



Chapter 1 - Creation of a Colony

Criminal laws of the 18th century dated from the days of Queen Elizabeth I. And many of the monetary values for which crimes were punishable by lengthy imprisonment (or even execution) had not been altered for two hundred years. Aside from any other issues, the legal system had failed to take account of inflation or the growing poverty that drove people to crime. Society at the time gave little thought for the plight of the poor and the growing number of jobless.

‘Self preservation determined that more and more must turn to crime. A harsh criminal code protected property in a way that caused suffering to a degree that is hard to imagine today.’¹ Theft in one form or another could easily incur a sentence of transportation for seven years to the colonies. ‘There were over two hundred offences that were punishable by death in England at the end of the eighteenth century. However, the death sentence was often commuted to transportation for life.’² Transportation provided a means of ridding the country of people who committed crimes that they were driven to commit. ‘For many it was a case of steal or starve’ For most of the 18th century, transportation usually meant being sent to the colonies in North America.

With the American colonies succeeding with their war of independence in 1781, Britain found that it could not so easily dispose of its growing convict population. Constantly full gaols meant that more and more convicts were assigned to the hulks of ships anchored in London’s River Thames.

The other side of the coin was that the American colonies no longer were the beneficiaries of a regular supply of cheap labour from the United Kingdom. They had to employ free men in their place; or buy slaves, that is, innocent folk kidnapped from Africa. The latter option was cheaper and significantly contributed to the expansion of the slave trade to North America.

The need for a solution to the convict problem in the United Kingdom, led to consideration of various choices for new sites for convict colonies. Captain James Cook’s voyage of discovery with the Endeavour in the South Pacific 1769–70 proved fateful in this affair. It was Cook’s discovery, exploration, naming, claiming for Britain, and reporting on New South Wales (NSW), that eventually led to it being chosen as the place to send Britain’s unwanted. A fleet of eleven vessels, with 759 convicts, under the command of Captain Arthur Phillip set out from Portsmouth on a journey that took seven months and traversed 13000 miles, to a place at the other end of the world. It was on 26 January 1788, in the middle of summer, that they finally set foot on the shore of what became known as Sydney Cove.

Sydney Cove is inside Port Jackson and faces north into it. At the time, Sydney Cove was noted to be a place of sandy soil and rock. Captain Phillip chose Sydney Cove as a place of settlement because of ‘a fine run of fresh water, stealing silently through a thick wood’ flowing south to north into the south-west corner of the cove.

Just north of present day Hunter Street (formerly Bell Street) there was a fall in the stream towards Sydney Cove. The salt water was never able to reach south of that point. Above and near the fall were holes about ‘12x15 feet’ and ‘20x14 ft’ and ‘eight to twelve feet deep’ cut into solid rock, known as tanks, that were kept full by the stream. It was at those tanks that the wives of soldiers washed their family’s clothes. And it was those tanks that gave the stream its name. The stream that fed the tanks was a foot wide and a few inches deep.³

The Tank Stream, and the high ground that contained it, influenced the way in which Sydney was laid out then, and today. It was around and from this pivotal piece of geography that the colony was quickly

¹ Hawkesbury Journey. p1.

² Hawkesbury Journey. p1.

³ Memoirs of Obed West. p11, 21.



established, and was added to over succeeding years by the arrival of other convoys of convicts. However, while the Tank Stream quenched the infant colony's thirst, it took a lot longer than anticipated before the colony was able to feed itself. For many years, the colony was dependent on rations brought by supply ships that were often part of a convoy from Britain. The very existence of the colony was uncertain for some five years after the arrival of the First Fleet.



The arrival of the First Fleet at Sydney Cove 26 January 1788. Derived from the watercolour by Julian N Briere.

'For Forty years the people of Sydney were content to depend for their water supply upon the Tank Stream, with a well sunk here and there.'⁴ It was around the Tank Stream the Colony of New South Wales was born, struggled to survive, was sustained, grew, and prospered.⁵ As the colony gained strength it provided the foundation for development of Australasia, and much of the South-West Pacific.

The colony's status as a penal settlement altered little until the dawn of the 19th century, with a trickle of free settlers arriving. It was about this time the fate of the David Brown (1750 - 1836) and family (and those connected with them) became entwined with that of the Colony of New South Wales. They arrived in time to take part in a wave of expansion by the pioneers who opened up and developed this country.

⁴Australia in the 1870's, p100-1.

⁵An interesting environmental observation of 1870 from which little seemed to be learnt: 'The Stream was dammed up in many places, and for many years the trees that shaded the waters of the creek were allowed to stand. As time wore on, however, and the population increased, many of the trees were cut down, and the water supply at once diminished,' Australia in the 1870s, p101.



Chapter 2 - *SYDNEY BOUND* ‘By Government Order’ (1750 – 1800)

David Brown is the most enigmatic of all characters dealt with in this work. During the thirty-five years that he was resident in the colony of New South Wales, David Brown was described as: ‘industrious’ and ‘a respectable settler of long standing in the colony’. Also, David was variously referred to as ‘the Elder’ or ‘Senior’ to differentiate himself from his second eldest son - For the same reason, in recent times, and in this work, he is often referred to as David (I).

David came into the world circa 1750, in Scotland, some five years after the Jacobite cause had come to grief at Culloden. David Brown’s origins in Scotland are obscure, and apparently, deliberately so. Family folklore indicates that David’s grandfather, and possibly his father had been active in Jacobite affairs from the late 17th century. Unfortunately, several generations ago, this obscurity caused one of the ladies of the family to research the family’s origin and history through the services of fortune-tellers. This has added a fanciful and romantic dimension to whatever confusion and vaguery existed in the folklore. Of that embroidery, the following stands out:

‘the family being supporters of the Stuarts, and followed King James II when he fled Britain in 1688 to escape rebellion’ and the invading William of Orange.

If this were true, they would have been part of the many thousands of sympathisers that sought refuge in France.

A seal brought to the colony by David in 1801, said to have belonged to David’s grandfather, is of special interest in this regard (Refer Appendix A). The seal bears the image of a walking or prowling lion. It is claimed to be in what is known in heraldry parlance as a ‘Lion Morne’, that is, a lion without tongue, teeth, or claws, and in some cases, without a tail. Family legend suggests that the image on the seal is meant to be a lion with a forlorn countenance, and that it is intended to represent the Royal Lion of Scotland mourning for the loss of his crown. It is supposed to have been given to David’s grandfather by the ‘Old Pretender’.



However, the ‘Lion Morne’ image of a lion has no connection to any that occur in English heraldry, nor things Jacobite; but is said to be reminiscent of that found on the shield of several Scottish or Breton families, in the Celtic, Gaelic, speaking part of France. This tends to give credence to the



legend’s claim about the family’s connection with France. Hopefully this can be clarified one way or the other.

Regardless of the accuracy of romantic family folklore about its origin and things Jacobite, the prowling lion seal has long been associated with David and continues to be identified with him.

A Change of Name

Persistent in the legend is the claim of a change of family name to ‘Brown’ about the time of the Jacobite upheaval. It is said that the names was changed to save his family some embarrassment. Whether or not, the embarrassment was the consequence of involvement in the Jacobite affair is not clear. There are several examples of villainy (eg murder, rape, kidnapping, etc) at that time where the perpetrator escaped retribution or justice by a change of name and/or by travelling to some place a great distance from the crime, such as France.⁶ What the family name is supposed to have originally been is uncertain. Legend suggesting that their name had been ‘Stuart’ came courtesy of the family consulting with fortune-tellers a century earlier.⁷ However, MacGregor, is suggested from several independent recollections among the Brown family, and not the fortune-teller. If it was indeed MacGregor, the departure in sympathy with King James II seems

⁶ “A New History of Scotland”, 1962, p155.

⁷ Refer Appendix A.



especially unlikely. If there is any truth to the legend of participation in things Jacobite, it is likely to do with the 1745' rebellion.

The change of name aspect of the legend may well be based on the fact of the MacGregor name being proscribed, that is, its use banned by law. This situation came about due to the MacGregor clan being involved in the Murder of John Drummond of Drummondernoch in 1589.⁸ The clan's name was proscribed for many years, which meant many of them choosing a variety of alternative names. Some families never bothered to revert to the original name when it was permissible to do so.

The Beginnings of David Brown

The only available evidence of his early years is his registration of death. It indicates David being born in Scotland in 1750, supposedly Edinburgh. There are several 'David Brown's accounted for in available contemporary records as being born in 1750 in Scotland such as Angus Shire, but not Edinburgh, Mid Lothian. However, there is also a record of a David 'Broun' born in Edinburgh c.1750 to 'Robert Broun' and 'Janet Aitchison'. This possibility was dismissed previously by the author as 'unpromising' because the parent's names 'Robert' and 'Janet' don't arise in later generations.⁹

The next documented event of David's existence is at age 6. In 1756, it is said that David was taken from Edinburgh.¹⁰ Who took him (his mother and / or father, and where to (London?)) are some of the many questions that arise in the telling of his story?

Because of numerous references to him being a carpenter and cabinet-maker, it can be deduced that sometime between David leaving Edinburgh in 1756 and 1770 he completed an apprenticeship to acquire those skills. There is very minor evidence pointing to the possibility of him having done some soldiering for a period. It was not unusual for young men of the period to join a regiment shortly after having completed their apprenticeship.

David met and married a Mary Brown - The death certificate of his second eldest son, David junior, supports this.¹¹ That certificate is the only official evidence of the marriage extant to date. The sometimes uncertain nature of information in registration of deaths is well known. However, this official evidence of David's marriage is in contrast to the legend derived from crystal ball or taro card readings that claim David was married in London twice to ladies of other names.¹²

David's marriage to Mary is likely to have taken place in Scotland in the late 1770's or the early 1780's.

Subsequent to the marriage, at least four children are known to have been born to the couple: James, Mary, David, and Thomas. Mary is the only child about whose age is reasonably certain. Her year of birth is 1785.¹³ Presently, due to limited circumstantial evidence revealed in this account, the ages of the three boys are the subject of some speculation. James is believed to be the eldest son, and may well have been the eldest child. Ages for David¹⁴ and Thomas seem to depend on the occasion for their volunteering such information. However, from such information, it is apparent that Thomas was the baby of the family. It is evident from David junior's death certificate that they were in Scotland for his birth¹⁵ and also his own statement in 1850 with reference to William Wallace and Robert Bruce as 'the saviours of my country'.¹⁶ Probably all the children were born there. Legend says that there were two other daughters.

⁸ Legend recorded by Blanche Jenkins (see Appendix A) 'Amongst Mary Chisholm (Brown) papers was a memorial ring John Drummond.'

⁹ But as W. Brown of Tasmania has suggested recently, it may well now be worth closer scrutiny.

¹⁰ Burial Reg. No 1836 1112 Vol 102. Presbyterian Minister, Rev. Dr John McGarvie, notation in the burial register about David in 1836, said amongst other things, David was 'Born in Edinburgh - left it at 6 years old'. Confusingly, it gives his age as 86 which suggests a 1750 year of birth, and also 'Born 1754'. In all probability, James Chisholm's (David's son-in-law) was the informant. David's personal response to the 1828 census, in which he gives his age as 78, is consistent with being born in 1750. 1754 may well be the year that David's surname changed to 'Brown'?

¹¹ I rejected the 'Mary Brown' name initially, because it was the same surname and did not fit the legend re his wife being Mary Partington. In the records of that period there are more than a few examples of brides and grooms with the same surname marrying.

¹² Refer Appendix A

¹³ Derived from Mary's age of 32 stated in death notice in the Sydney Gazette of 6 December 1817.

¹⁴ The age given by David junior in the 1828 census and the one he gave when he was married suggest b1785-7. In a newspaper report of 1850, David jnr. states he was ten years old when he arrived in NSW - Perhaps influenced by his young second wife who might not have been aware of him being perhaps more ancient than he had said he was.

¹⁵ NSW Registration of Death 1857 No 4052.

¹⁶ The Maitland Mercury, Hunter River District News, 10 May 1851 (twelve months late)



The Brown's legend and their story, in general is very much about "dùchas" (the Gaelic for inheritance). For David, legend suggests that he had lost or been denied an inheritance. David's father or grandfather is reputed to have lost lands in Scotland through attainder because of his support for the Jacobite cause. In 1784, legislation was passed to allow attainted personages to buy back their properties. David is said to have pursued his claim to family estates (and title?) in the courts – And that he either received an adverse decision and / or was frustrated by lack of money?¹⁷

Late in the 18th century (1798 – 1800?), David's wife and two daughters (names and ages unspecified) are said to have died within a short time of each other. This tragic event having come on top of his failed court appeal(s) is said to have triggered his wish to seek a fresh start.¹⁸

Coinciding with David's (*so far unverified*) difficulties was a shift in policy by the government of the United Kingdom in the late 1790's towards its handling of its New South Wales' penal colony. The government recognized commercial potential of the colony, and the need for free settlers with some trade or farming skills. Coincidentally at this time, there was a building boom underway in the London region, offering plenty of employment and business opportunities for trades-people. Enticements such as generous land grants, guaranteed government contracts for work on arrival, assigned convict labour, government rations for up to 2 years, and free passage to the colony, were offered to get satisfactory tradesmen (and their families) to the Colony. Beneficiaries of such enticements were expressly approved 'By Government Order'.

David was in the vanguard of those who chose to take advantage of this change in policy. Setbacks as suggested by legend regarding lost estates, lack of finance, and bereavement over lost loved ones, would have been an incentive for a new life in far away New South Wales. If so, it was an opportunity for building a new life and new inheritance for his surviving family.

How well informed David was about the colony and the opportunities it afforded, and how he was informed, or who informed him are questions that come readily to mind. Desperate circumstances and Government publicity and incentives may have been sufficient for David to make his decision. Or there may have been someone already in the colony, that he or and acquaintance had some communication or heard news, whose views he respected, possibly a relation?

Capital or proof of capital or capacity to earn a living was necessary to gain approval to immigrate to the colony. The Government wanted people who would not be a burden to the resources of the Colony.

To receive approval to migrate,¹⁹ it is likely that David had to present a letter of introduction from some well placed eminent citizen to the Colonial Secretary. Such a letter would have been passed on to some clerk with an annotation or covering memorandum to instruct the relevant authorities. Locating such correspondence, if it still exists, is difficult.

Finding a Boat

With official blessing, David and his surviving children were part of some thirty passengers that boarded the 'Earl Cornwallis', a Convict Transport (CT) vessel, by October 1800.²⁰ The Home Secretary had informed various authorities on 25 July that the ship was to sail in less than ten days. However, departure was

¹⁷ 'In 1784, the Prime Minister, William Pitt the younger, and Henry Dundas, then Lord advocate, decided that the time had come to restore the estates, at a fair price, to the heirs of the former owners. This was done by an Act passed that year'. The 'transaction was applauded in Scotland and brought the Exchequer over £90,000.'

There was a John Drummond who appealed in 1785 without success to claim the Perth Estates. It was considered briefly that he might be David Brown – However, John Drummond is said to have been killed soon after at Calais in a duel with the lawful claimant. Nevertheless, his child, born shortly before his death, was also considered possibly related. Autobiographical Sketches by Mrs Crawford refers.

¹⁸ According to the history by Blanche Jenkins 1946.

¹⁹ Census 1801

²⁰ The burial register notation for David in 1836, in all probability on James Chisholm's (his son-in-law) instructions, suggests that David arrived in Australia on the 'Royal Admiral' (a 914 ton vessel that apparently carried convicts and other cargo) that arrived in Sydney on 20 November 1800, some seven months ahead of the Earl Cornwallis. However, in the various NSW Musters and the 1828 census David himself and his son David junior stated that that they arrived in 1801 on the 'Earl Cornwallis'. It seems likely that the informant was confused or was guessing re the name of the ship.



postponed by a series of delays due to administrative matters associated with the appeals and care of convicts.²¹

The 'Earl Cornwallis', launched in 1783 on the Thames, was a typical merchantman of the time. It was a large, blunt nosed, flat-bottomed, fully rigged wooden ship'. There were three decks, square sails on three masts, 20 guns, and displaced 784 tons. The Earl Cornwallis was in a different class to the fast, well-built East Indiamen, such as the Minerva which set sail to the colony a year earlier from Cobh, Ireland. It was designed for carrying capacity; not speed. Four knots were as good as could be hoped for.²²



The Earl Cornwallis, c.1786-94, without roundhouse deck at the rear.
Thomas Daniell (1749 – 19 March 1840) English landscape painter;
(Yale Center for British Art, Paul Mellon Collection)

The master for the journey was James Tennent. The Fifth Mate was Robert Scott of Glasgow, who provides the only known contemporary report of the journey, aside from the ship's log. Scott was to write of Tennent in his letter of 16 August 1801, after having served ten months with the man:

"Capt T is very strict with regard to duty, he has always behaved very well to me"

By 14 August 1800 the 'Earl Cornwallis' sailed down the Thames to Gravesend having completed her refitting which included its hull sheathed with copper, and the installation of a roundhouse on the stern for lack of a poop deck. 'Many of the female prisoners and some of the passengers and cargo had already been loaded.'²³ The roundhouse accommodated the

Captain and all the officers. Robert Scott was gratified to write that he and the 3rd Mate had a cabin to themselves, and that *'where we mess is quite separate from the convicts, passengers, (and) seamen.'*

This is the only voyage that the Earl Cornwallis is known to have made to Australia. It was certainly the only voyage as a convict transport.

When the Earl Cornwallis finally set sail, there were 193 male convicts and 95 female convicts aboard. Half the male and all the female convicts were boarded at 'Downs' about 2 September 1800. Another 95 or so males had been put aboard at Portsmouth after she had docked on 14 September 1800.

Scott wrote on 19 September to his brother about the proposed crewing for the voyage. Apart from the Captain and 6 mates there were to be: 4 Midshipmen (*if they could be procured*); 70 men; a Captain of the Guard, a Sergeant, 25 soldiers, Naval Agent, Doctor, and a parson. Included in the ships crew was a Boatswain & 2 mates, Gunner & 2 mates, Cook & mate, Sail-maker & mate, and a Joiner. Both the Gunner and the Carpenter each had a boy.²⁴ Of this crew, Scott's says 'there are a great number of idlers aboard.' Passengers were expected to number about 30.

On 5 October 1800 the ship was still at Portsmouth awaiting departure due to stormy weather that had been experienced since 22 September.²⁵ Passengers had increased to 35. In addition to convicts, the Earl Cornwallis is known to have taken on 'late arrivals' there. Were the Browns the late additional five passengers²⁶?

²¹ Transported Beyond the Seas. P47

²² Transported Beyond the Seas. P49.

²³ Transported Beyond the Seas. P50.

²⁴ Voyage on the Earl Cornwallis 1800-1802, 5th Letter, 19 September 1800

²⁵ Voyage on the Earl Cornwallis 1800-1802, 6th Letter, 5 October 1800.

²⁶ Caring for a baby for such a long boat trip was a big challenge. It may well be, that the Browns were the late arrivals and that was because they could obtain a wetnurse from among the female convicts?



Passengers comprised 7 men, 9 women, and 17 children over two years old. (*Babies such as Thomas?*) Some of the passengers of the Cornwallis were²⁷:

Men	Women	Children
?	?	Alexander Allen (6) ²⁸
	Lydia Barber (38) (soldier's wife)	John (d1802?) Henry (4)?
David Brown Snr (50); (carpenter)		Mary (15); James (13?); ²⁹ David Jnr (10?); and Thomas (baby - 2?); ³⁰
George Cochran?	Catherine Cochran	
John Connell (22);	Ellenor Connell	3 children ³¹
John Dight (28) Carpenter ³²	Hannah Dight (20)	Sarah (1)
William Eckford		
	Mary Houston (soldiers wife)	
	Ann (Mobs (38);	Isaac (5) Ann (6) William (10)
?	Elizabeth Rose ??	
?	Ann Sneyd (31) ??	
Peter Taurow	Mrs T	3 children ³³
	Phoebe Waldron ³⁴	
?		John Williamson (15?) (cabinetmaker)

The military contingent included³⁵:

Lieutenant	Henry	Crawford,			
Sgt.	Josua	Allot (36)			
Pte.	Thomas	Barber (40)	Pte.	William	Meridith
Pte.	John	Bramminer	Pte.	William	Merry
Pte.	Henry	Cole	Pte.	William	Mobs
Pte.	William	Connison	Pte.	Joseph	Quinn
Pte.	Thomas (or James)	Daniels	Pte.	Thomas	Rayner
Pte.	Joseph	Griffiths (42);	Pte.	John	Scott
Pte.	William	Harleam	Pte.	William	Spears (29)
Pte.	John	Herkness	Pte.	James	Stevens
Pte.	Samuel	Houston	Pte.	John	Williams
Pte.	Lawrence	Hughes			

By 17 October, the vessel had sailed to Cowes and was awaiting the opportunity to up-anchor for the Colony of New South Wales - The Fifth Mate, Robert Scott wrote:

*"I am quiet tired of laying here, we have had some very stormy weather, always from the West, it is now North & expects to sail tomorrow, the signal was made this morning to unmoor ship, we did."*³⁶

²⁷ The original Shipping list is lost. This list is derived in part from 'Thomas West of Barcom Glen', 1801 and 1806 musters, and the 1828 Census. In the various musters it is apparent that many of the people claiming to have come free, were in fact convicts, especially female convicts who seemed to have come as companions to the various crew and soldiers.

²⁸ 1828 Census. Alexander's father might be a Thomas Allen a convict aboard the Earl Cornwallis (Col Sec Records (Reel 6028; 2/8283 p.26) and there is a death recorded for that name in 1819 age 56?

²⁹ There is some speculation that James was 19 years old at the time. If so, with a trade, he could have come under his own name and been entitled for a land grant in his own right on arrival. As part of a land hungry family it seems unlikely that he or his family would have passed up on that possibility. He didn't gain a grant until 6 August 1806.

³⁰ These ages for the three boys are estimates only. See comments regarding this uncertainty earlier in this chapter. However, young age of Thomas may put a date of death for his mother as within 2 years of 5 October 1799. If a wet nurse was needed, then a date of death sometime in 1799 is likely.

³¹ Settlers Muster Book 1800 List 7 AG 010

³² John Dight was Superintendent of Carpenters at Parramatta in 1808. Intriguingly however, John Dight is said also to have been Medical Superintendent on the Earl Cornwallis per 'Who was who on the Liverpool Plains - 1841' - Run 103 by Syd. H. Ware.

³³ Settlers Muster Book 1801 King's List 1801 List 1 BA 011

³⁴ John Waldron age 31 on 1800 Oct 13 list of convicts on board the "Earl Cornwallis" (Reel 6028; 2/8283 p.25). John Waldron died 1812, Phoebe Waldron then married 63 year old James Larra.

³⁵ 20 names have so far been gleaned from A Colonial Regiment.

³⁶ Voyage on the Earl Cornwallis 1800-1802, 7th Letter, 17 October 1800.



And on 28 October:

*"Convoy appointed and only wait for a fair wind, which we soon may expect as we have had so long a pile of West winds."*³⁷

At Cowes, a significant first in efforts to improve health, safety, and comfort in convict transportation took place. Jackson's Oxford Journal of 8 November 1800 reports:

'Sir Jerome Fitzpatrick has, for the first time introduced his fumigating lamps into the Earl Cornwallis convict ship, which dropped down from Portsmouth to Cowes some days ago, with 294 male and female convicts on board, for New South Wales. These lamps are of the greatest importance to the prisoners, as they are calculated to prevent that destruction caused by candles and other lights, of the oxygen or vital principle of the air, which is so essential to animation.'³⁸

³⁷ NLA MS 1898. Robert Scott, Fifth mate on the Earl Cornwallis, 8th Letter, 28 October 1800.

³⁸ Jackson's Oxford Journal published 1753-1928. per http://www.jenwilletts.com/earl_cornwallis_1801.htm Sir Jerome FITZPATRICK, a frequent agitator for reform on the hulks and in the transports from Ireland to Botany Bay, was able to get the rigid slave leg-bolts struck off prisoners on two vessels waiting to sail from Cork in 1801, the 'Hercules' and her sister ship 'Atlas'; they were replaced by lighter chain-fetters. He was appalled by the treatment meted out to convicts waiting for transportation in the hulks both in England and Ireland. per <http://www.4crests.com/fitzpatrick-coat-of-arms.html>



Chapter 3 - The Troubles of 1798

(1767 - 1801)

Unrest due to a variety of causes, finally led to open rebellion in Ireland in the late 1790s, and had its consequences for the Brown family. It posed a hazardous environment that caused many to leave the emerald isle. Terence McMahon (AKA Terence McMahon, Tarrance McMannan, Terence McManning, Francis McMahon) was one of those who took leave of 'the troubles' in County Wicklow to make his way to the Colony of New South Wales. With Terence went his wife, Catherine, and son, Francis. In the colony, Terence's family and the Brown's paths were ultimately to cross.

Terence was born in Ireland, most probably County Wicklow around 1767.³⁹ It is estimated that Terence and Catherine McMahon (nee Mooney) were married in County Wicklow c1796, when Terence was about 29 years and Catherine was 18 years old.⁴⁰ Catherine was born c 1778 in County Wicklow, Ireland, to John Mooney, a shoemaker, and Catherine Byrne (s?).⁴¹

County Wicklow was one of the most violent sectors in Ireland during the rebellion of 1798 *"and the most consistently disturbed county in its aftermath. The pro-government loyalist community suffered the second highest property losses of any in Ireland in 1798 and remained vulnerable to rebel activity until 1804. The great struggle of the United Irishmen claimed hundreds of lives in Wicklow and resulted in the exile of many more to New South Wales, the West Indies, Prussia and elsewhere - No county sent more of its natives to the harsh penal colony of New South Wales, Australia."*⁴²

The two most successful Protestant settlements outside Ulster, were Wicklow and Wexford, and were closely linked. Both Protestant and Roman Catholic, were almost totally engaged in agriculture. There were few intermarriages between the two communities, and very few conversions to Protestantism. In such communities, sectarian disturbances in other counties could quickly lead to increased tension, fear and hatred.⁴³

The United Irishmen was founded in late 1791 in order to unite Protestant, Roman Catholic and Dissenter (Presbyterian) in the cause of parliamentary reform. They wanted to replace the elite Dublin parliament at College Green with a democratic forum akin to those created by revolutions in America and France. Social, political, economic and religious discrimination against Catholics and Presbyterians was to be abolished and the British parliament prevented from interfering in Irish affairs.⁴⁴

At least 14,000 Wicklow men swore the oath of the United Irishmen and a comparatively high number of them turned out to fight after the outbreak of the Rebellion in late May 1798. The vast majority had joined in the spring and early summer of 1797 when republican emissaries crossed into the country from Kildare and Dublin.⁴⁵

In response to United Irish activity, dozens of loyalist yeomanry corps were raised in Wicklow after October 1796 and these civilian volunteers used their government arms, pay and uniforms to police their neighbours. Some yeomen were members of the Orange Order from late 1797, a new force in county politics that proved prone to extreme conduct. Parts of Wicklow were militarised early September 1797, and much of the west of the county was placed under martial law in November 1797. By then arms raiding and pike making, the

³⁹ Based on age given for Terence in the NSW Corps Pay records at time of death.

⁴⁰ Very much an estimate from Census and is consistent with Catherine's obituary which states that she was married at age 18. Catherine varied her age considerably as she felt like from time to time.

⁴¹ Catherine Humphries' death certificate NSW reg No 1857- 01757.

⁴² Ballads & Poems of the Wicklow Rebellion 1798, O'Donnell & Henry Cain (Published by Kestrel Books at Bray, 1998 ISBN 1 900 505 60 6).

⁴³ The Rebellion in Wicklow [http:// www.rtc.carlow.ie/united/98Wick.html](http://www.rtc.carlow.ie/united/98Wick.html) 08/9/99

⁴⁴ Ballads & Poems of the Wicklow Rebellion 1798.

⁴⁵ Ballads & Poems of the Wicklow Rebellion 1798.



assassination of informers and the holding of seditious meetings had transformed one of the most peaceable counties into a hotbed of republican activity.⁴⁶

A dozen or more risings of badly organised groups of peasants, armed with pikes and some firearms, occurred in the counties surrounding Dublin between 23rd and 25th May 1798, often amounting to little more than demonstrations. The rebels were defeated with great slaughter, although they did succeed in inflicting some casualties. Their own losses were said to be enormous, as high as several hundred after each battle. Many of these deaths probably took place after the battles themselves were over. Anyone caught a few miles within the vicinity of a skirmish was likely to be shot on the spot. Houses were burnt and people were flogged and executed in greater numbers than ever before.⁴⁷

At Dunlavin in west Wicklow, twenty-eight prisoners were taken from the local gaol by the government garrison and executed without trial, although they had played no part in the rebellion. In Camew, a further twenty-eight people suspected of rebel activities were shot without trial by a squad of local yeomen and militia. News of these shootings quickly spread and confirmed the local peasants' worst fears with regard to the treatment they could expect at the hands of the government forces.⁴⁸

In his journal about his travels 1798 to 1801, the surgeon, John Washington Price,⁴⁹ provides some personal insight into those events and helps to link them with Terence McMahon and his family. The following entries are indicative of his observations and experience:

Sunday May 20th, 1798 at 10 o'clock P.M, "I left Dublin, (having arrived at the summit of my profession, being then 21 years & 6 weeks of age,) on my way to Corke, to join my ship; all the horrors of a civil war were to be seen all along the road;"

"... On my way from Naas to Killcullen Bridge I was frequently stopped by different patrols of the Kings troops – but producing my warrant I was permitted to pass on..." (through County Wicklow)

Monday, May 21st, 1798 "...many people were severely flogged there, & as it since appeared, many of them were innocent, but ... - it was impossible to discriminate with a clear judgement from the very unfortunate state of the country." "...it is true the peasants live entirely on potatoes and drink water or buttermilk ... but could the English peasantry (to whom they are often compared) live year round on this sort of diet, if any person proposed such a plan to the peasants in England, he would soon be left without workmen."

Escaping the Troubles

This poverty and violence had its refugees. Joining the NSW Corps was one way of escaping. Terence was one of those who did. In doing so he was able to remove himself, Catherine, and young son, Frank, to a remote part of the world. Where Terence joined the Corps in Ireland is uncertain, but he seems to have signed up on 15 November 1798.⁵⁰ It is on this date when the first available account of his military service commences.

Regardless of where they were recruited in the United Kingdom, it was normal practice for individuals signing up to be sent to the Corps headquarters in England. There they were equipped, trained for six

⁴⁶ Ballads & Poems of the Wicklow Rebellion 1798.

⁴⁷ The Rebellion in Wicklow [http:// www.rtc.carlow.ie/united/98Wick.html](http://www.rtc.carlow.ie/united/98Wick.html) 08/9/99

⁴⁸ The Rebellion in Wicklow [http:// www.rtc.carlow.ie/united/98Wick.html](http://www.rtc.carlow.ie/united/98Wick.html) 08/9/99

⁴⁹ "In the beginning of the year 1790 I was apprenticed in the town of Clonmel, County Tipperary Ireland, to A Surgeon & Apothecary, with whom I continued, 'till June 1796 - at which period being much dissatisfied with my situation, and my inclination leading me to a strong, desire of traveling - I proceeded to Dublin the Metropolis of this Kingdom. - which I am certain is the only part in this Kingdom for a young man to get himself forward in the world, - yet not wishing, to proceed farther, 'till I made myself master of my Profession, I therefore immediately entered myself a pupil at the Royal College of Surgeons under Messrs. Hartigan, Deace, Lawless, & Creighton, Professors of Anatomy, Phisiology - Surgery, & Midwifery. - Under these professors I continued (having attended most of the Dublin Hospitals) 'till May 1798, at which period I was offered my present appointment, and on the 15th day of May I went in for examination at the Royal College of Surgeons where after a severe examination I obtained a certificate as Surgeon to any Regiment in his Majestys Service - I was then 3 accordingly appointed by his Excellency the Lord Lieutenant of Ireland Surgeon to the Minerva Transport engaged to convey convicts to New South Wales, at twelve shillings British per diem, my warrant being dated May 1st 1798 to continue two years from the time I sailed, or 'till I was -; returned to Ireland.". The Minerva Journal of John Washington Price.

⁵⁰ Monthly Pay Lists show that Terence McMahon was on the Pay Lists at least from 15 November 1798.



months, after which they were assigned to their unit, and escort duties on a Convict Transport to the Colony of New South Wales.

Thus it seems that Terence, having joined the Corps to escape Ireland's 'Troubles', found himself back in Ireland, aboard a vessel in close quarters with representatives of the rebellion he had escaped. What's more, he was one of their overseers!

Soldiers and their families lived on board the Convict Transport 'Minerva', for many months prior to departure on Saturday, 24 August 1799. Terence and family are likely to have joined the Minerva about mid May.

The Minerva was a 441 ton merchantman owned by Robert Charnock. She was launched in 1773 at the Bombay Dockyard in the East Indies. At the time of this voyage to New South Wales the Minerva was under charter to the East India Company.⁵¹

Dr Price listed the 21 members of the NSW Corps who lived on the ship, and travelled on it to NSW. He mentions 'Private Terence McMahon' as one of that contingent under the command of Captain William Cox. 'Catherine

McMahon' is listed on board as 'soldier's wife'. The Minerva was, for this voyage contracted to carry convicts, and the soldiers, as well as being in transit to join their regiment, provided the guard escort.

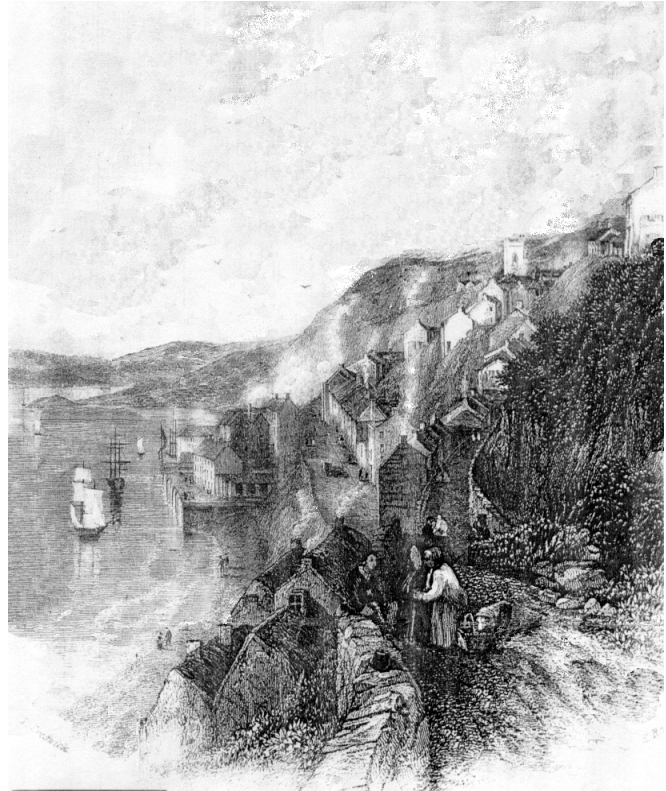
The Minerva had sailed into Cobh harbour near the city of Cork, on 10 August 1798. However, convicts were not embarked until 12 February 1799 due to bureaucratic tardiness, much to the disgust of Robert Charnock, the ship's owner.

There were 162 male and 126 female convicts aboard the Minerva. They had been arrested and tried for their part in the revolutionary uprising that caused great turmoil in Ireland during 1796 –1798. Some were from County Wicklow, where Terence and family had connections. (*His wife Catherine declared that she was born there, and Terence was married to her there - It is also possible that Terence had been born in County Wicklow*).

Price's journal contains the following entries for the Minerva at anchor in Cobh:

Thursday, 14 February 1799 - "Wind NW. Weather the same as yesterday a great many of the convicts since they came on board have got ill of fevers, colds etc. which must of course have been expected; the difference they must feel with their new situation, compared with their old one, must indeed be very great, as they now have good births fitted up, with five to each birth. A Bed, pillow, & a pair of blankets for each prisoner, with an exceeding clean, airy prison, being 8 feet high between decks, with a scuttle one foot square to each birth on each side of the ship, beside three large hatches to permit the free circulation of air."

Sunday, 3 March 1799 - "Fresh breezes from S.S.W. to S.W. and thick cloudy weather. It is surprising the vast number of rats that are in the ship at this period, we cannot poison them for fear of accidents - but have taken many of them with traps yet they seem rather to increase than diminish - they are the largest I ever yet have seen, they have killed all our cats, and if they increase in size as they do in numbers, the prisoners must be under some apprehensions from them."



Drawing of Cobh Harbour early 19th century by T Creswick
(Note: In search of a better copy)

⁵¹ [http://en.wikipedia.org/wiki/Minerva_\(1773_ship\)](http://en.wikipedia.org/wiki/Minerva_(1773_ship))



Dr Price gave this brief account of his assisting the birth aboard the Minerva, of Elizabeth McMahon on 27 March 1799 while still at anchor in Cobh:

Tuesday, 26 March 1799 - "Strong breezes from W.N.W. to W.S.W. and cloudy, squally, weather, with frequent showers of rain; this morning I was called to see Mrs. McMahon a soldiers wife, who, I was told, was in labour, but on visiting her, found no symptom of immediate labour, her pains being both weak & few..."; and

Wednesday, 27 March 1799 - "Moderate breezes from W. to W.N.W. in the forenoon, but cloudy & squally at noon with heavy showers of rain, at 2 A.M. was called to see Mrs. McMahon, whom I found in strong labour & at 6 A.M. deliverd her of a daughter -- which is to be named Elizabeth, when I retired I left the mother & child in a tolerable state."⁵²

Elizabeth McMahon was one of six soldier's children sail on the Minerva. There were also four children of Captain Cox the detachment Commanding Officer. Elizabeth was ultimately to marry into the Brown family.



An East Indiaman. (From an 1837 painting by William John Huggins).

Catherine McMahon was one of seven soldiers' wives listed, not including the Mrs Cox, the wife of detachment's commanding officer.

Frank and "Elizah" (Elizabeth) McMahon are listed each as 'soldiers child'.⁵³

The Minerva was an East Indiaman of 558 tons, built in Bombay, and had a crew of forty-two men. Ships built for the East India trade, as was the Minerva, tended to be three masted, and well armed so as to defend themselves against pirates – The Minerva carried twelve guns.

When the Minerva left Cobh on 24 August 1799, it sailed in a small convoy

that included: HM Ships 'Dryad' and 'Revolutionnaire', the transport Friendship, and a small schooner bound for Sierra Leone. The convoy's escort turned back on 14 September. The day after, the Minerva's master (Joseph Salkeld) signalled that the Minerva could not keep the Friendship company any longer, "as the latter sailed so badly". The Minerva proceeded ahead alone, and succeeded in sailing on to Port Jackson via Rio de Janeiro in record time.

During the voyage Joseph Salkeld records *"The Minerva was alone on 1 October 1799 when chased and fired on by two ships flying Portuguese colours. Logging 3-4 knots she soon left them behind"* and anchored at Rio de Janeiro on 20 October. The Minerva remained there until 8 November, and then set sail for Sydney.⁵⁴

Dr Price's journal describes the event this way:

Monday, 30 September 1799. Wind s. by w. ½ w. with moderate breezes and clear pleasant weather, at 10 A.M. we saw two strange sail at a great distance but standing from the Northward to the Eastward, At ½ past ten

⁵² The Minerva Journal of John Washington Price. P13

⁵³ The Minerva Journal of John Washington Price. p60

⁵⁴ The Convict Ships, The Voyages, 1789-1900.



we could plainly see them to be very large ships, and supposed them to be frigates, on which we beat to arms, cleared ship and prepared for action, made more sail after them, and at 11 not knowing what they might be, hoisted Danish colours, and fired a gun to leeward, and at the same time squared our yards, and bore down on them. They then hauled up their courses, hove to, and we could see them, with our glasses preparing for action, they then hoisted English colours, and each fired a gun.'

'At half past one we came within gun and a half shot, and taking down the Danish colours, we hoisted an English ensign and pennant and fired a gun to windward; they then took down their English colours, and hoisted Portuguese, each firing a shot at us; - we now came near enough to plainly see they were either Spanish or Portuguese well armed and manned; the commodore appearing to carry about 30 guns and the other 14. We at first supposed them to be extra ships from the East Indies, and intended sending letters by them to Europe, but now perceiving they were either Spaniards or Portuguese, and if Spaniards too powerful for us, and if Portuguese we had nothing to do with them; we therefore, hauled our wind to the westward, to run our former course, and made all sail; they both tacked, and stood after us firing shots which fell half a mile short.

They however continued the chase, & at 5 P.m. they were 4 leagues behind us, at sun set 6 leagues, and night coming on we never saw them again, and thus this business ended, in which we shewed more courage than wisdom, in coming so near two ships of so much superior force, beside if they were inferior to us, we should have nothing by it, but glory, if we took them, having no Letter of Marque;

I cannot indeed but regret that we did not send a few shots into their cabins, as a recompense for the trouble they gave me, in pulling down my cabin, and removing my furniture to give room for a gun being placed in my port, it will be some time, before I get it in the same order again."

'Eight days out of Rio, on 16 November, the Minerva sighted a Spanish frigate. Running at nine knots she had no trouble outdistancing the potential attacker. Three days later two more Spaniards were sighted, a prison ship and a galleon.' 'The ship's captain decided to get the guns ready in case of attack,...' 'Cartridges and powder were issued and the guns readied to fire.' One of the guns was manned by trusted prisoners.⁵⁵ Terence McMahon and the 19 other soldiers were lined up on the poop deck by Captain Cox.⁵⁶ The

⁵⁵ The Bosun, Henry Harrison, asked one of the political prisoners, Joseph Holt, 'if he was prepared to fight. Holt, a General for the United Irish in 1798, consented, and was put in charge of one of the ship's guns. Given permission to choose his own gun crew, Holt nominated fellow Wicklowmen; Thomas Brady and Richard Byrne; Joseph Davis from Belfast; John Kinkead from Tyrone; and Dubliners, Martin Short and Patrick Whelan. The first four were voluntary exiles like Holt, while Short and Whelan had been convicted of political offences. Holt described his team as 'six proper resolute men'. Unfinished Revolution.

⁵⁶ The 19 other soldiers include: Sargeants Henry Harrison, and William Howe; Drummer William Huggett, and seventeen privates.

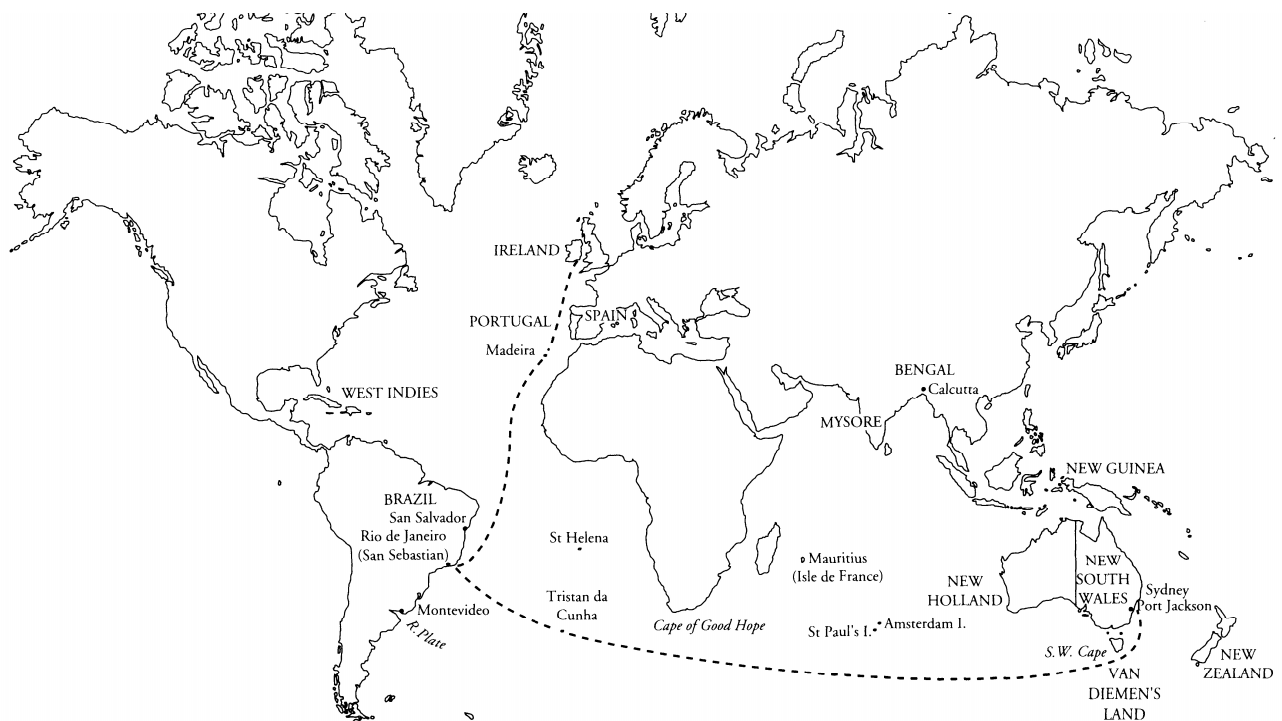


Minerva advanced on the Spaniards, 'and the supposed prison ship opened its ports and fired a volley that scored a broadside.' The Minerva then tacked swiftly and fled, losing sight of its pursuers within 12 hours. The ship's bosun held a party in his cabin to celebrate the event.⁵⁷

Place of Refuge

At 11.30am Saturday, 11 January 1800, the entrance to Sydney harbour was sighted, and a shot fired for a pilot. Dr Price observed that *'on the South Head of the harbour there is a light house and a flagstaff, and there we saw two men come from the light house & hoist a flag'*.⁵⁸

The Minerva entered the harbour and a Pilot came on board at 1pm and guided the ship to Sydney Cove - 64 days after having left Rio, and 139 days since Cobh. "three weeks of which was spent in Rio de Janeiro".⁵⁹ As the ship made its way towards Sydney Cove and passed Pinchgut Island, many on board sighted a skeleton hanging in chains on a gibbet - It was the remains of Francis Morgan, an Irish convict hanged for murder in November 1796.⁶⁰



The route of Minerva from Cobh to Sydney 1799-1800⁶¹

General cargo brought into Sydney for disposal by the Minerva is described as:

*'25 pipes of spirits, 6 tons sugar, 20 cases glass, 4 casks ironware, 5 casks molasses, 60 pieces Irish linen, 4 boxes coffee, 150 bales Rio tobacco, 2 trunks shoes, 1 hogshead hatts (sic), 20 casks provisions, 15 furkins butter, 1 box hair powder, 4 pipes port wine.'*⁶²

Of the nearly three hundred souls on board the Minerva, two hundred were prisoners, *'...of all these 3 only died on the voyage two of whom being very old men, would most probably have died,..... had they been ashore.'*

⁵⁷ Unfinished Revolution.

⁵⁸ The Minerva Journal of John Washington Price".p141

⁵⁹ The Minerva Journal of John Washington Price".p141

⁶⁰ Unfinished Revolution

⁶¹ The Minerva Journal of John Washington Price". p72

⁶² Historical Records of Australia. Volume 2, p571.



Price observed that:

'numbers of boats were all afternoon plying round the ship, the people in which were either relations or acquaintance of most of our convicts,

'Some natives have been both alongside and on board, and appear to me to be more civilized than I could have supposed from the last accounts I heard in Europe'.

The next day, Sunday, 12 January 1800, Price describes events Terence and his wife couldn't help but be aware of:

"Moderate breezes from S.E. and clear and pleasant weather, but exceeding warm, the thermometer being 81, the sailors were employed in clearing the booms and getting the boats out; the most of the convicts being on deck, the few who were in irons were released from them, the entire of this day as well as yesterday afternoon we were annoyed by the number of boats coming alongside and the number of people coming on board in spite of the centinels to see acquaintances amongst the convicts, to enquire for letters, packages, etc."

"At 11 A.M. I went ashore, & waited on the Governor, to whom I made my reports, delivered letters etc. He received me very graciously and was extremely happy to find, we had so lucky and so prosperous a voyage."

"At 2 P.M. walking with some gentlemen ashore, we heard the report of a gun, & saw the smoke come from alongside the Minerva, seeing a number of boats push off from the ship in apparent confusion, we waited till one of them came to the shore, and understood from her, that the centinel on board the Minerva had fired into a boat, and shot a man in her, who was then carrying to the hospital; I immediately went to the hospital with Mr. Thompson the attending surgeon, and found the unfortunate man dead..."⁶³

"the Soldier who shot the man was a wild, foolish young fellow of the name of Lalor, who I believe found a pleasure in sporting, with the lives of his fellow creatures."

"The vessels beside the Minerva that are now in this Harbour are, viz, His Majesty's ships Reliance, Captain Waterhouse, and the Supply, The Swallow packet (Indiaman) Captain Leeward, a Danish brig from Bengal, a Spanish

⁶³The young man shot had been a little tardy in obeying an order to withdraw from the ship and had not moved as fast as Laylor had wished 'The Battle of Vinegar Hill' p24.



prize consigned to Mr. Balmain, Surgeon General, and a small schooner."

Monday, 13 January, 1800 - "...the inquest having sat on the body brought in a verdict of Wilful Murder by John Lalor a private of the N.S.W. Corps.

On that day some of the convicts were sent ashore and assigned to various duties, including the Government farm at Toongabbie, where there were many former citizens of Ireland doing penal servitude. However, '...the reputation that accompanied the United Irishmen was such that many were sent, soon after, to join other recalcitrants on Norfolk Island, where they could expect very harsh treatment.'⁶⁴ Dr Price described the event:

"At 10 A.M. Captain Johnson; Mr. Williamson .. Commissary and many of the civil and military officers came on board to examine and muster the prisoners, after which they took a few of them ashore for servants etc. and left. The rest on board who are to go to Norfolk Island in this ship; they likewise took the guard ashore amongst whom, Lalor went a prisoner, they sent another guard on board consisting of a Sergeant and fourteen men to guard the remainder of the prisoners." "Thermometer at noon 79"⁶⁵

What Sydney Town Looked Like

On that same day, as part of the guard, that Terence and his family finally went ashore to their new home.

"Sidney contains about 460 to 500 houses, and 2000 inhabitants but the entire population is about 6000, amongst which are 700 settlers exclusive of the number on Norfolk Island. These are divided amongst the different settlements, which are, Sidney, Paramatta, Prospect, Town Gabby, Field of Mars, Northern boundaries, Kissing Point, Concord, Liberty Plains, Dundass, Bullinaming, Ponds, Hawkesborough and Richmond Hill."⁶⁶

More directly effecting Terence and family was:

"The Barracks are built in a large square surrounded with a pallings in which each officer has a house, but most of the soldiers live out of them. The Regiment is about 800 strong, but there is not more than 500 at Sidney, being detachments at Norfolk Island, Paramatta, Hawksbury etc."⁶⁷

⁶⁴ 'The Battle of Vinegar Hill' p25.

⁶⁵ It had been the Governor's intention to send most of the prisoners to Norfolk Island on the Minerva but he decided it would be too costly and to await the arrival of more prisoners. Historical Records of Australia

⁶⁶ The Minerva Journal of John Washington Price, p160,

⁶⁷ The Minerva Journal of John Washington Price, p158



Paradise Now

South Head was the location of another detachment. It is likely that soon after the family arrived in Sydney (11 January 1800), Terence was posted to the small South Head Guard⁶⁸ and the family with him.

It is possible that Terence was part of the escort for those prisoners that were sent to Toongabbie. It may be that he was based there for a brief time before the posting to South Head - The Humphries legend suggests he had been there. It was not for long,

Adjacent to South Head and just inside Sydney harbour is Watson's Bay. It had been the site of a small fishing 'village' that was established in May of 1792 to provide food for the colony's hospital. The program did not last long. There was no fishing village when Catherine and Terence arrived.

Those that undertook any serious fishing activity appeared to have been scattered around the harbour. Until the introduction of nets, the fisherman of Port Jackson used hand lines, and had difficulty catching much more than met the needs of the hospital and their own needs.



Uniform of a soldier of the NSW Corps

Lighthouse and Signal Station

There was a lighthouse and a signal station located at South Head. The Signal Station was established on 20 January 1790 by Capt. John Hunter as a 'Lookout Post' with huts and a flagstaff to signal to the Governor of approached shipping – About whether it was from north or south, and the type of vessel.⁶⁹ Also, the pilot station was located at Watson's Bay⁷⁰ because of its proximity to the harbour entrance.

By 1 March 1802, a purpose built structure was erected under the public works program to hold the South Head guard.⁷¹ However, South Head and Watson's Bay were isolated. *'The water route to Watson's Bay was the only civilised' and 'the most practical way of getting there even after the construction of New South Head Road'*⁷² a good many years later. The area remained sparsely populated until the early 20th century.

Except for the brief program of 1792, there is no evidence that there was much of a fishing industry in operation at Watson's Bay until well into the second half of the 19th century, when it also gained popularity as a holiday venue.

Aside from her own domestic duties, Catherine is likely to have been required to have done the washing for unmarried soldiers and the Non Commissioned Officers, and Officers who belonged to the South Head Guard.⁷³

⁶⁸Specific evidence for Terence's posting to South Head yet to be found – Evidence so far is circumstantial.

⁶⁹ In 1810 a semaphore station was built to replace the flagpole - Several structures were erected for the purpose over the years.

⁷⁰Watson's Bay was named after the quartermaster of HMS Sirius for her first entry into Port Jackson. In 1811 the unofficial name for the Bay was formally adopted. *Gazetteer of Sydney Shipping 1788-1840*.

⁷¹ Governor's Despatches, Historical Records of Australia, Series I, Vol. III, p439.

⁷² Philip Geeves' SYDNEY' 1981. p 130. There is a marker in Clovelly St, Watson's Bay, adjacent to Robinson Park commemorating the construction of the first road to Sydney Town. It states: 'VIII Miles from Sydney' and 'This road made by subscription was completed in ten weeks from the by 21 Soldiers of His Majesty's 73rd Regiment' but does not mention the number of convicts that would have been involved. The 73rd Regiment didn't arrive in the colony until well into 1809.

⁷³When visiting the former penal colony of Port Arthur, visitors are told that it was the lot of soldiers posted there, and in the British army generally, for soldiers wives to assist in doing the washing for unmarried soldiers, NCOs, and Officers. A woman's right to accompany her husband was conditional to her providing this service.



For Terence, the posting must have seemed idyllic. He was reputed to have been a keen fisherman, who spent most of his days there fishing from a rowboat in harbour waters adjacent to Watson's Bay and South Head.

The 1800 Muster of people off stores, merely lists Catherine as "C. McMahon", Sydney, Number of Ticket "180", and "Free".⁷⁴



A view of Watson's Bay (in the foreground) and the Heads, at the entrance to Port Jackson, c. 1800 extracted from a painting by Joseph Lycett. The cliff promontory at the extreme left is Middle Head. Next to Watson's Bay, is Camp Cove, with a sailing ship passing by towards Sydney Cove. At the extreme right is the flagstaff being used to signal the arrival of shipping. Sow and Pigs Reef would be close to the middle extreme left of the picture.

An obituary (many years later) for Catherine said: *"for the first few years of her residence she lived with her husband who was the first fisherman on the beach"*, that is Gibson's Beach at Watson's Bay. This recollection of Terence's activities may well be a pointer to his profession in Ireland before joining the military.

Perhaps adding to this sense of prosperity was the arrival of another son, John, who was born to Terence and Catherine on 1 February 1801, a little over a year after arriving in the colony. John was baptised at St Phillip's (a Protestant church) on 15 February 1801.

Earl Cornwallis' Arrival

10 June 1801 - Earl Cornwallis arrived in Port Jackson that included among its passengers David Brown and family. Seventeen months after the *Minerva* had arrived. Its presence would not have gone unnoticed by anyone residing in the South Head area at time such as the McMahons. The arrival of any boat was still something of a novelty and inevitably the subject of much interest, particularly if it was a convict ship as happened with the *Minerva*. The Earl Cornwallis was only one of five convict boats that arrived in 1801. It is not improbable that Terence was out fishing in his boat near the Pig and Sow reef when any of those vessels anchored in the harbour adjacent to Watson's Bay or one of a crowd of small boats that had turned up for a closer look in the two days it was anchored there.

An ill Wind

While in pursuit of his fishing interest near the 'Sow and Pigs' reef,⁷⁵ on the afternoon of September the 7th 1801, a southerly buster blew causing Terence's rowboat to be swamped, and Terence to be drowned.⁷⁶

⁷⁴ 1800 Muster entry AE185. Believed compiled in 1801

⁷⁵ SOW AND PIGS reef is a submerged group of rocks that separates the Harbour's eastern and western channels and is the location of rounding markers. The configuration of the rocks suggests a large sow with her litter.

⁷⁶ The Humphries Legend (see Appendix C). It is likely that Terence, typical of his time, could not swim..

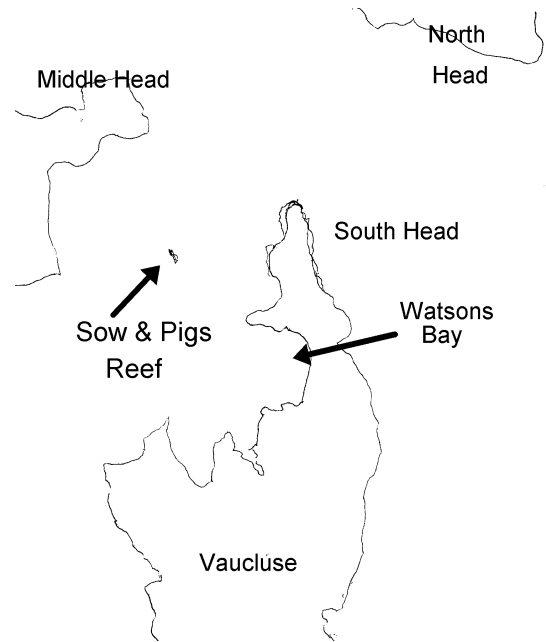


The next day a burial service was conducted at St Phillip's Anglican Church⁷⁷ and he was interred at was now described as the 'Old Sydney Burial Ground'.⁷⁸

The monthly Pay List of the NSW Corps in February 1800 shows that Terence McMahon was in service for 467 days back to 15 November 1798.

Terence's pay, as was the case for other private soldiers, was £1-1-0 per 30 day pay period, commencing 25th of month through to 24th of the next month. The last pay for which Terence or his estate was entitled August 24th to 7th September 1801 is shown as 14 shillings.⁷⁹ At the time of his death an amount of 6 shillings and 3 pence was in question as owing by or to Captain Prentice.⁸⁰

Terence's age is given as being 34 years.



'Sow and Pigs' reef, where Terence drowned on the afternoon of September 7, 1801, due to a southerly buster causing his rowboat to be swamped. (JIG)

Life in the colony was difficult enough. With Terence's death, Catherine, as a young widow with two infants and a baby, and only a few shillings, prospects must have seemed especially bleak.

Terence and Catherine's three children were: -

1. Francis MCMAHON (c17 97 - ?)
2. **Elizabeth Mary MCMAHON** (27 Mar 1799 - 21 Nov 1837) - Married in 1815 to David Brown junior.
3. John MCMAHON (1 Feb 1801 – 30 Nov 1850).

⁷⁷ "A Colonial Regiment" indicated that Private Terence McMahon of the NSW Corps (later in 1808 incorporated into the 102 Regiment) drowned on 7 September 1802 in Sydney, NSW. The same source indicates that he came out on the Minerva, which coincides with the consistent references to the ship for Catherine McMahon and daughter Elizabeth Mary. Register of burial at St Phillip's Church on 8 September 1801 refers to him as 'Tarrance McManning' and states him to be a 'souldier' and having 'drowned' in 'Sydney'.

⁷⁸ Terence is listed as entry 1338 Terence McManning in the old Sydney Burial Ground. The cemetery was in use from 1792 to 1820, but was exhumed in 1869 to make way for the Sydney Town Hall.

⁷⁹ AJCP PRO 3906 WO12/9900 332 and 367 entry 33.

⁸⁰ To be verified?



Chapter 4 - The Settling of the Browns

(1800 - 1804)

Departure at Last

The Earl Cornwallis, with the Brown family aboard, had finally sailed from Cowes, Isle of Wight, on Tuesday, 18 November 1800. Its journey to the colony of New South Wales via Rio de Janeiro and Cape Town was painfully slow.



A three masted, square rigged ship indicative of the Earl Cornwallis arriving in Rio de Janeiro⁸¹

Ship's company was down to 67, not the 70 envisaged. From Scott's earlier assessment, this was most probably still too many.

Being a big ship, there was theoretically ample space for water butts. However, the £10,000 worth of speculative cargo placed in the ship by the master and officers is likely to have used some of that capacity.⁸² Robert Scott was one of those who took the opportunity of the government approved practice, choosing to buy in Rio 'a great deal of tobacco' with hopes of making a profit in Sydney.

The Earl Cornwallis arrived in Rio de Janeiro, on 3 February 1801, or before. On that date, the officer in charge of the guard escort of the convicts, Lieutenant Henry Crawford, was unfortunate enough to fall over the side of the ship and get himself drowned.⁸³ Crawford is noted as having been late in joining the ship.

At Rio the Earl Cornwallis needed water, supplies, caulking, and ballast. Ballast had been denied Captain Tennent in London. Tennent clearly knew his ship and the conditions that were to be experienced when he reached the Roaring Forties, and was determined to be prepared.

After a stay of some weeks in Rio, the Earl Cornwallis set sail for Cape Town in Table Bay. That leg of the journey is said to have normally taken about two to three weeks. The Pitt made what is regarded as a favourable passage from Rio to the Cape in 24 days.

In Cape Town, Tennent would have been ensuring that the Earl Cornwallis was as shipshape and provisioned up as possible. This would account for three to four weeks of the journey. On 23 April 1801, the Naval Agent aboard, Lt Marshall despatched his report to London. The Earl Cornwallis sailed for NSW on or soon after that date.



A three masted square rigged ship of the period the Earl Cornwallis, leaving Cape Town.⁸⁴

Robert Scott's comment 'after a voyage of 7 weeks from the Cape' to Port Jackson suggest that this last leg of the journey would have encouraged a great sense of relief when the Earl Cornwallis finally reached its destination. For 'it blew a continual gale of wind most of all the voyage, with most tremendous squalls.'⁸⁵

⁸¹ Derived from the watercolour by Julian N Briere

⁸² Transported Beyond the Seas. P59.

⁸³ Historical Records of Australia. Series I, Vol III, p289. & John Macarthur, p176.

⁸⁴ Derived from the watercolour by Julian N Briere

⁸⁵ Dates at Downs, Portsmouth and Cowes, and arrival per Voyage on the Earl Cornwallis 1800-1802, 9th letter.



End of a Long Journey

The Earl Cornwallis sailed into Port Jackson on 10 June 1801, 205 days after departing Cowes.⁸⁶ More than two months longer sailing than the McMahons had to endure aboard the *Minerva*.

There were 166 male and 87 female convicts⁸⁷ on board – 35 convicts having died during the voyage. The death toll amongst the convicts is likely to be indicative of gaol fever (typhus or typhoid) and an exceptionally slow trip in cramped conditions. Scurvy also proved to be a major problem for the inmates.

There was said to be a surgeon aboard, Mr H Sharp. Regardless of the surgeon, treatment available at that time for typhus would have been of little help. As mentioned in the previous chapter, the Earl Cornwallis was one of five convict transport ships to enter Port Jackson in 1801. The others were *Anne*, *Canada*, *Minorca* and *Nile*.

First Impressions

The Earl Cornwallis having sailed through ‘the Heads’ on that winters day in 1801 and passed by ‘Sow and Pigs Reef’ anchored at Watson’s Bay⁸⁸ just inside South Head. Many of the passengers would have been hungry to view whatever they could of their new home, especially any signs of European settlement. The lighthouse and the flagstaff at the harbour entrance were probably the subjects to excite their interest well before entering the harbour. Just inside the harbour entrance, their ship ‘hove to’ at Watson’s Bay to await the boarding of a pilot, so that they could complete the journey up harbour to Sydney Cove. As with the *Minerva*, a shot fired for a pilot, and a signal, relayed from the flagstaff at Dawes Point to Government House, announced the arrival of the ship.

Unfavourable winds kept the Earl Cornwallis at Watson’s Bay for two days. “With the usual June westerlies blowing, a sailing ship would make little progress up the harbour.”

In those two days, the Browns and most others aboard would have taken the time to study whatever in the harbour was on view to them. They would have seen the Pilot Station, and nearby the encampment of a small detachment of soldiers. Any small boats about with curious onlookers (one of them likely to be Terrance McMahon) must have been the subject of reciprocal attention. Passengers would have also noticed the tiny stone hut close to a small beach (Gibson’s Beach). Perhaps they saw other evidence of the McMahon family, then residents of the colony for some 17 months. There may have been other encounters, but it was to be another 14 years later before their relationship became more significant, and evident.



View of Sydney C1800 by Thomas Watling. Oil on Canvas, Dixon Galleries

⁸⁶ This date also accords with Acting Governor King’s Despatch of 21 August 1801.

⁸⁷ *The Convict Ships 1787-1868* by Charles Bateson.

⁸⁸ Watson’s Bay was named after the quartermaster of HMS *Sirius* for her first entry into Port Jackson. In 1811, the unofficial name for the Bay was formally adopted. *Gazetteer of Sydney Shipping 1788-1840*.



On the arrival of the 'Earl Cornwallis' at Sydney Cove, Robert Scott, wrote:

*"This is one of the wildest looking places ever was seen" "The town is pretty large, at first sight you would take it for a camp," "The houses all straggling, all one story and white,"*⁸⁹

A description similar to that given by John Washington Price, ships surgeon who had arrived in January 1800 on the C.T. Minerva. The same vessel that has brought the McMahon family.

The population of the whole colony, including Norfolk Island, when Scott made his observations, was less than 7,000 people.

Where to Stay?

On anchoring at Sydney Cove, the Earl Cornwallis convicts not immediately selected for assignment to public servants, officers, or free settlers, were probably sent to Toongabbie. Of that ship's convict cargo, Governor King noted that '*greatest of those who landed are afflicted with scurvy*'.⁹⁰ The *Earl Cornwallis* left Port Jackson on 4 October bound for India.^[8] She carried on board 150 tons of coal from Coal Bay (Newcastle). This is believed to have been the first export of coal from Newcastle.^[7]

As for the small party of free passengers disembarking, at the time, it was normal practice for newly arrived free settlers to be initially housed in tents at the cricket ground at the southeast edge of Sydney Town. That area, in conjunction with an adjoining racecourse, was proclaimed a public recreation area to be known as 'Hyde Park' on 6 October 1810 by Governor Macquarie.⁹¹

Richard Rouse and his wife Elizabeth together with two children arrived in Australia on the "Nile" on 15 December 1801 and lived in a tent at the cricket ground until he was given his first grant of land at Toongabbie, Mulgrave Place, on the Hawkesbury'.⁹² It is likely that the Browns, Dights and the few other free settlers, who came aboard the Earl Cornwallis six months earlier, were dealt with similarly.

The promise of government work to David would have been promptly mentioned. The Colonial Government had pressing needs for a variety of carpentry skills in the colony. David and possibly his eldest boy, James, would have been put to work quickly.

'The Green Gate' Inn owned by Edward Willis was located in The Rocks area, at the Hospital Wharf end of Market Place (now George Street) at the time of their arrival. Perhaps the family spent some time there? For whatever reason, David junior seems to have been favourably impressed by the establishment, for he gave the same name to his first inn at Jerry's Plains many years later.

Bizarre Sequel to Events at Rio

Lieutenant Marshall RN, Naval Agent aboard the Earl Cornwallis for its voyage to the colony, was accused of misappropriating the effects of the officer, Lieutenant Henry Crawford, including his gun, who had drowned in Rio de Janeiro. The incident came to the notice of Captain John Macarthur of the New South Wales Corps, and then acting Commandant. He promptly reported it to the Governor, who reprimanded Marshall. A few days later, Marshall met Macarthur on the parade ground and called him a liar. Macarthur responded by calling on the services of Captain Abbott, a friend and challenged Marshall to a duel. The duel was aborted because Abbott refused to deal with Marshall's second - A crewman of the Earl Cornwallis, whom he regarded as too inferior in rank.

⁸⁹ Voyage on the Earl Cornwallis 1800-1802, 9th letter .16 August 1801. The Earl Cornwallis sailed from Port Jackson on 5 October 1801

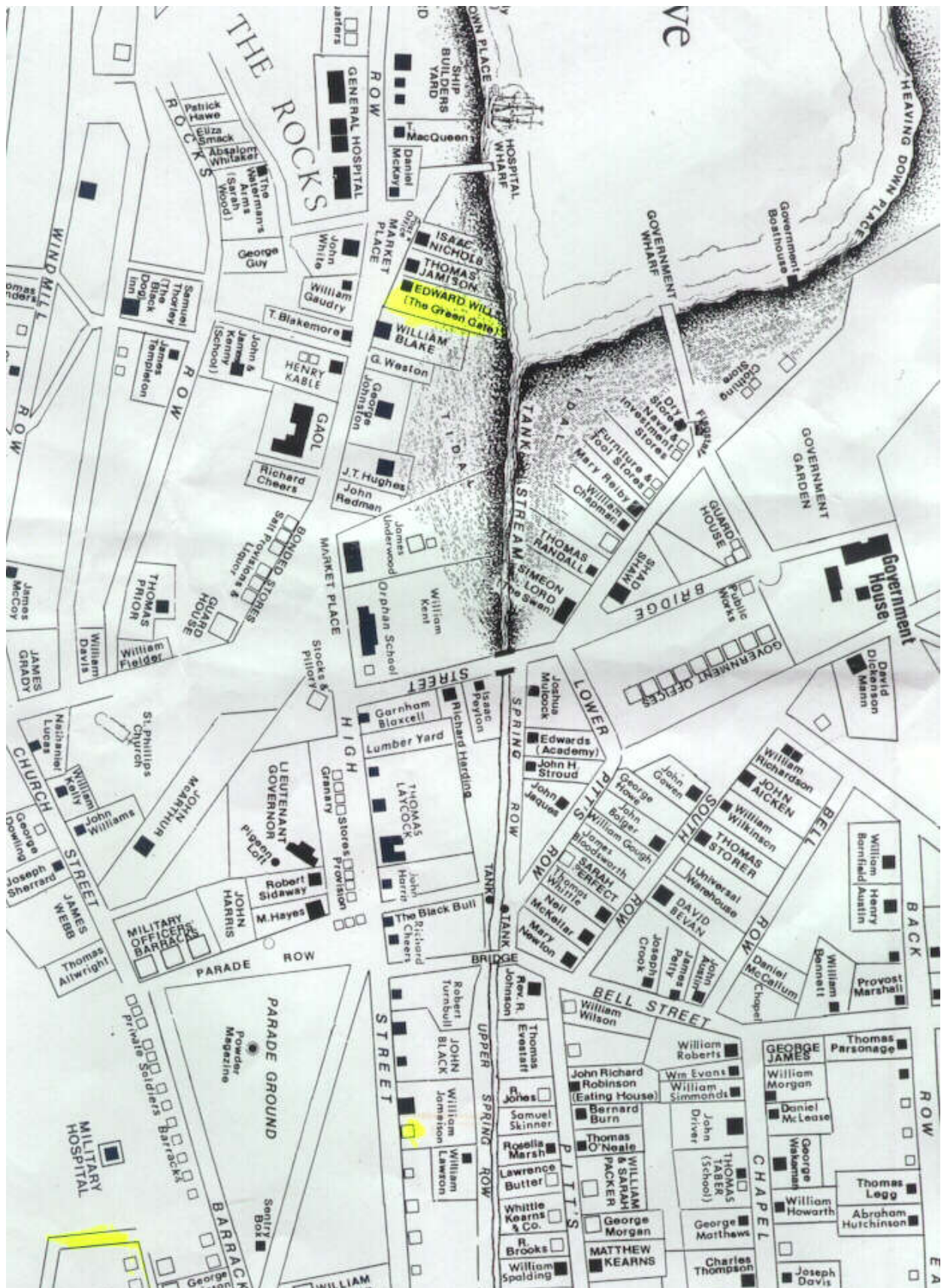
⁹⁰ King Letter 8 July 1801

⁹¹ Serenade to Sydney.

⁹² The Story of Gulgong,



On 23 July, a few days after the duel was supposed to take place, Adjutant Munch was standing in Market Place (now incorporated into George Street), opposite the Orphan School (see old map of Sydney). He watched Marshall pass by with a large bludgeon in his hand, and heading towards Bridge Street. At Bridge



Extracted from map of early Sydney 1803-10 by Bryan Thomas 1979.



Street, Marshall stopped and looked to see Abbott walking up the hill with a fellow officer, from the direction of Tank Stream and Government House beyond. Marshall approached them and tried to talk to Abbott, who refused to speak. In response, Marshall called him a ‘damned scoundrel’ and hit him with the bludgeon. Abbott, a small man, escaped in the direction of the Lieutenant Governor’s house close by, and called for assistance from the sentry, who intervened. Marshall walked away but not before informing them of what he planned to do to Captain Macarthur, should he meet him.

Adjutant Munch soon caught up with Macarthur and briefed him about the situation. They set out from the Lieutenant Governor’s house, down Market Place towards the Cove, but soon returned to the vicinity of the Bonded Stores. There, within an hour of Marshall’s attack on Abbott, they spied Marshall. Marshall it seems was some way up High Street and was heading in the direction of the Cove when he saw Macarthur. Still carrying the club Marshall arrived opposite the Lieutenant Governor’s house and approached Macarthur.

Macarthur, a much bigger man than Abbott drew his sword, and told Marshall that he would run him through. Marshall’s bravado deserted him and he withdrew. Macarthur immediately called the guard who escorted him to the ‘Guard House’ conveniently nearby. Lieutenant Marshall was later court-marshalled.⁹³

*Captain John Macarthur (1767 – 1834)*

In consequence of this he was sentenced to pay a fine of £50 to the King and a year's imprisonment in the gaol. The sentence was partially remitted in August because of some legal irregularities. This was conditional to Lieutenant Marshall departing the colony on the Albion whaler.⁹⁴

This anecdote is useful on several levels. The account when read in conjunction with the map of the town at that time helps to give a ‘feel’ and character of the times. It is also a useful pointer the military’s domination of the colony at that time. It was a bizarre event that could not help but have been a source of interest to the colony’s small community. For the soldiers and settlers who came on the Earl Cornwallis, it would have been especially so!

Getting Settled

It is in this frontier setting that David, a fifty one year old widower, arrived with his four children. David and his family were settled on 100 acres of land that was formally granted by Governor King in November 1801.⁹⁵ In between times David would have been kept busy with his government work.

The ‘King lists’ of 1801 indicated that the Brown family was seven in number (this is likely to include two government servants, which was the normal allocation to newly arrived settlers) had two sheep.

The ‘land on the northern shore to the west of the Lane Cove River has fertile soil of shales and clays whereas that to the east is sandstone. Thus, the area to the east of the river remained uninhabited in the early years. The area to the west of the river developed as outposts of Parramatta and thus were known as the ‘Eastern Farms’ or ‘Eastern Hills’ because they were east of Parramatta.’⁹⁶

As happened on other occasions, it is likely that David was given informal consent to occupy the Eastern Farms property in anticipation of the grant being approved. Many of the grants in the area were much smaller allocations of 30 acres and said to have been predominantly occupied by settler soldiers or Ticket of Leave men. David’s land these days is bounded on the East by Badajoz Road, West by Boyce Street and

⁹³ John Macarthur, p176. Sydney’s George Street

⁹⁴ <http://www.jenwillets.com> - Earl Cornwallis

⁹⁵ ⁹⁵ Settlers Muster Book 1801 King’s List 1801 List 1, BA 013.

⁹⁶ The History and Description of Sydney Harbour, p312



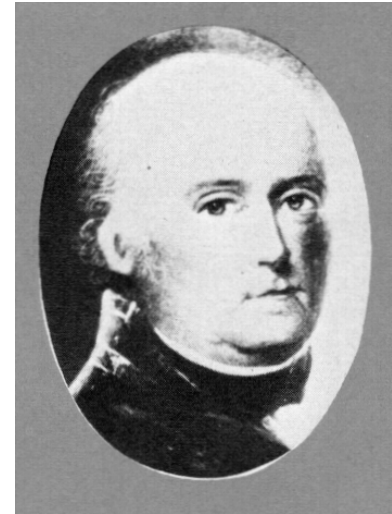
Wicks Streets; South by Quarry Road, and on the North by Coxs Road. The grant was formed of southern and northern portions – The dividing boundary between them is these days represented by Twin Road. The Macquarie Hospital (previously the Ryde Psychiatric Hospital) is now located on the northern portion of David's grant.

The Ryde region became known very early for produce from its orchards. Indicative of this is the famous 'Granny Smith' apple which had its beginnings there.

Why David was granted land in this location and not Mulgrave Place (now Richmond) on the Hawkesbury, such as was the case with John Dight and many others is a mystery. Perhaps David's particular allocation was a reflection of some privilege to which he was deemed to be entitled?

Getting About the Colony

For many years there was very little in the way of public roads in the colony. Transport from place to place close to the shores of Port Jackson, Parramatta River, and the Hawkesbury River was for the most part by boat. This was especially the case for anyone with property on the north side of the harbour, such as David Brown.



Captain Philip Gidley King (1758– 1808)
Governor of NSW
28 September 1800 to August 1806

Settlement of land on the north side of the harbour had begun in February 1794, after Phillip's departure. "Major Grose decided to

establish a farm settlement for old soldiers on the northern side of the Harbour, at a place which was jocularly named 'The Field of Mars', in the vicinity nowadays known as St Leonards and Artarmon. The settlement did not prosper, for the soil was unsuitable for farming, but it was from that experiment that boat transits across the harbour began."⁹⁷

A boat building industry rapidly built up in the colony to meet this need. A good supply of timber, conveniently located near the water way foreshores, facilitated the construction of all sizes of vessels.

People travelled by boat to social events, church, weddings and funerals and to visit each other. In later years, many children went to school by boat; it was part of a teacher's duties to row along the rivers and creeks to collect the pupils, returning them home in the afternoon. Store-boats with a complete range of household goods called periodically at the many small wharves, so residents could do their household shopping.⁹⁸

Kissing Point / Eastern Farms proved to be a convenient stopping place for travellers plying between Parramatta and Sydney Cove. An inn, 'The Malting Falcon', established in 1798 by one of David's neighbours, James Squire, was an added attraction; and one of several public houses much appreciated by the locals. James Squire is noted for having brewed beer in 1800 at Kissing Point, the first person on record in Australia to have done so. Squire had produced his first beer from hops imported from England. In 1806, he succeeded in growing and harvesting his own hops.

A register of arms listed on 10 April 1802 showed that David kept a gun and a bayonet at his property in the 'Kissing Point District'.⁹⁹ It is evident from the survey that all settlers had at least one 'gun' in their household. Guns in that event would have been, in fact, muskets.

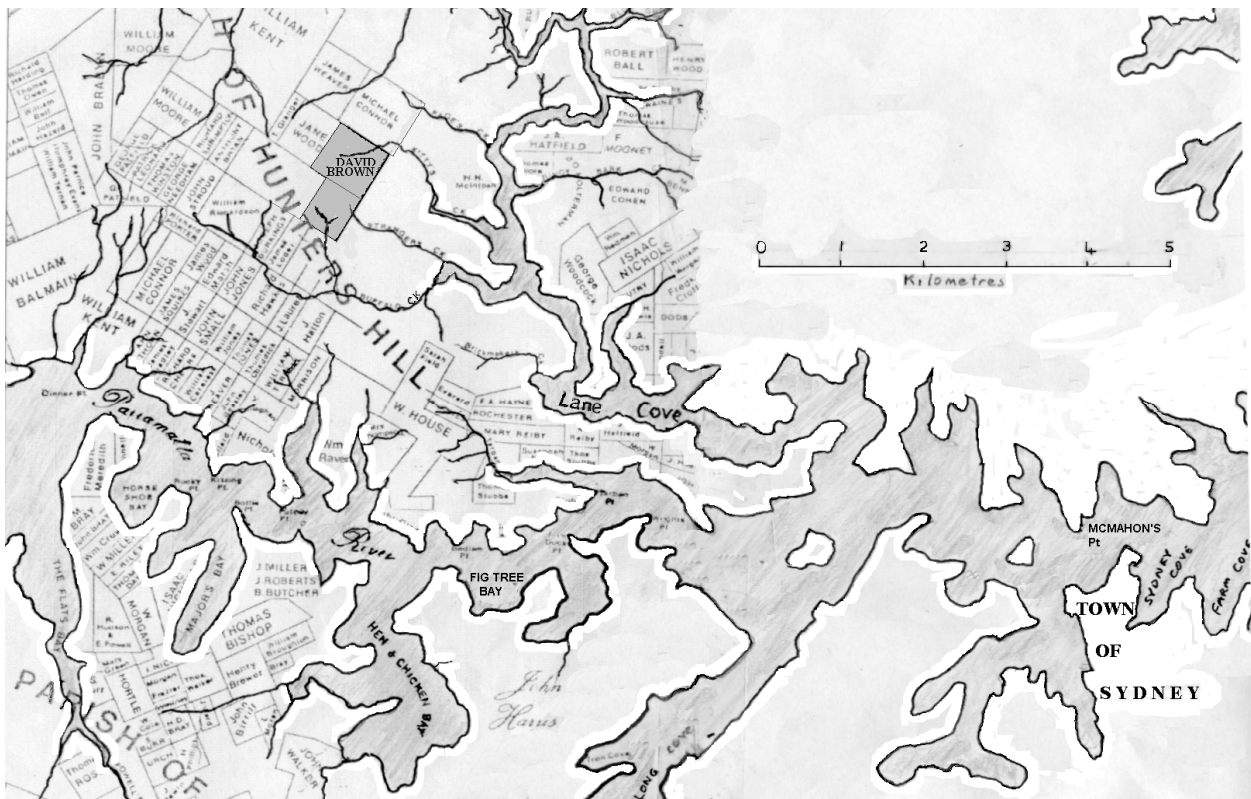
⁹⁷ The History and Description of Sydney Harbour, page 178. Two years earlier Governor Phillip made land grants on the Parramatta River to a corporal and eight privates of the marines. Phillip himself had 'jocularly named that settlement the Field of Mars. Those farms were presumably along the river flats of present-day Rydalmere, near Schaeffer's Vineyard; but confusion arose when Major Grose, established his soldier's settlement further east, and named it also the Field of Mars. Thereafter a large tract of the North Shore, from Parramatta eastwards to North Sydney, was loosely termed the Field of Mars, or alternatively the Eastern Hills.' p304. The term Field of Mars is said to come from the Latin Campus Martius, which was the field outside the walls of Rome where the soldiers trained. Mars in any case was noted in Roman legend and religion to be the God of war, and would have been familiar to anyone with a classical education, especially with a military bent.

⁹⁸ Around and About Wisemans Ferry – A Guide to the District. Loraine Parks & Jocelyn Powell. 1992.

⁹⁹ Colonial Secretary: Register of Arms, 10 April 1802. Entry for David Brown at Kissing Point (SRNSW ref: 4/1719 p89; SR Reel 6041).



Swords and pistols were also listed and seemed to be as plentiful as one another, though far less prevalent than 'guns'.



David Brown Snr's property 1802 – 1821 at Hunters Hill, comprising two adjoining blocks is shown shaded - 'Transport from place to place close to the shores of Port Jackson, Parramatta River, and the Hawkesbury River was for the most part by boat.' - JIG¹⁰⁰.

Bayonets were a much rarer weapon among the civilian population. The possession of a bayonet then was indicative of a person who had served as a soldier in war. Soldiers commonly souvenir bayonets from captured enemy. It is a pointer to the likelihood of service in foreign lands, probably in Europe. The question then arises as to whether it was a memento of David's service or someone else in the family, perhaps an earlier generation?

Perspective of a Foreign Visitor

A significant arrival to Port Jackson on 20 June of 1802 was the expedition of Nicholas Baudin on *Geographe* and *Le Naturaliste*. A member of this expedition, naturalist 'François Péron' kept a record of his impressions of Port Jackson and Sydney Town at this time. Browns and others aboard the *Earl Cornwallis* probably observed noted a year earlier much of what Péron described¹⁰¹:

'Towards the middle of this magnificent port, and on its southern bank, in one of the principal creeks, rises Sydney Town, the capital of the country of Cumberland, and of all the English colonies in this part of the world; seated at the base of two hills, that are contiguous to each other and having the advantage of a rivulet, which runs completely through it; this infant town affords a view, at once agreeable and picturesque.

To the right, and at the north point of Sydney Cove, you perceive the signal battery, which is built upon a rock, difficult of access; six pieces of cannon, protected by a turf entrenchment, cross their fire with that of another battery, which I shall presently mention; and thus defend, in the most effectual manner the approach to the harbour and the town.

Further on, appear the large buildings that form the hospital, and which are capable of containing two or three hundred sick. Amongst these buildings, there is one particularly worthy of notice, as all the parts of it were prepared in Europe, and

¹⁰⁰ Composite of three maps including Pioneer landholders - City of Sydney and Environs 1892

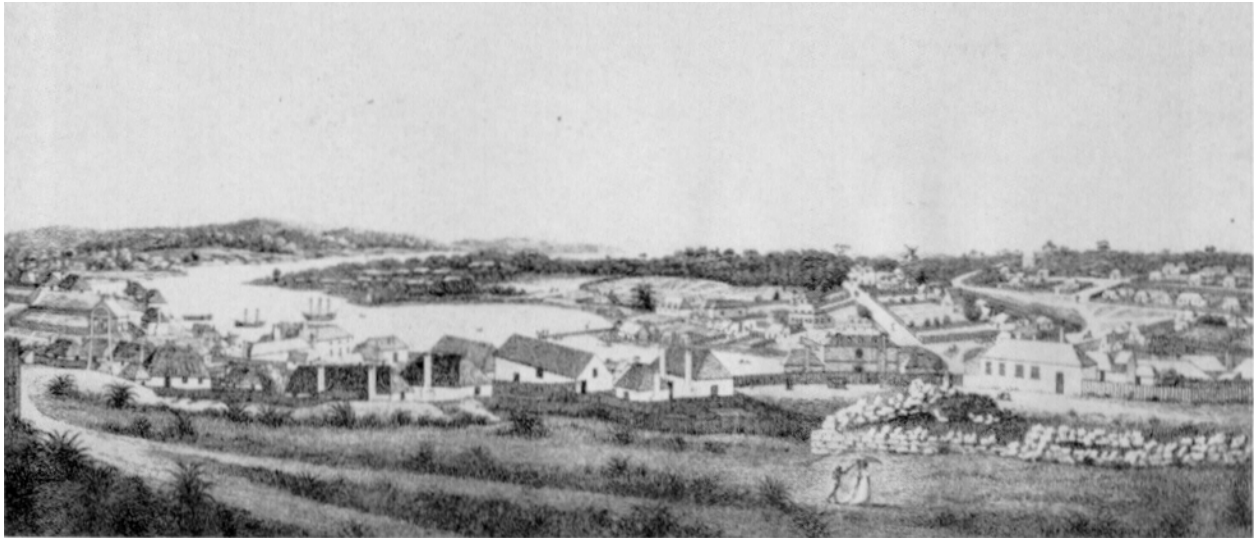
¹⁰¹ Sydney and French Explorers Colin Dyer - 2009



brought out in Commodore Phillip's squadron; so that in a few days after its arrival, there was a hospital ready to receive such of the crews as were sick.

On the same side of the town, at the sea shore, you observe a very fine magazine, to which the largest ships can come up, and discharge their cargoes. In the same direction are several private docks, in which are built brigs and cutters, of different sizes, for the purpose of trading either inland or beyond the colony. These vessels which are from fifty to three hundred tons berthed are built entirely with the native wood; even their masts are obtained from the forests of the colony.

It is at the spot called Hospital Creek, that the ships of individuals unload their cargoes. Beyond the hospital in the same line is the prison, which has several dungeons capable of holding from an hundred and fifty to two hundred prisoners; it is surrounded by a high and strong wall, and has a numerous guard on duty, both by day and night.



From View of Town of Sydney by W S Blake 1802.

A short distance from the prison is the storehouse, for the reception of wines, spirituous liquors, salt provisions etc. In the front of it is the armoury where the garrison is drawn up every morning; accompanied by a numerous and well composed band, belonging to the New South Wales regiment.

The whole western part of this spot, is occupied by the house of the lieutenant governor general; behind which is vast garden which is worth the attention both of the philosopher and the naturalists on account of the great number of useful vegetables which are cultivated in it; and which have been procured from every part of the world by its present respectable possessor, Mr. Paterson, a distinguished traveller, and member of the Royal Society of London.

Behind the house and the magazine just mentioned is the public school; here are educated in the principles of religion, morals and virtue, those young females who are the hope of the rising colony; but whose parents are either too degenerate too poor to give them proper instruction. In the public school however, under respectable matrons, they are taught from their earliest years, all the duties of a good mother or a family.

Behind the house of the lieutenant governor in a large magazine, are deposited all the dried pulse and corn, belonging to the state. It is a sort of public granary intended for the support of the troops and the people who receive their subsistence from the government.

The barracks occupy a considerable square, and have in front several field pieces; the edifices for the accommodation of the officers, form the lateral parts or ends of the building; and the powder magazine is in the middle. Near this, in a small private house, the principal civil and military officers assemble. It is a sort of coffee house, maintained by subscription, in which there are several amusements but particularly billiards, at which any person may play, free of expense.

Behind the armoury is a large square tower, which serves for an observatory to those English officers who study astronomy.¹⁰²

¹⁰² http://www.jenwillets.com/convict_ship_earl_cornwallis_1801.htm#%283%29



Progress

In November of 1802, a survey of settlers reveals David as having: 10 acres cleared of his Eastern Farms property, 11 acres under cultivation; and that he was growing 6 acres of maize, and 5 of wheat. He was in possession of 3 sheep, and 4 hogs. It tells us that David, his four children, and two assigned servants were all dependent on government stores. John Dight and his family, is also listed in the same survey as having received a grant of land of 155 acres at Mulgrave on the Hawkesbury. Their property was to become known as 'Durham Bowes'.

Up to this time, farms in the colony were cultivated by hoe. Land was cleared by cutting down trees, and leaving the stumps to rot, or be burnt out at a later date. The ground was then turned over with a hoe and wheat seed scattered and hoed in around remaining stumps. The number of stumps and the scarcity of bullocks or horses precluded the use of ploughs. Harvest took place in December when wheat was reaped and bound up into sheaves, then carried by men to a stack or barn; it was then threshed with a flail and taken to market. The district was noted even then for its fruit orchards. The timber in the region being cleared included Cedar, which was in demand by cabinetmakers for furniture production.

Farms tended not to have fences. Generally, the limited amount of livestock owned by small farmers as pigs and sheep would have grazed on the common.¹⁰³ After 1820, commons ceased to be made available in newly settled areas. Settlers increasingly made use of fencing on small properties; and on paddocks and stockyards on larger properties, to control stock.

David had drawn government stores since the day of his arrival on 10 June 1801. The government victualling book shows that he, James, and Thomas ceased to need them after having drawn them for 732 days, that is, just on two years - to June of 1803. Two years, was the normal period that the Government at that time could normally be prevailed upon by new settlers to provide food and other stores to facilitate their survival.

David junior and his sister, Mary, are shown as having come off stores, together, six months earlier, at the end of 1803. It seems likely that brother and sister were not living at the farm, but in the Sydney Town?¹⁰⁴ Mary, then a young lady of eighteen years is likely to have been a well educated – As such she had potential to have been in demand as a tutor; or paid or kept companion to one of the 'Ladies' of the colony. David junior, then a youth of about thirteen years of age, possibly had been offered employment nearby? Another possibility is that James Chisholm wanted and was willing to pay for her services as Housekeeper for his large premises. In such circumstances, David jnr's services as assistant, companion, and chaperone would have been very 'proper'.

Field of Mars and Eastern Common

Along with Francis Oakes, and James Squire, David became 'Residentary Trustee' of the Field of Mars and Eastern Common on 11 August 1804 by Government Order.

Francis Oakes was a lay preacher of the London Missionary Society who was appointed as head constable at Parramatta in 1805. In 1807, he married Rebecca Small who was claimed to be the first white child born in Australia. Her father was a successful farmer and later and inn-keeper at Kissing Point.¹⁰⁵

James Squire, the proprietor of the popular 'The Malting Falcon' inn, had emigrated to NSW as a free settler at the age of forty. He was granted land at Kissing Point in 1795 and had become a successful farmer and bought up other blocks of land in the area. Squires resided in the Kissing Point area for the remainder of his days.¹⁰⁶

¹⁰³ Macquarie Country, p7,8.

¹⁰⁴ The King Papers, Vol A 1976, p107. No of days settlers victualled up to 30 June 1805. Mitchell Lib ref CY904. David and Mary Brown are shown as 570 days.

¹⁰⁵ The History and Description of Sydney Harbour, page 317.

¹⁰⁶ The History and Description of Sydney Harbour, page 306.



David Brown, Francis Oakes, and James Squire remained trustees of the Common into the 1820's.¹⁰⁷ The office may have bestowed some small financial benefit? One explanation offered regarding David Brown's appointment was apparently on the basis of David being one of the few free settlers amongst the many 'ticket of leave' farmers. His land, like some of Squire, abutted the Common at his eastern boundary is also likely to have been a factor?

Unrest in the Colony

In 1804, thirty-four convicts involved in an uprising at Castle Hill were banished to Coal River penal settlement as the first intake of that settlement. It was established for convicts who had committed a colonial crime.¹⁰⁸ Later the settlement was known as 'Newcastle', and the river, 'the Hunter'. At the time, and for many years to come, the only access to the Hunter River was by boat. Convicts were put to work mining coal, timber-getting, and making lime. The initial settlement of 1804 was the beginning of a series of events that were to ultimately draw the Browns, and other free settlers, to the Hunter. The Hunter remained a penal settlement until about 1819, when land in that area was made available to ticket of leave men and free settlers. By then there were 850 convicts working in Newcastle. However, until then it was the land at Cattai Creek on the Hawkesbury, near Windsor, that was to absorb the Brown family's interest in the colony's expansion.

A high proportion of the convicts involved in this revolt were Irishman. Many of those, if not involved in the 'troubles' of 1798, were motivated by it, and the circumstances that led to it.

¹⁰⁷ SG Sunday, 20 January 1805. 1a.

¹⁰⁸ Lt John Shortland visited the Hunter River in 1798 while pursuing escaped convicts. He saw the coal seams at the mouth of "a very fine coal river which 'I named after Governor, Hunter'". Explore the Convict Trail: The Great North Road.



Chapter 5 - A Prudent Man

(1772 – 1810)

Not long after the Brown family arrived in the colony they met and became friends of James Chisholm, a non-commissioned officer of the New South Wales Corps. Given James later showed an inclination to make the acquaintance of fellow Scots; it is very likely that he would have quickly become aware of the newly arrived Brown family in Sydney Town. After all, the population of Sydney town was very small, and the town's cricket ground, where the family may have been temporarily accommodated, was not far from his Spring Row property. James Chisholm may have even been aware of their impending arrival because of some correspondence?

James was the younger son of John and Isabel (nee Wilson) Chism. For the birth of his brother, sister, and his birth, James' family consistently spelt their name 'Chism'. James was born on 24 January 1772 in the village of St Martin, Mid Calder, near Edinburgh, Scotland. James was baptised on 1 February 1772. When he came into the world, James already had a sister and a brother: Elizabeth, born 27 June 1768; and Alexander, born 10 June 1770.¹⁰⁹

He enlisted in the 29th Foot Regiment in 1788 at the age of 16 with a letter of introduction from Captain Walter Sandiland (his foster-father, Lord Torpischam, 9th Baron). James' occupation on enlisting was "tailor", and his height "5ft 7 inches". Tailoring was the trade for which he was employed during his military career.

On 11 July 1790, James volunteered to join the NSW Corps. On 14 October 1790, James (only 18 years old) arrived in Sydney on the CT Britannia.

In 1791, he encamped in a 'spot' among the trees that was to remain his prime place of residence for more than 40 years. In 1793, James aided Surveyor Baron Alt, to survey six lots of land for houses for members of the Corps:

- | | |
|---------------------------|---|
| 1. Corporal Rice, | 4. Private James Smith, |
| 2. Private John Berry, | 5. Thomas Wilson & James Bannister, and |
| 3. Private Thomas Hortel, | 6. Himself |

The Government leased these properties, and the houses that were built on them, to these individuals.

The lot measured by James for himself, encompassed the 'spot' he had already chosen amongst the gum trees, when '*it was in its natural state*'.¹¹⁰ On one occasion, James explained:

*'....your memorialist obtained a piece of ground from the General Gross'.*¹¹¹

Initially, most, if not all, six lots seem to have fronted onto what became known for a brief period, and for a naturally good reason, as 'Upper Spring Row'.

Upper Spring Row ran from these properties, along the west bank of the Tank Stream, north, towards Bell Street (now Hunter Street). Across the bridge and over the Tank Stream, it became 'Spring Row', and ran along the east bank towards Sydney Cove and terminated at Bridge Street (The first road to bridge the Tank Stream). Five of the properties had direct access onto High Street, which later became part of George Street.

¹⁰⁹ Clan Chisholm in Australia 1790-1990.

¹¹⁰ James Chisholm letter, 6 May 1834.

¹¹¹ NSWSR Fiche 3002 4/1821 No61, transcribed later.



After a few years, James had bought the leases for the other properties. Of one of his purchases of land, James is said to have paid in goods he recalled it as being *"a noble bargain"*. Indicative of the barter system that prevailed at the time, James paid *"4 gross port wine, 6 gallon hollands, 2 pieces broadcloth, 5 lbs American tobacco, 1 chest of tea, 2 bags sugar, 1 set of harness for a gig, 'saddle, 1 bridle, 1 single barrelled fowling piece, 2 canisters powder, 4 bags of shot"*.¹¹²

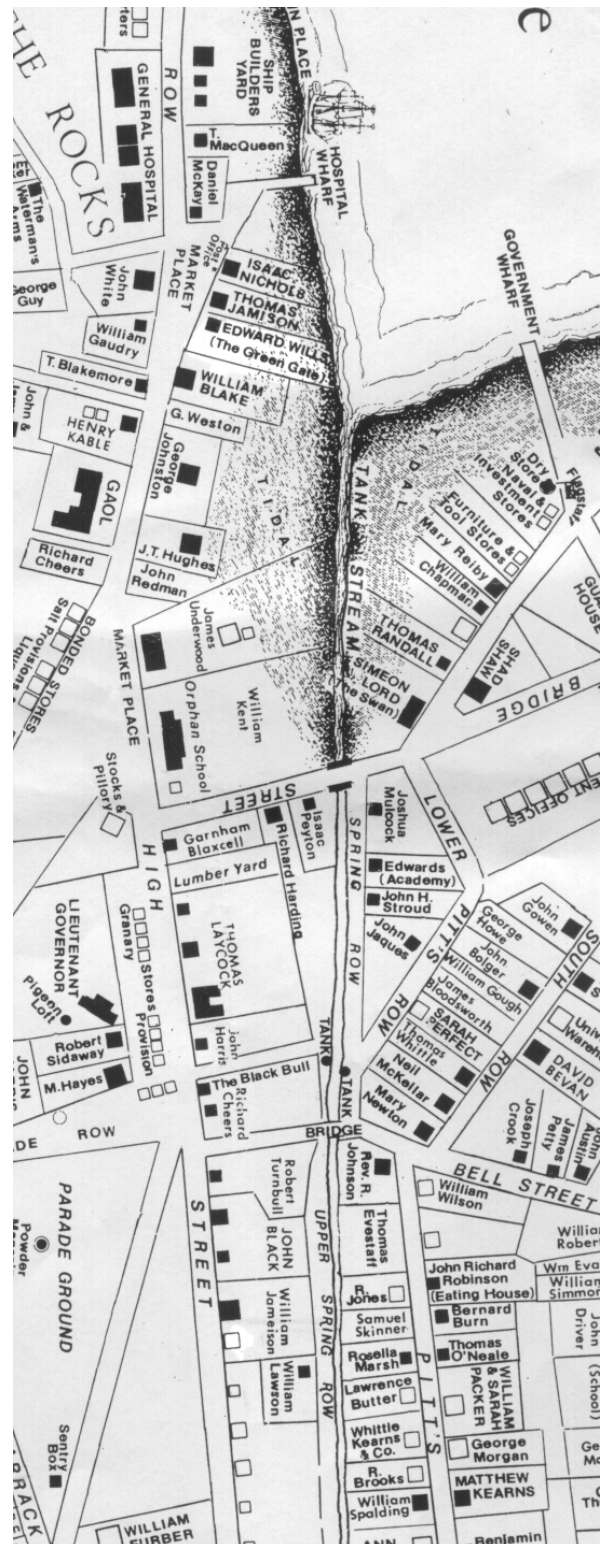
Rum and other Currency

As evident from one of the commercial transactions described above, during James' early years in the colony, a barter system prevailed in lieu of money. Rum and other spirits became much in demand for currency, and for consumption. At its peak, the consumption of rum reached a 'staggering' five thousand gallons a week amongst a population that was well less than 12000 including Norfolk Island.¹¹³

Officially, the penal colony was not meant to have any currency. However, money was smuggled in, and before long was openly used, instead of barter to ease commercial transactions that naturally took place. Coins were seldom seen, paper money, or promissory notes prevailed as unofficial 'formal' currency¹¹⁴ - Such notes promised payment in 'wheat, barley, hops, casks, or iron hoops'. As government herds increased, livestock was given in exchange for settler's grain and meat.

The demand for rum made it a more popular form of unofficial currency. Officers of the New South Wales Corps were free to pursue commercial interests, and integrate them with their official duties. The market for rum became so dominated by the officers of the New South Wales Corps that they caused the Corps to be nicknamed the 'Rum Corps'.¹¹⁵ The officers involved in this commerce, such as John Macarthur, also became major importers of provisions and other goods in their pursuit to exploit a largely 'captive' market. In 1800, a contemporary noted:

'The industry of many in Sidney, is infringed on by the officers there, which not only injures those people who live by their trading, but even those in the most remote settlements. It is the practice with many of them to go on board a ship, immediately after she arrives, and monopolize the entire of her



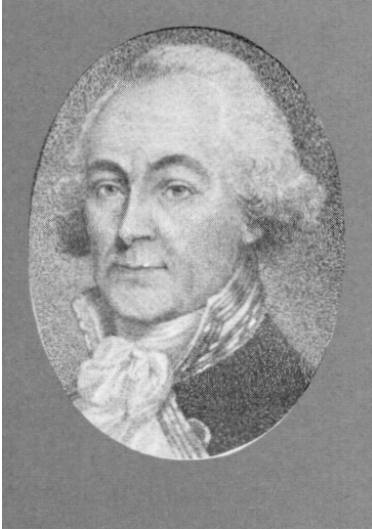
An extract from a map that purports to show streets and land occupants c1800. It is a useful indicator, though it omits showing James Chisholm's original lease nearly adjoining what had been Sgt William Jamison's lease (Opposite the Parade Ground). Temporary - To be replaced with a more relevant map.

¹¹² According to his grandson James in his book "Speeches and Reminiscences" published by Angus and Robinson in 1907 per Clan Chisholm in Australia 1790-1990.

¹¹³ The population of the Colony of NSW, including Norfolk Island, was less than 8000 in 1800 and had expanded to 11,590 in 1810.



cargo, which they dispose of at a most exorbitant price, and if they do not get the price they, demand, they put up in their cellars, till dire necessity induces the inhabitants to acquiesce, by this conduct they who have their pay etc. to live on, destroy the spirit of the industrious man, who would dispose of it at a reasonable rate and allow himself a tolerable profit.'¹¹⁶



Captain John Hunter (1738 -1821)
Governor of NSW
September 1795 to September 1800.

It is unlikely that James, because of his status in the Corps and his evident efficiency and astuteness, was not called upon to aid his officers in the administrative aspects associated with their commercial enterprise. At the very least, James would have been in a very good position to observe closely their activities. No doubt later on, such experience, as well as presenting him with the occasional commercial opportunity and contacts, would have served him well in his own enterprises. Opportunity for non commissioned officers of the Corps was there, as evident from this contemporary observation:

*'I have seen a Sergeant of the New South Wales Corps give £110 for a delicate little riding horse for his own use.'*¹¹⁷

On becoming Governor at the end of September 1800, naval officer, Captain Gidley King, applied severe restrictions to the rum trade, which was partially effective in reining back the Corps exploitation of colony.

By 1798, James rank is given as Corporal and detached to "Gross" until 1807.¹¹⁸

Marriage

The fact of James Chisholm being well established in the community, and 'a man of means', would not have been lost on David Brown and family. James' connections even as a corporal would have still been well regarded.

The Scottish heritage that James Chisholm shared with the Browns, his natural charm, and various other qualities that caused him to be well regarded contributed to fostering a close relationship between them. The mutual approval led to Mary Brown being courted by James, and her accepting his proposal of marriage.

On 26 January 1806, Mary and James were married in St Phillip's Church in Sydney, by Rev. Samuel Marsden. Mary was 21 years old and probably not long celebrated her 'becoming of age' and with it the right to make her own decision about whom she might marry. James had just turned 34. Witnesses were John and Phoebe Waldron. Marsden's Female Muster of 1806 lists Phebe Waldron as 'Came Free' on the Earl Cornwallis and as a married woman¹¹⁹. She is therefore likely to have befriended Mary on the voyage. Her husband John does not get a mention in the 1805-6 Muster?¹²⁰

¹¹⁴ Voyage on the Minerva 1799 -1800, Diary of the surgeon, John Washington Price, p161

¹¹⁵ History of the Hawkesbury????.

¹¹⁶ Voyage on the Minerva 1799 -1800, the surgeon, John Washington Price, p162. Note – James Chisholm 's rank in the Corps at this time was corporal. But it is evident that opportunities to prosper under the 'rum economy' were also open to members of the NSW Corps other than commissioned officers.

¹¹⁷ Voyage on the Minerva 1799 -1800, Diary of the surgeon, John Washington Price, p161. Concerning high prices and the 'rum economy'.

¹¹⁸ Grose was commander of the Corps and had departed Sydney for the UK in 1794 and left Lt Col Patterson in charge in his absence.

¹¹⁹ Muster entry C1360.

In 1810 Phebe Waldron of Windmill Row is noted as having received her beer licence as an ex-convict, as was Sarah Wood ('Glatton'), proprietor of the Waterman's Arms at the Rocks. Mary Reibey - was also granted a liquor licence. Per The Women of Botany Bay, by Portia Robinson. In September 1813 Phoebe, described as 'the rich widow of John Waldron, proprietor of the Duke of York inn at Sydney' married Larra, James (1749-1839) married James Larra (1749-1839), Jewish emancipist and merchant. She died on 1 August 1814. [Australian Dictionary of Biography](#), Volume 2, (MUP), 1967.

