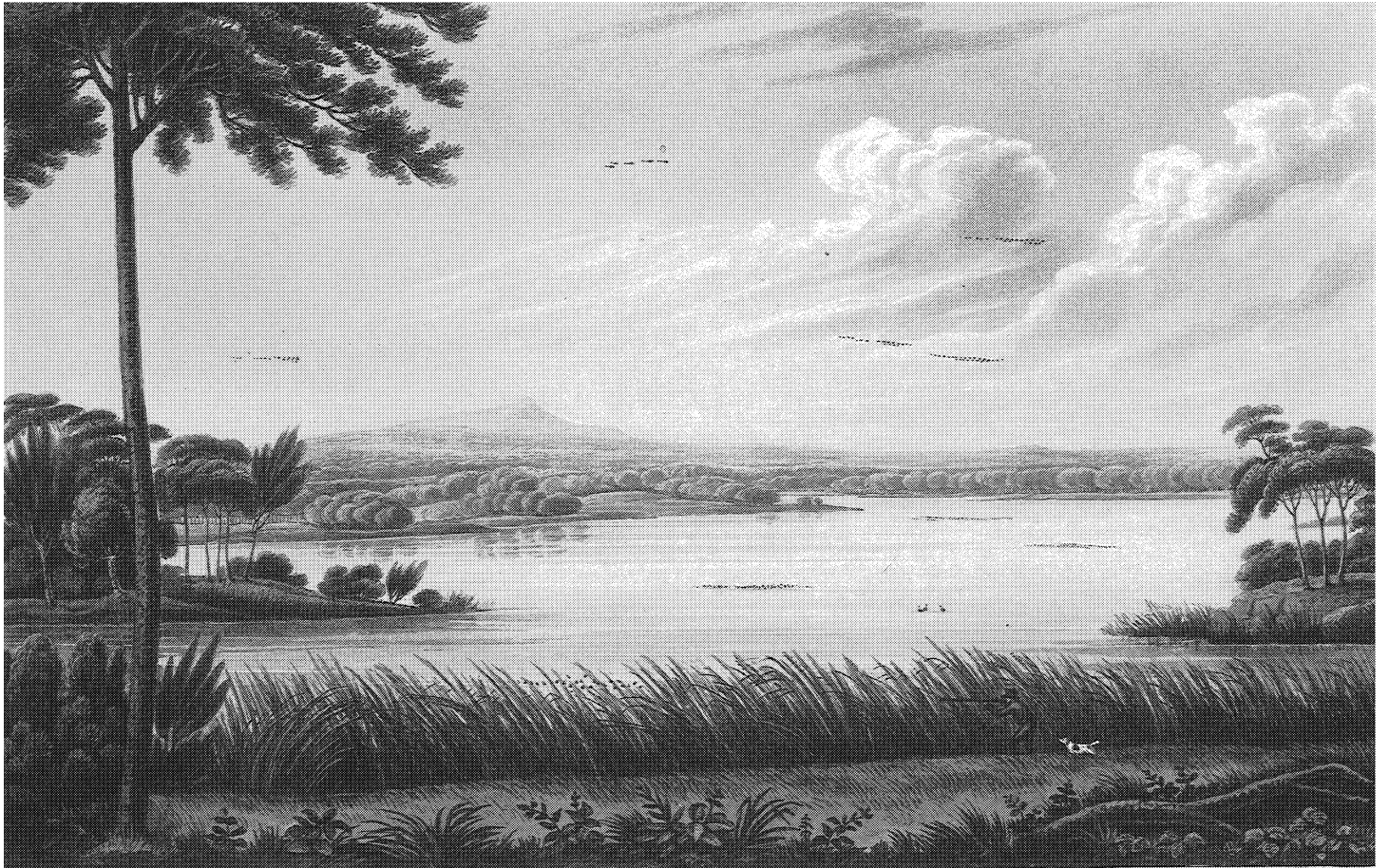


THE SETTLERS OF PATERSON'S PLAINS



LAKE PATTERSON, near *Patterson's Plains*. *Hunters River*.
New South Wales.

by
Cynthia Hunter

Based on the Paterson Historical Society 1997 Heritage Address

Published by Paterson Historical Society Inc., 1997.

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Cynthia Hunter

Paterson Historical Society

1997

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COVER ILLUSTRATION: 'Lake Patterson, near Patterson's Plains, Hunter's River', from the drawing and engraving by Joseph Lycett, published in *Views in Australia*, London, 1824. Reproduced with permission, Mitchell Library, State Library of NSW.

The Settlers of Paterson's Plains

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PREFACE

This monograph was prepared for the 1997 Heritage Week Address, delivered to Paterson Historical Society by Cynthia Hunter at a general meeting in May 1997.

It is the present policy of the Society to publish the annual Heritage Address, each of which deals with a particular aspect of the Paterson Valley's history or heritage. In this way, the Society is creating an extensive resource, not only for the benefit of its members, but for people who, in the years ahead, seek to know more of this locality which was among the earliest settled and most significant in terms of agriculture, in the Hunter Valley.

Cynthia Hunter's address has been revised and expanded for publication. In 1997, the Society was fortunate in securing a grant towards the cost of printing, from funds allocated to the Royal Australian Historical Society by the Heritage Office, New South Wales.

Ode to Yimmang Water

On Yimmang's banks I love to stray
And charm the vacant hours away,
At early dawn or sultry noon,
Or latest evening when the moon
Looks' downward, like a peasant's daughter,
To view her charms in the still water.

There would I walk at early morn
Along the ranks of Indian corn,
Whose dew-bespangled tassels shine
Like diamonds from Golconda's mine,
While numerous cobs outbursting yield
Fair promise of a harvest-field.

There would I muse on Nature's book,
By deep lagoon or shady brook,
When the bright sun ascends on high
Nor sees a cloud in all the sky,
And hot December's sultry breeze
Scarce moves the leaves of yonder trees.

Then, from the forest's thickest shade,
Scared at the sound my steps had made,
The ever-graceful kangaroo
Would bound, and often stop to view,
And look as if he meant to scan
The traits of European man.

There would I sit in the cool shade
By some tall cedar's branches made,
Around whose stem full many a vine
And kurrjiong their tendrils twine,
While beauteous birds of every hue-
Parrot, macaw, and cockatoo-
Straining their imitative throats,
And chirping all their tuneless notes,
And fluttering still from tree to tree,
Right gladly hold corrobory.

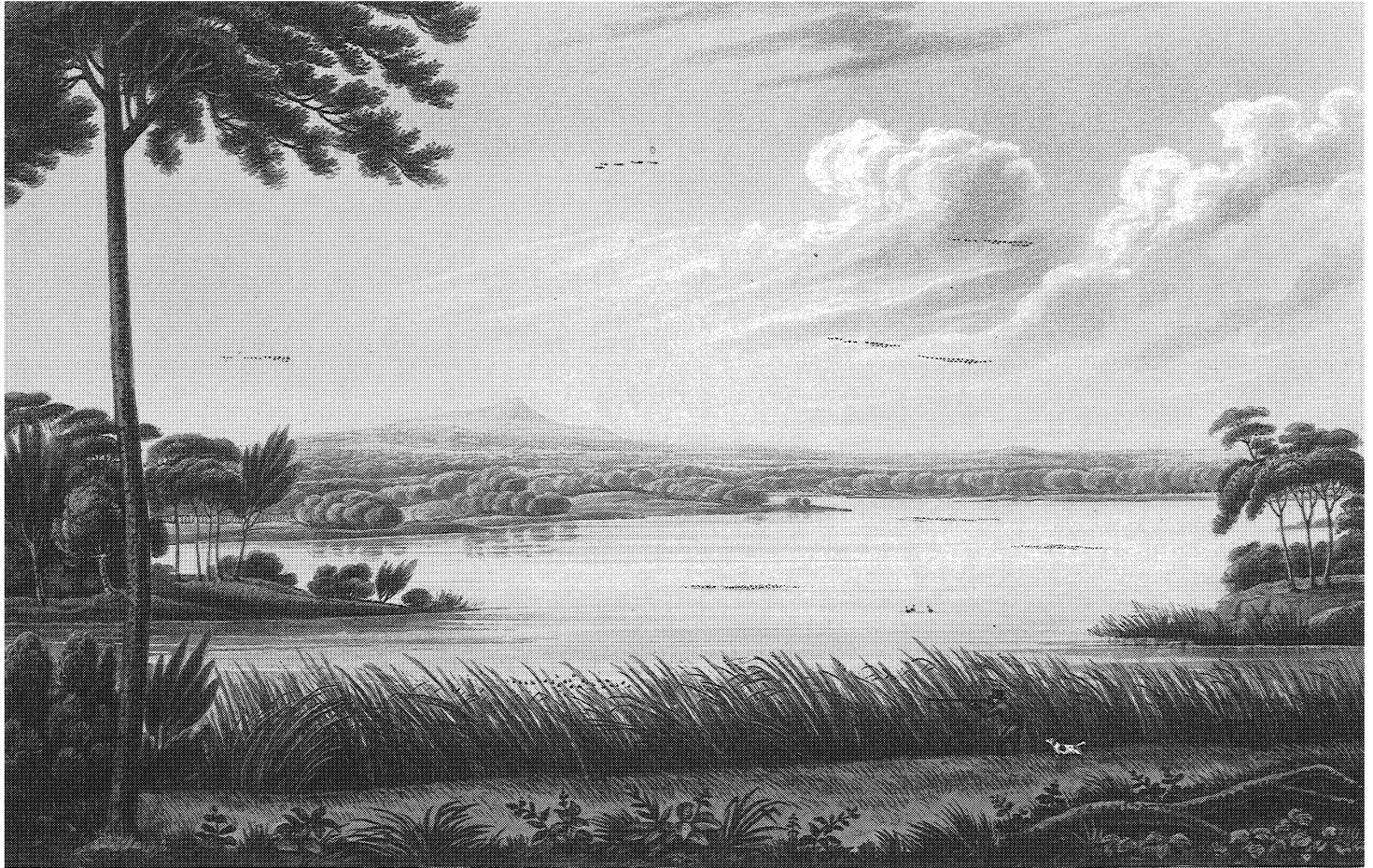
...

The above extract is from a lengthy poem 'by an Australian poet whose name I am not at liberty to mention...', included in *An Historical and Statistical Account of New South Wales...*, by Dr John Dunmore Lang (4th edition, 1875, vol. 2, p. 240-241).

According to Dr Lang, *Yimmang* was the native name for the Paterson River.

Dr Lang was one who promoted the retention of native place names, if only for the use of 'the Australian versifier'. He wrote: *...with all due respects for the memory of Colonel William Paterson, whose unclassical name is already immortalised in the township of Paterson's Plains, I think it high time, and in every way desirable, that the native names of the rivers Yimmang and Doorribang (the Williams River) should be forthwith restored*'. (p. 116)

‘Lake Patterson, near Patterson’s Plains’



LAKE PATTERSON, near *Patterson's Plains*... *Hunter's River*.
New South Wales.

Lake Patterson, near Patterson’s Plains, Hunter’s River, from the drawing and engraving by Joseph Lycett, published in *Views in Australia*, London, 1824-5.

Dangar’s 1828 *Map of the Hunter River* ... indicates the extensive chain of lagoons east of the Paterson River that was called by early explorers ‘Lake Patterson’. In the modern topographical map, Maitland 9232-IV-S, all that remains of the ‘lake’ is the great Butterwick marsh or swamp (land subject to inundation), now drained by a series of canals the principal one cut through the southern portion of Tucker’s *Albion Farm*..

The range wherein Mount Johnstone, 349 m (1145 feet), is located is called ‘Bunduckaluck’ in Dangar’s 1828 *Map* ...



The 1997 Heritage Week Address was given to the Society on 1 May 1997. At the conclusion of the meeting, the President, Cameron Archer, made a presentation to Cynthia, of a beautiful collection of 'Mountain Vale' proteas.

PHOTOGRAPH BY BILL ANDERSON.

INTRODUCTION

It is my pleasure to write some notes at the commencement of this important book *The Settlers of Paterson's Plains*. The very early European history of the Paterson River has long intrigued members of Paterson Historical Society. Many questions have remained unanswered and it has only been through Cynthia's painstaking research that we are now in a position to better understand how Europeans first settled this small part of the Australian continent.

Cynthia has successfully untangled many of the issues, relationships and deals, that have made the understanding of this period so difficult. Like all historians, she has posed more questions and perhaps heightened the intrigue, but such is the challenge of historical research.

There are many parallels with current issues in Australian society and our own way of doing business in the picture that is presented in this book. We see a colonial outpost which is fully government regulated, but through the support of the governor, small capitalists were able to take up land and pursue business activities. Governor Macquarie administered the colony to encourage convicts to improve themselves and start a new life in Australia.

We then see a total reversal of government policy, making further land grants available, for the most part, only for wealthy newcomers from Great Britain. There were, however, interesting twists to the division of land because some was set aside for benevolent purposes, for example, the Church and School Land. It is ironic that one parcel of this land - at Glendarra - was at one stage referred to as 'the Orphan School Land'. One hundred and forty years later part of it became an educational institution set up by a will which specified support for destitute children. The two initiatives involving this land were totally unrelated. However, it is a coincidence worth dwelling upon.

The book is really a further demonstration that the Paterson Valley is a microcosm of colonial history in Australia. Cynthia has been able to weave the issues of family, land, and social history together to make interesting reading for all those who have a passing interest in the history of this country. Her use of maps and tables assist greatly in conveying her research to the reader.

I recommend *The Settlers of Paterson's Plains* to you and trust that you will enjoy it as much as have members of Paterson Historical Society.

Congratulations Cynthia

Cameron Archer

A. C. Archer
President Paterson Historical Society

The Settlers Of Paterson's Plains.

Introduction

It is generally known that land at Paterson's Plains was among the earliest places where European-style agriculture was introduced in the Hunter Valley and that this distinction is shared with land about East Maitland, previously known as Wallis' Plains.

Before there was agriculture, however, there was timber getting. As early as 1801, the abundant timber resources along the river banks, and the presence of shell, and coal seams in the headlands at the entrance to the estuary, combined to make the administrators of the colony realise that the river and its environs was a valuable asset. Convicts and guards were sent to Newcastle where, to exploit this asset, a permanent settlement was established in 1804.

The story of the convict coal getters and lime burners is of less significance to the Paterson's Plains narrative than that of the timber cutters. This work was carried on by parties who travelled into the interior. Overseers selected the trees to be felled and dispersed the convict men to carry out the work. The logs had to be brought to the river, made into rafts and floated downstream to Newcastle.

Timber getting was the most arduous of the labours carried on in the penal settlement and the men so engaged experienced the greatest privations. The work - especially cutting iron bark and gum - was more physically demanding than wheeling stones and coal in hand barrows, brick making, or gathering and burning shell for lime.

Timber crews were provided with rations - sometimes a week's, or a month's - and iron pots, frying pans and a grinding mill for wheat. They had to build their own huts, and make their own flour. They had no bedding provided and, if they wanted any soap, made their own from pot grease and wood ash. Their interaction with Aborigines posed additional difficulties. Despite these trials, only the most dependable convicts were chosen for this work and men seemed to prefer it. A gang of thirty men was expected each week to cut and bring to the river twenty-three or twenty-four iron bark or gum tree logs each measuring between eight and nine metres. A gang of eighteen men cutting cedar was expected to deliver 100 logs from four to five metres in length, each month.¹

In the first decade, the timber getting parties and their overseers became familiar with the lower Hunter River within the tidal zone and aware of the most promising places for procuring cedar and other logs. Stands of timber on Ash Island and Millers Forest probably kept the cutters busy for many years. One can infer that land on both sides of the Paterson River also was favoured for timber-getting and a camping place. Once cleared of timber, this land was a potential resource for farming, the presence of several large lagoons close-by providing a generous supply of fresh water and easily-cultivated ground.

At the beginning of Macquarie's governorship, which extended from 1812 to 1821, a few trusty men were actually allowed to begin farming at Paterson's Plains as a reward for cutting a special quantity of cedar. Subsequently, a few other well-behaved persons were allowed to farm on their own account in this locality.

This privilege was at once in conflict with the purpose of the Newcastle penal establishment whose intent was to subject twice-convicted convicts to hard labour as punishment. However, it is a vivid marker of the change in colonial policies that accompanied Macquarie's governorship. Prior to his departure from England, the secretary of state for the colonies, Castlereagh, instructed Macquarie that 'the great objects of attention are to improve the morals of the colonists, to encourage marriage, to provide for education, to prohibit the use of spirituous liquors, (and) to increase the agriculture and stock so as to ensure the certainty of a full supply to the inhabitants under all circumstances'.²

Macquarie introduced numerous reforms in the colony but recognised that the most urgent of problems to address was increased agricultural production and livestock numbers. His direction to allow reliable convicts to introduce agriculture in the Hunter Valley must be seen in the context of his reforming governorship and as such is no less significant than other examples of his humanitarian and visionary initiatives.

Another significant event in colonial administration that affected important change in Hunter Valley history was the 1820 Bigge Commission of Inquiry into the affairs of New South Wales. The recommendations of the Bigge Report included the removal of the penal settlement at Newcastle and the release of Valley land for free settlement.

Macquarie's term as governor came to an close in December 1821. He left the colony early in 1822 without leaving any written authority for the farmers' 'grants', or a list of names of the individuals to whom he had intended to extend the indulgence of small settler status.

The arrival of Governor Brisbane in December 1821 was the herald of change in the Hunter Valley. One of his early directives was that the country in the vicinity of Newcastle be surveyed and marked out for the reception of new settlers. On 1 March 1822, John Oxley, the surveyor general, directed Henry Dangar, an assistant surveyor, to this task. Dangar was instructed to afford every accommodation for the convict settlers he would find occupying land under Macquarie's authority. Newcomers who decided upon locations prior to Dangar's survey were Messrs Close, Webber, Dun and Platt.

Records of Dangar's survey work provide additional evidence of the convict farmers' occupancy, as does subsequent arrangements concerning the use of the land first farmed by them.

This monograph will cover the following stages in Paterson's Plains settlement. Firstly, the convict and Governor Macquarie years, prior to 1821: secondly, the arrival of free settlers, 1822 and subsequently: thirdly, the saga of the Church and School Corporation land, between 1825 and 1833: and lastly, the sale of the residual land as freehold in the 1870s.

Several sources of information have been used in compiling this account and these are listed in the section headed 'Further Reading' - in particular, Governor Macquarie's *Journals*, evidence presented at Newcastle to the Bigge Inquiry, selected colonial secretary letters from Newcastle, Henry Dangar's maps and reports, records of the Church and School Corporation land, the 1828 census, *Dawn in the Valley* by Allan Wood, several family histories including those of the Swan and Tucker families, Harry Boyle's Index, files and notebooks, the 1872 parliamentary paper on the Church land, and miscellaneous contemporary newspaper items.

The occupants of Paterson's Plains, before 1821

The principal names in the Paterson's Plains story before 1821 are John Tucker, father and son, John Powell, Dr William Evans, John Swan, Benjamin Davis, George Pell, Richard Binder, Robert Whitmore, Thomas Addison, Anthony Dwyer and John Reynolds. Most of these men had wives, a few had children, and all had, from time to time, at least one or two other convicts helping them.

Convicts and free

The players arrived from Great Britain either as free men or, for the most part, convicts. Most of those who came to Newcastle had an additional convict status earned in NSW.

The most extraordinary are John Tucker junior and his sister Charlotte because they represents a combination of rare qualities. They were born free in the colony, of emancipist parents. They came to Newcastle as children in 1804 - the time of Newcastle's beginnings, and grew up there. John jnr and Charlotte were Newcastle's first completely free citizens: they spent their childhood, formative and adult years there. They, and their parents, lived at Newcastle and later at Paterson's Plains, during the entire era of Newcastle's role as an isolated penal settlement. At seventeen, John jnr, additionally, became the Valley's first free-born farmer. John jnr and Charlotte merit greater recognition than has ever been given them.

The Paterson's Plains settlers take the story of occupation back to the eighteenth century because it was in the mid-1700s that several of these men were born and in the late 1700s that a few of them came to NSW's shores. The earliest to come was John Tucker snr, in 1791, and he was the oldest of the men who later occupied farms at Paterson's Plains. The adjoining summary, on the following page, ranks the players according to age. The year of arrival in NSW, and at Newcastle and Paterson's Plains is also indicated, when this is known. A '?' indicates lack of precise information.

John Tucker senior

John Tucker snr came to NSW in 1791, on the convict ship ACTIVE, one of the third fleet ships. His sentence was for seven years. He was put to work in the commissariat stores because his previous work experience indicated that he would be a proficient storeman. His duties included the quality evaluation and purchase of wheat, other food supplies and livestock. In 1795, he married Ann Vales who arrived in NSW on the convict ship ROYAL ADMIRAL, in 1792. Two children were born in Sydney, John jnr and Charlotte. By 1802, John Tucker was a free man again and had a small parcel of land near Sydney.⁴

The Castle Hill Rebellion of 1804 was the event that led to the setting up of the penal colony at Newcastle and John Tucker was one of possibly two free men, apart from the soldiers or marines, who formed the foundation party. He came in the capacity of Commissariat Storekeeper, on an annual salary of £91. He was, therefore, probably the first civil public servant at Newcastle.

The first commandant at Newcastle was a naval officer, Lieutenant Charles Menzies who spent a year from March 1804 to March 1805 establishing the convict settlement.⁵ Charles Throsby was a naval surgeon who came to NSW in that capacity by the transport COROMANDEL in 1802. He came ashore and was appointed medical officer and magistrate at Castle Hill. In August 1804, Throsby was sent to Newcastle as assistant surgeon and, after Menzies was replaced by Ensign Draffen in March 1805,

* NOTE: John Tucker, father and son, of Paterson's Plains, are not related to John Tucker of John Tucker Park, Paterson.

Throsby was additionally appointed superintendent of labour. Shortly afterwards, Draffen was removed from his position due to insanity and Throsby was appointed commandant in his stead, a position he held until September 1808.⁶

In 1805, amid this period of turmoil involving Draffen and Throsby, John Tucker was dismissed from his position as storekeeper for 'neglect of duty and misconduct' but was reinstated shortly afterwards.

