlesex jury, before Mr. Common Serjeant.(7)

On 8th July 1813 Charlotte gave birth to Gennet(Jennet/Jeanette) Oxley and on 19 Jan 1815 Frances was born, both daughters of John Oxley.¹

To Oxley, they were his daughters and he raised them as such; including having them schooled in England where they were under the guardianship of Oxley's sister, Isabella Dixon. They returned to NSW in 1828.²

Gennet remained single and died at Woollahra, in 1875; however Frances married William Waugh on 30th October 1837, at the Presbyterian Church, Maitland.³

They had 2 daughters and 3 sons, from whom thousands of descendants are spread throughout NSW and Queensland.

In 1821 Oxley became a father for the third time when Louisa, was born; she was christened at St Phillip's CoE , Sydney on 21st March 1821, as Louisa Oxley. Louisa's mother is recorded as:-

Elizabeth Marmon - on Louisa's birth certificate
Elizabeth Marnon - in the NSW Parliament Archives of past Parliamentarians
E.Martin of Sydney - in the NSW Muster of 1822. Louisa is recorded along with John Oxley esq. and Mrs Oxley, as *Louisa Oxley 1 ½ years, daughter of E.Martin, Sydney.* The Oxleys were recorded as residing at Liverpool. The only Elizabeth Martin recorded in the 1822 Muster, apart from the notation beside Louisa, was a 13 year old girl, not the mother of Louisa.

No other birth, death or marriage is recorded in the NSW BDM index, in the name of Marmon or Marnon.

For Oxley, 1812 was a year he would always remember, as apart from being appointed Surveyor General, returning to New South Wales and cohabiting with Charlotte, his engagement to Elizabeth MacArthur was terminated by her father who found Oxley's financial state was less than sound.... "*no more fit to make his way in the midst of the sharks among whom it will be his fate to live than he is qualified to be Lord Chancellor.*"⁴

John Oxley finally married at St Phillip's CoE Sydney, on 21 Oct 1821, to Emma Norton. They had two sons:-

John Norton Oxley b. 23 Mar 1824 d. 24 Mar 1891 m.(1) Anne Laurio Platt 1851

1 NSW BDM's Birth Registrations

2 Census of New South Wales Nov 1828. edited by Malcolm R Sainty & Keith A Johnson. Sydney, Library of Australian History 1980

3 NSW BDM death & marriage registrations

4 The Evidence of the Bigge Reports – New South Wales under Governor Macquarie.....John Ritchie Vol 1 The Oral Evidence, Wm Heineman Aust P/L 1971 p.63

d. 1852 ; (2) Harriet Jane Hassall 15 Feb 1854
Henry Molesworth Oxley b.17 Aug 1826 d.1867 m. Emily Liardet Orchard 4 Nov 1854

Both sons followed their father as members of NSW Parliament.¹

Five days after returning to the Colony, Oxley was confirmed as Surveyor General of Lands for New South Wales.²

Whilst Oxley is purported to have limited surveying expertise he had an able assistant in James Meehan who had been surveying in the Colony since 1803.³

The first surveying by Oxley, recorded in Surveyors' Field Books was #116, in 1816, in the company of Meehan.⁴

Of the 192 Field Survey books constructed between 1813 and 1827 Oxley was responsible for only 24 (10 in company with James Meehan).

The 14 books, solely Oxley's surveys, were all done away from Sydney. These surveys included⁵

1817: Along Lachlan River

1818: Macquarie River to Macquarie Marshes, near Tamworth and eastward to Port Macquarie

1820: Observations of Smoky Cape, Trial Bay and along coast to Port Macquarie.

1820: Counties of Bathurst, Camden, Argyle Georgian and Murray.

1823: Moreton Bay. Hawkesbury and Brisbane Waters. Port Wilmot. Port Jackson to Port Curtis

1824: Moreton Bay and entrance.

As a result of Oxley's reports on Port Macquarie and Moreton Bay, settlements were established which now flourish as Brisbane, capital of Queensland and Port Macquarie, one of the most sought after tourist and retirement destinations on the NSW coast.

It was not the intention to create or recreate books within this book, hence where major works exist which cover parts of expedition members lives, they are replaced by reference.

For the Expeditions of 1817 and 1818 and Brisbane River you are recommended the following:-

- John Oxley: Journals of two expeditions into the interior of New South Wales, undertaken by order of the British Government in the years 1817-18 / by John Oxley, London : Murray, 1820 ; [Adelaide : Libraries Board of South Australia, 1964].
- John Oxley: Journals of Two Expeditions into the Interior of New South Wales available at Gutenberg Project : online

1 Parliament of NSW Former members Index at <http://www.parliament.nsw.gov.au>

2 Colonial Secretary Index (Reel 6038, SZ758 p.325: Reel 6043,4/1727 p.305)

3 State Records of NSW (Item SZ729 Reel 2622) Field Book #7

4 Ibid: (Item SZ735Reel 2623) Field Book #116

5 Ibid: Field Books #131-139, 171-2, 191-2, 202-3,216-7

- Ida Lee: Early Explorers in Australia; Gutenberg Project: Chapter VII & Chapter VIII -Alan Cunningham's Journal. Online
- Ida Lee: Early explorers in Australia : from the log-books and journals, including the diary of Allan Cunningham, botanist, from March 1, 1817, to November 19, 1818 ; London : Methuen, 1925
- Richard Johnson: The search for the inland sea : John Oxley, explorer, 1783-1828; Carlton South, Vic. : Melbourne University Press, 2001. The definitive work on Oxley's life
- Ernest Favenc: The Explorers of Australia and their life work Chapter 3. JOHN OXLEY.3.1. General Biography.3.2. His First Expedition.3.3. The Liverpool Plains.3.4. The Brisbane River at Gutenberg online
- Ernest Favenc: The explorers of Australia and their life-work - Christchurch : Whitcombe & Tombs, 1908.
- John Whitehead: Tracking and Mapping the Explorers Oxley Evans and Cunningham 1817 ISBN0-646-43038-6

The following poem, not included in his Journal, illustrates not only Oxley's education and love of literature, but his strength of character which rubbed off on his men and enabled unbelievable feats of endurance.

Lines by John Oxley on quitting the Lachlan Swamps

From sickly marshes and unhealthy plains
 Where Lachlan's turbid waters spread
 From silence death, and desolation spread
 While hope our guide, sweet soother of our pains
 Springs in each breast and lightens every fear
 The path to happier times, in light hope tread
 To where old ocean spreads its bosom bare
 And breathes and smiles to dissipate our cares.¹

In the years following the return of the expedition Oxley was appointed to the Committees of the Female Orphan Institution, Male Female Institution, Public School Institution in September 1819² and Native Institution³ in the same month; became a founding member of the Philosophical Society in 1821,⁴ elected to the Board of the Bank of New South Wales *At a meeting of the Court of Proprietors of Bank Stock called by Public Advertisement and held this day 20th February 1921 in the Bank Buildings*

*... The Chairman announced that this meeting had been called for the purpose of electing a director in the room of Henry Colden Antill Esq who had resigned, and proposed John Oxley Esq as a Director, which was seconded by Thomas McVitie Esq where there appeared by Ballot for Mr Oxley 44, against 11 Majority for Mr Oxley 33. He remained on the Board till 1825.*⁵

Commissioner John Bigge, appointed to head the Enquiry into the colony of New South

1 Colonial Secretary Index (Reel 6034;SZ7 p.317a)

2 Colonial Secretary (Reel6038;SZ1044 p.104)

3 Ibid (Reel 6038;SZ1044 p.105)

4 Ibid (Reel 6040;SZ1007 pp.1-73)

5 Minutes of Bank of New South Wales. Supplied by Eva Absalom, Researcher Westpac Banking Corp, Historical Services

Wales, departed to Van Diemen's Land, on 6th February 1820, aboard *Recovery*, accompanied by Dr. John Harris and John Oxley.¹

In order to ascertain the availability of usable coal and timber in the west, south west areas of the Island, Bigge sent Oxley, Naval Surgeon James Scott, Ensign Lewis of the 48th Regiment and James Kelly, master mariner, pilot and harbour master at the Derwent to Macquarie Harbour and Port Davey, at the south west extremity of Van Diemen's Land. Unable to enter Macquarie Harbour, due to storms, and a cursory inspection of Port Davey, they returned to Hobart in an open whaleboat. Oxley, unlike Kelly and surveyor Thomas Florence, gave an unfavourable report of their inspection.²

During 1821 Oxley married Emma Norton, as mentioned above; and he was a Foundation Member of the Philosophical Society of Australasia.³

The following year Oxley' nemesis, James Meehan resigned, his position taken by Henry Dangar.

December 1st 1821, the very day the Governorship was transferred from Macquarie to Thomas Brisbane, Oxley was appointed a Magistrate.⁴

Despite all these appointments which should have required his presence in Sydney and/or Parramatta, Macquarie still ensured that he was kept away from Sydney and the Surveying Department. Oxley and Meehan made observations of coast line near Illawarra and from Jervis Bay across country towards the Southern highlands, Goulburn and Camden in 1819-20.⁵ Their report was not favourable to Jervis Bay and Shoalhaven areas being suitable for the conveyance of produce from the fertile area to the west.⁶

In May 1819, following Oxley's favourable report of the Port Macquarie area after the 1818 expedition, Macquarie directed Oxley to embark upon *Lady Nelson* and survey the entrance to the Hastings River, in May 1819.⁷ On November 23rd of the following year, Oxley was again ordered to go Port Macquarie; this time to report on its suitability as a penal settlement.⁸ Once again Oxley reported favourably on the port he had named; resulting in the establishment of a penal settlement there. Captain Francis Allman appointed commandant of the new settlement and set sail with officers, soldiers and 60 convicts on 21st March 1821.

All three ships, *Lady Nelson*, *Mermaid* and *Prince Regent*, beached near the entrance to the Hastings River, inside the bar.⁹ This beach is now known as Town Beach. *Mermaid*

1 Colonial Secretary Index (Reel 6049; 4/1744 p.91) & Bigge Report Punishment & Profit - John Ritchie Chapter 4 p.137

2 Bigge Report Punishment & Profit - John Ritchie Chapter 5 p.146-7

3 Colonial Secretary Index (Reel 6040; SZ1007 pp.1-73)

4 Ibid (Reel 6052;4/1752 pp.5-5a) & (Reel 6039;4/424,pp.2, 104, 236, 457)

5 State Records NSW : Field Books # 119, #142, #161, #154, #156

6 Historical Records of Australia Series 1 Vol X p.255-7

7 Colonial Secretary Index (Reel 6006;4/3500 p.98) (Reel 6034; sz8 pp.1-8)(Reel 6034:Sz27 p.XL) (Reel 6038; SZ1044 p.53 & pp.61-6)

8 Ibid, (Reel 6050;4/1746 pp.75-90)

9 Lachlan Macquarie; A Voyage...and Tour of Inspection..from Port Jackson..to the Settlements of Port Macquarie, and Newcastle:- in November 1821.Macquarie University together with Public Library of NSW

and *Prince Regent* were ultimately saved however Lady Nelson was beached till November 1821 when it was brought inland to a height of 36 feet above the beach where it was repaired and successfully refloated.¹

In October 1820, Oxley was directed to go to Bathurst, where Commissioner Bigge was hearing evidence, relating to charges brought against William Cox , by Charles Fraser.²

Following the hearing, Commissioner Bigge with a party that included Oxley and Fraser, departed Bathurst on the 18th of October to meet with Governor Macquarie and his party who were waiting at Lake Bathurst, approximately 30kms south east of present day Goulburn. It is interesting to note that Macquarie took Meehan with him and sent Oxley with Bigge. It is also of interest to note that Patrick Byrne was also with Oxley and Fraser, however this time the whole party was mounted; vastly different to the expeditions of 1817-18.³

From Lake Bathurst, leaving some members at the camp, a party traveled south, along the east shore of the Great Lake to the southern end. On 28th October, Macquarie named the lake Lake George, in honour of King George.

The party set forth on the return journey. On the evening of the 5th November, Commissioner Bigge, evidently fed up with camping, and with rain threatening, elected to cross the river and spend the evening at 'Kirkham', Oxley's Camden property.

Next morning Macquarie struck camp early and breakfasted at 'Kirkham'. He arrived at Parramatta at 3pm that day.⁴ During his time at Bathurst Oxley still had time to send a recommendation supporting the mitigation of John Williams sentence.⁵

Macquarie made another tour of inspection in November 1821 when he visited Newcastle and Port Macquarie, aboard *Elizabeth Henrietta*.

There are two interesting entries in Macquarie's Journal of this Voyage/Tour:-

- Once again James Meehan was a member of Macquarie's party whilst Oxley remained in Sydney, although he was one of the discoverers and the person who had visited Port Macquarie more than any other
- Despite not inviting Oxley he was extremely generous in complimenting Oxley whilst examining the future site of the township; '*I afterwards proceeded to view and examine the Ground most fit for the Site of the future Town. ---Having so done I could find none more suitable and convenient than the Ground recommended and pointed out by Mr. Oxley in his last Report to me on this subject in December 1820. ---I therefore determined at once on adopting his recommendation, which I consider a very judicious one, as combining Beauty with convenience.*' He also named an area *Oxley Terrace*.⁶

1 Ibid

2 The Evidence of the Bigge Reports – New South Wales under Governor Macquarie.....John Ritchie Vol 1 The Oral Evidence, Wm Heineman Aust P/L 1971

3 Lachlan Macquarie; Journal of a Tour of Inspection to the Western and Southern Countries some time since discovered by Chas. Throsby Esqr., Oct - Nov 1820; 26th Oct 1820: Macquarie University together with Public Library of NSW

4 Ibid 5-6 Nov 1820

5 Colonial Secretary Index (Fiche 3211;4/1863 p.103)

6 Lachlan Macquarie; A Voyage...and Tour of Inspection from Port Jackson. to the Settlements of Port Macquarie, and Newcastle:- in November 1821, 6th Nov. .Macquarie University together with Public

The Muster of 1822 shows :-

John Oxley	Liverpool
Mrs Oxley	Liverpool
Louisa 1 ½ yrs	Daughter of E.Martin, Sydney (<i>Registered as Elizabeth Marmon in NSW BDM's</i>)
Oxley 9 yrs	Child of John Oxley (this was Jeanette, daughter of John and Charlotte Thorp)
Acreage	1000
Cleared	500
Sown Wheat	40
Maize	25
Barley	8
Potatoes	1
Gdn/Orchard	2
Horses	25
Cattle	450
Sheep	500
Hogs	25
Bushels in storage:	150 wheat 100 maize

In the same muster there are 22 convicts shown on the property as a clearing party. This was the same number of convicts as shown in John Harris' clearing party.¹

Governor Brisbane, in October 1822, requested that Oxley, together with Charles Throsby, former naval surgeon and landholder, Edward Riley, merchant, Henry C. Antill, former aide-de-camp to Gov. Macquarie, Edward Wollstonecroft, merchant, and Thos McVitie, importer, landholder not be admitted as a member of the proposed Supreme Court. The six men were all magistrates however one would not think this would be reason to debar them from duty on the Bench of the Supreme Court. Is it just coincidence that the same six persons signed a petition seeking Government assistance towards the erection of the Roman Catholic Chapel at Hyde Park?²

Oxley was very supportive of all Christian endeavours. Apart from his support for the Catholic Chapel, he was the First Officer of the Bible Society in 1817,³ supported a petition for assistance in establishing the Presbyterian Church in August 1824,⁴ subscribed to both St James Church of England, where he was appointed to the Committee in December 1823⁵ and Scots Church.⁶

During 1822 Oxley was an inaugural founder of the Agricultural Society⁷ and it would

Library of NSW

1 General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter. Sydney : ABGR in association with the Society of Australian Genealogists, 1988.

2 Colonial Secretary Index (Reel 6052; 4/1753 p.133a)

3 NSW Parliament Past members Qualifications, occupations and Interests

4 Colonial Secretary Index (Fiche 3308, X65.1. p.1)

5 Colonial Secretary Index (Reel 6039; 4/424 p.201) 7 NSW Parliament Past members Qualifications, occupations and Interests

6 NSW Parliament Past members Qualifications, occupations and Interests

7 Ibid

have been a great joy to him and somewhat an annoyance to John MacArthur when he won prizes for his Merino sheep.¹

Twelve months later, on 23rd Oct 1823, in accordance with instructions from Governor Brisbane, Oxley departed Sydney, aboard *HM Cutter Mermaid* to survey Moreton Bay, Port Curtis and Port Bowen to ascertain which would be the most suitable for the establishment of a penal settlement. At Port Macquarie Oxley was pleased to see the expanding settlement, built there on his recommendation; continuing north they discovered and named the Tweed River, near today's Queensland /New South Wales Border. Further north, near the present day site of Gladstone, the *Mermaid* anchored in Port Curtis on 6th November.

Oxley and his party were in the area till 15th November, during which time they discovered the Boyne River, which Oxley named, and whilst good land and water was found, the heat, mosquito's and sandflies² led Oxley to declare '*Having viewed and examined with the most anxious attention every point that afforded the least promise of being eligible for the site of a settlement, I respectfully submit it as my opinion, that Port Curtis and its vicinity do not afford such a site; and I do not think that any convict establishment could be formed there that would return either from the natural productions of the country, or as arising from agricultural labour, any portion of the great expense which would necessarily attend its first formation.*'³

As it approaching the cyclonic season it was decided against heading north to Port Bowen, the *Mermaid* heading south to Moreton Bay.

When we see Port Bowen, now known as Port Clinton, some 70 kilometres north of Yeppoon, does not have any township within 30 kilometres, and that only a small village catering for a National Park, the decision to head south was indeed a sound one.

On the way south they entered a Rodd's Bay which had been reported on by Captain King. The weather was extremely rough and it wasn't till November 29th that *Mermaid* reached Moreton Bay.

As they were readying to drop anchor, John Uniacke, who was later to become Surveyor of Distilleries, Sheriff and Provost Marshal at Sydney, and recorded details of this journey, saw a group of aborigines hurrying towards the beach at Point Skirmish (Bribie Island). Uniacke who was watching from the masthead, through his glass, noticed one was taller and lighter in colour. As the natives collected on the beach the ship was hailed in English.

Oxley, Uniacke and Robert Sterling, a cartographer, immediately went ashore where they met the man, completely naked and covered with red and white ochre. He was Thomas Pamphlet.

Having left Sydney on 21st March 1823, for Five Islands, off Illawarra, with three others, a storm drove them out to sea. One succumbed to the hardships they endured, including being without water for 21 days, before their boat was wrecked on Moreton Island, on

1 Ibid

2 MH for the Gladstone Regional Art Gallery and Museum

3 Ernest Favenc: The History of Australian Exploration from 1788-1888, Sydney: Turner & Henderson 1888 - Gutenberg Project

April 16th. The other two were John Finnegan and Richard Parsons.

On landing they found fresh water and became associated with natives who treated them in a *humane way*.

Some six weeks before the arrival of *Mermaid* the three had left, heading north, to walk to Sydney. After fifty miles Pamphlet returned to his tribe; soon after Finnegan returned after arguing with Parsons. Finnegan was at the south end of the island when Pamphlett was found and joined the ship on the following day

It is strange to me that this account has never been questioned. If they were heading north to reach Sydney, they must have thought they were driven south from Sydney. They were able to keep track of the number of days since they left Sydney; even though one person went out of his mind and died and they had no water for 21 days; yet they couldn't tell the sun rises in the east, if you are heading south you have the sun on your back most of the day and heading north you have it on your face. Also the difference in weather, especially in winter, between south of Sydney and Moreton Bay would be obvious to persons who had arrived in Sydney from south of Tasmania. A more feasible reason for the shipwreck of a boat from Sydney, near Moreton Bay, would be runaways seeking to reach China to the north.

Both men told Oxley of a large river which emptied into Moreton Bay. Taking Finnegan with them Oxley and Stirling surveyed a little above Red Cliff Point (Woody Point) and a large creek which Finnegan mistook for the river. The next day, 2nd December 1823 Oxley discovered the Brisbane River and described it thus "*Early on the second day (2nd of December, 1823) we had the satisfaction to find the tide sweeping us up a considerable opening between the First Islands and the mainland. The muddiness of the water and the fresh-water mollusca convinced us we were entering a large river; and a few hours ended our anxiety by the water becoming perfectly fresh while no diminution had taken place in the size of the stream after passing what I called 'Sea Reach.' . . . At sunset we had proceeded about twenty miles up the river. Up to this point it was navigable for ships not drawing more than 16 feet of water.*"

On the following day "*Oxley continued his boat voyage for another thirty miles, the river keeping its depth and width excepting in one place, where a rocky ridge crossed it. From these sunken rocks to a place called Termination Hill the stream maintained its size. The day was very hot and the boatmen exhausted after their long pull, so Oxley determined to end his journey there, being then "70 miles from the vessel and our stock of provisions expended." Cunningham, who went with him on his second excursion up the river in the following year, states that "the extreme-point of the former party's penetration was about sixty miles from the sea," and that on again reaching that point Mr. Oxley "instantly recognized the clear grassy bank on which he had then encamped."*"

On the return downstream it was dark before they reached the entrance, where they camped beside the Brisbane River; so named in honour of Governor Brisbane. The next day Oxley sounded the entrance to the river and surveyed the country around Red Cliff Point.

Before departing for Sydney Oxley left a message for Parsons, in a bottle on Bribie

Island, advising he had taken Pamphlet and Finnegan with him aboard *Mermaid*.¹

Cunningham was carrying out his botany duties at Illawarra when he heard his old friend, Oxley was preparing for a voyage to Moreton Bay, to found a settlement there. He hurried back to Sydney and sailed with Oxley aboard *Amity* on September 2nd, 1824²

Also aboard was Lieut. Henry Millar, 40th Regiment, commandant of the new settlement, his wife and family, fourteen soldiers, storekeeper and assistant, and about twenty prisoners.

Amity arrived in Moreton Bay on 11th September. Oxley had intended to set up the settlement on one of the islands at the head of the Bay, no doubt for security reasons, however none being suitable he elected Red Cliff Point as “water was found convenient to the beach and the timber was tall and straight.”³

Oxley’s thoughts and actions on returning to Moreton Bay, support the Oxley Family who maintained the lack of participants names in his journals was an establishment prerequisite not to offend the recipient with the identities of the unworthy convicts. Ida Lee quotes from “an old field notebook of Oxley’s” an entry dated 16th September “After dinner the whale boat was lowered and I proceeded in her to our old station on Pumice Stone River for the purpose of seeing if the bottle left near the wooding place had been removed. It had been left for informing Mr Parsons that a vessel had been there during his absence.....” “It was therefore with feelings of the most pleasing description that among the group on the beach at landing the first man was recognized as our long lost countryman.”⁴

These were the words of a compassionate man; a man who never lost a member, of any of his expeditions.

Having marked out the site of the settlement and the lines of the township, Oxley left Commandant Millar to the task of building whilst he and Cunningham took two boats up the Brisbane River to explore beyond the finishing point of the 1823 expedition.

Their voyage ended some 14 miles further on; from whence they made their way to a “high mount”(Mt Crosby) which gave them a fine panorama of the surrounding area.

Oxley and Cunningham differed over the source of the Brisbane River; Cunningham desiring to carry on for another day; *the state, however, of my friend Oxley's health would not allow this.*⁵

In November 1824, Governor Brisbane, desirous of inspecting the settlements at Newcastle and Moreton Bay, with Chief Justice Francis Forbes, John MacArthur and Clerk of the Council, Francis Stephen, joined Oxley aboard *Amity*. Following inspection of Newcastle they departed to Moreton Bay, however gale force winds forced them to

1 Ida Lee: Early Explorers in Australia Chapter XVI, Oxley in the Mermaid" Pamphlet, Parsons and Finnegan, Gutenberg project

2 Ida Lee: Early Explorers in Australia Chapter XVI, Cunningham's First Journey in Queensland. Gutenberg Project

3 Ibid

4 Ibid

5 Ibid

endure a horrendous 14 day journey; hardly the type of journey an ever ailing Oxley would welcome.¹

Brisbane was pleased with the progress of the settlements however agreed with Oxley that a site on the Brisbane River, known today as North Quay, would be better; there being a more reliable source of fresh water, and security was better with much of the site being surrounded by water. The settlement at Redcliffe was soon rejected and the new settlement of Brisbane was established in the following year.

Three weeks after the departure from Sydney, *Amity* set out on the return journey, but this time fair winds allowed the journey to take just four days.²

Oxley was a devoted father to all his children and he had no sooner set foot ashore from *Amity* than he was devastated by the news that his youngest daughter, Louisa, just 3 years old, had drowned in an open well near the Hyde Park Barracks.³ Continually wracked physically, he now had to bear the mental anguish of the loss of Louisa which was compounded later in 1825 by the loneliness created when Jeanette and Frances departed to England with their aunty, Isabella Dixon;⁴ leaving just 18 months old John jnr to whom he could give his affection.

, Earl Bathurst, Secretary of State for the Colonies, advised Governor Brisbane, in his letter of 19th January 1824 that the Royal warrant appointing the members of the Legislative Council of New South Wales would be :-

William Stewart - Lieut.Gov. NSW, Francis Forbes - Chief Justice, Frederick Goulburn - Colonial Secretary, James Bowman - Principal Surgeon and John Oxley - surveyor General.⁵ However Oxley's appointment was terminated by Royal Warrant dated 16th November 1824, but he continued to sit as a member till May 10th 1825.⁶ The following month he was appointed Chief Commissioner for Apportioning the Territory of New South Wales and Van Diemen's Land⁷

Oxley requested a further land grant on 3rd October, 1825 however in his reply of 28th of that month, Colonial Secretary Goulburn declined -

*Colonial Secretary
Office
28th October 1825*

The records of this Office having been examined in consequence of your letter of 3rd Instant, it appears that not more than forty one Convicts who are named in the enclosed List were in your Service at both the last Musters. I am instructed therefore to acquaint you that no Grant of land can be allowed to you in addition to the four thousand four hundred acres which you possess at present

I have the honor to be

1 Richard Johnson *The search for the inland sea : John Oxley, explorer, 1783-1828*. Carlton South-Melbourne University Press

2 Ibid

3 Ibid

4 Ibid

5 Historical records of Australia Series 1 Vol XI p.195

6 NSW Parliament Past members Qualifications, occupations and Interests

7 Colonial Secretary Index (Reel 6017; 4/5782pp.336-9) & (Reel 6039; 4/424 pp.394-7)

Sir,
Your obedient Servant
F. Goulburn¹

The Commissioners were appointed in accordance with the Instructions issued to Governor Darling in 1825, in order to carry out a general survey of the Colony and to divide it into counties, hundreds and parishes. The Surveyor General was to be one of the Commissioners. The Commissioners were abolished in accordance with the instructions of the Secretary of State contained in a despatch of 6th May 1830, and the duties of the Commissioners were handed over to the Surveyor General.²

With his duties forcing him to continually be absent from Sydney, Oxley was unable to give the necessary attention to his farming interests and resultant rising debts. In order to alleviate his financial problems he came to an arrangement with Captain John Coghill, master of *Mangles*, which would see Coghill receive a third of *Kirkham*'s profits after combining his stock and paying the sum of £1283 to Oxley. The partnership commenced with Coghill return in February 1826.³ Whilst Oxley's widow would be left in financial distress, Coghill was an astute business man who, apart from managing *Kirkham* also ran a merchandising depot from the property and later became a large landholder in the Braidwood district.⁴ In 1828 Coghill, residing at *Kirkham*, was recorded as possessing :- 13,000 acres, 1600 acres cleared, 640 acres cultivated and stock consisting of 64 horses, 772 cattle and 4160 sheep.⁵

The Oxley family biography (above) fully records John Oxley's death, funeral and failure to locate his grave on the resumption of the Devonshire Street Cemetery for railway purposes, however it is recorded that his tombstone turned up, being used as a doorstep in a Sydney residence. It seems the pillaging of tombstones for use in homes was a frequent occurrence.⁶

Two days after Oxley's death, Governor Darling wrote to Rt. Hon. W. Huskisson, Secretary of State for the Colonies, advising him of Oxley's death and proposed a pension for his widow and family.⁷ On the 15th November Governor Darling again wrote to the Secretary of State, who was now Sir George Murray, recommending a free gift to the two sons of 5000acres Oxley had permission to purchase at five shillings per acre; plus not less than £200 per annum for Mrs Oxley, with more if she was not entitled to a naval pension.⁸

Seven months later Murray responded, denying any pension but granting the land as a gift with the proviso that a share of profits from the land be to the widow.⁹

1 Ibid (Reel 6015; 4/3515 pp.484-5)

2 NSW State Records, Concise Guide to the State Archives, 3rd Edition: Overview of Major Functions; performed by New South Wales Government Agencies, 1788-1991; 4.Land Survey and Settlement - Commissioners for Apportioning the Territory 1825-1831

3 Richard Johnson *The search for the inland sea : John Oxley, explorer, 1783-1828*. Carlton South-Melbourne University Press

4 NSW Heritage Office, Braidwood and its setting

5 Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson

6 *Tales of Old Australia* by Bill Beatty. ISBN 1-86436-013-5.

7 Historical Records of Australia Series I Vol XIII p.205

8 Ibid p. 446-7

9 Ibid Series I Vol XIV p.17

The land grant was '*Wingecarribee*' near Bowral, referred to in the Oxley Family Biography above.

Ida Lee wrote a fitting tribute to Oxley when she said - "*Oxley seldom visited Moreton Bay after he had completed this voyage. A few years later he was unable to undertake any kind of exploration, for sickness and infirmity laid hold of him and he could no longer endure the fatigue of covering great distances on land or the continuous strain of surveying at sea, The expeditions under his able leadership which had brought back to Sydney so much knowledge of the country inland and of the harbours on the coast therefore soon ceased. But Oxley will never be forgotten, for his work has won for him a lasting memorial in the history of Australian discovery.*"¹

I hope from this time on people will seek to give the same kind of recognition to those who enabled Oxley and other explorers of early Australia to become remembered through the centuries.

1 Ida Lee: Early Explorers in Australia Chapter XVI, Cunningham's First Journey in Queensland. Gutenberg Project



George Simpson
(ch.18.11.1792 – 4.7. 1870)
Labourer/Chainman to the Surveyors/Farmer

Absolute Pardon 1 Dec 1818

George Simpson was born in the small West Riding Yorkshire village of Hemsworth to John SIMPSON(b1760) and Mary FIELD (b.1758) at Hooton Pagnell ; they were married ,7th Jan.1782 at Womersley, WRY . Mary died 11.5.1823 at Ackworth, Moor-Top WRY.¹

John, a farmer, and Mary settled in Hemsworth, WRY, where they had the following children, all christened at St Helen's Church of England.²

John	Chr.	21. 5 .1782
Marble Ann		16.11.1783
Hannah		22. 5.1786
Thomas		18. 5.1789
George		18.11.1792
James		15. 5.1796
Mary		18. 1.1801

George and Thomas, being just 3 years apart, like most brothers did things together; in 1811 this led to their arrest on a charge of stealing 5 ewes and 3 lambs.

There were two sittings of the York Assizes, Summer & Winter; due to the crime taking place in August they missed the summer sitting and had to wait out the next six months for the winter sitting, being brought to trial at York Assizes on 7th March 1812.

"Thomas Simpson, aged 22, and George Simpson, 18, both late of Hemsworth, in the West-Riding, labourers, committed the 10th day of August 1811, charged by the oath of Joshua Jackson, of Brierley, in the said riding, farmer, on suspicion of having, between the morning of Sunday the 4th and Monday the 5th days of the same month of August, feloniously stolen, taken, and conveyed away from Brierley Common, in the said riding, five Ewes and three Lambs, marked with a ruddle mark over the shoulder and over the rump, the property of the said Joshua Jackson." ³*

* red

Both were found guilty of sheep stealing, sentenced to death, and reprieved.

¹ Latter Day Saints www.familysearch.org

² Ibid

³ With thanks to Conrad Plowman, Genealogist/Researcher, Knaresborough on Nidd, Yorkshire

Written alongside the sentence was the single word '*life*'.

The following entry from the Sheffield Iris [a weekly newspaper] Tues March 3rd 1812 p3e, reports-

"Thomas Simpson, and George Simpson, charged with stealing five ewes and three lambs, the property of Joshua Jackson of Brierley."¹

The edition of March 17th, p3d, gives identical information but adds: "*Guilty - Death*"

The sentence passed by 'The Hon Baron Thompson and Sir Simon Le Blanc knt Justice of His Majesty's King's Bench' was commuted to life transportation to the colony of NSW on 7th March 1812.²

Brierley Common was less than 2 miles SSW of Hemsworth and one wonders how they thought they would get away with the theft: there were no trucks in those days to hide their tracks or keep the sheep out of the sight of others. As the author's son said: "*It's a worry to think we have ancestors who could be so stupid.*"

George and Thomas departed London on 3rd Dec 1812, aboard *Fortune*², as part of a contingent of 196 male convicts, arriving in the Colony on 11th June 1813, after a six months journey.

George was described as " *labourer, height 5 five foot 6 inches, complexion - fair ruddy, brown hair, hazel eyes*" Thomas was " *labourer and miller , 5 feet 8 inches*" and having similar features to George.³

In 1814 George was registered in the Muster as 'stockman', together with 16 others from *Fortune*.⁴

Being 'lifers' George and Thomas could not look forward to freedom for 21 years. However George was fortunate to be chosen for '*chaining to surveyors*' on John Oxley's inland explorations of 1817⁵ along the Lachlan River and 1818, along the Macquarie River.⁶

One may speculate that George was chosen as he, like Oxley, was a Yorkshireman, and as there was constant communication between surveyors and chainmen, the broad accent could be a problem with others, however the presence of so many transported on

¹ With thanks to Hugh Waterhouse, Yorkshire

² Ibid

³ NSW State Records Office Ships Indents *Fortune*(2)

⁴ General muster and land and stock muster of New South Wales 1814 / edited by Carol J. Baxter Sydney : ABGR in association with the Society of Australian Genealogists, 1987

⁵ Colonial Secretary Index (Reel 6068; 4/1814 p.35)

⁶ Ibid (Reel 6065; 4/1798 p.106)

*Fortune*² included in the expeditions may have been more than coincidence, especially as one was William Parr who had been well received by the Colony administrators.

Or perhaps it was his position as a stockman; which is the most likely as he was one of the party which took horses to the Lachlan River depot.

Whatever the reason, George evidently performed his duties well on the 1817 tour and was requested by Oxley for the 1818 tour.

Prior to the departure of the 1817 expedition, George broke in horses in preparation for the journey. For his endeavours he was awarded a pair of shoes.¹

In the list of party members requested for the 1818 tour George was simply referred to as "SIMPSON".

From this one can hear Oxley saying "... *how far Simpson*" "*to the left Simpson*" "*on that hill Simpson*"

Oxley makes only limited reference to the convicts on the expeditions, however Allan Cunningham allows us to see that George, whose duties were to both Oxley and Evans, had a task which meant he had to walk every inch of the way and during the 1818 expedition he would have been perambulating, whilst others made their way by boat; this included the journey with Evans when he departed east from the Macquarie River, discovered the Castlereagh River, then returned to the Macquarie River.

Cunningham records:-

"1817. May 1st. Thursday: Mr. Evans having finished his surveys in 1815 at this creek on its right bank, Mr. Oxley commenced his labours in that department from the left bank down the river. As previously arranged, Mr. Evans accompanied by a person with the perambulator proceeded forward, taking the bearings of all remarkable points, windings and curvatures of the river, as he advanced, endeavouring to cut off any deep bight by stretching from angle to angle and steering as direct a course as the nature of the country would admit...."²

What is a perambulator?

We have all seen one however few would know what it was called.

Have you seen council workers or surveyors' assistants pushing a wheel with an extended arm?

You have seen a perambulator, waywiser or hodometer!

Although today's light aluminum/titanium style is very different to the steel & timber models of the 18-19th centuries.

A waywiser consists of a large wheel that can roll along a level surface, and a dial that

¹ Ibid (Reel 6046; 4/1737 p.329)

² Alan Cunningham's Journals, from Australian Explorers - Ida Lee sourced from The Gutenberg Project website

*registers the distance traveled. The wheel usually measures 8.25 feet in circumference, such that 2 revolutions are equal to 1 pole. The larger hand on the dial makes one sweep per mile (320 poles or 8 furlongs). The shorter hand indicates the number of miles traveled. Waywisers became popular in England in the 18th century, and were still in use in the United States in the late-19th century. They were also known as perambulators.*¹

The name perambulator was later applied to baby's carriages and later still abbreviated to 'pram'. Henry Lawson in 1892 describes the *Drover's Wife* dressing in her Sunday best, and taking her baby in the perambulator.

George is mentioned by Cunningham on
*1817 July 7th. Monday. 'This morning Mr. Oxley left our encampment on his journey westerly, accompanied by Fraser, Burns (sic. Byrne) and Simpson, with provisions for six days, and trusting they will be able to clear 25 miles per day for three days..... About 2 o'clock in the afternoon, Mr. Oxley and those that accompanied him returned to our encampment, having advanced about 9 miles on the immediate bank of the rivulet until they were obliged to desist from proceeding further, the horses being bogged up to their girths, endangering the lives of their riders and themselves.'*²

This is the furthest point west that the 1817 party reached.

Cunningham is very succinct in describing the return of the 1817 party to Bathurst

*"We have been absent from Bathurst 19 weeks and have in our route formed a circle of upwards of 1,200 miles..... We have all, Mr. Oxley excepted, walked since we left the boats in May last a circuitous route of 750 miles."*³

Whilst some traveled some of the way by boat and others rode, George would not only have walked, but also pushed a perambulator for all of the 1200 miles(1920kms).

Similarly he would have done the same on the 1818 expedition where he would have walked some 1500miles(2400kms) or more

Only three members completed the whole land content of the two expeditions.

These were George William Evans and the two members who went overland from Port Stephens to Newcastle.

Without doubt, one of these would have been Evans' long time companion, Patrick Byrne; and being a surveyor Evans would not want to travel without his chainman, George Simpson.

As a result of the duties performed by the five convicts who partook in both expeditions,

¹ Jane Insley, "Odometer," in Robert Bud and Deborah Warner, eds., *Instruments of Science* (New York and London, 1998), pp.423–424.

² Alan Cunningham's Journals, from Australian Explorers - Ida Lee sourced from The Gutenberg Project website

³ Ibid

Governor Macquarie extended an Absolute Pardon in December 1818.¹

"To those of the Party (five in Number) who had been employed on Mr Oxley's former Expedition in 1817, His Excellency is pleased to extend Absolute Pardons"

George received further benefits, including

- on 10th Jun 1819 he, together with 6 other members were given a donation totalling £39 for their services²
- in 1819 and again in 1820 he was given land grants of 50 acres at Airds, Appin Rd, Campbelltown³

Now a freeman and landholder George was in a position to seek a partner.

On 25th Feb 1821, he married Ann HEYDEN at St Lukes, CoE. Liverpool⁴. Ann was born in the colony , the daughter of James HAYDEN/HADON (sentenced at Stafford 30th July 1788 and transported aboard 'Matilda' which departed Portsmouth 27th March 1791 and arrived Sydney 1 August 1791) and Jane KANE (aka Mary KEEN) who was transported aboard "Glatton" from London, departing 23rd Sept 1802 and arriving Sydney 11th March 1803.

At the time of the 1928 Census George (listed as 33, though in fact he was 36) & Ann(23) had three children :

Thomas, b. 14 Nov 1822 d. 22 Mar 1883, m. Mary Ann Rich (nee Standen)
James , b. 18 Sep 1824 d. 1896 m. Maria Hawthorne
Anna(Hannah) b. 6 Jan 1827 d. 14 May 1870 common law Thomas Argent.⁵

and his brother Thomas (listed as 37, though he was born in 1789) was also living with them.

Whilst some researchers say Thomas died in Tasmania he actually married in 1816 to Isabella Bland and died in NSW in 1839 , at the age of 50years.

In 1828 Henry Haydon (17) and William Haydon (16) brothers in law, were recorded as servants, as was their mother Jane Millington (54) , George's mother in law.

George's Airds property was recorded as consisting of 124 acres, 110 acres cleared, 49 acres cultivated, and stocked with 8 horses and 6 cattle.⁶

¹ Colonial Secretary Index (Reel 6038; SZ759 pp.543-4)

² Ibid (Reel 6038; SZ1044 p.54)

³ Ibid Fiche 3266; 9/2652 p.58

⁴ NSW BDM's marriage certificate

⁵ Ibid Births/Deaths/Marriages

⁶ Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson. Sydney : Library of Australian History, 1980

What the Census reveals is that George, the son of a Yorkshire farmer, remembered the lessons he had been taught by his father and applied them successfully to his farm. It also reveals that the use of the extended family members ensured a close family unit and a dependable labour source.

George and Ann had a further 7 children before Ann died in 1841.¹

George Jnr	b. 26 Jan 1829 - d. 15 Feb 1829
Emma J	b. 3 Mar 1830 - d. 23 Sep 1902, m. Edward Nicholas Larkin
Mary Jane	b. 1 May 1832 - d. 1854 m. Joseph Slade
Susannah	b. 3 Jul 1834 - d. m. Alexander Graham
John Henry	b. 20 Aug 1836 – d. 18 Oct 1836
Charles	b. 29 Aug 1837 – d. 19 Jun 1924 (single)
Isabella Ann	b. 15 Nov 1839 – d. 3 Jan 1840

George took a second wife Mary COOK(E) on 13 April 1843 at Church of England, Cobbitty; married by the Rev. Thomas Hassall.²

They had one son,

Frederick Lewis b. 6 Apr 1842 d. 2 Apr 1926 m. Jane Isabella Armstrong³

Mary Cook(e) had remained a mystery, as had a witness, Hannah Cook until, Elizabeth Haddon(nee Kelk), a ggg-granddaughter of George, found that Hannah was Mary's daughter from a previous marriage to Thomas Cooke. Mary Ann Crouch had married Thomas, 9th January 1821, in Ewehurst, Sussex and had migrated to New South Wales in 1838, aboard 'Lady Nugent'. He died the following year.

On the death certificate of Frederick Lewis Simpson, his mother is stated as Hannah Southwell. This created another mystery.

However Elizabeth advised that Southwells had also arrived aboard 'Lady Nugent'.

Southwells had come from the same area of Sussex and Thomas Southwell had married Eliza Cooke at Ewehurst in 1833; they also migrated to New South Wales. Despite this no Hannah Southwell has been located in Australia, in the required time slot.

¹ NSW BDM's

² Ibid Marriage Certificate

³ NSW BDM's

The author's mother, Emma Crampton, told a family story of George driving a horse 'n cart, near a bridge in Campbelltown, when the horse shied and bolted. As it did, George caught site of a ghostly figure on the bridge railing. Fisher's Ghost? It is not confirmed that it took the horse a mile to catch up with George.

Frederick George James Fisher was murdered by George Worrell on or about 17th June 1826 ; his body being found when John Farley claimed ".....my horse shied, and, looking up to see the cause, I saw the ghost of Fisher sitting on the fence there!"¹

No doubt there would have been numerous residents of the area that made the same claim after the body was found; these claims living on as family myths.

George was awarded a lease of property adjacent to Campbell's 'Delegate Station' in September 1841. Whilst he is listed in 1848 as resident and occupier of the property "Delegat" with 12,800 acres and 450 sheep, there is no proof he lived here at other times and his brother-in-law was manager and later took over ownership.²

Delegate is now a township, south of Canberra near the New South Wales Victoria border.

Whilst most of the children stayed in the Sydney area, Thomas, the eldest son, settled in NSW - Victoria border area, and his descendants spread south as pioneers of eastern Victoria, James spent the early days of his marriage in Melbourne before returning to Sydney and Frederick Lewis moved to Parkes in 1877.

George, after more than half a century in NSW, died at Appin Rd, Campbelltown, 7th July 1870 - "decay of nature" and was buried at St Peters CoE Cemetery, Campbelltown NSW, with his first wife, Ann.³

The life, of a man who will always be part of Australia's early history, had ended.



William Warner

(c.1772 - 1825)

Lighterman/Waterman /Servant to John Oxley/Waterman /Farmer

Ticket of Leave 1 July 1813

Absolute Pardon 1 Dec 1818

William Warner was convicted at The Old Bailey, London on 6th June 1810 and

¹ Hawkesbury Historical Society website - The true story of 'Fisher's Ghost'

² Kym Sainsbury -Rockhampton, Hayden descendant

³ NSW BDM death Certificate

sentenced to Life transportation.¹

WARNER, WILLIAM: theft ; specified place, 06 Jun 1810.

The Proceedings of the Old Bailey Ref: t18100606-80

482. WILLIAM WARNER was indicted for feloniously stealing on the 23d of April, one hundred and twenty deals, value 50 l. the property of John Chatfield, Thomas Arnott, Robert Mercer, and Thomas Arnott, jun. in a certain boat upon the navigable river Thames. And

TWO OTHER COUNTS for like offence, only varying the manner of charging him.

CHARLES POTLIDOE.

Q. Do you live with Messrs. Chatfield and Co. - A. Yes.

Q. Were you employed in April last, to mark any deals - A. Yes; on Saturday, the 21st of April, I marked one hundred and twenty deals, sixty with W. O. and sixty with I. W; I marked them at Mr. Lett's yard, and I stowed them into Mr. Chatfield's boat, I left them at Mr. Lett's wharf.

Q. Where was she moored - A. Three barges outside of the wharf.

ROBERT MERCER.

Q. Are you the firm of Chatfield and Co. - A. Yes, the names of the firm are John Chatfield, Thomas Arnott, Robert Mercer myself, and Thomas Arnott, jun.; the deals in question, they were marked sixty for William Ortery, and sixty for John Worthy; they were put on board the lug boat, to be sent by the Winstable hoy, one to be left at Ridge, and the other at Canterbury.

Q. What are the worth of the hundred and twenty deals - A. Fifty pound.

WILLIAM LINHAM.

Q. Do you live with Messrs. Chatfield and Co. - A. Yes. On the 21st of April, I brought the lug boat, containing one hundred and twenty deals, from Mr. Lett's yard, to Mr. Chatfield's timber yard, close by Blackfriars-bridge, Surry side; I made the lug boat fast to my master's yard, and left them there.

DOBNEY. I am a lighterman to Messrs. Chatfield and Co.

Q. Did you take any deals from Messrs. Chatfield's - A. Yes, they were in a lug boat; on the 21st of April, about half after six o'clock in the evening, I took them down to the Old Swan wharf, I delivered them to Mr. Cock, the owner of the Winstable hoy, I saw Mr. Cock, he took charge of them.

Q. Do you know how many deals you took down there. - A. No, I had no note, I suppose there was about one hundred and twenty in number.

JOHN COCK.

Q. I believe you are one of the owner's of the Winstable hoy *- A. Yes; my partners' names are Thomas Wakefield, Edward Hayward, and Benjamin Reynolds.

