

D'Arcy Wentworth 1762 -1827

A SECOND CHANCE

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This thesis is my own work.

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Abstract

This thesis examines the life and times of D'Arcy Wentworth. Born in 1762 in Portadown, Ireland, he attended a local school, trained as a doctor in Tanderagee and moved to England in 1785 to further his medical studies. While in London, Wentworth appeared at the Old Bailey charged with highway robbery. Although acquitted, he saw no future by remaining in England. With the help of his family and friends, he secured a berth on the *Neptune* in 1790 and sailed for the penal colony of New South Wales.

For Wentworth, this land of exiles was to become a land of opportunity, but the road was not easy. He encountered the prejudice, factionalism and petty-mindedness of a small and insular community. At times it seemed as if he would succumb to despondency, or bow to the caprices of his fellow colonists. On a number of occasions he threatened to return home. Yet he remained in the colony and, with quiet determination, set about making good.

Wentworth stands out as one of the few officers who served almost continuously from the time of Governor Phillip, through the troubled administrations of Hunter, King and Bligh, to those of Macquarie and Brisbane. During the years from 1790 to 1827 he weathered financial setbacks, personal attacks and political intrigue. With time he managed to redeem his name, win the respect and admiration of many colonists, and acquire vast estates. He also made a significant contribution to the economic growth and development of the settlement, assisting in its transition from a prison to a self-sufficient and relatively prosperous colony which enjoyed a measure of freedom.

In this biographical study I have endeavoured to examine Wentworth's character and actions in the context of the people and the events that surrounded him in an attempt to explain what he thought and did, and why he was as he was.

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ABBREVIATIONS

<u>ADB</u>	<u>Australian Dictionary of Biography</u>
AJCP	Australian Joint Copying Project
AONSW	Archives Office New South Wales
ANU	Australian National University
CO	Colonial Office
CSIL	Colonial Secretary, In-Letters
HO	Home Office
<u>HRA</u>	<u>Historical Records of Australia</u>
<u>HRNSW</u>	<u>Historical Records of New South Wales</u>
<u>JRAHS</u>	<u>Journal of the Royal Australian Historical Society</u>
M.L.	Mitchell Library, Sydney
N.L.	National Library of Australian, Canberra
n.d.	no date
n.n.	no name

Notes on the Wentworth Papers

Because the Wentworth Papers (A751 - A758) have been paginated in different sequences at different times, with some pages bearing more than one folio number, I have cited the microfilm frame number throughout this thesis.

The material in the Wentworth Woodhouse Muniments, FM4/727, has no pagination, but is chronologically arranged.

Notes on Quotations

Quotations in this thesis retain the original spelling and punctuation.

D'Arcy Wentworth



Photograph of silhouette believed to be D'Arcy Wentworth
Artist and date not known.

M.L SPF P1/W

Introduction

In December 1789 D'Arcy Wentworth, a young Irish doctor of good family, was acquitted of a charge of highway robbery. He walked from the Old Bailey legally free, but with a tarnished reputation. In England his future held little promise, so he set out to redeem his name and to rebuild his career in the penal colony of New South Wales. This thesis is primarily concerned with describing and explaining his antipodean experiences.

I have endeavoured to locate Wentworth within his historical setting. This thesis analyses the interaction between the man and his society, and examines the interplay between the social, economic and political forces operating in the colony and Wentworth's response to them. I have attempted to show how these forces shaped his experiences and perceptions of colonial life and how he in turn adjusted to them.

In seeking to account for his behaviour, the thesis focuses on his public and private conduct. In particular, it explores the nature of his relationships with people from all ranks in society, bond and free, ally and foe. When D'Arcy Wentworth arrived in New South Wales, unannounced and with his reputation under a cloud, he became part of the experiment to found a penal colony. He mixed with people from diverse backgrounds and with differing aspirations. Together, they experienced confusion, frustration and insecurity in an unfamiliar environment. The thesis aims to establish how Wentworth adapted to his new surroundings and to explain why he chose certain courses of action. It looks at the pressures that society placed on him to conform and attempts to show the degree to which he altered his behaviour to meet society's expectations and to please his friends and superiors.

In addressing such questions, the thesis seeks to identify the motives underlying his behaviour and to find some coherence and consistency in his conduct. The ambiguity of his status and the heightened consciousness of social standing within the embryonic colonial society makes the study of Wentworth's life interesting in itself and valuable as a microcosm of what lay beyond it.

The thesis also examines his relationship with those in authority. Given the uncertainty of his status, Wentworth's relationship with the governors was vitally important. For him, the governor could become a patron, able to confer the social recognition and influence he craved. He also looked to the governor to provide him with land, civil appointments and trading privileges that would bring financial gain. He cooperated cheerfully when a governor's actions accorded with his designs, but became uneasy and disgruntled if a governor thwarted his ambitions. In situations of conflict, Wentworth demonstrated his priorities. He clearly showed the degree to which he was prepared to sacrifice his own wishes to court a governor, as well as the degree to which he was prepared to be defiant.

Although this study is primarily a case study of Wentworth's adaptation to colonial life, it goes beyond one man's experiences in New South Wales. Because of his many duties in the colony and his ambiguous social status, Wentworth serves as a means of probing the values and attitudes held by his fellow colonists. His status in the colony - neither bond nor free - sharpened his relationship with others. In analysing people's reactions to him, this study sheds light not only on how others perceived Wentworth but on their own prejudices and their struggles to come to terms with colonial life. My thesis offers an insight into the

tensions and pressures felt by a range of colonists and helps to identify the qualities they needed to succeed.

Where the evidence is patchy, the task of describing, as well as of explaining, Wentworth's life is difficult. Documentation for his years to the age of 28, which included his voyage to New South Wales on the *Neptune*, is threadbare. In addition, Wentworth deliberately kept his domestic life private. Thus, his life as a husband, lover and father to a significant degree is closed to historians. Moreover, he was less a man of ideas than a practical man of action. His correspondence consists mainly of business transactions, or requests for indulgences or favours. Despite the gaps, sufficient evidence remains to discern certain patterns in his conduct.

Wentworth figures as a minor actor in most accounts that deal with the period 1788 - 1828 in the history of New South Wales. He assumes greater prominence in articles or books concerned with specific projects or events with which he was directly involved, such as the building of Sydney's General Hospital or the founding of the Bank of New South Wales. Despite his contribution to colonial life, Wentworth has been the subject of only one major study, an M.A. thesis by H.P.Barker whose work outlined Wentworth's progress in New South Wales. There is no substantial published book on Wentworth, nor has any major research been attempted that seeks to explain his behaviour within the context of colonial life.¹

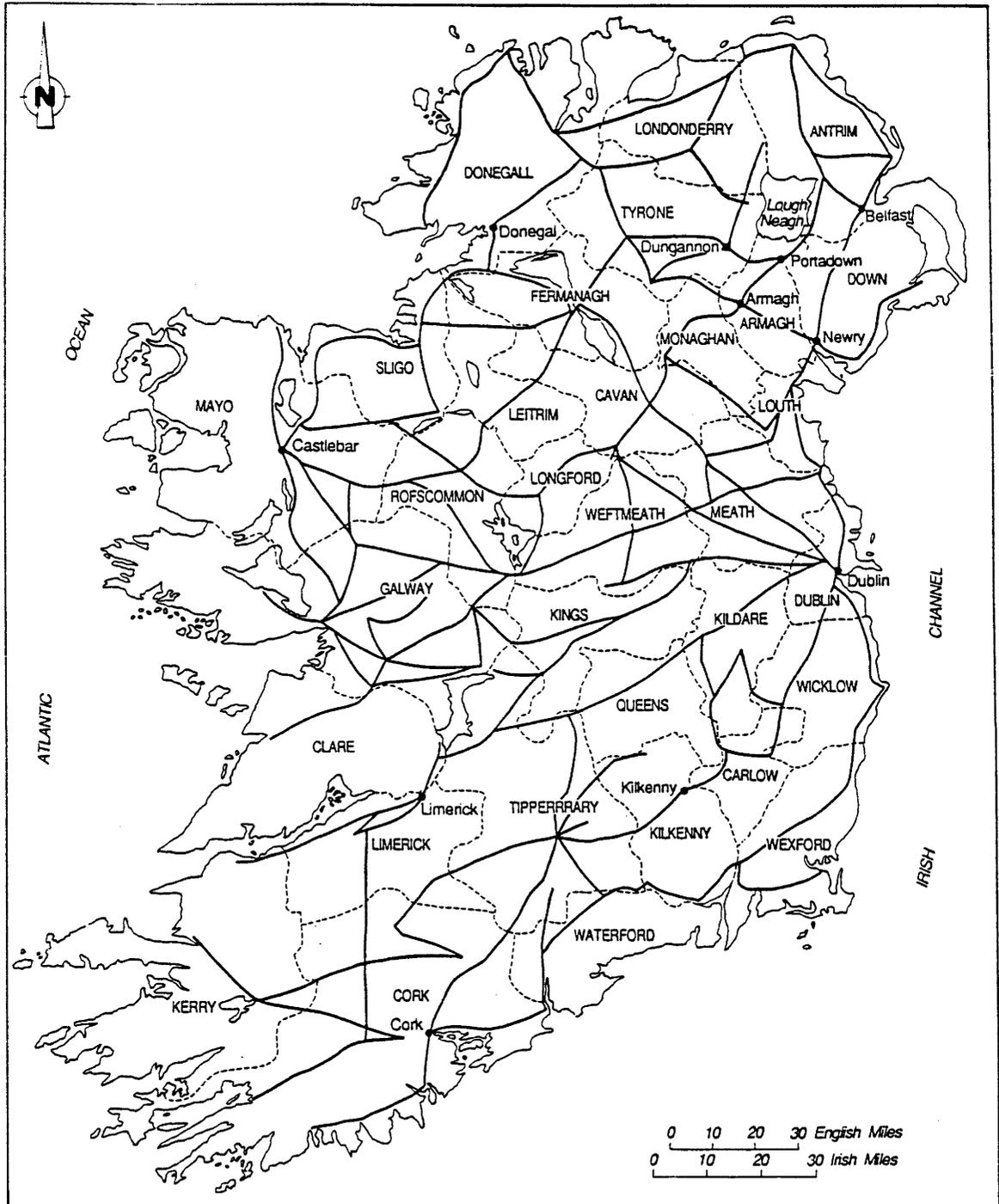
¹ K.G.Allars, 'George Crossley - An Unusual Attorney', JRAHS, vol. 44, pt. 5, 1958, pp. 261-300; H.P.Baker, 'D'Arcy Wentworth', MA thesis, University of New England, 1971; M.H.Ellis, 'Governor Macquarie and the "Rum" Hospital', JRAHS, vol.32, pt. 5, 1946, pp.273-293; D.E.Fifer, 'William Charles Wentworth in Colonial Politics to 1843', MA Thesis, University of Sydney, 1984; D.E.Fifer, 'Man of Two Worlds: The Early Career of William Charles Wentworth', JRAHS, vol. 70, pt.3, December 1984, pp. 140-70; C.A.Liston, 'William Charles Wentworth - The Formative Years 1810-1824' JRAHS, vol. 62, pt. 1, June 1976, pp. 20-34; J.McMahon, Fragments of the Early History of

Wentworth's failure to engage historians' attention may, in part, be due to the incompleteness of the evidence. I have used a wide range of primary sources, including private and official papers, to gain an appreciation of Wentworth's life and times. The Wentworth Family Papers form the basis of the research and in many ways imposed the structure of the thesis.