SUMMARY OF PARTICULARS OF THE PATERSON'S PLAINS SETTLERS

NAME	YEAR BORN	ARRIVED NSW	ARRIVED NEWCASTLE	ARRIVED PATERSON'S PLAINS
John Tucker snr	1759	1791 7 years ACTIVE	1804	1823
Robert Whitmore (Whitemore Whitehead)	1764	1792 7 yrs ROYAL ADMIRAL	c. 1811	1818
John Swan	1768	1804 Life COROMANDEL 2		<1813
William Evans	1779	1809 Free INDISPENSABLE ⁷	1811	1813
Benjamin Davis	1780	1804 Life COROMANDEL 2	1806	1812
John Powell	1781	1810 Free		1821
Richard Binder (Bindor)	1782	1803 Life GLATTON	1813	1818
George Pell	?		<1811	1812
Anthony Dwyer (Dwier)	1784	1802 Life ATLAS		
John Reynolds	1789	1804 Life COROMANDEL 2		
John Tucker jnr	1790s	Born in the colony	c. 1804	1812
Charlotte Tucker	1799	Born in the colony	c. 1804	
Thomas Addison		1810 - ANNE	1813	
Men drowned in 1815				<1815
Reeves				?1820

John Tucker's family joined him at the penal settlement. John jnr and Charlotte were among the first European children to grow up in Newcastle.

John jnr was one of a few men who, about 1812, were permitted to take up farming on their own account at Paterson's Plains. In 1815, John jnr married a convict girl, Catherine Flynn, who was drowned shortly afterwards. In 1817, Charlotte married a mariner, John Powell, captain of a vessel trading to Newcastle. John jnr married for the second time, in 1818.

John Tucker snr continued at his post of storekeeper, assisted by other men. He attended to much book-keeping, negotiated with food suppliers, dispensed rations, and even assisted in taking the regular muster. Difficulties in his work arose when he had to challenge the supply of inferior goods, such as when the supplier was a military settler. Records tell that in 1815 he purchased a quantity of kangaroo meat. He would have been responsible for receiving surplus produce from the Paterson's and Wallis' Plains settlers for use at the Newcastle establishment.

John Tucker snr was a witness at the Bigge Inquiry, giving evidence on the management of stores and supply of rations. He had been long resident at the settlement and had observed its progress during that time.⁸

In 1822, when the Newcastle penal establishment faced reorganisation and the convicts removed to Port Macquarie, and Hunter Valley land was to be made available for selection, Tucker sought retirement from his position and applied for a pension and some land. He was then about sixty years old. He had served thirty-two years in NSW as a government storekeeper. Tucker was granted a colonial pension of £50 annually, over 300 acres adjoining his son's land, and assigned servants to assist him and his wife at farming.

John Tucker Junior

In 1811, young John - about fifteen or sixteen years old - was in an unusual position. He was a free young man amid a motley population of convicts. Work opportunities must have been few. He was, however, offered work by the commandant, Lieutenant Scottowe, as a sawyer in the government's employment.

No one was allowed to leave the Newcastle settlement without special permission but apparently John jnr and another man, Henry Joice, did, in October 1811. They were apprehended as 'runaways'. This incident appears to have been the only misdemeanour on record for which the young man was censured.

At this time, the beginning of Macquarie's governorship, an order was placed for a special quantity of Hunter Valley cedar logs. Several convicts, and John Tucker jnr, made up a team that undertook to secure the order. In return, the men were offered emancipation and the opportunity to establish farming on their own account at a suitable location in the Lower Hunter, not too close to Newcastle. As far as can be ascertained, the other men included John Swan, Benjamin Davis, and possibly George Pell.

In 1812, John Tucker jnr, together with the other men, was allowed to take up a farm of about thirty acres, on Paterson's Plains. He was about seventeen years old. He was allowed livestock from the government herd at Newcastle for his farm. He subsequently requested that boundaries to his farm be marked to avoid 'disputes with neighbours', affirming that he had 'neighbours'. In 1814, he additionally sought permission to leave Newcastle for seven days in order to take his surplus wheat crop to Sydney for sale and to purchase necessities for his farm. He sold wheat and other crops to the Store at Newcastle.⁹

In 1815, he married a convict girl, Catherine Flynn. Shortly afterwards, when taking a boat-load of bricks and other materials from Newcastle to the farm, the vessel capsized and Catherine and three others were drowned.

Three years later, he married again, in the new church at Newcastle - possibly among the first to do so. His second wife was nineteen-year old Frances Turner who, transported for seven years, had come to NSW in 1816 on the ship MARY ANNE.

In 1818, when Governor Macquarie visited the Paterson's Plains farms, he was pleased with what he saw, including the industrious efforts of John Tucker jnr. Macquarie wrote:

*We proceeded up this branch (Paterson's River) 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) at half past 11 o'clock, distant about 9 miles from Point Reception, where we landed and walked about for some little time examining the improvements and nature of the soil, which is most excellent.*¹⁰

The farms were producing a surplus of food, and legal marriages were taking place.

Charlotte Tucker and John Powell

John Powell arrived in NSW in 1810 as an officer aboard the ship NEW ZEALANDER and subsequently he entered the merchant service on the coast as master of several vessels. Probably during visits to Newcastle Harbour, he met Charlotte Tucker. In

1817, in Sydney, they were married. In the ensuing years, when free settlement in the Valley was imminent, Powell decided to retire from the sea and take up a farm near Charlotte's brother. This was Charlotte's parents' future intent also.

John Powell had been a mariner on the coast of the colony for ten years when in mid-1821, Macquarie permitted him to establish a farm not exceeding sixty acres on the banks of Paterson's River. Powell settled there with his wife and two children. His farm was a little up-river from John Tucker jnr's and was then the highest farm on the river. He was allowed convicts to help with the farm work. He had a wattle and plaster cottage built, like his brother-in-law's, and by the end of 1822 had cleared and cultivated twenty-five acres. When, in 1822, William Dun came to select the first major grant in the area, he chose the closest available land, next to Powell's.

John Swan

John Swan, thirty-six years old, transported for Life, came to NSW on the second passage of the convict ship COROMANDEL. His wife Sarah and twelve year old son, Richard, stayed in England. Of interest to this story is the fact that two other men who would become 'Paterson's Plains settlers' came to NSW on the same voyage. John Reynolds was a fifteen-year old, transported for Life, and Benjamin Davis, twenty-four years old, was also aboard, serving a Life sentence.

Swan was assigned in the Hawkesbury district and became an experienced timber worker with an aptitude for mechanical skills. In 1809, he was sent to Newcastle. His experience made him a valuable member of the timber-getting parties.

In 1812, Swan was one of the four or five men who were instructed to get 500 cedar logs for the government. These men were promised emancipation, and the privilege of independent farming, for their task. The logs were probably cut in the vicinity of the Paterson's River camp called 'Old Banks'.

Swan soon set up his farm, adjoining 'Old Banks' and on the opposite bank to John Tucker jnr. For Swan, however, emancipation was to wait. Even in 1828, the census records that he then had only a conditional pardon.

In 1813, Swan applied for permission to take his surplus farm produce to Sydney. Again in 1814, he applied to travel to Sydney to sell his surplus wheat and to buy items for his farm. He expected to be away seven days.

As already noted, Swan's English wife and child did not come to NSW. Some time later, Sarah died. At the time Swan moved to his Paterson's Plains farm, he took with him a partner, Mary Lowrey and their son, John Allen, born at Newcastle in 1811. On 3 August 1818, he and Mary were married by Reverend William Cowper in the new Christ Church, Newcastle. This was the first ceremony of the kind ever performed in Newcastle and Governor and Mrs Macquarie were present. Nine other couples were married and thirty children baptised. Five children of John Swan and Mary Lowrey were among those baptised. Other bridegrooms were John Tucker jnr, Richard Binder (a later Paterson's Plains settler), and John Allen (a Wallis' Plains settler).¹¹

John and Mary's daughter, Mary, born in 1813, was probably the first child born at Paterson's Plains. Sarah was born there in 1815, and twins Jane and Stephen, in 1818.

In January 1821, Mary Swan and Stephen, the youngest child, were drowned near Newcastle Harbour. Mrs John Allen and two convicts were drowned in the same mishap. John Swan was left a widower with four small children. The friendship between John Swan and John Allen, of Wallis Plains, is shown by Swan naming his first son, John Allen.

In 1822, Swan took another wife, Margaret McKennell, the marriage one of the many conducted by Reverend Middleton that year. Margaret was born about 1780 and came to NSW on the convict ship BROXBORNBURY, in 1814.

Benjamin Davis

Benjamin Davis came to NSW in 1804, aboard the convict ship COROMANDEL 2, transported for Life. About 1806, Davis came to Newcastle to act as an overseer of convicts. He was promised emancipation for taking on this task. Davis was one of the men who, in 1812, procured for the government 500 cedar logs for which service he was again promised emancipation and a farm of thirty acres.

The land Davis took up was on the western bank of the river, south of the 'Old Banks' camp and almost opposite John Tucker's farm. At least one other convict, Joseph Taylor, assisted him there. In 1814, he sought permission to travel to Sydney, having surplus wheat to dispose of and needing to buy goods for the farm. In 1816, he was in trouble as it was thought that he had assisted runaway convicts by exchanging with them supplies for kangaroo skins.

Davis continued in the capacity of an overseer for eight years without receiving the promised emancipation. None of the Paterson's Plains settlers were rewarded in this way during Newcastle's penal colony years.

In 1822, Davis was granted permission to marry Eleanora McGraw. Eleanora came to NSW in the convict ship ROLLA, in 1809, serving a seven-year sentence. Reverend Middleton performed the ceremony and Thomas Addison and Catherine Leeson were witnesses. Reverend Middleton performed many marriages in the months after he came to Newcastle and Davis's was among them. At the time of their marriage, Benjamin and Eleanora were both in their forties. They had no children.

On the farm, Davis' livestock increased and in 1822 comprised forty head of cattle, two horses and forty sheep.

George Pell

George Pell was occupying a small farm in 1813. He, too, was given permission to proceed to Sydney to settle farming affairs that year. In 1815, he was travelling to his Paterson's Plains farm, together with Daniel Brown, William Gudgeon and Catherine Flynn, (John Tucker jnr's bride) when the boat upset and the occupants drowned.

Possibly because of the death of these people, in 1818, Governor Macquarie allowed the commandant, Captain Wallis, to place two others men- Richard Binder and Robert Whitmore - on the farms at Paterson's Plains.

In 1814, a directive had been issued to the commandant concerning the men who had been allowed to take up farming. It said:

*Those persons who have been permitted to become settlers at Newcastle should now be well enabled to support themselves: strike them off the stores.*¹²

William Evans

William Evans (1779-1860) worked in hospitals in London for eight years when he decided to come to NSW, taking a position as surgeon superintendent of a female convict ship INDISPENSABLE that arrived in 1809. He was then thirty years old. Upon arrival, he was appointed assistant surgeon at Sydney, replacing Mr Charles Throsby who retired from the position. (In September 1808, Throsby had returned from his sojourn as commandant at Newcastle to this hospital post.) Three months after his appointment, Evans was dismissed for speculating in colonial paper currency. He unsuccessfully sought re-appointment and, a year later, he was imprisoned for debt. Another doctor, D'Arcy Wentworth, tried to secure his release. The outcome of Evans' transgressions was that in 1811, Governor Macquarie sent him to Newcastle as assistant surgeon there.

No sooner was he at Newcastle than he was arrested for alleged misconduct and sent to Sydney for trial. A Court of Inquiry was held. The outcome was that he was sent back to Newcastle. Although Evans appears to have been troublesome, his government employment remained secure, he remained on the list of civil officers and received a salary.

He appears to have married about this time, Mary, who came to NSW in 1810, aboard *INDIAN*. This was a convict ship, so presumably Mary was a convict. A son was born in 1812 named William jnr, and a daughter Sarah was born in 1814.

In 1813, Governor Macquarie allowed William Evans to occupy 100 acres of land, about fifty miles from Newcastle. Apparently, this was part of his remuneration for his work looking after the health of convicts at Newcastle. He selected a farm on the west bank of Paterson's River, near Benjamin Davis' farm. As a civil officer as well as a land proprietor, he was entitled to assigned men as servants. He was allowed the labour of two convicts to work at the farm but could only go there himself if the commandant, Lieutenant Scottowe, gave him permission to do so. At the best of times, it took twelve hours river travel to get there, or back. The farm produced wheat, maize and milk, butter was made and livestock raised.

In 1813 and 1814, Evans, like John Tucker jnr, appealed to have some boundaries measured because of 'disputes with neighbours'. Whether there were any surveyors available to do this is not known, but unlikely.

A regulation that probably interfered with Evans' farming activities was that those employed by the government were prohibited to engage in trade. The convict settlers were able to sell their farm produce, but regulations may have prevented Evans from doing so.

In 1817, Evans suffered a serious hand injury from a gun accident. He was allowed to return to Sydney for treatment for the injury and was away for some time. Upon return, he continued to act as surgeon, and additionally acted a chaplain at Newcastle for several years, until the arrival of Reverend George Middleton, and then sometime afterwards during Middleton's absences.

In 1820, Surgeon Evans gave evidence to the Bigge Inquiry. He told that his remuneration was five shillings a day, a home at Newcastle for himself, wife and two children, a supply of coal, and convicts to work at the farm and at Newcastle. He told the commission that his farm was a liability because of the frauds of the people placed there to work.

Following the opening-up of the Valley to free settlement, in 1822, after eleven years at Newcastle, Evans sought permission to retire to his farm, on the grounds of ill health, and to be granted a further 1000 acres.¹³ He had already cleared about seventy acres, employed five convicts and had twenty-three cattle and 150 sheep. His application was successful and he was even allowed an extra 1000 acres. He called his estate *Bellevue*. His enlarged farm included Benjamin Davis' farm and improvements.

Robert Whitmore, Richard Binder and Thomas Addison

Robert Whitmore, born about 1764, came to NSW in the ship *ROYAL ADMIRAL* in 1792, transported for seven years. He received a conditional pardon in 1794. In 1796, he married Mary Goodall, in Sydney. Mary had arrived in NSW in 1794, in the transport *SURPRISE*. A son, also Robert, was baptised in 1880.¹⁴ It is not known what became of Mary and Robert jnr. In 1805, Whitmore was working as a seaman but the following year he came into conflict with the authorities and was sent to Castle Hill. In 1810, he was master of a small schooner *CHANCE*, trading to the Hawkesbury. A year later, he was in trouble again, this time for, in company with Mary Turley, having illegal spirits aboard the vessel. His punishment was seven years' transportation to Newcastle.¹⁵

Richard Binder, born about 1782, came to NSW in 1803 in the convict ship GLATTON, transported for Life. He was assigned to Mrs Hobby at the Hawkesbury where, in 1813, he applied for permission to be married. A few months later, in June 1813, Binder was sentenced to three years transportation by the magistrate at Windsor. Thomas Addison was also given a three-year sentence at the same Windsor magistrate's court. Addison had previously reached NSW in 1810 aboard the convict ship ANNE. In July 1813, Addison and Binder were among a group of prisoners sent to Newcastle in the government schooner ESTRAMINA. How Binder and Addison spent the years following their arrival at Newcastle is not known.

From 1812, privately-owned sailing ships calling at Newcastle were required to use the service of a pilot and to pay pilot dues. The first appointed pilot to carry out this requirement is believed to have been Robert Whitmore whose term started in 1812. A whaleboat manned by convicts was provided for the pilot in which he proceeded to the ship entering the port. The boat was additionally often called out to rescue vessels in danger - no organised rescue service existed in Newcastle in those days. In addition to private vessels, Whitmore also brought government vessels into the harbour.

During 1815, when Whitmore was piloting the government schooner ESTRAMINA, the vessel ran aground and was damaged. The commandant, Lieutenant Thompson, then replaced Whitmore as pilot, choosing William Eckford in his place. The following year, ESTRAMINA, in charge of the captain, was wrecked on the northern side of the harbour entrance. Whitmore played a commendable part in salvage work and for this effort, he was recommended by the succeeding commandant, Captain Wallis, for a favour.¹⁶

In 1817, Governor Macquarie gave Captain Wallis permission to increase to six the number of convict settlers on Paterson's River. This communication, dated July 1817, reads:

I have no objection to your completing the number of settlers up the river to six for the reasons you have mentioned, taking especial 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.

Whitmore's sentence expired in 1818. Among Government Orders issued by Commandant Wallis at Newcastle in 1818 is one that authorised Robert Whitmore and Richard Binder to become settlers on the banks of Hunter's River'.¹⁷ The Order reads:

In making this indulgence known to the above men, the Commandant thinks it necessary to appraise them, that 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. They will therefore be very careful in observing that propriety and correctness of conduct which may ensure to them a continuance of the Commandant's favour.

The Commandant has often had occasion to find fault and censure the conduct of some of the prisoners now settled on the banks of Hunter's River (Paterson's Plains) and is well convinced His Excellency, the Governor, will not grant any indulgence to them except favourable recommendations are made to him of their good conduct, obedience to orders, and industry.

Robert Whitmore was fifty-three years old when he was allowed to take up farming. In 1822, he married Margaret Greenwood. The witnesses to the ceremony were Thomas Addison and Jane England. Whitmore was an elderly bridegroom - fifty-eight years old - while Margaret was about twenty-two. According to the 1828 census, she came to NSW in 1818 aboard the LORD MELVILLE, transported for seven years. There were no children in their family group in 1828. As already noted, the fate of Robert Whitmore's earlier family is not known.

The farm Richard Binder occupied became one of the largest of the convict farms - nearly sixty acres were cleared and cultivated in the early 1820s. In the years 1817 and 1818, he, and others, sold grain to the Commissariat Stores at Newcastle, and some was forwarded to Sydney for sale.

Not until 1821 did Binder apply for a conditional pardon. Binder's wife, Ann, born about 1806, came to NSW in 1816, on the convict ship MARY ANN, serving a seven-year sentence. (If these dates, taken from the 1828 census, are correct, she was only ten years old when she reached NSW.) The year of their marriage is not yet noted.

Thomas Addison also became a settler on Paterson's Plains, but the year he did so is not known. In 1822, he was a witness at the marriages of Benjamin Davis and Eleanora McGraw, and Robert Whitmore and Margaret Greenwood.

.....

The following three convict settlers of Paterson's Plains - John Reynolds, Anthony Dwyer and - Reeves, have proved less easy to research. The circumstances surrounding their permission to farm at Paterson's Plains has not been identified, nor the year when they may have gone there.

John Reynolds

John Reynolds[†], born about 1789, came to NSW in 1804, under a Life sentence, on the second journey of the convict ship COROMANDEL. He was a youth, about fifteen years old. As already noted, John Swan and Benjamin Davis were on this ship, also transported for Life.

It is not known when he came to Newcastle or under what circumstances he was permitted to take up a farm, or when.

In November 1821, he applied for a conditional pardon and in January 1822, he sought permission to marry. In the latter appeal he was successful from both the authorities and from Martha Mitchell. Martha, who was born about 1788, was under a Life sentence also. She had arrived in the MINSTREL in 1811. In February 1822, Reverend Middleton married them.

Anthony Dwyer (Dwire)

Anthony Dwyer arrived in NSW by the convict ship ATLAS 1, in 1802. His sentence was Life. He came to Newcastle where, during Governor Macquarie's time, he was overseer of lime burners. He married Margaret, who came to NSW in the convict ship CATHERINE, in 1814, serving a seven year sentence.

Reeves

'Reeves' is marked as an occupier on an early survey map showing the farms, with the notation 'by d.' after the name. (See Appendix of Maps, Map 5) No information about Reeves has been located.

[†] NOTE: John Reynolds is not related to Charles Reynolds and his family who later leased and then owned *Tocal*, and *Duninald*.

Farming at Paterson's Plains prior to the 1820s

What is known about farming at Paterson's Plains prior to the 1820s?

The selected convicts and free men occupied choice cultivation land that was equal to any in the Valley. They also occupied more land than they were supposed to, although none appears to have been reprimanded for doing so, even by Governor Macquarie who, at the time of his visit in 1818, wrote:

*We then proceeded to view the rest of the farms on both sides of this beautiful river, finding the soil of all of them very good and much more ground cleared & cultivated than I had any idea of.*¹⁸

It can be assumed that the amount of land that the farms occupied was a lesser consideration than the desirable and much needed food production that came from them.

The location of the farms allowed almost all of them to include the fresh water lagoons, located just inland from the riverside alluvial land and almost parallel to the course of the river. The beds and banks of the lagoons consisted of the richest alluvial soil, and beyond this area was good forest pasture land, lightly timbered. The original extent of these lagoons can be seen in Henry Dangar's 1828 *Map of the Hunter River and its Branches* ... published in 1828. (See Appendix of Maps, Map 4)

Joseph Lycett's engraving 'Lake Patterson, near Patterson's Plains, Hunter's River' (see cover and title page) captured a likeness of the Paterson's Plains landscape, about 1820. Reference to Dangar's 1828 *Map*... , and the landmark Mount Johnstone and the 'lake' in the engraving, allows the viewer to look towards *Duninald* on the right, *Tocal* in the centre distance, and the Paterson's Plains settlement on the left. The hunter, with gun, could even have been one of the characters of this history.

During the time of Governor Macquarie, Lycett, an English artist and engraver, was transported to NSW but was allowed to exercise his talents by preparing a number of scenes of different parts of the colony which were published as engravings in 1824.

The letterpress that accompanied the engraving in the original publication notes:¹⁹

The lake or lagoon ... is about half a mile from the Settlers' or Paterson's Plains This tract of land is one of the finest in this vast country. It contains many thousand of acres of the most beautiful grass, well watered, and is, in general, thinly wooded. The land in the scrubs, or brush, near the sides of the river, is particularly good, and produces amazing crops of wheat, maize, barley, oats, and potatoes of the best and largest sort, with every kind of vegetables. About four miles from the Settlers' or Paterson's Plains, this arm joins the main river ...

Lake Patterson (sic) is about five miles and a half wide. Besides abundance of (wild ducks, teal, widgeons, black swans ... immense flocks of the forest kangaroo some weighing as much as 180 lb each ... also emus) there is a peculiar sort of geese which are about the size of the common English wild goose, and of a remarkably fine flavour, as near as possible to the English wild duck. The head is of a dark black green, the back almost entirely black, belly white, but the extreme points of the wings and the tails are also black. They are remarkably shy, remaining generally among the vast beds of reeds and sedges at the lower extremity of the lake. Very large eels are taken here by the Natives, who make canoes of the bark of the large eucalyptus, from which, at certain seasons of the year, they spear vast quantities of these eels, weighing from 10 lb to 20 lb. each. In addition to parrots, paraquets, cockatoos, and pigeons, in the brush about the lake, there are numerous sorts of very beautiful small birds, together with the regent bird and the satin bird. Patterson's (sic) Plains lie about seventy miles from Newcastle upon the second branch of the Hunter River. The distance by land is not more than 40 miles, but the difficulty of crossing the river occasions the general communication to be made by water.