Q. What time did Dobney arrive at your wharf - A. About seven o'clock, I took charge of the lug boat.

Q. How many deals were there on board there - A. I suppose there were one hundred

¹ William Warner ; Theft, Specified Place 6th June 1810 : THE PROCEEDINGS OF THE OLD BAILEY REF: t18100606-80

and twenty, the boat had as much as she could almost carry; I moored her facing Fishmonger's hall, alongside of Mr. Thompson's, the coal merchant's, craft; that was on Saturday evening, I saw her lying there as late as nine o'clock, and I saw her at two o'clock on the Sunday, the deals were all just the same as they were when brought on Saturday evening.

Q. Was there any other lug boat with deals there - A. No craft with deals, whatever.

PETER BELL.

Q. You are a watchman at London-bridge water works, I believe - A. I am.

Q. On Sunday, the 22d of April, did you see a boat at Thompson's wharf with any deals - A. I went on duty at twelve o'clock on Sunday night; on Monday morning, the 23d, at one o'clock, I saw a boat with deals in her, she was laying near the water works at London-bridge, and facing Fishmonger's hall.

Q. In what state was the tide at that time - A. The tide was near low water, the mills were standing still.

HENRY RUST. I am a watchman at Yallowby's wharf, by East-street, Blackfriars.

Q. Early on Monday morning, April 23d, did you see any boat with deals come there - A. Yes, about half past three, it was before day light, in the dawn of the morning.

Q. What kind of a boat was it - A. I only took notice that it was a boat with deals, there were two men in the boat, it was not light enough to distinguish their persons. It was about half tide, it just floated her in, they brought her in and moored her there; and after they had made her fast to one of the barges, they got into a skiff and rowed over the water.

Mr. Alley. What time in the morning was this - A. Half past three o'clock.

Q. You say you could not tell who the men where - A. No.

Q. Did not you say before the magistrate, that you knew that the prisoner was not one of the men - A. I said had known the prisoner for some years

Q. And therefore if he had been in the boat you must have known him directly - A. No, I could not, I was forty or fifty yards from him, I could not swear to any man, I could not if it was my own brother.

JOHN FIGG. I was a porter at Herrington and Yallowby's wharf. On Easter Monday morning, the 23d of April, between ten minutes and five minutes before five o'clock in the morning, I was called up by two men; one man of the name of Warner was present at the time, and another man stood by the side of him.

Q. Had you known Warner before - A. Yes, I am sure the prisoner is one of the two men. When they called me up, Warner, the prisoner, told me that there was a craft of deals at Yallowby's wharf, that wanted landing. The other man said he brought them from Limehouse.

Q. Did he say we or I - A. He said, I have brought them from Limehouse. He said, get them landed a soon as we could, to get his craft afloat, as he wanted to take his craft down to Limehouse again; when he sent for the deals away he would pay for the wharfage and for the landing. They went away, I saw no more of them until the prisoner was taken into custody.

Q. Did you go down to unload the deals - A. Yes; I got Giles to help me, we found the lug boat loaded with deals, the name on the lug boat was Chatfield and Co. We unloaded the lug boat, there was a large hundred of deals, about one hundred and twenty, we did not count them.

Q. On the same morning did Mr. Arnott, one of the firm of Chatfield and Co. apply to you - A. Yes; and I guided Mr. Prior and Towsy to the prisoner's house, he had told me, on a former occasion, where he lived.

Mr. Alley. In point of fact, you had known the prisoner in consequence of a former contract he had with you - A. Yes.

Q. There was no disguise on his part you knew he has been a lighterman for many years - A. Yes.

Q. It is the business of a lighterman to call upon you when the tide requires - A. Yes.

Q. Therefore his coming to you at five o'clock on that morning was on the occasion of the tide - A. Yes.

Q. This man that was with him was quite a stranger, you have never discovered him since - A. No.

Q. You found the prisoner directly you went to his house, he did not run away - A. Yes, the prisoner was found the same morning.

Q. You did not find any deals or the boat on his premises - A. No.

Mr. Gurney. The deals were at Yallowby's wharf at the same time - A. Yes.

Q. What time was it you went after the prisoner - A. It might be half past eight the same morning.

THOMAS ARNOTT, sen.

Q. You are one of the prosecutors - A. Yes.

Q. Did you on Easter Monday morning find your boat at Yallowby's wharf - A. Yes, I went there between seven and eight in the morning, I saw the lug boat in the water, and the deals pitched up on the wharf.

JOHN TOWSY. I went to apprehend, the prisoner. About half after eight o'clock in the morning, Mr. Prior was with me, we went to Burbridge-street, near Marsh-gate, in the New-cut, leading from Rowland's Hill's chapel; Figg shewed me where he lived, I saw his wife standing about two yards from the door, the prisoner was about thirty yards off, Figg pointed him out to us, I took him in custody to Union-hall. When I took him I told him it was on suspicion of stealing some deals he said, oh, those deals I brought up this morning, I can get through that easy enough, I was hired; I asked him for whom he brought them; he said, an entire stranger that he knew nothing of; and at Mr. Chatfield, he pretended not to recollect the man that hired him, I was present at Union-hall, and there before the magistrate he said, he was employed by a man of the name of Steinback, the magistrate said, you have said to the officer that you was employed by a man you did not know; he replied, I recollect now his name is Steinback. Gough, the officer said, we are able to find Steinback.

Mr. Alley. They could not find him - A. No, the other had taken care of that, this was at half past one in the afternoon.

Q. He was in custody from eight o'clock till half past one, he had no opportunity of seeing Steinback - A. He spoke to his wife going from Mr. Chatfield's accompting-house to the magistrate, she said, Warner what is the matter, oh he said, it is about them deals that I brought this morning, oh, she said; it is a pity you got up so soon this morning to earn two shillings.

JOHN HENRY PRIOR. I am a clerk to Messrs. Chatfield and Co.

Q. On the morning of Easter Monday did you go with Towers and Figg for the purpose of apprehending the prisoner - A. I did, the prisoner asked Towsy what he wanted with him; he said, he wanted him on account of some deals that had been taken away, the prisoner then said, he could get over that very well as he was hired by an unknown person to take the deals up to Yallowby's wharf.

Mr. Alley. You were examined at Guildhall - A. I was, the prisoner there said, that he was employed at so early an hour in the morning to bring them to the wharf, I understood it to be before day light.

CHARLES POTRIDGE. These are the deals that I marked, they were in a lug boat.

MR. ARNOTT. These are the deals that I found on Yallowby's wharf.

Prisoner's Defence. I am innocent of the charge. I never saw one of the deals before in my life as I hope to see my Saviour. It is not likely I should have brought them deals if I had stolen them in a neighbourhood that I was brought in.

WEEDY CLOSE. I am a servant to Mrs. Adams, she keeps a coal shed in Petticoat-lane. On Easter Sunday I was along with Mr. Warner at the Red house about nine o'clock, I left him in King-street, Lambeth, he was near home then. I went out with him at one o'clock and was in company with him till nine, George Potter was with me.

GEORGE POTTER. I was in company with Mr. Warner at Battersea; I left him a quarter before ten o'clock on Easter Sunday, at his own door.

MR. STEWARD. I am a printer. I lodged in the prisoner's house, at that time, and do now, and have for some years past.

Q. How is his bed-room situated as to your's - A. Mine is and was in the front parlour, they sleep in the back; the top of the house is in an unfinished state.

Q. Is there any communication to their bed-room but through your room - A. No.

Q. Then, after they had gone to bed, if they came out of their room to go abroad, must not you know it - A. Yes. On Easter Sunday, I came home between ten and eleven o'clock; I went to bed. I saw the prisoner, he came out to me in an undressed state, we had some conversation about rising in the morning; this was between ten and eleven at night.

Q. Do you recollect in the course of the night or morning, any body calling to him - A. Yes, I was disturbed about half past four.

Q. Did you know the person that called him up - A. No, not by his voice; I know him now, I have seen the man.

Court. Q. You did not see the man that called him up - A. No.

Q. What time did he go out - A. A little after that he dressed himself and went out.

Q. Was it light when he was called up - A. I know not indeed; I am very close shut up. The day had broke when I looked at my watch, and it wanted twenty minutes to five, that was a few minutes after.

Q. What occasioned you to look at the watch - A. Because I was roused, and I was afflicted with the rheumatic tooth-ach; rather anxiety to get up to business.

Q. When did you get up - A. I got up about half an hour afterwards.

Q. What business had you for calling, you up so early - A. Oh! six o'clock is the usual time in the morning to go to my work.

Q. Does your door open into the street - A. Yes, directly.

Q. Did he leave the door open - A. No, he shut the door after him.

Q. How do you know it was light at that time - A. By being roused; I never went to sleep till I looked at my watch.

Q. After he had gone out and shut the door, you looked at the watch - A. Yes.

Q. Why did not you look at your watch when the prisoner went out - A. I had not an opportunity, there was no light.

Q. You did not look at the watch before the prisoner went out, because there was no light - A. I was more effectually awaked by his shutting the door; the prisoner said something to me, I cannot say what.

Q. Did that rouse you, or did the shutting of the door rouse you - A. Both; I was in a state of anxiety; I was perfectly awake when the door was shut, not before that.

Q. If you were perfectly awake, perhaps you can tell me what the prisoner said to you - A. I cannot.

Q. When the prisoner shut the door that roused you, effectually - A. Yes.

Q. Then you immediately looked at your watch - A. Yes; I got up directly, though I went to bed again; I got up in bed, and got out of bed, though I did not put my clothes on; I looked at my watch; I did nothing else; I laid down again.

Q. Then what light was there to look at your watch - A. Of course I opened the street door to look at my watch.

Q. Do you mean to swear that - A. I opened the street door, I cannot say whether I opened it to look at my watch, but I opened the street door and looked at my watch; curiosity led me to open the door to look about me, and to look at the watch at the same time. I did open the door, I cannot say for what purpose.

Q. When you opened the door did you look out - A. Yes, but I did not look about me. I cannot tell whether I shut the door immediately.

Q. When you opened the door did it appear a fine morning, was the sun up - A. Yes, it appeared so; my eyes were heavy; as I had mentioned before, I had very little sleep in the early part of the evening.

Q. As your eyes were very heavy, and you were very sleepy, and had no sleep in the course of the night hardly, what could induce you to get out of bed and open the door - A. I do not know, it was done; it was the anxiety, as I have said before, that induced me to know what time of the day it was.

Q. You heard him speaking to you, and was very anxious to know the time of the day, how came you not to ask your friend - A. Because I was not so effectually roused; after the knocking at the door I must have dozed again, and awaked by his speaking to me; I hardly remember his speaking to me; in fact, I remember something or other passing.

Q. Will you swear to his speaking to you, or no - A. I will swear that there was something passed between us; he certainly spoke to me.

Q. Why, man, if you come here to tell the truth, there is a strait-forward way to tell it: now then I want to know, are you certain that the prisoner did speak to you, or did he not - A. Yes, he spoke to me, it roused me a trifling, it did.

Q. What time was it when you dressed yourself - A. Between seven and eight.

Q. I thought you said it was your custom to get up at six o'clock - A. It was so, but through my heavyness I laid afterwards.

Q. What was your reason for your looking at the watch - A. To know the time of the morning; it wanted twenty minutes to five.

Q. You were not so heavy then but what you marked that - A. Yes, I took notice of it.

Mr. Gurney. Your usual time of rising was at six o'clock in the morning - A. Yes.

Q. Your anxiety not to oversleep yourself made you get out of bed to open the door to look at your watch A. I do not know what induced me; I got out of bed, opened the door, and looked at my watch.

Q. You do not know whether it was by chance or design that you took your watch to the door - A. I know I looked at my watch, I cannot say whether it was by chance or design.

Court. Did you take your watch from your bed to the door - . That I cannot swear.

Q. When you were at the door, where was your watch - A. In my hand, and it wanted twenty minutes to five.

Mr. Gurney. Q. Did it ever happen to you before, to get out of bed and look at your watch - A. Oh! frequently these fine mornings. I generally look out in my shirt, and sometimes I put on my small clothes. I generally throw the door open to find my things, and sometimes pop my head out.

Q. And you generally to look at your watch take it to the door - A. Yes, generally.

Q. You were extremely anxious to get up at six o'clock, where do you work - A. At the Philanthropic Society.

Q. You told my Lord, that you looked at your watch, it wanted twenty minutes to five, you had an anxiety to get up, you got up about half an hour afterwards - A. I beg your pardon, it certainly is a misunderstanding; I said, in about ten minutes after the prisoner went out I got up and looked at the watch.

Q. You told me directly the prisoner went out you looked at the watch - A. In ten minutes after the door slammed that I got up; I conceive so.

Q. You dozed, and was in a state of stupefaction - A. Yes.

Court. It might be half an hour that you dozed after the door slammed - A. No, it appeared immediately almost.

Q. Did you doze, or did you not, after the door slammed - A. I beg your pardon, as I heard the door slam I got up instantly without dozing.

Q. What does the half hour apply to? In half an hour after the prisoner went out, did you get up or doze - A. Between seven and eight, I said, I got up.

Q. Did you breakfast in the house, or not - A. I am not quite certain; I am almost positive that I did; I cannot take upon me to swear.

Q. Did you stay without breakfast - A. I do not know how that was; I have done that before now.

Q. Do you come here to say merely it wanted twenty minutes to five - A. Yes.

Q. If you can recollect it was twenty minutes before five, why cannot you recollect the other - A. When I came home I heard Warner was taken up, it impressed my mind. It was in a conversation between me and Mrs. Warner, I think at dinner time, It was at his own house, or going home.

Q. Do you know, whether on the Monday you got any dinner, or not - A. Oh! yes, I got a dinner, I cannot tell where.

Q. Did you go to the prisoner's house at dinner time - A. I go almost every day there at dinner time; I am pretty certain I did.

Q. You staid to dinner with her - A. I do not know, I know I dined, I cannot tell where; I cannot say whether I had any breakfast or not.

Mr. Gurney. The prisoner was at home before you went out - A. Yes.

Q. You left him at home when you went out - A. Yes.

Q. Will you swear that - A. I will not; he was at home two or three minutes before I went out; he came home much about the time that I got up, or a little after; I saw him, and spoke to him.

Court. Q.to Figg. You say you worked as a porter at Herrington's and Yallowby's Wharf, where was it you were called up - A. In Green Dragon-court, St. Andrew's-hill. I heard St. Paul's strike five when I had got my clothes on, before I got down stairs.

Prisoner. I was called up by this man only to recommend him to that wharf to land the deals. I called Figg myself, the man was with me. I never went out of my house before the time that my witness has stated.

GUILTY - DEATH, aged 38.

The prisoner was recommended to his Majesty's mercy by the Jury and the Prosecutor, on account of his former good character. London jury, before Mr. Common Serjeant.

* Hoy = a flatbottom boat for carrying heavy loads (especially on canals)

* Deals = a plank of softwood (fir or pine board)

* Ligherman Until the mid eighteenth century London Bridge or boat were the only means by which to cross the Thames. Because of the potential difficulties this posed the Corporation of London was appointed Conservator of the Thames in 1193, its duties including the licensing of boat operators on the river. The Company of Watermen was formed in order to put an end to what a 1566 Act of Parliament calls *divers and many misfortunes and mischances, caused by evil and ignorant persons who robbed and spoiled of their [passengers'] goods, and also drowned them*. Its original function thus differs from the City livery companies in that it existed not only to protect the economic interests of its members but also to bring them and their activities under control. Elizabeth I granted the company its arms in 1585, while the ordinances performed the function of a charter.

In 1700 the lightermen, ie those who unloaded cargo from ships and carried it into port by lighter, joined the watermen, having formerly been members of the Woodmongers' Company. In the long run this greatly benefited the company, if not the watermen themselves, since the bridge building programme of the late eighteenth century and the introduction of steamships in the early nineteenth meant a decline in demand for the waterman's skills. With the expansion of the Port of London, on the other hand, the

lightermen flourished.¹

Whilst William's age was shown as 38 years at his trial, at his death in 1825, 15 years after his trial, he was shown to be 39 years old.

William arrived at Port Jackson aboard "Admiral Gambier" on 2nd October 1811 together with 196 other male convicts and a detachment of the 73rd Regiment.²

Within 18 months of arriving in the Colony, William received a ticket of leave,³ no doubt because of his specialist experience as a Waterman. However eighteen months later, on 3 Dec 1814, he appeared before the Magistrates Bench where he had his boat and a keg of brandy confiscated and his Waterman's licence cancelled;⁴ yet 3 years later he went with the 1817 Expedition to the Inland, as *Mr Oxley's servant*. The following year he went as *Waterman*..

How could this be so?

If we look at his wife Sophia's journey to the Colony, we see that she arrived as a free person, on 26 October 1812 aboard "Minstrel" after a 143 day journey from England, which carried a contingent of 127 female convicts.⁵

This would not lead to any favourable treatment for her husband, however when we see who the other free persons aboard were, it is an entirely different situation.

Firstly there was :-

DAVEY Thomas (LT-Colonel) : First arrived in NSW in 1788 with the Marines guarding the convicts and remained till 1792. Returned to Sydney aboard *Minstrel* before leaving for Hobart Town in February 1813. He was Lt-Governor of Van Diemen's Land from 4 Feb 1813 to 9th Apr 1817.⁶

and secondly

OXLEY, John.JWM, Surveyor General: Returning to Sydney to take up duties as Surveyor General; also aboard *Minstrel*.⁷

There can be no doubt the only 'free' lady aboard would be welcomed by both gentlemen and over a period of some four and a half months lasting associations could be established.

In December of 1814, William was brought before the Bench of Magistrates

¹ Guildhall Library Manuscript Section; Leaflet Guide to Records . Records of the Company of Watermen and Lightermen at Guildhall Library. Sourced at www.history.ac.uk/gh/water.htm

² NSW State Records Ships Indents 'Admiral Gambier' 1811 & Australian Shipping 1788-1968 , Convictions at www.Blaxland.com

³ NSW State Records , Tickets of Leave Emmancipation & pardons 1810-1819 (Reel 601; 4/4427, p.432)

⁴ NSW State Records Bench of Magistrates (3/12/1814 Reel 1259 SZ 774, COD 235)

⁵ NSW Convict Women Perth DPS Project ,sourced from *The Women of Botany Bay*, by Portia Robinson & NSW State Records Ships Indents *Minstrel* 1812

⁶ Colonial secretary Index , Introduction to DAVEY Thomas.

⁷ Ibid Introduction to OXLEY John

Saturday the 3rd Day of December 1814

Bench of Magistrates

Present

Ellis Bent Esquire

Judge Advocate

Alexr. Riley Esqr.

Simeon Lord Esqr.

In the matter of a Boat the property of William Warner and a key of Spirituous liquors called Brandy, seized on the 13th November 1814 by Christopher Downes, the said keg of brandy being put on board the said boat with the privity of the said William Warner without any permit from the ship Broxbornebury, contrary to the 7th Article of the Port Regulations.....

Christopher Downes, sworn says ;- I am a Constabl. I was on duty on board the Ship Broxbornebury on the 13th November last in Sydney Cove. Between eight and nine oClock I was between the after hatchway and the Cabin. About nine oClock Mr Spencer one of the mates asked the steward of the ship to take his watch on deck till he took his supper. He went up. In a few minutes the steward came down again- He put out a candle which was lighted near the hatchway; he then went to the other side of the ship up a ????. ?? brought a bag which contained a ?? ale ?? took it on deck. I followed him immediately. When I came on deck he was standing on the gangway. Warner's boat was alongside close to the gangway and I saw the steward hand down the bag with the keg in it to the boat. Warner was in the boat and received it. I went to Joseph Evans, the constable who was doing duty with me and who was on the forecastle and told him there ??? put in to the waiting boat. He told me to go and seize it. When I returned to the gangway Warner was after coming up on deck. He asked one of the sailors where was Cuckoo, meaning Joseph Evans, the Constable who goes by that name; the sailor told him he was on the forecastle. Warner said that would do. Warner then said to an old man on the deck who was going ashore with him Paddy come along- Warner then returned to the gangway and was going down. I took him by the breast and told him he should not go down there. I pulled him up on deck and went down into the boat myself. I found the bag with the keg in it. I smelled(sic) to it and found it was spirits. Warner then wanted to come down in to the boat but I kept it off and would not let him. The steward of the ship then wanted to come down but I would not let him. Then Evans came to me into the boat and I told him all was right. I put the broad arrow in the boat and ?? Evans returned on board ship and I took the boat to the King's wharf. I landed keg there- I brought Warner and the old man with me. The sentry then took me into custody and I took the keg of liquor. The keg of liquor is now in Court. I never opened it. It remained ??? ? ??? some days. Warner did not show me or offer to show me any permit. He asked me not to say anything about the boat.

William Warner the defendant being permitted did not ask this witness any questions. Joseph Evans, a Constable, being sworn deposeth nearly the same effect.

The Keg is produced and identified by the witness Downes, and being examined is found to contain a quantity of Brandy about two gallons and a half.

The defendant Warner says in his defense that he leaves the whole to the humane consideration of the Magistrates.

The Magistrates adjudge that the Boat and Keg of Brandy be confiscated and that the said William Warner has forfeited his license to ply as a Waterman in this Harbour.

Whilst the loss of his licence and boat would be a great financial loss he was fortunate that he wasn't sent to Newcastle.

Was this chance or was there intervention by an acquaintance of Sophia.

When we consider that William Warner appears as 'Mr Oxley's servant' to partake in the 1817 Expedition to the Inland of New South Wales, it appears that it may have been more than chance.

Whilst Warner was replaced as Oxley's servant for the 1818 Expedition, he was retained as 'waterman' and was one of the five members, receiving Absolute Pardons, who went on both the 1817 and 1818 expeditions.¹ William was also one of seven members of the expeditions who received a total of £39 between them.²

On arrival at Port Stephens, at the end of the overland sector of the second expedition, it was determined that Mr. Evans and three men should cross the port in our own boat and proceed to Newcastle.³ Oxley would not have sacrificed the boat and allowed it to be rowed across by those going to Newcastle. It is most likely he sent Warner to transport the group and return the boat to the waiting explorers.

Following his pardon, in Dec 1818, William became a landowner and was listed as such in 1822 at Windsor.⁴ Unfortunately William wasn't to enjoy his freedom and died in 1825, aged 53 years, in the district of Lower Portland Head;⁵ leaving Sophia with 22 acres of cleared land.⁶

William's death certificate states he was 39 years old, however the original Trial document shows he was 38 in 1810. Widowhood was short lived for Sophia, marrying the wealthy and autocratic Solomon Wiseman, after whom 'Wisemans Ferry' was named; at Wilberforce in 1826.⁷

Interestingly, Solomon Wiseman was convicted at the Old Bailey , with '*feloniously stealing 704 pounds weight of Brazil wood, value 24 l. in a lighter, in the navigable River Thames*'⁸. Wiseman was also a lighterman and if he didn't know Warner in London they would undoubtedly have become acquainted in the Windsor district and reminisced about their time on the Thames. Solomon died in 1838 and Sophia returned to England in 1841. She died in the June quarter of 1870 at the age of 89years. Her death was registered at Kensington Vol.1a p.132⁹.

¹ Colonial Secretary Index (Reel 6038; SZ759 pp.543-4)

² Ibid (Reel 6038; SZ1044 p.54)

³ John Oxley Journals of Two Expeditions into the Interior of NSW Part II .

⁴ General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter Sydney : ABGR in association with the Society of Australian Genealogists, 1988

⁵ NSW BDM's Death Certificate V18256473 also Colonial Secretary Index (Reel 6064; 4/1788 p.18)

⁶ Colonial Secretary Index (Reel 6064; 4/1788 p.18)

⁷ NSW BDM's Marriage certificate V1826269)

⁸ The Proceedings of the Old Bailey Ref: t18051030-55, Solomon Wiseman Specified Theft 30th Oct 1905

⁹ GRO Index

James Williams
C.1775 – 3rd April 1831
Smith / Farrier
Absolute Pardon, 1st Dec 1818

James Williams, described as a horse shoer from Norfolk, was sentenced to 14 years transportation, at Berkshire Assizes on 1st March 1813.¹

The General Hewett(*Hewitt*), a ship of 960 tons departed England on 26th August 1813 and arrived in Sydney Cove on 7th Feb 1814.² This was the same ship on which Dr John Harris returned from England, after the court martial of Johnston.

James was described in the ships indents as being 35 years old, 5ft 6inches (1.65m), pale complexion, with dark brown hair and hazel eyes and in the year of his arrival he was registered in the Muster as blacksmith at Windsor.³

With both the first and second expeditions taking horses, as pack and riding beasts, it was essential that a smith be taken, and James Williams was the one chosen.

James was one of five convicts who were members of both the Lachlan River and Macquarie River expeditions, with specific instructions by Oxley, in January before the 1818 Expedition for

'The Smith to take spare shoes and nails for the horses, and his own tools for shoeing'
⁴

James services were rewarded with an Absolute Pardon on 1st December 1818;⁵ and in June of the following year he and six others received £39 from the Police Fund, (£5.11.3each if they received similar amounts)⁶

The following years James carried out his craft at Wilberforce,⁷ in the Windsor area, till 1827; when James evidently felt it was time to enjoy some female companionship. On 17th April he sought and was granted permission to marry Margaret Sellairs at St Phillips Church of England, Sydney, three weeks later.⁸

Margaret, sentenced at Cumberland, to 14 years transportation, on 21 Aug 1816⁹ departed London, 3rd July 1817 and arrived in Sydney on 14th Jan 1818 aboard

¹ NSW State Records Ships Indents General Hewitt 1814

² Australian Shipping 1788-1968 at www.Blaxland.com

³ NSW State Records Ships Indents General Hewitt 1814

⁴ Colonial Secretary Index (Reel 6006; 4/3498 p.155)

⁵ Ibid (Reel6038; SZ759 pp.543-40)

⁶ Ibid (Reel 6038; SZ1044 p.54)

⁷ General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter Sydney : ABGR in association with the Society of Australian Genealogists, 1988

⁸ Colonial Secretary Index - Margaret Sellairs(Reel 6006; 4/3498 p.127) & NSW BDM MC. Reg V18274051 3B/1827

⁹ NSW State Records Ships indents '*Friendship*' 1818

*Friendship*¹

Susannah Sellairs and Mary Sellairs came as 'free persons', also aboard *Friendship*.

The witnesses at James and Margaret's wedding were Thomas Scarr and Mary Hodge; Thomas had married Mary Sellairs in 1821

By a strange coincidence, Susannah, who had married a Benjamin Edwards was living with a *Dr Aleran*²; the Dr Laurence Halloran who was charged with Thomas William Parr³ an expedition member with James.

James' life as a married man was to be short lived.

On 3rd April 1831, at the age of 56 years, James Williams, blacksmith, was committed to his Lord,⁴ by Rev Wm. Couper, who had officiated at their wedding, 4 years earlier. His neighbour, Barnaby Butler was to die the following year.

Margaret married Timothy Lane, at St John's CoE Parramatta, in 1833, at the age of 50 years.⁵

¹ Australian Shipping 1788-1968 at www.Blaxland.com

² Colonial Secretary Index (Reel 6067; 4/1808 pp.389-91)

³ See page 'Thomas William PARR'

⁴ NSW BDM DC Reg. V18319523 2C/1831

⁵ Ibid MC V183352



Barnaby Butler

(AKA Barney,Bernard,Barnard, Barnabus, Barry)
c.1771 - 1832
Labourer

Conditional Pardon 1 Dec 1818

Barnaby Butler was born 1771 in Co.Waterford, Ireland.¹

In 1804 he was arrested for highway robbery, near Carrick –on – Suir, Co.Waterford, of a farmer named Flyn.²

He was transferred to the County Court at Kilkenny, tried and convicted as Barney, and sentenced to death by Lord Chief Justice Norbury; this was later commuted to transportation for life.³

Carrick-on-Suir was a stronghold for Butlers and the Tudor Manor House was built by "Black Tom" Butler, 10th Earl of Ormond in the 1560's. He was a cousin of Queen Elizabeth I, through her mother Anne Boleyn.⁴ This is not to suggest that Barnaby was a descendant of "Black Tom", in fact his occupation was a weaver⁵

On 17th June 1805 Barnaby was recorded in Dr Harding's journal of attendance on convicts, as being in waiting, in the jails of Cork⁶; from whence he, with other convicts was(taken to embark on the *Tellicherry*, on 17th August of that year.

The last day of August saw *Tellicherry*, a transport of 467 tons, built at the Thames in 1796, depart Cork for a 5 ½ months voyage, arriving in Port Jackson on the 15th February 1806.⁷

This would have been a most uncomfortable journey, as the prisoners on the *Tellicherry* complained of it being insufficiently ventilated before its departure. Combined with the arrival in southern waters at the height of summer the result would have been almost unbearable..

Whether Barnaby had committed an indiscretion, or he had yet to be assigned, he was recorded as being a prisoner at Parramatta.⁸

Barnaby did not have an unblemished record, with two appearances before the Magistrates Bench.

On 5th Aug 1809 he was charged with stealing⁹ and three years later, on 4th July 1812 he

¹ Deduction from age at 1828 Census

² Kevin Clarke researcher, political biographies of Anglo-Irish Judges of Co. Kilkenny

³ Ibid

⁴ History at www.carrickonsuir.ie

⁵ Kevin Clarke researcher, political biographies of Anglo-Irish Judges of Co. Kilkenny

⁶ Ireland-Australia transportation database - National archives of Ireland

⁷ Australian Shipping 1788-1968 at www.blaxland.com

⁸ NSW State Records Muster 1805-6 p.15

⁹ NSW State Records Bench of Magistrates (Reel 657; SZ770 COD 231) 5 Aug 1809

was charged with making a false declaration before a JP.¹

On the first charge Barnaby, charged as Barnard Butler, appeared before Major Abbott, Engineer & Artillery Officer, and Chas Throsby Esq., naval surgeon, commandant at Newcastle and latter landholder, explorer and member of Legislative Council, being Bench of Magistrates, at Sydney on 15th August 1809:-

*Barnard Butler brought before the bench charged by John Buckley with stealing who states that he heard a cry of **stop thief** which caused him to go out when he saw the prisoner running past his house he called to the prisoner to stop.... The prisoner struck himthat in consequence of the blow witness received he fell which enabled the prisoner to escape.'*

Owen Enner states that he lost several fowls the night the prisoner was seen by above witness.

Prisoner denies the charge and says that he was in bed at the time Buckley states to have seen him.²

Gaol Gang - which indicates Barnaby was found guilty of the charge and sentenced to the Gaol Gang . Though the report does not state so, it was normal for Gaol Gang to be accompanied by hard labour and often leg irons.

The second appearance before the Bench of Magistrates in July 1812, saw Barnaby, who was recorded as such, appearing with free men Michael Kenna and John Dent, who like Barnaby arrived aboard *Tellicherry* in 1806.

They were charged with ‘falsely swearing before A.Riley Esquire JP, that one Michael Tighe, calling himself Patrick Tighe arrived in this colony in the ship Tellicherry, Cousens Master- and that another person named Patrick Tighe came here in the same ship knowing the same to be false.’

The court found ‘ reason to suspect that Martin Tighe impersonated John Dent but were willing to believe that the other two prisoners who said they meant to swear merely that one person by the name of Tighe came on the said ship and not that Martin Tighe was that person’.³

Interestingly Michael Kenna had impersonated Michael McGrath and received a pardon in 1809 but had it revoked in 1810; he then received a Certificate of Emancipation on 1 January 1812.

Barnaby is registered in the 1814 Muster as being in *Town Gang*,⁴ which indicates that he had graduated from the rigorous Gaol Gang .

Two years later Barnaby was assigned to ‘Mr Middleton - in the colony’ . Most likely Thomas William Middleton ‘Clerk in the Commissariat; Assistant Superintendent of Police’

¹ Ibid (Reel 658: SZ773,COD 234) 4 July 1812

² Mary Willis gg-granddaughter George Simpson, sourced from Bench of Magistrates Barnard Butler 5/8/1809 Reel 657 SZ770 , COD 231

³ Ibid, Barnaby Butler 5/8/1809 Reel 657 SZ770 , COD 231

⁴ General muster of New South Wales, 1814 / edited by Carol J. Baxter Sydney : Australian Biographical and Genealogical Record in association with the Society of Australian Genealogists, 1987.

Whilst he wasn't on the list of persons originally requested by Oxley,¹ he did replace Thomas Cribb - labourer, on the 1818 expedition down the Macquarie River.

It is only fitting that Oxley's commendation given all the members be included here as it a strong example of teamwork which existed amongst the men "*The men voluntarily undertook to carry the boat on their shoulders until we should pass Port Stephens—a service, reduced as their strength was by constant exertion, I should have been unwilling to impose on them, however it might facilitate our future progress.*"²

This interdependence evidently changed Barnaby as his work was duly recognized by Oxley, who commended his men in a 'very favourable' report which resulted in 12 pardons; Barnaby, listed as Bernard, receiving a Conditional Pardon on 12 December 1818.³

The Conditional Pardon entitled him to freedom within the colony and for the next 14 years Barnaby, who had never married, settled into farming and labouring in the Windsor/Richmond district.

He was recorded-

- 1822 Muster- Landholder, Windsor⁴
- 1823/24/25 - labourer Richmond⁵
- 1828 Census -56 years, Life sentence, Conditional Pardon, Farmer -Richmond , where he had 4 acres, cleared and cultivated.⁶ Here he would have worked for farmers in the area, grown his potatoes, peas, fruit and raised poultry to sell and barter.

After transportation, prison, working on the town gang and months in the unknown, the freedom of his own little bit of Ireland would have seemed like heaven; especially with a stroll up to Wilberforce to see James Williams, working over his forge, or strolling down the road to the Watts farm where he could compare farming notes with Richard and bounce the young William, James or George on his knee and give gurgling Mary Ann a nurse.

In 1832, 26 years after landing in the Colony, Barnaby died at the age of 61years.⁷

¹ Colonial Secretary Index (Reel 6065 , 4/1798 Pp 106)

² John Oxley Journal, Two Expeditions into the Interior of New South Wales Chapter II

³ Colonial Secretary Index (Reel 6038; SZ759 pp 543-4)

⁴ General muster of New South Wales, 1822 / edited by Carol J. Baxter Sydney : Australian Biographical and Genealogical Record in association with the Society of Australian Genealogists

⁵ General muster list of New South Wales **1823**, 1824, 1825 / edited by Carol J. Baxter. Australian Biographical and Genealogical Record in association with the Society of Australian Genealogists

⁶ Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson. Sydney : Library of Australian History, 1980

⁷ NSW BDM Death cert. V1832503 127



Allan Cunningham

13 .7.1791 – 27 .6.1839
King's Botanist & Explorer

Cunningham was a modest man of fine character He was an indefatigable worker as a botanist, and scarcely had time between his journeys to give evidence of his scientific powers..... He also takes high rank amongst Australian explorers, for though his parties were small in number and comparatively poorly equipped, his courage, resourcefulness, and knowledge enabled him to achieve what he set out to do, and his journeys opened up much country to settlement.¹

Allan Cunningham, the fourth generation to bear that name, was born to Allan Cunningham and Sarah Jewson(nee Dickin)² at Wimbledon, London on 04 Aug 1791, where his father, a Scotsman from Eastwood, Renfrewshire,³ was head gardener at Wimbledon House⁴ built by Thomas Cecil, 1st Earl of Exeter, in the late 16th century. It passed through several hands to Sarah, Duchess of Marlborough, who had it rebuilt in 1732; it was destroyed by fire in 1785.⁵ A new house called Wimbledon Park House was built in 1801.⁶

Allan's only sibling, Richard, was born 12 Feb 1793.⁷

Both boys went to school at Putney, and after Allan's schooldays were over he spent some time in a conveyancer's office in Lincoln's Inn,⁸ in Central London, an ancient unincorporated body of lawyers which for five centuries and more have had the power to call to the Bar those of their members who have duly qualified for the rank or degree of Barrister-at-Law.⁹ But the study of law did not sufficiently appeal to him and he gladly accepted a situation at Kew as clerk to Mr. W. T. Aiton, then at work on the second edition of the "Hortus Kewensis."¹⁰

Allan(jnr) was working as an assistant to W. T. Aiton, the curator of the Royal Botanic Gardens, at Kew, when Sir Joseph Banks, director of the Gardens, selected him for the position of Collector of Plants for Royal Botanic Gardens, Kew. He was Commissioned on 19th September 1814.¹¹

In the period from 1814 to September 1816 he undertook his duties in Brazil before departing Rio de Janeiro to Sydney.¹² He arrived aboard the convict ship *Surrey* on 20th

¹ Dictionary of Australian Biography , Percival Serle, Angus & Robertson 1949

² Early Explorers in Australia Ida Lee, Chapter V1 Allan Cunningham. Project Gutenberg of Australia

³ LDS Family search IGI

⁴ Allan Cunningham Botanist & Explorer- WC McMinn . Melb University Press

⁵ Wimbledon Guardian Online

⁶ Sourced online at <http://99.1911encyclopedia.org/W/WI/WIMBLEDON.htm>

⁷ LDS Family Search IGI

⁸ Early Explorers of Australia - Ida Lee Methuen & Co London Chpt VI Allan Cunningham; A Gutenberg Project sourced at <http://www.gutenberg.net.au/ebooks03/0301141h.html#ch6>

⁹ Lincolns Inn ; sourced at <http://www.lincolnsinn.org.uk/inns.asp>

¹⁰ Early Explorers of Australia - Ida Lee Methuen & Co London Chpt VI Allan Cunningham; A Gutenberg Project sourced at <http://www.gutenberg.net.au/ebooks03/0301141h.html#ch6>

¹¹ Colonial Secretary Index (Reel 6017,4/5782 pp.383-4) &(Reel 6017; 4/5782 pp.384-6)

¹² Ibid (Reel 6034; SZ7 pp.139-365)

December 1816,¹ He was 25 years old.

On presenting his credentials to Governor Macquarie he was warmly received and advised that a journey of exploration to the lands west of the blue mountains was most likely to take place, under the command of the Surveyor General Oxley. He recommended Cunningham avail himself of the opportunity to join the party; as “*an infinite number of new and interesting specimens of plants might be detected in the several districts through which it might pass.*”²

Cunningham gladly accepted the opportunity to join what was to be first of many expeditions in his new homeland.

Cunningham set up house in Parramatta and despite the refusal of Macquarie to issue him with a horse for his sole use, he immediately commenced to explore the surrounding district. On 25th March 1817, his seeds and plants catalogued and boxed were placed aboard the brig *Kangaroo* for shipment to Sir Joseph Banks and Mr Aiton.(1)

1817 with Oxley's Lachlan River Expedition:

On 31st March Deputy Surveyor Evan’s letter was received, instructing Cunningham to ready himself to depart with the rest of the party, from Parramatta on 3rd April.

Early on the morning of 4th April the party departed to the Nepean where, on 7th they ferried their luggage, and swam the horses and bullocks across the River and awaited the arrival of John Oxley. Cunningham wasted no time during their wait, exploring the banks of the Nepean River.

On the 10th April, Oxley caught up with the party at the 28 mile mark.

Cunningham’s Journal conveys his awe of the new landscape that greets him on the journey across the Blue Mountains without losing sight of his reason being with the party. Detailed descriptions of the landscape and flora abound as his joy starts to build.

Reaching Bathurst on the afternoon of 15th and realizing their stay at the settlement would be a short one, he made use of the limited time exploring the surrounds collecting specimens.

The cessation of the inclement weather allowed the party to depart Bathurst on 20th April for the depot on the Lachlan River west of Bathurst, where two boats had been built and stores readied.

It became a habit for Cunningham to carry seeds with him and plant them in places where they would likely to grow. Here he planted peach stones, quince pips and acorns. During the whole of the journey, Cunningham applied himself in a dedicated manner, seeking, packaging and recording his specimens, whilst recording the journey with more feeling than did Oxley.

Through his writings we are able to see (1)

- George Simpson pushing a perambulator to measure the distances traveled.*(For early surveying work the perambulator was used to measure distances. It was pushed along and the number of revolutions of the wheel counted either manually (room for lots of error) or by an odometer attached to the frame. Depending on the radius of the wheel distance could then be determined by*

¹ Australian shipping 1788 - 1968 sourced at Convictions, online at [www.blaxland .com](http://www.blaxland.com)

² Early Explorers in Australia Ida Lee, Chapter V1 Allan Cunningham. Project Gutenberg of Australia

calculating circumference x number of revolutions.) Which indicates George would have walked the entire journey .

- Patrick Byrne hunting game, scouting ahead, locating strayed horses
- George Evans being a real leader ..."Mr Evans, who as usual had gone on before the horses..... Evans taking the lead, accompanied by two persons, the one having the perambulator, and the other marking the trees with an adze as a guide to our pack-horse leaders."
- The native inhabitants in minute detail, their stature, their clothing, weapons, scarring, huts and boats.
- His strength of character ... on 31st May he recorded ...' *Although not sufficiently strong and scarcely recovered of my late attack, still I was unwilling to become the instrument of further delay, and as the whole of us walk, all our horses being very heavily laden, I had no other resource or alternative but to walk likewise.'*
- The need to eat to survive...
'Our dogs killed a native dog, which was devoured among us!'
'...a fine large bird standing 8 feet high, which was distributed equally among ourselves and dogs'
'The country abounds with emu and kangaroo, of the latter our dogs killed a fine doe.'
- Fish in such abundance, in the deeper parts of the Lachlan River, that makes present day anglers wish for the past..
'Our fishermen were uncommonly successful; they caught from 190-200 lbs. weight, consisting of 13 fish, of which the largest weighed 70 lbs. with the entrails and 65 lbs. gutted. Its length was 3 feet 5 inches, curve of shoulder 2 ft. 6 in. Fin to fin over the back 1 ft. 5 in.; breadth of tail when expanded 1 ft. 1½ in., and depth of mouth a foot.'
- Cunningham's ability to turn disadvantage into opportunity. On the last day out of Bathurst he wrote...
'...we made the Macquarie River 2 miles below the Pine Hill, and then ascertained that our great anxiety to advance forward had got the better of our reason and had driven us far too much to the eastward. We are 11 miles from the settlement. The day is well advanced, and a broken track is before us. I endeavoured on all occasions, and more particularly during the last 5 months, to turn such contingencies to some account.'
and proceeded to collect and record more specimens, as he had done every day of the previous 5 months.

In his final paragraph, on arrival at Bathurst on 29th August 1817, Cunningham allows himself some expression of disappointment....' *We have been absent from Bathurst 19 weeks and have in our route formed a circle of upwards of 1,200 miles within the parallels Of 34°30' and 32° S. lat: and between the meridians Of 149°43'00" and 143°40'00" East, and have ascertained that the country south of the parallel Of 34° and west of the meridian of 147°30' East is altogether uninhabitable and useless. We have all, Mr. Oxley excepted, walked since we left the boats in May last a circuitous route of 750 miles.* '

Despite the extraordinary feats of endurance experienced by all members of the expedition, Cunningham showed incredible dedication to his duties on 1st September, when departing to Parramatta, finding there was insufficient space for all his specimens

on the only available cart; his solution was to load his mount with the additional specimens and walk across the Blue Mountains.

Sir Joseph Banks had drafted the letter on 10th February 1817, offering Cunningham the opportunity to partake in a journey '*for the purpose of exploring the NW & N coast of New Holland*' ¹ however it wasn't till his return from the Inland and his presentation to Governor Macquarie, on 9th September that Cunningham was informed Sir Joseph Banks had commissioned a survey of exploration to the north and north-west coasts under the command of Lieutenant Phillip Parker King.

Ida Louisa Lee, born at Kelso, near Bathurst in 1865, went to England where she married Charles J B Marriott. She became interested in historical research. She was appointed a Fellow of the Royal Geographical Society of London 1913 and was only the second person to be made an honorary Fellow of the Royal Australian Historical Society. One of her works was 'Early Explorers of Australia' Methuen & Co Ltd London, including details from Cunningham's Journals.

Phillip Parker King: Son of Phillip Gidley King, Naval Officer and hydrographer, made several investigative journeys of the coasts of the Colony and Van Diemen's Land between 1818 - 1822. He wrote; -

"A SURVEY OF THE INTERTROPICAL AND WESTERN COASTS OF AUSTRALIA. PERFORMED BETWEEN THE YEARS 1818 AND 1822", to Earl Bathurst, Principal Secretary of State for the Colonies and Lord Viscount Melville, First Lord of the Admiralty

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I am indebted to the above for much of the following which could not have been collected without their works.

The Governor advised that the purchase and fitting out of a suitable vessel would not be possible before the end of the year.

1817: Around Parramatta

During this time no opportunity was lost by Cunningham to gather and /or record the plants of the colony. On a simple journey from Parramatta to Sydney, on 3rd October he recorded '*Comesperma volubile, rich in flower, meandering its slender branches on erect shrubs. Prostanthera sp., and Xanthosia pilosa (Rudge). Sphaerolobium vimineum, remarkable for the singular formation of its style. Pomaderris ferruginea, a small Phyllanthus, and Patersonia sericea, the seeds of which I sent to England per the "Kangaroo." Stylium graminifolium; some Orchidaceae, such as Thelymitra and Diuris were fast advancing to flower. Tetratheca glandulosa is now no mean ornament on the*

¹ Draft of letter from Sir Joseph Banks. State Library of NSW Ref: CY 3681 / 186 -7

wayside, being thickly clothed with its rich purple flowers.' And three weeks later, on a day's visit to a friend's farm at Liverpool '*I discovered a beautiful species of Stylium, leaves linear, revolute; spike elongated, branching, bracts ovate lanceolate, suffruticose. Daviesia corymbosa, very frequent in the forest land, in flower. In clear waterholes I observed Actinocarpus sp., in fruit, appearing larger than the plant discovered on the Lachlan River in May last: also another aquatic, flowers spiked, one of the Alismaceae. In the forest land I gathered seeds of a Helichrysum, leaves linear, flowers white. Like other farms in the neighbourhood it is overrun with the Bursaria spinosa, now in fruit.'*

1817-1818 The First Journey to the North-West

The *Mermaid* under the command of Lieut. Phillip Parker King, son of the second Governor of New South Wales, was due to depart late December and in the lead up to its departure Cunningham called on Governor Macquarie to pay his respects. During the visit Macquarie accused Cunningham of sending unfavourable reports to Sir Joseph Banks,¹ accusations that Cunningham denied '*with becoming respect*'. Macquarie's evident dislike of persons receiving patronage over those making their own way by ability may have taken hold of his judgment; however Cunningham's determination to write to Banks requesting him to advise his Patron of the matter² gives credence to his reaction to Cunningham's reports.

On 21st December *Mermaid*, an eighty four ton cutter, exited Port Jackson into foul winds, forcing a return inside to Camp Cove. Aboard *Mermaid* were Lt. King, 1st Officer Bedwell, 2nd Officer John S.Roe, Cunningham, twelve able seamen, two boys and Boongaree, a native chief who accompanied Captain Flinders in the "Investigator" and volunteered for the *Mermaid*'s journey.³

The following day with fairer winds the *Mermaid* headed south, and after Christmas Day aboard took anchor in Snug Cove, now the port of Eden, 500km south of Sydney, on Boxing Day. After a day ashore they headed south to enter Bass Strait however unfavourable winds took them along the east coast of Van Diemen's Land and prevented them from entering and finally clearing these notorious waters on 3rd January 1818. After considerable squally weather *Mermaid* arrived near the south west coast of the continent.

