European Settlement at Paterson River 1812 to 1822

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Front cover: 'Black Swan', watercolour by Richard Browne c1812 in *The Skottowe Manuscript*, State Library of NSW.

Back cover: 'Lake Patterson', watercolour by Joseph Lycett. Photo: Brian Walsh, taken east of Woodville shop on the Clarence Town Road looking north west.

Inside front and back covers: These maps are a composite based on Doran 2007, Archer 2008 and White 1831 (see 'references' for details), overlaid on a satellite image and adjusted in some places for residual topographic features. For many reasons it is impossible to provide precise shapes of the land holdings as this distance in time, but the maps provide a strong indication (satellite image © Google Earth Pro).

Acknowledgement of Country

I wish to acknowledge the Worimi and Wonnarua Aboriginal people, whose ancestors lived in the Paterson River area when it was explored and settled by Europeans. We don't know the exact boundaries of the Aboriginal nations in the area but the Yimmang, or Paterson's River as Europeans called it, possibly formed the dividing line between the Worimi to the east and the Wonnarua to the west.

Regardless of boundaries, European settlement had a devastating effect on the Aboriginal people. It is with respect, sadness and a spirit of hope and reconciliation that I have written about the first years of European settlement in the area.

Acknowledgements and author's note

My thanks to Cynthia Hunter for writing her book *The Settlers of Paterson's Plains* in 1997. Cynthia's detailed research has provided a marvellous base for my book and I have not repeated much of the information Cynthia recorded, particularly for the 1820s and 1830s. Instead I have focused mainly on the first ten years and searched for further information that is now readily available through web sites such as the National Library's 'Trove' of digitised colonial newspapers and the commercial site ancestry.com.au that provides access to much of the NSW Colonial Secretary's correspondence up to 1825.

Thanks to Luke Doran who undertook a major project for his Bachelor of Surveying studies at Newcastle University in 2007 in which he reconstructed Dangar's 1823 survey of the small, irregular shaped farms of the first settlers along Paterson River. Luke's work has brought these holdings to life for us. Thanks to Karen Tyers for information on her ancestor George Pell, and to Bob Beale for providing the baptism certificate for John Tucker jnr. Thanks also to the developer of the 'Free Settler or Felon' web site (www.jenwilletts.com) who has undertaken an enormous amount of research on people, events and places in the Hunter Valley and made it freely available. All of the above have made my task easier.

Thanks to Cameron Archer for encouraging me to produce this book to mark 200 years of European settlement on the river, and for his constructive comments on the draft manuscript. Thanks to Thelma Bogan for proof reading the manuscript. Thanks to Val Anderson and other members of the Paterson Historical Society for their support, and to my wife Lyn and son Stephen for their interest and forbearance.

To minimise the number of endnotes I have not usually provided these for individuals in the chapters if they are referenced in the biographical notes. For consistency of spelling I used 'Paterson's Plains' throughout even though in most early documents it was spelt 'Patterson's Plains'.

In these days of digital printing and ebooks, it is easy and inexpensive to publish new editions. If readers discover new information, particularly about the precise timing of events in 1811 and 1812 regarding Macquarie's order for 500 cedar logs, please contact the author via Paterson Historical Society or www.patersonhistory.org.au.

Preface

I am very pleased to have the opportunity to prepare a preface for this important publication. The early European settlement and agriculture on the Paterson River is very different from that which occurred in most parts of the Australian continent. Many social and other issues relevant then and today were involved in the settlement of Europeans in this locality. In addition, it was a point of contact and conflict between the traditional inhabitants and owners of the land. Unfortunately, the record is silent on much of this.

Cynthia Hunter in her earlier book opened up the topic and alerted us to many of the issues and matters. Brian through his extensive research on the convicts of Tocal and the developments in the convict period in the Hunter Valley has been able to tell an important story. With further developments in digital technology many more sources have been accessed and Cynthia's work has been built on.

The publication of this book marks the bi-centenary of European agriculture on the Paterson River. It was an inauspicious and humble start to become what has remained an important agricultural region in Australia.

As a historian I am always gladdened by the strong interest current owners of historic properties and land have in the history on the Paterson River. We are fortunate that the owners of the lands that fringe the Paterson River are cognisant of the history for which they are custodians.

The launch of this publication will occur when the public have access to Albion Farm through the generosity and support of Sandy and Phil Redman. This property and Lemon Grove over the river are the oldest continuing European farms on the continent that are outside the Sydney Basin.

I thank Brian for his considerable research and effort to produce this book to fit in with the bicentenary of the establishment of farms in the locality and the event at Woodville School of Arts and Albion Farm.

I commend this book to you as an important record in this interesting period of the European history of the Paterson Valley.

Cameron Archer
President
Paterson Historical Society
August 2012

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Abbreviations

ADB	Australian Dictionary of Biography
BDM	NSW Register of Births, Deaths and Marriages
CP	Conditional Pardon
CS	NSW Colonial Secretary's Correspondence
HO	Home Office (England)
HRA	Historical Records of Australia
HRNSW	Historical Records of New South Wales
JNR	Junior
PRO	Public Record Office, London
PSC	Principal Superintendent of Convicts (NSW)
SG	The Sydney Gazette and New South Wales Advertiser (1803-1842)
SRNSW	State Records New South Wales

Conversion from imperial to metric units

1 lb (pound) = 0.45 kg
1 cwt (hundred weight) = 50.8 kg
£1 (pound) = $2 (for change in purchasing power over time see www.measuringworth.com)

Timeline

1797	John Shortland enters what is now Newcastle harbour and names the Hunter River after his friend, Governor Hunter;
1801	Paterson, Barrallier and others survey the Hunter River and its tributaries;
1801	Governor King establishes a settlement at Coal Harbour, now Newcastle;
1802	The Coal Harbour settlement is abandoned;
1804	Irish convicts stage a rebellion at Castle Hill, Sydney;
1804	A permanent penal settlement is established at Coal Harbour, to be called Newcastle, to exile the surviving Castle Hill rebels and other convicts who re-offend in the colony. They are to mine coal, cut timber, burn lime and make salt;
1804	20 English prisoners including John Reynolds are sent to Newcastle as soon as they arrive in Sydney to dilute the 'evil' of the Irish convicts at Newcastle;
1805	John Tucker snr, the first storekeeper at Newcastle, is sacked;
1807	Tucker gets his job back as storekeeper at Newcastle;
1808	John Reynolds escapes from Newcastle, is captured in Sydney, given 100 lashes and returned to Newcastle;
1810	Governor Macquarie takes office. He sends experienced lime-burner Anthony Dwyer to Newcastle to oversee production of lime;
1811	William Evans is released from gaol in Sydney to become Assistant Surgeon at Newcastle;
1811/12	Governor Macquarie is extending Government House and building his 'rum hospital' in Sydney. He places a special order for 500 cedar logs from Newcastle;
1812	As a reward for excellent work, Macquarie allows four convict sawyers to settle on small areas of land at Paterson River. They are Benjamin Davis, George Pell, John Reynolds and John Swan. A fifth sawyer, John Tucker jnr, also settles there on land allowed to his father;
1813	William Evans takes up 100 acres at Paterson River but lives in Newcastle;
1814	Tucker, Davis and Swan go to Sydney to sell surplus wheat;
1815	Anthony Dwyer is allowed to establish a small farm at Paterson River but continues to live in Newcastle. George Pell, Catherine Tucker and two others drown in Newcastle Harbour while returning upriver;
c1816	John Tucker junior is allowed his own land at Paterson River;
1818	Governor Macquarie visits the settlers at Paterson's Plains;
1818	Richard Binder and Robert Whitmore become settlers at Paterson River. John Powell is granted land at Paterson River but does not take up residence. Thomas Addison becomes a settler about this time;
c1820	John Reeves becomes the last convict to settle at Paterson River under Governor Macquarie's patronage;
1820	An overland route is discovered from Sydney to the Hunter Valley, leading to many convict escapes from Newcastle. A military barracks is built at Paterson's Plains and manned by four soldiers to protect settlers and search for runaway convicts;

1820 Commissioner Bigge takes evidence at Newcastle for his inquiry into the colony. It will influence the closure of Newcastle as a convict settlement;

1821 John Swan's partner Mary Lowery and their young son drown. Rev. George Middleton takes up 400 acres of Glebe land at Paterson River. Ralph Mills Clarke lives in a hut on the Glebe. John Powell moves onto his land;

1822 Anthony Dwyer and William Evans move from Newcastle to their farms. Henry Dangar surveys the lower Hunter Valley;

1822 The penal settlement at Newcastle is closed and the Hunter Valley opened for large-scale settlement. William Dun and James Webber travel from Sydney together to choose their land at Paterson River. They are the first of a trickle and then a flood of settlers;

1822 John Galt Smith is granted 1,000 acres that he names 'Woodville';

1823 John Tucker senior moves from Newcastle to Albion Farm;

1824 John Tucker snr and jnr's land is converted to a combined grant of 630 acres;

1826 The Clergy and School Lands Corporation is formed and is to be given one seventh of the land in the colony;

1829 The Corporation's charter is revoked but its short life wreaks havoc on the land tenure of the ex-convict settlers;

1831 Thomas Stubbs installs a much improved punt across the river between Old Banks and Woodville. It makes it easy for patrons to get to his Crown Inn which is just north of Albion Farm;

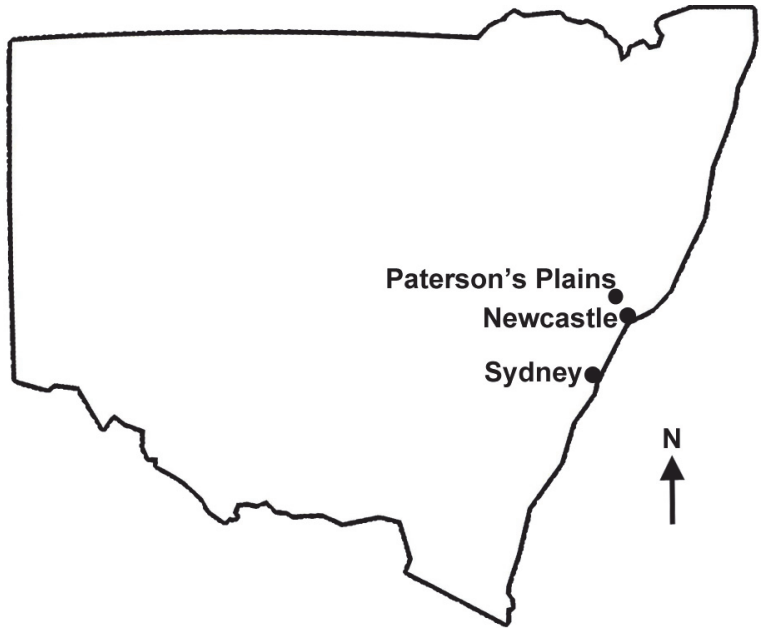
1833 The village of Paterson is gazetted and the centre of activity on the west bank of the river gradually moves upstream from Paterson's Plains to Paterson;

c1840 William Munnings Arnold begins to build Stradbroke on Dwyer's old farm;

1850 Woodville Public School opens, becomes Iona Public School in 1853;

1863 The first Woodville bridge is built;

1876 Woodville School of Arts is established (building erected 1877).



1

Exploration, rebellion and exile

In July 1815 seven people including a newly wed young couple set off from the wharf at Newcastle in a small boat laden with supplies and headed upstream towards a spot on the Paterson River then known as Paterson's Plains. They did not get very far. Four of them drowned near Newcastle when their boat hit a heavy swell and sank, dragged under by a load of bricks in the bow. This tragedy no doubt shocked the small band of people at Paterson's Plains who were the first Europeans in the colony to settle outside of Sydney and the Cumberland Plains.[1]

Those who drowned were the bride of only a few days, Catherine Tucker, along with George Pell, William Gudgeon and Daniel Brown. The survivors were John Tucker jnr (the groom), William Thorpe and a man named Gubbage.[2]

But why were they there, and why were they going upriver with a load of bricks and 'provisions for brother settlers', heading for a rag-tag cluster of little farms and leaky timber huts scattered among the rainforest on both sides of Paterson's River about 60 kilometres by boat from Newcastle?

At the time Newcastle was an isolated outpost of Sydney, a miserable place where convicts who re-offended were banished and put to hard work as punishment for their colonial crimes. It was a closed port – government permission was required to enter or leave, even for free people, and the area was not open to settlers. It would be another seven years before settlers were welcomed.

All of those in the boat were convicts except John Tucker who was born in the colony to convict parents. None of them had previously come from Sydney to Newcastle by choice. George Pell was banished there for 'aiding and abetting' in Sydney, Catherine for absenting herself for four months from the female factory in Parramatta, and William Gudgeon for absenting himself from government work in Sydney.[3]

At the time of the tragedy all were free from compulsory government work for various reasons. Pell was exempt because of good behaviour and Catherine Flynn had escaped penal servitude via marriage to John Tucker jnr. Gudgeon, Brown, Thorpe and Gubbage were probably still serving their sentences and had been assigned to work for the settlers at Paterson's Plains rather than for government.[4]

The answer to the puzzle of the people in the boat can therefore be found woven into the convict history of New South Wales and of Newcastle in particular. To solve the puzzle we need to start in the 1790s.

Exploration of Newcastle and the lower Hunter Valley

Perhaps the first Europeans to visit the Hunter Valley were a few convicts who escaped from Sydney in the 1790s and lived with Aborigines at Port Stephens for several years, possibly travelling through the lower Hunter Valley during their time at large.[5]

In 1797 John Shortland entered the estuary of the Hunter River on his way back to Sydney from Port Stephens looking for some runaway convicts who had seized a boat in Sydney and sailed away. During his brief stay Shortland named the river after his friend, Governor Hunter, though for some years it was often referred to as the Coal River and the port as Coal Harbour. Shortland collected samples of coal and predicted his discovery of coal would prove 'a great acquisition to the settlement'.[6]

Shortland's report of coal and cedar at Hunter River was well received in Sydney and over the next few years traders sent small sailing ships from Sydney to Newcastle to harvest the rich natural resources.[7]

With the Coal Harbour proving to be an economic asset to the colonial economy, it finally deserved some government attention. In June 1801 an official survey party consisting of Ensign Francis Barrallier, Lieutenant James Grant, Lieutenant-Colonel William Paterson, Surgeon John Harris, John Lewin (a naturalist) and others travelled from Sydney to explore and chart the Coal River (Newcastle).[8] During their survey they travelled up what are now named the Hunter and Williams Rivers. Paterson wrote in his journal that Governor King had allowed him to rename the river formerly called 'the Cedar Arm' as 'Paterson's River'.[9]

Most importantly, Barrallier returned on a separate trip in November 1801, presumably to finish some of his survey work, and this time travelled up what is now known as the Paterson River as far as the vicinity of Mt Breckin, about three or four kilometres north west of the current village of Vacy.[10]

After the 1801 survey Governor King decided to establish a settlement at Coal Harbour, mainly for mining coal. The new settlement was short lived, plagued by inept officials, unrest and mutiny at harsh treatment. Governor King abandoned it in January 1802 and Coal River remained neglected until becoming the place of exile for a group of convict rebels in 1804.