Early letters from the settlers to the colonial secretary, already noted, indicate that boundary disputes arose, with their neighbours.

Transport between the farms and Newcastle was by small oared or sail boats. The one-way journey took at least twelve hours. The upsetting of these small boats was an ever-present hazard, especially when carrying heavy loads of goods or materials. At least two major tragedies from mishaps such as these are noted in these pages.

The farmers had a homely lifestyle. Those not already married had partners. When Reverend Middleton arrived at Newcastle in 1821 as the first resident chaplain, he sought to legitimise all the couples already living together as man and wife. While this was further implementation of Macquarie's marriage policy, it additionally gave the convict settlers respectability and this was a potentially desirable asset to those whose labours over many years gave them some claim to their farms. The government introduced a category of respectable and industrious small settlers who were able to be granted small farms of about 100 or 150 acres each and the convict farmers must have aspired to this opportunity.

Convict servants were assigned to the primary farm-holders to assist in establishing and maintaining production of maize, wheat, milk, butter, poultry, eggs, pork and other meat. As noted, records indicate that, once self-sufficient, the farmers were obliged to provide quotas of food to the Commissariat Stores at Newcastle where John Tucker snr was storekeeper, in return for the food and clothing initially supplied during their first year or so, and later, for tea, sugar, tobacco, cotton goods, and the ongoing convict helpers they were allocated. Production in excess of the quotas may have been sold to the store, and to masters of vessels and other inhabitants of Newcastle. The farmers were permitted to take cereals to Sydney to sell. The quality of their food was good. These ex-convict men and women were the Hunter Valley's first primary producers and business people.

The surplus of good food that they had to exchange gave them unintended influence. Some of the settlers surreptitiously tried to obtain the labours of additional convict, such as sawyers, for their own benefit and were in a position to offer them inducements in exchange for labour. If discovered, the convicts were punished on their return to Newcastle. The convict settlers were, therefore, the Valley's first capitalists and entrepreneurs.

The settlers were occasionally suspected of assisting or employing runaways. On the other hand, at times they helped the military to search for and apprehend them. In return, the military at the government outposts sometimes helped the settlers with the harvest, or helped prevent natives stealing crops. The military also intervened in disputes between the settlers and the timber cutters.

Daily, they accumulated increasing knowledge about the locality in which they lived, about the rivers, the capabilities of the land and its surroundings, and the Lower Hunter Valley generally.

Reverend Middleton

Reverend George Augustus Middleton arrived at Newcastle in August 1821 as colonial chaplain at the settlement. He was a widower with an infant son. Newcastle had needed a resident clergyman for a long time. The Newcastle he came to was a grim place of secondary punishment for incorrigible convicts. And the commandant, Major Morisset, was having an affair with a convict woman! Middleton found many other couples living as man and wife, so he encouraged marriage in the church. He married many of the convict settlers. His register for 1822, of which a few extracts are included below, tells the story. Some of these names are the Wallis Plains settlers whose situation was similar to that of the settlers of Paterson's Plains.

DATE	COUPLES	WITNESSES
8.2.1822	John REYNOLDS + Martha MITCHELL	Frances BEATTIE, Mary BEATTIE
19.2.1822	Thomas BOARDMAN + Jane DAVIS	John ALLEN, Jane ECKFORD
5.3.1822	Thomas HUNT + Mary MEARS	Maria MITCHELL, Thomas BOARDMAN
8.4.1822	John ALLEN + Susannah JOHNSON	Thomas BOARDMAN, Maria MITCHELL
10.6.1822	Benjamin DAVIS + Eleanora McGRAW	Thomas ADDISON, Catherine GLEESON
1.7.1822	Robert WHITMORE + Margaret GREENWOOD	Thomas ADDISON, Jane ENGLAND
17.7.1822	William JONES + Jane MITCHELL	John CAHILL, Jane ENGLAND
1.10.1822	John SWAN + Margaret McKENNEL	John ALLEN, John SMITH
10.3.1823	John CHEERS + Elizabeth Ann HICKEY	William HICKEY, Richard BINDER
14.8.1824	Edward KEALEY + Mary LANAN	Timothy NOWLAN, John BROWN

Reverend Middleton soon found a young partner to take as his own second wife. She was the daughter of Ann Pennington who came to NSW with her second husband Joseph Pennington and settled at Leigh Farm (near Raymond Terrace) in 1823. The marriage occurred in 1824 and thirteen children ensued. Reverend Middleton actually resigned his religious position and purchased a block of land on Paterson's River although he was later recruited again by Bishop Broughton to churchly duties in the Morpeth area.

Reverend Middleton died in 1848 and Sarah his wife died at *Tressingfield*, in 1863, which was then the home of her son, Charles Robert Middleton. *Tressingfield* was formerly Robert Whitmore's, and part of Thomas Addison's farms.

The government depot

The cedar-cutters camp 'Old Banks' became a formal government outpost during the early years of Major Morisset's commandancy, from 1818 to 1823. The increasing number of people and livestock at Paterson's and Wallis' Plains made more frequent official visits of inspection necessary. For this purpose, the commandant had a cottage and other buildings including a lock-up and soldiers' barracks, and pounds for animals, erected at both 'Old Banks' and Wallis' Plains. At these outposts, he was able to take a regular muster, examine men in his capacity as a magistrate, and stay overnight if necessary. The boat trip to or from Newcastle was at least a day's excursion in itself. 'Old Banks' was also a river crossing place, linking the farms on both sides of the river.

In the 1820s, the commandant allowed the buildings at 'Old Banks' to be used for Divine Service, or for the accommodation of 'respectable settlers' passing up and down the river in search of land.

The Era Of Free Settlers

The first wave

Following the Bigge Report and the new policies it fostered, a great number of resourceful agriculturalists and merchants made the exodus from Great Britain to NSW, attracted by the new land laws - a convict for every 100 acres able to be developed - and many other opportunities that their wealth entitled them to. Many were coming to Newcastle to seek their fortune in the Hunter Valley. Some men who were already in NSW, in regiments, in business or maritime pursuits, for example, Lieutenant Edward Close, were well-placed to act promptly for their advantage in securing land, and they did.

As already noted, the arrival of Governor Brisbane in December 1821 was the dawn of a new era in the Hunter Valley. He directed that the country in the vicinity of

Newcastle be surveyed and marked out for the reception of new settlers. On 1 March 1822, John Oxley, the surveyor general, directed Henry Dangar, an assistant surveyor, to this task. Dangar was briefed about the convict farmers and instructed to afford every accommodation for those whom he would find occupying land under Macquarie's authority. Records of Dangar's survey work provide additional information about the convict farmers' occupancy, as does subsequent arrangements concerning the use of the land first farmed by them.

Newcomers who had already decided upon locations ahead of Dangar's survey work were Lieutenant Close and Messrs Dun, Webber and Platt. Dun and Webber had travelled up Paterson's River, noted the extent of the convict settlers' farms and chose the first available land above them, one on each side of the river.

Many of the convict settlers had cleared and cultivated more land than they were at first allocated. Their farms were laid out irregularly and Dangar at first declined to measure their land as his orders were not sufficiently clear. So an area encompassing the existing developments was withheld from survey for a year or more. The earliest map of the Paterson's and Wallis' Plains farms was created just prior to or about this time. (See Appendix of Maps, Map 1)

Meanwhile, the steady influx of more affluent land seekers placed considerable pressure on the government survey team who had an exacting task to accommodate their demands. Men of this new class of settler who selected around the large area occupied by the convict settlers were William Dun and James Webber, who have already been mentioned, and George Lang, John Smith, Robert Dillin, Alexander Livingstone, Timothy Nowlan, John Brown and Walter Scott. (See Appendix of Maps, Map 4, where several of these occupancies are marked.)

One can picture the land rush. Ships arrive at Sydney. Family and belongings occupy lodgings. Men seek their land orders and permission to travel to Newcastle. Oared boats or ketches are engaged to take land seekers up the rivers. A twelve hour journey brings them to Morpeth, or Paterson's River. For some miles, there is evidence of land already occupied and worked. When before or beyond this zone, it was first come, first served.

The farmers already in occupancy at Paterson's and Wallis' Plains took stock of what was happening in the Valley, realising that it was a time of change and opportunity.

In June 1822, Dr Evans decided to retire as assistant surgeon at Newcastle, on the grounds of incapacity due to the injury he had sustained to his hand. He applied for his farm to be converted into a grant of land. Benjamin Davis, whose farm was close to Evans', hoped that he would merit an enlarged farm, properly granted to him, and after his marriage, he applied for additional land.

As will be noted, in an attempt to remove some of the convict farmers, the government offered them a 100-acre farm elsewhere. Davis appears to have taken this offer, thereby allowing Evans to secure the enlargement of his farm to 1000 acres. Whether this was achieved amicably or under duress is not known. Davis' name does not appear in later negotiations about land claims in the Paterson's Plains area. He appears to have received in exchange a farm near Newcastle, with a convict worker or two to help him there. In 1828, he was recorded as a 'grazier', with twenty-five cattle and four horses, on a 320-acre farm at Wallis Plains. He and Ellen had no children.

In October 1822, John Tucker snr sought retirement from his position as storekeeper, having been over sixteen years at Newcastle and almost another sixteen at Sydney beforehand. He was entitled to a colonial pension and additionally, he applied for a grant of land and this was allowed him in early 1823, together with a few assigned servants.

John Tucker jnr sought to have his farm converted to a small land grant.

Both father and son were each granted over 300 acres which was more than they asked for. Their land was to be marked for them in adjoining parcels. Together it was about 640 acres, or one of Dangar's survey square miles, with an irregular river frontage.

John Powell, Charlotte and their children were established on their sixty-acre farm in 1821. Governor Macquarie had approved this grant and Powell was a free man. His grant was actually enlarged to 100 acres.

The Tuckers, Captain Powell and Dr Evans had no problem securing title to their farms when the time came to formalise land survey and ownership. In fact, their farms were increased in size to fit the pattern and units of survey. The convict farmers were less favoured and had to face many years of negotiation and uncertainty.

The Survey Work of Henry Dangar

In early 1823, Dangar was directed again to the matter of the convict farmers, this time with clearer instructions.

In January 1823, the surveyor general instructed Dangar to survey the sections set aside and show by map and valuations the nature of improvements effected by settlers, the extent over each farm of occasional inundations, and the quality and site of buildings or fences. Another thing that the government wanted to know was the quantity and value of timber remaining on the land that the settlers were occupying. He was instructed to forward his report to the colonial secretary as soon as possible. Dangar was fully occupied at this task during the next month because his report was ready in February.

In February 1823, Dangar lodged the *Return of Land Cleared and other Improvements made by small settlers at Hunter's River Townships No 19* (Wallis' Plains), 20 (Paterson's Plains west) and 22 (Paterson's Plains east). Many entries in this Return are for farms in 'Township 19', at Wallis' Plains. The small settlers here were Richard Martyn, George Mitchell, Patrick Riley, William Eckford, John Allen, John Smith, Thomas Boardman, John Cahill, William Jones, William O'Donnell, Patrick Maloney, and Mary Hunt.

Those farming at Paterson's Plains were *William Evans*, who had fifty acres cleared and had built a log and stone cottage and a log and thatched barn. His farm had pig sties and a peach orchard. *Benjamin Davis* lived in a wattle and plaster cottage. He had cleared about seventeen acres, erected a log barn and huts, and had a peach orchard in full bearing. *John Swan* had cleared about fifty-three acres. He lived in a simple wattle and plaster hut and his farm improvements consisted of a log and thatched barn, stables, sheds and huts. He had done a great deal of fencing. On *John Tucker's* farm, about thirty-two acres were cleared and a good wattle and plaster cottage built. There was a log and thatched barn, sheds, huts, a pig yard, stock yards, and several fenced paddocks. *John Reynolds* had cleared twenty-four acres, built a simple wattle and plaster cottage, a log and thatched barn, stable, men's huts, pig yard, had an orchard of peach trees and a garden. *Richard Binder* had fifty-one cleared acres and a superior weather board and shingle cottage, stable and lumber house, log and thatched barn, pig yard, pig sty and cow yard, huts and much fencing. He had a good peach orchard.

Robert Whitmore had thirty-five acres cleared and lived in a small wattle and plaster cottage. The farm had a log and thatched barn, pig sties and yard, and a peach tree orchard. *Thomas Addison* had cleared five acres and built a hut and pig sty and yard. *Anthony Dwyer* had cleared nineteen acres and lived in a log and thatched hut. *John Powell* had cleared twenty-three acres and built a wattle and plaster hut, barn, sheds, pig sty, pig yard, and gardens.

Land cleared by the government amounted to twenty-seven acres and a government cottage with outbuildings occupied the 'Old Banks' site.

The overall 'value of improvements' is summarised as follows:

NAME	VALUE OF IMPROVEMENTS
William Evans	£35.10.0
Benjamin Davis	£40
John Swan	£50.6.0
(person departed)	15 acres cleared
John Tucker	£34.10.0
John Reynolds	£20
Robert Whitmore	£16.10.0
Thomas Addison	£3
Anthony Dwyer	£12
John Powell	£23
Government Cottage	
Cleared by	27 acres
Government	
Richard Binder	£87.16.0

The data for individual farms contained in Dangar's 'Return' is summarised in accompanying table form. In the original report, acreages are not always decipherable, nor is the writing, so that the accompanying copy of information may differ from that discerned by another reader. The abbreviation 'a., r., p.' stands for 'acres, roods, perches', the contemporary units of land measure. Four locations are on the west bank of Paterson's River; the rest are on the east bank. Map 1 probably corresponds closely with this information.

At Township 20 (now the Parish of Middlehope)

Selection number	17
Number of Allotment	1
Settler's name	William Evans
Land on which timber is felled (a., r., p.)	-
Land cleared except stumps (a., r., p.):	50.0.3
Total land occupied (a., r., p.):	50.0.3
Improvements exclusive of cleared land and estimated value of buildings:-	A log barn thatched, £8; a log and stone cottage (unclear) £10; ... pig sties ... £7.10.0; peach orchard, £10
Total estimated expense	£35.10.0
Remarks:	3 acres not inundated. Wm Evans a free settler, late surgeon at Newcastle

Selection number	17
Number of Allotment	2
Settler's name	Benj Davis.
Land on which timber is felled (a., r., p.)	6.2.11
Land cleared except stumps (a., r., p.)	17.1.17
Total land occupied (a., r., p.)	(?) 3.3.33
Improvements exclusive of cleared land and estimated value of buildings:-	A wattle and plaster cottage, £10; log barn, huts, £15; peach orchard full bearing, £15
Total estimated expense	£40
Remarks:	land all inundated

Selection number	17
Number of Allotment	3
Settler's name	land cleared by a settler who has since left it
Land on which timber is felled (a., r., p.)	-
Land cleared except stumps (a., r., p.)	15.0.32
Total land occupied (a., r., p.)	15.0.32
Improvements exclusive of cleared land and estimated value of buildings;-	
Total estimated expense	
Remarks:	land inundated

Selection number	18
Number of Allotment	4
Settler's name	John Swan
Land on which timber is felled (a., r., p.)	4.1.18
Land cleared except stumps (a., r., p.)	53.2.12
Total land occupied (a., r., p.)	57.3.30
Improvements exclusive of cleared land and estimated value of buildings;-	A log and thatched barn, £20; a wattle and plaster hut, £3; stable, sheds, huts ... £10; a close railed fence ... £5; a paddock of five rail fence containing ... £9.16.0; a paddock of three rail fence, £2.10.0.
Total estimated expense	£50.6.0
Remarks:	5 acres not inundated

At Township 22 (now the Parish of Butterwick)

Selection number	30
Number of Allotment	1 and 11
Settler's name	John Tucker Junior, John Tucker, Do.
Land on which timber is felled (a., r., p.)	-
Land cleared except stumps (a., r., p.)	32.2.19: 4.0.0.
Total land occupied (a., r., p.)	36.2.19
Improvements exclusive of cleared land and estimated value of buildings;-	A wattle and plaster cottage, £12.10.0; a log and thatched barn, £8; Shed, huts, pig yard .. fence, £9; stock yards and paddock, £5.
Total estimated expense	£34.10.0.
Remarks:	No 11, 20 acres not inundated. A free settler, the son of Mr John Tucker, Storekeeper, Newcastle.

Selection number	30
Number of Allotment	2
Settler's name	Land cleared by Government
Land on which timber is felled (a., r., p.)	
Land cleared except stumps (a., r., p.)	27.0.12.
Total land occupied (a., r., p.)	27.0.12
Improvements exclusive of cleared land and estimated value of buildings;-	
Total estimated expense	
Remarks	land all inundated

Selection number	30
Number of Allotment	3
Settler's name	John Reynolds
Land on which the timber is felled (a., r., p.)	9.1.11
Land cleared except stumps (a., r., p.)	24.2.6
Total land occupied (a., r., p.)	33.3.17
Improvements exclusive of cleared land and estimated value of buildings;-	A wattle and plaster cottage, £5; a log and thatched barn, £5; stable and men's huts, £4; pig yard, £2; peach trees and garden, £4
Total estimated expense	£20
Remarks	15 acres not inundated

Selection number	31
Number of Allotment	aa
Settler's name	Government Cottage

Selection number	31
Number of Allotment	4
Settler's name	Richard Binder
Land on which the timber is felled (a., r., p.)	7.3.13
Land cleared except stumps (a., r., p.)	51.2.30
Total land occupied (a., r., p.)	59.2.3
Improvements exclusive of cleared land and estimated value of buildings;-	A weather board and shingle cottage, £30; - stable and lumber house, £10; a log and thatched barn, £12.10.0; pig yard, pig sty and cow yard, forming part of paddock fence, huts, £12.10.0, peach orchard £10, ... fencing £12.16.0.
Total estimated expense	£87.16.0
Remarks:	This land in a good state of cultivation, no dead trees standing or dead ... on the land. 20 acres not inundated.

Selection number	31-32
Number of Allotment	5,6
Settler's name	Robert Whitmore
Land on which the timber is felled (a., r., p.)	8.0.31
Land cleared except stumps (a., r., p.)	35.0.27
Total land occupied (a., r., p.)	43.1.18
Improvements exclusive of cleared land and estimated value of buildings;-	A log and thatched barn, £7.10.0; a wattle and plaster hut, £4; peach trees, pig sties and yard, £5.
Total estimated expense	£16.10.0
Remarks:	15 acres not inundated

Selection number	32
Number of Allotment	7
Settler's name	Thomas Addison
Land on which the timber is felled (a., r., p.)	6.2.11
Land cleared except stumps (a., r., p.)	5.0.37
Total land occupied (a., r., p.)	11.3.0
Improvements exclusive of cleared land and estimated value of buildings;-	Hut, pig sty and yard, £ 3
Total estimated expense	£3
Remarks:	Land all inundated

Selection number	32
Number of Allotment	8
Settler's name	Anthony Dwyer
Land on which the timber is felled (a., r., p.)	6.3.0
Land cleared except stumps (a., r., p.)	19.2.28
Total land occupied (a., r., p.)	26.1.20
Improvements exclusive of cleared land and estimated value of buildings:-	A log and thatched hut, £8; (other) £4
Total estimated expense	£12
Remarks:	(some land) not inundated

Selection number	32
Number of Allotment	9, 10
Settler's name	John Powell
Land on which the timber is felled (a., r., p.)	-
Land cleared except stumps (a., r., p.)	23.3.23
Total land occupied (a., r., p.)	23.3.23
Improvements exclusive of cleared land and estimated value of buildings:-	A wattle and plaster hut, £8; ... barn.. sheds... £10; pig sty, pig yard, gardens, £5
Total estimated expense	£23
Remarks:	A free settler from headquarters under authority of Major General Macquarie; 12 acres not inundated

From this information it appears that Thomas Addison, of whom little is known, had made the least improvements to his farm. Reeves, whose name appears on a farm in Dangar's later reports, is not accounted for in the 1823 Report. Richard Binder had made the greatest investment in improvements, suggesting that he had greater personal wealth than any other farmer. Binder occupied the farm since 1818 and although some improvements were probably already made to his land by a previous occupier, he nevertheless had, in 1823, the largest acreage cleared - almost sixty acres - and buildings, especially his house, of a superior standard to any other person. His weather-board and shingle house was valued at £30, while that of John Tucker jnr, a wattle and plaster cottage, was next most valuable at £12.10.0. Most cottages were valued at £10 each and a few huts at £3 each. The barns were uniformly valued at about £10 each.

Roast pork, and peaches and cream, seem a likely Sunday fare for the Paterson's Plains settlers!

The Quality of the land

Governor Macquarie left descriptions of the country in the vicinity of the settlers' farms. In 1818, he noted that the soil on young Tucker's farm was 'most excellent', and the soil of the rest of the farms on both sides of 'this beautiful river' ... 'very good'. He then walked over land from the Paterson to the Hunter River. He noted that the country back from the river was 'fine open forest land, very fit for grazing but not for cultivation'. Further on, Macquarie and his party also passed through some 'very thick brush country and indifferent land'.²⁰

Henry Dangar described the land in the Parish of Butterwick (east of the river) thus:

The Church and School Estate is highly desirable; its situation on the river will admit vessels of fifty tons burthen; its arable land extensive and rich, its uplands open and productive.

The ungranted land in this parish is without permanent water, and the soil a thin loam; it is therefore only desirable as an addition to the adjoining properties.

He described the Parish of Middlehope (west of the river) in this way:

The Church and School Estate is desirable, though inferior in some degree to that of Butterwick, and has the same advantage of navigable water.

*The remaining land of this parish, is inferior hill land.*²¹

The Church and School Estate encompassed all the convict settlers' farms.

Additionally, Dangar wrote in the *Index and Directory* ... that in Butterwick and Middlehope, two sites were set apart for village reserves. A party of military was stationed there; and the Church Corporation intended erecting a church and school room.²² It is in this context that the 'Glebe' and the 'Orphan School Farm' in Middlehope have meaning although details are lacking. It is known, however, that the Church sought to use the government buildings at 'Old Banks' for Divine Service, and a school.