Although Wentworth's correspondence tends to be spasmodic and businesslike, there are times when he reveals personal feelings. He wrote to his patron, friends and acquaintances during times of personal crisis when he felt insecure, threatened and in need of support. This study's main concern addresses Wentworth's struggle to survive and to succeed in the infant penal colony of New South Wales. It examines his strengths and weaknesses, and seeks to appreciate his contribution to colonial life and to Australian history.

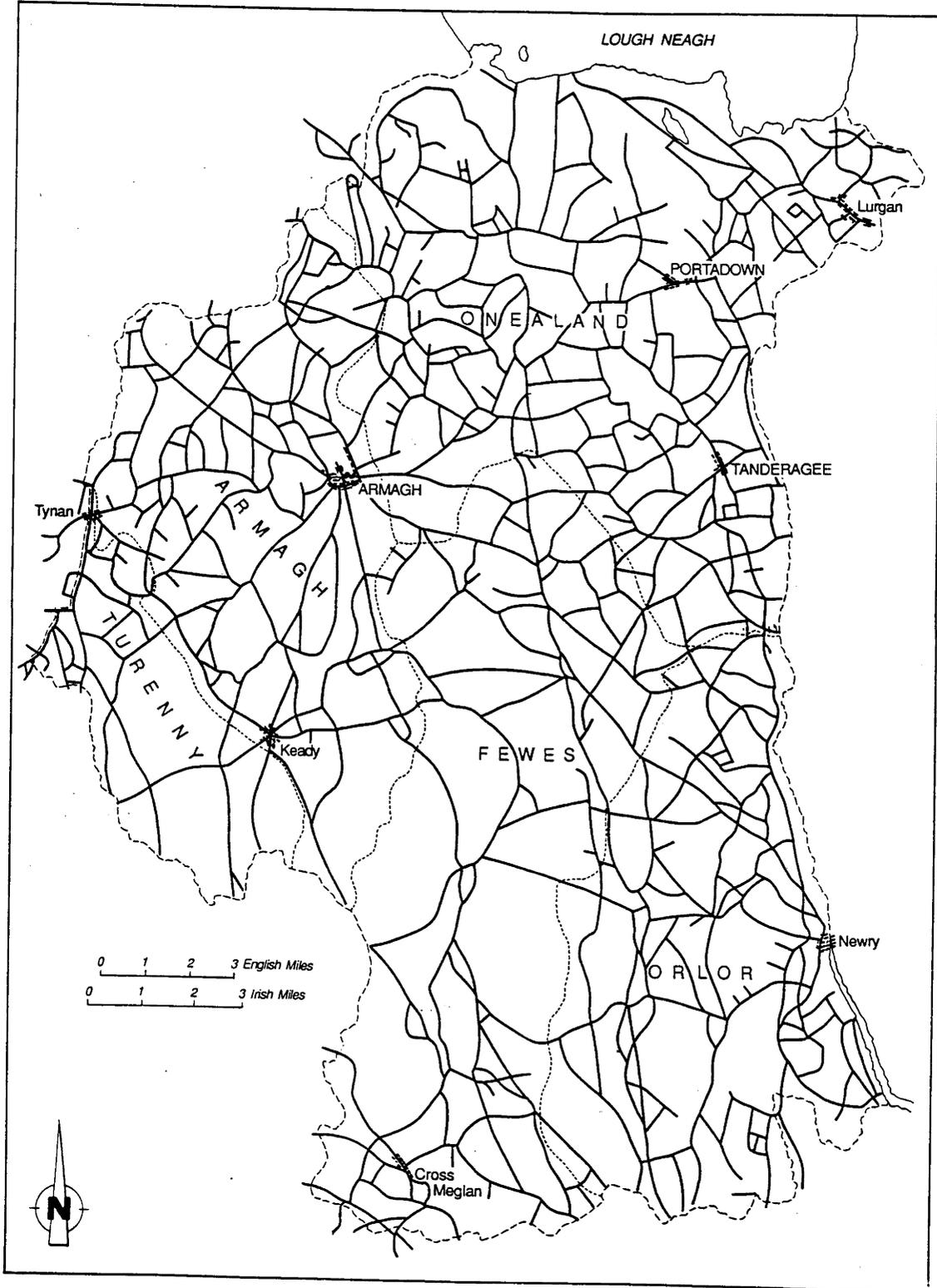
To a marked extent, this work is a biographical study and adopts a chronological approach. It begins with his birth in 1762 and childhood in Ireland, and follows his troubled days as a young man in London, his journey to New South Wales in 1790 and his endeavours to establish himself in the colony.

The Counties of Ireland



Based on Wilson's New and Accurate Map of the Roads of Ireland, fold out map in W. Wilson, The Post-Chaise Companion or Travellers' Guide Through Ireland, London 1785.

The County of Armagh



Based on A map of the County of Armagh, C.Coote, Statistical Survey of the County of Armagh, Dublin, 1804

Chapter I
Early Years 1762 - 1790

In January 1824 William Wentworth and his wife Elizabeth wrote from Ireland to William's brother, D'Arcy, who was then a resident of New South Wales, expressing their fondest wish to have him come home. Thirty nine years earlier D'Arcy had left the Irish town of Portadown on the River Bann to seek his fortune overseas. This long separation had not extinguished his family's affection for him and William chided his brother: "I still have hopes to see you once more among us agreeable to your promise." Elizabeth reminded D'Arcy of the local tradition which prophesied that those who have drunk from the waters of the Bann, and are parted, always return. For D'Arcy, the river had lost its hold and a new country claimed his allegiance. Time, distance and personal achievement in his adopted land of New South Wales had broken Ireland's spell.¹

D'Arcy's namesake, his great, great grandfather, was born in 1640, the younger son of Michael Wentworth Esq. of Mattersey Hall Yorkshire. He belonged to the esteemed Elmsal branch of the Wentworth family. Originally he went to Ireland as steward to the Earl of Roscommon and served as a captain in the County Meath Militia. In 1692 he obtained the lease on a property called Fyanstown in county Meath. This lease, which ran for the period of his life, also contained a clause of perpetual renewal. His grandson, Robert, must have experienced financial difficulties because the lease on the property was mortgaged in 1730; the mortgage foreclosed and the lands eventually sold in 1742.² Robert's eldest son, D'Arcy, moved to

¹ W.Wentworth to D.Wentworth, 15 January 1824, Wentworth Papers, A754-2, ff. 618-620.

² Entry under Wentworth in Registered Pedigrees vol. XXIII, Ulster Office, Genealogical

Portadown where he married Martha Dixon, raised his family and established himself as an innkeeper. He became recognized in the local community as a fine old gentleman and his friends regarded his family's social standing as "above the common ground." His eldest son, William, was born some time between 1747 and 1752. As a young man he enlisted in the Dragoon Guards and served as a sergeant in Holland. He distinguished himself in action and was rewarded with a commission.³ D'Arcy, born on 14 February 1762, was one of eight children and the youngest of four sons.⁴

He grew to maturity in Portadown, a small town located in county Armagh in the province of Ulster in the north of Ireland. This town derived its name from the ancient word 'Port-ne-doon' or 'the port of the fortified eminence.' An ancient castle once stood on this strategic ground commanding the pass to the River Bann, but nature had reclaimed the site and by D'Arcy's time little evidence of the fortress remained. Between 1700 and 1780 the linen industry in this province developed rapidly, giving rise to a network of flourishing trading towns. Portadown, in particular, prospered with the growth of this industry and emerged as a small but busy market town. The surrounding country with its gently undulating hills and dales, its fertile soil, described by a contemporary writer as "warm and tilly", and its favourable climate, created an ideal environment for pasturage and cultivation.

During the eighteenth century a few larger farms of between 40 and 60 acres existed in this district, though most farms were smaller plots of

Office, Dublin, AJCP M984, f.314; B.Bourke, A Genealogical and Heraldic History of the Colonial Gentry, vol.I, London, 1891, pp.95-7.

³ Abstract from Blacker Manuscripts, vol. III, f. 130, County Museum, Armagh, AJCP M389.

⁴ Entry under Wentworth, Registered Pedigrees, vol. XXIII, f.314; D'Arcy Wentworth, Medical Notebook, M.L. B196, f.112.

some five to 20 acres. The farmers combined agriculture and manufacture on their farms growing oats and flax and also spinning and weaving the flax into cloth. All members of the family participated in this home manufacture, but at crucial times during the year the farmer left his loom to follow the plough. Comfortable, neat and carefully fenced farms dotted this extensive and productive country.⁵

Portadown itself complemented the well ordered countryside. Contemporary travel literature described it as a neat town pleasantly situated on the River Bann. A stone bridge, erected in 1764, spanned the river and provided the only crossing for many miles. A favourite haunt for D'Arcy and his young playmates, the river abounded with many varieties of fish including pike and trout. At the lower reaches where it flowed into Loch Neagh, salmon weighing over 30 lbs provided excellent sport for fishermen.⁶

One mile from Portadown on the road east to Lurgan and Belfast nestled the vicarage of Seagoe where the Reverend Mr Blacker resided. Tradition boasted that on this site in 836 A.D. a Danish chief called Blacar, ancestor of the Blacker family, successfully fought a battle against Ain and his sept. Members of the Blacker family became close friends and admirers of the Wentworths of Portadown. D'Arcy's parents were buried in the historic grounds of Seagoe and one of his brothers and a sister were

⁵ For information on Portadown and County Armagh see the following: C. Coote, Statistical Survey of the County of Armagh, Dublin, 1804; P.W. Joyce, Irish Names of Places, vol. I and II, Dublin, 1891-1893; S. Lewis, Atlas of the Counties of Ireland, London, 1850; S. Lewis, A Topographical Dictionary of Ireland with Historical and Statistical Descriptions, vol. II, London, 1850, pp. 19, 423-425; B. Scale, An Hibernian Atlas or Genuine Description of the Kingdom of Ireland, London, 1809; A. Young, A Tour in Ireland 1776-1779, A. Hutton (ed.), London, 1892; W. Wilson, The Post-Chaise Companion or Traveller's Guide Through Ireland, Dublin, 1786, pp. 460, 486, 527.