King explains that they took the southerly course in order to avail themselves of the favourable westerly winds when exploring the north coast, through Torres Strait.⁴

On the 16th Cunningham, King and Roe went ashore, near present day Esperance. Four days later they entered King George Sound, which had been entered by Flinders in 1801 and would see the area settled under Major Lockyer in 1826. Governor Stirling renamed the settlement Albany, in 1832. The party spent the rest of January in the Sound and

¹ Colonial Secretary Index (Reel 6034; SZ7 p.225)

² Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals. Chapter VIII
Cunningham's journal Parramatta & vicinity 9th Sep-20th Dec

³ Ibid; Chapter IX King's North West Journey

⁴ Narrative of a Survey of the Intertropical and Western Coasts of Australia, Vol 1: Phillip Parker King 1826
sourced from Gutenberg Project at <http://www.gutenberg.org/files/11203/11203.txt>

Oyster Bay.

Departing west then north no land was seen till 10th February 1818, at Exmouth Gulf; a fortnight later, continuing north-east Mermaid anchor off an island which King named Enderby Island, part of the Dampier Archipelago. However on another island the triAmongst other islands of the archipelago, the kind attention given to a captured native allowed the establishment of friendly relations with one tribe. he was extremely vocal and threatening when an approach to land was made. These islands were called Intercourse Islands.

King had been instructed to survey the coast whenever possible, however soon after rounding Cape Leeuwin the crew where attached by a bowel ailment, bordering on dysentery, thus delaying surveying till arriving at Exmouth Gulf.

As *Mermaid* headed North East along the coast, on 5th March, Cunningham recorded '....one body of bare naked ironstone, with scarcely a trace of vegetation' not knowing this region, the Pilbara, would become one of the world's richest producer of iron ore.

Ten days later, on a North course they arrived at Rowley Shoals, some 260 kilometres west of present day Broome. A chain of coral atolls on the edge of the Continental Shelf it is now a Marine Park. Rowley Shoals rank among the most remote and pristine marine areas in the world.¹ The eastern most shoal was named Mermaid after the party's boat.

On 24th March, *Mermaid* passed to the north of Melville Island they discovered islands to the South-South-East, one of which was named Oxley Island, after the Surveyor General. Two days later they anchored in a bay of an Island which, together with another was named Goulburn Islands. On South Goulburn, where they were anchored, water was found by Boongaree however it wasn't gathered without considerable resistance from a number of natives. Cunningham at last, had opportunities to add to his collection here and at nearby Sims Island.

Over the next two months the party explored the coast of Arnhem Land, now a restricted, native reserve, Raffles Bay, the site of Port Wellington - established in 1827 after the failure of Fort Dundas, on Melville Island, which was to have been established at Port Essington but was rejected due to lack of water; and in the extensive Van Diemen Gulf where the Alligator Rivers were discovered and named as were numerous islands and the channel between Field Island and the mainland was named Cunningham Channel.

Leaving the Gulf, with provisions low, *Mermaid* turned north around Melville Island with Timor as its destination. On 19th May entry was made into a large estuary which proved to be a strait between Melville Island and another island to the west. Unable to exit the strait, to the south, due to shallow shoals, the *Mermaid* was forced to return to the north-west entrance. The new island was named Bathurst Island.

During the two months exploration around the islands and the peninsula, named Cobourg by King, the Mermaid encountered numerous Malay fishing boats, from Macassar, on Sulawesi Island , Indonesia, in search of trepang (sea cucumber). Two

¹ Dept of Conservation and Land Management WA. Sourced online at http://www.calm.wa.gov.au/national_parks/rowley_shoals.html

hundred years later Indonesian fishing boats continue fishing Australian waters in search of this slug, despite international boundaries. The native inhabitants were regularly encountered and on several occasions the explorers fired over their heads to frighten them away; and on one occasion, when ambushed in a shallow tidal river they were forced to fire to save their lives.

King described the natives as the most athletic he had ever encountered and described them leaping clear of waist deep water. The descendants of those same natives (Tiwi) engage in playing Australian Rules Football and have produced some of the most talented players to have ever played at the highest level.

Despite the presence of the Macassans and the natives of the area, Cunningham took every opportunity to continue his collecting.

Mermaid sailed into Coepang (Kupang), at the south-west end of Timor, on 4th June, where Mr Hazaart, the Dutch Resident, in charge of south-west Timor, made them most welcome; to the extent of providing King with monetary assistance to purchase provisions. Coepang had extended hospitality to Capt Bligh when he arrived there after having been set adrift from *Bounty*.

Cunningham wrote letters to Sir Joseph Banks and King wrote to Earl Bathurst and Viscount Melville, which Mr Hazaart arranged to be forwarded to Batavia, for on forwarding to London. These letters arrived soon after a report had been received, reporting "*....having been wrecked on the South Coast at Cape Northumberland, and that all hands had perished.*"

Cunningham was able to spend many days in the mountains and valleys surrounding Coepang, with the assistance of a local, supplied by Mr Hazaart.

With provisions and water replenished, *Mermaid* departed Coepang on 14th June, south to an island which was named Barrow Island, by King. Unable to penetrate the surrounding shoal, they anchored near an islet to the south.

The journey to Sydney was to prove to be a difficult one. Dysentery, caused by food eaten at Timor, unfavourable winds driving them south west and temperatures dropping into the 40F's.

As they passed the latitude of Cape Leeuwin a heavy gale hit *Mermaid*, the jolly boat was washed overboard and they were prevented from seeing Cape Chatham (Point D'Entrecasteaux). It took 10 days to reach the entrance to Bass Strait, on 24th July. It was here that a crew member, George Speed, died from dysentery and resultant intestinal inflammation.

It took a further two days to pass through Bass Strait and on 29th July, *Mermaid*, to the joy of all aboard pulled into Port Jackson.

In his report King recorded '*Mr. Cunningham made a very valuable and extensive collection of dried plants and seeds.*'

1818 Five Islands & Illawarra

Cunningham spent the next 2 ½ months in a state of uncertainty. Having regained his previously rented house, he prepared his collection for transfer to Mr Aiton at Kew Gardens but, with no ships available he was forced to unpack some bulbs and plant them in order to save them for later transfer. With Lieut.King unable to give any date for another voyage of discovery, Cunningham decided to explore the Five Islands area of the Illawarra. His request for a cart, horse and equipment went unanswered by Gov. Macquarie and it wasn't till a personal approach was made that he was informed that Macquarie had verbally conveyed his approval to Major Druitt, Engineering Department; rightly, this left Cunningham feeling he deserved the courtesy of a written reply.

Finally having assembled his transport, equipment and provisions, Cunningham, together with his servant departed his Parramatta house, on 19th October. Whilst the horse was used to pull the cart, this wasn't a great problem for the energetic Cunningham as it afforded him more opportunity to inspect the land at closer quarters, than were he astride the animal., for botanical specimens of interest.

With the horse unable to proceed with the loaded cart, the servant was sent with the horse to leave the cart at a farmer's hut where they had spent the evening. The horse was packed and the continued onto the 2000 acre farm of David Allen, Deputy-Commissary General , on the banks of Lake Illawarra.

During the next month Cunningham, availing himself of the hospitality of local farmers and the guidance of natives, explore the area from the coast to Minnamurra, inland from present day Kiama, to the Illawarra Escarpment, where he ascended Mount Kembla, the surrounds of lake Illawarra and the route from Parramatta and return. Cunningham would be pleased to know that the Minnamurra Rainforest Park is part of the Buderoo National Park and 530metre high Mt Kembla is part of the Illawarra Escarpment State Recreation Area.

They collected the cart at Mr Middleton's farm¹ and with the horse in need of shoeing departed immediately to Parramatta, arriving in the afternoon of 19th November 1818.

On his return, as after all his expeditions, Cunningham prepared and catalogued his specimens for their shipment to England. However it wasn't long before he was on the move again.

1819 Van Diemen's Land

Having completed his charts of the first exploration of the North West, and attended to the equipment of *Mermaid*, King finding he had spare time before departing on his second voyage of discovery, decided to survey the entrance to Macquarie Harbour, on the west Coast of Van Diemen's Land. To make the journey more valuable he also offered to transport Justice Field to and from Hobart Town, were he was to hold court.

Once more Cunningham accompanied Lt. King and Messers Bedwell and Roe; and once more Christmas Day was spent traveling down the east coast of the Colony. Battered by a heavy south-westerly gale, as they crossed Bas Strait, *Mermaid* anchored at Hobart Town, on 2nd January 1819.

¹ Colonial Secretary Index (Reel 6034; SZ7 p.xvii)

During the next week Cunningham availed himself of the opportunity to explore the surrounds of Hobart Town. On 7th January 1819, Cunningham with Messers Bedwell and Roe, and Ensign J. Lewis, of the 48th Regiment, plus three seamen traveled upstream to New Town from whence they ascended the 4200 foot Mount Table. Due to their exploration of the mountain, Cunningham had to decline the Governor's invitation to dine with him on the evening prior to the departure of Mermaid, on 10th January.¹ Named by David Collins in 1804 the Mountain was renamed Mt Wellington around 1821. Governor Macquarie referred to it as '...Table Mountain, alias Mount Wellington', on 29th April 1821.²

Departing around the south of the island colony and up the west coast to Macquarie Harbour, anchoring off the entrance on the evening of 13th January. After lightening the *Mermaid*, she was able to cross the bar which made entry to the Harbour difficult and impossible for larger ships. Whilst sounding and surveying the lower reaches of the harbour and Kelly's Channel which connected to Pine Cove, the party were pleased to see James Kelly, master mariner, pilot and harbour master at the Derwent³, after whom the Channel was named, with a load of logs aboard *Sophia*. Kelly gave assistance to King, allowing for the entry through the narrow and shallow channel to Pine Cove. Here Cunningham was to have a unique experience. Not only did he see stands of Huon Pine but he also became probably the first to record the frutification of this incredible tree. King records Cunningham's joy and also details the location of the stand of Huon Pine.

'.... Growing in great profusion, within three yards of the edge of the water, upon a soil of decomposed vegetable matter, which in many parts was so soft that we often suddenly sank ankle-deep, and occasionally up to the knees in it: this swampy nature of the soil is to be attributed to the crowded state of the trees; for they grow so close to each other as to prevent the rays of the sun from penetrating to the soil.' '..... its detection was matter of much curiosity to Mr. Cunningham, who diligently examined every tree that had been felled. It was, however, with some difficulty that he succeeded in finding the flower, which was so minute as almost to require a magnifying lens to observe it.'

The specimens Cunningham observed were 40 to 60 feet high and 2 feet to 5 feet in diameter.

Huon Pine is a mellow, extremely fine textured wood with a characteristic, pleasant fragrance. It seasons readily, has a very low shrinkage, is soft and easily worked and is light in weight. These, together with its stability and high resistance to attack by rot and marine organisms, have earned Huon Pine the highest regard as a shipbuilding material. It is also highly prized for furniture making, joinery, woodturning, sculpting, wood carving and by the craft industry. The durability of the wood is due to the presence of an essential oil which gives Huon Pine its

¹ Ibid (Reel 6934 ; SZ 9 228)

² Journal of a Voyage and Tour of Inspection to Van Diemen's land 1821- Gov Lachlan Macquarie. Source online at <http://www.lib.mq.edu.au/all/journeys/1821/1821a.html> Macquarie University Library in assoc State lib.of NSW

³ Colonial Secretary Index , Introduction KELLY James.

unique odor. Today, Huon Pine is a very limited resource. Even rarer are the licenses granted by Forestry Tasmania. Only that Huon Pine which is either dead fallen or from impoundments created for hydro-electricity generation can be harvested. Live Huon Pine is illegal to be taken and those caught with illegal pine in their possession face either jail terms or huge monetary fines.¹

Cunningham supplied King with a list of trees that he catalogued from the Cove. Their common or local names were:- Huon Pine - Adventure Bay Yew - Native beech - Native birch - Stinking native laurel - Snowdrop tree - Blackhearted wattle or Native ash - Sassafras - Rue tree - Rose bay - Spice bark or Tasman's Bark.

On the 24th January, soundings and surveys completed in the Cove, *Mermaid* cleared the channel and anchored in the outer harbour. The next morning a group of natives amicably joined the party as they were collecting water, one of them submitting to a hair cut and beard trim by Cunningham; another presented himself for a similar cut and trim that afternoon. Cunningham was not only interested in recording botanical information but also native language.

Arm	Yir'-ra-wig.
Nose	Me-oun.
Fingers	War'-ra-nook.
Eyes	Nam'-mur-ruck.
Elbow	Nam-me-rick.
Ear	Goun-reek.
Hair (on head)	Pipe, or Bi-pipe.
Beard	Ru-ing.
Nipple	Ner-ri-nook.
Knee	None.
Toes	Pe-une.
Teeth	Kouk.
Tongue	Mim.
Neck	Treek, or Lan-gar-ree.
Navel	Wy-lune.
Fire	Lope.
A gull or bird	Tir-ru-rar.
Toe-nails	Wan-dit.
Stone	Jal-lop, or Lone.
Kangaroo	Rag-u-ar.
Kangaroo-skin	Lan-num-mock.
Water, or a vessel to carry it in-	Moke.
Yes	Wa-ak.
Come here, or come back-	Ar-gar.

¹ The Huonpiner. Sourced at <http://www.huonpiner.com/>

NAMES OF PLANTS.

Banksia australis	Tan-gan.
Archistroche lineare	Ta-bel-lak, or Le-vi-lack.
Correa rufa	Nirr.
Mesembryanthemum aequilaterale.	Nu-ick.
Acacia sophora	Gur-we-er.
Melaleuca	Rone.
A tree	Pill-i-a ere-wig.

The natives here were stouter and better proportioned than those of New South Wales.
Their only covering was a kangaroo skin, worn as a cloak around the shoulders.

Departing the Harbour on 26th January 1819, *Mermaid* sailed south; anchoring at Hobart Town, on 29th February. Waiting there till Judge Field was ready to return to Sydney; they departed on 7th February; arriving home a week later.

1819 Port Macquarie and the Second Journey to the North-West Coast

Cunningham had arranged to accompany King on his second voyage to the North-West however, due to torrential rain preparations could not be completed. The Hawkesbury River, the ‘food bowl’ of the Colony reached a height of 46 feet(14.03m), in February, with resultant crop losses which also delayed provisioning. These delays were compounded by the lack of suitable crew. Finally *Mermaid* departed Sydney Cove on 8th May, in company of *Lady Nelson*, under John Oxley; to survey Port Macquarie and the Hastings River.

Whilst Oxley and King were surveying the Hastings in *Mermaid*'s boat, Cunningham was collecting along the same river, using *Lady Nelson*'s boat. He thought three quarters of the vegetation was similar to the Illawarra area however he noted a gigantic fig-tree in the vicinity of Rawdon Island and a new palm which around 12 feet in height. Rosewood cedar and others which Cunningham felt would be useful for building and the making of furniture.

Numerous friendly exchanges took place between the visitors and local natives who recognized John Oxley from his previous visit to Port Macquarie.

Following the survey *Lady Nelson* returned to Sydney and as result of Oxley's favourable report a convict settlement was established there soon after.

Departing Port Macquarie, King made the following accurate assessment of its future
'...no settlers have been permitted to take their grants at Port Macquarie; but when this is allowed it will, from the superiority of its climate and the great extent of fine country in the interior, become a very important and valuable dependency of the colony of New South Wales.'

With *Lady Nelson* heading south *Mermaid* sailed north, up the east coast. King availing himself of the maps of Cook , Flinders and others before him made their first anchorage near the mainland, in a bay which 'had escaped Flinders' attention' south of Port Curtis

(Gladstone area) and named Rodd Bay by King, on 29th May 1819. Cunningham took the opportunity to add to his Port Macquarie collection as the weather didn't allow departure till 1st June.

Northwards, passing Great Keppell Island, Mermaid anchored at Percy Islands, No., on 4th June where Cunningham went ashore whilst others collected water, repaired the small whale boat and cut wood. On 8th June Cunningham had a further opportunity to add to his collection on an island in Repulse Bay (today a National Park) where he gathered a never before observed specimen of *Bossiaea* - a pea shrub.

Passing along the Whitsunday Passage, *Mermaid* anchored, on 14th June, in Cleveland Bay where magnetic interference with their instruments was observed. Cook had noticed the same interference in 1770, from the island across the Bay. Cook named it Magnetical Island, today Magnetic Island. The party was overwhelmed by the sight of countless butterflies "*The stem of every grasstree was crowded with them, and when they were on the wing the air appeared in perfect motion.*

Anchoring in Rockingham Bay, on 19th, they made contact with natives who not only came aboard but also extended an invitation to visit their homes ashore. This invitation was taken up and the natives were found to be more advanced than any others seen in the colony. They lived in huts, carried water in gourds, made wicker baskets for carrying their food and fishing lines, and used an oven, made of layers of stones, under a fire, to cook their food. No spears were seen at any time. However, as with most tribes the women were not party of any group meeting with the visitors.

Of this time Cunningham wrote to Sir Joseph Banks, "On *Palm Island, in Halifax Bay, and more particularly on the islands in Rockingham Bay (where we remained the whole of the 20th)*," continues Cunningham to Banks, "I found plants common to both Indies, viz.: *Sophora tomentosa*, *Guilandina bonduc*, and a beautiful purple-flowering *Melastoma (M. Banksii)*, a splendid South American genus, of whose existence in *Terra Australis* I had not the most distant idea. On the shore of a lofty wooded island (Goold Island), in the latter bay (Rockingham Bay), we had our first communication with the natives, who came off to us in their small bark canoes and received us in a peaceable, quiet manner, having previously sent their women across the island. In our run along the coast from this bay I landed upon one of the Family Islands (the north easternmost) for a few moments, and occupied the whole of the 23rd of June in the elevated woods of Fitzroy Island, off Cape Grafton, where, among other plants, I detected a species of *Myristica* in fruit, which may be an original discovery of your own in that celebrated voyage of Captain Cook, whose track we followed to Endeavour River, where we arrived on the 27th of that month, anchoring under the south shore, about the particular spot where the 'Endeavour' had been hove down 50 years since." Actually the discovery of coal, left by Cook's party at the site, made it reasonably certain it was the exact spot.

Having lost their best whale boat off Cape Tribulation, anchoring at Endeavour River (site of present day Cooktown) allowed the rebuilding of a new boat, from a frame on board. During this time Cunningham took advantage to explore the surrounding land, however due to the troublesome natives this was severely restricted. As Cunningham wrote "In my various daily walks . . . during the first week of our stay, much pleasure was derived in tracing your steps with those of . . . Dr. Solander, and detecting many plants then discovered, that in all probability have never been seen in a living state since that

period; among which you . . . may call to remembrance the Grevillea gibbosa, in flower and fruit, so prevalent on the rocky hills; the beautiful bluish flowering Nymphaea (like the late Dr. Roxburgh's N. versicolor), expanding itself on the surface of the chains of stagnant pools in the lower lands; and the ornamental Melastoma Banksii above-mentioned, clothing the muddy shaded banks of these small ponds. The rocky gullies, trickling with small runs of water, afforded me scope for much minute research; particularly the delicate filiform minute Stylidia; some small Eriocaula and Xyrides appeared to abound, with some others of the gentian family, delighting in a humid shallow soil." "It was a subject of much regret that, in consequence of the rupture with the natives, my walks were . . . much circumscribed or else wholly prevented. I had determined (in an absence of two days, at least, from the vessel) upon an excursion to the more distant and loftier hills, where woods densely matted to their summits would doubtless have afforded considerable scope for research. This however was wholly frustrated by the decidedly hostile dispositions of these Australians,....."

Following the foiled attack on the boat builders, in order to escort Mr Cunningham back to the base '*Mr. Bedwell and Mr. Roe set off with six men to protect his return; in this they were fortunately successful, having met him about two miles off, just as he was about to take a path that would have led him among the natives; who, had they seen him, would certainly have revenged themselves for their previous defeat and disappointment.*'

On the 8th July Cunningham and Roe took the boat as far as possible up the Endeavour River, returning when it had narrowed to 6 yards across. Nine miles from the mouth, the water had become fresh.

The boat finished, *Mermaid* departed Endeavour River early on the morning of the 12th July, Mr Cunningham with '*a great number of other curious plants*'. North, along the coast, as entering Bathurst Bay on 14th, the wreck of a ship was sighted at Cape Flinders, proving to be that of *Frederick*, which had departed Sydney the previous year. The survivors were picked up by *Wellington*, which was accompanying *Frederick*, and taken to Coepang, Timor.¹ This tragedy proved fortuitous to Cunningham as he collected a large number of plants and seeds, among them a species of previously unknown melaleuca, in the vicinity.

On 24th July *Mermaid* almost came to grief '*..the vessel's heel touching the ground at the same instant, her head flew up in the wind, and she was very nearly thrown back upon the bank. This was, however, fortunately prevented: in a few seconds she reached deeper water and we providentially escaped a danger which had so nearly proved fatal.*' The following day was one of mixed fortunes. At 4 am the ring on the anchor broke and it could not be retrieved. In the afternoon of the same day, having passed to the north of Wednesday Island and driven by the strong westerly current through Torres Strait, the second anchor broke as *Mermaid* was brought to anchor off Good's Island. It was a case of history repeating itself. As with the first journey to the North West Coast, they were left with just a bower anchor(mounted at the bow) to complete their voyage.

The journey west was incident free with the Wessel Islands sighted on 27th. After traveling down the west side of the islands and struggling against strong tides *Mermaid* anchored in a bay on the mainland of Arnhem Land, which King gave the name Castlereagh Bay, on July 30th. Shoals, tides, reefs and strong tides continued to endanger the progress along the coast till they were able to anchor in Boucaut Bay where, on 5th, King, Cunningham and Bedwell traveled up a river, which they named

¹ Colonial Secretary Index (Reel 6034; SZ8, pp 50,96)

Liverpool. It was hemmed with large mangrove trees, allowing little view beyond. Following a day where they encountered unfriendly natives, a night attacked by swarms of mosquitoes and next day discovering that they had shared the area with crocodiles. At a spot where the banks opened up Cunningham was able to gather some interesting specimens before returning to *Mermaid* for the evening.

Next morning, 7th July, the journey continued to an adjoining bay ,called Junction Bay, before arriving at the Goulburn Islands the next day, where anchor was dropped near their watering place of the previous year. The party spent the next nine days here collecting water and wood and avoiding the still inhospitable natives. Cunningham was confined to the boat, suffering a severe attack of jaundice.

Departing August 18th, a route was taken via Oxley's Island, Cape Croker and Port Essington, and comparing the previous year's survey down the western coast of Bathurst Island and south east to Vernon's Islands. Early on the 28th *Mermaid* was in sight of land to the south west of Vernon's Islands '*..... To the south was a deep opening trending to the south-east of a river-like appearance; but, as it did not seem to be of sufficient importance to detain us, we passed on to the westward.*' This was to be the site for the city of Darwin, the gateway to Australia's north.

Following along the low arid coast and passing Peron's Islands, *Mermaid* anchored in Anson Bay on 2nd September. High, fast tides were experienced past Cape Dombey, falling eighteen feet and running at nearly two miles per hour.

On the evening of the 5th *Mermaid* anchored at Port Keats where the tide dropped twenty two feet during the night.

Cunningham and Roe explored up the river however, whilst Cunningham gathered some specimens, including a dwarf eucalypt, the tidal flood plains were covered with mangroves, there was no fresh water. Evidence of natives was seen but none were sighted. This area became the Wadeye (Port Keats) Aboriginal Community; home to 2500 aborigines.

Greater problems were discovered aboard. Weevils and rats had infested the dry provisions, rats had gnawed the spare sails and water casks were attacked.

Departing Port Keats on 8th, *Mermaid* anchored off Lacrosse Island, at the entrance to Cambridge Gulf , on 16th September. The following day natives were seen, no water found and Mr Roe found 50 turtle eggs and a turtle which provided 71 pounds of meat; providing the party with a much need diet variation.

The natives had lit a fire during the day providing a spectacular night display with the hills ablaze.

Deciding to explore past Aldolphus Island, which divided Cambridge Gulf, King took the south-south- west arm. Cunningham added to his collection on the island and nearby islets, whilst King surveyed from the hilltops. On 24th, King records *anchoring under a remarkable range of hills*, which he called Bastion Hills. This is the site of present day Wyndham. Again no fresh water was found. Today the Ord River which enters Cambridge Gulf near Wyndham is part of the huge Ord River Irrigation Scheme, centred on Lake Argyle, south east of Wyndham.

On 27th September, whilst near Adolphus Island, a crew member, William Nicholls died of dropsy and was interned on the island next morning. In memorial the north-west point of the island was named after him.

Mermaid having departed the Gulf on 29th September, spent the night of the following day off Cape Londonderry, where King recorded the crew was in a weakened state '*...three men, besides Mr. Bedwell who was still an invalid, being ill.' However...' Upon the whole we thought ourselves very fortunate that, considering the frequency of illness on board and the violence of the diseases by which some of our people had been attacked, particularly in the cases of Mr. Bedwell and Mr.Cunningham, we had only lost*

one man...

As it appeared the French had never surveyed the mainland, inside the islands, to the south west, King undertook a survey, constricted by the lack of water and the illness of his men. At the bay named Vansittart by King, a tribe of natives behaving in a threatening manner caused King and Cunningham to retreat from the top a mount to their boat. As Cunningham wished to inspect the vegetation at a point on the cove the boat was headed in that direction. Fortunately the native's dog came into the water, towards the boat. When encouraged to come to the boat, the dog retreated towards a clump of trees, exposing a group armed natives; whereupon they threw stones at the loaded boat and when they went to throw their spears, shots were fired over their heads, forcing a retreat. This place was named Encounter Cove.

On 10th October Mermaid entered a fine port, named Port Warrender, where Cunningham went ashore, at the western head and on the following day, he accompanied King and Roe to the bottom of the harbour which was followed the following day with Roe and Cunningham making a detailed survey of the area. Whilst they were away King discovered the rats had eaten holes through two water casks and half empty some others; leaving no more than a fortnight's supply. The decision was made. The survey had to be curtailed and *Mermaid* headed to Timor.

On October 24th Mermaid anchored in Zeba Bay, on Savu, west of Rote Island and 120 n.miles, south west of Timor. Unable to procure any water, it was agreed that Coepang, on Timor, was the best option.

Having reached Coepang on 1st November and given every assistance by the Dutch Resident, the ship was provisioned and readied for its departure to Sydney, by 9th November.

Passing along the South Coast of New Holland, Mermaid entered Bass Strait on 2nd January 1820, but due to foul weather did not entry Port Jackson till ten days later.

Cunningham estimated his collection '*....will exceed 400 kinds; my seeds amount to upwards of 200 packets, excellently ripened, which, adding thereto fifty-five bulbs, constitute the total of my collections since my departure from Port Jackson.*' Cunningham viewed the results of the expedition thus "*Lieutenant King filled up the blanks in Captain Cook's chart of the east coast between Endeavour River and Cape York, and it was highly gratifying to my feelings to reflect that it was left to me to complete several specimens of plants originally discovered in imperfect condition by those eminent naturalists who accompanied the Great Navigator in 1770, desiderata that had been wanting ever since.*"

1820 Russian Visitors and the Third Journey to the North-West Coast

In readiness for the third Journey, *Mermaid* was careened on the east side of Sydney Cove where she was re-coppered and with the crew living on a nearby hulk, the opportunity was taken to submerge *Mermaid*, in order to rid her of the destructive rats and intrusive cockroaches. This was a successful operation with all the vermin destroyed; that is until the warm weather up the east coach provided ideal incubation conditions for the cockroach eggs which were unaffected by their submergence.

Cunningham, unable to remain inactive, exhibited his usual enthusiasm for collecting when he wrote to Governor Macquarie, on the morning of 7th March , requesting permission to accompany '*Russian scientific gentlemen and Mr Lawson*' on a journey to

the area around Bathurst. Macquarie, pleased to grant such permission, replied on the same morning.

*Gov' t House Sydney
7 March 1820*

3/4 past 11am

Sir,

I am only at this moment favoured with your Letter of this month and lose no time in replying to it. You have free permission to accompany the Russian scientific Gentlemen to Bathurst, or anywhere else you and they chuse(sic) to go to; and I am highly gratified your(sic) so handsomely tendering your Services and Company to these highly distinguished strangers – This note will pf course be a sufficient Passport for you

*I remain Sir
Your most Obed'nt Serv't*

L. Macquarie

¹

Cunningham joined King on his third journey to the north west coast. Departing Sydney on 14th June 1820, hoping to avoid threatening weather they reached Smoky Cape where a gale struck; lasting, without let up over 20th and 21st, during which time the bowsprit was lost as Mermaid dived headlong into a wave. Believing they had been driven south to about Port Stephens, they found themselves off Jervis Bay, at noon on 23rd June. The following day they returned to Port Jackson where they found the Nepean and Hawkesbury Rivers had flooded and considerable crop damage suffered.

With repairs completed, the journey recommenced on 13th July.

King decided on a fast journey up the east coast, passing Booby Island, in Torres Strait on 16th August. King with some satisfaction recorded : "A good opportunity was here offered of comparing our voyage with that of the 'Sea-flower' and of proving the superiority nd on Augof the inshore route. The 'Mermaid' left Port Jackson on 12th July, passed Booby Islaust 16th, which is an interval Of 35 days-- deducting 15 for delays thus:--at Port Bowen 2 days, at Endeavour River 9 days, at Lizard Island, Cape Flinders, Haggerston Island and Possession Island one day each, leaves 20 days for our passage, this being two days shorter than that of the 'Sea-flower. Continuing her voyage, she crossed the Gulf of Carpentaria and, on August 21st, made her old anchorage in South-West Bay, South Goulburn Island, where she "remained five days, completing her wood and water under a continued alarm of the natives, who again had to be dispersed by force of arms."

"I gathered bulbs," says Cunningham, "in a swampy wood on this island, which may be

¹ IbidReel 6035 SZ13 P15

different from any heretofore seen by me, on account of the particular situation in which they were alone to be found. I likewise landed on Sims's Island and at Sanson's Head added to my collection . . . augmenting at the same time my seed list with packets of very desirable species

At Port Bowen *Mermaid* had been grounded on a sandbar..."she was continually striking; and at one time we heard a loud crash which gave us reason to fear that some serious damage had happened. At first it was thought either that the pintles of the rudder were broken or that the stern-post was rent; but upon examination both appeared to have escaped; and as no leak was observed during the night I indulged the hope that the noise was not occasioned by any accident that would inconvenience us." and this would prove to have a serious impact on the expedition as they surveyed the north west coast.

From South Goulburn Island, *Mermaid* passed the coast that had previously been surveyed; on September 5th passing Cape Voltaire, where the party had departed to Timor the previous year. Entering Montagu Sound on the following day, *Mr. Cunningham, ... was as usual most indefatigable in adding to his collection.*

Over the following fortnight Montagu Sound, Prince Frederick Harbour and Port Nelson were surveyed; and it was on 20th September that the gradual leaking was noticed to have reached 9 inches per hour. The following day *Mermaid* was careened in a bay that was named, quite fittingly, Careening Bay; and it was here that King's first thoughts at Port Bowen were confirmed . The keel was rent horizontally, weakening the connection with the stern post and garboard streak. The necessary repairs were completed, only to find spikes holding planks were oxidized. Caulking and the addition of an additional band of copper allowed the cutter to be readied by the last day of September. On 5th October the tide rose sufficiently to allow *Mermaid* to be floated.

During the period in Careening Bay, Cunningham availed himself of the opportunity to collect and explore; discovering a lizard *with a membranaceous appendage attached to the back of its head and round the neck and falling over its shoulders in folds as low as the fore arm* (the frilled neck lizard, which appeared on the one cent coin) and a *Gouty-stemmed Capparis*, commonly called a boab tree. Before departing the bay, the tree was inscribed 'Mermaid 1820', and it remains today as a popular attraction for tourists who visit on cruises through these waters.

Leaving Careening Bay on 9th October they anchored in St George's Basin where the spectacular flat topped and near perpendicular, Mt Trafalgar was named and King explored Prince Regent River where he discovered the waterfall, Kings Cascade, which is a popular mooring spot for today's cruising tourist boats. Cunningham added considerably to his collection from the heavily vegetated, 400 foot cliffs along, the Basin shores during their stay.

On the way to Brunswick Bay *Mermaid* leaked considerably, and this combined with the crew suffering from legs and feet covered with sores and cuts, some with ophthalmia and the sultry weather threatening monsoons, King decided upon an immediate return to Port Jackson.

Departing south, south west, then east along the south of the continent, the cutter passed through Bass Strait on November 29th. Battered along the coast, it was nothing short of a miracle when they avoided being lost upon Cape Banks, the northern head of Botany Bay, when flashes of lightening enabled the danger to be seen and avoided, in the early hours of December 4th. Anchored safely in Botany Bay they were able to wait till

the storm abated and they exited to the welcome waters of Sydney Cove on 9th December 1820.

1821 Fourth Journey to North-West Coast

With *Mermaid* surveyed as unseaworthy, King was supplied with a new vessel, a 165 ton brig, named *Bathurst* and whilst he prepared her for a fourth survey of the North West Coast, Cunningham busied himself preparing his collection from the previous journey, for transfer to England. Such was his collection that this necessitated him approaching Macquarie for a supply of stationery.¹ On 26th May 1821, *Bathurst* departed Port Jackson with a complement of 32, including Midshipman Percival Baskerville and Surgeon Montgomery and Cunningham, Bedwell and Roe from the previous journeys. The inclusion of Bundell, in place of Boongaree brought the total on board to 33. There is little doubt that Bundell, who King held in the highest regard, was the same Bundle who impressed Governor Macquarie, at Cow Pastures and enabled Evans to survive his journey, overland from Jervis Bay to Appin.

A few days out of Sydney, an addition member was added to the complement when a horribly seasick lass was found castaway amongst the barrels. Having hidden aboard to be with a member of the crew, she was allowed to stay after the crew member agreed to share his food allowance with her.

Bathurst was accompanied by *Dick*, taking advantage of King's knowledge of the inner route through the coastal reefs and islands. '*San Antonio*' having declined King's offer to accompany him, later dropped in behind after having run aground off the north coast.

Reaching Cape Flinders, the remains of '*Frederick*' was found to have been greatly reduced however King salvaged some planks and spikes. Whilst others were engaged in this salvage and exploring the shoreline, Cunningham and Montgomery traveled to Clack Island, three miles north of the Cape. Here they discovered several 'galleries' of native paintings, with some 150 figures.

Dick's men were gathering shell fish on the mainland when they there showered with spears, one appearing to have penetrated the chest of one of the men. However the spear lodged in a hat, full of shells, he was carrying against his chest. The only wound was between his fingers and when he extracted the spear and threw it to the ground, the natives thought their spears could not hurt the strangers.

Further to the north, at Cairncross Islet, a double tragedy occurred: first with Mr Roe falling fifty feet from the masthead and *Bathurst* losing two anchors and nearly six hundred feet of chain cable. Miraculously Roe suffered a deep wound above the temple but survived.

The crew may have begun to wonder if the old superstition, about women on a ship being bad luck, was to blame.

Rounding Cape York, into Torres Strait, the ships passed the Gulf of Carpenteria to the safe anchorage at South Goulburn Island, where Cunningham had the opportunity to examine the island and Sims Island, adding to his previous collections here.

Bypassing previous surveyed coastline *Bathurst*, now without the company of the other ships, anchored at Careening Bay, where the hoped to refresh their water supplies. With their previous source dry, they continued onto Prince Regent's River and King's

¹ Ibid (Reel 6051; 4/1748 pp317-20)

Cascades that fulfilled their needs.

On 7th August, a day after leaving Prince Regent's river, *Bathurst* anchored in Hanover Bay. It was here Surgeon Montgomery was speared in the back; he also survived. In retaliation a great number of weapons and rafts were taken from the natives.

Over the next weeks King survey covered Port George VI, Augustus Water, Camden Sound, Montgomery Island, Collier Bay, Cockell's Isles, Cafferelli Island and the east side Dampier Peninsula where King honoured Cunningham, by naming a Point after him.

From Careening Bay, to this time, Cunningham was confined to the sick bay; unable to carry out any exploration, or more disappointing to the dedicated botanist, he was unable to add to his collections.

Rounding Cape Leveque on 20th August, it was discovered that rats had infested the ship to an extent that they had even eaten through a keg of musket ball cartridges, destroying half and rendering the rest useless.

A week later, having examined the west coast as far as Cape Latouche, including naming Roebuck bay, upon which Broome now stands, King decided to head west to Mauritius for repairs to his ship. He opted for the longer journey, rather than north to Timor, planning to return to King George Sound on the favourable westerly winds.. A day short of a month *Bathurst* sailed into Port Louis, on 26th September 1821.

With few plants in flower or bearing fruit, Cunningham was unable to gather many worthwhile specimens, however he did exchange some Australian seeds for some exotic plants of India, Africa and Madagascar with the Botanic Gardens at Pamplemousses. With *Bathurst* repaired and stock with provisions, she set sail from Port Louis on 15th November, bound for King George's Sound, where she arrived two days before Christmas Day 1821.

Upon anchoring in Oyster Harbour, where they had anchored on their previous journey to the Sound, they found the natives amicable and using some words which were used by the Port Jackson natives, indicating they had been in contact with Europeans in the intervening years. The natives thought nothing of boarding the ship and engaged in trading weapons and artifacts for biscuits. 'Jack' who was the most intelligent of the tribal members frequently joined Cunningham on his excursions, not only carrying the plants but also added to the specimens collected.

Having exited Oyster Harbour, Cunningham took the opportunity to explore the summit of Bald Head at the south west entrance of the Sound, on 4th January 1822, recording

...
*'Upon reaching the summit of the ridge, and clearing a rocky gully which intersected our track, we instantly entered an elevated valley of pure white sand, the whole surface reflected a heat scarcely supportable, and the air was so stagnant as scarcely to be respiration,.....we perceived at its extremity some remarkably fine specimens of *Candollea cuneiformis*, *Labil.*, which had, in spite of the poverty and looseness of the drifting sand, risen to..... sixteen feet high....; they were at this time covered with flowers and ripe fruit; but so painful was it to the eyes and senses to remain for a moment stationary in this heated valley.'*

From King George's Sound *Bathurst* rounded Cape Leeuwin and followed the coast to

Rottnest Island, landing there on January 14th 1822. In 1658 Dutch mariner Samuel Volckertzoon wrote of sighting "a wild cat" on Rottnest Island. De Vlamingh thought they (Quokkas) were a kind of rat and hence named the island "Rottenest" (Dutch for "rat nest") in 1696.¹ Of the flora Cunningham wrote "It is surprising that an island at so short a distance from the S.W. coast should bear so small a feature of the characteristic vegetation of King George's Sound as not to furnish a single plant of the several genera of Proteaceae or Acacia, and but a solitary plant of Leguminosae-Templetonia retusa. The timber is a Callitris, having much the habit of Pinus cedrus, or cedar of Lebanon, which is found abundantly spread over the island, and to within a few yards of the sea-beach: I saw also a large spreading Melaleuca and a narrow-leaved Pittosporum; these three trees constitute the timber of the island. The ground in some parts is profusely clothed with Spinifex hirsutus Labil."

A week later, having followed the previously well surveyed coast, they landed at the northern cape of Dirk Hartog Island to inspect the memorials affixed by previous explorers to the island, only to find they had been taken. Cunningham took the opportunity to examine the ridges where he 'found a tolerably rich harvest'; whilst those left on board caught some 70 fine snapper, despite the numerous sharks after which the Bay was named by Dampier.

The discovery of considerable damage inflicted on the ship's by rats and cockroaches caused King to make the decision to forego his survey of Shark Bay. On 26th January *Bathurst* passed outside Dorre and Bernier's Islands, at the latitude of present day Carnavon. Attempting to enter Mermaid Strait, off present day Dampier, the brig was driven away from the coast, and on February 8th, having regained the mainland near Cape Leveque and round between Swan Point and Sunday Island archipelago, *Bathurst* was caught in a tidal surge that left it almost out of control. Once again fate was on the side of the adventurers and the brig safety made a point to the south which King named after Cunningham. Anchored in a bight to the north west, King sent Roe, accompanied by Cunningham to explore the coast around Cunningham Point. Apart from successfully botanizing, fresh water was found, and nearby, traces of natives, included recently used fireplaces.

Traveling south they named Goodenough Bay and Disaster Bay which was so named as *Bathurst* was caught in a gale, causing her to lose her anchor and return to Goodenough Bay. Prior to the gale Baskerville, Cunningham and crew had set off to inspect the coast further south; they, and all on *Bathurst* were thankful to see them return late that night. With continuing squally weather, King decided to depart King Sound without further exploration. On 20th February the decision was made to depart the stormy north west, remembering they were in the monsoonal season, it was a wise decision; especially as soon after it was found rats had destroyed many barrels, reducing their stock by a third.

Such was their fortunes with the weather that, despite reaching the north-west coast of Van Diemen's Land on 13th April 1822, they did not reach Port Jackson till 25th, with no bread and severe rationing of water.

1822 Parramatta, Illawarra and Bathurst

On arrival back in Sydney, Cunningham was faced with the task of cataloguing his collections from the North-West Coast and he was constantly requesting construction of

¹ Dept of Conservation and Land Management, WA accessed at:-
http://www.calm.wa.gov.au/about_calm.html

plant cabins for transport of specimens to Royal Gardens at Kew.¹

From 19th-26th August ,The Illawarra once again drew him back.

*'Cunningham appears to have visited Illawarra more often than any other part of the country, excepting of course the general area around Sydney and Parramatta where he was based. It was perhaps his favourite collecting area in the whole Colony, a place where he was to find many a "botanical novelty". With a wet, temperate climate, and sub-tropical vegetation, Illawarra was a welcome change from the dry scrubby brush which was typically found in the environs of Sydney. The unique geography of the area - bounded as it was to the west by a sheer, 2000 foot high escarpment; to the east by the Pacific Ocean; and on average less than 10 miles wide - gave rise to a natural hot-house effect, creating a rich breeding ground for native flora, especially in those areas under the shadow of the escarpment.'*²

This was Cunningham's second of eight journeys he was to make to The Illawarra.

With the departure of Macquarie, Cunningham had a more favourable rapport with his successor, Sir Thomas Brisbane; so when Cunningham wished to explore to the north of Bathurst he found no problems in obtaining horses, men and supplies. On 27th September 1822 he departed Parramatta with 3 men and 3 horses³ and as usual with his travels he made use of the opportunity to botanize on the way, arriving at Bathurst on October 14th and fatigued by the journey, Cunningham rested his men and stock for a month before setting out to the north.

James Blackman, Superintendant of Public Labour, at Bathurst, till his resignation in 1822 ⁴, had blazed a track to the Cudgegong River in 1821. The next year, together with William Lawson, of Blaxland Wentworth and Lawson fame, he blazed to the upper reaches, open the land around Mudgee, where Lawson and Wm Cox were soon grazing cattle.

Cunningham, having departed Bathurst on 18th November, with the intention of going further north had his plans disrupted when his horses were spooked by a falling tree and broke free. In his search for the animals he met Wm Lawson, on 26th near Mudgee⁵. Though he recovered two of the horses he returned to Bathurst rather than lose face to the experienced and well equipped Lawson who was heading north and another journey of exploration. However Cunningham explored the area around Ilford and Kandos and perceived a route from Cox' River to the Cudgeong area. Today the Wallerawang - Gwabegar rail follows this route .

Departing Bathurst, Cunningham arrived back at Parramatta on the fourth day of 1823.

1823 The Illawarra , Blue Mountains and North of Bathurst

Almost like a present day businessman taking a weekend away, Cunningham headed once again to the Illawarra for a short visit at the end of January, before returning to prepare for another visit to Bathurst to seek a passageway to Oxley's Liverpool Plains, a

¹ Colonial Secretary Index (Reel 6035; SZ13 pp.22-4, 33, 42, 76, 78, 95-6)

² "To Meet with Botanical Beauty" compiled by Michael Organ August 1994. accessed at :-
<http://www.uow.edu.au/~morgan/cunningham.htm>

³ 'Allan Cunningham Botanist and Explorer' Winston Gregory McMinn, Melbourne University Press- Carlton 1970

⁴ Colonial Secretary Index (Reel 6065; 4/1798 pp.137,145a)

⁵ Ibid (Fiche 3272; SZ995 p.3) and 'Allan Cunningham Botanist and Explorer' Winston Gregory McMinn, Melbourne University Press- Carlton 1970

task that Lawson and Scott had failed to fulfill¹, after meeting Cunningham near Mudgee, the previous year.

With the backing of Governor Brisbane, and hence provided with 5 men, 5 horses and provisions, Cunningham departed Parramatta on 31st March for the now familiar journey to Bathurst, where he arrived on 5th April . After 10 days of preparations the party departed Bathurst to Cudgegong River, via present day Sofala and Stony Creek. East to Dabee, past present day Kandos, it was here that Cunningham learnt about being properly prepared for his expeditions. Two horses having cast shoes caused the party to wait until a couple of men returned to Bathurst for shoes and nails.

Departing Dabee on the 28th April they headed north-west; arriving at the Goulburn River, previously discovered by Lawson, on 6th May. Two days later they departed to the Liverpool Ranges where Cunningham named the 1132m Mt Oxley and the similar height Mt MacArthur,(now Moan Mt) which he ascended and glimpsed the Liverpool Ranges behind the ranges. He could see no gaps to allow access to the north however with the ranges appearing lower to the east, he took the route east along the southern face for five days, crossing no fewer than 19 streams which he correctly surmised belonged to the Hunter River catchment.

Stopped from traveling further east, by a deep ravine, the party headed south, past present day Scone; little realising that the New England Highway would one day pass through range, east of where he turned south. Deciding to return to their starting point on the Goulburn River, they turned west, to the present day site of Merriwa, where they were forced to camp on the banks of Smith's Rivulet (Merriwa Creek), by the illness of one of the men.

Departing 29th May, the party arrived at the Goulburn River two days later. With diminished supplies and both man and animal on reduced rations they pushed on towards Coolah where they entered a fine valley, which Cunningham named Hawkesbury Vale, from which he ascended the range and saw a depression "*it was a very low back in the main ridge distant about 3 miles, and although limited, afforded me a clear view of the open plains north of this extensive barrier.*"

Shifting camp nearer to the depression, the party blazed a trail through the passage to the verge of the nearest clear land beyond, from whence Cunningham climbed to the summit of a mountain that formed the eastern side of the pass and obtained a most beautiful view of the hidden plains. Naming the opening 'Pandora's Pass' he "*believed it would become the great route of communication between Bathurst and Hunter River and the Liverpool Plains.*"

Leaving a parchment describing the discovery of the Pass, in a bottle and buried under a tree, on June 9th, 1823,² Cunningham turned his party homeward., no doubt cursing the lost days at Dabee which depleted their rations, traveled along the Coolaburragundy and Cudgegong Rivers to Mudgee before arriving in Bathurst on 27th June;³ having covered 509 measured miles.