What to do with the Castle Hill rebels?

The political tensions in Ireland that were brewing in the late 1700s erupted there in 1798 when thousands of men and women gathered on Vinegar Hill in the town of Wexford to once again battle the English. The rebels were no match for the training and weapons of the English troops and were soon overcome by gunfire and a cavalry charge. The battle of Vinegar Hill was over but the simmering tensions were exported to New South Wales, kept alive by the boatloads of Irish convicts transported here. It was almost inevitable that these tensions would boil over in the colony.

After a series of plots by Irish convicts that were foiled by informers, on the 4th of March 1804 a mob of several hundred Irish convicts in the Castle Hill area west of Sydney rose up in rebellion, planning to be part of a bigger, coordinated action at Parramatta, Sydney and the Hawkesbury. The plan largely failed and next morning the group assembled on a hill outside Parramatta where, confronted by a contingent of the New South Wales Corps, demanded 'death or liberty'. That was the trigger for the troops to open fire, and once again military

discipline and superior weapons quickly overpowered the rebels. The incident was Australia's own 'Vinegar Hill'.

Several of the rebels were executed and several more sentenced to floggings ranging from 200 to 500 lashes. Then there was the longer term issue of what to do with the surviving rebels. Governor King acted immediately to establish a punishment settlement at the Coal River that he declared would now be officially known as Newcastle. At least 34 rebels were to be part of the initial settlement.

On 27 March 1804 a small fleet left Sydney Harbour to form a settlement for rebels and other convicts who refused to toe the line. It was the colony's first settlement established specifically for repeat offenders, and it was not until the 1820s that other settlements for that purpose would be established at Port Macquarie, Moreton Bay and Norfolk Island.[11]

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[1] Based on Perry's record of settlement – TM Perry, *Australia's First Frontier: The Spread of Settlement in New South Wales 1788-1829* (Melbourne, 1965): 26-42.
[2] Thompson to Campbell 24 July 1815, CS SRNSW 4/1805, 191; SG 29 July 1815, 2.
[3] Re William Gudgeon see: Thompson to Macquarie April 1815, CS SRNSW 4/1718, 43.
[4] There is no record of assignment for Gudgeon, Brown, Thorpe and Gubbage to the settlers at Paterson's Plains so this conclusion is based on circumstances and context.
[5] WJ Goold, *The Birth of Newcastle* (Newcastle, 1981).
[6] Arthur McMartin, "Shortland, John (1769–1810)", ADB, http://adb.anu.edu.au/biography/shortland-john-2659/text3663, accessed 4 July 2012.
[7] Maree Shilling (conv.), *Early Newcastle – The Fettered and the Free* (Newcastle, 2005); Jack Delaney, *Newcastle – Its First Twenty Years* (Stockon, 2004).
[8] Brian Walsh and Cameron Archer, *Maitland on the Hunter* (Paterson, 2nd edit 2007).
[9] Paterson to King, 11 August 1801, HRNSW vol. 4: 450.
[10] C Grimes, "Hunter's River from the Bason to Paterson's River", 11 December 1801, HRA ser. 1 vol. 3: 413-415; Andy Macqueen, *The Life and Journeys of Barrallier 1773-1853* (Springwood, 1993).
[11] Norfolk Island was first settled in 1788 as a general convict settlement that was an extension of the Sydney settlement, and it performed that role until its closure in 1814. During this first period a few re-offenders were sent there but this was not the main purpose of the settlement. The Island was settled again in 1825, this time specifically as a place of secondary punishment for convicts. See: Raymond Nobbs, *Norfolk Island and its First Settlement 1788-1814* (Sydney, 1988).

2

Newcastle 1804 to 1812

On Tuesday 27 March 1804 Governor King and his family ventured onto Sydney Harbour to watch history being made – the departure of the *Lady Nelson*, the *Resource* and the *James* to establish a penal settlement at Newcastle. Here is how the Sydney Gazette reported the sailing of Newcastle's 'first fleet':[1]

Expedition to Newcastle.

On Tuesday His Majesty's Armed Tender Lady Nelson, with Lieutenant MENZIES, Commandant of the Settlement Mr. MILEHAM, Surgeon, and Mr. BAUER, Natural Historical Painter on board, got under weigh, with the Colonial vessel Resource, and the James Sloop; but owing to a North easterly wind setting in were obliged to anchor in Look Out Bay, where they remained until the following morning, when they again weighed and in a short time cleared the Heads.

HIS EXCELLENCY, and Family made an excursion down the Harbour on Tuesday, to witness the departure of the little Fleet, whose destination, it may be hoped will prove immediately advantageous, and lastingly beneficial to this part of His Majesty's Territory, as well from its proximity as its useful natural productions.

The part of the Establishment embarked in the Lady Nelson, were Six Privates of the New South Wales Corps, Mr JOHN TUCKER, Storekeeper, One Overseer of Convicts, And Twenty-two Prisoners, among whom were Two Carpenters, Three Sawyers, a Gardener, and Saltboiler.

Per the RESOURCE,

One Serjeant and Four Privates, Mr I. KNIGHT, Superintendant of Convicts, and Twelve Prisoners.

Per the JAMES.

Mr George CALEY, and Three Miners, Besides all necessary Implements and Stores, with Provisions for Six Months

The storekeeper

The rest of this chapter introduces John Tucker, storekeeper to the new settlement, and the others who performed vital roles at Newcastle before settling at Paterson's Plains as a reward for their efforts. Today their land is part of the Woodville district on the eastern side of the river and the Paterson district on the western side.

John Tucker senior was a 29 year old convict who arrived in New South Wales in 1791 with a seven year sentence for stealing. He was soon assigned to the Sydney Commissariat as an assistant storekeeper. The Commissariat was the government depot responsible for obtaining, storing and distributing essential supplies such as food, clothing, tools and equipment to convicts and the military.

In 1794 Tucker married a convict woman named Ann Viles and they had two children while in Sydney, John jnr and Charlotte. All four Tuckers later settled at Paterson's Plains. In 1803 John Tucker snr, now a free man, was promoted to the position of storekeeper with an annual salary of £50. When he departed for Newcastle in March 1804, Ann and the children were left behind in Sydney but joined him in May that year, John jnr and Charlotte becoming the first colonial-born children to live in Newcastle.[2] However the whole family was soon back in Sydney.

John snr was sacked in February 1805 for neglect of duty and misconduct, only to be reappointed in March 1807 when his successor was also sacked. The return of the Tuckers to Newcastle in 1807 marked the start of their unbroken lifelong association with the lower Hunter Valley. It also marked the resumption of a long and successful career for John as storekeeper at Newcastle, responsible for supplying all the food, clothing, medicines and tools to the settlement. In a few years John jnr would manage his father's farm on Paterson River while John snr continued to work in Newcastle.

The sawyers

John Reynolds was another would-be Paterson River settler who went to Newcastle in the earliest phase of its establishment but unlike John Tucker snr, Reynolds had no choice in the matter. Reynolds arrived in Sydney on the *Coromandel* in May 1804 with a life sentence after being sentenced to death and reprieved for breaking, entering and stealing.

As John Reynolds later explained in a letter to the Governor seeking a pardon, he 'and twenty other persons were sent to this Settlement [Newcastle] immediately on coming into the Colony'.[3] For good reason he does not explain the criteria by which the 20 or 21 were selected from the 200 English male convicts who arrived on the *Coromandel* or why they were sent straight to Newcastle. Governor King explained both in a letter he wrote to the commandant at Newcastle on 8 May 1804:

> By Raby's Boat the Raven I send you Twenty Englishmen, and I am sorry to say that their Conduct on board the Ship they came out in, was none of the best, still they are not of a worse Cast than people of that description generally are, and by mixing them with the Irish you have, I promise myself less evil will arise, than if they were all Irish.[4]

Reynolds remained in Newcastle and gained the skills of a sawyer, skills that were keenly sought after. True to King's prediction, Reynolds proved himself to be 'not of a worse Cast' than other convicts although his record was not perfect. In 1808 he ran from Newcastle with three others, was captured in Sydney, sentenced to 100 lashes and returned to Newcastle.

The next would-be settler at Paterson River was a shipmate of John Reynolds, but may have behaved better on the trip out and was probably not sent to Newcastle straight away. Benjamin Davis was about 24 years old when he arrived in Sydney on the *Coromandel* in

May 1804 with a life sentence. According to Davis' own account, he 'was sent from Sydney to Newcastle as principal overseer, which situation he held for eight years'.[5] Given he settled at Paterson River in 1812, this implies he came to Newcastle sometime in 1804 or 1805. His role at Newcastle is unclear. He was probably an overseer of a gang of timber getters but whatever role he played, he became a valued member of the Newcastle settlement.

The third convict and would-be settler at Paterson's River to arrive on the *Coromandel* in 1804 was John Swan. He was sentenced to death for armed robbery in 1803, reprieved and sent to New South Wales with a life sentence. He was about 35 when he arrived, making him older than most convicts in the colony. Transportation forced John to leave his wife Sarah and their 12 year old son Richard in England.

John Swan spent the first years of his sentence in the Sydney area and became a sawyer at Lane Cove. Then in 1809 he was sent to Newcastle as a 'mechanic' where, in his own words, 'he conducted himself under the different Commandants that held command of the settlement for three years without any of them having occasion to find fault in any respect whatever'.[6] A mechanic was the colonial term for what we now call a tradesperson. John was a sawyer, a trade that would soon see the first five convicts permitted to settle at Paterson River.

John Swan was not alone for long when he arrived in Newcastle in 1809. He paired up with a convict named Mary Lowrie who arrived in Sydney in 1806 and was sent to Newcastle for a colonial offence a year or two later. There was little work and meagre rations for female convicts in Newcastle and they usually took up quickly with someone in the settlement.[7] John and Mary's first child was born in Newcastle in 1811 and by the time they married in 1818 they had five children. Paterson's Plains would soon be infused with the noises and activities of European families.

The next Newcastle sawyer in the group of would-be settlers was George Pell. In 1797 he was convicted on two counts of breaking, entering and burglary, sentenced to death, reprieved and transported for life. In 1804 Pell appeared before the Bench of Magistrates in Sydney, charged on suspicion of aiding and abetting someone who had been sentenced to death. He was sent to work in the gaol gang and then banished to Newcastle for this or a later offence.[8] Pell was a single parent with a daughter named Sarah who was orphaned when he drowned in Newcastle harbour in 1815.

The final sawyer in this narrative is John Tucker jnr, son of the Newcastle storekeeper. In August 1811 at the age of 16 he was employed as a sawyer for the government at Newcastle and a few months later was in serious trouble. Even though a free man he needed government permission to leave Newcastle but he ignored the rules and took off from the settlement and was listed as a runaway. To make matters worse he fled in the company of an escaping convict, an action viewed dimly by authorities. John seems to have escaped with a warning, although his youthful mistake is possibly why he was not allowed to take up land in his own right the following year. Instead he would manage his father's block at Paterson River until allowed his own land about 1816.

That completes the details of people at Newcastle who settled at Paterson River in 1812 but we need to notice three more men who had important jobs in Newcastle in those early days and settled upriver a few years after the first batch.

The lime-burner, the pilot and the surgeon

Governor Macquarie took office in New South Wales in January 1810 and almost immediately embarked on an ambitious program of public works.[9] This in turn fuelled the demand for cedar and other timbers, and for lime which was essential for mortar in stone and brickworks. Convict gangs in Newcastle made lime by collecting sea shells and burning them, but the process needed some skill and close supervision.

It is therefore no surprise that Anthony Dwyer's arrival in Newcastle was important enough for Governor Macquarie to herald it in a letter to the commandant of the settlement. On 25 July 1810 Macquarie wrote:

> The Lady Nelson sails this day for Newcastle and carries down hither Anthony Dwyer, a Lime Burner, and Samuel Hogg and John Baker – the two latter being notorious offenders, are sending down in Irons and must be closely watched and looked after otherwise they will certainly make their escape. Anthony Dwyer will be very useful as a Lime Burner, and two more men of his description will be sent soon. Lime being now greatly wanted at Sydney for carrying on the public buildings in hand (the Store and Barracks). He must make every exertion to make as much as possible, and confine his labour principally to this article for the present – no more cedar being required for the present.[10]

Anthony Dwyer was tried in Ireland and transported for life, arriving in Sydney in 1802. In 1803 he was appointed as an overseer of the lime-burners' party at Parramatta by Governor King and evidently performed well because Governor Macquarie appointed him to the same position in Newcastle in 1810.[11] There is no suggestion that Dwyer was sent to Newcastle for punishment and he is the only one of the convicts who settled at Paterson River to later obtain an absolute pardon (meaning he could return to Britain). Dwyer would be allowed to farm at Paterson River on his emancipation in 1815 but would not move there until 1822.

If overseeing lime-burners was an important job at Newcastle, then getting ships safely in and out of the harbour was even more crucial to the operation of the settlement. All communication and transport to and from Sydney was by sea, and Newcastle's harbour was treacherous for sailing ships – Nobby's was still an island, there was no breakwater, the currents were tricky and many ships came to grief. The next would-be convict settler on Paterson River was a mariner who became a harbour pilot at Newcastle, with a chequered career in both.

In 1792 Robert Whitmore was convicted of grand larceny for stealing a quantity of ship's cable, sentenced to seven years transportation and arrived in Sydney the same year. Whitmore became free when his sentence expired in 1799 but in 1806 he and three others were sentenced to a flogging and hard labour for 'exciting a mutiny' on the privately owned colonial schooner *Governor Hunter*.