⁶ S. Lewis, A Topographical Dictionary, pp. 19, 423-424. The population of Portadown in 1850 was 2,505 inhabitants and 479 houses. This was after a period of 50 years development so the population during D'Arcy's childhood presumably would have been considerably less.

baptised in the church adjoining the vicarage. While baptismal records for the period covering D'Arcy's birth are incomplete, it is likely that he was also christened in this church and raised a Protestant.⁷

Although D'Arcy's father was an innkeeper, the family proudly traced their ancestry over many generations citing as a forbear Thomas Wentworth, the First Earl of Strafford and Lord Lieutenant of Ireland during the reign of Charles I. The Wentworth family regarded their ancient lineage as an important part of their heritage and the parents impressed upon their children the significance of their pedigree. The family also claimed and maintained close kinship ties with the wealthy and influential Fitzwilliam family.⁸ In particular, Lord Fitzwilliam took an active and concerned part in promoting D'Arcy's interests. Having taken a seat in the House of Lords in 1769, Fitzwilliam became a prominent and at times controversial Whig politician. In 1782 he inherited a large estate called Wentworth House in Yorkshire which housed fine stables and kennels.⁹

Letters received by D'Arcy in New South Wales from his brother William, his sisters and his friends, bring to light a warm nostalgia for their childhood. Though few in number, the letters provide fleeting glimpses of a solicitous sister dressing her brother's hair, of a close knit family and of laughing children fishing and playing by the banks of the river. D'Arcy managed to win a special place in his father's affections and became the favourite son. In 1807 his brother William wrote to D'Arcy stating that he would have been a great source of comfort to his father during his last

⁷ *Ibid.*, p. 505. Blacker Manuscripts, vol. III, f.130. Registered Pedigrees, vol. XXIII.

⁸ See Affidavits by D'Arcy Wentworth's grand daughters, Items 81, 83, 84, D'Arcy Wentworth, Miscellaneous Material, M.L.MSS 8.

⁹ Entry under Fitzwilliam, William Wentworth, second Earl Fitzwilliam in *Dictionary of National Biography*, vol. VII, London 1908, pp. 235-237. See also *Gentleman's Magazine*, March 1789, p.856.

moments, concluding, "of all his children you certainly was the one he doated on."¹⁰

During D'Arcy's childhood the people of County Armagh enjoyed a period of social stability with the only serious disturbance occurring in 1763 when D'Arcy was a mere infant. The province of Ulster was predominantly Protestant and, unlike previous insurrections in the south of Ireland, this uprising did not involve Catholics to any significant degree. The peasantry in the north rose in protest against the payment of large tithes and the heavy taxes levied on them to build and maintain roads. While the insurgents, known as Oakboys, threatened violence, erected gallows and insulted and menaced gentlemen, no blood was shed. Lord Charlemont's moderate and judicious conduct as governor of the county of Armagh defused the potentially volatile situation and restored the peace.¹¹

Together with neighbouring children, D'Arcy attended a local school run by a Mr McDowell where, judging from the quality of their correspondence, they received a sound education in reading, writing and arithmetic. After completing his schooling, he studied medicine under Dr Alexander Patton of Tanderagee who became D'Arcy's adviser and friend. Located south of Portadown, Tanderagee was a small trading, market and post town, set in a richly cultivated part of the country. D'Arcy matured into

¹⁰ See the following letters; W. Wentworth to D. Wentworth, 12 July 1813, ff. 478-479; W. Wentworth to D. Wentworth, 3 May 1816, ff. 519-520; M. Overend to D. Wentworth, 6 May 1822, ff. 601-602; M. Sinnamon to D. Wentworth, 8 May 1822, ff.597-599; J. Dawson to D. Wentworth, 13 May 1822, ff.604-606; L. Dobbin to D. Wentworth, 22 May 1822, ff.611-613; W. Wentworth to D. Wentworth, 15 January 1824, ff.618-620; M. Johnson to D. Wentworth, 3 February 1826, ff.629-631 in Wentworth Papers, A754-2. Quote taken from W. Wentworth to D. Wentworth, 16 October 1807, ff. 222-223 in Wentworth Papers, A751.

¹¹ Young, vol. I, op. cit., pp. 124,128. F. Hardy, Memoirs of the Political and Private Life of James Caulfield, Earl of Charlemont, vol. I, London, 1812, pp. 184-187; G.C.Lewis. On Local Disturbances in Ireland; and on the Irish Church Question, London, 1836. pp.32-5.

a fine, young man whose remarkable appearance and manners attracted notice and comment. His friend Blacker of Carrick described him as "one of the handsomest men of his day."¹²

In 1782, with the assistance of his patron Lord Fitzwilliam, D'Arcy enlisted in the First Provincial Battalion of the Ulster Volunteers under the command of Lord Charlemont.¹³ The Ulster Volunteers formed part of an interesting but short lived phenomenon which emerged in Ireland in the late-1770s. Since the outbreak of war with the American colonies, troops, previously stationed in Ireland, had been called into active duty overseas. In 1778 France signed a treaty with America which effectively brought her into the war as an American ally. The weakened state of Ireland's defences, together with France's hostility towards England, alarmed the Irish who felt vulnerable to French invasion. They responded by uniting themselves into small armed units prepared and determined to defend their country. Neighbours and friends grouped together to establish military units, members of guilds and professional fraternities founded their own distinct corps and tenants gathered under the leadership of their landlord to form companies of volunteer soldiers.¹⁴

¹² Blacker, *loc. cit.*, f. 130; J. Hill to D. Wentworth, 19 February 1822, Item 93, D'Arcy Wentworth, Miscellaneous Material, MSS 8/4.

¹³ H. Kinkead to H.W. Keays Young, n.d., Item 73 in D'Arcy Wentworth, Miscellaneous Material, MSS 8; L. Dobbin to D. Wentworth, 22 May 1822, Wentworth Papers, A754-2, ff. 613-4.

¹⁴ For contemporary sources on the volunteer associations see; J. Barrington, Rise and Fall of the Irish Nation, Paris, 1833, Chapters III-VII; J. Barrington, Personal Sketches of His Own Time, vol. I, London 1869, pp. 48-49; M. Edgeworth, Memoirs of Richard Lovell Edgeworth, Esq., vol. II, London 1820, Chapter III; J. Gordon, History of the Irish Rebellion, London, 1803; J. Mullalle, A View of Irish Affairs since the Revolution of 1688, vol. II, Dublin, 1795, pp. 37-60; R. Musgrave, Memoirs of the Different Rebellions in Ireland, London 1801, pp. 47-52; J. Williams, Loose Thoughts on the Very Important Situation of Ireland, London, 1785. For Secondary Sources see; R.B. McDowell, Ireland in The Age of Imperialism and Revolution 1760 - 1801, Oxford 1979, Chapters I - VIII; A New History of Ireland, vol. IV, T.W. Moody and W.E. Vaughan(eds.) Oxford, 1986, Chapters VII- X, XX.; M.R. O'Connell, Irish Politics and

Most associations assumed titles indicative of their origins such as the Armagh Volunteers, the Dublin Light Dragoons, the Builders' Corps and the Lawyers' Artillery.¹⁵ Each volunteer corps, self-created and self-governed, consisted of between 50 and 100 unpaid men who were prepared to furnish themselves with arms and uniforms and other necessary accoutrements. This financial outlay - together with the time spent on military exercises - precluded many of the labouring classes, including the majority of Catholics, from enlisting.¹⁶ In general, the nobility, members of the gentry, merchants, skilled artisans and respectable yeomen enlisted as volunteers.¹⁷ Essentially they were men who were able and willing to devote their time, energy and part of their property to the defence and security of their country.¹⁸

Since 1778 the numbers of volunteers had continued to increase and when D'Arcy enlisted in 1782 they stood at approximately 100,000 men. Sir

Social Conflict in the Age of the American Revolution, Philadelphia, 1965.

¹⁵ Abstract of the Effective men in the different Volunteer Corps whose delegates met at Dungannon ... on the 16 April 1782, Appendix in H. Gratton, Miscellaneous Works of the Right Honourable Henry Gratton, London, 1822, pp. 129-140.

¹⁶ Edgeworth, op. cit., p. 63; Musgrove, op. cit., p. 49, Williams, op. cit., p. 6.

¹⁷ Barrington, 1833, op. cit., p. 49. See also The Earl of Shelburne's speech in the Debate in the Lords on the Earl of Shelburne's Motion of Censure against Ministers for their Conduct towards Ireland, 1 December 1779. Parliamentary History, vol. XX, p. 1159.

¹⁸ The associations made a valuable contribution to the maintenance of law and order in their communities. The volunteers performed guard duty in the garrison towns: they actively and publicly supported the civil magistrates and assisted the sheriffs in the execution of their duties by escorting prisoners to and from jail, apprehending suspected law breakers, dispersing unruly gatherings and fighting fires. They functioned as an effective police force and respectable citizens appreciated their efforts in preserving the public peace. For example the citizens of Waterford publicly applauded the efforts of their volunteers: "And indeed the great services rendered the city by them, in protecting the property of the inhabitants from plunder, and their persons from insult; suppressing riots, and apprehending rioters; and their unwearied attention and activity on every occasion to promote peace and good order, should not be passed over in silence, and demand the warmest thanks." Freeman's Journal, 21 November 1778. See also Freeman's Journal, 17 February 1779. For a further account of the activities of the volunteer associations see Debate in the Lords on the Earl of Shelburne's Motion of Censure against Ministers for their Conduct towards Ireland, Parliamentary History, vol. XX, p. 1160.