The Problems of Survey

The presence of the small farms irregularly laid out interfered with orderly land survey. There was also a pressure to grant the land to the wealthier class of colonists who were now arriving in the Valley. The convict farmers had no right to expect that their farms would be made over to them, yet they had a just claim on the added value that their labour and improvements had made to them over the previous ten years.

Probably under orders from the governor, in June 1823, the commandant at Newcastle, Major Morisset, instructed the former convicts that

*... they who should be induced to change their situation to the first branch of Hunter's River should receive each an enlarged grant of 100 acres and convict labor with rations from the store equal to the value of any quantity of land they should already have cleared, together with all due assistance in the removal of their chattels - also that they who preferred to remain should have their possessions 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 the annum.*²³

Morisset made a recommendation to the governor that the convict farmers who agreed to relocate should be allowed to choose their grants wherever they should find good land in situations which would not interfere with the existing system of measuring land. This suggestion was approved in mid-1823, provided that those who volunteered to remove should locate themselves in a body and within the boundaries of one of the vacant squares already fixed elsewhere by the surveyor.

In February 1824, Henry Dangar was instructed to carry out these arrangements and send to the colonial secretary descriptions of the lands and a map.

Three convict settlers, whose farms on the eastern side of the river adjoined, decided to accept the promised transfer to another locality thereby each receiving title to 100 acres and an equivalent amount of improvements by way of clearing and so on to that which they had accomplished at Paterson's Plains. These men were Robert Whitmore, Richard Binder and John Reynolds.

The men who decided to stay and enter a seven-year rental arrangement for their farms, enlarged to achieve more regular boundaries, were Anthony Dwyer and Thomas Addison. At this point in time, the name of one Reeves appears, occupying the land between Dwyer's farm, and John Powell's. These four farms occupied a land section adjoining the southern boundary of Dun's grant.

On the western side of the river, Benjamin Davis agreed to relocate but John Swan determined to stay. The farm, abandoned in 1823, that had previously been set up north of Swan's, was not subject to any claim at this time. Out of all the convict settlers, Swan became the only one to secure the freehold of his farm for himself and his family.

As already noted, the Tuckers, and Powell, as free men, had undisputed claim to title to their farms as respectable and deserving small settlers, and Dr Evans was considered equivalent in eligibility to the wealthy newcomers and received a 1000-acre grant.

The apparent simplicity of dealing with the convict settlers met hindrances at this point. The great demand to locate estates for the flood of wealthy land seekers was probably of a higher priority to all concerned than the matter of the convict farmers.

The Newcomers

The major land grants to the new class of arrivals, surrounding the Paterson's Plains farms, are summarised below. The four men who were granted their farms are included, in shaded rows. The men who played some role in the subsequent disposal of the Paterson's Plains land under consideration in this monograph were Dun, Webber (and C. and F. Wilson and Charles Reynolds), John Brown, Timothy and John Nowlan, and Alexander Livingstone.

NAME	ARRIVAL	LAND ORDER	GRANT ORDER	NAME OF GRANT
William DUN	15 Dec 1821	31 Dec 1821	<1 Mch 1822	DUNINALD
James WEBBER	Jan 1822	<17 Jan 1822	<1 Mch 1822	TOTAL
George LANG	Sept 1821	March 1822		DUNMORE
John BROWN		<11 Feb 1822		BOLWARRA
William EVANS			June 1822	1000 acres BELLEVUE
John POWELL				100 acres ORANGE GROVE
John TUCKER, sen				320 acres SURREY
John TUCKER, jnr				320 acres ALBION FARM
John G. SMITH	8 Mch 1822	Aug 1822		WOODVILLE
Robert DILLIN	April 1821	Aug 1821		HINTON
Alex LIVINGSTONE	April 1821	Aug 1823		BOWTHORNE
Walter SCOTT				WALLALONG
Timothy NOWLAN	Nov 1822		March 1823	HUNTER'S HILL, later EELAH

William Dun

William Dun arrived in NSW with his wife and two children in December 1821 by the ship *MARINER*. Within two weeks Dun had a land order. He selected the first 1300 acres on the eastern side of Paterson's River and took thirteen convicts to work there. His estate was called *Duninald*.

Major Morisset asked William Dun to conduct Sunday services for the settlers, convicts, and government cedar gangs in his neighbourhood, a task he did for about two years. In return for this duty, in 1823, his grant was increased to 2000 acres. The extra land was selected elsewhere. In 1827, Dun was appointed coroner of the Paterson district, a position he held for many years.

William Dun does not appear to have been financially successful in his farming ventures and in the 1830s, mortgaged his estate to Caleb and Felix Wilson, who then were owners of *Tocal*. Dun suffered insolvency in 1843, a victim of the 1840s depression. In 1844, Dun's daughter, Frances, married Charles Reynolds, who had taken a lease of *Tocal*. In time, Charles Reynolds took over the mortgage on *Duninald* and became proprietor.²⁴

James Phillips Webber

James Phillips Webber arrived in NSW in January 1822 by the ship *MINSTREL*. In the same month he had a land order, came to Newcastle, and selected land on the opposite side of the river to Dun's. His intent was to grow fine wool and he was granted over 2000 acres, and more in 1825. This estate became *Tocal*. Webber's brother John was granted *Penshurst*, higher up the river, later sold to George Townshend.

James Phillips Webber's land was noted by Allan Wood to 'adjoin the Glebe land at Paterson's Plains'.²⁵ The use made of the 'Glebe', also called the 'Orphan School Farm', remains something of a mystery but it was actually the land between Swan's farm and Webber's that became Church and School Corporation land.

In 1834, Webber returned to England and *Tocal* and another farm, *Brisbane Grove*, (then of 3320 acres and 560 acres respectively) were sold to Caleb Wilson and his son Felix Wilson. Caleb and Felix Wilson arrived in NSW in the same year as the prisoners who came aboard the *COROMANDEL 2*. In 1841, Wilson commenced to build *Tocal House*. Good building stone existed in a quarry that was opened on land just west of John Swan's farm and this was used for the house, and other district building projects.

Charles Reynolds

Charles (1806-1871) and Richard Reynolds, brothers, came to NSW in 1840. They were sons of a distinguished family from Devonshire, England, noted for cattle breeding. Upon arrival, the brothers sought a property, but rather than purchase, they leased land at Liverpool Plains.

Shortly afterwards, Charles sought to lease an estate on his own. In his search, he was introduced to the Wilsons and *Tocal*, and undoubtedly, William Dun of *Duninald* and his eligible daughter, Frances. Although Charles Reynolds at first leased *Louth Park*, near Maitland, shortly afterwards he took a lease on *Tocal* that was to continue all his life and most of his son's life as well - in all sixty-four years. In 1844, Charles married Frances Dun and, in time, prevented the insolvent William Dun's family from totally losing *Duninald* by taking over the property, becoming proprietor of *Duninald*, as well as leasee of *Tocal*. His estates became exceptional cattle and horse breeding establishments. Frances was a competent partner and shared the management of the estates with her husband, and later, her sons.

Charles and Frances's children were Frank, Sydney, Percy, Walter and Emily. Charles was killed by a fall from a horse in 1871, aged sixty-five years. Frank Reynolds continued at *Tocal*, with his wife Jeanette Cory and family. In 1907, he purchased *Tocal* from the Wilson Estate. Charles Reynold's other sons also became pastoralists and agriculturalists in the Paterson district during the subsequent years of the nineteenth century.

John Brown

John Brown, born about 1791, came to NSW by the ship *MINERVA*, arriving late 1821, with the intention to become a merchant. He applied for a land grant and came to Newcastle in February 1822 to make his choice. By May, he was in occupancy at *Bolwarra*, and in September, he appears to have influenced a government cedar-cutting party to cut him ninety logs, which was against regulations. In 1824, he bought cattle from the government herd at Newcastle to stock his farm. In 1826, Brown sold *Bolwarra* to Thomas Potter Macqueen and then it quickly passed into the hands of Peter McIntyre.

Brown then began dealing in land and leases and his name appears in several transactions involving the Paterson's Plains farms. In 1827, he moved to the farms of Binder and Whitmore which he rented for £30 annually. He also took over the right to

title to John Reynold's 100-acre farm on the Williams River. In May 1827, Brown took on the job of clerk to the bench of magistrates who sat from time to time in the nearby government cottage or court house at 'Old Banks'. In 1828, according to the census, he was occupying 175 acres at Paterson's Plains of which seventy-five acres were cleared and cultivated and five horses and thirty cattle were running there. John Brown was not part of any family group, appearing in the census as a single man. Brown appears to have sold his interest in Binder's eighty-acre section of this combined farm to retired mariner William Wass, who was probably interested in running the Inn thereon and who was actually drowned by shipwreck on the coast shortly afterwards. Brown himself was deceased by 1839.

Timothy and John Nowlan

Timothy Nowlan, his wife Eliza and new-born son John, arrived in NSW in November 1822 after spending some time in Tasmania where he attempted to set up a sheep breeding establishment. He sought a land grant at Hunter's River and received 2000 acres to which he removed in early 1823. Nowlan enlarged his estate by further grant and purchase. His primary grant, which he called *Hunter's Hill*, adjoined the western boundary of the sections reserved until the matter of the convict settlers' farms in Middlehope Parish was sorted out, Evans' *Bellevue* and Webber's *Tocal*.

In 1828, his holdings were 6500 acres of which 200 acres were cleared and 100 acres cultivated. His livestock consisted of five horses, 310 cattle and 3600 sheep.

In 1849, he was leasing a 950-acre portion of the Middlehope land that adjoined his primary grant and Evans' *Bellevue*.²⁶

Timothy Nowlan died in 1856 and his son John continued the farm, re-naming the property *Eelah*. John Nowlan was elected to the Legislative Assembly as member for the Williams electorate in 1866, 1869 and 1872.

Alexander Livingstone

Alexander Livingstone (1798-1867) was a mariner by profession and came to NSW by the same ship that brought Henry Dangar - JESSIE, in 1821. He took work captaining coastal trading vessels and then became master of coasters taking timber and coal from Newcastle and passengers and goods on the return trips. Just about every person that came to the Hunter Valley by ship was brought by Captain Livingstone.

In 1823, he sought a grant of land in the Valley and was given over a thousand acres at *Bowthorne*, Paterson's River. Later, he enlarged his holding by purchase and further grants. Livingstone became the purchaser of the freehold of the eastern half of Thomas Addison's farm.

John G Smith

John Galt Smith (1794-1847) arrived in NSW by the ship BRITOMART in March 1822. He applied for a land grant in August, selected land on Paterson's River in the Parish of Butterwick and was in possession of 1040 acres that he called *Woodville*, in June 1823.

George Lang

George Lang arrived in NSW in September 1821, applied for land in March 1822 and was granted 1000 acres that he selected south of Evans' *Bellevue*. He came to reside there but was drowned in the wreck of a sailing coaster between Newcastle and Sydney in January 1825. The farm, *Dunmore*, passed to his brother, Andrew Lang, who came to NSW in 1824.

Thomas Stubbs

Thomas Stubbs and his wife Anne came to NSW as free emigrants, by the ship LONACH, in 1825. In 1828, he was leasing Binder's Farm and working as an Innkeeper, and although the Census lists him at 'Binder, Patrick's Plains', this might be an error of transcription. He conducted the punt that crossed the river near the Inn. Stubbs also worked as an Agent and Auctioneer.

Stubbs sought to lease some of the land surrounding the convict farms. John Reynolds sold his (promised) 100-acre farm at William River to John Brown who sold it to Thomas Stubbs in 1829. Shortly after, Stubbs re-sold this land.

In 1831, Stubbs put on a larger and improved punt across the river at Paterson's Plains. The report that praised this progress said that previously, horsemen had been drowned trying to cross the river at this place.²⁷ This advancement was indicative of increase in traffic in the district and increase in the importance of the crossing-place. In 1833, Stubbs advertised his interest in Binder's farm for sale. It had been leased by William Wass, who was then deceased.²⁸ William Wass was a mariner, remembered for losing his life in the wreck of a cutter FREDERICK, near Reid's Mistake, in 1831.

The Church and School Corporation and its Land

Thomas Hobbes Scott (1783-1860) was a Church of England clergyman and brother-in-law of John Thomas Bigge, the commissioner appointed to investigate the affairs of NSW.²⁹ Scott was appointed Bigge's secretary for the duration of the inquiry with the right to succeed Bigge if he should die or become incapacitated. After completing the inquiry, Scott returned to England with Bigge. He was consulted at the Colonial Office about proposals for chaplains and schools in the colony and submitted plans for a proposed arrangement for the Anglican Church and education.

Scott was promoted to a high position in the Anglican Church. The British Government created an Archdeaconry of NSW (in the diocese of Calcutta) and Scott was sent to NSW in this position in 1824, on an annual salary of £2000. He took rank and precedence next to the lieutenant governor and was an ex-officio member of the Legislative Council. He was given almost complete control and autonomy of church matters in NSW. He worked tirelessly and exactly at his task. He actually became responsible for the colony's public education, which he believed was inseparable from religious instruction. He believed that the funds available for Anglican churches and for schools should be managed by the same trustees.

In March 1826, Scott set up the Church and School Corporation. By the accompanying Act, one seventh of the land of the colony was to be secured for the sole benefit of Anglican religion and education.

That year, the land on either side of Paterson's River, in the vicinity of the 'plains' and containing the convict farms, was marked out for the Church and School Corporation. These areas are shaded in Dangar's map (see Appendix of Maps, Map 4). The arrangement was that when the seven-year leases, to those convict settlers who chose to stay, expired, the land would revert to the Corporation. The leases dated from about 1824, expiring about 1831.

By 1828, the Corporation was in expectation of receiving title to the land set aside. Another report on the status of the convict settlers was called for, and this will be discussed later. The Corporation's land grants were issued during 1829.

Soon, the whole matter of the Corporation receiving so much land for the benefit of one religion to the exclusion of all others, attracted a great deal of hostility and protest amid which furore Scott returned to England, in 1829. The Corporation was actually

revoked and subsequently dissolved even though one seventh of each land parish had already been granted to it. In February 1833, by an Act of Parliament, 5th William IV, No 2, the land granted the Corporation reverted to the Crown. The land, however, continued to be managed by special trustees. A village reserve was marked out on each estate. Some land was sold. The balance was put up for lease and was usually taken by neighbouring landowners.³⁰ In time, all the land was subdivided and put up for sale by auction.

The few critical years between the setting up and the disbanding of the Corporation coincided with and complicated the matter of the convict settlers of Paterson's Plains.

Roman Catholicism

Although military personnel and convicts of the Catholic faith arrived in the colony with the First Fleet, not until May 1820 did the first two Catholic chaplains - Conolly and Therry - arrive in NSW, a predominantly Protestant colony. One of their first undertakings was to organise a subscription to build a Catholic Chapel in Sydney. Governor Macquarie laid the foundation stone of St Mary's Chapel in October 1821.³¹ Raising funds for the Chapel was a slow task that continued over many years.

St Mary's archives hold an interesting document, the 'Hunter River Subscription List to the Sydney R. C. Catholic Chapel' dated February and March 1825.³² It is interesting in this context because several of the Paterson Plains' settlers contributed. Captain John Powell pledged £1.10.0 which he paid in wheat which actually returned £1.4.0 when sold. Benjamin Davis gave a cask of butter which fetched £5. John Tucker jnr promised wheat which fetched £1.16.0. Richard Binder gave wheat and this sold for fourteen shillings. John Swan gave wheat that sold for £1.1.0. Anthony Dwyer gave a substantial quantity of maize that sold for £4.9.0. Robert Whitmore and John Reynolds pledged sums of money that they do not appear to have paid. John Tucker snr gave a £2 order on a Mr Freeman but a note says the order was not honoured.

Not all these settlers were Catholic - Powells, Tuckers and Swans are listed in Paterson's St Paul's Anglican burial register and headstone lists³³ - but they generously supported the appeal for the establishment of the first Roman Catholic Chapel in Sydney.

Relocating the convict farmers

In 1824, Richard Binder was working as a district constable at Paterson's Plains. The field work that he had to do in the capacity of a constable probably required him to travel across country to the government outpost at Seaham, and to the disembarking place at the limit of navigation on the Williams River. He was, therefore, familiar with, or possibly the locator of, the cross-country track - Binder's Path - that came to carry his name. His familiarity with the country around the upper navigation of the Williams River probably influenced him, and Whitmore and Reynolds, to select three adjoining 100-acre farms in this area in lieu of the land they had farmed at Paterson's Plains.

The government failed to honour the promise to these three men to clear their grants in compensation for improvements at Paterson's Plains. (It would be interesting to know if Benjamin Davis fared any differently). The situation they found themselves in was full of uncertainty. The men responded by selling their right to title of the Williams River land and reclaiming a seven-year lease occupancy of their Paterson's Plains farms.

The same may be said of the men who first chose to keep their farms under the seven year lease - they too must have experienced uncertainty about their situation.

The following years were characterised by much dealing in the one asset they possessed - the value of their leases and the improvements that they had made to the

farms. Binder in particular, enjoyed the added advantage that his farm's strategic location at the river crossing place afforded.

As noted, the promises of title to the 100-acre farms near Clarence Town were soon sold to others. John Reynolds sold his (portion 157) to John Brown who sold it to Thomas Stubbs in 1829. Stubbs sold it to John William Russell in the early 1830s. Title deeds were issued to Russell in 1835. Russell was a Sydney shipbuilder who built a few vessels at Williams River in the early 1830s. Although subsequently leased to others for shipbuilding and later farming pursuits, this farm stayed with the Russell family for many years.

In 1828, the census recorded that John Reynolds and Martha were still occupying seventy-three acres of land at Paterson's Plains. There were no children in their family. Thirty acres were cleared, twenty-five cultivated, and they had two head of cattle. They also had two or three convicts working for them.

Documents have not yet been located to affirm, but subsequent transactions suggest, that all the convict settlers on the east bank were eventually (that is, after 1833, when the Corporation grant reverted to the Crown) allowed to possess the freehold of their farms, as John Swan was able to do, on the western side. However, by the time that the government was in a position to actually make out the title deeds - in the early 1840s - only Swan still retained his land. All other had relinquished their claims by various compensations, sales and other transactions.

About 1834, Reynolds appears to have sold his Paterson's River farm to Benjamin Lee snr, of Parramatta, for £2 per acre. A letter to the Colonial Secretary, dated 13 May 1839, states that Lee had previously purchased 'the land given by the Crown to Reynolds' and requests that title be issued to Lee.³⁴ This comment supports the inference that Reynolds did secure the right to title of his farm after the lease expired and the Crown resumed it. However, further details are elusive and John Reynold's own destiny has not been determined. In 1840, Lee declared the name of the seventy-six acre grant *The Pools Farm*.

Robert Whitmore also leased or sold his right to the land at Williams River (portion 158). In the 1840s and 1850s, it was in the possession of farmers Richard and James Cox. This farm was called *Cox's Farm*, or *Moonby*, for many years. Following the deaths of three members of the Cox family in 1862, *Cox's Farm* was advertised for sale.³⁵ Title was actually issued to Hugh Manning, in 1864.

Whitmore sold the right to his own Paterson's Plains farm to Robert C. Dillin of Hinton who rented the land back to him. Next he sold that agreement to Robert Green, who sold it to James Cohen (Cowan) in whose possession it was in 1829 when title was vested in the Church and School Corporation. Subsequently, the farm reverted to the Crown and James Cohen actually purchased it. The deeds were made out, for ninety-two acres, in 1843, to heir James Cohen jnr because his father, James Cohen, had, by then, died. Dr Coleman later acquired this farm and Coleman's combined properties (Whitmore's and part of Addison's) became *Tressingfield*. *Carlton Cottage* was built on *Tressingfield* and may have been built by Cohen, or Dr Coleman. Dr Coleman returned to England in the mid 1840s, returned to NSW, and died in Sydney in 1852.³⁶ William Munnings Arnold lived at *Carlton Cottage* from the 1840s to the 1850s, prior to his move to *Stradbroke*, and Sarah Middleton, widow of Reverend George Middleton who died in 1848, was living at *Tressingfield*, which was then the home of her son, Charles Robert Middleton, prior to her death in 1863.

Whitmore actually occupied and inherited Addison's interest in the western half (about twenty-five acres) of Addison's farm upon Addison's death. Whitmore sold this 'right' to Dr William Peagam Coleman.

The 1828 census information for Robert Whitmore is ambiguous. There is an entry for Robert *Whitehead* whose farm was 100 acres, suggestive of the Williams River farm, with forty-eight acres cleared, twenty-six acres cultivated and livestock consisting of two head of cattle. However, the farm was named *Mount Pleasant*, *Paterson's Plains*.

Richard Binder appears to have made an effort to establish himself on portion 159 at Williams River. In 1826, he sought permission from the government to cut twenty-five cedar logs 'in unlocated country above the falls' (Glen William) to finish his house and buildings.³⁷ Shortly afterwards, Binder sold the land to John Tucker jnr. The census of 1828 notes John Tucker jnr as proprietor of *Tuckerville*, 100 acres on the Williams River, formerly Richard Binder's farm. Here, thirty acres were cleared, eighteen acres cultivated and seventy-seven cattle grazed.

Binder reclaimed his right to lease the Paterson's Plains farm (the claim was then actually a seven year lease, from 1824) and sold that right to Mr Boucher who, by 1828, sold it to Thomas Stubbs who leased it the following year to John Brown. Brown resided there in 1829. The attraction of Binder's farm was its location near the river crossing-place and on the road leading to it, and the relatively substantial building thereon which was put to use as an Inn.

In 1828, Richard and Ann Binder were publicans at the Australian Inn, Hunter Street, Newcastle. Richard Binder had several associations with hotel keepers and this seems to have been a chosen alternate career to farming. As already noted, he may have used his farm dwelling as an Inn, prior to Boucher, Stubbs and Brown taking it over. In 1823, Binder had been witness at the marriage of John Cheers and Elizabeth Ann Hickey. Cheers and Binder were two of seven Innkeepers in Newcastle in 1828.

The 1828 census raises further questions because Richard Binder is accounted for additionally on 100 acres where forty were cleared and twenty-five cultivated, and three convicts were employed. Livestock carried here were a horse and seven cattle. Curiously, Thomas Stubbs is accounted for at *Binder, Patrick's Plains* where sixty acres were cleared, forty-five cultivated, three convicts employed and livestock consisted of one horse and seven cattle. It appears that some of the convict farms were accounted for more than once in the 1828 census, probably because continual dealing were being made in the leaseholds.