Not one to mend his ways, in 1811 while master of a small schooner trading on the Hawkesbury River, Whitmore was sentenced to seven years at Newcastle for stealing and selling a large quantity of salted pork from the ship's cargo. He was appointed a ship's pilot for Newcastle harbour in 1812 but sacked in 1815 when the vessel he was piloting, the

Estramina, ran aground. Somewhat ironically, when the *Estramina* was wrecked at Newcastle in 1816 with a cargo of coals and cedar Whitmore played a commendable part in its salvage and salvaged his reputation at the same time, leading to permission to settle at Paterson River two years later.

> We are extremely sorry to learn from Hunter's River, that His Majesty's colonial schooner Estramina, and Mr. Underwood's schooner Elizabeth and Mary, went both on shore near the entrance of the River, and that no hopes were entertained of saving the former: the latter it was expected might, with persevering effort, be preserved, but not without considerable expence & trouble. The 2 vessels sailed from the settlement of Newcastle in company on Sunday last, the Estramina with coals and cedar, and the Elizabeth and Mary with coals only, for Sydney.—The Elizabeth and Mary, in standing over to the North Shore, in the act of staying got stern way, and hung aft, and with a strong N. E. wind and ebb tide, found it impossible to get her anchor out in her boat. In five minutes after, the Estramina went on shore a little to windward; she soon filled, & at 7 in the evening she upset.
>
> SG 27 January 1816

William Evans, a medical man, arrived in Newcastle only a month after Robert Whitmore in 1811 and like Whitmore, Evans had no say in his destination. After going broke and writing promissory notes he could not honour, Evans was faced with Hobson's choice – stay in gaol in Sydney or take up the post of Assistant Surgeon at Newcastle.

Evans had arrived in Sydney as Surgeon Superintendent on the convict ship *Indispensable* in 1809 and was appointed as Assistant Colonial Surgeon in Sydney in September that year, only to be sacked the following month for 'speculation in Colonial paper currency'. His request for reinstatement was refused in early 1810 and later that year he was imprisoned for debt, unfortunately at about the same time his wife, Mary Ann, arrived from England.

At that point D'Arcy Wentworth negotiated Evans' appointment to Newcastle as Assistant Surgeon. The title of his position is misleading – he was no-one's assistant, he was the sole surgeon at Newcastle, responsible for the health of all its residents, whether they be military, convict or free. Elizabeth Guilford takes up the story with a graphic sketch of the settlement in 1811:

> Evans and Mary Ann arrived in Newcastle shortly after his appointment. The grim reality of life at the penal settlement probably exceeded their worst fears. At the time the population was 124, fifty-eight of whom were male convicts and eleven female convicts. With the exception of the commandant and the military detachment, the only other free people were the storekeeper, John Tucker Sr and his family. Living conditions were primitive. There was no church, no school, no shops, no inns. All the inhabitants, free and non-free, were dependent on the arrival of ships from Sydney for food, clothing, blankets and working tools. As Newcastle was a closed gaol under martial law, no one could leave the settlement without the governor's permission, and this included Evans and Mary Ann. Indeed, they soon found they were as much prisoners at the settlement as any of the convicts.[12]

That completes the description of the soon-to-be settlers at Paterson River who were all at Newcastle by 1811. The next section explores the circumstances under which they were given permission to settle.

Macquarie the builder – a special order for cedar

Most of the 58 or so convicts at Newcastle in 1811 were put to the hard labour of mining coal, burning lime, or cutting timber. In addition a few worked at extracting salt from seawater in a large iron pan heated by fire. The salt was shipped to Sydney where it was keenly sought after, not as a condiment but as the only means of preserving meat.[13] It is timber, however, and cedar in particular that is central to the story of settlement at Paterson River.

Giving evidence to a commission of inquiry in 1820, a carpenter at Newcastle explained the range of timbers harvested there and their use:

> What are the woods chiefly used?
>
> Cedar and rosewood, flooded gum, iron bark and spotted gum, pine, beefwood, honeysuckle red and white, tea tree are the principal woods that are used. Mangrove is likewise used for wheelwork, the felloes and stocks of wheels.
>
> Which of these woods do you think the most useful in house building?
>
> Cedar for fittings, pine for floorings, gum tree for roofing and beefwood for shingles.[14]

Cedar is a soft, easily worked timber and was mainly used for fitting-out buildings with architraves, skirting boards, door jambs and other internal panels. Its natural habitat was the subtropical rainforests of New South Wales and it grew in abundance along the Paterson and Hunter Rivers upstream from Newcastle.

Governor Macquarie's extensive program of public works moved into top gear in 1811. Among other things he renovated and extended Government House[15] and in October he laid the foundation stone for one of his major projects, the construction of a hospital in Sydney.[16] It became known as the 'rum hospital' because he outsourced its construction to a group of businessmen and gave them a monopoly on the importation of rum as part payment. Today a wing of the rum hospital forms the facade of the Parliament building in Macquarie Street.

Above: a sketch of Governor Macquarie's 'rum hospital' in Sydney, probably fitted out with cedar from the Paterson River.

In 1811, or perhaps early in 1812, Macquarie placed a special order for 500 cedar logs to be supplied from the penal settlement at Newcastle. This was a huge order, as a gang of 20 men plus an overseer and deputy usually took a month to cut and deliver 100 cedar logs.[17] Yet given the small number of convicts at Newcastle at that time and the need to continue the production of coal, lime and salt, it is unlikely that more than one gang of timber cutters with the necessary skills could be assembled to fill the Governor's order. If only one gang was involved, it would have taken up to five months to complete the task.

And so the team of timber cutters set off for the Hunter River or its tributaries, at some distance from Newcastle. The gang consisted of five sawyers and a number of convicts to undertake the herculean task of manhandling the logs down to the river. The sawyers were Benjamin Davis, John Reynolds and John Swan, and almost certainly George Pell and the

colonial-born teenager John Tucker. Davis and Swan later described themselves as 'principal assistants' in this gang.

Timber gangs usually went upriver with two boats, a month's provisions, iron pots, a frying pan and a hand-mill so they could grind their wheat into flour and cook for themselves. One or two soldiers went with them, or if trusted the gang was given firearms, for protection from Aborigines who were 'sometimes both troublesome and formidable'. It took up to 12 hours or two tides to complete the trip, rowing when the tide was favourable and anchoring when it was not.[18]

While upriver they established a base and constructed rough huts of thatch and rushes. They felled the trees using axes and saws, trimmed the branches and manhandled the logs to the water's edge. When there were enough logs, they pushed them into the water to form a raft and begin a journey of up to eight days downstream to Newcastle. Major Morisset, the commandant at Newcastle, described the process in 1820:

> The trees are first selected by the overseer who distributes his men to fall and prepare them for removal to the banks of the river. The logs are ... made into rafts of 100 each of small size and about 75 if they are very large. Huts are made on them for the protection of the gangs and the provisions and they are floated down by the tide.[19]

After the raft of 75 to 100 logs was assembled the two boats steered it, and once the raft neared Newcastle all available small boats were sent to land it securely on shore near the wharf where the logs could later be loaded on boats and sent to Sydney.

In August 1811 Lieutenant Skottowe, the commandant at Newcastle, reported to the Governor's office in Sydney as follows:

> I am happy to say the quantity of cedar now on the Beach is considerable and of good quality, & the Raft just arrived the finest that ever came down. The Logs are short but large and excellent.[20]

It is not known if the raft praised by Skottowe was part of the special order for Governor Macquarie. If it was, it would partly explain the generous reward Macquarie would soon give the five sawyers.

The team of timber cutters led by sawyers Davis, Swan, Reynolds, Pell and Tucker evidently did an exceptional job and the order for 500 cedar logs was filled to Governor Macquarie's satisfaction. Perhaps the team delivered high quality timber in record time.

Macquarie the humanitarian – a special reward

On 4th January 1812 Governor and Mrs Macquarie visited Newcastle to inspect the settlement and travelled upriver as far as 'the first branch' (now Raymond Terrace).[21] It was probably during this visit that the Governor permitted the five sawyers to settle on small farms in the area then known as Paterson's Plains as a reward for their excellent work. If the reward was not made then, it was certainly made soon after.

John Reynolds takes up the story in his own words, writing from Paterson's Plains on 23rd May 1829:

> I am a settler on these banks for these 17tn years past and have with the utmost industry and labour cleared upwards of 40 Acres of land on the farm that I now hold and I beg leave to inform you Sir that I was induced to Settle in consequence of my being one of five sawyers Employed to cut 500 Cedar logs in the early part of Gov'nr Macquarie's administration and as a reward for such contract being duly performed Gov'nr Macquarie was pleased to say that we were to clear and cultivate and to consider it our own.[22]

It had been usual practice since Governor Phillip's time to reward well-behaved convicts on the expiry or remission of their sentence with grants of 30 acres of land, with an extra 20 acres if married and ten acres for each living child.[23] This practice continued into Macquarie's administration. In his inaugural speech on 1 January 1810 Macquarie assured his audience that whosoever was honest, sober and industrious – whether free settler or convict – would ever find in him a friend and protector. He promoted the interests of small farmers, predominantly ex-convicts, describing them as the yeomanry of the colony and the real improvers and cultivators of the soil.[24]

Even in the context of Governor Macquarie's idealism and benevolence, his decision to allow the five sawyers to settle at Paterson River was remarkable, for two reasons. Firstly, Davis, Pell, Reynolds and Swan were still serving life sentences and three of them would not gain emancipation until pardoned in 1821 (Pell drowned in 1815). Secondly, Newcastle was established specifically for repeat offenders and it operated as a place of punishment, not of reward.

It was this aspect of Macquarie's actions at Newcastle that particularly rankled Commissioner Bigge during his inquiry from 1819 to 1821. Speaking of Macquarie's decision to allow convict settlers at Paterson River from 1812 (and from 1818 at Wallis Plains, now Maitland), Bigge reported to London that 'the attempt to mingle with the bitterness of punishment the enjoyment of property, and the luxuriant produce of a fertile soil, was a deviation from that which ought to have been the principal object of the establishment'.

Nevertheless Macquarie was careful not to grant the land to these sawyers, but rather to permit them to hold the small farms at his pleasure, meaning they had no legal claim to land title and could have their tenure withdrawn for bad behaviour. Their terms of settlement were as follows:

> ... they are not to consider the land so given them their own property, the right being exclusively vested in the Governor, and that they are only allowed to cultivate, and reside on their farms so granted, during their good conduct and the pleasure of His Excellency, the Governor.[25]

John Tucker jnr was not among those rewarded in 1812, the permission to settle instead being given to his father, John Tucker snr, the storeman at Newcastle. This was probably because of John junior's youth and his temporary but unsanctioned departure from Newcastle in 1811 in the company of an absconding convict. John senior continued to live and work in Newcastle and sent his son upriver to manage their small farm. John Tucker jnr did not receive permission to farm on his own account until at least the end of 1815. Was this a shrewd move to clip the wings of the young firebrand and keep him out of Newcastle and away from trouble?

[1] SG 1 April 1804, 2.
[2] King to Menzies 30 April 1804, HRA ser. 1 vol. 5: 410. Delaney, *Newcastle – Its First Twenty Years*, 78.
[3] Reynolds to Macquarie November 1821, CS SRNSW 4/1863, 55.
[4] King to Menzies 8 May 1804, HRA ser. 1 vol. 5: 411.
[5] Davis to Macquarie 1819, CS SRNSW 4/1858, 93.
[6] Swan to Macquarie 1819, CS SRNSW 4/1860, 50b.
[7] JW Turner (ed.), *Newcastle as a Convict Settlement: The Evidence before J.T. Bigge in 1819-1821* (Newcastle, 1973): 94.
[8] SG 17 June 1804, 2.
[9] John Ritchie, *Lachlan Macquarie, a Biography* (Carlton, 1986), 128.
[10] Macquarie/Campbell to Purcell 25 July 1810, CS SRNSW 4/3490a, 79.
[11] Dwyer to the Archdeacon 2 May 1829, CS SRNSW 9/2714, 15-16.
[12] Elizabeth Guilford, "Dr William Evans: Colonial Surgeon and Settler", in *Early Newcastle – The Fettered and the Free* (Newcastle, 2005): 240.
[13] SG 7 October 1804, 4; SG 10 February 1805, 3.
[14] Turner, *Newcastle as a Convict Settlement*, 164.
[15] Helen Proudfoot, Anne Bickford, Brian Egloff and Robyn Stocks, *Australia's First Government House* (Sydney, 1991): 96, 126.
[16] SG 2 November 1811, 2.
[17] Turner, *Newcastle as a Convict Settlement*, 269.
[18] Turner, *Newcastle as a Convict Settlement*, 58-59. Previously to timber cutting gangs being accompanied by soldiers they were issued with arms to protect themselves – Menzies to King 5 November 1804, HRA ser. 1 vol. 5: 423-424.
[19] Turner, *Newcastle as a Convict Settlement*, 70-71.
[20] Skottowe to Campbell 10 August 1811, CS SRNSW 4/1804, 82.
[21] *Journeys in Time 1809-1822: the Journals of Lachlan and Elizabeth Macquarie*, http://www.lib.mq.edu.au/all/journeys/menu.html (accessed 11 July 2012).
[22] Reynolds to Cowper 23 May 1829, CS SRNSW 9/2714.
[23] AGL Shaw, *Convicts & the Colonies* (1966; Melbourne, 1988): 65.
[24] Ritchie, *Lachlan Macquarie*, 100, 120, 125-126.
[25]Turner, *Newcastle as a Convict Settlement*, 194.

3

Life at Paterson's river

What a relief and a privilege to be exempt from working for government at Newcastle at last. And the excitement, tinged with trepidation, of heading upriver to establish their own farms in the bush, without military protection, living amongst Aborigines known to be troublesome at times.

As experienced sawyers, Benjamin Davis, George Pell, John Reynolds, John Swan and young John Tucker[1] were no strangers to living in tough conditions on the Paterson River. They knew what to expect as they left the Newcastle settlement in 1812 but the women who went with them must have wondered what lay ahead – Mary Lowrie with John Swan and Eleanora McGraw with Benjamin Davis. Single parent George Pell possibly took his daughter Sarah with him as well.

This chapter explores what it was like for them in those early years from 1812 as they lived and worked on the Paterson River as the first European Settlers in the area that would later become part of the Woodville and Paterson districts.