¹²⁰ There is a John Waldron on the 1800 Oct 13 list of convicts on board the "Earl Cornwallis" (Reel 6028; 2/8283 p.25)



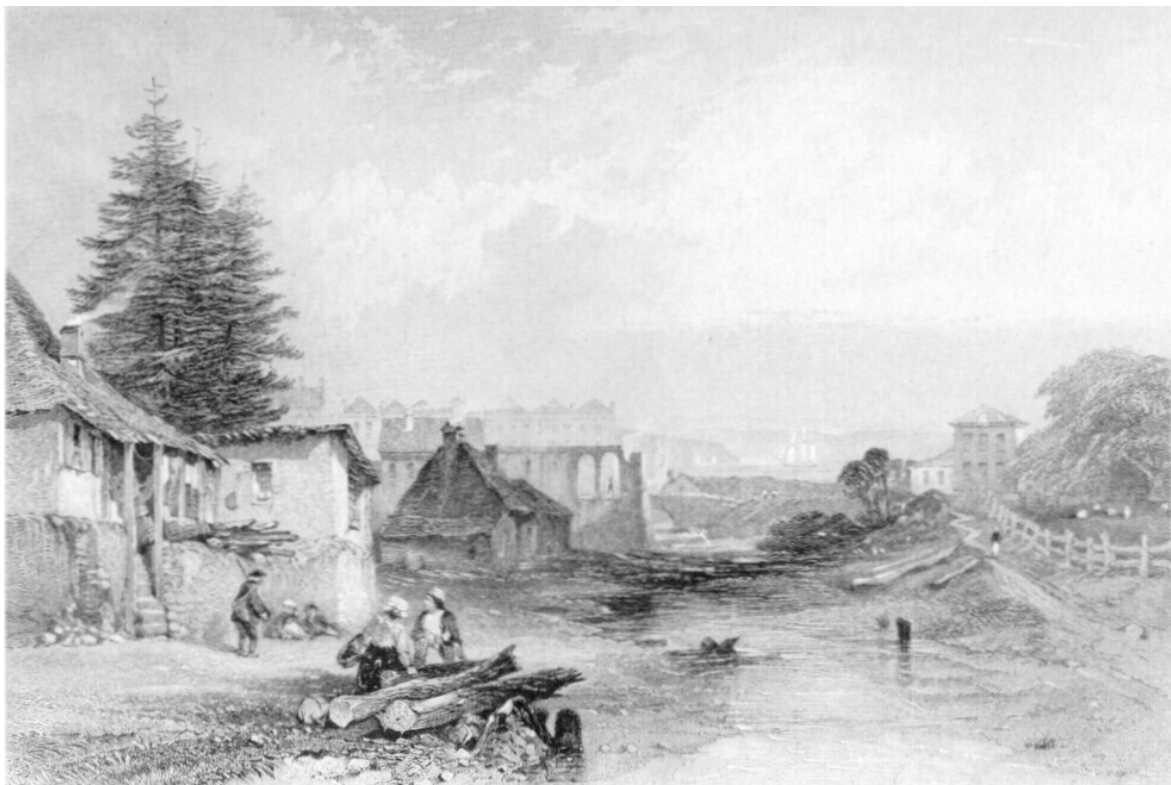
Mary Brown signed the register, and James Chisholm made his mark:¹²¹

Mary Brown

*James his
Chisholm
mark*

The situation is a reversal of the norm in those days. Very few of the women were able to sign their names then. James last name is spelt as 'Chifsam' using the 'f' for 's' in the case of double 's' as was the practice then. The phonetic spelling may well be indicative of his accent in pronouncing his name. James was not the only corporal in the British army, unable to read and write. However, to rise any further in the regiment, to achieve the rank of Sargeant, basic reading, writing, and mathematical skills were essential requirements to undertake various administrative tasks expected of that position.¹²²

The newly married couple set up home at James' the now long established residence bounded by Upper Spring Row and High Street (later known as 'George Street'). It seems probable that James, with considerable assistance from Mary, overcame his education shortcomings during the first year or two of their marriage.



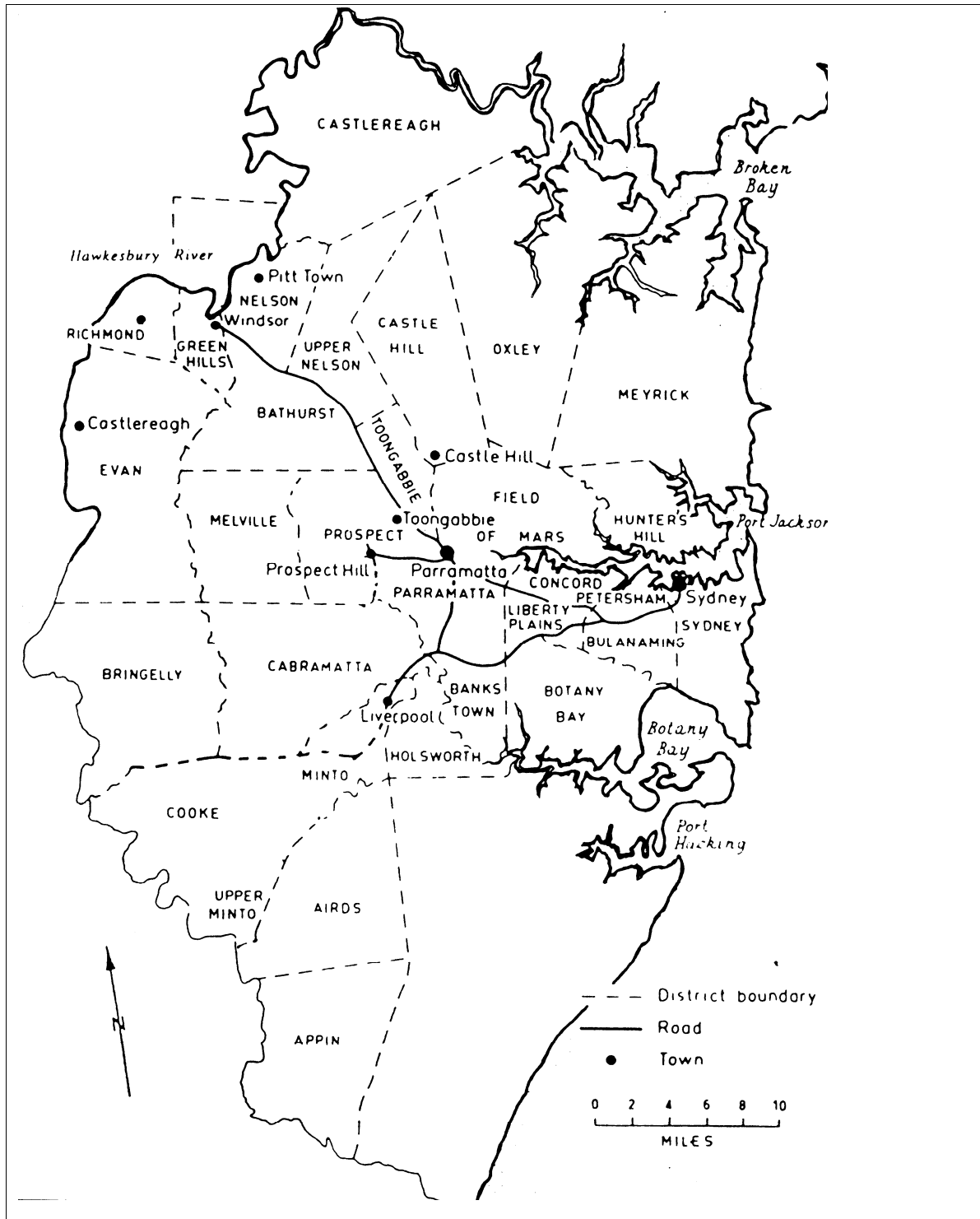
Tank Stream, viewed north to Sydney Cove from Bell (Hunter) Street 1868. Spring Row can be seen as little more than a footpath on the right; and down stream, the original bridge of Bridge Street.¹²³ Note the well established Norfolk Pines.

Major flood damage to the Hawkesbury farms in March and August of 1806. Soon after Governor Bligh's arrival in the colony in August, the farmers of the Hawkesbury called for, and gained Bligh's help in dealing with the disaster. A mutual regard and support between the farmers and Bligh continued throughout his governorship.

¹²¹ BDM V1806 660 3A & V1806 333 4

¹²² Late the 18th century and into the early 19th century, soldiers with rank of 'Sargeant' were increasingly expected to be able to read and write to fulfil the administrative aspects of their work. British regiments adopted this requirement piecemeal.

¹²³ Illustration 'The Old Tank Stream' by Skinner Prout, Australia in 1870's, p100.



Map of Sydney and Districts c1806.¹²⁴ Note the limited road system.

James Chisholm's brother-in-law, James Brown, had property there that he had begun to cultivate in earnest. As a consequence, he was probably sympathetic to the concerns of his district. The power plays by the NSW Corps for monopolies on grain at this time put them in conflict with the farmers of the Hawkesbury. This situation fuelled the ensuing rivalry between Governor Bligh and John Macarthur (a 'mover and shaker' in Corps affairs) over the next several years.¹²⁵ There may have been the need of some cautious footwork by James, in his capacity as an NCO of the NSW Corps, a member of the Brown family, and entrepreneur in the making.

¹²⁴ Economic Growth in Australia 1788 –1824 (MUP edition), p77.

¹²⁵ *History of the Hawkesbury*????.



In the muster of August 1806, David Brown, is described as ‘Settler, Holds Land Kissing Point’ (Eastern Farms).

James Chisholm had made such improvements on his particular allocation of land at Spring Row by this time (August 1806 – January 1808), that it ‘induced’ *Governor Bligh to give him a Lease of the Ground*.¹²⁶

On 5 November 1806, a son, James jnr, (Jas) was born to Mary and James. The child was named in honour of his foster brother, Lord Torpischam (James Sandiland, 10th Baron), in Calder, Scotland. Jas was the subject of continued and active grandfatherly interest by David. For David, his daughter’s marriage and this birth of his first grandson must have seemed that his family’s fortunes were finally in the ascent again.



View of Sydney from the West Side of the Cove, 1806.

A Major Setback

Not long after his daughter’s marriage to James Chisholm in 1806, evidence points to David Brown dividing his time between Sydney Town and his property at Eastern Farms.

‘On or about’ 17 March 1807, a person or persons deliberately set fire to David’s ‘Dwelling house’ at Eastern Farms. The fire ‘consumed’ the house and ‘sundry articles of value’. David placed a succession of advertisements in the Sydney Gazette as ‘settler at Eastern Farms in the vicinity of Kissing Point’, offering a reward of £20 for the names of the offender and warning of ‘rigid’ prosecution of trespassers cutting wood and turning loose cattle and other flocks: ¹²⁷

‘Whereas on or about the 17th instant the Dwelling house of David Brown, Settler at the Eastern Farms in the vicinity of Kissing Point, was set fire to and consumed, together with sundry articles of value, in order to bring to condign punishment the incendiary, or the incendiaries therein concerned, I, the said David Brown, do hereby offer a Reward of Twenty Pounds Stirling to any person prosecuting to conviction: and I do hereby at the same time forbid any future trespass upon my said farm, either by turning cattle or other flocks thereupon, or by cutting down or removing wood therefrom, on pain of rigid prosecution.
Signed D. Brown.”
Sydney Gazette, Sunday, March 29 1807

¹²⁶ James’ memorial of January 1810. NSWSR Fiche 3002 4/1821 No61.

¹²⁷ Sydney Gazette, Sunday March 29, 1807



From this advertisement it is apparent that David and family had been absent from the farm for a good few days. It shows that much gain had been made by the family since their arrival, and that this wanton destruction and spoiling had naturally generated a great sense of frustration and anger.

The ‘turning loose cattle and other flocks’ suggest that the family had built fences and pens to restrain their livestock. The lack of fences was then common in the colony, and the Brown’s animals could have roamed far afield across many a boundary. The cutting of timber would have been of concern, as it was likely to have been a valuable, saleable resource, or a material of use to him as a carpenter.

The burning of his dwelling house may well have prompted David, to move into Sydney Town in 1807 on a long-term basis, to reside with his daughter and son-in-law, if he had not already done so. It is apparent that David continued to spend time there, as he was well known to the locals. Possibly, he on occasion left convict labour to repair and run the farm, and depended on occasional visits to monitor progress? It seems likely that young Thomas and David junior would have accommodation with the Chisholm’s at their George Street residence. James Chisholm only a few years later describes how he ‘induced’ Governor Bligh to extend his lease on the George Street property, based in part on consideration of James having ‘a large family’ to accommodate. Brown family legend says that David senior lived with the Chisholm family for some considerable period.¹²⁸ This is consistent with evidence, some years later, that James’ father-in-law of his second marriage was residing with him.

The Browns were supposed to have come to the colony with little money. The £20 reward was a substantial amount of money in those days. It might be another indicator of David’s prosperity since his arrival in the colony? On the other hand it is easy to imagine that James Chisholm, as well as providing lodging for his wife’s family, might have been supportive in this situation, by putting up the reward money.

The construction of fences seems to have become more common, though the maintenance of them was another thing. J. Palmer complained of the fences of his farms at the Hawkesbury having been ‘very much destroyed by sundary persons breaking down the pailing’, and of ‘sundry perfons’ otherwise ‘trefpaffing upon by cutting grafs and anoying any flock’. He like David used the Sydney Gazette of 25 September 1808 to threaten such persons with dire consequences.¹²⁹

James’ Commercial Activity

Evidence of James’ advancement the Corps, and commercial enterprises while still serving, can be found in The Sydney Gazette. It is also an indicator that James by now was proficient in basic education skills – He now holding the rank of Sergeant¹³⁰:

‘To be Sold by Private Contract, one hundred and odd Acres of Land, on the left hand side of the road leading from Sydney to Parramatta, and nearly half way, extending from the Iron Cove Creek to Connor’s boundary, being part of Marthgate, Brackrig’s and Smith grants; Well supplied with water; and a boat can be bought within a very few paces of the ground - Enquire of Serjeant Chisholm, New South Wales Corps.’
Sydney Gazette, Sunday, November 6. 1808

James military record shows that during 1809 he was ‘detached Steel / 5CO’.¹³¹

¹²⁸ ‘David Brown was living with his daughter, Mrs Chisholm, until her death’ Emily J Brown, Nuetral Bay. Letter of 17 March 1914.

¹²⁹ SG. Vol VI. No 247. 25 September 1808.

¹³⁰ His Military record also records that in 1808 James was ‘Detached Kemp/Steel’ per Clan Chisholm in Australia 1790-1990

¹³¹ Clan Chisholm in Australia 1790-1990.



The Sydney Gazette of Sunday, 5 March 1809, lists ‘Serjeant James Chisholm’ amongst soldiers of the Corps and various civilians approved to hold ‘Licenses’ in the colony for the purpose of maintaining an establishment that sold liquor:

‘...The undermentioned are names of Persons approved of to hold Licenses’ at Hawkesbury, Parramatta, and Out settlements Sydney. Military.

*Sargeant Major Whittle Sargeant John Rickets Sargeant Wm. Brumlo ---- James Cox ---- Edward Goldshaw ---
-- Danial Humm ----- Charles Whalan ---- Nath. Cotton --- **Sergeant James Chisholm***

PARRAMATTA.

Sargeant Edward Jo....

Sydney Gazette, Sunday, March 5, 1809

During 1809, as part of his early entrepreneurial activity at this time, James explained that he ‘... purchased from the representative of the late *Sargeant Major Jamison*, a house and premises nearly adjoining’ his own original lease, ‘for which he *payed £140.*’ The house and premises ‘...was then made lease from Governor Hunter’ to James.¹³² Sergeant William Jamison’s lease had comprised leases that he had previously purchased from Corporal Rice and Private Berry. Jamison’s land, like most of the properties in that block, straddled Upper Spring Row and High Street. It was to the north of James’ property by perhaps one lease or so, and thus ‘nearly adjoining’. In respect of the Jamison lease when he acquired it in 1809, James wrote in 1834:



There was never £100-00 expended upon the property and that I have laid out from £1500 to £2000 in improvements upon the land.’¹³³

Jamison’s lease with James’ improvements, became progressively: ‘Mr Chisholm’s House’ (inn), ‘The Crown and Thistle Inn’, and ‘The Thistle Inn’. The site was leased by James to the Bank of New South Wales for some thirty years thereafter. The property was opposite where the entrance to Wynyard Station is today.

On 2 December 1809, James purchase of Sergeant Jamison’s lease was formally granted. It was described as a block of land at Upper Spring Row, 141 feet in frontage and 175 feet long. Like the other land he for which he held leases, it backed onto what became George Street.¹³⁴

That same month, on 22 December 1809, James purchased 140 acres at Eastern Farms from Michael Connor for £85. This appears to adjoin some 100 acres he had offered for sale in the Sydney Gazette the year before.

James Stepping Out

James requirement ‘to get the measure of a man’ as part of his tailoring trade seems to have become a metaphor for his ability understand and related with those he met in and outside of his

¹³² William Jamison or Jameison. NSW SR Fiche 3002 4/1821 No61.

¹³³ James Chisholms’ letter May 20 1834, Miriam Chisholm Collection, NLA MS 6207, Series 3, Folder 34.

¹³⁴ NSW SR, Fiche 3268 912731 p320



military circle. Over the years of service in this situation he probably developed the discernment skills that put him in good stead in respect social and entrepreneurial aspects of his life. James 'blossoming' on leaving the military suggests this.

Colonel Lachlan Macquarie formally began his term as Governor of the Colony of New South Wales on 1 January 1810, having arrived the month before with his regiment, the 73rd. With his arrival, the dominance of the New South Wales Corps in the commercial affairs of the colony came to an abrupt end.

Macquarie's administration was quick to do something about improving the inadequate road system in Sydney Town and the Colony in general. In 1810, as part of this program, High Street and its extension beyond Bridge Street into 'The Rocks' area: 'Market Place', and then 'Sargeant Major's Row'; became amalgamated into George Street. George Street was established as the main thoroughfare, north-south, to Sydney Cove. As most of the properties in Upper Spring Row already faced onto High Street they were not disadvantaged. Not long after the creation of George Street, Upper Spring Row ceased to exist, being absorbed into the rear of each of the properties that had originally fronted onto it.

In that year, on advice from his friend, Lieutenant Governor Foveaux, James Chisholm obtained from Governor Macquarie, a lease of 21 years on his George Street property. As James himself put it, he 'resided on the same spot', between Hunter Street and Martin Place, for more than 40 years. It was as he said 'where his dwelling house' was located.¹³⁵ Eventually, James acquired all of the land on the east side of George Street, between Hunter Street and Martin Place. The Tank Stream came to form the rear boundary of his property.

On 11 February 1810, after nearly twenty years in the army, and the Corps returned to England, James obtained his discharge 'to become a settler'.¹³⁶ He had not long turned 38 years old. James was one of many officers and men of the Corps, who at the time, variously elected to retire, resign, or take their discharge. Discharged soldiers at that time were entitled to a land grant of 25 to 30 acres, along with provisions, tools and two convict labourers.¹³⁷

James, like others of the Corps, was loathed to give up the commercial activities had successfully cultivated and the social connections they had made the new colony:

*'...having been so long situated in this Colony through my own industry and perseverance I thought it advisable to examine and improve my condition, which, thank God, I have done.'*¹³⁸

In the years that followed, James Chisholm continued to improve his 'condition' at an impressively steady rate.

¹³⁵ Miriam Chisholm Collection. Box 2, Folder 9

¹³⁶ NSW SR, Fiche 3035 4/1826 No 21 His Military records show 1810 detached 5 CO per Clan Chisholm in Australia 1790-1990.

¹³⁷ A Colonial Regiment, 1789-1810.

¹³⁸ Letter to Lord Torpischam (James Sandiland, 10th Baron), his foster brother, in Calder, Scotland, on 15 February 1823.



Chapter 6 - The Hawkesbury Connection

(1803 - 1813)

David Brown's eldest son, James, was inclined to be independent of the family in taking on the challenges that living in the Colony of NSW had to offer.

After a few years of helping his father with carpentry contracts and getting the Eastern Farms property established, James launched out on his own by working as a ships' carpenter for Henry Kable, settler, and shipbuilder on the Hawkesbury. It is probable that James took up with Kable about the time that his family were taken off government stores, in June of 1803.¹³⁹

Until Governor Macquarie set about building roads with the convict labour, roads in the Hawkesbury region, like much of the colony, were almost non-existent, and horses and other beasts of burden were few. Transport of bulk commodities to Sydney from the Hawkesbury had to be by water. The isolation of the early settlement had occasional visits by government owned vessels. The Hawkesbury River was itself the highway. At the turn of the 19th century, the government permitted private individuals to build small trading vessels, provided they lodged a bond, and gave an undertaking not to trade outside New South Wales and its dependencies. Boat building became an important industry as there was a good supply of suitable timber and boats were needed for transport of goods, stock and people.¹⁴⁰ River trade expanded.

Fleets of various kinds of sailing craft: ketches, cutters, schooners, sloops, etc., plied the river taking goods to Sydney and returning with supplies for the settlers. It seems that from earliest times of river transport vessels would call in at farms along the banks of the river in pursuit of trade. By 1814 at Windsor, river commerce had grown enough to justify the building of a wharf to facilitate the docking of trading vessels.¹⁴¹

Most of the ships built in the Hawkesbury shipyards were small sailing sloops of up to 50 tons. They carried their cargoes of produce down the river to Pittwater where they would shelter, waiting for good weather before attempting to sail the 26 kilometres of open sea from Barrenjoey to Sydney Cove. These small ships often struck trouble, westerly winds driving them out to sea and sudden, southerly squalls carrying them up the coast with some being wrecked in the Newcastle, Port Stephens area.¹⁴²

Henry Kable (an emancipist merchant) was one of the early settlers on the Hawkesbury – The Muster in 1806 states him to be 'Settler by grant and purchase' holding 215 acres. Aside from Henry Kable, quite a number of families became involved in the shipping trade and consequent ship-building on the Hawkesbury then, those of: Jonathan Griffiths, John Grono, Thomas Smallwood, Andrew Thompson, and Philip Thorley.

About 1800, Henry Kable had joined with James Underwood (another emancipist) in the shipbuilding and sealing business. Underwood was the shipbuilder, and Kable the 'ships' husband'. 'That is, he was responsible for the running of the vessels, engaging and paying crews, and ordering provisions.'¹⁴³ The shipbuilding industry in those days was very much dependent on employing men with relevant carpentry skills. At this time, after the government, the Kable and Underwood enterprise was the next largest employer of men, especially through their seal hunting enterprise.

Indicative of their enterprise is the following advertisement in the Sydney Gazette of Sunday, 26 February 1804:

¹³⁹ The King Papers, Vol A 1976, 1805 report p107 revealed 732 days.

¹⁴⁰ Explore the Convict Trail: The Great North Road. Tourism NSW.

¹⁴¹ Australians, Events and Places, p275.

¹⁴² Hawkesbury Heritage.

¹⁴³ Hawkesbury Journey. p145.



W A N T E D

TWENTY FOUR ABLE MEN, to proceed to the islands in Bafs Strait upon a Sealing Voyage, in the Schooner 'Governor King'; also Two ready, active Men capable of taking the Charge of a separate Gang each.

Persons at liberty to accept such engagement will receive a liberal Pay, and meet with every possible Encouragement.

Applications to be made to Mssrs. Kable & Underwood.¹⁴⁴

'Sealing was very profitable for Kable and Underwood who were the first in that field. Kable recruited the sealers, who worked in teams of about eleven. They were put ashore with provisions in Bass Strait, where they clubbed seals to death, skinned them and boiled down the carcasses for oil. The ship sailed away for other trading and came back months later to collect the skins, oil and sealers. It was a harsh lonely existence for the men but lucrative for the ship owners.' Between March 1803 and June 1804 Kable and Underwood's vessels brought back "28,282 skins, and 183 tons????? 40 gallons of (sea) Elephant oil, and 220 gallons of Seal Oil, in procuring which 63 men, upon an average, have been employed".

'Simeon Lord joined with Kable and Underwood for a period in order to cunningly evade the trading restrictions of the East India Company and gain access to the lucrative London market, which was much more rewarding than selling in Canton.'^{145 146}

On 14 May 1805 the Secretary's Office gave approval for James Brown and seven others not 'to leave the colony' but 'proceed to the Southwards'. The others listed were S. R. Chace, A. Evens, John Thomas, William Smith, William Hayes, and Andrew Downing.¹⁴⁷ Of note are William Smith and William Hay(n)es in the list, who like James, appear as being in Henry Kable's employ in the muster of the following year. The expedition 'Southwards' is more than likely to refer to a sealing expedition to Bass Strait often undertaken by Henry Kable's shipping interests.

It seems likely that it was while James was in the employ of Henry Kable, he applied for a grant of land. Not long after lodging his application, James took up unofficial possession of 100 acres of land and was assigned a convict. At this time, young men turning eighteen were entitled to apply for a grant of land.

James was probably already in possession of his grant of land at Cattai¹⁴⁸ when he went on the May 1805 assignment with Kable and Co. His land was at Little Cattai Creek, in the Hawkesbury River settlement area (Portion 39, Parish of Maroota), 50 kilometres northwest of Sydney Town, and just north of Windsor. This is based on his progress in clearing and cultivating the property assigned to him. It is evident in the August 1806 muster, that James began his occupation at least the year before i.e. 1805 or earlier, in anticipation of the grant being approved.

Other members of the Brown family would have been quick to inspect and advise on the acquisition and help as necessary.

There is a question, as to when James and his brother, David junior, had learnt their trade as a carpenter? It is probable that they had both begun, if not completed this training in carpentry in Britain. It is likely that James had completed his there. Apprenticeships began at a very early age at the time and could entail

¹⁴⁴ SG 26 Feb 1804 p3c.

¹⁴⁵ Hawkesbury Journey. p145

¹⁴⁶ The 'Contest' was one of their vessels. It was registered in 1804 as running on Hawkesbury in 1804, and also did trade to Norfolk Island and New Zealand before being wrecked in 1807. Hawkesbury 1794 -1994. The first 200 Years of the Second Colonisation', p101.

¹⁴⁷ SG May 1805

¹⁴⁸ The name 'Cattai' is derived from an Aboriginal word of unknown meaning. It was applied to "Caddie Park", the homestead on "Cattai Farm", owned by the First Fleet Assistant Surgeon, Thomas Arndell. The homestead is now part of Cattai National Park. 'Cattai Farm' adjoined James Brown's grant. The name has been variously spelled as Caddie, Catta, and Catye. John Goldsmith an early settler in the area wrote that he had established a farm at 'Cat Eye' by 1805. Source: [Baulkham Hills City Council Origin of Suburb Names](http://www.baulkhamhills.nsw.gov.au/council/origin-of-suburb-names)



being indentured for seven years. Of note in this regard is James Chisholm whose trade was a tailor at 16 years of age when he joined the Army.

Whenever they served their apprenticeship, it would have been opportune for James (and possibly David) to take up labouring work on arrival in Sydney Town. At least for the brief time the family were waiting to be allocated their grant of land. For it was observed at the time:

*'The price of labour is very high, especially in the harvest, when men get from 15 to 20s per day; it was this extravagant price that induced so many of our men to leave the ship; to balance which many pay their men in property at the rate of 20s per bottle of rum, 10s per lb. of tobacco etc. etc.'*¹⁴⁹

Able-bodied males of 14 and older would have had little difficulty getting work. These conditions appear to have lasted into the 'Bligh' governorship, and beyond.

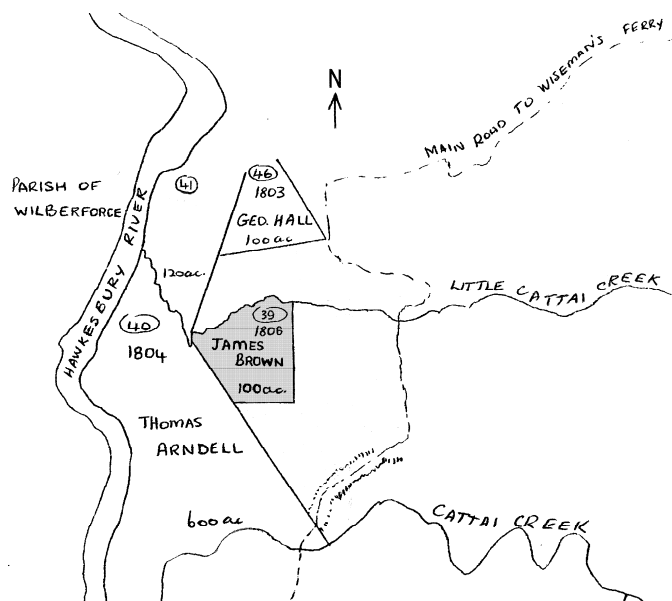
James and David may well have been called on to assisted their father in his Government sponsored role as carpenter.

At Eastern Farms (North Ryde) there would have been more than enough work involved in establishing a new farm. In several Censuses in later years, David and his brother, Thomas, are recorded as labourers, which may well have meant farm workers. However, Thomas is likely to have been still a child at this time, and labouring for him is unlikely to have been far from the family farm. He is likely to have been of tender years when his sister, Mary, married in 1806.

'Labouring' work may have given David junior other skills useful for farming e.g. blacksmithing / farrier related work? (Thomas as child of about 6 years very limited experience).

Their labours, when not working on the Eastern Farms property are likely to have included a great deal of carpentry work such as building houses, sheds, fences, and animal pens on James' Hawkesbury property.

In '...March of 1806 when the Hawkesbury farms suffered badly from particularly heavy rains. Crops were damaged, people rescued from trees and rooftops.'¹⁵⁰ Some seven people were drowned – reports suggest that under the horrific circumstances that prevailed at the time, it was bordering on miraculous that the casualties were so small in number. Fortunately, '... being some months after the harvest, a large proportion of the grain produced on the Banks of the Hawkesbury had been removed to other parts, and was preserved'.¹⁵¹ Whatever the loss of crops that occurred, it led to difficult circumstances for many settlers of that area. After the flood, wheat and consequently bread sold at exorbitant prices.



Portion 39, Parish of Maroota

¹⁴⁹ The Minerva Journal of John Washington Price 1799-1800.

¹⁵⁰ History of the Hawkesbury.

¹⁵¹ SG 20/11/1808, 1c.



James was formally granted his 100 acres at Little Cattai Creek area just north of Windsor on 5 August 1806.¹⁵² It was an acquisition that proved significant to the Brown family fortunes. Whatever its various disadvantages, the Cattai property put the Brown family on the Hawkesbury. The grant became known in the district for a significant part of the 19th century as 'Brown's Farm'.

The Hawkesbury was to become the launching place for the family's expansion to the Hunter and beyond. The Hawkesbury was where many of their connections in the Hunter River area were first made. Cattai was to become a staging point to the Hunter and resting point at the end of a ride or cattle drive from the Hunter, over a long stretch of difficult country.

James may have been lucky to get his grant, for Governor Bligh arrived in the colony on 6 August that year. In the seventeen months of his rule, Bligh is said to have made only three land grants, the first of those was 790 acres to, Anna Josepha King, the wife of the previous Governor.

James' response to the 1806 Muster conducted in the Hawkesbury area on 19 August that year is a pointer to his being independent of the family at Eastern Farms and the Government. James had under cultivation: 5 acres of wheat, 1 acre of maize, ¼ acres of orchards and gardens, 89 ¾ acres of pasture, and 4 acres fallow.

His livestock consisted of 5 male and 5 female Hogs. He had 2 bushels of maize in hand. Neither James nor the one convict indented to him required victualling by the Government. The 'Remarks' entry: 'To be Granted Caddai Creek' indicate that at that time he was unaware that he had been granted the property.¹⁵³

It is evident that James had achieved a lot in the clearing and cultivation of his property. To do this, he may well have called on and, got help from his brothers, David junior and Thomas. The development of his property also points to James having informal possession of it for at least a year.

It is known from the family of Robert Tolson who had possession of lot 39 March 1948 to March 1966, that northern 30 acres of the particularly fertile. He was able to harvest 7 crops of Lucerne in the one year. The southern 70 acres was not very good quality for farming purposes.



*Captain William Bligh (1754 – 1817)
Governor of NSW.
6 Aug 1806 to 26 Jan 1808*

In the muster, James Brown, 'CF' (Came Free) is shown as 'Carpenter', and in Henry 'Kable's Employ'.¹⁵⁴ William Hogg of the Earl Cornwallis, a prisoner was shown as 'indented to James Brown'.

There are quite a few groups of people listed as being in Kable's employ. James and several others are entered twice. One other person of note is a William Brown, a convict who had come out on the Royal Admiral in 1800. William's name arises in close proximity to the family, from time to time, over many years.¹⁵⁵

From the muster, it is evident that James developed his farm, and gained extra income at the same time through his trade skills as a ship's carpenter. He continued for some years, to gain employment in boat and ship building industry evolving at that time on the Hawkesbury.

¹⁵²Lands Titles Office Ref:91M102(235) of 11 November 1993. Re Portion 39, Parish of Maroota 'Crown grant dated 5/8/1806 of 100 acres to James Brown'. Also William Blackman's letters, Applications for Land, AONSW reel 1095.refers.

¹⁵³ Annex B to 1806 Muster, Reference B0439.

¹⁵⁴ 1806 Muster, Reference A0487, and A0324.

¹⁵⁵There is no evidence to suggest that he was related to David Brown.



In August 1806, the Hawkesbury flooded for the second time that year. Crop growers of that region lost income, and the colony was put back on meagre rations.

Bligh was supportive of the Hawkesbury settlers, and they were supportive of him. In fact on 22 September 1806, just about every settler on the Hawkesbury was signatory to a letter of welcome by them to Bligh. James signature was in close proximity to Kable's and Underwood's.

Bligh encouraged grain growers, who then, were predominantly located in the Hawkesbury, by offering high prices, and impressing labour at low wages.¹⁵⁶ Bligh's support was at odds with power plays by the NSW Corps for monopolies on grain; feelings ran high. The situation fuelled the ensuing rivalry between Bligh and John Macarthur over the next several years.

Labour that did not comply with Bligh's imposition risked public derision in the stocks. This state of affairs may well have caused some dissatisfaction and inconvenience to David junior, who seemed to have taken advantage of the higher wages paid to labourers.¹⁵⁷

Between 1806 and 1820, James' neighbour, George Hall began a program of acquiring land in the Pitt Town and Cattai Creek regions. By 1820 the property he had at his disposal amounted to 850 acres.

One of the acquisitions was a grant of 100 acres adjoining his Portion 46 granted in 1803. Hall had seven sons several of whom, like James' family, were to become very much involved in the settlers' expansion north to the Hunter, and beyond.

The following account gives some insight into the use of road haulage between Sydney and the Hawkesbury and some of the hazards of conveying cargo by that route:

'On Tuesday last a common carrier left Sydney for the Hawkesbury with a cart containing 60 gallons of wine, a chest of tea, and two bags of sugar, to be conveyed to be conveyed to the farm of Mr Thomas Biggers, but owing to the unaccountable imprudence of the driver, one single particle of the property was not received.

On his way through Parramatta he took shelter for the night in

a house near the lumber yard; wherein he tapped the wine hogshead, and soon became intoxicated, gave a loose to prodigality at his employers expense; and before he left Parramatta the next day the two bags of sugar were left. - With the remainder of the wine, and the chest of tea, he was reduced to prosecuting the journey; and proceeding nearly

to the second pond, was attacked, as he himself declared to a stockman, by several men who poored the wine onto the road, and breaking the chest into pieces, took the tea away in bags. But he was much inebriated when he gave his account, and had the appearance of being severely beaten.'

**Sydney Gazette,
Sunday, June 5, 1808**

On 26 January 1808, soldiers of the New South Wales Corps led by Major George Johnston, in what is known as the "Rum Rebellion", deposed Governor Bligh. 'The overthrow on the twentieth anniversary of the founding of the colony, left the Hawkesbury settlers in a position of grave uncertainty.'¹⁵⁸ The Corps' commanders governed New South Wales from the time of the rebellion until the arrival of Governor Macquarie and the 73rd Regiment in December 1809.¹⁵⁹

¹⁵⁶ History of the Hawkesbury.

¹⁵⁷ History of the Hawkesbury.

¹⁵⁸ Hawkesbury Journey, p70.

¹⁵⁹ In January 1808, a requisition from John Macarthur asked Major Johnston to assume control of the Colony. John Macarthur had obtained by way of endorsement the signatures of many colonists including First-fleeter, Joseph Hatton, who farmed at Kissing Point, not far from David's land, and a very shaky signature by a David Brown. Other aspects of the writing also make it unlikely to be James' father.



During the reign of the Rum Corps, General Orders were promulgated in the Sydney Gazette; Sunday, 13 November 1808 which instructed amongst other things that:

'The Settlers, and every other description of Persons occupying or cultivating Grounds, either by Grant, Lease, Rental, or Permission, are to attend, and will be Mustered by Lieutenant Governor Foveaux, at the following Times and Places; viz.

Those in Sydney, and its Districts, at the Secretary's Office, at Eight o'Clock in the Mornings of Wednesday the 16th, and Thursday 17th instant.'

.....

'Those at Northern Boundary, Field of Mars, and Dundas, at the same hour on Saturday the 19th, at Government House, Parramatta.'

.....

*'Those at **Caddai, Portland Head, and Down the River**, at the same hour, on Wednesday the 23rd, at Caddai.'*

'OFFICERS Civil and Military holding Grounds as above, are directed to give an account of their Farms, Stock, & c...'¹⁶⁰

Strange and Tragic

'A few days ago a fine boy, about 12 years of age, hung himself on a farm, at Hawkesbury, and was found lifeless, though his feet were on the ground, his knees half bent. He has fastened the rope to the rafter of an out house, placed a looking glass before him, and was supposed to have thrown himself from a height between two and three feet, and that he could not recover from the violence of the fall.'

**Sydney Gazette, Sunday,
July 3, 1808**

Each one of these designated places of assembly, that is, Sydney, Field of Mars, and Caddai, should have implications for the Browns. Unfortunately, records of that muster are not available.¹⁶¹ It is likely that this muster, more than others, was ignored by many of those expected to respond.

Beneath the muster notice is another from the Secretary's Office of 12 November 1808 concerning persons who 'advertise themselves as being about to leave the Colony (under the approbation of his honour the Lieutenant Governor)':

'In the ELIZABETH, James Brown.'

With James coming and going from the colony, management of his Cattai property became increasingly left to his father and brothers. One can reasonably imagine that whenever the ship he was on docked at Sydney Cove, that he was prompt to call in at the Chisholm residence, at George Street.

More Flooding on the Hawkesbury

'The long and, at this time of year, very unusual continuance of bad weather, has as might have been expected. Been accompanied with the most painful apprehension for the fate of the whole Hawkesbury Settlement, upon the prosperity of which we so much depend.'

'On Sunday last the rise in the river was perceptibly rapid; in the course of the day its perpendicular height was more than 20 feet from the usual level; but on Monday it fell

*considerably. Since then alternative hopes and fears have agitated the minds of the settlers - but by accounts which came our way so late as Friday, **we are relieved from anxiety.**'*

'The rains, accompanied with several heavy floods, have nevertheless done some damage, by beating down much of the forward wheat, a great part of which will be invariably lost'

'To Providence that has averted a disaster that must

have once more plunged us into an abyfs of want, we cannot be sufficiently thankful. A heavy flood at this period must have been, if possible, more dreadfully felt than that of March 1806, now when the grain is still standing in the field and ready for the sickle, every leaf must have perished, and the gladdening time of harvest have become a season of universal lamentation.'

**Sydney Gazette,
Sunday, 20 November 1808**

¹⁶⁰SG 13/11/1808, 1a.

¹⁶¹ Descent, September 1999 edition, page 144 of volume 29, part 3 - From 1795 onwards, annual general musters appear to have been held. However only a few musters have survived. No muster lists have survived for the period between 1806 and 1811.



As James is arranging to depart Sydney on the ELIZABETH, the Sydney Gazette, Sunday, 27 November 1808 reported that:

<p>'By the FAVORITE' has arrived Mr Kable jun. From China by way of Penang.'</p>
--

Across the River

In this early part of the 19th century, settlers in the Cattai, and Portland Head (across river from Cattai) region of the Hawkesbury wanting to worship as Presbyterians, gathered under the shade or shelter of a tree, and sometimes a member's house. The first regular Sunday services were held at the homestead of Dr Thomas Arndell (neighbour to James Brown's Portion 39 grant) near the river, on the opposite bank to Portland Head.

In 1809, work on the Ebenezer Presbyterian Church at Portland Head was completed after two years of construction effort. Costing £400, it *'was a formidable task for a small congregation with limited resources. Some contributed the produce of their farms, some give their labour; the stones were brought from a neighbouring quarry partly in boats; others felled the timber and fashioned it for its particular purpose.'* George Hall (James' neighbour) swam his bullocks across the river in order to draw the material to the site.¹⁶² John Howe, a notable settler, and later explorer, was also member of the founding congregation. The NSW Corps regarded the congregation with some concern as being potential organised opposition to their reign.¹⁶³

The Ebenezer church was one of several places of worship the Browns chose to have their children baptised.¹⁶⁴ Given their proximity to the church, an easy boat ride across the river, the close involvement of their neighbours, and its association with Scotland, it seems likely the family attended more than the occasional service.

Another event that undoubtedly was noted by the congregation of Ebenezer and others in the region, was the Hawkesbury rising above its normal level by more than 14 metres during May and August of 1809 bringing much devastation.

A New Broom

On 1 December 1809, a letter was presented by Thomas Arndell (James' neighbour) to Colonel Lachlan Macquarie who had arrived to take up his appointment as Governor of the colony. It contained the signatures of 'settlers, residents of the Hawkesbury and its vicinity' welcoming him.¹⁶⁵ James' name, and that of Kable, Underwood, and Lord, and quite a few others are absent.

Macquarie began his term as Governor of the Colony of New South Wales on 1 January 1810. He was a career soldier, a Scot, and the sixth Governor of NSW. The Colony's population was estimated then to be 11,566.

¹⁶² 'The walls were of solid stone, two feet thick, substantially and faithfully built like the men who built it. It has defied the weather for more than a century. This was the first Presbyterian Church erected in Australia. Also the first erected entirely by voluntary contributions, and is now the oldest church building in the commonwealth belonging to any denomination and still used for public worship.' The History of Ebenezer. p8.

¹⁶³ The NSW Corps officers 'who deposed Governor Bligh, believing that those settlers were friendly to the deposed Governor, issued instructions to the Military Commandant at Windsor to disperse or arrest the Ebenezer worshippers.' Accordingly, one Sunday morning, Lieutenant Bell, 'with a detachment of troops, marched out of Windsor and proceeded to Portland Head. Arriving there, they found the congregation engaged in worship, led by their Presbyterian Elder, James Mein, who also read a sermon.' Lieutenant Bell waited until the close of the service when he shook hands with James Mein and each member of the congregation, 'and declared that he would neither disperse nor interfere with them.' The History of Ebenezer. p4.

¹⁶⁴ David BROWN (III), son of David(I) Brown and Elizabeth McMahon, was baptised on 14 December 1828 at the Portland Head. Also two children of their son, John, were baptised there in 1850 and 1853.

¹⁶⁵ Hawkesbury 1794 -1994. The first 200 Years of the Second Colonisation', p28.



With Macquarie's arrival, the exploitation and intimidation by the New South Wales Corps hierarchy of the Hawkesbury settlers ended. The settlers again had a stable and orderly government that was encouraging to their sense of industry and supportive in dealing with their plights.

In December 1810, Pitt Town, near Cattai and the Hawkesbury River, and four other towns (Windsor, Richmond, Castlereagh, and Wilberforce) were planned and named on the initiative of Governor Macquarie.¹⁶⁶

Many Hawkesbury farmers had signed a petition to the Governor seeking his help as they had never recovered from the 1806 flooding.

The Hawkesbury was the colony's 'bread-basket', and so Macquarie was at pains to assure them of his intention to assist them. He personally investigated their circumstances, and set in train measures to aid the development of the Hawkesbury area including the creation of the five towns.



Colonel Lachlan Macquarie
(1761 – 1824)
Governor NSW 1 January 1810 to
1 December 1821.

The Browns maintained James' Cattai property through difficult, and for some, particularly costly times of the early settlement Hawkesbury. Later

they were able to take advantage of Government development and aid programs available when Little Cattai's value as a 'stepping stone' to the Hunter region became apparent.

James Brown's Departure

In the Sydney Gazette of Saturday, 21 March 1812, James Brown's name is among a crew of 25 listed for the Brig 'Favorite'. The listing being in conformity of a legal obligation:

CLAIMS AND DEMANDS.	
<i>The following Persons being about to depart the Colony, request all those who have Claims on and Demands against them, to present the same to* themselves for Payment:</i>	
* In the Brig Favorite,	
Captain Arnold Fisk	Mr. Robert L. Coz
Mr. William Ayton	James Peters
John Thomas	James Brown
Thomas Walkers	Charles Smith
Richard Ridgway	Henry May
Thomas Harper	Augu-one de Cruise
Juan Desar	Peter Dallin
Lawrence de Grass	Antonio Joseph
Davis Desilva	
J Roberts, Derrick Baddin, & H.Marsh, Boys; Burialt Mamot, Chuta Mamo, Chack Marmot, Abdella and Ummiah Lascars.	

The Favorite was an American big of 158 tons and had initially arrived in Sydney from India in June 1809 with a speculative cargo. She had been purchased about then by syndicate comprising: John Macarthur and three others, Macarthur's share being 12.5%. Captain William Douglas Campbell (1770-1827) held a half interest. Campbell's 'country ship licence' allowed the ship to work within the East India Company's area of India, China, and the South West pacific.

On 6 April 1812 'being about to depart this colony' James made out his will, and power of attorney, in favour of his father, David. In the Power of Attorney, both James and his father are described as being 'of Sydney'. If age for qualification of his Hawkesbury land is any indication, James was probably about 25 years old at the time.¹⁶⁷

¹⁶⁶ Great Events in Australian History, Childs and Associates Publications P/L, p58

¹⁶⁷ Other estimates suggest 30 years old.



His function aboard 'Favorite' was as ship's carpenter. The Favorite was bound for Calcutta.¹⁶⁸ It at times sailed back and forth between Sydney and Calcutta about four times a year. From 'Calcutta, if he was going there, James probably had an especially good chance of gaining working passage 'home' or to ports in South East Asia, on some other vessel. One legend suggests that he did not see the colony of NSW as being part of his future, and decided to return home to Britain.

John Bowman, eldest son of Honor and John Bowman of the Hawkesbury, had settled in Calcutta where he was Master Attendant of the Port of Calcutta. He "had previously been a captain the fleet of the East India Company". Perhaps the Bowman connection was a factor in James going to Calcutta?

One can imagine James saying his farewells to various members of his family prior to his setting sail for what was expected to be a long absence; his father, brothers, sister, Mary, her husband, and their son, his 6 year old nephew, Jas.

If in fact, James had decided to return home to the United Kingdom for good, it is strange that he didn't sell the property for whatever he could get for it to improve his financial security on arriving 'home', or give it outright to his father or brothers?

James may have come and gone from the colony on many occasions. However, only the 1805 and 1812 promulgations of his doing so have been found so far. Significantly, it is not until his departure in April 1812 that he saw fit to give his father power of attorney, and make a will. If James were truly leaving the colony with no intention of return it is unlikely that he would not have transferred or sold his property to his father outright, rather than bother with a will. These arrangements really imply an intention to return, but that there was something especially challenging, uncertain, or dangerous, about this journey.

Perhaps James was heading off to make his fortune in India, or for that matter China, Fiji and the Friendly islands (Tonga), destinations familiar to him through his connection with Henry Kable? The Brigs Favorite and the Elizabeth are recorded as having been involved in trade in the Society Islands, the Friendly Islands (Tonga) and Fiji in the 1808-1816 date range. This involved the trade in 'mother-of-pearl' from the Society Islands and the already diminishing sandalwood resources of Fiji and trading it in south east China.¹⁶⁹ Macao and Canton are ports at which these ships are known to have called in China. This whole region could prove very risky – Cannibals and pirates being some of the biggest hazards, hence the need for East Indiamen trading vessels and alike to be well armed.

The Favorite sailed out of Sydney bound for 'Fiji and China'.¹⁷⁰ Its American captain, Arnold Fiske, was leaving behind his bride of ten weeks. On 25 May 1812, the Favorite called in at Moorea, Tahiti, and among other things delivered mail to missionaries from their friends in Sydney. The Favorite used the Island of Moorea as a base for its pearl fishing activities. As indicated by one of the Missionaries:

*'The favorite coming in and having a great quantity of sugar on board and being in need of some spirits as Capt Fisk could procure none in the Colony when he said, he brought a still with him and intended to distil his sugar in these islands and to leave his still here until he returned from pearl fishery'*¹⁷¹

The Favorite seems to have completed its pearl fishing activities, at least in those islands, and retrieved the still from the missionaries by the end of July 1812¹⁷². "The pearl shell was apparently sold in the Far East, almost certainly China and a general cargo for the Sydney market."¹⁷³

¹⁶⁸ Arnold Fiske as recorded as being a Captain of the Favorite about this time. Per Journal of William Lockerby. P88-96. 'Arnold Fisk arrived in Australia on the L'Enterprise in 1802. In 1808 he was employed as First Mate on the brig Harrington when she was seized by convicts and by 1809 he was employed as Master of the vessel Favorite'. http://www.jenwillets.com/arnold_fisk.htm

¹⁶⁹ Journal of William Lockerby. p88-96

¹⁷⁰ It cost Garnham Blaxcell & Co, her owners, five shillings in clearance fees. HRA 1/7, p648. Brought to His Distress. P118

¹⁷¹ History of a Tahitian Mission Davies p228.

¹⁷² History of a Tahitian Mission Davies p228a little before the death of our three sisters. P154. July 28 . Mrs Henry, after a long period of ill health.....,



In the year that James Brown was leaving, a ferry service was commenced at Windsor, on the Hawkesbury, by John Howe, at the site of the present bridge. A ticket of leave man operated the boat for Howe. Previously a rowboat was the only means of crossing the river to the north side, and the farms of Wilberforce - Stock having to swim across.¹⁷⁴ Significant to the fortunes of the Browns and others, before that decade was out, Howe was to play a major part in the colony's rapid expansion, well beyond the crossing.

James' land at Cattai wasn't neglected by the Brown family at this juncture, if ever. Indicative of this observation is the following advertisement in the Sydney Gazette of 28 November 1812, some eight months after James' departure:

<p>'.. to be sold, 3 fine Mares, 3 years old, to be seen at David Brown's at Catye Creek. Credit will be given on approved security.'</p>

The advertisement indicates that David senior (or David junior) had taken charge of the property. Perhaps it reflects what had been in place from not long after James had acquired the property and had spent much of his time at sea?

The possession of the '3 fine Mares' gives perhaps a pointer to the extent of the family's interest in horse breeding at the time, and over the succeeding years. No doubt horses provided another useful source of income.

Having sailed from Calcutta on 7 June 1813,¹⁷⁵ the Favorite returned to Sydney on Thursday, 9 September 1813, after an absence of 17 months. Among the sundry goods being transported in anticipation of the colony's needs were 143 casks of rum.

Coincidentally, very soon after, James' Power of Attorney and will, made just before his departure on the Favorite, 6 April 1812, were put into effect. It resulted in his land at Cattai Creek being transferred to his father. David's possession of the Cattai property became formalised in Lands Titles Office, 'Old Register 5' of 23 October 1813; Reference No 272, which contains the following:

- 1111 ***'Power of Attorney dated 6th April 1812, Between James Brown of Sydney, Mariner and Carpenter of the Brig "Favourite, and being about to depart this colony - Do make, ordain, constitute, and appoint Mr. David Brown of Sydney my true and Lawful Attorney &c - Executed in the presence of John Austin, Mary Mullet and James Bloodworth.-'***
- 1112 ***'Will of Jas. Brown dated 6th April 1812 to David Brown his father - Bequeathed the whole of the property therein cont &c Executed in the presence of the above parties, and on the same sheet of paper.-'***

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It seems more than likely that Captain Fiske brought news of James' death or involvement in some incident that he was unlikely to have survived. Explanations such as 'missing presumed dead', 'washed overboard', or captured by cannibals all come to mind as probable scenarios. James' demise or disappearance may well have occurred in Calcutta? Whatever the circumstances, the presentation by David of a 'Power of Attorney' points to the absence of any formal or certain notification of James' death. It would have greatly simplified the tidying up his affairs.

¹⁷³ Brought to this Distress, p118, 119.

¹⁷⁴ The Hawkesbury Story. p166.

¹⁷⁵ Sydney Gazette, Saturday 11 September 1813.

¹⁷⁶ An intriguing piece of information by Miriam Chisholm re James c1958 is that 'his descendents have again been in touch with his family in Australia' Miriam Chisholm Papers NLA MS 6207 Series 3 Folder 4

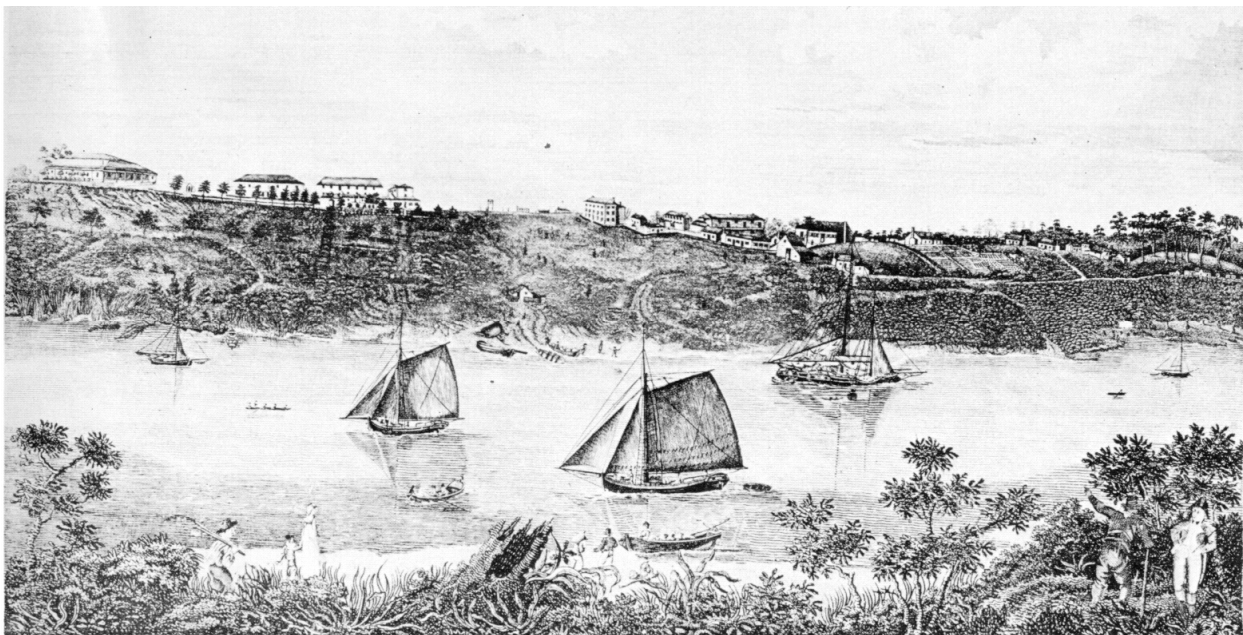


One of the family legends says that having gone to India, James ‘corresponded with the family’ for some time ‘but was then lost trace of’.¹⁷⁷ However, no ‘direct’ account of him since the Favorite set sail on 6 April 1812 has been found.¹⁷⁸

The Favorite continued to ply the Sydney / South East Asian route for years to come.

It is evident that the Browns, and David snr in particular, had ‘kept an eye on’, and worked Portion 39 at Cattai, albeit at a distance from the Eastern Farms property and Sydney Town. Their later correspondence to the Governor concerning the quality of land at the Hawkesbury, and their inclination to investigate and acquire land, suggest this. He had assistance of his two remaining sons to do so until it was advantageous for some of the family to move there, some six to seven years later? Ultimately, the land passed into the possession of his son, David junior.

The 1814 General Muster of October/November lists David senior as ‘Cabinet Maker’; note, not ‘Settler’, nor ‘Landholder’; also ‘F’(Came Free), and ‘Off’ (stores).¹⁷⁹ It also lists his sons, David Brown junior and Thomas Brown, as labourers and “Off” stores, indication that they were doing farm work at Eastern Farms or Cattai.¹⁸⁰ A year later, David junior declared his occupation as ‘Carpenter’. But it is not until 1820, when he applied for land at the Hawkesbury, that evidence of Thomas' occupation is encountered.



'A View of Part of the Town of Windsor.' Drawn and Engraved by P Slager & published by A West Sydney 1813

It appears that for the first twenty years in the colony, David junior, initially laboured on the property at Eastern Farms/Kissing Point and Cattai, assisted his father in carrying out his various government carpentry contracts, and at the family workshop at his Erskine Street grant backing on to Cockle Bay. In the last six years of that period, David junior managed the farm, and also, it seems James' grant of land at Cattai Creek. David junior's brother, Thomas, would have laboured on the farm (when not learning the trade) for some six years of his youth, and gone with his father to work in carpentry workshop at Cockle Bay, and continued on there, eventually to take it over. Thomas was described as being 'bred a carpenter'. Though, it is a term that is just as likely to apply to his two brothers. Much of the labour at Kissing Point is likely to have been about felling and sawing cedar, which proliferated in the area at the time.

¹⁷⁷ Miriam Chisholm Papers NLA MS 6207 Series 3 Folder 4

¹⁷⁸ James may have gone to India because of the Bowman connection with it. Note that James Chisholm let his 14 year old son, by Mary Brown, go of on an excursion to Calcutta in 1820 in the care of a family friend Captain Siddons, per Chisholm family history.

¹⁷⁹ Census entry No 4807.

¹⁸⁰ Census entry No 4810



Presumably, David junior and his brothers would have worked on the family properties at Eastern Farms, Little Cattai Creek, and Erskine Street when they couldn't get better wages elsewhere, or they needed to fit in with pressing farm production needs.

David senior's formal acquisition of James' Cattai property coincided with the family's establishment of a Dwelling and Carpentry and Cabinet-making workshop at Cockle Bay, at the end of what became known as 'Erskine Street'. It was strategic location for industrial and trades people to establish their businesses. Recent archeological evidence suggests that this was due to the convenient harbour access for receiving and shipping materials and products. (See Chapter 7 – Transition, 'Erskine Street').

The Expanding Frontier

Once the way over the Blue Mountains, had been found in 1813, Governor Macquarie appointed William Cox to build a road to the west. With the assistance of Hawkesbury settler, Thomas Hobby, and 35 convict tradesmen and labourers, the road was built. Work began in July 1814 and 100 miles to Bathurst and was completed in February of 1815. The event generated considerable excitement and hope in many of the ordinary citizens of the colony, especially those of the Hawkesbury, for opportunities to acquire workable productive land. However, Government policy was too often to frustrate their ambitions.



Chapter 7 - Wicklow at the Bay

(1801 – 1815)

With the death of her husband, Terence, Catherine McMahon was left with three infant children to raise on her own: Francis (born c1797), Elizabeth (born 1799), and John (born 1801). Catherine would have little option but to attempt to make ends meet for her young family, by using skills she had gained in Ireland. Women folk of Catherine's family were known for making shirts and fishing nets.¹⁸¹

Patrick Humphries, an Irishman, a private soldier, like Terence McMahon, was one of the South Head Guard.¹⁸² According to family legend, Patrick took the initiative of encouraging the fisherman of Port Jackson to use nets instead of depending on catches from hand-lines. Clearly, this was only feasible if there was someone available to make and sell them.¹⁸³ When he took on this venture is uncertain. However, this time of need in Catherine's life seems a likely occasion, and is close the period ascribed by legend. Once nets were used, fishing became a more commercially viable. Such a liaison could not but foster potential matrimonial inclination.

A New Husband

Six months after Terence's death, on 28 February 1802, Catherine married to Patrick Humphries. Patrick,¹⁸⁴ as well as being Irish, like Catherine, was also a Catholic; but at the time, he had little choice but to be married in the officially approved (Protestant) church. The marriage was officiated by the Reverend Samuel Marsden with the permission of his Excellency, Governor King, at St Phillip's, Church of England.

Patrick HUMPHRIES (sometimes written Humphry & Humphreys), son of John Humphries and Hellena Roark was born in Ireland in c1767. He was baptised in Dublin, Parish of St Paul's 4 May 1767 - His sponsors being Thomas Brogan and Margaret Fuller.¹⁸⁵ He was about the same age as Terence McMahon was said to be.

Patrick was tried in Dublin City, Ireland, in March 1791 and sentenced to 7 years transportation. At the time of his arrest and trial, Patrick gave his age as 17. He was closer to 24 years old.

Patrick's crime was that he had in his possession a piece of sheet lead which was suspected of being stolen. Patrick and it seems, an associate of his, John Ellard, had been charged with stealing two hundred weight of sheet lead (as used for flashing around chimneys), the property 'of a person unknown'. However, Patrick claimed that this was a 'trumped up' charge and that the real reason was to do with a dispute with an English garrison that had been set up near his family's farm. 'The English soldiers commandeered the Humphries' cow to satisfy their commanding officer's need for fresh milk for his morning oats. Patrick demanded the return of the cow, and when it was refused, he said, "If we can't have it, neither shall you", so he went home, got his hunting rifle and shot the cow.'¹⁸⁶ The English officer thus came to look upon Patrick as an Irish "troublemaker", and happy to find a reason to get rid of him.¹⁸⁷ Patrick's account gains considerable credibility with the officially stated fact that there was no known owner of the supposedly stolen property.

Patrick came to the New South Wales colony on the Convict Transport, 'Boddingtons', which was a 331 ton vessel, built in 1781. It sailed from Cork on 15 February 1793, and took 173 days to complete the journey.

¹⁸¹ In addition to normal domestic duties the women of the Humphries household kept busy making by hand, strong twine nets to go '200 fathoms and more'. As well as nets, 'they fashioned pure linen Sunday-best shirts' to sell. Watsons Bay Sketch Book..

¹⁸² NSW Corps records show Patrick having joined the corps in 1801. He was one of 14% of the corps recruited locally. *Per* 'A Colonial Regiment'.

Patrick Humphries is listed as a convict on the CT Boddingtons, he was tried in Dublin, Ireland, in 1791 and sentenced to 7 years.

¹⁸³ Humphries Family Legend indicates that Patrick encouraged local fishermen and to use nets instead of lines and their catches improved dramatically.

¹⁸⁴ BDM registration V1802298 4 0, Patrick Humphry & Catherine Mc Main, Sydney St Phillip's refers

¹⁸⁵ IGI (microfiche) for Ireland. *per* Shirley Downes (nee Humphries), descended from Patrick's son George. Patrick's date of birth at the time of conviction was given as 1774, which is significantly at odds with the greater age attributed to the Patrick Humphries married to Catherine and when he died. Charles Humphreys, Saratoga, in Pioneer Families Brisbane Waters has Patrick 'Humphreys' born 1767 Dublin, Died 1848 South Kincumber at age 81.

¹⁸⁶ This story of challenging authority may have been told by quite a few people from Ireland?

¹⁸⁷ See Appendix C.



The Boddingtons arrived in Sydney on 7 August 1793. Of the 125 male and 20 female convicts embarked, only one male convict died on the voyage. The master was Robert Chalmers and the surgeon Richard Kent. Patrick's age on the consignment list for the voyage is 19 years, which is consistent with the age given at the time of his conviction.

On arrival, Patrick was assigned to the prison farm at Toongabbie, two miles west of Parramatta.¹⁸⁸ Patrick's sentence ended in March of 1798.

NSW Corps records show Patrick having joined the corps on 14 March 1801 on detachment to Captain Prentice; two months after the McMahon's arrived in the Colony.¹⁸⁹ His service records show that Patrick was 5 feet 5 & 1/4 inches in height, had light brown hair, hazel eyes and fair complexion.¹⁹⁰ He was one of 14% of the Corps recruited in the colony. Soon after he joined, Patrick was stationed at the South Head Guard. Patrick remained a private soldier for all of his military service.

Patrick was on hand at the time of Catherine's loss and was able to give comfort and support (at a critical time). It may well be that he had befriended both Terence and his wife soon after their arrival at Toongabbie, when the guard from the Minerva marched the convicts to that location. In that case, Terence's demise may have been a personal loss to him.

Their previous association, isolation, and potentially hostile environment, propinquity, common faith and nationality, Catherine's grief and vulnerability, and Patrick's willing supportiveness, are likely to be factors in their choosing to face the remainder of their lives together.

Watson's Bay became home for them, though Patrick's activities with the military and later farming at Brisbane Water, over the years, tended to cause him to often be away from Catherine and the children. Catherine was to spend most of her life at Watson's Bay, and all of Patrick's children, four sons and two daughters, appear to have been born there. At this time, they lived in a very small cottage adjacent to Gibson's Beach, at the southern end of the Bay – Possibly the same quarters that were assigned to Catherine and her first husband, Terence. The site she chose to live for the remainder of her days, with Patrick, gave her constant opportunity to view the place where her first husband, Terence, met his end.

St Patrick's Day, 17 March 1802 was an opportunity for Irish folk of the colony to celebrate. Irish friends of Catherine and Patrick gathered on Gibson's Beach during late afternoon and that night. 'Guests arrived by small boat (sails and/or oars) and celebrated until the early hours of next morning'. Light was 'provided by massive driftwood fires set up on the sand.'¹⁹¹ The occasion was only a few weeks after Catherine's and Patrick's marriage, and a likely additional incentive for celebration.

In 1803, the authorities decided that the Guard at the South Head was to be 'withdrawn when other people can be sent in place'.¹⁹² It is apparent from the baptism records of their children that Patrick was posted to Parramatta at that time. Catherine was probably still attending to the laundry of Patrick's colleagues'.

#Catherine's first child with Patrick, Michael, was born on 19 December 1803 and baptised at St Johns' Church of England at Parramatta¹⁹³

In 1804 a large number of Irish convicts at Castle Hill revolted. Many were political prisoners from the 1798 rebellion in their homeland. Troops were rushed from Sydney to confront the prisoners, on 5 March 1804 near Parramatta, NSW. Some of them were from County Wicklow (possibly personally known or related to Catherine). Fifteen rebels were shot in a brief affray, and nine were subsequently hanged. Many

¹⁸⁸ Humphries Legend. In the first few years of the 19th century, the farm came to be used as a facility for isolating Irish convicts. Unfinished Revolution p47.

¹⁸⁹ PRO Ref. WO 97/1141. A Colonial Regiment. 1789-1810.

¹⁹⁰ Per service records as conveyed by Shirley Downs e-mail of 14 July 2001.

¹⁹¹ The Humphrey's Story, as passed down by granddaughter and great granddaughter to authors sister.

¹⁹² Historical Records of Australia, Series I, Vol IV, p337. Military Detachments

¹⁹³ BDM registration V1803 574 148 0 & V1803 1814 1A 0 Michael Humphrey refers.



others were flogged, 34 were sent to the Hunter River as the basis of the 'Coal River' penal settlement (Newcastle). It was estimated that more than a third of the colony sympathised with the rebels, and had it not been for the prompt action of the NSW Corps (especially the contingent led by Major George Johnston) the revolt may have proved successful.¹⁹⁴

#In 1805, Catherine and Patrick's second child, Thomas, was born 22 December 1805 and baptised at St John's Parramatta.¹⁹⁵

The 1806 Muster tells of Catherine Humphries having arrived on the Minerva, her condition being FBS ('Free By Servitude' versus her true status CF [Came Free]). FBS may have been Catherine's way saying that she had completed her stint of having to do laundry for the regiment - Circumstances that would have in many respects been akin to the 'Female Factory'. Under the heading 'With Whom Lives' her response is: "Soldier Parramatta", which fits with Pte Patrick Humphries' posting at the time. In Reverend Marsden's "Survey of Females in the Colony", which was conducted simultaneously, aside from acknowledging having arrived on the Minerva, Catherine is listed as: "C" (concubine) under marital status; nothing for "Where Married" or "Legitimate Children"; but under "Natural Children" four males and one female (*which is consistent with the children she recorded elsewhere to have at the time*); and "Came free" is omitted.

Marsden's active role in suppressing the 1804 revolt and harsh treatment of Irishmen showing any signs of republican tendencies was well known at the time. There are more than a few accounts of the Reverend displaying a less than loving and tolerant regard for his fellow man. His attitude to Catherine and Patrick, as apparent Irish Catholics having to marry in his church, may well have been antagonistic and apparent, and a source of a continuing annoyance to Catherine. Either or both of these events were likely to cause a person like Catherine to be perverse in responding to these particular 'establishment' enquiries. It is her way of giving Marsden a 'backhander'. In effect, she said, that because Marsden, was not a Catholic Priest when he married her and Patrick, she is not properly married, i.e. Marsden's fitness as a priest of God is questionable!¹⁹⁶ The clerk asking the questions had little interest in other than recording the information as answered by Catherine and others. However, Catherine's answers suggest an independent spirit.

#On 22 December 1807, Catherine gave birth her third child to Patrick, Catherine and was baptised at St John's, Parramatta in 1808¹⁹⁷

On 26 January 1808, soldiers of the NSW Corps led by Major George Johnston, in what is known as the "Rum Rebellion", deposed Governor Bligh. The corps' commanders governed New South Wales from the time of the rebellion until the arrival of Governor Macquarie and the 73rd Regiment in December 1809. Patrick as a private soldier was but a very small cog in that large machine.

#On 11 February 1810, Catherine and Patrick's fourth child, George was born at Watson's Bay and baptised at St Phillip's Sydney¹⁹⁸.

A Land Link to Sydney Town

Patrick, still a private soldier, on 25 March 1810 transferred to the 73rd Regiment.¹⁹⁹ He was one of 447 of the NSW Corps who chose to stay in the colony when the regiment was recalled, and one of 265 who transferred to the 73rd Regiment. Pay Roll sheets on transfer show Patrick to be 40 years old at the time and having served 9 years and 10 days.

¹⁹⁴ Colonial government's concern about Irish convicts had been rising since 1796. In 1807 nervousness about planned insurrection by assigned servants, led to eight (mainly Irish) men being arrested and tried before a military jury. Rev. Samuel Marsden was an active inquisitor who set in train initiatives for official harsh treatment of suspected revolutionaries during this period. It is doubtful that Marsden was favourably disposed to Irishmen and 'Papists' in particular.

¹⁹⁵ BDM registration V1805 1815 1A & 1806 V1806 575 148 'Thomas Humphrey', 'Thomas Humphey' refers.

¹⁹⁶ There numerous others responded to the Marsden survey in such a way that a 'C's was entered against their name. Whether the any of the other responses are as invalid as Catherine's has not been investigated.

¹⁹⁷ BDM registration V1807 1816 1a 0 refers.

¹⁹⁸ BDM registration V1810 2787 1A 0 Mother 'Catharine' refers.

¹⁹⁹ AJCP Reel 418, WO 17 2295. Transfer date of 25 March 1810 to the Veteran Corps of the Regiment - PRO Ref WO 97/1141. Per Shirley Downs e-mail of 14 July 2001.



During 1810, the new Governor, Lachlan Macquarie, approved the construction of a semaphore station at the Lookout Post at South Head. It was intended to more efficiently alert Sydney Cove of the arrival of shipping, in place of the flagstaff arrangement that had long been in use. A suitable road to South Head from Sydney Town, to service the facility became more necessary. Also, the needs of an increasing population in that region had to be considered.

A public way to South Head had been begun in 1803 by a Captain Taylor under the direction of Surgeon John Harris.²⁰⁰ But he had abandoned it after he decided that he was not being paid enough.²⁰¹ Harris' 15 feet (4.5 m.) wide, rough track approximates the line of present-day Old South Head Road/Oxford Street. Harris' track was improved and extended by Macquarie's 73rd Regiment to South Head in 1811. In addition, a link road down the hillside from the Lookout Post, connecting the isolated and sparsely populated village of Watson's Bay to South Head Road was made. Officers of the Regiment were recollected as having 'clubbed together to make a road'. The extension was paid for by public subscription, and was completed in ten weeks. Watson's Bay community now had a land route of some seven miles (11.3 km) to Sydney Town; albeit, little more than a rough track, especially the link road. The erection of the stone monument at the 'Bay' by an appreciative populace, suggests there were many more people residing there than was warranted by the manning of the Pilot Station, and nearby Signals Station - Perhaps some fisherman?

A stone cottage was built for the officers at Watson's Bay to house them for this project. It was erected at the southern end of the Bay, close to Catherine's tiny cottage at Gibson's Beach. This was so the officers wouldn't need to travel daily between South Head and the barracks, then located in Kent Street, Sydney Town. When the link road was completed and formally opened by the then Governor, Lachlan Macquarie, on 9 April 1811 the cottage was no longer needed by the officers. Catherine and Patrick were allowed to move their expanding family into it. The family legend of Patrick taking Catherine by cart to their new home at Watson's Bay, if true, is likely to apply at this time. Aside from the gesture being made possible due to the construction of a road, animals suitable for harnessing to cart were more easily come by in 1811 than they had been ten years earlier. Even then, the reality is that South Head 'Road' was not suitable for wheeled traffic for another nine years.

The staff at the Pilot Station, and the slightly more remote Lighthouse and Signal Station could use the official and dependable water transport to Sydney Cove. It seems more than likely, in that isolated community, the Humphries could also make occasional use of the service. Fisherman who had occasion to call in at Watson's Bay or make a temporary home there, may also have provided useful transport. It is very unlikely, due to their location; the family was ever without a rowing boat or small sailing skiff. The need for independent harbour transport and fishing for food would have been an incentive.

The naming of their new abode 'Wicklow' as a reminder of Catherine's place of place of origin reflect Catherine's attachment to the Bay more than Patrick's. Though, Patrick may well have suggested the name to please Catherine.

Catherine is said to have known 'personally all the early governors and could accurately describe the personality of each, since they always called at her house' when coming to the end of the South Head road.

That stone cottage of Catherine's was 'shaded by a huge mulberry tree'. In addition to normal household duties, the women of the house were reputed to have kept busy making 'by hand, strong twine nets to go "200 fathoms and more"'. Fishermen from all around the harbour are likely to have sought the results of their handiwork. As well as nets, 'they fashioned pure linen Sunday-best shirts and sold them for five shillings each'²⁰² to town folk. Catherine is likely to have brought these skills with her from Ireland. The making of linen shirts may well be a skill that would be found among the women of an Irish household, and not out of place in the household of a shoemaker such as her father. The making of 'strong twine fishing

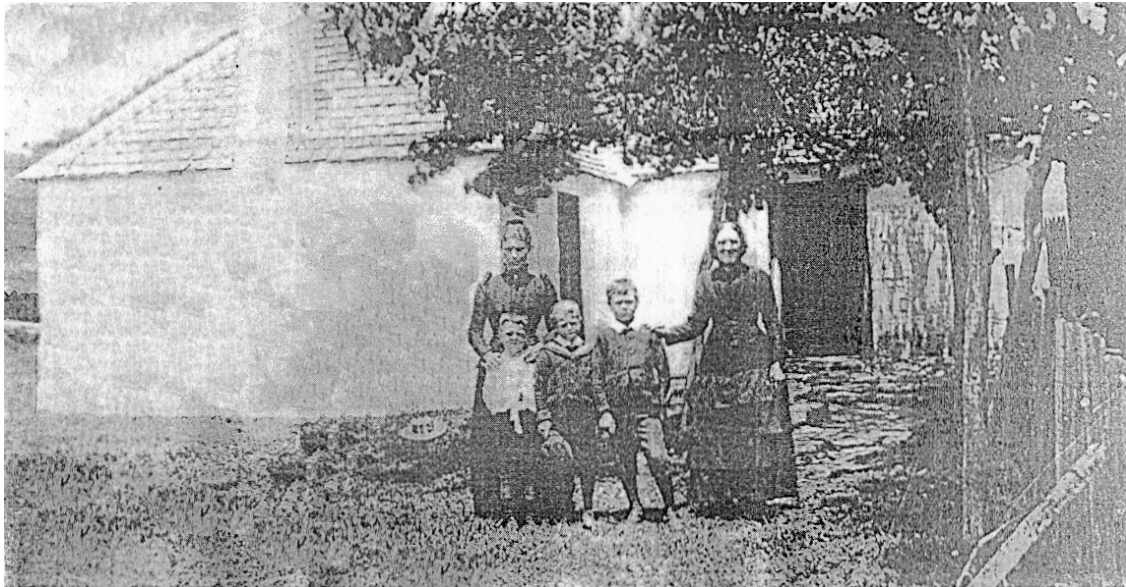
²⁰⁰ Of Ultimo fame.

²⁰¹ Watsons Bay Sketch Book.

²⁰² "Watson's Bay Sketchbook". The official record shows the 4 acres being granted much later by Sir Richard Bourke on 7 July 1835, apparently much delayed.



nets' you would expect to find practised by the wife of a professional fisherman, which suggests that may have been the trade of her first husband Terence, who died whilst fishing. Patrick's own story of the 'commandeered cow' points to a farming background.



'Wicklow' cottage built in 1811 for officers of Macquarie's 73^d regiment. Photo taken c1894 with various members of the Humphries family on the north side of the house. Sarah Humphries nee Hence is on the right – She married Catherine's son, Michael, in 1829 at age 15 years. (See F.C. Terry's Sketch at the Chapter on 'Catherine & Family')

The 1811 Muster overlooked Patrick and other soldiers but recognised Catherine's existence, and it noticeably omits the name of the ship on which she came.

#On 6 July 1812, Catherine and Patrick's fifth child, Ann, was born.

The new cottage was crowded at the start and got more so. The 1814 general muster states the following for Catherine Humphreys: free, Minerva, veteran's wife, 8 children and "On" government stores. The number of children accords with Catherine's three children by Terence McMahon and five by Patrick Humphries:

Francis	aged 16 - 17	Michael	aged 11
Elizabeth	aged 15	Thomas	aged 9
John	aged 13	Catherine	aged 6
		George	aged 4
		Ann	aged 2

Early in 1815, Catherine was pregnant again, and no doubt, all too aware of the impact that would have on the family in their modest size stone cottage of 'Wicklow' at 'the Bay'.



Chapter 8 - Transition

(1809 – 1822)

Inquest

It seems that David snr didn't hold back from his share of socialising, as evident from the inquest into the death of ex convict George Patfield (*b. c 3 April 1763*) sat Kissing Point held on Friday 13 October 1809. A witness, Abraham Paine, stated that about half-past two in the afternoon of Wednesday 11 October 1809, George, with his cart and in the company of David Brown and himself, came to Sarah Woods' (presumably an inn²⁰³). The three of them drank 10 pots of Squire's Beer. Paine said of Patfield that he 'did not appear intoxicated but happy and good humoured' and that 'He left about 4:30pm'.

Before nightfall that day, Patfield is said to have 'put an end to his own existence by strangling himself' by tying one end of his handkerchief about his neck and the other to the bough of a young oak tree on the side of a public road. It is stated that the branch was 'not of sufficient height to prevent his knees from almost touching the ground'.²⁰⁴ The Coroners Inquest summoned from Parramatta returned a verdict of 'Suicide', and that 'The deceased was an old man, (age 46) supposed to be in tolerable circumstances; but is conjectured to have been tempted to commit the rash act by a temporary embarrassment of a pecuniary nature.'

Of note is that Francis Oakes was one of the jury. He was one of the Residentiary Trustees for Field of Mars Common with David Brown and James Squire.²⁰⁵

Intriguingly, every person who had contact with Patfield, the afternoon he killed himself, was witness at the inquest, except David Brown. His absence from the inquest as witness is not noted. He may well have been in attendance as a member of the public. There again the inquiry seems to have been a quick affair. It would seem that they gathered up who ever was available in the way of witnesses and jury. The coroner, the jury, and Abraham Paine, all knew who David Brown was, that is, one of the landholders of Kissing Point, like many people at the inquiry. Other witnesses were Thomas Small, Joseph Forns, John Small, the deceased's wife, Mary, and 12 year-old son, George.²⁰⁶

Erskine Street

In early Sydney Town, prior to 1810, there was a short road that ran west from behind the Barracks of the day, and at a right angle to the north-south military facility. The road linked Soldiers Row (Clarence Street) and Back Row (Kent Street). It continued on in a westerly direction, as a track, towards the Powder

Magazine at 'Soldiers Point' at Cockle Bay. That western line of road was ultimately to be named 'Erskine Street' - In honour of Lieutenant Governor Erskine C.B. Colonel commanding the 48th Regiment, who left the colony in March 1823.

At that time, Cockle Bay included what is now known as Darling Harbour. It is a large deep and embayed stretch of water to the western side of Sydney City Peninsula. It was noted that "... angular corners formed by the indentations of rocks are generally filled with beds of fine white sand which gradually shelves into deep water..."²⁰⁷ It was a place well populated by shellfish, as its names suggests. The 'cockles' were frequently harvested by Sydney Town's citizens, often to produce a 'livelihood'. It was those cockles that could be dug from the sand and mud with bare hands or feet that saved some of the arrivals of First and Second Fleets from starvation.²⁰⁸

²⁰³ In 1810 ex-convict, Sarah Wood ('Glatton'), proprietor of the Waterman's Arms at the Rocks, received her beer licence, as did Phebe Waldron of Windmill Row. Mary Reibey - was granted a liquor licence - per 'The Women of Botany Bay', by Portia Robinson

²⁰⁴ Handkerchiefs of those days are noted for being substantial pieces of cloth, oblong as well as square. 20 x 20 inches was common.

²⁰⁵ Col. Sec. Evidence at Inquest on body of George Patfield, SR Reel 6021, 4/1819 pp 503-514.

²⁰⁶ Sydney Gazette Sun 15 Oct.

²⁰⁷ Archaeological Assessment The Kers Site, page 15

²⁰⁸ The History and Description of Sydney Harbour, page 145



Development of Cockle Bay as a maritime, commercial, and industrial district began early in the second decade of the 19th century, soon after the arrival of Governor Macquarie.²⁰⁹ As suggested above, before that it was sparsely populated, and experienced little in the way of commercial activity. The adjacent engraving by Philip Slager (1755-1815) illustrates this. Along that shore to the left can be seen the occasional cottage and roof of houses or cottages. It is indicative of much of Sydney harbour and Parramatta River at that time.

In 1795, 55 acres of the western side of Cockle Bay (Pyrmont), including Cockle Island were granted to Private Thomas Jones of the New South Wales Corps. Up until then the custodians of the land around Cockle Bay area had been the Cadigal people Jones sold his grant of land on to Sergeant Obadiah Ikin the following year. In 1799, the property then passed to John MacArthur who purchased the property in exchange for 10 pounds worth of Rum. It remained in the possession of the MacArthur family for some decades after that.²¹⁰



A Native camp near Cockle Bay' with a View of the Parramatta River taken from Dawes Point. - 1812²¹¹ NGA 2005.291.8

In the 1820s, the bay began to develop into a busy maritime district that especially benefited from the expanding trade on Port Jackson, Hawkesbury and Hunter River waterways. By the 1830s, the Cockle Bay had become an adjunct to Sydney Cove and its Circular Quay development.²¹² By the end of that decade, the bay had lost its 'pre-European charms'.²¹³ It was about that time that the MacArthur family commenced commercial development of their Pyrmont land.

Much of the maritime activity developed to serve industries located at Cockle Bay. Water craft delivered timber for carpentry and cabinet making; wheat for the steam engine operated flour mills; produce and merchandise for wholesale warehouses; and coal from Newcastle for the gasworks. Conversely, those industries were sited there in part because of the advantages of convenient maritime transport. They could conveniently, using their own wharves, receive the materials they needed by sea, or sometimes, ship out their products.

It was at that western (Cockle Bay) end of Erskine Street, in about 1813, that David Brown junior was granted a lease on an allotment²¹⁴ next to a Thomas Dunn.²¹⁵ It may have been even a year or two earlier.

About the time David and Thomas Dunn were granted their land, the Powder Magazine was relocated. Also, it seems at this time, an Officers' Bathing Area was established at the point where the track terminated at the Bay. The fact that it was the site of the Officers bathing area suggests the location had something special going for it, perhaps a beach of fine white sand for which the bay was noted, clear water, and a rock ledge for convenient safe diving?

²⁰⁹ Archaeological Assessment The Kens Site, page 12

²¹⁰ History signage Darling Island

²¹¹ In the distance is a bank of clouds behind a mountain range that is normally associated with looking to the west.

²¹² SMH October 17, 2003. Houses beneath houses as another Sydney is revealed. Geraldine O'Brien

²¹³ Archaeological Assessment The Kens Site, page 15

²¹⁴ NSW Government Gazette No. 306 of Wednesday, November 1836.

²¹⁵ Likely to be Thomas Dunn, FBS, Catholic, ex 'Hillsborough 1799 sentenced 7 years., born c1772. In 1828, a pensioner (possibly ex NSW Corps), living at Cumberland Street with wife Rose 42, son, Richard 10; and daughter, Rossetta 6.



David junior was then 23 or more years old.²¹⁶ He was variously addressed officially in his time as ‘the younger’ or ‘junior’ to differentiate himself from his father. For the same reason, in recent times, as in this history and other accounts, he is often referred to as ‘David (II)’. Through his lifetime he was described as labourer, carpenter, industrious, deserving, farmer, grazier, squatter, innkeeper, landowner, horse breeder, settler and eventually, an old and respected colonist.

Much of the story of David Brown junior makes it apparent that his activities were integral to, and an extension of his father’s interests.

Cabinet Making Business

David junior’s lease of Erskine Street property provided a site to conduct a carpentry and cabinet-making workshop. This coincided with the growing demand for furnishings made from native timber, particularly cedar.

In the first two decades of the 19th century, an increasingly prosperous free community became well established, and continued to expand. They were building more substantial houses - They wanted and could afford to buy, furnishings to suit. They provided a ready market for a number of cabinet making businesses that became established such as the Brown’s.

The advantages for many a business at Cockle Bay also applied here. The siting of this business was excellent for receipt of logs and sawn timber necessary for this work. It was also convenient to where the bulk of their customers were likely to be, or come, that is, Sydney Town. Furnishing products could be conveniently shipped by water or road.

During his twelve years as Governor, Macquarie diverted many skilled and unskilled convicts to a wide range of public works projects - At the expense of assistance to farmer settlers for crop and livestock production. During the period 1814 to 1820 Macquarie retained ‘321 out of 337 carpenters, ‘269 out of 284 blacksmiths,’ ‘and 279 out of 284 brick-makers and bricklayers’.²¹⁷ The free community of the colony was now starved of the cheap skilled (convict) labour that it could in the past normally take for granted. Tradesman like the Browns had now far less opportunity to gain income from government contracts. However, this situation presented employment and business opportunities for any free settlers with carpentry skills such as the Browns.

It is worth noting the scope of work that Carpenters and Cabinet-makers undertook then: ‘undertaker, chair and bedstead-making, ship joiners work, upholstery and turning’.

There is little doubt that, though the land was granted to David junior it was meant at the outset to be regarded and used as part of the broader ‘family’s’ business activity.

Thomas Dunn’s lease of land was soon sold to David senior. He eventually, conveyed that property to David junior. It is more than likely that Dunn’s land was bought because of the expanding needs of their Cabinet-making business.

The two properties were eventually merged into one. Combined under a single land title, the property was described as being ‘52 perches, in the County of Cumberland, town of Sydney, parish of Saint Phillip, allotment No. 2 of section No. 56’. It was bounded by Cockle Bay Darling Harbour) on its northern side and Erskine Street on the south.²¹⁸ The area of 52 perches translates into 1315 square metres or about the size of two of today’s suburban house blocks.

²¹⁶ Depending on which age declared by David is correct.

²¹⁷ The Discover Australia series The Governors,

²¹⁸ NSW Government Gazette No. 306 of Wednesday, November 1836.

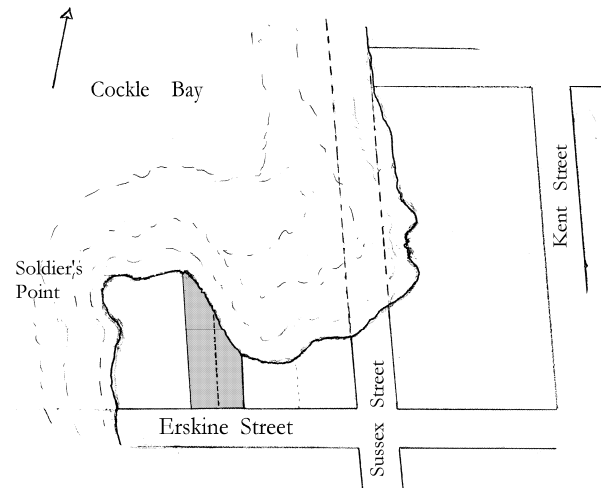


David senior is more than likely to have made furniture for his daughter and son-in-law, and possibly his grandson, for various occasions, such as his grandson's marriage. David senior does not appear to have needed to advertise his carpentry services in the Sydney Gazette or Sydney Herald. However, the lack of evidence of printed advertising may point to his small-scale activity, sufficient contacts, and/or ready acceptance of his product.

David senior was well known, and well connected identity of Sydney Town, and his address at Cockle Bay was well known.

Advertising that can be found in the colony's early newspapers, indicates a wide scope of activity. An ordinary carpentry business offered services as diverse as: undertaker (along with making the coffin), chair and bedstead-making, ship joiner's work, upholstery and turning.

The 1814, General Muster shows David senior, then aged 64 years, as 'Cabinet Maker', and 'Off' stores (that is, self-sufficient).²¹⁹ It is probable that David purchased Dunn's allotment about this time. He also may have had apprentices then. In September 1822, he was recorded as having an apprentice (i.e. Thomas Humphries). The suitability of cedar for furniture making had well and truly been discovered by now, and many a cedar tree, adjacent to the shores of Port Jackson and the Hawkesbury River, was felled for transporting to cabinet-makers.



Erskine Street c1813, derived from 1836 Map of Sydney. Hatched area shows the Browns Allotment No 2 of section No.56: bounded on the south by Erskine Street, 24.55 metres, on the east 24.55 metres, on the north by the high water mark, and on the west 60.8 metres. The dotted line at the centre of the block is a guess at the dividing boundary between David (II)'s original grant and that of Thomas Dunn. The dotted portion of Sussex Street was constructed about 1840. (Map JIG)

Over the succeeding years David trained or employed various members of the Brown and Humphries families in the Cabinet-making trade.

It is evident from recent Archaeological workings in Erskine and Sussex Streets in the vicinity of Brown's property, that it was normal for properties then backing onto the Bay to have slipways and wharves.²²⁰ Very convenient for the receipt of the timber they would have needed for their business.

Cedar logs and planks landed thus would have needed the services of a sawyer. As it happens, there was one living close by in Clarence Street, namely 'William Spears'.

The Brown / Humphries Connection

According to legend, during the construction of the link road, William Spears, an officer of the 73rd regiment, became friendly with the Humphries family of Watson's Bay; and that often on Sundays he would visit them with his wife and family. Certainly, Catherine Humphries' son, Thomas, eventually married Mary Spears, the daughter of William Spears (*born c1772*), a sawyer at No. 28 – 32 Clarence Street.

Several Censuses point to William Spears having come on the Earl Cornwallis free as a soldier. He joined the NSW Corps 4 January 1800. This is 14 months before Patrick Humphries, the same month that Terence McMahon and family arrived in the Colony, and 17 months before the Earl Cornwallis anchored in the colony.²²¹ The Earl Cornwallis represented a significant experience shared with the Browns.

²¹⁹ Muster entry 4807.

²²⁰ SMH October 17, 2003. Houses beneath houses as another Sydney is revealed. Geraldine O'Brien

²²¹ Has been confused with William Spears who had come out to the colony as a convict, aboard the 'Boddingtons', the same ship as Patrick Humphries. Spears had been sentenced at Antrim, Ireland²²¹ in August of 1792 to deportation for 7 years. His age on the consignment list of convicts on February 1793 was 30 years.²²¹ In the February of 1811 muster, he acknowledged his convict background. 1825 Census shows him as having died 13 October 1822 at Richmond.



Spears was still a private soldier in the N.S.W. Corps on his transferring into the 73rd Regiment on 25 March 1810. His age on transfer was stated as 37 years, and his length of service as 10 years and 79 days.²²²

Spears' wife, Mary (born c1781), had come to the Colony via the 'Minerva', as a soldiers wife, as had Catherine McMahon who had later married Patrick Humphries. Mary Spears would have been 19 years of age about the time the 'Minerva' arrived. According to the 'Minerva' Journal, Mary Spears had come on the 'Minerva' as the wife of Private soldier, William Coleman. Also shown on the ship's passenger list is a daughter, a soldier's child, Anne Coleman. Ann was borne aboard the Minerva at 5pm, Monday, 29 July 1799. In August 1806, Mary is listed in the Muster that year as 'UX' living with William Spear. Later that year she was married under licence to William Spears as 'Mary How'.²²³

It is apparent that the 'Minerva' and the NSW Corp connections were significant factors contributing to the long association of the Humphries and Spears families.

William Spears may well have been in the military work party constructing the South Head link road to Watson's Bay in 1811 as claimed by folklore. However, no evidence has yet been found to corroborate this.

The 1814 General Muster of October/November shows that William Spears had been a soldier and was now a sawyer. The Muster also shows him having come to NSW on the Earl Cornwallis, the same vessel in which David Brown senior had sailed. The Pay Sheets for the 73rd Regiment show that he was discharged on 25 March 1814, still a private soldier.²²⁴ Muster and census records 1814 to 1828 show Spears as a sawyer and dealer (*in timber?*).²²⁵ Later records give Spears' address as 28–32 Clarence Street. At that address he was a close neighbour to the Military Barracks, a reminder of his 14 years in the NSW Corps. Cockle Bay and the Browns establishment was a short distance downhill from where Spears lived.²²⁶

The Brown's address at Erskine Street in those early years was also very much in the military domain. Erskine street 'is named after Lieut-Colonel Erskine, of the 48th Regiment, who arrived with his regiment in 1819, and left in 1824. The Regiment occupied the Old Barracks in George-street, the western wall of which was the eastern boundary of Clarence-street. The now Erskine-street was the track from the barracks to the bathing-house.'²²⁷ That location could have easily presented opportunities for William Spears, while still in the military, to occasionally encounter members of the Brown family.

Cedar was felled in great quantities in the coastal areas of the colony. William Spears in his capacity as a sawyer is likely to have provided his services to David senior, cabinet-maker and carpenter, near by, and to David's sons, David junior and Thomas. Spears may well have had occasion to saw cedar both at Kissing Point and later at Brisbane Water.

Proximity, congruent interest, and association with the Earl Cornwallis, are factors that point to a mutually beneficial association between the Browns and the Spears family. Mary Spears was acquainted with Catherine Humphries from the time of their Boddington voyage as soldiers' wives. William Spears and Patrick Humphries both served in the NSW Corps and 73rd Regiment about the same time. These factors also point to the probable cause for various associations that are known to have arisen between the Brown and the McMahon/Humphries families from 1801 onwards.

Catherine Humphries' son, Francis, was about 17 years old in 1814. It is highly probable that he had long been expected to be the 'man of the house' in the absence of his stepfather. With his brother, John, well

²²² AJCP 3870, WO 12 8002.

²²³ Per BDM V1806 660 3B (How is likely to be her maiden name). Ref. The Minerva Journal, p59, 60, & 238. Note 33. The births of her two youngest children, John and James, suggest that Mary had teamed up with William at Norfolk Island. The 1828 Census and earlier musters consistently show her as having come on the Minerva. According to 'A Colonial Regiment' Private Coleman was still being posted to different places long after 1806. Mary may have travelled on the Minerva under the 'protection' of Coleman?

²²⁴ AJCP 3870, WO 12 8002.

²²⁵ In 1815, Spears was made a constable at the Rocks, a position he held until 1820 when he was discredited and dismissed.

²²⁶ William Spears, aside from being a sawyer, had declared in the 1828 Census: his ownership of 120 acres of land and 6 head of cattle, and that his age was 56. Where this land was is yet to be established. Spears stated that he 'Came Free' that his 'Ship of Arrival' had been the 'Earl Cornwallis' and that his family were Protestant.

²²⁷ Truth, Sunday 4 February 1912 Page 9.



into his fourteenth year, Francis might have reasonably expected that it was John's turn for that role. It would not have been out of place for Francis to be getting restless; and to be thinking of getting away from the isolation of Wicklow, getting work, and / or the learning of a trade. William Spears himself was in a position to offer employment or to have contacts such as the Browns who might reasonably employ and train him.

With her husband soldiering at Parramatta, and a large family to care for, Catherine would have been bound to Wicklow, and having to tend to the routine there. The next eldest of Catherine's children, Elizabeth, then 15 years old, would have long been helping her mother with the domestic household duties, care of her brothers and sisters, and the cutting of cloth and sewing of shirts. She would have matured quickly with the demands and responsibilities thrust upon her. Any escorting of Elizabeth to Sydney Town would, more than likely, have fallen to Francis if Patrick weren't available.

It would have been handy for the Humphries family to have a friendly, dependable, contact in Sydney Town such as the Spears family. Given the longstanding association between the Spears family and the Humphries, and the legendary regular Sunday visits at the Bay; it would not have been out of place for Elizabeth to visit the Spears, on Catherine's behest. Elizabeth may have called upon to stay with the Spears family because they needed assistance.

Just as likely a scenario is that the Brown household (being now all males) at Erskine Street, through William Spears' connection, had employed the young Elizabeth for domestic tasks. The Humphries' poverty and increasing number of mouths to feed would have been an incentive for their needing to arrange young Elizabeth's employment with a family that had need, and could pay for, domestic assistance.

Whatever the circumstances, a well regarded, confident, and maturing young woman, of robust health, couldn't help but be noticed in the male dominated society of Sydney Town.

The Marriage of David and Elizabeth

Elizabeth Mary McMahon (AKA Elizah, Mary Elizabeth) caught the attention of David Brown's second eldest son, David junior, also a carpenter. He was sufficiently distracted to be caused to marry Elizabeth on Wednesday 28 June 1815 in St Phillip's, Church of England, Sydney.

The marriage- register states David's age as 28, this implies a 1787 birth date, though he was just as likely to be 32 years old as suggested in his response to the 1828 Census or 23 years according to his statement in 1850 to the press.²²⁸ Elizabeth was some 16 years and 3 months old at the time.²²⁹ David signed his own name, fairly shakily, in the marriage register:

David Brown

Elizabeth was very much a product of Ireland. She had been born in Ireland, had grown up in an Irish household who were very much aware of their origins, and were glad to celebrate St Patrick's Day. The cultural influence of Wicklow Cottage is likely to have been reinforced by the isolation of Watson's Bay.

At the time of Elizabeth's marriage to David junior, her mother, Catherine, was less than four months away from giving birth to Elizabeth's half brother, David. At the very least, Elizabeth would have been escaping a very crowded environment, her family's stone cottage at Watson's Bay.

Witnesses to the marriage were Robert McIntosh and Jane Bull. Nothing has been gleaned so far on Robert McIntosh's connection. However, Jane had come out to the colony as a young child on the same ship as Elizabeth, the *Minerva* - She had come with her parents James and Anne Bull. James Bull, like

²²⁸ 'came hither before he had attained to his tenth year', The Maitland Mercury, Hunter River District News, 10 May 1851 (twelve months late)

²²⁹ BDM V1815 169 7, St Phillip's Church, Sydney, register. This is consistent with The Minerva Journal of John Washington Price. P13 Entry 27 March 1799



Elizabeth's father, was one of the soldiers of the NSW Corps contingent aboard. Neither Jane nor Elizabeth could sign her name.

In light of Elizabeth's age, it seems likely the marriage had been formally arranged three months prior to the wedding, not long after Elizabeth's 16th birthday.

Elizabeth's brother, John, was well into his 14th year. Some arrangement for his employment might have been made for him about this time. Again, the Humphries expanding family situation would have been an incentive.

David junior and Elizabeth set up home at the Eastern Farms / Kissing Point property where two of their children were born.

On 17 October 1815, three and a half months after her marriage to David II, Elizabeth's mother gave birth to her sixth child, which she called 'David'. Perhaps David senior or junior was being honoured?



St Phillips. A square tower 150' high had been built in 1797 and used as an observatory and clock tower. The foundations for the church were begun in 1800 but it wasn't consecrated until 1810, although meetings were able to be held in it from 1808. It was replaced by the current building in 1856.

James Chisholm Getting Established

While his in-laws were getting on with matters on the Hawkesbury, Eastern Farms, and later Cockle Bay (Erskine Street), James Chisholm was successfully expanding his rural and trading businesses.

On Monday 22nd January 1810, still as a Sergeant in the 102nd Regiment (formerly the NSW Corps) he wrote a memorial to the Government:

That your memorialist obtained a piece of ground from General Gross in Spring Rwe, Sydney, which he has made such improvements on, induced the late Lieutenant Governor and, the further consideration of having a large family, to give him a Lease of the Ground.

That your (the) Memorialist also purchased from the representative of the late Sargeant Major Jamison, a house and premises nearly adjoining to the above, for which he payed £140. That was then made lease from Governor Hunter, and then the memorialist applied to his honour, the late Lieutenant Governor to review such leases which he was pleased to do.

Your Excellency, (the) Memorialist prays that you will condesend to conferring his Leases and allow him to remain in possesion and enjoyment of them.

Most respectfully

Signed James Chisholm

Sgt 102nd Reg²³⁰

²³⁰ NSWSR Fiche 3002 4/1821 No61.



This submission gives useful insight into how James came about acquiring his leases in (Upper) Spring Row. Presumably having been granted his wish, barely three weeks later, 11 February 1810, James was discharged from the army.

On 17 February 1810, and again on 11 March 1811, James was licensed to sell liquor, from the 'House' purchased from the estate of William Jamison.²³¹

The muster of February 1811 shows an Ann Chisholm, 'NSW', 'Free', and no ship, as it does for James and Mary. A question arises of whether there was a family connection?

Also listed in the February Muster is a David Brown of the 'Earl Cornwallis' but makes no mention of a second David Brown, or a Thomas Brown of the 'Earl Cornwallis'. One can imagine many individuals in remote areas, finding it too difficult, or not bothering, to attend a registration point. In fact, many a person failed to attend the muster. This was due largely to a growing awareness amongst the free civilian population that the muster was not legally enforceable. If David junior and Thomas had been at Eastern Farms, attending the muster would not have been particularly convenient.

James Chisholm is also said to have owned land at Kissing Point, in the same district in which his father-in-law, David Brown senior, owned land. A report in the Sydney Gazette of Thursday, 6 June 1811 appears to support that understanding:

'This day six sawyers stationed at Lane Cove were convicted before a Bench of Magistrates of having stolen a calf, the property of Mr. J. Chisholm, part of which was found in their respective

habitations. They were in consequence sentenced 100 lashes each, and to be kept two years hard labour all day without allowance for any extra time, their offence receiving additional

aggravation from their earning what might be considered a competent support, independent of their government allowances.'

Sydney Gazette, June 6, 1811

Sydney Town's now expanding and prospering environment was becoming increasingly evident, and James was able to actively pursue the hostelry and merchandising aspect of his business. As evident in the Sydney Gazette, which carried these notices:

'All claims against John Townsend Esq are requested to be presented to him at Mr Chisholm's, as he intends leaving the settlement by the Cumberland.'
Sydney Gazette, 19 October 1811

Port Wine by Retail

J CHISHOLM having purchased some very fine Old Red Port Wine, is enabled to supply the Public with the same at 8s. per Bottle in currency of copper coin at his House in George Street, opposite the Barracks.

Sydney Gazette Saturday, 16 November 1811

'To be Let, on an improving Lease basis (that is, the consideration to be paid in improvements instead of Money), a very beautiful Allotment of 100 Acres in Parramatta District, having a large Garden and Orchard well fenced in, Likewise a good House, and a small temporary Hut; situated 3 miles from Parramatta; 3 miles from Powell's Halfway House, 3 miles from Mr John Gowen's; and mid way between Buymerry Currant and Sydney; 13 or 14 acres clear, the Land good.; Well watered, and well worthy of attention. From its fine position on the main road to Liverpool. For Particulars apply to Mr Chisholm, the Proprietor, George Street, Sydney.'

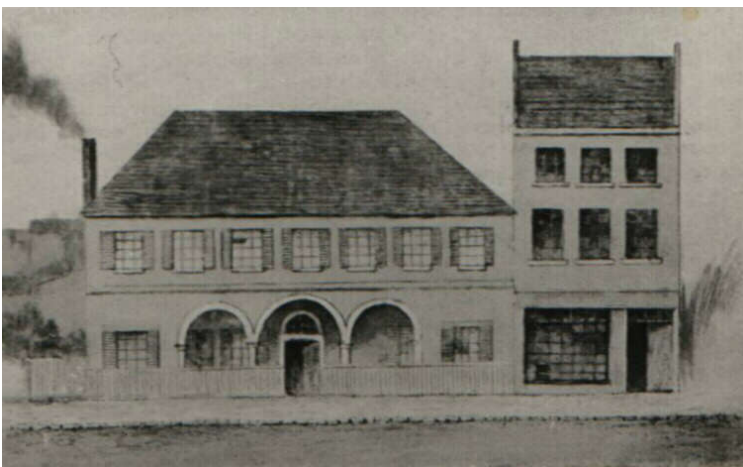
Sydney Gazette, Saturday, February 6, 1813

²³¹ SG Reel 6038; SZ758 pp. 181-3



James Chisholm and a John Reddington placed an advertisement in the Sydney Gazette on Saturday, 15 May 1813. ‘As executors of the will of Mr William Hall of George Street’, they requested ‘all claims against the estate and effects of the deceased.’ From that estate James acquired 80 acres of farmland in the Airds district (adjoining the Lower Minto) on 28 May 1813 for £145. This was the beginning of a series of purchases of small farms over the next 14 years in the Camden region, that combined, was to form a valuable and productive rural estate.

The Sydney Gazette of Sunday, 7 August 1813, lists ‘Mr Chisholm’ of George Street, amongst an array of persons in the colony who were licensed to sell liquor. At this time Governor Macquarie refused to regrant many of the licences issued while Bligh was under arrest. Out of the 75 Applications received, only 20 were regranted. James Chisholm’s name heads the list.



‘Mr Chisholm’s House, previously William Jamison’s House, later known as ‘The Crown and Thistle’ or ‘The Thistle’ Inn, and in 1822, also the site of the Bank of New South Wales. The adjacent premises appear to be part of the original Jamison lease.

Significant in the economic affairs of the colony, was a meeting that was held at James’ home on 18 October 1813. Resolutions were passed for the establishment of a regular currency by issue of promissory notes and for formation of the Commercial Society to meet on the subject of trade and commerce in general.

This event foreshadowed the creation of the colony’s first bank, the Bank of NSW, which was to come into being a few years later. An institution, which was to very much involve James.

A notice appeared on 26 February 1814 of a house for sale at No 9 Kent Street as ‘owned by Mr Chisholm’.

Mystery Child

The 1814 General Muster also shows Mary and James Chisholm as having two children in the house, one would have been their son, James junior, but the other is something of a mystery. There is a story which indicates that there was a second child born to Mary and James, a daughter who lived only for a very short time. But no official record has been found so far to corroborate this possibility.

However, a more likely probability is that the second ‘child’ was Mary’s youngest brother, Thomas, then about 14 years old, and likely not to have been robust in stature. Thomas being in his sister’s household is consistent with a long running carer role for her ‘baby’ brother that is likely to have befallen Mary before the family sailed to the colony in 1800 in consequence of their mother’s death.

Mary’s father, David, is also not included. This is consistent with him being a cabinetmaker at Erskine Street, and living on the premises at the time.



In September of 1814, James purchased a further 160 acres in the Airds district. This comprised two 80 acre farms; One from Joshua Elliott on 16 September for £115, and another from Timothy Loughlen for £140.

James supplied fresh meat to the Government Stores on 25 March 1815.

James Wine and Spirit Licence was regranted on 1 April 1815, and subsequently on 6 April 1816, 19 April 1817.