Richard Binder died at Newcastle in 1830. An obituary in the *Australian* claimed that he was the first individual who used the plough on Hunter's River as well as the first to break a pair of bullocks.³⁸ This account of Binder also raises questions of interpretation when one considers the Government Order of 1818 indicates that he only moved there after 1818. This situation represents the problems encountered when trying to recreate past sequences of event. Perhaps his apparent greater wealth than that of the other farmers enabled him to acquire a plough and a team of bullocks while the other farmers still used a hoe and simpler farming aids.

Ann Binder continued the licence of the Australian Inn and was probably the first woman to hold a licence in the Hunter Valley.³⁹

With the expiry of the official seven-year lease on Binder's farm, the land reverted to the Crown. Binder's heirs appear to have had no further claim on it. Apparently, by a later survey, Binder's farm was enlarged to fit orderly section lines, actually becoming two portions (Portions 46 and 48 on the parish map) of about eighty-acres each. In 1840, Dr Coleman had buildings erected on the western part and Benjamin Lee was in occupancy of the house and eastern part. (See Appendix of Maps, Maps 6 and 8).

These two portions were applied for as grants by purchase by Maitland businessmen-investors, Benjamin Lee snr and his colleague George Poulton. Title to the eastern farm of eighty-two acres, now Portion 46, was issued to Lee in December 1842. Binder's house, formerly used as an Inn, was on this land, near the junction of the road to the crossing-place and the road that traversed all the farms on the eastern side of the river. Portion 48, adjoining to the west, was purchased by Poulton. The road to the river crossing traverses this farm. The government may have used some of this land in the early 1820s for a barracks and pound: it was directly opposite to the military station and court house.

Benjamin Lee snr was a wealthy and distinguished military veteran who came to NSW in 1829. He and his family principally lived at Pattamatta although some of his sons became proprietors of extensive business interests in Maitland. The fourth son, John, became a prominent Maitland businessman and politician.

George Poulton was a professional tanner and currier and owned a large manufactory in Maitland and much property there, including the Cross Keys Hotel. In 1845, he surrendered to the Crown the roadway leading to the ferry crossing-place that traversed Portion 46. By 1859, Poulton moved to Parramatta, selling the Paterson's Plains land, and other land in Maitland, to Benjamin Lee snr. Poulton died in 1869 and his close association with the Lee family is indicated by Benjamin Lee jnr, the eldest son, being executor of his will.⁴⁰

Benjamin Lee snr subsequently purchased the road from the Crown, presumably when new bridges provided alternate crossings of the river. Lee's large property (including John Reynold's farm and several portions of the Church land to the east) was renamed *Leeholme* and in 1884, a grand Pender-designed mansion with a tower was built thereon for John Lee. A large brick-built barn remains near the river, from this era, but the mansion has been demolished.

Thomas Addison was one of the later convict farmers to settle at Paterson's Plains. By 1823, Addison had made very little in the way of improvements. However, he retained his land on a lease of seven years, from 1 July 1824. Fifty acres were accordingly marked out for him so as to include his improvements. This land was south of Anthony Dwyer's and north of Whitmore's. Valuable farm improvements were subsequently made because in 1830, they were valued at over £57.

Addison sold the lease of the eastern portion of his land, about twenty-five acres, to John Brown who, in the 1830s, sold it to William Morgan, a merchant of Sydney.⁴¹ Title to this part was claimed by Morgan in 1839. Morgan died shortly afterwards. His heirs appear to have sold their interest in it to Alexander Livingstone of *Bowthorne* in whose name the deeds were eventually made out.

Addison retained the western portion but by 1829, he was dead. He bequeathed his 'right' to this western (riverside) part of his farm to Robert Whitmore's wife, Margaret. In 1829, Margaret Whitmore was spending some time at the Female Factory at Parramatta and she allowed James Cohen to rent the land. Cohen sold this arrangement to Dr William Peagam Coleman who secured the title to it in 1842 and it became part of the *Tressingfield* property.

In 1828, the census notes that Anthony and Margaret Dwyer were at *Macquarie Farm* of sixty acres at Paterson's Plains where all land was cleared, twenty acres cultivated, and thirty-five cattle grazed. No convicts were assigned to them and they had no children.

Dwyer, who declined to move from his farm, was actually promised title to his sixty-acres which he subsequently sold. He died in the early 1840s without the transaction being finalised and in 1845, the land passed into the hands of William Montague Manning who was then solicitor general of NSW. Manning subsequently sold it to William Munnings Arnold. Arnold, who came to NSW in 1839 and married in 1844, occupied *Carlton Cottage* until the 1850s when he began to build *Stradbroke House* on Dwyer's old farm.

The Corporation's land in the Parishes of Butterwick and Middlehope

Correspondence of the Church and School Corporation held in the NSW State Archives is interesting to read for the glimpses given into the early Paterson's Plains community.⁴²

Dangar's 1824 *Report* of the settlers was followed by another in 1826, and yet another was called for by the attorney general and solicitor general, in July 1828. This last report was called for just prior to the issue of title to the Corporation and for the purpose of clarification of the situation as it then existed.

A list of all the people involved was called for. The inquiry wanted to know which had accepted the lease arrangement and which the grant; whether the latter had received grants elsewhere and whether they had relinquished possession of their original farms. A new map was wanted, and a description of the lands occupied by John Swan who stood his ground and declined both alternatives. George Boyle White was the surveyor called upon for this new round of work.

The Corporation was actually given title to 1560 acres in the Parish of Middlehope and 2810 acres in the Parish of Butterwick, in February 1829. This was, apparently, before the matter of the settlers was properly reinvestigated. John Powell was one affected - his 100-acre farm overlooked and included in the Corporation grant. The grant then had to be adjusted to 2710 acres. Powell must have had brief but worrying misgivings about the security of his farm, *Orange Grove*.

The Corporation appears to have sought vacant possession of the land granted them. However, the convict settlers thereon resisted. They said that they all had a claim on government for improving the land. One submission about the occupiers reads:

Anthony Dwyer ... says that he became possessed of his land by the authority of Governor Macquarie but has neither lease nor deed, and vows vengeance against the first person that attempts to disturb him.

William Lythall ... says that he pays rent to Anthony Dwyer and will acknowledge no other person.

Mrs Martian .. has proof that she pays Lythall rent for part of the land which he rents from Dwyer. Mrs Martain says she has no objection to give up possession at the expiration of the time for which she has already paid Lythall rent.

Two others were Magner and Doyle, Tickets of Leave men, who were put in possession by a Mr Brown and pay him the rent of £1 per acre annually; but have no objection to give up possession.

The sixth was James Cohen. He said that the land which he occupies was the property of Mrs Whitmore who was at then in the Female Factory at Parramatta, a prisoner of the Crown. Cohen said that Mrs Whitmore had it bequeathed to her by the late Thomas Addison. Cohen also vowed vengeance against the person that attempts to remove him as he had cleared a part of it. Cohen also held part of the adjoining section, Mr Whitmore's farm, who sold his claim to Government for 100 acres at Williams River.

Another letter, written by John Brown to the Corporation, describes how the two river-front sections of land at Butterwick were occupied. Powell had 100 acres, then Reeves 'by d.' had thirty acres. Dwyer and Addison had thirty acres each and these men 'refuse to move'. Whitmore had fifty acres, Binder had fifty-eight acres and Reynolds, fifty acres. These men had been willing to move to Williams River. The Paterson River farms took up the entire frontage between Dun's and Tucker's land. The adjoining forest had been used as a Common to all of them.

In March 1830, the colonial secretary wrote to the Corporation trustees the following letter⁴³:

Gentlemen,

I have had the honour to receive and submit to the Governor, together with the Surveyor General's report thereon, your letters of 16 and 27 May 1829; No 1045 and No 1059, respecting certain individuals occupying lands in Paterson's Plains, or the Parishes of Butterwick and Middlehope, which have since been granted to the Church and Schools Corporation by deeds dated the 3rd February 1829.

From the Surveyor General's Report it appears that the lands alluded to were originally occupied by seven persons named in the margin (1. J. Powell, 2. A. Dwyer, 3. T. Addison, 4. R. Whitmore, 5. Richard Binder, 6. J. Swan, 7. J. Reynolds) under circumstances detailed in the letter from the late Surveyor General of which a copy is enclosed. (J. Oxley, 17 February 1826) A promise of a grant of 30 acres to each is stated to have been made by Governor Macquarie. But his Excellency having quitted the colony without giving specific instructions to this effect the succeeding government deemed it more expedient and no doubt equally advantageous to the parties, to offer each of them (with the exception of Powell who obtained his grant on the spot) either a grant of 100 acres elsewhere with compensation for their improvements calculated agreeably to the letter of Colonel (then Major) Morisset of which a copy also accompanies (F. Goulburn, 16 June 1823) or else, a seven year lease of a quantity larger than they had before occupied on the spot at the rate of half a Spanish dollar per acre, per annum.

Powell as above mentioned obtained a grant of 100 acres on the spot, at the special instance of the Commandant, and this land having been erroneously granted to the Corporation a Memorandum to this effect, as you are aware, has been endorsed on your deed of grant and forms the subject of my letter of 31 August No 29/47, and 12 September, No 29/57.

Swan having declined both the alternatives above specified forms a special case and I shall do myself the honour of communicating for you his Excellency's instructions respecting it at an early opportunity.

Three of the others, namely Whitmore, (sic) Binder and Reynolds, accepted the offer of 100 acres elsewhere and obtained possession accordingly on William River. But they still have a claim for the value of their improvements calculated in the manner specified and as neither the original statement of these improvements prepared by the late Surveyor General, nor any copy of it, can be found, His Excellency recommends your causing their extent to be now ascertained and the amounts of compensation given to the parties or their lawful representatives accordingly - as the Corporation will enjoy the benefit of these. His Excellency considers it but just that they should defray the expenses. Upon this being done, there should seem to be no further impediment to your either allowing the individuals to continue their occupancy or lawfully dispossessing them, at your option.

Messrs Cohen, Brown, Stubbs, and others, the present occupants, can of course have no stronger claim than those original tenants.

The two remaining parties, Dwyer and Addison, preferred the alternative of enlarged leases on the spot. These leases have not yet been executed, but as the descriptions were furnished by Mr Oxley on 16 May 1824, the agreement may fairly be assumed to have been then concluded and as it appears from the letter of the late Solicitor General of which a copy is enclosed (11 August 1829) that the non-execution of the lease is unimportant, the parties will be liable to pay the rent of half a Spanish dollar per acre from the 1 July 1824 - to the government until 3 February 1829, the date of your grant and to the Corporation from the last mentioned day inclusive.

After the 30th June 1831, when the seven years from the commencement of the leases will expire, it will of course rest with the trustees either to dispossess their tenants or permit them to continue. But I am commanded by His Excellency to add that, if it will facilitate the closing of these transactions, he will have no objection to allow these two individuals, Dwyer and Addison, the same terms now as were formerly accepted by the other three, Whitmore, Binder and Reynolds, namely permission from the government to select 100 acres each elsewhere and compensation

for their improvements - to be paid them by the Trustees. I shall accordingly await your reply ere I cause their leases to be prepared.

In conclusion, I do myself the honour to inform you that in order to render the matter clearer, the Surveyor General has been instructed to furnish you with a sketch of the allotments of land in question and that the several parties have been referred to you for answers to their respective applications.

Surveyor White completed his work. The value of improvements were estimated as follows: Binder, £120: Whitmore, £32.13.0: Addison, £57.05: Dwyer, £73.15: and Reynolds, £44.10. The total was £328.03.04.

These values are a considerable increase on Dangar's estimates, made in February 1823 (page 16) especially for improvements made by Thomas Addison and Anthony Dwyer.

Archdeacon Scott thought that it would be a good idea, 'after the government settled the compensation claims in the Parish of Butterwick', to prepare a subdivision of the riverside land into lots of ten to thirty acres. It is interesting to note that neither the government nor the Corporation wanted to pay the compensation, each suggesting that the other do so! Whether either paid has not been determined, nor whether any of the surviving convict farmers sought the repeated 100-acre farm offer anywhere else. It is possible that the government did offer them title to the Paterson's Plains farms in lieu of the compensation although by the 1840s, when the paper-work was ready to be finalised, none were in a position to receive it.

The village reserves

After the Crown resumed the Corporation's land, a village reserve was marked out in both Middlehope and Butterwick Parishes. The reserves would have provided camping places for teams and travelling livestock.

The Middlehope reserve is notable for having the early road traverse it *en route* to the Munybung range and the Upper Paterson. This was the direction of travel to the Upper Paterson before the present village of Paterson was established, about 1835. At some time, possibly in the 1850s, this village reserve was sold in eight portions of approximately eighty acres each. Three lots adjoining *Tocal* were purchased by Felix Wilson. The remaining five, continuous with Timothy Nowlan's 3800 acres to the west, were purchased by John Nowlan, son of Timothy Nowlan.

In Butterwick village reserve, land was divided into small lots and a section for a cemetery was marked out. Roads traversed it and some lots were sold to applicants.

The increasing importance of the government reserve, until 1835

In 1822, the government outposts at Paterson's and Wallis' Plains were each staffed by a constable and three soldiers. Their business previously involved the convict timber-cutters and the surveillance of unauthorised travellers, but now, additionally, they had to protect new settlers against the natives and the misdeeds of uncooperative convict servants.

Dangar's Map of the lands bordering the Hunter Valley, printed about 1828 but representing the situation existing prior to that date, shows a government or military station on the west bank, at the crossing-place. Here, a junction of communication developed between the Maitland-to-Paterson road along the west bank, and the tracks leading from the east bank towards Williams River, or along the east bank of Paterson's River.

The buildings at this locality comprised one or two that were used to accommodate a party of soldiers, and another used as a court house. About 1818, several similar 'military stations' were set up and 'cottages' built, at strategic places in the lower Hunter area. This was during the time of Major Morisset's command. They were used

by him when on any tour of duty either as a magistrate - he being the only one in the Valley at that time - or as commandant taking the general muster.

These government outposts assumed considerable importance during the next decade. Some of the men appointed to duty there include Kerry Lyne, Ralph Clarke, and Thomas Quinn, who are mentioned later. In 1824, Richard Binder served for a time as clerk to the magistrates. In 1826, Joseph Thompson was appointed constable and scourger.⁴⁴ In May 1827, John Brown took on the job previously held by Binder. In the late 1820s and early 1830s, John Allman was clerk to the magistrates and deputy post master. William Dun was still coroner. By this time, six constables and a sergeant were stationed at the outpost. In 1835, John Swan was appointed pound keeper.

One building at Paterson's Plains was damaged by fire in 1826, and tenders were called to build a lock-up.⁴⁵ The principal building continued to be used as a court house until 1835. The similar buildings - at Nelson's Plains, Seaham, and Cottage Creek, were sold in the late 1820s and most were dismantled. That at Wallis' Plains and Paterson's Plains remained in government use, the latter until police business was transferred to the new township of Paterson in 1835. The government outpost was an important facility until that event.⁴⁶

However, in 1829, when title was issued to the Corporation's land, the government outstation was incorporated into the 1560-acre grant in the Parish of Middlehope. It was not marked out as a separate entity until this land was subdivided and submitted for sale in 1871.

Execution

In 1833, the colony's newspapers noted that a man was executed at Paterson's Plains.⁴⁷ The circumstances surrounding this event, according to evidence presented at the trial, are as follows:

One morning, in October 1832, the man in charge of handing out rations at Edward Gostwyck Cory's farm, *Gostwyck*, was tardy at his task. The assigned men had not received their food when the horn sounded for them to begin their day's work. Mr Cory went to the huts to determine why the men had not appeared to begin work. Cory directed one man, whom he knew had already breakfasted, to work at the quarries. This man, Joseph Coleman, appeared to hold a grudge. He returned from the quarries and asked for a spade. When Cory obtained a spade for him, Coleman struck Cory a blow with it, rendering him senseless. Coleman was taken into custody. He claimed that he could no longer stand the tyranny on the farm. The trial was held in February 1833. Coleman was tried for assaulting Cory with a spade with intent to kill and murder him. He was found guilty and sentenced to death.

During March, an effort was made to have the sentence mitigated but this only delayed the execution. He was ordered to be hanged at Paterson's Plains. The gallows 'at the Hunter', presumably at Wallis' Plains, were dismantled, removed to Paterson's Plains, and re-erected. Here, Joseph Coleman was hanged, and died after 'a few short struggles'. His body was taken to Maitland for burial.⁴⁸

The buildings on the government reserve

In the 1830s, the land about the outstation, and the buildings other than the court house-lock-up, were rented by Timothy Nowlan who owned adjoining land. The Anglican minister thought that the buildings that Nowlan occupied would be better suited for religious and school purposes and urged securing them for this use. Divine Service was then held in the court house. The space where the minister preached was separated only by wooden bars from the lock-up house, the prisoners in which were perfectly visible to the congregation. Under these circumstances, it was said, there is a *very general and not altogether unreasonable objection to attend public worship*.⁴⁹

It appears that John Swan undertook to erect buildings on *Lemon Grove* for a school and chapel as references indicate that Ralph Clarke, the constable, built one for him for such a purpose.

From about 1828, the numerous landowners of the Upper Paterson began petitioning for a township and government services at a site more convenient to them. In 1846, new buildings - court house, police office, gaol - were constructed at Paterson, and in 1835, the police duties moved there. In 1840, the pound was moved from 'Old Banks', to Paterson township. Robert Studdert was then appointed clerk to the magistrates at Paterson.⁵⁰

Ralph Mills Clarke

Ralph Mills Clarke was born in 1801. He became a carpenter and joiner by trade, but entered the Navy and served as sergeant in the 4th Division of the Royal Marines for over five years. He was twice wounded in the defence of his country. He forfeited a naval pension to move to NSW to whence he came on the ship *DICK*, in 1817, on which vessel travelled Lieutenant Phillip Parker King, R. N., and Lieutenant Frederick Bedwell, who were to undertake a thorough coastal survey of Australia. Clarke spent two years in the naval survey work accompanying King and Bedwell on the cutter *MERMAID* and then sought a discharge because of infirmity and ill health. He had been a Navy man for over eleven years. (Bedwell returned to England, but in 1827, he returned to NSW and shortly afterwards settled at *Valentia Lodge, Cintra, Paterson*).

About 1820, Clarke began his long service in the Paterson's Plains area as a constable. In 1827, Clarke was promoted district constable and poundkeeper, replacing Kerry Lyne who resigned. Thomas Quinn, a free immigrant who came to NSW in the ship *MARTHA*, was appointed an ordinary constable, assisting Clarke.⁵¹

Serving as a constable does not seem to have been a full-time job as in 1824, it was noted that he was additionally employed erecting a house for John Swan. He also erected a chapel-school house on *Lemon Grove*, and he built the punt that operated across the river nearby. He is credited with supervising the convicts who built the Paterson Hotel for Captain James Phillips.⁵² This interesting two storey building is believed to have been designed by John Verge about 1835 and erected shortly after that date.⁵³ Clarke was additionally a tenant farmer at *Tocal*, in Webber's time.

He was still chief constable and poundkeeper at Paterson's Plains in 1830⁵⁴ although Lyne appears to have been fulfilling that role again in 1832.⁵⁵

Clarke also had a 100-acre farm, leased from the Church and School Corporation from whom he applied for land to lease in December 1828. His referees in this application were Messrs Close, Aubin, Webber, Townshend, Reid and Dun, indicative of the high opinion held of Clarke by his neighbours. In 1831, his address was noted as 'Glebe land known as Orphan School Farm'.⁵⁶ Here, in May 1831, a murder was committed, the victim was James Michaelroy, an elderly man. The suspected murderer was John Roberts, Ralph Clarke's stock-keeper.

In his capacity as constable, Clarke was responsible for apprehending eight bushrangers who raided the home of James Adair and for apprehending the suspected murderers of John McIntyre of *Torryburn*.⁵⁷ In all, he apprehended seventy runaways including thirteen convicted for capital offences and forty for minor crimes.

He was highly respected by the landowners. However, illness and deafness led to his decision to resign. Seventeen settlers agreed to increase his income by £2 each if he would continue as chief constable. However, his health prevented this. He sought a land grant. His excellent record of useful service suggests that he deserved one, but this did not occur. In his retirement, he had a wife, two children and mother-in-law to support. His wife, Ann Pugh, was born in Sydney in 1812 and married Ralph Clarke in December 1828. In October 1828, Ann's brother, John, had married Mary Swan - Paterson Plain's first child - both ceremonies performed at the *Lemon Grove* chapel. Clarke took up carpentry again

and later worked as a superintendent for six years at *Tocal* where he died in October 1841, accidentally killed in a fall. Two sons survived him.

Ann remarried in 1846, James Clements, a former assigned man who worked for Caleb and Felix Wilson, probably first at Sydney and then at *Tocal*.⁵⁸

Other Paterson's Plains settlers

In 1828, John Tucker snr, sixty-nine years old, and Ann, sixty years, were living at their farm which was called *Surrey*. Fifty of the 300 acres were cleared and forty were under cultivation. Livestock consisted of one horse and forty-six cattle.

In 1828, John jnr, Frances and their six children aged eight years to three months, were living at *Albion Farm*, of 300 acres. Ninety acres were cleared, seventy acres were cultivated and livestock consisted of five horses and fifty-eight cattle. As already noted, John jnr also managed *Tuckerville*, 100 acres on the Williams River, formerly Richard Binder's farm. Here thirty acres were cleared, eighteen acres cultivated and seventy-seven cattle grazed.

About 1836, John jnr built a substantial two storey brick house, known as the *Red House*.

Death claimed three members of this pioneering family within a few years of each other. John snr died in 1834, John jnr died in 1838, and Ann died in 1839. They were buried on *Albion Farm*. When the title deeds were issued for the land, in 1844, they were issued in the name of the executor to the Tuckers' estate - David Brown of Paterson. John jnr's wife continued to live at *Albion Farm* for some time. The *Red House* was later used as an Inn. In 1901, it was demolished to make way for a new house.

After her husband's death, Frances remarried first James Peattie and second, William Doidge.