Huts, bare necessities and a few children

A priority for the new settlers was to build some sort of shelter. Perhaps at first they camped under nothing more than crude huts made from bush timber frames covered with thatch and rushes, just like the ones these sawyers had constructed many times when travelling downriver atop a raft of cedar logs. Soon they would build more durable huts using timber slabs split from trees, sometimes trimmed a little with an axe or adze, and put up green. The roof of such a hut might consist of large sheets of bark tied to the rafters with strips of greenhide. Later they might replace these leaky roofs with timber roof tiles called shingles.

The settlers upgraded their huts as they became more established. In February 1823 surveyor Henry Dangar recorded that Binder and Davis had erected weatherboard and shingle cottages, the most advanced residences in the group. Tucker and Reynolds were living in wattle and plaster cottages while John Swan had a wattle and plaster hut.[2] In the terminology of the day a basic cottage comprised two rooms and a skillion while a hut often had only one room. Wattle and plaster construction, also known as wattle and daub, consisted of mud plaster over a framework of thin branches. It was used as an infill for timber-framed buildings.[3]

In a typical hut there was a fireplace, an iron pot and frying pan, a quart pot in which to boil tea, and perhaps a pint pot or two to drink it out of. Their first beds were probably just sheets of bark placed on forked sticks and poles, while a mattress was simply cloth stuffed with straw. Lighting might be provided by candles, but more likely by homemade slush lamps consisting of animal fat and a cloth or reed wick in a tin or container of some sort.

In those first few years, until August 1814, the Paterson River settlers were still 'on the stores', which meant they continued to draw their basic weekly ration of wheat and salted pork, beef or mutton from the government store in Newcastle.[4] Essential equipment at the new Paterson River settlement therefore included a boat to collect the stores from Newcastle and a hand-mill to grind the wheat into flour.

They usually made the flour into heavy 'cakes', now called dampers, that they baked in the embers of a fire and then often fried in pork fat.[5] A high priority was to establish gardens so they could supplement their diet with potatoes and other vegetables. No doubt fresh fish from the river was also on the menu, and perhaps they learnt how to catch game and find bush tucker. Some of the settlers kept kangaroo dogs for hunting. The early settlers may have learnt bushcraft from the local Aborigines, as not all early contact was confrontational – there was also sharing of knowledge and learning from each other.[6]

Life for some of the new settlers at Paterson River was a family affair. In fact, in a colony where there was a severe shortage of women, these men fared better than most.[7] John Swan and his partner Mary took their one year old son John Allen with them in 1812 and Mary was soon pregnant again, their daughter Mary being born in 1813. By the time they married in 1818 they had five children. Young Sarah Pell was also possibly there with her father, but there is no evidence that Benjamin Davis and Eleanora McGraw, now in their 30s, had children with them. Similarly Martha Mitchell paired up with John Reynolds in about 1814 but there is no record of children.

Hoes, wheat, corn, pigs and floods

One of the first jobs was to clear land so it could be ploughed and sown to crops. Much of the land fronting the Paterson River in 1812 was covered in dense rainforest that included almost impenetrable vines, gigantic figs, gum trees and any cedar that had not yet been harvested. Some patches along the river were naturally clearer than others, and the land back from the river was open woodland that could be grazed without clearing.[8] The best cropping land was near the river and often heavily timbered, so clearing was a huge job for these first settlers, as the following description reveals:

> the trees are cut through ... at about three feet above the ground. Having felled as many as they think will clear sufficient ground for their first crop, they next lop off the branches and pile them round the middle of the trunk so as to burn it in two pieces, these are afterwards rolled round so as to form one large fire. The smaller trees are also cut up and rolled to the large ones.[9]

This left the stumps in the ground and settlers did their best to hoe around them until they could afford the time and manpower to dig and burn out the stumps, which often did not occur until years later. In the early days at Paterson River all cultivation was achieved with the hoe.

Richard Binder, who joined the settlers on the river in 1818, was later credited with being the first person in the district to use a plough and break-in a pair of bullocks. Binder was one of the most entrepreneurial of the early Paterson River settlers so he could probably afford to buy a plough and bullocks to pull it. Perhaps he made the investment on a shared basis with his fellow settlers. We don't know when he introduced the plough but if he was the first it had to be by the early 1820s when wealthy settlers began streaming into the area.

Cropping was far more labour intensive than livestock operations, and occupied a large proportion of the settlers' time during the year. Maize was usually the first crop planted in freshly cleared land, and was sown around October or November. Settlers planted seed in holes from three to six feet apart, dropped five grains into each hole and covered them with soil using a hoe. They hilled and weeded the plants twice during the growing season before harvesting the cobs between March and May, and then pulled and burnt the stalks. They carted the cobs into a barn or shed for storage until there was time to separate the seeds in an operation called 'shelling'.[10]

Wheat prices were consistently higher than those for maize, and consequently wheat became the principal cereal crop grown in the colony during the convict period. Wheat was sown by broadcasting the seed by hand and chipped with a hoe to cover it. It was harvested in November and could be followed immediately by a crop of maize sown into the same land. This continuous cropping meant a busy work schedule for settlers. Barley was also grown at Paterson River in the first 10 years of settlement.

The wheat and barley was harvested using a sickle, a light hand-held tool with a curved blade. Heavier scythes were not commonly used as they tended to shatter the ears of the grain. To use the sickle, a handful of heads of grain was grabbed and the stalks cut in a single stroke. These were tucked under the free arm of the harvester until enough had been gathered for a sheaf. The sheaves of grain were then stacked in storage until labour was available to thresh the grain. At that time most of the grain was threshed by hand using a flail to dislodge the grain from the seed heads and then wind or fans to separate the grain from the chaff. Sometimes threshing of the November harvest was not completed until the following autumn or even winter.

Gardens and orchards were an important part of the first settlers' farms as they were for most farms in New South Wales at the time. By 1821 stone and citrus fruits accounted for the largest acreages sown in the colony, second only to cereals such as wheat, maize and barley. Peaches were particularly popular because they could be used to brew a potent alcoholic cider, while surplus fruit made good feed for pigs. By 1822 Binder, Davis, Reynolds and Whitmore had half an acre of orchard or garden each while John Swan and John Tucker jnr had one acre.

At first the early settlers at Paterson River would have struggled to find the capital to purchase livestock but their economy was complex and they may have bartered wheat for livestock or obtained some animals on a 'share' basis whereby part-owners were paid in produce such as milk, butter, cheese, eggs, meat or vegetables. At the start they were probably also allowed one or two cows each from the government herd at Newcastle provided they entered a bond to repay the cost after two years.[11]

By the time details of their agricultural activities were recorded in 1822 their livestock production was impressive for the size of their holdings and most of them could no longer be regarded as subsistence farmers. By 1822 John Tucker jnr, now managing his father's farm as well as his own, was running 71 cattle, 29 pigs and 450 sheep on the combined holdings. Nearly all the settlers at Paterson River had about 20 pigs in 1822 and most ran a few cattle, Binder's 30 head of cattle being topped only by Tucker's 71 head. Table one on page 21 shows the full details of the 1822 muster for the Paterson River settlers.

Above: the type of pigs used by early settlers in New South Wales (photo: Brian Walsh).

Despite the large numbers of livestock on and around these small holdings, there would have been few or no boundary fences. Long before the days of fencing wire, vegetable gardens and orchards were fenced to stop livestock getting in by erecting timber post-and-rail fences or wooden hurdles or rough brushwood fences, but little other fencing was done. Sheep were enclosed in temporary, movable wooden 'folds' at night to protect them from dingoes and let out to graze during the day under the eye of a shepherd.

Henry Dangar noted in his survey of the small farms on both sides of the river at Paterson's Plains in 1823 that large areas were inundated. The first settlers' land fronted the Paterson River and was surrounded by a chain of wetlands, including Lake Paterson, that are now largely drained. The river and nearby country was subject to periodic minor flooding and occasional major floods. At times the crops planted on the prime soil of the river flats would have been damaged by the floods that were part of life for these settlers.

The local economy and convict servants

The first European settlers at Paterson River soon found themselves at the centre of a complex and remarkable local economy. As they cleared the land and developed their farms they were able to acquire livestock, and so the range of goods they produced for market broadened.

They sold wheat, barley, maize, fruit, potatoes and other vegetables, butter, eggs and poultry to those living at the Newcastle settlement – whether their customers be military, convicts or free. Many convicts arrived at Newcastle from Sydney with considerable amounts of cash that they had earned from extra work or working in their own time.

Apart from cash transactions, barter was a common way in which the Paterson River settlers were paid, with underlying cash rates established to regulate the barter. For example, in his evidence to Commissioner Bigge at Newcastle in 1820 John Tucker snr said that the current price of potatoes charged by the settlers was 'eight shillings per hundred weight in barter, and five or six for money'.[12]

The settlers also sold beef and pork for five pence per pound and butter at two shillings and six pence per pound.[13] By using cash or barter the settlers upriver acquired essential items that they could not produce themselves, such as tea, sugar, tobacco, calico and other cotton

materials. Their trading activities also gave them the means to expand their herds and farm equipment.

Their markets were not confined to Newcastle. The commissary store there was unable to take all the settlers' surplus wheat and they were forced to try to sell it in Sydney. This posed two problems. In order to go to Sydney they needed a pass recommended by the commandant at Newcastle and approved by Governor Macquarie himself, and they could pay up to two shillings a bushel in freight to get their grain to Sydney.[14]

In spite of these difficulties the settlers sold their grain in Sydney on several occasions. In December 1814, after an evidently good harvest, Tucker, Davis and Swan requested passes to go to Sydney to sell surplus wheat and to 'purchase necessities for their farm'.[15]

Farming in the early 1800s was extremely labour intensive, particularly for clearing, ploughing, sowing and harvesting. The settlers at Paterson River were assigned 'government men', as the convicts were often called, to help them work the farms although the details of how many men they were allowed are not clear. Due to the complexities of the convict economy at Newcastle there were more 'government men' working on the settlers' farm than those directly assigned to them.

As part of a system of rewards, convicts at Newcastle who were promoted as overseers of gangs of convicts were given an extra half ration and 'a man on the store'. This meant they had the services of a convict to use for their own gain while that man's food and clothes were supplied by government at no cost to the overseer. The fascinating part of this arrangement is that the convict overseers sent their 'man on the store' to work for the settlers upriver in return for payment in cash or produce.

In 1820, for example, the gaoler at Newcastle told Commissioner Bigge he received no pay but drew one and a half rations and 'a government man' who he sent to work for a settler who paid seven shillings per week for him and received the convict's rations to offset the cost.[16] Settlers often paid for this service in produce rather than cash, 'valuing the wheat at ten shillings per bushel and maize at 5'.[17]

At the start of settlement at Paterson River in 1812 there were only about three or four overseers at Newcastle but after that the penal settlement grew rapidly and by 1819 there were 18 overseers, each with a 'government man' they could send upriver to work for the settlers at Paterson's Plains or at Wallis Plains (now Maitland).[18] This arrangement provided a ready supply of convict labour for the settlers on the river.

It also provided the spectacle of Major Morisset, the commandant of Newcastle, arriving at the settlers' farms by boat with a scourger and flogging triangles onboard, ready to dispense summary punishment to the convicts working there. If convicts misbehaved Morisset in his role as a magistrate could sentence them to 25 or 50 or more lashes, the sentence carried out onboard his boat.[19] It seems brutal now, and Morisset has been unjustly judged as a harsh disciplinarian, but he was simply doing the job expected of him at the time. Pain was the price the convicts working for the settlers paid for insolence and neglect of work in the convict economy.

Cash and barter transactions for goods and labour services in the Newcastle and Sydney markets were not the only components of the Paterson River economy. Settlers sometimes traded with the Aboriginal people in the area, a cross-cultural interaction where Aborigines

provided animal skins and other items, and occasionally their own labour, in exchange for European goods such as tools, fish hooks, sugar, tobacco and clothing.

There were many single men on the frontier at Paterson River in the first years of European settlement and Aboriginal women may have entered into consensual relationships with some of them. Despite some consensual pairing Aboriginal women were, in general, brutally exploited and bore the brunt of European colonisation. They, along with blankets and tomahawks, were the most frequent items of cultural exchange between Europeans and Aboriginal people on the frontier.[20]

The widespread cruelty and mistreatment suffered by Aboriginal women at the hands of European men was a major ingredient in the souring of race relations on the frontiers of colonial settlement. It was a significant cause of conflict at Newcastle in the 1820s where the Aborigines resented the convicts because of their treatment of Aboriginal women.[21] We do not know to what extent these activities and tensions extended upriver but it would be sugar-coating history not to mention them.

The final component of the Paterson River economy was transient, secret and illegal. It involved settlers supplying food and other items to convicts who were on the run from Newcastle, in exchange for skins which the escapees collected as they hunted kangaroos with dogs. The exchange could provide cash for settlers when they sold or traded the skins and a means of subsisting in the bush for runaways, but a settler risked losing his farm and his freedom if caught. The following section provides details.

Kangaroos and runaways

In April 1816 the commandant at Newcastle, Thomas Thompson, wrote to Governor Macquarie's secretary to report a serious incident involving settlers on the Paterson River:

> I have to state for His Excellency's information that Geo Stone and Saml Brooks has been apprehended after an absence of nine months the whole of which time they were amongst the settlers on this river and when taken had a quantity of Corn, Iron Pots with many other conveniences also a Musquet which belonged to **Benj Davis**, one of the settlers, and I have every reason to believe that this man has been supplying them and receiving Kangaroo Skins in return.
>
> I am concerned to be obliged to make a complaint again[st] this fellow but his general conduct has been so notorious that I hope His Excellency will be pleased to order him to his Government Labor and hopes it may deter others similarly circumstanced from acting in the same manner. I really am sensible that he is not entitled to the smallest consideration.[22] [bold type added]

Here was proof of a major disadvantage of allowing people, particularly ex-convicts, to settle upriver, as they could provide support for convicts who were on the run. Given that the ex-convict farmers were allowed to settle by Governor Macquarie, it was also a breach of trust.

Benjamin Davis was in danger of being ordered by Macquarie to again work for the government rather than for himself. There is no record of Macquarie's reaction to the report and we are left to wonder if Davis served another stint in Newcastle. He kept his farm so if he was punished it may have been only for a short time.