A notice appeared on 20 April 1816 of a 'Lost Watch' in respect of James Chisholm.

James bought the property 'Buckingham', 400 acres of land owned by Count Gabriel Huon de Kerillieau on 28 September 1816 for £278. At the time, James already had an adjoining 600 acres at Lower Minto; this comprised 500 acres he had acquired in 1815 and named 'Calder', and 100 acres acquired 18 January 1816. The Count and his wife had struggled for the previous six years to develop the property but experienced only two good seasons with their crops and cattle. Included in the purchase of "Buckingham" were the convicts of Count Huon: Price, Cutler, Prentice, Royston, Carey and Selby. James immediately released them from their chains.²³²

James Chisholm had also purchased 200 acres at Minto from William Mitchell for £140 on 28 September 1816. In conjunction with his Airds acquisition James now held 1440 acres in the Camden area. Just over twelve months later, on 12 December 1817, James acquired a further three farms comprising 500 acres, one of them (300 acres) from Henry Kable. To this he was to add 170 acres granted to him on 11 February 1820, and the purchase of 1585 acres from executors for estate of Andrew Thompson for \$1325 on 20 April 1820.²³³ This is indicative of the way James and his son built up their land holdings. In the same way, they incrementally built up valuable holdings in Parramatta, Melville, and Goulburn. The combined Minto acreage with good stewardship was to prove a very productive investment. Buckingham was to be the focus of this holding.

James named the combined properties 'St Andrews'. It seems in honour of St Andrews in northeastern, Fife, Scotland.²³⁴ Fife, co-incidentally is in the same county as 'Dunfermline', where one of the legends has it that David Brown was born. Fife is also a county that has a strong association with the Macgregor name, which was supposedly the original family name. It may be that 'St Andrews' was meant to honour his wife in some way?

James supplied fresh meat to the Government Stores on 12 October 1816.

On 19 April 1817, James name occurs, as the 'Publican of the Crown and Thistle', in a Colonial Secretary's list of persons licensed as publicans for 1817 in Sydney. This is the first recorded occurrence of the inn being described as something other than Mr. James Chisholm's House.²³⁵ However, (as noted previously) James had been licensed to sell liquor, from the 'House' purchased from the estate of William Jamison since 17 February 1810.²³⁶ Prior to that, Sydney Gazette of Sunday, 5 March 1809 simply listed James as one of the Non Commissioned Officers granted a license to sell liquor.

²³² History of Gledswood – A House Alive Today.

²³³ Miriam Chisholm Collection, NLA MS 6207. List of Farms purchased by James Chisholm.

²³⁴ 'Where, c. AD 345, St Rule is said to have landed with the bones of St Andrew the patron saint of Scotland. By the mid-8th the site had become a place of pilgrimage and Scotland's leading religious centre. In the 12th Century a cathedral was built, in 1411 a University was founded and in the 15th century Pope Sixtus IV erected the see of St Andrews into an archbishopric.

First granted a royal charter c.1140 by David I, the town developed as a centre of trade, its merchant burgesses building for themselves fine houses with elegant forestairs, crow-stepped gables and pantiled roofs. In the post Reformation years of the 17th and 18th centuries prosperity declined and the castle and cathedral fell into ruin. But with the development of fishing, agriculture and tourism in the 19th century the town's harbour once more came alive with herring-boats, boats exporting coal and iron as well as grain and potatoes from the farms of Fife, and ferries linking St Andrews with ports such as Dundee and Leith. ' Fife Tourist Information.

²³⁵ NSW SR Reel 6038; SZ759 p.340

²³⁶ SG Reel 6038; SZ758 pp. 181-3



On 5 May 1817, James paid £240 for 400 acres of land in what was called the ‘Bathurst District, near Windsor (*The 1806 Map of District at Chapter 4 refers*). The property was originally granted in the name of Alcock.²³⁷



‘Sydney in All its Glory’ by Sophia Campbell 1817 – View of Farm Cove and Botanical Gardens

David and Elizabeth Brown’s first child, Thomas, was born on 29 June 1817 at Eastern Farms, Kissing Point, and baptised on 31 August 1817 at St Phillip’s, Church of England, in Sydney Town. He was David senior’s second grandson.

In 1817, the Bank of New South Wales, the colony’s first bank, was established with the support of Governor Lachlan Macquarie²³⁸ - He incorporated the Bank by Charter with limited liability. Macquarie was to regard it as his major financial achievement - He also used his authority in 1819 to create the first savings bank of the colony.²³⁹ The ‘colony’s major woolgrowers as well as some merchants’,²⁴⁰ including James Chisholm, were the Bank of New South Wales’ trustees.²⁴¹ Towards the end of the 20th Century, the bank became known as the ‘Wales’ and more recently as a consequence of corporate merging ‘WESTPAC’. The new and ‘groundbreaking’ colonial venture commenced operation at Mrs. Reiby’s house in Macquarie Place.

The Passing of Mary Brown

The ‘Sydney Gazette’ of 6 December 1817 announced the death of Mary at the age of 32 years:

“Died this evening about 7 o’clock after a lingering illness, which she bore with Christian fortitude and resignation, Mrs. Mary Chisholm, wife of Mr. James Chisholm, of George St, Sydney, aged 32 years. The universal benevolence which form the leading characters of every action of her life, will long endear her memory to an extensive circle of valuable acquaintances and friends”

²³⁷ Miriam Chisholm Collection, NLA MS 6207. List of Farms purchased by James Chisholm.

²³⁸ Because Macquarie had no power to grant this bank its Royal Charter, it operated semi-illegally until 1827 when a special Act was passed. The ‘Discover Australia’ series, ‘The Governors’ by O. R. Scott

²³⁹ Foundations of Australian Monetary System 1788-1851

²⁴⁰ ‘Australians 1938’ ISBN 0949 288 11 x

²⁴¹ Clan Chisholm in Australia 1790-1990



Mary's was the second burial registered at St Phillips, Church of England, on 8 December 1817. She was buried at what is now known as Old Sydney Burial Ground, where the Sydney Town Hall stands.²⁴² Her father is said to have been living with the Chisholms for some time prior to his daughter's death.²⁴³ At the time of Mary's death, her only surviving child, James (Jas) Chisholm junior (1806 - 1888), was barely into in his twelfth year.

Deputy Commissary General's Office, Sydney, 7 March 1818, awarded a contract to supply 4000lbs of fresh meat to the government stores 18 May 1818.²⁴⁴

James Chisholm on lists of applicants for renewal of spirit licenses at Sydney; dated 16 February 1818 and 15 February 1819.²⁴⁵

Young Jas Chisholm

Jas had just turned eleven years old when his mother died. In his twelfth year, young Jas like many a boy his age was enthused by the sailing ships and the romantic image of a sailor's life. He was especially likely to be caught up in this interest due to his father's business connections. Visiting friends of his father such as Captain Siddons, who undoubtedly told many an interesting tale of the sea and the ports they visited. His father, grandfather, and uncles are likely to have told of their travelling by sea to the colony. Seeing, the great and graceful windjammers sailing down the harbour, and docking at Sydney Cove and near his grandfather's workshop at Cockle Bay couldn't help but stimulate interest. In his enthusiasm, Jas let it be known to his father of his wish to experience life at sea. James senior indulged Jas and sent him off on an excursion to Calcutta in July of 1818 in the care of Captain Siddons.²⁴⁶ While in India Jas was in the care of his father's business associate there, John Campbell (JC) Burton, Esquire.²⁴⁷

On 28 July 1818, one month before marrying for the second time, James Chisholm, in his business letter to John Campbell Burton wrote:

PS / My Son / and only one / being desirous of going to sea , I have acceded to his request and he is now accompanying Capt. Siddons, conseeding I could not send him with a better Person - therefore on his arrival, your kind attention to him will confer on me a lasting obligation.
J.C.²⁴⁸

The book "The Story of Gulgong" by Eileen Maxwell tells of "John, eldest son of Honor and John Bowman," and brother to Mary Bowman, settling in Calcutta where he was Master Attendant of the Port of Calcutta. She says that he "had previously been a captain in the fleet of the East India Company" - This Bowman connection may have been a factor in young Jas Chisholm, and his Uncle James some 8 years earlier, going to Calcutta?

Whether the timing was deliberate or not, the boy's absence allowed James a convenient period in which to intensify any courting he had begun for a second wife, and stepmother of his son.

²⁴² BDM V1817 3888 2b, St Phillip's Church, Sydney, register, p.201 refers. AONSW Reel 5002. The register entry for Mary's grave at the Old Sydney Burial Ground is 372. It is said that Mary's grave was later moved to Newtown Farm and thence to Camperdown some 20 years later to be with her husband.

²⁴³ 'David Brown was living with his daughter, Mrs Chisholm, until her death.' Emily J Brown, Neutral Bay. letter of 17 March 1914.

²⁴⁴ SG Saturday 21 March 1818 Page 1, col a

²⁴⁵ NSW SR Reel 6006 4/3498 p.62 & 413499 p.318

²⁴⁶ Some time afterwards, Siddons was the lighthouse keeper at South Head.

²⁴⁷ Miriam Chisholm Collection. NLA MS 6207 Box 2, Folder 9.

²⁴⁸ Miriam Chisholm Collection, NLA MS 6207. Box 2, Folder 9, p2, Post Script.



On 29 August 1818, after less than nine months of being a widower, and while his son was on his voyage of discovery to India, James Chisholm, married Mary Bowman. Mary was the daughter of John Bowman (1763 - 1825), a farmer on the Richmond Lowlands of the Hawkesbury.²⁴⁹ Her brother, George (1795 – 1878) built up a considerable business empire. George Bowman's properties were eventually to include 'Archerfield' and 'Arrowfield' on the Hunter, and a run 'Terry Hie Hie' in the Namoi region – Regions where James' brother-in-law, David Brown, and family, would get property.

Three months after his marriage (4 December 1818) James paid an exceptional £400 at a debt recovery sale conducted by the Sheriff for a 140acre farm on the Hawkesbury granted to John Bowman. The price was far greater than James had ever paid for quality farmland. It seems probable that he was 'rescuing' his father-in-law's home.²⁵⁰

In the book on the Rouse family, "Rouse Hill", it quotes a letter written saying that the Rouse family tried to marry their daughter Mary off to James Chisholm but he married Mary Bowman instead. Evidently, James was considered a "good catch" after Mary Brown had died.²⁵¹

Folklore says James' father-in-law, David Brown the elder, had been living with the Chisholm family for many years up to the time of his daughter's death and that he left the Chisholm household not long after.²⁵² The absence of his grandson and the pending arrival of a new lady of the house would have been the natural time for David's departure. David is likely to have taken up residence nearby at his son; David junior's property in Erskine Street, with his youngest son, Thomas.

Jas' excursion to Calcutta allowed James time to let his new bride get comfortable in her new household. It was no doubt intended to avoid any distress that might have arisen in having to deal simultaneously with a not-so-young child, whose mother had not long died.

When Jas finally returned from India it was to a greatly altered domestic situation. He must have been somewhat surprised on his return, to find that he now had a stepmother, and a young one at that.

Jas had made a good impression on John Burton. Perhaps that and something said in James' correspondence caused Burton to write on 3 March 1820 offering to James, that he could send the boy back to Calcutta where he would happily see to his education. James replied:

"I am much obliged to you for your kind offer respecting my son, but we have a most excellent, man (Doctor Halloran) lately arrived in this country under whose care & tuition I mean to let him remain for some time. ..."

Towards that end, James, having settled his bride into the new domestic arrangements, promptly set about doing the same for his son. Dr Halloran's establishment, a well-chosen wife, and his own caring and considerate manner, were all part of his achieving that goal.

The impression one gets from the way events unfold, was that James' handling of these events was well considered and planned. It was perhaps indicative of James' ability to calmly recognize needs and opportunities, and know how to deal with them in a suitable and timely manner.

Deputy Commissary General's Office, Sydney, 24 April 1819, awarded contract to supply 4000lbs of fresh meat to the government stores 1 May 1819.²⁵³

²⁴⁹ John Bowman and wife, Honora, and three children John, George, and Mary arrived as free settlers in the 'Barwell' in 1798. He received a grant of land on Richmond Lowlands which he called 'Archerfield'. Macquarie Country. p130.

²⁵⁰ Miriam Chisholm Collection, NLA MS 6207. List of Farms purchased by James Chisholm.

²⁵¹ Marie Tattam letter of 5 October 2000

²⁵² Emily J Brown, Neutral Bay. letter of 17 March 1914

²⁵³ SG Saturday 24 April 1819 Page 1, col a



Dr Halloran's school was one of the first in the colony, and provided a service much valued by the more prosperous folk of the colony. In those early days of the colony, very few advantages existed in the way of formal education. The following advertisement (extract) in the Sydney Gazette at the time Jas was attending the school, and his father's endorsement of the Reverend Doctor to John Burton, offer insight:

DR HALLORAN'S ESTABLISHMENT FOR LIBERAL EDUCATION.

The Students at this Establishment are expected to rewrite their scholastic Engagements on Monday the 8th January, 1821, when their punctual re-attendance is desired.

At the solicitations of several Gentlemen, anxious for the immediate admission of their Sons to a participation of the advantages which his system of education embraces, Dr Halloran has consented to increase the number of his Pupils to thirty, a Maximum, beyond which he must peremptorily decline to extend the limits of his Establishment. Two vacancies from this number are at present open.

*....no Student can be admitted for shorter than one year; ...
Sydney, December 29, 1820²⁵⁴*

Jas was one of a number of noted names in the community who attended Dr Halloran's establishment.²⁵⁵ In a letter to the Rev. Dr. Halloran, dated 22 April 1822, when Jas was 15 years old, he and the other students wrote:

Dear Sir,

Tomorrow being appointed for the celebration of King George the Fourth's Birthday, your pupils earnestly entreat that you be pleased to allow them to be absent from their studies on that day.

We are Dear Sir, Your dutiful pupils,

John Terry

J. C. Bayley

James Chisholm

John Piper

S. Lord

R. Campbell

After his schooling at Dr Halloran's establishment, and as an extension of his education, Jas served several years as clerk in the Commissary Department. He worked there from the end of 1823 to at least 22 November 1825,²⁵⁶ in order to be schooled in the trade of commerce. It was also a useful means of gaining an awareness of government bureaucratic processes, and making useful contacts. One of his colleagues at the Commissary Department was a W.P. Faithful, who became his life-long friend.

²⁵⁴ SG 30 December 1820.

²⁵⁵ History of Gledswood – A House Alive Today.

²⁵⁶ NSW SR. Fiche 3123. p681. & Letter 24 May 1825, NLA MS 6207. Box 2, Folder 9



On 2 November 1824, Jas, while still in the employ of the Commissary Department, wrote a memorial to the Governor, asking for a grant of land. He said that his father was prepared to give him one hundred head of cattle to get set up.²⁵⁷ A lack of response by the government caused his father to write to the Governor in support of his application twelve months later 22 November 1825. Jas and his father were the beneficiaries of orders for grants of land the same day.

About 1818 a steam engine operated grain mill had commenced operation adjacent to the Goulburn Street Wharf at Cockle Bay, to the south of where David Brown senior resided. The mill's proprietor was John Dickson, the successful businessman, grazier, an associate of James Chisholm and Robert Campbell. Dickson had come free per "Earl Spencer", 1813. Indicative of him and business practice of the times is this advertisement:

Mr John Dickson, Proprietor of the Steam Engine, hereby acquaints the Public in general, that he has opened his stores for Reception of Wheat in exchange for Property, on the most reasonable terms; and he is selling Flour agreeable to the present reduced Price of Wheat. NB – A quantity of fine salt Beef, just imported from Van Dieman's Land, by cask or ton.

Sydney Gazette Saturday, February 6, 1819

*David Brown Senior is quoted in a Sydney newspaper extolling the virtues of his son-in-law, James Chisholm??*²⁵⁸

The Browns

While James Chisholm was dealing with his business and family matters, the Browns were being presented with different challenges, particularly at Eastern Farms.

On 22 May 1819, David Brown senior and his fellow trustees of the Field of Mars Common, Francis Oaks and James Squires, placed an advertisement in the Sydney:

NOTICE – Whereas certain Persons cut down Timber on the Common belonging to the Eastern Farms situated betwixt Lane Cove and Castle Hill, and bounded by Captain W. Kent, Dr Savage, and James Squire; We the Undersigned do hereby give Notice, that any Person or Persons be found cutting down Timber, &c. without an Order from Government on that Head. They will be prosecuted with the utmost Rigour of the Law.

Francis OAKES
James SQUIRE.
David BROWN.²⁵⁹

Problems with trespassers, poaching of timber and theft of cattle persisted for those living at Eastern Farms and many other locations about Sydney.

David Brown jnr and Elizabeth, and their infant son, Thomas, continued to live at the Eastern Farms property until at least 3 August 1819, their second child, James, was born to them there.

FOUND - By native (Black Harry), near the Parramatta River, on Charity Point, a PITT SAW. The above Saw is left on my Possession; and the Owner may have it by describing Marks and paying Expenses, - If not claimed in 14 days from this Date, it will be Sold for the Benefit of Black Harry.

May 30, 1819.
James SQUIRE.²⁶⁰

²⁵⁷ NSW SR. Fiche 3082. P835

²⁵⁸ Have been told of it but as yet have not found it

²⁵⁹ SG, May 22, 1819, p4c

²⁶⁰ SG, May 22, 1819, p4c



The Bigge Report lists David Brown senior ‘Widower’ as still living in Sydney Town in 1820, in his own premises.²⁶¹ There is little doubt that ‘own premises’ meant Erskine Street, Cockle Bay; and running his carpentry business with the involvement of his son, Thomas. At this time, David ‘the younger’ is likely to have been dividing his time between the family interests at Eastern Farms and Little Cattai Creek.

On 30 December 1820, David senior and his fellow trustees of the Field of Mars Common, Francis Oakes and James Squire, again placed an advertisement in the Sydney Gazette. They warned against the unlawful cutting down and removal of timber from the district. They were reinforcing a message in the Gazette by James Squire regarding such activity on his lands.

Eleven months later David sold his interest in Eastern Farms. During 1822 James Squire died. One has to wonder to what extent they were successful in protecting their charge and what impact their absence had.

²⁶¹ Bigge Report , Appedix p.5314. BT Box 25.



Chapter 9 - The Push North

(1813 – 1824)

Governor Macquarie applied a “policy of restricting access to land to so-called ‘respectable settlers’”. It meant that once the way over the ‘Blue Mountains’ had been discovered in 1813 and a road west built, “the first whites to carve up the Bathurst hinterland were army officers and well heeled private immigrants.

About the time David and Elizabeth’s son, Thomas, was born, all the best grazing and farming land on the Cumberland plain had been taken up. This was reflected in the annual invitation to apply for grants on the first Monday in June of 1818. The number of applications far exceeded the government’s expectations.

So much so, that the annual grant for 1819 had to be cancelled. Land that David junior and his brother, Thomas, might have reasonably applied for on the first Monday in June of 1819 was denied them and all other hopefuls. In his official proclamation of 22 May 1819, Macquarie announced that no applications would be considered until the first Monday of June 1820.

“The ex-lags and poorer free arrivals of the Hawkesbury now ‘making good’ were frustrated by this turn of events. There was nowhere for them to head but the sandstone gorges of the Colo and Macdonald to see what lay beyond.” Benjamin Singleton, the son of an ex-convict, was the first to try with two abortive sorties in 1817-8.²⁶²

To the north near the Coal River penal settlement, Macquarie was allowing a few trusted convicts to establish farms near Wallis Plains (now Maitland), the head of navigation of the river. Governor Macquarie was a believer in rewarding good behaviour on the part of convicts. Also, some emancipated settlers began to move in, and by 1819 over 20 farms were there. A small military detachment was based at Maitland to protect these farmers.²⁶³

Overland Route to the Hunter

On 26 October of 1819, John Howe, long-time settler of Hawkesbury, and then Chief Constable at Windsor,²⁶⁴ set off to explore the country north of that region. His party comprised: George Loder of Portland Head (Howes’ son-in-law), John Milward, and convicts: Nicholas Connelly, John Eggleton; Charles Berry; and Myles, the aboriginal guide. On 4 November 1819, Howe reached a ridge from which he gazed down on a valley fog that covered the area to be later known as ‘Jerry’s Plains’. His party descended into the valley and into Coomery Roy country (a corruption of the name of the aboriginal tribe that occupied that area, the ‘Gummun Comleroy or Kamilaroi’²⁶⁵), near Bulga, and proceeded to follow a stream.

The next day, they found the stream, later known as Wollombi Brook and entered a river. They briefly explored it in an easterly direction towards Jerry’s Plains, before the limitations of their rations caused them to return home the way they had come.²⁶⁶ At this point Howe didn’t realise that the river he had encountered was the Hunter.

The route from Windsor to the Hunter taken by Howe, became known as the ‘Bulga Track’ and later formed the basis of what is now known as the ‘Putty’ road.

In response to a request by Governor Macquarie, Chief Constable Howe set out on a second expedition on 5 February 1820 to find a better route to the Hunter. The party of exploration was larger than those previous, it included Thomas Dargin junior, Andrew Loder, Philip Thorley, and **Benjamin Singleton**. ‘The route they followed was the same as that in the first expedition as far as the ridge overlooking the Putty Valley. It then

²⁶² Waterloo Creek. p48.

²⁶³ Explore the Convict Trail: The Great North Road.

²⁶⁴ Windsor is some 45 kilometres north-west of Sydney Town

²⁶⁵ Gummun Comleroy people at that time occupied land to the south of the Liverpool Range south to Jerry’s Plains.

²⁶⁶ Dawn in the Valley. Chapter 2, p10, 11.



took a more north-easterly course, descending to the Hunter plain near Broke instead of Bulga.²⁶⁷ This was the route followed by many of the land hungry settlers of the colony, particularly from the Hawkesbury, such as the Browns, to stake out their claim, not long after Howe and his party's return.

The Naming of Jerry's Plains

On St Patrick's Day, 17 March 1820, John Howe gave the name St Patrick's Plains to the flat country he had traversed two days earlier after coming down from the mountains to the Hunter river. The name later being shortened through usage to Patrick's Plains.

The naming of Jerry's Plains is less certain. Whether it is myth or fact, there are several differing accounts of the same expedition. One of Howe's men, Jerry Butler, a convict, is said to have variously blown off part or all of one of his hands in the process of trying to start a fire with the assistance of gunpowder. This was a common practice among drovers, especially if the wood was wet.

Legend has Jeremiah dying as a consequence of his injury not far from where the village of Jerry's Plains is located, hence the region and the village being named as a memorial to him.²⁶⁸

The name of the town may well commemorate Jerry Butler and injuries he sustained due to an unfortunate incident with fire lighting. However, reports of his death at this juncture (like Mark Twain) are somewhat exaggerated, as, according to the Government Gazette of 7th June 1836, he received his certificate of freedom, No. 1511, in 1836.²⁶⁹ The first printed use of the name Jerry's Plains appears in the *Australian* of 4th February 1827.²⁷⁰ It also occurs in the 1828 census.



Route discovered by John Howe.

The expedition worked its way along the river 'thru as fine a country as imagination can form' until to his surprise he reached the government outpost at Wallis Plains, later renamed Maitland.²⁷¹ This was as far as the valley had been penetrated from the coast. But with Howe's discovery of an overland route from the south, and his tracing of the river's course above Wallis Plains, the Hunter was now thrown open to full-scale settlement. Goods and produce could be moved in and out by boat from Sydney, or before long, by track from the Hawkesbury, making it a much more attractive proposition for settlers than Bathurst. The journey between Maitland and Sydney by boat could be done in half a day or less. The Hunter's rich soil and pastures were eagerly sought, especially by citizens of the Hawkesbury.

John Howe and other members of his second party, including Philip Thorley, received modest grants in recognition of their services, mostly on Patrick's Plains where the village that sprang up was ultimately renamed Singleton, in honour of Benjamin Singleton. By 1821 they, and other Hawkesbury settlers, were bringing cattle up to the Hunter to take advantage of the natural grazing pastures. They did so either on their own account or others' under contract.²⁷²

²⁶⁷ *Pioneers of Portland Head*, p169

²⁶⁸ *Pioneers of Portland Head*,

²⁶⁹ Singleton "Howe" it started and grew, compiled by Singleton Historical Society, 1995.

²⁷⁰ *Jerry's Plains – The First 100 Years*.

²⁷¹ *Waterloo Creek*, p48.

²⁷² *Waterloo Creek*. p49.



Late in 1821 the Rev. G. A. Middleton travelled overland to the Hunter settlement from the Hawkesbury, with 173 head of cattle. 'Mr John Blaxland, marked the trees' that they had come, a roundabout route which became known as Parsons Road. Following this event (18 December 1821) Major Morisset, Commandant at Newcastle,²⁷³ reported a long list of runaways, and expressed the hope that "His Excellency would not permit any more cattle to be brought by that road." He complained that "Twelve of them went off in a body for the Parson's Road, as it is now called." To follow the trail blazed by Blaxland.²⁷⁴

Benjamin Singleton and Philip Thorley were the first settlers to take their families, to the isolation and loneliness of the newly discovered region. In 1822 '*Benjamin Singleton took his wife and five young children over the dismaying Bulga track, which was so rugged that John Howe had been forced to unload the packhorses and the load down 'into the valley called Puttee'. Mrs. Singleton with Mrs. Thorley were the first white women to cross these mountains. Others followed them from the Hawkesbury and squatted on the unallocated lands, selecting a site for a hut, a wheat paddock, and a corn and pumpkin patch. Their stock grazed confined on the plains and mingled in the cattle camps in the bush.*'²⁷⁵ The early 1820s were notable for the particularly devastating drought that struck the colony. 1822 was especially bad, and may have provided the incentive for Singleton and company at that time to seek better pastures.

The modest grants of land received by John Howe and other members of his second party were never properly designated. They and other Hawkesbury settlers moving cattle up the Bulga track to the Hunter soon found themselves displaced by well-connected newcomers. These people came with government orders entitling them to bigger areas. They had ample capital, as well as abundant convict labour, to develop and augment their lands. "*Land was distributed to approved applicants by outright grant, in return for nominal quit-rents which were seldom if ever collected, or 'reserved for purchase' on liberal time-payment for a few shillings an acre.*"²⁷⁶

David jnr Moves to the Hawkesbury

By April of 1820 the prospect of getting land on the Hunter was now very real to those in want of it, like the Browns. In this setting, on 3 July 1820, David 'the younger' applied to Governor Macquarie to '*grant him a portion of land*'. His petition declares that he '*is married and has a family of two children, and being his intention to remain in this country where his father and family are*'. To strengthen his case, David had his application endorsed by well-connected citizens of the day - The Reverend William Cowper endorsed David (II)'s memorial, in the same way he did for many others:

'The petitioner is, I believe, an industrious man.'

Something rarer was an endorsement by Captain 'John Piper', a fellow Scotsman of young David, who followed up with:

'David Brown is a very industrious and deserving young man.'

²⁷³ Later Morisset was notorious as a commandant at the 2nd penal settlement of Norfolk Island.

²⁷⁴ Dawn in the Valley, p16. 'Blaxland's track was not extensively used for stock movements. It was said that there was grass for working bullocks and travelling stock on parts of the Bulga track, but that between Wollombi and the Hawkesbury there was none.'

²⁷⁵ Dawn in the Valley,

²⁷⁶ Waterloo Creek, p49. "*within five or six years it was transformed into a nest of thriving gentry, through a system of astonishing largesse.*" "In 1823, for instance, Benjamin Singleton was obliged to yield to the celebrated 'Major' James Mudie, who built himself a keep he called 'Castle Forbes' after an English patron." "The most outrageous giveaway of all apart from the Australian Agricultural Company at Port Stephens, "came in 1824 when an influential Anglo-Scottish MP, Thomas Potter Macqueen, received a grant of 20,000 acres (8,100 hectares) - ten times the prevailing maximum of the day - on the express instructions of Earl Bathurst, the Secretary of State for Colonies, at an annual quit-rent specifically set at 'one peppercorn, to be paid if called for'."

"The better placed the seeker, the more favoured his treatment. In 1825 the colony's first Chief justice, Francis Forbes was awarded 10,000 acres to be 'reserved' for purchase - 400 over the statutory limit - in addition to a maximum grant of 2,560 acres (1,037 hectares) east of the future village of Muswellbrook....."



Both David and his brother, Thomas, had approached Piper together to gain his support of their coordinated applications.

Piper is likely to have been well known to their father and their brother-in-law, James Chisholm. His endorsement for Thomas that he was 'bred a carpenter' conveys an awareness of the Brown family greater than that of a casual acquaintance.

At the time of this endorsement, John Piper had not long turned 47 years. His statement is notably indicative of describing someone closer to 28 than 38 years old.

Piper had come to the colony to serve with the NSW Corps in 1791, like David's brother-in-law, James Chisholm. From 1810 to 1814, he was commandant of Norfolk Island penal colony. After returning from a visit home to his native 'Ayrshire' in Scotland, Piper took up the civil post of 'Naval Officer' 1814 to 1827, and as such was responsible for the collection of customs.



Captain John Piper
(1773-1851)
From Drawing held at NLA

Like James Chisholm, Piper was associated with the founding of Scots Church in Elizabeth Street. And like Chisholm, he was involved in the establishment of the newly created Bank of New South Wales. Piper became a director of the fledgling bank.

Piper was noted as being gregarious, with a capacity for socialising with a wide range of society, and being easily approached for a favour. His relaxed attitude was to cause him great embarrassment in the conduct of his Customs and Bank responsibilities. Point Piper in Port Jackson was named in John Piper's honour, due to him having his home there for many years.

David's and Thomas's applications both bear the date 3 July 1820, the day the Government had invited applications to be submitted for grants, for the first time in two years. Theirs would have been part of a great mass of applications lodged on that date. The first Monday of the previous month was when the event was to occur, the occasion many such souls had been waiting for, the event having been delayed twelve months. However, when the time drew near it was announced by the Government that as the first Monday for June of 1820 was now to be set aside to celebrate the King's birthday, applications for land were deferred another month. The irritation of many a claimant, such as these two, must have been palpable.

David junior's memorial intriguingly mentions an '*increasing family*'²⁷⁷ – The youngest child, James, was born in August, the year before. The next child on record as being born is John, who 'arrived' seventeen months later. It may mean that another child was expected but was stillborn, died before there was any chance of baptism, or record of baptism has been lost?

The family had hoped to get land on the Hunter River and described the land near Cattai Creek as being unsuitable for cultivation or grazing.²⁷⁸ All the best land on the Hawkesbury had been taken up before the Browns left Britain in 1800. David junior would have been promised his land at Cattai the same time as his brother, Thomas, i.e. 31 March 1821. It was about then that David and his family took up residence at the original Portion 39 Cattai property. The move to Cattai was to prove useful for exploiting the gains that were to come his way at Cattai or on the Hunter.

David would have been very much aware that some Hawkesbury settlers were already 'gaining a foothold' on the Hunter. Thomas also briefly established himself at Cattai, on his allocation. The brothers would have been providing mutual support for each other's ventures.

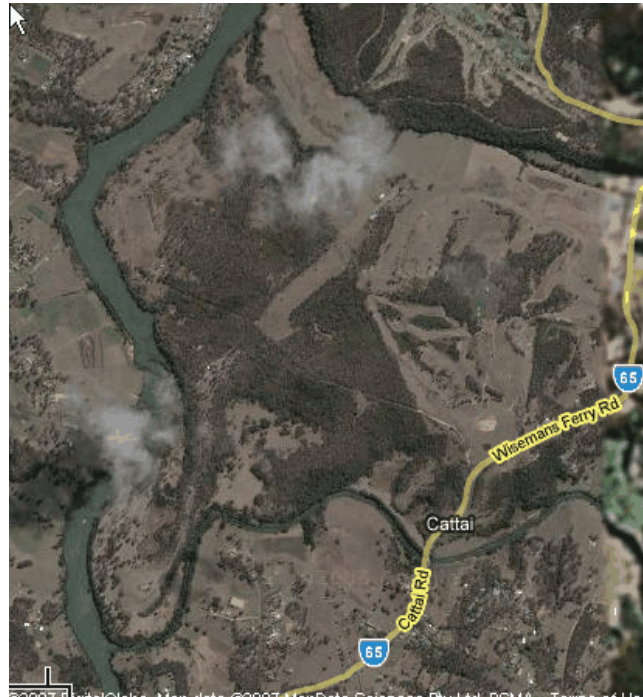
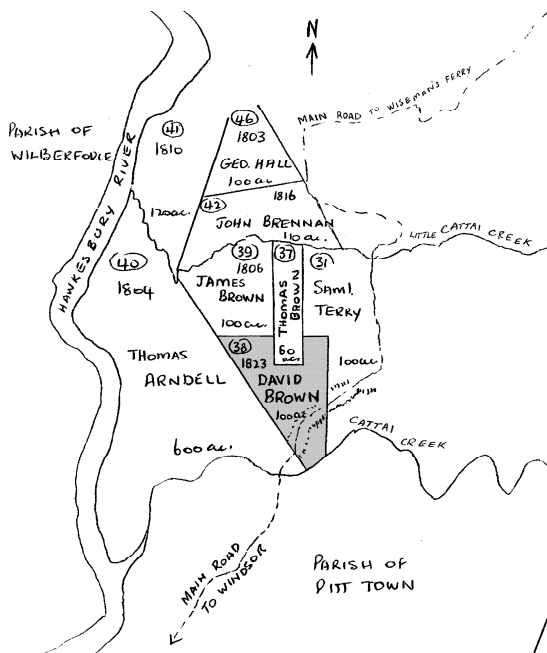
²⁷⁷ Colonial Secretary's Papers Memorial. (Fiche 3014; 4/1823 No.81 pp 188-4

²⁷⁸ Colonial Secretary's Papers. Memorial requesting more land - 17 June 1824. AONSW Fiche 3080, 4/1836B No.105 p575, 8.



The combined Cattai properties now straddled an area between, North – South, the Cattai and Little Cattai Creeks. They were in a conveniently strategic position, being at the beginning of the track north to the Hunter valley discovered by John Howe i.e. across the river.

If not already done so over previous years, in addition to the construction of a stone house, there was an earnest effort to get the land cleared. Given their trade as carpenters, it seems likely that David junior and his father had built suitable fencing, storage sheds on the Cattai property for their needs, and transferred livestock, ahead of leaving the Kissing Point (Eastern Farms) property.



David junior's Portion 38 of 100 acres (cross-hatched) shown adjoining the original James Brown and Thomas Arndell portions. Thomas' Portion 37 wedged in along side both.

Satellite Photo 2007 of Portions in map Courtesy of Google. Close up view reveals several houses on Portion 39.

David was to be the only one of the three Brown brothers to put any long-term effort into exploiting the land at Cattai. James had left the colony. Thomas' involvement there was rather short. He was to devote much of his efforts in Sydney to the family's carpentry business and land at Middle Head.

At nearby Pitt Town, the Brown family may have taken advantage of the school that was provided by St James' Church for instruction of local children that had been there since 1814. John Downing Wood (1767 – 1850) taught the rudiments of education to an average attendance of twenty pupils between 1818 and 1841.²⁷⁹

The government Commissary at Windsor was a ready buyer of produce from farmers in the Region such as David junior. The available records of the stores supplied to the Commissary by a David Brown of Windsor in the first half of 1821 show:

- 1821, February 28, Stores receipts for 50 Bushels of wheat, valued at £22/10/-;²⁸⁰
- 1821, March 24, Store receipts for 2303 lbs. of fresh meat, valued at £47/19/7;²⁸¹
- 1821, March 31, Store receipts for 2740 lbs. of fresh meat valued at £57/1/8;²⁸²

²⁷⁹ Wood came to the colony in 1811 as a convict with a 14 year sentence. Hawkesbury Journey, p65.

²⁸⁰ Colonial Secretary's Papers, Reel 6051; 4/1748 p.180 David Brown

²⁸¹ Colonial Secretary's Papers, Reel 6051; 4/1748 p.181 David Brown

²⁸² Colonial Secretary's Papers, Reel 6051; 4/1748 p.182 David Brown



- 1821, April 7, Store receipts for 962 lbs. of fresh meat valued at £20/10/-.²⁸³

Whether David junior had a herd of cattle big enough by then to have supplied all of the meat indicated is uncertain - The last entry, possibly.²⁸⁴



The Town of Sydney in NSW. (circa 1821) Acquatint by R Havell & Son, after Major Thomas Taylor, London, 1823

On 7 December 1821, David senior sold the Eastern Farms property to a Thomas Bowden.²⁸⁵ The proceeds from this sale are likely to have helped his taking a 'background' role in the management of Brown affairs - He was by then 71 years old but still running his cabinet-making business at Erskine Street. This event may also have been designed, in part, to assist the Brown family base shifting to Cattai, and later expanding to the Hunter valley.

Young Thomas Humphries would have been apprenticed to David senior several years at this point.

During 1821, the 'Bird in the Hand' began as a licensed inn in Pitt Town under the management of Daniel Smallwood who came out on the Matilda in 1791. Smallwood traded until his death in 1839. An inn built on an adjacent site in 1858 has carried on the name to the present.

On 2 December 1821, Major-General Sir Thomas Brisbane took Office as Governor of the Colony of New South Wales.

A son, John, was born to David junior and Elizabeth on 13 December 1821 at Cattai. John was their third child. He was baptised on 2 March 1822 at St Matthew's, Church of England, Windsor.²⁸⁶

Lobbying for Hunter Land

It is highly probable that at this point, David (II), like many others, had followed in Chief Constable Howe's trail to see the Hunter for themselves. For on 29 January 1822, David (I) wrote to the Governor through 'F. Goulburn Esqr', the Colonial Secretary on behalf of both sons, to have the promised land grants fulfilled at the Hunter, instead of the Hawkesbury:

²⁸³ Colonial Secretary's Papers, Reel 6051; 4/1748 p.165 David Brown Junior

²⁸⁴ If the average weight of a whole carcass of beef amounted to 250lbs, the number of beasts sold was 9, 11, and respectively, totalling 23. From a large herd they would be missed, 3 from a small herd, such David II had by then would be realistic and possibly his. However, the wheat and number of cattle point to someone well established in the area, probably the successful ex-convict David Brown of Wilberforce.

²⁸⁵ On 17 September 1948 the Government resumed 134 acres of the original 150 acres. The land was used by the CSRIO as an experimental station until it was proclaimed as the Ryde Psychiatric Centre 20 March 1959. Later it was known as 'Macquarie Hospital'.

²⁸⁶ NSWRS Reel 5001, V1b 1821 5726 p 293. However, the date of birth of 16 November 1821 is on his gravestone.



Sydney, January 29, 1822.

Hon. d Sir

My two sons having received orders for land some time ago from his Excellency Governor Macquarie and wishing to have the same located at Hunters River Newcastle. I will feel much obliged to your Honour to let me know if it is his Excellency's Sir Thomas Brisbane K. T. B. S. intention to permit Free Settlers to settle there"?

I called at the Surveyor General's office respecting his permission which he said he could give me no answer at present. "

I am Hon. Sir

With Due Submission & Respect

D Brown

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Apart from the fact that David has written the letter, and not used a notary; it is also significant because of his direct, informal, style of writing. The letter suggests a person who is confident, well educated, and used to writing letters. An impromptu visit to the Surveyor-General is matter of fact. While deferring to the Colonial Secretary and Surveyor-General's official status, one senses that David sees himself dealing with equals. Unfortunately, this is the only letter of his, known to exist.

Goulburn, perhaps having discussed the matter with the Governor, has passed it back to the Surveyor-General, who gave the following response:

*I am directed to acquaint you with it being the intention of the Governor to allow free settlers to locate themselves in the district of Newcastle provided the land they select remains unappropriated (and) has already been surveyed...*²⁸⁸

The reply enunciates the new policy of the settlement of the Hunter. It is qualified in several ways and doesn't specify when it is to commence let alone when David's sons might benefit. David's address for the reply is given as 'Cockle Bay, behind the Military Barracks', that is, in the vicinity of what was yet to be known as Erskine Street. This simplistic addressing is indicative of the fact that there were very few households in the area at the time, and that possibly David had his name displayed outside.

The muster of 1822, taken between 2 September and 13 September of that year, shows Thomas Humphries, (half brother to Mary McMahon, then aged 16 years) – as born in the colony, and apprenticed to David Brown, Sydney. Thomas is listed as only one of 72 apprenticeships, most of which being in the service of the dockyard and the lumberyard. David (I) is shown as one of a few employers outside the

²⁸⁷ Colonial Secretary: *Correspondence*, 1788-1825. Memorial from David Brown, 29 January 1822 (SRNSW ref. SR fiche 3042; 4/1828 No.34). See Annex B for copy of David's original letter.

²⁸⁸ Colonial Secretary: *Correspondence*, 1788-1825. Memorial from David Brown, 29 January 1822 (SRNSW ref. SR fiche 3042; 4/1828 No.34).



government who is formally listed as offering apprenticeship training at the time.²⁸⁹ The only place so far evident where David (I) employed and trained his apprentices in cabinet making is his premises at Cockle Bay / Erskine Street.

The 1822 Muster, also shows David junior as 'Landholder' at Windsor. It describes his property of 100 acres held by grant, 23 acres having been cleared and under cultivation (7 acres of wheat, 14 of maize, and 2 of barley). There was one horse, **30 head of cattle**, 30 hogs, and 200 bushels of maize in hand. As with his brother, Thomas, (promised 60 acres) the remaining 77 acres was not good for farming purposes. The muster indicates the proprietor had a residence there.²⁹⁰ This entry is consistent with the state of development evident in the entry for David shown in the 1828 census. The Muster also shows David jnr having a Government Servant assigned to him, named 'James Cook', ex Atlas, whose sentence was 'Life'.²⁹¹

From the Muster it is evident that David was well and truly established at Cattai, though the land for agricultural and animal husbandry purposes was far from ideal. Any probing north to the Hunter would have been facilitated by a comfortable established base such as the Little Cattai property afforded.

Though the road between Windsor and Sydney gradually improved, most produce from properties down river (as was David's property), was transported by boat. River trade developed to the extent that by 1880 some 450 large boats were berthing annually at Windsor Wharf.²⁹²

During 1822 the penal settlement was moved from Newcastle to Port Macquarie, and the Hunter Valley was opened up for settlement. Other enterprises developed, with convict labour being assigned to private companies and individuals rather than working directly for the government. However, coal mining remained a government enterprise until 1828.

A drought in the early 1820s accelerated the interest of settlers on the Hawkesbury in what the Hunter had to offer. 1822 is noted as being particularly bad. More cattle were driven north in search of better pastures.²⁹³

The first white child to be born in the Upper Hunter region was to Mrs. Singleton at Mudie's Creek, Patrick's Plains, in January 1823.²⁹⁴

George Loder junior, of Windsor on 13 June 1823, requested permission to proceed with his wife and family "to Patrick's Plains or Comoroy, and there to reside at his station". There he had 60 head of cattle and 1,000 sheep.²⁹⁵

On 30 June 1823, David junior and Thomas were formally granted land that adjoined Portion 39 that the former was already working. David was granted 100 acres and Thomas 60 acres. David's 100 acres formed the southern boundary of Portion 39, and extended to Caddai Creek. These are the grants to which their father's comments of 29 January 1822 to the Governor's Office apply i.e. *'My two sons having received orders for land some time ago'*.

*#A daughter, Mary, was born to David and Elizabeth on 24 December 1823 at Cattai, and baptised on 29 February 1824 at St Matthew's, Church of England, Windsor.*²⁹⁶

²⁸⁹ Entry A10804

²⁹⁰ Ref B00068 of 1822 Muster.

²⁹¹ 1822 Muster reference AO4532.

²⁹² Hawkesbury Heritage.

²⁹³ Explore the Convict Trail: The Great North Road.

²⁹⁴ Dawn in the Valley, p??

²⁹⁵ Dawn in the Valley, p35.



Elizabeth's half-sister, Catherine Humphries appears to have been living and working with the Browns about this time, for Catherine married a John Hopkins on 24 April 1824 at St Matthew's, Church of England and settled at Wilberforce.²⁹⁷ Catherine, like her sister married very young, she was only 16 years and four months of age. She is likely to have come to Cattai in 1823 to help with the household chores as a consequence of her sister being pregnant for most of that year.

Catherine would have been escorted to Cattai. It is probable that her brother, George, then about 20 years old, accompanied her. For George soon became employed by the Browns. He and his family are known to have had a working association with the Browns that lasted close to fifty years.

²⁹⁶ BDM Reference V1823 6480 Vol 1B 0. NSW SR Reel 5001, p.334. (NLA 229)

²⁹⁷ BDM V1824 3334 3B refers



Chapter 10 - Settling the Hunter

(1824 – 1832)

In the early 1820s, interest in exploiting what the Hunter region had to offer gathered pace. It was not only the land hungry and hardworking settlers of the Hawkesbury, but also cashed up and well-connected new arrivals in the colony, and corporate interests who sought land. Of the latter, the Australian Agricultural Company (AACo) was a significant force and influence in the exploitation of the Hunter and north and north-western expansion of the colony.

The AACo was organised in London by John Macarthur the younger. It held its preliminary meeting in his chambers in April 1824. Macarthur had already been in touch with the Colonial Office and learnt that the Secretary of State might be willing to give his blessing, and a very considerable land grant - The Secretary's favour was granted on the proviso that:

- the venture had considerable financial backing,
- was not merely a speculative venture, and
- the directors undertook to retain their holdings and to serve for at least four years.²⁹⁸

At a more humble level of activity, and indicative of Hawkesbury settlers, were the efforts of David Brown junior. Like many families on their part of the Hawkesbury at that time, the Browns were far from being prosperous landholders. On 17 June 1824, David sent a memorial to the Governor, seeking a grant of land on the Hunter River. This is some two and a half years after his father's expression of interest in being granted land there on behalf of he (David junior) and his brother Thomas. In his correspondence, David junior described the land near Cattai Creek as being 'unsuitable for cultivation or grazing'.²⁹⁹

It is likely that for some considerable time before this, David junior, like many other Hawkesbury settlers, began fattening cattle in the Hunter region. The cattle would have been driven south periodically to Cattai as a staging point before moving them on to Windsor, Parramatta, and Sydney markets.

David may well have been one of those trying to overcome drought conditions. He is likely to have typically of the time kept someone posted at the Jerry's Plains to tend to any cattle he had there. But by now there was a growing awareness of the need to gain a government allocation of surveyed land.

Within a few days of presenting his memorial, i.e. 22 June 1824, David (II), his father, and brother, Thomas, were each promised by Governor Darling, a modest 150 acres at Jerry's Plains. Thomas' 150 acres was the most easterly of the three grants. Quit-rent on each property was £12s. 6d. per annum; starting 31 January 1831.³⁰⁰

The Browns formally received their grants for Jerry's Plains a short time later. Given the earlier accounts, including James' grant at Cattai, it seems likely the family were in the Hunter region in anticipation of their grants. David senior's grant, Portion 29, was adjacent to land eventually acquired by the Duff family, Portion 30, known as 'Balaca', and later 'Hampton Park'.³⁰¹

Richard Hobden, to be one of David junior's long time neighbours at Jerry's Plains, was granted 620 acres in June of 1824, and promptly set about establishing his farm.

²⁹⁸ Eliza Macathur and Her World, p123.

²⁹⁹ Colonial Secretary's Papers. Memorial - 17 June 1824. AONSW Fiche3080, 4/1836B No. 105 p575, 8

³⁰⁰ NSW GG No 91 of Wednesday, 27 November 1833.

³⁰¹ Peter Duff junior is likely to have inherited the property from his father.



During 1824, George Bowman from Richmond, aged 29 received a grant of 1310 acres of land on the Hunter, near Jerry's Plains that he called 'Archerfield'.³⁰² This would have been in honour of the 140 acre property his father had owned on the Hawkesbury also called 'Archerfield' on which he had grown up. George Bowman was the brother of James Chisholm's second wife. David, of course, had his connection through his sister, Mary, being James Chisholm's first wife.

Probing a Way to the North-West

Henry Dangar, Government Surveyor, set off with a small party to explore the upper reaches of the Hunter and amongst other things look for a pass through the mountains to the Liverpool Plains. Dangar was accompanied by Assistant Surveyor, John Richards; and two other white men named Williamson and Allen; and an Aboriginal boy. They left the farm of Philip Thorley, on the Patrick Plains on 7 October 1824 and in the afternoon reached the Richard Hobden's farm at Jerry's Plains.

On 12 October 1824, Henry Dangar, crossed over the high Southward jutting spur of the Liverpool Range and camped by what is now known as Wybong Creek. On the morning of 14 October 1824, Dangar's expedition began to climb the range. *'On the crest of the Liverpool Range they were attacked by a large party of natives, possibly a hundred and fifty in number. One of the party was stuck in the head by a spear before they knew the blacks were near. The natives took possession of the horse carrying the provisions, clothes and cooking utensils. After the attack the white men "rallied and made front for about three hours". The natives content with their booty, allowed them to proceed without further molestation. The explorers had their blankets on their saddles and carried about 25 lbs of flour in their saddle-bags.'*

'They camped for the night about four miles from the crest of the range and commenced their return on the following day. Minus the pack horse and its load and with one man bearing a spear wound in his head, Dangar's party eventually reached Dr Bowman's farm, which is the highest on Hunter River.' *'The challenging route of the explorers' return over the mountains became known by the deceptive name of 'Dangar's Pass' and was so described on early maps.'* Word of Henry Dangar's adventures and discovery soon spread.³⁰³

Away from the Frontier

A list of those settlers willing to serve as juror was compiled on 22 November 1824 by the district constables of the Hawkesbury. Included was David junior, and his neighbours, the Arndells. Also on this list are Richard and Edward Alcorn of Windsor.

David junior's brother, Thomas, married Mary Ann Bridget O'Neil (or O'Neal) aged 21, at St Phillip's Church of England on 30 November 1824. Mary was an immigrant from Ireland³⁰⁴ who had arrived on the 'Woodman' the year before,³⁰⁵ and daughter of Thomas O'Neal, an ex-convict who has apparently encouraged his daughter to come out to the colony.

It is probable that the one cottage then remaining on the Erskine Street site was divided into two dwellings to accommodate both David senior, and Thomas and his bride in separate quarters. Any other buildings that might have been there as a consequence of it being formerly two allotments would have been used as a workshop for the family's cabinet making business.

It is known that David senior gave much of his time to his family at Cattai and Lower Minto. That may have commenced in earnest about now to make way for Thomas. At Cattai David senior would have taken

³⁰² "Archerfield" was on the Hunter River opposite John Browne's Maison Dieu and where Glennies Creek comes in. It was about 10 km downstream of "Great Lodge" and thus about 15 km downstream from Jerry's Plains. According to Ian Ellis in The Ellis of Chaddlehanger, in 1824, George also purchased 1120 acres upstream of Jerry's Plains which remained relatively undeveloped until he purchased adjoining properties. By 1836 this became known as "Blakefield" and consisted of 7520 acres.

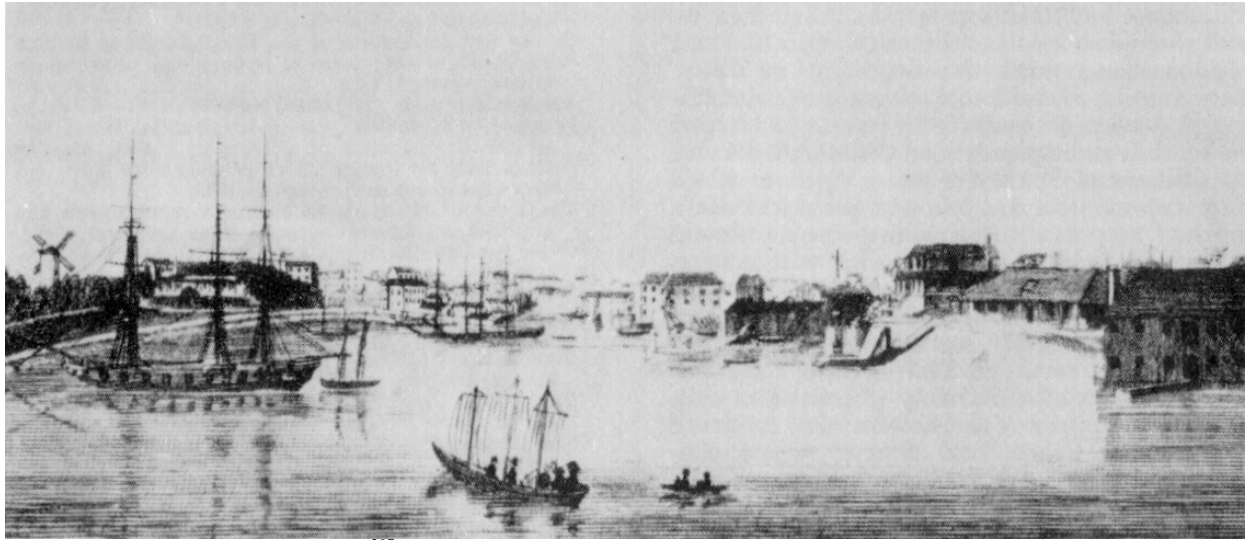
³⁰³ Dawn in the Valley, p44,45, 'It was recorded of this so-called pass that when the loads were taken off the pack horses and manhandled to the top, the men clasped both arms round the trunks of small trees to avoid dropping into the ravine below, in their exhaustion.' P43

³⁰⁴ Marriage registration V1824 3461 3B O and V1824 379 8 St Phillip's.

³⁰⁵ 1828 Census Ref B2771. Note: not Mary Ann Dunn as claimed by Blanche Jenkins in her history of 1946.



up residence in his own quarters³⁰⁶ adjacent to son, David junior, on portion 39 where he could assist in the development of the farm. At Lower Minto, he was able to assist his grandson, Jas Chisholm in the establishment of St Andrews.

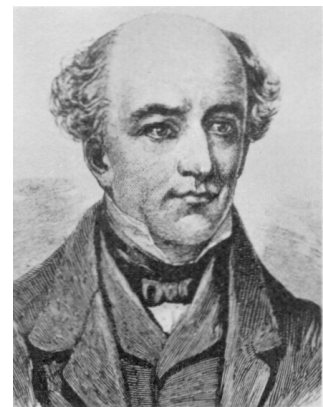


Sydney Cove. View to the South 1824³⁰⁷

Working Jerry's Plains in Earnest

The Browns had received their grants at Jerry's Plains, Portions 27 to 29 about the same time Richard Hobden received his allocation, that is, June of 1824.³⁰⁸ David junior began to repeat the process that his family had put in place from Kissing Point for the development of the Cattai Creek property. David junior now used Cattai as a base to develop the Jerry's Plains properties in earnest. Periodically he would have given attention to the construction of buildings and stockades needed for basic farming needs and the family's ultimate relocation there.

However, commuting to and from Jerry's Plains was not a simple process. As testified by Dr Allan Cunningham who set out to explore the Upper Hunter. He was following up on an expedition to the Upper Hunter of May 1823. Cunningham left Riclimond Hill on 29 March 1825, with the purpose of making the Hunter River at its nearest bend. He found Howe's route of 1820 very difficult. *'The narrow defiles and abrupt precipices were dangerous to men and heavily laden packhorses, and impassable by cart. The men were forced to unload the pack horses and carry the loads themselves through a gap, and again down an abrupt mountainside to descend lower Wollombi, or Cockfighter.'* *'The party had traveled 100 miles from 500 feet to the valley of the Richmond in 13 days when on 11 April they reached the extensive sheep farm of John Marquet Blaxland on the Wollombi.'*³⁰⁹



Allan Cunningham³¹⁰

In April 1825, Cunningham's party observed evidence of a very high flooding at Jerry's Plains. They were especially astonished to see 'the wrack and stubble of a flood 50 to 60 feet above the river level as they saw it.' Unfortunately, Cunningham's reporting of flood levels of the past was ignored by settlers and

³⁰⁶ The Sydney Herald of 28 November 1831, Article re bushranger attack on family at midnight suggests David was accommodated outside the family's main living quarters. This could have consisted of an external room built on to the side of existing house or a separate building.

³⁰⁷ An engraving from The Gentleman's Magazine. 1824

³⁰⁸ In the 1825 'muster' David was described as 'Landholder' reflecting his receipt of, and developing, the Jerry's Plains grant of land (Portion 29). Their neighbour Richard Hobden had received his grant in June 1824, indicating that the land in that area had been surveyed.

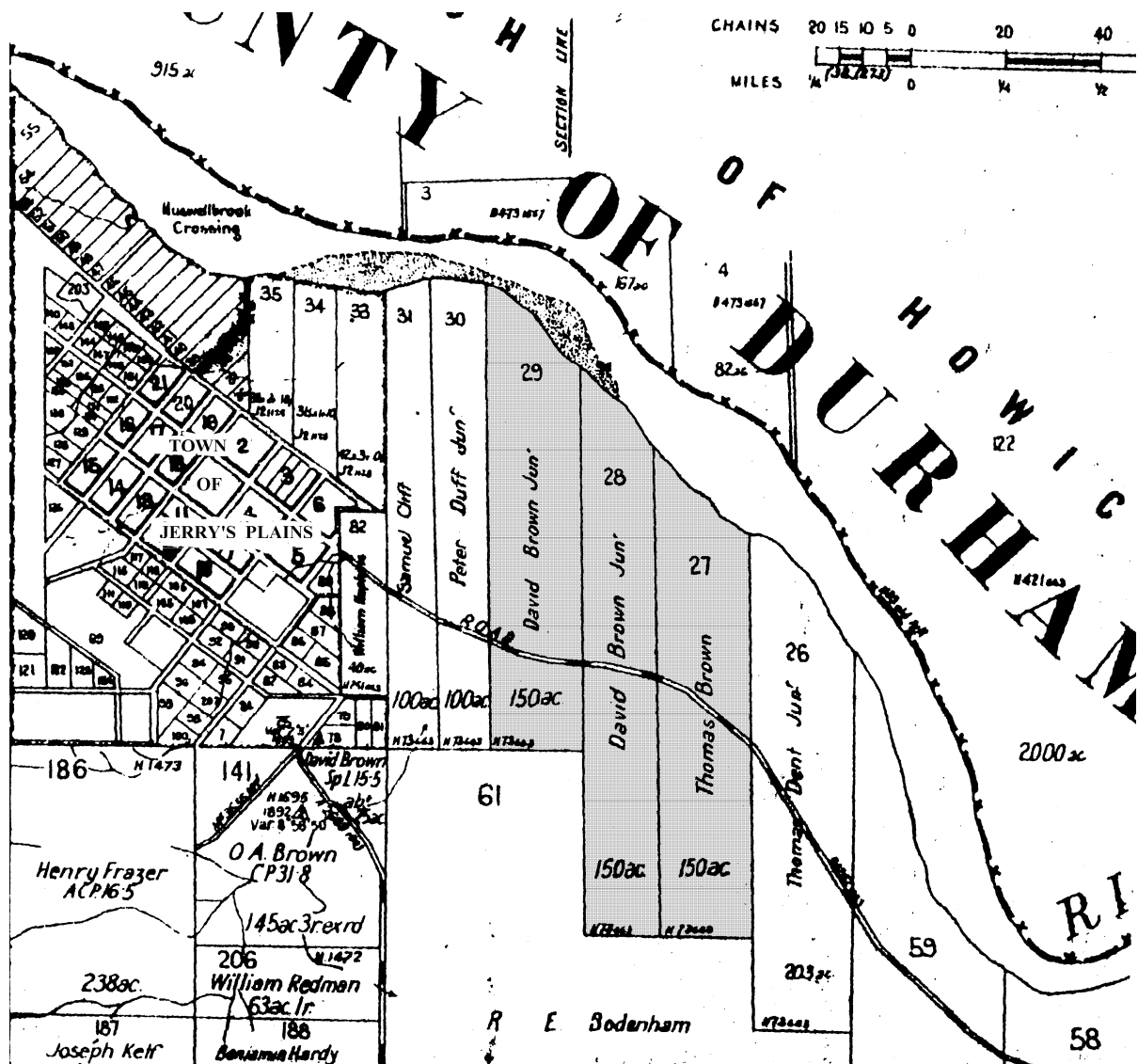
³⁰⁹ Dawn in the Valley, p46.

³¹⁰ Picture Atlas of Australia



Government alike. It was a factor of significance that was to catch up with them and later generations several times over.

John and James Duff arrived in Jerry's Plains in 1825 to settle on land granted to their father, Peter Duff. It was Portion 30, which was alongside the land granted to David Brown snr. The Duffs had come via what was described as 'the very rough and still difficult Bulga Road' with their cattle, packhorses, and various family members, including women, and children.³¹¹ Portion 31 had been taken up a year or so before by their brother-in-law Ann and Samuel Clift (b1791). Clift, a convict transported to Sydney 1818 on CT Neptune, had married Peter Duff's oldest daughter on 8 March 1823. Thanks to Peter Duff's influence Clift was granted Ticket-of Leave which entitled him to own land. Co-incidentally Duff was given Portion 31 that same year as a retirement grant. Samuel and Ann Clift took up residence to effect improvements and attend to the livestock that had been transferred from Windsor.³¹²



This late 19th century map shows the three Portions of land granted on 22 June 1824 to the Browns (cross hatched) in relation to present site of the Town of Jerry's Plains. The original town site centred on Thomas' Portion 27. The Brown's inn was located on Portion 29 on the south side of the highway. Note – Portion 29 was originally allocated to David Brown Senior.

³¹¹ First village of Jerry's Plains, by Ian Ellis, Hunter Valley News 30 Sept 1992.

³¹² Who Was Who on the Liverpool Plains 1941, 12



Again, David jnr was included on a list, of those willing to serve as juror, compiled in August of 1825 by the district constables of the Hawkesbury. His neighbours, the Arndells are also on this list as they were in the November 1824 list. Noticeable by their absence are the Alcorns.

At Little Caddai Creek, in a memorial to the Governor on 5 September 1825, David junior states via a notary:

*"David Brown of Caddai Creek". "Has received a grant of 100 acres from Governor Macquarie on which he resides with his wife and four children. "However, he "has not received the indulgence on the stores attached to his grant "and solicits his Excellency to be given the indulgence."*³¹³

The reply dated 6 September 1825 came back:

*"I have the honour to request that David Brown, his wife, and four children, together with the Convict Servant may be victualled from her Majesty's Stores at Windsor for six months from the present date."*³¹⁴

It is possible that David junior was using the 100 acres granted to him by Governor Macquarie to gain entitlements to work the neighbouring Portion 39 held by the family since 1806

In response to a petition by settlers, Assistant Surveyor, Heneage Finch, was sent in 1825 to survey a 'suitable' northern route from Sydney to the Hunter region, which was to be called 'the Great North Road'. The road he surveyed followed a series of aboriginal tracks along ridge-tops.³¹⁵

In the October 1825 Muster, David senior was described as 'Landholder' – This contrasts with David's occupation given by him of 'Cabinetmaker' and 'carpenter' in the 1814, 1822 musters and 1828 census, and declared on his behalf when he died. The 'Landholder' status reflects David having received, and being in the process of developing, the grant of land at Jerry's Plains (Portion 29) and having given up Cabinet making as a livelihood for himself - Probably because the business had, typically, been the source of much hard work and very little remuneration. The October 1825 Muster shows David's son, Thomas, as a 'Cabinet Maker' of Sydney having come on the 'Earl Cornwallis' in 1801.

Richard Alcorn and wife, from South Creek, near Pitt Town, arrived in the Hunter in early 1826 to take up 60 acres of land at Fal Brook granted to his brother Edward. Alcorn had come to establish a farm for a Captain Robert Lethbridge. Richard and Charlotte were accompanied by their baby daughter, Sarah Jane (born 28 January 1826), Charlotte's brother, Isaac Gullidge, and three assigned men.³¹⁶ Not long after arriving, the family was nearly annihilated in an attack by Aborigines that resulted in several assigned convicts being killed.³¹⁷

*#A daughter, Catherine, (known as 'Kate') was born to David junior and Elizabeth on 22 May 1826 at 'Little Caddie Creek'. She was baptised on 2 July 1826 in the Parish of Wilberforce, at 'St John's, Church of England, Parramatta.'*³¹⁸

³¹³ Colonial Secretary: *Correspondence*, 1788-1825. Memorial from David Brown, 5 September 1825 (SRNSW ref 4/184OC No.87 page 499; SR fiche 3122)

³¹⁴ Colonial Secretary: *Correspondence*, 1788-1825. David Brown, 6 September 1825 (SRNSW ref. 413515 page 280; SR reel 6015)

³¹⁵ Explore the Convict Trail: The Great North Road.

³¹⁶ Merry Hope to George Simpson 2008

³¹⁷ Dawn in the Valley. Richard Alcorn later to become a neighbour of David, and his daughter, Sarah Jane, later to become the wife of David's son, John.

³¹⁸ NSW SR 5002, BDM Reference V1826 491 10 0, NLA mfm NX229. There are two registrations for Wilberforce parish and one for St Johns at Parramatta. I presume she was baptised in Wilberforce parish on the Hawkesbury and has registered a second copy of the baptism at Wilberforce. The St Johns baptism could be a second baptism.



In 1826, David senior made a deed out selling or transferring his Portion 30 of the Jerry's Plains land and the house on it to David junior.³¹⁹ An indication that both men had been working the Jerry's Plains grants in earnest for some time, even then.

However, on 31 October of 1838 it was plain that David had misplaced the deed for in the Government Gazette of that date. The Land Commissioners in notifying of the Crown's intention to grant the land to David junior, note that David senior 'it is alleged, devised to his son, the claimant.' By then, however, David junior was his father's only surviving child.³²⁰ The official date of transfer of the deed to David was 12 July 1839.³²¹

Also about 1826, David senior transferred his right to the Little Cattai Creek property (Portion 39) equally between sons, David junior and Thomas.

During 1826 Benjamin Singleton was the first to take cattle into the Liverpool Plains via the treacherous Dangar's Pass discovered by Henry Dangar in 1824.³²²

Samuel Eather and family at Richmond drove their stock up the Bulga Road in 1826 in response to an advertisement by Benjamin Singleton at Patrick Plains, offering agistment. The Eathers, having settled in the area subsequently applied to the Government for a grant of land, which led them to settle at Jerry's Plains.

Construction of 'the Great North Road', which for many years served as the main road north from Sydney to the Hunter valley, began in 1826. Convict gangs were to take some ten years to build the road through rugged bushland - Some 700 convicts worked on the road at any one time. They cleared timber; grubbed out stumps; made level surfaces; dug ditches; blasted and shaped stone, and shifted it into position (some of the blocks weighed up to 600 kg). Their hard labour cleared a path of about 20 metres wide, constructed various retaining walls, culverts, and 33 bridges.³²³

Solomon Wiseman's ferry service on the Hawkesbury at 'Lower Portland Head' (later known as Wiseman's Ferry), began in 1827 as part of the Great North Road.³²⁴ It was the first crossing facility installed on the Hawkesbury.³²⁵

A one-man police presence was established in Jerry's Plains during 1827 to serve that district - He was Constable J. Needham.

³¹⁹ Mitchell Library Doc 2197. Letter of 17 March 1914 Emily J Brown of Neutral Bay to genealogist G. R. Nichols: 'About 1906 a deed relative to this property came into our possession but too late for the family to do anything in the matter. ... I don't think the son had possession of it' (the deed and the land). Note: David junior's Will indicates he had possession of the land. Emily was widow of George Brown and daughter-in-law to David Brown junior. 1906 is the year George died.

³²⁰ NSW GG. P. 961 of Mitchell Library bound copies.

³²¹ NSW GG No.441 of 14 August 1839. P. 906 of Mitchell Library bound copies

³²² Allan Cunningham began his long journey into the Liverpool Plains and the unknown north in 1827 by this route.

³²³ 'Rather than be allowed to languish in gaol many convicts who had committed another offence were sent to build roads in remote areas. They were assigned to Iron Gangs and worked in leg-irons - an iron collar around each ankle was joined together by a length of chain. Weighing up to 6 kg these could only be put on or removed by a blacksmith. After completing a sentence in an Iron Gang men were often transferred to a Road Party, where they undertook the same work, but without having to wear leg-irons.

One overseer was assigned to each gang of between 50 and 60 men. The Surveyor General appointed one of his principal surveyors - called Assistant Surveyors - to supervise construction in each area, with several convict gangs to undertake the work.

The men lived and worked under difficult conditions - the discipline was harsh and the shelter minimal. Permanent camps with timber or bark huts were built where the men were likely to be stationed in the one area for a long while, but in other places men lived in tents which could be moved as the road progressed. Some convicts absconded, but most didn't stay at liberty for long as the bush was wild and forbidding to those unaccustomed to it.' - Explore the Convict Trail: The Great North Road. Tourism NSW (in consultation with the Road Transport Authority), 2001.

³²⁴ Solomon Wiseman was an ex-convict who settled at Lower Portland Head on a land grant in 1817. He won a government contract to convict labourers working on the road, and opened an inn in 1826-27.

³²⁵ Australians, Events and Places, ISBN 0 949288 13 6



Portion 39 was now owned jointly by David junior and Thomas, though it was David junior who was in occupation and had been working the property. Portion 38 of 100 acres became the subject of a 'Bargain and Sale from David to Thomas on 1 October 1827. In return, David junior acquired Thomas' share of Portion 39. Thomas now had a total of 160 acres. Witnesses to the contract were long-time neighbours, Thomas and James Arndell, of Portion 40, sons of Dr Thomas Arndell, to whom Portion 40 was originally granted. As barely 10 acres of Thomas' original 60 acres was arable, the swap may have been an attempt to ensure Thomas' overall holding there was more viable.³²⁶

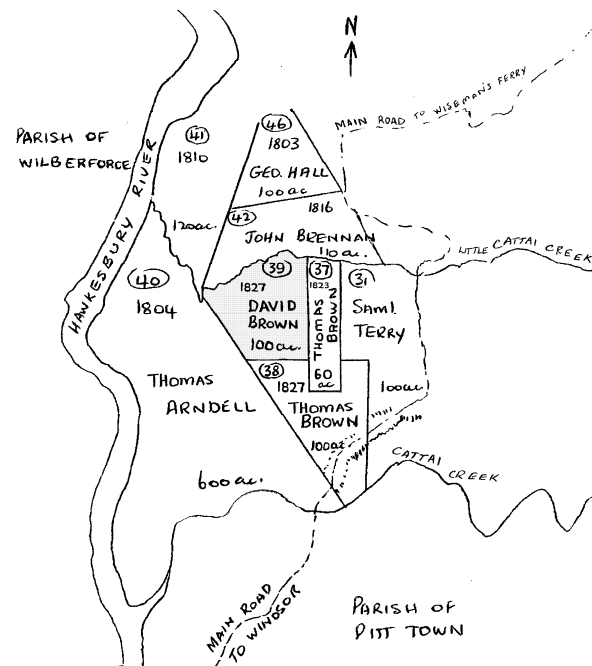
In contrast, the land available for cultivation on David's Portion 39 was one of the richest alluvial flood flats still being farmed in the mid 20th century. There was some 35 acres of Portion 39 that could be depended on to grow whatever market garden vegetables were in demand.

Portion 39 by now was known simply as 'Browns Farm' and identified as such in the 1827 sales documents. It continued to be described as such for most of the 19th century.

A son, 'David,' was born to David and Elizabeth on 3 November 1828 at Cattai and baptised on 14 December 1828, in the Presbyterian Church, a short boat trip across the river at Portland Head (Ebenezer).³²⁷ This was during the time of that church's first minister, the Rev. Dr John McGarvie, who served at Ebenezer from 1826 to 1831.

In addition to any private boating facility the Browns could call on, there had been a punt in service on the Hawkesbury River from Pitt Town to Wilberforce up two years prior that had fallen into disrepair.

In 1828, a new punt, 32 ft long and 12 ft wide, was launched at the building yard of Johnathan Grono to replace the other. The right of the new ferry belonged to a farm recently bought by the Trustees of the Ebenezer Church for £320.³²⁸



Ownership of Brown's Cattai grants as at 1827

The 1828 Census

The 1828 Census, conducted in November of that year, states David junior as 45 years. It also shows him having six individuals, other than his immediate family, at the Little Cattai Creek property (Portion 39)³²⁹ in his charge. These included:

- David 'Humphreys' 13 yrs and George 'Humphreys' 19 years, 'Born Colony', 'lives with David Brown'. David and George Humphreys were Elizabeth's half-brothers, - For David Brown it was a case of employing and feeding some of his wife's family;
- William Ellon 28 yrs, Labourer, Government Service for 7 yrs, Transported on the Princes Royal, arrived in 1823;

³²⁶ Or as suggested by Merryll Hope 2008, 'the swap was done so they could sell off the worst land, or if Thomas was seriously in debt, his creditors would get the worst!'

³²⁷ BDM Reference V1828 14 162A 0. Portland Head, Presbyterian Register. David born 3 November 1828 to "David Brown, Lower Pitt Town settler, and Mary Elizabeth McMahon," baptised 14 December 1828 by Rev. John McGarvie. Per P. Booker.

³²⁸ Two Hawkesbury Pioneers, p146-147.

³²⁹ Location given in census was 'Pitt Town' which was a regional description at the time which encompassed nearby Cattai.



- William Griffiths 27 yrs, Labourer, Government Service for Life, Transported on the Hadlow, arrived in 1818;
- Jane Rogers 46 yrs, servant, Government Service 7 yrs, Transported on the Lord Sidmouth arrived 1822; and
- Henry Vaughan 37 yrs, Labourer, Government Service 7 yrs, Transported on the Florentina, arrived 1828.



A sorghum crop being harvested on Portion 39's alluvial soil in 2008³³⁰

The youngest in his family at the time, David (III), was only one week old.

The 1828 census also reports David junior as having 28 acres of 100 acres under cultivation, 4 horses, and **130 cattle**.³³¹ To manage this, and the Jerry's Plains property, he had six able bodied male workers including himself, that are known, with some assistance from the older children. Elizabeth would no doubt have used the services of Jane Rogers (and any other female convict help that available to her) for dealing with supporting farm work tasks and domestic chores.



The 'Bird in the Hand' Hotel, built circa 1858 on the opposite side of the road from the original 'Bird in the Hand' operated by Daniel Smallwood in the 1820's and 30's.³³² (JIG)

³³⁰ Photo courtesy C & R McKenzie current occupiers of Portion 39 Cattai

³³¹ 1828 Census, B2574 of Appendix 3

³³² Daniel Smallwood who came out in the Matilda in 1791 obtained a licence in 1821 which he maintained until his death in 1839. He traded under the sign of the 'Bird in the Hand'. The Smallwood family held the licence until 1848. It is likely that the 'Bird in the Hand' as a wooden structure until it was replaced by more substantial masonry structure in 1828. Daniel Smallwood had briefly owned a boat called the "Hope" in which he conducted trade on the Hawkesbury up to 1803 when the vessel was wrecked. 'The Maid of Australia' inn, across the road from the 'Bird in the Hand' was licensed to Richard Mawson from 1858 to 1882. Hawkesbury Journey. p68.



For the Browns, or the Humphries boys, family connection weren't far away. Catherine Hopkins (nee Humphries) was living at Wilberforce, Patrick Humphries and son, Thomas, were farming downriver at Kincumber, a convenient boat ride away.

The 1828 Census barely mentions at Jerry's Plains. Only a C. E. Brown with some 2500 acres is the only entry. David Brown's long time friend and neighbour there, Richard Hobden, like some others, seems to not exist. It is known that there was more than the occasional dwelling there. Thanks to Henry Dangar, Government Surveyor, there is a record of a 'Hobden' being established there in June 1824. It is likely that this situation reflects the predominance of absentee landlords – Grants being held mainly by Hawkesbury settlers who fattened their cattle there.



*Sir Ralf Darling (1775 – 1858)
Governor of NSW*

*December 1825 to December 1831.
Regarded as an efficient
administrator.*

There were 616 names returned in the 1828 census for the Pitt Town district. Of those 251 were 'Born in the Colony', 184 Labourers, 53 Farmers, 26 Servants, 9 Carpenters, 9 Shoemakers, 7 Stockman, 3 Stockkeepers, 3 Landholders (2 of whom were female), 3 Blacksmiths, 3 Butchers, 2 Coopers, 1 Limeburner, 1 Gunsmith, 1 Constable, 1 bricklayer, 1 Baker, 1 Tailor, 1 Clergyman. The clergyman was M. Devinish Meares who had 5 'Pupil's age between 7 and 14 years living with him.

The Hunter was sparsely populated at the time. Some 500 people are acknowledged as being in the Patrick and Paterson Plains' Districts. This essentially represents the entire Hunter east of Jerry's Plains. Even then, there appears to be a few individuals who were registered twice, once in each district. The small population may well have been due the Hunter being in the grip of drought. Rev. J. D. Lang visited the Hunter region in 1828 and observed that 'in the company of other settlers, those at Patrick Plains had suffered in drought, that 'no settler had sufficient wheat for his own needs'.³³³

1828 Census shows David Brown, 78 years, CF (Came Free) on Earl Cornwallis, residing with Mr. Chisholm, St Andrews, Lower Minto (now known as Narellan, near Camden). The age given for David is consistent with his stated age at time of death.³³⁴ It seems that David senior and a close relative from Scotland of James Chisholm senior, Mr. Alexander Chisholm, were living with and "helping", young Jas Chisholm, who managed the Lower Minto property on behalf of his father.

Corporate Momentum on the Hunter

In September 1828, the 'Australian Agricultural Company' (AACo) was granted exclusive rights by the Colonial Office to mine coal in the Port Stephens area for 31 years, at the mouth of the Hunter. They also got a 2000 acres land grant with the right to mine coal.³³⁵ Until this time coal mining was under the control of the Government with convicts providing the labour. The Australian Agricultural Company relied for many years on convict labour to develop its coal mines settlement at Newcastle. AACo's advent was a significant factor in the development of the Hunter, and the colony in general.

Work on the 'official' road north of the Hawkesbury, began opposite Dural in 1829.³³⁶

³³³ Life & Times of Henry Dangar, p33-4.

³³⁴ However, there was also David Brown, aged 70, cabinet-maker, arrived 1821 on Earl Cornwallis, shown as residing there – perhaps a case of doubling up with confused information (due to eights looking like 2's or 0's) rather than another person? Three government servants with David are also entered in the census twice with variations in detail.

³³⁵ Pure Merinos and Others, pages 7 & 8.

³³⁶ Australians, Events and Places, ISBN 0 949288 13 6



Governor Darling attempted to implement a “19 Counties Plan”, largely for administrative convenience, to restrict settlement to a radius 240 kilometres from Sydney.

David junior applied for ‘Government Servants’ in 1830.³³⁷

David junior purchased two allotments (No’s 9 and 10) in Pitt Town, which were bounded on the front by George Street, from Robert Hobbs (1764 -1839) on 12 July 1830. He did so ‘In consideration of the sum of £20.5.0 (twenty pounds five shillings) of lawful British Stirling Money’.³³⁸ The allotments were also bounded by property owned by Daniel Smallwood, licensee of the ‘Bird in the Hand’ inn. Robert Hobbs was an ex convict had been granted 60 acres in the Pitt Town region. He was also the great-grandfather of Ellen Turner who married David’s son, Alexander, many years later.

The purchase was the subject of a memorial to the Supreme Court of NSW on 3 November 1836.³³⁹ One of the witnesses to the sale was John Howe, who had discovered the trail north to the Hunter some ten years before. The memorial describes the property as bounded:

‘..... on one side of Williamson’s allotment now in the possession of Danial Smallwood, on the other side by Richard Sergeant’s allotment, and on the back thereof by a farm granted to James Wilbow the younger now in the possession of David Horton and containing the whole about one hundred and twenty rods, more or less’

Owing to heavy rains, there was minor flooding of the Hawkesbury region during the years 1830 and 1831 following three years of drought. The drought ‘had been so severe that the settlers had been obliged to dig up couch grass roots, wash them and feed them to their stock.’³⁴⁰ The floods in their turn caused property to be damaged, crops and stock lost, and field labour was suspended for a time. Roads were noted to be in a bad state.³⁴¹ These difficult conditions caused settlers like the Browns and their neighbours to travel far a field to seek out new pastures. Hawkesbury settlers were driven to head north to the Hunter following the way explored by John Howe. Conditions on the Hunter, due to the heavy rains, had much to offer. In the Patrick Plains region, good crops of wheat were in production.³⁴²

As well as David maintaining properties at both the Cattai region and Jerry’s Plains during the late 1820’s and 1830’s he acquired others in a variety of locations e.g.: Millie, Maitland, Muswellbrook, Singleton, Paterson, and Pymont/Balmain in Sydney. It is likely that David left his father to help Elizabeth run the Cattai property while he was becoming increasingly involved in Jerry’s Plains.

David had a reputation of breeding horses.³⁴³ It is likely that he commenced that activity at his Jerry’s Plains property to meet his own needs. Frequent travelling between Cattai and Jerry’s Plains and other locations, driving cattle between properties and to market would have encouraged that need. Initially, some of the droving of cattle may have necessitated some of the drovers to be on foot. The 1828 Census only acknowledged the existence of one horse. However, the census states nothing about the family possessions at Jerry’s Plains. As pointed out earlier, Jerry’s Plains seems to have been largely overlooked by the Census.

³³⁷ NSW Governors dispatches 1830 p.329 and 1832 p.177.

³³⁸ NSW Land Titles Office – Book K, No. 493. Application. 39195 (pt.) page 130 refers.

³³⁹ NSW Land Titles Office – Book K, No. 493. Application. 39195 (pt.) page 130.

³⁴⁰ Macquarie Country, p18.

³⁴¹ Sydney Herald, April - May 1831

³⁴² Life & Times of Henry Dangar, p35.

³⁴³ Singleton Historical Society Register.

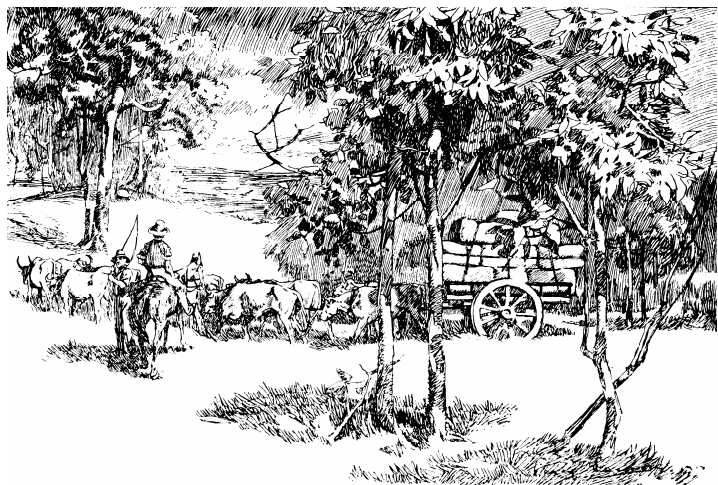


Circa 1831, the 150 acres at Jerry's Plains originally granted to David's brother, Thomas, (Portion 27) was purchased by J. J. Peacock at the Sheriff's office sales, who resold it.³⁴⁴ It is unlikely that Thomas spent any time there at all. It raises a number of questions, including 'why David didn't attempt to purchase Portion 27 for himself', or 'whether David knew about it.' Whatever happened, David managed hang on to the remaining two portions, (i.e. 28 and 29), and develop them in earnest.

Due to a legal dispute between John Duff and an insolvent William Carter, who had lost Piercefield and Martindale in the 1830 depression, the NSW Sheriff had offered the Jerry's Plain's property for sale in 1832. A John Peacock purchased the property at the sale and immediately offered it for resale.³⁴⁵ Richard Alcorn ultimately purchased Portion 27 on 5 August 1833. The property proved to be the one of the most significant pieces of real estate in the development of Jerry's Plains.³⁴⁶ 'This strategically place could have been even more successful than it proved to be if the highway and railway routes had not eventually bypassed Jerry's Plains'³⁴⁷

On 15 October 1831, Richard Alcorn was issued a license to keep the 'Greyhound Inn' at Fal Brook, 18 km North-West of Singleton.

The opening of Bulga/Putty track, the beginnings of Great North Road, and the shipping services from Sydney to the Hunter, the late 20's and early 1830's had a flow-on effect. The 'wheels and hooves of emerging rural commerce,' slowly begin 'to wend their way through Jerry's Plains at a rate of 20 kilometres per day.' The traffic was on its way to the Goulburn River (which flowed into the Hunter near Merton [now Denman]) and beyond to the west and north-west. At Jerry's Plains men camped overnight on convenient private land in the vicinity of the junction of this track and the one that forded the river some four miles upstream and then veered north into the upper valley.' From there settlements spread west and northwest. In the circumstances, Jerry's Plains was a logical place to have an inn. By now David junior was as much a citizen of Jerry's Plains as Cattai and Pitt Town. David and his neighbours would have understood what was drawing people and that the flow had every prospect of not only continuing, but also increasing.



'wheels and hooves of emerging rural commerce,' slowly begin 'to wend their way through Jerry's Plains at a rate of 20 kilometres per day.'

In response to the situation David, and later, Richard Alcorn, his soon to be neighbour, each built a public house there. David's inn became known as the 'Green Gate'.

³⁴⁴ First village of Jerry's Plains, by Ian Ellis, Hunter Valley News 30 September 1992. Ellis refers to Thomas, settling in Jerry's Plains in 1832 but seems to be confusing David's brother with David's eldest son who very much involved himself in his father's business affairs in Jerry's Plains.

³⁴⁵ Alcorns – Their Fathers were Convicts. Philip Booker

³⁴⁶ First village of Jerry's Plains, by Ian Ellis, Hunter Valley News, 30 Sept 1992. Ellis refers to David and his brother Thomas settling there in 1832 but seems to be confusing David's brother with David's eldest son who very much involved himself in his father's business affairs in Jerry's Plains.

³⁴⁷ First village of Jerry's Plains, by Ian Ellis, Hunter Valley News 30 Sept 1992

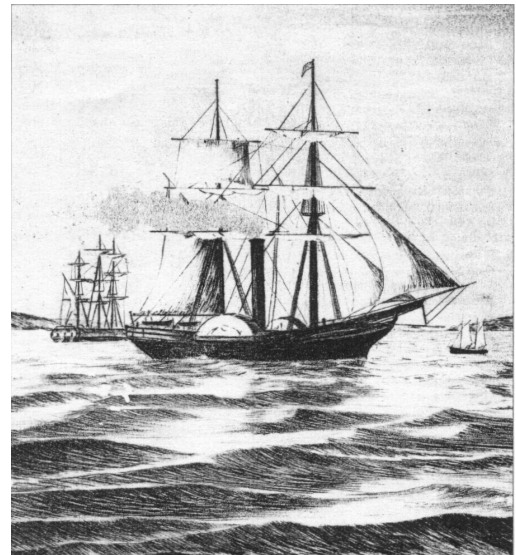


The Impact of Steamship Service

David Brown and his employees, and sons, commuted overland back and forth between the Cattai, and Jerry's Plains properties to the north, by horseback and moving cattle on the 'Bulga track' pioneered in 1819 by John Howe. Later on the Browns may have very occasionally taken advantage of the better 'Great North Road' route, and the comparatively fast steamship service (once established) for travelling to Sydney with women and young children of the family or the transport of goods, especially where they needed to travel via Newcastle or Maitland. Generally, settlers on the lower Hunter tended to use the 'Great North Road', when rugged terrain was not a concern, and driving cattle to southern markets. Settlers on the Upper Hunter, such as David, tended to use the 'Bulga track'.

The first steamer to service the region 'S.S. Sophia Jane' from Sydney docked at the Green Hills (later known as Morpeth³⁴⁸) on 12 June 1831. It was also the first steam powered sea going service in Australian waters.³⁴⁹ A regular weekly service to Newcastle and Green Hills commenced on Friday evening at 8 o'clock, from Campbell's Wharf, on 8 July 1831.

The "Sophia Jane" was a flush-decked schooner rigged paddle ship. Small by later standards at 256 tons, 50 horsepower, she only drew six feet draught and travelled at eight miles an hour. In 1832, the 'Sophia Jane' was joined by 'William the Fourth', a locally constructed schooner rigged paddle-driven boat. These two vessels were soon joined by many others, to move goods between Morpeth and Sydney.³⁵⁰ From this point on, travelling by sea between Maitland and Sydney became safer and more reliable than previously possible by sailing vessel – And generally the fastest way to travel to Sydney until, perhaps the advent of a railway service Morpeth's success was based on the flourishing river trade. Green Hills 'operated as a funnel for the produce of the rich Hunter region' from the 1820s, initially by sailing boat. 'A survey map by G.B. White in 1833 showed as many as eight wharves. It should be kept in mind that Newcastle, at this time, had no port facilities for general cargoes, being merely a loading point for small colliers of light draught, while the road between Maitland and Newcastle, as a means of access, was practically impassable.'³⁵¹



*Sophia Jane, From an Etching by an unknown artist
(Mitchell Library)*

#David and Elizabeth's son, George, was born on 12 July 1831 at 'Lower Pitt Town', and baptised 24 August 1831 at Pitt Town, Church of England, parish church.³⁵²

The Sydney Morning Herald of 28 November 1831 reported on the Hawkesbury:

'THE CROPS – The crops are in an excellent state on the Hawkesbury, and the several branches; and harvests will commence in a week or fortnight at the most. Some indications of rust were observed long ago, which have increased since the

late rains, and the rust has spread over a considerable portion within the last fortnight. The tares are exceedingly nutritious on the flat lands. The early corn is healthy, and the orchards present a luxuriant display of fruit. We cannot give

an opinion as to the quantity compared with last year, but it is said by good judges, that it will not, be so great as was anticipated in the early part of the season'

³⁴⁸ The new town of Morpeth was founded by E. C. Close in 1834 per Readers Digest 'Australian Places' 1993

³⁴⁹ The Sophia Jane arrived from England on 17 May 1831. Commemorative Plaque by Council of City of Maitland 8 September 1979 at Former Courthouse built 1862 refers.

³⁵⁰ Readers Digest 'Australian Places' 1993, Item 127. A letter date 30 December 1841 to the Hunter River Gazette argued the need for the steamship service to be extended to Maitland. At that time the writer suggests that that part of the river was only being used by 'a few sailboats' - He? acknowledged Morpeth was only five miles by road to Maitland – This geographical factor tended to cause destinations for steamships going to Morpeth to be described as Maitland.

³⁵¹ Morpeth: Where Bishops and Ships Once Rode Tall, 1989, Shirley Richards and Peter Muller, Published by Kookaburra Educational.

³⁵² BDM Reference V1831 609 15 0 and V1831 10733 1C 0 (NSWSR Reel 5001).



Bushrangers

Also evident in the same paper, was the fact that David senior was living at Cattai, not far from his son and daughter-in-law. The Sydney Herald of 28 November 1831 reports:

"Last week, Mrs. Brown of Caddie Creek, was startled at midnight by a cry of murder, which she supposed was occasioned by violent treatment to her father-in-law, a respectable settler of long standing in the colony.

Mrs. Brown called up the government servant, and presented him with a loaded pistol, when he voluntarily proposed to rush out of the house to his rescue. On putting his proposal into execution, he was surprised to see a man standing at a short distance, on which he went boldly up to him, and desired him to deliver himself up. The stranger, however, thinking he had got into hot water, made off for the fence, which he

leaped over, but not till he had received the contents of the pistol, as was obvious in the morning by the marks of blood. The government servant followed hard after him, but when about to leap the fence, he heard a noise behind him, and on looking round, saw another bushranger coming towards him, upon which he resolutely seized the pistol by the barrel, and struck the second assailant a severe blow upon the head, upon which he also followed his companion.

The government servant suspecting that a greater number of bushrangers had assailed the house, returned to the assistance of his mistress, and receiving another pistol, he returned to

the fence but could find no trace of the depredators, who had been thus beaten off without doing any injury.

The cry of murder, it is supposed, was raised by the villains themselves, to induce the family to open the door of the house, when they would have rushed in and plundered it, and perhaps murdered the inmates.

When executions are the daily place of unfortunate men who run into the bush, some mark of approbation should be conferred on so heroic an action as this, in which the property, and perhaps the lives of the numerous family, were saved by the fidelity of a courageous domestic."

At this time there were likely to be five of Elizabeth's seven children with her in the house. The article also makes it clear that David (II) was away in some other part of the colony, most likely Jerry's Plains, or somewhere in between. It is probable, that he was accompanied by his wife's half-brothers; George, and David Humphries, (who by then were 16 and 22 years old) and possibly sons; Thomas, and James (ages 14 and 12).

This event revealed that David Brown senior, at that time had reason to be near his son's residence late at night, that is, he had his own accommodation in the neighbourhood. This situation is reflected in the earlier purchase of the land next to his son's Erskine Street property, some fifteen years earlier. With labour and carpentry skills 'on tap', and a plentiful supply of timber available, erecting a small cabin or, adding an outside room to the existing structure posed little difficulty. It was not an unusual occurrence for humble farmhouses to have separate room attached to the house to accommodate visitors. It was sometimes known as a 'strangers room'.

Having said this, it is interesting to take note of the Brown's original stone cottage at lot 39. It was partitioned by an original stone wall into two large rooms. Possibly there had been a doorway through the wall. There were probably originally timber partitions in each area. The high roof may have had some mezzanine facility. At some point the north and south ends were made open. Also, it may have at some earlier time, a 'stranger's room'.



Brown's original stone cottage at lot 39

The FE Holden sedan to the left was stored in the south end of the cottage. The car had enough room for it to fit lengthwise with one metre to spare, and both doors to be fully open with one door nearly touching a 60cm wide bench along the eastern wall. *Circ 1956*³⁵³

³⁵³ Photo and recollections of farm courtesy of James Tolson. The length of that model Holden is 4.5 meters. The width with the doors open is 3.1 meters. Per Lloyd Bracher, Cattai.



In that same year of 1831, government officials decided to establish a mounted police station at Jerry's Plains to help control the increasing bands of marauders roaming the district and to help deal with any trouble between the whites and the Aborigines. Barracks and officers quarters were built on the surveyed official village reserve in 1832 to house this branch consisting of one subaltern, one sergeant and 11 rank and file.

Looking south at the Brown's stone Cottage.

The cottage was covered by native climbing fig tree vine. The northern end was extended eight feet to store produce, hay fertiliser, tractors, bikes, horse tack and trucks.

Pictured in the northern end of the cottage is a 1940's Bedford truck. Robert Thornton Tolson has his back to the camera.

Circa 1952.³⁵⁴



The Post Offices of Patrick Plains

'On 1st September 1829 the Darlington Post Office was opened. Darlington was the name of a proposed Government township on the north bank of the Hunter at Singleton. However, the town was never surveyed or inhabited, with the private town of Singleton developing instead. The deputy postmaster was 18 year old Alfred Glennie, who lived with his brother James on their property at Dulwich on Fal Brook, about 16 km from Singleton. James was a magistrate and Alfred was also a clerk to the Bench of Magistrates. It appeared that most of the postal duties were being performed at Dulwich as James wrote a letter on 16th November 1829 complaining that the mounted policeman was only bringing the post as far as Patrick's Plains (Singleton) and if they couldn't bring it on to Dulwich then they could get another deputy postmaster.

Early in March 1830, approval was given for the mail to be taken on to Dulwich, but the Dulwich office continued to be called the Darlington Post Office. This resulted in the Dulwich area becoming known to locals as Darlington. By 1831, the residents of Singleton were becoming more vocal about the inconvenience of having their post office at Dulwich. As a result, on 31st December 1831, the Darlington Post Office at Dulwich was closed. The Alcorn's Post Office, at his inn, about 2 km from Dulwich, opened the next day, still with Alfred Glennie in charge. At the time, the most northerly

Inland Post Office in the Australian colonies. For the first twelve months of operation, the mail between Darlington and Alcorn's inn was carried by the mounted police.³⁵⁵

There was a problem getting a postmaster for the new post office at Singleton but it eventually opened on 21st May 1832 with John Browne in charge. However, it was still called the Darlington Post Office. This continued to cause confusion with even Government Gazettes being sent to both Singleton and the mythical town of



Indicative of many a bush inn and post office – On Mail days people gathered from all directions.

³⁵⁴ Photo and recollections of farm courtesy of James Tolson

³⁵⁵ Dawn In The Valley. p273.



Darlington. Eventually the post office was renamed Singleton on 1st December 1841. Alcorn's Inn Post Office closed on 31st December 1834 and Alfred Glennie went to Singleton where he once again became the postmaster at Darlington Post Office until March 1837'.³⁵⁶

'.... Late rains have produced heavy floods, both on the Hunter and the Hawkesbury, the great injury of agriculturists of those districts.'
Sydney Herald,

*Monday, 26 March 1832*³⁵⁷

Steamships had begun to service the Hawkesbury as well as the Hunter about 1832. Where steamers called in at farms along the river that had no wharf, the procedure was to run the bow of the ship into a mud bank. A long plank was shoved out to the bank, over which the deck-hands carried the produce. Small feeder boats brought produce from the Colo River, MacDonald River, Webbs Creek and Mangrove Creek to the steamers at Wisemans Ferry, Spencer and points downstream.³⁵⁸

³⁵⁶ The Postal History of NSW 1788-1901.

³⁵⁷ S.H. Domestic Intelligence, P3

³⁵⁸ Hawkesbury Heritage, Stan Stevens, Published Hawkesbury Shire Council 1984. ISBN 0 949694 06 1.



Chapter 11 - Only a Working Carpenter

(1820 - 1837)

Between his arrival in the colony and getting married, Thomas Brown is largely in the shadow of his father (David Brown senior) and brothers. Having arrived in the colony as little more than a baby, without his mother, it seems that he was variously in the care of his father, brothers, and sister and perhaps at times others. Much of the time he was passed into the care of his sister, Mary. As a consequence of her marriage, it meant that he, along with his father, was often being part of the James Chisholm's household.

There is a certain sense of instability about this situation that must have had an impact on Thomas. Perhaps this is reflected in various difficulties and challenges that came his way.

Thomas was very much part of a family of carpenters. His father and his brothers were carpenters. Thomas learnt his trade from his father from a very early age. He was as Captain John Piper (of Point Piper fame) declared, 'bred a Carpenter'.³⁵⁹ Piper's comment suggests also a firsthand knowledge of Thomas' circumstances, probably from the time of the Brown's arrival in the colony and through their relationship with James Chisholm.

The family's Cockle Bay property acquired in 1813 is certainly one of the locations where Thomas would have worked with his father as a carpenter. As to Piper's comments and what is known of the times, it is likely that Thomas' training was underway before then.

Thomas' means of security in family life was his trade, and the Erskine Street premises and other properties that his family assisted him in acquiring. However, Thomas had trouble holding on to his property gains, let alone expanding on them.

The first remotely personal account that can be found of Thomas is when he wrote to the government via a memorial of 3 July 1820. He requested that he be granted 40 acres of land adjoining 100 acres of land originally granted to his brother, James, at Little Cattai Creek. He states that he was 'in possession of a number of horned cattle' that could make good use of the land, if it were to be granted to him.³⁶⁰ The inference being that the land that Thomas had his eye on was potentially productive. The 40 acres he sought had more than likely been tried and tested by him and other members of his family for some years. It is highly probable that his horned cattle were even then 'in situ'.

Thomas's memorial coincides with that of his brother, David, seeking land on the same day. If not responding to a recent public invitation, then one has to wonder if they had got a tip that then was a good time to apply.

On 31 March of the following year, Thomas was promised 60 acres of land by Governor Macquarie. On 28 April 1821 his name and that of his brother, David, was included in the Surveyor-General's list of those to receive grants of land.³⁶¹ The granted 60 acres was nominally twenty more than he had asked for. Unfortunately for Thomas, only ten of the 60 acres were arable, fifteen acres were taken up by a lagoon, and the remainder was rocky.

References to a BROWN, Thomas which may be relevant:

1820 Oct 11 Juror at inquest on David Douglas held at Sydney (Reel 6021; 4/1819 pp.185-6)

1820 Oct 11 Gave evidence at inquest on David Douglas (Reel 6021; 4/1819 p.187)

1821 Mar 1 Joseph Underwood, merchant, permitted to employ on board "Elizabeth and Mary" (Reel 6008; 4/3504 p.3)

³⁵⁹ Memorial of 1820 Jul 3 (NSW SR Fiche 3015; 4/1823 No.86 pp.194-5)

³⁶⁰ Memorial of 1820 Jul 3 (NSW SR Fiche 3015; 4/1823 No.86 pp.194-5)

³⁶¹ SG 28 April 1821, p.1.



Indicative of carpentry businesses of the day is this advertisement for an apprentice. Of special note is the range of carpentry specialities covered:

<p>WANTED, an Apprentice in the Cabinet Business. He will have an opportunity of learning the different branches of an undertaker, chair and bedstead-making, ship joiners work, upholstery and turning; the whole being carried on at -.....³⁶²</p>
--

Sometime during 25 June 1823 and November 1824, Thomas met and proposed marriage to Bridget O'Neil (sometimes spelt "O'Neal"). Bridget was an immigrant from Dublin, Ireland³⁶³ who had arrived in Sydney on 25 June 1823 on the TS 'Woodman'.³⁶⁴ Bridget and her sister, Elizabeth, had come in response to their father, Thomas O'Neal, having 'sent' for them. Thomas O'Neal was an ex-convict who had arrived in the colony aboard the TS 'Friendship' on 16 February 1800. He was a tailor by trade who had been sentenced to transportation as a result of his part in the '98' Rebellion - On his arrival he was made tailor to Governor King.

References to a BROWN, Thomas *1824 Jun 17* Memorial (Fiche 3080; 4/1836B No.105 pp.575-8) may be relevant.

Thomas, along with his brother, David, and father was granted 150 acres at Jerry's Plains on 22 June 1824.³⁶⁵

On 30 November, in that year of 1824, Thomas married Bridget (full name Mary Ann Bridget O' Neil) at St Phillip's Church of England. Mary is entered in the register as Ann O'Neal.

The folklore is that they had eloped – This may merely reflect that they married without seeking, or getting the blessing of, their respective families. However, they were both old enough to do as they wished in that regard.

Mary gave her age as being 18 years. This stands to be at least 6 years understated – Her father having been in the colony 24 years, and more likely 8 years understated given the cause of his imprisonment was implication in the 98 Rebellion. Whereas Thomas' age is shown as 30, which is by no means certain.

The witnesses to the marriage were Thomas Rice and Elizabeth Rice – Both made their mark on the register. Thomas and his bride were both able to sign their names. Thomas is described as 'Carpenter, & Bachelor'.

On 2 May 1825 Mary's father signed a deed transferring his 40 acres farm at Middle Harbour to Mary and Thomas. The farm was located in what is now known as Mosman. Given that the northern boundary of the farm was Middle Harbour itself, it is likely to have been a very pleasant setting. Governor Macquarie had granted the farm to Thomas O'Neil in 1811. He had resided there up to the date the deed was signed.

Duhiel

It is doubtful that Thomas and Mary took up residence at Middle Harbour at that time. If they did, it was a brief sojourn. They may well have rented the Middle Head property to others. For on 17 September 1825, Thomas appealed to the Governor, requesting that he, his wife, and Government Servant, Isaac Smith of the Ship 'Prince of Orange', be victualled from the King's Stores. Thomas gave his address as 'of the "Duhiel" of Lower Pitt Town'. Thomas and Bridget were occupying the land adjoining his brother, David the younger. It was in this appeal that he described his miserable grant of land. It was not the productive 40

³⁶² SG. Thursday, July 31 1823. n1a.

³⁶³ BDM Registration V1824 3461 3B O and V1824 379 8, St Phillip's.

³⁶⁴ 1828 Census Ref B2771. Note: not Mary Ann Dunn as claimed by Blanche Jenkins in her history of 1946.

³⁶⁵ NSWRS Fiche 3269; 9/2740 p.3)



acres he was expecting to get. His memorial was dated ten days later than the memorial submitted by his brother, who also was seeking victualling from Government Stores.

‘Duhiel’ seems likely to have intended the Gaelic word for inheritance. The Gaelic words “dùthail” or “dùthchail”(pronounced something like “DOOhil”, with the stress on the first syllable) mean “heritary”, “rustic”, “rural” – from “dùthaich”, country; or “dùchas”, inheritance. There is also a word “dubhthuil”, pronounced roughly the same, which literally means “black hole” but which the Gaelic dictionary says it means diarrhoea.³⁶⁶ Incidentally ‘Duheil’ with ‘ei’ as opposed to ‘ie’ is a common family name in the Lorraine region of France.

The District Constable, Mr. Douglas, has annotated Thomas’ memorial to verify that there are only ten acres cleared and fit for cultivation, and that there was in fact a house on the site.³⁶⁷

Back at Erskine Street

Thomas and Mary’s stay at Duhiel was also brief! For the October 1825 Muster shows Thomas as a ‘Cabinet Maker’ of Sydney, not Lower Pitt Town, and having come on the ‘Earl Cornwallis’ in 1801. It also lists his father, David Snr, as being in Sydney, but as a ‘Landholder’. It seems that about this time Thomas purchased the lease, or began to rent, the Erskine Street allotments from his brother, David and converted the single dwelling into two, more than likely with his father’s help and guidance.³⁶⁸ This allowed him and his family to take up residence there, and would have provided accommodation for his father next door.

#A daughter, Sarah, was born to Thomas and Mary Ann Bridget on 30 October 1825 and baptised on 1 January 1826 at St Mary’s.³⁶⁹ Thomas’ profession is given as ‘Carpenter’.



Old Watch House, corner of Erskine Street and Clarence Streets. Built in 1827. Up the hill from the Brown’s address.³⁷⁰ Still standing.

At this juncture, David senior, if not having left there, began to spend less time there. He is known to have stayed with grandson, James, at Lower Minto; and David junior and family at Cattai.

#A second daughter, Charlotte M, born to Thomas and Mary Ann Bridget on 15 July 1827, and baptised at St Mary’s Catholic Church on 12 August 1827.³⁷¹ She died before the 1828 Census.

Portion 39, of 100 acres at Cattai, known as ‘Brown’s Farm’, and originally acquired in James’ name, was the subject of a ‘Bargain and Sale between Thomas and his brother, David, on 1 October 1827. Portion 39 was now owned jointly

by David and Thomas, though it was David who was in occupation and had been working the property.

At this point David acquired Thomas’s share of Portion 39 by giving up his 100 acre grant (Portion 38) to Thomas. Witnesses to the contract were Thomas and James Arndell. Thomas, who already owned the 60 acre, Portion 37, now had a total of 160 acres at Cattai.

³⁶⁶ Caoimhín P. Ó Donnáile, of Sabhal Mór Ostaig, the Gaelic College on the Island of Skye.

³⁶⁷ Memorial of 1825 Sep 17 (Fiche 3122; 4/1840C No.90 p.513). Reply, 19 Sep (Reel 6015; 4/3515 p.354)

³⁶⁸ NSW Government Gazette No. 306 of Wednesday, November 1836.

³⁶⁹ 1828 census shows Sarah aged 3 years. Ref B2772. Baptism Reg No V1826 539 127 0 and Reg No V1826 558 128 0, Mother shown as Bridget M. A. Archives of St Mary’s Cathedral, NLA reference mfm. G22 932.

³⁷⁰ Drawing by Cedric Emanuel. Philip Greeves’ Sydney, p110.