Of Frances and John jnr's children, Ann, born in 1820, married John Taylor. Frances, born in 1822, married George Middleton son of Reverend Middleton. Charlotte, born in 1824, married Daniel Peattie, brother of James Peattie, her step-father. Daniel was a shipbuilder who built sailing vessels including several for Captain David Brown who settled at Paterson township where he kept an Inn and store. Stephen, born in 1826, married Frances Hubback. Frederick John, born in 1828, remains unaccounted-for and Phyllis married Reuban Tranter. Descendants of these families still reside in the locality of Paterson's Plains.

In 1866, the south-eastern portion of *Albion Farm* was sold to Daniel Peattie. Other portions of *Albion Farm* were subdivided for a School of Arts and the present Iona School.

By the end of 1825, John Powell had cleared forty-five of his sixty acres and his livestock were increasing in number. He had three convict workers. He sought additional land. His neighbour James Phillip Webber, recommended him to the governor as a skilful farmer and quiet and orderly member of society. Powell's grant *Orange Grove*, authorised by Governor Brisbane in 1823, was enlarged to 100 acres in 1825.

In 1828, eighty acres were cleared, nearly sixty acres cultivated and thirty-seven head of cattle were kept. There were then four children aged between eight years and new born - Elizabeth, Charlotte, John jnr, and the unnamed baby.

In 1829, John Powell leased an extra 500 acres of the Corporation land. The confusion that arose about his 100-acre grant has already been mentioned.

John and Charlotte Powell lived their remaining lives at *Orange Grove* and in all, had twelve children, although several died at an early age. Charlotte died in June 1858, aged fifty-nine years. John died in June 1866, aged eighty-five years. Both are buried in St Paul's churchyard, Paterson, where several of their children and grandchildren are also buried. The deaths of so many young adults and infants, as befell the Powell

family, appears pitiable today but undoubtedly reflects the prospect of life in the nineteenth century.

Elizabeth (1820-1846), the eldest daughter, married James Keppie of Paterson. James was a seafarer for many years, working on coasters plying between Port Jackson and the Hunter. He also held the licence of the Bush Inn, at Paterson, which was Captain David Brown's Inn for many years. Elizabeth died following the birth of their fourth child, in 1846. She was twenty-six years old.

Four other children, none of whom married, died as young adults having lived their lives at *Orange Grove*: Charles (1833-1859), Ann (1835-1856), Emma (1840-1860) and David (1842-1869). Two sons, Zaccariah (1829-1868) and Walter (1830-1913), and their wives and families, lived at *Orange Grove*, as did the youngest daughter Isabella (1852-1918).⁵⁹ Other children of John and Charlotte may have moved away from *Orange Grove* following marriage. However, a large extended family group remained associated with *Orange Grove* until the property passed to a new owner in the late 1960s.⁶⁰

John Swan

Swan, as already noted, was insistent upon retaining his farm at Paterson's Plains despite all attempts to remove or relocate him. Correspondence concerning his negotiations in this matter have not yet been located or viewed but would certainly be of interest. In 1824, Ralph Clarke built a second house at *Lemon Grove* for Swan and a chapel-school house. These improvements probably contributed to his unwillingness to move. Later, at least two of Margaret and John Swan's children - Sarah and Mary - were married in this chapel.

In 1828, Swan had a conditional pardon and Margaret had earned freedom. The children from John's second marriage were John jnr, Sarah and Jane. Swan's farm was then 100 acres in extent. Seventy acres were cleared, sixty acres cultivated, and livestock consisted of two horses, twenty-two cattle and twelve goats. These are the only goats accounted for in NSW in the 1828 census! Was this another 'first' for the Paterson's Plains convict settlers? Five convicts were assigned to Swan at *Lemon Grove*.

In 1829, John Swan applied to lease about 320 acres of adjoining Corporation land. The 1832 *New South Wales Calendar and General Post Office Directory*, describing the road through the 'Church grant of Paterson's Plains', noted:

*An old man, named Swan, has a farm between the road and the river, in a high state of improvement ...*⁶¹

In 1832, Swan was appointed pound keeper at Paterson's Plains, succeeding Ralph Clarke. He died at *Lemon Grove* in 1833, aged sixty-four years. His will suggests that he was in expectation of getting title to the 320 acres that he leased from the Corporation.

The title deeds to Swan's farm was subsequently issued in the name of the trustees of his estate, J. H. Broughton and William Dun, and only 180 acres were described. The extra eighty acres were a lagoon associated with his farm.

As already noted, John Swan had a son Richard who remained in England. Swan wanted Richard to come to NSW but he only did so after his father died. Richard was the major beneficiary in his father's will.⁶² Receiving the inheritance was conditional upon his coming to live at *Lemon Grove*. Richard Swan, his second wife Mary whom he married in 1826, seven children of Richard's first marriage and two of the second, came to NSW and *Lemon Grove* in 1835. Two more children completed their family.

Jane, the third daughter of Margaret and John Swan, married Evan William Evans of *Bellevue* in 1839.⁶³

In 1836, an 'attempted murder' took place at *Lemon Grove*. Mrs Swan snr had several assigned men working on the farm. Young Mrs Swan appears to have been 'down with one of the assigned men, at the plough' or, as another account described it, 'having connections with' the assigned man. Another man 'told on' him to Mrs Swan

snr. The first reacted strongly to the second for his interference and hit him over the head with the fire shovel, causing unconsciousness and grievous bodily harm. The violent man denied the accusations. The injured man was treated by Dr Coleman. The accused man was tried in the Supreme Court on 10 May 1836. Dr Coleman gave him a reference, saying he had known him for two years and considered him a steady well conducted young man. He was found guilty, but of what, and how he was punished, has not been determined.⁶⁴

Mary Swan snr died at *Lemon Grove* in November 1852, aged sixty-three years.⁶⁵ Richard Swan died in January 1870, aged seventy-eight years. A large extended family lived at *Lemon Grove*, for many years.

Swan descendants held the estate until the 1950s. An old private burying ground on the farm holds about fourteen interments of family members.

Dr William Evans

In 1828, ten convicts were working at *Bellevue*, 310 acres were cleared, 127 acres cultivated, and livestock consisted of five horses, 134 cattle and 104 sheep.

In time, Dr Evans ran a cottage hospital at *Bellevue*. When, in 1865, surveyor G. B. White drew a map of the land about *Bellevue*, a burial ground was shown thereon. Evans' land adjoined the village reserve and perhaps, like at the Butterwick village reserve, a cemetery had been marked out.

Some Evans genealogy would be desirable so that his role as a Paterson's Plains settler could be appreciated. He died in 1860.

The later free Settlers, about 1840

Benjamin Lee

Benjamin Lee was a wealthy veteran soldier of the Spanish and American wars of the early nineteenth century who came to NSW in 1829, with his fifteen children, to manage Macqueen's *Segenhoe* estate in the Upper Hunter Valley. In 1834, he purchased Reynold's farm for £2 per acre, naming it *The Poole Farm*. He also bought the eastern part of Binder's farm of eighty-two acres and title was granted to him of this land in 1843. He did not live here, but resided at Parramatta. One son, Benjamin Lee jnr, lived in the Maitland area. He represented West Maitland in the Legislative Assembly between 1864 and 1874. Another son and Maitland businessman, John Leonard Lee, built *Leeholme*, the huge Victorian mansion with tower, in the 1880s.⁶⁶ *Leeholme* was demolished in the mid nineteenth century although an old brick barn remains on the estate.

The name *Poole Farm* appears to have been in common use during the nineteenth century because when Robert Sexton died in April 1870, his place of residence was *Poole Farm*, 'Old Banks'. Sexton was a former convict who, when pardoned, married, and with his family, came to the Paterson's Plains area and found farming work at several properties, finally settling at Lee's property at 'Old Banks'.⁶⁷

William Munnings Arnold

William Munnings Arnold (1819-1875) came to NSW in 1839 by the Ship *MARY*, when aged twenty years. He was possessed of considerable wealth and intent on improving his prospects as a colonist. He was too late for the early round of land grants and, unfortunately for him, just in time for a lengthy drought in the country districts and impending financial crisis in the colony generally.

Arnold apparently at first took up land near George Townshend's *Trevallyn*, in the upper Paterson Valley, and thereby began a life-time acquaintance with this colonist whose life story, researched and written by Jack Sullivan, has been recently

published.⁶⁸ By 1841, Arnold was living at *Carlton Cottage*, (now *Tressingfield*), a farm he probably rented from Dr Coleman. In his early years as a colonist, he apparently worked in partnership with one Henry Scott. More details about Arnold are contained in *William Munnings Arnold 1819-1875* by Harry Boyle.⁶⁹ In 1844, Arnold married a daughter of Reverend John Jennings Smith of Paterson.

Arnold began to build *Stradbroke House* about 1840 although he lived at *Carlton Cottage* until at least 1846. Further enlargement at *Stradbroke* was undertaken in 1850, and again between 1855 and 1865 when the stables, dairy and barn were erected.

In 1856, Arnold was elected to the Legislative Assembly as representative for the Durham electorate. He filled many positions including Speaker, Secretary for Lands and Secretary for Public Works. Arnold acquired much adjoining property at Paterson's Plains. In a great flood in 1875, he was drowned.

In 1921, the Sparke family came into possession of *Stradbroke*. The Sparke family was linked through marriage to Felix Wilson. In 1833, Felix Wilson married Esther Holt, a sister of Mrs Mary Ann Sparke.

...

In 1853, the Quaker, Frederick Mackie, who was visiting the Australian colonies, travelled through the Paterson Valley. On 19 September, he journeyed by mail cart - 'a pleasant ride' - from Morpeth to Paterson and recorded the following description of the land and vegetation in the vicinity of the Plains.

... for some miles the country was green with fine crops of lucerne which are now being mown for hay. The rest of the way was through bush consisting principally of 3 or 4 species of *Eucalyptus* - gum tree - the blue gum, iron bark, stringy bark etc. We crossed the rivers Hunter and Paterson by punts. The latter is a small river exceedingly circuitous watering a fertile valley enclosed with wooded hills. The verdure here reminded me of England, owing principally to the bright greens of the white cedar and Sydney cedar, the only two deciduous trees in the colony. The former is now flowering having bunches of lilac coloured flowers. The latter is allied to the mahogany and is the *Cedrela australis*, it is much used for inside work in houses, for doors, window frames and mantelpieces and has much the appearance of mahogany.⁷⁰

...

1841 Hunter Valley Directory, by Elizabeth Guilford.

Of the players in this story, the following are mentioned in the above *Directory*.

Arnold, Williams M - *Stradbroke House*, near Woodville, Paterson's River.

Partnership with Henry H. Scott as farmers dissolved mid 1842.

Clarke, Mrs Ralph Mills (Mary Ann) - *Tocal* (May 1840)

Clarke, Ralph Mills - Overseer, *Tocal*, died Oct 1841

Cohen (Cowan), James, settler, Paterson (July 1840)

Dun, William - *Duninald*, near Paterson

Dwyer, Anthony - land owner, Butterwick (Dec 1840)

Lee, Benjamin jnr - Paterson

Middleton, George, and (Mrs Frances Middleton), gentleman, Butterwick

Poulton, George - tanner, of High Street, West Maitland

Powell, John and Charlotte - farmers, Paterson, 1840.

Reynolds, Charles - new settler, *Louth Park*

Swan, John and Charlotte - *Old Banks*, Paterson (1842)

Stubbs, Thomas - Agent for Hunter River Auction Company, Auctioneer, Sydney

James Peattie *Albion Farm*, Paterson River.

Daniel Peattie, shipbuilder, Paterson

Webber, J. P. - grantee of 2560 acres, Durham

Wilson, Felix - Sydney merchant, country residence *Tocal*, Paterson.

Disposal of the Church and School Corporation Land

In 1865, the leasees of the former Corporation lands in the County of Durham were as listed below, together with the areas involved, totalling 29 453 acres. The leases were generally for twenty-one years:⁷¹ The land in the Parishes of Wolfingham, Middlehope and Butterwick will be further considered.

County of Durham 29,453 acres

LEASEE	ACREAGE	PARISH
William Russell	2560	
G Bowman	2552	
John Brown	2600	
Henry Dangar	2420	
B Hudson	2256	Wolfingham
Felix Wilson	358	Middlehope
John Robson	135	
T Nowlan	950	Middlehope
John H Dunn	1220	Butterwick
John McPhie	1140	Butterwick
Donald Stuart	1034	
Walter Scott	1030	
R Johnson	2100	
William O'Neill	2150	

The last chapter in the saga of the former Corporation land in the Parishes of Butterwick and Middlehope occurred in 1871 when it was determined to subdivide and submit to auction. Wolfingham is not part of the Paterson's Plains story but this nearby land was sold at the same time.

The land was of most value to adjoining landowners who frequently had previously held long leases on large acreages of it, such as Timothy Nowlan, Felix Wilson and the leasee of *Tocal*, Charles Reynolds. However, selling small free-holdings gave a greater number of people a chance to buy a farm and so encouraged closer settlement. Where the land was of potentially high productivity, auction was a sure way for the government to get the best prices.

When preparing such new subdivisions of extensive areas of land, new parish roads were generally marked out at the same time. The present 'Tocal Road' was marked out at this time, affording a road frontage to the greatest number of allotments.

A principal land owner in Wolfingham Parish was Beresford Hudson whose 1823 grant of 2000 acres, west of Middlehope, extended to the northern frontage of Hunter's River. The grant was over one and a half kilometres wide and five and a half kilometres long. Hudson's Peak, (or *Mount Elizabeth*, as Paterson and Grant named the eminence in 1801), is a landmark in the centre of this grant. Hudson's son took over managing this grant and leased over 2250 acres of the adjoining former Corporation land under a twenty-one-year lease that expired in 1871.

Some good river frontage of the Corporation's land had been sold earlier, thereby diminishing the overall value of the larger block. The trustees determined to subdivide the Wolfingham estate into eighty-acre lots of good land and 200-acre blocks of poorer or mountain land only suitable for grazing and timber getting. A road to West Maitland and a river crossing place were to be reserved along the river, and this road was to extend towards Munybung. Thirteen lots were marked out. Access to portions 1 to 4 was from Hunter's River, and the rest accessed from the Paterson area. It was impossible to mark out a practical road through this block from the river towards

Munybung but one was recommended through Hudson's property. The important issue for this part of the story is that thirteen lots were created.

In Middlehope, 950 acres of the former Corporation land was leased by Timothy, then John, Nowlan, and 500 acres leased part to Felix Wilson and part to a John Robson. The land that fronted the river was of greatest value. The rest was barely average grazing land.

A subdivision of twenty-three allotments was prepared. The old government outpost was reserved as a watering place, or camping place for livestock, and a road marked out leading to it from the new road to Paterson. While most lots were sixty to 120 acres, ten lots were of six to eight acres and these were supposed to satisfy country tradesmen's needs.

In Butterwick, the land arrangement was as follows: in 1850, Captain John Henry Dunn (a retired mariner with no family connections to William Dun) had extended his lease, which he first entered in 1843, for a further twenty-one-years. He leased 1220 acres or 'Lot 6' of the former Church and School Corporation estate upon which he had built a cottage, huts, yard, barn, hay shed and fencing. He had also established an orchard. In October 1853, his wife, Elizabeth Mary, died, aged fifty-seven years. At the time of this event, they were living at *Coleman Cottage*.⁷² (This may be the same building as *Carlton Cottage*). Dunn subsequently remarried, Sarah.

The Crown Land Alienation Act of 1861 permitted leasees such as Dunn to purchase their improved land without competition so, aware of the forthcoming sale, he applied to purchase 130 acres of the lease containing the improvements, without competition.

John McPhie also leased 1140 acres or 'Lot 7' of the land and had erected a dwelling-house, barn, dairy and outhouse, and fencing thereon. McPhie also sought to buy land containing his improvements, without competition.

The best land was thought likely to fetch £4 per acre if sold in small lots and the back country, about £1 per acre. Suggestions were made to divide the land into lots that would include a little good land as well as grazing country, to ensure getting a maximum overall price for the government.

Charles Reynolds, proprietor of *Duninald* and other properties and leasee of *Tocal*, died on 15 September 1871, leaving the negotiations concerning the land in which he had an interest to his son, Frank. Frank Reynolds expressed an interest in that part of Lot 6 that adjoined *Duninald* and suggested to the trustees a plan of subdivision creating four portions so that he could bid for the land he desired.

William Munnings Arnold began showing interest in the land, submitting lengthy letters to the surveyor general, claiming that he already sub-leased part of Dunn's lease that was continuous with his garden and therefore he argued that he had a prior claim to the land leased by Dunn, whose lease had reached its expiry date. Apparently the well-being of Arnold's garden and the control of a large lagoon was threatened by any changes to the existing situation. Dunn was able to secure a weekly lease until the land was sold, thereby forestalling Arnold's attempts to establish a prior claim to it.

The surveyor who actually did the work rejected both Dunn's and McPhie's claims and suggestions, and would only agree to Reynold's if he guaranteed a certain price for the land, which was unacceptable to Reynolds. Captain Dunn then made an offer of £1 per acre for the 1220 acres he leased but this was refused. The surveyor then began recommending that the Butterwick land leased by Dunn be sold as one or two blocks, but he ignored Dunn's and Reynold's propositions for it.

Aware of goings-on about Butterwick land, John Nowlan, who had not attempted to influence the surveyor or the subdivision there, and for whom the option of larger blocks was preferable, put forward a suggestion for a more agreeable division of the Middlehope land, supported by a case that showed a better return to the government from his suggestion than the arrangement already proposed. His appeal was ignored.

The matter of the final subdivision for the Butterwick land was apparently not finalised when the land sale for all three parishes was advertised in the *Government Gazette*, 27 September 1871. The sale was to be held on 31 October 1871 and went ahead despite a degree of protest about what was happening.

The Police Department at East Maitland appealed successfully to have two lots in Middlehope reserved from the sale and made available for use as police paddocks.

George Townshend of *Trevallyn* who, as Jack Sullivan's monograph depicts, displayed considerable antagonism towards Arnold, was one who was so outraged as to write immediately to the colonial secretary. He wrote:

... great dissatisfaction is felt in these parts at the way that the Church and School lands in the parishes of Middlehope and Butterwick are laid out, and advertised for sale at Maitland on the 30th of this month, putting it out of the power of many persons who are desirous of obtaining small farms to get them, in which form the said land would bring much more than as now apportioned out. It is rumoured that some secret and undue influence has been used to get them so allotted.

Reynolds also wrote a protesting letter because, he claimed, the arrangement prevented him purchasing land adjoining *Duninald*.

Frank Reynolds protested immediately he learned that the two blocks in Middlehope were withdrawn from the sale. They adjoined *Tocal* and had river frontage, and he wanted to buy them. The lots were withdrawn from the sale, although it was later determined that the police had no power to have such a request conformed with and, later, Reynolds did manage to buy one - next to *Tocal*, and Robert Logan of *Torryburn* bought the other.

What happened was that Wolfingham land was sold in thirteen lots, Middlehope in twenty-three lots, and only the former Lot 6 of Butterwick sold, in two lots - the southern section arranged to surround *Stradbroke* and include the part Arnold had formerly sub-leased from Dunn and desperately wanted for his garden. Arnold secured this at £2.13.0 per acre and the northern part was sold to Robert Studdert, at £1 per acre.

Captain Dunn, after twenty-eight years occupancy, was dispossessed of his improvements. Dunn, who was an elderly man at this time, subsequently resided at a farm or cottage at 'Old Banks' where he died in 1884, aged ninety-one years. Sarah died two years later, in 1886, aged ninety-one. Both Sarah and Dunn, and Dunn's first wife, are buried in St Paul's churchyard.

McPhie's case was ignored for the time being and this part of the estate was left for a later sale.

Further incensed, partly because his previous protest was ignored, Townshend wrote again to the colonial secretary. If Arnold was given special treatment so that he could get the land he coveted at a low price, then Robert Studdert was also favoured by getting the remainder at a give-away price. Townshend wrote, obviously in anger:

The land in Butterwick was sold in two portions, the southern one bringing £2.13.0 per acre, the northern one, the minimum £1 per acre, yet both were equally good land. The loss to revenue about £1000, or more as the land in Middlehope, of no better quality, brought up to £5 per acre. Even a clergyman said that it was a most dishonest transaction.

This is not the only thing done in this neighbourhood deserving of reprehension. I allude to grants by Government of £95 and £240, for repairing the crossing-places from Gresford to Lostock on the Paterson, and Eccleston on the Allyn Rivers. I wrote to the then Minister for Lands (Mr Sutherland) before the money was granted, representing that the claims were not fair ones. I also wrote to the present Minister (sending him copies of my letters to his predecessor), but neither gave me any reply. Besides those grants, one of £360 has lately been given for a bridge over a creek close

to the township of Paterson, and £25 per mile from Dunmore Bridge to the Paterson Punt (8 miles), as a road allowance, that being £200, and that to be spent in one year on a road equal to any English squire's drive. I do not see how so much money can be fairly spent on it. I heard that a gentleman had suggested that trees should be planted on each side, which, if done by private means - and not out of the public purse - would be well ...

Townshend's letters were received but he claimed that he was given no replies.

The land in Wolfingham was sold as follows: John Nowlan bought lots 1, 2 and 3, Beresford Hudson, lot 4; lots 5 to 9 were not sold, lot 10 was sold to John Hall, and lot 11, to Abraham Nivison.

In Middlehope, lots 1 and 2 were withdrawn from sale; Robert Logan bought lots 3 and 4; Frank Reynolds bought lot 5; John Nowlan bought lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 20, 21, 22 and 23, and George Brooker, lots 15, 16, 17, 18 and 19.

In Butterwick, only Robert Studdert and William Munnings Arnold secured land.

The story of the Paterson's Plains settlers and their land is concluded at this point, except for a few words on the extension of *Tocal* into the former Church and School Corporation land.

Lot 1 was bought by Frank Reynolds in 1871 and is known as the *Glendarra* farm. At a later date, this was enlarged by the acquisition of lots 2, 3 and 4 of the 1871 subdivision, previously the purchases of Robert Logan. The College buildings designed by architects Philip Cox and Ian Mackay, and erected in the 1970s, are on lot 5, which was also bought by Frank Reynolds at the 1871 sale. Frank Reynolds had also bought lots 57 and 58, and some of this land appears to have been subsequently subdivided, probably after the railway was built. That part adjoining Webber's original grant is part of the *Tocal* estate and includes the important stone quarries. The 1871 purchases have now been part of *Tocal* for more than 125 years and form a significant extension to the complex which is today the CB Alexander Agricultural College, Tocal.