After his return to Parramatta, Cunningham used the next months recuperating from the rigours of the previous three months and again cataloguing and preparing his collection.

¹ Colonial Secretary Index (Fiche 3272; SZ995 pp. 1-25) (Reel 6035; SZ14 p.14)

² Ibid (Reel 6035; SZ16 pp.122-4 & SZ17 pp.106-7)

³ (Reel 6035; SZ15 pp.1-66 & SZ16 pp.40-91, 94, 117-20) & Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XV & 'Allan Cunningham Botanist and Explorer' Winston Gregory McMinn, Melbourne University Press- Carlton 1970

In 1823, Archibald Bell, son of Archibald Bell, Chief Magistrate at Windsor and a substantial landholder, at the age of 19 years found the route across the Northern Blue Mountains. Following the directions of a native woman who had been kidnapped by a western tribe, escaped and return to Belmont, Bell followed the route between 1st - 5th August from Richmond to Mount Tomah, from whence he was unable to find a safe descent to the west. The following month he was successful in finding a safe route into the Hartley valley. The route became known as Bells Line Road.¹ Almost immediately Oxley instructed Robert Hoddle ‘to survey Bell’s track from Richmond to Cox’s River, explore for better road to Hunter River settlements, report on farms occupied at Kurrajong Brush, make survey of Government lands at Longbottom,...’²

Setting out from Bell’s Farm on 26th November, Cunningham and his small party followed the surveyors marks, with the intention of botanizing through to Cox’s River. However the expedition was to fall short of their proposed destination. Soon after leaving Mount Tomah, so called by the local natives, one of the pack horses tumbled some five times before coming to rest, fortunately without breaking any bones; but their travel west was soon halted as the emancipated horses, having not had any worthwhile grasses, continually slid on the loose rocks. Returning to Mount Tomah, the worst of the horses was sent back with a man to a point where there was decent grass, whilst remained till 3rd December.

Ida Lee comments “*In this excursion he seems to have been most attracted by the "stately" timber trees, their rigid branches half hidden by creepers; the tall, tree-ferns in groups beneath the shade of massive rocks with rough brown trunks supporting fronds of delicate green; the lichens and mosses, in places covering the face of the sandstone; the tender tiny maidenhair growing in the crevices of the rocks and under the dripping ledges; and, towering above them all, the waratah or native tulip (*Telopea speciosa*), its crimson flower, upon its upright stalk, visible upon the more distant heights of the mountains. All these he saw and described in his journal.*”³

During December, Cunningham kept up his incredible rate of exploration and botanising; first visiting Bathurst and on returning to Parramatta, accompanying French scientists, from the French ship, *Coquille*, across the Blue Mountains. His botanical knowledge and knowledge of the mountains proving invaluable to his companions.⁴

1824 Appin, Cowpastures, Lake George, Lake Bathurst, Illawarra & Moreton Bay.

No soon back at Parramatta than he traveled south to King’s Falls, on George’s River, just south of the Appin - Bulli Road.⁵ February was spent at Parramatta before once again departing on another journey.

On 22nd March, Cunningham departed through the counties of Argyle and Camden (the Cowpastures) south west through the Goulburn district to Lake George and Lake Bathurst; traveling some 420 miles (670kms). The most interesting features of this

¹ Colonial Secretary Index (Reel 6068; 4/1814 p.91) & Australian Dictionary of Biography - online edition

² Ibid (Reel 6068; 4/1814 pp.91-4)

³ Ida Lee Early Explorers of Australia’ Methuen & Co Ltd London, from Cunningham’s Journals Chapter XVI

⁴ Ibid

⁵ To Meet with Botanical Beauty” compiled by Michael Organ August 1994. accessed at :-
<http://www.uow.edu.au/~morgan/cunningham.htm>

expedition appears to have been a plant of the south coast discovered in 1802 by Mr. Brown (*Lomatia ilicifolia*), found growing in great profusion in the Argyle district,¹ and the discovery of Drum Cave, situated south of Marulan, in the Bungonia State Recreation Area. Cunningham recorded that he believed others had been there before him.²

Returning to Parramatta in the first week of May, Cunningham finally took time out to rest a little, before departing on his fourth journey to the Illawarra, in July.³ It was here that he received notice that John Oxley was preparing to travel to Moreton Bay with Lieut. Millar, the newly appointed commandant at the proposed settlement there. Cunningham hurried north to board *Amity* for its departure on 2nd September and arrival at Moreton Bay, 9 days later.

The settlement having been marked at Redcliffe, Cunningham accompanied Oxley up the Brisbane River to and beyond the point where Oxley had reached the previous year.

Cunningham, writing of the fauna remarks: "Of the flora of this part . . . the greater portion is equinoctial or of plants hitherto limited to tropical regions . . . such as we observed during our voyage on the north-east and north coasts." And he adds: "If the valuable tropical produce of other countries such as coffee, cotton, and sugar cane can be cultivated upon any shore of our continent, we need not advance farther from the northern coast of Moreton Bay in search of a suitable spot, seeing that the indigenous vegetation of its shores is identical with that of the parallels of 19°, 15° 12' and 10°30'."⁴ It was then that for the first time in the dense forests on the banks of the Brisbane Cunningham discovered the pine known by his name, a new species of *Araucaria* (*A. Cunninghamii*, Sweet), and noted the species as distinct from the Norfolk Island tree.⁵

Arriving back at port Jackson on 14th October, Cunningham was now determined to reach Pandora's Pass from another direction and go through to the Liverpool Plains. However before setting out to the Pass he undertook another journey to Bathurst in December 1823.⁶

1825 Through Pandora's Pass & West of Wellington

On 28th March Cunningham and his small party traveled to the Hawkesbury and made his way north along a track previously taken by Mr Howe. Thomas William Parr, who had been with Cunningham on Oxley's 1817 expedition, had taken a similar route in October 1817. The party final reached Patrick's Plains on the Hunter River, which it followed upstream for forty miles (64kms) before departing to Mt Dangar, less than 12miles(20kms) WNW of present day Denman. On 25th April, exactly 12 months after they had camped for four days on Smith's Rivulet (Merriwa Creek), they once again arrived at the same waterway. Traveling west then north west the party went through Pandora's Pass on 2nd May, into the south west corner of the Liverpool Plains.

¹ Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XVI

² NSW National Parks accessed at www.nationalparks.nsw.gov.au/PDFs/pom_final_bungonia.pdf

³ To Meet with Botanical Beauty" compiled by Michael Organ August 1994. accessed at :-

<http://www.uow.edu.au/~morgan/cunningham.htm> & Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XVI

⁴ Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XVI

⁵ Ibid

⁶ To Meet with Botanical Beauty" compiled by Michael Organ August 1994. accessed at :-

<http://www.uow.edu.au/~morgan/cunningham.htm>

'It was Cunningham's opinion that only two or three weeks of labour well spent would be required in constructing a few small bridges over the narrow but deep channels to enable the team of the grazier to pass northwards to the extensive open country.'¹ He spent nearly a fortnight exploring the western end of the plains and obviously proud of his discovery proclaimed "*We know of no tract of timberless open country in New South Wales that forms so perfect a level,*"²

A monument to Cunningham is located at their camping place near Pandora's Pass, 20miles(32 kms) east of Coolah.

On this homeward journey the party sent the night of 28th May at Lawson's station on the Talbragar. Strangely, Lawson was given '*temporary occupation of land at Talbragar, forty miles north-west of Bathurst for use as a grazing run*',³ four months later. In fact Talbragar is approximately forty miles north-west of Mudgee; so it is likely an error was made in making the request and subsequently in the approval. Lawson later had a 20,000 acre run on the Talbragar.⁴ Departing Lawson's run, the party traveled via the Cudgegong River, Mudgee and the Turon River to Bathurst, arriving there on 7th June 1825, before returning to Parramatta via the Western Road, over the Blue Mountains. Relaxation wasn't a word in Cunningham's dictionary. Less than four months later he recrossed the mountains to Bathurst, before traveling north to Wellington Valley, where Oxley's first expedition had arrived at the Macquarie River, on 19th August 1817.

Due to Oxley's glowing reports a settlement was set up there in 1823 with Lieut. Percy Simpson as commandant of an experimental agricultural settlement for 'educated convicts'. It was from here that he botanized in a circuit of 150 miles(240kms)on each bank of the Macquarie River. Mt Croker, now Bumberry Hills, some 20miles(32kms)km east of present day Parkes provided a large collection of seeds and tuberous roots, including twenty-five species of orchids.⁵

Cunningham was surprised to have only encountered one small group of natives during these journeys. Could it have been the growing presence of settlers, forcing them further afield? Ida Lee notes that Cunningham seems to have also made another visit to Mudgee, before returning to Parramatta; her source being a note on Arrowsmith's map accompanying "*Sturt's Expeditions*",⁶

1926 - 1827 The Illawarra , New Zealand, Darling Downs

The early part of 1826 was spent cataloguing his collections and readying them for transport to Kew; after which, like modern Syneysiders Cunningham took his fifth visit to the Illawara during June, not only to revitalize himself but also to gather more specimens from this botanically rich area.

Two months later Cunningham departed Sydney aboard *Indian* to New Zealand,

¹ Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XVI

² Ibid

³ Colonial Secretary Index (Reel 6013; 4/3512 p.348)

⁴ Australian Dictionary of Biography Online, accessed at
<http://www.adb.online.anu.edu.au/biogs/A020081b.htm>

⁵ Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XVI

⁶ Ibid

including the Bay of Islands. He spent the majority of the year in New Zealand, before arriving back in Sydney on 19th January 1827 with a valuable collection. On his arrival he heard Governor Sir Ralph Darling intended to send an expedition into the lands west of Moreton Bay and north of the Liverpool Plains to see if there were lands suitable for settlers.

Cunningham submitted himself for leadership of such an expedition and in consideration of his past exploits and his displayed capabilities, Darling accepted his submission. Provided with equipment, provisions and eleven horses, Cunningham and six others arrived at *Segenhoe*, the property of Thomas Potter MacQueen, a Member of the British Parliament. Encouraged by *Bigge's Report* MacQueen organized a grant of 10,000 acres and sent mechanics, farmers and shepherds, equipped with farm machinery, stores, sheep, horses and stud cattle who sailed in two chartered ships, *Hugh Crawford* and *Nimrod*, reaching Sydney on 7 April 1825. Peter McIntyre was sent as overseer with the right to chose the land. The selection for MacQueen, named *Segenhoe* and land adjacent for himself was made near the present day town of Aberdeen, on the banks of the Hunter River.¹

Departing *Segenhoe* on the last day of April the party headed north towards the Liverpool Range where McIntyre and a friend joined the party near the headwaters of Dartbrook, on 2nd May. McIntyre, who had been over the range to the Plains beyond, guided them northwest to near the top of the range, camping *at 2900feet . to the east of my 'Oxley's Peak.'* Next morning after safely guiding the party over the range, McIntyre bade them farewell; leaving them to head across the Plains to intersect with Oxley's 1818 route, near the Peel River. On the 11th the party camped north of the present day Gunnedah, near the banks of the Namoi River, to which Cunningham gave the name of Mitchell's River. They witnessed an eclipse of the moon at this point , 150°27'15" E , 30°57'12"S.

On 21st the party arrived at present day Bingara, which Cunningham named Stoddart's Valley, 7 miles (10kms) to the north they discovered the Gwydir River; Cunningham mistaking it for the Peel. A week later after crossing the MacIntyre River the party crossed and named the Durmaresq River , to the west of present day Texas.

After battling through areas with little battle and at times needing to cut their way through heavy scrub from '*the pitch of a ridge above it he obtained a "most agreeable" view of open country, which from its aspect he felt would reward him for his toil and crown his labours.*' This was first view of the Darling Downs by a white man, on June 5th, 1828 The following day the party camped on the banks of the Condamine River, so called by Cunningham after Thomas de la Condamine, A.D.C. to Governor Darling. On the afternoon of the 6th '*we entered upon the extensive downs, pursuing our way to the E.N.E. along their southern margin..... these lower grounds downs of a rich black and dry soil, clothed with abundance of grass stretched on an east and west line, constituting a range of sound sheep-pasture convenient to water but beyond the reach of floods. . . . Such is the character of the Darling Downs, which comprise little short of 28,000 acres."*

Camped at the based of Mt Durmaresq, beside '*a narrow creek with the finest patch of*

¹Fairfax Walkabout Australian Travel Guide - Ivan Coates accessed at
<http://walkabout.com.au/locations/NSWAberdeen.shtml> & Free Settler or Felon accessed at
<http://www.jenwilletts.com/huntermapge3.jpg>

meadow pasturage I have seen in New South Wales,.. 'where the party stayed for two days to rest the debilitating horses; Cunningham ascended the mountain on the 8th, seeing plains to the North and South, which he named Peel's Plains (Clifton) and Canning Downs respectively.

Three days later, with the temperature below zero, Cunningham and a companion ascended a range where they sighted Mt Warning, some 70 miles, 9 degrees south of east; and just three miles to NNE '*.. very deeply excavated part of the main range*'. On 13th June, upon the weather clearing, Cunningham sent two men to investigate the depression in the range. In the afternoon of the next day they returned with their report which claimed '*... ascending the south head they observed a rather easier passage over the range where a road could be constructed,the fall easterly from the range to the forest ground at its foot appearing exceedingly moderate.*" and in no part apparently was there any obstacle likely to prevent direct communication either with the southern shores of Moreton Bay or with the banks of the Brisbane.' The depression would become Cunningham's Gap.

On 16th June the party head on their return journey; passing near to present day Warwick they traveled parallel to their outward route, till crossing it at the Gwydir River, near Warialda, on 9th July. Reaching the northern boundary of the Liverpool Plains the party continued south and after crossing the Divide, approximately 15 miles west of their outward crossing, we intersected Dartbrook and on 28th July returned to Segenhoe, on Hunter's River, having been absent 13 weeks, in which space we had travelled over 800 miles of country."

After resting for a week the party undertook an arduous journey Bathurst, via Dabee, arriving there on 23rd August. Following a further rest the party headed east across the Blue Mountains to Parramatta where, on the first day of Spring, Cunningham called upon Governor Darling and presented him with details of his journey.

After spending the next three months in the surrounds of Parramatta, including Christmas Day, Cunningham departed on Boxing Day for his sixth visit to the Illawara; so regular his visits that one might think of them as his annual holidays.

1828 The Illawarra , Moreton Bay , Blue Mountains

During this year Cunningham renewed his request that he be allowed to return to England in 1829; however this request wasn't to be granted till 1830 ¹ Cunningham returned from the Illawarra on 27th January ² and following his exploration of *the pine ridges of the Macquarie, and one or two other localities, he embarked in June in the ship "Lucy Ann" for Moreton Bay.* ³ This was at the direction of Governor Darling, where they were to undertake collection of plants and select a site for a public garden. After visiting Port Macquarie they landed at Moreton Bay on 1st July, where they were welcomed by Captain Patrick Logan,

¹ Australian Dictionary of Biography Online accessed at
<http://www.adb.online.anu.edu.au/biogs/A010255b.htm>

² To Meet with Botanical Beauty" compiled by Michael Organ August 1994. accessed at :-
<http://www.uow.edu.au/~morgan/cunningham.htm>

³ Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XVIII

Commandant of the settlement. Logan was detested by his men and convicts alike, for his cruelty.

Logan's regiment, the 57th, had been nicknamed "The Steelbacks" because floggings were such a common occurrence for its own members. His imposition of this and even more extreme punishment on convicts is not defensible. However, despite this facet of this administration he was an excellent administrator, creating a settlement of substantial brick and stone buildings, including a school and hospital. He formed outstations and was a noted explorer.¹

Fraser, Cunningham and Logan selected and pegged a site on the Brisbane River, known today as Gardens Point, adjacent to Parliament House. Convicts cleared the site and it was used as a vegetable garden, which Logan saw as more necessary for a growing settlement , than decorative plants. The site remained a public garden till 1855 when the Botanic Gardens , now known as City Botanic gardens, were opened.

On 27th July, Fraser, Cunningham and Logan departed south west from Brisbane to what is now the MacPherson Range, along the Queensland/New South Wales border where Logan and Fraser attempted to climb Mt Lindsey, rugged peak. Fraser made it to around halfway before he descended. He wrote of his experience "*we putt(sic) off our shoes...and climbed on past a dreadful chasm and a dreadful labyrinth of emourous rocks and experienced a frightful time holding on by our own great toes*".²

With determination which was typical of the man, Logan continued alone to the summit; successfully descending some five hours after Fraser. {the foregoing paragraphs are repeated in the section 'Charles Fraser']}

While Fraser and Logan returned to Brisbane, Cunningham's group skirted the range and made their way to the Bremer River, at Limestone Station (Ipswich) some 18miles (29kms) WSW of Brisbane. On arrival Cunningham sent two men, with two oxen, back to Brisbane, leaving him with the same plus a drive.

Following a five day rest at the Station the party headed west, on 18th August to locate the gap in the mountains, opening up the Darling Downs from the east. After a couple of false sightings of the gap Cunningham sent a companion, who had been on the expedition to the Darling Downs, the previous year, to explore another possible gap. At dusk on 24th August he returned with the news that '*he ascended into the pass, and, from a grassy head immediately above it, beheld the extensive country lying west of the Main Range. He recognized both Darling and Canning Downs, patches of Peel's Plains, and several remarkable points of the forest hills on that side, fully identifying this hollow back with the Pass discovered last year ...*'³

The following day, Cunningham accompanied his fellow discoverer up the pass, and upon ascending Mt Mitchell, on the south side, he recorded '*it was with no small pleasure that I looked over the beautiful tract of country at which my labours of the last year closed*'.⁴

¹ City of Logan Website: <http://www.logan.qld.gov.au/NR/rdonlyres/012E5AD4-C4FD-439E-8B5D4AD5639DD614/0/RichinHistoryPatrickLogan.pdf> - with resources

²From presentation to AGHS 2004 Conference , Sydney, by Dr Gillian Davies with research by Christine Carwardine BSc

³ Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XVIII

⁴ Ibid

Having returned to Limestone Station, Cunningham took an excursion to Red Cliff Beach, on the Brisbane River where he had reached with Oxley, four years prior. Upon reaching Brisbane he wrote to *Mr. Charles Telfair, the friend he had made at the Mauritius*. Apart from botanical matters he wrote "*I have collected some interesting geological specimens and have prepared several skins of rare birds: these, with the skin of a woman--an aboriginal,I have in my possession some curious and novel facts respecting the natives, of their custom of flaying persons of some rank, among them those who have fallen in battle. . . . The mode of performing this operation is by drying the skin previous to its being carried about with them in their wanderings, in order to remind them that a great warrior once lived among them.*"¹

An interesting discovery by Cunningham, during this visit, to what was to become Queensland, was Australia's delicious bush nut, known and eaten by the natives of the area for thousand of years, the macadamia nut,² and used by my wife to make chocolate chip, macadamia biscuits. Mmmmmm.

Embarking on *Isabella* on October 29th, he reached Port Jackson on November 14, 1828.

1829 - 1830 Blue Mountains, Moreton Bay, Broken Bay, The Illawarra, Norfolk Island

Awaiting a response to his request to return home, Cunningham restricted himself to short excursions from Parramatta, including one to Cox's River, over the Blue Mountains, at the height of mid summer. His suffering from the oppressive heat was heightened with the news that his father, who he was looking forward to seeing on his return home, had died at the age of eighty four years.

In late autumn Cunningham returned to Moreton Bay and with a small party undertook botanical and geographical explorations.

The Brisbane River was believed by some to have been the outlet for the Macquarie marshes however Cunningham traced it to its source; a chain of ponds at 26.52 S. During his weeks of exploring and researching natives were encountered on three occasions and at Laidley Plains, when they purposely lit fires near the tents, Cunningham and his party were fortunate to escape with their lives.

Late September he returned to Sydney with seventy boxes of fine botanic specimens; hoping to be able to personally deliver them to Kew. The following months were used to prepare his specimens before a short journey to Broken Bay, in December and his seventh visit to the Illawarra.

On 4th May 1830, Cunningham departed aboard Lucy Ann to *Norfolk Island*. Landing at Cascade Bay, on the north of the island, he walked overland to Kingston on the south coast. I may have been on this trip that he found and recorded the only amphibian fauna occurring on Norfolk Island in a statement by Cunningham saying 'frogs inhabit the

¹ Ibid

² School of Resources, Environment & Society, ANU sourced at
<http://sres.anu.edu.au/associated/fpt/nwfp/macanut/macanut.html#history>

waters'. There are no frogs on Norfolk Island now.¹ He found the Island a virtual Alladin's Cave full of botanical wonders. Of these he wrote: "None are more remarkable than its noble pine, *Araucaria excelsa*, and a tree-fern, *Alsophila excelsa*; and, as these are lofty plants and generally grouped together on every part of the island, they form a most decided feature of the landscape." He found the vegetation was more like New Zealands rather than Australia and recorded specimens as he had found in the Bay of Islands, New Zealand during his visit there in 1826: *Phormium tenax*, *Olea apetala*, *Areca Banksii* (*A. sapida*. Forst.), *Myoporum laetum*, *Dracaena australis*, *Freycinetia Baueriana* (the New Zealand plant is probably distinct and may be designated *F. Banksii*), *Dodonaea* sp., *Tetragona expansa*, *Polygonum australe*, and *Samolus littoralis*".²

Norfolk Island, and its smaller Phillip Island, kept Cunningham engaged till his return on *Lucy Ann*, departing on 11th September and arriving in Port Jackson on the afternoon of 28th. Fortunately the extended sojourn on New Zealand prevented him from taking part in a voyage to the Swan River, as on 16th November his long awaited approval to return home arrived.

1831 Cox's River & Homeward Bound

Apart from his eighth journey to the Illawarra, a short, five days from 20th to Christmas Day 1830, and a final farewell journey to Cox's River, in January 1831 Cunningham was occupied in preparing his huge collection for departure aboard *Forth*, due to depart in February . On 12th February, having sold his two horses and household effects, and bade his friends goodbye, he departed his cottage and Parramatta to Sydney where he found *Forth*'s departure had been postponed and because of unfavourable winds she did not depart till 25th February..

Seventeen years after departing his homeland to Brazil, Cunningham sighted the coast of England on 10th July. Settled into a cottage, close to Kew he spent his time arranging his herbarium, distributing a portion of his collection, imparting his knowledge and recording his observations for publication.

1832-1835 Richard Cunningham

With the death of Charles Fraser, in 1832, the position of Superintendent of the Botanic Gardens, Sydney, was offered to Allan Cunningham, however feeling settled at home and with much still to be done, he refused the offer in favour of his brother, Richard, who was working at Kew and was strongly recommended by Robert Brown, the first Keeper of the Botanical Department at the British Museum. Richard took up the position in 1833, and as was often the case with the Colonial Botanist, he accompanied Major Mitchell on an expedition in 1835 to the Darling River. Near the Bogan River, separated from the party he stumbled in with a group of natives who accepted him, however Richard became disturbed, and the natives believing he was possessed and likely to cause them harm, killed him. His remains were interred at Lower Tabratong, near Dandaloo, west of Narromine, in central western NSW; the tombstone stating that he was killed by

¹ Aust.Dept of the Environment & Heritage; Norfolk Island Botanical Gardens accessed at:
<http://www.deh.gov.au/parks/norfolk/fauna.html>

² Ida Lee Early Explorers of Australia' Methuen & Co Ltd London, from Cunningham's Journals Chapter XVIII

Aborigines about 15 April 1835, aged 42;

1836 - 1839 The Final Return

Allan Cunningham, offered his brother's position, returned to New South Wales. Departing aboard *Norfolk*, on 30th October 1836, he arrived on 12th February 1837 to commence his duties at the Botanic Garden; a job he hated and from which he soon resigned stating he was tired of tending '*the Government Cabbage Garden.*'

Collecting on his own account; in January 1838 he wrote home "*I am now about to enter with all my might on a more legitimate occupation...*" and in this capacity he sailed to New Zealand in April of that year, however before leaving to return to New South Wales, paralysis of his limbs and general fatigue attacked, no doubt contributable to the poor diet, wet and cold conditions and strenuous labours associated with his years of exploration. In April 1839 he wrote "*.....I have failed in my best endeavours to patch myself up, and a consultation of four medical friends has just taken place . . . the result being an unanimous opinion that I do not, on any consideration, go to a tropical climate . . . in the very enfeebled state of my limbs.*" Thus he failed to travel to the north-west coast aboard *Beagle*, with Captain Wickham. He added "*I shall now pass a quiet winter here with my friends.*"

In another letter, to Robert Brown, a month later he wrote "*I hope that the winter, now set in, will brace me up. My plan is to lie by now until January or February next, and then to embark with my collections and baggage, so as to reach London in 1840.*" However at the close of the letter Cunningham clearly showed his real belief in his health when he wrote, "*...I am now exhausted in subject and literally in body, I therefore close, begging you, my dear sir, to receive this letter from the hands of a poor, decrepit, prematurely-old traveller,....*"

Allan Cunningham, botanist and explorer extraordinary, died 27th of June, 1839, of tuberculosis, at Sydney

In Memory

The name of Allan Cunningham, King's Botanist is commemorated around the world, in places, collections and plants

Places

Cunningham Federal Government Electorate - Covering much of his beloved Illawarra / Cunningham Pass Qld / Cunningham Hwy Qld / Cunningham Street, Matraville NSW / Cunningham Point NW WA / Cunningham Dve., Mount Annan Botanic Garden /Mount Cunningham and Mount Allan, Central West NSW/ Memorial Obelisk, Botanic Gardens, Sydney

Collections - ¹

Royal Botanic Gardens , Kew , England

¹Australian National Botanic Gardens; accessed at <http://www.anbg.gov.au/biography/cunningham-allan.html> and <http://sciweb.nybg.org/science2/IndexHerbariorum.asp>

The Natural History Museum,	London
Linnean Society of London,	London
Conservatoire et Jardin Botaniques,	Geneva, Switzerland
Herbarium Botanische Staatsammlung,	Munich, Germany
Jardin Botanique National de Belgique ,	Meise, Belgum
Naturale Historisches Museum Wien,	Vienna, Austria
Botanic Gardens	Singapore
Botany School, University of Cambridge	Cambridge England
National Herbarium Netherlands,	Leiden, Netherlands
Botanischer Garten und Botanisches Museum	Berlin -Dahlem, Zentraleinrichtung der
Freien Universität Berlin .	Berlin Germany
Queensland Herbarium	Brisbane Queensland Australia
National Botanic Gardens	Dublin, Ireland
Royal Botanic Garden	Edinburgh, Scotland.
Museo di Storia Naturale dell'Università	Firenze Italy
University of Glasgow	Glasgow Scotland
Royal Botanic Gardens	Melbourne Victoria, Australia
Missouri Botanical Garden	St Louis , Missouri, USA
Royal Botanic Gardens	Sydney NSW Australia.
University of Oxford	Oxford England
Smithsonian Institution	Washington DC USA
Museum of New Zealand	Wellington NZ

Plants -cunninghamii may be other than Allan.

Cliff Mallee-ash,	<i>Eucalyptus cunninghamii</i>	
Myrtle Beech	<i>Nothofagus cunninghamii</i>	
Hoop Pine / Moreton Bay Pine	<i>Araucaria cunninghamii</i>	
Parrot Pea	<i>Crotalaria cunninghamii</i>	
Albany daisy	<i>Actinodium cunninghamii</i>	
Hairpin banksia	<i>Banksia cunninghamii</i>	
Green bird flower	<i>Crotalaria cunninghamii</i>	
Family: Rubiaceae	<i>Nertera cunninghamii</i>	
Family: Orchidaceae	<i>Gastrodia cunninghamii</i>	
Family: Plantaginaceae	<i>Plantago cunninghamii</i>	
Family: Epacridaceae	<i>Trochocarpus Cunninghamii</i>	
Native jute	<i>Corchorus cunninghamii</i>	
Brisbane lily	<i>Proiphys cunninghamii</i>	
Gully tree fern or Slender Tree Fern	<i>Cyathea cunninghamii</i>	
Montane totara	<i>Podocarpus cunninghamii</i>	
Family :Asteliaceae	<i>Astelia cunninghamii</i>	
Black maire	<i>Olea cunninghamii</i>	
Family: Cucurbitaceae	<i>Melothria cunninghamii,(Zehneria Cunninghamii)</i>	
Bush Minuria	<i>Minuria cunninghamii</i>	
Lignum	<i>Muehlenbeckia Cunninghamii</i>	Bushy
Groundsel	<i>Senecio Cunninghamii</i>	Sneezeweed
Cotoneaster	<i>Centipeda cunninghamii</i>	Corokia
berry bush	<i>Carmichaelia cunninghamii</i>	Yellow
	<i>Maytenus cunninghamii,</i>	Liverwort
	<i>Acromastigum cunninghamii</i>	etc..etc



John Dwyer
c.1798 –
Boat Builder's Boy
Absolute Pardon 1 Dec 1818

Born in Kildare John was convicted at Dublin City on 1st June 1813 and sentenced to 7 years transportation, to the Colony of New South Wales.¹

Just 15 years old and a mere 4'11"(1.498m)² tall he set forth aboard *Three Bees*, which carried 210 convicts and a detachment of the 46th Regiment, from Cork, Ireland, on 8th December 1813; arrived in Port Jackson, on 6th May 1814.³

John would forever remember his arrival in New South Wales, as would every inhabitant of Sydney.

After unloading 210 Irish male prisoners, this fine new convict ship almost took out the fledgling colony and several other vessels with it! The Three Bees was at anchor for some days in Port Jackson near Government House. It was then discovered on fire and known to be carrying thirty casks of gunpowder. Rumours quickly circulated that it held 130 casks of powder. Governor Macquarie summed up the situation, "with this crisis, little short of the total destruction of the Town of Sydney was expected every moment to take place by the explosion of the magazine. The alarm was so great that numbers of the Inhabitants deserted their houses and escaped into the country to avoid being buried in its ruins". Evidently the Governor himself was among those who left town. In a letter to a friend in England, Elizabeth Macarthur commented that "the inhabitants of Sydney fled from their houses after the example of the Governor!"

The Three Bees' fourteen fully loaded guns began to fire at random across town. Loaded with ball and grape-shot, there was no way of judging where they would strike - "first pointed upon one object and then another and every instant expected to blast all the buildings around or near her". The vessel drifted closer to shore. One swivel-ball crashed through the window of Captain Piper's parlour and shattered the corner of his writing desk. Engulfed in flames, the Three Bees drifted across to the present site of the Opera House. The inhabitants of Sydney expected the magazine to blow at any time. After two hours waiting in fear, the explosion came, but was thankfully dampened by water leaking into the hull. All was blamed on a boy who failed to properly extinguish a candle in the hold. The Three Bees burnt to the water's edge, becoming a total loss. The wreck site has not been located.⁴

Later in 1814 John was recorded as being employed in the Dockyard. Also recorded at

¹ NSW State Records Ships Indents *Three Bees* 1814

² Ibid

³ Australian Shipping 1788 - 1968 at www.blaxland.com

⁴ <http://maritime.heritage.nsw.gov.au> source *Shipwreck Atlas of New South Wales*, pB38) New South Wales Government, Heritage Office.

the Dockyard at that time was George Hubbard - boat builder.¹

George Hubbard built the boats, on the Lachlan River, in preparation for the first Oxley Expedition in 1817 and was a member of the exploration party.²

Whilst George was in charge of the preparation of the boats for the second expedition of 1818, at the Wellington Valley depot, he wasn't a member of the expedition.³ Upon the expedition departing down the Macquarie River on the 6th June 1818, George, with others who had prepared the expedition for its journey, returned to Bathurst.⁴

When George was omitted from the 1818 expedition here is little doubt that he recommended John to go as 'Boat builder's boy'.⁵ It's likely that John was at Wellington Valley with Hubbard as the name of him as 'Boat Builder's boy' suggests he was in the company of Hubbard.

The transport of the provisions had been planned to be via the boats, however by the end of June it became evident that the boats would have to be abandoned. This lead to Oxley recording "...and the cooper would have time to diminish the pork casks, which were far too heavy for the horses, being intended for boats only; for it had not been contemplated that the nature of the country would so soon deprive us of water carriage."⁶

Hence, John, now just out of his teens, was required to walk for the next four months. This must have been extremely taxing for a person whose life had been in and around boats.

However the safety of the party would depend, not upon horses, but upon a boat which would have to be repaired and made seaworthy, or at least estuary-worthy.

When the party reached the estuary of the Manning River, on their journey south from Port Macquarie, Oxley reported ".....our progress was stopped by a very extensive inlet, the mouth of which was nearly a mile wide. It was near high water, and the sea broke right across with tremendous violence, affording us little hope, circumstanced as we were, of being able to effect a passage"⁷

Sorties inland found no way of crossing to the south and the situation appeared hopeless when they remembered "...the boat which had been washed on the beach suddenly occurred to us. It was true that we were twelve or fourteen miles distant from it, and that we should have to carry her that distance on men's shoulders, but to persons in our situation such difficulties were as nothing. It was therefore determined that twelve men should depart before day, and use their efforts to bring her to the tent.." ⁸

On the morning of October 20th, 1818 "...At four o'clock the people set out to bring the boat, and at two o'clock they had brought her safely to the tent, having gone in that time upwards of twenty-six miles, thirteen of which they carried a twelve feet boat on their shoulders; a proof how much may be effected by a steady perseverance. In fact, I had

¹ General muster of New South Wales, 1814 / edited by Carol J. Baxter. Sydney : Australian Biographical and Genealogical Record in association with the Society of Australian Genealogists, 1987

² Colonial Secretary Index (Reel 6068;4/1814 pp 27, 35

³ Ibid (Reel 6006: 4/3498 p.155)

⁴ John Oxley Journal Expedition into the Interior of New South Wales Ch.II

⁵ Colonial Secretary (Reel 6065; 4/1798 p.106)

⁶ John Oxley Journal Expedition into the Interior of New South Wales Ch.II

⁷ Ibid

⁸ Ibid

no occasion to be anxious for the result of any measure which at all depended on their personal exertions.”¹

Consider the feat of those twelve men; men who were an average of 5'6", and of slight build. They rowed and walked from Bathurst, crossed the rugged Great Divide and on their 139th day they walked 13miles (21kms) through virgin coastal land and sand and returned the same distance carrying the boat.26miles(42kms) in 10 hours

With the boat made seaworthy and new oars crafted the crossing was completed. The value of the boat was evident to all the members of the party, causing Oxley to record “*The men voluntarily undertook to carry the boat on their shoulders until we should pass Port Stephens—a service, reduced as their strength was by constant exertion, I should have been unwilling to impose on them, however it might facilitate our future progress.*”²

Australia did not exist, in name, at that time however Oxley was unknowingly writing of one of the first, if not the first example of the famed ‘*Aussie Spirit*’. Regardless of class, race, religion or effects on mind or body, men joining together to ensure the best outcome for all.

With the assistance of carpenter Henry Shippey and cooper John Williams shaping oars, Dwyer caulked the boat and ensured it was capable of providing the eagerly awaited transport across the estuary.

During this time it was Dwyer’s responsibility to maintain it in a usable condition.

As a result of his performance on the expedition he was one of only two convicts who received an Absolute Pardon, for service on just one of the expeditions. The pardon was awarded by Governor Macquarie on 12th Dec 1818.³

Being free to either stay or leave the Colony, he elected for the latter, departing aboard “*Alert*” in 1919 as a crew member;⁴ no doubt hoping to eventually reach the Emerald Isle, where he would have spent many an evening in his favourite Dublin pub, enthraling his audience of years on the other side of the world.

¹ Ibid

² Ibid

³ Colonial Secretary Index (Reel 6038; SZ759 pp.543-4)

⁴ Ships Muster Society of Australian Genealogists, NSW State Records Reel 561;4/4771 p.154



Thomas Elliss (Ellis)

b. c.1792
Ropemaker/Labourer

Thomas, a 22 year old ropemaker, of Coventry, Warwickshire was sentenced to 14 years transportation, at the Coventry Assizes, 1814.¹

He was described as being 5'9 ½ " (1.75m) tall with pale complexion, light brown hair and hazel eyes.²

The *Marquis of Wellington* with Thomas and 199 other male convicts, together with a detachment of the 46th Regiment, departed London on 1st September 1814. Traveling via Madeira, an island 560 miles west of Morocco, and Rio de Janeiro, before arriving in Port Jackson on 27th January 1815,³

Amazingly the three ships to follow the hell ship *Surrey*, with its 51 deaths, (refer **Francis Lloyd**) the *Marquis of Wellington*, *Somersetshire* and *Indefatigable* lost only a total of 5 convicts.⁴

On 2nd February, six days after arrival, convicts from the *Marquis of Wellington* disembarked and were forwarded to Parramatta for distribution.⁵

Seven months later, Thomas was assigned to Sir John Jamison, a magistrate who was to found the Bank of New South Wales, and sufficiently well connected to be invited by Governor Macquarie to join the official party on the first official journey across the mountains, to the Bathurst Plains, in June 1815.

William Parr was also known to Sir John, as evidenced by his tools being stolen from Sir John's house.⁶

Thomas was still under the charge of Sir John in October 1816⁷ and most likely was recruited from there to take provisions and horses to the depot on the Lachlan River, for the first expedition into the inland of New South Wales. Richard Watts and others accompanied Thomas whilst George Simpson broke in these horses. Those who participated in these activities were rewarded with an issue of shoes.⁸

Though Thomas had not been designated by Macquarie to participate in the first expedition, Oxley was evidently satisfied with his performance in the preparations for that expedition that he requested him as a member of the second expedition to the Inland, down the Macquarie River.⁹

¹ NSW State Records Indents, Marquis of Wellington (reel 6005; 4.3495 p.3)

² Ibid

³ Convictions , Australian shipping 1788–1968 at www.blaxland.com

⁴ Extracted by Perth DPS from *The Convict Ships, 1787-1868*, by Charles Bateson. 2nd ed. 1974

⁵ Colonial Secretary Index (Reel 6004; 4/3493 pp.436-7)

⁶ Ibid (Reel 6023; X820 p.35a)

⁷ Ibid (Reel 6061; 4/1780 p.257a)

⁸ Ibid (Reel 6046; 4/1737 p.329)

⁹ Ibid (Reel 6065; 4/1798 p.106)

Thomas, recorded as 'labourer', like most of the convicts who took part in the second expedition was not mentioned in Oxley or Evans' journals, however Oxley paid glowing tributes to the men as a whole. This resulted in every member of the 1818 expedition receiving either Absolute or Conditional Pardons, with Thomas Elliss receiving a Condition Pardon.¹

One would have thought a person with the expertise as a ropemaker would have been sought by the Government, however Thomas was recorded in the Muster of 1823/4/5 as a labourer at Wilberforce, approximately 5kms(3miles) north of Windsor.²

With a Conditional Pardon he would have been free to go anywhere within the Colony which satisfied him as he did not apply for an Absolute Pardon, which would have enabled him to depart overseas. 1828 would have seen the end of Thomas' sentence and he would have been classified as CP FS ie Conditional Pardon – Free by Servitude, allowing him unrestricted movement..

In this year, the first Census of the New South Wales populace took place, Thomas is not recorded.

Thomas **Ellis**, who was buried at Christ Church , CoE, Newcastle, on 13th July 1829, is possibly Thomas Elliss.

The death Certificate records :-

Number: 1387 V13 / Name: Thomas Ellis / Abode: Newcastle / Date of Burial :13 Jul 1829 / Age : Not Known / Quality or Profession : Free / Minister: Ceremony performed by Clerk / Religion : CoE/ Parish : Christ Church , Newcastle/ Comments: Not known name of ship.³

The recording of *free* makes it fairly certain that he was a convict. Otherwise he would have been recorded as '*Came free*' or '*Born in the colony.*' The comment '*Not known name of ship*' is a further indication he was a convict

There are no details which allow us to state conclusively this was or was not Thomas **Elliss** who arrived aboard the *Marquis of Wellington*. However the ages of other recorded deaths of 'Thomas Ellis' exclude them from being Thomas Elliss.

There are no marriages or deaths recorded for Thomas prior to 1828. And whilst no records of a Thomas Elliss or Ellis departing the colony have been located, we can still hope Thomas, due to the expiry of his servitude and free to travel unrestricted, departed NSW for England or to a destination of his desire, in the period after he became FS and the time of the 1828 Census. .

Footnote:

Thomas Elliss died at Bathurst on 10th Oct 1836 however this Elliss arrived aboard *Fanny* on 18th Jan 1816

Thomas Elliss who married at Kenilworth(near Coventry,England) in 1837 was born at .Kenilworth 1810.

¹ Ibid (Reel 6038; SZ759 pp.543-4)

² General muster list of New South Wales 1823, 1824, 1825 / edited by Carol J. Baxter Sydney : Australian Biographical & Genealogical Record for the Society of Australian Genealogists, 1999

³ NSW BDM Death Cert 1387/V13 / 1829



John Harris
1754 – 27.4.1838
Naval Surgeon/ Naval Officer/ Magistrate/ Landholder

Born in 1754 at Moneymore, Co. Londonderry, Ireland, John Harris attended University of Edinburgh before joining the British Navy¹

From the late 1770's he served ten years in Indian waters, before being appointed Surgeon's Mate in the New South Wales Corps, in 1789.²

He arrived in the Colony on 26th June 1790 aboard the *Surprise*; one of three convict ships that was part of the notorious Second Fleet, that set out from Portsmouth on 19th January 1790.

Of the 1006 convicts who set out, 267(26%) died en route and 486(47%) landed sick.³

Whilst the *Lady Juliana* is sometimes included in the Second Fleet because she arrived in Port Jackson just over three weeks prior, she actually departed Plymouth on 29th July 1789, almost six months earlier. *Guardian* was the next ship to depart, leaving Spithead on 12th September 1789. However she struck an iceberg, limped into Cape Town and was scuttled there. The surviving 20 convicts, of 25 who departed England, were transferred to the Second Fleet. The remaining ship of the Second Fleet was the *Justinian*, a store ship, loaded with provisions that arrived on 20th June.⁴

Prior to departure, Harris who initially embarked on *Neptune*, supported the Army officers of the first detachments of the New South Wales Corps, against Thomas Gilbert, master of *Neptune*. Unfortunately for Gilbert, Major Nicholas Nepean was the brother of Under-secretary of State to the Home Office, Evan Nepean.

Major Nepean sent Harris, with a letter, to his brother, but the Under-secretary reiterated the same advice as given earlier to Captain William Hill - the master's word was final - and everyone, including the military Officers were subject to his decisions.

However Gilbert was relieved of his post, Donald Trail was transferred from *Surprise* to *Neptune*, Nicholas Anstes replaced him on *Surprise* and John Marshall was master of *Scarborough*. The Army officers were also split; with Nepean on *Neptune*, MacArthur on *Scarborough* and Harris on *Surprise*.

Captain Wm Hill, commander of the guard, in criticizing the ships' masters, wrote " --- *the more they can withhold from the unhappy wretches the more provisions they have to dispose of at foreign markets, and the earlier in the voyage they die, the longer they can draw the deceased's allowances to ourselves.*"⁵

The *Surprise* was the smallest ship of the fleet, and was an unsuitable vessel for so long a voyage, proving to be a wet ship even in moderate weather. In rough seas and heavy

¹ Australian Dictionary of Biography, John Ritchie. Melbourne; Melbourne University Press; London; New York; Cambridge University Press 1966-2005

² Ibid

³ Charles Bateson, The Convict Ships 1787-1868, Sydney 1974; Robert Hughes 'The Fatal Shore' London Pan. 1988

⁴ Ibid

⁵ Ibid

gales the convicts "were considerably above their waists in water"¹ One must realize that the ships' masters, were involved in the slave trade, were in complete control on the journey and their sole aim, as described by Captain Hill, was to make as much money as possible, without the slightest hint of humanity towards the convicts.

This passage will forever caste an indelible stain over the history of Australia and the following, from a letter by Rev Richard Johnson to Mr S Thornton records forever the arrival of the death ships -

'Have been on board these different ships. Was first on board the Surprise. Went down amongst the convicts, where I beheld a sight truly shocking to the feelings of humanity, a great number of them laying, some half and others nearly quite naked, without either bed or bedding, unable to turn or help themselves. Spoke to them as I passed along, but the smell was so offensive that I could scarcely bear it. I then went on board the Scarborough; proposed to go down amongst them, but was dissuaded from it by the captain. The Neptune was still more wretched and intolerable, and therefore never attempted it.³⁶ Some of these unhappy people died after the ships came into the harbour, before they could be taken on shore –part of these had been thrown into the harbour, and their dead bodies cast upon the shore, and were seen laying naked upon the rocks. Took the occasion to represent this to his Excellency, in consequence of which immediate orders were sent on board that those who died on board should be carried to the opposite north shore and be buried. The landing of these people was truly affecting and shocking; great numbers were not able to walk, nor to move hand or foot; such were slung over the ship side in the same manner as they would sling a cask, a box, or anything of that nature. Upon their being brought up to the open air some fainted, some died upon deck, and others in the boat before they reached the shore. When come on shore, many were not able to walk, to stand, or to stir themselves in the least, hence some were led by others. Some crept upon their hands and knees, and some were carried upon the backs of others. The next thing to be considered was what was to be done with all these miserable objects. Besides the sick that were in the hospital previous to the arrival of the fleet, there were now landed not less than four hundred and eighty-six sick; but the hospital erected here is not sufficient to hold above sixty or eighty at most; what then must be done with the rest? It was fortunate that a new hospital was brought out in the Justinian.³⁷ This was set up with all speed; a great number of tents, in all ninety or a hundred, were pitched. In each of these tents there were about four sick people; here they lay in a most deplorable situation.³⁸ At first they had nothing to lay upon but the damp ground, many scarcely a rag to cover them. Grass was got for them to lay upon, and a blanket given amongst four of them. Have been amongst them for hours, may say days together, going from one tent to another, from one person to another, and you may imagine that what I here behold was not a little affecting. The number landed sick were near five hundred, most at the hospital and some few dispersed here and there throughout the camp. The misery I saw amongst them is inexpressible; many were not able to turn, or even to stir themselves, and in this situation were covered over almost with their own nastiness, their heads, bodies, cloths, blanket, all full of filth and lice. Scurvy was not the only nor the worst disease that prevailed amongst them (one man I visited this morning, I think I may safely say, had 10,000 lice upon his body and bed; some were exercised with violent fevers, and others

¹ Ibid

with a no less violent purging and flux. The complaints they had to make were no less affecting to the ear than their outward condition was to the eye. The usage they met with on board, according to their own story, was truly shocking; sometimes for days, nay, for a considerable time together, they have been to the middle in water chained together, hand and leg, even the sick not exempted, --nay, many died with the chains upon them. Promises, entreaties were all in vain, and it was not till a very few days before they made the harbour that they were released out of irons. The greatest complaints by far were from those persons who had come in the Neptune. No wonder that they should be so afflicted; no wonder to hear them groaning and crying and making the most bitter lamentations. Endeavoured to commiserate them under their afflictions, pitied them, encouraged them to hope many of them would soon recover; that every indulgence, every attention would be paid to them; prayed with them, and gave some books amongst those of them that were able to read.