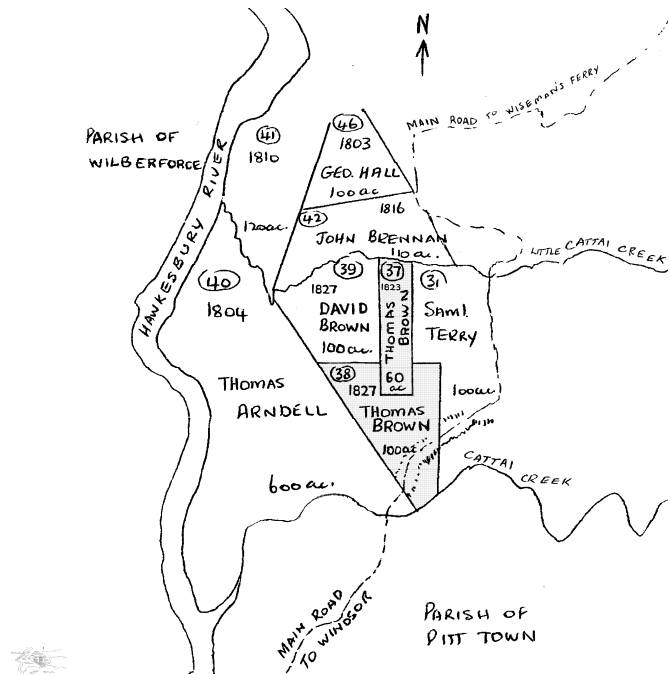
³⁷¹ Birth/Baptism Ref V1827853 128 but seems to have died before 1828 census.



#A third daughter, Johanna Frances Amelia, born to Thomas and Mary Ann Bridget. She was baptised at St Mary's Catholic Church on 21 August 1828,³⁷² and became known as 'Amelia'.

In the 1828 Census, Thomas Brown is listed as 'Carpenter',³⁷³ address 'Erskine Street, Sydney'. In contradiction of their significant connection with St Mary's Church, Thomas, Mary Ann, and their daughters are listed as 'Protestant'. Thomas' age is given as 28, which is interesting in the light of his stated year of arrival in that census of 1801. Mary's age is given as 25 years, three years older than she had admitted to when she was married in 1824. At the time of the census, Thomas is shown to employ a twelve year old girl called Ann Duncan as a servant, whose father it seems was at the time a convict assigned on the Iron Cove gang.

On 13 July 1829, Governor Darling confirmed that forty acres of land at Middle Head had been given to Thomas O'Neil by Governor Macquarie in May 1825.



Ownership of Brown's Cattai grants as at 1827. Thomas's 160 acres shown shaded.

The Entrusting of the Erskine Street Property

In December of 1829, Thomas Brown entered into an arrangement with the Reverend Father Therry, Roman Catholic priest at St Mary's chapel, concerning the welfare of his wife and children. It proved to be a long running affair that was intended to protect Thomas Brown's family from the consequences of his unfortunate entrepreneurial efforts.

Father Therry had baptised most if not all of Thomas' children. Father Therry played a significant part in the affairs of Thomas and his family. Thomas's family was one of many that were to benefit from Father Therry's unstinting assistance. Father Therry was noted for his determination, energy, and sheer hard work for the Church, and for his concern to tend the needs of his congregation.³⁷⁴

'John Joseph Therry (1790-1864), Catholic priest, the son of John Therry, of Cork, Ireland, and his wife Eliza, née Connolly, was educated privately and at St Patrick's College, Carlow. Ordained priest in 1815, he was assigned to parochial work in Dublin and then Cork, where he became secretary to the bishop, Dr Murphy. His interest in Australia, aroused by the transportation of Irish convicts and the publicity surrounding the forced return of Father Jeremiah O'Flynn in 1818, ...' 'Colonial Office had consented under the pressure ... to send two official Roman Catholic chaplains to New South Wales. Recommended by his own bishop as a capable, zealous and 'valuable young man', Therry sailed from Cork under a senior priest, Father Philip Conolly, in the *Janus*, which carried more than a hundred prisoners. They arrived in Sydney, authorized by both church and state, in May 1820.³⁷⁵ Until then, there had no officially approved representation of the Roman Catholic Church in the Colony of N.S.W.

³⁷² Births/Baptism Ref V18271050 127. Births/Baptism Ref 1828 Census shows Amelia aged 3 months Ref B2773. Archives of St Mary's Cathedral, NLA reference mfm. G22 932.

³⁷³ Thomas gave his age at the time of Census as 28 though at marriage in 1824 he stated it to be 30 years. There is speculation that the 28 years given by for the Census was a misreading of '38'.

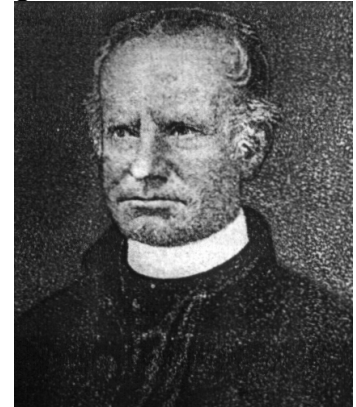
³⁷⁴ Father Therry was banished to service in Tasmania at one time by the Church hierarchy for perceived irregularities.

³⁷⁵ Australian Dictionary of Biography, Therry, John Joseph (1790-1864) by J. Eddy.



Thomas's arrangement with the Father Therry conveyed the Erskine Street and Middle Harbour properties to the Reverend Father and a Mr. John C. Sullivan in trust. Any rent received from the properties was to be paid to Mary Ann during her life 'without being subject to her husband's debts or Interference' — 'And after her decease to dispose of the rents for the maintenance and support & education of the issue during their minority'.³⁷⁶ Thomas' property at Erskine Street to which the instrument applied was described as comprising a 'cottage tenement or dwelling-house now divided into two dwellings situated in the North side of Erskine Street in Sydney'. It was said to be 'at the bottom of such Street and near to the officers' 'bathing house'. The 'vacant land adjoining on each side' and 'the garden behind the same', 'running down to low water mark on the Shore with the appurtenances thereunto belonging or in anywise appertaining'.

The instrument was lodged with the Court of Claims on 29 December 1829 but not awarded by the Court until 28 February 1838. The Court awarded that the Erskine Street property be transferred to be held 'in trust' for Thomas' wife for her life and then to his children.³⁷⁷



Reverend Father John Joseph Therry (1790 – 1864)

This exceptional trust arrangement may reflect a very poor and uncertain state of health on the part of Thomas, and the desire to protect his family in the event of his demise. Perhaps large debts already looming that threatened the removal of all the material possessions that the family own, may have also played a part? Whatever the motivation, it was to prove to be one of the wisest actions that Thomas ever did.

#A fourth daughter, Mary Rosanne, born to Thomas and 'Mary A B' and baptised at St Mary's Catholic Church in 1830.³⁷⁸ She became known variously as 'Rosanne' and 'Rosanna'.

On 14 August 1830, Mary Ann wrote to Mrs. Gordon, Matron at the Female Factory, at Parramatta. She sought '*a servant who was used to children*'. Mary Ann complained that the last one '*was married from me*' and that no response had yet been received in consequence of her two applications.³⁷⁹

About this time, Thomas sold his 150 acre grant at Jerry's Plains to John Duff, son of Peter Duff (I). It is unlikely that Thomas ever cast eyes on that particular piece of real estate let alone spent any time there.³⁸⁰ The irony is that it was far better land than he owned at Cattai and proved to be one of the most significant pieces of real estate in the development of Jerry's Plains.³⁸¹

In a petition to Governor Darling, of September 1831, Thomas appealed to His Excellency to relieve '*the Distressed and unprovided Parents and Infant Offspring of Native-born Children*'. Thomas states that he had four daughters, one since died³⁸² and that the remaining three are dependent on him and his wife for '*support, maintenance and education*'. He describes himself as '*only a working carpenter*'. Thomas explained that he came to Australia on the "*Cornwallis*" with his

³⁷⁶ Memorial No 247 Book C.

³⁷⁷ NSW Government Gazette No. 306 of Wednesday, November 1836. Deeds were transferred 7 April 1838.

³⁷⁸ Births/Baptism Ref V18301534 127. Archives of St Mary's Cathedral, NLA reference mfm.G22, 932.

³⁷⁹ Rev. J J Therry Manuscript Collection ML MSS 1810 Vol 10 Mitchell Library

³⁸⁰ First village of Jerry's Plains, by Ian Ellis, Hunter Valley News 30 September 1992. Ellis refers to Thomas, settling in Jerry's Plains in 1832, but seems to be confusing David's brother with David's eldest son who very much involved himself in his father's business affairs in Jerry's Plains.

³⁸¹ First village of Jerry's Plains, by Ian Ellis, Hunter Valley News, 30 Sept 1992. Ellis refers to David and his brother Thomas settling there in 1832 but seems to be confusing David's brother with David's eldest son who very much involved himself in his father's business affairs in Jerry's Plains.

³⁸² Official record of death of second daughter, Charlotte M not yet found.



‘sister and two brothers when they were very young’, and that *‘his sister married James Chisholm of George Street but has since died.’* This association with James Chisholm was meant to impress. It was an association that James Chisholm took seriously, and that was to prove significant and valuable to Thomas’ family in years to come.

Thomas says in his petition that *‘lately some Casual Unforseen Misfortunes having happened to him Incurred by lawyers costs seeking after his just rights have much reduced his circumstances by leases of cattle and expenditures on’* his father-in-law’s 40 acre farm at Middle Harbour. As a consequence of the marriage, Thomas’ father-in-law Thomas O’Neil had agreed to assign the property over to Thomas and his bride in 1825³⁸³ - The Deed was duly registered in the Supreme Court. However, his father-in-law was to remain on the property until it was *‘Conveyed to the Petitioner and his Wife’*. After more than six years delay in getting the transfer officially endorsed, Thomas asked the Governor, to intervene. Thomas asked that the Governor order the grant of the farm at Middle Harbour, to be made out to him (Thomas) and his wife *‘which will be the means of enabling Him and his Wife by their residence thereupon to bring up their Offspring’* and thus relieve their distress.³⁸⁴

In his petition, Thomas gave his address as ‘Erskine Street’. Darling granted his petition in the same month. It seems that for a short while, Thomas and family moved to the Middle Harbour farm. For in the following year the NSW Calendar & General P.O Directory of February 1832, produced by the Post Master of NSW, James Raymond, shows a **William Brown** of Erskine Street but not Thomas, being in residence. There was however, a Thomas Brown at Sussex Street.³⁸⁵ It is likely that they were soon promised the grant (No 123) and their request was formally ‘acceded to’ by the Governor in December 1833.³⁸⁶

David senior is noted to have kept a servant with him for years who was known as Elkin or Elgin, a person who was with him when he died. It may well be a nickname for William Brown who seems to frequently pop up in the vicinity Brown affairs?

A son, Joseph Aloysius, was born to Thomas and Bridget on 2 May 1832 and baptised on 3 May 1832.³⁸⁷ It is apparent that neither Joseph nor any other of Thomas and Bridget’s sons lived very long. But evidence of that has been hard to come by.³⁸⁸

Indicative of the hazards of living in Sydney at that time is this event that took place very close to Thomas and family:

<i>“ child fell down a well in Clarence Street, on Tuesday evening but its life was saved, by a man descending by</i>	<i>the rope, and bring it up. It is surprising that accidents of this type are not more frequent, considering the</i>	<i>careless manner in which wells are left throughout Sydney.’³⁸⁹</i> Thursday, 14 June 1832.
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³⁸³ The ownership to revert to Thomas O’Neil in the event that Thomas and his wife died without issue to inherit.

³⁸⁴ Any clearer understanding and interpretation of these events welcome. Question of whether Thomas O’Neil was being difficult in this?

³⁸⁵ A William Brown sentenced to transportation for ‘life’ at a trial in Winchester in 1798 came to the colony aboard the **Royal Admiral** c1800 as a convict. Occurs in the 1828 census as Conditional Pardon, Comments/ Employer: Capper Pass; and residing in George Street.

³⁸⁶ NSW GG No. 95 of Tuesday, 24 December 1833. P. 534 of Mitchell Library bound copies.

³⁸⁷ Births/Baptism Ref V1832 2177 125. Archives of St Mary’s Cathedral, NLA reference mfm. G22 932, p295.

³⁸⁸ There is record of an infant, Joseph Brown, as having been buried in 1833 at St Phillips. Burials Ref V1833 294 17 0. However, this proved to be the child of another couple.

³⁸⁹ The Sydney Herald. Accidents, Offences & c, p3



Thomas' financial difficulties again caught up with him about this time through the court. For the Sheriff's Office of the Supreme Court, Sydney, gave notice on 26 June 1832 concerning the consequences of a law suit involving 'Carter in Trust & c. v Brown' that:

On the Monday, the 2nd July, at One o'clock, the Premises, Erskine street, the Sheriff will cause to be sold, all

the Right, Title, Interest, and Estate of Defendant, in and to all that House and Premises, situated in Erskine street, near the Military

Officer's Bathing- place, in Darling Harbour; unless the execution be previously satisfied.³⁹⁰

Thomas benefited from invention from both the Reverend Father Therry and his brother-in-law James Chisholm in dealing with this threat of eviction. In consequence of the arrangement that had its formal beginnings in December 1829, the following notice was proclaimed:

Caution - In the Supreme Court

Carter in Trust c. v Brown

I hereby caution the Public from purchasing the Houses and Premises announced to be sold by the High Sheriff of this Colony, this day, in the above Cause, situated lying and being in Erskine Street, Sydney, as the said Houses and Premises are conveyed to me in trust for the Wife and Children of the Defendant, subject a to a Mortgage to Mr James Chisholm, which Deed of Trust is registered in the Supreme Court Office of this Colony.

Given unto my hand this 29th June, 1832.

John Joseph Therry³⁹¹

The telling fact is that Thomas' family still had possession of Erskine Street property many years later.

Thomas O'Neil petitioned the Governor on 9 July 1832 in support of Thomas Brown's petition of September 1831. He states amongst other things that he is 80 years old and that his grandson, Joseph, is one of four 'perfect infants', the eldest being 6 years old.

The Sydney Herald of Thursday, 14 June 1832 contained the following item:

'on Sunday night a young man named Kelly, an apprentice belonging to the "Woodlark" was knocked down in Cockle Bay and robbed of a new

hat by five ruffians, who might have easily made themselves masters of the property without the use of brutal violence. The young man is severely

injured in the hand by the blow he received. Scarcely a night passes without some act of violence being committed in this part of Sydney.³⁹²

#A second son, William G, was born to Thomas and 'Mary A' and baptised at St Mary's Catholic Church in 1833.³⁹³

Joseph Aloysius, the eldest son of Thomas and Mary, was buried on 27 November 1833³⁹⁴.

Indentures of Lease and Release dated 9 and 10 January 1834 concerning Thirty acres of the land at Middle Harbour were conveyed from Thomas Brown and wife, and Thomas O'Neil to a Mr. Hickson.³⁹⁵

#A third son, Andrew A, was born to Thomas and 'Mary A. B.' and baptised at St Mary's Catholic Church in 1834.³⁹⁶

³⁹⁰ GG No 15, Wed, June, 1832. P159.

³⁹¹ The Sydney Herald, 2 July 1932

³⁹² The Sydney Herald. Accidents, Offences, & c, 26 June 1832, P3.

³⁹³ Births/Baptism Ref V1833 218 126. Archives of St Mary's Cathedral, NLA reference mfm. G22, 932.

³⁹⁴ Per Merryll Hope January 2009.

³⁹⁵ NSW Court of Claims, Case 281 of 16 March 1839.

³⁹⁶ Births/Baptism Ref V1834 521 129. Archives of St Mary's Cathedral, NLA reference mfm. G22, 932.



Mary Ann wrote a letter to the Reverend Therry, January 9th 1835 on her husband's behalf, about financial difficulties that Thomas was experiencing with a Mr. Unwin over a transaction involving cattle from the 'Coal River'.³⁹⁷ Mary Ann also complained to the Reverend Father about a related unsatisfactory offer by Mr. Unwin, for the farm at Middle Harbour, by way of settlement of his claims against her husband. How this relates to the 'Lease and Release' of the 30 acres to Mr. Hickson, twelve months before, is unclear.

It was in January of 1835 that Erskine Street was officially aligned and named.³⁹⁸

Thomas', brother, David junior, and his wife, brought their baby son, Alexander, to Sydney to be baptised on 4 March 1835, as a Presbyterian, at Scots Church, in Elizabeth St.³⁹⁹ This is likely to have been used as an opportunity for the Sydney members of the Brown family, such as Thomas, to gather and celebrate.⁴⁰⁰

On 29/30 January 1836 Thomas sold his 100 acres, Portion 38; and 60 acres, Portion 37; properties at Cattai, to the Reverend Father, John Joseph Therry, for one hundred and twenty pounds.⁴⁰¹ Witnesses were W. Thurlow, Patrick Corrigan, and John Lowe.⁴⁰²

For Father Therry, these Cattai Portions were just two of many rural properties that he acquired. He was known to invest in a range of property to generate funds for his work. Father Therry had 'great faith in the accelerating growth of the colony.' 'Many of Therry's properties, being in untamed scrub, brought no dividends during his own time.' It is more than likely on this occasion, as previously with the trust arrangement for Erskine Street, the Reverend was coming to the aid of one of his parishioners. This sale is likely to have timed with much needed cash for Thomas or his wife to pay various creditors. It is possible that some of that land was eventually used for a church for those of the Roman Catholic faith.



Sydney Town near Erskine Street in 1836,
(Between Military Barracks and Military Bathing Area)

Thomas Brown, still a young man, died in Sydney on 27 May 1836.

He was survived by a wife, and three daughters. Sarah was 10 years old, Amelia, was three months short of her 8th birthday, and Roseanna about 6 years old.

³⁹⁷ Coal River is the old name for the Hunter River. It is interesting that old name was in use this late.

³⁹⁸ Archaeological Assessment, The Kens Site, Sydney. Page 13

³⁹⁹ BDM Reference V1834 2898 Vol 45B 0. NSWRS Reel 5016, V1834 76 Vol 47 0. NSWRS Reel 5017 (NLA mfm 229)

⁴⁰⁰ There has been a suggestion that financial burdens and ill health may have precluded Thomas involvement in the family reunion?

⁴⁰¹ NSW Land Titles Office, Memorial Book J No. 282, Absolute Conveyance by Lease and Release.

⁴⁰² Lands Titles Office Ref:91M102(235) of 11 November 1993. Re: Portion 39, Parish of Maroota 'Crown grant dated 5/8/1806 of 100 acres to James Brown'. Memorial Book No. 864 dated 9 May 1843.



The Sydney Gazette of Saturday, 2 December, 1837, carried the following advertisement:

COURT OF CLAIMS.

NOTICE is hereby given, that the following Claims for Deeds of Grant of Land and Town Allotments will be ready for examination by the Commissioners appointed for that purpose, under the Act of Council 5 William IV, No. 21, at the expiration of two months from this date, before which day any caveat or Counter claim must be entered at this office. Due notice will be given of the day appointed for the hearings. Case No. 160-Rev- J. J. Therry and John O'Sullivan, in trust for Mary Ann Brown, widow.

Fifty two perches, in the county of Cumberland, town of Sydney, parish of St. Phillip, allotment No. 2 of section No. 56 This was originally two allotments, and they were located it is alleged, about the year, 1813, to David Brown the younger and to Thomas Dunn.

David Brown senior, purchased Dunn's allotment, and conveyed to his son, D. Brown, junior, who sold both to his brother Thomas, deceased, who devised in trust as above to his widow for her life and then to his children.

Thomas left little in the way of money for his family, in the event of his death.⁴⁰³ The Supreme Court, on 3rd January 1837, granted Mary Ann, the authority to administer Thomas' estate. As of 4th January 1837, the estate was sworn not to exceed £100.

Mary declared that she had three female infants. Indicating that all three male children born had predeceased Thomas.

Mary also had to rely on a housekeeper in Elizabeth Street and a surgeon in George Street to act as sureties for the bond which had to be promised before she could administer the estate. Another indication of how their fortunes had deteriorated was Thomas being described as a 'labourer'. This suggests that Thomas no longer had his tools of trade —Perhaps having had them taken by creditors, or having had to sell them to meeting debts?



*St Mary's Chapel in the background of this Sydney street scene of 1836*⁴⁰⁴

However, Thomas' arrangement with Father Therry of 1829 (*with the valuable support of his brother-in-law, James Chisholm in 29th June, 1832*) and his for the Erskine Street to be held in trust was something Thomas got right and it proved a great boon to his daughters in the long term.

⁴⁰³ Supreme Court Will No 792 Series 1 – 'BROWN, Thomas, of Sydney, died 27 May 1836. Administration granted 3rd January 1837 to Mary Ann Brown, widow of the deceased. Dated 4th instant. Goods sworn not to exceed the value of £100. CH Chambers, Proctor.'

⁴⁰⁴ St Mary's Cathedral, Sydney. 1821 – 1971.



Chapter 12 - Attraction of the Liverpool Plains

(1831 – 1832)

Sir Thomas Mitchell launched out from ‘Wallamoul’ near Tamworth on the Peel River in December of 1831 to explore the Narrabri area of the Liverpool Plains. Wallamoul or Wollomal was from Mitchell’s understanding, part of the furthest white settlement in that corner of the Colony.

On 14 February 1832, Mitchell came across a lagoon, which he described as ‘this fine piece of water’. Initially called Snodgrass Lagoon, it was part of what became known as ‘Lower Water’ or ‘Waterloo Creek’.⁴⁰⁵ Squatters followed in his trail, over the next few years, to grab their share of grazing land. David junior and his sons, James and John, joined the rush, and Waterloo Creek eventually formed part of the Brown’s ‘Millie’ property. Mitchell himself encountered land hungry souls that had gone before him and were well established in places he was ‘exploring’, such as the Peel River.

The Move to Jerry’s Plains

On 21 August 1832, David junior, declaring himself a resident of Jerry’s Plains, applied for a license to sell liquor at his inn. David’s memorial (drafted for him by a public notary) for a licence states that he:

‘...has recently retired to his estate at Jerry’s Plains, where he has fitted up most excellent paddocks contiguous to the river and rendered his establishment for Public accommodation in the highest degree eligible being adjacent to the highway. . . .’

While David here is saying that he has moved, he is just as likely to have still been in the process of arranging for his family to move.

David probably, here and in other situations, had used his carpentry skills personally or to direct others to construct two buildings, a house and an Inn. Seventeen years later the inn was rebuilt as a more substantial stone construction.



Sir Richard Bourke (1777 – 1855)
Governor of NSW December
1831 to February 1839

David’s ‘estate at Jerry’s Plains’ had clearly been in preparation for some time. In addition to his ‘Public accommodation’ built on Portion 29, ‘The Green Gate Inn’, he also arranged the construction of a house, to accommodate his growing family.

The inn was initially built of timber – It appears that some years later the inn was rebuilt of quarried stone, possibly using the skills of the convict labourers who had been assigned to him.

It is highly possible that David was already selling liquor at his premises. Many an establishment in those early years sold liquor without a licence – This situation altered as the enforcement of licensing laws was increased.

In September 1838, the Quasi-rent for David’s Jerry’s Plains grant was gazetted as £1-2-6 sterling per annum, back dated to 1 January 1831.⁴⁰⁶

The chosen name of his establishment, ‘The Green Gate’, is worth some speculation. About the time the Brown family arrived in the colony, there was an inn located in ‘The Rocks’ area of Sydney Cove, called the ‘The Green Gate’ Inn. The name may well have commemorated recollections of their accommodation in the first few days in the colony, or a place to visit for refreshment when commuting to and from Eastern Farms.

⁴⁰⁵ Sir Thomas Livingston Mitchell and His World 1792-1855, p230.

⁴⁰⁶ NSW Government Gazette 5 Sep 1838 p701.



David submitted his memorial to the Colonial Secretary with a covering note in his own handwriting. He signed with much more experience and confidence than was evident the day of his marriage:

David Brown

David's claim of relocation to Jerry's Plains is consistent with a letter by one of David's daughter-in-laws, who stated in 1914 that: *'The Browns had a grant of 100 acres of land at Caddie Creek near Windsor where they lived until 1832.'*⁴⁰⁷



Back and End view of David Brown's 'Robin Hood' Inn at Jerry's Plains, built c1846. The original 'Green Gate' was of timber construction adjacent to what had been the 'High Road' running to the south of David's property. The present highway bisects David's original land and runs east-west on the low ground that was to the north of David's inn. Pier at left is in fact one of several chimneys. Photo taken in 1977 by Valma Gee. By February 1981 there was no trace of it, the stone of which it was constructed having been sold.

The grants at Jerry's Plains stated size were nominal, and more generous than the official 150 acres. The actual area of land David and his family had acquired courtesy of the Government was 182 acres for Lot 29, and 185 acres for Lot 28.⁴⁰⁸ But this was still not enough.

The Sydney Herald announced in one of its advertisements on 27 October 1832:

Hunter's River

*The Inhabitants of the district of Hunters River, are hereby informed, that the Scots Church, now erecting at Maitland, will be opened for Divine Service on Sunday, the 11th of November next, the Rev. Dr. Lang, and Rev. W. Pinkerton. Divine Service will commence at 11 o'clock A.M.*⁴⁰⁹

It seems likely that David and family, like some of their neighbours, began probing northwest beyond the 19 counties boundary, and agisting their cattle at temporary stations about 1832–3. If so, the family's move to Jerry's Plains would have become a pressing matter, to enable convenient 'central' control of their westward expansion and the maintenance of the Cattai property. It is known from David's son, John, that

⁴⁰⁷ Mitchell Library Doc 2197. Letter by Emily J Brown to genealogist G. R. Nichols of dated 19 January 1914. Emily was daughter-in-law to David Brown junior.

⁴⁰⁸ NSW Dept of Lands. Parish of Wambo Hunter District Map 1903 No 10901801

⁴⁰⁹ Sydney Herald. p3, Monday 29 October 1832.



he (John) joined his father and older members of the family from 1836 onwards, in the management of cattle on runs and stations.⁴¹⁰

It is evident that around the time of the family's arrival on the Hunter, that conditions for their neighbours were far from ideal:

'The greatest proportion of wheat on the Hunter has been destroyed by soot and rust'
26 November 1832⁴¹¹

In the Supreme Court,

Sheriff's Office, 8th December 1832. Carter v. Duff concerning Portion 27 originally granted to Thomas Browns:

***On Thursday**, the 27th instant, at one o'clock, in George Street, opposite Pollack's London Tavern, Sydney, the Sheriff will cause to be sold, all the right, title, interest, and estate of the defendant in and to all piece or parcel of land, ??nte, laying and being at Jerry's Plains, containing one hundred and fifty acres, more or less; Bounded on the East by Dent's land; and on the West by **David Brown's Farm**; North by river frontage, and South by Government land; 20 acres of paddocks, 13 acres of wheat; and 3 quarters of an acre of barley; unless the execution be previously satisfied.*⁴¹²

Indicative of the push north from the Hunter, was Samuel Clift, a near neighbour of the Browns at Portion 31. Clift with his brother-in-law John Eckford in 1833 followed Major Mitchell's track, of some 12 months earlier, as far as the Queensland border in search of suitable runs. It was then that Eckford picked out country in the Gwyder River district which he eventually took up as 'Malaraway' to become a close easterly neighbour to Brown's Millie run. Clift 'determined upon obtaining a station within the Mooki River basin'.⁴¹³

In March of 1833, the headquarters of the Hunter River division of the Mounted Police was transferred to Jerry's Plains from Maitland. This made it more central to the spread of settlement in the Hunter, and its spilling over into the Liverpool Plains.

During 1833, criminal activity in the bush became especially bad:

'Robbers went in and out of the camp of unfettered road gangs at will by night and could take to the bush with ease. Some of the worst bushrangers on the Hunter had escaped from the iron gangs at Newcastle.

*This was to be the pattern for years to come. Great gangs appeared in turn, each to run a spectacular course and each to be eventually broken up; but for each notorious band of desperate horsemen a hundred unnamed runaways furtively scrounged in the bush or boldly levied toll on the roads. Singly, in couples, or in small gangs they snatched a shepherd's rations, killed a sheep for mutton, stole a horse or a musket, robbed a farm or a dray, rifled pack-horse mail bags, bailed up a traveler for his money and watch, his pistols and his coat. Bushrangers eminent in their profession were always superbly mounted, and a coveted horse which did not fall into their possession was always well guarded. Many rangers of the bush were cattle duffers, and a few committed murder. Certain runaways lived with Myall Blacks for years, fomenting and participating in forays of cattle spearing and in murders of white shepherd and hut keepers.'*⁴¹⁴

⁴¹⁰ On runs squatters often posted a man or two with a heard of animals remote from the main encampment. These outposts became known as stations and have passed into current usage as the name for a grazing property. A run may have had several 'stations'.

⁴¹¹ SH, 26 November 1832, Domestic Intelligence.

⁴¹² SH, 17 December 1832, Advertisements

⁴¹³ Who Was Who on the Liverpool Plains 1941, p13-14. As told by Samuel Clift to his son William..

⁴¹⁴ Dawn in the Valley, p305.



Relocation

In August of 1833, the Australian Agricultural Company (AAC) were given generous grants of pastoral land: ‘the western part of the original Port Stephens Estate (464,640 acres), the Liverpool Plains/Warrah (249,000 acres) and Peel River/ Goonoo (213,000 acres)’. In the process, they added considerable momentum to colonial expansion to the north and north-west. They also caused the displacement of twenty-three squatters who had been established in those locations for some years. Being squatters, they of course had no official endorsement such as a grant to justify their continuing in occupation. Following is the list of the squatters and their holdings as recorded on behalf of AAC in April 1832.⁴¹⁵

Head of Cattle	Station	Belonging to	Residence
About 1,200	Mookie	Mr Robertson Mr Burns	Sydney (Watchmaker) Richmond
500	Kilcoobil	John Blaxland, Esq	Newington, Parramatta
About 700	Murilloo	- Fitzgerald Esq Wm Lawson Esq	Windsor Veteran Hall, Parramatta
2,000	Yarramanbah	Mr Otto Baldwin William Osborn Jno Upton Geo Yeoman Esq } Richd Yeoman Esq } Patrick Campbell	Patrick’s Plains Liverpool Plains Richmond Maitland Maitland
1,600	Boorambill	Josh Onus } Robt Williams }	Richmond
1,200	Warrah	Thos Parnell Phillip Thorley Wm Nowlan	Richmond Richmond Patrick’s Plains
1,000	Phillip’s Creek	Major Druitt	Mr Druitt, near Parramatta
<i>8,200 cattle on the Liverpool Plains</i>			
1,100	Kewerhindi	Mr Geo Loder Mr Andrew Loder	Windsor Hunter River
1,200	Wollomal	Mr Brown W Dangar Esq	Wollombi Brook, Darlington, Hunter River Patrick’s Plains
1,300	Wollomal or Waldoo	- Cory Esq - Warland Esq	Paterson’s River Page’s River
<i>3,600 cattle on the Peel River</i>			

The eviction of those squatters fuelled resentment against the new, well connected, free settlers who received priority on land grants and lavish endowments with broad acres.⁴¹⁶ Philip Thorley and the Loder

⁴¹⁵ Sir William Edward Parry's journal of April 1832. Parry inspected the area on behalf of the AACo.

⁴¹⁶ ‘The expedient use of Crown land, which was allowed to grow to staggering proportions in the time of the popular Macquarie, was discouraged by his successors but the practice of squatting in remote areas continued to be widespread, causing continuous serious trouble in the widening areas of settlement. Those who had been here for a long time in the Colony, and those who had qualified more recently in the regular way as prisoners of the Crown, believed like Macquarie that New South Wales was a convict colony, established for their benefit and the land was theirs by right. The old free colonists were tolerated but resentment grew against the new free settlers, who came without the justification of a penal



brothers were among those who were affected.⁴¹⁷ The Loder brothers then took up land further west, closer to the Gwydyr, and where the Browns established Millie Run on Millie/Waterloo Creek.

Of note amongst the 23 dispossessed is 'Wollomal'. The 'Mr Brown' listed as having ownership was encountered by the explorer, Sir Thomas Mitchell in December 1831. He is Joseph Brown, born at Wilberforce on 18 December 1805 or 1806 to a David Brown and Eleanor Fleming. Joseph is listed as a resident of Darlington in the 1832 Post Office directory, and owned a 293 acre property was called "Greenluk" on the east side of Wollombi Brook where it enters the Hunter.⁴¹⁸

On 5 August 1833, Richard Alcorn of Fal Brook purchased 150 acres (61 hectares) of land at Jerry's Plains for £100 from John Jenkins Peacock. The land, Portion 27 in the Parish of Wambo, had been originally granted to Thomas Brown. Thomas sold his grant to John Duff, son of Peter Duff (I) some years earlier. Due to a legal dispute between John Duff and an insolvent William Carter, the land had been offered for auction by the NSW Sheriff in December 1832. Carter had lost two properties as a result of the 1830 depression.⁴¹⁹ John Peacock bought the property at the auction and soon after offered it for resale.⁴²⁰ Which is when Alcorn acquired it, but he was to wait some years before taking up residence there.

If David hadn't moved all of his family from Cattai to the Jerry's Plains property, he was not far off doing so. In 1833, Thomas was 16 years old, James 14, John 12, Mary 10, Catherine 7, David (III), into his fifth year, and George 2. It was David (III) who recollected in later years that he had moved from 'Caddai' when he was five, i.e. after 3 November 1833.⁴²¹ Thomas and James would have already made excursions to Jerry's Plains with their father previously. The care of the Cattai property was left to members of wider family and others they could depend upon, such as David and George Humphries.

David senior, describing himself as "David Brown the Elder" and giving his address as 'Now at Hunter River' signed a petition dated 22 August 1833, against the Summary Punishments Act. His son David Brown 'the Younger' also signed.⁴²² David senior then 83 years old, probably relocated with his son and family to Jerry's Plains property, from at least 21 August 1832. On that date, the younger David applied, as a resident of Jerry's Plains, for a license to sell liquor at his public house, 'The Green Gate'.

The petition that both father and son signed concerned the punishment of assigned convicts. It complained that '... the intent of the punishment which the magistrates are authorised to award, and the instrument by which a portion of punishment is inflicted is so inefficacious, that the authority of the master is nominal, and the power of the magistrate derided.' Clearly the control of convict labour was a great concern to them.

For the Browns, like many other settlers in remote areas of the colony attempting to expand their operations further afield, convict labour played an important part in their lives. This was especially the case beyond the 19 Counties.

sentence but received priority on land grants and lavish endowments with broad acres. The first confrontation on the Hunter between Hawkesbury men and the new order of settlers was at Patrick's Plains, and this district was to become the centre of a partisan brawl which convulsed the colony in the time of Sir Richard Bourke.

Class antipathy of the free - and the freed, and collision of the old and the new colonists, produced a yeast that would ferment a bitter brew. Some declined to drink the cup, but all were involved in the end.' Dawn in the Valley. p34.

⁴¹⁷ Waterloo Creek, p91.

⁴¹⁸ On page 86 of "A Million Wild Acres" by Eric Rolls there is the following. "Joseph Brown, 21 year old son of David, an ex-convict Hawkesbury settler who had recently died, drove hundreds of cattle to the Peel River, and took up Wollomal on both sides of the river, a few kilometres upstream from Tamworth. Unlike most squatters he lived there with his stockmen. "There appears to be no date for this event but it looks like about 1830 from other entries.

⁴¹⁹ Piercefield and Martindale properties.

⁴²⁰ Alcorns – Their Fathers were Convicts. Philip Booker

⁴²¹ An obituary of David Brown III, born 1828, from the Maitland Mercury, has him recalling his move to Jerry's Plain at the age of 5 ie in 1833/1834, his birth date being 3 November 1828.

⁴²² Encl. To R. Burkes dispatch No 126 of 14 December 1834. Dep for Gov. NSW Enclosure 1832-33 p.1454.



Chapter 13 – The Tattooed Glass Grinder

(1815 - 1836)

In November 1834 David and Elizabeth were assigned convict, Ann Shepherd (AKA Ann / Sheppard), who was to play a significant part in the Brown family's future affairs.

Ann was born in England c1815 to Thomas and Jane Sheppard⁴²³.

She was tried and convicted on the second day of the first Session of the City of London Court for larceny offences in 1832 for stealing one pair of shoes. The shoes were valued at 2 shillings and 6 pence and were taken from the shop of a Mr. Charles Dando. Anne's accomplice in the venture was Martha Otter aged 12.⁴²⁴ It is worth noting the witnesses:

John Manson: *'I live with my father, who is a gentleman's servant. I was at Mr. Dando's shop on the evening of the 5th of November; I was at the door, and saw the prisoners come out. Shepherd took one pair of shoes and Otter took two pairs: I caught Shepherd while she was putting them under her shawl, and called to Mr Dando, but Otter got away.'*

Charles Dando: *'I am master of the shop. I was called, and took Shepherd who had one pair of shoes under her shawl – I saw Otter turning a corner; she got away then, but was taken the next day.'*

William Rogers (Police-constable C132): *'I took Shepherd, and found on her one pair of shoes.'*

Edwin Suffell: *'I am a pawnbroker. I have a pair of shoes, which was pawned by Otter on the 5th of November, for 1s. 6d.; she said her name was Mary Store, and that she had brought them for her father.'*

James Aldous: *'I am a pawnbroker. . I have a pair of shoes, which was pawned by Otter on the 5th of November, for her mother, No 21, St Anne's court; I have known her mother two years.'*

Otter's Defence: *'Shepherd asked me to go with her and buy a pair of shoes; she told me to wait at the top of the street - she brought two pairs; and told me to pawn them, and bring her the money; she then went, and got another pair, and the man came, and took her – I ran away, and told her mother.'*

SHEPHERD – GUILTY. Aged 17.
Transported for seven Years.
OTTER – GUILTY. Aged 12.
Judgement Respited.⁴²⁵

Ann's occupation at time of arrest in London is given as Glass Grinder.

Ann was held at Middlesex Gaol until delivered with other prisoners to HMA Buffalo on 29 November 1832.

The Superintendent of Transportation for the HMS Buffalo recorded Ann's description as follows:

Height	"4 ft 11 ½ inches",	Eyes:	"Chestnut",
Complexion:	"Fair",	Religion :	"Protestant".
Hair:	"Auburn",	Identifying marks:	"Small pockpit right temple, and scar back of left cheek," and a tattoo: 'JO' upper left arm ⁴²⁶ .

⁴²³ Pioneer Register, p18. Names of parents but not year.

⁴²⁴ Martha Otter was found guilty but Judgement Respited. This usually meant being fined a shilling and being dismissed with the expectation that the offender such as a juvenile delinquent who was considered might benefit from placement with a reformatory institution which in some cases might be known a refuge for the destitute.

⁴²⁵ Item 78. Larcenies, & C., Second Day, First Session, 1832. City of London Court, Mayor Laurie Records.

⁴²⁶ 'O' may well stand for 'Otter' given the name of her companion in crime, Martha Otter. If so, the 'J' is likely to represent the initial of one of Martha Otters relatives, possibly a brother, and Ann's love interest?



HMS 'Buffalo' sailed from Portsmouth on 12 May 1833. One hundred and forty six days en route, the 'Buffalo' arrived in Sydney on 5 October 1833 with 178 female convicts.

The 'Buffalo', while at Rio encountered the 'Ana' merchantman; and the 'Arabella', a convict ship. 'Both ships were bound for these Colonies'. Also, there was a packet from England while she was lying there, and bringing news to the 7th of June.⁴²⁷.

Prior to the 'Buffalo's arrival, the Colonial Secretary's Office sent out circular No 33/39 (of 10 September 1833) to all the Police Headquarters at Windsor, Parramatta, Newcastle, Maitland, Bong Bong etc. ascertaining what placements might be available amongst their populace.

The Browns no doubt responded by submitting an application for one of the women to be assigned.

The day after arrival, the ship's surgeon, Dr. Hamilton sent a formal request to the authorities stating that four of the 'Buffalo's crew, sailors and marines, were in need of rest. He asked that they be admitted to the Government Hospital. Perhaps suffering from the demands of duty during a particularly rough voyage from Capetown, such as experienced by the Earl Cornwallis?

Once having arrived in Sydney it took an inordinately long time, at least sixteen days, to disembark the women prisoners.



Full size replica of HMS Buffalo on display in Adelaide due to its association with the settlement of that colony in a later voyage.

The following newspaper intelligence indicates the public interest in the arrival of the female convicts, and a sense of urgency that had developed:

	<i>The female prisoners on Buffalo are expected to be landed on Friday next.</i> Thursday. 17 October 1833	428
	<i>It is said, that the women per Buffalo will positively be landed this morning.</i> Monday. 21 October 1833	429

Once ashore, women convicts not immediately assigned for private service were taken from their transports and rowed by convict constables from Sydney to Parramatta. It is said that 24 women convicts were sent from Sydney to Newcastle by the evening steamer on that same day, Monday 21 October 1833. Ann is apparently one of the many who had to endure the trip to Parramatta to be housed at the 'Female Factory' there. The constables who rowed them were described in an 1883 article as 'among the most brutal and abandoned of men.' The women were up to ten hours on the passage to their new prison - Normally one of ever-changing scenes of beauty. However, according to the same article, they were 'exposed to all the

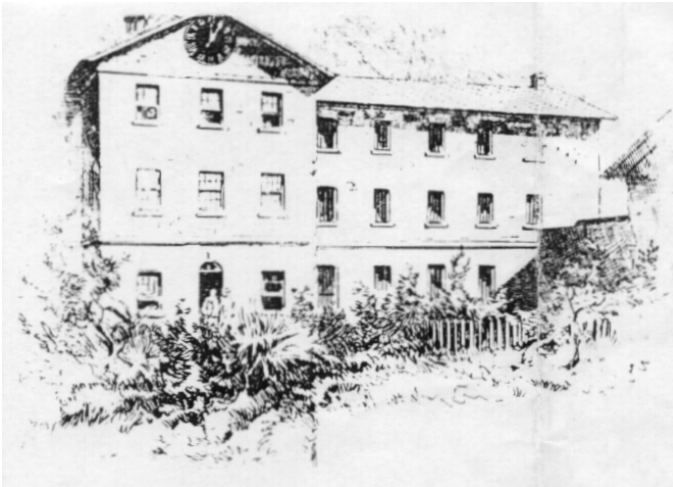
⁴²⁷ SH. Thursday, 10 Oct 1833. Ship News 3b.

⁴²⁸ SH. Thursday, Ship News, 17 October 1833, Domestic Intelligence, p2e.

⁴²⁹ SH. Thursday, Ship News, 17 October 1833, Domestic Intelligence, p2e.



temptations to which their own helplessness and their guardians 'force and licentiousness could leave them'.⁴³⁰



Female Factory at Parramatta was established in 1804 and rebuilt in 1820

The 'factory' was described as a 'splendid edifice of white squared stone standing a little way off from the town' of Parramatta. It was walled round to a height of twelve feet. "In it were confined all the female convicts not actually assigned out to private service together with such who are under imprisonment for bad conduct." When the factory was originally established in 1804, women were employed in the manufacture of wool, or spinning, picking oakum, husking corn, picking weeds, sail-making, caring for orphans, hospital nursing, dairying, midwifery, or in domestic service to the NSW Corps.

Within a few weeks after having endured the voyage to Sydney, and then Parramatta,

Ann was moved on to Newcastle.⁴³¹ She and twelve other females from the Buffalo were taken back down the Parramatta River out through Sydney Heads and up the coast on to the Hunter River estuary. Water transport was the still the most practical way for movement of goods and passengers between such centres of the Colony's population. Indicative of this process is the following press report of the prior year:

'40 female prisoners, for transmission to Newcastle, came down from Parramatta on Saturday morning, and

were immediately taken on board the Isabella Government Schooner,

and preceded to their destination.'

Monday, 8 October 1832⁴³²

From Newcastle Anne would have promptly been assigned to the Brown family at Jerry's Plains. Most of the women assigned at the time were required for general work duties.

Ann's qualities were soon recognised and appreciated by at least the eldest son of the Brown family, Thomas. Thomas in his short life was variously described as settler, grazier, farmer, and innkeeper.

It was inevitable that Thomas was going to be involved in the various projects that his father initiated to provide for the family. Typical of the times and the rural industry he would have begun his participation very early in life – and was a long doing the job of a man. Thomas' mother appears to also have been supportive. Perhaps her appreciation was encouraged by the evident shortage of marriageable young women in the colony that was available?

Reasons to Celebrate

On 17 June 1834 David junior was granted a General Annual Licence to sell liquor at his roadside inn the 'Green Gate'. William Vivers aged 35 of Hill End, formerly of Bulwarra, Patrick Plains;⁴³³ and neighbour, Richard Hobden of Gravelly Flat near Jerry's Plains; were stated as going 'Surety' for David's Licence application and had paid fifty pounds each.

A son, Alexander (known as Alick), was born on 14 October 1834 to David and Elizabeth at Jerry's Plains. David and Elizabeth, took their baby son Alexander to Sydney to be baptised on 4 March 1835, as

⁴³⁰ The Sydney Illustrated News, 3 October 1889.

⁴³¹ NSWSR Ref 4/2180 – Reel 590 *Item 509 on list*

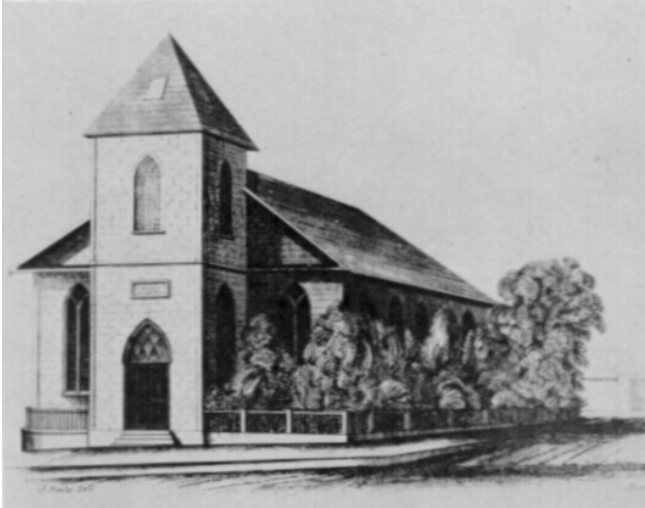
⁴³² SH, Monday, 8 October 1832, Domestic Intelligence, p2.

⁴³³ Came Free and linked with a Peter McIntyre of Patrick Plains in the 1828 Census who also came free and is shown as landholder of a significant 22000 acres.



a Presbyterian at St Andrew's Scots Church, in Elizabeth St.⁴³⁴ It seems most likely that the family went to Sydney by the now well established steamship service, as the quickest, most convenient, and least disruptive way for the mother and child.

This celebration in Sydney is likely to have been a special event. There can be no other reason. Its purpose is pointed. It was intended to be an opportunity for the Sydney members of the Brown family, including the Chisholms, to gather for a reunion? And for Elizabeth to catch up with folk from Watson's Bay, in particular her mother, Catherine. Such an occasion would have involved the patriarch of the family, David Brown senior.



St. Andrew's Scots Church Sydney, where David and family took their son Alexander to be baptised. From 'Sydney in 1848' by Joseph Fowles. Printed by D. Wall, Sydney 1848-50.

Things seemed to be going well for the Browns of the Hunter. This excursion to Sydney is likely to have been as much a celebration of things going well, as much as anything else. Perhaps the Browns' investment beyond the 19 counties had already yielded handsome dividends.

Towards the end of the year, if not already apparent, their son, Thomas' interest in Ann Shepherd would have generated some awareness that a marriage was in the offing.

Marriage

On 9 January 1835, the Governor of NSW received the application of David junior's eldest son, Thomas and Ann Shepherd, the family's assigned convict servant, for permission to marry. Ann being a convict still serving her sentence was required to obtain the Governor's consent. Though only 17 years old, Thomas gave his age at the time as 22 years, to make him appear three years older than his fiancée. Ann was then 19 years old.⁴³⁵ Approval was granted on 23 January. Given that the application was made under the auspices of the Church at which they were to be married, it appears likely that once news of the official approval was received, then the announcing of Banns would commence.

Legend suggests that David senior was living with or visiting the family at Jerry's Plains during 1835 prior to the marriage. He is reputed to have opposed Thomas' marriage to a convict, and saw it as some kind stigma on the family as a whole. A kinder view is that he may well have objected on the grounds of Thomas being so young. However, the legend doesn't even hint at this.

David senior would have been well aware of views expressed by people like Alexander Kinghorne, close friend of his son-law, James Chisholm, and father-in-law to his other grandson, young Jas Chisholm. Kinghorne had made quite an issue over whether the people he associated with were 'in every way a respectable individual' and had not 'undergone a conviction'. The family was proud of their connection to the Chisholm family, and remained aware of it for several generations. It is not difficult to envisage the old man being sensitive to this view and the family connection with the Chisholms and the attitude of those associated with the Chisholms.

On 30 June 1835, David junior's 'Green Gate' Inn began business as a licensed establishment. The family's thoughts at the time were on the coming wedding. The 'Green Gate' also had an adjacent general store that could well have been operating about the time David applied for his liquor licence. He was the licensee of the 'Green Gate' for the first three years, and then handed over the running of the inn to son,

⁴³⁴ BDM Reference V1834 2898 Vol 45B 0. NSWRS Reel 5016, V1834 76 Vol 47 0. NSWRS Reel 5017 (NLA mfm 229)

⁴³⁵ Detail from photocopy of Banns register for that period.



Thomas, in 1838. It would not have been unusual for David senior to have been in Jerry's Plains/ Patrick Plains for the commencement of this new family project.

The marriage between Thomas and Ann took place on 28 September 1835. Witnesses were a 'Richard Ward' of Patrick Plains and Thomas' mother, Elizabeth.

In giving her formal consent, Elizabeth showed that she had learnt to sign her name since her marriage to David. Elizabeth may have also learnt basic reading and writing skills since her marriage.⁴³⁶ It would have been useful to deal family and business matters that arose on David's frequent absences. Richard Ward made his mark.

A parent being signatory to a child's wedding, such as with Elizabeth, does not seem to be very common. It could be argued that she was there as Matron of Honour for her daughter-in-law. If so it could be seen as a sign of the two women having become close friends. However, the fact of her being signatory, also conveniently coincides with the fact that Thomas, was almost three years short of his majority, and legally in need of parental permission. Elizabeth effectively provided formal parental blessing to the marriage more direct than the Banns that had been announced over the prior eight months.

Elizabeth's involvement in the marriage in this way may be explained by the legend concerning David senior's supposed opposition to the union. Ann Shepherd's status as a convict is said to have been the cause of his hostility, and that led to a bitter argument with David junior and his family. By 'family', one could reasonably read this to mean young Thomas and his mother, Elizabeth.

Elizabeth's upbringing of continuous satisfactory association since childhood with convicts and ex-convicts is not likely to have made her sympathetic to any concerns expressed by her father-in-law about intimate connections with convicts. Her stepfather, Patrick Humphries is an obvious example! The event concerning a midnight confrontation with bushrangers in 1831 (see Chapter 9 - Settling the Hunter) showed she had a strong personality. In that particular event she was loyally, and ably, assisted by a government servant who was assigned to her household. The event also demonstrated Elizabeth's willingness to testify to the qualities of a person regardless of their status as convict or otherwise. The family dispute implied by the legend suggests that Elizabeth's witnessing of the wedding is a very gutsy and pointed statement.

Perhaps David senior had spent time with the Chisholms or the Browns at Erskine Street for an extended period that coincided with marriage arrangements at Jerry's Plains, and thus was not aware of events unfolding?

The old man could not but help remember the marriage of his other grandson, Jas Chisholm, to Elizabeth Kinghorne. The difference between what Ann Shepherd and Elizabeth Kinghorne brought to their marriages in terms of status and connection is in stark contrast.

It is not difficult to imagine the frustration, disappointment, and anger that might have arisen in David senior in consequence of his son's family having allowed the marriage in spite of his expressed wishes. His bitterness over the matter having got the better of him, David, at the age of 86 years, is supposed to have made a hasty departure to Sydney from Jerry's Plains. Travelling to Maitland by horse or carriage; and then by boat service; would have been the more comfortable way to do this. However, it is said that he returned on horseback, on his own. The epic ride, if it occurred, and at the age he was said to be, would have been sometime after 22 October 1835.⁴³⁷ The fact of the existence of the legend is of significance. All the information that exists about him suggests a tough spirited man, of robust health and active up to the last; a man capable of that particular feat.

Richard Hobden

Down the road from the Browns, Richard Hobden of Gravelly Flats near Jerry's Plains appeared in Maitland Quarter Sessions court on 6 May 1836 before 3 magistrates, Stewart, Campbell and Clarke. Hobden was

⁴³⁶ Thomas Brown's affidavit to Governor Darling in 1831 expresses his concern that his daughters be educated which points to the Brown family's encouragement of their women-folk being able to read and write.

⁴³⁷ David was 86 at time of his burial on 22 October 1836. He therefore had his birthday during the previous 12 months.



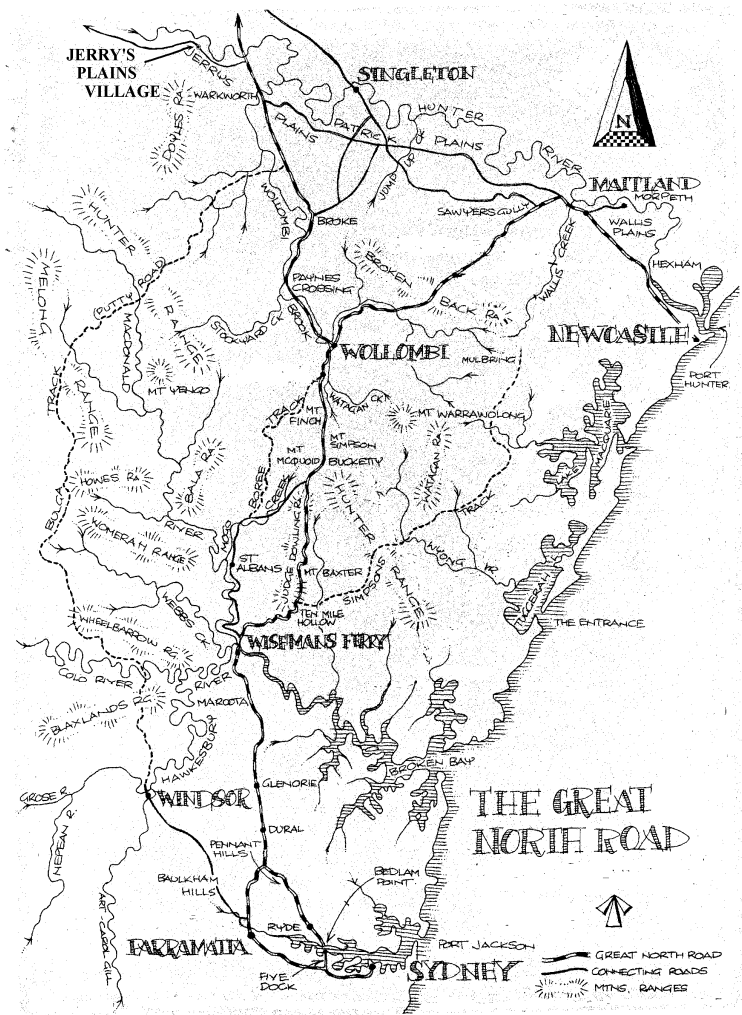
one of the first to actually settle in the area. He had been convicted on 25 February 1836 on a charge of retailing of 'Fermented and Spirituous Liquors' without a licence on 18 February 1836 at his premises at Gravelly Flats. Hobden had a hut 'about fifteen or twenty yards from the house' where the liquor was sold to a constable who had entered the premises incognito for the purpose of entrapment.

Alfred Glennie, acted as advocate for Richard Hobden. He pointed out that the constables involved in the investigation had not specified that Gravelly Flat was in the 'Colony of New South Wales'. The conviction was quashed.

What David Brown junior, at his licensed 'Green Gate Inn', might have thought of his not too distant neighbour retailing liquor without a licence, and whether he or another innkeeper in the region had reported Hobden's activity to the authorities is a matter of conjecture. The fact that in 1834, Hobden had gone 'Surety' to the tune of fifty pounds for David's licence application is likely to have made David sympathetic to him.

The Great North Road, linking the Hunter Valley to Sydney via Wiseman's Ferry, and Wollombi was completed during 1836. It became the major overland route north from Sydney, and remained so until the opening of the Pacific Highway in 1930.⁴³⁸ The Bulga Road remained little more than a cattle-trail until 1940, when its upgrade would have assisted War time requirements.

The population of the Colony of NSW in that year of 1836 according to official census was 77,096, some ten-fold increase from when David senior arrived in the colony with his family.



Great North Road system circa 1836

Big Changes

News of the death of David senior's youngest son, Thomas (I), on 27 May 1836 in Sydney would have been received at Jerry's Plains. It is likely that if the old man, if not already in Sydney at this point, returned to assist in family matters arising from that event.

⁴³⁸ Much of the high quality construction was carried out under the supervision of Assistant Surveyor Percy Simpson, based at Wiseman's Ferry between 1828 and 1832, and Heneage Finch, who was in charge of construction around Bucketty and Laguna in 1830-31.

Simpson was an engineer who had a sound knowledge of the latest road construction techniques being developed in Europe. He had the most difficult sections to build, like the steep descents from the ridgeline to the Hawkesbury River at Wiseman's Ferry. Much of the high quality work done under his command remains intact today - a tribute to his ability to lead an unskilled and unwilling labour force to produce such an engineering masterpiece.

Not all sections of the Road were constructed to the same standard, the quality of work depending on the skills of the men in the gangs, their overseer, and the Assistant Surveyor in charge. - Explore the Convict Trail: The Great North Road. Tourism NSW (in consultation with the Road Transport Authority), 2001.



David senior's great grandchild, David (IV), son of Thomas and Ann, was born in Jerry's Plains in July 1836 and baptised on 12 July 1836 at the Church of England, Parish of Maitland.⁴³⁹ There was less than 21 months in age between this new arrival and his Uncle Alec. Thomas' occupation at the time was given as 'Farmer'.⁴⁴⁰

Push North from Jerry's Plains

The colonial occupation of the Namoi and its tributaries was now underway. It was a slower and more laborious process than other stages of white settlement, due to the remoteness of the area and the difficulties of maintaining communications and supplies. But within three or four years of Sir Thomas Mitchell's expedition of 1832, the northern and north-western parts of the Liverpool Plains filled up. This led to a growing number of conflicts between Aboriginal and the white invaders.⁴⁴¹

During the winter of 1836 a party of mounted police from Jerry's Plains under the command of Sergeant Temple, conducted a campaign to clear the blacks out of the area north from Barraba to the Gwydir River. The axis of this campaign was some 75 kilometres to the east of the site of the Brown's 'Millie' property. The police were accompanied by a number of stockmen and squatters including Thomas Simpson Hall (1808-1870). The campaign is estimated to have caused about eighty deaths among the Aboriginal population in the region. Thomas Hall, native to the colony, and the son of the Brown's neighbours at Cattai; George Hall, had provoked the incident in April that year that led to the event.⁴⁴²

In the following spring, the occupation of the Gwydir began. A party of fifty stockman, shepherds, and hutkeepers drove several thousand cattle and sheep north in search of pastoral runs.⁴⁴³ Many, if not most, of those who took part in these incursions of winter and spring, would have been the more ambitious landowners or desperate smallholders, their sons, and landowners employees, of the Hunter River region in the vicinity of Jerry's Plains.

It seems that George Bowman was one of those who took advantage of the 'Spring' drive. Based at Richmond, he and his overseer, William Waterford, took cattle from his Hunter River properties to the north of the Liverpool Plains. Waterford established a station on Bowman's behalf that became known as 'Terry Hie Hie', not far from where David Brown had his run, to be known as 'Millie'.

David junior's sons: Thomas 19, James nearly 17, and John 15 years old, were by now, well experienced in traversing long distances by horse and managing cattle. James and John are known to have become very much involved in Millie's creation and exploitation, and to have remained so for many years. The licence for the run was initially held in their father's name. David is recorded as having paid a licence fee for squatting rights in the Liverpool Plains for the first time, like many others, from 23 April 1837 for several years. The fee effectively acknowledged David's prior and continuing interest in grazing in this existing location.⁴⁴⁴ It is not until March of 1838 that further evidence of the family's pastoral activity in that region is encountered, and that specifically relates to David Brown's Millie run.

David Millie run was centred on Waterloo Creek, upstream from Snodgrass Lagoon, about 60 kilometres north of present day Narrabri and 350 kilometres northwest of Jerry's Plains.

It was Snodgrass Lagoon that was found by explorer Mitchell in 1832. Ultimately, the south side of Waterloo Creek i.e. 'Millie South' came to be managed by David's son, John. The north side of the creek, known as Millie North, was leased by John's elder brother, James.

⁴³⁹ NSW SR Reel 5004, BDM Reference V1836 1224 20.

⁴⁴⁰ NSW SR Reel 5004, BDM Reference V1836 1224 20.

⁴⁴¹ Waterloo Creek. P90.

⁴⁴² In April of 1836, Thomas Simpson Hall of Cattai/Pitt Town, with a black guide from the Hunter River and several stockmen, had taken a mob of sheep and cattle up the track from Barraba to the Gwydir River in search of pastoral runs. As they neared the country of the Gwydir mob, Hall's guide became nervous, for he didn't know these people and was reluctant to proceed further. Hall decided to teach the guide a lesson and, levelling his fowling piece at him, 'discharged its contents of small shot in the buttocks of the Black!' The guide ran away and joined the Gwydir mob. In retaliation, the Gwydir mob attacked Hall's camp at Big River, killed a stockman, and wounded Hall and another man.

⁴⁴³ Australians 1838.

⁴⁴⁴ Governor Bourke wrote to the Colonial Official stating the futility of trying to stop the squatters - He decided to deal with the dilemma they posed by applying a licence fee. The Discover Australia series, 'The Governors'



The run adjoining Millie's eastern boundary was 'Malaraway', which was squatted on by John Eckford about the same time - John Eckford⁴⁴⁵ was a son-in-law of Peter Duff, David Brown's neighbour at Jerry's Plains.

Town Life

Back at Jerry's Plains the residents wrote to the Colonial Secretary in 1836 requesting a Post Office.⁴⁴⁶

A 'David Brown' is listed as resident of Darlington, St Patrick Plains (Singleton) in Post Office Directory of 1836. In addition to any investment potential that might have seen in that property, it is likely the residence was a practical consideration for the needs of the family. Aside from a place that any of the Browns could stay over, it may well have been David senior's way of residing close to his son's family but taking advantage of town comfort.⁴⁴⁷ It was also typical of David junior to acquire town land in a wide variety of locations for investment purposes as much as anything else.



The Passing of David Brown (1750 – 1836)



Five months after the death of his son Thomas, David Brown, the elder, died at the age of 86.

Legend states that David died at his home at Erskine Street, Sydney, in the company of an old servant Elkin (or Elgin).⁴⁴⁸ There are suggestions that Elkin was as much as companion as a servant. The story emphasises the lack of family presence, and that he was still embittered by events in Jerry's Plains associated with the Marriage of Ann Shepherd into the family. A little at variance to this is the very credible claim is that David died at James Chisholm's house in George Street.⁴⁴⁹

David was buried on Saturday, 22 October 1836. His son, David, is the only one of his children to survive him, Thomas having died 27 May of that same year. The Register of Scots Burial Grounds notes David's Scottish origin and that he was 'Father-in-Law of James Chisholm.'⁴⁵⁰ This was possibly intended to imply an extra element of distinction to David's character though he was reported in that same newspaper five years earlier as 'a respectable settler of long standing in the colony'. It also suggests that David was very closely associated with James Chisholm up to the time of his death.

The Minister of the Kirk at the time, who wrote the familiar notations, was Rev. John McGarvie who was the Minister at St Andrew's Scots Church in Clarence Street South near Bathurst Street. Rev. McGarvie probably got to know David from his time at Ebenezer.⁴⁵¹ However, the Rev. McGarvie is more than likely

⁴⁴⁵ John Eckford's parents, Mary and William, had come as convicts on the Earl Cornwallis in 1801, and were based in Newcastle.

⁴⁴⁶ Elizabeth Baxter, P.O. Jerry's Plains, letter of 4 January 1981, to B & B Griffiths.

⁴⁴⁷ Elizabeth Baxter, P.O. Jerry's Plains, letter of 4 January 1981, to B & B Griffiths.

⁴⁴⁸ On Friday, 21 October 1836, the day before his burial?

⁴⁴⁹ Miriam Chisholm Papers NLA MS6207 Series 3 Folder 4. c September 1958

⁴⁵⁰ NSW BDM Reference V1836/112 102.

⁴⁵¹ In 1832, Rev. McGarvie "accepted an invitation to start a second Presbyterian congregation in Sydney and held services in the courthouse until St Andrew's Scots Church was ready 'for use of persons connected with the Established Church of Scotland'" It 'was opened for divine service on 13 September 1835 and he remained as its minister until his death.'" (per Australian Dictionary of Biography). This second Presbyterian church faced Clarence Street South (away from Kent Street)



to have drawn on discussion with the highly regarded James Chisholm as a source for his comments. Significantly, the minister has given the entry his full signature Rev. John McGarvie not Rev J. McGarvie perhaps suggesting some personal connection with David?

James was probably the only relative of David in Sydney at the time and for this reason is likely to have been in David's company at the time of his death, as claimed by the Miriam Chisholm.⁴⁵² James may have been David's host at the time? He more than likely was the person who took charge of the funeral arrangements.



St Andrews Scots Church c 1907, Clarence St South.
(Photo per City of Sydney Archives NSCA CRS 51/204)

Unfortunately, the location of David's final resting place is unknown. David was most probably buried at the Presbyterian Burial Ground in Devonshire Street - It dated from 1825 and was later the burial place of Rev. McGarvie himself. However, the Devonshire Street Cemetery was closed around 1900 to make way for Central Railway Station.⁴⁵³

David Brown (1750 – 1836) Summed Up

He was a carpenter.

'a respectable settler of long standing in the colony'.

His focus was about improving the condition of his two surviving sons.

He didn't have to bother with obtaining the services of a notary as so many others felt obliged or necessary.

David had direct, informal, style of writing.

He was person who was confident, well educated, and used to writing letters.

An impromptu visit to the Surveyor-General is matter of fact.

While deferring to the Colonial Secretary and Surveyor-General's official status in correspondence, one senses that David sees himself dealing with equals.

Father-in-Law to James Chisholm and well regarded by him.

⁴⁵² Regretably, Rev. McGarvie doesn't say exactly where David died.

⁴⁵³ Most of those graves in a condition that allowed for their removal were relocated to Bunnerong Cemetery by the government. Apparently, many of the early gravestones at Devonshire Street Burial Ground were badly weathered or destroyed because they were soft sandstone and suffered from the industrial pollution in the area, and so couldn't be identified. Some graves were moved to other cemeteries by the families involved.



Chapter 14 – Landowner, Merchant and Banker

(1819 - 1837)

It is said that there were two distinct social groups of influence having evolved in the early 19th century. One was based on wealth from trade, and the other from land and livestock. James Chisholm managed successfully to have a foot in both ‘camps’, and to even go beyond that, to finance.

As a consequence of James’ second marriage (to Mary Bowman) his family expanded steadily over the following years. The first was a son, John (James’ father & father-in-law’s name) William, born to James and Mary on 9 October 1819. Barely nine months later, another son, Alexander (James’ brother’s name), was born to James and Mary on 27 June 1820.

James’ new family and business interests tended to put him on a different path to other members of the Brown family. There is evidence enough that he and they continued to keep in touch, and be aware of their connection.

During the 1820s James continued to acquire quality real estate to compliment his already considerable holdings. Prospect, Parramatta, Quakers Hill, Camden, and Cabramatta were areas in which he invested.⁴⁵⁴ His son, James, extended the Chisholm’s interests considerably in the Goulburn region and elsewhere in southern NSW.

James’ farming property in the Camden region at the start of the new decade exceeded 3,500 acres. In building it up he had spent considerable time at his St Andrews property making it his business to oversight its management and acquainting himself with what was happening in the neighbourhood. Consistent with other reports of his character he was a good neighbour. At least John and Elizabeth Macarthur had reason to think so. During her husband’s long absences from the colony, Elizabeth Macarthur was left to manage their property. Elizabeth made constant mention in her various letters of that period, of her neighbour, James Chisholm, being a good friend to her with advice.⁴⁵⁵

A great part of James’ income depended, as did many of the settlers at the time, on supplying goods to the Government’s Commissariat Stores in Sydney. Indicative of this are the following transactions: March 2 and 26 of 1819, Bills were drawn on H.M. Treasury in favour of James for £501-11-3 and £500, respectively, and again on September 24 for £1000.⁴⁵⁶ The odd amount is likely to be for supply of fresh meat, which he often provided. An example is the Commissariat Department’s Sydney Store receipt issued on 24 May 1821 to James for his having supplied 26,167 lbs. of fresh meat @ 5d per lb. totaling £545-2-11 sterling.⁴⁵⁷

About 1820 James transferred his licence to sell wine and spirits to Mrs. Mary Reibey. This appears to have been the groundwork for the relocation of the Bank of NSW from her premises to James’ George Street property in 1822.

James name was on the list of persons dated 5 March 1821 for whom grants of land had been handed over to the Surveyor General for delivery, with amount of fees to be charged.⁴⁵⁸

About this time the merits of cedar for the manufacture of furniture was becoming increasingly appreciated. James seems to have joined in the exploitation of cedar for a brief while. On 19 April 1821, James was at an auction sale where he purchased cedar seized from Hamilton Hume. He was one of five

⁴⁵⁴ For example Parramatta 1340 acres, Melville (Quakers Hill) 1050 acres, and Cabramatta 460 acres.

⁴⁵⁵ Some Southern Homes of NSW, p16

⁴⁵⁶ NSWRS Reel 6049; 4/1745 pp.77-8, 83 & 372-3, 378 [second copy]

⁴⁵⁷ NSWRS Reel 6051; 4/1748 p. 174

⁴⁵⁸ NSWRS Fiche 3266; 9/2652 P.62



who were successful in their bids. James acquired 1165 feet of the timber for £16 -3-0.⁴⁵⁹ On 1821 November 14, James was permitted to procure three thousand feet of cedar in the District of Illawara and to employ sawyers, Thomas Millar, and Richard Kippas, both free, and a carrier, James Howarth, for this purpose.⁴⁶⁰ This interest in cedar may well be about utilizing the services of his father-in-law by his first wife, David Brown, and his cabinet-making business at Erskine Street.

On 13 July 1821, James gave an address of welcome to Governor Lachlan Macquarie on his return from Van Dieman's Land.⁴⁶¹

Severe embarrassment confronted the Bank of NSW during 1821, when it was discovered that the bank's Chief Cashier had stolen half its subscribed capital. None of the missing funds was ever recovered.⁴⁶²

On 6 August 1821 James' signature appears in a recommendation of application for auctioneer's licence.⁴⁶³

On 4 September 1821, James wrote a memorial to the Governor seeking a grant of land and refers to his being a former soldier. He explained that he has livestock, property, and buildings, *'all procured by his own industry which form a Capital of at least six thousand pounds.'* The same day the Governor, Lachlan Macquarie, approved his being granted 500 acres on the basis of him being a *'Grazing Farmer'*.⁴⁶⁴ On 22 September 1821, James' name appeared on a list of persons to receive grants of land in 1821.⁴⁶⁵



Sir Thomas Brisbane
Governor NSW
December 1821 to December 1825.
Born 1773. Died 1860.

On 2 December 1821, Major-General Sir Thomas Brisbane took Office as Governor of the Colony of New South Wales. Like his predecessor, Macquarie, Sir Thomas Brisbane was a career soldier. Brisbane had served with particular distinction in the Peninsular War in 1812 under the Duke of Wellington, and had been mentioned in dispatches for his bravery at Toulouse in 1814. Like Macquarie, James Chisholm, and John Piper, he was Scottish. Like John Piper he had been born in Ayrshire. Brisbane was forty-seven years old at the time of his arrival, some six months James' junior.⁴⁶⁶

Landmark Moment for James

On 19 April 1822, James was on the list of members of the Governor's Court.⁴⁶⁷ The Governors Court sat once a month for hearing and determining complaints entered for examination.⁴⁶⁸ This suggests an ombudsman role? Whatever its overall purpose and responsibilities of the Court, it implies James had some standing in the community, and with the governor! This may well be a landmark in James' social standing. From this time on, he was especially sought after by other notables to have his name included on petitions and corporate boards.

⁴⁵⁹ 1822 April 2, NSW Reel 6055, 411760 p.6; Reel 6017, 4/5783 p.22

⁴⁶⁰ NSWRS Reel 6008; 4/3504A p.79

⁴⁶¹ Catalogue of Manuscript material at Mitchell Library

⁴⁶² <http://www.westpac.com.au/about-westpac/westpac-group/company-overview/our-history/>

⁴⁶³ NSWRS Reel 6051; 4/1748 pp.413-6

⁴⁶⁴ NSWRS fiche 3035; 4/1826 No.21

⁴⁶⁵ NSWRS fiche 3266; 912652 pp.67, 7 1).

⁴⁶⁶ Descent, Vol 11, March 1981. Article by Miss C. Liston on Sir Thomas Brisbane refers

⁴⁶⁷ NSWRS Reel 6055; 4/1760 p.31b

⁴⁶⁸ SG 27 March 1823. p1.



James leased the Thistle Inn in June/July 1822 for £200 per annum to the Bank of New South Wales (Bank of NSW) for its premises that they used until 1853.⁴⁶⁹ He had advised the board of directors by letter on 18 June that this particular property of his was available for rent. The bank relocated from Mrs. Reiby's premises in Macquarie Place, where it had been since the Banks inception.

Authorities in Britain argued that Macquarie had not been empowered to grant a charter to enable the establishment of the Bank of NSW. W.C. Wentworth and others insisted on its validity and the Charter was renewed in 1824. In 1827, the old bank was formally dissolved and reconstituted as a joint stock company.⁴⁷⁰

In a shrewd move, James arranged for his eldest son to complete his business education by serving several years as clerk in the Commissary Department, c 1822 to 1825⁴⁷¹ in order to be schooled in the trade of commerce. It was also a useful means of gaining contacts; an insight into commerce from the official perspective; and an awareness of government bureaucratic processes.

In August of 1822, James was one of many notable merchants and land owners who were signatories to a petition objecting to '*.. the system lately adopted by the Commissariat in paying for supplies required by the Government, in **Spanish dollars***'⁴⁷²

In September of 1822 James was on a list of persons receiving an assigned convict⁴⁷³

James wrote to Lord Torpischam (James Sandiland, 10th Baron), his foster brother, in Calder, Scotland, on 15 February 1823. He told Lord Torpischam of his progress in the colony and his hopes of soon visiting his native country and having an 'interview with your Lordship'. Captain Bell of the Brig 'Minerva' a 'very respectable and intelligent man' was to be the bearer of James' message.

William Campbell, a particularly notable merchant of his day and the owner of Campbell's Wharf and Warehouses, was someone who had James' confidence. Campbell property was located on the northeast side of Sydney Cove and was a significant landmark. James and another merchant, John Dickson⁴⁷⁴ were called on by William Campbell to sign an undertaking on 1 March 1823, to pay £6,000 (a considerable sum of money at the time) if a Court of Appeals judgment should rule against him (Campbell) in his long running case against John Macarthur.

In March of 1823, Ann Curtis sought financial assistance, through a petition, following the destruction of her brew-house at Parramatta. In addition to this loss, this unfortunate woman pleaded in her petition, that she was not long widowed, with five children, who had recently lost her eyesight in an accident. James was on of a handful whose signature appeared as subscribing to donate money to the cause.⁴⁷⁵

#A daughter, Mary Anne, was born to James and Mary on 31 March 1823 in Sydney.

⁴⁶⁹ Clan Chisholm in Australia 1790-1990

⁴⁷⁰ Economic Reform Australia Newsletter.

⁴⁷¹ NSW SR. Fiche 3123. p681. & Letter 24 May 1825, NLA MS 6207. Box 2, Folder 9

⁴⁷² NSW SR Reel 6017; 4/5783 p. 124a

⁴⁷³ NSW SR Fiche 3291; 4/4570D

⁴⁷⁴ Successful proprietor of steam engine operated grain mill at Cockle Bay and grazier. Came free per "Earl Spencer", 1813. *John Dickson, an associate of James Chisholm and Robert Campbell, was a grazier, and the successful proprietor of one of the steam engine operated grain mills at Cockle Bay from 1819 and perhaps earlier. Came free per "Earl Spencer", 1813*

⁴⁷⁵ NSW SR Reel 6059; 41/1771 p.340c



Commissariat Office, Sydney, 4th June, 1823.

BILLS OF EXCHANGE- The Sum of £10,000, being shortly required for the Services of these Colonies, will be drawn for at Thirty Days' Sight, on the Lords Commissioners of H.M Treasury, against Spanish Dollars. Persons, disposed to supply the Whole, or any Part of that Sum, are requested to send sealed Tenders to this Office by Twelve o'Clock of Thursday the Twelfth instant, defining in words at Length, the Premium per Cent; and endorsing each Tender thus, "Tender for Bills".
William Wemyss, Deputy Commissioner General.

N.B. - The Spanish Dollar will be received as heretofore, at Five Shillings; the Colonial Dollar at three-fourths of the Spanish Dollar; and the Dump at One-fourths.⁴⁷⁶

James was a signatory on 4 August 1823 to a petition, to the Governor for assistance in establishing a Presbyterian Church in the colony.⁴⁷⁷

On 31 October 1823, James was listed as a shareholder in the Bank of NSW.⁴⁷⁸

Wine and Spirit Trading Continues in James Name

Even though James' Thistle Inn premises had been rented out to the Bank of NSW his wine and spirit import trade had not abated:

On 15 August 1823 James was granted a 'gratuitous remission' of excise duties on wine purchased on board the "Avon".⁴⁷⁹

An account dated 15 December 1823 for gin imported by James in the Bonded Store since 1 January 1823.⁴⁸⁰

Campbell's case against Macarthur failed; he then appealed to the colonial Court of Appeal, which upheld the judgment of the Supreme Court. Campbell then decided to appeal to the Privy Council in London. This had to be done through Goulburn who, as well as being Colonial Secretary, was also Registrar of the Supreme Court. William C. Wentworth Esq. wrote to the Colonial Secretary's Office on 8 November 1824 concerning the long running appeal. The case had been in progress more than two years, (since 16 August 1822). James Chisholm and John Dickson are mentioned by Wentworth as going security to the value of six thousand pounds (for Campbell).⁴⁸¹ Probably through negligence or ignorance of the rules of Court, Goulburn neither obtained Governor Brisbane's consent (as was required), nor followed the prescribed procedure in forwarding the appeal to London. Nor did he inform Macarthur's solicitor that an appeal was being made.

Macarthur heard of it only by chance about a year after all the papers had been sent to England. When the appeal came before the Privy Council it was immediately dismissed; John Macarthur had submitted a petition, supported by affidavits from New South Wales, setting out the irregular circumstances under which it had been sent.⁴⁸² It seems that, depending on William Campbell's financial circumstances at the time, James was highly vulnerable to having to make good his guarantee.

On 30 November 1824, James brother-in-law, Thomas Brown of Erskine St married Mary Ann Bridget O'Neil at St Phillip's Church of England.⁴⁸³ Their family was to have a significant association with the Chisholm family in later years, perhaps more than other branches of the Browns?

⁴⁷⁶ SG. Thursday, June 23 1823. p1a.

⁴⁷⁷ Fiche 3308; x65.1 p.1

⁴⁷⁸ NSW SR Reel: 6040; SZ1049 p.2.

⁴⁷⁹ (Reel 6056; 4/1764 p.32)

⁴⁸⁰ NSW SR Reel 6059; 4/1773 p.32.

⁴⁸¹ NSW SR Reel 6013; 4/3512 pp.697-8

⁴⁸² Eliza Macarthur and her World, p108.

⁴⁸³ BDM Registration V1824 3461 3B O, page 127, and V1824 379 8, St Phillip's.



James was paid £168 on 31 December 1824 from the Colonial Fund for a horse he supplied on 10 August that year.⁴⁸⁴

A Passing Acquaintance

One day James, while standing in front of his George Street residence, got into a conversation with a gentleman of about the same age as himself, who happened to be passing by. That person was Alexander Kinghorne, who had not long arrived in the colony. Kinghorne in later writings is said to have described his initial impression of James as an elderly gentleman.

‘On the strength of their common nationality, each was at once favourably impressed by the other; and after a little conversation on the street, Mr. Kinghorne was invited by the other to partake of his hospitality.’

When he returned home however, Kinghorne ‘was much concerned at having been the guest of quite an unknown person, and feared he might have compromised his character by accepting hospitality from a convict.’ ‘Having made inquiries, Kinghorne was much relieved to find his newly acquired friend had never undergone a conviction, and was in every way a respectable individual.’⁴⁸⁵ ‘This acquaintance so accidentally begun, eventually led to James’ junior marrying Kinghorne’s daughter, Elizabeth.

Alexander Kinghorne, a surveyor,⁴⁸⁶ had put ashore at Sydney Cove in October 1824 on the ship ‘Portland’⁴⁸⁷ with his family, having sailed from Leith, Scotland. Aboard the same ship were soldiers of the 48th Regiment. On arrival, as a result of an official request from the colonial office, Governor Brisbane appointed Kinghorne as Superintendent of Convicts at Emu Plains - An office that may have made him another useful connection for the Chisholms. Kinghorne subsequently acquired Drummond’s 100 acre farm at Liverpool, and became a magistrate there.

#A daughter, Marie, was born to James and Mary on 13 April 1825.

James Chisholm is mentioned 20 April 1825 Re bail in case of Campbell appeal against Macarthur⁴⁸⁸

On 9 May 1825 James signed in recommendation of Thomas William Middleton’s memorial re retaining the situation of Inspector of Cattle.⁴⁸⁹

James’ order dated 31 October 1825 on the Colonial Treasurer for supply of sundries for Government.⁴⁹⁰

Described as a ‘Merchant of George Street’ James appears on a list dated 1 Nov 1825 of persons liable to serve as jurors in the district of Sydney.⁴⁹¹

Treasury Order dated 15 November 1825 drawn in favour of James Chisholm.⁴⁹²

On 22 November 1825, James wrote to the Colonial Secretary in support of his son’s (James) application for a grant of land, twelve months prior:

My Son some time back previous to the lamented Indies Indisposition of Major Ovens gave in a memorial praying for a grant of land. I take the great liberty of

⁴⁸⁴ NSW SR Reel 6039; 4/424 p.438

⁴⁸⁵ ‘Speeches and Reminiscences’ James (III) per Clan Chisholm in Australia 1790-1990

⁴⁸⁶ History of Goulburn, p36.

⁴⁸⁷ The ‘Portland’, was 385 ton vessel owned by the Australia Company with 28 crew under command of Capt William Snell Arrived Sydney 16 Oct 1824. Per Shipping Arrivals & Departures Sydney. SN 557

⁴⁸⁸ NSW SR Reel 6014; 4/3514 P.119

⁴⁸⁹ NSW SR Reel 6062; 4/1782 p.48b

⁴⁹⁰ NSW SR Reel 6070; 4/6037 p.62

⁴⁹¹ NSW SR Reel 6062; 4/1782 p. 1 1 Ob

⁴⁹² NSW SR Reel 6063; 4/1784 p.187a



addressing myself to you Sir, and under the circumstances stated, I am induced to hope his request will be granted. My son Sir, (is) 20 years of age and a native of this colony. He has Sir, served 2 years as clerk in the Commissary Department. And as he is inclined to Farming I have given him one hundred head of cattle besides horses. And as he never had any hand given him by Government in the Colony, I am inclined to hope his memorial will be attended to.

He not receiving any answer to his memorial I (have) taken this liberty of addressing with hope you will be kind enough to serve me in this respect.

I would wish, if it is possible to be done, purchase from 2 to 3 thousand acres at the old regulations For him by using your best endeavour to serve me in my sons' behalf you will confer an Everlasting favour.

*I Remain Sir
Your Humble
and Obedient servant
(Signed) James Chisholm⁴⁹³*

This letter was delivered on the morning of the day it was written. James got a very prompt and favourable response. His name appears on list of lands granted and reserved by Sir Thomas Brisbane, as receiving orders for two grants of land, one on behalf of his son on the same day, 22 November 1825.⁴⁹⁴ The Governor appears to have rushed to get this outstanding business out of the way before his term of office expired at the end of the month – Perhaps as a favour to a friend?

Sir Ralph Darling began his term as Governor of the Colony of New South Wales in December 1825.

John Bowman (b.1763), James' father-in-law of his second marriage, died at James' house on 22 December 1825.⁴⁹⁵

James Chisholm a founding shareholder in the Bank of Australia in July 1826.⁴⁹⁶

On 27 June 1827 James acquired 800 acres of land adjacent to St Andrews from Alexander Stell. For which he paid for £720.⁴⁹⁷ The total St Andrews holding by then amounted to over 4400 acres of prime farmland.

Goulburn Interest

Young Jas, while doing very nicely at 'St Andrew' came to believe that there was a need to expand his farming enterprise. In doing so, he looked south to the Goulburn region. In 1826, when he first visited Goulburn Plains on horseback and with a packhorse, there was one solitary shepherd's hut standing on the

⁴⁹³ NSW SR Fiche 3123, 4/1840C No. 121pp.677-84 (p681).

⁴⁹⁴ NSW SR Fiche 3269; 9/2740 p.7, 1825 November 22, and Fiche 3266; 912652 p.87

⁴⁹⁵ Sydney Herald.

⁴⁹⁶ "[Australian Bank Shares](#)", Sydney Gazette, 10 May 1831, p. 3.

⁴⁹⁷ Miriam Chisholm Collection, NLA MS 6207. List of Farms purchased by James Chisholm.



hill that today is the thriving town of Goulburn. At that time a Mr. William Bradley had already settled in the district, and occupied the greater part of the plains as a sheep station. In later years, Jas was fond of describing the appearance of the Goulburn Plains when first he travelled through them.⁴⁹⁸

‘Being of true pioneering spirit, he carved from the wilderness a great holding which still stands today.’⁴⁹⁹ Jas ‘selected and applied for a grant of 1200 acres of land on the southern side of the Wollondilly River, about 7 km west of Goulburn. This was granted on 3 February 1827 but the same piece of land was also granted to Rev. Richard Cornelius Cartwright. The latter was in possession of it until August 1830 when he was declared bankrupt’ - And consequently not being able to comply with the terms of the grant and was bought at auction by Jas for £285. The grant was finalized in Jas’ favour on 29 October 1834 on completion of development condition. The property was the beginnings of an estate that spread about the fertile valley of the Wollondilly River that became known as ‘Kippilaw’. The property began as a cattle station ‘but was soon growing also wool, wheat and maize’.⁵⁰⁰

Adjoining the Cartwright property on the east was a 2000 acre parcel of land granted by Governor Brisbane to Alexander Kinghorne, Jas’ father’s friend. Kinghorne is said to have established himself at Goulburn Plains in 1827, the same year the Cartwright land was granted. He named his property ‘Cardross’.⁵⁰¹

The 1828 Census shows Kinghorn(e) to be 56 years old, and that his farm (known as Drummond’s Farm) was 100 acres, and that he had cleared 70 and cultivated 20. His livestock consisted of 2 horses and 6 cattle. His children were Alexander (junior) age 24 years, Elizabeth 19 years, Helen, the eldest child at 28 years, Isabella 16, and John Kerr age 18 years. Kinghorne must have been a widower at this time as there is no wife in the census.

Kinghorne had three Government Servants assigned to him. Also as part of his household was a nine year old boy, Jesse Loudon, who had arrived in the colony that year, and was employed as a servant. In addition, at his Cardross property on the Goulburn Plains, Kinghorne had six persons employed there, four of them convicts - Their occupations comprised, overseer, dairyman, shepherd, and three labourers.

Brown and Company – Wine Merchants

A special Act was passed in 1827 fully legitimising the Bank of New South Wales, and other banks established in the colony. Until then they had been operating without a Royal Charter. The old bank was formally dissolved and reconstituted as a joint stock company.⁵⁰² This legislative correction that overcame uncertainty in respect of his interest in the Bank of NSW coincided with the James Chisholm co-founding a wine and spirit business known as Brown and Company.

The creation of Brown and Company neatly removed James name from involvement in the wine and spirits business as a significant trader / merchant, and allowed him to concentrate on his banking interest. The registration Brown and Company probably formalised a *de facto* and proven arrangement that James set in place. Retaining part of the original name, Brown and Company is still in business under different ownership, as Harbottle Brown and Company.⁵⁰³ The Chisholm family’s association with this company as shareholders continued on long after James’ passing.

The Browns associated with this successful company are claimed by some to be the sons of David Brown Snr. The records of Brown and Company date from 1827 and refer to John, James, and Thomas Brown as being the founders of this company. The Browns associated with the formation of this company may be related to David Brown snr, (James Chisholm’s father-in-law). However, as evident from earlier chapters in this work, David’s sons were: James (*Deceased 1812*), David (jnr), and Thomas Brown. David snr’s letter of January 29, 1822 to the Governor on his behalf of his then two surviving sons reinforces this point. He did not have had a son called ‘John’.

⁴⁹⁸ The History of Goulburn, p44.

⁴⁹⁹ The History of Goulburn, p44.

⁵⁰⁰ Kings in Grass Castles. Chapter 3.

⁵⁰¹ Henry Parkes Utopia. P26-7.

⁵⁰² Economic Reform Australia Newsletter.

⁵⁰³ Correspondence re Harbottle, Brown & Co 1827 – 1842. Catalogue of Manuscript material at Mitchell Library.



David's son Thomas may be the person mentioned in the Brown and Company records. Thomas seems to have done much of his growing up in the care of his sister and consequently in James Chisholm's household. James well made a point of bestowing this opportunity on this youngest brother of his beloved first wife and the son of his good friend (*and father-in-law*). This venture seems to have arisen as the Thomas, with a young family was attempting to run his carpentry business at Erskine Street and resolve difficulties his various land holdings and investments. Being part of a successful initiative is out of character with what is known of Thomas Brown's generally unfortunate run of business ventures. It is unlikely that having had many years of close association with Thomas that James Chisholm would have not had 'the measure of Thomas'. If Thomas was party to this initiative, it is likely to have been one of acquiring shares without 'hands on' involvement. Thomas would have had to, at some point, sell his shares pay his debts. His brother David may well have fared better, had he been involved, but he was busy and effective elsewhere; at Cattai, and the Hunter River.⁵⁰⁴

Possible contenders (aside from Thomas of Erskine Street) as shareholders in Brown & Co that can be found among the many names listed as 'Brown' (*and Browne*) in the 1828 Census are: John Brown, age 30, Publican, George Street; James Brown, age 20, Merchant, George Street; and Thomas Brown, age 28, Mariner, George Street.⁵⁰⁵ Whether any of these have a family connection to David Brown snr is another question.⁵⁰⁶ The John Brown who is identified as founder of Brown and Company is likely to be the same John Brown who was one of the two executors of James Chisholm's will.

Harbottle Brown and Company advertising significantly makes much of being founded in 1817.⁵⁰⁷ This coincides with James Chisholm being registered in 1817 as the publican of the 'Crown and Thistle' at his George Street premises.⁵⁰⁸

#A daughter, Eliza, was born to James and Mary (nee Bowman) on 21 October 1827.

The 1828 Census shows James Chisholm as aged 55; 'Merchant, George St, Sydney'; and lists his second wife, Mary, aged 30, Came Free on the Barwell; and their children: John 9, Alexander 7, Mary Anne 5, Maria 3, and Eliza 1 yrs. Boarding with him is a Mary Gray (CF) aged 46, who has arrived that year on the Portland.

The census shows as belonging to James:

- 5574 acres of land, of which 747 were cleared, and 348 cultivated;
- 20 horses;
- 600 head of cattle; and
- Other: 'NB' (an unspecified number of Native Blacks)

⁵⁰⁴ Due to their young age at that time, the sons of David Brown jnr: John (b.1821), James (b.1819), and Thomas (b.1817) also seem unlikely to have been James' business partners in this venture. David jnr's brother, Thomas, fathered several sons but sadly they were short lived. The third brother, James, was never married.

⁵⁰⁵ 1828 Census Ref No 2614, John Brown age 30, FS, Ocean (probably first voyage Ocean thought 2nd 1823 is indicated, 1818, Publican, George Street; Ref No B2688 James Brown, age 20, Merchant, George Street; Reference No B2652 Thomas Brown, age 28, CF, Caroline 1828, Mariner, George Street. Whether any of these have a family connection to David Brown is another question. Thomas Brown son David Brown is Ref B2770

⁵⁰⁶ They may offer a useful clue to the beginnings of David Brown (1750-1836); as might the witness to David Brown jnr's will: Henry J. Brown of Sydney - Gentleman.

⁵⁰⁷ See <http://listings.fta-companies-au.com/l/100669528/Harbottle-Brown-And-Co-Pty-Ltd-in-Glebe-NSW>. Also, an advertisement by Harbottle Brown and Co claims that James had been granted a Rum licence before the end of the 18th Century. The licence claim may be as inaccurate as the family legend that states James was 'a commissioned officer'.

⁵⁰⁸ The earliest record of James being granted a licence to sell liquor is evident in the Sydney Gazette of Sunday, 5 March 1809.

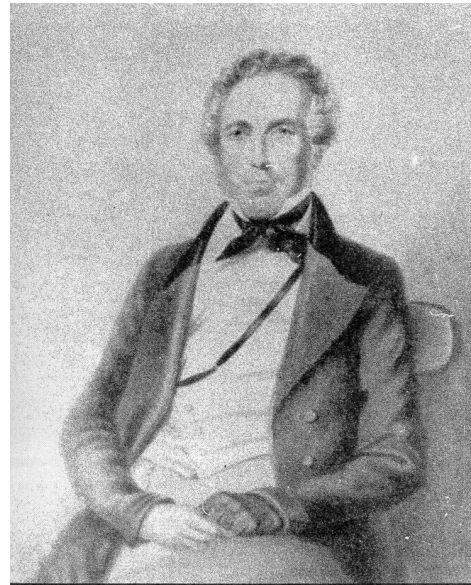


A Good Master to His Men

The census at James' St Andrews property, Lower Minto, aside from being part of the considerable acreage shown above, reveals much more.

The 1828 Census also shows Jas, his grandfather, David Brown senior, then age 78 years, and an Alexander Chisholm, residing with him at St Andrews, Lower Minto (now known as Narellan, near Camden). It is apparent that in addition to managing his own property, James' son was increasingly tending to St Andrews.

Alexander Chisholm (CF), supposedly aged 55 years, who like Mary Gray, lodging at the George Street residence, had come on the ship 'Portland'. They had been in the colony since 2-3 July that same year, having set sail from Leith, Scotland, on 3 December 1823. It is probable therefore, that Alexander and Mary have a close family relationship with James Chisholm. Especially Alexander, who is likely to be James' older brother who was born 10 June 1770 and therefore Jas's uncle.



Portrait said to be of James Chisholm Snr
c.1828 Courtesy of the Mitchell Library⁵⁰⁹

The census return describes young Jas as 'Settler' and having 4000 acres of which 500 acres are cleared, 100 cultivated. Also on the property are 6 horses, and 100 cattle. David Brown senior no doubt took grandfatherly delight in young Jas' company and in offering guidance.

An indication of the activity at St Andrews is evident from census returns by the other persons present there at the time:

Henry Berry (GS), age 28, Labourer;
Henry Broadridge (GS), age 19, Labourer;
Esau Cheeseman (FS), age 38, Bricklayer;
John Craymore (GS), age 33, Fencer;
Thomas Dibitot (GS), age 36, Fencer;
Roger Gatehouse (GS), age 40, Fencer;

George Grimaway (CF), age 13, Brickmaker;
Joseph Hanmore GS), age 26 Brickmaker;
Edward Kelly (F), age 30, Labourer;
Thomas Osborn (GS), age 40, Carpenter;
James Phillips (GS), age 50, Gardener; and
Thomas Timlin (P), age 28, Fencer.⁵¹⁰

The following editorial comments in the Sydney Gazette, of Friday, January 25, 1828 would have been of special interest to James Chisholm. Shareholders like James could not have been happy with this report on the performance of the Bank of New South Wales:

'THE Bank of Australia may be said now to be permanently established, and bids fair as far as to outstrip the Old Bank, unless the required changes are seasonably made, as the latter once had the start on Bank of Australia.'

'There is no bickering, no partiality, no undue influence, no usurious practices at work, in the Direction of the Bank of Australia; and whilst such continue to distinguish that,

or any other Establishment, prosperity will be the natural consequence.'

'We believe that the wise men in the Direction of the Bank of New South Wales - those who have some regard for their character - are at length determined upon falling in with those views, which have so repeatedly and forcibly been represented for their consideration. If this should prove to be the case, and our information is

*elicited from a pretty authentic sources, we shall yet indulge in the hope of witnessing the return of better and more prosperous days to the Bank of New South Wales; but that institution, by the late said discords, will never regain that superiority over the Bank of Australia which it once did unquestionably possess. However, we should like to witness equal prosperity attending each of these institutions.'*⁵¹¹

⁵⁰⁹ 'The Vineyards of Sydney – cradle of the Australian wine Industry', by Dr. Philip Norris (published 1990). Page 155

⁵¹⁰ However, there was also David Brown, aged 70, cabinet-maker, arrived 1821 on Earl Cornwallis, shown as residing there – Also several of the entries of convicts and workers are doubled up as working with Alexander Chisholm as well as young James. David Brown's second entry is for his age likely to be confused in part due to the numeral 'eight', being written looking like '2' or a '0,' similarly the date given for the Earl Cornwallis - There is no record of the Earl Cornwallis coming to Australia after 1801. Again the '2' is probably meant to be a '0'.

⁵¹¹ SG, 2b.



James' election as a director of the Bank of NSW on 10 December 1828 has to be significant in the light of the above article. He remained a director until 1837.⁵¹² Clearly, James had something to offer as one of the wise men of Bank of New South Wales. The bank eventually got things right and went on to survive many difficult times. On the other hand, the Bank of Australia was to fail badly well before the end of 19th Century.



George Street from the Hospital Wharf end of what used to be Market Place - Just down the road from James Chisholms' property.

The view is looking south from the southern end of the then General Hospital.

From Select Views of Sydney, NSW drawn and engraved by John Carmichael. Printed by A. Hill, Sydney, 1829.

On 9 June 1829, young Jas married 21 year old Elizabeth M. Kinghorne the 2nd eldest daughter of Alexander Kinghorne. The ceremony was officiated by the Rev. Dunmore Lang.

James built the homestead at the St Andrews property, Lower Minto, as a wedding present for the newly married couple, that same year. It was constructed alongside to the small sandstone house built by Count Gabriel Huon using convict labour in 1810. The Huon structure became the servant's quarters. The 'newly marrieds' settled there. It was young Jas' bride who, in 1829, named the house 'Gledswood'; in honour of 'Gledswood Cottage' in Melrose, Scotland of which she had some association. It would have been timely for David Brown to move from St Andrews to Cattai - He was known to have lodgings at his son, David junior's, Little Cattai Creek property.



The servants quarters at Gledswood.

It incorporates the sandstone house built by Count Gabriel Huon using convict labour in 1810.

Jas continued to manage St Andrews successfully on his father's behalf. He ran a fine herd of cattle and developed many breeds of sheep. Jas prospered and employed tenant farmers that settled with their families along the creek.⁵¹³

⁵¹²Pioneer Families of Australia, Percy Mowle Conrad. P 93.

⁵¹³ History of Gledswood – A House Alive Today.



Jas was known to travel into Liverpool with his young wife, Elizabeth, in a carriage with a high spirited, well-groomed horse. It was one of the most fashionable carriages in the district of Camden.’ On one such occasion, Jas and Elizabeth were stopped by three well-armed bushrangers. They were the notorious and his gang. They robbed James, but did not try to steal from Elizabeth. Donohoe was reputed to be a gentleman and never harmed women. ‘When Donohoe enquired as to the name of his victim and James identified himself, the bushranger apologised and immediately returned everything. *"I always heard"* he said *"that Mr Chisholm was a good master to his men. If I had known that you were on the road you would never have been molested"*.’⁵¹⁴ Two weeks later, on 1 September 1830, Bold Jack Donohoe, the Wild Colonial Boy, was shot dead at Bringelly, close to "Gledswood".

Elizabeth was granted 1280 acres on the Breadalbane Plains, as a ‘marriage portion’ from the government on 15 October 1831. It was granted on the basis of her husband having been born in the colony, though it seemed to benefit mainly newly weds of ‘respectable’ families. These were one of the rarer forms of land grants. Legislation had been introduced on 1 September 1828, just a few months before Jas’ and Elizabeth’s marriage. The marriage portion was immediately south of the Cartwright land that Jas had experienced difficulties in acquiring. This no doubt to compliment her husband’s intended grant in that locality, and perhaps an offset over the government’s embarrassment in its mishandling of Jas’ grant. At that time a married woman could not hold property in her own name, therefore the grant was made in the names of her father and the Rev. Hugh Gilchrist as trustees for her.

On 15 June 1830, James with the eight other directors of the Bank of New South Wales wrote to Governor, seeking his assistance for the bank’s activities.⁵¹⁵

#A son, James Kinghorne was born to Jas and Elizabeth on 9 August 1830 and baptised 10 October. He was James’ first grandson and David Brown’s first great grandson.

In 1830, Jas purchased the 1,000 acre Bredalbane Hill from John Pringle for an unspecified amount. This acquisition expanded his holdings in the Goulburn region to 1,700 acres.

#A son, Frederick was born to James and Mary on 7 March 1831.



Gledswood Homestead at the Andrews property in the 1880s - with considerable additions by James’ grandson James Kinghorne Chisholm.

In a petition to Governor Darling of September 1831, Thomas Brown of Erskine Street made a passing reference to his deceased sister having been ‘intermarried with Mr. James Chisholm of George Street’- A connection that stood to have some sway with someone like the Governor.

James was a signatory to the farewell address to Governor Darling in October 1831.⁵¹⁶

Sir Richard Bourke began his term as Governor of the Colony of New South Wales in December 1831.

James wrote to the Colonial Secretary on 11 April 1832, soliciting that a free grant be made out to him for his George Street property where he had ‘resided on the same spot for 41 years’ and where his dwelling house was now.⁵¹⁷

⁵¹⁴ History of Gledswood – A House Alive Today.

⁵¹⁵ Manuscript A1267 –12 p752 Mitchell Library

⁵¹⁶ Catalogue of Manuscript material at Mitchell Library

⁵¹⁷ Miriam Chisholm Collection. Box 2, Folder 9



On 9 June 1832, James Chisholm, along with high profile citizens of the day: James Dowling, John Blaxland, Roger Therry, Henry Tudor Shadforth, William Charles Wentworth, Thomas Walker, William McPherson, and Edward Deas Thomson,⁵¹⁸ were officially declared in the Government Gazette in compliance with relevant legislation of the day, to be trustees of the Savings Bank of New South Wales.⁵¹⁹ The Savings Bank of NSW opened on 18 August 1832 at James' three-story house next door to the trading bank.⁵²⁰

The Parramatta Road has been rendered quite dangerous from the late rains.'

'The lower part of George Street, near the gaol, is in parts knee deep in mud'
Monday, 20 August 1832.⁵²¹

James Chisholm on jury duty re
Cockle Bay.
Thursday, 25 Oct 1832⁵²²

At a meeting held at Cummings Hotel on Tuesday, 25 September 1832, James Chisholm was nominated as one of twelve to form a committee of 'The Emigrants Friends' Society'. The gathering noted that there were 'numerous Free Emigrants in the humbler walks of life being at present on their way to this colony'. It was recorded that it 'is expedient to form a committee' in 'pursuance of measures adopted in the Mother Country by the board of Emigration.' The purpose of the committee was to assist Free Emigrants 'with such advice, on their arrival at the colony, as may facilitate their speedy and comfortable settlement throughout the Territory.' Office holders of the committee were to be resolved by them.⁵²³

James was made the Treasurer.⁵²⁴ Other members of the committee were Messrs. Barker, Dickson, Graham, Hall, Hopkins, Captain Hunter, Messrs. McDowell, Morgan, Ryder, S. Stephens, and Therry.

James was one of eleven signatories of eleven council members of the Australian College who signed an announcement published on 1 October 1832 for a general meeting for consideration of a bill to be put to the Legislative Council.

The Sydney Herald of Thursday, 8 November 1832 carried a notice about a Equity Court hearing pertaining to 'James Chisholm and Thomas Cooper v Kirkby and wife' regarding freehold property in Pitt Street. William Wentworth applied to court on James' and Thomas Cooper's behalf to appoint A. B. Sparks and John Lamb as trustees.⁵²⁵

St Andrews Day Celebrations

Likely to be of general interest to James and other Scotsmen of the colony was the following advertisement for 'The Burns Tavern' in York Street:

A MEETING of SCOTCHMEN, and friends of Scotland, will be held at the Burn's Tavern, TUESDAY Evening Next, at 7 o'clock, to appoint Stewards, and make arrangements for the celebrating of the ensuing St Andrew's Day.⁵²⁶

Monday, November 19, 1832

Perhaps of interest to a different socio-economic gathering from those 'SCOTCHMEN, and friends of Scotland' who met at the Burn's Tavern following the advertisement for 'The Cumming's Hotel' was this report concerning St Andrews Day, Friday, 30 November 1832: -

⁵¹⁸ Edward Deas Thomson was Clerk of the Executive and Legislative Councils. A Tory who had impressed Governor Bourke with his diligence, good manners, and sound intellect. He became son-in-law to the Governor the following year.

⁵¹⁹ NSW GG No 15, of Wed June 13, 1832.

⁵²⁰ SH Monday 3 September 1832 p.3

⁵²¹ SH, Domestic Intelligence, p3.

⁵²² SH, Courts.

⁵²³ SH, Editorial, 1 October 1832.

⁵²⁴ History of Goulburn, p51 Ref Aust. Almanac 1835; Teggs, 1842.

⁵²⁵ Sydney Herald, Thursday, 8 Nov 1832

⁵²⁶ Sydney Herald, Monday 19 Nov 1832. The Robert Burns Tavern in York Street near the Barracks gate as of 14 May 1832 formerly The York Hotel. Acquired by Francis Low on 30 April 1832.



'We seldom had to record a more festive scene than that which occurred under the auspices of the sons of

Caledonia, at Cummings Hotel, on Friday evening last.'

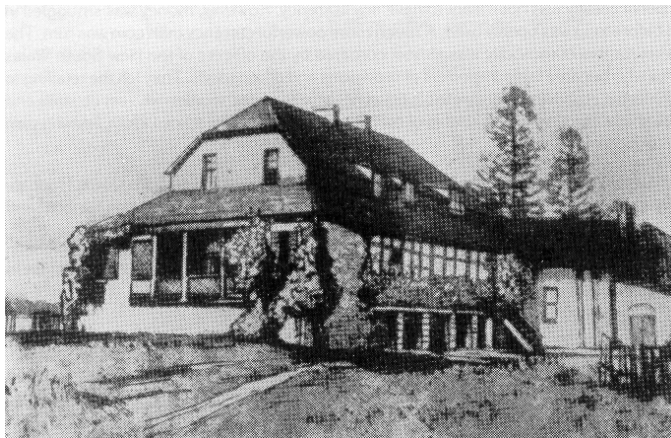
'Of all the national dinners, none is more steadily kept up, than that of St Andrews'.⁵²⁷

Indicative of the support for the occasion was the attendance by Major Mitchell, Captain Hunter, and Mr. E. Deas Thomson. This appears to be the circle of acquaintances he mixed with, however he does appear to get a mention as being in attendance.

James now approaching his 61st birthday had a young and expanding family to accommodate.