As a result of many escapes from Newcastle by convicts who lived on kangaroo meat in the bush with the help of their dogs, Major Morisset ordered all the convicts' dogs to be shot when he become commandant. Dogs were not just for hunting, they were also companions to single men living in a tough place. Not surprisingly one man went crazy when his dog was shot on the commandant's orders and was sent to the lime-burners as punishment.[23]

The settlers at Paterson's Plains did not always support runaways willingly. In 1819 seven convicts ran from the lime-burners' camp and Major Morisset sent out several search parties. Here is his report on the incident:

> ... when the Party arrived the night before at Pattersons Plains received intelligence that they had just left the opposite Bank (the Left) after Plundering and ill treating the Settlers on that side and carrying with them besides other plunder Two Muskets and some ammunition and expressing a determination to murder all who approached them. The soldiers with a constable came up with them about Thirty Miles from the Plains and took Four, Thos Smith, Wm Rowland, Wm Geary and Moses Watson with the Two Muskets, but not before Smith was severely wounded who I am sorry to say died on Sunday the 14th Inst and had it not been for the badness of the ammunition of the Runaways, I must fear that more lives would have been lost, as it is reported they cock'd and snapp'd their Firelocks at the soldiers to the last.[24]

After another two years of escapes, bushranging and violence, William Geary was hanged in 1821. The above incidents remind us that these early settlers on Paterson's River were living on the frontier of a penal colony. Time and time again they faced the decision of how to treat runaway convicts who frequented the bush around their farms. Occasionally runaways posed a threat but mostly they simply posed the dilemma of whether or not to slip fellow convicts some food to get them by in the bush.

Runaway convicts continued to be part of everyday life on the river. In 1827 Robert Whitmore and Richard Binder, who had joined the settlers at Paterson River in 1818, set out from their farms to capture a convict who had absconded from Wollombi and was now trying to steal ammunition in their district. With the help of Aborigines they tracked him down but he resisted arrest and came at them with an axe saying 'I will have your life or you will have mine', at which point one of Binder's assigned convicts shot the man dead with a musket. The coroner returned a verdict of 'justifiable homicide'.[25]

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[1] Tucker might not have taken up residence on Paterson River at the same time as the first four but may have moved there a bit later.
[2] Dangar 18 February 1823, Return of land cleared and other improvements made by settlers, CS SRNSW 4/7029E, 4-7.
[3] Connah, Graham, *'Of the hut I builded' – The Archaeology of Australia's History* (Cambridge, 1988): 70-73.
[4] Campbell to Thompson 4 August 1814, CS SRNSW 4/3493, 230.
[5] Brian Walsh, *Voices from Tocal: Convict Life on a Rural Estate* (Paterson, 2008): 60.
[6] Brian Walsh, "Heartbreak and Hope, Deference and Defiance on the Yimmang: Tocal's convicts 1822-1840", Ph.D. thesis, University of Newcastle, 2007: 169-188.
[7] In 1820 there were nine males for every female in the colony – Kay Daniels, *Convict Women* (Sydney, 1988): 229.

[8] Cameron Archer, "Social and Environmental Change as Determinants of Ecosystem Health: A Case Study of Social Ecological Systems in the Paterson Valley NSW Australia", Ph.D. thesis, University of Newcastle, 2008, 101-112.
[9] James Atkinson, *An Account of the State of Agriculture and Grazing in New South Wales* (London, 1826; Sydney, 1975), 30.
[10]Atkinson, *State of Agriculture and Grazing*, 31; Geoff Raby, *Making Rural Australia – An Economic History of Technical and Institutional Creativity 1788-1860* (Melbourne, 1996): 53.
[11] This was the arrangement for William Evans when given 100 acres in 1813 – Campbell to Skottowe 16 September 1813, CS SRNSW 4/3492, 264-266.
[12]Turner, *Newcastle as a Convict Settlement*, 126.
[13]Turner, *Newcastle as a Convict Settlement*, 124, 135.
[14]Turner, *Newcastle as a Convict Settlement*, 150-151.
[15] Thompson to Campbell 14 December 1814, CS SRNSW 4/1805, 174.
[16] Turner, *Newcastle as a Convict Settlement*, 129.
[17] Turner, *Newcastle as a Convict Settlement*, 67.
[18] Turner, *Newcastle as a Convict Settlement*, 227.
[19] J Windross and JP Ralston, *Historical Records of Newcastle* (1897; North Sydney, 1978).
[20] David Andrew Roberts, "'Binjang' or the 'Second Vale of Tempe': The Frontier at Wellington Valley, New South Wales, 1817-1851", Ph.D. thesis, University of Newcastle, 2000, 224.
[21] Walsh, *Convict Life on a Rural Estate*, 73-82.
[22] Thompson to Campbell 3 April 1816, CS SRNSW 4/1806, 19.
[23] Turner, *Newcastle as a Convict Settlement*, 76, 95, 97.
[24] Morisset to Campbell 19 March 1819, CS SRNSW 4/1807, 11-13.
[25] The Australian 14 September 1827, 3.

Table 1: Agricultural activities at Paterson's Plains 1822

Land area is in acres, livestock in number of head	Wheat	Maize	Barley	Potatoes	Garden/Orch'd	Cleared	Total land	Horses	Cattle	Sheep	Pigs
Addison, Thomas	1		1			10	30				22
Binder, Richard	40		2	¼	½	50		1	30		20
Davis, Benjamin	12			½	½	27		2	32		12
Dwyer, Anthony	20		2	½		22½			14	2	
Evans, William	30		½	½	1	68	100		32	170	1
Middleton, GA	9				1	14	400	3	54		52
Powell, John	16		1	½	¼	27¾			6		5
Reeves, John							30				
Reynolds, John	15			½	½	23		1	4		17
Swan, John	35	2	3		1	55		2			21
Tucker, Jn jr & sr	30		2½		1	62½		2	71	450	29
Whitmore, Robert	17		3	½	½	29			5		14

Source: Carol Baxter (ed.), General Muster and Land and Stock Muster of New South Wales 1822 (Sydney, 1988).

Table 2: Value of improvements at Paterson Plains 1823

Addison, Thomas	hut, pig sty and yard, £3
Binder, Richard	weather board and shingle cottage £30, cow shed, stable and lumber houses £10, a log and thatched barn £12.10, pig yard, pig sty and cow yard, forming part of paddock fence, huts £12.10, peach orchard £10, fencing £12.16.
Davis, Benjamin	weather board and shingle cottage £10, log barn, huts, skillings £15, peach orchard full bearing £15.
Dwyer, Anthony	log and thatched hut £8, fenced garden, stock yard and pig yard £4.
Evans, William	log barn thatched £8, log and stone skillings £10, huts, pig sties, yard £7.10, peach orchard £10.
Powell, John	wattle and plaster hut £8, barn, sheds £10, pig yard, pig sties and garden £5
Reeves, John	(no improvements listed)
Reynolds, John	wattle and plaster cottage £5, log and thatched barn £5, stable and men's huts £4, pig yard £2, peach trees and garden £4.
Swan, John	log and thatched barn £20, wattle and plaster hut £3, stable, sheds, huts and pig yard £10, close railed fence £5, paddock of five rail fence £9.16, paddock of three rail fence £2.10.
Tucker, John jr & sr	wattle and plaster cottage £12.10, log and thatched barn £8, shed, huts, pig yard, fence £9, stock yards and paddock £5.
Whitmore, Robert	log and thatched barn £7.10, wattle and plaster hut £4, peach trees, pig sties and yard £5.

Source: Dangar 18 February 1823, Return of land cleared and other improvements made by settlers, CS SRNSW 4/7029E, 4-7.

4

The little community mourns and grows

By the end of 1812 the small farming community on both sides of the river in the locality then called 'Paterson's Plains' probably settled into a routine after its first European settlers erected their huts, cleared a little land and planted their first crops. Over the next few years the settlement would grow slowly but steadily as others joined them. Within 10 years the pace would change considerably.

In 1813 Governor Macquarie ordered the surgeon at Newcastle, William Evans, not to send any more prisoners back to Sydney for treatment, but softened the blow by allocating him 100 acres of land to enable him 'to support his Wife & Family more comfortably than his means will admit at present'.[1] In this way Evans became an absentee landholder at Paterson's Plains and would later complain to Commissioner Bigge that he was forced to operate the farm with convict labour and it had drawn him into debt.[2]

Debt seemed to plague Evans in that first decade. In 1818 he received permission to bring 'ale and spirits' into Newcastle for personal use but he sold it to others there. When news of his enterprise reached Sydney, Macquarie's secretary advised there would be no more alcohol for Evans.[3]

In 1815 Anthony Dwyer, the overseer of lime-burners, became another absentee landholder when allocated a small farm at Paterson's Plains. Even farms held by non-residents generated activity in the district as assigned convicts built huts on the land and worked the farms for their masters. Dwyer continued to live and work in Newcastle, pairing up with a convict named Margaret Codehy after she was sent there for stealing a watch in Sydney. In 1822 they married and moved onto their farm.

Sadly 1815 was also the year that George Pell and young John Tucker's new bride, Catherine Flynn, drowned in Newcastle harbour while returning to their farms upriver. No doubt the little community at Paterson's Plains was shaken by the loss. The fortunes of John Tucker jnr improved the following year, 1816, when he was allowed to hold land in his own right instead of just managing his father's farm.

Tucker's land adjoined his father's on what is now the Woodville side of the river, and he managed both until his father retired from Newcastle in 1823 and moved there, calling the land 'Albion Farm'. John jnr married again in 1818, this time to a convict nurse named Frances Turner who he met in Newcastle after she was banished there for being absent from her work at Sydney Hospital for a month.

The death of George Pell in 1815 reduced the number of male settlers living at Paterson's Plains to four (Davis, Reynolds, Swan and Tucker jnr), so in 1817 Governor Macquarie permitted the Newcastle commandant to increase the number to six, 'taking special care

however that they are well behaved industrious men and explaining to them that they only hold those farms in trust during the pleasure of the government'.

Following the governor's instruction, in 1818 Captain Wallis permitted Richard Binder and Robert Whitmore to settle at Paterson's Plains on those terms. As outlined in chapter 2, Whitmore was a convict pilot for Newcastle harbour who was sacked for grounding a boat but later found favour after a successful salvage operation. Richard Binder arrived in New South Wales in 1803 with a life sentence and in 1813 was sentenced to three years at Newcastle for a colonial offence. Here he met a convict named Ann Burrell who was sentenced to Newcastle for one year in 1816. They married in 1818, bringing more family life to Paterson's Plains.

Binder went on to hold the position of Chief Constable at Paterson's Plains in 1824 and 1825. His police work required travel across country to the government post at Seaham, and this may be why the track from the punt crossing at Old Banks towards Seaham was called 'Binders Path'.

About 1818 Thomas Addison became the next well behaved convict to settle at Paterson's Plains after being sentenced to Newcastle for three years by the Windsor Bench in 1813. When Governor Macquarie visited in July 1818 he travelled to Paterson's Plains to see the farms occupied by six convicts and two free men. The six convicts were Binder, Davis, Reynolds, Swan, Whitmore and probably Addison. The two free men were Tucker and Evans. Macquarie was impressed with what he saw, and he wrote in his journal:

> We proceeded up this branch to the farms some time since permitted by me to be occupied by 6 well behaved convicts and two free men. Arrived at the first farm (young Tucker's)... where we landed and walked about for some little time examining the improvements and nature of the soil, which is most excellent.[4]

It was possibly during Macquarie's 1818 visit that he allowed a mariner named John Powell to take up 60 acres of land at Paterson's Plains.[5] Powell had visited Newcastle several times in 1814 as captain of the brig *Endeavour* and that might be where he met Charlotte Tucker, daughter of the Newcastle storekeeper John Tucker snr. John and Charlotte married in January 1818 and moved to their farm at Paterson's Plains in 1821.[6]

By 1819 a military post was established at Paterson's Plains and staffed by three privates and a corporal. Their job at the expanding settlement was to keep order, watch for runaway convicts and protect settlers from Aborigines. To accommodate the soldiers the commandant at Newcastle, Major Morisset, built a military barracks at Paterson's Plains in 1820, probably on the west bank.[7]

About 1820 the last of the convict settlers, John Reeves, took up land on the Paterson River. He had arrived in Sydney in 1791 and was sent to Newcastle for seven years for perjury in 1813. Before leaving for Newcastle he had to spend one hour in the pillory at Parramatta and the same at Windsor and Sydney.[8] The records indicate he resided on his block but erected no buildings and cleared no land. Perhaps he lived in a hut on a neighbour's place. He died in 1823 with no Will and no next of kin.

In January 1821 another boating tragedy befell the settlers at Paterson's Plains. John Swan's wife Mary and their infant son Stephen drowned along with three others in the Hunter River near Newcastle when their boat overturned. The ability to swim was less common than it is

today and drowning was a hazard faced by those who lived by the river and relied on it for transport.

> On the 17th instant, a boat was upset in Hunter's River, about a mile from Newcastle, when, melancholy to relate, two men, two women, and an infant, were unfortunately drowned. The names of the sufferers are Mrs. Allen, wife of a settler at Wallis's Plains, Mrs. Swan, also wife of a settler at Paterson's Plains, with her infant child, and Thomas Trainer and Jeremiah O'Neil, prisoners.
>
> Sydney Gazette 27 January 1821

The final settler in this phase of Paterson River history was the Reverend George Middleton, the resident pastor at Newcastle who selected 400 acres of glebe land at Paterson's Plains in 1821. A 'glebe' was a parcel of land allocated to clergy as part of the terms of their ecclesiastical office and it was designed to provide income to support their pastoral activities. Middleton's glebe was the largest allocation of land in the district to that time and was located immediately north of John Swan's farm, with a frontage to the river.

Ralph Mills Clarke, who would later become Chief Constable for the district, lived in a hut on Middleton's Glebe from 1821.

Emancipation

In 1818 and 1819 Benjamin Davis, John Swan and John Reynolds, all still serving life sentences, petitioned Governor Macquarie for a pardon. After some delay, in 1821 their servitude ended when Lachlan Macquarie scrawled 'C.P. L.M.' on each of their petitions, the four letters signifying that he had approved their conditional pardons. They were free on the condition they did not return to Great Britain or Ireland.