You will, perhaps, be astonished when I tell you a little of the villany of these wretched people. Some would complain that they had no jackets, shirts, or trowsers, and begged that I would intercede for them. Some by this means have had two, three, four—nay, one man not less than six different slops given him, which he would take an opportunity to sell to some others, and then make the same complaints and entreaties. When any of them were near dying and had something given to them as bread of lillipie (flour and water boiled together), or any other necessaries, the person next to him or others would catch the bread, &c., out of his hand, and, with an oath, say that he was going to die, and therefore that it would be of no service to him. No sooner would the breath be out of any of their bodies than others would watch them and strip them entirely naked. Instead of alleviating the distresses of each other, the weakest were sure to go to the wall. In the night-time, which at this time is very cold, and especially this would be felt in the tents, where they had nothing but grass to lay on and a blanket amongst four of them, he that was strongest of the four would take the whole blanket to himself and leave the rest quite naked. These three last ships have now been here about six weeks. In this time you may suppose there have been great alterations among the sick; a good many are so far recovered that they have got to work; a great number have died; have buried not less than eighty-six since they landed—eighty-four convicts, one child and one soldier.”¹

Each ship had a surgeon however they could do little to stem the daily growth of the dead, due to over crowding, lice infestation, starvation, lack of fresh air and exercise, unsuitable craft and lack of lime juice to prevent scurvy.

Surprise arrived at Port Jackson with the loss of 36 (14%) convicts , much less than the other vessels and it can only be assumed that the assistance of Harris was responsible for the saving of lives which would otherwise would have been lost.

Who could not be affected by such degradation?

No doubt Harris carried it with him throughout his life and it may have led to his desire to balance the ledger by contributing to the welfare of others.

In 1800 Governor King established The Female Orphan Institution, which was supervised by a voluntary committee; the first committee consisted of Revs. Samuel Marsden and Richard Johnson, the Governor's wife, Mrs Paterson, the Lieut.-

¹ Some Letters of Rev. Richard Johnson BA. First Chaplain of NSW. Collected & edited by George Mackaness F.R.A.H.S

Governor's wife and surgeons William Balmain and John Harris.¹

On 20th March 1791, writing to a Doctor, of whom he was an ex-pupil, Harris expressed his utter desperation with the situation in New South Wales –

*"I cannot omit this favourable opportunity of informing you of our situation on this barren unhospitable(sic) Territory of New South Wales, which God forbid that, were another pupil of yours should be so Unfortunate as embark on any expedition to such a place let the prospects be ever so alluring(sic) and which I am sorry to find not so promising as I flatterd(sic) myself previous to Embarcation(sic), but I shall Live in Hope what will be the result God only knows – I always hitherto had hopes of seeing England when in other climates but I positively give over all hopes from this (not from sickness) but from Starvation. Hunger has once previous (as at our arrival) been dreadfully pressing and if a ship is not at hand soon we will be worse than before"*²

Harris also writes of Governor Phillip being speared at Manly Cove (this was 7th Sept 1790) after he -

*imprudently went over without a party of Soldiers with him accompanied only by the Judge Waterhouse and Boats crew with a couple of men..... and havin(sic) landed amongst them and went too far from the Boat..... one or other of thim(sic) impress'd either by fear or resentment at his former conduct to their companions hove the spear which perced(sic) him.... Weapon had went through, its Barb was sown of(sic) and extracted easily and heald(sic) by the first intention ..*³

Harris explains that a large group of Marines, with an Officer, was dispatched after his group, which was encamped 12 miles away ⁴(mostly likely on the return to Rose Hill [Parramatta] and they returned the next day to the Governor.

Whilst some reports claim it was Harris's great medical skill which saved Phillip, Harris appears to make little of his involvement and gives credit to those with Phillip.

One of those being James Squire, who, together with another convict, was responsible for Phillip's safety. When the other convict fled Squire held back the natives until Phillip reached safety. Squire became the official guard to Governor Philip, who said he "felt safer with Squire than the Marines".⁵ Squire became Australia's first brewer and opened the Malt Shovel Tavern, halfway between Sydney and Parramatta ; the forerunner of today's Malt Shovel Brewery.⁶

With his superior, Dr Macauley, remaining in England, and resigning before taking up the position of Surgeon, New South Wales Corps, John Harris was promoted to the position in December 1791.⁷

On arrival in the Colony, Harris was stationed at Parramatta, where, on 27th May 1793 he was granted 100 acres, adjacent to John MacArthur's 850 acre grant, and surrounding James Ruse's Experiment Farm on three sides. On February 20th 1794 the grant was cancelled and increased to 110 acres; this land being described as '*in the township of*

¹ Australian Women's Archives Project- website <http://womensaustralia.info/biogs/AWE0703b.htm#online>

² State Library of NSW –John Harris Papers 1791-1837 Call No. A 1597,CY 157

³ Ibid

⁴ Ibid

⁵ Malt Shovel Brewery-website <http://www.malt-shovel.com.au/frames.asp?page=brewery.asp>

⁶ Ibid

⁷ Australian Dictionary of Biography, John Ritchie. Melbourne; Melbourne University Press; London; New York; Cambridge University Press 1966-2000

*Parramatta, on the north of creek known by the name of Duck Creek.*¹

In 1789 Governor Arthur Phillip, wishing to know how long it would take a man to become self sufficient, placed former convict, James Ruse, on 30 acres near Harris' land; the property was known as Experiment farm. By 1791 Ruse was self-sufficient. He was rewarded with a grant of the thirty acres of land, the first in Australia.² Ruse, disappointed in the failure of his crop, sold the 30 acres, 4 goats and 1 sheep for £40, in October 1793 to John Harris.³

Harris added a fine Indian cottage to the farm in the 1830s, which still stands and is preserved by the National Trust of New South Wales. It is open for inspection by the public. Interestingly the property stands at 9 Ruse Street, Harris Park.⁴

During his time in the sub-continent, Harris saw the beautiful Chital deer and imported the first deer, ever to enter the Colony, in 1802. He initially kept them at Parramatta, then known as Rose Hill, before moving them to Blackwattle Swamp, near Ultimo, where his Ultimo House was built in 1804.⁵

By 1800 he had 315 acres (of which he had purchased 205 acres), and 431 head of stock; and in September of that year was appointed Magistrate for the County of Cumberland⁶ and soon after given charge of the Police establishment.⁷

The following year Harris, together with Ensign Francis Barralier accompanied Lt-Gov Paterson, in the *Lady Nelson*, under the command of Lieut. James Grant, on a survey expedition of the Hunter River.

Whilst it could be expected that his inclusion would have been solely for medical care, Harris took an active part in the day to day exploration and survey.

On 12th June, the pilot mistook the entrance to Lake Macquarie for the Hunter River and Harris was sent to investigate. On his return the doctor reported that there was not the least sign of a river here, but that the sea broke heavily over an inlet behind the island. Later that day, further north, Grant and Harris climbed the near perpendicular cliffs of an island, now known as Nobby, and confirmed they were at the entrance to the Hunter River.

After entering the River, where they found anchorage for large numbers of ships, Grant accompanied Paterson examining for coal, other ores and timbers whilst Harris explored inland with Barralier.

On 22nd June Paterson continued his search for coal whilst Grant, together with Harris and Barralier sounded the entrance to the River.

On June 28 the Lady Nelson advanced up the river and moored in one of its branches about 6 miles from the entrance, Mr. Barrallier surveying while Colonel Paterson with Dr. Harris and Mr. Lewin (the noted artist) went in the launch to examine the river and inspect the country.

The party traveled in excess of thirty miles up the Hunter River during their visit.⁸

¹ Land Grants 1788-1809 edited by RJ Ryan BA. Australian Documents Library ISBN 0908219 040

² The Thief, the Surgeon & The Farmer; National Trust of NSW

³ Ibid

⁴ Ibid

⁵ Ulladulla Veterinary Hosp. Website- source: *Australian Museum Complete Book of Australian Mammals* 1983. *Aussie Deer* - John Dunn, Sporting Shooters' Assoc .Aust.

⁶ Colonial Secretary Index (Reel 6037; SZ987 p.2)

⁷ Australian Dictionary of Biography, John Ritchie. Melbourne; Melbourne University Press; London; New York; Cambridge University Press 1966-2005

⁸ The Logbooks of the Lady Nelson with the journal of her first commander Lieutenant James Grant by Ida

On 27th July 1801, following his return from the Hunter River, Dr Harris replaced Surgeon Balmain, as Naval Officer, in charge of the Port of Sydney ¹and was appointed Acting Magistrate at Sydney, On September 7th.²

Harris applied himself to his various positions without fear or favour, especially in the fight against illegal liquor trading.

Harris' work, especially in curbing illicit trade in liquor, won the friendship of Governor King who described Harris as '*possessing the most respectable character as a gentleman joined to an unwearied activity and intelligence.*'³

Just five months after his appointment as Naval Officer he saw the unloading of the convict ship '*Nile*' in this capacity: the first female convict ship to arrive in the Colony after his appointment as Naval Officer.⁴

On board was Sarah Chapman who had been charged at the Sheffield Court, on 15th October 1800, and found guilty of *stealing one women's Cloth Cloak of the value of six pence and one Checked Apron of the value of four pence.*

She was '*...confined in the House of Correction one month in a solitary cell*'.

While she was in prison, a law was passed in Great Britain that all women under sentence, provided they were fit, healthy and under forty-five years old, were to be transported, so Sarah's sentence was altered to transportation for seven years.⁵

She sailed from Spithead in the "*Nile*" on June 21, 1801, arriving in Sydney Cove on December 14, 1801 together with '*Canada*' and '*Minorca*', carrying male convicts.

Obviously taken with the 20 year old lass from West Riding of Yorkshire, John Harris had her installed as one of his convicts at Harris Farm, Parramatta.

On November 19th 1802, Elizabeth Harris was baptised at St Phillips Church of England, with the Church Register entry showing Mother - Sarah Chapman, Father - John Harris and birth date as April 19th 1802.

At this stage we must consider the various events that occurred in relation to John Harris and two women; 1. Sarah Chapman 2. Rosetta Marsh (nee Pracey); to establish the fatherhood of Elizabeth Harris and John Harris jnr.

Dr John Harris, in his Last Will and Testament makes no mention of either child, but does show a strong, even over zealous desire to have his name carried into perpetuity and makes no fewer than 16 references to any future born beneficiary of his estates who he declares must be '**legally begotten**'.⁶

1. If Elizabeth was born on 19th April 1802, Sarah would have been five months pregnant when she arrived aboard the *Nile*.

Lee produced by the Gutenberg Project

¹ Colonial Secretary Index; (Reel 6037;SZ988, p50)

² Colonial Secretary Index:(Reel 6037;SZ988 p63)

³ Australian Dictionary of Biography, John Ritchie. Melbourne; Melbourne University Press; London; New York; Cambridge University Press 1966-2005.

⁴ Perth DPS Project Convicts to Australia

⁵ 'Sarah Chapman ,Her Life and Times in which she Lived':Dennis Gilleland

⁶ Will of Surgeon John Harris , research by John Harris Lindsay at <http://www.technispec.com/jhl/will.htm>

2. Harris, with or without medical training would have seen her condition and it beggars belief that he, who had first access to the other 96 women landing, would take her to his farm if she was this far into a pregnancy..
 3. As Magistrate and head of the Police Establishment Harris was in a powerful position to control and organise people and events.
 4. Note that the day of the baptismal date and recorded birth date are the same. Convenient for future records. If an error was made it could always be claimed “--Oh, sorry that's the baptism date!
 5. The chances of the baptismal and birth days being the same are 30 /31 to 1. Not impossible but another cog in the probability of Harris being Elizabeth' father.
 6. Soon after Elizabeth's birth Sarah was assigned to Aaron Cock, alias Peckham, alias Heathcote. Aaron was free at this time. He most probably was well known to John Harris. He arrived as a convict on the "Surprise", the same ship as John Harris, arriving on June 26, 1790,¹
 7. Aaron and Sarah had 4 children and on December 2, 1814 another son named GEORGE was born, the father's name given at the baptism was George William Dixon. He became known as William George Chapman, hence Elizabeth known as Chapman.²
 8. Lieut. Charles Browne Hardwicke's application to remaining the Colony was supported by Surgeon John Harris on 11th April 1814,³
 9. On December 1, 1818 Sarah married Richard Francis at St Philip's Sydney whilst her daughter, Elizabeth married Charles Browne Hardwicke at Launceston , Van Diemen's Land , 18th Jan 1820.
- ** Charles Hardwicke was skipper of cutter *Elizabeth* however this wasn't named after his wife. It was named after Elizabeth Jones, daughter of Richard Jones, of Sydney (the owner of the *Elizabeth* cutter)

Then there was Rosetta;

- 1.Rosetta Marsh(nee Pracey), a free woman, was housekeeper for Harris, at his '*Ultimo House*' and she gave birth to a son, John , in 1806. Remember Harris' will and his insatiable quest for a 'John Harris'.
- 2.In 1806 Harris is recorded as living with - one woman, one convict and two free workers.⁴
- 3.Rosetta, though she came free, *Hillsborough* 1799, was married to convict Henry Marsh, alias Martin yet she obtained land grants:- May 1,1804 : 37 ½ roods in Pitts Row. Mar 18, 1809: 150 acres -for my three children. Sep 12, 1809 50 acres
- 4.Gwenneth Dow in her history of Samuel Terry also records Rosetta :-
 -bought a house and premises from Robert Westmore for £132 on 2nd August 1806
 -acquired 35 Chapel Row (now Castlereagh St) on 9th October 1806
 - paid £55. 13s.6d to Edward Edwards for Ferguson;s Farm , at Concord
 -pledged £20 towards John Macarthur's cost to go to England after the Rum Rebellion
 -held a wine and spirit licence.

¹ 'Sarah Chapman ,Her Life and Times in which she Lived':Douglas Burbury

² Ibid

³ Colonial Secretary Index (Reel6004;4/1730 p.383)

⁴ The Second Fleet - Michael Flynn Library of Australian History 1993.)

5. When she married Samuel Terry, 1810, she was very well to do and insisted she retain her property and wealth to herself; signing an agreement ‘securing to her all her own stock previous to their marriage’..
6. When she married Samuel Terry she married under the name of Madden, a convict on the Hillsborough who died on the way out to Sydney. Gwenneth Dow, descendant and historian poses the question ‘*was she afraid Henry Marsh was still alive?*’
 Who was in a position to aid and abet this deception?

Are we to believe the wife of a convict could accumulate such wealth and receive such treatment from the Government without the patronage of a member of the Establishment (NSW Corps).

Gwenneth M Dow, in her history of Samuel Terry, ‘*The Botany Bay Rothschild*’ writes -

‘Rosetta Marsh (nee Pracy) was John Harris’ mistress and regarded by members of the Harris family as the mother of John Terry (stepson of Samuel).’
 Dow also records - ‘*Claude Terry (G-Grandson of John jnr) recalled that, as a school boy, he was sent to Ultimo House to ask if his team could play cricket there. (this would have been in 1890s). Mr Harris on hearing Claude’s name, asked if he knew they were related. He told Claude to talk to his mother about it. He was told that when Sam Terry arrived (12th June 1801) John Harris met him at the wharf and took him to Ultimo House. There he met Rosetta Marsh, Harris’ housekeeper (Ultimo House wasn’t built till 1804) who later bore Harris a son, John. The story concluded with Terry’s agreement, before marrying Rosetta (1810) to give young John his name.(and Sam always kept Rosetta’s secret.*

Gwenneth Dow’s Aunt Elsie, her father’s darling, was told,
*John Harris, not Samuel Terry was his grandfather. Her cousins told her Elsie had said “Our real name is Harris, not Terry”*¹

C J Smee and J S Provis in their *Bicentenary Pioneer Register* also have no hesitation in attributing the births of Elizabeth and John to John Harris.

The Rev. Henry Fulton seals any doubt about Harris’ ability to encourage others to marry; in his Memorial to the Secretary of State for the Colonies, Lord Viscount Castlereagh, where he conveys the actions of Harris and Major Johnston -

“Doctor Harris and Major Johnstone(sic) encouraged Lieutenant Ellison, of H.M.S. Porpoise, to marry a lady whose mother was a convict, and were present at the marriage, though they would not suffer an officer of the New South Wales Corps to do the same;....”²

Wm. Ellison married Elizabeth Rowley in 1807, daughter of William Rowley and Elizabeth Selwyn, a convict woman who was sentenced to 7 years transportation at Gloucester, in 1791. She arrived in Sydney in 1792 aboard *Pitt*. In his will Rowley does not refer to Elizabeth as his wife; but decrees ‘...in special trust for the benefit of my five natural children begotten in the body of Elizabeth Selwyn.....’

Harris and Johnston were Executors of Rowley’s estate. Rowley died in 1806 so

¹ Gwenneth M Dow ‘Samuel Terry -The Botany Bay Rothschild” 1974 Sydney University Pres

² Memorial of Rev Henry Fulton, Chaplain, 14 February 1809, in *Historical Records of New South Wales*, Vol. VII, pp. 27-321

Johnson and Harris could be seen to be looking after Elizabeth's best interest. Probate was not settled by Harris, the surviving executor, till 6th February 1828. Hardly the action that brings him any credit.

Interestingly Ellison received a 'favouritism' land grant, following the 1808 Rebellion.¹ A reward?

It was invalidated by Macquarie in 1810.²

It is up to the reader to agree or disagree with the parenthood of Elizabeth and John Harris jnr., however I find the Laws of Probability overwhelmingly support the affirmative.

Whilst Harris' actions in the civilian sector as Magistrate, Naval Officer and head of the Police Establishment brought approval from Gov. King it soon built up friction with traders and fellow officers of the NSW Corps. This led to Lieut.-Col. Paterson, Lieut.-Governor, requesting Governor King to relieve Harris of all duties outside his military duties.

In response the inhabitants of Sydney who supported Harris against the Corps members presented the following petition to the Governor.

Petition to Governor King

The most humble petition of the inhabitants of Sydney-

Respectfully theweth :-

"That they feel it a duty incumbent on themselves to address you, and represent that, from the first moment John Harris, Esq're, was appointed a magistrate, they have to return him thanks for his assiduity in administering justice, and his unremitting attention to the high situation he held; his vigilance in detecting vice and his faithful representation of all such matters as came before him. Under his magisterial eye we have enjoyed perfect security in person and security. We could lay down in safety, knowing that Mr Harris was always awake. His ear was always ready to hear the tale of the unfortunate, and the public voice is, that he administered justice most impartially....."

The petition continued in this vein, closing with the request -

"That he may not feel the least diminution of your Excellency's confidence, but that he may be restored and enjoy the highest honours you can bestow, we most respectfully and most ardently pray etc."³

Harris was advised on Oct 9th 1802 that he was not permitted to continue to 'engage in occupations consistent with his military duties'.⁴

Harris was charged by Lieut.- Colonel Paterson, commander of New South Wales Corps, and faced Court Martial on 13 October 1802 on the charges of;-

Charge 1: *Ungentlemanly conduct in accusing Ensign & Adjutant Minchin of having advanced a circumstance, which Ensign and Adjutant Minchin denies, viz., that of having informed His Excellency Governor King that some of the officers of the Corps had complained of their labouring under hardships in the Commanding Officer's veranda and in the Commanding Officer's Presence.*

Charge 2: *As stated in the precept and warrants, being withdrawn by the with of Lieut-*

¹ Colonial Secretary Index (Fiche 3268; 9/2731 p.168)

² Ibid(Fiche 3008; 4/1822 No.264)

³ Historical Records of Australia Series I Vol.III p.680

⁴ Colonial Secretary Index (Reel 6037;SZ990 pp26-27)

Col Paterson and desire of the prisoner.

The charge being read, and the prisoner asked whether he is guilty or not guilty of the matter of accusation, pleads he is NOT GUILTY.¹

The court martial saw him acquitted of the charges and duly confirmed by George III in June 1804,² however the Corps were determined.

He was replaced as a magistrate and also lost the position of Naval Officer on 16th October but was appointed Receiver of Fees, Fines etc.³

In a letter to Lord Hobart, Secretary of State for the Colonies, Governor King detailed the discovery of 'Pipes', seditious lampoons which led to the Courts Martial of Lieut. Hobby, Ensign Bayley and Captain Kemp -

The infamous mode used first was by the most seditious drawings made public in the barrack yard.

The next day another anonymous, seditious paper made its appearance, said to have been found in Capt'n Kemp's barrack.

Two days after another paper of the same kind was found near an officers barrack..... Three days after another paper of a still more seditious nature was found as said, in a chaise belonging to Lieut. Hobby, of the New South Wales Corps, who instead of communicating the contents to me, or to his Commanding Officer, took it to Parramatta, where he read it and published to different persons.....another officer of the Corps, Ensign Bayley, obtained the same seditious paper from Major Johnston, which he also did his utmost to disseminate....."

King issued warrants for Court Martial and appointed John Harris as Deputy Judge - Advocate.⁴

During the Court Martial of Captain Anthony Kemp, Major Johnston ordered the arrest of Deputy Judge - Advocate John Harris, on 16th February 1803.

In his letter to Governor King, dated 23rd February 1803, Major Johnston advised:-

Sir,

As Commanding Officer of the New South Wales Corps I am much concerned that so painful a task should be imposed on me as to exhibit a charge against any Officer under my Command.

It has occasioned the present Court Martial to be adjourned until such time as Your Excellency shall be pleased to appoint some other Person to sit as Judge - Advocate thereof.

And I have further to request that a General Court Martial maybe convened as soon as the nature of the Service will admit of it, for the trial of Surgeon John Harris of the New South Wales Corps on the enclosed Charge

I have etc

George Johnston B.-Major

¹ Historical Records of Australia Series I Vol.III p.688

² Ibid (Reel 6037: SZ992 p.71)

³ Ibid (Reel 6037; SZ990 pp.34-5)

⁴ Historical Records of Australia Series I , Vol IV p.159-61

Commanding officer New South Wales Corps

Charge exhibited by Major George Johnston, Commanding Officer of the New south Wales Corps, against Surgeon John Harris, of the same Corps

Sydney 23rd February 1803

For Scandalous, Infamous behaviour, unbecoming the Character of an Officer and a gentleman, by disclosing to Paymaster William Cox and Ensign Francis Barrallier, both of the New South Wales Corps contrary to the nature of the Oath as Officiating Deputy Judge - Advocate, in the presence of the President and Members of the General Court Martial held on Saturday last the 19th Ult'o by Virtue of a Warrant for that purpose bearing date the 16th day of February 1803 for the Trial of Captain Anthony Kemp of the New South Wales Corps, at which the said Surgeon John Harris of the same Corps, sat as officiating Deputy Judge - Advocate, The Vote and Opinion of Lieut. William Moore and also the Vote and Opinion of Quartermaster Thomas Laycock, both of the New South Wales Corps, as given by those Officers on a former Court-Martial, convened for the Trial of Lieut. Thomas Hobby, of the same Corps, by Virtue of a Warrant bearing date of the 26th day of January last, Issued for that purpose, and whereat the said Surgeon John Harris sat as Officiating Deputy Judge-Advocate.¹

Despite being found guilty, the verdict was set aside. The reason was explained to Mrs Macquarie, when Harris met her at Rio Janiero, on the way to England in 1809; in a manner that drew instant and lasting distain from the future Governor's wife. "*I can explain that to you Madam, I was once summon'd to attend a Court Martial, the Gentleman in reading the charge happen'd to say this Court being commenced on the 12th.. Ultimo, instead of instant; they were not clasical, [sic] but I Madam being clasical [sic] immediately perceived the mistake; I ridiculed them, and wrote verses on the subject then; & afterwards call'd my house Ultimo Place.*"²

On 8th January 1803 Captain Anthony Fenn Kemp with Lt Hobby and Lt Bayly were arrested for scurrilous attacks on Governor King, two days later 'Pipes' (seditious lampoons) were discovered in the barracks.

At Kemp's court martial on 23rd February, Major General Johnston, presiding over the court martial, stopped the trial and arrested John Harris, deputy Judge-Advocate, for revealing the votes of two officers of the court martial of Lt Hobby.³ Again he was acquitted.⁴

Despite the attacks Harris remained active, being granted permission to make a road to South Head, in 1803, for the sum of one hundred pounds. The road was to be 15 feet wide and the trees felled and stumped. The road was made by Captain Taylor, for which he received 40 gallons of rum from Harris.

Harris, in evidence to the Superior Court of NSW said he was given only £20, by the Government, leaving him with a loss of £80.⁵

¹ Ibid Series I Vol IV pp.177-8

² Voyage from England to Australia in 1809: Elizabeth Macquarie's Journal.15 May - 25 December 1809 Macquarie University Library , Journeys in Time 1809 State Library of NSW

³ Australian Dictionary of Biography, John Ritchie. Melbourne; Melbourne University Press; London; New York; Cambridge University Press 1966-2005

⁴ Ibid

⁵ Decisions of the Superior Court of NSW - Published by Division of Law, Macquarie University ; Rv West

Despite his problems with the NSW Corps, it did not stop him from using his medical skills for the benefit of the children in the colony, even though it was restricted to the military. The Sydney Gazette, on 3rd June 1804 advised -

Mr John Harris, Surgeon of the NSW Corps informs parents of children belonging to the military that he will attend to inoculate with vaccine injection those who may choose to attend him at his house every Tuesday and his house in Parramatta every Saturday until further notice.

The signatories of the petition to Governor King, supporting Harris did not have to wait long before King rewarded Harris; re-swearng him as a Magistrate with control of Sydney Police, on 8th June 1804;¹ and by May of 1805 he is recorded as Naval Officer, once more.²

It wasn't just the acquisition of civil positions where Harris benefited. King was Governor of New South Wales from 28th September 1800 to 1st August 1806 and the following chart clearly illustrates how he benefited from property leases and land grants in that period.³

Book	Date	Area	Place	Grant/ Lease	Notes
3C *	5.11.1803	S: 260 ft W:148 ft N: 107 ft E: 47.5 ft	Sydney	Lease	Bond St where he built his townhouse
3C *	31.12.1803	34acres	Land between church land and ground used as brick field; outside town of Sydney	Grant	'Ultimo'
3C *	18.12.1805	700acres	Evan	Grant	'Shane's Park Estate'- South Creek
3C *	18.12.1805	30acres	Parramatta	Grant	
3C *	1.1.1806	9½ acres	Sydney	Grant	
3C *	1.1.1806	135acres	Sydney	Grant	
3C *	1806	1500acres	'Longbottom-Five Dock Farm'	Grant	now Five Dock, Chiswick, Abbotsford, part of Drummoyne

The advantages of these grants to Harris, was that they were legally granted by the Governor of the Colony, unlike the 'favouritism' grants, made by Paterson, after the Rum Rebellion, and invalidated by Lachlan Macquarie.

Harris received further grants, these being from Governor Macquarie;-⁴

17-18 Oct 1832

¹ Colonial Secretary Index (Reel 6037; SZ992 p.68)

² Ibid (Reel 6041: 4/1720 p.125 & 4/1721 p.1)

³ Extracted from Land Grants 1788-1809- A record of registered grants and leases in NSW, VDL & Norfolk Is. Edited by R J RYAN BA - Australian Documents Library, ISBN 0908219 040

⁴ Historical Records of Australia Series I Vol X p.564

24.1.1817	1500 acres	District of Evan
31.8.1819	1100 acres	Bathurst -reward for 1818 expedition

Whilst the friendship of King was lost with his replacement by William Bligh, as Governor, Harris remained as Naval Officer until replaced by Robert Campbell , over the bodies of two stills, missing from Stores.

On the arrival of *Dart*, in March 1807, Harris as Naval Officer presented the Bills of Lading to Gov. Bligh who, upon noticing two stills , addressed to John MacArthur and Captain Abbott, commanded Harris, '*by writing on the Bills of Lading and verbal to place the stills, compleat, in Stores.*' A couple of months later, Bligh evidently became aware that something was amiss with the protection of the stills and asked Harris ..' *if the stills were put in the Stores. I sent for Mr Gowen the Store Keeper who told me that he had received the Head and Worms, but the bodies he had not got. I think he informed me that Mr Blaxcell had informed him that the bodies were full of Medicines.*¹ It is understandable that the Governor would hold Harris responsible as the order was given to him and as such, he was responsible to ensure that it was carried out by the Store Keeper.

The episode of the stills , together with that of the *Parramatta*, provided the ultimate spark that set the fires of rebellion alight and resulted in the overthrow of Gov. Bligh on 26th January 1808.

It is recommended that one reads '*The Rum-Puncheon Rebellion*' from '*Old Tales of a Young Country*' 1871 by Marcus Clarke, Secretary to the Trustees of the Public Library, Museums, &c., Melbourne, should you require more details of Australia's only successful revolt against the Government

John MacArthur was indicted before a Court of Criminal Judicature assembled by order of Gov. Bligh, on 25th January 1808

The Indictment read -

1st Charge

1. *The Prisoner's having imported Stills contrary to the orders and regulations of the Colony.*
2. *His having unlawfully taken out of the vessel in which they were imported the Boilers of the said Stills and caused them to be removed to his House in Sydney in breach of the condition on which the Governor had permitted them to be landed viz. Their being deposited in the public stores, & after notice given refusing or he pleading(sic) to perform said condition .²*
3. With the intention of bringing the Governor and Government of the country into hatred and disrespect; falsely and unlawfully causing to be brought before a court of Civil jurisdiction. Robert Campbell Jnr (*){ the person employed by the Naval Officer to put the said Stills on board a vessel then bound for England & to take the bodies of the same from the Prisoners house}and there accusing him of taken from his home two Copper boilers value £40 and in the course of the said

¹ Harris' evidence to the Bench of Magistrates 24th October 1807. Copy of Proceedings concerning importation of two stills by John MacArthur and Capt. John Abbott before Bench of Magistrates, 24th Oct 1807 (Series 40.077 CY3007/273)

²Abstract of and some Remarks on the trial of John MacArthur Esq: before a Court of Criminal Judicature Assembled at Sydney February 2nd 1808 by Order of his Honor George Johnston Esq. Lieut Governor etc. State Library of NSW CY3008 775

unlawful charge there being present (indecipherable) persons to the number of a hundred or thereabouts using certain false & unlawful words / V p.6/

(*)Transcriber's note:- Robert Campbell Jnr wasthe nephew of Robert Campbell Snr, merchant and Naval Officer May 1807-March 1810.(ref – SL NSW CY 3007 / 275)

Ind Charge

1. Writing a certain false and libellous(sic) defamatory Letter / vid p 9/ addressed to the master of the Parramatta schooner calculated and intended to raise dissatisfaction in the minds of the Master & crew of the said vessel and to cause them to come on shore in violation of the regulations of the Colony the said Master & crew having abandoned the ship & being brought before a Magistrate having charged the Prisoner as being from the Letter aforesaid the cause of their so doing.
2. Being summon d before the Judge Advocate to show cause for such his conduct refusing neglecting to obey such summons and in answer thereto writing to the Judge Advocate a letter on Service calculated for delay.
3. Refusing to comply with a Warrant issu d by the Judge advocate for having him brought before him . In consequence of his not having obey d (sic) the summons Aforesaid.¹
4. His deceitfully, wickedly maliciously (*indecipherable*) contriving & abetting against Wm Bligh Esq Governor and Richard Adkins Esq: Judge Advocate – in writing certain defamatory and seditious expressions addressed to the Constable employ d(sic) to serve the Warrant aforesaid and others contain d(sic) in the written paper delivered by him to the Constable at the same time. *Vid p 14&15*²

The sitting on the 25th January was bedlam and on the morning of 26th MacArthur was arrested which resulted in Johnston acting; releasing MacArthur and arresting Bligh.

Following the unseating of Bligh and instigation of Major Johnston as Lieut.Governor, MacArthur, the' puppeteer ' and real instigator and controller of the rebellion, faced court on the 2nd February to answer the above indictment; knowing full well that he would be acquitted by the reconstructed Judicature. Ten days later he was declared Colonial Secretary and territorial magistrate; virtual ruler of the Colony.

John Harris who had given evidence before the Court in October, was not called to give evidence and as stated by a contemporary commentator of that period -

*“..... it is remarkable that Mr Harris who was naval Officer when the Stills were imported & for a considerable time afterwards & whose testimony it was intended to make use of in the Court of Jan 25/ see appendix no 2/ is not at all examined by this court { which I believe would have been honestly given} would probably have explained how it happened that contrary to the Governor’s express order that every part of the stills should be put into the public stores, the boilers got into the possession of the Prisoner, whether it was not for the purpose of employing them of goods they were said to contain & under the condition of their being delivered up on so being employed*³

Harris was reappointed to the magistracy, as one of the nine appointed by Johnston on 27th January 1908, however his criticism of MacArthur saw him dismissed soon after.⁴

¹ Ibid CY3008 776

² Ibid CY3008 777

³ Ibid CY3008 778

⁴ Australian Dictionary of Biography, John Ritchie. Melbourne; Melbourne University Press; London;New

Johnston sought approval for Harris to accompany him to London to give evidence in his court martial; Harris, in his statements of 7th and 10th February 1809 pleaded that his services in the Colony would prevent him from accompanying Johnston.¹ However, Johnston's further plea to Lieut.- Governor Paterson resulted in Harris being ordered to accompany Johnston on *Admiral Gambier*,² which had been detained for 28 days, awaiting the boarding of Johnston and his party, departing Sydney on 28th March 1809.³

Governor Bligh, on learning of the departure of the vessel wrote to Lord Castlereagh on 10th June 1809-

*".....I have learnt that te Gambier has sailed from Port Jackson with Major Johnston, McArthur (sic), Surgeon Harris, Surgeon Jamison and Walter Davidson. I mention this circumstance that the Master of the Gambier, Edward Harrison, may be taken with the others, wherever they may be found."*⁴

As fate would have it, *Admiral Gambier* with Lieut-Col Johnston, John Macarthur, Dr John Harris and Dr Thomas Jamison aboard arrived at Rio De Janeiro, and whilst Johnston and Macarthur had proceeded to England, Jamison and Harris were still present when *Dromedary*, bound for Sydney, with Major-General Lachlan Macquarie and his family, entered the port.

Macquarie's wife Elizabeth records her meetings with the Drs Jamison and Harris, in less than glowing terms and no doubt this chance meeting affected the association of Macquarie and Harris, after his return to the Colony in 1814.

*".....we had not the smallest expectation of obtaining any information regarding the state of things till our arrival at the Cape, & even then it was very doubtful that we should; but to our surprise we found that Colonel Johnson, [sic] M^r.. Macarthur, D^rs.. Jameson [sic] and Harris, had arrived at Rio shortly before us, Col^l.. J., & M^r.. M. having also sail'd for England before we got there. [F]rom these Gentlemen we obtain'd a great deal of information, we found that Gov^r.. Bligh who we supposed to be still under arrest in his own house, had with the permission of those persons in power embark'd on board the Porpoise, under the promise of sailing for England; but no sooner did he find himself out of their power, than he issued a proclamation pronouncing the New South Wales Corps to be in a state of Mutiny, and Rebellion, now under Col^l.. Patersons command, and prohibiting all masters of vessels at their peril taking any persons out of the Colony, who had been connected in the Rebellion; all officers belonging to the N.S.W. Corps, & the following names were particularly specified John Macarthur, Nicolas [sic] Baily [sic], Graham [sic] Blaxcell, Rich^d.. Atkins, Gregory Blaxland, John Townson, Robert Townson, Rob^t.. Fitz, Thos. Jameson [sic], Tho^s. Hobby, Alex^r.. Riley, Darcy Wentworth, James Mileham, Tho^s.. More, and Walter Stevenson Davidson -- this proclamation was address'd to Edw^d _ Harrison Master of the Ship *Admiral Gambier*, who had notwithstanding brought M^r.. Macarthur & the other persons mention'd to Rio.*

On this proclamation being issued by Gov^r.. Bligh, Col^l.. Paterson publis'd [sic] another; declaring the Gov^r.. to have acted in direct violation of his promise on the honor of a Gentleman, of proceeding immediately to England, and prohibiting all persons in the Colony from holding any communication with Gov^r.. Bligh, or any person belonging to

York;Cambridge University Press 1966-2005

¹ Colonial Secretary Index (Reel 6001; SZ757 pp 18b, 20b

² Ibid (Reel 6001; SZ757 p.35a)

³ Ibid

⁴ Historical records of Australia Series I Vol VII p.130

him on board of the Porpoise. ----

We had a good deal of conversation with D'.. Jameson [sic] regarding the extraordinary events which had taken place in New South Wales, and it appear'd to us that even by their own account the conduct of those persons who had acted against the Gov'.. was not to be justified, or even excused; we felt sorry that a Man such as Col'.. Johnson [sic] was described to us, should have committed himself as he has done, by an act of the most open and daring Rebellion, by which in as far as it appears to us, he will probably forfeit a life, which has till this unfortunate period, been spent in the service of his King and Country. Colonel Macquarie felt it quite a relief to him, his having quitted the Colony before his arrival, & by that means having spared him the pain of taking measures which the service required, but which no Officer could feel easy at being obliged to have recourse to, particularly on this occasion; Col'. Johnson [sic] being a man of amiable character, & in their early years an intimate companion of his own. ----

With regard to all matters relating to the Country and climate, these Gentlemen gave us the most favorable accounts; and they shew'd us a number of views which were very beautiful; one of them was a drawing of M'.. Harris's House which is situated in a park about a mile from Sydney, -- the Park is stock'd with Deer, and it look'd altogether to be in much higher style than any thing we expected to find in the new world. I observed the words Ultimo Place the Seat &c. at the bottom of the drawing. I was struck with the oddity of the name, and ask'd what that could mean, on which the D'.. with an air of utmost importance strutted up to me & said, I can explain that to you Madam, I was once summon'd to attend a Court Martial, the Gentleman in reading the charge happen'd to say this Court being commenced on the 12th.. Ultimo, instead of instant; they were not clasical, [sic] but I Madam being clasical [sic] immediately perceived the mistake; I ridiculed them, and wrote verses on the subject then; & afterwards call'd my house Ultimo Place. ---This Gentleman came to wait on Colonel Macquarie dressed in a new uniform Coat, & seem'd indeed to think himself a very great man, & to wish that other persons should think the same; M'.. Bent named him Major Sturgeon, in consequence of his resemblance to that character; one day when he had been in our Ship in the morning in his usual grand style, some of the Gentlemen on board were greatly surprised at meeting him a few hours after dress'd like a Jew, in a shabby little Shop making merchandise of some precious stones he had brought for sale from New Holland; it was also discover'd by chance, that D'.. Jameson [sic] had brought a venture of Shoes and Stockings, and various other articles of traffic, which he disposed of at Rio; it appear'd strange to us that the Surgeon General of a Colony should be concern'd in such matters, tho' highly respectable to those to whose province it belongs. ----^{“1”}

Admiral Gambier with Harris and Jamison aboard, did not reach London till late 1809 however the court martial of Johnston did not start till May 1811.

Harris, whose real reason for not wanting to go to London, for playing a background role in the 1808 rebellion, for stressing to Bligh that his signature wasn't affixed to the original letter of support to Johnston and his resultant evidence before the court martial was to assure that his estates in the Colony were protected had to sit out another 18months before the court martial started.

The wait was worth it, as Bligh in his letter to Sir Joseph Banks, of 30th May 1811, was less critical of Harris than another witness.

¹ Voyage from England to Australia in 1809: Elizabeth Macquarie's Journal.15 May - 25 December 1809
Macquarie University Library , Journeys in Time 1809 State Library of NSW

May 30th 1811

My Dear Sir,

I think we have rebutted Mr Blaxland's evidence today in the most complete manner and he appears in the light of the wicked & discontented character he bears - Minchin was sufficiently proved perjured, but he escaped with animadversion on his character - **Harris gave a fairer evidence than any of them but he united in particular points of falsehood with his party** [author's emphasis].- Kent the Commander of the Porpoise stuck at nothing but the Court at last brought him to say that he spoke only from hear say, & verbal orders, while at the same time he was acting under written orders .- Everything was said with great venom , but I was most surprised at the unfounded and & imformded (sic) falsehoods and altho(sic) they are all uniting now stronger to vindicate Johnston yet even this day I think we are still high in the estimation of the Court -----¹

The Right Hon. Sir J, Banks

Wm Bligh

Whilst in England John Harris and Charles McLaren, presented a Bill of Exchange, drawn by Simeon Lord upon Messrs. Plummer, Bartiam and Plummer of London, for £3200 sterling, in 1811. The Bill was not accepted. Harris and McLaren took action for the recovery of the debt and were awarded damages of £3953.15.5 and costs of £2.4.4 at the Court of Civil Jurisdiction, at Sydney. Lord immediately lodged an unsuccessful appeal to the Governor, who upheld the verdict but Lord was allowed leave to appeal to His Majesty in Council. Lord did not take the opportunity and after the lapse of fifteen months Harris and McLaren were entitled to their damages.²

Lord was immensely litigious, his affairs took up a large percentage of the early appeals to the Privy Council. The records of the Council indicate that his opponents may have had good grounds for arguing that he used the Council as a means of warding off his creditors rather than in a genuine attempt to test the legality of judgments against him.³

To facilitate his return to the Colony and protect his holdings, Harris realized he would have to resign his commission and receive permission from Earl Bathurst, Secretary of State for the Colonies, who had succeeded Sir Joseph Banks, in 1812.

After a service of 32 years in His Majesty's Service, having been in the Royal navy in India, previous to having been placed in the 102nd foot, and a residence during the whole of that period in a tropical climate, He finds his health endangered even by a sojourn in England.

He therefore solicits your lordship's permission to proceed to N.S.W. in the character of Free Settler and to be indulged in such grants of land, as your Lordship, in your

¹ State Library of NSW Letter received by Sir Joseph Banks from William Bligh, 30 May 1811 (Series 40.140) CY 3007 / 640

² Appeal to Privy Council From NSW Harris v. Lord 1813, Division of Law Macquarie University

³ Characters. Division of Law Macquarie University NSW

*protecting wisdom and liberality, may deem worthy of it.*¹

And this memorial to Earl Bathurst from a man, who at the age of 64 years, was fit enough to volunteer for, and complete an arduous journey, through the uncharted plains, mountains and coastal river country of north central New South Wales. A journey lasting 6½ months.

Apart from shoring up his reputation with the establishment, Harris knew he would need a partner if he was to entertain at Ultimo, on his return.

On 17 August 1813, John Harris, 59 years of age, married 25 year old Eliza Jones, at St Paul's , Covent Garden, Westminster, London². Harris departed to NSW just 9 days after the marriage , arriving at Sydney Cove, aboard *General Hewitt* on 7th February 1814.³ Soon after, he applied for renewal of grant for land at Ultimo.⁴ His wife arrived aboard *Hebe*, with traveling companion Elizabeth Spurrell, in August 1815.⁵

One must ask ‘Was this a marriage of love or a marriage to satisfy the decrees of the establishment, which existed before Harris’ departure from the Colony in 1809, and highlighted by the Rev. Fulton. This and Harris’ willingness to volunteer to travel into the unknown, with Oxley in 1818 would suggest it was the latter.

Elizabeth Spurrell wrote a book of her journey to New South Wales and the Far East, in which she gives the less than flattering details -

*'Besides the elegant villa 'Ultimo Place', the Harrises also possessed considerable land in the Parramatta district. The magnitude of the Harrises' property did little to appease Spurrell's feelings of disappointment upon arrival at Sydney. 'False in the extreme was the representation of the Country made to one in England', she laments, 'and although Ultimo is 'very good', like the rest of the colony, it is 'very much out of repair'. This colonial shabbiness extends to Dr Harris; Spurrell takes exception to his 'rough unpolished manner.'*⁶

Harris’ acceptance and position in the Colony was confirmed in April of 1815 when he was appointed an inaugural Director of the Bank of New South Wales; The Colonial Secretary being the inaugural Chairman

Harris was the first depositor after the Bank opened at 10am, on Easter Tuesday, April 8th 1817, however the first depositor was Sgt Jeremiah Murphy, whose deposit of £50 was accepted and recorded on Easter Saturday, April 5th.

The 46th Regiment was required to post a sentry at the Bank and it is suspected that Sgt Murphy, whilst making relative arrangements for the sentry, successfully inveigled upon the Bank representative to accept his deposit.⁷

¹ Historical Records of Australia - Vol8; Sheedy 1986;2.14.1 extracted from ‘The Thief, The Farmer & The Surgeon’

² LDS ‘Familysearch. org’ Batch no. M001571

³ Australian shipping 1788-1968 Arrivals Blaxland.com

⁴ Colonial Secretary Index Reel 6044; 4/1729 pp.341-2

⁵ The Sydney Gazette of 12 August 1815

⁶ Anette Bremer ‘Plagiarism and Presentation of Self in Elizabeth Spurrell’s Journal of her Voyage to New South Wales 1815-16’ www. api-network.com

⁷ ‘Clowns of No Account, Russell Craig, The School of Management and Information, ANU Paper to 3rd Accounting History Intl Conf. Siena 2003

Later that year, on 18th August 1817 Harris was appointed a member of the Governor's Court.¹

A new Charter of Justice under letters patent of 4 February 1814 revoked that part of the letters patent granted in 1787 relating to the establishment of the Court of Civil Jurisdiction and established three courts of Civil Judicature - the Governor's Court, the Supreme Court and the Lieutenant Governor's Court. The Governor's Court comprised the Deputy Judge Advocate and two members appointed by the Governor, or alternatively, any two of them, the Deputy Judge Advocate being one. The Court was empowered to hear and determine all pleas where the sum in dispute was not more than £50 sterling with no right of appeal.²

Harris at 64 years of age, volunteered to travel into the unknown as a member of John Oxley's 1818 expedition along the Macquarie River.

As with most of those participating in both expeditions, Oxley makes little reference to Harris, however it is obvious that he valued his presence.