During the intervening years of his marriage to Mary Bowman, he built a substantial home on 57 acres of land in Redfern granted to him on 31 August 1819.⁵²⁸ He called the property 'Newtown Farm'. His house there he named 'Calder House', no doubt in honour of Calder House in Scotland where his foster family, the Sandilands lived.

Newtown Farm came to be incorporated into the Eveleigh Railway yards. Calder House was situated where the Eveleigh railway workshops are at Redfern.⁵²⁹ It is said that the children of his second marriage grew up there. Though it is uncertain as to when he actually spent much time there, except as a weekend retreat and holidays, given his address up to 1835 was constantly given as George Street.



Calder House

at Eveleigh /Redfern.

Some thirty-nine citizens of the Colony signed the following petition. James was one of them as were: J. Underwood, W. C. Wentworth, and R. Campbell jnr. It recalled, in a small way, memories of 'No taxation without representation' of an earlier time on another continent:

We, the undersigned Inhabitants of the Colony, and Payers of Taxes, request that you will 'convene a PUBLIC MEETING of the Colonists at an early day, to consider a PETITION to His Excellency the Governor, and the Honourable Legislative

Council, praying that they will not sanction the appropriation of any portion of the Revenue raised in New South Wales, to the Payment of any Salaries or Pensions granted to individuals for services not performed in the Colony, and further praying

a revision of the estimates, with reference to the appropriation of Revenue to the Church and School Corporation, to the Hospital Department, and to Payment of Salaries generally.

**The Australian,
Monday, July 1, 1833**

James was one of the purchasers of 'Nine Allotments of land at Mrs Darling's Point sold at the Police Office by Mr John Paul' on Friday, 11 October 1833. He acquired Allotment 9 for £29 an acre, having paid £275-10-0 in total.⁵³⁰

⁵²⁷ SH, Monday 3 December 1832.

⁵²⁸ Miriam Chisholm Collection. Box 2, Folder 9. History of Gledswood – A House Alive Today. p15. Says it was granted to James by Governor Bligh while still a soldier.

⁵²⁹ Clan Chisholm in Australia 1790-1990.

⁵³⁰ Sydney Herald, Oct 1833



During 1833 Jas commenced paying Quit - rent on land at Breadalbane Plains that had been formally granted to a John Drummond. Jas is said to have purchased it from Drummond for 500 Spanish Dollars. It seems likely that this was the same John Drummond who had owned the 100 acre farm where Jas' father-in-law lived at Liverpool.

The land originally granted sought by Jas but granted to Rev. Cartwright in 1827 was acquired by Jas at auction and finalized in his favour October 1834.⁵³¹

A further 2560 acres adjoining the 'Cartwright' land is said have been granted to Jas in the Goulburn region in 1834.

On 17 October 1834, the Colonial Secretary's Office announced the reallocation of certain land grants to Jas Chisholm which reflect this expansion:

Original Donee	No. of Acres	Parish or District	Annual Quit-rent	Date of Commencement of Quit-rent 1 st January
George and John Paul	625	Breadalbane Plains	Peppercorn	In Compensation
George and John Paul	640	Breadalbane Plains	Peppercorn	In Compensation
Thomas and Alison Scott	640	Bamballah	£5 - 6 - 8	1839
Louise Abell	1280	Breadalbane Plains	£10 - 15 - 4	1838
John Drummond	500	Breadalbane Plains	£4 - 5 - 4	1833
Neil Campbell	640	Upper Wollondilly	£5 - 6 - 8	1835

About this time Jas decided to build a homestead on the land acquired at Goulburn. It was built on a portion of land originally granted to Rev. Cartwright and named by Jas 'Kippilaw' after his wife's birthplace.

Late in 1834, James became Treasurer to the Australian Wheat and Flour Company:

<p style="text-align: center;">Australian Wheat and Flour Company</p> <p>In pursuance with the Resolutions adopted at the general meeting of the Share holders, held at the Royal Hotel, on the 9th day of December, the Directors take leave to call on the Subscribers for the first instalment of Ten Shillings on each Five Pound Share, which they are respectfully requested to pay James Chisholm, Esq. of George-street, Sydney, Treasurer to the Company; or, on his behalf, at the</p> <p style="text-align: center;">Bank of New South Wales;</p> <p>During the hours of Bank Business, where printed receipts will be given on account of the Company; for deposits paid.</p> <p style="text-align: right;">Henry Francis Secretary, pro. tem</p> <p>The beneficial results anticipated⁵³²</p>		

James' brother-in-law, David Brown junior, and wife, brought their baby son, Alexander, from Jerry's Plains to Sydney to be baptised on 4 March 1835 as a Presbyterian, at Scots Church, in Elizabeth St.⁵³³ This event appears to have been intended to provide an opportunity for the members of the Brown family in the Sydney region, such James, to participate in a reunion. The choice of Scots Church is significant as James was a founding member. Also, David Brown senior was probably one of the members of its congregation.

In May of 1836 a Levee at Government House provided an opportunity for the notables and officialdom of the colony to meet the Governor, and vice versa. Prior to the Levee the following presentation was made to

⁵³¹ The History of Goulburn, p44.

⁵³² The Australian, 30 December 1834, p1.

⁵³³ BDM Reference V1834 2898 45B 0. NSWSR Reel 5016, V1834 76 47 0. NSWSR Reel 5017 (NLA mfm 229)



the Governor Bourke, to which James was a signatory. Its purpose appeared to be to politely encourage Governor's support for the expediting of the building of Lansdowne Bridge. The Superintendent of Bridges also appears to have been well encouraged in the process. The now historic bridge, noted because of its construction using convict labour, is on the Hume highway approaching Liverpool from Sydney. The presentation was reported in the newspaper:

Sir, - We the undersigned, landed proprietors and residents of the southern districts of the Colony, request your Excellency's acceptance of Landsdown Bridge, which we do ourselves the honour respectfully to present to your Excellency as expressive of the sense entertained by the inhabitants in general of those districts for the benefit conferred,

not only on themselves, but upon posterity, by the erection of a structure at once useful, durable, and highly ornamental.
.....

On this occasion, we hope it may be also permitted us respectfully to record our opinion of the meritorious conduct of Mr. Lennox, the Superintendent of Bridges, in

Planning and directing the building of Lansdowne Bridge and with great deference we would submit for your Excellency's consideration, the propriety of conferring upon him, in addition to his salary, an allowance, either in land or in money, commensurate with the service he so ably performed.

**The Australian,
May 31, 1836**

Aside from James, some of the other 56 signatories were: James, William, and Hannibal Macarthur; Alexander Kinghorne; Charles Cowper; D. Wentworth; John Blaxland; John Lord; and R Campbell. To which Governor Bourke responded:

'I accept with great thankfulness'

'To me it would afford the greatest pleasure to be enabled to proceed more rapidly to completion of many of which are required in this flourishing colony. Certainly no exertion is spared on my part to facilitate this object; but the difficulty of procuring contracts, and the expediency of not engrossing in public

employment all the mechanical skills and labour of the community to the hindrance of private undertakings, arrest or delay progress..... 'instructions have been given a considerable number of artificers from Great Britain, and a ship with the first selection of these may be expected from Scotland about the end of the year.

It will afford me great pleasure

to attend your recommendation, and propose to the Legislative Council to confer on Mr. Lennox a suitable gratuity.' *'The design, and all the mechanical arrangements for the bridge were his, and he was required to instruct unpracticed hands, by whose forced labour the stones were raised, prepared, and set.'*

**The Australian,
May 31, 1836**



*The General Post Office
Sydney Town 1836*

James' brother-in-law, Thomas, by his first marriage died in Sydney on 27 May 1836. Evidently James was soon made acquainted of the event and the parlous difficulties Thomas' widow and young children faced. As it was, James had been actively involved in their welfare in cooperation with Reverend Father Joseph Therry since June 1832 as the mortgagee of the Erskine Street property. It is likely the informant was the old David, who seemed command lasting respect with James up to the last. The Chisholm family support for Thomas's family continued for many years.

Five months later, when David himself passed away, it appears that James tended to his father-in-law's funeral. The entry for Saturday, 22 October 1836 in the parish register of burials at Scots Church, Elizabeth St, Sydney, bears an exceptional and very pointed notation that David was 'Father-in-Law of James



Chisholm'.⁵³⁴ It conveys the idea that James was very much in attendance and proud and respectful of his connection with the man being interred. It also suggests a sense of loss, perhaps of a good friend.

Early in 1837, James visited his son, Jas, and family in their new house 'Kippilaw', at Goulburn.

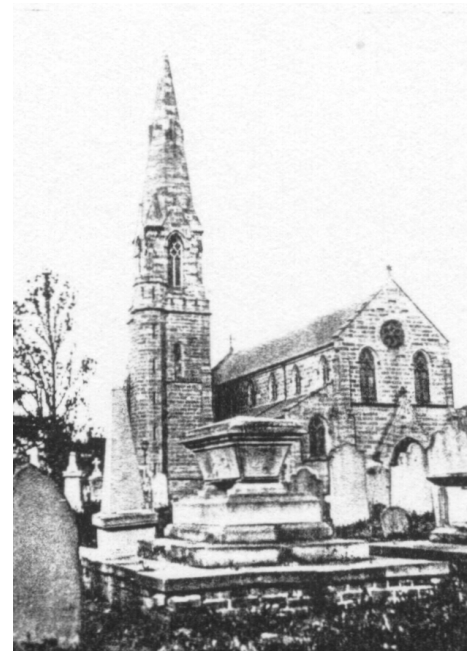
While there, he caught a cold. When he returned home to Calder House the illness got the better of him and resulted in his death on 31 March 1837. James was buried in the grounds of Calder House with his first wife, Mary Brown. The inscription on James Chisholm's grave read in part:

"He was a native of Scotland and upward of 47 years a resident of this Colony, where he maintained a character which for simplicity of manner and integrity will long be remembered."⁵³⁵

When considering all that is recorded of James' life and his achievements in this history, the words 'astute', and perhaps more appropriately, 'kenny' come to mind as apt succinct descriptions of him. He was a man whose opinion was valued and sought, a man of considerable influence, who made a difference to the development of the Colony. Not least, he was a family man, and concerned and caring person for the welfare of others regardless of their status.

A son, Edwin, was born to Mary on 30 July 1837, some four months after James' death. It is fascinating to note that Edwin and his father, as two generations, represent an exceptional span of nearly 150 years.

James and Mary's remains were moved to the Chisholm vault (in the form of a sarcophagus) of Camperdown cemetery in 1867.⁵³⁶



Camperdown cemetery. What is purported to be Chisholm Sarcophagus is in the foreground.⁵³⁷

James Chisholm and Mary Bowman had seven children:

- | | | | |
|------|---------------------------|------|--|
| i. | John William (1819-1899), | v. | Eliza (1827 – 1863), |
| ii. | Alexander (1821-1846), | vi. | Frederick (1831 - 1896 ⁵³⁸), |
| iii. | Mary Ann (1823 - ?), | vii. | Edwin (1837 – 1921). |
| iv. | Marie (1825 –1865), | | |

A point of interest at this juncture is the in name of the one the two executors of James will: 'John Brown'; the other being William Bowman, a son of his second father-in-law. John Brown is the name of one the founders of Brown and Company.

James was 65 years old when died. His demise was barely five months after David Brown's death. From very early in the arrival of David Brown and family in the colony James had remained very much part of the Brown story.

⁵³⁴ NSW BDM Reference V18361112 102

⁵³⁵ Miriam Chisholm Collection. Box 2, Folder?

⁵³⁶ "A Stroll through the Historic Camperdown Cemetery" 1946, p38.

⁵³⁷ Miriam Chisholm Collection. Box ?, Folder?

⁵³⁸ BDM Registration No 4339 Wagga Wagga, 1896.



Chapter 15 - Challenging Times

(1836 – 1841)

David Brown junior, Peter Duff, and Richard Hobden each applied for pastoral leases in the Liverpool Plains District that were secured on 22nd, 22nd and 23rd respectively of December 1836. They were among many graziers operating beyond the 19 Counties who begrudgingly responded to government pressure to register.⁵³⁹ In most cases, they would have been managing runs for a year or more.

In his application David said he was married with ten children, and that a free person, Bernard Havin, would be in charge of his stock. He declared that he was lawfully possessed of 400 acres, 600 cattle, 200 sheep and 12 horses. His stated number of cattle was significantly large at this time; for Samuel Clift had 400, John Browne 300 (of Maison Dieu near Singleton), and John Eckford 300. David's 400 stated acres is consistent with his known holdings at Cattai and Jerry's Plains. However, there is no way his 600 head of cattle were raised on those 400 acres. It is another indication that David junior was well established beyond the 19 counties for several years.

It is apparent from David's application that during 1836, another child had been born into the family. This evidence is consistent with what we know of the birth of another son, Francis, to David and Elizabeth at Jerry's Plains about this time.⁵⁴⁰ Francis is likely to have been named in honour of Elizabeth's oldest brother. At this point it seems that David is losing count. The available evidence points to he and Elizabeth having nine children, not ten.

His son, John, began helping his father in the management of cattle on their pastoral lease at this time. In John's own words, 'I have been connected with runs and stations and with the droving of cattle and sheep since I was 15 years old'.⁵⁴¹ It is highly likely David also used the time and energy of older sons, Thomas and James, in previous years in this way.

With the news of the death of James Chisholm following on so soon after the deaths of his father, and brother, Thomas; one could understand it if David was feeling a considerable sense of loss and perhaps depression. However, these losses were to be a prelude to further sadness and challenging times generally before matters improved.

Robert Thomas Capp, an ex-convict, became Jerry's Plains first Postmaster on 1 January 1837, when a bi-weekly mail service, provided by the Singleton to Merton contractor, commenced in response to a petition from local citizens. Prior to this mail, would have been collected from the Post Office at Singleton. Capp is believed to have run the store adjacent to 'Green Gate Inn' at this juncture.

The newly created Commissioner for Crown Lands for the Liverpool Plains, and Alexander Paterson was appointed in April 1837. His headquarters were designated as Jerry's Plains 'a bustling little centre of some 500 souls on the Hunter, halfway between Patrick's Plains and Merton'. 'Jerry's Plains had become an important junction for traffic from Maitland to Cassilis on the Gammon Plains, south-west of Merton, and further on to Bathurst, as well as drays coming up from the Hawkesbury on their way to distant stations of the Namoi and Gwydir'.⁵⁴²

It was obvious that David and other squatters frustrated Governor Darling's "19 Counties Plan" of 1829 to restrict settlement to a radius 240 kilometres from Sydney. So a tax was levied on all existing squatters by

⁵³⁹ Samuel Clift and John Eckford are amongst the names of others of the Hunter who sought land beyond the Boundaries.

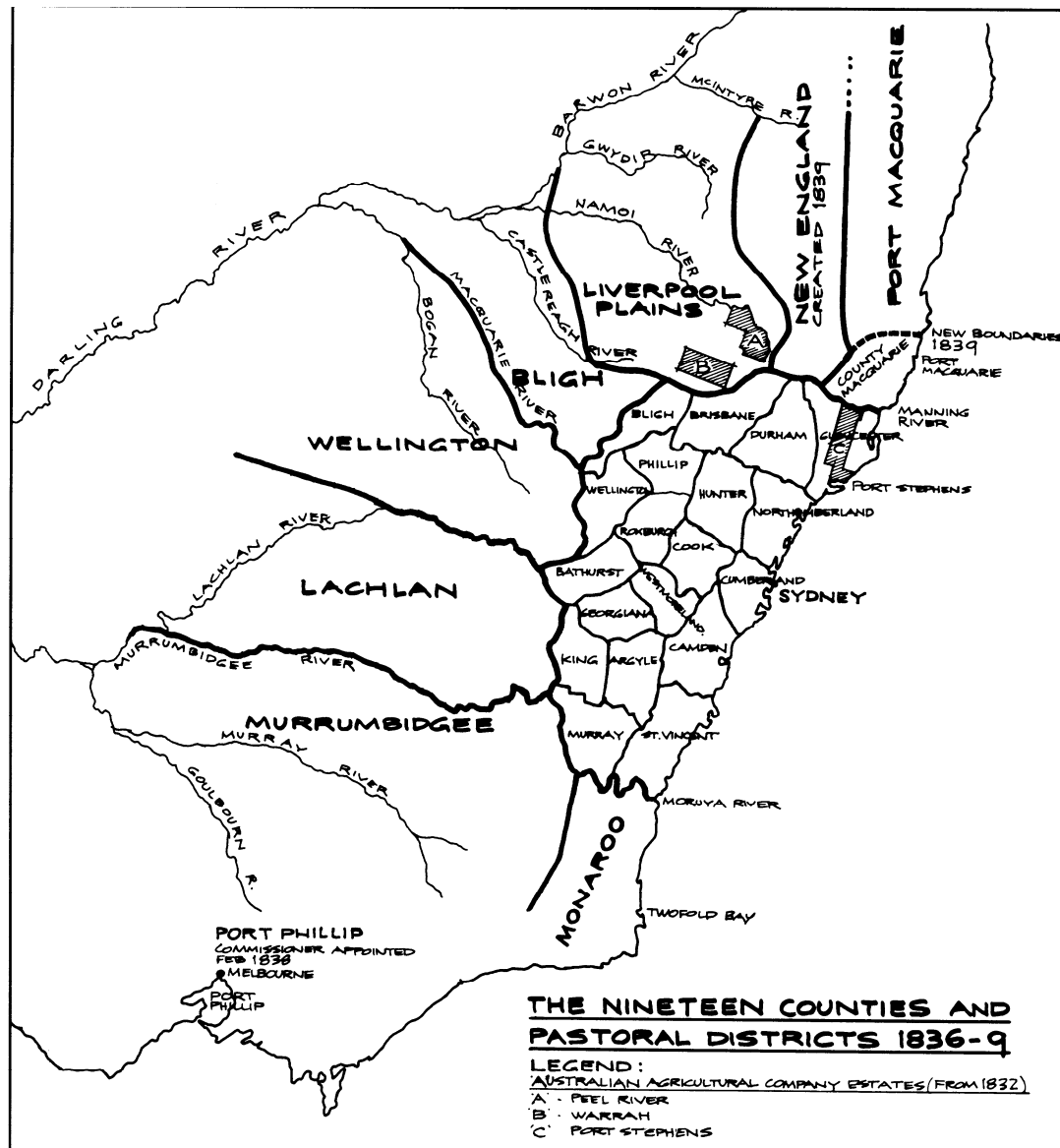
⁵⁴⁰ Consistent with Harvey GED file.

⁵⁴¹ 3rd session of the 10th NSW Parliament John spoke on 6 September 1882 in regard to the Watering Places and Reserves Bill. (page 297)

⁵⁴² Waterloo Creek. P138



Governor Bourke - Which meant that they could use the land but they didn't own it.⁵⁴³ The levy was largely ignored and not well enforced until 1837.



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Through 1836 and into 1837 Governor Bourke made several attempts to develop his '19 Counties' legislation. 'A separate licence was to be taken out for each 'District', and Commissioners of Crown Lands would be required to visit their respective 'Districts' at least once a year, though what and where the intended areas were the regulations did not say. It was only in February 1837 that seven districts beyond the boundaries were created and the first lot of full-time Commissioners - as distinct from the *per diem* officials within the Limits of Location - appointed to take charge of them. The last three were not assigned to their posts until the end of April, almost four months after the Act had gone into operation.

Nonetheless, the legislation proved a turning point. Squatting lost its derogatory connotations. Bourke curbed squatting inside the boundaries and legitimised it outside. His strategy dealt with the land question so as to fit other policy and administrative needs. In the Nineteen Counties land would continue to be auctioned off to finance the crash program to boost the European population. In the interior it could now be

⁵⁴³ Governor Bourke wrote to the Colonial Official stating the futility of trying to stop the squatters - He decided to deal with the dilemma they posed by applying a licence fee. The Discover Australia series, 'The Governors' by O. R. Scott. NLA reg No AUS 69-4168

⁵⁴⁴ Waterloo Creek, p115



grabbed with official sanction for a mere £10 a year. But in the whole process not a word had been said about the rights of its authentic owners.⁵⁴⁵

The year of Paterson's appointment coincided with many a squatter paying the established licence fee of £10 for the brief period of 23 April to 30 June 1837. David's name occurs along with many others in a special additional list of those 'who have taken out Licenses for depasturing on Crown lands situated beyond the boundaries of location'. No doubt, all the squatters paid for the first time due to the fact there was a government officer present to collect and police the squatting regulations. The Lands Department advised that David was in occupation before then. This is consistent with David's stated 600 head of cattle on his 1836 application.

Family legend suggests that David had established 'Millie' run between the Namoi and the Gwydir rivers about 1834. 'Millie' was an area which Surveyor General (and explorer), Sir Thomas Mitchell had encountered on his 1832 expedition. Millee/Waterloo Creek was to become significant in the affairs of Jerry's Plains, and European relations with Aborigines. It may well be that David had been grazing his cattle beyond the boundaries in other locations before claiming the 'Millie' area.

'Millie' Run, aside from being a fattening station for the Brown family's cattle, formed part of the stock route for the region.

From 'Millie', the Browns drove fattened cattle via a route south that more or less followed the path the railway later took from Narrabri, Turrawan, Boggabri, Gunnedah, Murrindi, Scone, and Muswellbrook to Jerry's Plains⁵⁴⁶ (as a staging point) – From there cattle could be driven to Maitland and



Newcastle markets, or on the long and difficult Bulga track for sale at the Windsor Sydney markets, via their Cattai property.⁵⁴⁷ In the Muswellbrook and Scone region, David may have drawn comfort from the settlers there that were predominantly of Scottish origin. This may have been a factor in his purchasing property in Muswellbrook.

David's son, David III, was eventually to manage a butchering business in Maitland⁵⁴⁸ – That, more than likely drew heavily on cattle from Millie and other Brown family properties, and initially, in itself was an extension of the family livestock business.

In 1837, David Brown junior was recorded as still having one convict working for him, George Bowman had 13 convicts working for him on Archerfield and Arrowfield, Peter Duff had two. In that year, two of Bowman's convicts, James Blanchare and George Burnie, were killed by Aborigines at his Terry Hie Hie run situated some forty five kilometres south east of the present day Moree. From the commencement of local settlement in 1825 convicts worked for the farmers of Jerry's Plains until about 1845 - They generally lived in primitive huts adjacent to the homesteads or on remote stations.⁵⁴⁹

#A daughter, Mary Elizabeth, was born in 1837 to Thomas (David's eldest son) and Ann at Jerry's Plains.

After his licence for the 'Greyhound Inn' at Fal Brook had expired on 6 July 1837, Richard Alcorn and his family moved to their land adjoining the Browns at Jerry's Plains. That is, to 'Portion 27', the property that was originally granted to Thomas Brown.

⁵⁴⁵ Waterloo Creek, p114

⁵⁴⁶ Report of Alexander and George Brown 'stuck up' by bushrangers near Narrabri, Armidale Express, 21 January 1866.

⁵⁴⁷ NLA, mfm NX27 Maitland Mercury, 12 August 1846. Jerry's Plain correspondent.

⁵⁴⁸ NLA, mfm NX27. Obituary in the Maitland Mercury, Tuesday, 16 February 1886. & Report on David III's application for a slaughtering licence The Maitland Mercury, Saturday, 17 June 1871.

⁵⁴⁹ First village of Jerry's Plains, by Ian Ellis, Hunter Valley News 30 Sept 1992



Death of Elizabeth

Elizabeth Brown (nee McMahon) died on 21 November 1837 in Jerry's Plains. A notice in the Sydney Herald of 30 November 1837 read:

***"Deaths.** At Jerry's Plains, on the 21st instant, Mrs. Mary Elizabeth Brown, in her 39th year, having left a husband and nine children, and numerous relations, to deplore her loss."*

Of the nine children that she and David are known to have brought into the world: Thomas was 20 years old; James 18; John 16; Mary 14; Catherine 11; David 9; George 6; Alexander 3 years; and Francis, an infant between one and two years old. They also had one grandchild, David III, and a second just born or on the way. A daughter, Mary Elizabeth, was born to Thomas and Ann during 1837 - No doubt, named in honour of her grandmother at Jerry's Plains.

Elizabeth seems to have been a great force in the family, a force to be reckoned with. Like her mother - A strong Irish will evocative of the shamrock and St Patrick.

The loss of David's wife followed soon after the demise of his father, brother, and brother-in-law James Chisholm.

After Elizabeth's death, David devolved responsibility for the management of his various property interests to his older sons. About 1838, he passed much of the running or depasturing of his Waterloo Creek/ Millie runs to John and James; and the management of his inn, 'The Green Gate', to Thomas. David had run it for the first three years of its existence. It may well have been seen by Thomas and David as being more suitable to Thomas' family status to have a more settled job - One that didn't need long periods of absence on cattle drives, and the management of faraway stations. For many years after this time David was absent from Jerry's Plains for extended periods - Probably in far away places, and sometimes at Cattai.

It is likely that Thomas' wife, Ann, lost a close friend. Ann would have then become matron of the Brown household. Apart from anything else, she now had children eleven and under to care for. Ann no doubt demanded the assistance of the eldest girl, Mary 14, to assist in the care of the household, with Catherine and the older boys being increasingly called upon to help. It was just on four years since Ann had arrived in the colony as a convict. Her circumstances had change dramatically in that time!

For Elizabeth's children, her death was a major hurdle with which to cope. Having their sister-in-law now bossing him around in place of their mother may have been another significant hurdle. Six year old George may have been particularly resentful of her!

Not long after taking over the running of the inn, Thomas renamed it the 'Robin Hood'. Coinciding with this factor, was the existence of an Ann Owen aged 29 who was convicted for pick-pocketing and sentenced the same day as Ann Shepherd in 1832. Ann Owen's case was item 75 and Ann Shepherd's was item 78. The record of Ann Owen's trial tells she was a frequenter of the public house known as the 'Robin Hood'. Both women came to the colony on the Buffalo.⁵⁵⁰ It may well be that Ann Shepherd also had some connection with the same establishment, or otherwise came to think favourably on the tales told to her by the older woman about the Robin Hood. Whatever the influence for the change of name, it was made easier by the long-term absence of David.

Drought and Depression

Drought which had begun in 1837, continued in 1838. In that year, the winter rains failed. All the Hunter and northwest were seriously affected. Most of the colony was affected as far south as Goulburn area, where it lasted until 1841.

⁵⁵⁰ Ann Owen was Consignment No 47, Ann Shepherd No. 51.



The beginning of the drought had coincided with, or perhaps precipitated, long-lasting economic difficulties for the colony. Years 1831 to 1836 had been a prosperous period for the government and had yielded a large accumulated reserve for the Treasury. Large profits from pastoral and commercial enterprises had placed 'a vast amount of capital' in individual and government hands. While exports had more than doubled since 1831 from £324,000 to £748,000 in 1836, imports had similarly increased from £490,000 to £1,237,000 for the same period. The consequent downturn in productivity in many areas of the colony due to drought, in what was a rural economy, and the long-running trade imbalance led to serious difficulties. Governor Bourke had budgeted for a surplus of £80,000 in estimates for 1838 – It transformed into a deficit of £129,000.⁵⁵¹

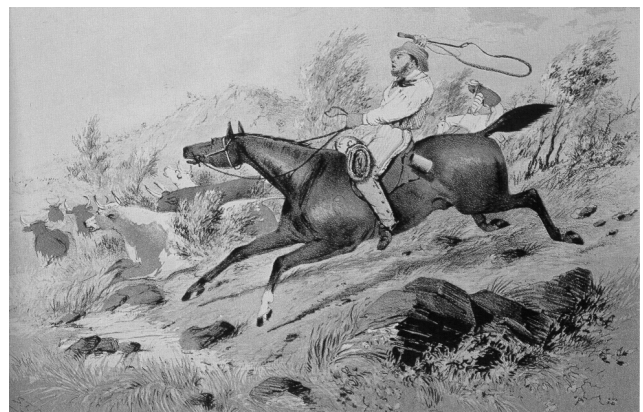
The wool clip more than doubled between 1836 and 1840, but even wool was caught in a slump from 1841 to 1843. 'There was a chain reaction of credit contraction, private and public economising, falling prices and incomes leading to insolvency and unemployment on a serious scale.' During that time almost 2000 estates were sold up, the proceeds realising only about one-ninth of the debt. Seven banks were forced into liquidation at great loss to their shareholders. The colony did not recover from this state of depression until the mid 1840s.⁵⁵² This chapter and some of the succeeding chapters, need to be considered in the context of that setting.

During 1837, squatters complained to government authorities about killings and mutilation of employees, and livestock by Aborigines in the Liverpool Plains. Significant among those who complained was George Archer about the murder of two of his men at his Terry Hie Hie run.

Major James Winniett Nunn with mounted police from Jerry's Plains undertook a campaign during January and February of 1838 to deal with the problem. Nunn left Jerry's Plains on 31 December 1837. On 26 January 1838, his force attacked a large Aboriginal encampment at the lagoon that forms part of Waterloo Creek. The event was referred to as the 'Australia Day Massacre'. Nunn's force of about 30 men, comprising troopers, squatters, and stockman, killed some 120 Aborigines.⁵⁵³ Nunn's party returned to Jerry's Plains on 21 February 1838 'after 53 days duty'.

The Brown family had already begun to make a success of things beyond the boundaries. However, their persistent occupation of the Millie area may have followed close 'on the heels' of the Australia Day Massacre.

In 1838 David's sons, Thomas, was 21, James 19, and John 16 years old. They had grown up in the grazing and farming business. John had been 'connected with runs and stations and with the droving of cattle and sheep since ...15 years old' - Not to mention the years of farm-work he had undertaken before that. There is little doubt that his would have been the arrangement for all his brothers. James like his brother, John, was to have a long and profitable association with Millie. John and James appear to have been the more entrepreneurial, energetic, and ambitious of their siblings. James and John proved particularly successful runs and stations, especially with Waterloo Creek / 'Millie' (see Chapter on Millie Men).



⁵⁵¹ Waterloo Creek, p107-110.

⁵⁵² Economic Reform Australia Newsletter. Vol. 3 No. 3 : January – February 2003. P20

⁵⁵³ Waterloo Creek. P188-9. Lancelot Threlkeld, Missionary at Lake Macquarie, wrote in September 1838 that: 'the late severe destruction of human life under the command of Major Nunn, against whom, it is said, the blacks stood battle and upward 120 were destroyed by the police in a swamp where they were surrounded, or into which they were driven'. Major Nunn later boasted of 200-300 killed. Police Ensign Cobban referred to 'one or two blacks' being shot



Confusing Names – 3 Millies and 3 John Browns

There were, for many years, at least three watercourses on the Liverpool Plains that bore the name 'Millie Creek'. None of these named alike creeks has any flow into the other. They are separate.

One of these streams commences 20 kilometres north of Moree as Medgum Creek and flows north-west for 60 kilometres and merges with Gil Gill Creek near Miltonville⁵⁵⁴.

About 80 kilometres to the south of Moree, and some 45 kilometres north of Wee Waa, flows another Millie Creek was also known in the past for parts of its length as 'Waterloo Creek', 'Snodgrass Lagoon', and 'Manamoi'.⁵⁵⁵ This was where David Brown established his Millie Run in 1834. Millie passes through the middle of what was the Brown's lease, and was a factor in a later division of the property into north and south portions. On current maps, Millie is shown to terminate a few kilometres to west of the Brown's Millie Run. It was that part of Millie that explorer, Sir Thomas Mitchell, in 1832 named 'Snodgrass Lagoon'.⁵⁵⁶ It seems in time of major floods that Millie merges with Moomin and Thalaba Creeks to continue the flow west and join the Barwon River. An 1883 map of New South Wales by A. C MacDonald shows Millie Creek merging with the Thalaba Creek.

Some 40-60 kilometres west of Wee Waa there is a Millie Creek. It flows west into the Namoi River. Over many years it was also known over different parts of its length as Drildool, and Warrambool Creek⁵⁵⁷

The name 'Millie' for the creek that flows into the Namoi was derived from the Aboriginal word meaning 'white pipe clay'. It is highly probable that the Aboriginal people described the other 'Millie' creeks in the same way for the same reason.

In 1838, George Druitt established a run of some 22,000 acres on the north side of the Namoi River and straddling Millie Creek. As a consequence, the run was known as 'Millie'. Not surprisingly, the name of Druitt's run 'Millie' has often been the cause of some confusion with the Brown's 'Millie Run' to the north at Waterloo / Millie Creek. The two 'Millie Runs' are seventy kilometres apart. Both Druitt's 'Millie' and David Brown's were variously spelt in diverse ways including: 'Milli', 'Mille' and 'Milly'. Druitt's 'Millie Run' was also known at times as 'Coolga'.⁵⁵⁸

The Millie Creek that enters the Namoi has undergone an official change of name in recent years, so that on the latest maps all of its length it is now described as 'Warrambool Creek'.

Adding to this confusion of names, there were at least three persons by the name of 'John Brown (e)' having something to with the Liverpool Plains about this time. The name was exceptionally well represented in the sparse population of Europeans that came and went from there in the 1830's:

- The John Browne who took up a £10 pastoral lease in December of 1836, along with David Brown, is likely to be the of 'Maison Dieu' near Singleton. He established the 102,400acre run on the Liverpool Plains known as 'Pullaming' Station.
- In June 1838, John Dowling Brown, along with John Hector, and Edward Trimmer, set-up the 'Clover Leaf Company to manage a run on the Liverpool Plains'.⁵⁵⁹ Early in March 1839, John Brown of the Clover Leaf Company is known to have gone to Millie Creek for the purpose of establishing a station. This was probably near where Millie Creek enters the Namoi, and where the dwelling and storage facilities for the 'Bugilbone' Run were built.⁵⁶⁰

⁵⁵⁴ National Mapping, Geology Map 5508, 'Moree', 1:250,000 1964,

⁵⁵⁵ National Mapping, Geology Map 5508, 'Moree', 1:250,000 1964, & MacDonald A.C. Map of the Colony of NSW 1883.

⁵⁵⁶ This was the scene of the infamous massacre of Aboriginals described 'Waterloo Creek'

⁵⁵⁷ National Mapping, Geology Map 5512, 'Narrabri', 1:250,000, 1964 refers

⁵⁵⁸ First Heart of the Namoi, p88

⁵⁵⁹ Waterloo Creek. P592

⁵⁶⁰ Waterloo Creek. P592 suggests that this John Brown was attempting to establish a run at 'Snodgrass Lagoon' on the other Millie Creek, but this now seems unlikely given the considerable association of J. D. Brown and Edward Trimer with 'Bugilbone'. It is indicative of the confusion associated with the names 'Millie' and 'Brown'.



Brown and Selwyn are known to have established the 'Buglebone' Run by 1840. 'Buglebone' was derived from the Aboriginal word meaning 'place of the deathadders'. It was also known as 'Bucklebone', and later 'Bugilbone'. 'Bugilbone' formed the western boundary of Druitt's 'Millie' run.

In 1846 'Bucklebone' was registered in the name of Brown and Trimmer. In 1848, it was again registered in the name of Brown and Selwyn, with A. Selwyn as manager and running 2,500 head of cattle. John Dowling Brown became one of the magistrates for the Wee Waa District in the 1850's. His address at the time was 'Bucklebone'.⁵⁶¹

'Bugilbone' homestead is only eight kilometres southwest of Druitt's 'Millie / Coolga' homestead and one kilometre from the north side of Millie / Warrambool Creek, and adjacent to its terminus with the Namoi.⁵⁶² Both 'Bugilbone' and 'Millie' runs had the Namoi River as their southern boundary.

- John Brown, son of David Brown of Jerry's Plains, in June 1838 was half way through his 17th year. John was 'connected with runs and stations and with the droving of cattle and sheep since ...15 years old' He and his brother, James, had long and continuous association with 'Millie Run' established by his father.

As a consequence of these duplications of the names: 'John Brown' and 'Millie', the recording of various events relating to them has, on occasion, been wrongly attributed. Compounding this situation is the fact that in 1869 Druitt's 'Millie' passed into the hands of Charles S. Capp, son-in-law to David Brown of Jerry's Plains who had established the other 'Millie Run'.

Looming Difficulties

Much of the colony's economy was becoming increasingly shaky and posed great uncertainty for many a commercial venture. As an offset to this, the south was in the midst of drought and of consequence the market for quality beef from anywhere, let alone 'Millie' is likely to have remained buoyant, if they had feed and water. Waterloo/Millie Creek was a particularly reliable source of water. In the worst of the looming 1838-1841 drought, it is said there was never less than four kilometres of its length containing water at Brown's 'Millie' run.



Millie Creek

Photo J Griffiths April 2010

Millie Creek is just one of many creeks that can be encountered in the vicinity of Brown's Run, let alone on the Liverpool Plains generally.

⁵⁶¹ First Heart of the Namoi, p78

⁵⁶² National Mapping, Geology Map 5512, 'Narrabri', 1:250,000, 1964 indicates buildings those locations.



Chapter 16 - More of the Humphries & Watson's Bay (1815 – 1837)

Catherine Humphries and those of her family who weren't directly involved in the affairs of the Browns, continued to live in 'splendid isolation'. This centred on their government built cottage at Watson's Bay and extended to the family farm at Brisbane Water, a short boat trip to the north. Their ambitions and activity of the family rarely strayed from these idyllic places and the commuting between them. From the time of the marriage of her daughter, Elizabeth, to David Brown junior in 1815, there was clearly some occasional interest in events at Eastern Farms, thence Cattai, and Jerry's Plains. As three other of her children were drawn into striving with the Browns, Catherine had more reason to take an interest in the affairs outside 'the Bay' and Brisbane Water.

However, it seems that Catherine was destined to stay put. She had a very young family of her own, and was pregnant again, at the time of Elizabeth's marriage. That pregnancy produced her last child, a baby boy, David. Her husband, Patrick, was still serving with the military as a private soldier. Overriding all of this is her contentment with the 'Bay' and 'Wicklow'.

The Humphries family couldn't help but be aware of events at South Head. The comings and goings of the pilot boat with the arrival of each new ship was about as hectic as the pace got at the Bay. Ships coming and going from Port Jackson all sailed past Wicklow.

The construction of a new lighthouse at South Head over 1816-18 would have created a topic of conversation there at the time. It replaced a very elementary facility in existence prior to Catherine's arrival on the *Minerva* in 1800. Francis Greenway supervised the construction. Greenway was responsible to Captain John Gill, Acting Principal Engineer to the Colony at the time. The design of the lighthouse is attributed to both⁵⁶³

Catherine's first grandchild, Thomas, was born on 29 June 1817 at Eastern Farms/Kissing Point. There is little doubt about her getting prompt word of his arrival from Elizabeth.

South Head Road, 7 miles long (11.3 km) with its 11 bridges, was rebuilt in 1820 by Major Druitt. It still terminated at the Signal Station and the way down the hill to the Bay remained a rough track.

About 1821 the Humphries family were granted the land on which their 'Wicklow' cottage was sited. The grant became known as 'Humphreys Four Acres'. The location of the cottage can be ascertained in a current Sydney street directory. By starting from what is today the Pilot Station on Gibson's Beach, tracing a line north along the waterfront to the baths; then up Gap Street (now Robertson Place) to the Old South Head Road; here the boundary turned right along Salisbury Street, then back to the Pilot Station. 'Wicklow' cottage was situated facing Robertson Place, almost opposite the obelisk monument unveiled by Governor Macquarie on 9 April 1811.⁵⁶⁴

The muster of September 1822, shows Catherine's son, Thomas, then aged nearly 17 years, as born in the colony, and apprenticed to David Brown senior, Sydney. Thomas is listed as only one of 72 apprenticeships, the majority of which being in the service of the dockyard and the lumberyard. David Brown senior, carpenter and cabinet-maker, was father-in-law to Catherine's daughter Elizabeth.⁵⁶⁵

⁵⁶³ Greenway's structure was replaced in 1883 by the present structure (designed by Barnet) built a little to the west. Electric power for the light was generated by two dynamos driven by 'towns gas' engines up to 1912, then replaced by incandescent kerosene gas apparatus until 1933 when the light was connected to the city electricity mains but with diesel powered stand-by. Greenway's structure was to the east and often referred to as the 'Macquarie Tower'.

⁵⁶⁴ Watsons Bay Sketch Book.

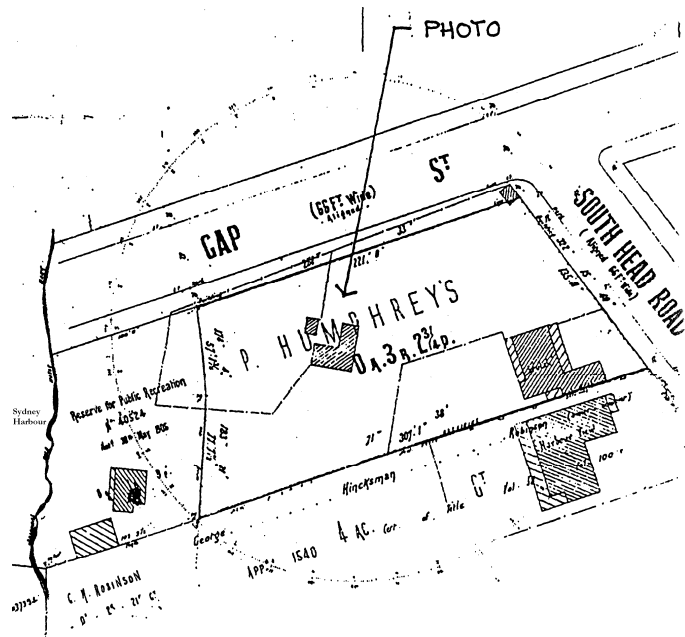
⁵⁶⁵ Entry A10804



There seemed little opportunity for employment at Watson's Bay at this time. For many years it appears the Humphries family and the people associated with the pilot station were the only permanent residents and source of employment. Probably the Humphries men, and staff of the pilot station, caught fish to supplement their diet and to trade on a very humble level.

Michael Humphries, at age nineteen, resided at South Head, when he was assigned convict, James Ward of the *Tottenham*, on 30 May 1823.⁵⁶⁶ As Michael's occupation was boat-builder, it is possible that Ward was required to assist him with his trade.

On 11 March 1824 at the South Head location, Michael was assigned another convict, 26-year old James Allright of the '*Earl St Vincent*', described in the 1828 Census as a 'Servant' who had been sentenced for life.



Survey Map of Humphrey's 'Four Acres'. Photograph of Wicklow Cottage at Chapter 6 is referred to above.

Farming at Brisbane Water

Patrick Humphries was discharged from the army on 24th September 1823 after serving 22 years 195 days 'in consequence of disbandment of the Regiment', on a pension of 7 shillings 3-1/2 pence per week. His discharge certificate describes him as 5 feet 5-1/4 inches in height, light brown hair, hazel eyes and fair complexion. His conduct as a soldier had been 'very good'.⁵⁶⁷ Because of his service, Patrick was granted land by Governor Brisbane at Brisbane Water, on the Central Coast of New South Wales.⁵⁶⁸ The grant was 'in consideration of the Royal Veteran Company having been disbanded' and was for 100 acres in 'any part of the colony already surveyed.' Patrick was the last in a large number of soldiers of that company who were listed in the Governor's order.⁵⁶⁹ How Patrick came to choose 100 acres at Brisbane Water is most likely down to its convenience of access by sea from Watson's Bay, and the quality compared with many other grants of the same size. eg. the Brown's at Little Cattai Creek. Patrick's grant came to bear the name of Mount Humphreys.

Soon after receiving his grant, Patrick went there and started farming it with his second eldest son, Thomas. Patrick and Thomas seemed to have a particularly close father and son relationship. Thomas by now would have not long completed his apprenticeship with David Brown senior at Erskine Street. Patrick was also assigned convict labour to help in the development of the property at Brisbane Water.

Brisbane Water is a large inlet with a narrow 'S-bend' entrance to the northern side of the Hawkesbury River's entry into the sea at Broken Bay. The entry to Brisbane Water is guarded by a sand bar that could only be negotiated by boats at high tide. Brisbane Water is hemmed in on all sides by rugged hills.

Patrick's grant was situated on Cockle Creek, which is at the southeast end of Brisbane Water and adjacent to its difficult entry into Broken Bay. The name 'Cockle Creek' is misleading, as it for the most part is a broad and peaceful stretch of water. It is almost bisected to form a crude 'figure eight' by the high promontory on its eastern side that comprised Patrick Humphries' grant. The settlement in that area is referred to as 'South Kincumber'. Up river from Brisbane Water is Windsor.

⁵⁶⁶ SRNSW Fiche 3291 4/45700 p3.

⁵⁶⁷ PRO Ref. WO 97/1141. Shirley Downs e-mail of 9 July 2001

⁵⁶⁸ Pioneer Families Brisbane Waters. Charles Humphreys.

⁵⁶⁹ SRNSW Reel 60011, 435009, pp 484 - 486.



Mount Humphreys presented an opportunity for a stopover and visiting for members of the family travelling between Windsor and Sydney. Humphries family such as George, David and Catherine Humphries, and the Browns resided in the Windsor area for many years. If they did call in, unless their timing coincided with a convenient high tide, they would have had to wait, or ferry ashore in smaller boats.

The sea journey between South Kincumber property and Watson's Bay was a straight-forward one, even in those times. Members of the Humphries family were reputed to have rowed the distance at times, as well as sailed. The availability of seaworthy vessels was no doubt facilitated by Thomas' older brother, Michael's, trade as a boat-builder. Thomas' own training as a carpenter meant that it was well within the Humphries family's capacity to build various small sea-going craft to serve their needs. In addition, close friends and neighbours at Kincumber, the Frosts, were shipbuilders. The Humphreys other neighbours, the Davies, were known to have shared a ketch that they used to meet much of their transport needs between Brisbane Water and Sydney. The Davies family were also builders of boats.⁵⁷⁰

Up river from South Kincumber, Catherine's daughter, Catherine (II), like two of her brothers, appears to have been living and working with the Browns at Caddai in the early 1820s. She married a John Hopkins on 24 April 1824 at St Matthew's, Church of England and settled at Wilberforce.⁵⁷¹ At the time, Catherine (II) was only 16 years and four months of age.

After a very few years of having been granted the South Kincumber property, Patrick passed the running of it to his son, Thomas, when he was in his 20th year or thereabouts. Typical of settlement at that time in the area, using assigned convict labour and free men; Thomas grew crops, grazed cattle and cut timber. He was known to have grown maize, pumpkins, and potatoes. For some time, six acres were under cultivation with bananas. Thomas shipped produce and timber, much of it cedar, from his farm direct to the Sydney market.⁵⁷²

It is more than likely that Thomas' timber was cut by sawyer William Spears and sons, long time friends of the Humphries family, and a close neighbour to his former employer, and tutor in carpentry, David Brown senior. It was business arrangements that provided a useful means of socialising, due in part to the Spears family having 6 sons and 2 daughters. Indicative of this connection, on 24 August 1825, William Spears' 4th eldest son, George, at age 17 years, submitted a memorial to the Government asking for land at Brisbane Water.

Census and Church Events

The 1825 Muster lists Patrick as a pensioner who 'came free' on the 'Boddingtons' in 1798. Aside from 'misrepresenting' his ex-convict status, Patrick had lost track of his and the Boddingtons' arrival in the colony in 1793.

The 1828 Census shows Catherine Humphries having arrived on the Minerva 1800, and being 40 years old. The Census also states that she was living at Watson's Bay with her husband and daughter Ann aged 16 years. While she had no difficulty in stating her daughter's age correctly, Catherine's true age would have been closer to 50 years. Her husband, Patrick, is described as "Humphrey Humphreys" CF (Came Free). This suggests his common use name at Watson's Bay as being 'Humphrey', particularly by Catherine. Patrick's age is also given as 40 years, although he was 61 years. He gave his occupation as 'Soldier' though had officially retired five years earlier. All three stated that their religion was 'Catholic'. Also, Catherine's son, David Humphries (BC) then 13 years old, and George Humphries (BC) age 19 years are shown living with the David Brown (Catherine's son-in-law) household at Little Cattai - And being employed and fed by him.

The fact that the Watson's Bay community was a small one, is illustrated in the 1828 census by the fact that of thirteen persons listed nine of them were connected to the Pilot Station. By coincidence, the Pilot's

⁵⁷⁰ Brisbane Water Story, Part III, Enchanted Waters.

⁵⁷¹ BDM V1824 3334 3B refers

⁵⁷² The Shipbuilders of Brisbane Water, p53

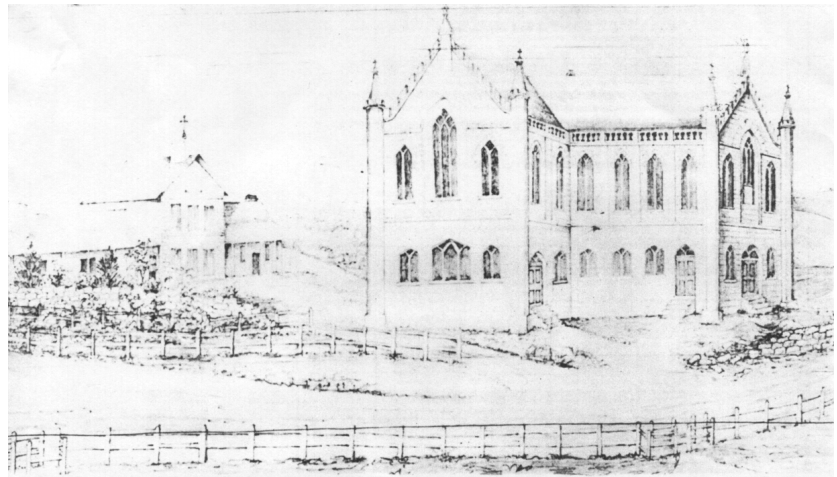


name then was Thomas Watson who had come out in 1821 - Most of his assistants were Government Servants. This suggests that there was little in the way of commercial fishing happening at the Bay then.

Thomas Humphries was on his farm at Brisbane Water on the occasion of the 1828 Census. He had two assigned workers: William Westly aged 30, and Thomas White aged 22. Of his 100 acres, 15 were cleared, and 15 under cultivation. On it he ran 16 head of cattle. Thomas stated his religion to be 'Catholic'. His brother, Michael, does not seem to have been recorded anywhere for the Census. As well having reasonable quality land, Thomas would have benefited from the plentiful coastal rains.

In 1829, Catherine's sons, Michael and Thomas underwent adult baptisms in the Roman Catholic faith at St Mary's.⁵⁷³ As infants, they had been baptised in the Church of England. This is a significant event. One can imagine it being regarded and treated as special, and an event for celebration.

Thomas Humphries, at 23 years of age, married Mary Spears, aged 16 years, the daughter of William Spears, at St James, C of E Church on 11 August 1829. Thomas' occupation is given as 'Farmer'. William Spears (most likely Mary's brother) and Ann 'Humphries' (aged 17 years), Thomas' sister, were witnesses. Neither Mary nor Ann could sign her name.



St Mary's church 1839⁵⁷⁴

Michael, at 25 years of age, married Sarah Hence (pictured in later years p 61), at St James (C of E), Sydney, on 26 October 1829. Sarah, who gave her age as 18 years, is said to be born in Cosby, Leicester, England 15 May 1814, that is, not yet 16 years. Michael's occupation was given as 'Boat Builder'. Phillip Fitzpatrick of George Street and Ann 'Humphries' were witnesses to the marriage. Neither Sarah nor Ann could sign her name. The newly wedded couple settled and remained at Watson's Bay.⁵⁷⁵ Michael's marriage at the C of E venue is intriguing in the light of his adult baptism at St Mary's in the same year. Their daughter, Catherine Anastasia, born at 'the Bay' on 17 September 1831, was obviously named in Catherine's honour.

The year after Michael's marriage, 1830, Ann Humphries then aged 18 years, married William Sampson Pickett (born Sydney 30 June 1804), neighbour to Thomas and the skipper of his ketch. The couple settled down on Pickett's 60 acre grant adjacent to Thomas's 'Mount Humphreys' property.

'South Kincumber provided the Humphries family with a most beautiful environment on the Cockle Creek The waters around them were rich in fish and crabs for the taking, there were oysters and other shellfish.... Shells were found in abundance for lime-burning purposes..'.⁵⁷⁶

The grant tended to be a much better plot of land than many others of equivalent size in the colony. The land proved productive. Coastal rainfall was plentiful and frequent. The setting is particularly pleasant. However, whatever merit it had, it didn't succeed in drawing Catherine away from her 'Wicklow' at the Bay for very long, if at all.

⁵⁷³ BDM Michael V1828 1328 127 & V1829 1346 128. Thomas V1829 1258 127 & V1829 1261 128.

⁵⁷⁴ St Mary's Cathedral, Sydney. 1821 – 1971.

⁵⁷⁵ BDM V1829 4696 3B & V1829 814 13 refer.

⁵⁷⁶ The Shipbuilders of Brisbane Water, p 53.



The 1832 Post Office Directory describes Watson's Bay as a place 'where the pilots have small allotments of land on which several good houses have been erected, a small village having been marked out.' It notes that the 'village of Watson's Bay is likely to be a place of attraction, from its position on the shore, and aspect of its smooth beach and sheltered waters.'

Mr Richard Siddons, our old and worthy colonist, has resigned his situation of pilot of Port Jackson; after following that avocation for many years, in consequence of ill health. His place will be filled by Mr Thomas Wealand, the superintendent of the lighthouse, South Head. Mr Siddons taking charge of the establishment in place of Mr W.'
Monday, 9 April 1832.⁵⁷⁷

A settler was thrown from his horse on the South Head, on Monday, and broke his collar bone, owing to the animal becoming restive in consequence of a bullock running at it.'

Thursday, 7 June 1832.⁵⁷⁸

'It has been suggested that if a road were made from the lighthouse to Watson's Bay, which might be done in three weeks, the public would be considerably benefited by mails of vessels finding their way into Sydney via that route some hours sooner than they usually do.'

Monday, 23 July 1832⁵⁷⁹

As to the state of the fishing industry in the colony at that time and the place of Watson's Bay's in it, the following comment is worth noting:

'The supply of fish in Sydney has of late been very bad. It is surprising that no shop has been opened in Sydney in this line, so as to ensure a regular supply to the inhabitants, the same as at Hobart Town.'

SH, Monday, 20 August 1832.⁵⁸⁰

Catherine's daughter, Elizabeth, and her husband, brought their baby son, Alexander, to Sydney from Jerry's Plains to be baptised on 4 March 1835, at a Presbyterian at Scots Church, in Elizabeth Street.⁵⁸¹ This event appears to have been intended to provide an opportunity for the members of the Brown family in the Sydney region, to gather and celebrate. For Elizabeth it would have meant catching up with her mother and family at Watson's Bay.

On 28 September 1835, Catherine's grandson, Thomas Brown, married convict, Ann Shepherd. The following year, Catherine's first great grandchild, David, was born, to them.

In 1836, Sir Richard Bourke, Governor of NSW, passed the Church Act, which placed all religions and denominations on an equal footing. It discontinued the privileged position of the Church of England in the colony. It had a significant impact on many in the colony who had cautiously been 'keeping a foot in several camps'.

The first recorded vessel owned by Thomas Humphries was a 16 ton cutter built in 1835-6 at Brisbane Waters and named the 'Thomas and Mary' after himself and his wife. The cutter was skippered by William Pickett. In 1845 the Thomas and Mary was refitted as a schooner. While still the owner of the 'Thomas and Mary', he built a 26 ton schooner which he named the 'Catherine'. Most probably in honour of his mother. This also was skippered by his brother-in-law, William Pickett.⁵⁸²

It is apparent that during the 1830s, the population of Watson's Bay was, as forecast by the 1832 Post Office Directory, expanding to something approaching a small village. MESSRS. MANSFIELD &

⁵⁷⁷ SH, Domestic Intelligence, p2.

⁵⁷⁸ SH, Domestic Intelligence, p3.

⁵⁷⁹ SH, Domestic Intelligence, p3.

⁵⁸⁰ SH, Domestic Intelligence, p3.

⁵⁸¹ BDM Reference V1834 2898 Vol 45B 0. NSWSR Reel 5016, V1834 76 Vol 47 0. NSWSR Reel 5017 (NLA mfm 229)

⁵⁸² The Shipbuilders of Brisbane Water, p51



PROUT advertised the sale of property at Watson's Bay in the Sydney Morning Herald of 27 October 1836. Allowing for the inclination of salesmen to put things in a particularly positive light, the promotion gives a good idea of lifestyle in Sydney and what was happening at that end of the harbour at that time:

BY AUCTION,
*Healthy Marine Villas, Mercantile Wharfs, or Ship Builders Yards,
Watson's Bay, South Head.*

MESSRS. MANSFIELD & PROUT

Have much pleasure in announcing to the Public, that they are instructed by the Proprietor, to bring into the market a Property possessing the most attractive advantage, as to scenery, recreation, health, and contiguity to the metropolis, that could be desired by the lovers of rural retirement. South Head is, and has long been the favourite resort of the citizens of Sydney, and of Invalids and pleasure seekers from the interior of the Colony; and there can be no doubt that it eventually became the leading watering place - the Brighton of eastern Australia.

The land now offered to public competition by Messrs. M. & P., consists of seven allotments situated in the most delightful part of the South Head neighbourhood, being the shore of Watson's Bay. Three of them are on the waterside each one hundred and thirty feet by thirty-four, with the privilege of extending their water frontage & to low watermark, whereby the extreme length will be about doubled; and the depth of the Bay, at the immediate margin of these allotments, will be sufficient to float the largest ship in the world.

To those who have been in the habit of visiting South Head and its vicinity, the beauty of the scenery from Watson's Bay is fully appreciated. The noble harbour of Port Jackson, studded with islets and reflecting in its clear bosom the woods which skirt its shores; the elegant mansions of Vacluse, Point Piper, Mrs Darling's Point; and Darlinghurst; the shipping at anchor in the roads; vessels entering and leaving the Port; the Town of Sydney; and the Blue Mountains in the western horizon;

The other four Allotments, each one hundred and two feet by eighty, are at the rear of the three above described, the ground forming a gentle declivity, and commanding all the advantages of scenery possessed by the three front allotments. On the south they open upon a beautiful line of road,'

From about this time, a few wealthy families kept holiday houses at Watson's Bay. Watson's Bay like Jerry's Plains was becoming less isolated and it was increasingly feasible for correspondence to be transmitted between those centres.

The extent and the fact of continuing association of various other Humphries family members with the Browns at Cattai and Jerry's Plains meant that there were several likely providers of news to the family at Watson's Bay. The news of the death of Catherine's 38 year-old daughter, Elizabeth, at Jerry's Plains on 21 November 1837 would have soon reached her. Whether she was acquainted of news of any contributing illness prior, and who might have notified Catherine of the circumstances are more speculative.

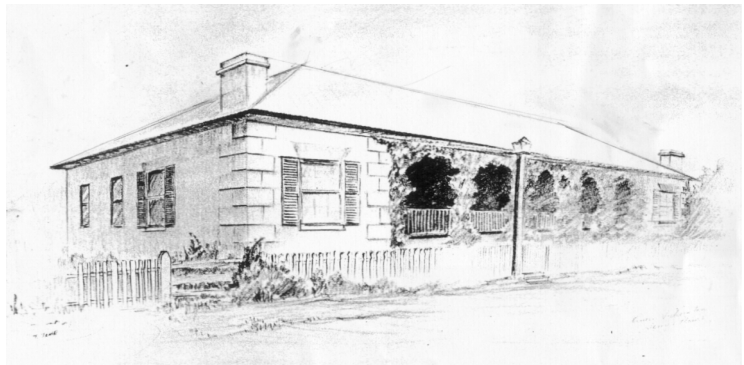


Chapter 17 – Formation of a Township

(1838 – 1844)

In 1838, the residents of Jerry's Plains wrote to the Colonial Secretary requesting the laying out of a township.⁵⁸³

The astute Richard Alcorn built a new, more substantial inn, this time beside the 'High' Road that ran east to west through his property. The inn was constructed of stone, with 12 rooms, which he called the "Queen Victoria". It was opened for business in June 1838 and became the centre, not only for alcoholic refreshments and food and lodging for local inhabitants and travellers, but also for all types of meetings and celebrations for the next 40 years. It was from its verandah in the early 1850s that Governor Fitzroy, on his tour of the Hunter, addressed the district population.⁵⁸⁴



Queen Victoria Inn⁵⁸⁶

Alcorn's inn, on this 'strategically placed land' 'could have been even more successful than it proved to be if the highway and railway routes had not eventually bypassed Jerry's Plains'.⁵⁸⁵

About the time Alcorn opened his new establishment, David Brown junior handed over the running of the Green Gate Inn to his eldest son, Thomas.

Investment in Muswellbrook

David purchased five town blocks of land in Bridge Street, Muswellbrook, or 'Muscle Brook' as it was spelt then for a total of £106, a rather large sum in those days. Four of the blocks were acquired by at auction at 11 o'clock on Thursday 11 July 1838. David lodged a deposit of £10 on 12 July for all five, and paid the balance a month later, on 10 August.

Lot 17, of half an acre had a minimum sale price of £2. It was purchased by David for £22. At the same time David purchased Allotment 6, Section 6 for £22; Allotment 5, Section 5, £26; and Allotment 6, Section 5, £24. It is likely that these properties were seen by David as an investment from the outset.⁵⁸⁷ One of the allotments may have been intended to provide town accommodation for a nearby grazing property?

Wednesday, 31 October 1838, The Government Gazette announced the Land Commission's hearing of claims on grants where the original donee had deserted or was deceased. David Brown of Jerry's Plains, Hunter River was listed as Case No 326. It explains that land in question is the 150 acres granted by Governor Brisbane to 'David Brown, senior, deceased, who, it is alleged, devised to his son, the claimant.'

Monday, 3 June 1839, and the succeeding day was set for hearing in respect of Land and Town Allotments. David Brown as Case No 326 is listed as one of many that were postponed from the previous sitting 'for further hearing or in consequence of the non attendance of the parties interested'.⁵⁸⁸ Solicitor, R Roberts, represented David and some of the others that were to be heard. On the 24th of June 1839, the Land

⁵⁸³ Elizabeth Baxter, P.O. Jerry's Plains, letter of 4 January 1981, to B & B Griffiths,

⁵⁸⁴ The Inn Renamed as Horse and Jockey, by Ian Ellis, Hunter Valley News 14 October 1992.

⁵⁸⁵ First village of Jerry's Plains, by Ian Ellis, Hunter Valley News 30 Sept 1992

⁵⁸⁶ Copied from the 'Centenary of Jerry's Plains School Calendar -. Drawn from a photograph..

⁵⁸⁷ Weidman Cottage and Its Owners' by Robert Tickle, Muswellbrook Historical Society. p29. One other large purchase of land at the same time as David was a 'William Brown'. A William Brown is recorded an owner of several properties in Jerry's Plains and is buried amongst the Browns at the Old Wombo Cemetery.

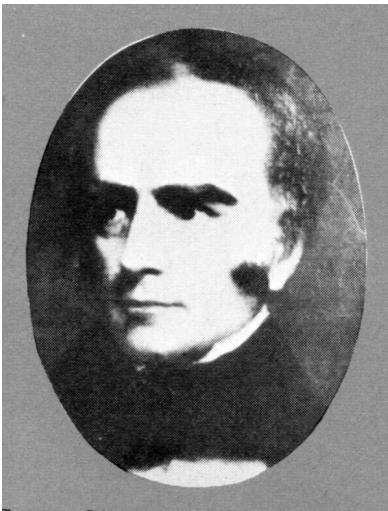
⁵⁸⁸ NSW Government Gazette of 22 May 1839



Commissioners decided to grant to David Brown, ‘the younger’ the 150 acres at Jerry’s Plains previously granted to his father.⁵⁸⁹

David’s “Green Gate” Inn was renamed the “Robin Hood” in or just prior to 1840.

A daughter, Sarah Jane, was born on 22 June 1840 to Thomas (David’s eldest son) and Ann at Jerry’s Plains and baptised on 11 August 1840 as a Presbyterian in Singleton (Parish of Whittingham, County of Northumberland). Thomas’ occupation is given as ‘Innkeeper’.⁵⁹⁰ The Hunter River Gazette contains several advertisements and notices about Thomas Brown, being Innkeeper of the Robin Hood at Jerry’s Plains 1842-1843.



*Sir George Gipps
Governor of the Colony of NSW
February 1839 to July 1846.*

The Brown’s inn and adjoining property may have been intended to be the focal point for the village subdivisions David attempted to develop on his land from the early 1840s until his death in 1857. David honoured his deceased wife by naming the stretch of road incorporated into his development on Portion 28, “Elizabeth Street”.⁵⁹¹ Elizabeth Street ran north/south from the government road to the river.

David oversighted a number of property interests from the time of his arrival in Jerry’s Plains up until his death. However, ‘any visions David Brown may have had of an enduring subdivision on his Jerry’s Plains site had already faded by the time of his death.’ ‘This was because of the greater success of the competing neighbouring subdivision some few hundred yards to the east, engineered by his long time neighbour and future relative by marriage, Richard Alcorn.’ However, it is apparent by the carving up of his land in his Will that David still believed in the future development potential of his property. Ultimately however, David’s development projects and ambitions, and

those of his neighbours, the Alcorns, Hobdens, and the Duffs, all lost out to highway and railway routes bypassing Jerry’s Plains.⁵⁹²

About 1840, Joseph J. Harper became Jerry’s Plains second postmaster. He was newly married to the just recently widowed Margaret Taylor, who had five young children. At this time, the post office always moved to the residence of the incumbent postmaster. The Harpers resided a stone cottage on the edge of the banks of the Hunter, on a property that was owned by the Smith family. The building was washed away in the 1857 flood.⁵⁹³

The postmaster was often the agent and correspondent for The Maitland Mercury, and also it seems its predecessor, The Hunter River News. The agent was responsible for the receiving of subscriptions and orders for advertising and printing. Joseph’s brother was, Charles Harper, who is described in ‘National Library of Australia News’, July 2003, as Australia’s first poet and philosopher.

Charles resided with his brother during the ten years or so that he was postmaster at Jerry’s Plains. Joseph Harper is the source for many observations and comments that follow. Like many a then resident of the Hunter, they had spent their formative years on the Hawkesbury near Windsor.

⁵⁸⁹ NSW Government Gazette of 14 August 1839

⁵⁹⁰ NSWRS Reel No 5046, V1840 8064 121C.

⁵⁹¹ ‘History of Jerry’s Plains’ by Ian Ellis in the Hunter Valley News (circa 1992)

⁵⁹² ‘Inn Renamed as Horse and Jockey’, by Ian Ellis, Hunter Valley News 14 October 1992.

⁵⁹³ ‘Second Master’ by Ian Ellis in the Hunter Valley News (7 October 1992)



David's son, David (III) at about 12 years old in 1840-1841, was sent back to the Hawkesbury 'where he passed his youth'. There he seems to have taken over or assisted in the running of the family's Cattai property.

1841 Census

The 1841 Census, of September 23rd, shows that there are two houses belonging to Browns at Wambo. One occupied by Thomas and his family, and three shepherds. The other is in the charge of James. He is apparently in the company of brothers: John 19, George 10, Alec 7 (almost); and sister, Mary 18; and 2 shepherds. There is no indication of a child that might have been Thomas and James youngest brother, Francis.

Both houses were reported to be of timber construction – And it was stated that there were no building of stone construction. The houses would typically have had shingle or slab bark roofing, and separate kitchens with fireplaces for cooking needs.



A timber house indicative of the pioneer homes of the 19th century. Houses at Jerry's Plains are likely to be somewhere between this and houses that one could expect to see in Singleton or Maitland. This photo is of a home in the Daintree area Queensland 1869.

In the 1841 Census for the Liverpool Plains, John Eckford is return 50, presumably at Malaraway; and James Brown is return 51, presumably 'Millie'. There were only two men on James' run, both emancipists and both Roman Catholics. This was consistent with James being recorded at Jerry's Plains.⁵⁹⁴

The census details are consistent with Kate being at Cattai with her brother, David, and uncle, David Humphries - She may well have accompanied her brother there. The three homesteads, Cattai, and the two at Jerry's Plains,

had a female in residence, each woman was no doubt expected take on as housekeeper. David Brown junior is noticeable by his absence. Possibly, he was in transit between home and Cattai, or Millie? It is also evident that the Browns had diversified at this juncture into sheep farming has a means of generating income.⁵⁹⁵

The 1841 census showed that Peter Duff had three convicts employed while George Bowman had eight or nine on each of his two properties. 1840 was the year of the greatest number of convicts in NSW. But by 1845 very few convicts were assigned to farms - The convict system in the colony of New South Wales was quickly winding down just as the country was struggling out of a severe depression.⁵⁹⁶

Impact of Steam

Commuting by steamship gathered momentum during the 1840s. The Hunter River Steam Navigation Company, which was formed in 1840, with a capital of £40,000 and founded by Thomas Mort (whose company is now trading as Goldsborough Mort), commenced trading with three paddle wheel steamers, the "Rose", "Shamrock" and "Thistle". All were constructed in England and were of similar size, some 150 feet long and 20 feet across the beam.⁵⁹⁷ This additional service further improved access to Sydney for the settlers of the Hunter.

In 'The Hunter River Gazette' of Saturday, 11 December 1841, a correspondent describes the overnight, eleven hour, voyage from Sydney to Morpeth as passenger on board a steamship as David and family are

⁵⁹⁴ (X947).

⁵⁹⁵ 1841 Census, Reel No 2222.

⁵⁹⁶ 'First village of Jerry's Plain's, by Ian Ellis, Hunter Valley News 30 Sept 1992.

⁵⁹⁷ Morpeth: Where Bishops and Ships Once Rode Tall, 1989, Shirley Richards and Peter Muller, Published by Kookaburra Educational.



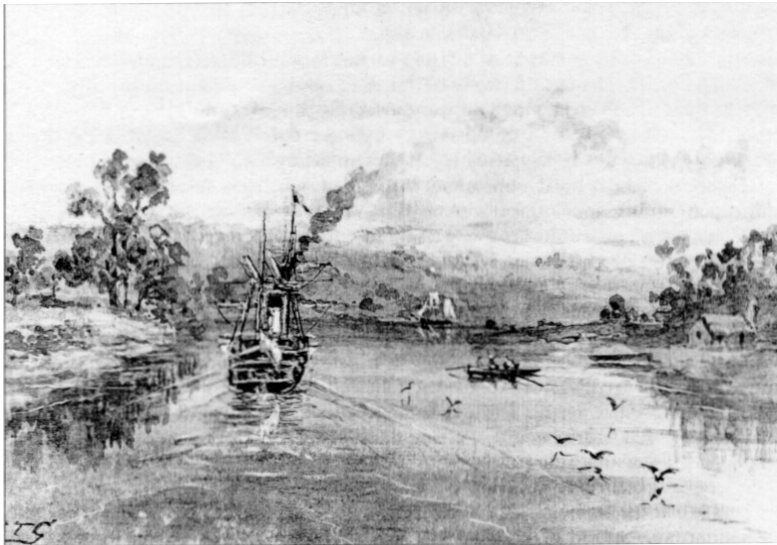
likely to have been occasionally. In this case it was the ‘Thistle’ – Departing at 9pm and arriving at 8am. On rising in the morning, the writer observes:

‘On going on deck shortly after daybreak, we found the prow of the vessel directed right upon the bold, detached rampart-looking rock, called Nobby’s Island, situated at the entrance into Newcastle roads, and forming the only remarkable object on the coast. Between this rock and the mainland on the left, a space is interrupted by numerous shoals, a breakwater is in progress of

being formed, and is far advanced towards completion,’

Newcastle is a neat and thriving town, occupying a conspicuous position on the brow of a gentle eminence. The Agricultural Company’s coal mines are situated to the left of the town, and at a considerable elevation, from which a railroad is carried to a commodious

wharf, which greatly facilitates loading of vessels with this indispensable mineral. In other respects the mining operations of the Company have undergone great improvement, which will enable them to keep pace with the enlarged demand for the coals which the increase in the steam navigation of the colony has occasioned.’



‘A Steamboat from Sydney on the Hunter River’, by S.T. Gill in his original Sketches 1844-1866 (Mitchell library)

‘The shores of Hunter for a considerable distance from its embouchure are low and swampy, and unfit for any purpose of profitable improvement; but as we ascend the stream they eventually lose this distinctive feature, and become fit for cultivation - when stunted, bushy forest of the swamp is succeeded by

extensive paddocks of wheat and maize, by orchards loaded with maturing fruit, and by the rich and luxurious vegetation of the olive, the fig, and vine.’

‘We were surprised to find both banks of this magnificent river cleared and cultivated throughout such an

extensive length of course; and still more were we gratified to witness many rural - and apparently happy homes that dot its banks, half hidden from our view by the dense and close umbrage of the rarest fruit trees, in the midst of which they stand embowered.’

On travelling up the Hunter the writer alluded to the then expanding interest in wine grapes:

‘We look upon the Hunter as the Rhine of New South Wales.’

Races and other Diversions

‘The tradition of the country dance, woolshed dance or barn dance began at the outset of colonial life in Australia’ ‘Upon the completion of a communal building or after the annual races, dances were held. Excitement and expectation made these important to everyone. They were the opportunities for courtship, fun and distraction from daily hard work. Guests might stay overnight on neighbouring farms and as on such festive occasions, dancing would often continue all night.’ ‘The big race meeting might be held annually or perhaps every three years. In outback areas they were an occasion when everyone came to watch.’⁵⁹⁸

On the north side of the Alcorn’s subdivision was his (Alcorn’s) racecourse paddock where the chief social event of the year in the 1840s and 50s was staged over three consecutive days with prize money of at least

⁵⁹⁸ Pioneer Women of the Bush and Outback. P231.



£35 per race and entry fees of £3/10/-. Entry fees were collected at each of the three hotels in turn over the three days to give a fair spread of the patronage.⁵⁹⁹

A notice on the front page of the regional newspaper 'The Hunter River Gazette' of Saturday, 11 December 1841 announced:

"Jerry's Plains Races

A meeting of the Friends and subscribers to the Jerry's Plains Races will take place at the Victoria Inn, on Wednesday the 22d instant, at 6pm, to arrange the preliminaries for the ensuing races.

*E. Dyte Sec. pro.tem. December 9, 1841*⁶⁰⁰

A letter written on 9 February 1842 by Stockman, F Crampton to the Gazette, regarding difficulties with aborigines at MacIntyre River, well north of the Brown's 'Millie' run, refers to G(eorge) Dight, Mr Yeoman, Mr Drake, and **Brown's hut**.⁶⁰¹

In The Hunter River Gazette, the Jerry's Plains correspondent observed on Wednesday, 19 February 1842⁶⁰²:

'The district has at length been relieved from its parched up state, by a copious fall of rain, after several weeks of most intense heat, the Thermometer standing frequently as high as 100 (degrees) to 115 (degrees). ...Sunday ...as night approached, a fine steady rain set in which continued without scarcely any intermission the lowering sky this morning (Wednesday), portends more wet weather.. The beneficial effects of this soaking,

are already apparent in the improved appearance of the District, as well as in the visages of its inhabitants. From a state of inactivity and anxiety,..... Farmers are cheerfully preparing their paddocks for wheat, hay, &c., and their gardens for the reception of potatoes and other culinary (sic) vegetables'

Our evenings of late have been enlivened by preparations making for the Races, which come off here next

month.. From the description of the horses that have paid a visit to the course, for the purposes of training, good sport may be expected.'

'It gives us sincere pleasure to state, the rumour so prevalent the last few days, that one of our most respectable settlers, and party, in searching for a station on the Barwin, had met with an untimely fate, by the spears of the blacks is totally incorrect.'

David's son, Thomas, got into the spirit of the races with this advertisement in 'The Hunter River Gazette':

ROBIN HOOD, JERRY'S PLAINS.

'To the Up-Country Settlers and the Inhabitants generally of the Hunter River District.

THOMAS BROWN,

'Having replenished his stock of wines, spirits, cordials, ales, porter etc. respectfully solicits the inhabitants of the above district and assures them that he has studied every convenience that may be likely to promote their comfort at the ensuing Jerry's Plains Races. The stable is replete with the best description of hay, corn, and straw. The comfort of the interior of the premises, Thomas Brown flatters himself, requires but to be tried to convince his friends of the truth of his assertions.

A superior stock of wines, ales, porter, champagne, cyder, & C., always on hand.

*Jerry's Plains, March 1*⁶⁰³

In the same newspaper of 5 March 1842, it was evident that there were at least five steamers offering public transport between Morpeth and Sydney. The service was available six days a week from three different companies. Monday, Wednesday, Friday, and Saturday there were two steamers offering fares to Sydney.

⁵⁹⁹ 'Inn Renamed as Horse and Jockey', by Ian Ellis, Hunter Valley News 14 October 1992

⁶⁰⁰ NLA, mfm NX 132.

⁶⁰¹ NLA mfm NX 132. The Hunter River Gazette of 12 March 1842. Possibly the property of the other 'John Browne' of Singleton, not related to David, who also married an Alcorn, or another Brown who is supposed to have settled at Goondawindi.

⁶⁰² NLA mfm NX 132. The Hunter River Gazette of 19 February 1842

⁶⁰³ NLA mfm NX 132. The Hunter River Gazette of 5 March 1842



The steamers: Rose, Thistle, and Shamrock, were operated by the Hunter River Steam Navigation Company – The Victoria, and Sovereign were managed independently.

David's horse, 'Young St John', entered the race festival and easily won the Third Race (and last race of the day) – 'Sweepstakes' of £5, on Tuesday, **29 March 1842**, the first day of the event. Only two horses started, the other horse being 'Pickpocket'. The Hunter River Gazette described the first day:

'On the Tuesday, a great concourse of people assembled to witness these races, and considering that this is only the second year during which these sports have been established here, the attendance was far more

numerous than could have been anticipated.'

'The races were well contested, the people orderly and quiet, not a disturbance of any kind having taken

*place, nor even a drunken person having been seen on the course. The manner in which the arrangements were effected, reflected the highest credit on those who had the control of them.'*⁶⁰⁴

The newspaper described second day of racing on Wednesday, 30 March, which it seems, had become the last day:

"This was decidedly the best racing day. The greatest exertions were used both by owners and riders to obtain the superiority for their respective horses.

Previous to starting, ten to one was offered that St John would be distanced, but those who offered it were very much disappointed, since he proved himself bottom and very nearly distanced the filly, (Cinderella)."

The first heat they went to work in good earnest, but the filly had nothing to boast of. Young Whisker being close on her flank, and Young St. John close on his.

In the second heat, the mare had a poor chance, she looked as if she had had a belly full, and did not seem much inclined for more, her rider however managed to bring her in third.

Third heat; the filly all at fault,

not the least prospect of winning,after she had passed the distance post she could hardly manage a gallop at all.; the result was as follows:

Mr Waterford, b.f. Cinderella, by Scratch, J. Ross

Mr Waterford b.h. Young Whisker, by Scratch, J. Ross

Mr Brown, Young St. John by St. John, J. Evans

Having dismissed the efforts of 'Cinderella', the writer sums up the performance between 'Young Whisker' and David Brown's 'Young St John' as "A capital race... all round the course". He goes on to describe several other races on the day and then:

'In the evening the Stewards and a party of gentlemen sat down to a sumptuous dinner, prepared by mine host of the Victoria, which was kept

up to a late hour and gave a general satisfaction. Throughout the evening the utmost harmony prevailed, and the party separated highly pleased at

*the result of the meeting, and the manner in which the entertainment provided for them had been got up.'*⁶⁰⁵

Church Events

On 4 and 11 June 1842, an advertisement both appealing for contributions and listing those who had already subscribed, appeared in the Hunter River Gazette:

'The District of Jerry's Plains, with a population of about five hundred souls, has not a single edifice of any description for Public Worship. The Kirk at Patrick Plains, a distance of over twenty miles, being the nearest building for religious purposes. At a former period, a Clergyman was accustomed to perform Divine Services once a month, at the Victoria Inn, but the many inconveniences necessarily attendant on this arrangement, obliged him to discontinue his visits.'

David Brown, 'Farmer', Jerry's Plains, is listed as having contributed £5/-, and his son, Thomas, 'Innkeeper', five guineas.⁶⁰⁶

David's brother-in-law, David Humphries, at the age of 27, married Jane Mary Daley at St Matthew's, Roman Catholic Church at Windsor on 13 June 1842.⁶⁰⁷ Witnesses were his daughter, Catherine (Kate), and

⁶⁰⁴ The Hunter River Gazette, 9 April 1842. NLA mfm NX 132.

⁶⁰⁵ The Hunter River Gazette, 9 April 1842, NLA, mfm NX 132.

⁶⁰⁶ Hunter River Gazette. 1842. NLA, mfm NX 132.

⁶⁰⁷ BDM V 1842 1642 92 0. It seems that David Humphries was still working for David at Cattai.



a John Daley. David Humphries and possibly his brother George were still working for the Brown family at Cattai. His marriage brought another female into the Brown family.

David's daughter, Mary, married Charles Solomon Capp at Mt Loder near Singleton on 26 June 1842.⁶⁰⁸ Her marriage would have left her brothers without the housekeeping services that they are likely to have got used to. However, the addition of Jane Daley to the Brown household, conveniently a few weeks beforehand, meant that Kate was free to be brought back to Jerry's Plains to take over household duties from her sister, Mary.

Royal Mail and Other Amenities

The Hunter River Gazette contains several advertisements and notices about Thomas Brown and the 'Robin Hood Inn' at Jerry's Plains in 1842:

<p style="text-align: center;">ROBIN HOOD, JERRY'S PLAINS.</p> <p style="text-align: center;"><i>'To the Up-Country Settlers and the Inhabitants generally of the Hunter River District.</i></p> <p style="text-align: center;">THOMAS BROWN,</p> <p><i>'Having replenished his stock of wines, spirits, cordials, ales, porter etc. respectfully solicits the inhabitants of the above district and assures them that he has studied every convenience that may be likely to promote their comfort at the ensuing Jerry's Plains Races.</i></p> <p><i>The stable is replete with the best description of hay, corn, and straw. The comfort of the interior of the premises, Thomas Brown flatters himself, requires but to be tried to convince his friends of the truth of his assertions.</i></p> <p><i>A superior stock of wines, ales, porter, champagne, cyder, & C., always on hand.</i></p> <p><i>Jerry's Plains, March 1'</i>⁶⁰⁹</p> <p style="text-align: right;"><i>"11 June 1842 Royal Mail for Merton calling at the Robin Hood J.P."</i>⁶¹⁰</p>
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*#A son, Thomas Edward, was born on 9 January 1843 at Jerry's Plains to Thomas and Ann.*⁶¹¹

The Maitland Mercury carried advertisements for merchants and of many towns in the Hunter River region, and others, for a diversity of goods and services, eg.: property, bullocks, horses, sheep, cattle, timber, looking glasses (mirrors), barometers, thermometers; boarding school in Sydney, steam milling services, dancing and callisthenic classes, livery services, passenger and cargo transport by steamship to and from Sydney.

Indicative of the style of advertisement for household items David and family would have read is:

<p>'New Stores, Singleton.</p> <p>JUST RECEIVED, and on Sale at the stores of the undersigned, the following GOODS, which will be sold at Sydney prices, carriage included, viz. :-</p>	
<p><i>Hysonskin and black Teas.</i></p> <p><i>Good brown Sugar</i></p> <p><i>Best ground Coffee</i></p> <p><i>Best colonial Soap</i></p> <p><i>Best Starch</i></p> <p><i>Best Thumb Blue</i></p> <p><i>Best washing Soda</i></p> <p><i>Prime Westphalia Hams</i></p> <p><i>Prime mess Pork</i></p> <p><i>Fresh Salmon, in 4lb. Tins</i></p> <p><i>Raisins and currants</i></p>	<p><i>Quart and pint Pots</i></p> <p><i>Milk Coolers and Candle Moulds</i></p> <p><i>Negrohead Tobacco</i></p> <p><i>Variety of Snuffs</i></p> <p><i>Black silk and beaver Hats</i></p> <p><i>Felt Hats and Jim Crows</i></p> <p><i>Regatta and striped Shirts, & c. & c.</i></p> <p> </p> <p><i>GEORGE WATSON,</i></p> <p><i>Exactly opposite E. Ogg and Co.'s</i></p> <p style="text-align: right;"><i>27th January 1843'</i></p>

⁶⁰⁸ Pioneer Register shows marriage on 25 June 1842 at Mt Loder near Singleton.

⁶⁰⁹ NLA mfm NX 132.

⁶¹⁰ NLA mfm NX 132.

⁶¹¹ NSW SR Reel 5007, BDM registration V1843 20081 27A.



COUNTRY NEWS.

JERRY'S PLAINS

Monday, being Boxing Day, was kept up here as a general holiday, cricket playing, quoit matches, and shooting matches, being the order of the day.

But the greatest attraction was, a race between a horse belonging to Mr Waterford, rode by J. Evans, and Mr. Rochford's horse Jerry, rode by H. Smith, for £10 a-side. At starting, they went away neck and neck,

which pace they kept up for the first half mile, during which time it would have been difficult to have said which would have won; but at last Jerry took the lead, which he kept during the remainder of the race. Altogether it was a good race, and well contested.

Every thing went off well, there being no drunkenness or quarrelling, but every one appeared to be pleased and desirous to please. Mine host of the "Victoria" and "Robin Hood" entertained a few select friends.

I am happy to write, that since the beginning of the month, we have had some delightful rain. The settlers up here have commenced putting in corn; and, from the quantity of ground in this neighbourhood, if we only have a favourable season, there is likely to be plenty. The grass is springing up in all directions, which, thanks to the blessing of Providence, has opportunely arrived, as cattle were just beginning to drop off from starvation.

The Australian
Monday 2 January 1843

On Saturday, 28 January 1843, Thomas ran this advertisement in the Maitland Mercury:

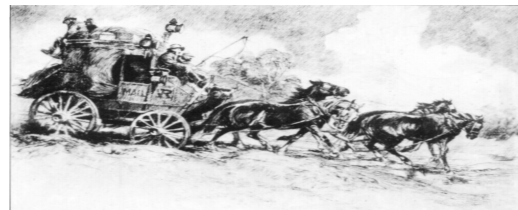
"Royal Mail for Merton.

THE above Mail starts from Singleton Monday, Wednesday, and Friday, calling at the "Robin Hood," Jerry's Plains; and returns on Sunday, Tuesday, and Thursday.

The conveyance is good, and passengers will always find a good Breakfast at the "Robin Hood," coming or going, with a constant supply of very superior Wines, Spirits, and Malt Liquors.

Saddle Horses and Gigs to Let, either at the "Robin Hood," Jerry's Plains, or the "Sir Thos. L Mitchell," Singleton, or at Merton, if required."

Of note in the advertisement is that it implies a significant commercial association between the Robin Hood and the Mail Service contractor. Thomas' association may well have been some form of ownership in the coach service as an extension of his management of the inn.



We have had a plentiful fall of rain throughout the district, and the weather continues showery. The rivers are still passable, but the roads are very heavy, and much cut up.

A gentleman who has just returned from the interior informs me that the to the very gates of the stock yards. pasturage at Liverpool Plains and upwards is of the most luxuriant

description, growing knee high up to the very gates of the stock yards.

Jerry's Plains correspondent
The Australia,
8 February 1844

The Jerry's Plains correspondent in the Maitland Mercury reported on 11 February 1843:

"A new Line of road will very shortly be opened from Jerry's Plains to

Muswellbrook, which will have the effect of shortening the distance

between the two townships from five to six miles."⁶¹²

David's name occurs amongst a list of notables in the Maitland Mercury of 11 March 1843 who were electors of the County of Durham who endorsed Robert Scott as a nominee for the county in the new Legislative Council. Some others listed were: J Bowman JP, James Arndell, Richard Ward, H.L. Lindeman, and John Howe.

The Jerry's Plains Races for 1843 originally advertised to take place in March of that year took place the following month with a three-day racing program:

⁶¹² NLA, mfm NX 27. The Maitland Mercury, February 1843.



'These races commenced on Wednesday, the 26 ultimo' (April 1843), but were indifferently attended, very few of the

neighbouring gentry making their appearance. Owing to some misunderstanding among themselves, neither stewards nor judge were

forthcoming; their places were however soon filled and the races commenced...'

On the third day, a horse owned by Thomas' brother, John, called 'Filo da Pata' won the 4th Race - 'Hack Race'; one mile heats with a 2nd, and two 1^{sts}.⁶¹³ Thomas, as in the previous year ran advertisements during March and April, telling of services that the "Robin Hood" inn had to offer.

On 20 April 1843, David mortgaged his Little Cattai Creek property (Portion 39) to a Thomas Tebbett for Two Hundred pounds Stirling. Witnesses were David Lawson and Francis Biddeck of Windsor.⁶¹⁴ David followed this by announcing on 20 May 1843 the Robin Hood Inn 'together with 15 acres of cultivation and a large grass paddock with all improvements thereon,' was 'leased to Alexander Munro for three years for' one hundred and eighty pounds". This now left David with £380 at his disposal.

It may be that David was raising capital for another venture, or like many others in the colony, he was trying to settle his debts. At this time, the colony was still in the grip of a depression, 'with falling prices and incomes leading to insolvency and unemployment on a serious scale'.⁶¹⁵

His son, Thomas, then pursued farming and grazing interests, after some five years of being an innkeeper. The 'Robin Hood' Inn reverted to the original name 'The Green Gate', and during 1843, Morris Magnay took over as innkeeper. 'The inn under various names remained in Brown hands (but with different licensees) until 1891.'⁶¹⁶

The Jerry's Plains correspondent in the Maitland Mercury reported on 17 June 1843:

The New Road- The new line of road from this to Muswellbrook is now open for travelers, and the mail contractors on this side of the country are going to star a two-horse coach on the 1st of July from Singleton to Jerry's Plain, and thence to Muswellbrook, to arrive at Jerry's Plains by Breakfast time

. This will be much pleasanter than the former travelling mode of travelling, as it will not only give time for refreshment on the road, but it is also a great deal better than the old road from Singleton to Muswellbrook.. The coach will arrive at the same time as the mail, and the and return to

Singleton in time for the Maitland Mail.

The Elections - The polling day at Jerry's Plains is fixed for the 24th of this month. R. L. Jenkins Esq., is the deputy returning officer for this district.

The Jerry's Plain correspondent to the Maitland Mercury wrote this concerning an accident near David's property:

'A man of the name of Connors a few nights ago, whilst in a state of intoxication, fell down a precipice which overhangs the river, and dislocated his hip, broke his ribs, &c.

After laying there till morning, **he was conveyed to Mr Brown's, of Jerry's Plains**, in a cart, and on the following evening Dr. Jenkins was called in, and succeeded in reducing the dislocation, which was of a dreadful

description, the thighbone being nearly forced through the groin. The man is still in a precarious state, and, at the best will probably be a cripple for life.'⁶¹⁷

July 26th, 1843.

In the same report:

⁶¹³ NLA, mfm NX 27. Correspondent for the Jerry's Plains Races, The Maitland Mercury, Saturday, 6 May 1843.

⁶¹⁴ Lands Titles Office Ref:91M102(235) of 11 November 1993. Re: Portion 39, Parish of Maroota 'Crown grant dated 5/8/1806 of 100 acres to James Brown'. Memorial Book No. 864 dated 9 May 1843.

⁶¹⁵ Economic Reform Australia Newsletter.

⁶¹⁶ History of Jerry's Plains by Ian Ellis in the Hunter Valley News (circa 1981)

⁶¹⁷ NLA, mfm NX 27, The Maitland Mercury, 29 July 1843.



'A bachelors ball, at which most of the gentry of the neighbourhood were present, was given by Dr Jenkins, Captain Scovill, and the bachelors

Of Jerry's Plains on Wednesday, the 26th.

'There is a rumour afloat here that Liverpool Plains have been flooded,

*in consequence of eighteen days of successive rains, and that the country towards the Namoi and Big River has been all under water. ..'*⁶¹⁸

The Browns and Bowmans having runs in the region, would have concerns about the latter report. They may have in fact been the informants.

About the farmers in Jerry's Plains in particular and all those on the Hunter in general, in this time of great depression for the colony the writer said:

'That the farmer is not sufficiently remunerated is indisputable, ... it is owing to the scarcity of money, and to the general poverty of the agriculturalist, which compels them to make sale of their produce at any price that offers'

Thomas gave his occupation as 'Farmer' at the baptism of his son, Thomas Edward, in the Parish of Wittingham (Singleton?) on 13 August 1843.⁶¹⁹ The baptism seemed to be a delayed event for those times - Perhaps an indicator of how long between visits to the Town of Singleton? Thomas seems to have been given the task of maintaining the Jerry's Plains property as 'farmer', while his two younger brothers and father were heading off in various directions tending to other family business.

Advertisement in the Maitland Mercury of 4 November 1843 listed Brown and Alcorn, Alexander Campbell, Henry Danger, Thomas Hall, William Dumaresque, Charles Wyndeyer, as some of the persons who obtained a licence to depasture stock in New England for the year commencing 1 July 1843. In the same paper, licences to depasture in the Liverpool Plains were granted to **John Brown, and Thomas Brown**⁶²⁰, and various others eg James Arndell, William Blaxland, George Bowman, George Dight, Henry Dangar, Thomas Eather, George Hall, John Howe, Phillip Thorley, W C Wentworth etc.

David sold off the first of his Muswellbrook allotments, Allotment 6 Section 6 on 3 January 1844 to James McCubbins, blacksmith, of Muswellbrook for £30. Allotment 8 Section 6 was sold on 27 February 1849 to Richard Henry Cloweth McAlpine of Muswellbrook for £50. The remaining allotments 4, 5, and 6 Section 5 were sold to Mary Ann Bellew on 14 August 1850.⁶²¹

JERRY'S PLAINS

We have had a plentiful fall of rain throughout the district, and the weather continues showery. The rivers are still

passable, but the roads are very heavy, and much cut up.

A gentleman who has just returned from the interior informs me that the pasturage at Liverpool Plains and upwards is of the most

luxuriant description, growing knee high up to the very gates of the stock yards.

The Australian
Thursday, 8 February 1844.

On 10 April 1844, the Church of England started a school in Jerry's Plains for the district's children.⁶²²

'No mail has been received here since last Friday, the 26th, Which has given rise to a good deal

of disappointment and dissatisfaction. the blame is generally ascribed

*to the steamers.'*⁶²³

Jerry's Plains Correspondent, MM
July 31, 1844.

⁶¹⁸ Big River was another name for the Gwydir

⁶¹⁹ NSWRS Reel 5007, BDM registration V1843 20081 27A.

⁶²⁰ There appears to be a Thomas Brown of Tamworth who was issued with a licence.

⁶²¹ p29, 'Weidman Cottage and Its Owners'.

⁶²² Elizabeth Baxter, P.O. Jerry's Plains, letter of 4 January 1981, to B & B Griffiths.

⁶²³ NLA, mfm NX 27, Reel No1, The Maitland Mercury, August 1844,

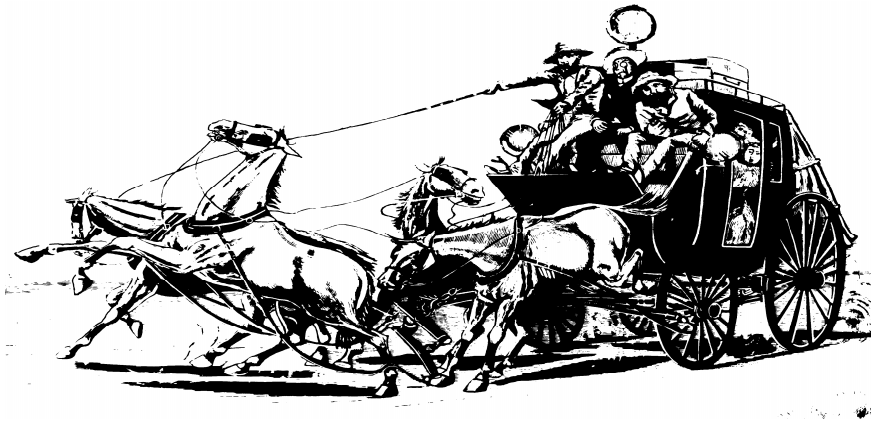


'MAIL ACCIDENT, - On Wednesday last the mail for this place from Jerry's Plains had not proceeded far on the road before one of the wheels got into a hole, which occasioned so great a shock that the driver was precipitated from his seat.

The horses were startled, and in their efforts to extricate the vehicle, broke the reins, and thus becoming ungovernable they ran the coach up against a tree, by which the shafts were broke and thus the horses got away. They were however, found on the following day.

We are happy to say that the driver received no injury, and no further damage was done than the breaking of the shafts and the guard iron of the coach.'

Merton Correspondent, MM, Monday, 12 August 1844



'....The horses were startled, and in their efforts to extricate the vehicle, broke the reins, and thus becoming ungovernable they ran the coach up against a tree, ...'

During 1944, Alexander Gibson took over as the keeper of the '*Robin Hood Inn*'.

Advertisement in the Maitland Mercury of 26 October 1844 listed familiar names of Brown⁶²⁵ and Alcorn, Alexander Campbell, George Bowman, Henry Dangar, Thomas Hall as persons who had obtained a licence to depasture stock in New England for the year commencing 1 July 1844. In the same paper licences to depasture in the Liverpool Plains were granted to '**Brown James and John**', and various others eg George Bowman, G and S Dight, John Brown, Thomas Brown⁶²⁶, William Dangar, Mrs Eathers, John Howe, Phillip Thorley, W C Wentworth etc. The '**Brown James and John**' entry points to the two brothers combining their efforts at Waterloo/Millie.

"His Excellency, Sir George Gipps, and Lady arrived here rather unexpectedly on Tuesday forenoon, and put up at Alcorn's Inn. Owing to want of notice, his Excellency did not meet with that warm reception which the people of Jerry's Plains were disposed to award him."

"After taking breakfast at the Inn, an audience was given to several of the inhabitants, who, being gathered together in a hurry, thought it too good an opportunity to be lost in making known the requirement of Jerry's Plains. It was pointed out to his Excellency that a court of petty

sessions, and a school under the general system, were imperatively required here. Sir George. remarked that he was favourable to general system of education, but that the question had not been finally settled."

⁶²⁷ Jerry's Plain correspondent, MM, October 31, 1844.

⁶²⁴ NLA, mfm NX 27, Reel No1, The Maitland Mercury, 17 August 1844, No 85.

⁶²⁵ No direct connection with David Brown's family

⁶²⁶ There appears to be a Thomas Brown of Tamworth who was issued with a licence.

⁶²⁷ NLA, mfm NX 27, Reel No1. The Maitland Mercury, 2 November 1844.



Chapter 18 - Of Violent Events and Drought (1844 – 1847)

In seeing 1844 out, weather, grasshoppers and comets were matters affecting their environment of which the citizens of Jerry's Plains would have been particularly conscious. Their correspondent wrote to the Maitland Mercury about quiet life to be had in the town:

"A violent storm of hail, which visited us yesterday, has destroyed all the first crop of tobacco in the neighbourhood, and must have done considerable injury to the ripe wheat still standing. The hailstones were the size of pullet eggs, and of the most irregular and singular shapes; ..."

"It is to be hoped the storm will have the effect of banishing the grasshoppers, which previously promised to devour every green thing."

November 28, 1844⁶²⁸

"We have had a few remarkably cold days and nights, which have operated like a Russian winter upon the invading armies of grasshoppers. There is now scarcely one to be seen. ..."

December 24, 1844⁶²⁹

"On Saturday evening last, about nine o'clock whilst star-gazing in company with a friend, and discussing the theories of comets - having the present beautiful one in the south-west fall into view - a fiery meteor of uncommon magnitude and brilliancy took its rise near the comet, and, after careering 'through the heavens for

nearly a minute, burst like a sky-rocket, throwing its sparks in all directions. It certainly threw little light on the subject under discussion, but when at its extreme height it shed an illumination on the surrounding scenery almost equal to daylight. It is quite 'a nine day wonder' "

"... in this dull vicinage, where even the frolics of Christmas are void of animation, and the people are actually in danger of dying in their nobler part of sheer forgetfulness and the want of mental stimuli (sic)."⁶³⁰

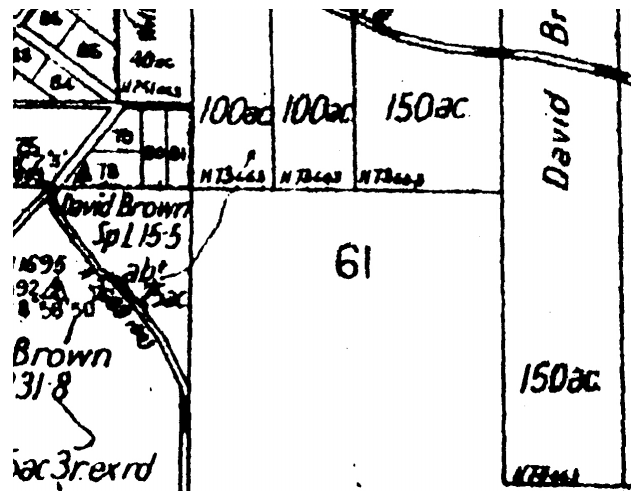
2 January 1845

The heavenly events of the closing year may well have been interpreted by some as a portent. Regardless, David's fortunes seemed to have improved for the moment soon after, for on 1 February 1845, he redeemed the mortgaged his Little Cattai Creek property (Portion 39) mortgaged to Thomas Tebbett for Two Hundred pounds Stirling. David's escape from debt at this juncture coincides with an improvement in the colony's economic conditions.

A 'Francis McMahon' purchased an allotment on the High Street, Jerry's Town, from David in 1845. He developed it as a garden. It is possibly, but by no means certain, that this person was brother-in-law to David by his first wife, Elizabeth.

Richard Boggis, aged 40 years, a farmer, "...known by the name of 'Brown's Dick', expired after an illness of a few hours on Sunday last' (8 June 1845). 'An inquest was held on the body by Lieutenant Gall, who sent to Muswell Brook for Dr West (the resident surgeon being absent from home), for the purpose of making a post mortem examination. The Dr. stated that death had been, occasioned by disease of the heart.'

'The deceased was a very industrious, striving man, and having purchased an allotment of land in the township, has just finished building a substantial and comodious cottage upon it, and fastened himself the last shingle on the roof but a day or two previous to his untimely end.'⁶³¹



David's 25 acres block of land, SpL 15-5, he subdivided to sell as residential allotments.

⁶²⁸ NLA, mfm NX 27, Reel No1. The Maitland Mercury, 30 November 1844.

⁶²⁹ NLA, mfm NX 27, Reel No1. The Maitland Mercury, 7 December 1844.

⁶³⁰ NLA, mfm NX 27, Reel No1, The Maitland Mercury, 4 January 1845.

⁶³¹ BDM 1845 1014 30B, and The Maitland Mercury, 14 June 1845



Richard Boggis' nickname differentiated him from various other members of the community with the name 'Richard' such as Richard Hobden senior and junior, or Richard Alcorn. It also indicates that he was employed by the Browns and seen as part of their family. He was also likely to have purchased his residential allotment from David's subdivision.

The continued dry weather and parching winds have again destroyed our hopes of a wheat crop. Our farmers have everywhere commenced making hay of what remains, or turned their cattle in upon it to eat it off. Our only consolation is, that there are good crops ever where else, so that "the staff of life" is not likely to be very high-priced,

notwithstanding the entire failure at Jerry's Plains. Higher up the country the crops are said to be equally bad.

There is a great deficiency also of pasturage, and if we have not a supply of rain before long, the cattle are likely to suffer much from scarcity

of grass and water during the ensuing summer.

Taking all circumstances into account, this part of the country is greatly over-stocked, and it is to be feared that a dry season would inflict upon us a full penalty for the offence.

**9 Oct 1845. Jerry's Plains
Correspondent MM**

#A son, John James, was born on 21 December 1845 to Thomas and Ann in Jerry's Plains and baptised on 12 February 1846.

"The growing crops look well. Our farmers are busy in ploughing for maize. Grain has taken a rise above the Maitland price, the cost of carriage hither being superadded to the market price in consequence of demands from the interior. I am sorry to say, however, that most of the growers here had disposed of their surplus before the rise in the price.

Great numbers of fat cattle are driving through every day to take advantage of the rise in the market. Some of the squatters hint that stock will soon be "low enough," by reason of the squatting regulations driving the graziers to boil down; but the general impression is, that the said regulations will, at the first start, have rather the contrary effect, that or raising the price, by increasing the numbers of purchasers, who will be allured by the opportunity opened up to them of speculating in the hitherto tabooed department of grazing.⁶³²

**24 July 1945 Jerry's Plains
Correspondent MM**

"The weather has been showery during the whole week. Our farmers have been busy planting their stubble with Cobbett-corn. This useful kind of maize had almost been suffered to run out in this

*locality, and several individuals have been obliged to go a great distance in quest of seed. It is still in great request higher up the country, and almost any price has been offered for it by persons who had been prevented by the **drought** from planting early maize.*

The tobacco crop appears to be unusually late this season, and owing to the failure of the early planting it is thought that there will be very little raised as compared with former years.

**20 December 1945 Jerry's Plains
Correspondent MM**

Grind-stones

A stone-mason named Curtis has discovered a sort of stone within a few miles of this township, which is said to be equal to any in the colony for grind-stones. I have some stones that have been got from thence, and they have an excellent appearance, and several tradesmen that have tried them say they are of first-rate quality."

*18 December 1845. Jerry's Plains
Correspondent MM*

Unusual Peace

'This part of the colony was never in more tranquil state; not a bushranger nor a desperado of any description, to be heard of. Even the petty thieves, whose regards used to be attracted

by saddles and bullock-harness, and whatever trifles might be left carelessly about, seem to have made off with themselves from this quarter. The cattle stealers have also left us, as unsafe to live among, and we may now be set down as a very honest, painstaking, though I am sorry to say not a very thriving-settlement.'

Storm damage

'Thunder storms have gathered every evening for the last week, accompanied with much thunder and lightning. They have however, gone by us, travelling in the direction of from west to east, which I have remarked is the invariable, course taken by these storms in this quarter. An unusual number of trees in the bush have been struck with lightning. The iron-bark appear to be particularly obnoxious to these attacks. A large tree of this species was pointed out to me the other day literally shattered to pieces; large blocks, of from two to five hundred pounds weight, had been driven upwards or fifty rods in every direction, and two or three acres of ground surrounding the stump were thickly strewn, with splinters - in fact the gigantic body of this monarch of the forest had been literally scattered to the winds.'

**Jerry's Plains Correspondent MM,
31 January 1846.**

David's daughter, Catherine, known as 'Kate' married Robert Bruce Hobden (born on 5 June 1824) of Jerry's Plains - by banns in the temporary Church on 16 April 1846. Robert was the son of David's long time neighbour, Richard Hobden of 'Great Lodge'. Kate was not quite 20 years old, and in consequence,

⁶³² The Maitland Mercury, 26 July 1845.



her brother-in-law, Charles Solomon Capp, gave his consent and acted as a witness.⁶³³ Clearly, David was absent, and not easily and quickly contactable, and expected to be so for some extended period. It seems improbable, that being at Cattai would have put David out of reach on such a matter. Though, David may have anticipated the event and given the nod to his son-in-law to act in his stead.

David appears to have approved of the event for he eventually gave Kate 30 acres of land from the north-eastern corner of Portion 28, known as 'Elizabeth Fields'. That land bound on the north by the Hunter River and on the east by Portion 27 originally granted to his brother, Thomas.⁶³⁴ Kate was also given two other half-acre allotments from his town sub-division. It seems likely that these gifts were a wedding present. Kate would have been keeping house for her brothers for just under four years before she was married.