Appendix of Maps

Map 1. Part of tracing of the lower Hunter showing sites of settlers' houses on Paterson's Plains and Wallis Plains. Note also, the house of E. C Close at Morpeth.

This is probably the first Map created that shows the location of the convict farmers and appears to pre-date Dangar's survey of 1823.

Note the inexact identification of this map as it is described in Guide 23, Guide to the State Archives collection of Maps and Plans.

Map 2. Computer generated copy of the Paterson's Plains section of Map 1, indicating the likely occupiers of the dwellings.

Map 3. Map showing Henry Dangar's early survey of the Paterson's Plains farms, in particular those of Davis (named), and Reynolds, Binder, Addison, Dwyer and Powell (unnamed). The extent of the chain of lagoons is apparent.

Map 4. Part of Henry Dangar's 1828 *Map of the Hunter River and its Branches, shewing the land reserved thereon for Church purposes, the locations made to settlers, and the settlement and part of the lands Australian Agricultural Company at Port Stephens*

The proposed Church land is marked (dark) and includes the sites of the convict settlers farms. Note that the house of Dr Evans, *Bellevue*, is marked, also *Duninald*, and *Tucal* (or Tocal). The government or military station is marked on the edge of the Church land by a tent surmounted with a flag. Surrounding early grants that are indicated are *Bulwarra* (John Brown's grant), also *Bowthorn* House (Alexander Livingstone's) and Walter Scott's *Wollalagh* (or Wallalong).

Map 5. Computer generated map showing the Paterson's Plains farms as finally surveyed.

Map 6. Computer generated map (as 5) with numbers that indicate the first holders of title. These were:

PORTION	EAST OF RIVER
42	John Powell
1	William Munnings Arnold
2	Robert Studdert
3	Benjamin Lee snr
4	Benjamin Lee snr
5	Benjamin Lee snr
17	William Munnings Arnold
43	Dr William Peagum Coleman
44	Alexander Livingstone
45	James Cohen
46	Benjamin Lee snr
47	Benjamin Lee snr
48	George Poulton (who sold to Benjamin Lee snr)
51	David Brown (executor of Tucker's estate)
	WEST OF RIVER
30	Dr William Evans
39	Reserve
24	J. H. Broughton and Wm Dun (executors of Swan's estate)

Maps taken from: 'Church and School Land (Survey and Particulars of Sale of, in Parishes of Middlehope, Butterwick and Wolfingham)', Legislative Council of New South Wales, 1872.

- Map 7. G. B. White's August 1831 'Tracing of Plan shewing Church Reserve of Paterson's Plains'. This map is included because of its informative detail, including roads and tracks (for example, Binder's Path towards Clarence Town), houses, cultivation and gardens, lagoons, landform and vegetation.
- Map 8. G. B. White's December 1840 'Tracing of Plan showing the Church Reserves in the Parishes of Middlehope and Butterwick'. This map is included here because (in Middlehope) the Old Lock-Up, Swan's house, the old line of road through the Village Reserve towards Munybung Falls and the upper Paterson, and the new line of road to the Paterson Township, is identified. Also, (in Butterwick) is Powell's buildings, Cohen's house, the house(s) occupied by Dr Coleman⁷³ (these are not shown on the 1831 map) and Lee's House (formerly Stubbs and presumable the 'Inn'). Also the line of road from the crossing of the Paterson River, towards Mr Warren's Farm (at Seaham). Note that Block 6 was the Church land leased by Captain Dunn. Block 7 includes a proposed subdivision plan although in 1871, John McPhie was leasee of Lot 7 of 1140 acres.
- Map 9. Undated Map (but c. 1871) showing W. M. Arnold's 'Orangerie, Ornamental Grounds and Orchard' and various fences that appear to have subsequently influenced the sale of Block 6 to his advantage. The 'footprints' of several of Arnold's buildings are shown. Also shown are buildings on Powell's *Orange Grove*.
- Map 10. J. B. Haughton's May 1871 'Tracing of Plan of Subdivision of the Church and School Land in the Parish of Middleton ...'. This Map is included because it depicts land usage, geographic features, houses, and the 'Reserve' the boundaries of which were at last defined and an access road provided. Note the 'Tradesmen's allotments'. The sale was to be held on 30 October 1871.
- Map 11. Tocal Farm Map, 1996, included to enable locality comparison with Haughton's 1871 subdivision and indicate that part of today's *Tocal*, known as *Glendarra*, was, in the nineteenth century, part of the former Church and School Land estate. It will be seen from reference to Maps 1 and 2, that one of the first convict settlers (who remains unknown but was probably George Pell) farmed here prior to c. 1822. It then became part of the Church and School land, called the 'Glebe land known as Orphan School Farm', and by c. 1830, was leased from the Church and School lands trustees by Ralph Mills Clarke. It was later leased by Charles Reynolds, sought unsuccessfully by the East Maitland Police Department for a police paddock, and then sold to Frank Reynolds in 1871.

The North Coast Rail line was constructed in 1910-1911.

Map reproduced with permission, CB Alexander Agricultural College, Tocal.



Appendix Map 1

Part of tracing of the lower Hunter showing sites of settlers' houses on Paterson's Plains and Wallis Plains. Note also, house of E. C Close at Morpeth.

This is probably the first Map created that shows the location of the convict farmers and pre-dates Dangar's survey of 1823.

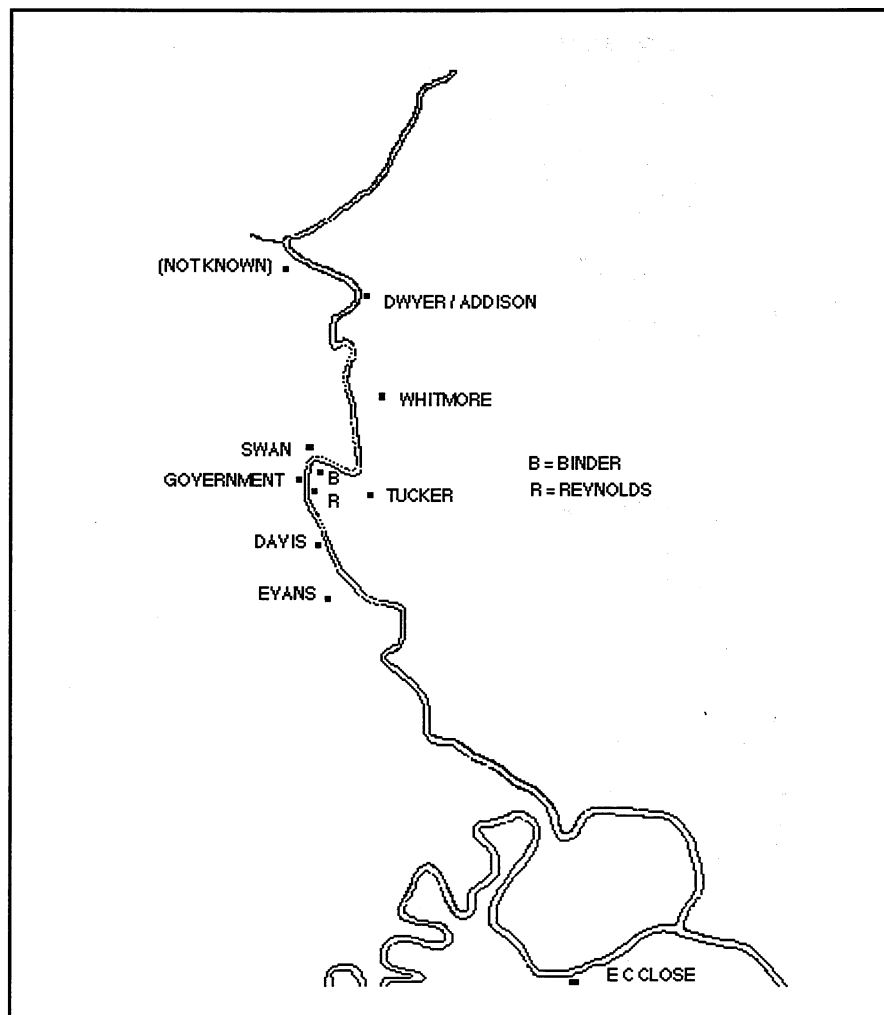
Note the misleading identification of this map (see Map 2) as it is described in Guide 23, Guide to the State Archives collection of Maps and Plans.

The Map reproduced as Map 1 was located in the NSW State Archives Guide to Maps and Plans, as 'Plan of part of Hunter River adjoining Parish Ravensworth County Durham, no portions but few houses'. It is attributed to Surveyor O'Brien, and dated between 1820 and 1826. The item number is H 130 (2965) and is comprised of two aperture cards.

Upon studying this item, it was apparent that the Map is *not* as described in the Guide, but is rather a tracing of the lower Hunter. The part copied (Map 1) traces the Hunter River from the junction with the Williams River to the Paterson River junction. From here both the Paterson and Hunter Rivers are followed. E. C. Close's house at Morpeth is marked, and a cluster of houses about Wallis' Plains is marked. Along the Paterson River, the settlers' houses at Paterson's Plains are marked.

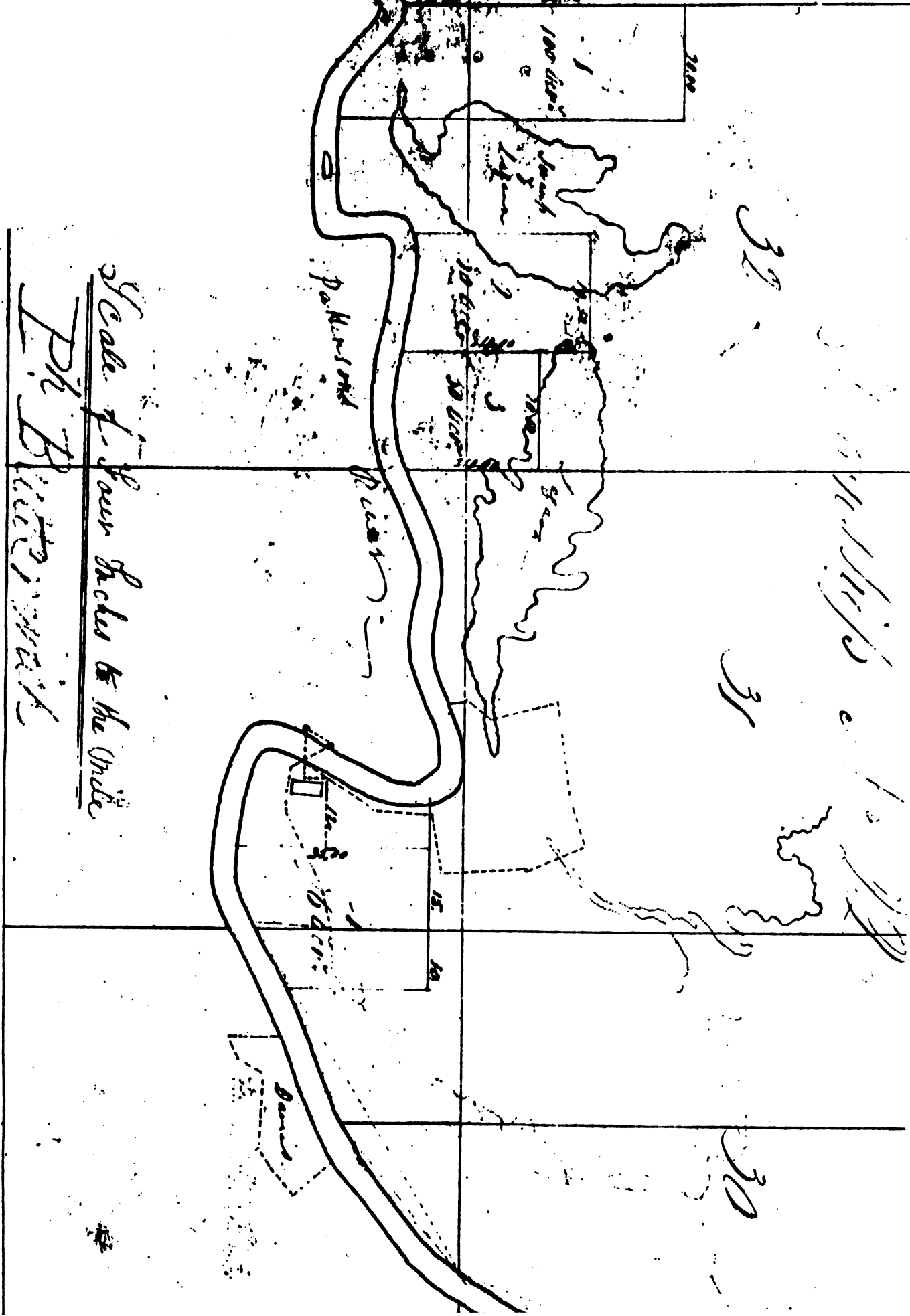
This is probably the first Map created that shows the location of the convict farmers and pre-dates Dangar's survey of 1823.

Below is a computer generated copy of that part of Map 1 showing the Paterson's Plains settlers houses. The probable identity of the occupiers is marked thereon.



Appendix Map 2

Computer generated copy of the Paterson's Plains section of Map 1, indicating the likely occupiers of the dwellings.



Appendix Map 3

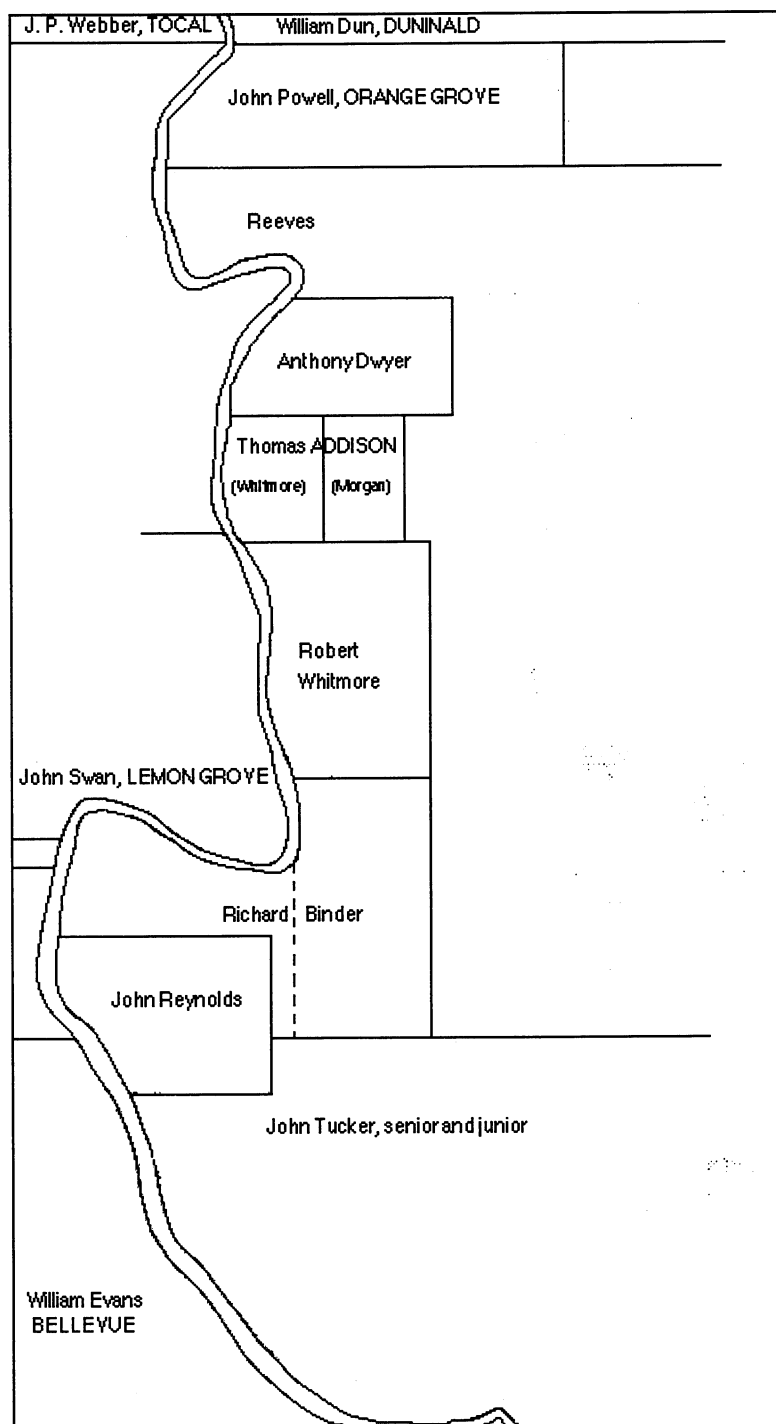
Map showing Henry Dangar's early survey of the Paterson's Plains farms in particular those of Davis (named), and Reynolds, Bidner, Addison, Dwyer and Powell (unnamed). The extent of the chain of lagoons is apparent.



Appendix Map 4

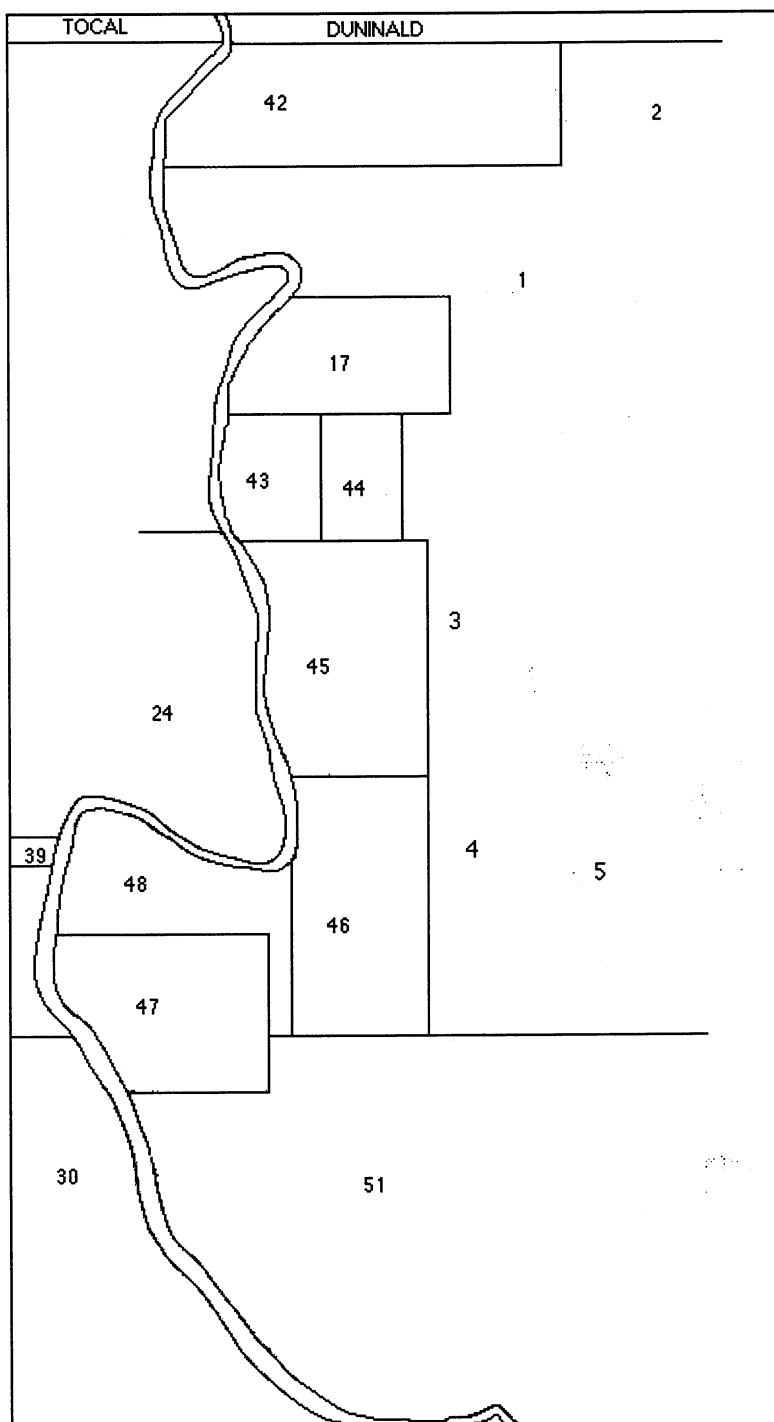
Part of Henry Dangar's 1828 Map of the Hunter River and its Branches, shewing the land reserved thereon for Church purposes, the locations made to settlers, and the settlement and part of the lands Australian Agricultural Company at Port Stephens

The proposed Church land is marked (dark) and includes the sites of the convict settlers farms. Note that the house of Dr Evans, Bellevue, is marked, also Duninald, and Tugal. The government or military station is marked on the edge of the Church Land by a tent surmounted with a flag. Surrounding early grants that are indicated are Bulwarra (John Brown's grant), also Bowthorn House (Alexander Livingstone's) and Walter Scott's Wollalagh (now Wallalong).



Appendix Map 5

Computer generated map showing the Paterson's Plains farms as finally surveyed.