Jonah Barrington, a contemporary Irish lawyer, maintained that by this time "almost every independent Protestant of Ireland was enrolled as a patriot soldier."¹⁹ As a Member of a volunteer corps, D'Arcy gained status and participated with many eager young men in military exercises. The resplendent uniforms and the grand military reviews were outward signs of the pride and prestige felt by each volunteer. Public praise and commendation fuelled their growing sense of self-importance. Parades, marches, army manoeuvres and spectacular mock battles followed by bonfires, festivities and fireworks added colour and gaiety to Irish life and increased the volunteer's sense of self esteem and enlivened his patriotic spirit.²⁰

The volunteer associations provided opportunities for D'Arcy and his fellow soldiers to assemble, air grievances and exchange ideas. As independent corps met with other corps in military exercises, they appreciated that - although each corps was a distinct and unconnected unit - they marched to the same drummer. They realized that their ambitions and aspirations for Ireland were in step. A desire not only to defend their shores from foreign invasion, but to protect and uphold the liberty and political integrity of their citizens motivated the volunteers. In unison they disavowed English authority and raised the call for free trade and the right

¹⁹ Abstract of the effective Men in the different Volunteer Corps, whose Delegates met at Dungannon, 16 April 1782, in Gratton, *op. cit.*, pp. 129-136. Barrington, 1833, *op. cit.*, p.46.

²⁰ Holding a commission in the Volunteers carried added distinction but it also incurred extra costs. Mrs McTier of Belfast, whose husband accepted promotion to officer rank, deemed it "an expensive honour." The following is a quote from Freeman's Journal, 6 August 1778, giving some indication of the military and social aspects of the volunteer associations; "The two companies of volunteers paraded under arms and in uniforms; and fired three volleys with great regularity and exactness. ... The evening concluded with bonfires, fire-works ..." See also 23 June 1778, 4 July 1778 and 20 October 1778, *ibid.* For quote see M. McTier to W. Drennan, 7 July 1778, W. Drennan, The Drennan Letters 1776 - 1817, D. A. Chart (ed.), Belfast, 1931, p. 7.

to legislate for themselves. The volunteer associations assumed a determined political stance and began to agitate for parliamentary reform. In particular, they objected to a statute, passed during the reign of George I, known as Poyning's Law. This statute prevented any member of the Irish Legislature from initiating a bill in either the House of Lords or Commons without prior approval from the English Privy Council.

When D'Arcy joined the Ulster Volunteers, they were at the forefront of the political movement pressing for the constitutional independence of Ireland. In 1782 they organized for a provisional assembly of delegates to convene at Dungannon in county Tyrone to debate the issue of parliamentary reform. Delegates from 143 corps met and passed a series of resolutions including a unanimous endorsement of the following declaration:

That a claim of any body of men, other than the King, Lords and Commons of Ireland, to make laws to bind this kingdom, is unconstitutional, illegal, and a grievance.²¹

Volunteer associations throughout the country voiced their approval of the resolutions, pledged their support to the Ulster Corps and made similar declarations.²² In June 1782 the British Parliament responded to the plea for a free constitution by repealing Poyning's law. In Ireland, widespread applause greeted the news. Nevertheless, for some volunteers, the removal of this grievance only exposed further obstacles to their freedom. They continued to agitate for additional parliamentary reforms, including the institution of a more representative House of Commons. This time their efforts went unrewarded. Having achieved political success in

²¹ Resolutions passed at a meeting of the representatives of 143 corps of Volunteers ... held at Dungannon, 15 February 1782 in Gratton, *op. cit.*, pp. 170-172.

²² For examples see Freeman's Journal, 6, 12 March 1782.

1782 and with the termination of the American war in 1783 the associations lost their *raison d'être* and began to disband during 1785 and 1786.²³

D'Arcy served as an ensign until some time before 1785. Although he occupied the lowest commissioned rank in the infantry, it nonetheless was a mark of prestige for the young man. Officer status in the volunteer corps reflected his social standing in the community. The pride of family heritage and the patronage of his kinsman Lord Fitzwilliam equipped D'Arcy to take his place in Irish genteel society despite his father's occupation as an innkeeper. Impressed by the young man's charm, gentlemanly appearance, and manners, well-bred and influential men accepted his company. According to his commanding officer, Lieutenant Colonel Thomas Dawson, D'Arcy "conducted himself as became a good soldier." This statement stands as a solid commendation, indicating that D'Arcy performed his volunteer duties conscientiously and sympathized, publicly at least, with the political sentiments of the volunteer corps. At D'Arcy's request, the colonel was willing to use his influence with Lord Charlemont to obtain a letter of recommendation from the Marquis of Rockingham. Aware of the importance of such recommendations, D'Arcy actively sought patronage to advance his career.²⁴

After completing his military service, D'Arcy Wentworth left Ireland in 1785 for England where he continued his medical studies, working in

²³ For contemporary references on the efforts of the volunteer corps to gain additional parliamentary reform see; Edgeworth, *op. cit.*, Chapter III; J. Gordon, *op. cit.*, Chapter I; W. Drennan to M. McTier 20 May 1785, Drennan, *op. cit.*, pp.29-30; The Duke of Rutland to W. Pitt, 16 June 1784; Correspondence between the Right Honourable W. Pitt and Charles, Duke of Rutland 1781-1787, Edinburgh, 1890, p.18.

²⁴ See Barrington's classification of Irish gentlemen particularly his assessment of the 'half mounted gentleman,' Barrington, 1869, *op. cit.*, pp.79-81. Statement of Service signed by T. Dawson, 27 January 1786, Item 89 in D'Arcy Wentworth, Miscellaneous Material, MSS 8/4.

London hospitals and attending classes.²⁵ During the late-eighteenth century the educational qualifications of physicians and the standard of their medical training varied greatly throughout Britain. It was only during this century that physicians had managed to separate themselves from the barbers and surgeons guild.²⁶ Some doctors gained degrees from universities in Glasgow, Edinburgh or Dublin. Others, particularly country doctors like Wentworth, gained their medical knowledge and skills as apprentices under the tutelage of experienced physicians. A number of people with little or no formal medical training simply designated themselves doctors.²⁷ Dr J.M. Adair in a book published in 1786 voiced concern at the state of medical practice in England. He maintained that some men who assumed the title of medical doctor had neither the education, skill nor conduct to lay claim to such a distinction. Furthermore, he pointed out that the public was unable to distinguish between doctors qualified to practise medicine and those unqualified to do so. He also criticised the London colleges for granting extra licences to country surgeons and apothecaries and, the universities for conferring honorary diplomas on students who had not even attended their institutions.²⁸

Young doctors, without private means, faced a difficult period in establishing their careers. They relied on patients' fees for their income and competed not only with fellow doctors but also with apothecaries. Dr Adair maintained that many years elapsed before the emoluments of a doctor's

²⁵ Ibid.

²⁶ J.H.D. Widdess, An Account of the Schools of Surgery. Royal College of Surgeons, Dublin 1787-1948, Edinburgh, 1949, pp. 5, 10.

²⁷ J. M. Adair, Medical Cautions, London, 1786, p.165. In his book on Jeremiah Fitzpatrick, O.MacDonagh, highlighted the difficulties in attempting to establish the qualifications and training of doctors from this period. O.MacDonagh, The Inspector General, London, 1981.

²⁸ Adair, op.cit., pp. 165 - 167.

practice were more than sufficient to support a physician in the rank of a gentleman.²⁹ The experience of Dr William Drennan highlighted the problems encountered by young doctors. He gained his medical degree from Edinburgh University in 1778 and returned to his native Ireland in 1783 to begin a practice in Newry, a town south of Tanderagee. During the early days of his practice he felt that his profits would never be great. He explained to his sister that he was not fond of clubs but attended them out of a desire to make acquaintances, even if those he met were generally "not very lucrative." In order to encourage people of substance to seek his medical advice, this young doctor felt compelled to engage in social activities likely to impress such people. He wrote, "There are many who will think that I should join frequently in the bacchanalian roar, particularly as my competitor lays claim to the title of a jolly fellow." He also remarked that he had earned 13 guineas in fees but had spent 18 guineas in the last two months.³⁰

In order to attract the patronage of patients able to pay for their consultations, many young doctors without a private fortune lived beyond their means. They eked out a marginal existence in endeavouring to maintain the appearance of a gentleman but surviving on the few guineas received in fees.³¹ Emigration to America, a military, naval or government position, or an appointment with the East India Company provided an opening for young doctors seeking to establish their careers. D'Arcy Wentworth saw his opportunity with the East India Company. He had been promised a position as surgeon's assistant to one of its establishments in India and in November

²⁹ *Ibid.*, pp. 166-167; W. Drennan to M. McTier, some time in 1788, Drennan, *op. cit.*, p. 45.

³⁰ W. Drennan to M. McTier, some time in 1783, Drennan, *op. cit.*, p. 12.

³¹ See Mrs McTier's account of doctors in Belfast, M. McTier to W. Drennan, about February 1788, *ibid.*, p. 46.

1782 was awaiting the Court of Directors' nomination to confirm his appointment. As an important preparation for this new career, Wentworth secured a letter of recommendation from an acquaintance, J. Archockey, to David Killican in India. In this letter, dated 22 December 1785, the author noted that Wentworth was going out to India as a surgeon and that he intended to remain in the country if he met with encouragement. He also mentioned that Wentworth had been trained as a surgeon, and had the benefit of the best education and a great deal of practical experience. He added that this young doctor had the backing of powerful friends who, at present though, found their influence weakened because they formed only a minority political faction.³²

People saw Wentworth not solely in terms of his own achievements, attributes and skills, but also as a member of a clique. Although he himself possessed little power, the strength of his friends' social and political standing became part of his identity. Apart from Lord Fitzwilliam's support, he had a circle of friends and influential acquaintances busily making representations on his behalf. Mr R. Sinclair, a respected barrister who resided in York, formed an important link in this circle and contributed to efforts to find Wentworth an overseas post.³³

On learning of his bright prospects with the East India Company, Dr Patton wrote to Wentworth on 20 November 1785, expressing both delight and caution. This letter, written by a concerned mentor who knew and understood all too well the strengths and weaknesses of his pupil, hinted at underlying problems. He warned Wentworth that his good fortune was almost assured, "if you throw no impediments in its way." In so saying Dr Patton

³² J. Archockey to D. Killican, 22 December 1785, Wentworth Papers, A754-2, ff.290-291.