On 6 November 1846, David also gave his daughter Mary, 27 acres of land, bound on the north by Kate's 30 acres, the east by lot 27, and the south by the highway. This land in some few years passed to Kate.

Several of the oldest and most respected residents in this neighbourhood have been, strange to say, imprisoned and committed for trial on a charge of robbery and violence of a singular description. The whole charge rests on the

unsupported testimony of a labouring man, which, coupled with the previous unimpeachable character of the accused, as well as the improbable nature of the accusation, has given rise in the public mind to a unanimous and

warmly expressed conviction of their innocence. I will send you a full and authenticated summary of the circumstances for your next publication.

**Jerry's Plains Correspondent MM
28 May 1846.**

The Murder at Redbank

.- On Friday last Captain Russell, J. P., and Dr. Vallack, arrived from Singleton to hold an inquest upon the remains of the human skeleton that had been discovered near the Redbank Creek. After inspecting that portion of the remains that had been brought to the post-office, consisting of the sacrum, of the lumbar, and a part of the dorsal vertebrae, with some of the ribs attached to the upper part of the thigh-bone and hip (the os femoris and pelvis), still connected in their sockets by their natural ligaments, which appeared quite unctuous and fresh-Captain Russell took the depositions of the persons who had discovered them, and then, accompanied by the Doctor, Mr. Harpur, and Serjeant Edwards, proceeded to Redbank, for the purpose of making a personal and more particular examination of the spot in which the body had been consumed.

On reaching it, the Captain remarked, in reference to the wild and desolate character of the surrounding scenery, "that it was indeed a fitting place for the perpetration of a deed of darkness." The fire had evidently been made and carefully tended by the murderer with the view of consuming the body of his victim: not a particle of the wood remained unburned, and even the coals appeared to have been so kept together as to be mostly reduced to ashes. But thickly mixed through the ashes, and even preponderating in quantity, were the bones, most of them entirely calcined, yet retaining their form, and a few quite fresh, as if but recently stripped of their integuments, together with lumps of charred flesh and burnt fragments of clothing.

After inspecting the place and the marks of blood at a few yards distance therefrom, Captain Russell fully concurred in the opinion that a murder had been committed, and an attempt there made to make away with the remains of the murdered individual. The

Doctor was of opinion that it might have taken place within the last two months or less. The fragments of clothing found unconsumed in the ashes consist of a small piece of a blue-striped flannel frock or shirt (the stripes of which, when worn, it is supposed, would be in a sideways or lateral direction), and of a somewhat larger portion of a Guernsey frock, striped with chains of blue triangular spots, which stripes, it is supposed, in the wearing would take an up and-down or perpendicular direction. The latter frock is likely to have been worn over the former. It is the sort of clothing generally worn by bullock-drivers and their mates, amongst which class of persons this horrible transaction is supposed to have taken place.

It is to be hoped that all persons, and particularly those in the habit of travelling with teams, will communicate any suspicious circumstance that may happen to fall within their knowledge to the police, it being an acknowledged rule in all grades of society to render every assistance towards the detection of a murderer.

The Case of Robbery and Violence. - (Jerry's Plains correspondent report of 28 May 1846 refers) The persons alluded to in a former communication as having been apprehended on charges of robbery and violence of a singular and rather improbable nature, are Mr. Ellis, sen. (for these many years overseer to George Bowman, Esq., of Archerfield), Mr. Ellis, jun., his son, and Mr. Richard Hobden, of Great Lodge, near Jerry's Plains. The charge was preferred by a hired servant of Mr. Bowman's, named Waters, who had been living under Mr. Ellis, at

Harrowfield.

It appears that some disagreement had taken place between Mr. Ellis and Waters relative to certain advances the latter had made to Mr. Ellis's daughter, in consequence of which Mr. and Mrs. Ellis ordered Waters to take away a box of his which had been for some time previously in their keeping, as they desired, they told him, to have nothing further to do with him. After some altercation and delay, the box in question having been thrust out of

doors by Mrs. Ellis, Waters removed it to his own hut. Shortly after this occurrence, Waters alleges that, having been some short distance away from his hut, he discovered, on his return thereto, that Mr. Ellis had broken open the box, and abstracted from it a roll of bank-notes, which he saw in his hand, amounting to £22; that he struggled with Ellis for the recovery of his money, but the noise that was made having called Ellis's wife and daughter to his assistance, he (Ellis) succeeded in retaining the booty. Waters, in the course of a accordingly granted for the apprehension of

⁶³³ (NSWSR Reel 5009) per Philip Booker, and Vol 3 No 545 - Bathurst Library per Marie Tattam

⁶³⁴ David's Will.



little time after, made his way over to George Blaxland, Esq., J. P., and gave a statement of this nature on oath. A warrant was issued, and given to Mr. Everness, the chief constable of Merton, who, on riding to Mr. Ellis's residence and finding him away from home, left word with his wife that he (Mr. Ellis) was wanted on very particular business, the next morning, at Merton police-office; and having received an assurance from Mrs. Ellis that her husband would be there, Mr. Everness returned without him.

In the course of the intervening night, Waters again appeared before Mr. Blaxland, with a small portion of one of his ears cut off and bleeding, and stated that he had been assaulted by three men, who had ill-used him and cut his ear, for the purpose of making him put out his tongue, which they declared their his tongue, and after a struggle intention of cutting out of his head; that he told them, however, he

would rather lose his life than succeeded in making his escape.

The following morning Mr. Ellis, in pursuance of the message left by Mr. Everness, started to Merton, and was there met by the warrant, hand-cuffed, and thrown into the lock-up, where, in the course of a few hours, he was joined by his son and son-in-law, Mr. Hobden, who had been taken up on the charge of assault. Another person also, named Patrick Fox, was afterwards apprehended on the same charge. They were examined and committed to take their trial on the first examination, and without loss of time placed upon the chain, for the first time in their lives, and forwarded down the country, bail having been refused by the committing magistrates.

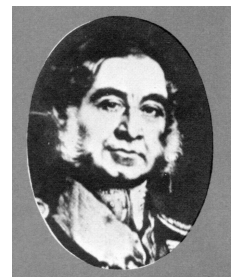
As the case will be brought before a jury, I will not anticipate their defence by making any comments upon the proceedings. It is however to be regretted, I must say, that the committing magistrates should have thought it their duty to act with so

much precipitation, especially considering that the accused parties had previously borne the best of characters; Mr. Ellis having held a highly responsible situation under George Bowman, Esq., ever since his arrival in the colony, a period of nine or ten years, and was, I am given to understand, engaged in England by that gentleman's agent for the office; young Mr. Ellis equally unexceptionable in point of morals and behaviour; and Mr. Hobden, a native of the colony, of most respectable parentage, and considerable property-sober, industrious, honorable, intelligent, and amiable-in fine, respected and beloved, from his infancy, by all who knew him. Having been acquainted with him for the last twenty years, nothing but the stern necessity of the case could have conquered the reluctance I feel to the mention of his name in connection with circumstances so humiliating as those I have de-tailed.

Jerry's Plains Correspondent MM
Wednesday, 10 June 1846⁶³⁵

The case against Thomas and William Ellis, Richard Hobden, and Patrick Fox did not come up until September 1846. When their case was finally heard John Waters was absent, and could not be found.

'The Solicitor General thought there was reason to believe that the charges he had preferred were not honest and he had no desire that the prisoners would remain in custody for a indefinite period. The prisoners' solicitor Mr. Windeyer applied for a discharge on their own recognizance to appear and answer the charges preferred against them should they be so required to be do by the Attorney General.'⁶³⁶



*Sir Charles Augustus Fitzroy
Governor of the
Colony of New South Wales
July 1846 - 1856*

Just over seven months after the marriage, on 16 Jan 1847, a son, William John, was born to Kate and Robert. To be followed on 14 May 1848 by the arrival of another son, Robert Alfred.

David donated half an acre from his subdivision of Portion 28 for the Church of England place of worship and burial ground known as the 'Old Wambo' cemetery. The Church is long gone but the cemetery remains, albeit, in a run-down state, on the high ground to the south of the highway overlooking the river flat.

About the second half of 1846, after having resumed the lease for the Robin Hood from Alexander Munro, David is likely to have rebuilt his inn into a more substantial stone structure adjacent to the existing road. Even though the Hunter was suffering from drought, the Liverpool Plains had prospered. And in all

⁶³⁵ The Maitland Mercury, Wednesday 10 June 1846

⁶³⁶ http://www.jenwilletts.com/richard_hobden.htm



probability so did the Brown's Millie Run. David's inn would have been a place of some interest to drovers of the herds of cattle then passing through Jerry's Plains.

Drought on the Hunter

"...the cattle still suffer greatly from the want of water, there being none anywhere, but in the river, within miles of which there is not a blade of pasturage to be seen. The poor animals are consequently constantly suffering from thirst; the exertion or travelling to, and over the mountains after drinking at the river, being, in their weak condition, almost enough to make them as dry as before. Fifty per cent of the working bullocks in this locality - that is, of animals which have been worked since the commencement of the year - have perished. One poor man, a carrier, has lost

eleven; another of the same calling, five; another, three; and so on. Those oxen which survive are fed upon the leaves of the oaks growing by the side of the river, and with great attention may perhaps be coaxed to live, but to labour is out of the question.

Fat Cattle from Out West

'Great herds of fat cattle are daily driving through to take advantage, I presume, of the rise in the market. Perhaps the greater part cross the Bulga for the Sydney market, and the rest proceed to Maitland. The route through Jerry's Plains seems to be a favourite one with the drovers, doubtless for good reasons.'

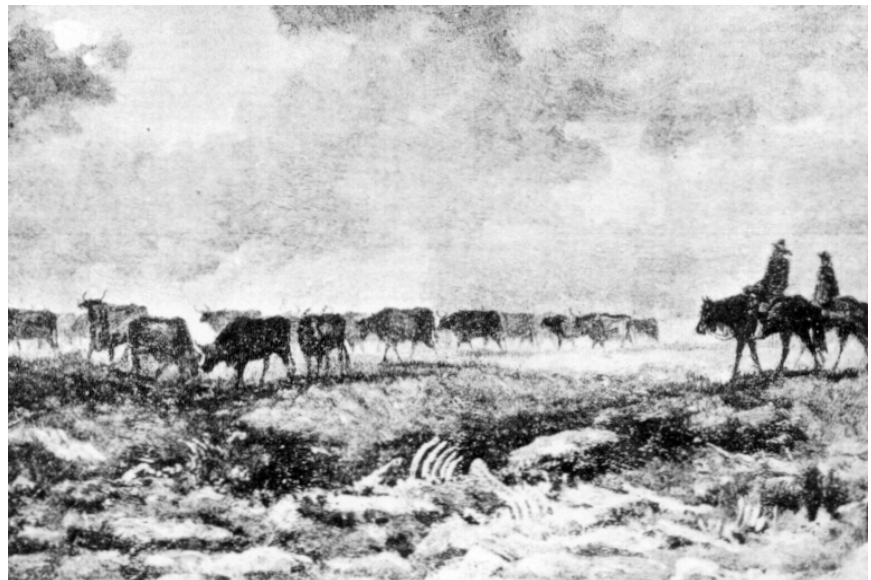
'It is strongly asserted by some of our wisecrackers, that in the event of a railroad being laid down on this side of Maitland, Jerry's Plains will most likely be the direction it will take, on account of the splendid level to be obtained from Black Creek. Singleton will thus be left to the right, and we still receive a great accession to our population. The Mechanics Institute, and all its members - in fine, the literati of Singleton will be transferred hither. Need I say they shall be received with "a hundred thousand welcomes"?'⁶³⁷

**8 August 1846. Jerry's Plains
Correspondent MM**

'Great herds of fat cattle are daily driving through

.....

Fifty per cent of the working bullocks in this locality - that is, of animals which have been worked since the commencement of the year - have perished.'



More Pestilence

'.....The flies have become a perfect plague, and are trebly annoying from the prevalence of ophthalmia. ...

The native dogs in this neighbourhood have become exceedingly daring and troublesome, and having been

crossed with mastiff and greyhound are unusually powerful and ferocious.

The proximity of the mountains affords them secure harbourage and retreat, and such facilities for multiplication, that inhabitants will, ere long, be obliged to

adopt some plan for keeping down there numbers. a yearling filly, belonging to the writer, was fairly ran down by nine of them, ...Mr A had much trouble in driving them away...'⁶³⁸

**5 January 1847 Jerry's Plains
Correspondent MM**

The 'Mr A' referred to in this report would have been Richard Alcorn.

⁶³⁷The Maitland Mercury, 12 August 1846.

⁶³⁸The Maitland Mercury, 9 January 1847, Jerry's Plain correspondent.



On 24 March 1847, Alexander Gibson as innkeeper of 'The Green Gate' inn advertised for a man and his wife without encumbrance; the man to make himself generally useful and the woman to work as a laundress and to assist her husband when required.⁶³⁹

The Need of a Road

'An official answer to the Jerry's Plains, memorial lately presented to his Excellency the Governor, on the subject of an authorised road through settlement, has been received from - which it appears that his Excellency has given instructions to the District Surveyor to mark out, and report upon the best line of road from Singleton to Merton through Jerry's Plains, in order that the same may be opened by proclamation, agreeably to Act of Council. A meeting of the inhabitants, for the purpose of

taking the said letter into consideration, took place at Alcorn's Inn, Thursday evening last when a committee was appointed, consisting of the householders generally, with the view of furnishing information and assistance to G.B. White in the execution of the task, and of providing funds for the completion of the road.'

'A good road is all that Jerry's Plains requires to become a flourishing settlement: the grass and water at regular distances have already recommended the route through it to

the general adoption of the drovers, and as soon as the very superior road that nature has given to us, but which **has been stopped up by selfish individuals**, is again thrown open, the travelers of wool teams and travelers into the interior generally will not be slow to avail themselves of its advantages.'

The weather continues to be dry....⁶⁴⁰
Jerry's Plains Correspondent MM
3 April 1847

David's Donation

On 23 April 1847, the Sydney Herald reported on the laying of the foundation stone of St James', Church of England saying that the site for the church is a gift of David Brown, 'one of the first landholders of the district'.⁶⁴¹ Construction of the first church in Jerry's Plains, St James, was begun just three years after the Reverend Joseph Cooper commenced his work in the township.

For the Reverend Cooper, Jerry's Plains was his first parish as an ordained minister, and it was he who was to baptise David's grand-daughter, Ann Emma, and who was to officiate at David's son, Thomas', funeral.

This first 'edition' of the Anglican Church in Jerry's Plains was not completed until 1863, and then it was only used for 12 years. St James was situated some three miles east of the present township, close to Redmanvale Creek, so it is more than possible the building was at some time flooded or swept away in a flood".⁶⁴²

River has Ceased to Run

'.... notwithstanding the dreary aspect of the season a month ago, we have a rather favourable prospect of a crop before us now. The pasturage, although dry, is still very plentiful; but the water-holes require replenishing and the river, in places, has ceased to run. We may, however, expect a fall of rain within the next six

weeks, according to the knowing ones in weatherology, which will set everything to rights.

One of those frequent accidents to children by their clothes catching fire occurred here yesterday morning in the family Mr P. Duff, to a little girl of his: about four, years old. I am happy to state,

however, that Dr. Glennie entertains every hope of the speedy recovery of the little innocent. **The poor mother, in the act of extinguishing the flames, had her hands and arms seriously burned**, but her courage and fortitude were the saving of her child's life.⁶⁴³

Jerry's Plains Correspondent MM
20 June 1847

⁶³⁹ The Maitland Mercury 24 March 1847

⁶⁴⁰ The Maitland Mercury, 7 April 1847, Jerry's Plain correspondent

⁶⁴¹ Elizabeth Baxter, P.O. Jerry's Plains. letter of 4 January 1981 to B & B Griffiths.

⁶⁴² St. James Church, Jerry's Plains Centenary Booklet 1879 - 1979

⁶⁴³ The Maitland Mercury, 23 June 1847, Jerry's Plains correspondent. The mother was Sarah Ann Hobden, sister-in-law to David and Elizabeth Brown's daughter, Kate.



A view from the 'Old Wambo' cemetery adjacent to the old St James Church site (on Portion 28) overlooking the Hunter river flat land formerly belonging to David Brown - Taken in April 1993 during a rare working bee to tidy up the cemetery. Joy Brown, a descendent of David, at left, bending over.

Jerry's Plains was evolving a sense of community. The residents wrote a letter to the government during 1847 asking for a public school.



Chapter 19 - Affairs of Consequence (1847 – 1849)



Sometime during 1847 David became closely involved with Harriet D’Arcy, a resident of Pitt Town – Certainly in the spring of 1847. Harriet was recently widowed with several young children. It has been suggested that Harriet was the lady ‘who did for him’, that is, kept house for David in Pitt Town, and that a period of constant nearness got the better of them. Whether it was such propinquity, courtship, or a brief encounter, is uncertain. Whatever, the circumstances, the consequences of their intimate association at the end of October 1847, had a major impact on David and his family!

Harriet D’Arcy was then in her 30th year, and she had been a former convict. She was the daughter of John Davies and Esther Goff, was born in Grovesend, Gloucestershire in late 1813. Harriet was twenty-one years old when she arrived in the colony as a convict on the ship ‘Numa’ on 13 June 1834. Harriet had been convicted of ‘receiving stolen money’ at the Gloucester Assizes on 10 August 1833, and was sentenced to 14 years. At the time, Harriet was described as single, a Protestant, and with no education. Her trade or calling was "Dairymaid - allwork country". Harriet’s complexion was fair, ruddy and freckled, brown hair, brown eyes, and height 5ft 4 ½". She had a large scar on the back of her left wrist, and a scar on the back of her left thumb.⁶⁴⁴

The Sydney Morning Herald of Monday, 16 June 1834 read:

"From London, same day, having sailed from thence, the 29th of January, the Barque "Numa" Captain Baker, with 138 female convicts, and

24 children under the Superintendence of Dr. Bromley, R.N. Imports – June 14, Numa – (Ship) 323 tons, Baker, Master, from London, Dawes, Gore

*and Co. Agents. Female prisoners, 18 tons Gunpowder and other Govt. Stores."*⁶⁴⁵

Harriet Davis was married firstly, at the age of 22 years, to Thomas Taylor aged thirty, in the parish of Lower Hawkesbury, "with the consent of His Excellency the Governor" on 18 April 1835 by Thomas Sharpe, Chaplain. Harriet and Thomas signed the register with their mark.⁶⁴⁶ The witnesses were W. Fenton and David Evans.

There was a Thomas Taylor who had been granted land at Pitt Town on 1 January 1827. This comprised 60 acres and 110 acres bounded on the north by the Hawkesbury, and adjacent to a Mr. Fleming on the east, and Mr. Booth on the west.⁶⁴⁷

⁶⁴⁴ Index to Convicts, AONSW fiche No 711, p173.

⁶⁴⁵ "From Armagh to Parkes" by Barry L Campbell, page 46.

⁶⁴⁶ (AONSW COD12 p.220, Reel 5004 p215).

⁶⁴⁷ Sydney Herald, Monday, 3 October 1831.



However, the most likely contender is Thomas Taylor (1805 - ?) arrived in Sydney Cove on 26 November 1826 per the ship 'Speke'. He is not likely to have been granted land as promptly as indicated above. This Thomas Taylor was twenty-one years old and was a native of Newcastle. His age is consistent with that given for marriage to Harriet. Thomas' trade is given as 'Farmers Man and Horse Breaker'. He had been tried at Gloucester Assizes on 29 March 1826 for horse stealing and had been sentenced to be transported for life. Thomas was 5 foot 9 inches tall, pale and freckled, dark brown hair, and hazel eyes. He could also be identified by a tattoo 'TT & MT' on his left arm, and large scar on his left leg.⁶⁴⁸

Harriet and Thomas Taylor had at least one child: Thomas G. (1836 –1883).⁶⁴⁹

The marriage was short lived, presumably because of Thomas dying in 1836-7, i.e. soon after the birth of Thomas junior in 1836?

The second marriage for Harriet⁶⁵⁰ (of Wiseman's Ferry?) was to Thomas D'Arcy of Ten Mile Hollow at Lower Hawkesbury on 24 October 1837. Witnesses were George and Eliza Shirley. Typical of the time, Harriet with a young child to care for, of necessity, most probably married within a few months of Thomas Taylor's death. Application for the marriage was made on 29 May 1837⁶⁵¹ - Thomas Darcy was a convict from Dublin and thirty years of age. His trade or calling was 'Indoor Servant⁶⁵²', and he was described as having a 'pale, freckled' complexion, brown hair, grey eyes, and being 5ft 2" in height, and in the 'Remarks' column: 'Indifferent'.⁶⁵³

Thomas D'Arcy arrived in Sydney on the Convict Transport ship '*Hooghley*' on Saturday, 23 April 1825.⁶⁵⁴ He was tried in his native place of Dublin on 16 June 1824. Thomas was sentenced to seven years for street robbery,⁶⁵⁵ but had another three years added on 16 June 1828 by the 'Sydney Branch for Burglary'. Thomas became a licensed victualler at Pitt Town, possibly the only one, and one of several publicans of the village. He had been a convict, as was Harriet. Thomas is likely to have provided supplies to David Brown over the years at Pitt Town and the early years at Jerry's Plains. It was probably that connection that led to David's introduction to Harriet.

Thomas D'Arcy died on 13 July 1846⁶⁵⁶ and his will was probated on 16 December 1846. Harriet had had three children by Thomas Darcy: Thomas junior (1837-), Daniel (1838-), and James (1842 –1842).⁶⁵⁷

After Thomas D'Arcy's death, Harriet is likely to have involved the limited assistance of her young sons: Thomas Taylor jnr (age 10 -11), and Thomas D'Arcy (age 9), and his brother Daniel (age 8) in the running of the victualling business. This is reflected in Thomas D'Arcy jnr, ten years later being a victualler at Wambo.

The ages of the children of David junior's first marriage, and where they were in the scheme of things at this time may be worth noting:

- Thomas Brown was 29-30 years old at the time, and married, with 5 young children and another on the way.
- About the same time, his son, John, 25-26 years old, when not at the Millie property, had his head in the clouds, and was courting Sarah Jane Alcorn, a daughter of long time family neighbour in Jerry's Plains, Richard Alcorn.
- James would have been 27-28 years old;
- Mary, 23 –24 years, was married with two infant children;

⁶⁴⁸ Index to Convicts, AONSW fiche No 662, p140

⁶⁴⁹ The informant for a death connected with her family in 1860 being 'Thomas Taylor', a "Splitter & Fencer", of Jerry's Plains – And who died near 'Lambton' NSW in 1883 per Reg No 10963;

⁶⁵⁰ Children of the marriage were :Thomas D'Arcy (1837-?), Daniel D'Arcy (1838- ?,) James D'Arcy (1842-1842)

⁶⁵¹ (AONSW COD12 p.46, Marriage Applications, Convicts)

⁶⁵² My interpretation of the handwriting.

⁶⁵³ Index to Convicts, AONSW fiche No 655, p162

⁶⁵⁴ (AONSW Vol. 21 -164-5,'&'1 18.37. Reel 5005 No. 62, AONSW Reel 997, Butts of Certificates of Freedom No. 36/794).

⁶⁵⁵ My interpretation of "Street Gobbey".

⁶⁵⁶ (No. 1753, Series 1).

⁶⁵⁷ "From Armagh to Parkes" by Barry L Campbell, page 46.



- Kate would have been 20 to 22 years old , and recently married with a baby son, and another birth imminent - She spent some of her teenage years in the Cattai and Pitt Town area, as well as her childhood;
- David (III), 17-19 years, was managing the Hawkesbury property for the family;
- George, 15 –16 years, who referred to his step mother as ‘the widow D’Arcy’; and
- Alexander would have been 12 to 14 years.

At the time all but David (III) would have been living in the Jerry’s Plain/ Hunter area. David (III), while managing the family’s Cattai property, may well have had some inkling of events unfolding. They are all likely to have been aware of Thomas D’Arcy as the provider of supplies to the family over the years at Pitt Town and Jerry’s Plains, and of Harriet being his wife; and that both of them had been convicts.

The Jerry’s Plains correspondent vented his frustration, and it seemed of others in the community, about a perceived unfairness of drought and squatters (perhaps such as David and his sons, James and John):

‘The continued dry weather is striking terror into all our hearts once more. The river is falling lower and lower every day, having long ceased to run, and every vestige of green vegetation has vanished everywhere.

What we are to do with our

cattle is a problem We are precluded from going back by the Goshen beyond the boundaries being subject to leases in every direction,..... as to giving our stock to those leasehold proprietors on the halves of increase, without holding them responsible

for either old or young - the only terms offered by this lucky class of colonists - some of us prefer killing them for their hides, as the more profitable alternative, however South American and ugly in appearance it may be.’⁶⁵⁸

17 November 1847.

An Eventful Year

David’s son, John, married Richard Alcorn’s daughter, Sarah Jane Alcorn on 4 January 1848. Richard Alcorn was a long time settler of the Hunter and David’s neighbour. Soon after the wedding, John and his bride, then some three to four months pregnant, moved to the Cattai Creek property – Ensuring a fresh start for the new family in a new location! While there, John managed the property for his father, as well as his property interests such as Millie, and arranged the transfer to market of cattle periodically arriving from Millie via Jerry’s Plains and the ‘Bulga’ track. It is likely any stock that John handled at Cattai was done so on behalf of several members of the family.

It seems that David Humphries, David’s wife’s half-brother, who described his quality or profession as ‘Farmer’, and gave his address as ‘Pitt Town’, was still working for the Brown family on their Cattai Creek property – In 1862 he had become a resident of Jerry’s Plains.

#Ann Emma, Thomas and Ann’s sixth child, was born on 27 March, and baptised on 23 April 1848 at St James Church in Jerry’s Plains. At the baptism ceremony, performed by Rev. Joseph Cooper, Thomas is described as ‘Settler’.⁶⁵⁹

The Maitland Link

In 1848 about the time David sent John and his bride to the Cattai property, he sent his 19 year old son, David (III), from Cattai, where he had been managing the property, to Maitland to help run another arm of his business. He had acquired allotments in Bourke Street, Maitland, which may have been part of a larger holding of property there?⁶⁶⁰ The property is likely to have provided family members a place for stopover accommodation to await arrival or departure at nearby Morpeth, of what had become a regular boat service (steam packet), to Balmain, and Sydney?

David’s will suggests that he had considerable association with a George Huntley of Balmain. His daughter-in-law, Ann Shepherd, became established in the Balmain area.

David continued to make trips between Jerry’s Plains and his property at Cattai, and nearby Pitt Town, 130 kilometres to the south.

⁶⁵⁸ Goshen was the land promised to the Israelites while in Egypt i.e. ‘the promised land’, a well favoured region suited to flocks and herds. The New Bible Dictionary.

⁶⁵⁹ NSW SR Reel 5010, BDM registration V1848 2812 33A.

⁶⁶⁰ David Brown’s will of 15 December 1856 refers to his allotments in Bourke Street in the town of Maitland which were to go ultimately to son, Henry Brown, if he had survived to his 21st birthday. Perhaps the allotments were where his son, David, ultimately ran his butchery? Obituary for David III in the Maitland Mercury in 1886 refers to David at 19 leaving Cattai and going to Maitland



'The river has been up during the whole month, scarcely been fordable for a day.'

'Even our most sanguine anticipations have been exceeded by the splendid growth of grass consequent upon the rains. In some places it reaches the knee.'

'A considerable quantity of Cobbet corn has been planted in this quarter, and looks very flourishing. It is planting in some places up the present moment, but it is the impression that it can only be considered safe from frosts when up

and out of the ground by the middle of January.'⁶⁶¹

29 January 1848

Horse stealing has become alarmingly frequent, insomuch that no one in middling circumstances considers it safe to retain a slightly animal in his possession. Knots of infamous characters have established themselves, here, there, and everywhere throughout the bush, and they prey upon the fruits of their neighbours' industry. A saleable horse is passed from hand to hand amongst them

with a cunning and slight of hand that almost renders detection impossible. A fat bullock or cow, as soon as it becomes prime meat, is doomed, if not immediately disposed of, to fill their larders, which, by the bye, are always full of the best of beef, let the season be ever so bad or the price ever so high.

The old system of stationing district constables (as they were called) every ten, or fifteen miles on a line of road, and in every little settlement, had many advantages.⁶⁶²

**Jerry's Plains Correspondent MM
28 March 1848**

Licensing Day, 18 April 1848 saw the license for innkeeper of David's 'Robin Hood' granted to his son-in-law, Charles Capp.⁶⁶³

A Picture of Jerry's Plains in 1848

Another public house is about to be open on Jerry's Plains, a license having been granted to Mr Simpson, an old and much respected resident in

this quarter. We shall then have three public houses and as many blacksmith's shops. two churches, - one, finished in wood, and the other,

in the course of building, in stone.⁶⁶⁴

**Jerry's Plains correspondent M M
19 April 1848**

Simpson had purchased lots 5 and 6 of Richard Alcorn's sub division for £60 from him (Alcorn) on 27 October 1843. "There were presumably already considerable improvements on those two blocks, probably a store which he ran for a few years before securing a licence"?⁶⁶⁵

A report on the County of Hunter in 1848 described Jerry's Plains as an area of 2056 square miles with 'wild and savage looking' mountains; and the population as 1190, houses 222, and stock of county record at 1160 horses, 4885 head of horned cattle, 800 pigs, and 7168 sheep. In addition to stating that 'Jerry's Town is the capital' of the county of Hunter, 'a village situated at Jerry's Plains, 'on the Hunter River, 122 miles from Sydney' 'With the counties of Brisbane and Bligh, Hunter returns one member to the Australian senate'.⁶⁶⁶

The Maitland Mercury's had this insight about his community to offer:

'...we have the lethargy of the barbarian without his fraternity, - we are always quarrelling amongst each other, and very fond of law without caring much for justice but to

balance these, we are hospitable etc.... all our faults may be ascribed to ... living at the fag end of the civilised world, all that is bad in civilization

operating upon us, without counteraction, by its ennobling influences.'⁶⁶⁷

**Jerry's Plains Correspondent MM
1 July 1848**

As a reflection of the prosperity and 'settled' nature of the Jerry's Plains community in 1848, the headquarters of the Hunter River division of the Mounted Police was relocated to Murrurundi.⁶⁶⁸

Pitt Town and a Second Marriage

Pitt Town to the south, in 1848, was described '...as a village possessing a few cottages and tradespeople. There is a school-house and chapel there, also a burial ground. It contains 48 houses, and a population of 229.'⁶⁶⁹

⁶⁶¹ The Maitland Mercury, Hunter River District News, Wednesday, 2 February 1848.

⁶⁶² The Maitland Mercury, Hunter River District News, 29 March 1848.

⁶⁶³ The Maitland Mercury, Hunter River District News, 26 April 1848.

⁶⁶⁴ The Maitland Mercury, Hunter River District News, 22 April 1848. NLA, mfm NX27. Roll No3.

⁶⁶⁵ Simpson Opens' Plough Inn, by Ian Ellis, Hunter Valley News 21 October 1992. Ellis says licence secured on 1 July 1848?

⁶⁶⁶ A Geographical Dictionary Gazetteer of the Australian Colonies 1848 by William Henry Wells

⁶⁶⁷ The Maitland Mercury, Hunter River District News, 5 July April 1848. NLA, mfm NX27.

⁶⁶⁸ In 1862 Jerry's Plains became a one man police station.



It was in Pitt Town that David junior married for a second time to a very pregnant Harriet Darcy (aka Darcy) on 16 May 1848. He was then somewhere between 58 to 65 years old. Witnesses were Richard George Evans and Susan Farreth / Tumeth? Minister T.B. Irving. For Harriet Darcy, aged thirty-five, it was her third marriage. David was registered as being of the Parish of Nelson, Caddai. They were married in the Caddai School House by banns "this sixteenth day of May in the year 1848".⁶⁷⁰ The marriage could have been arranged more quickly if David had purchased a marriage licence. It has been suggested that a marriage at this late stage, points to David conforming to a trend for men in these pressing circumstances, to wait till the last possible moment, in the event there was a miscarriage.

Son, John, expecting the imminent arrival of his first child, and being in the area would no doubt been well aware of events. Of David's other children at the time: Thomas, approaching his 31st birthday, wife and six young children (one only a few months old); James was in his 29th year; Mary, 26th year; Kate, 22nd year; David 20th year, George, 16th year, and Alick in his 14th year.

David was blessed with another grandson when David's son, John and his wife, Sarah, gave birth to a child at Pitt Town on 3 June 1848. The lad was subsequently baptised in the Church of England at Wilberforce in 1848.⁶⁷¹

During that same month of June 1848, David junior's eldest son, Thomas, aged 31, died. The circumstances of his premature demise, is as yet to be established. On 25 June 1848, Thomas was buried at what is now known as the 'old Wambo cemetery' in Jerry's Plains - The funeral was conducted by Joseph Cooper, and Thomas's occupation given as 'Farmer'.⁶⁷²

David is likely to have ridden home to Jerry's Plains soon after the wedding with the impending new addition on his mind and in time for Thomas' funeral on the 25 June 1848. He was confronted with the additional challenge of what was to be done for his widowed daughter-in-law, and his six young grandchildren: David 12, Mary Elizabeth 11, Sarah Jane 8, Thomas Edward 5, John James 21 months, and Ann Emma 3 months. He would have had Harriet's sons: Thomas (aged 13) by her first husband Thomas Taylor; and Daniel (age 10) and possibly his brother, Thomas, by Thomas Darcy to consider. This raises the question of how did the rest of his family react?

After nine weeks of marriage, a son, Alfred, was born in Pitt Town on 25 July 1848⁶⁷³ to David junior and Harriet. Of course, for David's children it meant a new brother.

George Loder, at age 87 years, passed away at the home of his son-in-law, Thomas Arndell, at Caddai, 18 August 1848.

While David and his family were trying to deal with the developments in mid 1848, life on their part of the Hunter moved on. A public demonstration of the benefits of chloroform given on the evening of Monday,

⁶⁶⁹ 'A Geographical Dictionary Gazetteer of the Australian Colonies 1848' by William Henry Wells.

⁶⁷⁰ BDM Reg No V1848 243 33B O, Pitt Town, Merryll Hope advises that marriage was with the consent of friends and didn't need Governor's permission. However, there was a period when convicts, ex-convicts, and people who were not classed as 'gentlemen' who required the Governors permission?

⁶⁷¹ BDM V18481292

⁶⁷² According to the NSW Pioneer BDM register, there were only two Thomas Brown(e)s that died that year, one was 12 years living in Sydney, the other was at Jerry's Plains BDM V1848 1110 33. The Index of Coroner's Reports for 1848 at reference No 4299 lists the death of a Thomas Brown on 7 June 1848 - The cause of death was found to be due to 'natural causes' and was given at the Coroners Court, Armidale on 19 June 1848. The registrar for the occasion was a doctor (*R. Masner G.CCL?*). Unfortunately all coronial court records for that period appear to have been lost. The church burial register indicates Thomas as having died several (2) days before, on 23 June 1848 as opposed to eighteen days. The parish of Armidale shows only 4 deaths that year - Armidale as a 'Place of Registration' for BDM's does not show deaths recorded until 1856. An extensive search by the Armidale Family History Group (Their letter dated 3 May 2001) including Cemetery transcriptions: Small Denominations, Roman Catholic, Church of England, and Presbyterian, failed to reveal any evidence of a Thomas Brown having been buried or died in Armidale. Intriguingly, I have found references in family correspondence of 1981-84, of him having died on 6 June 1848? Regrettably, one possible source, the Maitland Mercury of 29 June 1848, that might have given and account of Thomas' death, is missing.

⁶⁷³ In E-mail, Marie Tattam to John Griffiths 14 October 2000, she explains she had seen the registers for St James, Pitt Town, which had the birth and Baptism information. "From Armagh to Parkes" by Barry L Campbell, page 46 puts the year 1848 only.



28 August 1848, was presented by a Dr Stolworthy in Singleton.⁶⁷⁴ Experiments were conducted on two gentlemen of the town – In one ‘...he extracted the stump of a tooth without pain being felt by the party’.

Mail Coach Robbed.

‘On Thursday Morning last the mail was robbed, according to the report of the driver, in the following manner. About three-quarters of a mile from the post-office, on the road to Singleton, almost within sight of Mr E. Doyle’s of Montrose Park, a man standing about 20 or 30 yards from the track presented a musket at the driver, and demanded the mail bags to be thrown out of the carriage on to the road side. After this had been done by the mail-man, he was ordered not to turn back to Jerry’s Plains, but to drive on to Singleton, on pain of being shot.’

‘The driver, who it appears had only been a few days engaged in that capacity, this being his second trip with the mail, and happening to be alone, acted agreeably to those instructions, and drove on to Singleton, some 17 miles distance, before he reported the circumstances to the police’.

‘It was not therefore until evening that the information reached the police barracks here. The constables from Singleton and our horse police have scoured the bush night and day ever since, but have not succeeded in falling in with the robber,’

Hot and Changeable Weather.

‘Thursday and Friday last were the hottest days we have experienced this summer; the weather is now cool and cloudy. These sudden changes have had a very injurious effect upon the general health here, and coughs, head-aches, and sore throats are unusually prevalent.’

A School for Jerry’s Plains.

‘I am happy to state that the “Board of National Education” has returned a favourable answer to our application for assistance, and we may shortly expect to welcome a school under the general system in full and beneficent operation at Jerry’s Plains.’

Sunday, 14 January 1849

More on the Jerry’s Plains Mail Robbery.

‘It appears that on Saturday last the description, of a deserter from the 11th regiment had been sent to the police at Muswell Brook, and that during the day the man was apprehended, and after he had been confined in the lockup information was received that the Jerry’s Plains mail had been robbed, and as the prisoner somewhat answered the description given of the robber, chief constable Fox made further inquiry respecting him, and ascertained that he changed a £1 note, at Mr. Hegarty’s which has been proved was in the bag when the mail was robbed;⁶⁷⁵

Monday, 15 January 1849

**Jerry’s Plains correspondent
Maitland Mercury**

David’s son, Alfred, was baptised 10 May 1849⁶⁷⁶ at St James Church of England, Pitt Town. David status was entered as “Cattai Settler”. It seems more than probable that Harriet, and her baby son, stayed on in Pitt Town until his baptism. This arrangement suited David so he could attempt to prepare the family at Jerry’s Plains for the new additions to their ‘ranks.’ There is some question as to how David’s family reacted to Harriet’s inclusion into their sphere and the circumstance by which it occurred? David may have only been able to make a few occasional trips back to Pitt Town, one of them in time for Alfred’s baptism.

⁶⁷⁴ The Maitland Mercury, Hunter River District News, Wednesday, 30 August 1850.

⁶⁷⁵ The Maitland Mercury, Wednesday, 17 January 1849. Jerry’s Plains correspondent NLA, mfm NX27.

⁶⁷⁶ Year of baptism uncertain at this point but likely to be 1849 before being taken to Jerry’s Plains.



Chapter 20 - Spirit of the Scots

(1850 – 1856)

It seems not long after the baptism of his son, Alfred; David felt that matters had settled down enough for him to be comfortable about transferring his new family to Jerry's Plains. A good pointer to this may be that within a few months of Alfred's baptism in Pitt Town, Harriet was pregnant again.

Horse Racing

The Jerry's Plains Races were held on the 1st, 2nd and 3rd of January 1850. Richard Alcorn and Patrick Ward had entered horses in most of the events over the three days. The Maitland Mercury noted the event:

<i>'The three publicans of the township had booths erected on the race course, and we are glad to say that they did a good stroke of business, both</i>	<i>at the races, and at their houses, where liberal spreads were laid out for their guests at the conclusion of each day's races. The course was</i>	<i>not very well attended, but those who honoured the races with their attendance appeared to be of the right sort.'</i>
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In the same edition, the Maitland Mercury's Jerry's Plains correspondent wrote about the town:

<i>'The new road through Jerry's Plains is progressing apace, but, much to the annoyance and detriment of some of our oldest residents, it passes at a considerable distance from the</i>	<i>premises they have erected in a line with the old road. Some of these buildings have cost a considerable sum in completing them for inns and shops, and owing to the alteration of</i>	<i>the road they will be much deteriorated for the purposes of business."</i> <div style="text-align: right;"><i>20 February 1850⁶⁷⁷</i></div>
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The third inn built the year before and possibly David's, as one of the 'oldest residents', is likely to be one the 'inns and shops' to which the article refers. In each case, it would have been a costly blow.



End and front? view of David Brown's 'Robin Hood' Inn built c1846. The original 'Green Gate' inn was of timber construction. Small piers and the remains of a chimney are to the right. Photo taken in 1977 by Valma Gee.

'In 1850 there were three inns, one church, three blacksmiths, a denominational school and temporary church and several stores at Jerry's Town as it was then referred to in some quarters.' - These services were soon supplemented by a butcher, a tailor, and a carrier.⁶⁷⁸

Joseph J. Harper who had 'removed from Jerry's Plains' by 20 March 1850 was replaced as postmaster by Matthew Ward and his wife Mary Ann Kirk at their store and residence erected on lot 3 of Alcorns subdivision. They provided the postal service until 1855 when they moved to Merton.⁶⁷⁹

⁶⁷⁷ The Maitland Mercury, Hunter River District News, 23 February 1850.

⁶⁷⁸ 'Jerry's Plains Saga Finishes', by Ian Ellis, Hunter Valley News 24 February 1993.

⁶⁷⁹ Simson Opens' Plough Inn, by Ian Ellis, Hunter Valley News 21 October 1992.



Twins for David the Younger

Twins were born on 5 April 1850 to David and Harriet Brown.⁶⁸⁰ The Jerry's Plains correspondent for the Maitland Mercury on 6 May wrote:

Scottish Nationality –*The wife of an old and respectable colonist, who came hither before he had attained to his tenth year has been safely delivered of two fine boys at birth.*

The elder was named "William Wallace," and the younger "Robert Bruce," in honour of Scotland's greatest and most venerated heroes. In selecting those names the old man

*observed – "The spirit of the Scot still burns vigorously within me, and I desire to transmit it to my posterity, and to honour in my line the saviours of my country."*⁶⁸¹

David was reputed to remind people occasionally of his Scottish heritage by reciting his ancestry back to Robert the Bruce and Sir William Wallace.⁶⁸² The newspaper article above does not suggest that David claimed to be descended from the heroes in honour of after which he was naming his children. He would unlikely to pass up on the opportunity.

The baptism of the two boys, like that for his sons, David and Alexander (*aka* Alick), was officiated in a Presbyterian church.



End view of David Brown's 'Robin Hood' Inn at Jerry's Plains built c1846. Photo taken in 1977 by Valma Gee.

David's son, James, married Elizabeth Thorley (daughter of Philip Thorley and Mary Griffiths) on 29 May 1850.

Married.

On the 2nd July, by special license, at Jerry's Plains, by the Rev. J. S. White, Presbyterian Minister of St. Andrew's, Singleton, Mr. Charles Harpur, to Mary, the eldest daughter of E. Doyle, Esq., of Montrose Park, Jerry's Plains. The Maitland Mercury **Saturday 20 July 1850**

THE HARVEST,

'Reaping has commenced in many parts of the district; and the wheat harvest will, have no doubt, be an abundant one. There is a great scarcity of hands to get in the grain, a great portion of which, we are afraid, will be lost for want of labourers.'

THE GRASSHOPPERS,

'These destructive herbacious insects now muster in this locality in immense numbers. At certain portions of the day they take their flight through the town, apparently for a change of quarters,

and such droves as to represent a drift of snow. Fortunately they have many enemies who prey and fatten of them: the one is a bird of bluish or lead colour on the back, brown on the breast, and a white spot over each eye; they about the size of an English sparrow, and follow the sparrows in thousands. Hawkes have also appeared in great numbers, and assist in exterminating the grass gormandizers.'

THE TURF,

'We understand that our Jerry's Plains friends have fixed upon the

*1st and 2nd of January for their annual races, and that a good bill of fare has been prepared for the occasion. Our sporting friends here are rather down in the mouth at the badness of the times (which indeed were never worse than here), and nothing has yet been done towards getting up the Christmass races. We hope soon to see a reaction in our commercial affairs, as business is at present perfectly at a stand still.'*⁶⁸³

Singleton correspondent MM
21 November 1850.

⁶⁸⁰ Reg No V1851 1332 51 0 and V1851 1333 51 0

⁶⁸¹ The Maitland Mercury, Hunter River District News, 10 May 1851 (twelve months late).

⁶⁸² Blanche Jenkin's family history 1946.

⁶⁸³ The Maitland Mercury, Hunter River District News, 23 November 1850. NLA, mfm NX27. Roll No3.



Peter Duff, farmer, and grandson of the grantee of Portion 30 that adjoined David's property, died 30 November 1850 at the age of 38, and was buried in Jerry's Plains on 2 December 1850.⁶⁸⁴

Annual races were held in Jerry's Plains on Wednesday and Thursday 1st and 2nd of January 1851. 'Richard Alcorn's 5 year old horse 'Crane' won the first race on both days. The correspondent of the Maitland Mercury reported that:

'The weather was fine and warm, but the wind was rather gusty, The course was in excellent order - the lagoon on the racecourse having been drained for the

occasion. There were several booths on the racecourse; and from the number of bacchanalians present, we could expect that a fair amount of business

was done. 'On the first day there were about sixty people present, including aborigines; and on the second day we might say that there were about half that number.'

The correspondent noted the presence among the aboriginals at the racecourse of 'Jackie Jackie' and 'Combo' and commented on the government's failure to ensure these people were given adequate allowances 'for past services' - Combo having 'been attached to the mounted police for some years, and rationed and clothed; This poor fellow is now turned adrift with his tribe,'⁶⁸⁵

'The Maitland Mercury' of 3 January 1851 included the following advertisement which reflected the kind of medical care that could be expected in the Hunter region:

'Leeches, if of good quality, and quantities of not less than 100, Purchase for Cash.

F Naisby,

Apothecary, &c, Morpeth.'

OFF FOR THE DIGGINGS.

'A number of our mechanics and others are making arrangements to start to the "diggings" in a few days. Some (and most of them) are now earning good wages; and servants have given their employers notice

to quit. In a few weeks there will scarcely a mechanic or laborer in Singleton, but plenty of "grass widows." No one has however yet left here for Bathurst, and it is all "consummation devoutly to be wished" that a discovery of gold may

soon be made in our northern districts, so as to prevent our Singleton adventurers from making a gap in the population.'

*Singleton correspondent
Maitland Mercury
Wednesday, June 2, 1851*



'Travelling to the Diggings' Engraving by G. F. Angus

⁶⁸⁴ BDM V1850 1065 36A

⁶⁸⁵ Maitland Mercury, Hunter River District News, 4-8 January 1851.



Richard Hobden of 'Great Lodge', David's long time neighbour, died on 20 July 1851 at the age of 63 years, and was buried in Jerry's Plains on 23 July.⁶⁸⁶

Charlotte Alcorn, age 42 years, who is described as "Licensed Victualler", died on 23 August 1851 and was buried at Jerry's Plains on 26 August.⁶⁸⁷ On 21 October, the same year, a Mary Partridge, 'Licensed Victualler' of Jerry's Plains, passed away. On the face of it Jerry's Plains seemed to be exceptionally well provided for in licensed victuallers. However, it appears that the description in the case of females and children usually related to the male provider of the household to which the person belonged.

On 4 November 1851, a replacement for the office of 'Pound Keeper' at Jerry's Plains was appointed in lieu of David's son-in-law Robert Hobden, who had resigned.

During this period David's stepsons became established in the in the Hunter region, probably with David's help:

Thomas Taylor, as a 'Splitter & Fencer' in Jerry's Plains, and

Daniel Darcy⁶⁸⁸, in a victualling business at Wambo, based on experience Daniel had acquired from an early age with his father, Thomas.

Harriet's brother, Henry Davis, with his family, arrived in the colony on the 'Humbolt' in 1852 – In the immigration papers Henry declared "Relations in the Colony" to be "A sister named Harriet Brown, married and living at Jerry's Plains".⁶⁸⁹

By 1852, David's inn was known as the 'Horse and Jockey, with Patrick Ward as licensee.'⁶⁹⁰ Previously it was called the 'Green Gate', and 'Robin Hood' before reverting to the Green Gate.

Hunter farmers and shippers of cargo considered their rates too high and formed their own shipping company, the Hunter River New Steam Navigation Company, in 1852 and competed with the earlier company. This new company followed on the lines of the pioneer company by importing three steamers but of larger size and lighter draught than the 'Rose', 'Thistle' and 'Shamrock'. These new vessels were the 'Hunter', 'Williams' and 'Paterson'." By this time, competition and more modern ships maintained a daily return service between Morpeth and Sydney. Also, the time taken for the journey each way had been reduced to between six and a quarter and six and a half hours.⁶⁹¹

Married.

At Jerry's Plains, by special license, on the 6th instant, by the Rev. Joseph Cooper, Mr. Richard Alcorn, of the "Queen Victoria Inn," to Elizabeth, relict of the late Richard Hobden, Esq, of Great Lodge, Jerry's Plains

The Maitland Mercury Saturday, 9 October 1852

The following is an abstract, compiled from the published manifests of the steamers and coasters, of principal produce (exclusive of wool and tallow) received cost wise in Sydney, from the Hunter River district, during the week ending October 6: -⁶⁹²

⁶⁸⁶ BDM V1851 1231 37B

⁶⁸⁷ BDM V1851 1232 37B. Also a Mary Partridge, described as a 'Licenced Victualler', died in October of that year.

⁶⁸⁸ Daniel seemed to prefer this spelling of his name. It may be that his mother had at some point chose to opt for D'Arcy to gain some form of status?

⁶⁸⁹ "From Armagh to Parks" by Barry L Campbell, page 46

⁶⁹⁰ Second Master, by Ian Ellis, Hunter Valley News 7 October 1992

⁶⁹¹ Morpeth: Where Bishops and Ships Once Rode Tall, 1989, Shirley Richards and Peter Muller, Published by Kookaburra Educational.

⁶⁹² Maitland Mercury, Hunter River District News, 13 October 1852



Wheat – bags	10	Lambs	12	Coals - tons	48
Maize – bags	374	Pigs	1322	Eggs cases	5
Flour – bags	40	Bacon – bales	9	Tobacco – kegs	7
Bran - bags	232	“ - packages Butter – kegs	60	Soap – boxes	1
Hides	78	Cheese	4	Wine cask	9741
Sheepskins – bales	17	“ -- case	115	Hair – bales	3
Hay – Trusses	107	Lard – casks	1	Fowls- crates	
Horses	52	Pork – casks	2		
Calves	10		10		

THE WHEAT CROPS

‘Never in the memory of the ‘oldest inhabitants’ have we had a fairer prospect of a bountiful harvest; large fields of wheat everywhere meet the eye waving in luxuriance.We are half afraid that a great portion of the harvest will be lost for want of labour;..’

MICE.

‘Several of our settlers are making great complaints of damage done by these little marauders to their wheat stacks.’

INFLUENZA.

‘We can hardly find a single person in the neighbourhood .. but is

more or less attacked with this complaint. ...You hear coughing in every house.’

Monday, 8 November 1852⁶⁹³

WEATHER AND THE CROPS.

‘We feel sorry to have a, dry report to give about the weather, the drought is still continuing. In taking an occasional ride about the agricultural portion of our district, we regret to see the crops withering fast. We had some severe frosts during the last week; particularly on Thursday night when considerable damage was done to the grape vines. The potato crop

has also suffered from the same cause.’

LOOK OUT FOR SNAKES.

‘Several large snakes have made their appearance lately.’

OFF TO THE DIGGINGS.

‘Great numbers of persons have passed through the town within the last few weeks en route for the northern diggings. In one day we noticed three coachloads of passengers leave one of our inn yards.’

Monday, 10 October 1853⁶⁹⁴

Singleton correspondent
Maitland Mercury

A son, Henry, was born to David and Harriet on 22 December 1853 in Jerry’s Plains.⁶⁹⁵ His naming, it seems, is in honour of Harriet’s brother, Henry Davis, and coincides with his arrival in the colony the year before.

Within a few months of lamenting drought, the Singleton correspondent of the Maitland Mercury reported:

THE WEATHER, THE CROPS, AND THE HARVEST.

‘During the past week we have had a succession of storms which have greatly retarded the labours of the harvest men. The corn crops are looking good all

over the district, and we have grass and water in abundance.there is a great demand for labourers, ... The river is barely passable for some days,..’

THE OLYMPIC CIRCUS.

‘On Monday last Mr. Ashton’s troop of equestrians performed here; On Tuesday, ...the whole of his canvas circus burned down.’

26 December 1853

Bate’s Wharf announced the addition of two new steamships ‘William Miskin’ and ‘Iron Prince’ to the Sydney Morpeth run ‘thus giving an advantage to shippers of four trips per week beyond the present opportunities.’

‘Scottish Entertainment’

The Maitland Mercury of 15 April 1854 contains fairly lengthy paid announcements about ‘Scottish Entertainment’. A Mr. Paxton of Scotland was to present ‘A Grand Entertainment of HIGHLY POPULAR SONGS’ at the East Maitland Courthouse, and the Rose Inn at East Maitland. The program was no doubt geared to appeal to a large population of Scots immigrants like David. Robert Burns was well represented in the program.

More of the Jerry’s Plains Annual Races

The three-day ‘Jerry’s Plains Annual Races’ were held on Wednesday, 19 – Friday, 21 April 1854. Patrick Ward, lessee of David’s inn, the ‘Horse and Jockey’, took an active role in the event as one of the publican sponsors, and as owner of three horses: Little Wonder, Blarye, and John Bull. Little Wonder won

⁶⁹³ Maitland Mercury - Wednesday, 10 November 1852, page 2

⁶⁹⁴ Maitland Mercury - Wednesday, 10 October 1853

⁶⁹⁵ Presbyterian, Parish of Whittingham, V1855 881 53 0



the third race (Galloway Stakes of ten pounds) on the first day. John Bull won the third race (Beaten Stakes for ten pound) on the third. Richard Alcorn had two horses in the races that did well: Sugar Bag, and Garyowen.

This year's races were better supported than in other years, in that several of the races involved more than two horses. Rain dampened Spirits on the first day. Betting, laughter, and dancing were the order of the second day. On the third day the publicans were selling a 'very agreeable drink' 'vulgarly called "flareup"' a concoction of lemonade powders. As a consequence, not one person was taken in charge for being drunk and disorderly by the police.'

Death

On Wednesday, 22nd March last, at Great Lodge, Jerry's Plains, Jane Hannah, the beloved wife of Henry Hobden, aged 20 years. All who knew her mourn her loss.

Maitland Mercury Wednesday 5 April 1954

Death

On the 12th August, 1854, at the residence of her father, Great Lodge, Jerry's Plains, Blanche Sophia, youngest daughter of Mr. Henry Hobden, aged ten months.

Maitland Mercury Wednesday 6 September 1954

George P Bowman at 'Archerfield' advertised in the Maitland Mercury of 8 July 1854 for expressions of interest in construction of Cattle fences at his cattle stations at 'Maidenhead' and 'Aikins Flat' on the Severn River.

Death

At Jerry's Plains, on 15th December, after a long and painful illness, caused by a severe attack of scarlet fever, Richard Alfred Duff, beloved son of Sarah Ellis, aged seven years and five months.

Maitland Mercury Wednesday 27 December 1954

Signs of Drought

The Singleton correspondent tells of extreme high temperatures and a lack of rain leading to the failure of much of the wheat and maize crops in the district. And that there was:

'...so much fever and sickness prevalent' '... it is a great blessing that we have two medical gentlemen in the town, there being, between measles, scarletina, and other diseases which flesh is heir to, a superabundance of patients. The number of deaths, especially amongst children, have been far above the average of many years past—scarcely

a day passes without the "solemn knell of death".....⁶⁹⁶
31 October 1854

'We have had for the last four or five days almost constant rain. It has come down in gentle showers, and has saturated the earth; we have grass and water in abundance, and the cattle are improving fast in their condition. From the beautiful

verdure now covering the earth, you would scarcely believe that it was the same place it was a month back. The roads and streets are of course in a great mess; and in a few days, we expect teams and coaches will be stuck up. The river has been rising gradually, and is now barely crossable on horseback.'

Thursday, 8 February 1855.⁶⁹⁷

The Maitland Mercury reported:

Industrial Action

'The strike of the A.A. Co.'s miners has produced such effects on the shipping interests, and the community at large, the cause is traceable to the system of hiring and working the mines being open to an extensive sub-system of fraud and favoritism, equally injurious to the employer and employed.'

Newcastle, Wednesday, 20 June 1855.

Construction of Railway in the Hunter

'Yesterday afternoon the contractors, Messrs. Wright and Randle, with their friend, and a very numerous

assemblage of the inhabitants of Maitland, Morpeth, and Newcastle, assembled for the purpose of turning the first sod of the Maitland portion, contract No. 2, of the Hunter River Railway. About 3 o'clock the enlivening strains of a German band were heard in the distance on their approach from Morpeth, followed by a number of omnibusses and cabs (containing the contractors and their friends), and on their arrival on the grounds, at the Brickfields, East Maitland, they were received with enthusiastic cheers and the navies discharging salutes from two brass cannons. '.....joined by a number of

magistrates and influential parties in the district,'

Singleton correspondent

Maitland Mercury

Maitland, Wednesday, 3 July 1855. Public Meeting at Jerry's Plains.

The inhabitants of Jerry's Plains, and parties interested, are invited to attend a PUBLIC MEETING, to take place at Mr. R. Alcorn's Victoria Inn, Jerry's Plains, on TUESDAY NEXT, 21st August, at Two o'clock, for the purpose of adopting the best means for the Repairing of the Jerry's Plains Road.

OLIVER SAUNDERS,
Secretary Pro Tem,⁶⁹⁸

Jerry's Plains Aug. 14, 1855

⁶⁹⁶ Maitland Mercury, 1 November 1854.

⁶⁹⁷ Maitland Mercury, 10 February 1855.



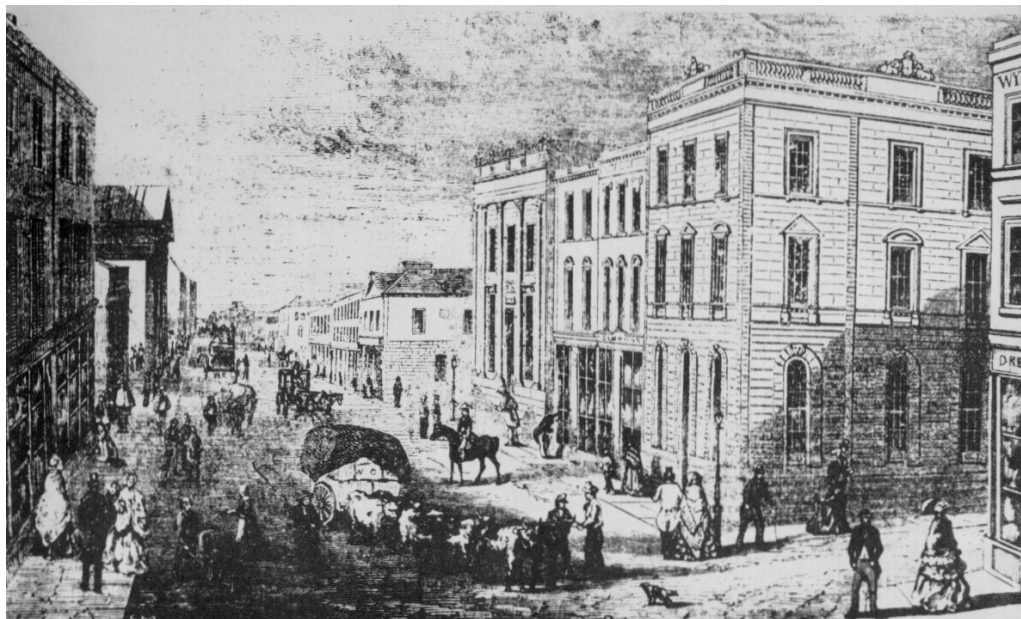
Patrick Ward, lessee of David's inn, the 'Horse and Jockey', placed the following advertisement in the Maitland Mercury on Wednesday, 22 August 1855:

FOR SALE or EXCHANGE, about 100 Head of quiet CATTLE, to be delivered at Merton or Jerry's Plains. The undersigned would be willing to take some Store Sheep in exchange, as may be agreed upon. There are several milkers amongst these cattle, and young bullocks fit for breaking in. Application by letter will be attended to, or, by a few days' notice, can be seen at either of the above places.⁶⁹⁹

Caring For Thomas' Family

It seems that David and his daughter-in-law, Ann came to some arrangement in the mid 1850's, whereby she is likely to have taken the three daughters to Sydney - There she was able establish an income for herself as a midwife and shopkeeper.

The three boys: David, Thomas and John were in David's care in 1856. David had made provision in his 1856 will for his third wife 'Eliza' to be liable for educating and bringing up his grandsons 'during their infancy' – An interesting term in respect of his eldest grandson, David, who was well into his 21st year by then, and long been working for his grandfather and uncles. It is more than likely by then that he had done many a trip to and from Millie driving cattle. It is unlikely that Ann would have left the two younger boys before 1855 when the youngest, John, was 9 years old. It was evident on several occasions in later years that the family ties between mother and children, brothers and sisters, remained close.



View of George Street from the corner of Grosvenor Street 1854

To what extent David helped Ann Brown (nee Shepherd) get established in Sydney (Balmain and Darling Harbour area) is uncertain. There is a question to what extent George Huntley of Balmain (who was entrusted to a considerable portion of David's estate) assisted her and her daughters to become established in Sydney. It is noticeable in his will that Ann's sons are provided for specifically but neither she nor the daughters get mentioned, presumably because David had already made provision for them?

⁶⁹⁸ Maitland Mercury, 18 August 1855. Adv. 4685.

⁶⁹⁹ Maitland Mercury, 22 August 1855. Adv. 4588.



Chapter 21 – Difficult Last Years

(1855 – 1857)

The Maitland Mercury of 13 October 1855⁷⁰⁰ announced the death of William Wallace Brown, son of David Brown on 19 September 1855, *‘at the residence of his father at Jerry’s Plains, through injuries from fire caused by playing with ‘Lucifer’ matches. The afflicted parents take this opportunity of gratefully acknowledging the kind attention of so many sympathising friends’.* William was half way through his 6th year. He was buried on 22 September 1855.⁷⁰¹

Two months after the death of William Wallace, on Wednesday, 14 and 28 November 1855, the Maitland Mercury announced again in the ‘Deaths’ and Family Notice columns:

*‘At Jerry’s Plains, on the 11th November, **Harriet**, wife of Mr. David Brown, after a lingering illness of eleven months.’*

‘...and leaving four children and a large circle of friends to lament her loss,...’

It is understood that Harriet sustained injuries in attempting to rescue her son. She may have sustained burns herself in attempting to rescue her son from the flames engulfing him. Harriet’s lingering illness of eleven months may well have had a bearing on her young son, William Wallace, not being supervised, and thus leaving him free to get into the situation that led to his death? Such injuries, and the death of William, and the existing illness may well have all contributed to her demise.

Of interest in this regard is the report by the Jerry’s Plains correspondent to the Maitland Mercury some eight years earlier concerning four year old daughter of David’s neighbour, Peter Duff. See report of 20 June 1847.

Harriet was only 41 years of age when she passed away. She was buried at Jerry’s Plains on 12 November 1855⁷⁰² Harriet’s death left David with three young children to care for on his own. Alfred was 6 years old, Robert 5 and Henry 2 months short of his 2nd birthday.

In the same edition of the paper, the newspaper’s correspondent in nearby Singleton reported:

THE WEATHER AND THE CROPS

‘Ever since Friday morning we have had a succession, night and day, of hot, dry “Brickfield” winds; and it is at present blowing clouds of dust. We are afraid that these winds will

greatly injure the late crop of wheat; the forward wheat we believe to be too far advanced to receive much damage. Reaping will generally commence here next Monday.’

THE NEW DIGGINGS

Great numbers of persons are

constantly passing through this township enroute to the new ‘Denison Diggings’. Should they turn out as profitable as anticipated, it will cause a great re-action in trade on this line of road.’

12 November 1855

At this time, David’s occupation is recorded as being ‘Grazier’; pointing to him still pursuing his squatting activities.⁷⁰³

At this low point in his life, on 24 December 1855, David sold Portion 39, Parish of Maroota 100 acres Cattai Creek property (originally granted to his brother James) to his son, Alexander, for £600.⁷⁰⁴

⁷⁰⁰ Maitland Mercury - Wednesday, 13 October 1855, page 2. C of E Register shows death as 20 September 1855.

⁷⁰¹ Maitland Mercury, 13 October 1855.

⁷⁰² C of E burials register V18551233 43A. Register states her to be 47. Harriet’s funeral follows her son’s in the church’s register. Hers was the last for that year.

⁷⁰³ C of E burial register V18551233 – 4 43A.

⁷⁰⁴ Dept of Lands, Portion 39, Parish of Maroota, Conveyance Book 41 No 199 dated 24 December 1855.



The Maitland Mercury of Wednesday, 20 February 1856, included the following advertisement by David's son-in-law:

'To Let, on terms to be agreed upon, 40 acres of good agricultural LAND, on Great Lodge, cleared and fenced in - three convenient paddocks.

*Apply to Robert Hobden, Jerry's Plains
 1021'*



View of Jerry's Plains - Some three kilometres to the east of the present village. St James' Church of England is at the centre and the Hunter River flats to the right. The village, mostly to the left of the church, appears to be surrounded by fire and enveloped in smoke. Extracted from a watercolour dated 1856 at the Mitchell Library by unknown artist.

The Maitland Mercury included the following advertisements in March and April 1856 editions:

JERRY'S PLAINS

Sales by Auction

Mr. Williams has received instructions from Mr. William Simpson to sell by auction, at the Plough Inn, Jerry's Plains, THURSDAY NEXT, MARCH 13th at Twelve o'clock precisely.

All the Neat HOUSEHOLD FURNITURE, Culinary Utensils, &c., of that establishment – being of a very superior description, and well worthy of attention of parties furnishing. Terms cash.⁷⁰⁵

JERRY'S PLAINS

Sales by Auction

Mr. Williams has received instructions from the importer to sell by auction, at the Queen Victoria Inn, Jerry's Plains, on Friday, the 4th of April, to commence at Eleven o'clock,

A superior ASSORTMENT of GOODS, consisting of –DRAPERY, hosery, shirts, trousers, vests, ladies' boots and shoes, blankets, children's dresses, &c, &c.

Terms cash - No reserves.

The auctioneer respectfully requests the attention of the inhabitants of Jerry's Plains to the above sale. The goods are of a superior description, and great bargains will be offered.⁷⁰⁶

⁷⁰⁵ Maitland Mercury - Saturday, 8 March 1856, Ad No 1546.

⁷⁰⁶ Maitland Mercury - Wednesday, 1 April 1856, Ad No 1872



The Maitland Mercury included the following advertisement in the Tuesday, 9th September 1856 edition:

<p style="text-align: center;">YOUNG ENGLAND will STAND THIS SEASON at JERRY'S PLAINS</p> <p><i>PEDIGREE: - "YOUNG ENGLAND" was got by the imported horse Young England; his dam was got by imported horse Glenelg; grand-dam by old Clydesdale. "Young England" was bred by William Scott, of Richmond.</i></p> <p><i>"YOUNG ENGLAND" is rising three; stands 16 ½ hands high; colour, rich brown; and is allowed by good judges to be one of the best colts on the Hunter.</i></p> <p><i>All Mares must be removed by the 1st of January, 1857, and all moneys paid.</i></p> <p style="text-align: right;"><i>WM. ELLIS Jerry's Plains</i></p>

It becomes apparent from this advertisement and others by Inn Keepers: *Patrick Ward and Andrew McKenzie*, that breeding of stud horses had become a useful source of income in the Jerry's Plains area. David himself was reputed to be a breeder of horses.⁷⁰⁷ He was likely to have begun this activity at Cattai some 45 years earlier.

Less than ten months after Harriet's death David married a third time, to widow, Eliza (AKA Liza) Lewis, nee Page aged 36 years. David was now at least 65 years old. The service was officiated at Jerry's Plains on 22 September 1856 by a Presbyterian Minister James White.⁷⁰⁸ The witnesses were Catherine Hynes and Martin Rochford. At the time, Eliza's occupation is given as 'servant' and David's as 'settler'.

Little is known of Eliza Lewis. She was daughter of Henry Page and Hannah Skinner, was born at Chelmsford, Essex, England in 1820. At some point in time Eliza married a Mr Lewis who subsequently passed away. It is likely that Eliza's services had been closely associated with the care of David's three young sons, perhaps as a Nanny. In any case, Eliza gained David's trust in a big way. This and satisfactory rapport with the children may have been enough to encourage David to enter into marriage to ensure her long-term presence.

The Maitland Mercury of Wednesday, 23 September 1856, included the following advertisement that was repeated in many editions over the next several months:

<p style="text-align: center;"><i>TO STAND THIS SEASON, at the Horse and Jockey Inn, Jerry's Plains,</i></p> <p style="text-align: center;">"LITTLE WONDER,"</p> <p><i>By his performances upon the Turf, Little Wonder has proved himself one of the best horses out at present day, and he has been pronounced by competent judges to be one of the handsomest, and most compact animals in the colony.</i></p> <p><i>As only a limited number of mares will be taken, early application must be made to the undersigned.</i> <i>TERMS: - £4 4s. Each mare, groom's fee included.</i></p> <p><i>Secure and well watered paddocks, for the accommodation of the mares and every care taken, but no responsibility will be incurred.</i></p> <p><i>Further particulars will appear, as to pedigree, &c, in future advertisements.</i></p> <p style="text-align: right;"><i>P. WARD</i></p>
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⁷⁰⁷ Singleton Historical Society

⁷⁰⁸ NSW BDM Index, Patrick Plains, 1856, Marriage Registration No 1891.



The Maitland Mercury of Thursday, 16 October 1856, included the following advertisements:

<p style="text-align: center;">Ten Pounds Reward</p> <p>WHEREAS some persons, on the morning of the 12th instant, maliciously tore a PADLOCK from my Slip Rails, Hampton Park, I hereby offer a Reward of Ten Pounds to any person who will give such information as will lead to a conviction of the guilty party.</p> <p style="text-align: right;">WILLIAM ELLIS, Hampton Park, Jerry's Plains</p> <p>October 13, 1856</p>

<p style="text-align: center;">Young Glenelg</p> <p style="text-align: center;">-----</p> <p>To TRAVEL THIS SEASON from Jerry's Plains to Glennie's Creek, Singleton, and Wylies Flat that well-known splendid colt, "YOUNG GLENELG,"</p> <p>3 years old, 17 ½ hands high; by the imported horse "Glenelg," out of first-rate mare by "Lincoln," the property of Mr McAlpine.</p> <p>TERMS: - £2 15s. For a single Mare; where more than one, £2 10s. Mares sent to Jerry's Plains provided with a good paddock till stinted, of which notice will be given.</p> <p>No responsibility incurred</p> <p>The owner is so certain of his Horse that should any Mare miss, they will be admitted next year without charges.</p> <p style="text-align: right;">ANDREW McKENZIE Jerry's Plains,</p> <p>October 14th, 1856</p>
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The above advertisement by Andrew McKenzie was repeated in many editions over the next several months. McKenzie had taken over what had been the 'Plough Inn' which had its furnishings auctioned off in March earlier in that year:

<p style="text-align: center;">Jerry's Plains</p> <p style="text-align: center;">—</p> <p>Days of Sale - Wednesday and Thursday, 22nd and 23rd October, 1856.</p> <p>MR. J. WISDOM has received positive instructions to sell by auction (without reserve), at Mr McKenzie's Inn, Jerry's Plains on the above days, at Eleven o'clock, A Large quantity of MERCHANDISE, the property of a gentleman relinquishing business, consisting of Seasonable Drapery Goods, Mens Clothing, and Haberdashery Groceries and Oilmen's Stores of the best quality. Boots and Shoes, and various property too numerous to advertise. To Settlers, or parties trading to the Northern diggings, this sale offers inducement to purchase on advantageous terms rarely met with.</p> <p style="text-align: right;">Terms cash.⁷⁰⁹</p>

<p style="text-align: center;">Caution</p> <p>ALL parties are cautioned against TRESSPASSING on any part of those Lands or Paddocks attached to the Horse and Jockey Inn, and leased by me from Mr David Brown, without my permission, or they will be dealt with as the law directs.</p> <p style="text-align: right;">P. WARD, Jerry's Plains 15 November 1856⁷¹⁰</p>
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⁷⁰⁹ Maitland Mercury - Thursday, 16 October 1856, Add No 5873.

⁷¹⁰ Maitland Mercury - Saturday, 18 November 1856, Ad No 1856.



David Writes His Will

On 15 December 1856, David made out his Will. David had gone to Sydney especially for the occasion.

He gave particular mention to the children by his second wife 'Harriet': Alfred age 8, Robert 5, and Henry 3; and his grandsons by his eldest child Thomas: David age 20, Thomas Edward 12, and John James 9. His new wife, Eliza, and a George Huntley of Balmain, were nominated as executors of his Will. There were to be considerable benefits bestowed on them for doing so.

At this juncture, David had been married to Eliza eleven weeks. The nature of David's Will, and the timing of his marriage to Eliza Lewis, are indicative of a man who believes he is rapidly running out time. Possibly, he had been subject to a succession of illnesses.

Of note are the witnesses to the will: J.J. Lee of J.J Lee Solicitors, Sydney, and 'Henry J. Brown of Sydney' 'gentleman'.

The day after the will was made, 16 December 1856, matters took inauspicious turn when one of the two the executors appointed, George Huntley,⁷¹¹ died in Maitland.

The Maitland Mercury's Extra Correspondent in nearby Singleton reported this for the first day of 1857:

We have this morning to hail as bright an opening for the New Year as could be seen after the continued rain of the last week, which finished with a complete torrent, from nine last night till about three this morning, giving the last of the old and the first of the new one of the greatest blessings the country can enjoy.

We may complain of bad roads – of our amusements being interfered

with, and of the inconveniences of wet weather – but all of these out weighed by the benefits conferred by our Almighty ruler, who knows and supplies our wants more liberally than we can ask of them.

We commend the year with an indifferent supply of wheat from our last crops. We have not much corn planted, but no doubt exertions will be made for that

crop. In fruit and vegetables we abound, and in nothing have we any right to complain. The river is rising rapidly, but from the cessation of rain need give no alarm, as we may expect it fordable in three or four days. Our races are postponed till Tuesday and Wednesday next, in which we appear to follow the lead of others. best wishes for a happy new year.

*Jan. 1*⁷¹²

David the Younger's Passing

David died on 11 January 1857. Cause of death is given as constipation and inflammation of the intestine over 6 days. William Tristram was the surgeon in attendance.

David had been one of the pioneers of the district, a farmer, grazier, squatter, innkeeper, landowner, and settler.

The registration of death gives David's age at the time as '68'. This adds to the number of declarations made concerning his age. It is consistent to within one year of age he gave when married in 1815.⁷¹³ David's statement to the Maitland Mercury concerning the birth of his twins in April 1850 caused them to write that he: '*came hither before he had attained to his tenth year*'. 'David's age at the time of the first marriage in 1815 was stated to be 28. His age for the Census in 1828 was given as '45'. From the available evidence, it can be said that David's age at time of death was in the vicinity of 65 to 74 years. However, In July 1820, Captain John Piper described David 'as very industrious and deserving young man' - which was consistent David being closer to 28 than 37 years old then, and closer to 65 than 74 years old in January 1857.

He was buried in the Church of England 'Old Wambo Cemetery' at Jerry's Plains. Joseph Cooper was the Minister at the time. William Ellis, a long time neighbours; and Richard Hobden jnr, his son-in-law; were witnesses. The cemetery itself is about the size of a quarter acre suburban house block, and is

⁷¹¹ Listed as Hurley under deaths in the BDM index

⁷¹² Maitland Mercury - Saturday, 3 January 1857.

⁷¹³ Especially if his birthday fell in first half of the year.



fenced off from the private paddock in which it is located - The paddock and cemetery having been originally part of David's grant. For visitors, the hillside location provides a good view of the Hunter River.⁷¹⁴

The informant was David's twenty-five year old son, George.

George was well aware of his mother's maiden-name "McMahon", but had his father in the colony as 60 years (instead of 56 years)



David's grave as seen April 2001

David's tombstone reads:

**"TO THE SACRED MEMORY OF
DAVID BROWN WHO DEPARTED
THIS LIFE 11TH JANUARY 1857 AT
THE AGE OF 68.**

**BUT NOW IS CHRIST RISEN FROM
THE DEAD, AND BECOME THE
FIRST FRUITS OF THEM THAT
SLEPT. FOR SINCE BY MAN CAME
DEATH, BY MAN CAME ALSO THE
RESURRECTION OF THE DEAD.
FOR AS IN ADAM ALL DIE, EVEN
SO IN CHRIST SHALL ALL BE MADE
ALIVE.**

1COR, 15, 20-22."

Within the iron fenced enclosure with David are two other graves. They are marked by head, and foot stones, without inscription. They indicate that an adult and a small child are buried there. My initial thought was that it was Harriet and William buried there.

Given the infant size grave and some Brown family hostility to the "Widow D'Arcy", it may be that it is Elizabeth Mary and the infant Francis who lie there with David? Their graves would have added impetus to David's inclination to donate the site for a church and burial ground. However, hard evidence (official or otherwise) of where or when Elizabeth was buried is difficult to come by. One unofficial source believes she was buried at Whittingham Cemetery, Singleton.

⁷¹⁴ The cemetery is approximately two kilometres outside the village of Jerry's Plains, on the south side of the highway from Maitland. A considerable amount of high grass is likely to be encountered from the walk up to, and in the grounds of the cemetery itself.



Chapter 22 – Inheritance

(1857 – 1918)

The marriage of David Brown and Eliza Lewis was one of convenience. It is apparent from David's last Will & Testament that the marriage was an attempt to provide a satisfactory future for the children of his second family, and the children of his deceased, eldest son, Thomas. As for Eliza, she stood to gain considerable material advantage as a reward for undertaking the responsibility assigned to her by the Will.

With the death of their mother, matters for Robert Bruce, Alfred, and Henry were bad enough. However, with their father's death, their world was turned on its head.

During the unhappy occasion of registering his father's death, George omitted the existence of the three boys, and refers to their mother (his step-mother), as 'Widow D'Arcy.' At this juncture, it is probable George was not aware of the exact provisions of the new Will. Though, he had grounds for knowing that his three young step-brothers existence considerably reduced any chance he had of getting what he might have thought was his due.

The Will

Mindful of George Huntley's unexpected death having left Eliza as sole executor, the key aspects of David's will are:

- The beneficiaries were Eliza; David's sons: Robert Bruce, Alfred, and Henry; and his grandsons: David, Thomas and John.
- None of the children by his first marriage benefited directly from the will.
- The inn 'The Horse and Jockey' and a considerable amount of Portion 29 were left to Eliza (and her heirs for her 'use and benefit'.
- Close to half of Portion 28 to the north of the government road had long been given to David's daughter, Catherine Hobden.
- A small parcel of Portion 28 had already been gifted to the Church of England for the construction of the church and graveyard, where David was buried.
- The remainder of Portion 29 and 28 that hadn't been bestowed on Eliza, Catherine, and the Church was to be divided amongst David's sons: Robert Bruce and Alfred, when they turned 21 years; and his grandsons David, Thomas Edward and John James on the death of Eliza. Until the time of Eliza's demise, the land promised to grandsons was to be for Eliza to use as she pleased. The land promised to David's sons was for both Eliza's and George Huntley's use in the interim
- David's allotments at Bourke Street, Maitland, were to pass to son, Henry at the age of 21. Again, in the interim Eliza was to have use of the property.
- Eliza could earn whatever income she should manage without having to account for it ('she maintaining, educating, and bringing up' David's sons and grandsons during their infancy.
- None of David's granddaughters by his son Thomas benefited from the will.
- In the event of Eliza dying without heirs, any of her hereditaments not already disposed of were to be divided equally between David's three son's Robert, Alfred, and Henry.

The whole intent of the provisions David's will was for the care and well being of his three young sons and three grandsons by Thomas. Clearly, David had seen Eliza Lewis and George Huntly as people on who he



could rely to carry out his wishes. David went to a great deal of trouble to compensate them for their continuing long term efforts. And so George's concern proved well founded. However, the death of

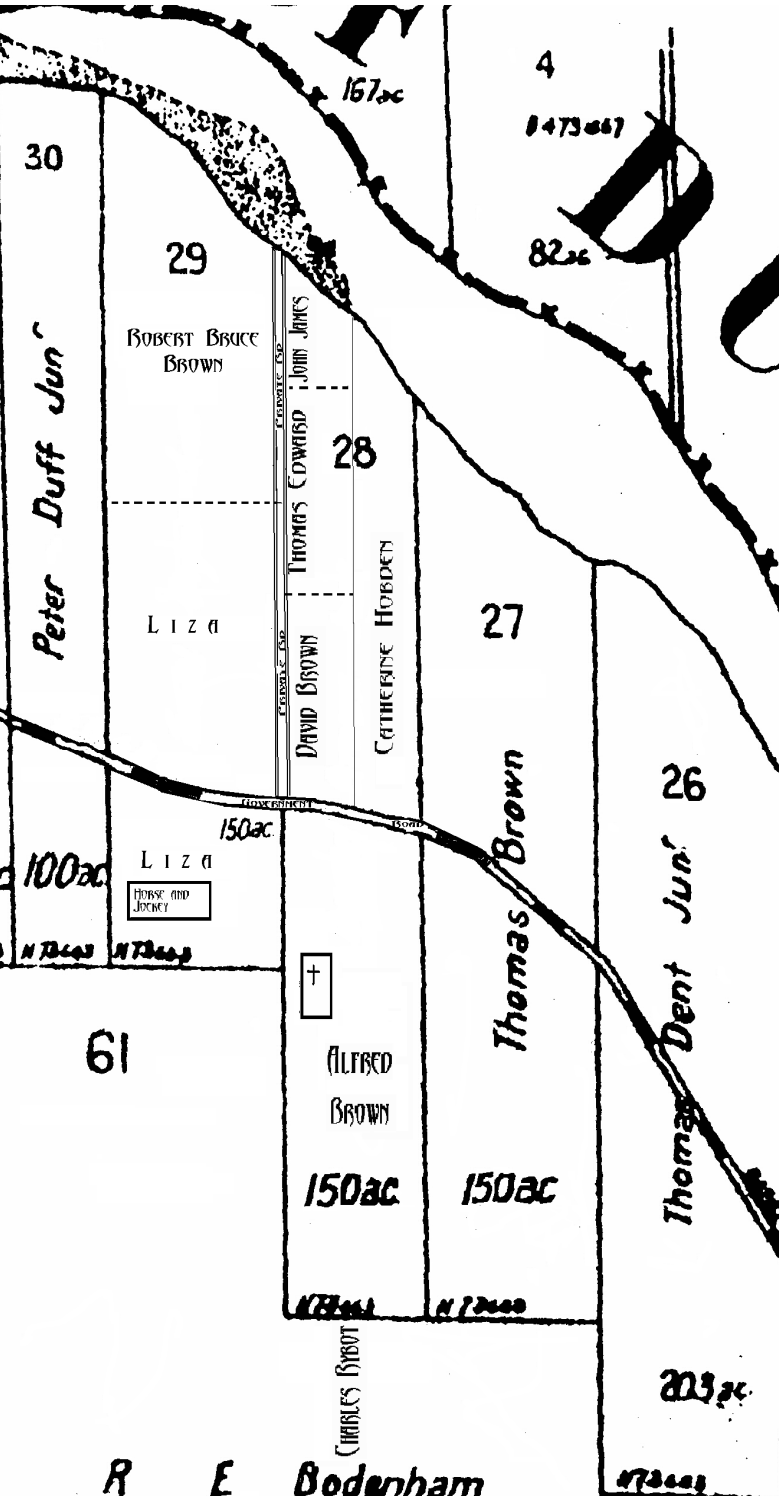
George Huntley, being one of the two executors, put at risk the prospects for David's wishes being fulfilled.

David's children by his first marriage might be expected to have some resentment about their omission from the provisions the will once acquainted with them. It could be expected that they perceived father's arrangements with Eliza as ill considered.

For Eliza, David's will may have been the result of much conniving to ingratiate herself with David. Perhaps she saw it as an opportunity to become wealthy at the expense of the children she was promised to care for?

George's omission of the existence of the three boys on his father's death certificate is likely to be a symptom of a long standing dissatisfaction with Harriet and 'her' children. Perhaps she was long seen the 'interloper' and 'her' children more of the same? It may well be that that George had good reason for his dissatisfaction with Harriet? George's misrepresentation may have been an 'in principle' rejection by him of any entitlement they had to an inheritance? It may have been a hasty act - An ill considered in the heat of the moment thing?

Whatever George's motives, it was a false declaration on an official document by someone who could reasonably be expected to know the true facts.



The above map approximates the division of David Brown II's in his will of Portions 29 & 28 at Jerry's Plains to his wife Liza, children and grandchildren.⁷¹⁵

Also, unfortunately for George, it is arguably an indication of intent to deny his brothers their inheritance!

⁷¹⁵ The original officially stated acreages were nominal only. A later survey revealed Lot 29 to be 182 acres, and Lot 28 in fact 185 acres. Lot 27, Thomas' original grant, was eventually revealed to be 195 acres.



On 13 February 1857, Petition of Probate was granted to Eliza solely, as a consequence of the death of the other executor. Goods were ‘sworn at £2000.’

Just over three months after her husband’s death, on 13 April 1857, Eliza Brown married again. Age 37, she married Daniel D’Arcy (Darcey), aged 21? (born in 1838?), victualler at Wambo, Jerry’s Plains. Daniel’s father’s name is given as Thomas and his mother, Harriet.⁷¹⁶ That is, Daniel was half brother .to Robert, Alfred, and Henry.

By marrying Daniel, she had reinforced her entitlement to be the carer for David & Harriet’s children. It is likely that this was a reaction to expressions of resentment by some members of the first family with the Will’s provisions.

It may well be that someone like George Brown pointed out that, as a blood relation to the boys, he had a greater claim to be their carer than she did. However, Daniel’s claim as a relation to the boys was equal to that of George.

Any plans of challenging the Will that might have been under consideration by children of the first marriage, such as George, are likely to have lost

momentum with the news of the marriage.



Cartoon ‘Reading of the Will’ – 1854 ⁷¹⁷

Daniel’s marriage to Eliza may well been driven by the noble motive of the desire to care for his half brothers, or a profound and passionate love for the comparatively ancient Eliza. Alternatively, and more probable, he viewed the event as a shortcut to an easy life. Eliza may herself have hoped for some family loyalty to influence her marriage partner’s cooperation in the care of his siblings.

Just over a year elapsed after Harriet’s death, when the boys’ father, David, died in January 1857. Henry was barely 3 years old, Robert was 6 years old, and Alfred was 9 years old. The story of Harriet’s children’s lot conveys a very strong impression of neglect. In keeping with David’s Will, Henry, and his two surviving brothers should have been well cared for by their stepmother for many years. This assumes that David’s trust in her was well placed?

The ‘Horse and Jockey’

Under David’s Will the ‘Horse and Jockey’ and adjacent land was left to Eliza and her heirs. In keeping with that provision, during 1857, Eliza entered into an arrangement whereby George Brown became the licensee of the Horse & Jockey Inn. George held it until 1868.⁷¹⁸ This was one of several significant deals set in place between Eliza concerning the disposal of David’s estate. Sometime before July of 1862, Eliza & Daniel D’arcy sold 40 acres adjoining the Horse & Jockey Inn at Jerry’s Plains to Patrick Ward⁷¹⁹

⁷¹⁶ BDM 2414 refers.

⁷¹⁷ The Illustrated Sydney New, 1854.

⁷¹⁸ Index to Liquor Licences in the Hunter 1865-1921.

⁷¹⁹ Book 56 No 120 or 128 - This document was an Agreement and also referenced Book 69 No 161. per Helen Dickenson, NSW Land Records. Under the Will, any benefit associated with use and benefit of the Horse and Jockey property was exclusive of any husband Eliza subsequently married.



Death of Henry

At the age of 6 years, Henry Brown as 'Cottagers infant ward' from the courthouse', died of sunstroke on 2 February 1860.⁷²⁰ The Registration of Death indicates that it took 2 days for Henry to die - Dr William Tristram had attended him on the 1st of February.

The informant was Thomas Taylor, a 'Splitter & Fencer' of Jerry's Plains - His step-brother, the son of Harriet Davis and Thomas Taylor? It is not unreasonable to speculate that young Henry was in the company of Thomas Taylor, whose job caused him to be out in the blazing summer sun; and Henry being ignored, lost, or forgotten for a lengthy period by a very busy and far wandering brother doing his job. It seems that the 'Cottagers infant ward' arrangement was a form of fostering. The 'Cottager' was an agricultural labourer who was paid to care for the child rather than send them to an orphanage. As to who was paying, is another matter. Possibly, it was Eliza from the sale of the estates proceeds? However, it was evident that Henry wasn't in Eliza's personal care. Had Liza arranged all three children to be cared for under Cottagers infant ward system?

Henry, should he have survived to age twenty-one years, was to be the beneficiary of the allotments in Bourke Street, Maitland, his grandfather had purchase from Michael Bourke. Otherwise, it was to pass to his stepmother.

On 23 October 1860, Eliza D'Arcy formerly sold land on the east side of Bourke Street to William Joseph Quinn of Maitland, Shopkeeper for £61. The deed acknowledged that this property had been bequeathed to Henry, should he have reached the age of 21 years; and as he had no surviving issue, it was bequeathed to Eliza Brown now D'Arcy.⁷²¹

It is probable that soon after their father's death, Robert, Alfred, and Henry were farmed out to three separate homes as 'Cottagers Infant Wards'. Possibly, the payment to carers of the three boys under the 'Cottagers infant ward' arrangement was derived from the proceeds of the David Brown's estate?

Grandson's Death

On 25 February 1861, David Brown's eldest grandson, David, died at the Brown's 'Millie' property. The cause of death was by an infection resulting from a twig or stick penetrating his leg?⁷²² According to the death certificate, David was buried the next day at Millie.

At the time his brother, John James, was 15 years old and probably working on a Brown property. Thomas Edward was by then 18 years old and working, most probably as a butcher in the Jerry's Plains region?⁷²³

On 24 July 1862, Eliza D'ARCY, formerly BROWN, of Jerry's Plains sold 18 acres at Jerry's Plains to George BROWN landholder of Jerry's Plains for £61-13-9. This land was bounded on the south by a Government Road, bounded the west by a private road, and on the east by Catherine Hobden's land.

The deed acknowledged that this property had been bequeathed to David by his grandfather, but in the case of his decease and should he have no surviving issue, it was bequeathed to Eliza Brown now D'Arcy.⁷²⁴

The deed for the sale went on to say among other things that Eliza married Daniel D'Arcy but has since separated. Sometime in the previous 21 months, Eliza and Daniel had parted company.

Death of Alfred

When their brother, Henry, died, Robert was 9 and Alfred was 11 years old.

On 15 November 1862, while riding at George Bowman's property, 'Arrowfield near Jerry's Plains',⁷²⁵ Alfred fell from his horse. He lived on for two hours after sustaining his injuries from the fall before dying.

⁷²⁰ Per Maitland Mercury and BDM Registration of Death No 5377, Patrick Plains, 1860

⁷²¹ Book 69 No 886 per Helen Dickenson, NSW Land Records

⁷²² Per telcon Marie Tattam October 2000.

⁷²³ John's occupation in 1870 was given as butcher in land sale to his uncle John Brown. Book 122 No 468 refers.

⁷²⁴ Book 79 No 502 per Helen Dickenson, NSW Land Records



The event was marginally less than six years after his father's death. At the time Alfred was only 14 years old and his occupation given as 'Domestic Servant'. His father is said to be 'David Brown' a 'Publican' and mother 'unknown'.

Alfred was buried at the Church of England, Jerry's Plains. The minister on the occasion is William Dove. One of the witnesses to the burial was a John Smith. Of note however, rather significantly, is the other witness, George Brown,⁷²⁶ Alfred's half brother.

The informant was the surgeon who had attended Alfred, A. W. Thornton, of Muswellbrook. Dr Thornton was obviously not particularly well informed himself nor well advised about Alfred's family circumstances.

On 4 May 1864, Eliza D'Arcy sold two parcels of land at Jerry's Plains to George Brown, landholder at Jerry's Plains, for £100. This was the land adjoining the 'Horse and Jockey Inn. Bounded on the north by the Government Road, on the south by Charles Rybott's grant but excluding the land given by David Brown for a Church and Burial Ground.

The deed acknowledged that this property had been bequeathed to Alfred, should he have reached the age of 21 years; and as he had no surviving issue, it was bequeathed to Eliza Brown now D'Arcy.

The deed for the sale went on to say among other things that Eliza married Daniel D'Arcy but has since separated and the residence of Daniel D'Arcy cannot be ascertained.⁷²⁷

George would have to have been aware that there was still Robert Brown left as a claimant for a share of his father's estate.

24 February 1865 Eliza D'Arcy formerly Brown of Jerry's Plains sold land at Jerry's Plains on the Hunter River to George Brown, landholder of Jerry's Plains, for £50. The deed for the sale went on to say, among other things that:

- Eliza married Daniel D'Arcy but has since separated and the residence of Daniel D'Arcy cannot be ascertained;
- land was fenced with a cottage occupied by Henry Margetts, Constable, and was bounded by Mrs Hobden's land and the Hunter River;
- David Brown bequeathed to his son, Alfred. Should he decease before the age of 21 years and have no surviving issue, then to his wife, Eliza Brown now D'Arcy;
- In the event of Eliza's decease, the land was to go to David Brown's grandsons, Thomas Edward Brown and John James Brown.⁷²⁸

The deed appears to be a sale and lease. Eliza is handing over to George Brown the care and use of the land to be inherited by his nephews: Thomas Edward and John Edward; and the obligation to implement the wishes of his father as expressed in will concerning their inheritance when it came due.

Eliza had progressively disposed of the entitlement of each boy, in accordance with David's Will, as the opportunity presented itself. Her sale of land on 24 February 1865 to George, was her final, and conveys a sense of continuing awareness and concern for the remaining children's entitlements. For Thomas Edward and John James their inheritance still depends on George being acquainted with news of Eliza's death, and George acting on it.

⁷²⁵ First Village of Jerry's Plains, by Peter Ellis, Hunter Valley News, 30 September 1992 – refers to George Bowman's properties Archerfield and Arrowfield.

⁷²⁶ NSW Death Registration No 04903 refers.

⁷²⁷ Book 88 No 797 per Helen Dickenson, NSW Land Records

⁷²⁸ Book 94 No 673 per Helen Dickenson, NSW Land Records



After the sale of 24 February 1865, Eliza disappears At least as far as available documentation is concerned. So far, no evidence of her death has come to light. There is a possibility that she had accumulate some savings from her various sales and that she departed to one of the other colonies or sailed back to England?

Difficult Survival

The sole survivor of David's second family, Robert, was seven years old when David passed away. Who actually took care of Robert in the succeeding years is unknown. It seems probable that he like his brother, Henry, was made 'Cottagers infant ward' of the courthouse',

On 10 Jul 1872, Robert then described as being 'of Marthagi Creek, Stockman', sold the 50 acres he had inherited to his brother, John BROWN of Eilerslie, Jerry's Plains, Grazier for £100.⁷²⁹ Robert was then 22 years of age.

Robert was about 37 years old when he married Alice Carroll (c1872 -) in 1887 at Cunnamulla, Queensland.

Robert had 6 Children by his marriage with Alice:

- | | | | |
|------|--|-----|---|
| i. | Alice Maud (1888 – 1906) ⁷³⁰ | iv. | Robert Bruce (2 Dec 1895 ⁷³³ - 4 Aug 1981) |
| ii. | William Wallace (1890 - 1895) ⁷³¹ | v. | John Andrew (1898 ⁷³⁴ - 13 Jun 1918) |
| iii. | Catherine Lilly May (1893 - 1905) ⁷³² | vi. | Elizabeth Sarah (16 Mar 1901 ⁷³⁵ - 1 Oct 2001 ⁷³⁶) |

Robert and Alice separated when Elizabeth, their last born, was very a young child. Alice is said to have walked out on Robert, taking Elizabeth with her and leaving the two boys with him.⁷³⁷ Presumably, this was not long after the death of their eldest daughter, Alice Maude in 1906?

Given the loss of his three brothers: William, Alfred and Henry, and his mother and father progressively; by the time he was twelve years old; the bulk of his childhood was in the care of others; and the failure of his marriage after 14 years; it seems likely his formative years were not particularly happy and conspired against him in his later life.

Whether other members of the Brown were as hostile to Robert as George seems to have been is another question. However, his brother, John, readily honoured his (Robert's) entitlement of land in keeping with their father's Will.

Robert spent most of his working life employed in jackeroo related occupations.



Alice Brown nee Carroll
c1930⁷³⁸

⁷²⁹ Book 131 No 270 per Helen Dickenson, NSW Land Records

⁷³⁰ QLD Birth Registration 1898/C2584

⁷³¹ QLD Birth Registration 1890/C2855

⁷³² QLD Birth Registration 1893/C2340

⁷³³ QLD Birth Registration 1895/C2554

⁷³⁴ QLD Birth Registration 1898/C2382

⁷³⁵ QLD Birth Registration 1901/C11733

⁷³⁶ QLD Birth Registration 2001/59022

⁷³⁷ Per Les Newton, 3 Mar 2009.

⁷³⁸ Photo per Per Les Newton, 3 Mar 2009.



On 30 May 1920, Robert, at the age of 70 years, was employed as a Boundary Rider at Mobil Springs, Quilpie in Queensland when he met his end. He had been missed from his camp after he had been boundary riding for a week. A search commenced when Robert's horse returned to Mobil Springs without him. A search found a broken fence, some possessions, and finally a body with a head wound. He was buried immediately where his body lay – there were no suspicious circumstances. Cause of death was succinctly described as “fall from horse due to accident.” His age was given as 67 years though he was 70.⁷³⁹

Robert's death certificate shows his son Robert junior, age 24, of Hillsborough Nobby, as informant. Robert junior and his sister Elizabeth age 19 are stated to be the only surviving children, the other four having predeceased their father.

His final years, and life generally as it is recorded above, stands in stark contrast to his siblings descended from Elizabeth McMahon.

Lest We Forget

However, it is through one of Robert's children that we get another image indicative of Australia's heritage. His son, John Andrew Brown, served his country in the First World War. John enlisted in the 25th Battalion Australian Imperial Forces (AIF) at Cunnamulla on 22 Feb 1915. At the time, he was employed at Claverton Station, Cunnamulla, Qld, and gave his occupation as ‘Stockman’. John is described as height 5ft 8 1/2 inches,⁷⁴⁰ weight 160lbs, chest 35 inches, complexion dark, hair black, eyes brown, religion RC, and age 19 years and 5 months. He had a scar on his left cheek, left eyebrow, his right hand, and under his right knee. John's birth was registered in 1898, which meant that he had overstated his age by several years.

It seems his initial enlistment was for the purpose of joining the Light Horse. Apparently, after some brief service he was returned on the HMAT Wilshire on 25 Sep 1915, from some place presently unknown, and hospitalised in Melbourne. On discharge from hospital on 9 Oct 1915 his application was annotated ‘Unallotted Light Horse’⁷⁴¹ ‘fit for duty’ sent to Broadmeadow for Reinf's. John then signed up again, at Broadmeadows, Victoria, on 13 October 1915 with the 23rd Battalion of the AIF.

During October 1915, Henry William Dadswell, of Ararat, Victoria, was also at Broadmeadows commencing his service with the AIF. It is likely that his 18 year old sister, Ethel May (‘Ciss’), visited him in Melbourne while he was base at Broadmeadow. Henry was at Broadmeadows until 1 March 1916 when he sailed for the Middle East aboard the troop transport ‘Ulysses’. It is probable that Ethel Dadswell and John Andrew Brown became acquainted during this time. Whenever it was that they met, John made a lasting favourable impression on Ethel. It is evident through later events that they kept in touch over the next several years.

As a member of the 11th Reinforcements, John departed Melbourne on the RMS Malawa 21 March 1916, for service in Europe. (*He may have arrived Middle East 14 April 1916 for a brief stop over?*).

John served for the most part as a Private soldier No 4533A⁷⁴².

He was taken on strength of the 7th Training Battalion in England on 19 July 1916.

On 24 August 1916, John rejoined his original 25th Battalion in France. The 25th Infantry Battalion was one of the four Battalions that comprised the 7th Brigade, 2nd Division.⁷⁴³

⁷³⁹ QLD Death Registration 2151

⁷⁴⁰ Later documentation states 5'6".

⁷⁴¹ AA B2455 F8

⁷⁴² Several other service numbers appear on his records and have been crossed out.

⁷⁴³ 26, 27, and 28 Battalions also formed part of 7th Brigade, 2nd Division.



While serving in France, John was wounded twice in action: 14 Nov 1916, 'mild' gunshot wound to cheek, and apparently in the same region as the existing scar on his left cheek; and 10 Oct 1917, severe wound to the neck.



Photo per J I Griffiths 21 Sep 2008

His service record is typical of the more he had charges brought against him for being 'Absent Without Leave', and using abusive language to an NCO.

On 10 June 1918, Australians commenced their first action as a Corps. The objective was to capture the German front line defences at Morlancourt and Sailly Laurette. The attack succeeded. All objectives were captured with heavy casualties being inflicted on the enemy. Australian losses were about 400 men.

John was killed in action on 13 June 1918⁷⁴⁴ 'on the Bray-Corbie Road at Morlancourt'. On the morning of the 13th John was stretcher bearer with Pte. S. B. Gray looking for wounded. Apparently colourful images of Australian soldiers serving on the Western Front at that time. Among other things, having done what they could John and Pte Gray 'gave some of the others a hand' who were in the process of 'connecting trenches'. While doing this work they were fired on by a

machine gun. Two bullets into John's heart killed him instantly.⁷⁴⁵ He was finally put to rest in at 247 Beacon Cemetery, Sailly-Laurette.⁷⁴⁶

Correspondence to the Commissioner for Pensions in 1918 by Ethel Dadswell provides an intriguing sequel. Ethel states that she had 'not been notified of his death by the Defence Department' and 'could you kindly give me information as to how he met his death'. The official response indicates that her difficulty lay in the fact that she was not 'next of kin'.⁷⁴⁷

Obviously, Ethel felt that she had a special relationship with John. Unfortunately, she was one of many young women experiencing the sense of loss and grieving over a soldier not returning from the war, and needing to know more.



Ethel May ('Ciss') Dadswell⁷⁴⁸

Inheritance Delayed?

The fate of the children of David Brown (II)'s second marriage stands out in contrast to the fate of their brothers and sisters by his first wife. However, while young Henry's death seemed to be the result of neglect, Alfred's horse riding accident was unfortunately all too frequent among children at that time.

⁷⁴⁴ AA B2455

⁷⁴⁵ Red Cross Wounded and Missing. Enquiry Bureau Files 1914-18 War 1DRL/0248

⁷⁴⁶ Australian War Memorial Roll of Honour refers.

⁷⁴⁷ AA B2455/1 f76-7 refers. Also see 'Dadswell Family History' on the internet re Ethel May ('Ciss') Dadswell 1897-1943.

⁷⁴⁸ Photo Courtesy Harley Dadswell. http://www.dadswell.id.au/history/tree9/ethel_may_dadswell.htm



The death of one trustee the day after the Will's signing was not a promising sign as far as implementing the intent of the Will was concern.

David's grandchildren, the sons, of his eldest son, Thomas, were disadvantaged in more material ways. The eldest, David, age 20, working an adult with his uncles at Millie and alike, hardly had the need of motherly care from Elisa. As it was, he and his brothers, Thomas Edward 12, and John James 9, still had the benefit of their mother, Ann, being alive and very interested in their welfare. One gets the impression that they didn't seem to incur as hash a deal as Harriet's boys appear to have received in terms of love and care.

It has to be remembered that taking on the extra mouths that these children represent to many a rural family represented a substantial cost and responsibility. Very few families were in a strong financial position like the Chisholms, such that they could contemplate financing the education of orphaned relatives.

To what extent did Eliza use income from the property to benefit her charges? Was she negligent in any way in the performance of her Executive duties? In keeping with her entitlement under the will, Liza was permitted to 'cash in' on the deaths of Henry, Alfred and David to her advantage. However, Robert, John James, and Thomas Edward eventually got there inheritance.

There a strong belief within Thomas Edward's family carried on into the second half of the 20th Century that he and his brothers had been cheated of their inheritance. A statement by Mrs 'Bell' Florence Acey Brown, the widow of Wallace John Brown, [John James son, and Thomas Brown's (1817–1848) grandson] refers. In 1981, Bell was adamant that George had 'cheated his brother's children of their inheritance'⁷⁴⁹ Note, not Eliza Lewis. It raises questions about just what it was that George could possibly have done, and whether it was more a perception than reality?



Mrs 'Bell' Florence Acey Brown⁷⁵⁰

A deed of sale of the remaining property to George was signed by Eliza on the 24 February 1865. It included the remaining portion of land promised to Alfred in David's last will and testament, and the portions promised to John James and Thomas Edward.

The initiative for preparation of the deed seems to have emanated from George.

The deed says that the property was being 'released' for the use of the George 'and his heirs and assigns for ever! It does mention the word 'lease'.

In this regard, the deed declares Eliza 'hath in herself good right and full powers hereby to convey and assure the said hereditaments and premises free from encumbrances. This statement seems to ignore the entitlement of George's nephews to the property as provided for under his father's Will and which is acknowledged elsewhere in the deed - That John James and Thomas Edward were to inherit the land in the event of Eliza's death!

The deed provides for Eliza to stay on the property and enjoy the facilities (apparently at no cost). However, anyone who wants to enjoy the same had to negotiate with George and his heirs for the privilege.

Eliza received £50 for her concurrence with the transaction.

After signing, John O'Heard stated as Commissioner for Affidavits at Muswellbrook that Eliza acknowledged (to him) that the deed 'was executed by her and that she was acquainted with and understood the nature and effect thereof and she declared she had executed the same freely and voluntarily without menace, force or coercion either on the part of her husband or any other person'.

⁷⁴⁹ Elizabeth Baxter letter to B & B Griffiths, P.O. Jerry's Plains, letter of 21 January 1981

⁷⁵⁰ Photo from the article in the Singleton Argus 4 December 1981 in Florence Brown celebrating her 90th birthday



The land that his nephews were liable to inherit was small in relation to the land that George had managed to acquire as part of a steady acquisition program. Young John and Thomas's land was also enveloped by George's holdings, and was now for the moment integrated with them.

To what extent, if at all, the nephews were to be in fact materially disadvantaged by this transaction, is another matter! The deed contains several errors of fact concerning the boundaries of the land promised to both Thomas Edward Brown and John James Brown; and also the name of David Brown's wife being said on several occasions to be 'Ellen' instead of the intended 'Eliza'. These technicalities posed a problem for George in the short term, should he have sought to uphold his deed in court. The person drafting the deed seems to have been more a friend to Eliza and David's grandsons. George didn't seem to be getting what he was paying for!

On top of that, from this transaction he became the subject of a long lasting dissatisfaction on the part of the nephews that evolved into unflattering family legend. Land transactions tend to be the subject of considerable interest and discussion in small rural communities. Any controversy associated with a sale can only fuel the interest and discussion. The question here is, 'how long did it take to be a topic of interest at the Horse and Jockey Inn for which George held the licence'?