Near to present day Warren, Oxley climbed a hill, some four miles(6.4kms) NNW of the river, on 27 June, '*It was named Mount Harris, after my friend, who accompanied the expedition as a volunteer*'³

On 26th October, as the party was crossing the estuary at what is now known as Tuncurry

*"One of the men, William(sic) Blake, had entered the brushes about a hundred yards from the rest of the people on the north side, with the design of cutting a cabbage palm: he had cut one about half through, when he received a spear through his back, the point of it sticking against his breast bone. On turning his head round to see from whence he was attacked, he received another, which passed several inches through the lower part of his body: he let fall the axe with which he was cutting, and which was instantly seized by a native, the only one he saw; and it was probably the temptation of the axe that was the principal incitement to the attack. Blake was immediately put into the boat and sent over to the south side, where the doctor was, who fortunately succeeded in extracting both the spears; but from the nature of the wounds, his chance of recovery was considered very doubtful."*⁴

Writing to Gov. Macquarie, upon reaching Port Stephen on 1st November 1818, Oxley commended Harris' service to the expedition and recommended him to Macquarie's consideration -

"----such is the ferocious treachery of the natives along the coast to the northward, that our utmost circumspection could not save us from having one man (William (sic) Blake), severely wounded by them; but by the skillful care bestowed upon him by Dr. Harris, (who accompanied the expedition as a volunteer, and to whom upon this occasion, and throughout the whole course of it, we are indebted for much valuable assistance); I trust

¹ Colonial Secretary Index Reel 6068 4/1814 p.380)

² Concise Guide to the State Archives (Courts of Requests - G)

³ John Oxley 'Journals of Two Expeditions into the Interior of New South Wales' Journal of an Expedition in Australia - Part II -27th June

⁴ John Oxley 'Journals of Two Expeditions into the Interior of New South Wales' Journal of an Expedition in Australia - Part II -27th June

*his recovery is no longer doubtful.*¹

The day prior to the party reaching Port Stephens Evans and Harris
'.....had gone to bathe near the point, and within one hundred and fifty yards of the tent. Mr. Evans had already bathed and had began to dress himself, when four natives, whom we recognised as being among those whom we had treated so kindly yesterday, made their appearance with their spears in their hands, in the attitude of throwing them from the cliffs above. There was scarcely time to parley with them, when a spear was thrown at Mr. Evans, Dr. Harris having leaped down the rock into the sea, and escaped to the tent under its shelter. The spear fortunately missed Mr. Evans, and he likewise escaped with the loss of his clothes, by following the doctor's example'. Soon after '....as I was sitting in the tent with Dr. Harris and Mr. Evans writing this Journal, a shower of spears from the height above was thrown at the tent, one of which passed directly over my shoulder, and entered the ground at my feet: the others lodged around the tent, and among the people who were getting ready the baggage, but providentially without doing any harm'.²

Macquarie responded to Oxley's commendation and during 1819, Harris was -

- Appointed Justice of the Peace and Magistrate for Sydney, on July 10th³
- Appointed to Committees of the Public School Institution and the Male and Female Orphan Institutions.⁴
- Appointed to the Committee of the Native Institution, on September 23rd.⁵
Established in 1814, at Parramatta it dealt with schooling for native children and educating adult natives in agriculture.⁶
- Granted 1500 acres at Bathurst as reward for his services with Oxley

He also accompanied Commissioner of Enquiry (Bigge) to Van Diemen's Land in 1820, together with John Oxley. Perhaps a way that Macquarie saw of getting them both out of Sydney.

Apart from being a member various committees, his social responsibilities also included seeking Government assistance towards the erection of the Roman Catholic Chapel at Hyde Park. a move which would not have met with the approval of the anti-Catholic bigot, Rev. Samuel Marsden.⁷

It is interesting that, whilst Harris was married and buried by the laws of the Church of England he appointed James Fullerton '*..Presbyterian Clergyman of Windsor and Richmond..*' as one of the Executors of his will.

The Presbyterian Church was and is still very influential in Northern Ireland however it wasn't till 1823 that the first Presbyterian Church was set up in Australia. Also the Church of England was the only Church of the early years of the Colony and an integral part of military life.

¹ Ibid 26th October

² Ibid 1st November

³ Colonial Secretary Index (Reel 6038; SZ1044 p.71)

⁴ Ibid (Reel6038; SZ1044 p.104)

⁵ Ibid (Reel 6038;SZ1044 p.105)

⁶ Part 2: NSW State Archives from other Government Agencies relating to Aboriginal People

⁷ Colonial Secretary Index (Reel 6052; 4/1753 p.133a)

Whilst Ultimo was the Sydney home to the Harris couple, where Eliza hosted the ladies of the establishment, John applied himself to the productivity of his South Creek and Parramatta properties.

The Muster of 1822 illustrates that his holdings were both large and productive.

- A total holding of 5100 acres - 700 acres cleared
- 25 horses / 450 horned cattle / 500 sheep / 80 hogs
- 40 acres of wheat / 25 acres maize / 8 acres barley / 1 acre peas/beans
- 2 acres gardens & orchard
- 150 bushels of wheat and 100 bushels of maize in storage.

The same Muster records Harris with a Clearing Party of 22 convicts.

In 1824 Saxe Bannister was appointed inaugural Attorney General and the following year wrote to Harris requesting documents relative to four cases which appear to have been the subject of irregular sentences.

*to John Harris Esq
J.P.
Shanes Park*

Sydney 10 Sept. 1825

Sir

Before I make an application in the Supreme Court for you to show cause why a certiorari should not issue to show cause bring up the proceedings in the following cases on a charge of the punishments ordered being illegal, I think it is my duty to state to you my intention to do so, if you do not give me reason to alter it.*

I have no authority to require a reply from you on this subject, but usually I offer to parties liable to accusation an opportunity of staying proceedings if they think proper to use it.

The cases are-

That of Patrick Neville ordered on the 17 June 1820 to be confined in a solitary cell on bread and water until he should tell who had taken certain property from His Master's premises.

That of Joseph Colley sentenced on the 9 Sept. 1820 to receive 50 lashes and to be brought out again on Saturday next to answer for where he had disposed of certain clothes stolen by him.

That of Joseph Colley brought at under reexamination on 16 Sept. 1820 to answer for making away with the Barrack shop clothing having been punished on the preceding Saturday- and refusing to tell to whom he had sold the things sentenced to receive 25 lashes and to be brought up again on Saturday following.

That of William Murphy on 10 Nov 1820, on a similar case.

and that of =Rodman] sentenced on the 7 Dec 1822 to receive 50 lashes every morning until he

should tell where certain stolen property was.¹

*I am
Sir
Your obedient Servant
Bannister*

*certiorari = a common law writ issued
by a superior court to one of inferior
jurisdiction demanding the record of a particular case

Harris replied

*Sep.r 10th 1825 to Rex
Bannister Esqr*

Attorney Genl

Sir

*I have the Honor to acknowledge the rect of your Letter of the 8th Inst. enquiring why a certiorari
should not be Issued against me to bring up the Proceedings of the following cases for Illegal
Punisht*

*By Patk Nevill, Josh Colly, Wm Murphy
and Rodman*

*I beg most respectfully to say that I have not the slightest recollection of the Punishments alluded
to by you nor to the above names ever having been before me as a Magistrate on any occasion =
But I will cause the Parramatta Books to be Examined & will again reply to you on this subject.*

I have the Honor to remain

*Sir
Your Obt Servt*

Signed: JH.²

No record of the judgments listed by Bannister are recorded in the index of Bench of Magistrates cases for 1820, or in the Colonial Secretary's Index; and as Harris received a Circular from the Secretary's Office, dated 1st Jun 1837, addressed to him as *Jno Harris Esq J. South Park*,³ and upon his death he was referred to as 'the father of the Magistracy', we can safely assume he was not found guilty of any wrong doing.

Harris was a Mason, belonging to Lodge No. 227, 46th Regiment however this does not stop present day Masonic records recording; '*Harris kept a large workforce of convicts employed on his property, stating they were too ill to be returned to Government service.*'

¹ John Harris Papers 1791 - 1837 State Library of NSW Call No Call No.: A 1597, CY 157

² Ibid

³ Ibid

This apart, one must admire his ability to maintain a substantial and profitable property. Despite a four year drought, which broke in October 1829, explorer Charles Sturt at the commencement of his 1828 journey of exploration recorded –

We reached Sheane,(sic) the residence of Dr. Harris, on the 11th, and were received by him with the characteristic kindness with which friends or strangers are ever welcomed by that gentleman, He had accompanied Mr. Oxley as a volunteer in 1818, and his name was then given to the mount which formed the extreme point to which the main body of the first expedition down the banks of the Macquarie penetrated, in a westerly direction.

*The general appearance of the property of Dr. Harris, showed how much perseverance and labour had effected towards its improvement. Many acres of ground bore a promising crop, over which a gloomy forest had once waved. The Doctor's farming establishment was as complete as his husbandry seemed to be prosperous; but he did not appear to be satisfied with the extent of his dwelling, to which he was making considerable additions, although I should have thought it large enough for all ordinary purposes of residence or hospitality. The rewards of successful industry were everywhere visible.*¹

Sturt's view of Harris' management ability is confirmed by the Census of that year where he is recorded as having:- 7884 acres / 1140 acres cleared / 250 cultivated plus 35 horses, 616 cattle and 1500 sheep.

Into the last decade of his life Harris spent his time divided between the Magistracy and management of *Shanes Park*, all the time wracked by arthritis.

Eliza Harris died in February 1837, at the age of 48 years and buried at St John's Church of England, Parramatta , on Monday 13th. As evidenced in John Harris' will, he and Eliza were childless.

The following year, Dr John Harris, Surgeon, Magistrate, Naval Officer and Landholder, died at *Shanes Park*, South Creek, on Thursday 27th April, at the age of 84 years.

Despite his contribution to the fledgling colony, *The Australian* was the only one, of the three Sydney papers, which gave notice to his passing, on Tuesday 1st May 1838.

John Harris Esq. formerly surgeon of the 102nd regiment of foot, commonly called the New South Wales Corps, the father of the Magistracy of the Colony, died at his seat at Shanes Park on the South Creek on Friday last. Dr Harris has left property worth £150,000 - the Ultimo Estate belonged to him.

From his arrival in the Colony in 1791, he had lived under the rule of no fewer than nine Governors.

He was buried at St John's Church of England, Parramatta, joining Eliza there on Tuesday, 2nd May 1838.

¹ University of Adelaide,eBooks@Adelaide "Expedition down the Macquarie River, and into the western interior in 1828 and 1829 Chapter 1"



George King

b. c 1795 – 6 April 1868
Seaman/Boatman/Mariner

George King, at just 16 years of age, was recorded as being convicted at Salvador del Mundo on 26th June 1810¹ of desertion from HMS Defiance²

There were 12 members of the British Forces transported on the *Admiral Gambier* with George, convicted at various points across the seas; so it is understandable that many sources have taken Salvador del Mundo to be Salvador, the old capital of Brazil or San Salvador, in Central America; Richard Johnson in '*The search for the inland sea : John Oxley, explorer, 1783-1828*' records King as 'fisherman'

In fact *Salvador del Mundo* was a 112gun ship of the Spanish navy that fought at the Battle of Cape St Vincent, on 14th February 1797 against the British. The famed Horatio Nelson, in *Captain* disregarded an order and attacked, forcing the *Salvador del Mundo* to strike her colours (ie. to surrender.)³

*Nelson's decision to wear ship was significant. As a junior commander he was subject to the orders of his Commander in Chief (Admiral Jervis); in taking this action he was acting against the 'form line ahead and astern of Victory' order and using his own wide interpretation of another signal. Had the action failed, he would have been court-martialled for disobeying orders in the face of the enemy with subsequent loss of command and disgrace.*⁴

The *Salvador del Mundo* became *HMS Salvador del Mundo*, and it was aboard this ship, at Plymouth that George was court martialed and sentenced to transportation for life.

On 2nd October 1811, the *Admiral Gambier* disembarked 197 male convicts and a detachment of the 73rd Regiment, after departing London on 12th May 1811.⁵

In 1814 George was recorded in the Convict muster as being in the service of W.Cox

¹ NSW State Records Ships Indents *Admiral Gambier*

² Search for the inland sea : John Oxley, explorer, 1783-1828 / Richard Johnson. Carlton South, Vic. : Melbourne University Press, 2001

³ Peter Milford 1997 St Vincent College Gosport ,Hants., England Battle of Cape St. Vincent: Bicentenary commemorative web site

⁴ Ibid

⁵ Australian Shipping 1788-1968 , Convictions at www.blaxland.com

Esq.¹ who volunteered his services to Lachlan Macquarie, to supervise the construction of the new Western Road over the Blue Mountains to Bathurst; a feat which was achieved in just six months, from July 1814.²

George wasn't amongst the convicts who accompanied Cox on the road construction, however his association with him, and experience as a seaman, were reasons enough for him to be selected, by Governor Macquarie, to be a member of John Oxley's first expedition.³

Being a naval deserter, sent to a military controlled colony, was a probable reason he failed to receive a pardon; this plus the loss of food on the expedition.

On June 18th Oxley recorded in his Journal:- '*As if to add to our misfortunes, it was now first discovered that three of the casks, which had all along been taken for flour casks, were filled with pork; and upon a minute investigation it came out, that when, on the 1st of May, the large boat had been reported to have filled from the falling of the river without any other accident, that then, in fact, three of the upper tier of casks had been washed out of her. It was impossible, at this distance of time, to exactly ascertain how such a serious loss could have happened and not have been discovered before, for the boatmen persisted in declaring that their cargo was then all safe; but, as so large a quantity could not possibly have been consumed by the party clandestinely without certain discovery, it appeared quite clear that the loss either happened on that day or on the 4th, when the large boat sunk from having been stove. In counting our casks up to this period, three, in every respect the same as the flour casks, with similar marks, had been reckoned in their lieu by us all, whilst the deficiency being then apparently in the pork was not suspected by any.*

In this distressing dilemma nothing remained for us but to reduce our ration of flour in such a proportion as would leave us twelve weeks of that article, and as we had still plenty of pork, to issue an extra pound of it weekly. Since leaving the depot we had been so extremely guarded in the issue of provisions, to prevent the possibility of our suffering from any longer protraction of our journey than was expected, that never more than six pounds of flour had been issued to each person weekly, which now, from this accident coming to light, was reduced to four pounds: it was, in truth, extremely fortunate that we had thus kept within the calculated ration, as otherwise our situation would have been highly alarming.

Some of our party began even now to anticipate the resources of famine, for a large native dog being killed, it was pronounced, like lord Peter's loaf, in the Tale of a Tub, to be true, good, natural mutton as any in Leadenhall-market, and eaten accordingly.⁴

Whilst the commander recorded they were unable to ascertain who was responsible, Allan Cunningham was more direct in placing the blame.

¹ General muster of New South Wales, 1814 / edited by Carol J. Baxter. Sydney : Australian Biographical and Genealogical Record in association with the Society of Australian Genealogists, 1987

² Memoirs of William Cox, J.P.Anonymous . Project Gutenberg at <http://gutenberg.net.au/ebooks04/0400191.txt>

³ Colonial Secretary Index (Reel 6038; SZ1044 p.54)

⁴ John Oxley Journals of Two expeditions into Inland of New South Wales Part I, June 18th

He recorded on the same day:-‘*It appears, however, from a little investigation that took place this afternoon, that when on the river our boatmen hauled up one of the boats too short--by her painter--to a tree on the bank, and in the course of the night the water had fallen a foot, leaving the boat resting on her stern whereby many casks were rolled out into the river and 300 lbs. weight of flour totally lost. It was an accident they were fearful to communicate to any of us till now by dint of cross-examination. This is a severe loss to us and will oblige us to be content with a half ration.*¹

As a result of this episode the party was put in fear of starvation and was quite clearly a contributing factor to George not receiving a pardon.

The 1823/4/5 Muster has George registered as CP/TL(ie Conditional Pardon/Ticket of Leave) Mariner at Sydney,² whilst in the 1828 Census of New South Wales he is registered as only TL, boatman at Parramatta;³ however no records of either a Ticket of Leave or a Conditional Pardon could be found.

As he was evidently doing quite well in his boatman business as he had John Hartshorn, a lifer who arrived aboard the *Grenada 1* in 1819, with him as a boatman and Elizabeth McDonald, a 19 year old lass, born in the Colony, was registered as George's housekeeper,⁴ he would need to have been holding a Ticket of Leave, otherwise he would have been in the service of the Government.

On 23rd September 1834 George finally received his emancipation with the granting of a Conditional Pardon.⁵ Even this was beyond the normal 20-21 years, served by lifers before receiving their *freedom by servitude*.

George evidently continued his association with the water up until his entry to the Liverpool Asylum where he died on 6th April 1868, at the age of 75 years from *disease of the heart*, as he was described as a *seaman* on his death certificate.⁶

George was recorded as coming to New South Wales in 1811 aboard the *Gambia*.⁷ My immediate reaction was one of ‘darn’. However the axiom of check and double check showed there was no *Gambia*. During 1811 three convict ships arrived in the colony *Providence 1*, *Friends* and *Admiral Gambier2*.

George had evidently spoken of arriving on the *Gambier* and the informant, Thomas Burnside, Master of the Liverpool Asylum, had provided *Gambia* on his death certificate.⁸

Liverpool Asylum provided refuge for infirm and destitute men. Those able to assist in the Asylum's farm operations and workshop were paid a small daily wage.

¹ ‘Early Explorers in Australia’From the Log-Books and Journals by Ida Lee F.R.G.S., Hon. F.R.A.H.S. Chapter 7, Allan Cunningham . Journey Southward:-Farewell Hill to Mount Flinders, 18 May--21 June, 1817

² General muster list of New South Wales 1823, 1824, 1825 / edited by Carol J. Baxter. Sydney : Australian Biographical & Genealogical Record for the Society of Australian Genealogists, 1999

³ Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson. Sydney : Library of Australian History, 1980

⁴ Ibid

⁵ NSW State Records (Reel 775:4/4433 p.289 Pardon #392)

⁶ Ibid BDM's death certificate 04472

⁷ Ibid

⁸ Ibid

George was buried at Liverpool after a service conducted by Church of England minister Rev. Charles Priddle, on 7th April,¹ releasing the spirit of a man who came to New South Wales as a youth, enjoyed the freedom of the waterways, served his colony, died lonely and never recognized for being part of Australia's first expedition into the inland.

¹ Ibid



Francis Lloyd
chr.25 April 1791
Chinaware Painter/Mr Oxley's Man/Teacher
Absolute Pardon #332 Dec 1818

Francis Lloyd was born at Broseley, Shropshire, the fourth of five children, to Francis and Rosanna Lloyd.¹

Susanna	ch. 24 Aug 1783 Madeley
Thomas	ch. 4 Apr 1786 Saint Leonard, Broseley
John Bailey	ch. 31 Aug 1788 Saint Leonard, Broseley
Francis	ch. 25 Apr 1791 Saint Leonard, Broseley
Jane	ch. 15 Jun 1794 Saint Leonard, Broseley

As well as common domestic pottery, Broseley became famous for the production of fine porcelains with blue and white decoration and later multi-coloured and gilded styles.

It was most likely here, at the John Rose factory, that Francis learnt his trade as a chinaware painter.

The factory operated in connection with the nearby Coalport factory until 1814 or 1815 when they were closed and dismantled.²

The signs of impending unemployment may explain why Francis surfaced, 200 miles to the east in 1813.

On 17th August of that year, Francis' life took a dramatic turn when he was sentenced to life transportation at the Norfolk Assizes.³

Just 22 years old, when young men were looking forward to settling down with a loved partner, Francis set sail from London aboard *Surry* (aka *Surrey*) on 22nd Feb 1814, on a journey into hell.⁴

By the time the ship arrived in Port Jackson on 28th July those on *Surry* had been decimated by typhus fever..

Dr Phillip Norrie "The Wine Doctor" best describes the abomination that was the journey of the *Surry*

'The turning point in the medical treatment of convicts during transportation came in 1814, with the voyage of the Surrey. The Surrey had on board 200 male convicts, marine guards and crew. She left England on the 22 February 1814, in company with another convict transport, the Broxbornebury. The captain of the Surrey, James Patterson, kept the convicts closely confined below in poorly ventilated cells. The convict's cells were not probably cleaned or fumigated, nor was the bedding cleaned or aired.'

After leaving Rio on 21 April 1814, 'gaol fever' or typhus took hold, infecting convicts, guards and crew. When the Surrey reached the east coast of Australia the death toll on board had reached 51, including 36 convicts.

¹ Latter Day Saints Familysearch.org

² Broseley's History : www.broseley.org.uk

³ NSW State Records. Ships Indents Surry 1814

⁴ Australian Shipping 1788-1968: www.blaxland.com

The captain, first mate, second mate, boatswain, the ship's surgeon, six seamen and four soldiers also died. Amongst the dead was the navigator, leaving the Surrey in a serious predicament.

Fortunately, the Broxbornebury passed by and transferred a brave man to navigate the fever ridden ship into Port Jackson. Once inside Sydney Heads the ship was quarantined on the northern shore of the harbour where the remaining sick were treated in a temporary tent hospital. So began the use of North Head as a quarantine station.

Governor Macquarie ordered an inquiry into the death toll during the voyage of the Surrey. He appointed Dr. William Redfern, Sydney's leading doctor, to investigate.

Redfern was also an ex-convict. He had been transported to Australia aboard the Mineroa in 1801, so he knew both sides of the problem.

His investigation and recommendations were to have a significant impact on Australia's wine industry.

Redfern found that the captain had withheld rations from the convicts, including their wine ration. As a result, the convicts became weak and susceptible to disease. This was done so that the rations could be sold, in ports such as Rio de Janeiro and Capetown on the voyage out and finally in Sydney, where very high prices could be obtained, so the Captain would make more profit.

He also found that the ship's surgeon had no authority over the captain. The surgeon's recommendations for better ventilation, bedding, cleansing and fumigation of cells had been ignored. The convicts had been inadequately clothed and items such as soap had also been withheld for later sale in Sydney'.¹

During the journey, Francis was employed as Doctor's Mate, and whilst this would have been a horrific experience, it saved his life. Francis would have spent most of his time with the doctor; this meant considerable time above decks and his diet would have included some of the foods that had been withheld from the convicts in the holds.²

Surry was placed in quarantine on arrival; and it wasn't until 13th August that the vessel was released from quarantine.

Five days later, almost six months since their departure from London, crew and detachment of the 46th Regiment set foot ashore and the convicts were forwarded to Windsor, Liverpool & Parramatta for distribution.

Francis, 5'9 1/4 "(1.76m), of fair to pale complexion with sandy fair and hazel eyes and artistically inclined, would have stood out from the mainstream country lads, old lags and street wise city convicts. Whether by luck or judicious choice Francis Lloyd was assigned to John Oxley and in the 1814 Muster registered as " – clerk to Mr Oxley".

Francis was with Oxley to the end of 1815, before transferring to Captain Richards for

¹ Dr Phillip Norrie "The Wine Doctor"

² Colonial Secretary Index (Fiche 3179:4/1852 p.210)

six months, who like Oxley, certified his complete satisfaction of his servant's execution of his duties. Mid 1816, Francis took up duties at the Public School, Sydney. Oxley, who was dedicated to education in the Colony, no doubt aided his employment at the School.¹

In December 1817, whilst at the Public School he petitioned the Governor for a Ticket of Leave.²

*To His Excellency Lachlan Macquarie
Captain General and Governor in Chief
In and Over the Territories of New South
Wales and its Dependencies*

Petition of Francis Lloyd

Most Humbly Theweth

*That your Petitioner came to the Colony in the 'Surrey' first time Captain Patterson,
under sentence of Transportation for Life.*

*That your Petitioner was very usefully employed as Doctor's mate, in which his zeal and
diligent attention to the Sick was much to the satisfaction of Doctor Bracks, that had he
lived he would have strongly recommended Petitioner to Your Excellency's Clemency.*

*That your Petitioner was some time since appointed to Mr Oxley's service who on
leaving him was pleased to certify his entire approbation of your Petitioner's Conduct.*

*That your Petitioner was six months in the service of Captain Richards of the 11th
Regiment of Bengal Infantry of when he obtained a certificate of his attention and fidelity.*

*That your Petitioner has been engaged during the past eighteen months as assistant to
the Public School, Sydney to the satisfaction of the Master and School Committee.*

*That your Petitioner, being by trade an enameller and China Painter humbly conceives
he can support himself by honest Industry by following the business of his
profession(sic); and most earnestly prays Your Excellency's Clemency in granting him a
ticket or such Indulgence as Your Excellency shall be pleased to Confer.*

*An your Petitioner sa is duty bound
Will forever pray &c &c &c*

Sydney

Dec 15th 1817

Francis Lloyd

Whilst Francis' memorial brought no immediate success it is likely that Gov. Macquarie, aware that he would be ordering Oxley to undertake another expedition, sought Oxley's input; resulting in Francis being selected as 'Mr Oxley's man', along with William Warner, for the 1818 Expedition.³

As from the beginning of his exile in the Colony, Francis conducted himself in an exemplary manner which saw him being one of only two members of both expeditions to receive an Absolute Pardon for service on a single expedition.⁴

On his arrival in the Colony, Francis faced a minimum of 20 years incarceration however

¹ Ibid

² Ibid

³ Colonial Secretary Index (Reel 6065:4/1798 p.106)

⁴ Colonial Secretary Index (Reel 6038;SZ759 pp.543-4)

less than 5 years later, on the 14th July 1819 he departed the Colony, a free man.¹

In an extra-ordinary coincidence he departed aboard the *Surry*, not as a convict tending innumerable sick and dying, but as a paying passenger.²

As you hold that next piece of fine English China, admiring the beautifully crafted design, stop and think of a young man from Shropshire.

¹ Society of Aust. Genealogists. Ships Muster transcribed from NSW State Records Reel 561:4/4771, p.162
² Ibid



William Parr
(aka THOMAS WILLIAM PARR)
c 1772 –
Draughtsman – Engineer, Mineralogist, Storekeeper
Ticket of Leave 1 Jun 1814; Conditional Pardon 4 Feb 1818.
Absolute Pardon 25 Oct 1821(1)

William Parr, at the age of 39 years, was tried for forgery at the August Assizes, at Sandwich, Kent in 1812, and received a transportation sentence of 14 years. He was recorded in the ship's manifest as being of fair complexion, brown hair, grey eyes and 6 feet(1.829m) tall; a strapping man for those times, when the norm was 5ft 3inches(1.60m) to 5foot 6inches (1.676m)¹

William departed London 3rd Dec 1812 aboard '*Fortune*'² arriving in the Colony of New South Wales on 11th June 1813.²

The normal time for receipt of a Ticket of Leave was 4 years, however William received his just short of 12 months after his arrival. His occupation thereon was recorded as "engineer" and it may have been this factor that earned him the early issue of his T/L.³

The Muster of 1814 lists him as *T/L-landholder* under the name of *Thomas William Parr*.
⁴ A name which he would use and sign in the Colony

During the next 33 months it is assumed William carried out his directed duties in an excellent manner as on 14 March 1817, he received the following Instructions from Governor Lachlan Macquarie.⁵

" Instructions for Mr Wm Parr who is to act as Mineralogist on the expedition of discovery to the Western Coast, under the command of John Oxley, Surveyor General

1. You are to consider yourself completely under the entire control and command of the Chief of the Expedition and perform all services that are required of you by him
2. The principal object however of sending you as one of the Expedition is for the purpose of collecting such minerals in the Countries through which happen to pass may contain
3. You are therefore to use every effort of diligence in finding and procuring as many Minerals as possible and especially of the precious stones, metals and ores, all which, when found, you are most carefully to preserve and keep until you deliver them to me at Sydney, on your return from the Expedition.
4. You are to keep a journal of your proceedings, noting down therein the places – or particular parts of the Country where you find any of the precious stones or

¹ NSW State Records Ships Indents *Fortune* 2 I813

² Ibid

³ Society of Australian Genealogists Ticket of Leave Index.. sourced from NSW State Records (Reel 601; 4/4427. Ticket 14/71, p.398)

⁴ General muster of New South Wales, 1814 / edited by Carol J. Baxter. Sydney : Australian Biographical and Genealogical Record in association with the Society of Australian Genealogists, 1987

⁵ Colonial Secretary Index (Reel 6068, 4/1814, pp 10-2)

metals or ores, labeling carefully each stone, metal or ore found and also numbering each specimen separately and sealing up the whole in one packet on your return to Bathurst addressed to me.

Govt House

Sydney 14 March 1817

LM

It is interesting to note that, whilst Macquarie instructed Parr to keep a journal, there is no evidence of it ever being placed on official record . We can only assume that such documentation was under the direct control of the Governor to prevent 'gold fever' infecting the Colony.

Oxley commended Parr in his letter, dd 16 Oct 1817, to the Governor :-

" From the nature of the greater part of the country, passed over, our mineralogist's collection is but small; Mr T Parr (*CSI incorrectly transcribed as 'S.Parr'*) did as much as could be done in that -?_?_? and throughout endeavoured to render himself as useful as possible."¹

Following the return from the Lachlan River Expedition , Parr, who now was using the name Thomas William Parr, undertook a journey , north from Windsor, in an endeavour to find a northern road to the Hunter River valley.

On 30th October 1817 setting out from Windsor, Parr having a holding at nearby Kurrajong, traveled north through areas with isolated farms including that of Ben Singleton who accompanied the party till 16th November when he and Robert Francis, took a horse and provisions and headed home.

On the 17th they encountered breast high grass and natives on the edge of raging fires. The following day fine grasslands , huge apple trees and a lake , with black swans and hundreds of ducks were found. Parr named the lake, Watts Lake.

The next four days was sent trying to find a way out of the valley, fires raging all around and camped on burnt grassland ; Parr wrote ..'*crashing of burning trees sounding like heavy artillery...many trees rolled into the valley, all on fire.*'

With only bread left, Singleton having taken much of the provisions, Parr and his two companions decided to make the shortest passage home on the 23rd November, however that night the horse strayed, despite being hobbled and a day was lost finding it, some 3 miles(4.8kms) away. That night the horse was tied to a tree to prevent a repetition of the previous day.

The fine grasslands encountered on 18th November were as black as ink and as they continued their journey they were surrounded by natives who " *were raucous in their demands for provisions. Determined to use 'severity' which had the desired effect and they retreated to the valley*"

Parr recognized the chief and several others as being from around Richmond.

¹ Colonial Secretary Index (Reel 6038, SZ759 p.402)

On the 27th , they were surrounded by 30 natives who showed a path to farms at the Branch however Parr took a course to 'Colo' and after advancing and retreating , through fires lit by the natives, from sunrise to 5pm they arrived at John Macdougall's farm where they rested up for a day.

On the 29th, almost a month after their departure from Windsor they reached Churchill's farm on the Hawkesbury River.¹

1818 proved to be a good year for Parr .

On 4th February he received a conditional pardon ² and on 2nd May he received a cow, a "gift of His Excellency for services on Oxley's Expedition": an extremely valued gift in the early days of the Colony.³

The following year payments from the Police fund were paid '*for services on Oxley's expedition in 1817*'; June 6th he received £25 and 4 days later received a further £10. ⁴

Thomas, as he preferred at this time, was looking further a field than the Windsor area and was evidently planning to visit England as he petitioned Governor Macquarie on 20th Oct 1821 "....after 9 years of my sentence had passed on 6th day of August last.....
good conduct and meritorious service on expedition into interior....."⁵

Just 4 days later he received his absolute pardon which entitled him to come and go from the Colony as he wished.

Thomas had set up shop in Sydney and was listed as 'dealer' in the 1822 Muster⁶ and had graduated to Merchant (AP) in the following Muster.⁷

During 1821/2/3 TW Parr is listed as receiving Colonial Fund Payments for ⁸

- sundries supplied to Government
- calico, brushes, brooms and tape
- locks for Male Orphanage
- locks and glasses

Regular advertisements were placed in the Sydney Gazette, like the following which appeared on 29th July 1821

*Sale at Parr's Lumber-yard – Coffee,
English Soap, knives, forks, hams, sugar,
cocoa, gilt & plate, olives, gooseberries
mustard, raisin spices, duck shot, gun-
powder, blacking and other goods*

On June 17 1822, Parr is recorded as *about to leave colony* when signing a petition for

¹ Parr's Journal - Colonial Secretary Index (Fiche 3271; 2/3623 pp1-51)

² NSW State Records Index to Convict Pardons (Reel 774: 4/4430)

³ Colonial Secretary Index (Reel 6031; 4/7028A, p.103)

⁴ Ibid (Reel 6038; SZ1044 p.54 & SZ759 p.474)

⁵ Ibid (Fiche 3210; 4/1863 p.82)

⁶ General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter, Sydney : ABGR in association with the Society of Australian Genealogists, 1988

⁷ General muster list of New South Wales 1823, 1824, 1825 / edited by Carol J. Baxter, Sydney : Australian Biographical & Genealogical Record for the Society of Australian Genealogists, 1999

⁸ Colonial Secretary Index -various under PARR William per Fortune 1813

mitigation of sentence for his Servant John Kean.¹

At this time Thomas advertised in the "Claims Notices" of the Government Gazette; a necessity for those intending to leave the Colony to avoid persons departing and leaving debits behind.

As Thomas signed a petition against the payment for supplies in Spanish dollars , during August 1822 ²and was complaining of an attack on him by the Government Printer on March 14th 1823 ³ we can only assume if Thomas visited England it could only have been for a very short period between these dates.

Thomas was soon in the headlines when he responded to an attack on him by the Government Printer, Robert Howe. His immediate response was to write to the Governor.

To *His Excellency*
 Sir Thomas Brisbane KGB

16 March 1823

Sir,

It is not without sensible reluctance that I am induced to trespass upon your Excellency's Attention, and were there any other mode of redress open to me, I would most assuredly forebear to do so. But there are Insults and Injuries the Law cannot reach; of which it restrains the personal chastisements, and which can be coerced only by the long arm of Power – of this nature I conceive the personal attack, made upon me, in the Government Gazette of yesterday, by the Printer of that Paper.

I will not trouble your Excellency with the relation of the causes of my differences of this Man, but Your Excellency will form your own estimates of the qualities of his Head, and his Heart, when I assure you that I very recently placed myself between him and a very serious prosecution and that I am at this moment, his security for a considerable sum of money.

The latitude, which has been permitted in the Gazette to the discussion of subjects of public interest, and utility evidenced the Liberality of the existing Government and I confide the same Liberality will prevent the conversion of this paper into a vehicle of private Calimony(sic) and personal abuse

A large proportion of subscribers to the Gazette has withdrawn from its support, from a feeling of the malignant purposes of its columns are repeatedly prostituted by the Printer. Of this statement, the authenticity can readily be ascertained, and I trust your Excellency will consider the abuse complained of, not undeserving the restrictive interposition of your Authority.

*I have the honour to be Sir/ with sincere respect
Your Excellency's faithful and obedient Humble Servant*

¹ Ibid (Fiche 3224; 4/1867 p.3)

² Ibid (Reel 6017;4/5783 p.124a)

³ Ibid (Reel 6056;4/1764 p.73)



On the 2nd April, Thomas together with Laurence Halloran, was accused of sending a threatening letter to Robert Howe, Govt. Printer.¹

Halloran was transported for seven years per "Baring" in 1819; granted a ticket of leave on arrival; he opened a private school, known as the Sydney Grammar School, in January 1820 and in November 1825 was appointed headmaster of the new Sydney Free Public Grammar School'²

Rowe was of the opinion that another newspaper was to be started in Sydney and Parr and Halloran were involved, and as a result Rowe wrote the claimed article which led Parr to write the letter to the Governor.

Halloran further claimed that Parr had induced him to write a poem belittling Howe promising that it would never be made public. However Parr forwarded it to the Gazette. As a result Parr and Halloran were charged with 'threatening to Kill & Murder'. Parr was bailed and despite petitions for Halloran's release he stayed in goal until the trial where they were both acquitted.³

Whilst Parr went free Halloran was returned to goal and charged with libel.

Thomas' financial situation was evidently very sound; on 8th July 1823 he was surety for clearing gang bonds for Samuel Terry,⁴ ex convict who became known as 'The Botany Bay Rothschild' and held mortgages over 20% of all properties in the Colony. Mid 2004 Terry was rated Australia's richest ever person.

In May 1825, heading towards his mid 50's, Thomas William Parr departed New South Wales aboard '*Berwick*' to supervise the sale of a load of cedar, for Mr Simeon Lord, on arrival in England.⁵

'*Berwick*' landed at the new Spirit Quay, London where Thomas employed a Mr Strahan as his agent whilst he supervised the measuring and selling of the timber.

¹ Ibid (Reel 6056;4/1764 pp.81-2)

² Ibid Introduction to HALLORAN Laurence Hynes

³ Ibid (Reel 6056;4/1764 p.89)

⁴ Ibid (Reel 6022;4/7014 p.322)

⁵ Ibid (Fiche 3310; 4/1099.2 p.109)

A duplicate of receipt for sale of the timber states “original sent per ‘Asia’” which indicates Thomas was finally home after just 13 years¹

Thomas William Parr is commemorated in Australia with his name on the Parr State Conservation Area, a rugged area of steep gorges, cliffs and rock outcrops to the north of Windsor and through which he passed in 1817²

¹ Ibid

² NSW National Parks & Wildlife Service- Parr State Conservation Area. Source from Website



Maggs William
b.c. 1785 - 27 Dec 1873
Calenderer* /Shepherd/Butcher
Free by Servitude 1822

William Maggs, a native of London and coach moulder by trade was tried at the Old Bailey, London on 16th February 1814

WILLIAM MAGGS, theft: simple grand larceny, 16 Feb 1814.
The Proceedings of the Old Bailey Ref: t18140216-7 ¹

Trail Summary:

Crime(s): theft : simple grand larceny,

Original Text:

193. WILLIAM MAGGS was indicted for feloniously stealing, on the 10th of February, a wooden till, value 18 d. two hundred and forty penny-pieces, and eight hundred and forty halfpence, the property of Thomas Shands.

THOMAS SHANDS. I am a baker in Providence-row, Finsbury-square. On the 10th of February, me and my wife were at tea in the parlour behind the shop. I had shut the front door before I sat down. I happened to turn my head over my shoulder; I perceived my shop door open, and the candles flaring. I proceeded to the parlour door; I saw a man laying down upon his hands and knees. I did not hurry; I thought it was one of my own men getting bread for his tea. The person run out, and I after him. I caught him. When I brought the prisoner in I looked how the till was. When I went in the parlour I left the till close shut. I had just served a customer before I sat down to tea. I caught the prisoner about two doors off.

Q. When you first saw him was he near the till - A. He was laying on his hands and knees; he was taking the till. I heard the till rattle when he went out. When I came in the till was hanging by the two bind quarters. My man was at the door; he heard me run out of the shop; he came up out of the kitchen, and stood at the door.

Q. Was there any thing in the till - A. Yes, two pounds fifteen shillings in penny pieces and halfpence, and a good many farthings. They are here. I have had the custody of them ever since. When I went to the office I could not say what precise sum was in the till. My wife had taken some halfpence out and put some more in. That is the precise sum when I came back. When I took the prisoner he asked me what I wanted of him; I said, if you come in the shop I will tell you. He said, you are mistaken, I am not the man. I am sure I am not mistaken; I never lost sight of him. He tried to get away; I tore his shirt and waistcoat; I took him to Worship-street office.

Prisoner. He told me that I had stolen a loaf at first.

Prosecutor. There was a loaf on the counter; I do not know whether he meant to take it or no. I

¹ The Proceedings of the Old Bailey Ref: T18140216-7 <http://www.oldbaileyonline.org/>

had not left a loaf in that place on the counter; there were loaves in the window.

STEPHEN HART. I live within four or five doors of the prosecutor. The prosecutor sent his man to me to know where to get a constable. I went to see what was the matter. When I got there he had just got the prisoner into the shop. I asked the prisoner what was the matter; he said, Mr. Shands had dragged him into the shop; he did not know for why. I asked him, what he was, and who he was. He said, he was a calenderer*. he worked for Mr. Fisher, in Hill-street. I told him I knew Mr. Fisher, and if he was an honest man Mr. Fisher would come and give that character. Before I went out, one of Mr. Fisher's young men came in; he said, he does not work at our house, nor had not for two years past. He said nothing to that, but declared his innocence, and that he never was taken before a magistrate, and when he was taken to the office the officers knew him very well.

Prisoner's Defence. I was coming from Hill-street, and passing by the prosecutor's shop I saw a young man outside of the door; he looked like a butcher. The prosecutor told a gentleman he saw a young man run out of the shop and go across the road; I said if I knew where the young man was I would find him. I did not know where he was.

GUILTY, aged 21. Transported for Seven Years.
First Middlesex jury, before Mr. Justice Dampier.

* Calenderer: a person who operated a machine used to press fabrics or paper between two large rollers to provide gloss ie for calenders.

He was described as being 5ft 3inches, with sallow complex, black hair and hazel eyes.¹

William departed London to Sydney aboard the '*Indefatigable*', via Rio de Janeiro with 199 other male convicts and a military detachment consisting of members of the 1st, 80th, 84th & 86th Regiments.²

On 25th April 1815 they arrived at Sydney Cove with the loss of only 2 convicts and 4 days later William was forwarded to Parramatta for assignment.³

Two years later he was selected to accompany Oxley on the 1817 exploration of the Lachlan River,⁴ for which he received an issue of shoes.⁵ Whilst he was listed as a labourer in his petition for mitigation of his sentence, in December 1818, he listed his position on the expedition as being a shepherd

On 5th Dec 1818, just 4 days after the granting of Absolute and Conditional Pardons to 12 members of the 1817 and/or 1818 expeditions, an obviously upset William petitioned Governor Macquarie for a Pardon.⁶

The Humble Petition Of William Maggs

¹ NSW State Records Ships Indents *Indefatigable* 1815

² Convictions Australian Shipping 1788-1968 at <http://www.blaxland.com>

³ Colonial Secretary Index (Reel 6004; 4/3494, p.66

⁴ Ibid (Reel 6068; 4/1814 pp.27,35)

⁵ Ibid (Reel 6046; 4/1737 p.329)

⁶ Ibid (Fiche 3187; 4/1855 p.175)

*Most Respectfully herewith
That your Petitioner arrived in this Colony from Ship 'Indefatigable', a
prisoner for Seven Years.*

*That your petitioner went down the Lachlan River with Mr Oxley as
shepherd and for which services your Excellency was pleased to say I should be
emancipated.*

*That your petitioner has since been in Government employ and during the
whole time conducted himself with propriety.*

*Petitioner therefore most humbly prays that your
Excellency will be pleased to take his case into
consideration and grant him such indulgence as Your
Excellence may think merits.*

And Petitioner as is duty bound will ever pray.

William's petition was supported as under. Whilst the signature is indecipherable on this document, and on other documents signed by Druitt; one signed in conjunction with his rank, ie Major, and position, at Chief Engineer's Office, allowed him to be identified as William's referee

I beg to recommend this Petitioner to the favourable Consideration of His Excellency the Governor.

5 Dec 1818

Geo Druitt

The petition was unsuccessful. However on 10th June 1819 he received a donation from the Police Fund for his services on the expedition.¹

Why was he one of only two convicts, other than William Parr who went as 'Mineralogist' who were not rewarded with a pardon? The other being George King.

He states he was '*shepherd*' in his petition, and this was the probable reason for not receiving what he thought was his just reward.

In his Journal, John Oxley recorded, with increasing annoyance the straying of horses on July 10th, 14th and 17th, resulting in lost time, sleep and increased exertion on tired and increasingly fatigued men²

Whilst Blake was stock keeper, as shepherd, William would also have had responsibility for the animals and may have been in charge of tending to the horses.

William had to wait till his sentence had expired to become a free person.

¹ Ibid (Reel 6038; SZ1044 p.54)

² John Oxley; Journals of Two Expeditions into the Interior of New South Wales Chapter I

In 1822 he was shown to be Free by Servitude and employed as a labourer in Sydney. He was similarly recorded in the 1822/3/5 muster and 1828 Census.¹ Unlike many other members of the expeditions who, upon receiving pardons and land grants headed out of the populated areas, William preferred the inner city area of the Rocks. The Rocks, today, is a restored area , beneath the southern part of the Sydney Harbour Bridge; an area of trendy restaurants, boutique shops and hotels. In the early 1800's it was '-- *the rowdiest and most dangerous thieves' kitchen in the colony.*'²

William married Susannah Chilcott, 42, in 1852, at the Holy Trinity, Church of England, Sydney (Garrison Church) ³ He was 67 years old at that time and whilst they had no children, the Informant on William's death certificate was *Mary Ann , Step daughter, of Stanmore, registered Dec 1873, St George,*⁴. Mary was born in 1836 to Susannah and Charles Chilcott.⁵ It appears that Mary Ann was living with William at the time of his death.

'The Lachlan Depot and Beyond : Oxley's 1817 expedition, Soldiers Flat, Bangaroo' by Dorothy Balcomb, Richard Johnson, Mae Vanderschaar, has William marrying Ann Chapman and living in Cambridge St, Rocks Area.

The address agrees with that recorded in the 1828 Census, however Ann was in fact recorded as the housekeeper for William.⁶

Ann may have been also been his common law wife as Ann Chapman, aged 74, was buried at Camperdown , 22nd Sep 1852;⁷ the same year in which William married Ann Chilcott.

William Maggs, labourer, died on December 27th 1873. at Stanmore , just 3miles(5km) south west of the Rocks area; 19 years after Susannah(Susan/Susanna) had predeceased him in 1864, at the age of 54 years.⁸

Whilst his age does not match up with his reported age at his trial, which was not uncommon, his birthplace and time in the Colony are exact.

His death certificate records he was aged 88 years , born in London, and after 58 years in NSW died of '*decay of nature*' at Stanmore on 27 December 1873.⁹

He was buried at Camperdown Cemetery on 29th December 1873.¹⁰

¹ General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter - Sydney : ABGR in association with the Society of Australian Genealogists, 1988. & 1828 census of New South Wales / ed. by Keith Johnson & Malcolm Sainty.- Sydney : Library of Australian History, 1980

² *The Fatal Shore-* Robert Hughes- Great Britain, Collins Harvill 1987. Ch.8 *Bunters Mollies and sable Brethren.* p.253

³ NSW BDM ref. Marriage Cert V1852217 38C

⁴ NSW BDM Death Cert. 02739

⁵ NSW BDM Birth Cert. V1836457 20

⁶ 1828 census of New South Wales/ ed. by Keith Johnson & Malcolm Sainty.- Sydney : Library of Australian History, 1980

⁷ NSW BDM Death Cert 452 V38B

⁸ Ibid Death Cert 1358

⁹ Ibid Death Cert 02739

¹⁰ Ibid



Henry Skippey aka Skippey

b. c 1791

Coach Builder - Rough Carpenter

Ticket of Leave #1164 Conditional Pardon #1108 Dec 1818

Absolute Pardon #414 Sep 1821

Twenty one year old, Henry Skippey, a native of London was convicted at the Old Bailey on 8th April 1812, as Henry Skippey, and sentenced to transportation for life.

HENRY SKIPPEY, theft with violence: highway robbery, 08 Apr 1812.
The Proceedings of the Old Bailey Ref: t18120408-9

**Crime(s): theft with violence : highway robbery, Punishment Type: death,
Verdict: Guilty,**

Original Text:

320. HENRY SKIPPEY was indicted for feloniously assaulting, William Ebsworth, in the King's highway, on the 5th of March, putting him in fear, and taking from his person and against his will, a watch, value 3 l. two watch keys, value 1 s. a seal, value 1 s. and a hat, value 3 s. his property.

WILLIAM EBSWORTH. I am an umbrella-maker, I live in Silver-street, Wood-street.