³³ R. Sinclair to D. Wentworth, 20 November 1785, *ibid.*, ff. 288.

was referring not to external exigencies, but to Wentworth himself as the instrument of his own destiny. He urged Wentworth to be sober and diligent in his duties and to live within his means. Aware of the importance of patronage and the need to cultivate influential friends, he counselled:

Prudence and Industry with a Great degree of caution and attention to those whom you have to look up to are the great things you must be mindfull of. Great People who are to Confer favours look for attention from those they confer them on, their counsel they think ought to be taken and every degree of respect paid to their advice and opinions however different it may be from your own Sentiments.

He encouraged him to seek out the advice of James Dawson, a man wise in the ways of the world and of sound judgement. Finally he cautioned him to avoid "Idle, giddy and dissipated Company" no matter how agreeable it might appear, adding: "there is something so fascinating in the Company of some dangerous men that we cannot see it 'till it is too late." Clearly, while Patton recognized and admired fine qualities in Wentworth, he was troubled by weaknesses in his character. The letter intimated that D'Arcy had already caused his parents hardship, but ended optimistically: "You have Cost your father much; I know your heart it's good and I'm sure you will endeavour to repay him with interest."³⁴

For reasons that remain obscure, Wentworth did not proceed to India, but remained in London pursuing his medical career. Towards the end of 1786 he disregarded his former teacher's advice and formed a connexion with disreputable characters who frequented the Dog and Duck tavern in St.

³⁴ A. Patton to D. Wentworth, 30 November 1785, Wentworth Papers, A751, ff. 5-6.

George's Field.³⁵ The Dog and Duck's reputation had been declining since 1769 and in 1787 the proprietor appealed against the magistrates' decision to refuse him a licence. This inn was near to Blackheath, a windswept tableland south of Greenwich Park, which lay on the direct road from London to Canterbury and Dover. The heath had earned a reputation as a haunt for highwaymen.³⁶

On Wednesday 10 January 1787 robbers waylaid Dr James Irwin and Stephen Remnant at Blackheath and, under force of arms, demanded their valuables. They made away with watches, chains, seals and coins valued at £27. On the following Saturday at Shooters' Hill, east of Blackheath, highwaymen again lay in wait for the unwary. Even though the Dover Road cut through the area, this remote spot was a place to be avoided. Gallows by the crossroads at the bottom of the hill and the gibbet at the summit warned travellers of the desperadoes who infested the district. On that wet and wintry afternoon, three highwaymen bailed up Alderman Curtis, Archibald Anderson and Claude Scott. After ordering them to surrender their possessions, the thieves escaped with jewellery and coins worth £28. The victims raised the alarm which alerted Mr Duncan who promptly set off after the culprits. The highwaymen had separated, but Duncan managed to overtake and apprehend William Manning at the south end on the road through Lewisham.³⁷

Information in Manning's pocket-book led the Bow street patrol officers to Wentworth's residence in London where they apprehended him. On 15 January Manning and Wentworth appeared before the magistrates in the

³⁵ Kentish Gazette, Tuesday 16 January - Friday 19 January 1787, last page.

³⁶ B. Weinreb, C. Hibbert (eds.), The London Encyclopaedia, London, 1983, pp. 231, 269.

³⁷ Ibid., p. 784; Kentish Gazette, 16 January - 19 January 1787.

public office in Bow Street London, charged with the commission of several highway robberies at Blackheath and Shooters' Hill during the previous week. Evidence tendered did not incriminate Manning who was committed for further examination. Found in possession of two watches, sworn by Curtis and Mr Jones of Bristol to be stolen property, Wentworth was bound over to stand trial at the Maidstone assizes. Before the justices, the young man spoke of his good family name, his training as a surgeon and his services as a commissioned officer in Ireland. He attributed his degraded situation to the evil influences of his companions at the Dog and Duck. Wentworth remained in Newgate prison until Saturday 17 March when he was escorted to the common gaol in County Kent.³⁸

On the 21st he came to trial at the Maidstone assizes charged with feloniously assaulting and stealing property from Remnant, Curtis, Anderson, Irwin and Scott. To conceal his identity he gave his occupation as labourer. Court transcripts are not extant but the assizes' agenda book records that he pleaded not guilty and was acquitted on all charges.³⁹

At the time of Wentworth's trial, ships were making rendezvous at the Mother Bank in preparation for their journey to Botany Bay. The *Charlotte* had collected her convict cargo at Plymouth during January and February, and had arrived at Portsmouth on 17 March to join the fleet. John Harris, a naval surgeon was later to claim that he had met Wentworth on board this vessel. He maintained that Wentworth was the ship's surgeon, but that he had deserted the *Charlotte* before the fleet sailed in May 1787.

³⁸ *Ibid.*; Original Manuscript List of Prisoners confined in Newgate and Tried at the Old Bailey 1787-1789, N.L. MS 98, February 1787, f. 24.

³⁹ *Kentish Gazette*, Friday 23 March - Tuesday 27 March 1787; Miscellaneous Books, ASSI 34 / 44, 34 / 70; Agenda Books, 31 / 15; Lent Assizes Begun 19 March 1787, pp. 23-4; ASSI 35/227/5, PFF3692, Felony File, Lent Assize 1787; Public Records Office, London.

Although no corroborative evidence exists, Harris's recollections appear plausible. Wentworth's friends had for some years been endeavouring to find him an overseas post. His acquittal and probable subsequent appearance on board the *Charlotte* suggests that they were attempting to secure him a berth as ship's surgeon to Botany Bay. Rather than abandoning his post, it seems more likely that Wentworth's patrons failed to persuade the Home Office to allow him to sail with the fleet.⁴⁰

Despite his court appearances and his failure to obtain a commission, Wentworth continued to lobby for an official appointment. He was aware of opposition and of the necessity to redeem his damaged reputation.⁴¹ He looked to friends to use their influence to dispel any existing misgivings about his character. Yet a letter, written by James Dawson on 11 June 1787, suggests that Wentworth had become distracted and casual in his conduct. Obviously annoyed with Wentworth's inconsiderate behaviour, Dawson chastised him for failing to inform him on two consecutive occasions that he was unable to keep an appointment. Dawson was also a friend of Mr Sinclair who had earlier supported Wentworth's efforts to secure an overseas post.⁴²

In July 1787 Wentworth sought the help of mediators to counter the objections raised to his appointment. Mr James Charles Villiers, second son of the first Earl of Clarendon and member of parliament for Old Sarum, advised him to approach Mr Russell and solicit his aid in convincing Charles

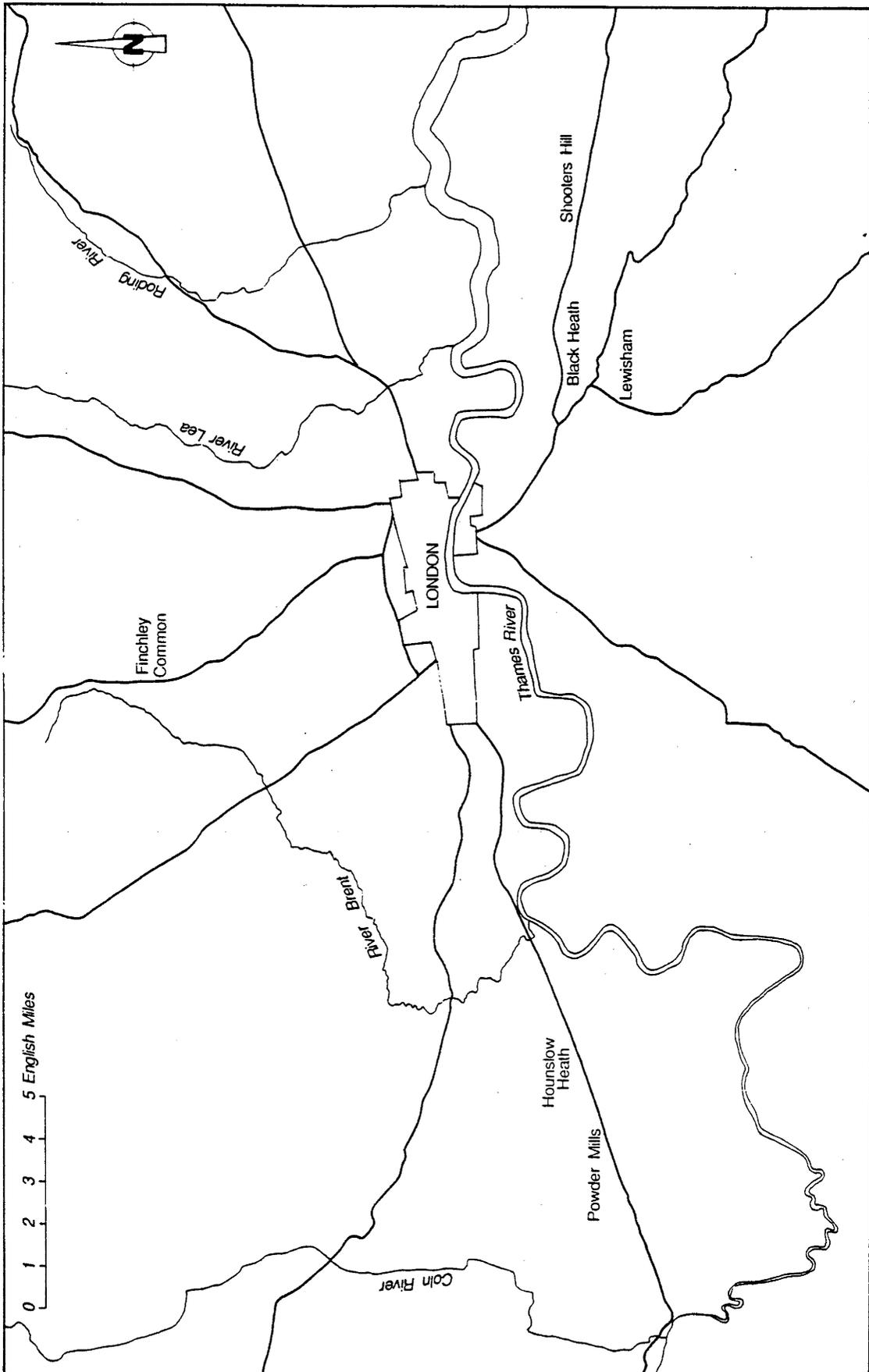
⁴⁰ J. White, Journal of a Voyage to New South Wales, (originally printed 1790), Sydney 1962, pp.47, 51; W. Tench, A Narrative of the Expedition to Botany Bay; with an account of New South Wales, its Productions, Inhabitants &c, London 1789. p.11, Evidence of J. Harris, Appendix to Commissioner Bigge's Report, Convicts - Evidence, CO 201/120, ff.157-9.