Anthony Dwyer was also serving a life sentence and petitioned the Governor for a pardon. His application was strongly supported by the ex-commandant of Newcastle, Captain James Wallis, before his departure from the colony. Wallis wrote:

> This man is the overseer at the Lime Burners his duty for many years has been constant disagreeable and arduous and he has generally speaking discharged it with fidelity and from his service for Government is entitled to His Excellency's consideration.[9]

Macquarie agreed and in 1821 wrote 'A.P. L.M.' on the application, thus approving an absolute pardon. Dwyer was unconditionally free, a privilege extended to relatively few convicts. The following year Dwyer married and the couple moved onto his farm at Paterson's Plains.

The 1820s – a new era

The lower Hunter Valley changed dramatically in the 1820s. At the start of the decade Newcastle was a closed port and widespread settlement was banned to deprive absconding convicts of food and support while on the run. Escape was fraught with difficulty – the local Aborigines were encouraged to track and capture runaways, and there was no known overland route back to Sydney. Absconders had few places to go and the Newcastle penal settlement was reasonably secure, but not for long.

In 1819 John Howe discovered an overland route from Windsor to the present-day site of Singleton and in 1820 made the trip again, following the Hunter River as far as Wallis Plains (Maitland). In 1821 John Blaxland found another way from Sydney to Newcastle via Wollombi. Blaxland marked his track so well that absconding convicts could easily follow it,

and in just one of many escapes 12 convicts fled together along the new track. Newcastle was no longer secure and the authorities decided to move the penal settlement to Port Macquarie.

Lachlan Macquarie's tenure as Governor was also drawing to a close. While Howe and Blaxland were blazing inland trails, Commissioner Bigge was finalising his two-year inquiry into the colony. Bigge arrived back in England in July 1821 and his findings led to the departure of Macquarie and a dramatic change in the Hunter Valley. The region was to be thrown open for large-scale settlement and developed by convicts assigned to settlers. When Governor Brisbane took over in 1822, settlers received land grants in proportion to the number of convicts they could support, the formula being 100 acres for each convict taken off the government's hands.

In January 1822 the first of the new settlers, William Dun and James Webber, travelled together from Sydney to choose the location of their land grants on the Paterson River.[10] Webber chose land immediately north of Middleton's glebe and Dun selected across the river. The two grants would be named 'Tocal' and 'Duninald'.

Dun and Webber were the first of a wave of immigrants attracted to the fertile alluvial soils and prime river frontages of the lower Hunter Valley, with easy access to colonial markets via the nearby deep-water port of Morpeth from which vessels regularly voyaged to Sydney. Within a few years much of the choice land had been granted.

In March 1822 Henry Dangar was instructed to survey the area and to carve it into parishes and a rectangular grid as the basis for land grants. Unfortunately for Davis, Reynolds, Swan and the others already established, their small farms did not conform to Dangar's neat grid pattern – instead their boundaries followed lagoons and other natural features in a seemingly haphazard pattern. Dangar's grid and a lack of legal tenure would threaten the future of the emancipated convicts and their families living on the river.

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[1] Campbell to Skottowe 16 September 1813, CS SRNSW 4/3492, 264-266.
[2] Turner, *Newcastle as a Convict Settlement*, 115.
[3] Campbell to Wallis 1 May 1818, CS SRNSW 4/3498, 197.
[4] *Journeys in Time 1809-1822: the Journals of Lachlan and Elizabeth Macquarie*, http://www.lib.mq.edu.au/all/journeys/menu.html (accessed 11 July 2012).
[5] 'List of settlers who are to have lands located and measured for them in 1818', 10 September 1818, CS SRNSW 9/2652, 50.
[6] Eric Manning, "John Powell and Charlotte Tucker", in *Early Newcastle – The Fettered and the Free* (Newcastle, 2005): 260.
[7] Turner, *Newcastle as a Convict Settlement*, 75, 223.
[8] SG 13 March 1813, 2.
[9] Dwyer and Wallis to Macquarie c1819, CS SRNSW 4/1858, 120.
[10] Goulburn to Nicholson 21 January 1822, CS SRNSW 4/3504A, 328, 333.

5

Disorder and removal

When Governor Macquarie left the colony in 1822 the convict settlers on the Paterson River lost their patron. They held their land 'at the Governor's pleasure' and now the new man in charge, Governor Brisbane, was preoccupied with surveying the colony, implementing the Bigge report and accommodating the influx of settlers seeking land.

Brisbane's change of focus, the accelerated pace of settlement and the need to tidy-up land decisions taken by his predecessor did not bode well for the Paterson River emancipists. It was the need for land holdings to fit the surveyor's rectangular grid that struck the first blow. In June 1823 the Colonial Secretary, Frederick Goulburn, spelt out the problem:

> ... the confusion that exists originating in a few small settlers having until their promises of thirty acre grants could be fulfilled, located themselves in a manner most irregular, which disorder cannot be remedied except by the removal of some for the purpose of giving regular boundaries to all ...[1]

To remedy the disorder Governor Brisbane approved a scheme to relocate the convict settlers from Paterson's Plains and Wallis Plains (Maitland) by giving them 100 acres elsewhere provided they would 'locate themselves in a body and within the boundaries of any one of the vacant squares already fixed by the Assistant Surveyor'. Those who chose to remain were to have their land 'enlarged by the land acquired from the removal of the rest, but hold their farms on lease only, at the yearly rent of a half Spanish dollar per acre'.[2]

Benjamin Davis apparently took up the offer, which allowed Evans' farm to be enlarged to just over 1,000 acres. The two John Tuckers also secured their land as grants that were larger than their original holdings, and Powell's original grant was expanded. For further details see Cynthia Hunter's book. As Cynthia says, 'the convict farmers were less favoured and had to face many years of negotiation and uncertainty'.[3]

Swan, Dwyer and Addison decided to remain on a seven-year lease of their farms which were to be enlarged to fit the surveyor's grid. Whitmore, Binder and Reynolds initially accepted the transfer to 100 acres elsewhere. When the government failed to clear their new grants as promised in compensation for the improvements left behind on their old blocks, they re-claimed a seven-year lease of their farms at Paterson River.

The tenure of their farms was resolved for only a short time before the second blow fell. In March 1826 the New South Wales Government established the Clergy and School Lands Corporation (often referred to as the Church and School Corporation) and endowed it with one-seventh of the new lands of the colony for the sole use and benefit of the Church of England for religion and education. On the Paterson River, large tracts of lands were set aside for the Corporation in the civil parishes of Middlehope and Butterwick.

On the west bank the land allocated to the Corporation included John Swan's farm and Middleton's glebe which he surrendered to the Corporation in 1827. On the east bank it took in the farms of Reynolds, Binder, Whitmore, Addison and Dwyer. Their farms would revert to the Corporation when their leases expired in 1831.

It did not work out that way because the Corporation was short-lived. The Corporation's land grants were formally issued in 1829 but in the same year London informed Governor Darling that the Corporation was to be dissolved. Owing to legal difficulties, the charter of the Clergy and School Lands Corporation was not revoked until February 1833. Then the Church reserves became Crown land that was leased and later sold under various arrangements.[4]

The resolution of the tenure of lands leased by the convict farmers was messy, drawn-out and no doubt stressful. John Swan was the only one of the convict farmers disrupted by the Corporation to eventually gain title to his land (title was issued to the executors of his estate). By the time the government was in a position to issue title deeds in the early 1840s it was too late – the others had relinquished their claims under various circumstances.

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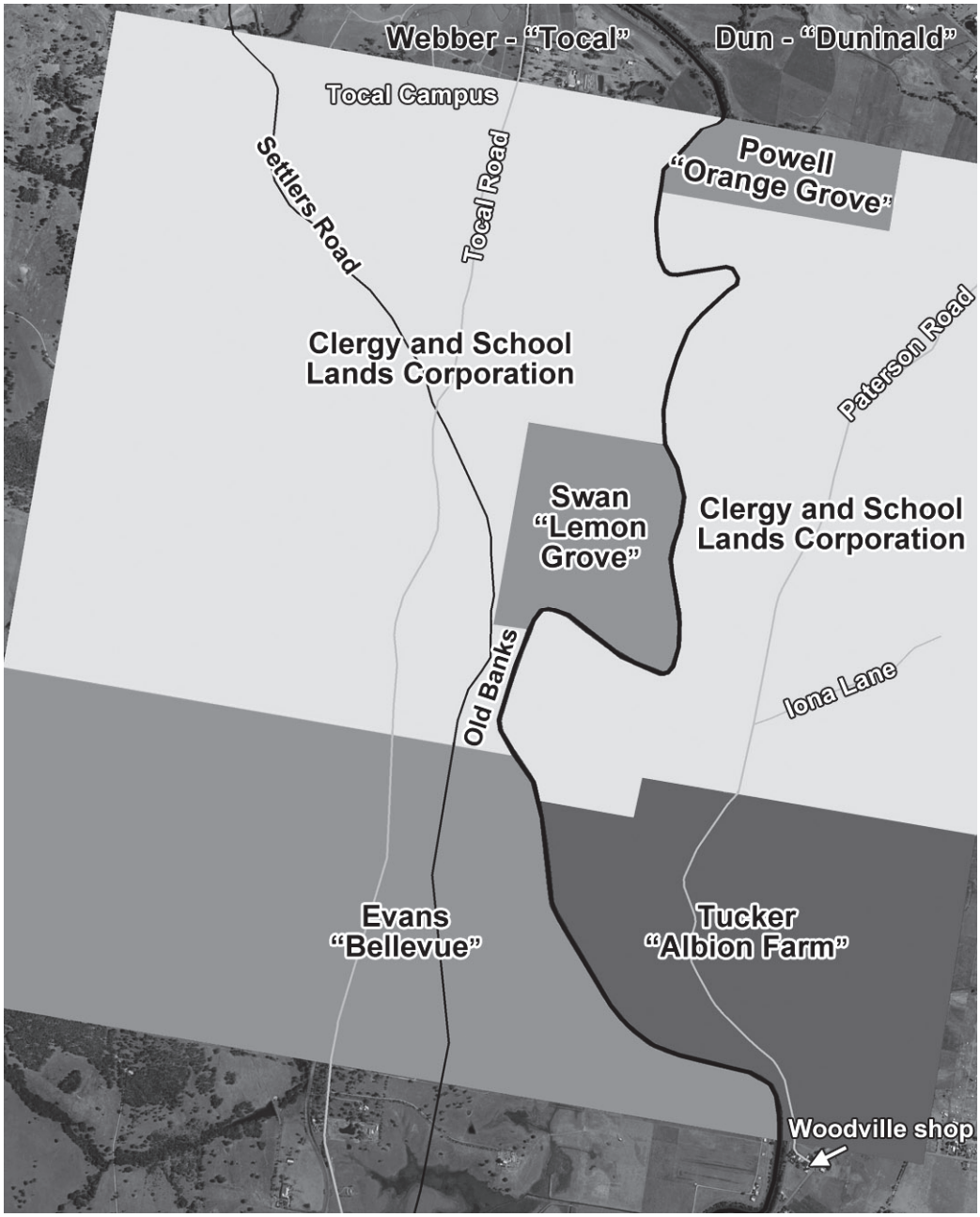
[1] Goulburn to Morisset 16 June 1823, CS SRNSW 4/3508, 526.
[2] Goulburn to Morisset 11 July 1823, CS SRNSW 4/3508, 652.
[3] Cynthia Hunter, *The Settlers of Paterson's Plains* (Paterson, 1997): 14-15.
[4] Kelvin Grose, "What Happened to the Clergy Reserves of New South Wales?", *Journal of the Royal Australian Historical Society* 72, no. 2 (1986): 92-103; RB Walker, "The Later History of the Church and School Lands", *Journal of the Royal Australian Historical Society* 47, no. 4 (1961): 234-245.

Paterson's Plains c1830



This map shows the extent of the land holdings of the Clergy and School Lands Corporation in the early 1830s. Woodville shop, Tocal Road, Paterson Road, Iona Lane and Tocal Campus are later features included for orientation.

Key 1831 features

This map shows key features from GB White's 1831 map titled *Church Reserve at Patersons Plains*. His map has been overlaid on a satellite image to mark the locations, which should be regarded as indicative rather than precise. The Woodville School of Arts is a later feature included for orientation. Note that the location marked 'Stubbs' was originally Binder's house and inn.

6

Moving on – Paterson and Woodville

Now neatly moulded by the surveyor's grid, settlement along Paterson River moved into the 1830s and beyond. William and Mary Ann Evans lived on their 1,070 acre grant that they called 'Bellevue'. John and Margaret Swan lived just upstream at 'Lemon Grove' where John died in 1833 at the age of 64 and Swan descendants held the estate until the 1950s.

On the east bank John Tucker senior and junior lived with their families on a combined grant of 630 acres called 'Albion Farm'. John snr died in 1834 and John jnr in 1838 – both are buried at Albion Farm. John and Charlotte Powell lived the remainder of their lives on their grant called 'Orange Grove' and are buried in St. Paul's cemetery at Paterson.

From Old Banks to Paterson

The site called 'Old Banks' at Paterson's Plains, between Bellevue and Lemon Grove, became a hub of government activity in the 1820s with the construction of a government cottage, a pound for stray animals and a lock-up that doubled as a courthouse. A punt operated at Old Banks, and the site connected with roads to the east, north and south.

Old Banks' role as the district hub of government administration and transport continued until the new township of Paterson, a few kilometres upstream, was gazetted in 1833.[1] A new courthouse/lockup built in Paterson was in use by April 1835 and the pound was transferred from Old Banks to Paterson in 1841.[2]

Woodville and Iona

On the east bank the district became known as Woodville, the name given by John Galt Smith to the land just below Albion Farm that he was granted in 1822. A punt operated on the river until the first Woodville bridge was built in 1863. The area became a centre of activity with facilities that included a store, post office, blacksmith's shop, church and school.[3]

The Woodville Public School opened in 1850, closed in 1851 and reopened in 1853 as Iona Public School. The school closed and reopened once more, operating on the current site from 1879. The present school was built nearby in 1946.[4]

Today you can stand in front of Iona School or the Woodville School of Arts to view some of the land first taken up in 1812 by four convict sawyers and a colonial-born teenager, and you can perhaps imagine what it was like for them and their loved ones.