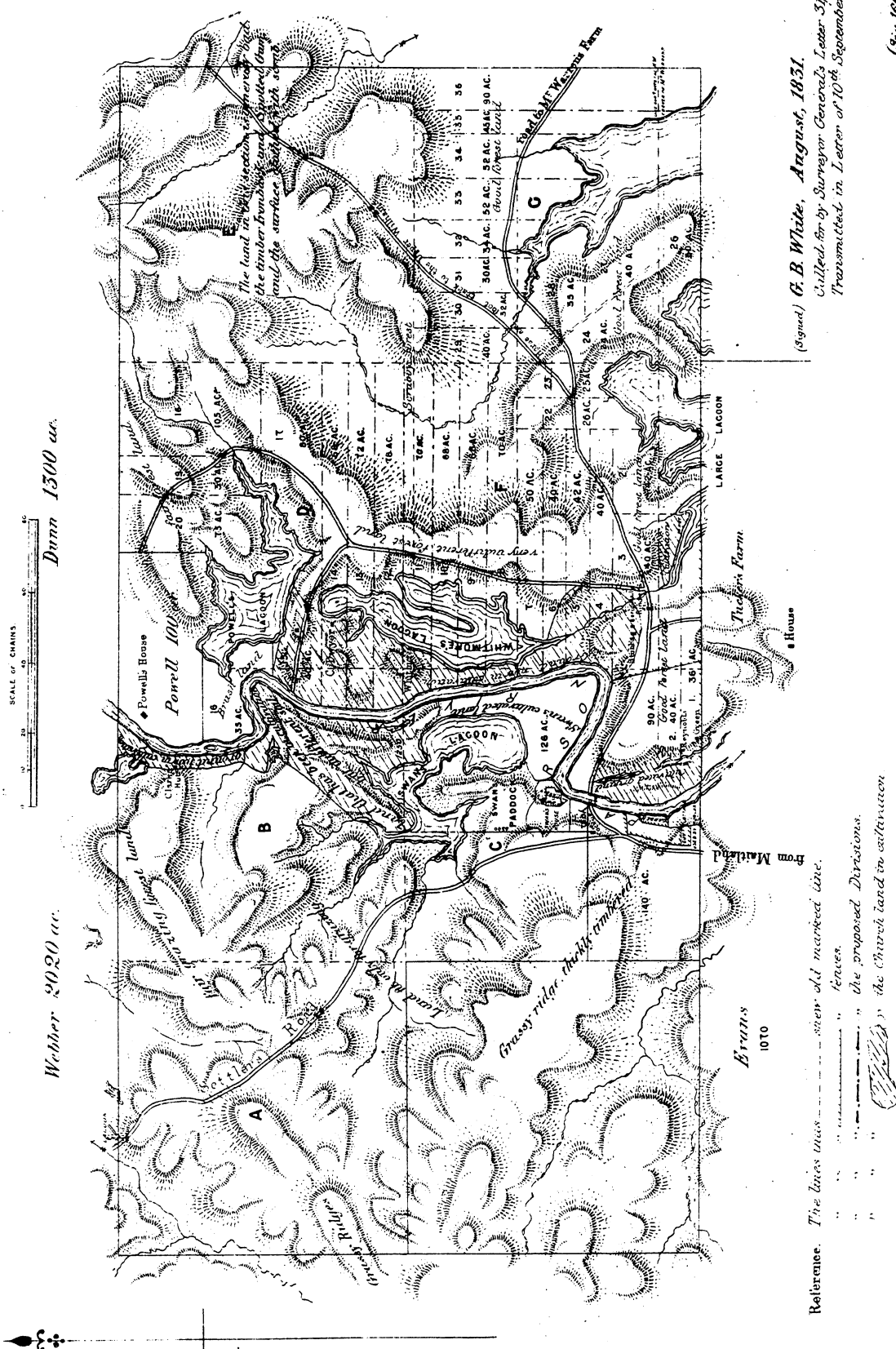
PORTIONS

EAST OF RIVER	
42	John Powell
1	William Munnings Arnold
2	Robert Studdert
3	Benjamin Lee senior
4	Benjamin Lee senior
5	Benjamin Lee senior
17	William Munnings Arnold
43	Dr William Peagum Coleman
44	Alexander Livingstone
45	James Cohen
46	Benjamin Lee senior
47	Benjamin Lee senior
48	George Poulton (who sold to Benjamin Lee senior)
51	David Brown (executor of Tucker's estate)
WEST OF RIVER	
30	Dr William Evans
39	Reserve
24	J. H. Broughton and Wm Dun (executors of Swan's estate)

Appendix Map 6

Computer generated map (as Map 5) with numbers that indicate the first holders of title.

Shewing
CHURCH RESERVE OF PATERSON'S PLAINS.



Appendix Map 7

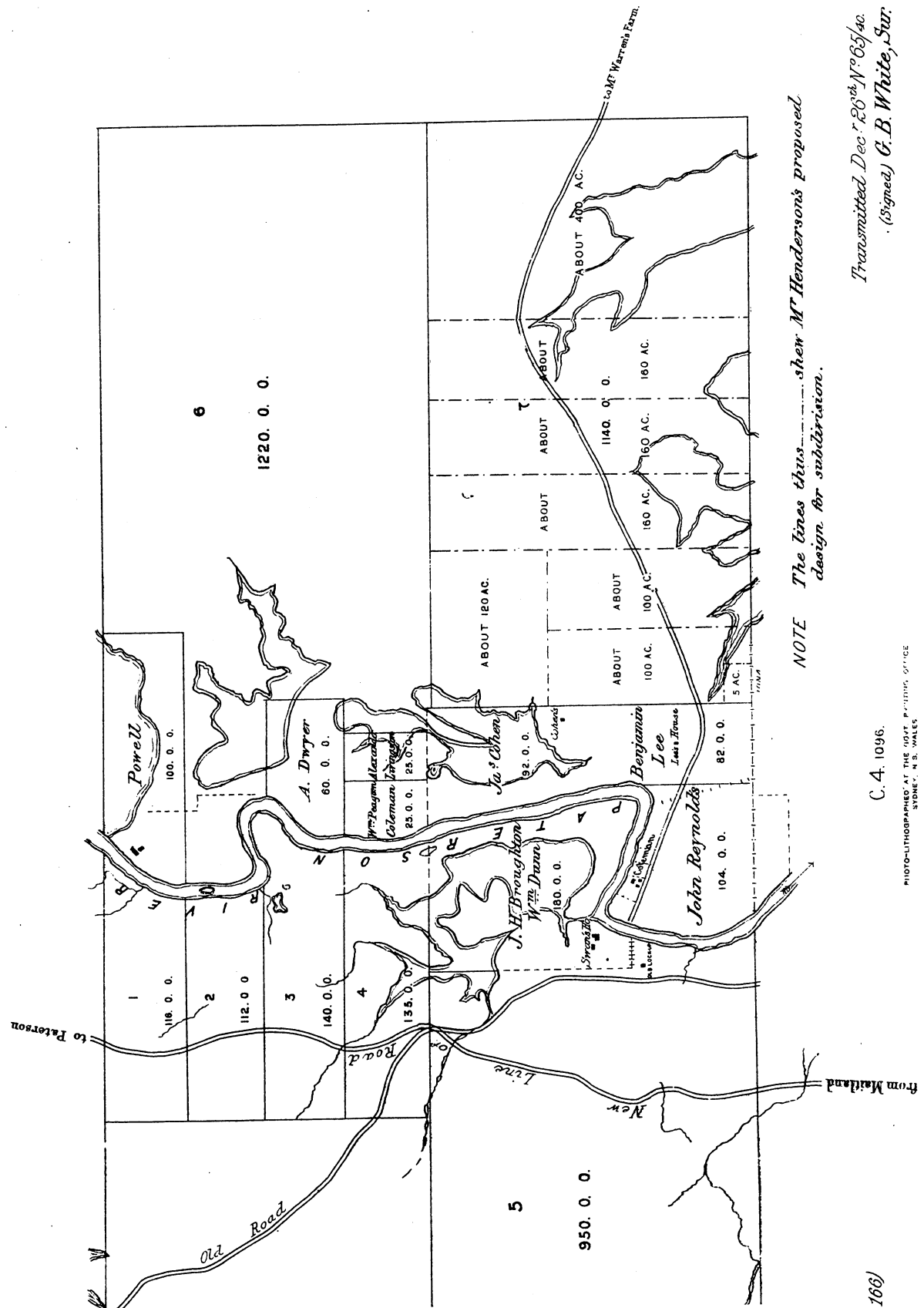
G. B. White's August 1831 'Tracing of Plan shewing Church Reserve of Paterson's Plains'. This Map is included because of its informative detail, including roads and tracks (for example, Binder's path towards Clarence Town), houses, cultivation and gardens, lagoons, landform and vegetation.

From: 'Church & School Land (Survey and Particulars of Sale of, in Parishes of Middlehope, Butterwick and Wolfingham)', Legislative Council of New South Wales, 1872.

Enclosure to N^o 12.

TRACING OF PLAN
Showing the
CHURCH RESERVES
IN THE PARISHES OF
MIDDLEHOPE AND BUTTERWICK,
COUNTY OF DURHAM.

SEPARATE APPENDIX D.



Appendix Map 8

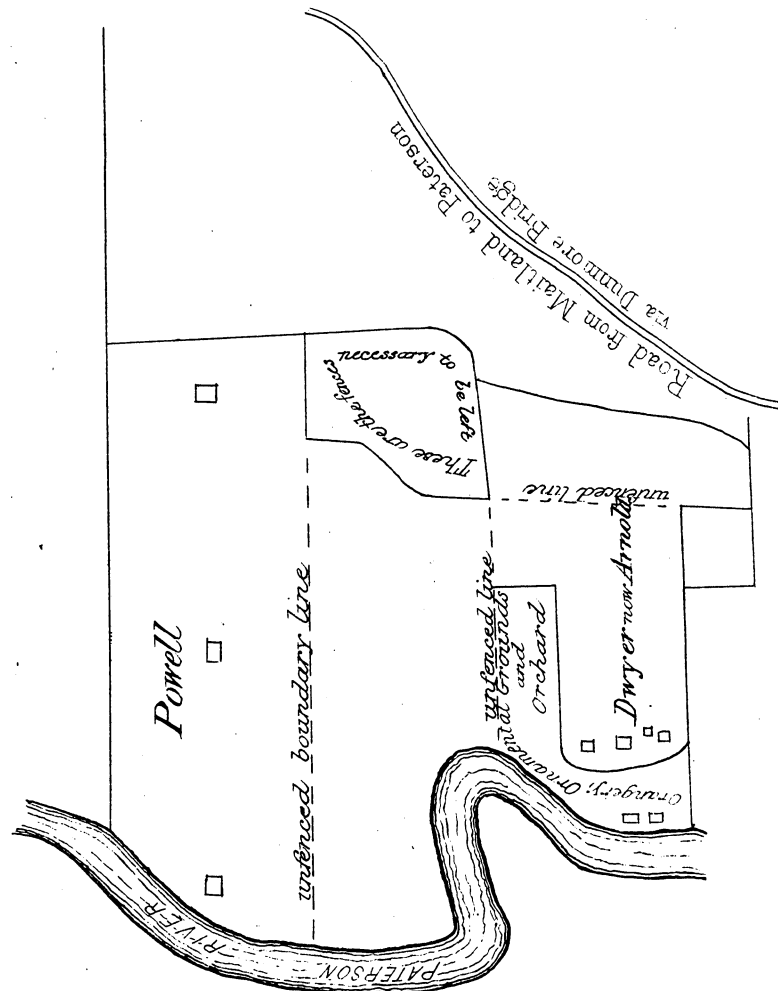
Map 8. G. B. White's December 1840 'Tracing of Plan showing the Church Reserves in the Parishes of Middlehope and Butterwick'. This Map is included here because it has marked on it (in Middlehope) the Old Lock-Up, Swan's house, the old line of road through the Village Reserve towards Munybung Falls, and the new line of road to the Paterson Township. Also, (in Butterwick) is Powell's buildings, Cohen's house, the house(s) occupied by Dr Coleman (these are not on the 1831 Map) and Lee's House (formerly Stubbs and presumable the 'Inn'). Also the line of road from the crossing of the Paterson River, towards Mr Warren's Farm (at Seaham). Note that Block 6 was leased by Captain Dunn. Block 7 indicates a proposed subdivision plan
From: 'Church & School Land (Survey and Particulars of Sale of, in Parishes of Middlehope, Butterwick and Wolsingham)', Legislative Council of New South Wales, 1872.

Transmitted Dec^r 20th 1840
(Signed) G. B. White, Sur.

C. 4. 1096.

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE
SYDNEY, N.S. WALES

(Sig. 166)



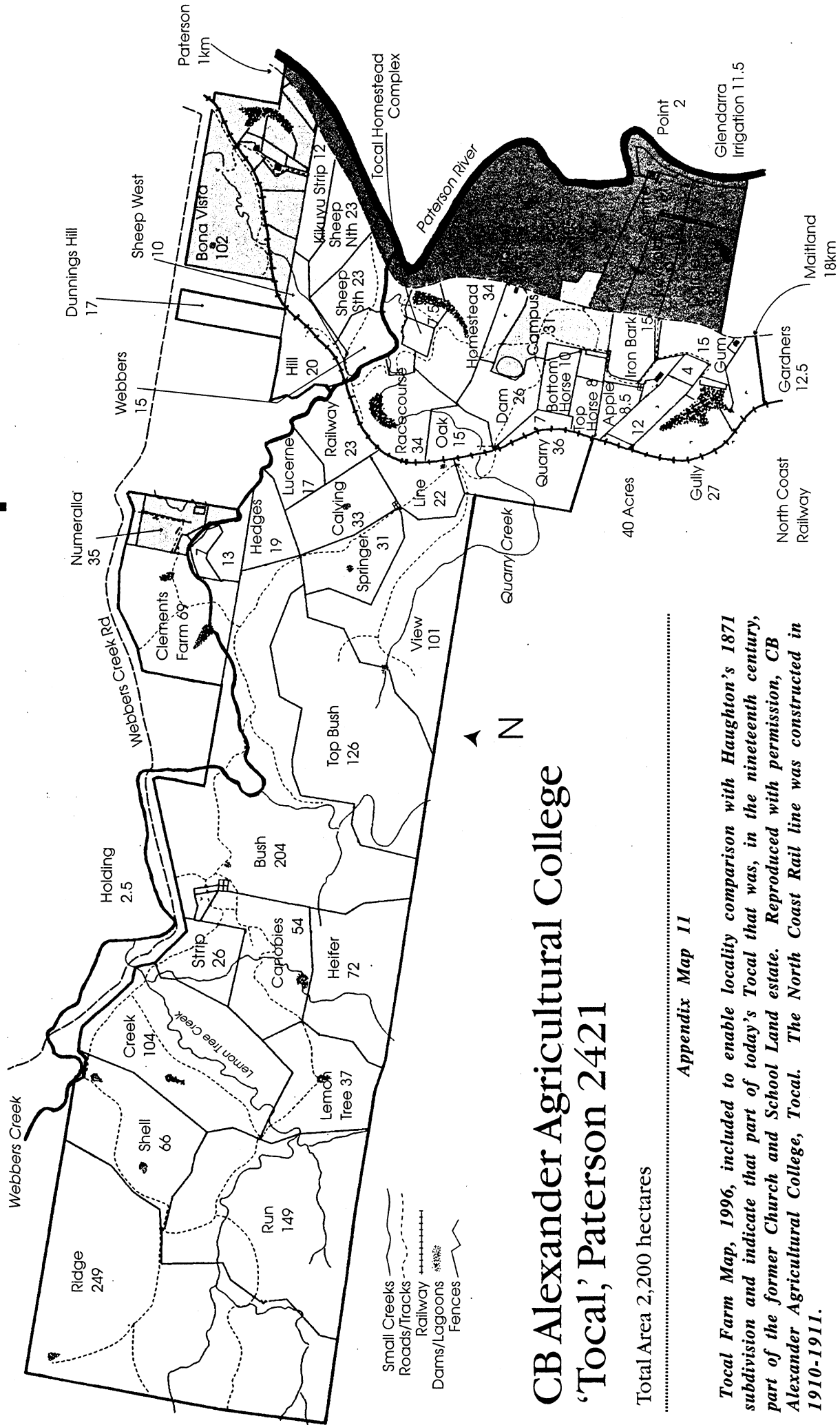
Appendix Map 9

Undated Map (but c. 1871) showing W. M. Arnold's 'Orangerie, Ornamental Grounds and Orchard' and various fences that appear to have subsequently influenced the sale of Block 6. The 'footprints' of several buildings are shown. Also shown are buildings on Powell's Orange Grove.

From: 'Church & School Land (Survey and Particulars of Sale of, in Parishes of Middlehope, Butterwick and Wolfingham)', Legislative Council of New South Wales, 1872.

From: 'Church & School Land (Survey and Particulars of Sale of, in Parishes of Middlehope, Butterwick and Wolvingham)', Legislative Council of New South Wales, 1872.

Tocal Farm Map



CB Alexander Agricultural College 'Tocal', Paterson 2421

Total Farm Map, 1996, included to enable locality comparison with Haughton's 1871 subdivision and indicate that part of today's Tocal that was, in the nineteenth century, part of the former Church and School Land estate. Reproduced with permission, CB Alexander Agricultural College, Tocal. The North Coast Rail line was constructed in 1910-1911.

Endnotes

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- ¹ Turner, *Newcastle as a Convict Settlement*, pp. 21, 91. Here, the lengths are given in Imperial measure, that is, 25 to 30 feet for ironbark and 12 to 16 feet for cedar.
- ² ADB, vol. 2, p. 190.
- ³ Lang, Dr J. D., *An Historical and Statistical Account of NSW*, vol. 1, p. x.
- ⁴ Biographical data for Tucker, and others, have been compiled from colonial secretary letters and the 1828 census.
- ⁵ D. O'Donnell, *The History of Early Newcastle 1800-1870, Documents and Illustrations*, 1969.
- ⁶ ADB, vol 2, p. 530.
- ⁷ This ship is called 'INDEFATIGABLE' in the 1828 census entry for William Evans.
- ⁸ Turner, p. 120-128.
- ⁹ References to these incidents are taken from colonial secretary correspondence.
- ¹⁰ Macquarie, Lachlan, *Journal of his Tours in New South Wales and Van Diemen's Land 1810-1822*, p. 130-131.
- ¹¹ Swan Family History, a paper by Shirley Coote, Paterson Historical Society collection.
- ¹² Colonial secretary letter 4/3492, 22 July 1814, contained in the Jim Fletcher folder of research papers on Robert Whitmore and others, Newcastle Local Studies Library.
- ¹³ HRA, vol. 11, p. 105. Memorial of William Evans soliciting a pension.
- ¹⁴ John Cobley, *Sydney Cove 1795-1800*, pp. 107, 419.
- ¹⁵ Jim Fletcher *ibid.*
- ¹⁶ Jim Fletcher *ibid.*
- ¹⁷ J. Turner, p. 194.
- ¹⁸ Macquarie, Lachlan, *Journal of his Tours*, p. 131.
- ¹⁹ *Maitland Mercury*, 2 December 1913. The relevant article was provided by Mr WJ Enright, president of the Maitland District Scientific and Historical Research Society. Dr HM Doyle MLC of Newcastle was possessed of original prints of the 1824 Lycett engravings which were the subject of the article entitled 'Valuable Historical Records'.
- ²⁰ Macquarie, Lachlan, *Journal of his Tours*, p. 131.
- ²¹ Dangar, Henry, *Index and Directory*
- ²² Dangar, Henry, *Index and Directory*, p. 51.
- ²³ Letter 16 June 1823, Morisset's instructions. AO 2/8014.2.
- ²⁴ White, Judy, *Total The Changing Moods of a Rural Estate*, Chapters 2, 3, and 4.
- ²⁵ A. Wood, *Dawn in the Valley*, Chapter 1.
- ²⁶ M. M., 31 October 1849.
- ²⁷ S. H., 5 September 1831.
- ²⁸ S. H., 23 December 1833, S. H. 2 January 1834.
- ²⁹ ADB, vol 2, p. 432.
- ³⁰ S. G., - March 1829.
- ³¹ O'Farrell, Patrick, *The Catholic Church and Community in Australia*, p. 19, 21-3, 27.
- ³² Copy of document supplied by HF Boyle.
- ³³ Clements, Pauline, *Burials in St Paul's Church Cemetery Paterson NSW*, parts 1 and 2.
- ³⁴ Letter, A. Haywood to colonial secretary, 13 May 1839, AO NSW Reel 1244.
- ³⁵ M. M., 16 September 1862.
- ³⁶ In August 1891, at *Stradbroke*, a gardener named Prime Coleman, died, aged 59. (see P. Clements, *Burials in St Paul's Cemetery ... 1839-1900*, p. 186.) His relationship to Dr Coleman is unknown.
- ³⁷ Letter, Binder to colonial secretary, 4 February 1826, AO NSW 4/1900.
- ³⁸ A., 26 March 1830.
- ³⁹ E. Gilford, 'Hunter Valley Inns and Innkeepers, part 1.', *Journal of Hunter Valley History*, vol. 2, no. 1, p. 62.
- ⁴⁰ References concerning George Poulton are taken from LTO registers, Book 9 Folio 321 and Book 63 Folio 657, and were provided by HF Boyle.
- ⁴¹ *Government Gazette*, 1841, Court of Claims No 438, p. 923, 961.
- ⁴² AO 2/8014.2.

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- ⁴³ A. McLeay, Colonial Secretary's Office, 30 March 1830 Letter No 30.17, to the Trustees of the Clergy and School Lands.
- ⁴⁴ S. G., 8 February 1826, p. 1.
- ⁴⁵ S. G., 30 September 1826.
- ⁴⁶ C. Hunter, 'Government Cottages at Hunter's River', *Journal of Hunter Valley History*, vol. 2, no. 1, 1986, pp. 126 to 149.
- ⁴⁷ M., 23 March 1833.
- ⁴⁸ An account of the trial and execution of Joseph Coleman appears in the *Sydney Herald*, 11 February, 11, 14, 21, and 25 March, 1833.
- ⁴⁹ AO 2/8016.6.
- ⁵⁰ M. M., 21 November 1840.
- ⁵¹ S. G., 22 January 1827.
- ⁵² M.M., 2 August 1949, feature article 'Some of the Old Inns of Paterson'.
- ⁵³ Phillips family history file, Paterson Historical Society.
- ⁵⁴ S. G., 20 February 1830.
- ⁵⁵ S. H., 3 September 1832.
- ⁵⁶ Reference provided by HF Boyle, at AO 9/2714.
- ⁵⁷ Val Anderson, *The Dorothea Mackellar, Torryburn, Paterson Valley Connection*.
- ⁵⁸ P. Clements, *The Clements-Paterson Connection*, p. 3.
- ⁵⁹ P. Clements, *Burials in St Paul's Cemetery ... 1839-1900*, see Index and then relevant pages.
- ⁶⁰ *ibid.*, p. 70.
- ⁶¹ *New South Wales Calendar and General Post Office Directory 1832*, p.136.
- ⁶² M. M., 23 February 1848.
- ⁶³ Swan family history, by Shirley Coote, Paterson Historical Society collection.
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- ⁶⁵ M. M., 1 December 1852.
- ⁶⁶ C. Mitchell, *Hunter's River*, p 159.
- ⁶⁷ P. Clements, *Burials at St Paul's Cemetery, 1839-1900*, p. 85.
- ⁶⁸ J. Sullivan, *George Townshend, Trevallyn, Paterson River*.
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