⁴¹ J.C.Villiers to D. Wentworth, 18 July 1787, Wentworth Papers, A751, f. 12,13.

⁴² J. Dawson to D. Wentworth, 11 June 1787, ibid., f. 11.

LONDON AND ITS ENVIRONS

Sites of D'Arcy Wentworth's alleged highway robberies



Middleton, comptroller of the navy, of his suitability for a government post.⁴³ The following November Wentworth attempted to secure an army appointment through the efforts of influential contacts. On the 16th his friend, Villiers, regretfully informed Wentworth that he could not be of help because he did not know the commander of the regiment mentioned by him.⁴⁴

One week later, on 23 November, an evening patrol apprehended Wentworth after a reported highway robbery on a Mr William Lewer at the Powder Mills on Hounslow Heath. This waste tract of land, located west of London, stretched for many miles and provided cover for the highwaymen who preyed on travellers. Gibbets lining the heath reminded felons of their likely fate if caught.⁴⁵ Lewer maintained that he had been travelling in a post-chaise with his clerk when, just before dusk, he heard a voice ordering them to stop. A man dressed in a large drab coloured great coat and with a black silk covering his face rode up and demanded his money and watch. Without protest, Lewer handed over his valuables.

On learning of the robbery three officers of the Bow Street patrol proceeded to the Knotting hill turnpike where, later that evening, they intercepted Wentworth. After he dismounted from his horse the patrol searched him and uncovered a loaded pistol, a wig and a piece of black silk. A member of the patrol, Samuel Maynard, also found a key in Wentworth's coat pocket. Wentworth explained that it belonged to a chest he had in his rooms but he refused to disclose his place of residence. The next day Mary

⁴³ J.C. Villiers to D. Wentworth, 18 July 1787, ibid., ff.12,13.

⁴⁴ J.C.Villiers to D. Wentworth, 16 November 1787, ibid., f. 15.

⁴⁵ The London Encyclopaedia, p. 397.

Wilkinson, who shared lodgings with Wentworth, pawned the watch stolen from Lewer.⁴⁶

Four days later and undeterred by the events of the evening of 23 November, D'Arcy returned to the scene of the crime still carrying a pistol, hairpiece and mask. He was again stopped by the night patrol after an alleged highway robbery on John Hurst and Ann Grundy who were travelling together in a post-chaise. The patrolmen pulled Wentworth from his horse, searched him and found the loaded pistol, the wig and the black silk mask. The patrolman, Maynard, maintained that before Wentworth dismounted from his horse, he appeared to throw something into the darkness. On examining the surrounding area, one of the members of the patrol located the watch belonging to the gentleman who had been robbed. On this occasion they took Wentworth into custody.⁴⁷

At a preliminary hearing on 30 November Wentworth remained composed. One of the victims of the highway robberies, Lewer, displayed more agitation than the accused. Wentworth's landlord, Thomas Little, appeared at the hearing and disclosed Wentworth's address. Maynard then proceeded to Wentworth's lodgings in Oxford Market where he recovered, from a chest in the accused's rooms, a seal identical to the one taken from Lewer. Both D'Arcy Wentworth and his female companion operated at this time under assumed names. Wentworth called himself Fitzroy and Mary Wilkinson used the alias of Looking.⁴⁸

During this examination the chivalrous Wentworth declared that if Miss Wilkinson "was brought into trouble upon his account, he would destroy

⁴⁶ Old Bailey Session Papers, 1787-1788, pp. 15-20.

⁴⁷ Ibid., pp.22-5.

⁴⁸ Ibid., pp.15-20.

himself." The court reporter described her as a pretty woman and genteelly dressed. She wore a neat French cap, with a large white beaver hat, and an elegant gold and silver band. Despite her fashionable and tasteful dress, the reporter entertained no doubts about her culpability, stating that this woman and her sister had created great havoc among the gentlemen of the road. He compared them with the notorious Sarah Milwood, a familiar eighteenth century fictional character who had seduced a young apprentice and enticed him to steal and murder for her.⁴⁹ Clearly Wentworth was enamoured of Miss Wilkinson.

On 12 December he appeared at the Old Bailey indicted on three counts of highway robbery. Wentworth first appeared charged with feloniously assaulting William Lewer on 23 November, putting him in corporal fear and danger of his life, and taking from him sundry items including a watch, chain and key. Wentworth's accomplice, Mary Wilkinson, faced a charge of receiving these goods knowing them to be stolen. Newspaper accounts of Wentworth's exploits which, for the reader, left no doubt of his guilt had infuriated him. In court this handsome young doctor defended himself by standing on his honour:

I only trust that those paragraphs that have appeared publicly against me, in the papers, may not have any effect on the minds of the Jury; I have been ranked among the most notorious of offenders; and I wish that any person that has published those paragraphs against me, would now come forth like a man.⁵⁰

Wentworth's composed, gentlemanly demeanour which bespoke

⁴⁹ Daily Universal Register, 3 December 1787, p.3; E.C. Brewer, The Brewer Dictionary of Phrase and Fable, Ware, Hertfordshire, 1986, pp.97,740.

⁵⁰ Old Bailey Session Papers, 1787 - 1788, p.18.

propriety and respectability stood him in good stead. As a couple, D'Arcy Wentworth and Mary Wilkinson created a favourable impression. One witness maintained that Wentworth and his lady behaved like gentlefolk.⁵¹

Despite the court reporter's conviction that a strong presumption of guilt existed, the jury found both D'Arcy Wentworth and Mary Wilkinson not guilty. Although Mr Lewer could not identify Wentworth as the perpetrator of the crime, strong circumstantial evidence of his guilt existed. The patrol had apprehended him under suspicious circumstances, his accomplice Mary Wilkinson definitely pawned the stolen watch, though the identity of the man who gave it to her remained undisclosed, and a seal resembling the one stolen had been recovered from a chest belonging to Wentworth.

After being found not guilty of offences against William Lewer, Wentworth immediately faced similar charges for crimes alleged to have been committed on 27 November against John Hurst. During this trial Hurst showed a strong disinclination to have Wentworth convicted. According to Maynard, Hurst had, on the night of the offence, described the highwayman as a stout, lusty man wearing a drab coloured great coat and riding a light chestnut horse. In court Hurst testified that the man who robbed him was a tall, thin man bearing little resemblance to the accused. He also contradicted Maynard's evidence by claiming that the highwayman's horse was dark in colour and dissimilar to the one hired by Wentworth on the night of the robbery. Ann Grundy supported Hurst's evidence.⁵²

As in the previous trial the evidence, apart from that presented by Hurst and collaborated by Ann Grundy, pointed to Wentworth's guilt. The night patrol apprehended him on horseback soon after the offence had been

⁵¹ *Ibid.*, evidence of Thomas Little, p. 17.

⁵² *Ibid.*, pp.22-25.

perpetrated and in close proximity to the scene of the crime. Wentworth again carried with him the highwayman's stock-in-trade, including a pistol, a hair piece and a black crepe mask. Near the site of his apprehension the patrol retrieved the stolen watch alleged to have been thrown by Wentworth while still mounted on his horse. Nevertheless, in light of the testimony of the witnesses Hurst and Grundy, the jury had no option but to acquit Wentworth of the charges against William Hurst. As no additional evidence was tendered on the third charge involving highway robbery committed against Ann Grundy, Hurst's travelling companion, the jury likewise acquitted him.⁵³

Wentworth was one of the fortunate beneficiaries of England's bloody legal code. Highway robbery, together with some 160 other crimes, carried the death penalty. Contemporary comments by Judge Blackstone and Patrick Colquhoun, a police magistrate, indicate that the severity of such sentences often deterred the victims of felonies from preferring charges against probable law-breakers. Similarly, juries touched by compassion or mercy would either fail to convict an accused or accept mitigation of the offence. Colquhoun also pointed to abuses practised by the accused to pervert legal processes which included the hiring, bribery and intimidation of witnesses.⁵⁴ It would appear that in the case of D'Arcy Wentworth and Mary Wilkinson, compassion for their predicament influenced the jury's decision. Hurst's and Grundy's conflicting evidence may also have stemmed from their compassion for this young respectable gentleman and their reluctance to have him hanged. No evidence exists suggesting that

⁵³ *Ibid.*, pp.22-25.

⁵⁴ P. Colquhoun, A Treatise on the Police of the Metropolis (reprinted from the seventh edition, 1806), New Jersey 1969, pp.4, 6, 20.

Wentworth's friends attempted to influence the witnesses or members of the court though such endeavours cannot be discounted. Although found not guilty on the three counts of highway robbery the circumstantial evidence implicating Wentworth in these crimes remained strong.

Neighbourhood intelligence circulating in his home town of Portadown held that Wentworth, drawn into the company of friends who enjoyed the conviviality and amusements of fashionable society, found himself living beyond his means. Wentworth resorted to gambling and then to highway robbery in an attempt to finance his acquired standard of living.⁵⁵ This portrayal of Wentworth's fall followed the contemporary eighteenth century stereotype of highwaymen. The typical profile depicted a young man of some education who - through idle habits - fell prey to gambling and debauchery, became impoverished, and had recourse to the highways in order to support his adopted way of life. The exploits of highwaymen tended to be romanticised as bold adventures and their characters depicted as brave and daring. Even sober-minded magistrates like Colquhoun classified highwaymen as a distinct group of criminals not belonging to "the lower and more depraved part of the fraternity of thieves."⁵⁶ The *Criminal Recorder* published in 1804 defined highwaymen as:

... Robbers upon horse back, who infest the chief post roads and stop travellers, either alone, or in coaches ... They always take care to be well mounted for the purpose of escaping if pursued and are generally armed with pistols.

Many who have *taken the road*, as it is called, have been first induced either through necessity or extravagance; and being probably successful in their

⁵⁵ Blacker Manuscript, vol. III, f.131.