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[1] SG 17 October 1833, 3.
[2] Campbell to McLeay 8 April 1835, CS-Police Paterson, SRNSW 35/2779 in 4/2291.5; Sydney Herald 15 September 1841, 2.
[3] LV Gorton, *A History of the Woodville District* (Raymond Terrace, 1982).
[4] Desilee Richards, Cynthia Hunter and Sandra King, *Iona Public School Celebrating 150 Years of Education 1850-2000* (Woodville, 2000).

Biographical details

Names that appear in bold in the text have their own separate entry. To save space the following convict records are not repeatedly cited:

- the convict shipping records or 'indents', the full citation for which is 'Principal Superintendent of Convicts, Bound Indents, State Records NSW';
- the convict transportation registers, the full citation for which is 'PRO HO11, Convict Transportation Registers, Public Record Office, London'.

Addison, Thomas

On 28 October 1807 at the age of 36 Thomas Addison was sentenced to seven years transportation for stealing 86 pair of 'boot legs' valued at £15.[1] He arrived in NSW in 1810 on the *Ann* and in 1813 was sentenced to three years at Newcastle by the magistrate at Windsor as punishment for a colonial offence (**Richard Binder** was sent to Newcastle at the same court session).[2] About 1818 Addison received permission to settle at Paterson's Plains. He died in 1828 and did not receive title to his land.[3]

Binder, Richard

Richard Binder arrived in NSW in 1803 on the *Glatton* as a convict with a life sentence (tried Northampton in July 1801).[4] In 1813 he was sentenced to three years secondary transportation by a magistrate at Windsor for a colonial offence and was sent to Newcastle.[5]

He received permission to settle at Paterson's Plains in 1818. He probably moved there with his wife **Ann Burrell** who he married at about this time.[6] He received a conditional pardon in 1821.[7] Binder held the position of Chief Constable at Paterson's Plains in 1824 and 1825.[8] By 1828 he had sold the right to lease land on the Paterson River and he and Ann were publicans of the Australian Inn in Hunter Street, Newcastle.[9] He died in Newcastle in 1830. Binder is credited with being the first to use a plough in the Hunter Valley and the first to break in a pair of bullocks.[10]

Burrell, Ann

Ann was tried for larceny at the Lent Assizes in Lincoln in 1815, sentenced to seven years and arrived in NSW in January 1816 on the ship *Mary Ann* at the age of 22.[11] On 20 March 1816 she was sentenced to one year in Newcastle for a colonial offence.[12]

Ann married **Richard Binder** in 1818 and moved with him to Paterson's Plains. Together they were publicans of the Australian Inn in Hunter Street, Newcastle. Ann continued to hold the licence of the Australian Inn after Richard's death in 1830, probably the first woman to hold a publican's licence in the Hunter Valley.[13]

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[1] The Proceedings of the Old Bailey 1674 to 1913, www.oldbaileyonline.org.
[2] 21 July 1813, CS SRNSW 4/3492, 239.
[3] NSW BDM, V18287935 2C/1828 and V18281304 12/1828.
[4] Carol Baxter (ed.), *General Musters of New South Wales, Norfolk Island and Van Diemen's Land 1811* (Sydney, 1987).
[5] 21 July 1813, CS SRNSW 4/3492, 239.
[6] NSW BDM, 18182231 3A/1818 & V18174 9/1817.
[7] CP SRNSW 28 November 1821, 4/4430, 184.
[8] CS SRNSW 4/1812,51; SG 9 June 1825, 1.
[9] Elizabeth Guilford, "Hunter Valley Inns and Innkeepers 1823-1850", *Journal of Hunter Valley History* 2, no. 1 (1986): 61-62.
[10] The Australian 26 March 1830, 3.
[11] England and Wales Criminal Registers 1791-1892, HO27/11, 251.
[12] Campbell to Thompson 23 March 1816, CS SRNSW 4/3494, 407.
[13] Elizabeth Guilford, "Hunter Valley Inns and Innkeepers 1823-1850", *Journal of Hunter Valley History* 2, no. 1 (1986): 61-62.

Clarke, Ralph Mills

Ralph Mills Clarke was born in London in 1788 and became a Royal Marine in 1810. He sailed for New South Wales on the *Dick*, arriving in 1817. He then served with Lieutenant Phillip Parker King and Lieutenant Frederick Bedwell on the cutter *Mermaid* undertaking a naval survey of the Australian coast to complete the work of Flinders and Cook. Clarke left the *Mermaid* in 1818 to pursue his building trade in Parramatta, and he arrived in the Paterson area about 1821.[14]

Clarke's time at Parramatta and his move to Paterson closely parallel the movements of the Rev. **George Middleton**. Clarke possibly met Middleton in Parramatta and moved to the Hunter Valley with him. In mid 1821, Clarke built and lived in a hut located on the northern section of Middleton's glebe, then known as the Orphan School Farm, at Paterson's Plains (this land later become part of the Church and School Corporation land).[15] In 1826 Clarke was appointed District (Chief) Constable for Paterson's Plains.[16]

Codehy, Margaret

Margaret Codehy (Cuddy) arrived in New South Wales on the *Catherine* in 1814 with a seven year sentence for her conviction in Kilkenny City the previous year. At the time of arrival her occupation was listed as 'servant' and her age 21. Margaret was banished to Newcastle on two separate occasions, the first in July 1815 for an unknown offence and the second in 1820 following a sentence of seven years for stealing a watch in Sydney.[17] In 1822 Margaret married **Anthony Dwyer** and they moved onto their farm at Paterson's Plains.[18]

Davis, Benjamin

Benjamin Davis was tried on 23 March 1802 at the Warwick Assizes, England, given a life sentence and landed in NSW on the *Coromandel* in 1804 at the age of about 22. He went to Newcastle in 1804 or 1805 as an overseer, probably to a gang of timber cutters.[19] He was allowed to take up a farm on the Paterson River in 1812.

In 1821 Davis received a conditional pardon[20] and in 1822 he married **Eleanora McGraw/McGrath** after obtaining government permission to do so.[21] In 1828 Benjamin and Ellen's ages were 48 and 49 respectively, and they were living on 320 acres in the Wallis Plains (Maitland) area, which was probably land granted to him in 1825.[22]

Dwyer, Anthony

Anthony Dwyer was tried in Ireland in 1799 and transported for life, arriving in NSW on the *Atlas* in 1802. In 1810 Governor Macquarie sent Dwyer to the penal settlement at Newcastle as overseer of lime-burners.[23] He received a conditional pardon in 1815.[24] He was allowed to take up a farm at Paterson River in 1815 but continued to reside in Newcastle. He received an absolute pardon in 1821.[25] In 1822 Dwyer married **Margaret Codehy** (Cuddy).[26]

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[14] Information supplied by Ralph M Smith in Tocal History Notes vol 2 (1998), 5-7. See also Bathurst to Macquarie 12 December 1817, HRA ser. 1 vol. 9: 208.
[15] Clarke to Cowper 12 December 1828, CS SRNSW 9/2714, 4.
[16] SG 22 January 1827, 1.
[17] SG 25 November 1820, 3.
[18] NSW BDM, V18222985 3B/1822 & V182225 9/1822.
[19] Davis to Macquarie 1819, CS SRNSW 4/1858, 93.
[20] CP 28 November 1821, SRNSW 4/4430, 184.
[21] NSW BDM, V18222939 3B/1822 & V182220 9/1822; CS SRNSW 4/3504A, 241 (as Eleonora McGraw)
[22] His age is derived from the 1828 Census of NSW when he was 48.
[23] Macquarie/Campbell to Purcell 25 July 1810, CS SRNSW 4/3490a, 79.
[24] CP 31 January 1815, SRNSW 4/4430, 81.
[25] Dwyer and Wallis to Macquarie c1819, CS SRNSW 4/1858, 120; Absolute Pardon 28 November 1821, SRNSW 4/4486, 63.
[26] NSW BDM, V18222985 3B/1822 & V182225 9/1822.

In 1828 Anthony and Margaret were living on their Paterson land that they had named 'Macquarie Farm' which now comprised 60 acres, all of which had been cleared and 20 acres were under cultivation. Their ages in 1828 were recorded as 44 and 45 respectively.[27] Anthony died in 1840 before obtaining title to land.[28] His land passed firstly to William Manning and then by sale to William Munnings Arnold who began to build Stradbroke on Dwyer's old farm in about 1840.[29]

Evans, Williams

Born in Wales in 1779, Evans trained as a medical practitioner in London before sailing to NSW as Surgeon Superintendent on a convict ship, the *Indispensable*, in 1809. He was appointed Assistant Colonial Surgeon in Sydney in 1809 and sacked the following month for writing promissory notes he could not honour. His appeal for reinstatement was refused and later in 1810 he was jailed for debt but released to take up the post of Assistant Surgeon at Newcastle.[30] His wife **Mary Ann Kirk** arrived in Sydney as a free immigrant in 1810 to be reunited with him.

In 1813 Governor Macquarie gave William Evans permission to take up 100 acres of land at Paterson's Plains but he continued to live and work in Newcastle until his retirement in 1822 when they moved onto the farm. Evans' farm was converted to a land grant of 1,070 acres that he named 'Bellevue'. In 1828 his age was recorded as 48.[31] William died in 1860 at Bellevue at the age of 80 and is buried at Campbells Hill.

Flynn, Catherine

Catherine was tried in Dublin City in 1811 and arrived in NSW in February 1813 on the *Archduke Charles* with a seven year sentence. In October that year she 'absented herself' from the female factory at Parramatta and avoided arrest for four months.[32] She was sent to Newcastle in May 1815 for two years for an unspecified colonial offence and met Tucker there.[33] In July 1815 Catherine married John Tucker jnr, and she drowned shortly afterwards in Newcastle harbour along with **George Pell** and two others.[34]

Goodall, Mary

Mary Goodall arrived in NSW on the *Surprize* in 1794 with a life sentence for highway robbery. Mary married **Robert Whitmore** in Sydney on 3 October 1796 but it is not known if she went with him to Newcastle in 1811. By 1814 they were separated and Mary was living in Windsor where she died on 9 May 1822 after falling from a cart. On news of her death, Robert Whitmore immediately applied to marry **Martha Greenwood**.[35]

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[27] They are recorded in the 1828 Census of NSW under the name 'Dwire'.
[28] NSW BDM V184075 122A/1840.
[29] Construction of Stradbroke commenced about 1840, with enlargements and additions from 1850 – NSW Heritage listing at www.heritage.nsw.gov.au; Cecily Mitchell, *Hunter's River* (Newcastle, 1973): 171.
[30] There is numerous NSW Colonial Secretary correspondence for William Evans from 1809 to 1825 – for details consult the online index at www.records.nsw.gov.au.
[31] 1828 Census of NSW.
[32] SG 23 October 1813, 1; and repeated to 19 February 1814, 1.
[33] Campbell to Thompson 24 May 1815, CS SRNSW, 4/3494, 73.
[34] Thompson to Campbell 24 July 1815, CS SRNSW 4/1805, 191; SG 29 July 1815, 2.
[35] Michael Flynn, *Settlers and Seditionists - The People of the Convict Ship Surprize 1794* (Sydney, 1994): 55-57.

Greenwood, Martha (or Margaret)

Margaret/Martha was a servant aged 20 when sentenced to seven years transportation by the Bristol Quarter Sessions in 1816. She arrived in NSW on the *Lord Melville* in 1817. The following year she was charged with insolent behaviour at the Parramatta Female Factory and sent to the Newcastle penal settlement for three years as punishment.[36] She married **Robert Whitmore** in 1822.[37]

Kirk, Mary Ann

Mary Ann married **William Evans** in London in 1808 and arrived in Sydney in 1810 as a free immigrant to join her husband. They lived in Newcastle from 1811 until moving to their farm on Paterson River in 1822. Mary Ann died in 1852 at the age of 72 and is buried at Campbells Hill, Maitland.[38]

Lowrie, Mary

Also spelt Lowrey and Lowery. Mary was convicted at the Northumberland (Newcastle upon Tyne) Assizes on 6 August 1803 and transported for life. She arrived in NSW on the *William Pitt* in 1806. Mary entered a relationship with **John Swan** and their first child was born in Newcastle in 1811. In 1812 the three of them moved to John's farm at Paterson's Plains. When John and Mary married in 1818 they had five children - Mary born in 1813, Sarah in 1815 and twins Jane and Stephen born in 1818.[39] In January 1821 Mary and son Stephen were drowned near Newcastle harbour when their boat overturned.[40]

McGraw, Eleanora

Eleanora McGraw/McGrath/McGra was sent as a prisoner to Newcastle in 1811 for an unlimited period ('during pleasure', ie as long as the governor saw fit to keep her there).[41] The ship and circumstances of her arrival in NSW prior to being sent to Newcastle are unclear, with conflicting indications in the records. In 1822 she married **Benjamin Davis** after obtaining government permission to do so.[42] If they lived together from 1811 then Eleanora was one of the first European women to settle on the Paterson River. In 1828 Benjamin and Ellen's ages were 48 and 49 respectively, and they were living on 320 acres in the Wallis Plains (Maitland) area.[43]

McKennell, Margaret

Margaret McKennell arrived in NSW on the *Broxbornebury* in 1814 following a seven year sentence at the Old Bailey in London in 1813 for theft.[44] In 1820 Margaret was further convicted by the Court of Criminal Jurisdiction in Sydney for receiving jewellery and silk handkerchiefs stolen from the warehouse of Simeon Lord. She was sentenced to seven years in the penal settlement at Newcastle (her original sentence expired while she was in custody for the colonial incident).[45] In 1822 she married **John Swan** whose wife had died the previous year. John and Margaret did not have children and after John's death Margaret married Richard Templeton.[46]

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[36] 23 November 1818, CS SRNSW 4/1741, 87.
[37] re permission to marry see: 14 & 31 May 1822, CS SRNSW 4/3505, 323.
[38] Guilford, *Dr. William Evans*, 239-248.
[39] Coote, *250 Years of Swan Family History*.
[40] SG 27 January 1821, 3.
[41] Campbell to Skottowe 27 July 1811, CS SRNSW 4/3492, 50.
[42] Middleton to Brisbane 7 January 1822, CS SRNSW 4/3504A, 21.
[43] 1828 Census of NSW.
[44] Proceedings of the Old Bailey 1674 to 1913.
[45] SG 25 November 1820, 3.
[46] Coote, *250 Years of Swan Family History*, 16.

Middleton, George Augustus (Rev.)