Q. When did this happen to you - A. On the 5th of March, about a quarter after twelve in the night. I was returning from my benefit society coming up Snow Hill I was accosted by Henry Skippey, and another; my watch was taken from me, the maker's name is Morgan, No. 352. I was attacked by three men, two of them took hold of my collar, Skippey on the right hand side; I cannot say which of the three took the watch from me, they were all present at the time the watch was taken away, one of them stood before me.

Q. How did they take your watch - A. They pulled it out of my pocket; I laid hold of the middle one by my right hand, I received a severe cut in my right hand, and one of my fingers bled very much for sometime, and then I had a violent blow on the knee, which brought me to the ground; I cannot say which of them struck me with the bludgeon on my knee, I have been lame about three weeks. They made their escape as soon as I called out stop thief, one towards Fleet-market, and two towards Holborn. A gentleman coming along at the end of Field-lane gave Skippey a blow and turned him into the hands of the patrols, and he was taken to the watchhouse by the patrols. The watch was picked up by the watchman and brought to the watchhouse. I am sure that Skippey is the same man that had hold of me by the collar; I was very lame, I called out stop thief very loud, one of the watchmen threw his stick at him, he was running without his hat.

Q. When you got to the watchhouse you was sure he was the same man - A. Yes.

Mr. Alley. Were you quite sober at the time - A. Upon my oath I was sober.

Q. Had you ever seen the prisoner at the bar before that night - A. No, I had not.

Q. How long had you been at your club - A. About nine o'clock. We had a shillings worth of rum and water, and a pot of half and half between three of us.

Q. Was there any body in company with you - A. Nobody at all.

Q. You say there was only three men that stopped you - A. No, there were two women just by, whether they belonged to them I do not know.

Q. Have you or have you not said there was a fight in the street at the time that you lost the watch - A. No.

Q. You fell in consequence of the injury offered you - A. Yes, by the blow on the knee. I lost sight of the person that brought me to the ground.

Q. How long was it that you saw him at the watch-house - A. About three or four minutes; the blow was given me just after they got the watch.

Q. Before that you was collared - A. Yes, and after that I received a blow on the knee. The watch was brought in the watchhouse by one of the watchmen.

THOMAS BROWN. I am one of the patrols of St. Andrew's, Holborn. On the night of the 4th of last month just going upon duty at twelve o'clock, I heard the cry of stop thief at the time of hearing the cry I was going along Shoe-lane, in consequence of hearing the cry of stop thief I returned into Holborn, I saw people running down Field-lane, I made the best of my way down the lane, the prisoner was coming towards Holborn, there was a gentleman behind him, called out stop thief; when the prisoner came towards me I took him, I put my hand upon his shoulder, and the point of my foot against his and tripped him up and brought him to the ground; I took him by the collar and took him to the watch-house. At the watchhouse he said, gentlemen, I have not got any property belonging to any person excepting my own; he took his watch out, he said, gentlemen, this is the only watch I have got, it is my own. The prosecutor was asked by the constable of the night whether he could identify the prisoner, at that moment he could not identify the prisoner. One of the watchmen understanding that a hat had been lost, returned to the spot where the prisoner fell, or was knocked down; the watchman returned and asked the prosecutor if he should know or give the description of his watch, he gave the description of the watch, and further stated that he had the maker's name and number in his pocket book; the description answered to the watch, and then immediately he recognised the prisoner. The prisoner was given in charge and conveyed to the poultry compter.

WILLIAM CHAPMAN. I am a watchman; I was just finishing my round, about a quarter past twelve on the 5th, and coming Holborn Hill, I heard a cry of stop thief, I ran down the hill in order to meet the person, and just as I came to the corner of Field-lane I saw a man running as fast as he could without a hat, I went four doors down Field-lane, I saw the young man down on the ground.

Q. Who was that young man - A. Henry Skippey. The patrol was just rising him up off the ground, I helped to assist to raise him up, we conveyed him to the watchhouse.

Q. Was that the man that you saw running without his hat - A. I believe he is the very same; after being taken to the watchhouse he was searched, he pulled out a watch, he said it was his own

property, his father gave it him. They searched him, no property could be found, both the prosecutor and the prisoner lost their hats; I returned to the spot where the prisoner fell, to see whether I could see either of the hats, being late at night, and in looking for the hat I found the watch out of the case. I took the watch to the watchhouse, I asked if the gentleman had lost his watch, the prosecutor answered, I have lost my watch; he said it was a plain silver watch, a small steel chain, and a metal seal; the constable of the night looked at the watch, and saw the maker's name exactly as the prosecutor had stated.

Mr. Alley. Did not the prosecutor seem as though he had had a good share of liquor - A. I do not think he was the worse for liquor.

HOLT. I was patrol. On the 5th of March between twelve and one, Brown the patrol and I came out of the watchhouse; we were both talking at the end of Shoe-lane, Brown left me and went up Shoe-lane; we heard the cry of stop thief; I called him, he came back; we both ran across the way; we saw some man running on Snow Hill, he turned down Field-lane. We turned down Field-lane about three or four doors down I saw the prisoner returning without his hat, he was returning back again from Field-lane into Holborn; Brown met him, whether he struck or pushed him I do not know; the prisoner fell, and immediately he fell Brown took him by the collar; I assisted to lift him up; he said he had done nothing. We asked him what he ran away for, he said he thought a press gang was after him. On going into the watchhouse with him he said he had lost his hat. When we got into the watchhouse the watchman went to look for the hat, and while he was gone two of the patrols brought the hat, which was found at the end of Fleet-market. The watchman on his return came into the watchhouse and asked what gentleman had lost his watch; he said he had lost his, it was a plain silver watch, a steel chain, and the maker's name so and so, which he had got in his pocket book. The watch was produced, and it answered the description that he gave.

Chapman. This is the watch.

Prosecutor. It is my watch.

Prisoner's Defence. I am totally innocent of the charge that is alleged against me.

GUILTY - DEATH, aged 21.

London jury, before Mr Recorder ¹

note; Poultry Comptor (a prison between the Grocers' Hall and Poultry, London EC4)

A coach maker by trade, Henry was quite a tall man, for that period in history, standing 5feet 10inches (1.778m), with a dark complexion, brown hair and eyes.²

Henry, with two hundred other convicts, departed England in the depths of winter on 3rd December 1812 aboard 'Fortune(2)'; 190 days later, on 3rd June 1813 'Fortune(2)' sailed into Sydney Cove and a new life for the 196 convicts who survived the journey.³

¹ The Proceedings of The Old Bailey Ref T18120408-9 Henry Skippey(Skippey) 8 April 1812

² NSW State Records Ships Indents *Fortune* 2

³ Australian Shipping 1788 – 1968 at www.blaxland.com

In November of 1813, Governor Macquarie sent surveyor and artist, George William Evans to survey a road through the Blue Mountains and explore the lands to the west. Evans, traveled beyond the furthest point reached by Blaxland, Wentworth and Lawson, to the future site of Bathurst.

The following year William Cox and a team of some 30+ built a road across the Blue Mountains onto Bathurst; an incredible 160 kilometres in six months.

In April 1815, desirous of seeing the new lands West of the Blue Mountains, Macquarie invited Evans to return from Tasmania to accompany him on the first official journey across the Blue Mountains.

The road was rough, to say the least and the journey took nine days to reach its end where Macquarie officially named the site Bathurst.

It was on this journey that Henry Shippey was in charge of a bullock wagon, and no doubt came to the notice of John Oxley and/or George William Evans, the first of several influential members of the Colony who were to affect his stay in the Antipodes.¹

As stated in his petition to the Governor, Henry spent time as an Overseer in the Service of the Government and upon the recommendation of Captain Gill² and Mr Hutchinson³. He was issued a Ticket of Leave⁴.

During 1818 Henry again benefited from the good graces of another influential member of the Colony when he was granted 40 acres of land on the recommendation of Hannibal Hawkins MacArthur, nephew of John MacArthur and holder of the second largest flock of sheep in the Colony⁵

In May of that year the members of the expedition readied themselves at Bathurst and upon the arrival of Oxley and Evans they departed on 4th June on a journey which was to end at Port Stephens, on 1st November 1818⁶

George Hubbard, boat builder on the 1817 Expedition had been appointed to boat builder at Port Dalrymple and only participated in the 1818 Expedition up to the departure along the Macquarie River. It was probably this reason that Henry, a coachbuilder, was included in the party in case of the need for repairs.

His expertise was called upon when it was decided to leave the Macquarie River and head east to the coast. Oxley '*Impressed with the important use we should be able to make of our boats, it was determined to construct a carriage for the small one, which we did by the afternoon. Our labour was wasted; for we were altogether unable to contrive any harness by which the horses could draw it: we were therefore reluctantly obliged to relinquish our intention.*'⁷

Little would it be realized that wood working skills would also play a vital part in the success of the expedition in crossing the Manning River several months later. Similarly John Williams, a late replacement on the 1818 expedition had wood working skills.⁸ See

¹ Colonial Secretary Index (Fiche 3210; 4/1863 p.61)

² Capt Gill -46th Regiment; Acting Engineer , 1815 acting Colonial Secretary, 1816 Inspector of Public Works ,1817 Mountain named after him by John Oxley (Col.Sec.Index)

³ Either William Hutchinson – Principal Superintendent Convicts & Public Works or Abraham Hutchinson Superintendent Mill & Millers (Col.Sec. Index)

⁴ NSW State Records Ticket of Leave #1164

⁵ Colonial Secretary Index (Fiche 3266; 9/2652 p.48)

⁶ John Oxley Journals of Two Expeditions into the Interior of NSW Chapter II

⁷ Ibid July 19th

⁸ Ibid

entry for John Dwyer for more details of finding, repairing and conveying of boat which saved the members of the expedition.

Henry's service was recognized, as was that of all members of the 1818 Expedition, when he received a Conditional Pardon in Dec 1818.¹

He continued to receive favourable recognition and in August 1820 was appointed a constable at the Lumber Yards.²

January 1821 Henry was advised of news from England, conveying notice of the death of his parents, that led him to him petitioning the Governor for a Free Pardon to enable him to leave the Colony.

The following copy of that Petition shows im to have been held in high esteem by several of the most influential members of the Colony's free settlers and Government appointees.

*His Excellency Lachlan Macquarie Esquire
Captain General Governor & Commissioner
In Chief in and over the Territory of
New South Wales*

*The Humble Memorial of Henry Shippey
Respectfully Thewith*

That your memorialist came to the Colony in the Year 1813 per ship Fortune (2nd) under the sentence of transportation for life.

That Memorialist at the time Your Excellency made the Tours of the Blue Mountains in 1815, had the charge of a Bullock Wagon, that he was a second time employed to fetch three logs of wood from the First Depot for Government and that he was for a considerable time an Overseer in the Service of the Government and upon the recommendation of Captain Gill and Mr Hutchinson, was issued with a Ticket of Leave.

That your Memorialist was also one of the men who comprised the Party under the command of John Oxley Esquire, in his past Tour of which for that service Your Excellency was kindly pleased to grant him an Emancipation.

Your memorialist, with due submission, begs leave further to state to Your Excellency that he has received through the respectable channels of J Burnie Esquire, the melancholy intelligence of the Death of his parents, by which he will be entitled to a considerable property.

Your Memorialist therefore begs leave therefore humbly to submit the nature of his new truly unfortunate situation, for the kind and humane Consideration of Your Excellency,

¹ Colonial Secretary Index (Reel 6038; SZ759 pp.543-4)

² Ibid (Reel 6050; 4/1747 pp.109 -10)

wherein You will perceive a Man not only bereft of his once kind and affectionate Parents, but in consequence of his still being in exile, deprived the only satisfaction now left him of claiming their Property, which is the only Earthly Comfort to console him under so great and heavy a trouble – He therefore earnestly entreats Your Excellency will be pleased to extend towards him that further Indulgence which may enable him once more to revisit his Native Country and claim the Property which he is so justly entitled to as the last bequest of his Deceased Parents ~ And your Memorialist with with Gratitude, as is Duty bound , ever Pray

Henry Shippey ¹

The Petition was support by the following-

I know Petitioner to be a very Honest and Sober fellow

J.Harris JP

James Burne

I beg respectfully to recommend to Your Excellency's favourable consideration the Petition of Henry Shippey, who whilst serving under my direction, conducted himself in the most Praiseworthy manner, and your Excellency was pleased to state , that should his future conduct prove him deserving, he might hope for a remission of his sentence.

John Oxley Surveyor General

Having had frequent opportunity of observing the conduct of the Petitioner, I can most conscientiously testify that I believe him to be an industrious, honest, deserving man; and as such I respectfully entreat permission to recommend him to Your Excellency's favourable consideration.

John Macarthur

Oxley also forwarded a separate, personal recommendation

I certify that Henry Shippey I believe to be an honest, sober and industrious man

John Oxley ²

The petition was inscribed ‘The Petitioner will receive a Free Pardon” and was

¹ Ibid (Fiche 3210; 4/1863 p.61)

² Colonial Secretary Index (Fiche 3210, 4/1863 p.61)

subsequently granted in September of 1821.¹

Free to travel outside of the Colony, Henry departed Sydney on 15th March, 1822 aboard *Marshall Wellington* bound for Mauritius. He was listed on the ships muster as '*former convict crew*'.²

It can only be assumed that despite being highly recommended by many persons of good standing in the Colony, who were aware of property awaiting him in England, they were unwilling to extend their words to money for a passenger's fare.

We can only hope that Henry reached England, claimed his inheritance and found a companion with which to send his life.

Notes:

1. A Henry Shippey was transported to NSW in 1833 however as he was 19 years old he could not have been the original Henry re-offending.
2. A Henry Shippey married Mary Pritchard on 20th April 1827, at St Leonard Foster Lane parish, joined to Christ Church Greyfriars Newgate, London which was severely damaged during the war. The only surviving evidence for the marriage of Mary and Henry is 'Banns', 'Batchelor', 'Spinster'.³
This Henry and Mary had two children. Charlotte Mary b. 1829 and Henry John b. 1832 who is listed in the 1881 Census as living with his wife, Margaret and children William, Annie, Charlotte, John and Edward. At that time Henry was a Beef Tea Manufacturer and lived at 1 Little Clarendon St, London. To date no other ancestors of Henry and Mary have been found. Charlotte married George Thomas at St Pancras, London on 15 Feb 1847. No further trace of Charlotte and George has been found.
3. Search of the UK National Archives - Wills, did not produce evidence of a will naming Henry as a beneficiary.

¹ Ibid (Fiche 3206: 4/1862 p.10)

² Society of Australian Genealogists Ships MustersIndex from NSW State Records (Reel 561: 4/4473 p 110)

³ Guildhall Library Manuscripts Section, Aldermanbury, London EC2P 2EJ



Richard Watts
1784 -17 Jun 1878
Servant/Labourer/Farmer

Richard Watts was a servant at Joseph Grimaldi's cottage, adjacent to the Finchley Common, 14kms NNW of the City of London, when he was arrested on 31st March 1809 for stealing a sheep from the common.

Joseph Grimaldi, the "Father of Clowns", whose name 'Joey' became the call name for all clowns since then, was the most famous of all English clowns.

In the early 19th century he spent nights performing between the Dury Lane and Sadler Wells theatres. To relieve the stress of this hectic schedule he leased a cottage adjacent to Finchley Common from 1806 to c. 1815. Grimaldi chose it for the country air and would drive there after his performances in London. The cottage was Fallow Cottage, near Fallow Corner¹

RICHARD WATTS, theft: animal theft, 17 May 1809.
The Proceedings of the Old Bailey Ref: t18090517-5

Trial Summary: Original Text:

450. RICHARD WATTS was indicted for feloniously stealing on the 31st of March, a sheep, value 10 s. the property of William Matthews.

WILLIAM MATTHEWS, I live at Coneyhath, I am a labouring man.

Q. Did you keep any sheep on Finchley common - A. I keep about twenty or thirty; sometimes more and sometimes less.

Q. Sometimes before the 31st of March did you miss any sheep - A. Yes; one sheep from the common; I missed it several days before I heard of it; I found it at the Red Lion, at Mr. Claridge's.

Q. Do you recollect when that was - A. No; I cannot say that I took particular account of it; they had got all the skins there when I found my skin; I saw it Hatton Garden, and I swore to the mark of it.

Q. What do you mean by saying it was at Mr. Claridge's - A. It was there then.

Mr. Bolland. You do not know that.

COURT. You saw it first at the police office in Hatton Garden - A. Yes.

Q. Can you tell me as near as you can what time that was - A. No, I did not set it down; I came up when the other gentleman came up.

¹ From: 'Finchley: Introduction', A History of the County of Middlesex: Volume VI: Friern Barnet, Finchley, Hornsey with Highgate (1980), pp. 38-55.

Q. How do you usually mark your sheep - A. Of the near side with a pitch mark, W. M. both the letters were alike; you can make a W. M. with the brand this way or other; it was made on purpose because I should know it.

Q. Did you see any skins so marked at Hatton-garden - A. Yes, and that I swore to it there, and there is a reddle mark from the neck down to the chine, and then crossed; that is marked with oker and oil.

Q. Had the skin that you saw at Hatton-garden that mark with oker as well as W. M. - A. Yes.

Q. Was the sheep that you lost a ewe or a wether - A. It was a pug lamb; a yearling ewe; to the best of my knowledge it was a ewe lamb.

Q. Are you sure that at the time you saw this skin it was one of your sheep - A. Yes.

Q. Do you know the prisoner at the bar - A. No; I might have seen him on the common; I took no notice of him till I saw him at Hatton Garden.

Mr. Bolland. The initials of any man, W. M. would mark it the same way - A. No; there is no other name on the common marked like that.

Q. I will ask you, whether there were any marks at all upon this skin - A. Yes; when I saw it the marks were visible and distinct, the pitch marks and likewise the reddle and oil.

THOMAS KIRBY. I live nigh the seven mile stone on Finchley common; some time the first week in April the prisoner came to my house.

Q. Had you known him before - A. Yes; he is a servant to Mr. Grimaldi; he asked me if I knew any body that bought sheep skins; I told him I did; he said he had two or three to dispose of; I saw the person that did buy them. I never saw the skins till I saw them at Hatton-garden office.

Q. What was his name that purchased them - A. Goodall.

Q. I suppose you told Goodall - A. Yes; the next thing was, the constable came to my house and informed me that Goodall had bought six. It was on a Friday the first week in April that I told Goodall.

Q. Then the next Saturday the constable came to you - A No; I understood they were purchased on the Saturday; the constable came to me in the week after he was apprehended; I told the prisoner I would send a person to buy the skins.

Q. When did you see the prisoner - A. Not till I saw him at Hatton-garden.

Q. What passed then - A. I told the same exactly as I told you, I believe.

JOHN GOODALL. I am a breeches maker, a fellmonger, and a dealer in skins and wool.

Q. Do you remember Kirby mentioning to you that there was a man wanted to sell some skins - A. On the 2nd of April I was at the Red Lion at Finchley; Kirby was then there; he asked me if I bought skins, I told him I did; he then told me if I went to Mr. Grimaldi, his servant had got some to sell; I went on the 8th of April, I saw the prisoner in the garden, I asked him if he had got any skins to sell; he asked me if I belonged to the boy that collected skins; I told him no, I was sent there by the shoemaker that lived near the Green Man (that is Kirby); he then took me into Mr. Grimaldi's chaise-house.

Q. Is Mr. Grimaldi's house on the common - A. Yes. He then set a ladder up, he went into a hayloft, and while he was in the loft I heard him say he had six skins; he began to throw them down out of his loft, and threw them all down; I looked at them as he threw them down; he came down the ladder; I asked him if they did not keep a good many sheep here, seeing so many different sorts, some Welsh, some Southdown, and some Dorsets; he then said that his master bought many different lots of sheep; I asked him who took the skins off, they appeared to be taken off very indifferently, which I told him; he told me he took this skin off the day before yesterday; then I looked at a small lamb's skin, he told me it was a very small lamb and weak when it was lambed, he knocked it on the head, because it did not thrive, I then agreed with him for the skins for eight shillings altogether.

Q. Was that the price of six skins - A. Yes, such as they were, they were only pieces, small lambs some of them, with the heads cut off, and many holes cut in many of them; one lamb skin, and the rest were sheep nearly full grown; some of them Welch small sheep, and others of the larger kind. When I had agreed for the skins I was putting them together to bring them away; he wished me to have a sack to put the skins in, saying that I could carry them better than without a sack; I told him that I never made a practice of carrying skins in a sack; he pressed upon me again to have a sack, and that I might leave it at any time at Mr. Kirby's; he gave me a sack, and I told him I would leave it at Mr. Grimaldi's; he wished me not to do that, he did not wish his master to see any thing about it. I then took the skins and carried them to the Red Lion.

Q. Before you put any of the skins in the bag did you perceive that any of them had marks - A. All the skins had marks, and all different, except two; they were nearly alike, they belonged to Decamp.

Q. Did you see the letters of Decamp on them - A. I saw the reddle marks; some were marked with pitch marks; I did not look at them particular. I took the skins to the Red Lion and threw them down in the yard; a shepherd came up of the name of Rose, I told him I had bought a lot of skins; he looked at them; the firske skin that he looked at he said was Fitzwater's.

Mr. Bolland. You must not tell what he said in consequence of what passed between you and the shepherd - what did you do with the skins - A. After he looked them all over, I left the skins at a house just by, where I locked them up myself and carried the key back to a person of the name of Baldock; he was the person who lent me the key.

COURT. How long did they remain there - A. A few hours; I sent Rose to Decamp and Fitzwater; they did not come while I was there, that was on Saturday; the next week I was taken ill; I did not arrive at Finchley till the Saturday following; then they had taken the skins and the man to Hatton-Garden. I saw them at Hatton-Garden.

Q. Can you take upon yourself to swear that the skins that you saw at Hatton-Garden, or any of them, were the skins that you bought of the prisoner - A. Yes, the whole of them; them six are those that I bought of the prisoner; I know them by the look of the skins, being bred and born to the business; if I look at a thing once or twice, I know them immediately for seven years.

Q. Among those that you saw at Hatton-Garden, did you see this little lamb - A. Yes; it was not a little lamb, it was what they call a cuckoo lamb; they had all marks on them; it was the 17th that I went to Hatton-Garden, the Monday sen'night after I bought them. On Sunday the 16th I went to Finchley. Mr. Grimaldi sent down to the Red Lion that there was a discovery of some meat; the officer of Finchley went with me to Mr. Grimaldi; we went into the hayloft, we found a sack under some loose hay.

Q. Was that the same loft from which the prisoner had thrown down the skins - A. No, it was another loft, I believe there was only a partition between, there was two doors, one went in one way and the other another way; both the lofts are over an out house of Grimaldi's; we there found a sack, and two legs, two shoulders, part of the scrag of a neck, and some part of a back.

Q. Were they cut up as a butcher would cut up - A. No; the sheep appeared not to be chined down; they were not cut as a butcher would cut them.

Q. Then that part of the back was not cut like a saddle of mutton - A. No, there was only a part of the back and a part of the aitchbone.

Q. Either part, the bones and flesh you mean, I suppose - A. Yes. We then brought it down from his house; we went immediately to Mr. Bacon, of Colney Hatch, we asked him if he should bring the meat to Hatton-Garden, he said no, as the meat was in a bad state, which it really was; the next day, after the examination was over, Mr. Turton desired me to go to Finchley, and pick out the skin that I thought the meat belonged to; I picked it out; the skin was marked with a reddle mark. It belonged to Fitzwater.

Q. Did you see Matthews at Hatton-Garden on Monday - A. Yes; I saw all the owners of the skins on the Monday.

Q. Did you observe any of these owners pick out skins that they claimed - A. Yes; I saw Matthews pick out a skin that he claimed as his own. Matthews' was the lamb skin, that he owned; called the cuckoo lamb.

Q. Had Mr. Grimaldi any other servants but the prisoner - A. I saw nobody else there but the prisoner, when I bought the skins.

Q. You do not know whether Mr. Grimaldi kept any sheep on the common, do you - A. I know no more than seeing two skins that Mr. Grimaldi claimed, one he was sure to.

Mr. Bolland. You say you was bred and born to this business, and if you saw a skin once or twice, you should know it again for seven years - A. I was brought up a breeches maker, and fellmonger; I should know it again if it was not altered for seven years.

Q. Have you not gone by the name of Johnson - A. I have been called Johnson; I was

victorious in the florist line; by some people I was called a Johnson; I was the first florist in the known land.

Q. You gave eight shillings for these skins - A. Yes.

Q. They had the wool on - A. Yes; they were a good deal disfigured, or they would be worth more.

Q. I suppose at the time you bought them, you supposed they belonged to Mr. Grimaldi - A. I did; he told me his master had bought different lots of sheep.

Q. I suppose there were no particular marks that led you to believe the boy came dishonestly by the sheep - A. At the time I thought it was odd he should have so many different sorts.

Q. If you had suspected him, would you have bought them - A. I do not suppose I should, if I had known them to be stolen, I should never have bought them.

Q. This mutton you found up stairs - this was ten days after you bought the skins - A. No, eight days; I look upon it that the mutton had not been killed less than ten or twelve days.

WILLIAM ROSE. I am a shepherd.

Q. Tell me what you know about Matthews' sheep - A. I was going to my labour, past the Red Lion at Finchley, on the 8th of April; the man who bought the skins called to me, asked me if I would have part of a pint of beer with him.

Q. You drank some beer with Goodall, did you - A. Yes; as we had drank the beer, he went and fetched me a skin, it was Fitzwater's skin, I knew it; then we went out; I looked at another, it had Decamp's mark very plain; I did not examine the others, till I let Fitzwater and Decamp know; afterwards I examined the others on the Sunday following, at the Red Lion at Finchley.

Q. Upon this second examination of the skins, did you know any of the marks on the other skins - A. I did not, till they came and owned them; Mr. Milne came to the Red Lion and owned his skin, and Mr. Matthews came to Hatton-Garden; he looked at the skins, he owned his own skin. The skins were left at the office.

Mr. Bolland. You say the skins were left by Goodall at the Red Lion - A. Yes.

Q. You do not know that the skins that you saw there, were the skins that were brought by Goodall - A. Yes; three I am certain of.

Q. You do not know of the others - A. No, I cannot pretend to say; three of the skins are very remarkable; they were all reddle marked but one; three of them were pitched marked, and reddle marked both Some were so bad I could not see.

JOHN CLARIDGE. I am headborough of Finchley. On Sunday, I think the 9th of April, Mr.

Fitzwater ordered me to go up to Mr. Grimaldi's to take up a man; he asked him if he had sold the skins to this man, he said he did. I took him before Mr. Bacon. I, by the order of Mr. Bacon, locked him up for that night, and brought him to Hatton-Garden office the next day. I brought one skin only that day; I brought the rest on the Thursday following.

Q. What day of the month was that - A. The 13th I fancy; we brought five more on the Thursday following.

Q. Were did you get these skins from - A. We got four from the Red Lion; the other two we got from a small house below.

Q. Did you observe what the marks were of the two that you took from the small house - A. Yes.

Q. Do you know what were the marks - A. I did not then.

Q. Then you took two skins from the small house, and four from your brother's at the Red Lion - A. Yes, at my brother's house the people saw these two skins, they knew them; Matthews was not at the Red Lion when I brought them, and they looked at them.

Q. Were you at Hatton Garden when Matthews did look at them - A. Yes.

Q. When they were at Hatton-Garden, I suppose the six were all together, were they not - A. Yes.

Q. Do you remember Goodale looking at them at Hatton Garden - A. He looked at them on the Monday following.

Q. Did you observe whether Matthews picked out any one of these skins - A. I saw him pick out one, and claim it as his own. The skins were left at Hatton-Garden.

WILLIAM READ. I am a police officer of Hatton-Garden. I saw the skins at Hatton-Garden. I have had them ever since locked up.

Q. Did you see Goodall examine them - A. Yes.

Q. Did you see Matthews examine them - A. Yes; Matthews looked at his, and said it was his by the mark. This is the skin that Matthews claimed.

Q. to Matthews. Look at that skin, can you swear to that skin - A. Yes, there is the reddie round there, and here is the W. M.

Q. Is there any other person on the common that marks in that way - A. No.

WILLIAM MILNE . What is the difference between your mark and Matthew's mark - A. Mine is a real W. M. that is two M's, one reversed; this is reddie, and mine is not.

Q. Is there any mark of a W. M. there - A. It appears to me a W. M. the same as Mr. Matthews marks his, not in the same way that I mark.

JURY. We are not able to perceive the W. M. as described by Matthews - we would wish the shepherd to look at it, and to say if he could swear upon his oath that the W. M. is there.

COURT to Rose. Look at that sheep skin, and say whether you can see satisfactorily the mark of W. M. - A. I could not take my oath to the mark.

Q. to Milne. Can you see there any mark of a W. M. - A. I have no doubt but it is the same mark, but I cannot swear to it by this sky light; when I saw the skin at the Red Lion, the headborough called upon me and said it was mine; I examined the skin, I told the headborough that the skin belonged to Matthews; I saw the mark distinctly then, and I saw the mark distinctly before the magistrate; I cannot see the marks distinctly now; the skin; have been all over lime.

The prisoner left his defence to his counsel; called two witnesses, who gave him a good character.

GUILTY - DEATH, aged 17.

The prisoner was recommended to his Majesty's mercy by the jury on account of his youth and good character.

First Middlesex jury, before Mr. Baron Graham. ¹

¹ www.oldbaileyonline.org Richard Watts, 17 May 1809. The Proceedings of the Old Bailey Ref: T18090517-5

His Majesty's mercy was shown with Richard's sentence commuted to *Transportation for Life*.

Richard was recorded as being 17 years old at the time of his trial however it was not uncommon for those on trial to claim to be much younger to receive consideration in their judgment; and in his case it was taken into account.

On 27th February, 1810, in the height of their first Australian summer, Richard, together with another 196 convicts and a detachment of the 73rd Regiment, sailed into Port Jackson aboard *Anne II*.¹

In the 1814 Muster, Richard is recorded as being at 'Hospital' however it is not clear whether he was employed there or there as a patient. Whatever his position he was certainly fit in 1817 when he was one of the party who took horses and provisions to the Lachlan River depot, on 25th April.² He received an issue of shoes as reward for his labours.²

His efforts did not go unnoticed. In January of the following year he was listed as 'labourer' to accompany the 1818 expedition down the Macquarie River.³ Also listed, as 'labourer,' was Thomas Cribb, who arrived with Richard aboard *Anne*, in 1810. Thomas was replaced on the expedition however the two men remained friends.

Thomas married Ann Jones at St Matthew's CoE Windsor in 1821 and later shared the cost of a pew at St.Peter's CoE Richmond with Richard and his wife Eleanor. The bond was so close that Richard named their first born William Cribb Watts.⁴

As the labourer Richard would have been required to turn his hand to everything, a 'jack of all trades'. One task would have been the setting up and taking down of the tent, which was used by Oxley during fine weather and shared by the whole party during rain. He also shared in the carrying of the boat from the beach to the Manning River estuary and from there to Port Stephens; a task which brought glowing praise from Oxley and a Conditional Pardon from Governor Macquarie.⁵

Richard made the most of his freedom and in the 1822 Muster, was recorded as 'Landholder-Windsor' where he was successfully farming his 10 acres:-

- 5 acres under wheat / 4 acres under maize / 1 acre under barley
- 1 horse, 4 horned cattle, 30 hogs
- 100 bushels maize in storage

and assisted by assigned convict, George Freke who had arrived aboard *Coromandel*.⁶

In the same Muster Eleanor Tomlinson was recorded at 'Factory'; this being the Female Factory at Parramatta.

The first Female factory was built in 1804 a single room , about 60 feet by 20 feet, with a fireplace at one end, where the women cooked. Here the women worked at making rope and carding wool;

¹ www.blaxland.com Australian Shipping 1788 - 1968 arrivals

² Colonial Secretary Index (Reel 6046; 4/1737 p.329)

³ Ibid (Reel 6065;4/1798 p.106)

⁴ Carole Smith(nee Watts) gg-grand daughter of Richard Watts

⁵ Colonial Secretary Index (Reel 6038; SZ759 pp.543-4)

⁶ General muster and land and stock muster of New South Wales 1822 / edited by Carol J. Baxter Sydney : ABGR in association with the Society of Australian Genealogists, 1988

and slept on piles of raw wool.¹ The wool was full of dags and ticks, and like the privies, stank. The floor could not be washed as the water would have run through the warped floorboards onto the men in the cells below.²

In 1819, Governor Macquarie had a new Factory designed by Francis Greenway, his ex-convict architect.³ Greenway received his Free Pardon on 4th June that year.⁴

The new Factory a stately, three story, Georgian Style building, completed in 1821, became the Colony's main marriage market, where those in search of a partner, and armed with a permit from Rev. Samuel Marsden, would present themselves to the matron and the taunts of the women. "It requires the face of a Turk to come on such an open and acknowledged errand."⁵

*The women lined up in their coarse flannel dresses, some scowling and others hopefully primping, the 'Coelebs' or bachelor , often an elderly and tongue-tied 'stringybark' from the back country, hesitating his way along the rank; the matron reeling off the women's characters and records.*⁶
It was here, Richard feeling that it was time to complete his life, presented himself in the winter of 1823.

Having made his choice, Eleanor's clothes were 'returned to her, and dressed again like a free woman she hies* with her suitor of an hour to the church'⁷

* go quickly (old/humourous)

Successful in his quest, the Rev. Henry Fulton, assistant chaplain at Castlereagh, applied for permission on 3rd June 1823, for him to marry Eleanor Tomlinson.⁸ Following the banns they were married on 13th July, at St Peter's Church of England, Richmond NSW.⁹ Their son Richard Henry and a member of each generation since have all married at St Peter's.

The Proceedings of the Old Bailey Ref: t18130113-31 13th January, 1813.

ELEANOR TOMLINSON was indicted, for that she, on the 21st of November, feloniously, and without lawful excuse, had in her custody and possession divers forged bank-notes, that is to say, two forged Bank notes of 2 l.* each, she knowing them to be false and forged .

SECOND COUNT, that she had in her possession a certain other forged note, for the payment of 2 l. she knowing it to be forged.

To this indictment the prisoner pleaded GUILTY .

Transported for Fourteen Years .

Immediately following this case, Eleanor was charged as under:-

The Proceedings of the Old Bailey Ref: t18130113-32

¹ Perth DPS Project 'Convicts to Australia' online.' NSW Convict women on Ships arriving from England and Ireland 1788-1828'

² *The Fatal Shore* - Robert Hughes; Collins Harvill, London 1987;Ch.8,p.255 *Bunters,Mollies and sable Brethren*

³ Ibid p.255

⁴ NSW State Records Tickets of Leave, Emancipation and Pardon Records 1810-1819 (Reel 601; 4/4427. p.63

⁵ *The Fatal Shore* - Robert Hughes; Collins Harvill, London 1987;Ch.8,p.256 *Bunters,Mollies and sable Brethren*

⁶ Ibid

⁷ Ibid p.257. cit J F O'Connell, *A Residence of Eleven Years in New Holland*.p.54 ,cit in Crowley Doc Hist, vol.1,p.310

⁸ Colonial Secretary Index (Reel 6010; 4/3508 p.436)

⁹ NSW Registry of Births deaths and marriages together with Ray & Judy MacKemzie -gggg-grand daughter

ELEANOR TOMLINSON was indicted for feloniously forging, on the 21st of November, a bank-note for the payment of 2 l¹* with intention to defraud the Governor and Company of the Bank of England .

SECOND COUNT, for disposing of and putting away a like forged note, she knowing it to be forged, with the same intention.

Mr. Knapp, counsel for the prosecution, declining to offer any evidence, the prisoner, of this charge, was ACQUITTED.¹

* *ed note: : The L stands for the Latin word libra, the name of a Roman unit of weight, which also gave rise to the abbreviation lb for a pound as a measure of weight.*²

The prosecutor evidently instigated two similar charges to ensure a conviction, and when he obtained a guilty verdict on the first charge did not proceed with the second.

Eleanor departed from Spithead aboard ‘Wanstead’ together with another 119 convict women, on 24th September 1813 and arrived in Port Jackson on 9th January 1814.³

Six months later Eleanor was sent to Newcastle, aboard *Lady Nelson*⁴ where, the following month, she applied to leave.⁵ This was evidently granted as, in December 1818, she was returned to Newcastle.⁶

Whilst Newcastle had some coal mining from 1801; in 1804 the Irish rebels of Vinegar Hill were sent there to separate them from the rest of the Colony, and to mine coal. Later other offenders were sent there to mine coal and cut timber.

Whether Eleanor had been sent for being ‘naughty’ or merely as a servant for officials is not known, however she was returned south and was a *resident* of the Female Factory at Parramatta, in 1822.

Settling in the Windsor area, Richard had the company of a few of his compatriots from the 1818 expedition. Those recorded in the 1828 Census⁷ were Barnaby Butler landholders, James Williams, blacksmithing and George King, labouring. William Warner had also been a neighbour till his death in 1825.

The 1828 Census⁸ shows that Richard evidently relished being ‘on the land’ and took the opportunity to establish a real home for his family

William Cribb b.3 Jun 1826, d. 20 Jan 1905, Tyndale NSW m. Elizabeth Kennedy⁹

Their second born was a great present for Eleanor who had served her original sentence of 14 years and therefore classed as FS –‘free by servitude’

¹ www.oldbaileyonline.org Eleanor Tomlinson; 13 Jan 1813, The proceedings of the Old bailey Ref: T18130113-31

² Oxford Dictionaires online AskOxford.com- re English Pound.

³ The Women of Botany Bay - Portia Robinson cit. in Perth DPS Project ‘Convicts to Australia’ online

⁴ Colonial Secretary Index (Reel 6004; 4/3493 p.183)

⁵ Ibid (Reel 6004;4/3493 p.225)

⁶ Ibid (Reel 6006; 4/3499 p.215)

⁷ Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson. Sydney : Library of Australian History, 1980.

⁸ Ibid

⁹ NSW Registry of Births deaths and marriages together with Ray & Judy MacKemzie -gggg-grand daughter:- this endnote refers to all BDM’s in Richard Watts entry

James Andrew b. 22 Jan 1828 d. 3 Feb 1920, Ryde NSW m. Ann Phipps

In September 1826, Richard Watts appeared before the Full Bench of the Quarter Sessions at Windsor, charged with assaulting a Constable. This was entirely at odds with the life of Richard, the father and farmer. As there was no other Richard Watts recorded entering the Colony it was pleasing to establish that the charged offender was Richard Chapman aka Watts, who arrived aboard *Elizabeth* in 1816.¹

Having been granted 30 acres, Richard maximized their usage, with the total cleared and cultivated by 1828. He was also recorded as having 2 horses and 6 cattle.

Also living at the Watts' farm in 1828 were :-

- Anne Shoot - a five year old female, born in the Colony. However there is no evidence of any Shoot/Shout/Short registered in the NSW birth records.
- William Smith - a 26 year old, assigned convict who had arrived aboard *Speke* in 1826.²

The family continued to expand, and no doubt benefited from the fresh dairy and garden produce, as all the children survived, thrived, married and produced an incredible 69 children.

George Francis b. 4th April 1829, d. 1904 Redfern NSW m. Ellen(Eleanor) Brown
Mary Ann b.25th Dec 1830 d.5 Jan 1903 Richmond Bottoms NSW m. James South
Eliza Jane b. 5th May 1934 d.11 Jan 1915 Richmond NSW m. Robert Thorpe Biddle
Richard Henry b. 2nd Jan 1836 d.16 May 1906 Richmond NSW m. Susanah Inall

Eleanor died in her 80's, on 14th May, 1868. After having traveled half way round the world, her last 45 years were spent in the hills and valleys of the beautiful Windsor / Richmond area ; a very different world from the squalor of her London and the harsh conditions of the second decade of the 1800's, in New South Wales.

Richard, died in his 94th year, on 17th June 1878 at Richmond; having carved out his own history in that area, as a dedicated father, husband and farmer.

With the distain shown towards convict heritage, in those days, it is doubtful that his neighbours knew of his background, let alone his part in one of Australia's earliest exploratory feats.

¹ Index of Quarter Session Cases 1824-37 Reel 2743,4/8478 no.13 P. 123 and Colonial Secretary Index -Richard Chapman

² Census of New South Wales, November 1828 / edited by Malcolm R. Sainty & Keith A. Johnson. Sydney : Library of Australian History, 1980



John Williams

c.1784
COOPER

Conditional Pardon 1st Dec.1818. Absolute Pardon 16 Oct. 1921

John Williams was tried and convicted at the Old Bailey, London.

**JOHN WILLIAMS, JOHN NEWMAN, theft: burglary, 28 May 1800.
The Proceedings of the Old Bailey Ref: t18000528-9**

Trial Summary:

- Crime(s): theft : burglary, Punishment Type: death, death, Verdict: Guilty, Guilty,

Original Text:

348. JOHN WILLIAMS and JOHN NEWMAN were indicted for breaking and entering the dwelling-house of Robert Williamson, about the hour of two in the night of the 14th of May, with intent the goods, chattels, and monies, of the said Robert, therein being, feloniously to steal.

ROBERT WILLIAMSON sworn. - I am a publican; I keep the Glazier's-arms, in Water-lane, Blackfriars: On Wednesday, the 14th of this month, a little before twelve o'clock at night, when I went to bed, I fastened the shutters, and locked and bolted all the doors, and chained them as usual; and between two and three in the morning of Thursday, I was awaked by a very disagreeable surprize,(sic) by springing of rattles, and calling out that I was robbed.

Q. Was it light, or dark? - A. It was rather light.

Q. Was it light enough to see a man's face? - A. Yes; I could see a man's face very plain, and likewise the watchman.

Q. Was that by moon-light? - A. I did not observe whether it was moon-light or not; I unlocked the bed-room door and went into the kitchen, which is up one pair of stairs, and looked out at the window; I saw a man lying upon the ground between two watchmen, that was the prisoner, Williams; I immediately went into the bed-room again, put on my small clothes, and came down into the tap-room; I ran against the bar-door, which I found open, I found the outer door upon the spring-lock; I opened that and went out into the street; I had bolted that door with two bolts, I found the bolts undone, but not the spring-lock.

Q. Do you conceive that that door had been opened? - A. I cannot say; I went into the street, and was informed that Williams was one of the thieves; I desired him to be taken to the watch-house, which they did; he said he had lost a shilling, I saw a shilling lay, and some halfpence, and I picked them up and gave them to him myself; I did not go to the watch-house, but went home; there is a door in a gateway under my club-room, I found that door unchained, and unbolted, not even upon the latch, I saw it chined (sic) and bolted over night as usual; the door that is at the top of the cellar-stairs had been broke open, the lock was inside.

Q. Then that door you think must have been opened from the inside? - A. Yes; (produces the lock); I found the lock forced off, and lying upon the tap-room floor.

Q. Then some person or other, by breaking open this door, got into your house? - A. Yes.

Q. Was that door locked over night? - A. Yes, it was; and the key in my till in the bed-room; I did not miss any thing; a neighbour brought a light to me, he is a baker, his name is Freeman; there was an iron crow found in the gateway, a dark lantern, and a little bottle, and matches; they were found close upon the spot where the man laid upon his back.

JOHN SAUCE sworn. - At half past two o'clock on Thursday, the 14th of May, I left the watch-house to go to bed; as I was coming down Water-lane, past Hughes's-court, I saw a man standing at Mr. Williamson's back-door; when I saw him at that hour in the morning, it led me to a suspicion that he had no right to stand there; I rushed in to see what he wanted, and he ran off immediately; I do not know who the man was, he was twenty paces from me, the first time I saw him; when I came to the back-door of Mr. Williamson's house, I put my hand to the door, and the door went in, by that means I discovered a light at my right-hand, I stood upon the threshold of the door; it was a dark-lantern and had a candle in it; I looked round and saw the two prisoners at the bar, and one more; Newman had his hand upon a drawer in the bar, pulling it out; there were three of them in the bar.

Q. Are you sure the two prisoners are the men? - A. I am; I saw Newman take a paper that was tied up, I do not know what it contained; I was looking at them for four or five minutes before I went in, I did not see what he did with the paper; when I saw that, I shut the door in order to keep them in; I asked them what business they had there; Newman told me he would tell me; after he made that reply, he came out of the bar, and when I had an opportunity I struck at him with a stick, I am sure I struck him; and it was but a very short time before he returned the blow, and I received it upon my arm; after I had got the blow, I went back to the door again, and endeavoured to spring the rattle but I could not, they prevented me; they struck at me; at this time we were in the dark, they forcibly opened the door and rushed out; another watchman was coming round upon his beat, and he was pretty near the door when they rushed out, his name is Harrison, he secured the prisoner, Williams; I heard him sing out, I was inside at that time, that he had one of them, and I saw Williams struggling with Harrison; I struck at him with a stick two or three times, to prevent his getting away; as to Newman, I saw no more of him till I saw him a prisoner in Castle-Baynard watch-house, I believe it was about fifteen or twenty minutes afterwards; I was sent for by the constable to see if I knew him, and when I came to the watch-house, as soon as ever I saw him, I told the officer of the night that he was the very man that struck me in the public-house; at that time he was in a gore of blood; I am sure he is the same man that I saw in the bar.

Williams. He said, at the watch-house, that the man was a big stout man.

Witness. I said no such thing; I said he was a stouter man than Williams.

Q. You had only the light of this lantern in the bar, are you sure there was light enough for you to be able to say these were the same persons? - A. Yes; I stood looking at them for some time, and they moved the lantern about round the bar to see what they could find; I saw them very clearly.

JOHN HARRISON sworn. - I am a watchman of Blackfriar's parish: I was going past Mr. Williamson's back-door.

Q. Was there light enough at that time to see a person's face? - A. Yes, it was quite light; I heard some noise in the house, which made me stop to know what it was, because I knew the family, had been gone to bed some hours; the door was open, and the first man that came out was Williams; we had a long scuffle together, at last I got him down, and there I held him upon his back till I got assistance to take him to the watch-house; in the scuffle he dropped some of his money, which I gave him; I took him to Blackfriars watch-house, and from thence to the Compter.

Q. Are you perfectly sure Williams was one of the men that came out? - A. Yes, he came out at the door under the gateway.

Q. Was it under the gateway that you laid him upon his back? - A. No, that was in the front of the house, in Water-lane; there were two more came out, but who they were I do not know.

JAMES GRAVES sworn. - I am a watchman of Castle-Baynard-ward: Between two and three o'clock in the morning I was upon duty at Puddledock-gate, I heard the rattle spring, and a cry of stop thief; I ran to assist, and passing by a court that leads from Printing-house-yard, I saw the prisoner at the bar come down a court out of the yard, running very fast; it is a court that leads to the end of Bristow-street; he was running in a direction from Williamson's house; I met him and asked him to stop; he refused with great fury; I struggled to stop him; I struck him several times with my stick, but he got away from me; I pursued him to the end of Thames-street; he turned up St. Andrew's-hill, and I followed him through Carter-lane, up Paul's-chain, into St. Paul's-church-yard; there I sprung my rattle, and he was stopped by one of our watchmen; I never lost sight of him the whole time; we took him to Castle-Baynard watch-house; we sent for the watchman of the other ward, Sauce, and he said, that is one of the men that I saw in Williamson's house.