⁵⁶ Colquhoun, *op. cit.*, p. 95.

first attempts, they renew their depredations, notwithstanding they have procured a competency: but money thus obtained is soon spent; their success only tends to increase their audacity, and at length the constant repetition of their offence leads to a detection.⁵⁷

Wentworth had certainly grown larger and stouter since his arrival in England and he enjoyed the company of influential and wealthy friends. He had been raised knowing that his family sprang from an illustrious and ancient line of the English aristocracy and he most certainly shared the opinion of his friends that his family was "above the common ground." On the other hand, he associated with men and women of disreputable character and, rather than use his respected family name, chose at certain times to conceal his identity by using an alias. His continued endeavours to seek employment overseas suggests that his medical practice was not prospering and therefore the means by which he maintained the appearance of a respectable gentleman remains in question. Dr Patton's reference to him costing his father much also indicated that, prior to 1785, Wentworth had already disappointed his father. He certainly showed temerity, if not foolhardiness, in venturing out on the road on horseback only days after having been apprehended as a suspected highwayman.

At this time Wentworth inhabited two worlds. One was that of an upstanding and agreeable young kinsman of Lord Fitzwilliam who aspired to a genteel way of life and who frequented and was welcomed into the homes of respectable gentlemen.⁵⁸ In the second he lived the raffish, clandestine existence of Mr Fitzroy. Here he lived with a woman of questionable reputation, and would pay half a crown for a fortnight's lodgings in the

⁵⁷ A Student of the Inner Temple, The Criminal Recorder, vol. III, London, 1804, p.118.

⁵⁸ See the evidence of John Pemberton Heywood, Old Bailey Session Papers, 1789 - 1790, p. 4.

house of a carpenter in Oxford Market before "taking the road."⁵⁹ Clearly, Wentworth faced the difficulty of reconciling his aspirations with the realities of life as a struggling surgeon.

Desperate attempts by his friends to secure him a position overseas continued without success. In October 1789 Villiers wrote to the Home Office on Wentworth's behalf. He stated that this young man was extremely keen to go to Botany Bay and that his education as a surgeon might prove useful. Fearing ultimate ruin for Wentworth, Villiers confided, "if he continues in this country, it is scarcely possible for him to return to any honest course of life." The Home Office was unmoved: Villier's letter was simply minuted: "Nothing to be done."⁶⁰

But, by this time, Wentworth had already become more deeply involved in crime. In December 1789 he followed the course predicted in the *Criminal Recorder*, and was again arrested as a suspected highwayman. He appeared before the London courts indicted on a highway robbery charge alleged to have been committed on John Pemberton Heywood in the previous July on Finchley Common. The victim maintained that he had left Lincoln's Inn a little before 11 a.m. and was travelling north when he had been robbed by two men on horseback. One of the highwaymen, who bore a resemblance to Wentworth, presented his pistol and demanded, "your purses; your purses." Heywood surrendered his purse, but was then asked to hand over his watch. Heywood claimed that he did not have one, but the highwayman held the pistol to the victim's head and demanded the watch. At this point Heywood, stressed that he was unarmed and totally defenceless, and pleaded for him

⁵⁹ See the evidence of Thomas Little, Old Bailey Session Papers, 1787 - 1789, pp. 16 - 17. For an explanation of the meaning of this phrase see quote p.28.

⁶⁰ J.C.Villiers to n.n. 16 October 1789, HO 42/ 15, X/LCC 475; Dictionary of National Biography, vol. XX, London, 1909, p. 352.

to point the pistol away from his head. As the highwayman moved, his crêpe mask was disturbed and Heywood caught a glimpse of the lower part of his face. The man, alleged to have been Wentworth, then took the watch and a morocco tweezer case and fled.

Heywood had known Wentworth over a number of years and had met him in York at the home of a respectable gentleman, Mr Sinclair, where Wentworth had lived for some time. Together with a number of other persons, probably including Sinclair, Heywood had taken an active role in forwarding plans for Wentworth to leave the kingdom. Indeed, at the time of the offence Heywood thought Wentworth was abroad. He vouched for Wentworth's character, declaring: "I thought him a very agreeable young gentleman; ... I believe he is of an excessive good family in Ireland."⁶¹ Here again emerged the ambiguous D'Arcy Wentworth, the respectable young man of esteemed family background and a prisoner in the dock at the Old Bailey

Although convinced of Wentworth's guilt, Heywood balked at identifying him positively as his assailant. He stated that, although he had not seen the culprit's face, the highwayman spoke with a strong Irish brogue. The court asked Wentworth if he would say anything, but his counsel declined on his behalf. The jury found Wentworth not guilty. On this occasion the press found the trial "particularly uninteresting."⁶²

Mr Heywood believed Wentworth to be the man who had assaulted him, yet he showed no animosity towards him during the trial. Indeed, he took great pains to impress the court with Wentworth's respectability and gentlemanly conduct. Considering Mr Heywood's prior involvement with

⁶¹ See evidence of John Pemberton Heywood, Old Bailey Session Papers, 1789 - 1790, p.4.

⁶² The Times, 10 December 1789, p.3.

Wentworth's friends in endeavouring to find him an overseas post, it is likely that he cooperated in obtaining Wentworth's acquittal. Following the jury's pronouncement in favour of Wentworth, the prosecutor informed the court that Mr Wentworth had taken a passage to go in the fleet to Botany Bay as an assistant surgeon and requested his immediate discharge. The court granted his request.⁶³ This arrangement may well have been part of an out of court agreement between the prosecutor and Wentworth's friends to have him acquitted on condition that he leave the country. Wentworth's patron, Lord Fitzwilliam, who had taken a keen interest in the young man since his enlistment in the Ulster Volunteers, continued his active support. By providing Wentworth with money he played a key role in securing him a berth on the transport ship *Neptune* which had been ready to sail for Port Jackson since 13 December 1789.⁶⁴

Wentworth's personal appeal attracted people and fostered in them a desire to help and even to protect him. His relationships with his father, his mentor Dr Patton, his patron Lord Fitzwilliam, his advisor James Dawson, and now his prosecutor Heywood, all showed a willingness on the part of his friends and family to support and defend him despite his troubled history. They recognized in this young doctor certain qualities which transcended his failings and they trusted his ability to build a successful life.

Although Wentworth expressed neither his apprehensions nor his hopes about his future in the land of exiles, Elizabeth Macarthur, a fellow passenger to the colony, did so. She explained to her mother how terrifying and gloomy the prospect of going to Botany Bay first appeared while she

⁶³ Old Bailey Session Papers, 1789 - 1790, p. 4.

⁶⁴ C. Cookney to Earl Fitzwilliam, July 1834, Correspondence of D'Arcy Wentworth 1796-1834, Wentworth Woodhouse Muniments.

suffered herself to be blinded by "cowardice and vulgar prejudices." She, however, faced the inevitability of the venture, accepted it and resolved not to regret it.⁶⁵ Taken up with the practicalities of living, Wentworth also seemed to have confronted his future in the colony with acceptance and determination. He promptly called into play his network of contacts who used their influence to gain access to people likely to be of service to him. In particular Wentworth sought, through the efforts of an acquaintance Thomas Hill, the assistance of Under Secretary Nepean who he hoped would recommend him to Governor Phillip.⁶⁶

Wentworth's predicament attracted the concern of Charles Cookney who gladly accepted the responsibility for managing his affairs. On 17 December, within days of Wentworth's acquittal, Cookney wrote "Tho' I know but little of you, and as such it might be thought why should I care about you, yet believe me, I felt for your situation as much as if you had been related to me." Charles Cookney succumbed to Wentworth's charm and willingly joined the company of people working to promote his interests.⁶⁷

One of Cookney's first undertakings on Wentworth's behalf involved repaying a sum of money owed by Wentworth to a woman named Mrs Wilson. Anxious about this woman, Cookney wrote to Wentworth expressing his reluctance to pay her the total amount lest she set off after Wentworth. Cookney suggested that this would be a silly pursuit on her part, but that there was no accounting for the actions of a woman. It would seem that Mrs Wilson was infatuated with the handsome doctor and dreaded separation. This situation hinted at the underlying precariousness of Wentworth's

⁶⁵ E. Macarthur to her mother, 8 October 1789, Extracts from Letters - Mrs Macarthur, Macarthur Papers, vol. XXII, A2908, ff.8-11.

⁶⁶ T. Hill to D. Wentworth, 16 January 1790, *Wentworth Papers*, A751, f. 20.

⁶⁷ C. Cookney to D. Wentworth, 17 December 1789, *ibid.*, ff. 17-18.

existence in London, in particular, the parlous state of his financial affairs and the unconventionality of his private life.⁶⁸ Having won the backing of his patron, Lord Fitzwilliam, and secured the services of his agent, Charles Cookney, Wentworth prepared to sail for New South Wales with his letters of recommendation, his charm and his will to succeed.

Freed from the tense claustrophobia of the courtroom, Wentworth boarded the *Neptune* during the second half of December to encounter the bitter and acrimonious atmosphere of the transport ship. Four hundred and ninety nine male and female convicts, over 40 troops going out to the colony to relieve the marine corps, together with the ship's company, crowded onto this 809 ton vessel.⁶⁹ Ill-feeling on board the *Neptune* had been brewing since early November and easily provoked tempers had flared into bitter outbursts on a number of occasions prior to Wentworth's embarkation. John Macarthur, a lieutenant with the New South Wales Corps, quarrelled with the master of the ship, Captain Gilbert. An intense hostility developed between them which finally culminated on the 27 November when the two disputants went ashore to duel. Although neither party suffered physical injury, the underlying animosity between them continued to simmer.⁷⁰

On 2 December on board the *Neptune*, Captain Gilbert insulted and struck a sentinel who immediately retaliated, precipitating a serious breakdown in discipline and order. The ship's arms were taken out and arranged on the stern gallery. Captain Gilbert left this scene of chaos for the shore. On

⁶⁸ *Ibid.*

⁶⁹ CO 201/4, ff.169,175,177. See also Remarks and Statement of the Proceedings of Donald Trail, Master of the *Neptune*, during his passage to Port Jackson in Accounts and Papers relating to Convicts on Board the Hulks and those Transported to New South Wales, 1792, pp. 62-63.