The Reverend George Augustus Middleton was the sole resident pastor in the lower Hunter Valley from mid 1821 to mid 1827. He was born in London in 1791, married in 1817 and his wife died after child birth in 1818. He was ordained as a priest for the colonies in 1819, sailed on the *Prince Regent* and arrived in Sydney in January 1820 with George jnr aged two. In 1821 he was appointed to the convict settlement at Newcastle and in mid 1821 he selected 400 acres of glebe land on the Paterson River. Later he became a landowner in his own right. George Middleton re-married in February 1824, his second bride being Sarah Rose, then aged 15. He died in 1848 aged 55 and is buried in Morpeth cemetery.[47]

Mitchell, Martha

Martha was tried at the Lent Assizes in Surrey in 1811 and sentenced to death for 'larceny in a dwelling house'.[48] Evidently she was reprieved and arrived in NSW on the *Minstrel* in 1812 with a life sentence. Martha was sent to the penal settlement at Newcastle in 1814 for a one-year term as punishment for an unspecified colonial misdemeanour.[49] In 1822 she married **John Reynolds** and in 1828 she was aged 40 and living with John on their farm at Paterson's Plains.[50]

Pell, George

In July 1797 at the age of 24 George Pell was convicted in the Old Bailey, London, on two counts of breaking, entering and burglary.[51] He was sentenced to death but reprieved and transported for life, arriving in New South Wales on the *Hillsborough* in 1799. In June 1804 Pell was brought before the Bench of Magistrates in Sydney, charged on suspicion of aiding and abetting someone who had been capitally convicted (ie sentenced to death).[52] He was sent to work in the gaol gang. It is not known if this incident or other circumstances led to his banishment to Newcastle.

In 1812 Pell, while working in Newcastle as a sawyer, was allowed to settle at Paterson River and may have taken his daughter **Sarah Pell** with him, Sarah's mother apparently having died by this time. George Pell drowned in the Hunter River at Newcastle in 1815.[53]

Pell, Sarah

Daughter of **George Pell**, Sarah was orphaned when her father drowned in 1815. Sarah was born about 1805, probably in Sydney.[54] Her mother's identity is uncertain – one possibility is Elizabeth Phillips who gave birth to a daughter Sarah in Sydney in 1804.[55] After her father's death Sarah was cared for by a relative, George Phillips, and lived with his family in The Rocks, Sydney.[56] In 1816 George Phillips sought permission to go to Newcastle to put grain in the government store from George Pell's farm for Sarah's benefit. In 1822 Phillips described Sarah as an orphan in his care, aged 17.[57] In 1824 Sarah married Henry Hancy in Sydney.[58]

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[47] Brian Roach, "George Augustus Middleton - A Prodigal Priest?", M.A. thesis, University of Newcastle, 2003.
[48] England and Wales Criminal Registers 1791-1892, HO27/7, 254.
[49] Campbell to Thompson 29 April 1814, CS SRNSW 4/3493, 160.
[50] 1828 Census of NSW.
[51] Proceedings of the Old Bailey 1674 to 1913.
[52] SG 17 June 1804, 2.
[53] SG 29 July 1815, 2.
[54] In the 1822 Muster of NSW there is a Sarah Philips aged 16, born in the colony, sister of J Philips, Sydney.
[55] NSW BDM, V18041401 1A/1804.
[56] *pers comm*. Karen Tyers, a descendant.
[57] Campbell 9 March 1816, CS SRNSW 4/3494, 396; Phillips to Brisbane 1822, CS SRNSW 4/1831, no. 298.
[58] NSW BDM, V18243386 3B/1824 & V1824358 8/1824.

Powell, John

John Powell arrived in NSW in 1810 as an officer on the whaling ship *New Zealander*. During 1814, as master of the *Endeavour* he sailed several times each month between Sydney and Newcastle.[59] On 3 January 1818 he married **Charlotte Tucker** in Sydney.[60] In 1818 Governor Macquarie granted John Powell a farm at Paterson's Plains of up to 60 acres.[61] Powell named his land 'Orange Grove' and he moved there with Charlotte in 1821. In 1823 the grant was enlarged to 100 acres. John and Charlotte lived the rest of their lives at Orange Grove. John died in 1866 aged 85 and is buried in St. Paul's cemetery at Paterson.

Reeves, John

In July 1790 at the Old Bailey John Reeves was sentenced to seven years transportation for stealing silk stockings and handkerchiefs.[62] He arrived in NSW in 1791 on the *Albermarle* and was free in 1797. In 1805-06 he was working for James Badgery on the Nepean River as a free man.[63] He was sent to Newcastle for seven years for perjury in 1813.[64] Before leaving for Newcastle he had to spend one hour in the pillory at Parramatta, Windsor and Sydney.[65] He took up land on the Paterson River in about 1820 and lived on it but erected no buildings and cleared no land.[66] He died in 1823 with no Will or next of kin.[67]

Reynolds, John

In 1802 at the age of 15 John Reynolds was sentenced to death in London for breaking, entering and stealing in a dwelling house. He was reprieved and transported for life, arriving in NSW on the *Coromandel* in 1804.[68] He was one of 20 English prisoners sent to Newcastle immediately on arrival, to dilute the effects of the Irish convicts there.[69] In 1808 he ran from Newcastle with three others, was captured in Sydney, sentenced to 100 lashes and returned to Newcastle.[70] He was one of the five sawyers permitted to take up land on the Paterson River in 1812. He received a conditional pardon in 1821 and married **Martha Mitchell** in 1822.[71]

Note: as far as is known, this John Reynolds is not related to the Reynolds family that leased Tocal in 1844 and later purchased it.

Swan, John

John Swan was a native of Marden in Kent who was tried in 1803 for stealing a silver watch 'with force and arms', transported for life and arrived in NSW on the *Coromandel* in 1804 at the age of about 35.[72] He left behind in England his wife Sarah and their 12 year old son Richard.

In 1809 he was sent to Newcastle as a 'mechanic' or tradesman, probably a sawyer. He was one of the five sawyers allowed to settle at Paterson River in 1812.[73] About 1810 he paired up with **Mary Lowrie** . John and Mary's first child, John Allen, was born in Newcastle in 1811 and by the time they married in 1818 they had five children.

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[59] Ingle, *John Powell Orange Grove*.
[60] Manning, *John Powell and Charlotte Tucker*.
[61] 'List of settlers who are to have lands located and measured for them in 1818', 10 September 1818, CS SRNSW 9/2652, 50.
[62] Proceedings of the Old Bailey 1674 to 1913.
[63] 1805-06 Muster of New South Wales and Norfolk Island.
[64] 23 April 1813, CS SRNSW 4/3492, 215.
[65] SG 13 March 1813, 2.
[66] Dangar 18 February 1823, Return of land cleared and other improvements made by settlers , CS SRNSW 4/7029E, 6-7.
[67] SG 1 January 1824, 3.
[68] Proceedings of the Old Bailey 1674 to 1913.
[69] Reynolds to Macquarie November 1821, CS SRNSW 4/1863, 55.
[70] Proceedings of the Judge Advocate's Bench 17 December 1808, SRNSW SZ770.
[71] CP 28 November 1821, SRNSW 4/4430, 184.
[72] Coote, *250 Years of Swan Family History*, 16.
[73] Swan to Macquarie 1819, CS SRNSW 4/1860, 50b.

John received a conditional pardon in 1821.[74] Mary died in 1821 and in 1822 John married **Margaret McKennell**. John Swan died at Lemon Grove in 1833 aged 64. After John's death his son Richard travelled from England with his second wife and nine children to live at Lemon Grove, and Swan descendants held the estate until the 1950s. An old private burying ground on the farm holds about 14 interments of family members.[75]

Tucker, Charlotte

Charlotte was born in Sydney in 1797 to parents John Tucker snr and Ann (nee Viles) and moved with them to Newcastle. In January 1818 she married John Powell and in 1821 moved with him to their farm called Orange Grove on the Paterson river. Charlotte died on 13 July 1858 aged 59 and was buried in St. Paul's cemetery at Paterson.[76]

Tucker, John senior

John Tucker senior was tried in London in 1789[77] and was about 29 years old when he arrived in NSW in 1791 on the *Active* with a seven year sentence for stealing various items including 490 yards of linen. Soon after arrival he was assigned to the Sydney Commissariat as an assistant storekeeper.[78]

In 1794 he married **Ann Viles**/Vales and they had two children while in Sydney, **John jnr** born in 1795 and **Charlotte** in 1797. In 1803 John Tucker snr was promoted to the position of storekeeper with an annual salary of £50. In 1804 he was appointed as the first storekeeper at Newcastle, sacked in 1805 and reappointed in 1807.[79] He was allowed to take up land on the Paterson River about 1812, possibly as a reward for his son John's role as a sawyer. In 1823 John senior retired from his position in Newcastle and moved to his land at Paterson's Plains that he named 'Albion Farm'. In 1824 the land was converted to a combined grant of 630 acres for him and John jnr. John snr died at Albion Farm in 1834 and is buried there.

Tucker, John junior

John Tucker junior was born in Sydney on 8 May 1795 to parents **John and Ann Tucker** and he moved with them to Newcastle.[80] In 1811 at the age of 16, John jnr was employed as a government sawyer at Newcastle.[81] Later that year he absconded from the settlement without permission and was listed as a runaway.[82] This action or simply his youth may have barred him from taking up land in his own right the following year. Instead he managed his father's block at Paterson River until allowed land himself about 1816.[83]

In 1815 he married **Catherine Flynn** but she drowned shortly afterwards, along with **George Pell** and two others.[84] In 1818 John Tucker jnr wed **Frances Turner**. In June 1824 he applied to have his farm converted to a small land grant, and his father lodged a similar application at the same time. Each was granted about 315 acres, and the combined block of 630 acres was

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[74] CP 28 November 1821, SRNSW 4/4430, 184.
[75] Coote, *250 Years of Swan Family History*, 20.
[76] Manning, *John Powell and Charlotte Tucker*, 259-264. See also Ingle, *John Powell Orange Grove*.
[77] 1805-06 Muster of New South Wales and Norfolk Island.
[78] Guilford, *John Tucker Sr: Storekeeper*, 249-258.
[79] King to Cooke 20 July 1805, HRA ser. 1 vol. 5: 543; SG 22 March 1807, 1.
[80] The original baptism record vol. 4., no. 416, 1796 indicates he was born 8 May 1795. A second contemporary record (vol. 1A 537/627) indicates born 8 August, year not specified. This second record appears to be a later, neater copy of the original in vol. 4 and is almost certainly a transcription error. An official transcript issued in 1974 indicates a date of birth of 8 January 1796, which is not supported by either original record. All the records agree he was baptised on 19 August 1796.
[81] Campbell to Skottowe 22 August 1811, CS SRNSW 4/3492, 52.
[82] Skottowe to Campbell 17 October 1811, CS SRNSW 4/1804, 99; Campbell to Nichols 23 October 1811, CS SRNSW 4/3491, 104.
[83] Tucker to Thompson, Thompson to Macquarie 12 December 1815, CS SRNSW 4/1852B no. 750, 851.
[84] SG 29 July 1815, 2.

named 'Albion Farm'. By 1828 John jnr and Frances had six children, the eldest of which was eight.[85] John jnr died in 1838 and was buried at Albion Farm.

Turner, Frances

Frances Turner arrived in NSW in January 1816 on the *Mary Anne* as a convict, aged 18, with a seven year sentence for stealing watches and clothing.[86] Frances worked as a nurse at Sydney Hospital, but in July 1816 she 'absented herself' from employment[87] and was a fugitive until apprehended a month later and sent to the penal settlement at Newcastle.[88] In 1818 she married **John Tucker jnr** and they had nine children, all of whom survived to adulthood and married. After John died, Frances remarried, first to James Peattie and then to William Doidge.

Viles/Vales, Ann

Ann was born c1768 in England and tried in 1791 with her husband for stealing and receiving, found guilty and transported for 14 years, arriving in Sydney in 1792 on the *Royal Admiral* with her two children Ann and Sarah. Her husband was also transported but by 1793 he and the two children had died. In 1794 Ann married **John Tucker snr** in Sydney and during the next three years they had two children, John and Charlotte. Ann moved with her husband and family to Newcastle, and in 1823 to Albion Farm. Ann died in 1839 and is buried at Albion Farm.[89]

Whitmore, Robert

At the age of 21 Robert Whitmore was convicted of grand larceny in the Old Bailey on 15 February 1792 for stealing a quantity of ship's cable with two others. He was sentenced to seven years transportation and arrived in NSW in 1792 on the *Royal Admiral*.[90] In Sydney on 3 October 1796 he married **Mary Goodall**.[91]

In July 1806 Whitmore and three others were convicted by the Bench of Magistrates in Sydney with having excited a mutiny on board the private colonial schooner *Governor Hunter* and were sentenced to a flogging and hard labour.[92] In 1811 while master of a small schooner trading on the Hawkesbury Whitmore was sentenced to seven years transportation to the penal settlement at Newcastle for stealing and selling 283lbs of salted pork from the ship's cargo.[93] He was appointed a ships' pilot for Newcastle harbour in 1812 but was sacked in 1815 when a vessel he was piloting ran aground.[94] It is not clear if his wife Mary went with him to Newcastle, but by 1814 they were separated and she was living in Windsor.

In 1818 Whitmore was allowed to take up land at Paterson's Plains. After Mary died in 1822 he married **Margaret Greenwood**, by which time he was 53 years old. Robert died in 1837.[95]

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[85] 1828 Census of New South Wales.
[86] GC Middleton, "'Recipe, Misce, Fiat Mistura' Part 3 - Tucker Family", *Descent* 8, part 1 (1976): 31.
[87] SG 27 July 1816, 2.
[88] 31 August 1816, CS SRNSW 4/3495, 115.
[89] Guilford, *John Tucker SR: Storekeeper*, 249-258.
[90] Proceedings of the Old Bailey 1674 to 1913.
[91] Michael Flynn, *Settlers and Seditionists - The People of the Convict Ship Surprize 1794* (Sydney, 1994): 55-57
[92] SG 13 July 1806, 1.
[93] SG 9 February 1811, 2; SG 16 February 1811, 2.
[94] Thompson to Campbell 27 October 1815, CS SRNSW 4/1805, 199-200; Wallis to Campbell 1 July 1817, CS SRNSW 4/1806, 79;
[95] NSW BDM, V18372863 21/1837.

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