Q. What did Newman say to that? - A. I did not near him say a word all the time he was in the watch-house.

CHARLES DONAHOUGH sworn. - I am a watchman of Castle-Baynard-ward: On the 15th of May, between two and three in the morning, I was at the West end of St. Paul's Church; I heard the alarm; I pursued the found; I saw the prisoner Newman running with one shoe off and the other shoe on; I judged he must be the cause of the springing the rattles; I jumped across the street and took him by the collar; he wanted to get away; I asked him if he was the cause of all the noise; he said, yes; I asked him what he had been doing; he said it was for knocking down a whore; I looked round and saw Graves appear; he then said, that is the rascal; and one of our housemen came up, and they both assisted; he was taken by force to the watch-house; there were four of us took a limb a-piece.

RICHARD FITZGERALD sworn. - I am houseman and extra-constable of Castle-Baynard: I was out between two and three; I heard the rattles go somewhere about Paul's-chain or Great Carter-lane, I cannot tell which; I made on as fast as I could for Paul's-chain; I saw one of our men, Donahough, lay hold of the prisoner Newman; we were obliged to get him along by a limb a-piece, for he would not go; after he had got some distance, he said if we would let him go, he would walk; I desired the men to let go his legs, and he did.

ANDREW CHRISTIE sworn. - I was officer of the night on the night of the 14th: Williams was brought in on the 15th in the morning, by two watchmen; they told me they caught him coming out of the prosecutor's house; I searched him, and found upon him a small candle and one shilling and four-pence halfpenny, which I returned to him again; (produces the candle;) then Mr. Williamson came and gave charge of him; this instrument(producing a crow*) was given to me by a boy, and a dark lanthorn*. (Produces it.)

Williamson. I will go and fetch the boy.

EMANUEL PETHERELL sworn. - I am a watchman; I heard the alarm of rattles, and the singing, out of stop thief in Water-lane, Blackfriars, and I came up to aid and assist; I saw a watchman with the prisoner Williams upon the ground on his back; facing the tap-room window I picked up this bottle containing some phosphorus and three bits of matches, about a quarter of an hour afterwards, upon the very spot where I saw Williams lie, as near as I can tell.

RICHARD HATRED sworn. - I am constable of the night: The prisoner Newman was brought to Castle-Baynard watch-house on the 14th, at nearly three o'clock in the morning; he was very bloody all over his left side; we sent for Sauce, and as soon as ever he came up, he says, that is the man that struck me; the prisoner did not say any thing to it; Sauce gave charge of him for striking him, and for house-breaking.

WILLIAM GILES sworn. - I was going past Mr. Williamson's; I picked up a lantern in the kennel, at four

o'clock in the morning, as I was going to my work, right opposite Mr. Williamson's back-door; Mrs. Williamson was standing at the door; I gave it to her, she said it was not her's, and I gave it to the watchman, Petherell.

Petherell. I received it from Giles.

Q. (To Christie.) Look at that dark lantern: was the piece of candle that you found of such a size as could be used in that lantern? - A. Yes.

Williams's defence. The man that stands by me is really innocent; it was me and two more men; I never saw this man before till I saw him in prison; one's name was William Jones, and the other John M'Carty; they both got away.

Newman's defence. I was coming over Blackfriars Bridge, very much in liquor; I heard a noise upon the bridge, and I went on till I came to Paul's Chain, and there a man knocked me down.

Williams, GUILTY Death. (Aged 16.)

Newman, GUILTY Death. (Aged 36.)

Tried by the London Jury, before Mr. RECORDER.

John's sentence was commuted to transportation for life.¹

*lanthorn =lantern. *Crow = licquorice candy

A native of Cork City, Ireland, John was described as being 5'1½", of florid complexion, black hair and grey eyes.²

Whilst awaiting the departure to the Colony of New South Wales, he was transported to the hulk Prudentia at Woolwich, where he spent nearly three years.

He departed Spithead on 24th April 1803 aboard *Calcutta*, as one of the 229 convicts and 15 wives and children, together with administrative officers, marines and free settlers, under the command of Colonel David Collins, who would constitute the population of the first European settlement in Port Phillip Bay.³

On his journey out, John was employed on deck as a cooper;⁴ a profession which would stand him in good stead as there were very few coopers in the Colony.

Calcutta arrived in Port Phillip Bay, just south of present day Sorrento on 9th October 1803.

Due to lack of water, poor farming soil and lack of agricultural expertise, the settlement proved to be a failure. Collins, Lieutenant Governor of the new colony, wrote to Governor King for permission to transfer the settlement to Van Diemen's Land.

Late afternoon of 15th February 1804 the complement of the Port Phillip settlement arrived at the existing settlement at Risdon Cove, north of present day Hobart.

Lt John Bowen , commandant of Risdon was absent, visiting Governor King in Sydney when Collins arrived. At 10am the following morning Collins disembarked to an eleven gun salute.

¹ John Williams, John Newman, Theft; Burglary, 28 May 1800. The Proceedings of the Old bailey Ref: t18000528-9, at www.oldbaileyonline.org

² NSW State Records Ships Indents 'Calcutta' 1804

³ Convicts unbound : the story of the Calcutta convicts and their settlement in Australia / Marjorie Tipping South Yarra, Vic. : Viking O'Neil, 1988

⁴ Ibid

Unimpressed by the Risdon site Collins sent his surveyor and the harbour master to seek better sites. By 20th February all the tents had been pitched at 'Sullivan's Bay', Derwent River on the site of present day Hobart and named Hobart Town by Collins.¹

Because of his value as a cooper John was transferred to Sydney, and as he states in his Petition for an Absolute Pardon, .." from his arrival in the Colony until the year 1818 was employed in the Port Stores. "²

This would indicate that he probably stayed aboard the *Calcutta* when it continued on from Port Phillip to Sydney.

In the 1814 Muster he is recorded as being in the employ of Kable, who in partnership with James Underwood was involved in sealing activities.³ It is unlikely that the Colony would allow a cooper to depart its confines and John was most likely allowed to produce casks for Kable & Underwood to ensure a supply of whale oil for the Colony's Government buildings.

John Williams was not included in the original list of persons requested by John Oxley, for the 1818 expedition to the Macquarie River; he and Henry Shippey replacing Richard Kippas who had broken a leg, and Thomas Cribb.⁴

In 1814 there were only 13 coopers in the Colony and 11 in 1820 so, for John to be spared illustrates the importance of the expedition to the Government.

The experiences of the first expedition would have made Oxley aware of the value of a cooper for the provision of storage for foodstuffs, documents and specimens. This was borne out less than a month into the journey down the Macquarie River when it became evident that it would be necessary to forego boat transport and Oxley records " and the cooper would have time to diminish the pork casks, which were far too heavy for the horses,...."⁵

John being a cooper and Henry Shippey a coach builder, and with boat builder, George Hubbard having to take up his position as boat builder in Van Diemens Land, their inclusion was also likely influenced by the need to have persons with wood working skills to assist John Dwyer.

Their expertise was put to good use when the members of the expedition commenced an incredible feat of endurance when they reached the estuary of the Manning River, on their journey south from Port Macquarie. Here Oxley reported ".....our progress was stopped by a very extensive inlet, the mouth of which was nearly a mile wide. It was near high water, and the sea broke right across with tremendous violence, affording us little hope, circumstanced as we were, of being able to effect a passage"

Sorties inland found no way of crossing to the south and the situation appeared hopeless when they remembered ".....the boat which had been washed on the beach suddenly occurred to us. It was true that we were twelve or fourteen miles distant from it, and that we should have to carry her that distance on men's shoulders, but to persons in our situation such difficulties were as nothing. It was therefore determined that twelve men should depart before day, and use their efforts to bring her to the tent.." ⁶

On the morning of October 20th, 1818 ..At four o'clock the people set out to bring the boat, and at

¹ Parliament of Tasmania Parliamentary History Project ' Bowen Bows Out' written by Terry Newman Project Manager

² Colonial Secretary Index (Fiche 3211; 4/1863 pp.103-103c)

³ General muster of New South Wales, 1814 / edited by Carol J. Baxter. Sydney : Australian Biographical and Genealogical Record in association with the Society of Australian Genealogists, 1987

⁴ Cross referencing those who were listed prior to departure and those receiving pardons at Colonial Secretary Index (Reel 6038: SZ759 pp.543-4

⁵ John Oxley Journal; Two expeditions into the Interior of New South Wales Chapter II

⁶ Ibid

two o'clock they had brought her safely to the tent, having gone in that time upwards of twenty-six miles, thirteen of which they carried a twelve feet boat on their shoulders; a proof how much may be effected by a steady perseverance. In fact, I had no occasion to be anxious for the result of any measure which at all depended on their personal exertions.”¹

Consider the feat of those twelve men; men who were an average of 5'6, and of slight build. They rowed and walked from Bathurst, crossed the rugged Great Divide and on their 139th day they walked 13miles (21kms) through virgin coastal land and sand and returned the same distance carrying the boat.26miles(42kms) in 10 hours

The value of the boat was evident to all the members of the party, causing Oxley to record “*The men voluntarily undertook to carry the boat on their shoulders until we should pass Port Stephens—a service, reduced as their strength was by constant exertion, I should have been unwilling to impose on them, however it might facilitate our future progress.*”²

Williams and Shippey were put to shaping oars and Dwyer caulked the boat and made sure it was in shape to transport the party across the estuary.

On 1st Dec 1818, Governor Macquarie, recognized the performance of the party's efforts with Conditional and Absolute Pardons; John Williams receiving a Conditional Pardon.³

The following year Joseph Underwood, merchant and ship owner of Sydney advertised for coopers to go to Macquarie Island; a remote island 1500 kilometres SSE of Tasmania.

Underwood had been involved in the seal trade for several years, with fur seals slaughtered by the hundreds of thousands for their hides and oil, whilst elephant seals were exploited for their oil. Both Joseph and James Underwood provided government instrumentalities with oil, including hospitals, goals and watch houses.⁴

Joseph owned the *Campbell Macquarie* which was the first known ship wrecked on Macquarie Island, in 1812. It was carrying a cargo of seal hides and salt, loaded at Kangaroo Island.⁵

John Williams, evidently seeking to bank roll his future, sought and was given employment by Joseph Underwood, and with the express permission of Governor Macquarie, found himself, in March 1820 bound for the remote, storm lashed Macquarie Island where the temperature varied between minus 8C and 8C, with an average two hours of sunshine a day.

“*The dense fogs, the soaking mists, the howling winds, the pounding seas, the extreme wind chill factor, the difficult terrain and the smell all “disappear” when looking at these statistics.*”⁶

But for John they didn't disappear. Nor did the harsh living conditions.

Russian explorer Thaddeus Bellingshausen visited Macquarie Island in 1820 and reported that a total of 40 men were working on the island. These men would have included John Williams.

¹ Ibid

² Ibid

³ Colonial Secretary Index (Reel 6038; SZ759 pp.543-4)

⁴ Colonial Secretary Index (Reel 6038; SZ759 p.439) (Reel 6039; 4/424 p.81) (Reel 6038; SZ759 p.411)

⁵ Colonial Secretary Index (Reel 6002; 4/3491 p.379) and The Shipwreck Watch- written by Anne Morgan. Fahan Girls' School Tas.

⁶ Parks and Wildlife Service Tasmania at www.parks.tas.gov.au – Steve Johnson, Interpretation and Education Officer

Bellingshausen recorded the sealers hut at Sandy Bay was “.....20 feet long by 10 feet broad, inside it was lined with skins of seals, the outside was covered with a kind of grass which grows on the island. At one end was a small hearth, and a lamp was always kept alight. ... Beside the hearth was a bedstead. Provisions were stored at the other end of the hut. Inside it was so black and dark from the smoke that the smouldering light from the lamp and from the holes in the wall over which bladders were stretched, scarcely lit the interior of the hut, and until we got accustomed to the light the sealers had to lead us by the hand.”¹

Thus, for nineteen months John toiled, making casks for the hides and oil, amidst the stench and degradation that was a sealers’ settlement.

In October 1821, he petitioned the Governor for an Absolute Pardon, and with supporting recommendation from John Oxley, he achieved his desire to be free to depart the Colony.²

*To His Excellency Lachlan
Macquarie Esquire Captain
General & Governor in Chief*

The humble petition of John Williams most respectfully states

That your humble Petitioner arrived in the Colony on Ship Calcutta commanded by Captain Woodroffe in September 1803. That your Petitioner has been upwards of 18 years in the Colony and from his arrival up to the year 1818 was employed in the Port stores as Cooper – when he went on an expedition to the interior of the Colony with the Surveyor General John Oxley Esq. When Your Excellency was pleased in consideration of his good conduct and past services to grant him a conditional pardon.

That your Petitioner was with Your Excellency’s permission was cleared out in March 1820 in the employment of Mr Joseph Underwood as Cooper at Macquarie Island up to the last August when your Petitioner arrived at Sydney.

And your humble Petitioner prays Your Excellency will be pleased to confer on him, in consideration of his having conducted himself with honesty, sobriety and the strictest integrity which he trusts – the under mentioned signatures will confirm as well as the length of time your humble Petitioner was been in the country – an Absolute Pardon.

And should Your Excellency be pleased to confer this indulgence your Petitioner will remember it with the highest sense of gratitude and Veneration and Petitioner as is duty bound will for ever pray

Sydney

John Williams

Oct 1821

The Petitioner John Williams while under my direction conducted himself in the most satisfactory and praiseworthy manner, and on the return of the Expedition in 1818 Your Excellency was pleased to intimate, that should the Petitioner conduct himself in future with propriety, it was

¹ Ibid

² Colonial Secretary Index (Fiche 3211; 4/1863 pp.103-103c

probable that at some future period be favourably considered.

Sydney Oct 15th 1821

Joxley Surveyor General

On the same day Governor Macquarie gave his answer:-

The Petitioner, Jno Williams will receive an absolute Pardon of this same day's date.

Sydney

L,M

15th Oct 1821

The twelve members of the Expeditions who received Absolute and Conditional Pardons on 1st Dec 1818 are not recorded in the Index of Convict Pardons and Tickets of Leave, recorded in the NSW State Records, and hence it is not possible to cross reference against the numbers recorded against freed convicts departing the Colony.

Consider the following:-

- John possessed a Conditional pardon that entitled to go him unrestricted within the Colony.
- He applied to go to one of the most inhospitable locations on the globe, and lived in atrocious conditions. The only possible reason was to gain a sizeable sum of money on his return to Sydney.
- On his return to Sydney he applied for an Absolute Pardon; the only advantage over a Conditional Pardon being that it would allow him to travel from the Colony.

On 21st November 1822 John Williams, after 19 years in the Colony, with an Absolute Pardon and financially stable, sailed out of Port Jackson to Hobart and onto London. Fittingly, for a lad from Ireland, he went as a passenger aboard the *Castle Forbes*, the name of a Castle in Longford County, Ireland.¹

¹ Ships Muster Index Society of Australian Genealogists extracted from NSW State Records (Reel 561; 4/4773 p.561)

Maps

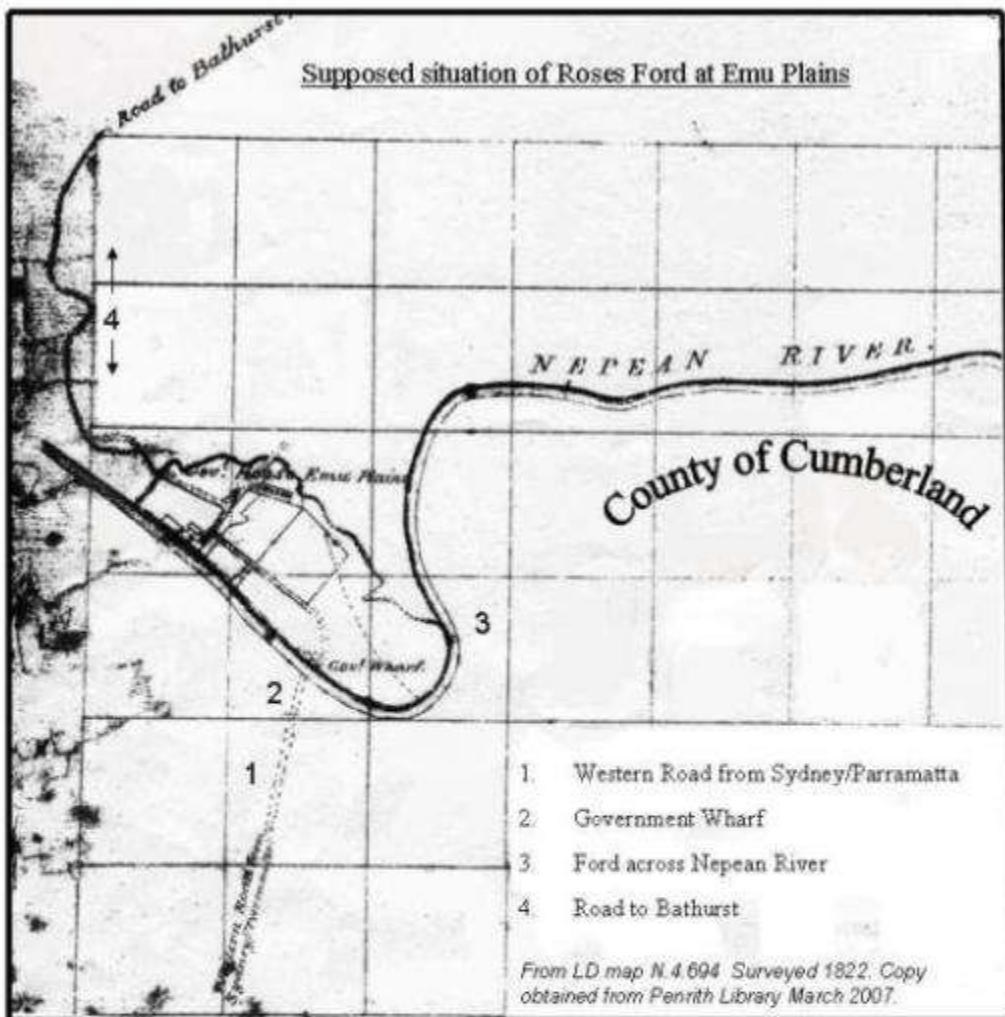
Where they came from



Where they came from - Text

1. Charles Fraser was born at Blair Atholl, Perthshire, Scotland 14th April 1791. "... gained his education in some of the best gardens in Scotland."
2. George William Evans born at Warwick, Warwickshire 5th Jan 1780. His father was secretary to *The Earl Brooke and Earl of Warwick*.
3. John Joseph William Molesworth Oxley born at Kirkham Abbey near Westow, North Yorkshire and christened on 6th July 1784 at C o E Parish Church, Bulmer, Yorkshire.
4. William Parr (*aka Thomas William Parr*) sentenced to 14 years transportation at Sandwich, Kent in 1812.
5. George Hubbard from Deal, Kent
 - (5a) helped French prisoners of war escape from Welshpool, Wales
 - (5b) arrested at Shrewsbury, Shropshire.
6. George Simpson, born at Hemsworth, West Riding Yorkshire and christened 18th Nov. 1792 sentenced to death with brother Thomas for sheep stealing.
7. James Williams sentenced to 14 years transportation at Berkshire Assizes, 1st March 1813.
8. Richard Watts, servant to famed clown Joseph Grimaldi, at Finchley. Sentenced to death at Old Bailey, 17th May 1809 for animal theft.
9. Francis Lloyd was born at Broseley, Shropshire on 25th April 1791
 - (9a) sentenced to life transportation at Norfolk Assizes on 17th August 1813.
10. Thomas Elliss of Coventry, Warwickshire was sentenced to 14 years transportation, at the Assizes there in 1814.
11. George King, 16 years old, was court martialed aboard HMS Salvador del Mondo, at Plymouth on 26th October 1810. He was transported for life.
12. Five expedition members came from London
 - (i) William Warner, a waterman on the Thames River, was charged with stealing deal (wood). Sentenced to death at the Old Bailey on 6th June 1810. His wife Sophia followed him as a free woman on the same ship as John Oxley in 1812.
 - (ii) John Williams was charged with theft; burglary, at Water Lane, Blackfriars. He was sentenced to death at the Old Bailey on 28th May 1800, aged 16 years.
 - (iii) Henry Shippey was sentenced to death at The Old Bailey for Highway Robbery, at Snow Hill on 5th March 1812.
 - (iv) William Maggs was charged with 'simple grand larceny', at the Old Bailey, for stealing a till and coins from a baker in Providence Row , Finsbury Square, was fortunate to only receive 7 years transportation.
 - (v) Allan Cunningham was born at Wimbledon, his father, a Scotsman, was gardener at Wimbledon House. Allan worked at the Kew Gardens and was collecting in Brazil when directed to go to New South Wales in 1814.
13. James Blake, often called William because of Oxley's misnaming, was sentenced to life transportation at Sussex Assizes on 23rd March 1812.
14. John Harris, surgeon, was born at Moneymore, Londonderry in 1754. Educated in Scotland and served in Indian waters before going to New South Wales.
15. Barnaby Butler arrested at Carrick-on-Suir for Highway Robbery.(15a) Sentenced to death at Kilkenny in 1804.
16. Patrick Byrne, of the City of Dublin, (16a) was sentenced to life transportation, at Kildare, in 1811, departing Cork 15th May 1812 .
17. John Dwyer, a 15 year old, of Kildare, was (17a) convicted at Dublin and sentenced to 7 years transportation.

Evans: Ford at Emu Plains



Likely site of Ford, taken from Quarry Bridge. Rocks similar to painting on right are on each side of the river at the bridge.

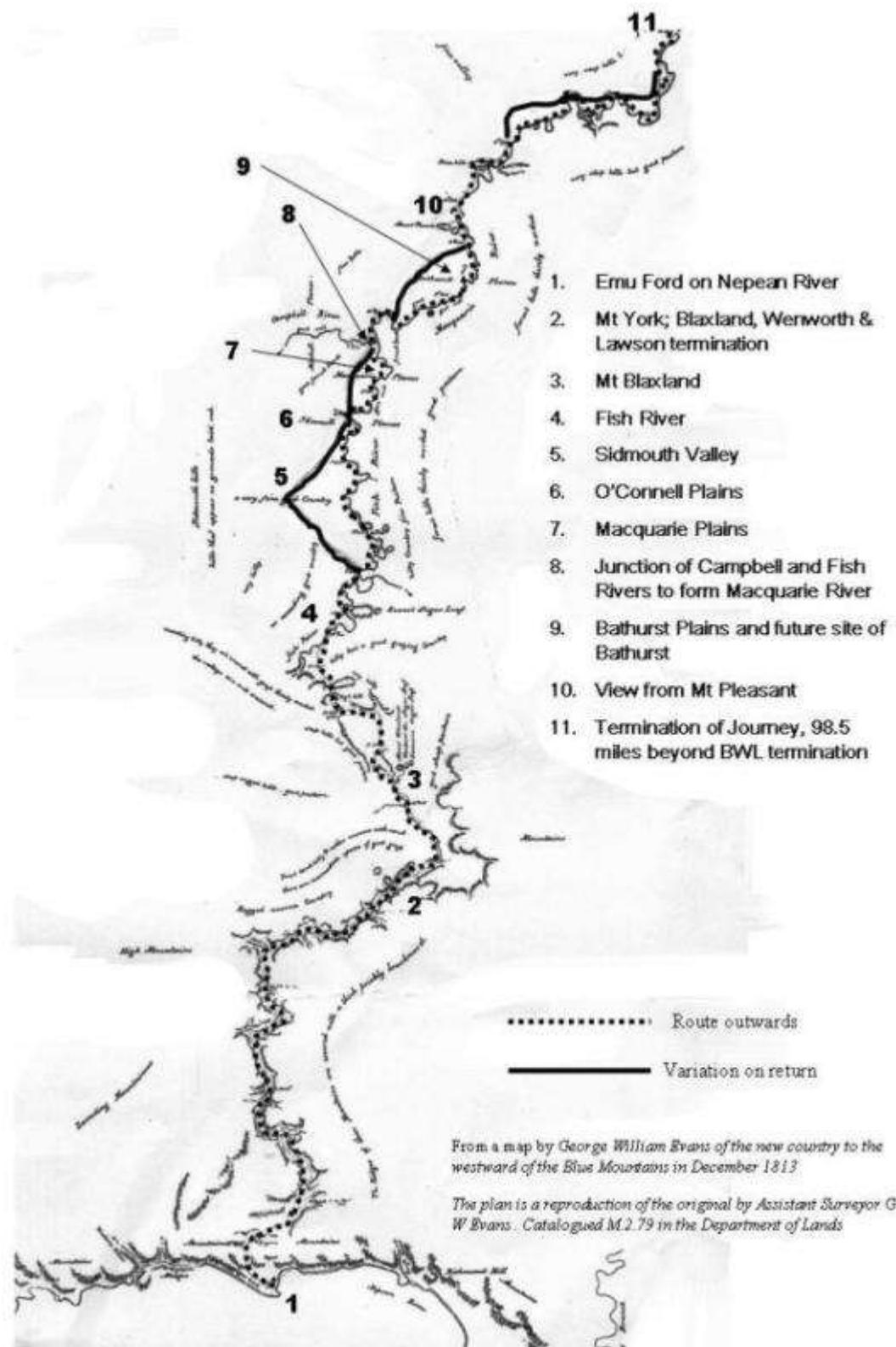
Photo: Tim Crampton March 2007



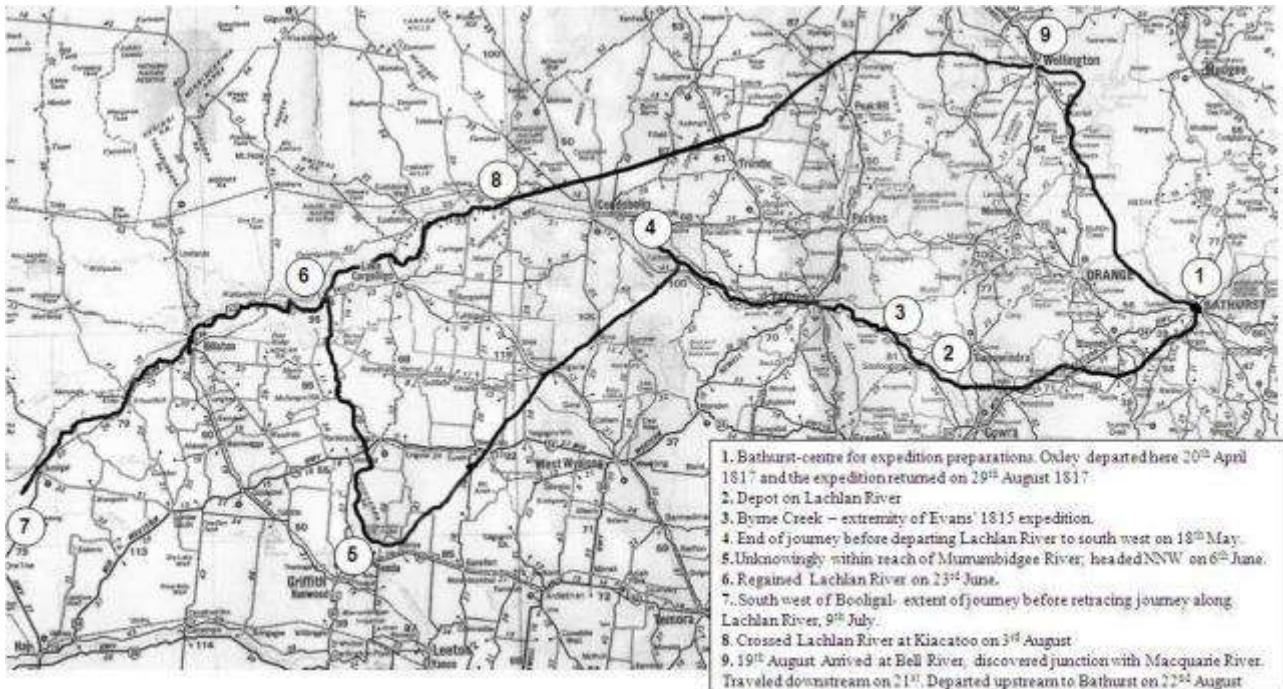
Sketch of Emu Ford, by John Lewin, accompanying Macquarie across Blue Mountains 1815. Rocks in right background are now covered with vegetation

NSW State Library (PKE 388/1b)

Evans :1813 to west of Blue Mountains



Route of 1817 Expedition



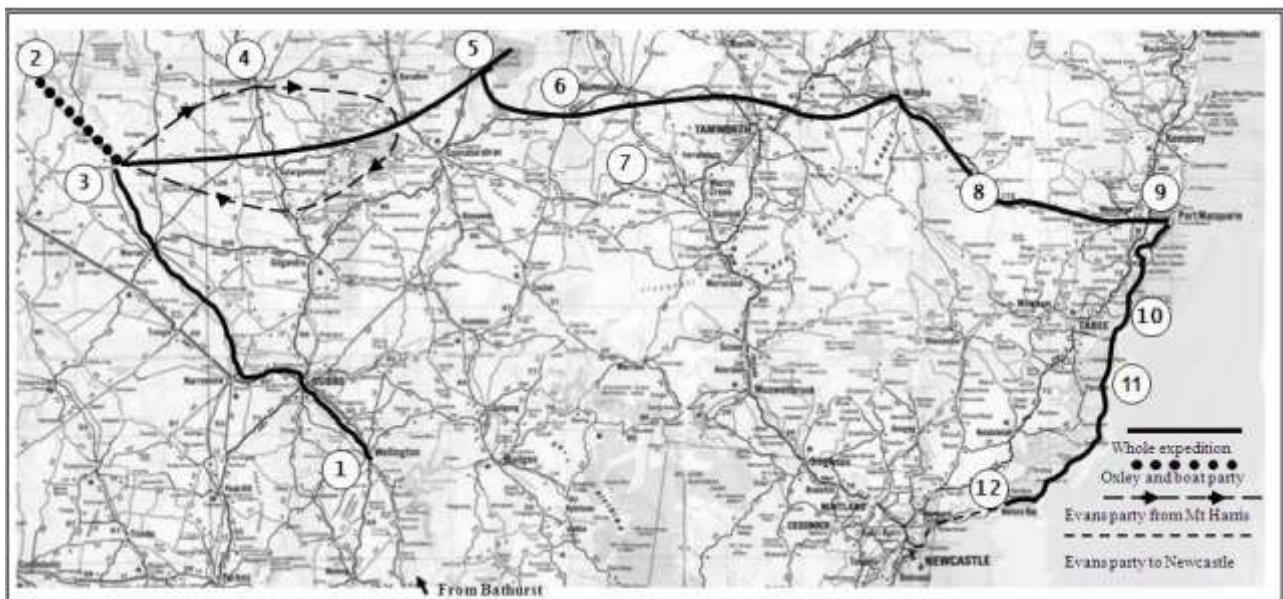
Click above image to enlarge
 Press ALT+LEFT ARROW or BACKSPACE to return to this page

The 1817 expedition followed Evans' party's discovery of the Lachlan River in 1815. Cunningham, on reaching Bathurst recorded "We have all, Mr Oxley excepted, walked since we left the boats in May last a circuitous route of 750 miles." However those leading the pack horses and chainman George Simpson would have walked most if not all of the way. This would have meant they would have covered in excess of 1000 miles (1600kms) in just over four months.

Acknowledgement to John Whitehead – Tracking and Mapping the Explorers Vol 1. The Lachlan River

Route of 1818 Expedition

(Taken from Chart of John Oxley, Surveyor General 1818)



1. 6th June: Expedition departed by boat, horse and foot along Macquarie River.
2. 2nd July: Oxley and boat crew continued down stream for about 50 miles. Surrounded by an ocean of reeds the party returned to Mt Harris; arriving on evening of 6th July.
3. 8th July: Mt Harris from whence Evans and probably Byrne and Simpson, departed north east to seek alternate route. Arrived back at Mt Harris on 18th July
4. Castlereagh River discovered by Evans group
5. Having departed Mt Harris on 20th July the party travelled near east, through the Warumbungle Mountains, then north east into the Pilliga where the horses could go no further.
6. 20th August Oxley and Harris ascended a conical hill near present day Mullaley and saw to the S & SE——
7. The fertile plains Oxley named the Liverpool Plains
8. Saw the ocean from mount he named Mt Sea View (probably Mt Kokomerican) also named Hastings River
9. Reached the Pacific Ocean and named the inlet Port Macquarie.
10. Blocked by the Manning River estuary, men returned some 13 miles and returned with life boat from the wrecked Jane. Repaired, the boat enabled their crossing
11. James Blake speared by natives near Tuncurry estuary. Saved by expertise of Dr John Harris.
12. Having carried boat from the Manning River, the party arrived at Port Stephens. Evans, probably with Byrne and Simpson, were ferried across the bay and took news to Newcastle of the arrival of the expedition at Port Stephens.

Click above image to enlarge

Press ALT+LEFT ARROW or BACKSPACE to return to this page

20th May 1818: Oxley and John Harris departed Sydney. 25th May : Arrived at Bathurst 28th Departed to Wellington Valley, arriving 2nd June: Richard Lewis and George Hubbard and his boat building party departed to Bathurst.

Cunningham 1823 – discovery of Pandora's Pass



KEY

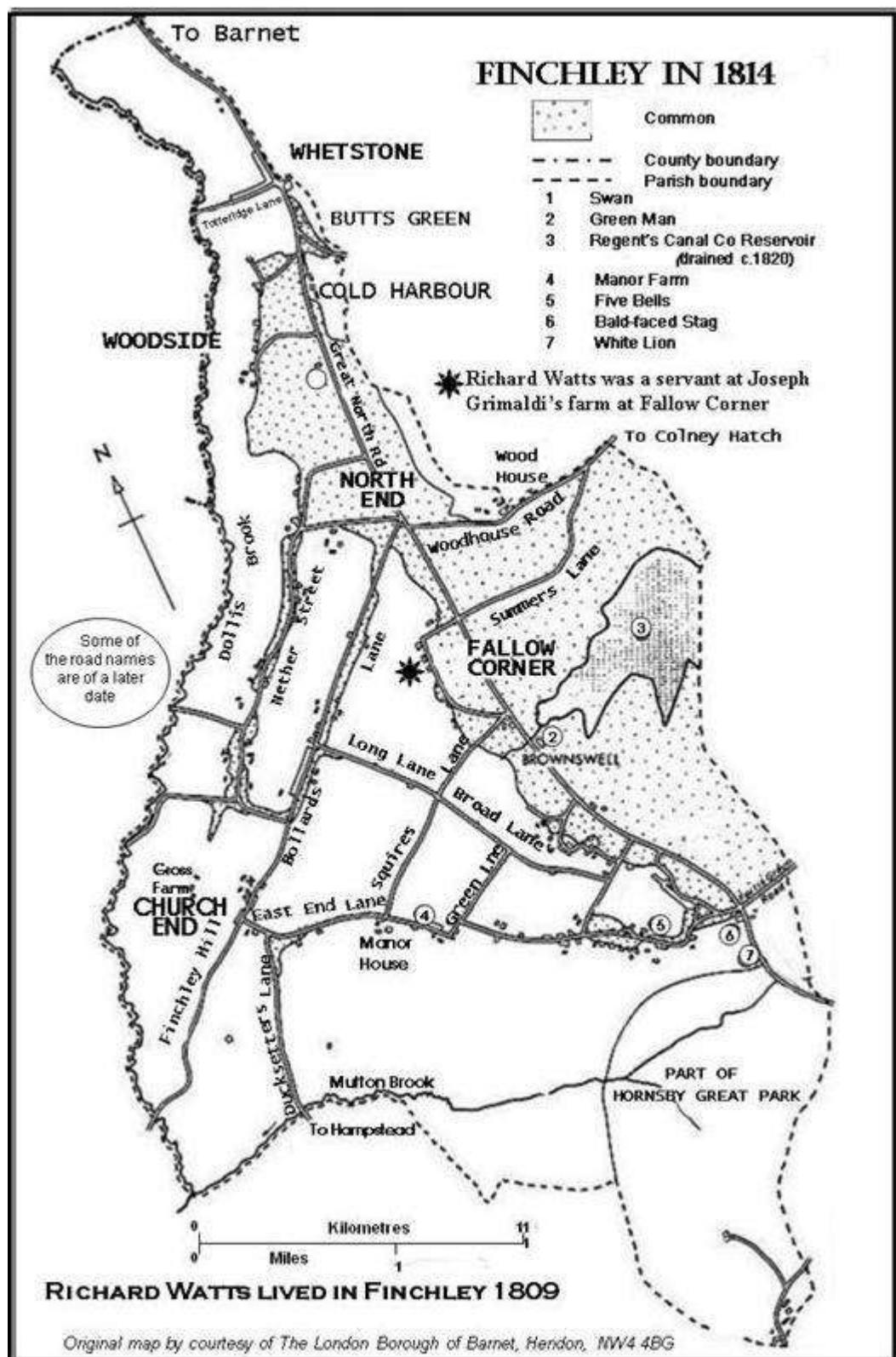
1. 15th April, Cunningham plus party of five, departed Bathurst
2. Lime Kilns
3. Turon River
4. 18th Apr., reached Cudgegong River
5. 23rd Apr. departed Dabee
6. 29th camped under Mt Burchell
7. Forded Emu Creek
8. Goulburn River near present day Ulan
9. 6th May on Goulburn near present day Cassis
10. 8th May; Camped 5 miles from Oxley's Peak
11. Ascended Mt Macarthur, sighted Liverpool Plains to the north.
12. Impossible to lead horses through the range the party headed east along the lower range. After 5 unsuccessful days the party headed south to present day Scorne.
13. 19th May headed east, arriving back at Goulburn River(?) on 31st May
14. Passage through Liverpool Range discovered. Named Pandora's Pass. In present day Coolah Tops National Park.
15. Departed home eaward along Coolaburragundy River, past present day Coolah.
16. 12th June crossed Lawson's River
17. Rejoined Cudgegong River at Cox's Station. Departed 20th June.
18. Arrived Bathurst 27th June 1823

*Of the Country between
BATHURST
and
LIVERPOOL PLAINS
Showing Mr Allan Cunningham's
Route during the Months of
April - May - June 1823*



Outline of route, from Cunningham to Dr Hooker, Professor of Botany and Director at Glasgow

Richard Watts' Finchley



Remembering Pictorially



John Joseph William
Molesworth
OXLEY

nla.pic-vn3509743
PIC/9259 LOC
Negatives cabinet
PIC/9259



George William
EVANS

nla.pic-vn3509777
PIC/9261 LOC
negatives cabinet
PIC/9261



Surgeon John
HARRIS

State library NSW
PICMAN:
GPO 1-01161



Allan
CUNNINGHAM
c.1835

nla.pic-an2287723
PIC PIC R88 Scr 51
Con 164



Governor William
BLIGH
c.1802

nla.pic.an9454404 Pic
PICS7836
LOC7311-7320



Major William
COX

State Library NSW
Picman Frame
order no: GPO 1-
08660



Lt. Col George
JOHNSTON

State Library NSW
Picman frame order
no: GPO 1-06755



Lieut. Gov. William
PATERSON

State Library NSW
Picman Call No: DG 175



Governor Phillip Gidley KING and family; with son Phillip Parker KING to his right.

Cunningham accompanied P P King on 4 voyages

State Library of NSW Call no.: ML 1244



Governor Lachlan

MACQUARIE
C.1819

State Library of NSW
Call no.: MIN 236
Digital orderno.
a128650



A native chief of Bathurst—J W LEWIN Published 1820

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Richard NASSAU,
fourth Viscount
MOLESWORTH

Claimed as grandfather
of John Oxley

William Molesworth



Frederick Lewis
SIMPSON

only child of George
SIMPSON and his second
wife, Mary Cook



John Norton OXLEY, elder son
of John OXLEY and Emma
NORTON

J N Oxley Family Bible
Glenn Bowen Molong



**View in Bathurst Plains near Queen Charlotte's Valley – Joseph Lycett
Published 1824**

National library of aust.pic-an 7690818

Call number(s)

PIC PIC U448 NK2707/1 LOC NL shelves 68

PIC PIC U619 NK380/1 LOC NL shelves 67

**Liverpool Plains, west prospect, from View Hill
Engraver John Clark. Published 1820**

-from sketch by G W EVANS

National Library of Aust. pic- an 9353072

PIC PIC U8094NK LOC NL Shelf 99



**Cunningham's Monument –
Botanic Gardens Sydney :-
S.T.Gill**

National Library of Aust.Pic-an 7537502

PIC PIC U115NK9593/10LOC NK Shelf 201

**Kirkham Abbey, near Westow Yorkshire.
John Oxley named his Camden property after the Abbey.**

Approved by Jonathon Clark from his site
<http://www.net-images.co.uk>

**Chinaware from John Rose pottery,
Francis Lloyd likely learnt his trade there**

The Iron bridge Gorge Museum Trust - Coalport China Museum



G. W. EVANS' watch

Photograph from fifth generation descendant of G.W.Evans- name withheld for security purposes



View Upon the Nepean River at Cow Pastures

Joseph Lycett c.1820

Oxley had property in this area

National Library of Aust. Pic-an7690933

PIC PIC U465 NK2707/18 LOC NL shelf 68



View from the summit of Mount York, looking towards Bathurst Plains, convicts breaking stones – Augustus Earle c.1826

National Library of Aust. pic-an2818287

PIC PIC T61 NK12/23 CON1207 LOC Box A32 *



Female penitentiary or factory, Parramatta
Augustus Earle

Richard Watts obtained his wife, Eleanor Tomlinson, from here.

National Library of Aust.-pic-an2818460

PIC PIC T85 NK12/47 LOC Box A33 *



Bathurst Plains 2005 – photographed from Mt Panorama

Tim Crampton



View of Port Macquarie at the entrance of the River Hastings, New South Wales –

Joseph Lycett c.1820

nla.pic-an 2962958
PICR8737 LOC762-C



A view of part of the town of Windsor in New South Wales, taken from the banks of the Hawkesbury River- drawn and engraved by P. Slager. c. 1813

Ships/boats were used to transport goods and people to Sydney

nla.pic-an 6016537
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2230



View of Windsor upon the River Hawkesbury -

- Joseph Lycett c.1820

Butler, Watts, James Williams, Parr, Warner lived in the area along the Hawkesbury

nla.pic-an 7690909
PIC PIC U463 NK2707/16 NL shelves 68
PIC PIC U633 NK380/15 LOC NL shelves 67



South west view of Hobart Town, Van Diemans [sic] Land -
G.W. Evans ; engraved by R. Havell & Son. Published London 1820

Macquarie was impressed with Evans gift of a painting of Hobart Town and requested others.

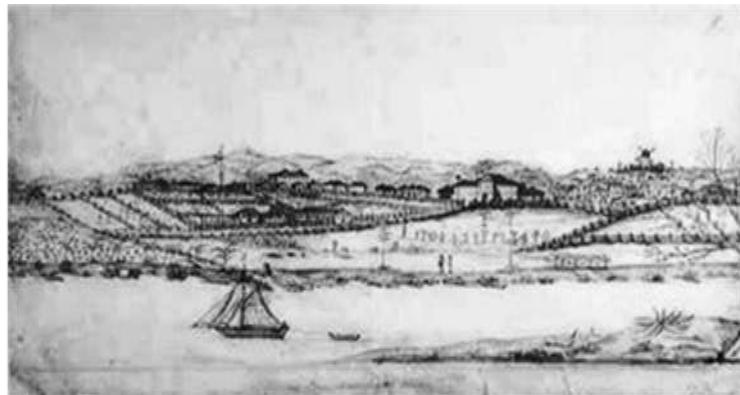
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Perambulatoraka Waywiser

Measuring instrument like that pushed by George Simpson on the whole of both expeditions

Smithsonian National Museum of American History –Physical Sciences Collection – Surveying and Geodesy



Moreton Bay New South Wales c 1835? Possibly the work of Henry Boucher Bowerman

Queensland wasn't proclaimed a separate State till Dec 10, 1859.

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PIC PIC T1989 NK211 LOC 2117



'Surry' arriving at Port Jackson
Geoffrey C Ingleton

The horror ship, survived by Francis Lloyd

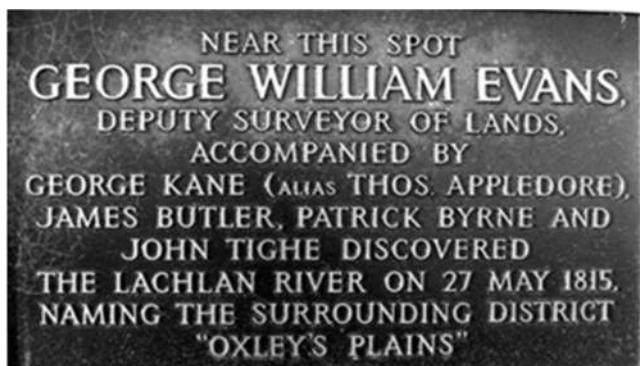
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Site of 1817 depot; Lachlan River, west of Cowra

Having stood on this site I have no doubt it is the very point from which the 1817 party departed... Tim Crampton

Tim Crampton 2005



Commemorative plaque approx 8kms west of Cowra.

Tim Crampton 2005

Arbuthnot's Range from the west
- drawn by Major Taylor from a sketch by G W Evans.

Named after Right Hon. C. Arbuthnot, of His Majesty's Treasury, 27th June 1818

nla.pic-an11324187

PIC PIC U8093 NK68 LOC NL Shelves 99



'The Bottoms' at Pitt Town, one of the Macquarie Towns, on the Hawkesbury

The movement of housing to the higher ground, above 'The Bottoms' at Pitt Town, Windsor and Richmond, by Gov. Macquarie was a wise decision, as witnessed by the crops continuing to flourish on the lower levels whilst residences remain safe on the higher ground

Tim Crampton 2006



A chain gang, convicts going to work near Sidney [i.e. Sydney], New South Wales

Originally titled "Chain gang going to work at Hobart Town, Van Diemens Land, c.1833"

Edward Backhouse

Barnaby Butler was convicted of striking the owner of poultry, whilst attempting to steal same, in 1809. He was sentenced to the Gaol Gang, and five years later recorded as being in the less rigorous Town Gang

nla.pic-an24747399
PIC U8152 NK 3894 LOC NL Shelves 9



View of part of the town of Parramatta in New South Wales, taken from the north side of the river -drawn by J. Eyre, engraved by P. Slaeger

Cunningham had a cottage here; where he catalogued and prepared his collections

nla.pic-an6016526-1
PIC PIC S1955 LOC 2231-B



The grave of a native of Australia
-drawn by G.W. Evans, engraved by R. Havell & Son.

Discovered 29th July 1817, near Lachlan River, west of Condobolin, where the party crossed to the north bank of the river, on their return.

nla.pic-an8955101
PIC PIC S4290 LOC 4042-A
PIC PIC U8092 NK68 LOC NL shelves 99