Five years later, George sold his Jerry's Plains property acquisitions to his brother, John, of Ellerslie, Jerry's Plains in July 1870. John, six months later, purchased the land entitlements under his father's will, of his two nephews.

The deed of sale of land from John Edward to his uncle John acknowledges his entitlement to inheritance of the land under the Will in the event of Eliza dying without and heirs. But it makes no mention of the fact of Eliza's death. The transaction is conducted as if they didn't expect Eliza to be an impediment?

The net result of the George and John's negotiation concerning their nephew's inheritance appears to be a realistic approach to the situation that faced them. George's transaction with Eliza seems to have given him ownership up to the time of her death. John's arrangement with his nephews takes up where George leaves off. It allowed him to assume ownership on Eliza's demise. However, George stood to gain permanent ownership if his nephews predeceased Eliza without heirs! It is highly probable that George thought he could forget or ignore his nephews and step brother's entitlement in the of Eliza's death and that they would never hear about it or be in a position to do much challenge him.

John James was 26 years old and Thomas Edward nearly 29 years old when they received their entitlement as cash, John £38 and Thomas £45. Theoretically, both men had to have become acquainted with news of Eliza's death to enable them claim their inheritance let alone sell it. Whatever happened to Eliza, it is apparent that the two nephews were not greatly disadvantaged by their Uncle George, if at all!

It was another two years before John of Ellerslie was able to come to a similar arrangement with his, not so contactable brother, Robert.

And so, the execution of the intentions of David's Will had been seen to be fulfilled.



Chapter 23 – Catherine and Family

(1838 - 1857)

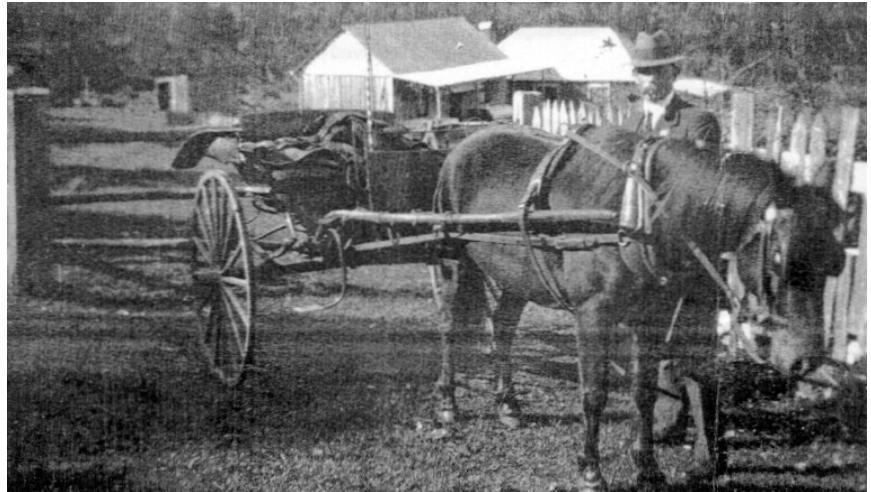
The contact between the Humphries' Watson's Bay and Brisbane Water elements of their family remained direct and strong, thanks to their having convenient access to water transport. A second generation of native born Humphries was growing up less aware of the Brown connection and more interested in events at 'the Bay' and Brisbane Water.

A meeting was held at Brisbane Water, chaired by Rev. John McEnroe on 4 July 1838. Its purpose was to take steps to erect a church for members of the Roman Catholic faith. It was to be the first Catholic Church in the Brisbane Water district. In response, Catherine's son, Thomas, gave 3 acres of the original Mount Humphreys grant to the Church. Thomas was appointed Trustee for the building of the Church. Thomas is known to have taken a deep personal interest in the 'Holy Cross' church. When it was finally constructed, he was one of the first pew holders, and also gave money and labour to help with the building of the Holy Cross Church on the land.⁷⁵¹

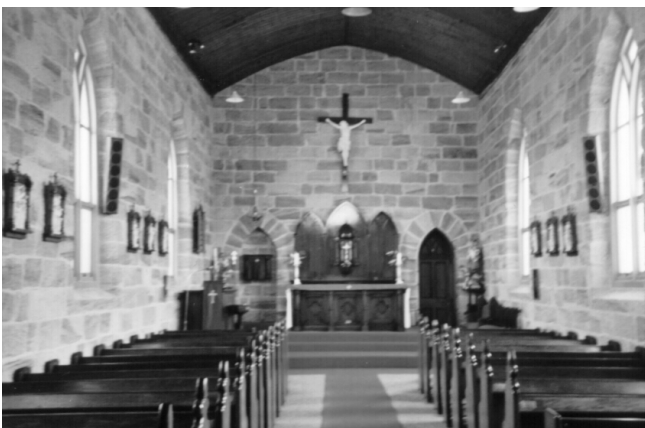
Brisbane Water in those days was rich in cedar. Thomas homestead was constructed almost entirely from cedar. Thomas also supplied the cedar for, and if not made, would have taken a keen interest in the making of the furnishings for the Holy Cross Church.

Thomas bought the South Kincumber property from his father not long after the title was confirmed in 1841.

The 1841 Census shows only eight people living at Watson's Bay.



The homestead Thomas Humphries built at South Kincumber is the background for this photo of his grandson, Thomas (son of Francis), tending to his horse and buggy. c1900.⁷⁵²



Inside view of 'Holy Cross'

During the year of 1842, Catherine's youngest son, David, at the age of 27, married Jane Mary Daley at St Matthew's, Catholic Church at Windsor.⁷⁵³

Thomas Humphries was one the Councillors appointed to the "District Council of Brisbane Water" when it was constituted in 1843. He prospered and progressively acquired other properties in the region.

⁷⁵¹Pioneer Families Brisbane Waters. Charles Humphreys.

⁷⁵² The Shipbuilders of Brisbane Waters

⁷⁵³ BDM V 1842 1642 92 0.



Catherine was widowed for the second time when Patrick, known as ‘Patt’, died on 26 August 1846.⁷⁵⁴ He was buried on 28 August 1846 at Kincumber/ Brisbane Waters, Parish of East Gosford.

The parish record states: Patrick’s age as ‘92’, though his baptism date suggests he was closer to 81 years old. The name of the ship he came on “could not be ascertained”, he was a “Farmer” by profession, and his abode was “The Heads” near Sydney, i.e. Watson’s Bay.

Catherine had four sons and two daughters by Patrick:

- | | | | |
|------|-----------------------|-----|---------------------|
| i. | Michael, 1803-1860; | iv. | George, 1810-1863; |
| ii. | Thomas, 1805-1881; | v. | Ann, 1812-1890; and |
| iii. | Catherine, 1807-1838; | vi. | David 1815-1885. |

In the 1840s the present Signals Station sandstone tower was part built (Mortimer Lewis, architect) and not completed until the 1890s. The Station remained a government instrumentality until March 1992.

Also during the 1840s, there was a school in operation for the children of the sparsely populated settlement of Watson’s Bay. Hannibal Macarthur, nephew to John Macarthur, was known to have had a ‘very well built cottage with out buildings’ that included a coach house. Late in the 1840s, ‘a visiting clergymen, conducted divine service in the schoolhouse every fortnight.’ In 1847, John Macarthur’s widow, Elizabeth, took her holidays there. She and her party travelled to Hannibal’s house in a hired steamer, from Parramatta as the most practical way of doing so. Elizabeth recalled in later years that she and her sons were the first persons to ascend the New South Head Road in a carriage. They had to alight and travel on foot in deep sand for a mile or more because that part of the road had not been metalled. The “old South Head Road is neglected since the new road was finished, and a number of habitations have arisen where beautiful flowering shrubs formerly were in great profusion.”⁷⁵⁵



A view of Sydney Harbour, to the West from Watson’s Bay. Sketch by FC Terry 1853. Wicklow, the Humphries home, at centre foreground, almost obscured by a large tree. Vaucluse Point can be seen jutting into the harbour view directly beyond.

⁷⁵⁴ Date on Tombstone.

⁷⁵⁵ Philip Geeves” Sydney. P130.



South Head Roads Trust was set up by an Act of the colonial government of the day in May, 1848 controlling Old South Head Road, New South Head Road and Point Piper Road (now Jersey Road/Ocean Street) totalling 15 miles (24 km.). Turnpike gates were set up to extract tolls from users. However, the maintenance of these roads remained very poor and after many deputations, the Trust was disbanded in 1904.⁷⁵⁶

In June of 1848, Catherine's first grandchild, Thomas, died; and was buried at Jerry's Plains.

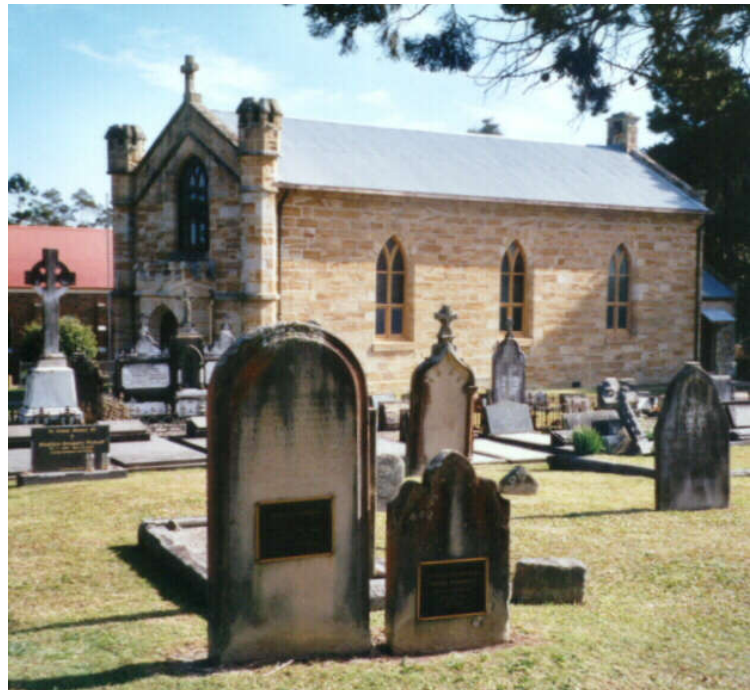
Contact between the Brisbane Water and Watson's Bay branches of the Humphries families was maintained during the remainder of that century. Thomas' daughter, Theresa, recalled frequent visits to her grandmother during the late 1840s and 1850s.

In 1854, Watson's Bay became markedly less remote from Sydney. South Head Road was extended from the Signal Station to Watson's Bay by the present route to replace the rough track down the hillside formed in 1811 by soldiers of the 73rd Regiment.

Having lived most of her life in the colony at the peaceful but isolated settlement of Watson's Bay, Catherine died there on Wednesday, 30 April 1857. Her remains were taken to South Kincumber for internment.⁷⁵⁷

For the last ten years of her life, Catherine had been blind. She is said to have endured this with great fortitude and said 'patiently and cheerfully' of her situation that she was "waiting for the light." An obituary of the time said of Catherine: "an unkind word or reminiscence never was used by the dear lady's gentle cooing voice – the voice particularly belonging to the blind, which perhaps makes them so tenderly regarded."

Restored historic 'Holy Cross' Church, South Kincumber, where Catherine and many of her family are buried. Thomas and his father, Patrick's graves are in foreground side by side. It is likely that Catherine is buried to the right of Patrick.



⁷⁵⁶ Woolahara Council Website.

⁷⁵⁷ The Shipbuilders of Brisbane Water, p53



An Uncertain Age

Catherine's age on the death certificate is stated to be "101". She was buried at the same cemetery as her second husband Patrick, at Brisbane Waters on 4 May 1857. The undertaker was her son, Michael, and her other son, Thomas, was one of the witnesses. No doubt, Michael's trade as boat-builder had put him in good stead for making coffins. In fact, coffin making can often be found in advertisements of the early 19th century as a service provided by carpenters.

Catherine's stated age on the death certificate of "101" – was a much rarer event then, than it is these days. If true, it means that she would have been born in 1756, and therefore 43 years old at the birth of her second child, Elizabeth; 46 years old when Patrick married her; and not quite 60 years old at the birth of her youngest son, David. It is worthwhile remembering this in the light of her having grown up in the grinding poverty of Ireland. A situation not conducive to good health, or longevity - Where forty would have been old.



Watson's Bay, Port Jackson NSW viewed north to South Head, c1856-64, Watercolour, Dixon Galleries. Painted by Samuel Thomas Gill (1818-1880). The Humphrey's house would have been lower right hand side, just out of sight of this view.

The age Catherine gave for the 1828 census was '40' years, which would put her at twelve years old when she arrived in the colony in 1800, clearly a very unlikely situation. Much more believable if she had stated '50'. Humphries legend as recorded by Jack Woodward says that Catherine was in early twenties when she was widowed in 1801. This suggests her year of birth as c1778.

It was not an unusual practice during the 19th century for people to be flexible with their age. Catherine was one of many who did so. Her son-in-law, David Brown jnr, is another notable example.

Catherine had impressed those about her (e.g. her family) in her latter years, that she had achieved a very rare milestone - some 20 years older than she really was. Story telling encompassing the family history was an Irish tradition that was very much part of the Humphries culture. It is unlikely that Mooneys or McMahons were any different. Facts of a given event would have been less important than the telling of a good story. It is worth considering this in the light of information given by Catherine and Patrick and in the 1806 and 1811 census.⁷⁵⁸

⁷⁵⁸ Catherine Humphries' death certificate NSW reg No 1957- 01757 shows her first husband's name as Francis McMahon instead of Terence McMahon. Their eldest child's name was Frank (Francis). This has led to some confusion.



Chapter 24 - Connections and Obligations

(1835 – 1888)

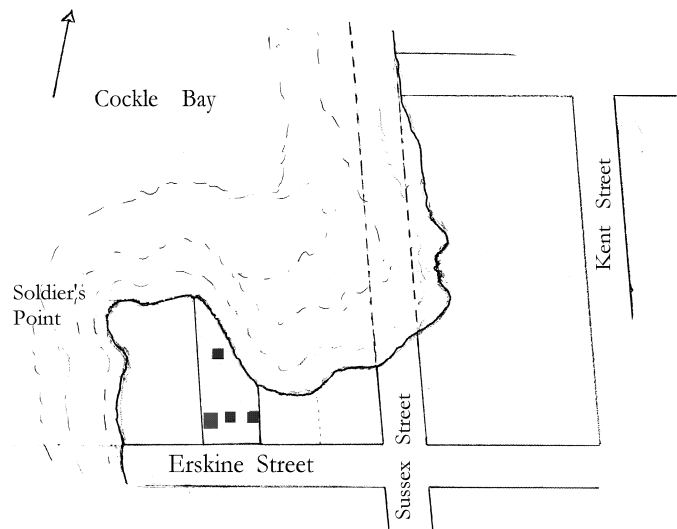
David Brown junior, and wife, brought their baby son, Alexander, from Jerry's Plains to Sydney to be baptised on 4 March 1835 as a Presbyterian, at Scots Church, in Elizabeth St.⁷⁵⁹ This event appears to have been intended to provide an opportunity for the members of the Brown family in the Sydney region come together. It is an occasion that one would expect the attendance of the David snr. With the old man there, it is likely that Chisholm branch of the family was there - James and Jas with their respective spouses and children.

When Thomas Brown of Erskine Street died in May of 1836 he left a widow and three young daughters: Sarah, Amelia, and Roasanne, in some uncertainty as to their financial security. Thomas had ensured the preservation of the Erskine Street property through the good offices of Rev J Therry, however this hadn't been enough.

Thomas' father, David senior, would have been occupying one of the four dwellings then known to be on the Erskine Street property, separate from Thomas's widow, and children.

David would seem to have been in Sydney soon after if not before his son's death. It is unlikely that he was not actively attempting to provide in some way for his son's family.

It is probable that it was David who acquainted James Chisholm (living close by in George Street) of their distress. The comment in the burial register for David, only five months later, that he was 'father in-law to James Chisholm' testifies a great awareness of that relationship.



Derived from the 1836 Map of Sydney which indicates 4 buildings on the Brown property, and much of Sussex Street still planned for construction.

With Thomas' death, his brother-in-law, James Chisholm, and his son, took a close interest in the welfare of Thomas' widow and surviving children. James, it seems, was maintaining contact with the Brown family at Jerry's Plains and keeping them informed of events. Thomas' family was fortunate to have had the Chisholm family take an interest in their welfare.

Jas's considerable opportunities over the years to get close to his grandfather are likely to have been cause for him to have suffered a great sense of loss. There was a triple sense of duty coming into play concerning Thomas' wife and children – Duty to his cousin, his father and grandfather – on top of being a generally fair minded person.

The Chisholm family, and Jas in particular, was responsible for the financing of the girls' education that their father had been so concerned about in his letter to Governor Darling in 1831. While the arrangement

⁷⁵⁹ BDM Reference V1834 2898 45B 0. NSWRS Reel 5016, V1834 76 47 0. NSWRS Reel 5017 (NLA mfm 229)



for the day-to-day care of the children is likely to have also been of concern to the Chisholms, their involvement was constrained by distance.

Jas and Elizabeth, with their large family, moved to their new house at "Kippilaw" early in 1837. They were to return to "Gledswood" many times during the winters of later years to escape the icy winds of Goulburn.⁷⁶⁰ It was from Kippilaw that Jas began to extend his land holdings over the second Breadalbane Plain and then on to the Third Breadalbane Plain and beyond. This was accomplished by a series of land grants from the government, by auction, and to a lesser extent, purchases from smaller settlers.

Care of Thomas' Family

With the death of his father in March of 1837, it then fell to Jas and family then to come to the aid of his cousin's widow and her children. That is in addition to the considerable efforts of Father Therry, and the generosity of his father having gone mortgagee for Thomas Brown's Erskine Street property in 1832.

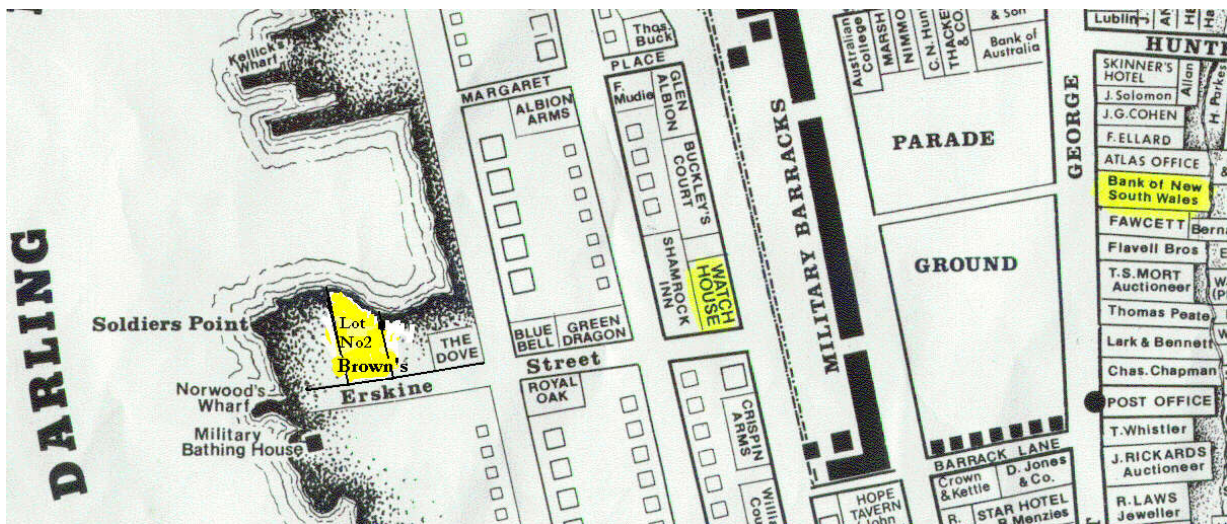
On Wednesday, 29 November 1837 the NSW Government Gazette, under 'COURT OF CLAIMS' announced the following:

'Notice is hereby given, that the following **CLAIMS** for **DEEDS** of **GRANT** of land and Town Allotments will be ready for examination by the Commissioners appointed for that purpose, at the expiration of two months from this date, before which date any Caveat or Counter-claim must be entered at this Office, Due notice will be given of the day appointed for the hearings.

Case No. 109 – Rev. J. J. Therry and John O' Sullivan, in trust for MARY ANN BROWN, Widow.⁷⁶¹

Fifty-two perches, '

One must wonder at the cost and effort that this notice implied. However, any anxiety about the outcome of the claim was alleviated on 28 February 1838, when the Court of Claims awarded that the Erskine Street property be transferred to Father Therry and a Mr. John C. Sullivan to be held 'in trust' for Thomas' wife for her life and then to his children.⁷⁶²



Layout of Sydney c1844 – 1848. The Brown property in Erskine Street, west of 'The Dove' and backing onto Darling Harbour. The Bank of NSW in George Street was still on lease from the Chisholm family.

⁷⁶⁰ History of Gledswood – A House Alive Today, by Josie Ashley-Riddle, February 1987.

⁷⁶¹ P.894.

⁷⁶² NSW Government Gazette No. 306 of Wednesday, November 1836. Deeds were transferred 7 April 1838.



Mary Ann died three years after her husband, in 1839, being about 41 years of age. A burial service for her was conducted at St Mary's Cathedral.⁷⁶³

Thomas and Mary's surviving children were now orphaned. Sarah was 13, Amelia 10, and Roseanne 9 years old. All the boys (at least three) were deceased - The circumstances of their deaths are unknown.

Sarah is said to have been fostered by a Roman Catholic family, and the other two girls taken in by Protestant families. This is typical of the time and seems more likely than the claim that they 'continued to live comfortably at Erskine Street.' Whatever, the arrangements for the foster care of the three girls, it is certain that Jas arranged for their education.⁷⁶⁴ It is likely also, that his wife, Elizabeth, was of considerable help in dealing with his female relatives.

Family lore says that James Brown, their uncle, long thought to be dead, and his wife took a great interest in the welfare of the girls, and often visited them. It is said that they were quite elderly. If James Brown had had returned he would have been close to 60 years of age. However, James resurrection is unlikely. More probable is that this legend has confused the recollection of a long dead uncle with the interest and care known to have been given by James Chisholm senior, and his son.

Division of St Andrews

On James Chisholm's death, the St Andrews property was apportioned to his three eldest sons. Jas inherited the 'Gledswood' homestead and 1,150 acres on which it stood. 'Gledswood' came to represent the name for that portion of the original St Andrews property. The remaining portion of St Andrews, now comprising 3,300 acres was divided among his stepbrothers.

On the now smaller 'Gledswood' property James planted grapevines that over the years produced fine wines, it being on the Winamatta shale belt. On occasions, he was loaned six vinedressers from a friend and neighbour, James Macarthur of Camden Park. James Macarthur had gained government permission to bring these vinedressers from the Rhine Valley, Germany in 1839. In 1847, James imported two vinedressers of his own.

Elizabeth and Jas Chisholm had nine sons. As their children grew up with the children of his tenants, Jas built a school on the Kippilaw property and engaged a tutor for them.

Elizabeth spun her own wool and made knitted socks and garments for her large family. During the shearing season she was extra busy, supervising the meals for the many shearers employed. Elizabeth tended her gardens with loving care, both at 'Gledswood' and 'Kippilaw'.

The severe drought that began in 1838 and afflicted the colony for several years caused the Nepean River to cease flowing. The Wollondilly River that traverses the Goulburn region did not flow for many years. Lake George became a dry plain where cattle and sheep wended their way to market. By 1841, water was so scarce, Elizabeth wrote in her diary "*A cup of water was so precious*". The well in the courtyard at 'Gledswood' had dried up. The household carried water in wooden buckets from the waterholes along the creek. Washing was reduced to a minimum. All kitchen water and washing water was saved for the vegetable and flower gardens.

During the drought, flour of inferior quality rose to the exorbitant price of 100 pounds per ton. Elizabeth was forced to make bread from potatoes and hops.

When the drought broke that year, the Chisholms were in residence at 'Gledswood'. Their children and those of James' tenants danced for joy in the rain. Jas took a few bottles of wine from his extensive cellar, mustered the men together and they drank in the convict-built coach house. He was a man among men,

⁷⁶³ BDM Reg No V1839 184 132 0 & V1839 164 0 St Mary's

⁷⁶⁴ Rossanne's granddaughter's recollections appear to be a confusion of a number different situations and people: 'She had lived in Erskine Street Sydney with two sisters after the death of their friends Mr and Mrs James Brown who had considerable means and interest in Jerry's Plains.' Country Memoirs, 'The History of a Homestead' by Marjory Ross Smith. Chapter 1. This paragraph attempts to interpret that recollection against the facts as known.



stern but fair, honest and true and he had no time for laziness. He appreciated a man's good efforts of labour and he was very well thought of at both Camden and Goulburn.

In 1841, livestock was in great demand in the Adelaide colony and Jas Chisholm undertook to fit out an expedition to send four thousand sheep from his two properties 'Gledswood' and 'Kippilaw'. Mr. Dashwood in the Adelaide colony agreed to purchase on delivery. Such a pioneering journey in those days was an especially challenging prospect, for much of the country had only recently been explored by Sir Thomas Mitchell. The natives were known to be both hostile and treacherous.



'Kippilaw' homestead built at Goulburn by Jas Chisholm⁶⁵

All went well with the expedition to Adelaide until it reached the banks of the Murray River, where it was attacked by large groups of Aborigines.

After a desperate fight in which a few white men were seriously injured, the whole of the stock and equipment fell into the hands of the natives. They drove the flocks of sheep into the most inaccessible part of the country, where they slaughtered a number of them. When news reached Melbourne, a relief party was dispatched and a few natives were shot, but not a single trace of the stock and equipment was ever recovered.

Jas and Elizabeth and their family had many happy times during the winters they spent at "Gledswood". Jas and his gardeners laid the foundations of the extensive old-world gardens comprising five acres gracing the homestead. They had their own butcher shop, the meat being stored in wire cages of fine mesh and the hooks for hanging the carcasses can still be seen in the ceiling today. They had a great orchard and house cows that provided them with milk and cream from which they made their butter and cheese. 'Gledswood' at this time was one of the finest rural properties of Camden District.⁷⁶⁶

Licence No 214 issued on 24 August 1844 to Jas Chisholm to depasture on Crowns Lands at 'Neave' in the district of Lachlan from 1 July 1844 to 30 June 1845.

'Jas Chisholm had a great market in England for his fine wool, where it brought the highest price on the market. He had a good industry. Bales of fine wool were stacked on horse drawn drays and sent to Sydney from "Gledswood" and "Kippilaw" from where it was shipped to England. The yearly wool-clip had made him a very wealthy man.'

Arrival of the Duracks

In 1849, Darby Durack and family, arrived in Goulburn from Ireland. They were but a part of a large group that had endured the long, rough, coach ride from Sydney. 'So keen was the competition for labour at this time that a crowd had gathered at the immigration reception depot' for the arrival of coaches bringing immigrants. "Squatters, for the most part, big bearded men in broad-rimmed cabbage tree hats and moleskin trousers, smoking heavy pipes, flicking at the flies with the crops of their stock whips, appraised the newcomers descending stiffly from the muddy carriages. The man who at once drew Darby and his wife aside was Jas, was hardly typical of this image of 'squattocracy'." The Duracks fondly remembered Jas at that time as 'tall, spare and clean shaven except for side-whiskers, and of a quiet, considerate manner' who provided them with comfortable employment on his property 'Kippilaw'.

⁷⁶⁵ An article in The Australian Financial Review of 5 November 2012, p44, was headed '\$2m price cut on 1832 residence'. The 'vendors had substantially updated the interiors since paying \$2.6 million for it in 1997.' 'The property is on a working farm of more than 161 hectares.' 'The property has 6 bedrooms, bathrooms, a wine cellar, library, tennis court and pool. Other structures include an original stone coach house and stables and a machinery shed.' 'There is also the Kippilaw school house, which has been converted to a two-bedroom apartment.'

⁷⁶⁶ History of Gledswood – A House Alive Today, by Josie Ashley-Riddle, February 1987



The Durack's were to become known for their heroic cattle drive to Australia's northwest, and as pioneers of the Kimberleys. They were to learn much about the stock management in Australia, from their time at 'Kippilaw'.⁷⁶⁷

By then the 'Kippilaw' "homestead enclosure, its lawns and gardens stretching to the river banks, was like a little village with two storey 'Government House' of white stone, its four wings surrounding a courtyard, convict built with shingled roof, gables, long shuttered windows and creeper shaded verandahs. Other buildings included a small stone church, stables, a store, butchery, and blacksmith's 'shop' and a long barracks that had housed assigned servants of earlier years and now accommodated free labourers. Married couples and their families occupied smaller stone buildings, each with kitchen-living-room below and loft above, equipped with straw palliasses for sleeping."⁷⁶⁸

Thomas Brown's Daughters

The education of Amelia and Roseanne Brown, gained courtesy of the Chisholms, put them in good stead. About 1850, they were recruited to the employ of Mrs. Henrietta Bloxsome of Ranger's Valley,



Henrietta Bloxsome⁷⁶⁹

Glen Innes, New England to be in her employ as governesses. While there, Amelia and Rosanne met their respective husbands.

Amelia married John McMaster Jnr. (1823-1907) on 12 May 1851 at St Andrews Presbyterian church, Maitland.⁷⁷⁰ Colin Ross was witness to the marriage.

John McMaster had been appointed manager of "Rangers Valley" station by Oswald Bloxsome in the Glen Innes region that same year. Under John's management, between 1851 and 1871, Bloxsome's holdings expanded. to encompass "Dundee", Yarrowford" and "Whitmore" stations, an area of 215,000 acres. In 1871, John left Bloxsome's employment and moved to his own property, 'Glendon'.

Amelia died in 1877.⁷⁷¹ Amelia's year of death coincided with the birth of Constance Ida and John's leaving Bloxsome's and moving to his own property, Glendon.

John was again approached by Oswald Bloxsome Snr and asked to return to 'Rangers Valley' in 1879. He went on to manage all of Bloxsome's stations which now included a number of Western properties, until 1885, when he purchased 'Croppa' station in the Warialda district.

In 1882, John McMaster had established the 'Wyreema' Kelpie Stud at Warialda. This famous sheep dog stud is still operating and in the hands of the McMaster family, but at Narrandera, NSW.

Amelia and John are said to have had ten children, two of whom died in infancy.⁷⁷² Children identified on the Births Register as being born to Amelia and John McMaster⁷⁷³ are:

- | | | | |
|------|-------------------|-----|-----------------------|
| i. | Amelia, 1855 - ; | iv. | Female, 1865 - ; |
| ii. | Rosanne, 1856 - ; | v. | Robert N A, 1866- ; |
| iii. | Eva 1863 - ; | vi. | Constance Ida, 1871 ; |



John McMaster in latter years⁷⁷⁴

⁷⁶⁷ Kings in Grass Castles, Chapter 3, The Golden Years'.

⁷⁶⁸ Kings in Grass Castles, Chapter 3, The Golden Years'.

⁷⁶⁹ Photo *per NLA*

⁷⁷⁰ NSW BDM 1851191 80 'Amelia Frances Brown' & 'John McMaster'

⁷⁷¹ BDM 1877 Ref No 9367

⁷⁷² Photo per Wyreema Kelpie Stud web page <http://www.kelpieswyreema.com.au/the%20early%20years.html>

⁷⁷³ There are another five children registered 1863-8 at Wellingrove to 'Amanda' and John McMaster. Their children are Donald b1859; Oswald 1861; Hugh 1863; Alice H 1866; and Lucy 1868.



Rosanne met and married Colin Ross (1822-1882) at the home of his sister, Mrs. Fletcher, Glen Innes, in 1851. She moved with her husband to what was then known as 'Byron Plains, New England' in August of 1853 and established a store there.

In that same year Colin request that a town be surveyed. In 1858, this was done and in the following years the plan was approved and the first land sale was held. Colin Ross is described as the 'founder of Inverell' and as having 'sufficient means to start many industries and the good sound knowledge to regiment the working of such businesses'; and that his influence guided the town of Inverell for thirty-odd years.⁷⁷⁵

Rosanne is said to have been appointed 'vaccinator for the Glen Innes District' when there was a smallpox scare.⁷⁷⁶



Rosanne⁷⁷⁷

By 1992 the widowed Rosanne was living at 'a large house, Edgecliffe, with a wide garden which swept down to rugged cliffs above the McIntyre River.' About that time she purchased "Argyle" a 2500 acre property, adjoining her daughter's property 'Woodstock'. Which she rented out to her son-in-law to managed both properties jointly.

In her latter years, when visiting her family at Woodstock, as 'Granny Ross', Rosanne insisted on visiting her Argyle property nearby. She was offered the safety of a buggy ride for the journey, which she dismissed with 'I would prefer to go on horseback'. 'In this way I will get a clear picture of my land. You must remember I am accustomed to riding horseback. I rode many miles over trackless land when I was just married - and I always carried my baby on my lap.'⁷⁷⁸ Rosanne intriguingly 'used to talk of paddling on the beach at Circular Quay.'⁷⁷⁹

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As 'Granny Ross' she was remembered as a quite a disciplinarian, 'very stern, though kind'. "She was a strict Presbyterian too. "No riding on Sundays, none, at all" was her order, and we had to obey."⁷⁸²

Rosanne passed away on 9 April 1916.

Rosanne and Colin's children were:

- | | | | | | |
|------|----------------------------------|-----|----------------------|-------|-------------------------|
| i. | Amelia, 1852 - ; | iv. | Catherine R, 1860- ; | vii. | Byron, 1865- ; |
| ii. | Sarah , 1855 - ; | v. | Rose M, 1862 ; | viii. | Herbert E, 1868 - ; and |
| iii. | Chisholm 1857 - ; ⁷⁸³ | vi. | Colin J, 1863 - ; | ix. | Lillian May, 1870 - ;. |

⁷⁷⁴ Wyreema Kelpie Stud web page <http://www.kelpieswyreema.com.au/the>

⁷⁷⁵ Country Memoirs, The History of a Homestead by Marjory Ross Smith. Chapter 1.

⁷⁷⁶ Notes by Alaster Glennie.

⁷⁷⁷ Image Mrs Colin Ross per Glenn innes Historical Society

⁷⁷⁸ Country Memoirs, The History of a Homestead by Marjory Ross Smith. Chapter IX.

⁷⁷⁹ Notes by Alaster Glennie.

⁷⁸⁰ Country Memoirs, The History of a Homestead by Marjory Ross Smith. Chapter IX.

⁷⁸¹ Notes by Alaster Glennie.

⁷⁸² Country Memoirs, The History of a Homestead by Marjory Ross Smith. Chapter I.

⁷⁸³ Chisholm was said by Miriam Chisholm to have been in appreciation by the Brown girls of their cousin, James, and the Chisholm family in general. Merryll Hope suggests that it was to honour Colin's mother's maiden name.



In September 1855 and March 1856, Sarah Brown, then a woman of some thirty years of age, wrote to her cousin, James Chisholm, expressing gratitude for the assistance his family had been to her and her sisters. Sarah offered him payment for the expenses he incurred on behalf of her sisters and herself while at school. At the time, Sarah was living with Rosanne and her husband, Colin Ross, at Inverell.

Further evidence of this appreciation by the Brown girls of their cousin, James, and the Chisholm family in general, is born out in the naming of Rosanne's son, Chisholm, in 1857.⁷⁸⁴

Indicative of the lot of women at that time, Sarah explained in her letter of 6 March 1856: *I have no prospects, when I had they often turned contrary to my expectations. I have none now, but perhaps sometime I may have*. However, unlike many single women of her day, Sarah had her own income, making marriage less crucial to her existence. The Erskine Street property gave her some element of security and independence. Sarah eventually met a William John Piper and married him in 1876⁷⁸⁵, but had no children – She died on 17 March 1905. The marriage was said to have not been a particularly happy one.



merchant traders, with some professional Erskine Street 1871 looking west to Darling Harbour – Evidently, street of long established tradesmen and people.

The three women were able to eventually benefit from one of the few successful financial decisions that their father had made, i.e. the trust arrangement with Reverend Therry. Sarah explained in her letter to James that the Erskine Street property was leased to an architect for the term of 14 years, 'the rent of which is £210 a year. Mr. Norton, Solicitor, prepared a conveyance of the trust property, from Rev. Mr Therry & Mr O'Sullivan for us. The Deed's executed and he took up the grant so that the title is perfect and it is in the Supreme Court. He also collects the rent for us.'

'My sisters & myself are quite satisfied with this management of the property.'

The Latter Years of James

Jas had political ambitions. 'He was appointed a member of the Legislative Council on 11 June 1854, by Charles Nicholson, the Speaker of the House at Macquarie Street, Sydney, along with his life-long friend, James Macarthur. He thus earned the right to the title, the Honourable James Chisholm.'⁷⁸⁶

In 1857 Jas was made Magistrate of the Territory.

On 13 August 1859 Jas acquired an additional 1253 acres on the Northern side of the Wollondilly River - An area subsequently to become known as 'North Kippilaw'. In the early sixties the entire 'Kippilaw' station is said to comprise in excess of 7000 acres.

Three to four miles farther west of 'Kippilaw' was Jas' 'Merilla' station. It comprised land north and south of the Wollondilly and was managed by Jas' second son, William Alexander. When the property was sold in November 1981 it comprised 6500 acres.⁷⁸⁷

On the Third Breadalbane Plain, and more specifically west of the Parkesbourne-Breadalbane community' lay a further Chisholm holding known as 'Raeburn'. The property was to comprise over 8500 acres during

⁷⁸⁴ Miriam Chisholm Collection, NLA MS 6207.

⁷⁸⁵ BDM 1876 Ref No 632

⁷⁸⁶ History of Gledswood – A House Alive Today, by Josie Ashley-Riddle, February 1987

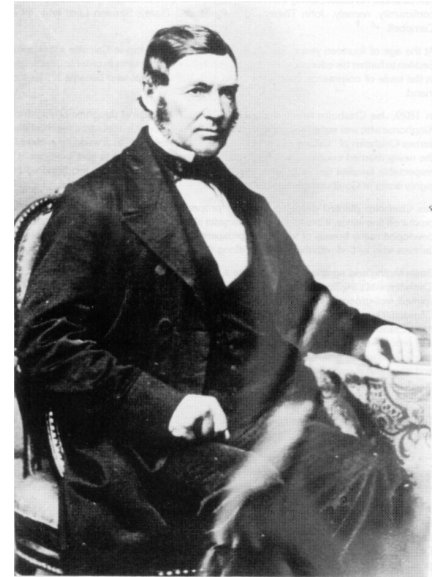
⁷⁸⁷ Henry Parkes Utopia. P31.



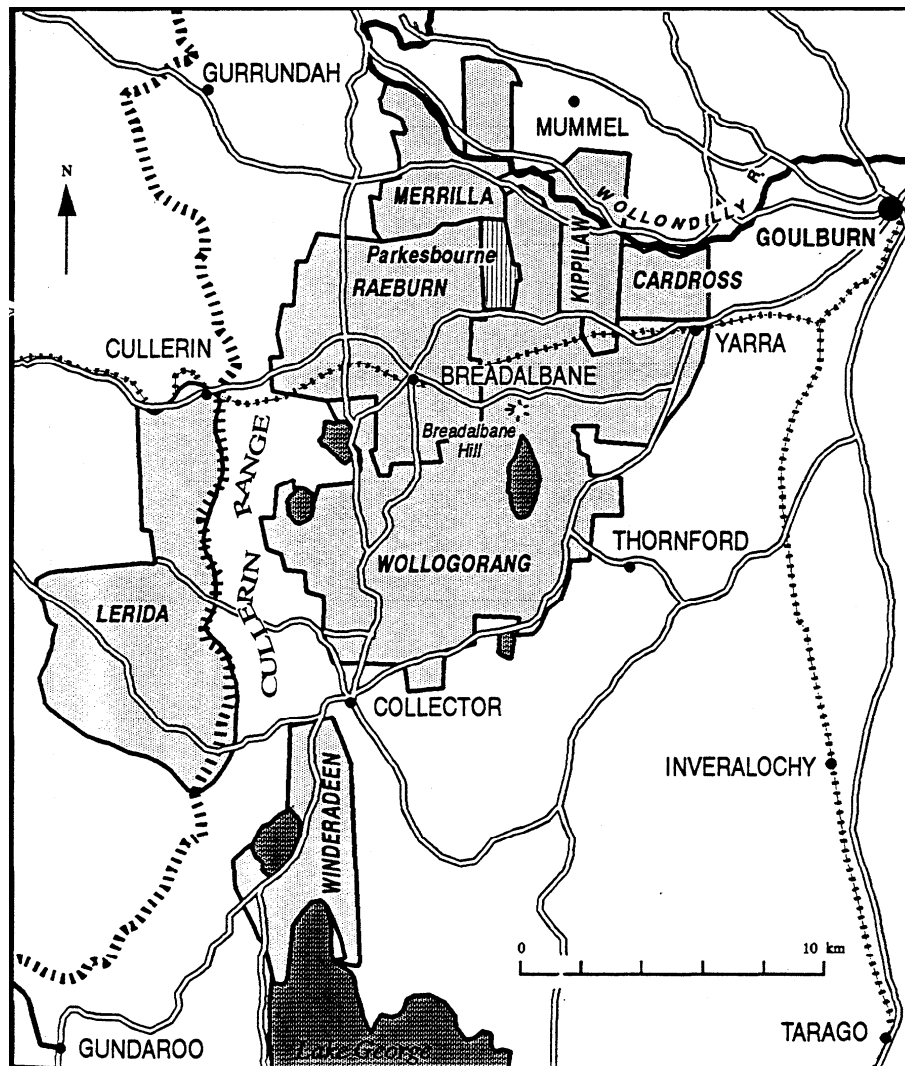
Jas' time. South west of 'Raeburn' was another extensive Chisholm property called 'Lerida'. The headquarters was located on the top of the Cullerin Range. The station property comprised the eastern slopes of the Cullerin Range and extending from the southern outskirts of the town of Collector. 'Lerida' encompassed some 11700 acres.

Beginning in 1859 Jas began to put together a series of properties between West Wyalong and Grenfell aggregating around 60,000 acres known collectively as the 'Bland Property'. At the time it was used to grow sheep, but later became famous for wheat production.

'Mummell' property, two miles to the west of 'Kippilaw' was occupied by Jas' half brother, John William Chisholm. John W acquired the very substantial 'Wollogorang' property from Henry Edenborough in 1854, thus bringing about the Chisholm family encirclement of the Parkesbourne community for many years to come.



James (Jas) Chisholm about the time he was elected to parliament in 1861



Map showing Chisholm properties and Parkesbourne small holdings in their midst c1898.⁷⁸⁸

⁷⁸⁸ Henry Parkes' Utopia



Jas' involvement in the Parliament of the Colony of NSW took on a different character in 1861, when he was elected to the Legislative Assembly as the member for Yass. While in parliament he enjoyed a continuous correspondence with Sir Henry Parkes on the subject of education, a topic of great interest to him all his adult life.

James fulfilled a long-standing desire to visit Britain in 1872. He was unlucky enough to strike an especially bad wet season that had an adverse effect on his health and 'he was not sorry to come back to the warmth of Australia's climate'.⁷⁸⁹

'Elizabeth and Jas celebrated their Golden Wedding Anniversary in 1879. They went by horse and carriage, driven by their coachman, from 'Kippilaw' to Goulburn Railway Station and from there they travelled by train to Sydney for a celebration at their son's home at Mosman. When the train reached Liverpool Station, Elizabeth noted changes from earlier days when they had travelled from 'Gledswood' to Liverpool to shop'. She remarked to her husband, that *"the railway station replaced the houses and shops"*.⁷⁹⁰

Jas Chisholm died at 'Kippilaw' on 24 June 1888 and is buried in the vault beside the small country Church of St James that he had built by convicts. The Chisholm land holdings by then dominated the Goulburn region, much of that due to his hard work, and shrewd and careful management.⁷⁹¹

Elizabeth lived until 1 July 1894 and is buried with her husband.

Jas and Elizabeth's children were:

x.	Jane K, 1829 - ;	xiv.	Edward 1837- ;	xvii.	Arthur B, 1842- ;
xi.	James K, 1830 - ;	xv.	Charles K, 1839 -;	xviii.	Walter, 1845 -; and
xii.	William A, 1832 - ;	xvi.	John, 1841- ;	xix.	Robert, 1846 - .
xiii.	Andrew S, 1833;				

Of the nine sons Jas and Elizabeth had, seven survived to mature years. The management of the vast area of land accumulated by James was parceled out among the growing sons and by the time of Jas' death in 1888 the ownership was divided between them.⁷⁹²

Of Browns and Chisholms

To what extent there were direct links with the Browns, is uncertain. However, an awareness and an honoring of their association with the Chisholms continued to be evident in the naming of the John Brown's (1821-1896) grandson, Chisholm Roy Brown, (the son of Richard and Olivia) in 1887.

⁷⁸⁹ MS6207 – Miriam Chisholm Notes

⁷⁹⁰ History of Gledswood – A House Alive Today, by Josie Ashley-Riddle, February 1987

⁷⁹¹ See also *Obituary Australian Town and Country Journal* 30 June 1888, p 44 <http://oa.anu.edu.au/obituary/chisholm-james-15705>

⁷⁹² Henry Parkes' Utopia. P30.

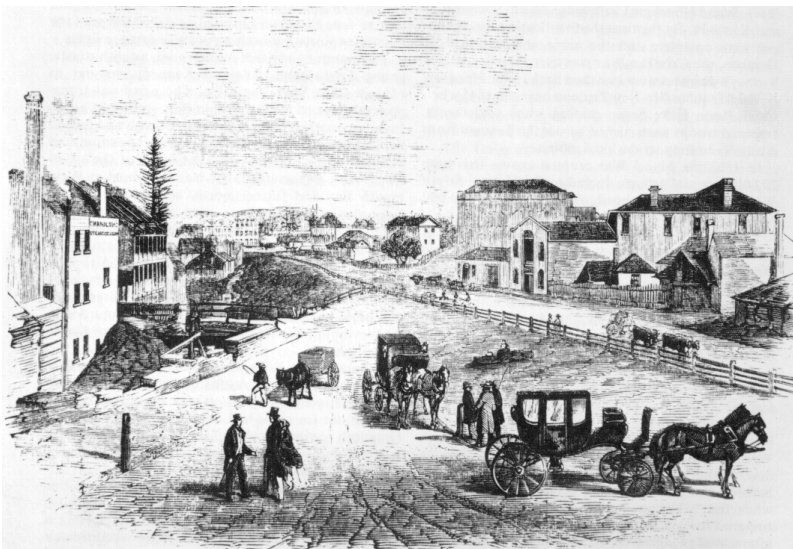


Chapter 25 – Midwife & Shopkeeper (1848 – 1922)

At age 33 years, with the death of her husband, Thomas, in June 1848, Ann Brown nee Shepherd became a widow. She had arrived in the Colony of NSW as a convict, had married into a stable and secure environment. The future for Ann and her family was hopeful and promising of modest prosperity. Much of that came undone with the death of Thomas. Ann now had to deal with having to raise six young children on her own: David, 12; Mary Elizabeth, 11; Sarah Jane, 8; Thomas Edward, 5; John James, 2; and Ann Emma, 3 months.

A Midwife in Sydney

Ann and her three daughters and one of her sons moved to Sydney, probably Pyrmont, about the early to mid-1850s. This appears to be an arrangement that her father-in-law, David Brown junior (or II).



View of Pitt Street towards harbour in 1854 ⁷⁹³

Ann's sons, it seems, were to remain with David, for in his will of 15 December 1856, David's third wife, 'Eliza', was to be made liable for 'maintaining educating and bringing up' his grandsons 'during their infancy'. At this time Ann's son, David (IV), was in his 21st year; Thomas Edward, was approaching his 14th birthday; and John James was eleven years old. To what extent Ann and her boys were acquainted of their entitlements under David's will and their entitlements respected by the Brown family at Jerry's Plains is a matter of conjecture.

George Huntley of Balmain (who was entrusted by David to a considerable portion of his estate) may well have been David's agent in Sydney. David is likely to have called on the services of someone like Huntley to assist Ann and her daughters to become established in Sydney.

Ann gained income as a midwife, and it seems, from a shop at 106 John Street, Pyrmont, while living in Sydney.⁷⁹⁴ The income from both appears to have given her a considerable degree of security and independence. It enabled her to travel about and visit her family in different parts of the colony. Ann's ownership of the shop causes speculation as to whether it was paid for by Ann's midwifery and/or contributions by her father-in-law. It appears likely that Ann had been called upon to act as midwife in Jerry's Plains. Her skills may well have come with her from England - It may have been part of her upbringing?

Three Weddings and a Funeral or Two

With her father-in-law's death in January 1857, Ann no doubt would have soon become acquainted with the provisions of David's will as it affected her sons. Her son, David, typical of the Browns would have already been long working on the Brown properties, and generally able to look after himself – And so not a worry. However, she would have had grounds for concern with arrangements put in place by David II's marriage of convenience with Eliza Lewis as far as it concerned the care of Thomas and John. If not the fact of the arrangement, then she would have taken umbrage with the events that followed. It is highly probable

⁷⁹³ The Sydney Illustrated News - Established 1853. April 1855.

⁷⁹⁴ Her occupation at time of death is given as midwife.



that John went to live with Ann after David's death, and it also seems likely that Thomas did so for a brief while. One can imagine, Ann storming up to Jerry's Plains to see things for herself, and taking the boys back to Sydney with her.

First Marriage

Ann's eldest daughter, Mary Elizabeth, aged 18 years? married Luke (*Mark?*) Funnell in Sydney on 17th January 1857⁷⁹⁵ Luke was the son of James and Sarah Funnell born 27 August 1837 at Cobbitty, Narellan.

On 3 March 1858, a son, Luke Thomas, was born to Mary Elizabeth and Luke⁷⁹⁶ at Walton's Lane, Haymarket, Sydney. The mother's age is listed as 17 years, however more than 1 year previous at her marriage Mary's age is listed as 18 years.

In 1861, Luke senior abandoned his wife and absconded south with the child then aged about 3 years. The cause of the separation is unknown.

It seems that it was thought at the time that Luke might have just gone into hiding with the boy in Sydney, and attempted to make contact with him by placing an advertisement in the newspapers. A notice appeared under 'Persons advertised for' in the Sydney Morning Herald, of Saturday 1 Feb 1862:

Mr Luke Funnell
There is a letter lying for you at the General Post Office, Sydney

However, it is evident that by then that Luke and son had taken residence in Victoria, beyond the reach of the Sydney papers, and where the Brown family had no connections.

For on 17 February 1862, Luke at age 24, alias Louis Fennell, is recorded as marrying 'Louisa Dive', age 20 years, at Wangaratta.⁷⁹⁷ Louisa, born 1841 at Yass (& *bur 20 April 1922*⁷⁹⁸), was the daughter of William and Jane Dive.⁷⁹⁹ Louis described himself as being a blacksmith of Cobbitty. Wangaratta was a growing centre of a prosperous rural and gold-mining activity. It offered plenty of work for blacksmiths, and anonymity. Louis and Louisa had eleven children – Five died young.

Folklore of the descendants of the bigamous marriage says that Luke arrived in Wangaratta on a bullock dray in 1861 and that he brought the boy with him. It is said that they had commenced their journey south from a place near Maitland. The child was known as Thomas and it is likely that Luke passed him off as his nephew. Anne Rooks, the source of much of the 'Fennell' information, recalls her grandfather saying that the family name had been changed from 'Funnell'. This legend is consistent with the fact that Luke's older brother, James, and his family lived in the Maitland area at this time.⁸⁰⁰

Ann's grandson seems to have had a miserable deal. Aside from having been stolen from his mother at a tender age, he is unlikely to have ever seen her again. In 1867, Thomas then aged 9 years was committed as a neglected child to the Sunbury Industrial School for five years. Louis Fennell declared that he was the boy's uncle, and that he could not stop the child from stealing. Louis Fennell stated before the court that he was the child's uncle, that the child's father, Luke Fennell, wheelwright, was dead, and mother dead.⁸⁰¹

⁷⁹⁵ NSW BDM Reg No 48 of 1857.

⁷⁹⁶ NSW BDM Reg No 492 of 1858

⁷⁹⁷ At the moment based on a) lack of evidence of death; b) Louis Fennell family folklore, Anne Rooks re son Jim of second marriage having found evidence of earlier marriage on father's death; and c). Lapse of time between Mary Brown's first and second marriages.

⁷⁹⁸ Thanks to email 29 April 2020 from Jenny Coates of Wangaratta Vic re Louisa's death in 1922 and that Louis was buried 20 February 1906 per <https://trove.nla.gov.au/version/40797124>.

⁷⁹⁹ NSW BDM Reg No V18411617 25A

⁸⁰⁰ Luke Funnell's brother, James, was born in 1830 at Cobbitty (V1830432 14). He married a Jane Risk at Maitland in 1854 (V1854 763 41 B), and they had a daughter, Elizabeth b1857; and sons, James b1862, and Robert b1864.

⁸⁰¹ The History of Luke Funnell and his son Luke Thomas Funnell.



Thomas was then sent to the Nelson, which was an old convict ship, turned hulk, moored in Port Phillip Bay. His ‘uncle’ was to pay 6 shillings and 6 pence per week for his support.

The authorities used the hulk to train “neglected” youngsters. Parents who caused their children to be sent there were led to believe that their children would receive free schooling and a trade. They didn’t know that when they claimed “poverty” and their children declared to be ‘neglected’, their children would end up in worse circumstances. Sunbury Industrial School appear to have been a particularly miserable environment, unhygienic, vermin infested, poorly staffed. At the end of 1865 an inspection by Chief Medical Officer revealed that ‘82 boys were washed in one small tub with only three changes of water’. He examined ‘233 children of whom all but 20 were plagued by scabies while 100 had eczema and 38 had Ophthalmia, which caused nine boys to lose the sight of one eye’.⁸⁰² At its best Sunbury was most probably never a suitable place to send any child for care.

In 1872, Thomas then aged 14 years, was recommitted to a Mr R. Singleton, Civil Servant, Malvern, for two years; probably to learn a trade.⁸⁰³ Despite a concerted effort, no further trace of Thomas was found until 2014. The only remote lead was that offered by a grandson of Louis Fennell, Fred Sharp (now deceased) who ‘maintained the boy was known as Thomas Darrell’.⁸⁰⁴ A recent DNA testing verified that Thomas Funnell (*AKA Thomas Fennell*) was in fact Thomas Charles Darrelle (d. 2 Jan 1904, husband of Charlotte Holding).⁸⁰⁵ There is any number of examples of someone having undergone miserable experience early in their life choosing to change their name. Thomas’s change of last name to ‘Darrelle’ is consistent with that. There is not unreasonable speculation that his choice of name may well have been inspired in some way the famous actor & playwright ‘George Darrell’, then in the Australian colonies during the 1870’s, 1880’s and 1890’s.

Bad News from Millie

1861 was not a good year for Ann. For on 25 February, Ann’s eldest son, David, died at the Brown’s ‘Millie’ property. The cause of death was by an infection resulting from a stick, penetrating his leg.⁸⁰⁶ It was probably a Mulga branch or twig, which is notoriously toxic and can easily cause a wound to become septic.⁸⁰⁷

According to the death certificate, David was buried the next day at Millie - However, some 350 kilometres away, at Jerry’s Plains cemetery, a memorial headstone was placed adjacent to his grandfather’s grave, with:

**“TO THE SACRED MEMORY OF DAVID BROWN WHO DEPARTED THIS
LIFE IN THE YEAR OF OUR LORD 1861”.**

Five days before he died, on 20 February 1861, David made his will.⁸⁰⁸ He bequeathed his estate to his brother ‘John Brown’ and sister ‘Anne Brown now living Sydney’ ‘to be expended in educating’ them and the ‘residue of any to be divided equally between them when they become of age’. At the time John James was 15 years old and Ann 13 years - Sarah was 21 years and may well have been helping her mother keep shop, at 108 John St, Pyrmont, NSW. Mary was 24 years old, married and with a baby son to care for. Thomas Edward was by then 18 years old and working, most probably as a butcher somewhere, Jerry’s Plains, Merton?⁸⁰⁹

⁸⁰² The History of Luke Funnell and his son Luke Thomas Funnell.

⁸⁰³ The Argus Melbourne, Thursday 9 February 1872 page 5, col. 4, Ballarat Courier, ‘Mr R Singleton, of Malvern, has forwarded to this office some very fine Lord Nelson Apples. The largest measures 13 ½ in. in circumference, weighs 1lb. and a quarter of an ounce.’

⁸⁰⁴ Per Anne Rooks, Tumbarrumba. However, Liz McPherson explains per email 15/06/2010 6:47 PM that her great-great grandfather was ‘Thomas Charles Darrelle’ whose origins she not been able to trace. He married Charlotta Holding on 9th October 1893 in Victoria. Thomas’ death certificate of 2nd Jan 1904 contains the same information about his parents and birthplace - probably copied from his marriage certificate. It states that he is 38 years and 9 months and had lived in Victoria 31 years.

⁸⁰⁵ Liz McPherson email 07/11/2014 12:37PM ‘.... Luke Thomas Funnell is no longer a mystery man. Further to our correspondence in 2010 I am pleased to tell you that DNA testing has in fact shown that my father who is a great grandson of Thomas Charles Darrelle is in fact related to Ronald Fennell, a great grandson of Louis Fennell aka Luke Funnell. The test revealed a likely relationship of 3rd to 5th cousins.’

⁸⁰⁶ Per telcon Marie Tattam October 2000.

⁸⁰⁷ Mulga and related species are still a risk on outback properties, particularly at mustering time, and leggings are usually worn as protection.

⁸⁰⁸ Executors to his will were Robert Hobden and William Kerrigan.

⁸⁰⁹ John’s occupation in 1870 was given as butcher in a land sale to his uncle John Brown. Book 122No 468 refers.



A Welcome Change of Fortune

With the death of her eldest son, her son-in-law and grandson missing, an abandoned daughter on her hands, the sixties initially must have posed a strain for Ann, and the family.

However, it seems that by 1862 Mary Elizabeth was living with James Midgley of Dark Water, Macleay River, Northern NSW, as they produced their first child that year. James was the son of James Midgley and Ann Colin. He was born on 2 January 1834 at Corfu, Ionian Islands⁸¹⁰ and arrived in Sydney in 1852 on the 'John Grey' with his parents and siblings. He died 14 November 1912.⁸¹¹

All up, Mary and James brought the following children into the world, including twins in 1864:

Francis J	28.08.1862 - 3.06.1942	Maude	1868- 28.09.1951	Madeline	1873 - 15.03.1955
Richard	29.02.1864 -05.06.1932	Jane	1870-post 1943	Violet	1874 - 05.08.1957
Edward	29.02.1864 -24.12.1940	Stephen	29.05.1871- 25.10.1954	Harry P	1876 - 16.07.1953.
Ann(ie)	27.03.1866-07.09.1943	Lucy	23.11.1872-	Eve	10 May.1880 -
				Phillip S	1881- 1911?

For much of her life with James Mary preferred known as Elizabeth. On most occasions of the registration of the birth of her children, she was recorded as Elizabeth.

The marriage of Ann's son, Thomas Edward on 29 September 1864 must have been an especially welcome event. Thomas, aged 22, married Ellenor Alidia Ball (known as Ellen or Helen), daughter of James and Charlotte Ball at St James C of E, Jerry's Plains.⁸¹²

Thomas Edward and Ellen settled down at Jerry's Plains. Their children were:

Thomas Ed	1865 - 1878	Eva Charlot	1871 -	Ellen	1879 -1957
David	1866 -	Miriam	1872 -	Malcolm	1881 - 1939
Albert	1868 -	Charles Ed	1874 – 1935	Bertram Ed	1883 -
James Ernest	1869 - 1878	Donald	1876 -	Annie May	1885 -
		Lenworth	1877 -		

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Thomas' sale of his inheritance to his Uncle John of Ellerslie on 5 December 1870, for £45 would have been a much need boost to the expanding family. At some juncture they acquired land for farming that became known as 'The Retreat'. Certainly, their son, Malcolm was born there, and came to own it.

The Maitland Mercury – Thursday, 5 January 1871:

SINGLETON.

Police Court, Tuesday, 3rd Jan, 1871. (Before John Johnston, Alexander Bowman, and John Browne, Esqs.)
Slaughtering Licenses - Licenses were granted to Thomas Brown, of Jerry's Plains, and George Watts, of Fordwich.

Thomas and Ellen's son, Malcolm, born 24 January 1881 was a councillor with the Patricks Plains Shire from 1926 until 1931, President in 1931.⁸¹⁴ He became notable as the Country Party member for Upper Hunter. He was elected to the NSW Legislative Assembly on 13 June 1931 and served until his death at

⁸¹⁰ Shipping records for "John Gray".

⁸¹¹ Brisbane Reg. No. 1912/B016711 buried Toowong Cemetery. 15.11.1912.

⁸¹² BDM Index, Patrick Plains Registration No 2885.

⁸¹³ James and Thomas Brown were killed in an accident in 1878. They were both knocked from the horse they were riding at great speed, when it passed under a low tree branch. The boys, aged 12 and 9, are buried at old Wambo cemetery at Jerry's Plains.

⁸¹⁴ In this period Malcolm and his wife suffered a double tragedy. On Thursday 29 November 1928 – The Singleton Argus reported that Miss Beatrice May Brown, 17 years of age, only daughter of Mr and Mrs Brown, of Jerry's Plains, died in the Dangar Cottage Hospital on Tuesday morning. She had been an inmate of the institution for three months. Deceased was born at Jerry's Plains, and was a bright and intelligent girl, being a great favourite with all who knew her. Mr and Mrs Brown have been sorely stricken, as their only son, Allan Eric, was killed in a collision between a motor car and cycle in George-street, Singleton, on New Year's Day, 1927. He was also 17 years of age.



Darlinghurst, Sydney, on 29 August 1939. His obituary in the Singleton Argus⁸¹⁵ states, among other things:

'He took his stewardship seriously, and was determined, while capable of mental and physical effort, to pursue towards success the interests of those he represented.' *'He was on the land for some years before going into business on his own account at Jerry's Plains where he purchased a general store some 22 years ago, and which he only recently disposed of.'* *'He was a former president of the Jerry's Plains Literary Institute and church warden.'*

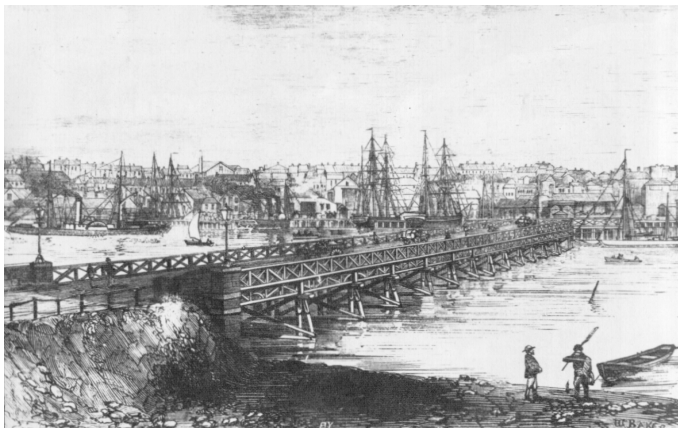


The NSW Parliamentary Archives biography describes him as: Storekeeper, Educated at Jerry's Plains public school; worked as a farm hand and station hand outback; mail contractor in Western districts, and that he owned a general store and farm.

The marriage of Ann's daughter, Sarah Jane the following year may well have further raised her spirits. Sarah aged 25 years, married Charles Parkhill, a stonemason of Glebe on 25 November 1865. *Sarah and Charles are said to have produced three sets of twins*⁸¹⁶ however, the following children are listed in the NSW births register as having been born to them:

Charles	1866	Edith K	1872	George E	1877
William D	1868	Unnamed	1873	Frank B	1880
Adeline Sarah	1870	Florence	1874		

Work was plentiful for stonemasons at that time in Sydney. Pyrmont was noted for having 'a large number of stone quarries in the neighbourhood due to the geological formation of the district being sandstone'.⁸¹⁷ This meant that even the homes of working men were built of sandstone, and continued to be up to the early 1870s.



View of Pyrmont in April 1871 and the wooden bridge that connected it and the docks and factories of Balmain the Sydney peninsular. Built in 1859, the wooden structure had a 'swing panel' operated by hand gears.

Ann (Shepherd)'s daughters Mary Elizabeth and Ann Emma kept shop there during the 1860s.

*Anne Emma and her family left for Mudgee about 1870.*⁸¹⁸

Ann's daughter, Ann Emma, aged 20, married Alfred Haddock in Sydney on 25 June 1868. At the time, Ann Brown nee Shepherd gave her consent to the marriage.⁸¹⁹ In the process, Ann gives her address as 'Mirton' which is in the vicinity her son, Thomas Edward - Possibly to provide midwifery skills? Thomas and Ellen were blessed with the birth of a son, Albert, that year.⁸²⁰

Merton was near, and to the west of Jerry's Plains, not far from other members of the Brown family in the region. Merton was also central to property owned by the boys' uncle, 'John Brown' i.e. Ellerslie at Jerry's

⁸¹⁵ Wednesday, 30 August 1931

⁸¹⁶ BDM Index, Sydney Registration No 993.

⁸¹⁷ The Illustrated Sydney News, April 1871.

⁸¹⁸ Illustrated Sydney News.

⁸¹⁹ Typed statement appended to marriage certificate, which says Ann Brown of Merton gave her consent (which may have been in the form of a letter).

⁸²⁰ BDM Index, Patricks Plains Registration 1868 No 14725



Plains, and Wybong Creek 19 kms to the north.⁸²¹ Ann's sister-in-law, Kate Hobden, lived not far away. Even George was still in the vicinity, being the licensee for the Horse & Jockey at Jerry's Plains.

Not long after arrival in the district in 1868, it is highly probable that Ann begun to hear the local gossip. Anything impinging on her boys would have been of special interest! Talk of George's transactions with Eliza would have soon led to the topic of 1865 land sale pertaining to their inheritance. The fact that the transaction was described as a purchase rather than a lease would have fuelled the discussion. It would have been a natural thing for her to take up the matter with George or Eliza Darcy.

From the little that is known about Ann, she creates an impression of a petite, tough, and independent women – Someone very strident about doing the best for her children - Perhaps not backward in taking issue on a perceived wrong?

George may well have viewed her with some contempt because of having been a convict. He probably truly believed that his nephews were not deserving of their inheritance. However, Ann was George's sister-in-law, his eldest brother's wife, and was much senior to him. Ann would have had occasion to be in charge of his care when his mother passed away – An authority figure! In the circumstances, George may not have been enthused about renewing his acquaintance with her!

Eliza would have been the better prospect for getting information, especially, if she had been unhappy with George. Eliza understood exactly what George's intentions were in the deed and was likely to be well aware of the discrepancies in it. But, it may be that Ann had grounds for taking issue with Eliza?



Photo of Pyrmont Bridge, taken about 1870 with what seems to be a view of Sydney in the background. Pyrmont Bridge linked the Sydney Peninsula at Market Street, some four hundred metres (two blocks) south of Erskine Street, with the docks and factories of Pyrmont and Balmain. *Colonial Life in NSW by Allan Sharpe*⁸²²

Any controversy flowing from inquiries that Ann may have made about the 1865 land sale couldn't help but fuel the interest and rumours in the community.⁸²³ Significantly, George did not take up his licence for the Horse and Jockey in 1869, and left Jerry's Plains for Newcastle. Nothing is known about Eliza from 1865 onwards.

The Sands Directory for 1868 lists a Thomas Lyall as resident at that address.

Aside from anything else, Alfred was noted to be an accomplished organist. He had been born in England to James Wheeler Haddock and Mary Anne Searle Heyden and had come to the Colony as a young boy with his mother mid 1850's,⁸²⁴ his father having passed away in 1853.

Up until her marriage to Alfred Haddock on 25 June 1868, Ann Emma had been working as a shopkeeper at 108 John Street, Pyrmont. She was in her 21st year, when she married Alfred Edward Haddock (age 22⁸²⁵) at 41 Burton St, Sydney. They were married by Dr William Bailey according to the rights of the Free

⁸²¹ Merryll Hope letter of November/December 2000

⁸²² *Colonial Life in NSW by Allan Sharpe*

⁸²³ The five paragraphs dealing what Ann might have done and its impact on George is a reasonable speculation on events. Something not far removed from this occurred!

⁸²⁴ Specifics of when and how are unknown.

⁸²⁵ Alfred was born 12 Nov 1845 in Wandsworth, County of Surry, England. 1851 UK Census gives his age as 5. The census also showed Alfred's brother, John aged 18; and sister, Eliza aged 15 at the same address. He arrived in the colony c1855 death certificate states 43 years in colony..



Church of England.⁸²⁶ Selina Haddock (19 years) - Alfred's sister,⁸²⁷ and Frederick Reid were witnesses.⁸²⁸ Alfred Edward may well have been her accountant. He certainly lived nearby - Across the road, at 105 John Street, Pyrmont. It is likely that Alfred boarded there.

On returning to Sydney, it seems that Ann wanted to let people know about her Ann Emma's marriage, and did so via The Sydney Morning Herald of Wednesday, 15 July 1868 which carried the following details:

MARRIAGES
HADDOCK-BROWN -June 25th, by the Rev. Dr. Bailey, LL.D., Alfred Edward Haddock, youngest son of the late James Haddock, Esq., of Wandsworth, Surry, England, and nephew of J. K. Heydon, Esq., of Hermington, Ryde; also of Mr. E. Heydon, of this city, to Ann Emma, youngest daughter of the late Thomas Brown, Esq., of Jerry's Plains, Hunter River, and niece of John Brown, Esq., of Singleton; also of James Brown, Esq., of Newcastle, N S.W.

It is apparent from this, that while up north Ann had renewed acquaintances with brother's in-law, John and James and was exploiting the fact of her Brown, Haddock, and Heydon connections to the maximum.

Ann's youngest daughter, Ann Emma Haddock gave birth to her first child, Eva Jane, on 6 April 1869 in Sydney.

Mary Elizabeth (Funnell), Ann's eldest daughter, and her partner, James Midgley, came down from the Macleay River and married in Sydney on 28 May 1869. Mary was then aged 32 years.



Mary Elizabeth Midgley nee Funnell nee Brown c1895

Mary's status of widow indicates that her first husband, Luke Funnell, was declared dead after a statutory absence of seven years. By then Luke or Louis as he was known, had certainly been married to Louisa Dive in Victoria for that period of time.

They were married according to the rights of the Free Church of England at 47 Boston Street, Sydney. Ann Emma, attended, and was witness at her sister's marriage. The other witness is a Mary Emily Stamp. Mary Funnell (nee Brown)'s occupation at the time is given as Milliner (maker and seller of ladies hats) and her address was 1 Mill Street⁸²⁹, Pyrmont (more than likely Miller Street?). The couple settled back in Dark Water, now officially husband and wife. F.X Bailey officiated.

Eva Jane, at only six months old, died at Redfern on 18 November 1869.

Ann Emma's second child, Violet Ann, was born on 27 September 1870,⁸³⁰ in Balmain, Sydney.

On 5 December 1872 Ann Emma's daughter, Ada May, was born at Mudjee.

John James Brown, married Eliza Ann Foster at (*Ashfield?*) St George in 1871. John's marriage may have been encouraged by the sale of his inheritance to his Uncle John of Ellerslie for £38. John and Eliza were blessed with the following children:⁸³¹

⁸²⁶ Dr William Bailey (1806-1879), was formerly a Church of England clergyman, educated at Trinity College, Dublin (B.A., 1829; LL.D., 1841). In February 1843, Bailey was convicted of uttering a forged promissory note for £2875 in favour of his sister, was sentenced to transportation for life and in August arrived in Van Diemen's Land in the Gilmore. Dr Bailey was a colourful character of the colony, whose living depended on his 'free' church. His congregation was neither large nor respectable, but it won him a licence for solemnizing marriages. These grew in number to some 400 a year and, although he appeared to run a marriage shop, some of his customers were of reasonable standing in the community.

⁸²⁷ Selina was born 1 May 1849, like Alfred, in Wandsworth, Surry, England. (Reg No 70). The informant was Mary Ann Searl Haddock, Mother, of North St, Wandsworth. Selina died 22 April 1934 per Reg. No 1934/5741. She has previously been discounted because she is omitted from the 1851 census. In January 1859 a 'Selina Matilda Haddock' 'Father dead' was taken into care of the Protestant Orphan School. 18 months later, July 1860, she was returned to the care of her mother. Selina gave birth to a daughter 'Emily Maud' 16 Sept 1876 Surry Hills, Sydney, NSW per Reg. No 1876 No 2719.

⁸²⁸ Marriage certificate refers.

⁸²⁹ Number not clear. Might be 7 Mill Street.

⁸³⁰ Per Peter Roderick 2009



Ernest	1872 at Patrick's Plains	Elsie Eliza	1877 at Muswellbrook	Edith Isabel	1885 at Muswellbrook
Ethel Kate	1873 at Muswellbrook	Wallace John	1879 at Muswellbrook	Ellie Violet	1887 at Muswellbrook
Ella Maud	1875 at Muswellbrook	Richard Thomas	1882 at Patrick's Plain	Elma Laura	1890 at Muswellbrook
		George Haddock	1884 at Singleton		

lfred Haddock, Ann Emma's husband, changed his profession to one of country schoolteacher. As a consequence, when Ann Emma gave birth to a daughter, 'Ada May', on 5 December 1872, it was at Mudgee. It is likely that Ann Brown (nee Shepherd) would have taken the challenge of visiting her family in this location in her stride.

The Pyrmont of that time 'had almost reached its residential zenith'. It 'was a very different place from today. There were Catholic, Anglican, Presbyterian, and Public school. Byrne's ferry was operating, the iron works and smelters were in full production as were the stone quarries, the Municipal Baths had just opened, and the toll bridge linked the peninsula with the city.'



Ada May Haddock
(d 29 Dec 1957)

The other suburb of the peninsula, Ultimo, was beginning to be developed, and underwent a building boom in the 1880s.⁸³²

Glen Innes

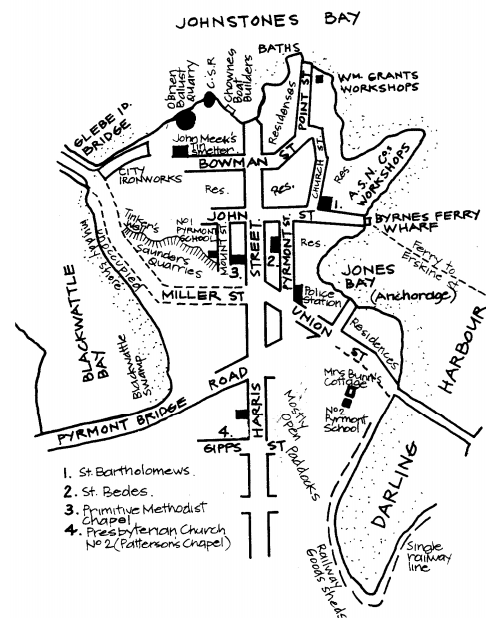
ANN BROWN (NEE SHEPHERD) DIED ON 13 OCTOBER 1874 AT LEATHER JACKET, NSW.

Ann had been visiting her daughter, Mary Elizabeth, possibly to assist with the birth of daughter, Violet, born that year. Ann was being taken to Grafton on the afternoon of 12 October 1874 to catch the steamship service back to Sydney. Accompanying Anne to Grafton were her daughter, nine grandchildren, and her son-in-law, 'James Midgley', who was the driver of the dray in which she was travelling. A wheel of the dray, in which all but James Midgley was seated, struck a stump in the road at Leather Jacket 'Newton Boyd' on the Grafton Road some 30 miles from Glen Innes, causing it to capsize and hurl all its occupants to the ground. The injuries Ann (Shepherd) sustained caused her to die some 24 hours later.⁸³³ Her death was registered at Glen Innes.

Ann's daughter, Mary, also sustained severe injuries and like her mother was not expected to live. The seven children escaped unhurt. Subscriptions were raised to bring Mary and two of her infant children to Glenn Innes for medical aid and attendance - A Mr. Heydon⁸³⁴ sent out a buggy and a pair of horses with a Mrs. Osburgh for that purpose. It was expected that the subscriptions 'would amount to twenty pound'.⁸³⁵

Ann was buried on 18 October 1874 at Big Hill near Glen Innes.

James Midgley was the informant for the registration of Ann's death – It is probable in the circumstances that James



Pyrmont 1880⁸³⁶

⁸³¹ The places shown re the births are all to do with Registration. Births are said to have occurred at Jerry's Plains.

⁸³² History of Pyrmont & Ultimo NLA?

⁸³³ The Clarence and Richmond Examiner, Tuesday, 20 October 1874

⁸³⁴ Heydon the maiden name of her daughter (Ann Emma)'s mother-in-law (Mary A S Haddock) whose death was registered at Wellington in 1877. Glen Innes is not far from Inverell, where her husband's cousin Rosanna Ross was living. Mary Haddock had three relations: Jabez, William and Ebenezer Heydon, who were resident at Parramatta and Sydney in 1854. It seems they were her brothers. Jabez was a notable of the colony and the Roman Catholic Church laity.



was distressed and confused, for he reported his mother-in-law was 40 years old at time of death, though she was almost 60 years of age.

Mary recovered in spite of her injuries. She went on to live a long life, surviving until 9 March 1922⁸³⁷ and producing another three children.

Ann died intestate causing her daughter Sarah to petition on behalf of her siblings to deal with the administration of their mother's goods and chattels worth some £150.

Storekeeper George Ashdown of 64 Darlinghurst Rd and Sarah's husband, Charles, Parkhill, were some form of surety for Sarah in her capacity as Administratrix. It took until 6 December 1880 for Sarah to lodge the relevant affidavit with the Supreme Court. It was not until fourteen weeks later that Sarah was granted Court approval for her to be made Administratrix. The documentation declared:

Sarah's brothers', Thomas and John, to be 'now of Jerry's Plains';

Marry Elizabeth 'now wife of James Midgley of South Grafton'; and

Ann Emma 'now the wife of Alfred Haddock of Iron Bark.'

Children of Ann (Shepherd) and Thomas Brown were:

i.	David	1836 - 1861. ⁸³⁸	iv.	Thomas Edward	5 Jan 1843 – 5 Jan 1900. ⁸⁴⁰
ii.	Mary Elizabeth	1837 - 9 Mar 1922	v.	John James	1845 - 1921
iii.	Sarah Jane	22 Jun 1840 - 1884 ⁸³⁹	vi.	Ann Emma	1848 - 1928.

Midgley's Sequel

Mary Elizabeth and James Midgley continued to live at South Grafton until at least the early 1880's. By 1903, the family was living at 'St Clair', James Street, New Farm in Brisbane.

St Clair was not only the family home but became well known educational establishment run by their eldest daughter, Annie.

Intriguingly, Ann Shepherd is said to have told Mary Elizabeth that her family name was in fact 'Stanley'. To underscore this point, Mary and James gave the name 'Stanley' to one of their son's 'Phillip Stanley Midgley', who was born in 1881; and on the death registration in 1922, Mary's mother's name is given as 'Ann Stanley'.

⁸³⁵ The Clarence and Richmond Examiner, Tuesday, 20 October 1874

⁸³⁶ A History of Pyrmont & Ultimo. P26.

⁸³⁷ Mary died of Senility. She was buried with James on the 10th March, at the Toowong Cemetery, along side her husband James.

⁸³⁸ Death certificate describes David as a Grazier. He suffered with diseased leg for 5 weeks before dying on 25 February 1861 at the Millie Run property. It seems David was working with Uncle David at the Millie property though it was his uncles John and James who owned it. It was his uncle David Brown who reported his death. He had received medical attention from a John Bennet.

⁸³⁹ BDM 2768/1884 Sara J Parkhill aged 42 Balmain.

⁸⁴⁰ Thomas Edward is buried at the old C of E hillside cemetery at Jerry's Plains adjacent to his grandfather, David Brown II's grave, and the graves of Thomas' two sons, Thomas Edward b.20 March 1865, and James Ernest b 24 October 1869, both accidentally killed in a horse riding accident on 26 June 1878.



Chapter 26 - Millie Men

(1841 – 1909)

Two children of David Brown and Elizabeth McMahon, notable for being close are James and John. They seemed to have teamed up for much of their first forty years. James (b.3 August 1819) and John (b.13 December 1821) were more successful than their siblings in pursuit of commercial and adventurous endeavours.

Millie and Family Matters

The 1841 Census, of September 23rd, shows that there are two houses belonging to Browns at Wambo. One occupied by brother, Thomas and his family, and three shepherds. The other is in the charge of James - He is apparently in the company of brothers: John 19, George 10, Alec 7 (almost); and sister, Mary 18; and 2 shepherds. Mary was keeping house for the men of the house. David's location is unknown.

As of 24 September 1842 the Lands Department record James and John as the formal occupiers of 'Millie Run'. Up until 1841, their father continued to pay the obligatory £10 licence per annum for the rights to Millie (sometimes known as 'Waterloo Creek', and 'Thalaba'?).⁸⁴¹ The Browns had been in possession of 'Millie' since at least 1834.

The next we hear of John is at the Jerry's Plains Races for 1843, originally advertised to take place in March, took place the following month:

'These races commenced on Wednesday, the 26 ultimo' (April 1843), but were indifferently attended, very few of the	neighbouring gentry making their appearance. Owing to some misunderstanding among themselves, neither stewards	nor judge were forthcoming; their places were however soon filled and the races commenced...'
--	--	---

A horse owned by John Brown, called Filo da Pata won the 4th Race - 'Hack Race'; one mile heats with a 2nd, and two 1sts on the last day.⁸⁴²



Brown family would drive fattened cattle from Millie Narrabri, Turrawan, Boggabri, Gunnedah, Murrinindi, Scone, and Muswellbrook to Jerry's Plains, thence to the Maitland, /Newcastle Windsor, and Sydney markets.⁸⁴³

An advertisement in the Maitland Mercury of October / November 1842 listed those who obtained a licence to depasture stock in New England for the year commencing 1 July 1842. In the same paper, are licences to depasture in the Liverpool Plains.

⁸⁴¹ It has been suggested that David did this as much to accommodate legislation that restricted runs straddling watercourses? The north side of Millie/ 'Waterloo Creek' was nominally under the management of James, and ultimately became known as 'Millie North'. The south side of 'Millie' / 'Waterloo Creek' nominally under John's stewardship came to be called 'Millie South'.

⁸⁴² NLA, mfm NX 27. Reel No1. Correspondent for the Jerry's Plains Races, The Maitland Mercury, Saturday, 6 May 1843.

⁸⁴³ Droving by S.T. Gill. Dixon Galleries, NSW State Library



There was an advertisement in the Maitland Mercury of 4 November 1843 for those who gained a licence to depasture stock in New England for the year commencing 1 July 1843. Among those among listed are: Brown and Alcorn, Alexander Campbell, Henry Dangar, John & William Dangar, Thomas Hall, William Dumaresq, and Charles Wyndeyer. Also in that paper is the listing of those granted licences to depasture in the Liverpool Plains. John Brown, and Thomas Brown were among many others. Some of the others include: James Arndell, William Blaxland, George Bowman, Henry Dangar, George Dight, Hannah Dight, George Druit, Thomas Eather, George Hall, John Howe, Phillip Thorley, and W C Wentworth.



Millie Creek

Photo JIG April 2010

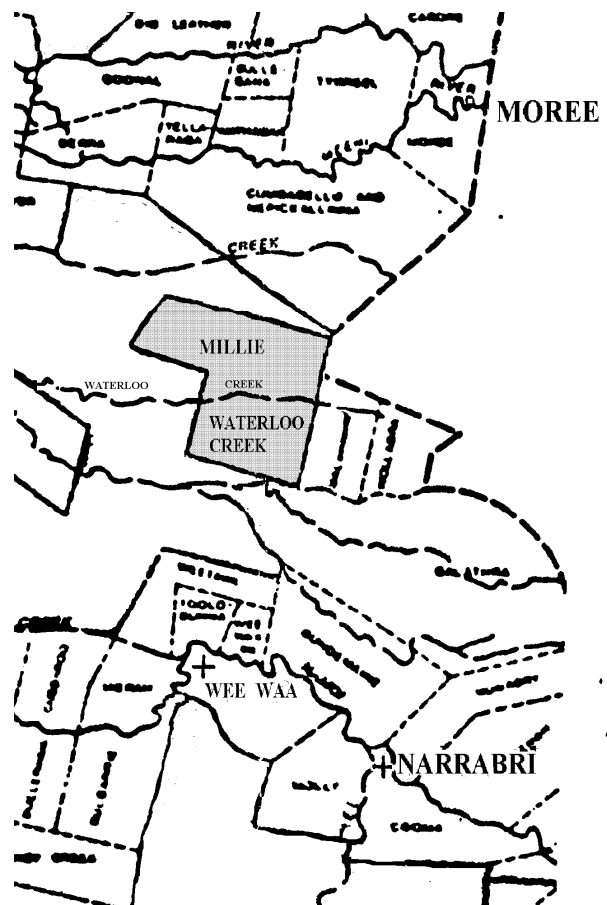
There was also an advertisement in the Maitland Mercury of 26 October 1844 for those who obtained a licence to depasture stock in New England for the year commencing 1 July 1844. Among those listed are: Brown and Alcorn, Alexander Campbell, George Bowman, Henry Danger, and Thomas Hall. In the same paper licences to depasture in the Liverpool Plains were granted to John Brown, Thomas Brown, and '**Brown James and John**', and various others e.g. George Bowman, G and S Dight, William Dangar, Mrs. Eather, John Howe, Philip Thorley, W C Wentworth etc.

The John Brown listed in the 1843 and 1844 announcements could be one of three known to have taken an active role in grazing livestock on the Liverpool Plains. However, the '**Brown James and John**' entry above is unlikely to be anything other than the two brothers combining their efforts at Waterloo

/Millie. While the Thomas Brown listed may possibly be James and John's older brother, it has been suggested that it is more likely that he and the John Brown listed are related to the 'Woolloomol' Browns.⁸⁴⁴

Sometime during the spring of 1847 John's father (David) courted Harriet D'Arcy the widow of Thomas D'Arcy licensed Victualler at Pitt Town who had died on 13 July 1846.⁸⁴⁵ John, would have been 24 to 26 years old at the time. He was most probably aware of, and knew Thomas D'Arcy as the provider of supplies to the family over the years at Pitt Town and Jerry's Plains, and of Harriet being his wife and that both of them had been convicts.

John, then not long into his 27th year, married Sarah Jane Alcorn, (born 28 January 1826 and daughter of Richard Alcorn) according to the rights the Presbyterian church in the Wambo area on 4 January 1848 by James S. White of Singleton, Minister of St Andrew's.⁸⁴⁶ John is stated to be a member of the Presbyterian Church of Scotland. Witnesses were Sarah's father, Richard, and younger sister, Mary Ann.⁸⁴⁷



Squatting map showing 1848 boundaries

⁸⁴⁴ Merryll Hope

⁸⁴⁵ (No. 1753, Series 1).



Soon after the wedding, John left Jerry's Plain with his bride, to take up residence at, and management of, the Cattai property. It is obvious from the births of his children that Pitt Town/Cattai remained John's base of operations for the next 10 years.

On 3 June 1848, a son, David, was born to John and Sarah at Pitt Town and baptised at the Cattai schoolhouse by J C Ewing 1848.⁸⁴⁸ Not long after his son's birth, his father's bride of nine weeks also gave birth in July at Pitt Town, to John's half brother, Alfred.

George Humphries, David's wife's half brother, between 1840 and 1857 described his quality or profession as 'Farmer' and his address 'Pitt Town' - It seems that he was, at the time, still working for the Brown family on their Caddai Creek property, and assisting John.

James and John's eldest brother, Thomas, died 23 June 1848 and was buried at Jerry's Plains.

The Government Gazette of 1848 listed James and John as occupiers of Millie Run – area 64,000 acres or 100 square miles.

#A son, Richard J, was born to John and Sarah on 7 January 1850,⁸⁴⁹

#A son, John, was born to John and Sarah on 18 August 1851,⁸⁵⁰ and

#A daughter, Jane, was born to John and Sarah in 1853.⁸⁵¹ All three were born at Pitt Town and baptised across the river at the Presbyterian 'Ebenezer' church at Portland Head.

#A son, George, was born to John and Sarah at Pitt Town on 15 January 1856.

Marriage of James

James married 22 year old Elizabeth Thorley (daughter of Philip and Mary Thorley⁸⁵²) on 29 May 1850. Elizabeth was born 20 Jul 1827 at Mount Thorley, south of Singleton.⁸⁵³ Elizabeth was the third child and first daughter of Mary and Philip's to marry.⁸⁵⁴

James and Elizabeth were married by licence in the family home at Mount Thorley. Witnesses were Thomas Hope of Singleton, and Elizabeth's sister, Mary Anne. This date is confirmed by an entry in the Maitland Mercury of 1 June 1850. "James Browne (sic) of Liverpool Plains married to Elizabeth Thorley, eldest daughter of Phillip (sic) Thorley" of Mount Thorley, on 29 May 1850 by Rev. H. O. Irwin.⁸⁵⁵ The Thorleys had, as did many a Hunter River settler, associations with the Hawkesbury.

Elizabeth's mother, Mary Thorley, was a daughter of Jonathan Griffiths, shipbuilder. James and Elizabeth lived at 'Mount Thorley' Homestead, near Singleton, for a time.

The Jerry's Plains branch of the Brown family maintained links with the daughters of Thomas Brown in Sydney. It is said that James in particular, and his wife, became good friends of the girls.⁸⁵⁶ James was some ten years older than the youngest girl, Rosanne, but was married only a year before her.

⁸⁴⁶ BDM Reg No V1848 619 78. Also Elizabeth Baxter P.O. Jerry's Plains, letter of 4 January 1981 to B & B Griffiths.

⁸⁴⁷ V1848619 79 PC, surname misspelt as Browne but signature Brown.

⁸⁴⁸ BDM V18481292

⁸⁴⁹ BDM V1850 109350 refers

⁸⁵⁰ BDM V1851 49591 refers

⁸⁵¹ BDM V1853 59552

⁸⁵² Mary Thorley neeGriffiths was born 30 May 1804 in Richmond, NSW, and died 22 Jan 1874 in Pitnacree Rd, East Maitland. Mary was the daughter of Hakesbury pioneers: Eleanor MCDONALD (1769-1831) and Jonathan GRIFFITHS (1773-1839). She married Philip Thorely 5 Feb 1821 in St Peters C of E, Richmond, son of Samuel THORLEY and Agnes SHALES, born 4 Aug 1799 in Sydney Cove, and died 3 May 1883 in Mount Thorley.

⁸⁵³ NSW SR Reel 5001 gives the birth of Elizabeth as 20 July 1827 and her baptism at St Peter's at Richmond was on 4 July 1830. Also baptised on that day were three of her siblings. She was 1 year old in the 1828 Census. Family lore gives her birthplace as Mount Thorley..

⁸⁵⁴ A Tribute To The Pioneering Thorleys.

⁸⁵⁵ "Philip Thorley 1799-1883" by John T. Thorley, and SR Reel 5001 ????

⁸⁵⁶ The History of a Homestead, Chapter 1.



#On Sunday, 23 February 1851, a son, their first born, Wallace, was born to James and Elizabeth at the "Mount Thorley Homestead" and baptised at Warkworth on April 27, 1851.

The 1852 Will of Francis Dorrington of Cockfighters Creek disclosed that he had cattle and horses 'depasturing on the run of Messrs James and John Brown named Melly (sic) Namoi River'.⁸⁵⁷

The Maitland Mercury included the following advertisement in the Saturday 27 March, 1852 edition:

<p>" Ten Pounds Reward" Stolen or strayed, from "Mount Thorley" on or about Feb. 26; a BLACK HORSE about fifteen and a half hands high, branded on the off shoulder BJ reversed and co-joined, triangle on the off side. If strayed 10 shillings will be paid for his recovery: and if stolen 10 pound reward on conviction of the thief.</p> <p style="text-align: right;">James Brown. Mount Thorley March 23, 1852.</p>

#In 1852, on Tuesday, 11 May, a son, their second child, Solomon, was born to James and Elizabeth.

#In 1854, on Monday, 31 July, a son, James Charles, was born to James and Elizabeth at Warkworth.

By 1855 James and Elizabeth are said to be residing at "Ada Cottage", Tyrrell Street, Newcastle, which was situated across the road from the convent. However, their fourth son, Gideon, is recorded as being born at the Mount Thorley Homestead on Tuesday February 26, 1856, baptised at Warkworth on Sunday 23 March 1856. The latter suggests Elizabeth had gone home to mother for the event.

The Maitland Mercury included the following advertisement in the Tuesday, 28th and 30th October 1856 editions:

<p>85 Head of Splendid Fat Cattle <i>From one of the best fattening stations in the Liverpool Plains,</i> DODDS & CO. Have received instructions from JAMES BROWN, ESQ., to sell by auction at the Sale Yards, East Maitland, at Twelve o'clock, on THURSDAY, 30th of October 1856, 85 Head of very Superior FAT CATTLE. This is a first-rate lot of Fat Cattle, and buyers should not neglect an opportunity of procuring really prime cattle.</p> <p style="text-align: right;">Terms cash.⁸⁵⁸</p>
--

Sometime during the 1850s and 1860s, John and James arranged for their brother, David, to manage 'Millie', a run totalling some 64,000 acres.

Their father, David, died on 11 January 1857. James was 37 years old, and John was just over 35 years old.
--

Ellerslie

On 12 December 1857, John bought the mortgage on Ellerslie, a farming and grazing property on the Hunter, from a Richard King. The property of 734 acres was immediately to the west of Jerry's Plains village, and not far from his father's original holdings at Jerry's Plains. Ellerslie had been purchased by Thomas Capp from Richard King, on 30-31 July 1855. Capp in the process, entered into a mortgage arrangement with Richard King. (King is believed to have named the property).⁸⁵⁹

⁸⁵⁷ Information provided in 2001 by Marie Tattam, 'Tuncooeey'.

⁸⁵⁸ Add No 6109.

⁸⁵⁹ 'Ellerslie' is the name of a village in Ayrshire, Scotland, noted as the birth place of the hero figure, Sir William Wallace.



John took possession of Ellerslie on 27 January 1858, at the age of 36. He soon moved his family there. But, not before 18 March 1858 when a son, Henry, was born to him and Sarah at Pitt Town on and his birth registered at Windsor.⁸⁶⁰ Ultimately, his children joined him in the task of managing his numerous holdings from Ellerslie. Apparently, at this stage, he still spent considerable time commuting to Millie - Though the journey home to his family was now considerably reduced, by the time and distance between Ellerslie and Pitt Town.

#A son, Rowland Leslie, was born to John and Sarah at Jerry's Plains, on 28 July 1860. His birth was registered at Muswellbrook the same year.⁸⁶¹

About the time John was getting established on the Hunter, James had begun to become a man of property in Newcastle. He and Elizabeth ultimately came to hold extensive parcels of land. They reputedly owned 'Prospect Cottage' which is still standing in Tyrrell Street.

On 19 May 1859, James became mortgagee to his brother, Alick, for his 100 acre, Portion 39 property at Cattai.⁸⁶² lending £500 to Alick @ 8% per annum. There is little doubt that this arrangement with Alick was intended to facilitate the expansion of his (Alick's) management activities in relation to his agisted livestock at Millie.

#In 1858, on Monday, 31 May a daughter, Mary Ada Elizabeth, was born to James and Elizabeth at 'Ada Cottage', Newcastle.

#Emily Valentine born on Saint Valentine Day in Newcastle on Tuesday, 14 February, 1860 to James and Elizabeth at 'Ada Cottage', Necastle.

David Humphries moved to live and work in Jerry's Plains from about 1860-1, as evident from the birth of two of his children: Sarah and Thomas. Possibly a third child, Clara, was born at Jerry's Plains in 1867? It is evident that both David Humphries and his son, George, were working for John Brown, given their long association at Cattai, at his Ellerslie property, immediately to the west of Jerry's Plains village. George's stint at Jerry's Plains was brief. He went to work for the Brown's as a storekeeper at Millie in the early 1860s.

Dividing of the Ways

Between 1860 and 1864, it seems the address that David Humphries prefers to be associated with is Millie.⁸⁶³



Another Creek 700m north of Millie Creek (within the Brown's Millie Run)
Photo J Griffiths April 2010

The first reference to a licence for a hotel at Millie occurs in 1860. It was issued to a William Kerrigan, who held it until 1863. The hotel was known as the Sportsman's Arms and is likely to have been one of several structures built there by the Browns.

James' and John's nephew, David (IV) (Thomas's son), was working at the family Millie property about this time, had had probably been there over several years.

On 25 February 1861, young David died because an infection caused by a stick penetrating his leg.⁸⁶⁴

⁸⁶⁰ BDM 1958 Reg No 13092

⁸⁶¹ BDM 1860 Mussellbrook Reg No 9610

⁸⁶² Lands Titles Office Ref:91M102(235) of 11 November 1993. Re: Portion 39, Parish of Maroota 'Crown grant dated 5/8/1806 of 100 acres to James Brown'. Mortgage in Fee Book 61, No 257 dated 5 May 1859.

⁸⁶³ Lands Titles Office Ref:91M102(235) of 11 November 1993. Re: Portion 39, Parish of Maroota 'Crown grant dated 5/8/1806 of 100 acres to James Brown'. Mortgage in Fee Book 61, No 257 dated 5 May 1859 refers.

⁸⁶⁴ Per telcon Marie Tattam October 2000.

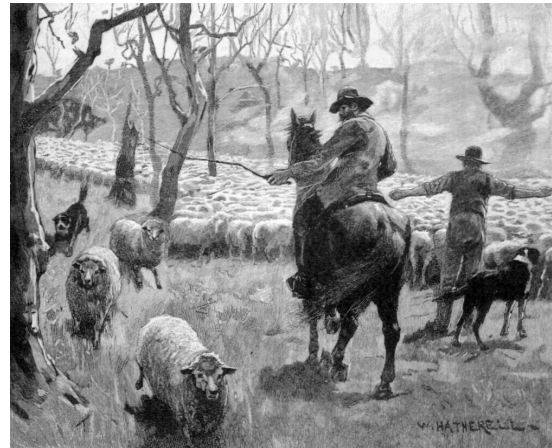


Typical of the Brown family, David had been doing work for himself as well for his uncles. This fact is indicated in his will, which he wrote when he realised he was dying revealing had an estate of cattle and horses.

John and James' brother, David, was responsible for managing at the time, and was the person who reported the Millie property the nephew's death. Will Kerrigan, licensee of the Sportsman's Arms at Millie was named by David as his executor.

#On 22 July 1861, a son, Walter James, was born to James and Elizabeth at their home in Newcastle, "Ada Cottage".

Sometime between 1 July 1861 and 30 June 1862, James and John divided 'Millie'. John took over South Millie, which included what was originally his Waterloo Creek run, and James got North Millie. The dividing of 'Millie' also reflects a major point of separation of the ways for the two men. It may be a coincidence however, the event followed on from the death of their nephew.



The surveyor's description of the Gwydir runs taken over a period from 1843 to 1869 explains this division. Under the heading 'Millie South' it says "Description of half of the 'Waterloo Creek' run or 'Millie' Station to be transferred to John Brown. All the parcel of land being half portion of the run called 'Waterloo Creek' or 'Millie' situated in the Liverpool Plains district." It then describes the South and North runs and also has a map showing Waterloo Creek with 10 miles along the creek and 5 miles south being John Brown's 'Millie South', and the same on the north being side but on the north side blazes include IE, MLE, JB and JJB. The IE blaze borders Malaraway, the James Brown's 'Millie North'. There are no blazes recorded on trees on the south. IE was probably meant to be 'JE' for John Eckford, MLE for Millie, JB for James Brown, and JJB for John James Brown.

The first recorded sporting fixture in the Moree district was a cricket match between a Millie eleven and a Moree eleven on Tuesday, 12 August 1862. They played for dinner, for which the Millie eleven ended having to pay.⁸⁶⁶

The division allowed James to sell his half of 'Millie' immediately.⁸⁶⁵

John, on the other hand, expanded his interests in the region and purchased Bunna Bunna Back Blocks 1 and 2, Yarranbar and Brigalow in 1862 from F.N. Bucknell. These blocks were to the south of South Millie.

STOLEN from Milley, on the 21st of June, 1862, Two DRAFT HORSES of the follow description : ONE BAY HORSE, collar marked, black points, branded TM on near shoulder, and having a large old Bear on the off rump near the back bone. ONE BROWN HORSE, colour marked, branded PL on off shoulder, and bund in the near eye. A reward of £2 each will be paid to any person giving such information as will lead to the recovery of the said liorsos, and 20 upon conviction of the thief; or, £1 each for such information by letter as will lead to their recovery.

Bunna Buna, Narrabri, 26th July, 1862.

WOODLEY C SLYMAN
4840.

⁸⁶⁵ R.A.A. Moreshead and M.Young appears in the Gazette as the new owner. They were agent and su- agent for a mortgaging company. They were involved in many a land purchase in that period.

⁸⁶⁶ 'NLA, mfm NX 27. The Maitland Mercury, 28 August 1862.



Telfer's Wallabadah manuscript, originated about this time, lists the stations and leaseholders of the region. Telfer refers to them as the 'pioneers' or founders' or 'those who occupied the runs in the early days' which included:

'D Browns **Millie South**'; ... W C Wentworth's Edgeroi, Gallathera, Gundemain, and Burburgata; ... Capp's **Millie Ace of Club** company, Bugilbone; Cobcroft's Wategah; and Bowman's **Terry Hie Hie**..' ⁸⁶⁷

The 'D. Browns Millie South' reflects David Brown III's management of 'South Millie' rather than John Brown's ownership. Capp's 'Millie Ace of Club' is believed to refer to Charles Capp, became David's son-in-law in 1842, and John's brother-in-law. Capp was known to be in possession of a 22,000 acre property to the west of Wee Waa from 1869 that was very confusingly known as 'Milly'.

#A daughter, Emma, was born to John and Sarah at Jerry's plains on 1 October 1862 at Ellerslie. ⁸⁶⁸

Sportsman's Arms

On 9 April 1863, the Maitland Mercury advertised that the unexpired lease of the "Sportsman's Arms", 'Millie', was to be let - it also advised:

<p><i>"The house is situated on the main road to the Barwin (sic) Narran, Culgoa, Warrego and Moree. The house contains eleven rooms, exclusive of Bar and Tap-room, with Detached Kitchen and Skillion, with Stars and six -stall Stable; also Two Large Stockyards. Possession to be given on 1 July, 1863. Stock to be taken at invoice price with carriage added. For particulars, apply to</i></p> <p style="text-align: right;"><i>Mr. Wm. Kerrigan, On the premises; or to Mr. John Levien, Merchant, West Maitland."</i></p>
--

The lease for the 'Sportsman's Arms' at 'Millie' was taken up in September 1863 by Thomas Mills. ⁸⁶⁹ Sometime between Mills' possession and April 1865 William Walford took up the lease and held the licence until 1869.

On 7 December 1863 John, 'formerly of Millie', and 'now of Elizabeth Street, Singleton', went mortgagee to his brother, Alick (of Jerry's Plains) against Alick's 100 acre, Portion 39 property at Cattai. He loaned £500 to Alick at a rate of 7% per annum - 1% less than Alec had contracted in May 1859 to pay James for the mortgage on the property- This, more that likely, reflects the trend in commercial loans at that time. ⁸⁷⁰ Very noticeable is the fact that John does not mention 'Ellerslie' as his former or current address.

This loan to brother, Aleck, aside from being a transfer contractual responsibility of the loan from James to John, and probably the transfer of Alec's right to agist his livestock at Millie. It certainly, reflects James' ceasing his involvement in Millie's affairs.

#In 1863, a daughter, Agnes Susan, was born to James and Elizabeth.

John's second youngest child, Rowland Leslie, at age three, died on 3 March 1864, and was buried at Glenridding, south of Singleton.

⁸⁶⁷ Wallabadah manuscript consisted of two sets of unsigned notes discovered by the manager of Wallabadah Station in the Station papers. Roger Milliss, author of "Waterloo Creek", realised that they must have been written by William Telfer junior whose father had worked for the Australian Agricultural Company. In listing the stations and leaseholders Telfer refers to them as the 'pioneers' or founders' or 'those who occupied the runs in the early days'.

⁸⁶⁸ BDM 1862 Patrick Plains, Reg No 12148

⁸⁶⁹ First heart of the Namoi - A History of Wee Waa to 1865

⁸⁷⁰ Lands Titles Office Ref:91M102(235) of 11 November 1993. Re: Portion 39, Parish of Maroota 'Crown grant dated 5/8/1806 of 100 acres to James Brown'. Mortgage Book 86 No 341 dated 7 December 1863.



The Government Gazette of 1865 showed a "List of Leases of Runs may be converted to leases under Crown Lands Occupation Act, 1861, at respective amounts:

Millie South - John Brown - £198.10.0

Millie North - Morehead and Young - £109.0.0⁸⁷¹

On 24 April 1865 there was a shoot out at Walford's Inn, 'The Sportsman's Arms', at 'Millie' between bushrangers led by Frederick Ward (alias Captain Thunderbolt born c.1835) and the constabulary:

'It would seem that Mr Walford had heard of the bushrangers being in the neighbourhood, and that he might expect them shortly, and accordingly, everything valuable and portable was concealed.' The bushrangers 'reached the inn between twelve and one o'clock. On reaching the inn they bailed up those who were about the place, and obtained a small amount of cash, but nothing else worth mentioning.'

'The police (Constables Dalton, and Lynch) with a black tracker, reached Walford's inn at Millie 'about an hour after the bushrangers had arrived there. '

'The situation of this house is on an open plain, without a tree for miles in any direction.' One of the bushrangers was on guard outside at the time, 'and the latter on seeing four men galoping across the plain for the house a whistle was

given to those inside, and all four came out to see who might be. On seeing it was the police, they all mounted their horses, and one of them holding up his revolver as a challenge to the police to come on; at the same time retreating from the house to the open plain at the rear. They had all drawn their revolvers, but the police, nothing daunted, gave chase, and came within firing distance a short distance from the house.'

'Thunderbolt fired the first shot, to which the police replied - at the same time endeavours were made to cut off the young lad from the rest of the gang, who seemed to be as well mounted as the others. Firing was continued on both sides with great vigor, when a well directed ball from the revolver of constable Dalton took effect on the young lad, entered the back and came out near the stomach. He fell from his horse and constable Dalton shouted to constable Norris to take charge of him whilst he went after the others. On leaving with that intention, he fortunately turned round, and saw the young vagabond, while on the ground, presenting his revolver at him.

He threw himself on his horse's neck and the ball luckily passed over him. Constable Norris came up at that moment, and again fired at the ruffian, the ball taking effect, having

entered the jaw and escaped at the back of the neck.'

'During the whole time, constable Lynch was keeping the other three bushrangers at bay, and succeeded in doing so, not withstanding that Ward, who was mounted on a fine chestnut horse, several times rode between the police and the youth, constantly discharging his revolver at the same time, in order to give his mate time to escape. He was however, unsuccessful.'

'About forty shots were fired by the police, and their ammunition was nearly expended. After securing the youth they proceeded a short distance after the others, but their horses were completely knocked up, having ridden them fully five hundred miles.



'Thunderbolt' Ahorse, A & R Archives

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For John and other members of the Brown family, bushrangers were just one of the many risks and challenges to be faced, even at this time, in their part of the colony. The risk of bushrangers to the family in the region was illustrated less than eight months later. On Saturday evening, 13 January 1866, John's brothers, Alick and George, stayed at the Turrawan Hotel, 25 kilometres to the south-west of Narrabri, owned by James Ward. They were on their way south with cattle, from the direction Brown's Millie property. That evening the hotel was 'stuck up' by two bushrangers of Thunderbolt's gang: Kelly, and another about 10 o'clock p.m.

David Humphries' son, George, married Ann Emma Pallett at Wee Waa, some 46km to the south of Millie, in November 1865. At the time, George gave his occupation as 'Storekeeper'.

⁸⁷¹ Government Gazette 1865 page 2421.

⁸⁷² NLA, mfm NX 27. Reel No11. The Maitland Mercury, Thursday, 2 May 1865.



George and Ann had a number of their children born at South Millie. They had also had children born at Tulladunna and Boo Boo.⁸⁷³ George remained at Millie until 1871 when John Brown sold his 'Millie South' to D. F. Mackay.

George and family then moved with to Wee Waa where he conducted a carrying business for many years. Ann is known to have provided a service as mid wife. Two of George's and Ann's children drowned at Collin's Bridge, Wee Waa in 1878. Ann died at Wee Waa in 1909.⁸⁷⁴

John Brown became alderman on the first Municipal Council for Singleton in 1865. He was eligible for the Singleton Council, as he had property in the town. At that time the Council only covered the town of Singleton and not the surrounding districts, John gave his address as Elizabeth Street. He also owned other land in Singleton including 220-222 John Street at some juncture.⁸⁷⁵

John was one of ten councillors to Singleton Municipal Council who attended its inaugural meeting on 5 March 1866. They met in the temporary Council Chambers, at the Caledonia Hotel, George Street.

On 17 April 1866 John purchased 32 acres of his father-in-law's (Richard Alcorn) Jerry's Plains property for £420.⁸⁷⁶ The same year he also purchased 319 acres of improved Crown Lands, described as Portion 2 on Waterloo Creek, County Jamison - This had been formerly part of his 'Millie South' lease. He paid one pound per acre. 'Millie' head station was situated on this land.



Photograph of Councilor John Brown from the montage of the first council in 1866, in his 45th year. Courtesy Philip Booker

The Balliere's Gazetteer of 1866 showed John Brown as leasing 32000 acres for £73.15.0 called 'Millie S Station (Liverpool Plains district)'; 'grazing capability 4000 sheep.'

James and Elizabeth's son, Gideon, died at "Ada Cottage" Newcastle on Sunday, August 13, 1865 at 9 years old and is buried at Christ Church Cathedral, Newcastle. In the same year a son, Albert Victor, was born to them.

In 1867, a daughter, Elizabeth Florence, was born to James and Elizabeth.

In 1868, a daughter, Vida Jane, was born to James and Elizabeth.

The Gwydir District Postal Directory of 1870 showed their brother, David, and a 'W. Gordon' at 'Millie'. William Gordon had taken up the lease for the 'Sportsman's Arms'.⁸⁷⁷

Rains in the first half of 1870 made for a good season on the Hunter. However, this was followed by severe flooding that caused much damage, and rendered people homeless.

On 1 July 1870, John purchased 640 acres Parish Wambo, County Hunter, for £400 from his brother, George.⁸⁷⁸

⁸⁷³ A History of Wee Waa to 1865. p60

⁸⁷⁴ A History of Wee Waa to 1865. p60

⁸⁷⁵ Per Dot Clayworth, Singleton Historical Society. She also advised that the other John Browne of 'Maison Dieu' lived just outside the municipal boundaries, and though invited to stand for the first election for councillors, declined as he was only living in Singleton part-time.

⁸⁷⁶ Hunter Valley News, 30 September 1992, 'History of Jerry's Plains Saga Finishes', by Ian Ellis

⁸⁷⁷ First heart of the Namoi - A History of Wee Waa to 1865

⁸⁷⁸ Book 120 No 218 and 221.



On 3 December 1870, John purchased land from his nephew, John James Brown, for £38 that had been bequeathed to him by David Brown junior. Likewise, 5 December 1870, John purchased land for £45 from his nephew, Thomas Edward, that had been bequeathed to him.

‘Millie’s’ End

A list of adjusted rentals on runs gazetted on 1 November 1870 showed John still in occupancy of ‘Millie South’ for ninety pounds.

However, in 1871 John sold his freehold 319 acres to William Henry Moseley, and his ‘Millie South’, ‘Bunna Bunna’ Back Blocks 1 and 2, ‘Yarranbar’, and ‘Brigalow’ to D. F. Mackay. D. F. Mackay then sold the runs, he had acquired from John, to William Moseley in the same year. John’s brother, David, had remained manager of the Millie South property up to this time.

Millie had become a substantial village that at one stage boasted of having a post office, coach stop, store, several hotels, a resident policeman, and roughly a 100 residents. James Duff became part of that prosperity. He started a new hotel called the ‘Millie Inn’ in 1876 that continued until 1881. In that year he is said to have transferred to the Royal Mail Hotel.⁸⁷⁹

Millie

Memorial to Trooper
James William Duff
500m north of Millie
Creek



Photo
J. Griffiths 2010

However, Millie as a village barely made it into the 20th Century. For many years, it was a staging post for coaches, but by-passed by the railway to Moree, it faded away. Millie is now only marked by a Memorial to Trooper James William Duff, age 25, of the Australian Bushmen’s Contingent, killed in action in the Boer War in 1900.

The Maitland Mercury Thursday, 8 June 1871:

To butchers: 50 Head of Prime Fat Cattle from “Ellerslie”. Brunker & Sparke have received instructions from J. Brown Esq. To sell by auction at the Sale Yards, Campbell Hill, on Thurs. 8th June, 1871 at 2 o’clock, 50 head of prime fat cattle from the above famous fattening estate near Jerry’s Plains. Terms Cash.

This event coincides with this report nine days later in the Maitland Mercury, Saturday, 17 June 1871 concerning his brother, David, being refused a slaughtering licence.

Aside from his half share in the ‘Millie’ of 64000 and other properties in the area that he disposed of in 1871, John’s properties included:

- "Menedebri" of 2402 acres at Somerton, 35km north-west of Tamworth, on the way to Gunnedah;
- 2166 acres at Wybong Creek, west of Muswellbrook, and 40 km north-west of Jerry’s Plains; and
- 2026 acres at Jerry's Plains.

The land at Jerry's Plains in part included ‘Ellerslie’ on the west and on the east, the grants given to his father, grandfather and great uncle as well as the grant to Peter Duff.

⁸⁷⁹BDM V1849 2848 34A shows a James W Duff was born to a Peter and Ellen Duff in 1849 at Jerry’s Plains parish.



On 10 Jul 1872, John added to his holding of lands at Jerry's Plains when he paid his half brother, Robert Bruce Brown, Stockman, of Marthagi Creek, for £100 for the 50 acres of Lot 29 he had inherited from their father.⁸⁸⁰

John's fourth eldest child, Jane, at age 19 years, was married on 16 July 1873 at Jerry's Plains, to William James Duff.

Seven years later, John's sons entered into a 'great rush' of weddings; David, at age 30 years, married in Jerry's Plains on 23 January 1879, Emma Maria York; Richard, at age 30 years, married Olivia Mary Saunders in Jerry's Plains on 3 March 1880; and George, aged 24 years, married Edith Kathleen Ryan at Singleton in 1880.

James Brown to Sydney

About 1877, after many years in Newcastle, James and family moved to Summer Hill, Sydney.⁸⁸¹ By 1878 James had re-invested his gains from Millee in town property, owning vacant land in Newcastle fronting Brown and Terrace Streets, 2 weatherboard cottages in Wolf Street, an allotment in Barker Street as well as 'Prospect Cottage' in Tyrrell Street which was now occupied by his younger brother, George.

On consideration of his failing health, James proceeded to make his Will on April 17, 1878, appointing 2 of his sons, Solomon and James, as executors along with his brother, John.⁸⁸²

Just one week after making the will, James died on Wednesday, 24 April 1878 at Newtown Road, Sydney,⁸⁸³ at the age of 58 years.⁸⁸⁴

The Funeral procession left the residence of his brother, George, 'Prospect Cottage', Tyrrell Street, Newcastle, at a quarter to 4 p.m. the following day. This was a considerable effort for those days. Presumably, funeral arrangements had been made in anticipation of his death, and his body sent on the overnight train or boat. No doubt, last minute communication was done by telegram. James was interred with his son Gideon behind the Christchurch Cathedral, Newcastle.

In his will, James expressed his desire for the executors to educate and provide for the remaining minor children. For Elizabeth, she was to be well provided for until her decease, providing she remained single. Son, Walter, was to be clothed and boarded as long as he remained employed with Lassetters. Also, that the family was to remain in the furnished house he had provided for them⁸⁸⁵ Elizabeth is said to have later taken up residence at 'Yarran', Petersham.

Elizabeth remained in Sydney and did not marry again. She died on 8 August 1909.

James and Elizabeth had the following children:

- | | | |
|---------------------------------|-------------------------------------|----------------------------------|
| I. Wallace (1851 -) | V. Walter James (1861-1933) | IX. Albert Victor (1865-1939) |
| II. Solomon (1852 -) | VI. Agnes Susan (1863-1944) | X. Elizabeth Florence 1867-1922) |
| III. James Charles (1854-1880) | VII. Mary Elizabeth Ada (1858 -) | XI. Vida Jane (1868-1907). |
| IV. Gideon (1856 – 13 Aug 1865) | VIII. Emily Valentine (1859 – 1933) | |

John Brown the Parliamentarian

John was elected Member of the Legislative Assembly NSW for Patrick Plains in the 10th Parliament from 25 Nov 1880 to 23 Nov 1882. Sir Henry Parkes was the Premier.

⁸⁸⁰ Book 131 No 270. Originally granted to David Brown senior.

⁸⁸¹ 'A Tribute To The Pioneering Thorleys' states that in later years James & family moved 'to "Yarren", Petersham, a lovely 2 storied brick home.'

⁸⁸² A Tribute To The Pioneering Thorleys

⁸⁸³ Hawkesbury Pioneer Register Volume I, contributor Merryll Hope.

⁸⁸⁴ A Tribute To The Pioneering Thorleys

⁸⁸⁵ A Tribute To The Pioneering Thorleys



In the 2nd session of the 10th Parliament in November and December 1881 John spoke on two occasions in regard to the proposed Northern Junction Railway that was to link Sydney with Newcastle via the coast. John and his constituents wanted the railway to meet the northern railway at Singleton, thus providing considerable employment for the town. The present route was decided on with 57 for it, and John joining the 13 against it. John also spoke in regard to the proposed site of a road bridge across the Hunter at Jerry's Plains. John wanted it further downstream but this was rejected as being too costly because of the need for land resumption.

In the 3rd session of the 10th Parliament John spoke on 6 September 1882 in regard to the Watering Places and Reserves Bill. (page 297). He said:-

"I have been **connected with runs and stations and with the droving of cattle and sheep since I was 15 years old**, and I should be surprised to find that any man could drive more than 200 head of cattle satisfactorily There can be no doubt that travelling stock reserves require more protection than they receive at the present time. A reserve is no sooner formed than it is used by persons who have no right to the grass. I believe that both squatters and selectors use the reserves improperly. If the Government acted rightly, they would fence in the whole of the reserves. If cattle be station through which they are about to pass. There are many men who travel with sheep and cattle who can neither read nor write, and they may sometimes have to travel 20 miles to a post office in were made to pay 1d or 1 1/2d per head for their feed, the Government would be recouped for their outlay in fencing, even though they might borrow the money. I myself have a paddock of about 1100 acres on the northern line, which I keep especially for the feeding of travelling stock. One clause of the Bill provides that drovers of cattle shall, by registered letter, give notice to the occupier of the station through which they about to pass. There are many men who travel with sheep and cattle who can neither read nor write, and they may have to travel 20 miles to a post office in order to register a letter. What is to be done in such cases? Are they to keep a man for the purpose? In my opinion a verbal notice is all that is necessary, and should be deemed sufficient."



*John Brown
Member Legislative Assembly
NSW
for Patrick Plains
25 Nov 1880 to 23 Nov 1882*

The Sydney Morning Herald, Saturday, 26 August 1882:

RAILWAY FROM JERRY'S PLAINS

A deputation, consisting of Mr. John Brown, M.L.A., Mr. A. Bowman, M.L.A., and Messrs. W. Parnell, W. Pearce, and Thomas Ellis, waited upon the Minister for Works to present a petition asking that a light railway might be constructed between Jerry's Plains and Singleton, to connect with the Great Northern Railway at the latter place. The construction of this railway, it was urged, would afford an opportunity to the Government for initiating their policy of cheap railways, benefit a large number of farmers, graziers, and others in an extensive and fertile district, and render available thousands of acres of rich and arable land on the Hunter, Apple Tree Flat, Warkworth, Bulga, and Doyle's Creek. The line would be no more than 20 miles in length, and, as the work presented no engineering difficulties, it would be inexpensive. Etc

The light rail was never constructed, and John did not stand for re-election to parliament for a second term. It has been claimed that a few years later in 1885, John, was made a magistrate of Jerry's Plains.

John's daughter, Emma, at age 23 years, married Adrian Charles Mountain on 14 November 1885. Their marriage was registered in Singleton.

John suffered from angina for many years and died from a heart attack at Jerry's Plains on 23 April 1896.⁸⁸⁶ It is said that his death was brought on by over exertion while showing someone the correct way to plough. He was 74 years of age. John was buried on 25th April 1896 at 'Elsinore'⁸⁸⁷ east of Jerry's Plains and to the west of the old Jerry's Plains cemetery. Henry York acted as one of the witnesses to the burial.⁸⁸⁸

⁸⁸⁶ Gravestone inscription, also Supreme Court documents per Philip Booker)

⁸⁸⁷ The family had moved there from 'Ellerslie'. Per Merryll Hope

⁸⁸⁸ BDM 1896 7971



In his will; John left half the Somerton property to David, and half to Richard; a little over half the Wybong Creek property to John as well as Peter Duff's original grant at Jerry's Plains; the remainder of Wybong to Henry, as well as "Ellerslie" at Jerry's Plains. George received over 1000 acres at Jerry's Plains including the original Brown grants. He also bequeathed £200 a year for 5 years to Jane's children and the same to Emma and £125 per annum to his wife Sarah.

John had originally appointed all his five sons as executors when he made his Will on 24th February 1891. However, a Codicil was added on 3rd February 1894 removing David, Richard and John. The executors now included his two youngest sons, George and Henry, and James William Duff, the husband of his daughter, Jane, who was still alive when the Will was originally made on 24th February 1891 but had died by the time the Codicil was added. He also appointed Thomas Ellis, the son of Sarah Ann Hobden whose first husband, Peter Duff, had owned *Hampton Park* next to the Brown's farm at Jerry's Plains.

At the time that the Codicil was made, Thomas had recently moved from the family's 3150 acre *Oak Range* property at the junction of Doyle's Creek and the Hunter River near Jerry's Plains to manage *Arrowfield*, which the family purchased in 1893. The fifth executor to be appointed was William Ellis Hobden, who farmed part of *Great Lodge*, the property established by his grandfather Richard Hobden, downstream from Jerry's Plains.

John Brown's assets were originally valued at £11,556 but most of this, £9,825, was in over 6500 acres of land, as well as cattle and machinery which were being managed by his sons. Only £1,729 was available as liquid assets and £1,054 was owed to the Crown on Conditional Purchases in the Tamworth and Muswellbrook areas. The executors used local graziers to value the land and the Commissioner of Stamp Duties, believing the values to be too low, sent telegrams to district surveyors to value the properties. Most of the surveyors replied that they did not know the value of the lands and appeared reluctant to proffer an opinion. The Commissioner then contacted licensed auctioneers and valuers for an estimate. Henry York provided valuations for the Wybong Creek and Jerry's Plains properties. No doubt the Commissioner was unaware that Henry's daughter was married to David, son of John Brown and a beneficiary of the estate. However, the revaluation resulted in an increase of nearly £2000 in the value of the estate.⁸⁸⁹

Unfortunately, there was insufficient ready money to pay the bequests. John stated in his will that, if this was the case, then his sons should make up the shortfall. The sons were not forthcoming with the money and the matter went to the Supreme Court of NSW. This caused deep divisions within the family with the three eldest brothers, David, Richard and John ignoring notices served on them by the Court and failing to attend proceedings or appoint representatives. The Equity Court directed the sons to pay the money.⁸⁹⁰

John's wife, Sarah Jane, continued to live at Jerry's Plains. She died in Singleton at the age of 82 on 19 June 1908 from a cerebral haemorrhage. Sarah had made a Will on 1 October 1906 - It had to be read to Sarah because she was blind and she signed with a 'X'. Sarah was buried on 21 June in the Presbyterian section of Glenridding Cemetery, south of Singleton, where her son, Rowland Leslie, had been buried.

John and wife Sarah Jane (nee Alcorn) had the following children⁸⁹¹:

- | | | | |
|------|--------------------------------------|------|---|
| i. | David (3 Jun 1848 - 27 Aug 1930) | iv. | George (15 Jan 1856 - 4 Mar 1924) |
| ii. | Richard J (7 Jan 1850 - 17 Dec 1922) | v. | Henry. (18 Mar 1858 - 24 Mar 1944) |
| iii. | John (18 Aug 1851 - 25 Apr 1917) | vi. | Rowland Leslie (28 Jul 1860 - 3 Mar 1864) |
| | Jane (23 Sep 1853 - 30 May 1892) | vii. | Emma. (1 Oct 1862 - 19 Jun 1908) |

David Brown

David (III) (b.3 November 1828) is notable as having remained in the shadow of his brothers, James and John.

⁸⁸⁹ Stamp Duties Office: *Deceased Estate File*, Z Series 1880-1923 (SRNSW ref: 20/97, John Brown, Duty Paid 7 Sep 1896)

⁸⁹⁰ Per Philip Booker e-mail of 27 January 2001

⁸⁹¹ Per Philip Booker e-mail of 27 January 2001



'He resided some years in Jerry's Plains and again returned to the Hawkesbury where his youth was passed.'⁸⁹² It was probably 1840 when David was 12 years old. He 'subsequently came to Maitland when about 19 years old'⁸⁹³ in 1847 - Possibly to run another arm of David's business e.g. butchering, transporting, and selling livestock.⁸⁹⁴

David was in his 21st year, and most probably living in Maitland when his father married for a second time, to former convict, Harriet D'Arcy, on 16 May 1848; brother Alfred was born some nine weeks later to the newly wed couple; and his eldest brother, Thomas died on 7 June 1848.

He married Elizabeth McGlynn on 22 January 1852 at West Maitland. Elizabeth had been born on 29 September 1837 at Pitt Town.

David and Elizabeth's first child, Walter Edward, was born in 1852 and like all his brothers and sisters to come, was baptised in the Maitland parish. Sadly, the Maitland Mercury of Wednesday, 6 April 1853 carried the following notification of Walter's death on page 3:

At the residence of Mrs. Elizabeth Turner, West Maitland, on the 30th March, 1853, Walter Edward, only son of Mr. **David Brown**, aged five months.

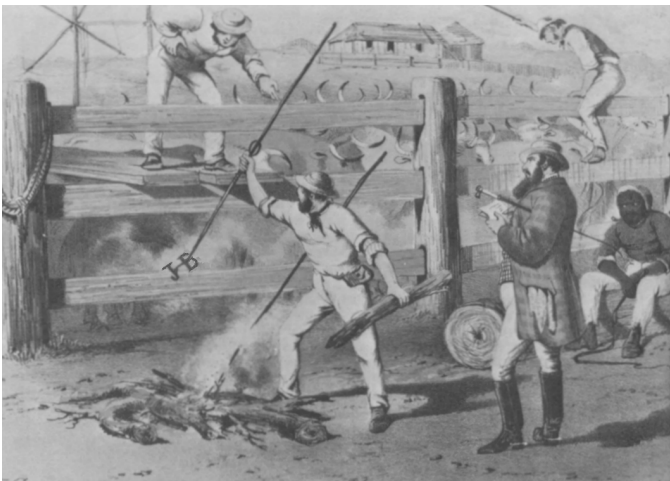
David '...conducted a butchering business for some years' in Maitland, '...after which he took up his residence on Millie station which he and his brothers carried on for some time, the rest of his life being spent between Millie and Maitland.'⁸⁹⁵ He appears to have managed the property on his brothers' behalf.

#Another son, Francis George, was born to David and Elizabeth on 5 June 1854, and baptised in Maitland that year.

#A daughter, Ellen Elizabeth, was born to David and Elizabeth and baptized in Maitland in 1856.

David was 28 years old when his father, David junior, died on 11 January 1857 at Jerry's Plains.

#A daughter, Ada Catherine, was born to David and Elizabeth on 9 January 1860 and baptised at Maitland that year.



Cattle Branding: Adapted from a lithograph by S. T. Gill, c. 1864;

David was at the 'Millie' property on 25 February 1861 when his nephew, David, (Thomas' son) died. Nephew, David, made his will on 20 February 1861, five days before he died, at Millie on 25 February 1861.⁸⁹⁶ The cause death was by an infection caused by a stick penetrating his leg?⁸⁹⁷

It seems his nephew, David, was working for or with his Uncle at the property, and that it was David, then nearly 33 years old, who reported his nephew's death.

⁸⁹² Obituary in the Maitland Mercury, Tuesday, 16 February 1886. NLA, mfm NX27.

⁸⁹³ Obituary in the Maitland Mercury, Tuesday, 16 February 1886. NLA, mfm NX27.

⁸⁹⁴ David Browns Will of 15 December 1856 refers to his allotments in Bourke Street in the town of Maitland which were to go ultimately to Henry Brown if he had survived to his 21 birthday.

⁸⁹⁵ Obituary in The Maitland Mercury, Tuesday, 16 February 1886. NLA, mfm NX27.

⁸⁹⁶ Executors to his will were Robert Hobden and William Kerrigan.



#A son, Roland David, was born to David and Elizabeth on 12 March 1862.

The Telfer's Wallabadah manuscript of this period lists 'D Brown's Millie South' among the stations and leaseholders of Namoi and Gwydir district. He refers to people such as David as the 'pioneers' or 'founders' or 'those who occupied the runs in the early days'.

David journeyed back and forth between Millie and the Hunter driving cattle and sheep. He would have stayed at the Turrawan Hotel, or the like, as his brothers Alex and George had done - A place where the Browns were well known.

THE FLOOD AT JERRY'S PLAINS

Above and about Jerry's Plains the flood has been very high, but varied, in comparison with that of 1857. The greatest sufferer I can hear of is Mr. D. Kitten, of Lucan Park, who lost a stack of beautiful wheat (supposed to contain 300 bushels), and twenty

acres of good corn spoiled, besides a great deal of fencing, which he had been gradually getting in good order and just completed but has not at the present moment one single paddock secure.

Mr. Howard, the late postman, lost a

stack of hay and wheat. I believe the fences about the township had a shaking. Mr. Hynes' new hotel was near wet on the floor, but just escaped. A great many took the Ridge for safety.

The Sydney Morning herald - Monday 22 February 1864

The Hunter River overflowed its banks three times during 1864. The most disastrous was that of 14 –16 June.

A daughter, Vida Blanche, was born to David and Elizabeth on 26 December 1864 and baptised at Maitland the following year.

#A daughter, Ethel Perie, was born to David and Elizabeth in 1867.

#A daughter, Milba Maud, was born to David and Elizabeth in 1869.



Floods, Devonshire Street, Maitland in 1864.⁸⁹⁸

The Gwydir District Postal Directory of 1870 showed 'D. Brown' and 'W. Gordon' at 'Millie', the Manager of 'South Millie' and the hotel licensee for 'Millie'.

*'... was long time a resident of Maitland, where he has reared up a large family, some of whom are now married and settled either in Newcastle or near Maitland.'*⁸⁹⁹

David's involvement in the Millie station ended⁹⁰⁰ when his brother, John, sold 'Millie South' interests and other property to D. F. Mackay in 1871. About this time he moved to Maitland on a permanent basis - It is likely this event coincides with this report in the Maitland Mercury, Saturday, 17 June 1871:

'Slaughtering Licence – David Brown applied for a slaughtering licence to the bench at West Maitland yesterday; but a petition having been presented against the licence on the representation that a slaughterhouse at the place named would be a nuisance, the application was refused.'

David's application coincides with his brother, John, advertising nine days before in the Maitland Mercury Thursday, 8 June 1871.

⁸⁹⁷ Per telcon Marie Tattam October 2000.

⁸⁹⁸ Illustrated Sydney News, July 1864.

⁸⁹⁹ Obituary in the Maitland Mercury, Tuesday, 16 February 1886. NLA, mfm NX27.

⁹⁰⁰ 'Some years ago he disposed of his interest in the station and resided in Maitland.' Obituary in the Maitland Mercury, Tuesday, 16 February 1886. NLA, mfm NX27.



Of David's life in Maitland, it was observed that: *'He was a quiet, unobtrusive man, took no part in public matters.'*⁹⁰¹

#A son, Milton James Leslie, was born to David and Elizabeth during 1872.

'After a very painful illness he died on Saturday evening' at High St West Maitland on Saturday, 13 February 1886⁹⁰² 'at the age of 58.

'His latest illness only lasted about a fortnight and commenced with a swelling to the face caused by a gumboil, which it is thought may have been poisoned by his pricking it with his knife. Erysipelas subsequently appeared and inflammation and rupture of the bowels supervened, from an old injury it is believed.'

'His funeral took place on Sunday evening when he was followed to his last resting place by a number of old townsmen'⁹⁰³ in West Maitland.

David was buried in Campbell's Hill Cemetery, C. of E. area, section B6, plot 1.

Elizabeth died on 29th November 1895 and was also buried in Campbell's Hill Cemetery, C. of E. area section B6 on 30 November 1895.

Children to David and Elizabeth were:

- | | | | |
|------|-----------------------------------|-------|-----------------------------------|
| i. | Walter Edward (1852 – 1853) | vi. | Vida Blanche (26 Dec 1864 – 1900) |
| ii. | Francis George (5 Jun 1854-1936) | vii. | Ethel Perie (1867 – 1942) |
| iii. | Ellen Elizabeth (1856 – 1911) | viii. | Milba Maud (1869-1905) |
| iv. | Ada Catherine (9 Jan 1860 – 1928) | ix. | Milton James Leslie (1872 – 1932) |
| v. | Roland David (12 Mar 1862 – 1941) | x. | male unknown |
| | | xi. | male unknown |

⁹⁰¹ Obituary in the Maitland Mercury, Tuesday, 16 February 1886. NLA, mfm NX27.

⁹⁰² NSW registration of death No 20945

⁹⁰³ Obituary in the Maitland Mercury, Tuesday, 16 February 1886. NLA, mfm NX27.



Chapter 27 - David's Daughters

(1842 – 1910)

David Brown junior and Elizabeth McMahon had two daughters:

Mary (II) was born on 24 December 1823 at Caddai, and baptised on 29 February 1824 at St Matthew's, Windsor, NSW;⁹⁰⁴ and

Catherine, was born on 22 May 1826 at 'Little Caddie Creek', NSW, and baptised on 2 July 1826 at Wilberforce⁹⁰⁵ – She was known as 'Kate'.

The fate of these two women was indicative of that of their mother, Elizabeth, and grandmother, Catherine, and many a pioneer women in 'the bush' of that period.

For most women in colonial Australia, 'the kitchen was the centre of home life, and of necessity, work. There was considerable physical effort in not only cooking but in maintaining the kitchen area and cleaning all the equipment. Many tasks were mundane and repetitive. In that early colonial period there was no such thing as fuel ovens. The fireplace was where the women were expected to do great feats. Over the fire hung chains, and hooks to support boilers, kettle, and camp oven.⁹⁰⁶ In addition to meeting these challenges, they were caught up in tending to the wide variety of other needs and demands that a husband and often many children might present.

Typical of women of this period their history is very much limited by what can be deduced from births, deaths and marriages and the activities of their menfolk. They tended to get less mentions in newspapers. They tended not to buy property. Often they weren't as well educated as their partner, often they couldn't read or write. Though in the case of most Brown women it is apparent that they could at least sign their name, and certainly some were able to write letters. As indicated earlier, such as in the case of the daughters of Thomas Brown, the Browns seemed to have greater expectations about education of their womenfolk.

Marriages

Kate, at age 16, seems to have been a witness at her uncle, David Humphries' wedding on 13 June 1842 to Jane Mary Daley at St Matthew's, Catholic Church at Windsor.⁹⁰⁷ The other witness was a John Daley. The microfiche record of the register shows Kate signing thus:

Catherine Brown

It is apparent that David Humphries was, at the time, still working for the Brown family – His occupation in 1848 and 1854 was stated to be 'Farmer'. David's marriage at Cattai brought another female into the Brown family. The evidence of the 1841 Census suggests that each of the three Brown households had at least one woman in residence. There is little doubt that that they were expected to keep house for and feed the menfolk. David Humphries marriage meant that Kate was free to go back to Jerry's Plains to take over household duties from her sister, Mary, who was about to be married.

In fact, Mary married Charles Solomon Capp⁹⁰⁸ at 'Mount Loder' a few weeks later on 26 June 1842.⁹⁰⁹

⁹⁰⁴ BDM Reference V1823 6480 Vol 1B 0. NSWRS Reel 5001, p.334. (NLA 229)

⁹⁰⁵ NSWRS 5002, BDM Reference V1826 491 10 0, NLA mfm NX229 – Reel 5002

⁹⁰⁶ Pioneer Women of the Bush, p.39

⁹⁰⁷ BDM V 1842 1642 92 0 refers.

⁹⁰⁸ Charles' parents separated soon after his birth and his mother went to live with Andrew Loder as a housekeeper. She had five sons by him (Loder), the last one, James, born in 1836, the year his father was killed in a fall from a horse.

⁹⁰⁹ Pioneer Register shows marriage on 25 June 1842 at Mt Loder, near Singleton.



Kate would have been tending to her brothers for just under four years before she herself got married. Kate married Robert Bruce Hobden (born on 5 June 1824) of Jerry's Plains - by banns in the temporary Church on 16 April 1846. She was not quite 20 years old and her brother-in-law, Charles Solomon Capp, gave his consent and acted as a witness. The other witness was 'John Elliott'. Rev. Joseph Cooper, Chaplain of Falbrook and Jerry's Plains performed the ceremony.⁹¹⁰ Her husband, Robert, was the son of Richard Hobden of 'Great Lodge', and at the time worked as a flour miller. Kate was given the north-east portion (some 30 acres) of David's lot 28 known as 'Elizabeth Fields', as well as two other half acres allotments by her father as part of his sub-division of property, presumably as a wedding present?

A daughter, Charlotte V, was born to Mary and Charles at Jerry's Plains on 24 May 1844.

A daughter, Mary Elizabeth, was born to Mary and Charles at Jerry's Plains on 21 Feb 1846.

On 6 November 1846, Mary was sold land by her father, the price having been 'her Natural Love and affection'. The land was bounded on the north side by land previously given to her sister, Catherine Hobden, Richard Alcorn on the east, and Elizabeth Street (Main Road) on the south side.⁹¹¹

Licensing Day, 18 April 1848 saw the licence for innkeeper of her father's inn 'Robin Hood' granted to Mary's husband, Charles Capp.⁹¹² It had been managed for 4 years by her eldest brother, Thomas, and before him her father.

A daughter, Emma Maria, was born to Mary and Charles at Jerry's Plains on 10 October 1848. The use of 'Emma' coincides with her cousin Ann 'Emma' born in March that year.

About 1849 Mary and Charles moved to 'Coghill' in the Wee Waa region. Mary was one of the first pioneering women of that district.⁹¹³

A son, Joseph Ivory, was born to Mary and Charles at Coghill on 22 Oct 1850 though not registered until 1851 in the Jerry's Plains parish. Seven of the children subsequently born to Mary and Charles were registered at Wee Waa. Mary and Charles ultimately had 13 children but only 8 survived to adulthood. They lost four of their children to typhus.⁹¹⁴

Mary and Charles gave birth to a son, Walter Charles at Mount Loder on 13 August 1853.⁹¹⁵

The resources available for raising a family in what was undoubtedly a harsh, difficult, and remote location for those days were severely limited. The fact that the family did as well as they did says much about Mary as a strong and resourceful person.

Kate and Robert Hobden

While Mary and Charles were braving the remote Namoi region, Kate and her husband remained in the Hunter area.

A son, William John, was born to Kate and Robert on 16 Jan 1847.

⁹¹⁰ (NSWSR Reel 5009) per Philip Booker. And Vol 3 No 545 - Bathurst Library per Marie Tattam

⁹¹¹ Book 72 No 88. Deed not completed until 8 April 1861

⁹¹² The Maitland Mercury, Hunter River District News, 26 April 1848. NLA, mfm NX27. Roll No3.

⁹¹³ A History of Wee Waa to 1865

⁹¹⁴ Per Merryll Hope and Marie Tattam

⁹¹⁵ However, this does not readily appear in the BDM register.



#A son, Robert Alfred, was born to Kate and Robert on 14 May 1848.

To Kate and Robert, Mary Elizabeth born 22 Aug 1850

Kate's father-in-law, and her father's long time neighbour, Richard Hobden of 'Great Lodge', died on 20 July 1851 at the age of 63 and was buried in Jerry's Plains on 23 July.⁹¹⁶

On 4 November 1851, a replacement for the office of 'Pound Keeper' at Jerry's Plains was appointed in lieu of Kate's husband, Robert, who had resigned.

#A daughter, Sophia, born to Kate and Robert on 6 Oct 1851.

Kate and Robert tragically lost two daughters in the one year: Sophia on 16 Aug 1854 age 22 months), and Mary Elizabeth on 29 Nov 1854 aged 4 years.

The Maitland Mercury of Wednesday, 20 February 1856, included the following advertisement concerning the Hobdens:

<p><i>'To Let, on terms to be agreed upon, 40 acres of good agricultural LAND, on Great Lodge, cleared and fenced in - three convenient paddocks. Apply to 1021'</i></p>
--

<p>Mary and Kate's father, David Brown, died on 11 January 1857 at Jerry's Plains.</p>

More of Mary and Charles Capp

#A daughter, Jane Catherine, was born to Mary and Charles at Wee Waa on 31 July 1855.

#A son, John Thomas, was born to Mary and Charles at Wee Waa on 18 Apr 1857 and died the same year.

#A daughter, Emily Rachel, was born to Mary and Charles at Narah on 19 August 1858 and died the following year.

#A son, Charles George Milton, was born to Mary and Charles at Coghill on 25 November 1859.

Charles bought 'Coghill' with permanent water in 1865 having had association with that property since about 1849. Charles older brother, Thomas some years before, had owned Coghill.

#A daughter, Clare Slyman, was born to Mary and Charles at Coghill on 16 April 1863.

Mary and Charle's daughter, Emma Maria, aged 15 years, died 18 Jan 1864.

The Sydney Morning Herald of Friday 3 March 1865 included the following:

<p>MARRIAGES. On the 21st February, at Mille Station, Namoi River, by the Rev. E. Price, of Wee Waa, G. A. Murray, Esq., Bucklebone, to Mary Elizabeth, second daughter of Charles Capp, Esq., of Mille.</p>

⁹¹⁶ BDM V1851 1231 37B



A son, Sydney Mark, was born to Mary and Charles at Coghill on 18 March 1865.

A son, Wallace, was born to Mary and Charles at Coghill on 27 May 1868.

The Maitland Mercury of Thursday 22 July 1869 included the following:

Died at Quigga Station, Namoi River, on the 9th of July, Charlotte, the eldest and beloved daughter of Chas. S. and Mary Capp , and relict of the late W. C. Slyman, aged 25 years; deeply lamented. 4881
--

Mary and Charles son, Sydney Mark, also died during 1869.

Charles Capp is known to have acquired a 22,000acre property in 1869 on the Namoi River originally established by George Druitt. It was originally known as Milli and Coolga. Milly was variously spelt Milly, Millie, and Mille. It has been often confused with the 'Millie Run' owned by the Browns to the north east that straddled Waterloo Creek.



A timber house indicative of the pioneer homes of the 19th century. This photo is of a home in the Daintree area Queensland 1869.

Charles' grazing enterprise at Milli was known as the 'Ace of Clubs'.

Intriguingly this name had potential for over-branding stock carrying a 'Clover Leaf' brand, with a rectangle, to look like an ace of clubs. The 'Clover Leaf Company' was name of the company 1838 by John Brown, John Hector, and Edward Trimmer. The John Brown of the Clover Leaf Company would have been 'John Edward Brown' who had the licence for nearby 'Bugglebone' run from 1840 for many years

In 1870, Mary and Charles moved their family to the milder climate and better facilities of the Maitland region. This was accomplished when Charles purchased "Windermere", near Maitland, from Peter Green. The two storey house had been built for W.C. Wentworth and a vineyard was included in the grounds.

#A daughter, Minnie Cora, was born to Mary and Charles at Windermere 26 April 1872 and registered at Maitland.

Windermere' burnt down in 1882 and only two wings were rebuilt.

Charles Capp died on 12 October 1884 at Lochinvar aged 61, and left the Coghill property to Mary.⁹¹⁷

Mary died on 17 August 1910 at Lochinvar and is buried in Lochinvar Cemetery with her husband, Charles Solomon.⁹¹⁸

⁹¹⁷ A History of Wee Waa to 1865. p54.

⁹¹⁸ Hawkesbury Pioneer Register Vol I, Contributor – Merryll Hope



Mary Capper

Children to Mary and Charles were:-

Charlotte V. (24 May 1844 – 1869)
 Mary Elizabeth (21 Feb 1846 – 1896)
 Emma Maria (18 Oct 1848 - 18 Jan 1864)
 Joseph Ivory (22 Oct 1850 - 5 Nov 1920)
 Walter Charles (13 Aug 1853 – 1854)
 Jane Catherine (31 Jul 1855 – 1921)
 John Thomas (18 Apr 1857 – 1857)

Emily Rachel (19 Aug 1858 – 1859)
 Charles George Milton (25 Nov 1859- 5 Feb 1940)
 Clara Slyman (16 Apr 1863 – 1947)
 Sydney Mark (18 Mar 1865 – 1869)
 Wallace (27 May 1868 – 1939)
 Minnie Cora (26 Apr 1872 -1949)

More of Kate and Robert Hobden

After the death of her father, Kate and her husband continued in the Hunter for some years before eventually moving to Newcastle. Unfortunately, their history from this point on is little more than an account of births and deaths:

Walter James born to Kate and Robert 16 January 1858 and died 31 Mar 1858

Matilda Jane born to Kate and Robert 9 Jul 1863 and died 1866

#Edwin Francis born to Kate and Robert 14 Dec 1864

Richard Charles born to Kate and Robert 30 Aug 1866 and registered at Patrick Plains

Kate and Robert's child, Matilda Jane age 3 years, died 1866

Emily Ada born to Kate and Robert 1 Aug 1868 and registered at Patrick Plains , and died 4 November the following year.

Robert Hobden died at Waratah, Newcastle, on 3 June 1900.

Kate died on 13 May 1905, also at Waratah.

Children born to Kate and Robert were:-

William John (16 Jan 1847 -)
 Robert Alfred (14 May 1848 - 30 Jun 1947)
 Mary Elizabeth (22 Aug 1850 - 29 Nov 1854)
 Sophia (6 Oct 1852 - 16 Aug 1854)
 George Henry (20 Oct 1853 - 23 Jan 1934)
 Arthur Alexander (10 Feb 1856 - 2 Mar 1946)

Walter James (16 Jan 1858 - 31 Mar 1858)
 Isabella Kate (5 Dec 1858 - 21 Jul 1934)
 Matilda Jane (9 Jul 1863 – 1866)
 Edwin Francis (14 Dec 1864 - 5 Jul 1939)
 Richard Charles (30 Aug 1866-)
 Emily Ada (1 Aug 1868 - 4 Nov 1869)



Chapter 28 - Elizabeth's other Sons:

(1855 – 1932)

George, Alick, and Francis

Two other children of David Brown and Elizabeth McMahon, notable for being close are Alick (Alexander) and George. They seem to have teamed up for much of their first thirty years. George was born 12 July 1831 and Alick 14 October 1834. George and Alick were moderately successful in their commercial enterprises, but were in the shadow of their older brothers James and John.

For a brief while, George and Alick shared their childhood with their younger brother, Francis, born c1836. Francis is said to have died in infancy, sometime during 1839. The statistics for the Brown households at Jerry's Plains in the 1841 imply that he was deceased by then. However, Francis was around long enough for George to remember his existence and death and record the fact when registering their father's death in 1857.

When their mother, Elizabeth, died on 21 November 1837 at Jerry's Plains, George was only six years and four months, and Alick was only just over 3 years old. This loss could not help being noticed by them. It may well account in part for George's conduct later regarding his father's subsequent marriages.

About 1848 George and Alick would have actively assisted in the day-to-day business of stock management, which more than likely meant assisting in the driving of sheep and cattle from 'Millie' to the southern markets.

George was in his 17th year and Alick in his 14th when their father married for a second time, to former convict, Harriet D'Arcy, on 16 May 1848, and their brother, Thomas, died. George, in particular, does not seem to have had a happy relationship with his stepmother.

When their father, David, died on 11 January 1857, George was 25 years old and Alick was just over 22 years old.

Robbery at Turrawan

Typical of the Brown family then, Alick, by his 21st birthday in 1854, was already established as a 'Stockholder' and had accumulated savings from keeping and selling livestock. Like his nephew, David, it is more than likely that his livestock management activities were heavily concentrated at Millie.

From time to time, the livestock needed to be driven to the market place. On at least one of those occasions, which proved particularly eventful, Alex was assisted by his brother, George:

Saturday evening, 13 January 1866, Alick and brother, George, being 'on their way down with cattle' are recorded as staying at the Turrawan Hotel owned by James Ward.

Turrawan is 25 kilometres to the southeast of Narrabri; 90 kilometres southeast of 'Millie'; and 30 kilometres to the north of Boggabri, where Alick had been residing with his family for some years.

⁹¹⁹

That evening the hotel was 'stuck up' by two bushrangers of Thunderbolt's gang: Kelly, and another about 10 o'clock p.m. The Turrawan correspondent for the Tamworth Examiner reported that "*Mr Alexander Brown and Mr George Brown...*"

⁹¹⁹ The probability of there being another Alexander & George Brown in that location, driving cattle 'on their way down', and being well known in the Turrawan, and the surrounding district is extremely remote. The people mentioned in this article do not have to be related, however, as another indication of the probability of them being any other than the subject of this work, there are only seven births Alexander Brown/es in the NSW BDM 1800 - 1846. There are only 43 George Brown/es 1800-1846. There is only one each that has parents in common.



"...were about to retire for the night, when suddenly two horsemen rode up and called for the ostler. On his appearance they dismounted and, giving their horses up to him, ordered him not to stir from the spot. In the bar were Messrs. Brown and some five or six others.

Revolver in hand, Kelly appeared at the door, and bidding them good evening, politely requested them to 'range up', which under the pressing circumstances was at once complied with. Kelly then took his station at the bar door where he could have his eye on both horses and victims. His mate proceeded to examine all the rooms, the stables, outhouse, etc., bringing in every individual on the premises who were made to range up with all the rest.'

The work of searching was systematically proceeded with, except with regard to those Mr Ward requested the bushrangers not to

molest, as being men working for him he knew they had no money on them.

The only cash they got was from the person of Mr Ward, about £3 10s in silver and 10s in gold. Mr Ward's bedroom was next proceeded to, and every effort was made to discover the bank.' 'Fortunately Mr Ward had that week remitted all his valuable money (the last half only having left by post an hour previous to the attack), so that the cash box presented no very tempting appearance, only "calabashes" (about £10) and some 7s or 8s. This they declined to touch, thinking no doubt, to get a larger haul.'

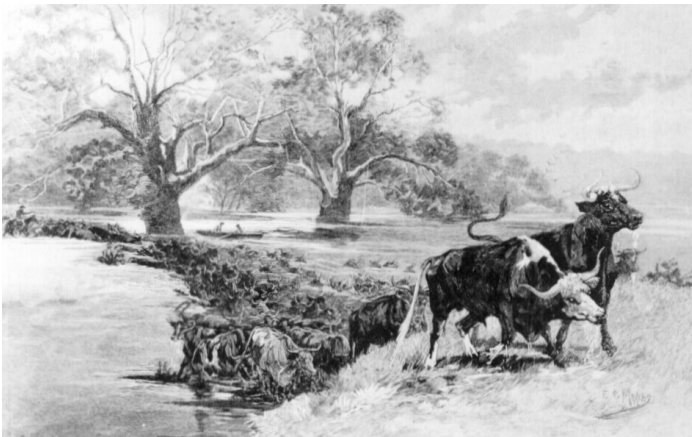
'Treated very respectfully and told not to fear anything. They were allowed to go to their own rooms, which were left undisturbed. From the store a few trousers and about 1lb of tobacco was all that was taken, there not being other articles suited to their requirements.'

'Observing some trunks on which the children were sleeping quietly, they thought they were on the track, but upon being told that they contained only linen and clothes, they said the children looked very happy and they would not disturb them. The females were treated very respectfully and told not to fear anything.'

'They kept open house in the bar for about two hours, calling for grog for all hands, and regretting that, having reaped such an insignificant harvest, they could not afford to pay, andcalled upon someone else to shout.

The call was responded to by Mr A Brown.' 'After which 'taking a bottle of port wine, and bidding all good night, they started down the river at about 12 o'clock. They were splendidly mounted and each had a spare horse." Information was sent "to the police as soon as it was possible to get a horse, and about 2p.m. on the 14th four troopers and a tracker passed in pursuit."²⁰

It is apparent that "Messrs. Brown" were better known to the correspondent than the 'five or six others' – Presumably, because they were regular visitors, and well known in the Turrawan, and the surrounding district. It is likely that it was well known where they were driving their cattle from – i.e. John's 'Millie'/Waterloo Creek'. Possibly, the author expected the men to be known to many of the readership of various regional newspapers?



Cattle being driven across swollen river

Also, Alick, the younger of the two brothers, was seen to have a greater presence than his brother. The writer was more aware of Alick than George. Presumably, in no small part to him being known as a stockholder and having connections in the region.

Alick was then 32 years and George 35 years old. It was Alick who had the generosity of spirit (or wisdom) to help keep the situation calm, and pay for the 'shout'; and had the money to do so. George, the elder of the two, was reticent -

Perhaps fuming at the idea of frittering money on hostile strangers?

Both men were married at this time and had young families to go home to.

More on George Brown

In 1857 George became the licensee of the 'Horse and Jockey' that had been bequeathed to his father's third wife, Eliza Lewis nee Page. With the exception of 1859, he held the licence to 1868.⁹²¹

The Sydney Morning Herald of Tuesday, 19 February 1861, carried the following notification of George's Marriage⁹²²:

⁹²⁰ Armidale Express Saturday 21 January 1866 (abridged from the Tamworth Examiner 20 January 1866).

⁹²¹ Index to Liquor Licences in the Hunter 1865-1921



Brown - Keating - January 8th, by special licence, at St Andrew's temporary Cathedral, by the Rev. George King, Mr George Brown, of Jerry's Plains, to Emily Jane Keating, granddaughter of the late Phillip Keating, of George-street and Ashfield, and niece to Mr James Webb, of Waverley.

A daughter, Emily Elizabeth was born to George and Emily on 9th October 1861 and baptised on 1st November 1861. George's occupation was given as 'innkeeper' of Jerry's Plains.⁹²³

Death of Alfred

George's half brother, Alfred, age 14, died on 15 November 1862 as a result of a fall from a horse at 'Arrowfield near Jerry's Plains'. However, one of the witnesses to the burial was 'George Brown' - Perhaps demonstrating a genuine sense of loss, or dutifully paying his respects?

At the time of 'Registration of Death', Alfred's father was given as 'David Brown' a 'Publican' and mother 'unknown'. The informant was the surgeon A.W. Thornton of Muswellbrook. As to where Surgeon Thornton got this particular information from about Alfred is unknown. While it is indicative of a vague recollection, it is also consistent with the antipathy George expressed towards his stepmother and half-brothers when registering his father's death.

David had not been a licensed publican since 1838 when he gave it up to his son, Thomas, and a succession of others - He had held it for only three years. George registered his father as a 'Farmer' when he registered the death in 1857. Many others in the Jerry's Plains community also would have known David as that, and 'Landowner' and Grazier as well.

For further insights into this event, consult chapter 21 'Inheritance'.

A daughter, Annie was born to George and Emily in 1863, and registered at 'Patrick Plains'.⁹²⁴

A daughter, Mary was born to George and Emily in 1865, and registered at 'Patrick Plains'.⁹²⁵

A daughter, Martha was born to George and Emily in 1867, and registered in 'Patrick Plains'.⁹²⁶

On 24 February 1865 Eliza D'Arcy formerly Brown of Jerry's Plains sold land at Jerry's Plains on the Hunter River to George Brown landholder of Jerry's Plains for £50.

The deed of sale included portions promised to John James and Thomas Edward on Eliza's demise having not produced any heirs. The initiative for preparation of the deed seems to have emanated from George.

The land that his nephews were liable to inherit was small in relation to the land that George had managed to acquire as part of a steady acquisition program. Young John and Thomas's land was also enveloped by George's holdings.

However, long lasting dissatisfaction on the part of the nephews about their Uncle George, and the beginnings of an unhappy legend, seems to stem from this transaction. (See Chapter 21 'Inheritance'). Rumours (perhaps unfair) of his nephews having been 'hard done' by their Uncle George' being broadcast around the district in places like the 'Horse and Jockey, could well have made life in Jerry's Plains difficult.

⁹²² BDM reg no 15 of 1861 also refers. Noticeably, it omits father's name, Richard Keating. Grandfather, Phillip Keating has been traced by Christine Hodge to Philip Keating, 48yrs Wireworker; Jane Amelia Keating 49yrs (nee Sawyer), Silkweaver; Children: Frederick Keating 11yrs:Lousia, 19yrs; Emma Augustus 15yrs; and Jane Adelaide 13; who were among passengers emigrating by the government (Bounty) on the 'Prince Regent' Nov 1838 and arrived NSW 17 Mar 1839. Philip died 2 Oct 1853, Ashfield. Jane Amelia Keating died 24 May 1854 Ashfield. Again of note is the omission of 'Richard' which may be a pseudonym for Frederick.

⁹²³ BDM registration No 11518 of 1861. (transcript of parish register of Jerry's Plains, entry No. 25.)

⁹²⁴ BDM registration No 12046 of 1863

⁹²⁵ BDM registration No 13478 of 1865

⁹²⁶ BDM registration No 14541 of 1867



As it is, George's departure from Jerry's Plains coincided with his sister-in-law, Ann Brown⁹²⁷ taking up residence at nearby Merton.

In 1868, George gave up being licensee of the 'Horse and Jockey'. He and his family moved to Newcastle where his elder brother, James, and family, had been living for years.

George and family were known to have at some point taken up residence at 'Prospect Cottage', in Tyrell Street, Newcastle, one of many properties owned by James. It seems likely that Prospect Cottage was George's first and only home in Newcastle.

Blanche Eliza was born to George and Emily in 1869 in Newcastle, NSW.⁹²⁸ Blanche ultimately became Mrs Blanche E Jenkins. As such, she recorded much of the family legend in general and in particular about (romantic?) connections with Scotland.

On 1 July 1870, George 'formerly of Jerry's Plains, now residing in Newcastle', and describing himself as 'Gentleman', sold 640 acres Parish Wambo, County Hunter, for £400 to his brother, John, Brown of Jerry's Plains.⁹²⁹ It appears on this date George disposed of all the land that he had acquired at Jerry's Plains to his brother, John. It noticeably omitted or ignored the portions promised to John James and Thomas Edward that he had negotiated with Eliza in 1865.

A son, George A(lexander?) was born to George and Emily in 1871 in Newcastle, NSW.⁹³⁰

A son, Thomas Percy was born to George and Emily in 1873 in Newcastle, NSW.⁹³¹

A son, Vesper R was born to George and Emily in 1876 in Newcastle, NSW.⁹³²

A son, Herschel J, was born to George and Emily in 1878 in Newcastle, NSW.⁹³³

George's brother, James, died on Wednesday, 24 April 1878, and the funeral procession left from George's residence, 'Prospect Cottage' at 4pm the next day. Also during 1878, George's son, Vesper R, died.⁹³⁴

While Prospect Cottage was said to be George's home in 1878, it was also known to be a property that had been acquired by James. It may have George been renting or had purchase the premises from his brother. James had property in Sydney, at Newtown Road, and had been living there at the time of his death. The disposal of James's estate may have left George with no alternative other than having to seek a job and new 'digs'?

The Maitland Mercury of Saturday, 8 January 1881, carried the following notification of George's death:

<p>On tho 23rd December, at his residence, "Tighe's House" Waratah, George Brown, aged 49, fifth son of the late David Brown, of Jerry's Plains.</p>

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Emily, perhaps having been researching the Brown family history for some years, wrote to genealogist G. R. Nichols in 1914 asking for assistance. She was living at Neutral Bay at the time. (See footnote 293 on page 82).⁹³⁵

⁹²⁷ Nee Shepherd.

⁹²⁸ BDM registration No 15310 of 1869

⁹²⁹ Book 120 No 218, 221, and 223.

⁹³⁰ BDM registration No 14193 of 1871

⁹³¹ BDM registration No 15330 of 1873

⁹³² BDM registration No 16665 of 1876

⁹³³ BDM registration No 18366 of 1878

⁹³⁴ Hawkesbury Pioneer Register Volume I, contributor Merryll Hope.



The Sydney Morning Herald of Friday, 10 June 1932 carried a notice that Emily, 'in her 91st' had died on 8 June 1932 at her home 341 Ernest Street North Sydney.⁹³⁶ She had been a widow 26 years.

George and Emily Jane Brown nee Keating had at least nine children:

i.	Emily Elizabeth	(1861-1940)	vi.	George A.	(1871-1917)
ii.	Anne	(1863-1934)	vii.	Percy Thomas	(1873 –1964)
iii.	Mary	(1865-1953)	viii.	Vesper R.	(1876-1878)
iv.	Martha	(1867-1919)	ix.	Herschel J.	(1878-1952)
v.	Blanche E.	(1869-1957)			

George is an interesting character. He is a figure of some mystery, with a hint of Victorian self-righteousness concealing a deep-seated animosity. His role in the dealings pertaining to his father's estate and the care of his half brothers suggests interference. He is at the centre of events that unfolded regarding those dealings that are dealt with in more detail in Chapter 21 – 'Inheritance'. One gets the impression that his father, and his brothers John, and Alex, and his sister-in-law, Ann Brown had the measure of George.

More on Alick Brown

Indicative of his abilities as a manager of livestock Alick had managed to afford, on 24 December 1855, to purchased Portion 39, Parish of Maroota 100 acres Cattai Creek property (originally granted to his Uncle James) from his father, David, for £600.⁹³⁷

Three and a half years later, Alick married Ellen Turner in West Maitland, NSW, on 6 April 1859, according to the rites of the Presbyterian Church. Alick was 24 years old and described as 'Stockholder', usually residing in Maitland. Ellen, whose usual residence was given as Lochinvar (near Maitland), was under the age of twenty-one and required the consent of her father, Mark Turner. David Turner and Catherine Kidd were witnesses.

On 19 May 1859, Alick mortgaged his 100 acre, Portion 39 property at Cattai, to his brother, James, (now of Ada Street, Newcastle) for 500 pounds at a rate of 8 percent per annum.⁹³⁸

A daughter, Ellen Elizabeth, was born to Alick and Ellen at Lochinvar, on 6 January 1860.

A son, Mark, was born to Alick and Ellen at Lochinvar, on 21 Oct 1862

Again, on 7 December 1863, Alick ('of Jerry's Plains') mortgaged his 100 acre, Portion 39 property. This time to his brother, John, "now of Elizabeth St, Singleton". Alick got a marginally better deal from John than James had given him four years earlier. For the same mortgage of 500 pounds, John charged him 7 percent per annum instead of the 8 percent James had imposed – More than likely reflecting changing market rates for commercial transactions at that time.⁹³⁹



Ellen Brown nee Turner wife of Alexander Brown

The arrangements with brothers, James, and then John, for loans would have been intended to facilitate the expansion of his livestock management activities. To assist him in his endeavours, Alick called upon the

⁹³⁵ Mitchell Library Doc 2197. Letter of 17 March 1914 Emily J Brown of Neutral Bay to genealogist G. R. Nichols re lot 39 at Cattai.

⁹³⁶ BDM registration No 7592 of 1932. Father given as Richard Keating. Mother's name not given.

⁹³⁷ Dept of Lands, Portion 39, Parish of Maroota, Conveyance Book 41 No 199 dated 24 December 1855.

⁹³⁸ Lands Titles Office Ref:91M102(235) of 11 November 1993. Re: Portion 39, Parish of Maroota 'Crown grant dated 5/8/1806 of 100 acres to James Brown'. Mortgage Book 61, No 257 dated 5 May 1859.

⁹³⁹ Lands Titles Office Ref:91M102(235) of 11 November 1993. Re: Portion 39, Parish of Maroota 'Crown grant dated 5/8/1806 of 100 acres to James Brown'. Mortgage Book 86 No 341 dated 7 December 1863.



services of well regarded men like William Whiteman of Singleton. Whiteman during the early 1860's was Alex's chief stock keeper at Millie for six years, before moving on to 'Combadello' and 'Goonal'.⁹⁴⁰

During the early 1860's Aleck moved his family to Boggabri to be near Ellen's folks and take up a selection. Her father, Mark Turner, is reputed to have acquired the first lot of land sold there, and built Boggabri's first hotel. Boggabri was conveniently much closer to Millie than Lochinvar, and on the stock route between Millie and Jerry's Plains. As already indicated, this would have facilitated his management of his interests at Millie.

A daughter, Katherine Emily was born to Alick and Ellen at Boggabri, on 3 April 1864.

A son, Alexander was born to Alick and Ellen in 1866 and died the same year.⁹⁴¹

A daughter, Mary Ann, was born to Alick and Ellen in 1867.

In June of 1867, the Hawkesbury broke its banks. On 23 June of that year, a surge in the river, in conjunction with an exceptionally high tide at its entrance to the sea, caused it to flow a record 19.2 metres above its usual containment. In Pitt Town most of the residents were sheltered in churches and schoolhouses.⁹⁴² Brown family records are said to have been lost on this occasion and similar massive flooding on the Hunter.

On 1 April 1868, Alick (now of 'Cox's Creek Namoi River, Farmer') leased Portion 39 to Ann Horan of Caddai Creek, widow, for a seven-year term.

George David Alexander was born to Alick and Ellen at Boggabri in 1871.

A daughter, Edith Marian, was born to Alick and Ellen at Boggabri on 15 November 1873.



*There was record flooding of the Hawkesbury region during 1867. Considerable property was damaged, crops and stock lost.*⁹⁴³

A daughter, Gertrude Amelia, was born to Alick and Ellen at Boggabri on 30 June 1876. She died in infancy on 21 January 1878, at Gunnedah. Cause of death was given as 'Teething'.⁹⁴⁴ Alick gave his occupation at the time as 'Butcher'.

Alick and Ellen's eldest child, Ellen, at age 23 years, married on 14 March 1883 at Boggabri to Hugh Arnold.

Alick and Ellen's second eldest daughter, Catherine, at age 19 years, married on 12 June 1883 at Moree to William John Mahaffey.

⁹⁴⁰ Obituary for William Whiteman, The Moree Gwydir Examiner 13th October, 1913. (Called William Wiseman in error.)

⁹⁴¹ Death Certificate Reg No 1866 6759

⁹⁴² Hawkesbury 1794 -1994. The first 200 Years of the Second Colonisation'

⁹⁴³ Illustration per The Sydney Illustrated News re flood of 1867

⁹⁴⁴ Death Certificate Reg No 1878 9775.



Ellen, died at Smith Street, West Maitland on 12 June, 1890, aged 52 years. The informant was Alick. Cause of death was ‘Endocardites, Morbus Brighti and Dropsy’ and she was buried on 14 June 1890 in the Church of England Cemetery, West Maitland.⁹⁴⁵

Alick died at Cattai on 23 November 1899, aged 65 years, of acute diarrhoea over 5 days,⁹⁴⁶ and was buried at Ebenezer.

Alick had eight children by his marriage with Ellen:

- | | | | |
|------|---------------------------|-------|---------------------------------------|
| i. | Ellen (1860 - 1924), | v. | Mary Ann (1869 - 1955), |
| ii. | Mark (1862 - 1938), | vi. | George David Alexander (1871 - 1941), |
| iii. | Katherine E (1864 -1927), | vii. | Edith Marian (1873 - 1926), and |
| iv. | Alexander (1866 - 1866), | viii. | Gertrude Amelia (1876 - 1878). |

⁹⁴⁵ M Tattam 9 Aug 2001

⁹⁴⁶ NSW death registration No 15764, Caddai.



Chapter 29 – Jerry’s Plains, Ironbarks, and Beyond (1848 – 1962)

Up to this point, the history has been directly about the affairs of the Browns, Chisholms, and McMahons/Humphries. It has been very much about affairs of David Brown and the succeeding two generations. It has been about the George and Erskine Streets of Sydney Town; Kissing Point, the Hawkesbury, Jerry’s Plains, ‘Millie’ in the northwest, St Andrews, Goulburn, Watson’s Bay and Brisbane Waters. This history of the colony from the Browns has taken us through most of the 19th century. However, it is through the story of the daughter of Thomas and Ann Brown, Ann Emma, and her children, that we follow the colony’s transition into the 20th century and nationhood.

Ann Emma Brown was one of many great grand children of David Brown the elder, & Mary Brown; and Terence McMahon & Catherine Mooney. It is because of her that this history was attempted.

She was born on 27 March 1848 at Jerry’s Plains, and was baptised on 23 April 1848 in Jerry’s Plains, Church of England.

Unfortunately, for Ann Emma, her father, Thomas, died some three months after she was born. Ann Emma’s mother (Ann Shepherd) took her and her two sisters to Pyrmont - Balmain area of Sydney, some time before her grandfather (David Brown the Younger) made his will in 1856. Ann Emma seemed to have spent at least 12 years of her young life in Sydney. David’s will suggests that her three brothers remained in Jerry’s Plains, in his charge, and that she, her mother, and sisters were by then taken care of elsewhere. It is likely, that by then they were in Sydney.



Ann Emma c1898

Ann Emma was in her eighth year when her grandfather died at Jerry’s Plains on 11 January 1857.

Ann Emma was nearly 13 years old at the time of her brother, David’s death on 25 February 1861 at the Brown’s ‘Millie’ property, north of Narrabri. David worked for, or with, his Uncle David (III) at Millie, and it was his uncle who reported his death. Ann and her brother, John, ‘now living in Sydney’ were the only two beneficiaries of the will of her brother, David, made the last few days of his life when he knew he was likely to die. His shaky signature is testimony to his weakened condition. David’s estate was to be spent on their education, ‘and the residue to be divided equally between them when they become of age’.

This chapter follows on from the account of Ann Emma’s marriage to Alfred Haddock on 25 June 1868 and their move to rural NSW as a consequence of his change of profession to one of country schoolteacher. (Chapter 24 - Midwife & Shopkeeper refers). Consequently, when Ann Emma gave birth to her third child, daughter ‘Ada May’, on 5 December 1872, it was at Mudgee. For most of her married life, Ann Emma lived in small NSW rural towns

The towns they lived in tended to be in the general vicinity of other members of the Brown family. However, where and when Alfred taught was very much at the mercy of the wishes of the Colony’s education authorities. To some extent, that can be traced by the birth of Ann Emma’s other children.

Alfred’s entry into a teaching career seems to be linked with the advent of the NSW Public Schools Act of 1866 under the auspices of the then Premier, Sir Henry Parkes.

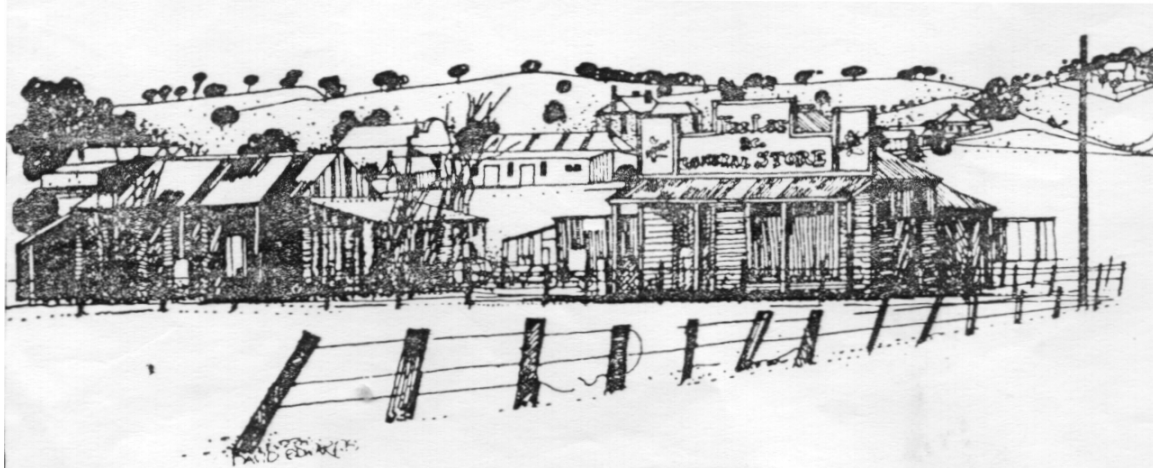


Alfred Edward Haddock



Ann Emma's mother, Ann Brown (nee Shepherd), died on 13 October 1874 at Leather Jacket, near Grafton, while visiting Ann Emma's sister, Mary Midgley. It occurred as a result of a dray overturning. (Chapter 24 - Midwife & Shopkeeper refers).

In 1875 Ann Emma's daughter, Mabel Alice, was born on 15 February 1875 at Dungaree (near Lue?), between Mudgee and Rylstone, before the construction of the railway in that area, when Cobb & Co coaches serviced the area.



A view of Ironbarks circa 1875, about the time Ann Emma and family moved there.



Sybil Searle Haddock c1925

Ann Emma, Alfred and family moved to Isaac Street, Ironbarks (now Stuart Town) for the start of 1877 school year, Alfred having been appointed 'master of the public school'. Alfred's mother, Mary Ann Searle Haddock (nee Heydon), died on 6 January 1877 aged 67 at Mumbil, north of Ironbarks.⁹⁴⁷ Her death was registered at Wellington. Whether she was living with them or had come to visit from Sydney is uncertain.

Ironbarks 'was one of the most colourful gold rush towns of the district.' The town was immortalized by one of Australia's foremost poets, A.B. (Banjo) Paterson in his rollicking poem, "The Man from Ironbarks". 'From 1875 to 1914 approximately 140,000 troy ounces of gold were obtained by alluvial and reef mining methods from the area.' 'Today the population of Stuart

Town is about 300.' In the 1870s, Ironbarks was swollen with thousands of people all trying to make their fortune in the finding of gold.⁹⁴⁸

The shingled roof dwelling in Isaac Street that Ann Emma's family had to endure was already declared to the Department of Education by the school board 'as not sufficient to ensure either comfort or health to the occupants.' The board in January of the previous year had requested that a detached kitchen, bedroom and scullery be added to the house. None of this was to be forthcoming from the Department.⁹⁴⁹

Ann Emma's daughters, Sybil Searle, and Elsie Victoria, came into the world in this home at Ironbarks - Sybil on 6 June 1877, and Elsie on 11 June 1879.



Elsie Victoria Haddock
(Photo c 1899)

⁹⁴⁷BDM 1877 9426. Haddock. Mary A. Mother, Ann

⁹⁴⁸ Local History handout leaflet on Stuart Town of circa 1980.



In 1877, the scale of fees at the Ironbarks Public School were:

1 child	- one shilling per week,
2 children	- nine pence per week each,
3 children	- eight pence per week each,
4 children	- nine pence per week each,
Each additional child	- six pence per week.

The schoolroom in which Alfred had to teach an average of seventy children was 40 ft by 16 ft. It was considered suitable by the Department to accommodate eighty children. The school Board complained of the schoolroom being in a ruinous state. The building's tie beams were giving way, causing the building to spread out. The Board was concerned that the beams might fall and cause injuries or fatalities in the 'present crowded state'. It was not until February of 1879 that Alfred was able to report to the School Board that repairs were successfully carried out.⁹⁵⁰

Indicative of employment conditions Ann Emma's husband had to endure, are the following rules for teachers in 1878:⁹⁵¹

1. *Teachers each day will fill lamps, clean chimneys, before beginning work.*
2. *Each teacher will bring a bucket of water and scuttle of coal for the day's session.*
3. *Make your pens carefully. You may whittle nibs to the individual taste of the pupils.*
4. *Men teachers may take one evening each week for courting purposes, or two evenings a week if they go to church regularly.*
5. *After ten hours in school, the teachers may spend the remaining time reading the Bible or other good books.*
6. *Women teachers who may engage in unseemly conduct will be dismissed.*
7. *Every teacher should lay aside from each pay a goodly sum of his earnings for his benefit during his declining years so that he will not become a burden on society.*
8. *Any teacher who smokes, uses liquor in any form, frequents pool or public halls, or gets shaved in a barbershop, will give good reason to suspect his worth, intention, integrity and honesty.*
9. *The teacher who performs his labour faithfully and without fault for five years will be given an increase of two shillings and sixpence a week in his pay providing the Board of Education approve.*

In view of these 'Dickensian' employment conditions, it seems hardly surprising, that even with a Doctor's certificate, if one could have been obtained, it was next to impossible to be excused from duties at that time.

On one occasion, when unwell, Alfred asked the Department for some days off, but did not receive an answer. Becoming very ill he found he had to close the school, immediately informing the Department of his action. He was promptly informed that he had acted improperly, and that 'a repetition of his action would endanger his position'.⁹⁵² This lack of concern for their employee's welfare and readiness to intimidate is indicative of many an employer of the day. It is not hard to understand how such an employment environment stimulated the growth of Australian unionism in that era.

On 24 February 1881, Ann's sister, Sarah Parkhill, living in Balmain, Sydney, was granted the right to administer her mother's estate. Soon after, Ann and her siblings gained some small financial benefit from the division of the estate.

Anne Emma's daughter, Beatrice Rowina, was born on 28 June 1881 at Balmain. She now with five young daughters to care for, and may have gone to Balmain to have her next child with support of family. It is more than likely that she stayed with her sister, Sarah Parkhill, whose husband was a stonemason there. Possibly, some of Alfred's family still were living in Balmain. Alfred would have had to remain at his teaching post in Ironbarks on this occasion.

Throughout Alfred's years as a teacher, Ann Emma, was teaching sewing on behalf of the Department. Specific evidence is said to be on his file indicating 1881 to 1887. In May 1887, the Department informed

⁹⁴⁹ Whispers from Ironbarks

⁹⁵⁰ Whispers from Ironbarks

⁹⁵¹ Bellbrook School 100 years Souvenir Booklet - published in 1983.

⁹⁵² Whispers from Ironbarks



Alfred that ‘... Mrs Haddock’s certificate was not enough to teach needlework....’ What became of that is uncertain, but it was a typical arrangement up till the mid 20th century, for teacher’s wives in rural districts to teach sewing.

Alfred had ceased his duties at Ironbarks on 5 October 1881, and was replaced by a William Tilley. From there Alfred was posted to the Public School at Wallalong, north of the Hunter River, near Hinton and Morpeth.

An insight into colonial schooling in the late 19th century can be gained from this account in The Maitland Mercury of Saturday, 8 April, 1882 (page 5) by the ‘Wallalong’ correspondent:

Wallalong Public School Feast.

(From a Correspondent)

The annual school feast of Wallalong Public School took place on Friday, the 31st ult. The day was fine, and everything propitious. At an early hour there were pleasing indications of the festive occasion: it was evident that skilful hands and benevolent hearts had been at the spreading of the tables. The shed, too, though a common shelter, had been transformed into a fairy bower, invitingly pleasant. It would be difficult to describe the happy feelings of the parents, and the admiration of the visitors, as they arrived and looked upon the scene. The worthy teachers, **Mr. and Mrs. Haddock**, made everyone feel at home, as if specially invited. It is but just to say that the arrangements were so perfect and so well carried out that there was no delay, no confusion, and no dissatisfaction. Every visitor, on arrival, was led to a seat, when he or she was waited on at once by some matron or Miss, who seemed honored by waiting upon her guests.

Meanwhile, the children presented a happy scene; having had a plentiful repast, they enjoyed themselves as they liked. The District Inspector would have beheld with pleasure the moral tone of these children no approach to larrikinism in their sports, no rude, boisterous, vulgarity in their games. True, it will be said, but the children of this school have always been so distinguished. This speaks well for the parents as well as the teachers which this school has had. Such were our reflections, when a general movement was made for the tables as the order of the day. After doing ample justice to the good things on the table our attention was turned once more to the children as they were marching in military style into the school to receive their prizes – the open doors and windows being the only way through which many could see the distribution, and hear the which many could see the distribution, and hear the elder scholars go through their recitations.

The (sic) Rev. Dr. Boag presided on this occasion, and distributed no less than 69 prizes, which had been all carefully selected. After an address from the Chairman, and after several hearty cheers of three times three for the teacher and other friends of education, the happy company separated, pleased with the day’s proceedings.

In 1883, Ann Emma and Alfred’s one and only son, David Alfred, was born on 14 May 1883 at Wallalong - He was to follow his father into teaching. There is little doubt that the boy was named after Ann’s brother, David, who had provided for her in his Will in his dying moments at ‘Millie’ in 1861.

The Maitland Mercury of Saturday, 1 September, 1883, (page 7), by the Bowthorne / Wallalong correspondent:

DISTRICT NEWS.

[From: Our Various Correspondents.]

BOWTHORNE.

‘A very pleasant afternoon was spent last Saturday by the children attending the Presbyterian Sabbath School here, with their friends, both young and old, whose happy lot it was to be invited.....’

‘Miss Violet Haddock very sweetly played some of Sankey’s hymns on a harmonium kindly provided by Mrs. Fawcett, which added much to the delight of the occasion.’

‘The children being again brought together to receive their prizes, Mr. John Fawcett said he had expected Dr. Boag to present them, but he being absent through illness he would ask the Rev. Sydney Hotston to take his place.....’

The Maitland Mercury of Saturday, 10 November, 1883, (page 7), by the ‘Wallalong’ correspondent:



Wallalong

Wallalong Public School. -The annual festival in connection with, the Public school at Wallalong was celebrated on Friday, 2nd November. The day, though somewhat inclement, did not prevent a large number of children from gathering together, nor a goodly number of the parents and friends. There was provided with much taste an abundance of the good things of this life for the comfort and satisfaction of all present Innocent and healthful games were indulged in throughout the day, such as swinging, rounders, and croquet. Not the least interesting part of the programme took place at the close of the day, when the children, after going through certain exercises in the play ground marched orderly into the school, and entertained the visitors by singing and reciting some suitable pieces, thus acquitting themselves well, and reflecting great credit on the teacher.

*The Revd. Dr. Boag was then called upon to address the children, and, in a few appropriate remarks, commended them for their progress, and congratulated the School upon the eminence of the teachers who had been placed at its head. He was sure **Mr. Haddock** was not behind any of his predecessors.*

*The proceedings were brought to a close by the presentation of a goodly number of prizes, those to the girls being presented by **Mrs. Whytlaw**, those to the boys by the Revd. Dr. Boag.*

Sarah Jane Parkhill, (Ann's sister) passed away during 1884 aged 44.⁹⁵³

On 5 September 1884, Alfred was instructed to act as teacher of the school at Hexham. He replaced a teacher who was dismissed due to evidence given by a doctor on behalf of a Pupil Teacher. They wrote to the Department of Public Instruction that the teacher had '.... Unlawfully held connection with me on the 10th April last and on two other occasions about the same time in the school room during dinner hour...', and the girl was pregnant as a result. On 11 October 1884, the Sydney Morning Herald listed Alfred's appointment to Hexham and those of other teachers.



Violet Ann (1870-1911)

Ann Emma's brother and sister-in-law, John & Eliza Brown, of Jerry's Plains, named a son, born that year of 1884, 'George Haddock'.⁹⁵⁴ Pointing to a continuing association of Ann Emma with the Browns and Jerry's Plains.

At Hexham, Ann and Alfred were blessed with the births of daughters: 'Vespera Olive' born on 24 May 1885 (but unfortunately died 16 February 1887), 'Edna Alexandra' born on 9 November 1886, and 'Ruby Alfreda' born on 4 May 1889.

On 4 February 1888, Alfred presented himself to the Wallsend Licensing Court to object to a public house being established in the same street as his school in Hexham. He was successful and a License was refused.

An insight into Ann Emma's pluckiness can be gained from this account on page 3 of The Newcastle Morning Herald of 16 May, 1890, by the 'Hexam' correspondent:

'On Sunday morning last at about 2 o'clock a robbery was committed at the public school of this place, and about one pound, a pair of new boots and a penknife were taken by the robber who was fortunately prevented from taking more by the timely awakening of Mrs Haddock. At the time a small lamp was burning in the bedroom turned up at the full. On seeing the robber, Mrs Haddock sprang onto a sitting position in the bed, thrusting her fist into his face, and demanding to know what he did there at such a time. It is regretted that he made his escape....'

⁹⁵³ BDM 2768/1884 Sara J Parkhill aged 42 Balmain.

⁹⁵⁴ Birth Registration 1884 30436 Singleton



Violet Ann married Alfred Harvey on 11 October 1890 in Newcastle. She was the first of Ann and Alfred's children to be married.⁹⁵⁵

Alfred was instructed on 24 June 1891 to act as the teacher at Tremarton Public School, Fullerton Cove. Tremarton, typical of many a regional school in those days was a one room school with an attached two room dwelling for the teacher and his family.⁹⁵⁶

Ann and Alfred's last child, Ivy Pearl, was born on 4 August 1891 at Fullerton Cove, where it seems they had taken up residence. It is also said that Alfred *was the Principal* of the Tremarton Public School; however, the only other teaching staff was Ann Emma, and perhaps a pupil teacher or two. About this time, it seems that Alfred's health began to fail him. Coinciding with this state of affairs, he began to be on the receiving end of persistent Departmental criticism.

Mabel Alice Haddock (Ann and Alfred's fourth child) was employed on probation as a pupil teacher 28 January 1892 at Stockton Public Girl's School, and by 1 January 1895 had achieved Class 1 status. At the end of the year, Mabel resigned her position as pupil teacher due to her approaching marriage.⁹⁵⁷

Mabel had ability as a singer and actress. Among the various occasions she is noted to have performed, is a solo at "A Band of Hope" meeting at the Tarro Wesleyan Church. Mabel also played the part of 'Paris' in 'Anenone' at the Temperance Hall, Fullerton Cove May 1892. At the same venue 11 July that year, she appeared as part of a concert. Mabel sang four songs and her sister, Sybil was her accompanist. Her future husband, Joseph Shearman, also took part in a number of performances that night.⁹⁵⁸

Three of Ann and Alfred's daughters married in quick succession: Sybil Searle to Walter George Sutton on 5 December 1894; Mabel to Joseph Shearman on 8 January 1896; and Ada May to Frederick H W Jacobs on 13 May 1896. All three were married at Fullerton Cove.

On 1 January 1898, Alfred was recommended for three months leave of absence prior to early retirement on 3 March 1898. Alfred died on 24 February 1898 at age 52 years after a long and painful illness. He was buried at Anglican section of the Stockton General Cemetery, Fullerton Road, Stockton. His son, David, was the informant. David stated that his father had been in the colony 43 years.

For the last twelve months of his life, the family lived in Stockton. Thanks to a Life Assurance policy and some real estate investment at Ingleburn (near Minto), Anne Emma was left with £180-4-3 after probate on which to live. Ann Emma resided in Stockton for the remainder of her days.

Ann Emma's daughter, Elsie Victoria, then aged 19, a girl from Ironbarks, NSW, married John Griffiths aged 32, on 8 February 1899. John was described then as a 'mail carrier'. He was the son of Welsh immigrants, and was a Sunday School teacher for much of his life. The marriage took place at Ann Emma's residence in Stockton.

Elsie and John seemed to have remained nearby for a while as their first two children: Ann (Annie) Pearl Griffiths was born in Stockton, in 1900; and Milton Thirlmere Griffiths, was born in William Street, Stockton, on 1 August 1902.

⁹⁵⁵ Per Peter Roderick 2009

⁹⁵⁶ Stockton Historical Society Magazine Vol3, No6 page 7.

⁹⁵⁷ NSW Archives per Peter Roderick letter to J I Griffiths 31 Dec 2009.

⁹⁵⁸ Peter Roderick letter to J I Griffiths 31 Dec 2009.



Not long after Milton Thirlmere was born, Elsie and her family moved to Sydney, to a residence on the Princes Highway between Rockdale and Kogarah.

Several of Anne Emma's children eventually moved to Sydney. However, there were some who remained in the Stockton/ Fullerton Cove area during her lifetime.

Ann Emma attended the birth of her grandson, Laurington (Laurie) Griffiths at Kogarah 14 January 1905, as she probably did for Annie and Milton. It seems that she did as her mother, Ann Shepherd, had done and travelled to wherever her family needed her in such times.



Ann Emma with baby grand-daughter, Annie Pearl Griffiths, in 1900

Beatrice Rowena married Richard Llewellyn Thomas on 17 September 1902 at Stockton.

Intended for a Gentleman

Ann Emma's son, David, began his career as a Pupil Teacher:

On probation at the age of fifteen at Adamstown 24 Oct 1898;
Removed to Islington 15 Nov 1898;
Appointed Pupil Teacher from date of entry on duty 15 Apr 1899; and
Removed to Stockton at age 16 (almost 17 years).⁹⁵⁹

David entered training College in 1903, and 'came through very credibly.' The departmental record lists his appointments after that as:

27 Jan 1904 - Temp. attendance at Kogarah;
10 February - Relieving at Peakhurst;
7 Mar 1904 - Temp. attendance at StPeters;
12 April 1904 - Temp. attendance at Kogarah;
9 Feb 1905 - Relieving at Peakhurst;
15 Mar 1905 - Temp. attendance at Kogarah;

Seems that in 1905 while on placement at Kogarah School David's routine became one of teaching through the day and attending University lectures at night' towards the completion of an Arts degree. In his course he obtained a High Distinction in Chemistry, and at the Examination before graduation in February 1911 secured a unique result.⁹⁶⁰ David 'had attended lectures in English II, expecting to complete his course thus, but a few days before term ended discovered that by regulation he must, in order to graduate, take the Third Year Course as well. He had to cover the year's work in a few days, and not only passed, but was placed first in both lists.'

Somehow in 1911 David also managed to fit in a marriage to Edith A Wray at St Peters, Kogarah on 17 April 1911.

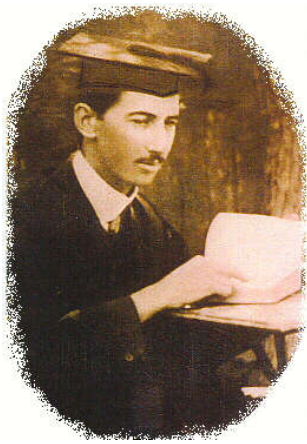
David's sister, Ivy Pearl, married Reginald Walter Favelle the same year, 26 December 1911.⁹⁶¹ David & Ivy's sister, Ruby, was to marry Edith's brother, Frederick Wray, two years later on 19 July 1913 at Kogarah. Kogarah seemed to for many years have been where things happened for the Sydney branch of the Haddock family. For Edna Alexandra had married Charles Sydney Smith at Kogarah on 30 December 1908.⁹⁶²

⁹⁵⁹ Teachers Rolls

⁹⁶⁰ The Sydney Morning Herald... Wednesday 8 February 1911, page 14

⁹⁶¹ NSW BDM Reg 1911-14604

⁹⁶² Per Peter Roderick 2009.



David A. Haddock (1883 -1917) on graduation 1911?

From Kogarah, David 'was sent as first Assistant Master to Hay District School' commencing on 20 May 1911. His headmaster there said of him that he was 'the best man in front of a class that I have ever seen.'

On 15 July of 1912, David began teaching at Fort Street Boys School as Assistant Master, where he remained. His classroom skills were highly regarded by his contemporaries.

David once laughingly said "I think I must have been intended for a gentleman of leisure" explaining that he liked a bit of painting, a bit of music, a bit of sport, and in short a life of many interests.⁹⁶³

When David died on 21 October 1917 at Brighton-le-Sands, an obituary published in the Fort Street magazine said of him that:

His 'many gifts were exercised not simply for self-gratification but in rendering justly, skillfully, and magnanimously the service by which he found a livelihood.'

'It means much to Fort Street that such a master was with us for over five years, enriching the school with his quiet, forceful, effective personality. We mourn our dead comrade, who never spoke ill of another, who modestly keeping in the background, was ever ready with efficient service when needed, who could not skimp anything he undertook, and of whom it can be truly said:

*'His life was gentle; and the elements
So mixed in his nature that nature might stand up
And say to all the world "this was a man"'*⁹⁶⁴

No doubt, much of this was written with the student readership in mind. David was seen as a good example to offer up to young minds as worthy of emulation.

David was survived by his wife, Edith (aged 28), and four daughters under six years of age. The youngest, Beatrice, was born 2 weeks before his death, on 8 October 1917.

More Hard Times

Young David's early death was but one of the considerable of unfortunate events that seemed 'dog' the family. Perhaps the frequent premature deaths in her family were typical of the times?

Ann Emma's son-in-law, Alfred Harvey died on 6 May 1908 at Wallsend Hospital as a consequence of a mining accident:

"...he was employed as a Deputy in Back Creek Mine, Minmi, died in Wallsend Hospital yesterday from injuries received through a fall of coal in the mine on Tuesday evening. It appears that the deceased was holding a light for a miner named Arthur Odges, when a portion of the roof came down, pinning deceased to the ground. Dr. Sproule, was at once sent for, and ordered the injured man's removal to the hospital, to which institution he was admitted by Dr. H. K. Bean, who found that the right leg was so badly crushed that amputation was necessary. The operation was performed, but deceased who had other injuries, never rallied, and died as stated...."⁹⁶⁵

The now widowed Violet Harvey (Ann Emma's eldest daughter) only a brief three years later, passed away on 8 April 1911 leaving seven children orphaned: Alfred 19 years; Frederick 17; Arthur 15; Herbert 13, Lillian Violet 9 Mabel Lenore 7, and Dulcie May 1 years old. It is understood that the children were

⁹⁶³ Obituary, The FORTIAN, November 1917

⁹⁶⁴ Obituary, The FORTIAN, November 1917.

⁹⁶⁵ Newcastle morning Herald & Miner's Advocate, Friday, May 8, 1908, p.5 c.6



separated, each one going to a different aunt for upbringing. Mabel was sent to Beatrice for care, Dulcie was entrusted to Sybil.⁹⁶⁶



Edna Alexandra
(1886-1925)

Ruby Alfreda Haddock was appointed on probation as Pupil Teacher to West Hurstville Public School on 11 March 1907. On 23 November 1908, she was appointed to Kogarah Public School. On 31 December 1909, Ruby had been declared ineligible for admission to Training College due to ill health. On 8 January 1910, she was posted to Cardiff Public School; and on 5 September 1912, Ruby transferred to Blakehurst Public School. End 1912 and early 1913 she was absent for four months from teaching due to ill health - Three of those months was on account of 'heart disease'.⁹⁶⁷ Ruby married Frederick Wray in



Ivy Pearl Haddock
(1891-1953)

July 1913 and after six short years of marriage, she died. It was at Bellevue Hill on 20 June 1919, that Ruby passed away, leaving behind her husband and two very young children: Alfred C. aged 5 years; and Frederick David Haddock born 10 May 1918 (*Frederick was eventually awarded an MBE*).

During this early part of the 20th Century, Sydney was inundated by plague carrying rats. Poor sanitation in the city, and inadequate controls on ship led to rats breeding in plague proportions and spreading disease. Photographs exist of rat catchers standing by a mountain of dead rats as testimony to their efforts and the magnitude of the problem at the time.

One evening, early July 1914, Ruby and Violet's sister, Elsie Griffiths, was diagnosed as having pneumonia. Soon after, that night, she was carried in a covered stretcher through the rain, from her home on the Princess Highway, several blocks to Kogarah Hospital (*For-runner to St George Hospital*). When Elsie had begun to approach full recovery after some seven weeks in hospital she was (as was normal in those days) given boiled used bandages to roll. This apparently was normal practice on the part of the hospital at that time towards covering the cost of less well-off patients. Unfortunately, during this time of recovery in hospital Elsie caught typhoid fever, and died nine days later on 1 September 1914.

At the time of her death in 1914, Elsie's children were: Annie 14 years, Milton 12, and Laurington 9 years of age. Elsie's husband, John, and children were dependent on support from her sister, Ivy Pearl and husband Reginald Favelle. They moved to Bankstown when Ivy and her husband took up residence there.

When John Griffiths died on 5 March 1921, Annie was 21 years old, Milton 18 years, and Laurington 16 years. All three children 'moved in' with their Auntie Ivy. At that time, the Favells already had four of their own children to care for: Elsie May (1912-1966), Walter Edward (1914-1999), Arthur Kitchener (1916-1987), and Jean Jocelyn (1920-1982). A fifth child, Peggy Joan was born in 1923 (d. 24 June 2006).

Ann Emma's sister, Mary Elizabeth Midgley passed away on 9 Mar 1922 in Brisbane.

Ann Emma died in her 81st year on 16 November 1928 at 48 Fullerton St, Stockton. She was buried along side her husband at Stockton General Cemetery, Fullerton Road, Stockton. Only four of Ann's twelve children survived her.

⁹⁶⁶ Peter Roderick. Email to J I Griffiths 3 Nov 2007.

⁹⁶⁷ NSW Archives per Peter Roderick letter to J I Griffiths 31 Dec 2009.



Children of Ann Emma Brown and Alfred Edward Haddock were:

- | | |
|---------------------------------|------------------------------------|
| I. Eva Jane (1869 –1869),. | VII. Beatrice Rowina (1881 -1950), |
| II. Violet Ann (1870 –1911), | VIII. David Alfred (1883 - 1917), |
| III. Ada May (1872 -1957), | IX. Vespera Olive (1885 - 1887) |
| IV. Mabel Alice (1875 -1921), | X. Edna Alexandra (1886 -1925) |
| V. Sybil Searle (1877 – 1938), | XI. Ruby Alfreda (1889 -1919) |
| VI. Elsie Victoria (1879- 1914) | XII. Ivy Pearl (1891 -1953) |

Their children were not favoured with longevity. Ada May stands out as the exception in that regard, lasting some 85 years.

At the time of Ann Emma's death, she still had close relations in Jerry's Plains. With her passing, the Griffiths / Haddock collective memory of, and association with the Brown family, faded rapidly.

Milton Griffiths – A Link to the Past

Reginald Favelle ran a bus service and thought he was on a good thing letting his enthusiastic under-age nephew drive his buses. For Annie it meant food and lodging in return for assisting Ivy in the running of the house, companionship, and spinsterhood. Not long after the death of his father, Milton had an argument with his aunt and left. Milton is said to have resented what he perceived to be his aunt's exploitation, wild ways, and rough language. The recent death of his father, and a crowded household, and independent youthful nature might have added to his discontent.

Milton camped on a nearby block of land in William Street that he had purchased, and begun attending a congregational church nearby. There he met, a then rather petite Hannah Weaver Robinson. Milton was married to Hannah on 25 August 1923 in Bankstown. It was in William Street that Milton built their first house, and where he and Hannah began to raise a family with the birth of son, Bruce, on 24 June 1924.

The accuracy of Milton's perceptions of his aunt also has to be considered in the light of Milton's intriguing Victorian values. Indicative of this, Gordon, (his youngest son) recalls being made by his father to avert his eyes from the shapely legs of a piece of Chippendale furniture. A short sided tablecloth on such furniture was deemed as especially immodest, and consequently a young mind vulnerable to corruption by the viewing of same.⁹⁶⁸ Nevertheless, Milton and his Aunt Ivy maintained close contact over many years.

Milton's trade was as Bookbinder between 1916 and 1951. During that time, he also worked as a Paper Classifier, Guillotine Operator, and Foreman, with Offset Printing Company. Milton had the distinction of having to sack the well known Sydney eccentric identity of the 1920-60s, Bea Miles (17 Sep 1902-3 Dec 1973), because of her disruptive activities.

Between 1926 and 1928, Milton took up farming in Seven Hills (now a suburb of Sydney), where he built the second of three houses that he was to construct in his life time. His eldest son, Bruce, recalled that Milton named the farm 'Elsievale', probably in honour of his mother, Elsie Haddock. The house certainly carried the name. The third house he built, it seems, was at Westmead. The mode of transport for Milton and his young family was by horse drawn Sulky. On one occasion while a passenger in the Sulky, Hannah, was thrown from it when its wheels struck a rock. Fortunately, for Hannah, she wore her hair in a bun at the back of her head. That saved her from serious injury. Doubly fortunate, was that Hannah had been nursing their toddler, Bruce, and maintained a tight grip on him as she fell to the ground, and managed to cushioned him from injury. Despite having invested considerable effort in the farm, things did not work out well, and Milton and his family had to give up the farm.

⁹⁶⁸ Gordon who loved and remembers him fondly, has discussed this with the author on several occasions.



The Great Depression Years

Milton would have had little time dwell on his grandmother's passing in 1928. Typical of life in Sydney for many, he was constantly trying to find a way of putting a meal on the table for his expanding family. One example of this was as a shoe salesman between 1929 and 1934 in Sydney, during the Depression, Milton sold shoes with Hannah's uncle Jim Robinson. The shoes were produced in the shoe factory owned and operated by Jim and George Robinson.

When the family were living at Kogarah in the early 1930's Hannah would encourage her young family to visit her mother and father at Melrose St, Croydon Park. They would walk the entire 5? Miles on the Saturday afternoon; up Bexley Rd from Kogarah, through Campsie Beamish St, Brighton Ave, to Melrose St. They would stay overnight and walk back the same route after Sunday lunch.

Like many an Australian of that period, even though life was difficult, he still managed to fit in time for his sporting interests. Milton was an enthusiastic sportsman. He was a keen amateur wrestler - His status as Amateur State Champion of NSW about 1933 testifies to this⁹⁶⁹. He played tennis to a high standard (A Grade) and built a tennis court at some time to accommodate that interest. Milton was also very active in Kano Ju Jitsu, Martial Arts. Once on Arncliffe railway station at night he came to the assistance of a lady who was being threatened by a man - Milton sent him on his way.

Milton was noted as being 'a reasonable hand' at the violin. However, he had occasion to extend his musical talent producing a musical piece for Hannah. It was a musical score sheet that had been composed by a friend to which Milton wrote the lyrics.

At one time, Milton built himself a bicycle from spares to accommodate his local transport needs, for example, to go to 'Professor' Russell's gymnasium at Ramsgate. Having got to enjoy the benefits of this hard won convenience, Milton exchanged his precious bike for a tennis racquet for Hannah so that she could go back to her regular mid week daytime social matches.

In addition to these activities, he was lay preacher and 'Sunday School' teacher at the Kogarah Methodist Church 1934 - 1938.

Sometimes in those still difficult days of the post Depression era, Milton managed to take his family away on holiday. He would get home earlier than usual in summer, that is, about 5pm so that the family could catch an electric train to Sutherland. They would walk to Prince Edward Park and collect a boat and key from one of the boatshed owners. They would then row for some two hours upstream past Jacky's Cap, Cathedral Rock, and other landmarks that identify bends in the river. They would put ashore at Grey Sand Beach and unload for a ten minute walk up a gradual grade to Auntie Elizabeth's (Hewish) holiday cottage. The cottage was on piers and overlooked the river - It was high at the front (where the kitchen was). Elsie, the youngest of Milton and Hannah's children at that time, slept in the bedroom with them. The boys, Bruce and Keith, were accommodated in the 'sleep-out' extension of the veranda.

Typical fair for the family during the Depression years was corned beef and cabbage, mashed potatoes and sausages, or 'Toad-in-the-Hole', for the main meal. Plum jam was cheaply available as a spread to the family to the point where Bruce came to loath it in later years. Ginger syrup and Cockies Joy (Golden Syrup) were also occasionally available.

Bruce, remembered Milton taking him and his brother and sister shopping to buy groceries on Fridays. Boiled lollies were part of the deal. The family kept 'tick' (account) with Miss Ray's corner store - She would shout the children a bag of broken biscuits when 'tick' was settled. Milton bought 'spec' (marked) fruit from Arena's fruit and veg store in Kogarah.

⁹⁶⁹ This achievement has yet to be verified. But Milton's wrestling prowess has often been honoured in wrestling matches between the Author and his (the author)'s grandson over many years in the wrestling matches in the Wrestling Room (lounge room) at the authors home - One or other combatant has invariably adopted the name "The Mighty Mil 'T'" for the occasion.



Milton and Hannah would occasionally take the children crab fishing at Botany Bay - Brighton-al sands at the end of Presidents Ave. Each would have to put a string line out in water with some reasonable hope of catching a sand crab.

After returning home from school the Bruce and Keith would make their way to the local blacksmith in Kogarah 'Mr Parr' to watch the wonders he performed in shaping steel into tools and equestrian equipment such as horse shoes. They were always eager to assist in the process by pumping the bellows - On cold winter afternoons this was considered an extra special treat.



Ivy Pearl Favelle (nee Haddock) (centre left) and her daughter, Jean?, on the left, Annie Pearl Griffiths (centre right) and Hannah Griffiths (right) c1938.

Elsie help boys collect coal for household fuel from beside the railway line where it dropped off the steam-train bunkers when they lurched. Wood was often collected from the base of trees on nearby vacant blocks of land.

As many people did not live close shops in those times, and private transport was a rare phenomenon, 'Fruit and Veg' vendors came offering their goods by horse drawn cart. The Butter, Eggs, and Honey Man came round in a smaller cart, and the 'Rabbitto' roamed the streets on a motorcycle with outrider filled with dead bunnies. The Clothes Prop man came round with horse drawn cart. The milk cart came twice a day. Housewives or their children would go in the street to have milk ladled out of large churns into their billy-cans or whatever was use for the purpose.

1938 to 1939 Milton and family lived at 24 Hodge Street, Hurstville. Subsequent to that, they moved to a house next to Milton's in-laws at Melrose Street, Croydon Park, while Hannah was ill with a nervous breakdown and depression that followed on from the birth of Gordon.

World War II and Other Turns of Fate

On the eve of World War II, 5 March 1939, and late in their marriage, Milton and Hannah were blessed with the birth of a fourth child, Gordon.

That year, to help support the family, Milton instructed Bruce, who was still not yet 15 years old, that he needed to finish his schooling and get a job. Consequently, Bruce went to work for Herbert Lavington's bakery at Garfield St, Carlton, delivering bread by horse drawn cart. His job necessitated him having to harness the horse in early in the morning, often before sunrise, in preparation for a long and tiring days work. Bruce often found himself nodding off to sleep and depending on the horses knowing their way.

During WWII, Milton served as the Corporal in the 45th Battalion Machine Gunners Volunteer Defence Corps with the 10 Battalion Volunteer Defence Corps at their Hurstville depot. It was a machine-gun battalion of the Militia (Later known as CMF, and more recently Reserves). Milton's brother, Laurie was the Lance Corporal, and eldest son, Bruce a Private, served in the same Section – A situation reminiscent of the BBC's TV series Dad's Army.

In the post war years, Milton took to breeding and showing poultry. He was successful on a number of occasions where he entered for competition in Bantam shows, winning prize ribbons. He was also keen on breeding and exhibiting Rhode Island Reds. In the mid to late 1950's, Milton gave a number of his prize birds, Rhode Island Reds and Bantam to his son, Bruce, who took great pleasure in keeping them.

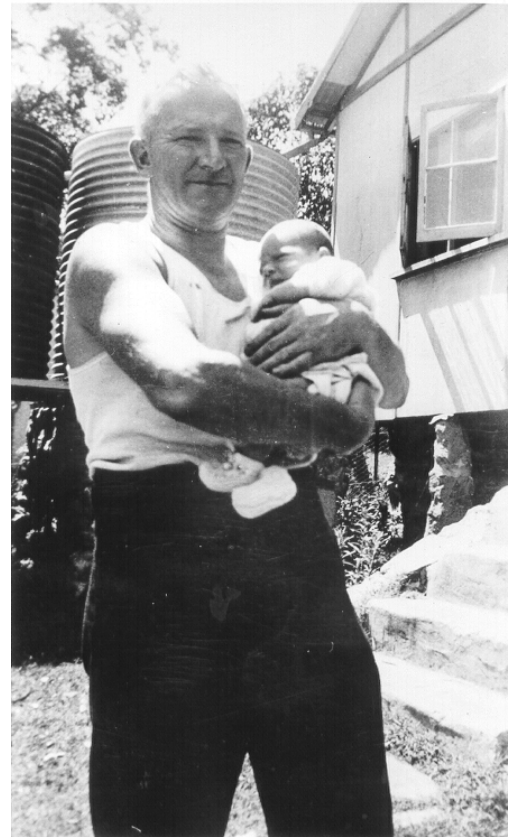


During the years 1948-1950, Hannah and Milton, and their youngest son, Gordon, would take a holiday at Bundeena. The weekend belonged to the parents of Elsie's boyfriend at that time, Alan Lloyd. Other members of the family on occasion would visit them there. In those days, access to Bundeena was achieved by a small ferry from Cronulla, a short walk from the railway station. These days Bundeena is accessible by road through National Park bushland.

When Hannah died on 20 June 1951, Milton was badly shaken by it. This loss had followed closely that his sister, Annie Pearl, who had passed away 27 February that same year⁹⁷⁰. Milton shed considerable weight as a consequence. In attempting to deal with his bereavement, Milton went to Queensland for a brief time.

Between 1953 and 1962, Milton was employed as an overseer for the NSW Egg Marketing Board at the shipping wharf, Pyrmont, Walsh Bay, and Darling Harbour for Egg Cargo consignment.

Milton married again in 1954, to Ina Ling under the rights of the Catholic faith at St Mary's, Cathedral, Sydney, and moved to 24 Pacific Parade, Dee Why. His youngest son, Gordon, lived with them there for a number of years. As a carry-over from his sporting days, Milton still had boxing and weight lifting gear in the shed at the back of the house - It was also the point of considerable interest for his grandson, John.



*Milton T with grandson, John,
Australia Day 1947 at Bundeena NSW*

Milton's daughter, Elsie died at age 33, with Multiple Sclerosis on 5 Jul 1958, leaving behind a husband and three very young daughters 7, 6, and 1 years old.

On 20 August 1964, Milton died as a consequence of heart failure at Royal North Shore Hospital, Crows Nest.

Milton and Hannah produced four children, one of whom, Bruce, eventually rediscovered the 'Brown connection' and began the research that became the foundation of this history.

Children of Milton Thirlmere GRIFFITHS and Hannah Weaver ROBINSON and were:

- | | |
|--|--|
| i. Milton Bruce GRIFFITHS (24 Jun 1924 –10 Nov 2003) | iii. Elsie Gwyneth GRIFFITHS (26 Apr 1927- 5 Jul 1958) |
| ii. Keith Ross GRIFFITHS (20 Jan 1926-21 Dec 1988) | iv. Gordon Robert Fitzgerald GRIFFITHS (b5 Mar 1939) |

⁹⁷⁰ SMH Death Notice, Thursday 1 March 1951.



Chapter 30 - Reflection

Industry and Perseverance is about the ambition, hope, hard work, unfortunate situations, and difficult times, determination and courage that formed part of the Brown family's pioneering effort. Their story is indicative of many who came to this land to begin a new and better life for themselves and those who were to come after.

Each generation of the Brown family experienced their share of industry and perseverance. Some seemed be luckier than others. Some were more astute and were able to minimise or avoid the difficulties, or were able to recognise opportunities that confronted them, and had the wherewithal to do something about it. Some were tougher in mind and not therefore 'winded' by adversity as much as, or long as others.

Browns interacted with many other families of the Hawkesbury and Hunter. The Capp, Loder, Onus, Eather, Clift, and other families of the Hawkesbury and Hunter all have a story to tell. Often their story is likely to cross over that of the Browns. As a consequence, it is likely that information pertinent to Brown history not canvassed in this volume will surface in time to come from research of those other families.

For most settlers, regardless of how much land or livestock they possessed, they still had a constant struggle to get ahead.

Death, tragedy, and difficult times always seemed to be close at hand through disease or risk of accident.

Drought, fire and flood came and went; and the threat of it was always present.

Courage occurs where you least expect it - Elizabeth Brown and the Government Servant in facing the 'Bush Rangers'; and Thunderbolt in his attempting to rescue his junior accomplice at 'Millie'. This account only picks up a few of the events that thankfully are recorded.

The cattle drives into regions well beyond the nineteen counties to establish a station also had their share of bravery. In addition to banditry and hostile Aborigines there were the elements of the weather (which could be contrary enough in themselves), and the largely unexplored bush and its hazards. Any sense of threat or vulnerability these represented was compounded by the inevitable isolation.

Right from the beginning of the colony's foundation and up to today, fate often posed tests. Pioneers had to face and deal with them as best they could. Some dealt much better with the tests that confronted them more than others did. Some made better use of the talents and resources available to them. For many just when things were looking to go their way, they would go sour. Some were in a better position, often through good management.

The hand that each was dealt along life's way varied considerably - How they responded to their particular situation is a point of interest. Generally, a tremendous resilience was apparent on the part of these people.

In the gathering of the information that tells this story, the idea of stewardship often came to mind. The question arose, as to what extent were the various individuals dealt with in this saga, good stewards with the resources and opportunities that came their way?

Women of this story, Catherine McMahon nee Mooney, her daughter, Elizabeth Brown, and Ann Shepherd are independent, capable, strong, and resourceful. No doubt they are indicative of very many pioneering women of this country.



During this research it became a source of some fascination for me to discover how much of what we see today, in the way of towns and roads, came into being in the first fifty years of colonisation.

This history of the Browns over the nineteenth century reflects growth of Australia from a struggling colony to nationhood.

There were times of deep disagreement in the family that brought about division and consequent adversity. Where the family persistently working together gave assistance and support, they were strong.

As said at the beginning, David's story and that of those who followed him, is very much a story about inheritance. In the material sense, it is about inheritance lost, denied/deprived, and disputed. It is about building a new inheritance. Whatever old David might have left behind in the way of inheritance, there is no doubt he and his children, and grandchildren, made up the loss in a variety of ways.

Aside from inheritance of wealth, property, and connections, one has to wonder about inheritance in the way of physical, mental and health characteristics that have been passed on e.g. tall, short, thin, fat, heart, lungs, attitude, intellect, talents, wisdom etc? The non-material aspects of inheritance can have a major bearing on the quality of life, and the provision and acquiring of a material inheritance.⁹⁷¹ What genetic liabilities and blessings came with the Browns is yet to be established.

David has many descendants. Good and bad, the nation as it is today, is built on the foundations laid by the Brown family and those like them.

⁹⁷¹ An example of this is Hannah Blair who was one of the female convicts aboard the Earl Cornwallis in 1801. She was transported for theft. However, a bigger issue for Hannah was that she carried the gene that was the cause of a rare and crippling disease - Hereditary Sensory Neuropathy Type-1 (HSN1). The disease causes breakdown of the central nervous system, such as with Parkinson's, Alzheimer's and motor neurone disease. The disease usually stays hidden for the first 20 years of life. Hannah Blair married Thomas Moran, a landholder of the Goulburn region of NSW, and they produced a big family, many of whom carried the HSN1 gene. It has taken another two hundred years for that particular family to become aware of source of their inheritance and to find a solution.