⁷⁰ Mrs Macarthur's Journal, Mrs John Macarthur, Journal and Correspondence, Macarthur Papers, vol. X, A2906, ff.3-4.

learning of the incident, the owners of the vessel replaced him with Donald Trail. According to Elizabeth Macarthur the new master proved to be a man of even darker dye.⁷¹

The *Neptune* left Plymouth on 10 December and anchored in Stokes Bay, Portsmouth, on the 13th where she made rendezvous with two other transports, the *Scarborough* and the *Surprize*, which were also about to sail for New South Wales with their convict cargo.⁷² The Navy Board appointed Lieutenant Shapcote as the ships' agent, charging him with the responsibility for promoting the health and well-being of the convicts in this fleet. It directed him to see that the convicts were kept clean, that their living areas were aired and fumigated, and that they received their correct allowance of provisions.⁷³ In Stokes Bay he searched the convicts' apartments on the *Neptune* and uncovered between 70 and 100 knives, together with sundry other items including chests with brass hinges and tin pots. Fearing their use in an uprising, he confiscated them. He also directed that many of the chests and clothes belonging to the convicts be thrown overboard to prevent the spread of gaol distemper.⁷⁴

The second fleet was waiting for a fair wind to carry it out to sea when Wentworth boarded the *Neptune*.⁷⁵ The ill-feeling prevailing on the ship before his arrival continued. The crew, undisciplined and mutinous, remained disorderly throughout the passage. They frequently broke into the women's quarters, took them out of their rooms in the night and allowed

⁷¹ *Ibid.*, pp. 4-5.

⁷² *Ibid.*, pp. 5-6.

⁷³ Report of the Commissioners of His Majesty's Navy, 15 February 1792, *Accounts and Papers*, 1792, pp.62-63.

⁷⁴ Remarks and Statement of the Proceedings of Donald Trail, *ibid.*, p. 74.

⁷⁵ Memorial of George Whitlock, 17 March 1790, HO 35/1.

them to converse freely with the male convicts. Those crew members detected in these nightly adventures were savagely flogged.⁷⁶

The ships attempted to sail on 5 January 1790 but strong winds forced them back. Finally, on the 17th, the small fleet weighed anchor. Three days out to sea huge waves and strong winds battered the fleet but the following evening the winds abated and the *Neptune* proceeded to False Bay under fair conditions.⁷⁷ The voyage to Port Jackson tested Wentworth's ability to survive not only the forces of nature but also the cupidity of man. On the 22 February the Captain of the *Scarborough* notified the agent of a planned mutiny by 17 convicts. Lieutenant Shapcote went aboard the vessel and found the convicts guilty. He punished several who refused to confess to the conspiracy and confined five of the alleged ringleaders for referral to Governor Phillip.⁷⁸ This development, coming on top of the discovery of knives among the convicts on the *Neptune* when still anchored in Stokes Bay, led to a tightening of security. New procedures limited the number of convicts exercising on deck at any one time and confined the recalcitrant convicts in irons.⁷⁹ The agent reported on 22 February that four persons had died on board the *Neptune*.⁸⁰

Although only scant evidence is available, it appears likely that Wentworth rescued a young woman named Catherine Crowley from the

⁷⁶ Report of the Commissioners of His Majesty's Navy, Statement of H. Martin et al., 15 February 1792, *Accounts and Papers*, 1792; Remarks and Statement of the Proceedings of Donald Trail, *ibid.*, p. 74; Mrs Macarthur's Journal, *loc. cit.*, ff. 1-10, T; Evans to J. Street Minors, 19 January 1792, CO 201/7.

⁷⁷ Mrs Macarthur's Journal, *loc. cit.*

⁷⁸ Copy of a letter from Lieutenant Shapcote to the Navy Board, 22 February 1790, *Accounts and Papers*, 1792, pp. 65-66.

⁷⁹ Extract of a letter from Governor Phillip to Mr Secretary Grenville, 13 and 17 July 1790, *ibid.*, p. 61.

⁸⁰ Copy of a letter from Lieutenant Shapcote to the Navy Board, 22 February 1790, *ibid.*, pp. 65-6.

female convicts' apartment and took her to his cabin. She had been sentenced to seven years transportation on 30 July 1788 at the Stafford assizes for stealing four cotton stockings, one crêpe gown and other sundry items.⁸¹ The practice of taking a convict mistress while on board a transport was a common one. The agent Lieutenant Shapcote had a convict woman who "constantly attended" him.⁸² A young sailor John Nicol who sailed on the *Lady Juliana* in 1790 described his actions, "When we were fairly out at sea, every man on board took a wife from among the convicts, ...for I was as bad in this point as the others."⁸³

In calm seas, the fleet crossed the equator on 25 February. The slight breeze which carried them over the line did little to relieve the stifling heat or disperse the nauseating, foetid vapours issuing from the convicts' quarters. The voyage from England was uneventful save for a violent storm which lashed the ship for three consecutive days prior to their arrival in False Bay, near Cape Town.⁸⁴

The *Neptune* arrived there on 13 April. Fearing that some of the convicts might attempt to escape, the captain and the agent directed that all male convicts be ironed.⁸⁵ During this month scurvy made an appearance among the soldiers and convicts. William Gray, the surgeon on board the *Neptune*, reported during their stay in False Bay that he had 103 convicts under his charge suffering from scurvy. This number included 64 convicts in

⁸¹ A List of Persons Transported as Criminals to New South Wales in the Ships following viz. The Neptune, Scarborough and Surprize in the month of December 1789., HO 11/1, f. 64; List of Female Convicts to be transported beyond the Seas, HO 31/1; Notes from 2/25 Oxford Circuit, Crown Book, 1784-1791, William Charles Wentworth's file, ADB, Canberra.

⁸² Remarks and Statement of the Proceedings of Donald Trail, Accounts and Papers, 1792, p. 77.

⁸³ J. Nicol, The Life and Adventures of John Nicol, Edinburgh, 1822, p. 119.

⁸⁴ W. Hill to J. Walther, 26 July 1790, CO 201/5, f. 281. See also Elizabeth Macarthur's account of the passage, Mrs Macarthur's Journal, loc.cit.

⁸⁵ Remarks and Statement of the Proceedings of Donald Trail, Accounts and Papers, 1792, p. 74.

the last stages of the disease and 39 in its initial stage. He also stated that one third of the soldiers were afflicted with the complaint. This debilitating disease caused the gums to swell and the teeth to loosen and fall out. The sufferer experienced great difficulty eating even relatively soft foods such as rice. The flesh of the victim turned black and hard and the sinews contracted, making movement painful. Lieutenant Shapcote reported on 24 April that 45 males and one female had died on board the *Neptune*⁸⁶

While the convicts remained on the prison ship, Wentworth and his fellow passengers toured the town and surrounding country. The houses in this small settlement were uniformly whitewashed with the windows and doors painted green. Elizabeth Macarthur found the local people unfriendly and rude. Captain William Hill, a passenger on the *Scarborough*, shared Elizabeth's opinion of the avarice of the inhabitants. He described the authorities as merchants who monopolized the whole adjacent country and who would not supply the ships unless profits of 500 to 600 per cent were obtained.⁸⁷ A new world of enterprise and opportunity was opening to Wentworth who quietly and unobtrusively took note of the profits to be made in trade.

Soon after the convoy left the Cape on 29 April, a violent epidemic broke out among the convicts confined in their cramped, filthy and vermin-ridden compartments. On 12 May the navy agent Shapcote, who had been ill for some time, died.⁸⁸ Then, midway between the Cape and Port Jackson, the

⁸⁶ Duplicate of a letter from Mr. William Gray to Lieutenant Shapcote, 13 April 1790, *ibid.*, p. 66; an extract of a letter from Lieutenant Shapcote to the Navy Board, 24 April 1790, *ibid.*, p. 68.

⁸⁷ Mrs Macarthur's Journal, *loc. cit.*, ff. 10 - 11; W. Hill, *loc. cit.*, f. 281.

⁸⁸ Accounts of the conditions on board the Neptune vary between those likely to be held accountable for the high death rate and those not implicated. For a sample of these accounts see; Affidavit of Samuel Gates, late Steward of the Neptune, respecting Provisions supplied the Convicts;

weather turned cold and heavy gales and high seas battered the ship. The hatches were battened down as huge waves lashed the ship, though not before water washed through the lower decks. Disease preyed on undernourished and abused bodies. For days during the violent storms the convicts lay as the water flooded through their quarters drenching them and their belongings. Here they remained penned in, cold, wet, sick, hungry and some still weighed down in irons. For Wentworth, this scene of misery must have been a sobering reminder of his fortunate escape from such a fate.⁸⁹ During the last 65 days of the passage 112 convicts died from disease, neglect and brutality. By the time the vessel reached Port Jackson, 158 of the 511 convicts embarked on the *Neptune* had perished.⁹⁰ Captain Collins recorded that on board this ship some convicts in irons had been driven to conceal the deaths of several of their companions in order to obtain and share the deceased's rations. Eventually the offensiveness of a rotting corpse would alert an officer, who would see that the body was removed and the allowance discontinued.⁹¹

When the *Neptune* sailed into Sydney on 28 June 1790 many of the surviving convicts could scarcely move. Deterred by the noisome stench, the Reverend Richard Johnson could not bring himself to go down among the stricken wretches on the *Neptune*. The suffering did not end there: many

Remarks and Statement of the Proceedings of Donald Trail in Accounts and Papers 1792, pp. 70-71, 73-77; Mrs Macarthur's Journal, loc. cit.; W. Hill, loc. cit., f. 281. For the death of Lieutenant Shapcote see Report of the Commissioners of His Majesty's Navy 15 February 1792, Accounts and Papers, 1792, p. 63.

⁸⁹ W. Hill, loc. cit., f. 281; Remarks and Statement of the Proceedings of Donald Trail, Accounts and Papers, pp. 75-76.

⁹⁰ See extracts of two letters from Governor Phillip to Mr. Secretary Grenville, 13 and 17 July 1790; an extract of a letter from Lieutenant Shapcote to the Navy Board, 24 April 1790 and Remarks and Statement of the Proceedings of Donald Trail in Accounts and Papers, 1792, pp. 61, 68, 76. The *Neptune* received on board an additional 12 convicts at the Cape.

⁹¹ D. Collins, An Account of the English Colony in New South Wales, vol. I, Sydney, 1975, p. 100.

who reached the shores of their new land died within days, while others suffered lingering or permanent debilitation. Johnson described the scene:

The landing of these people was truly affecting and shocking; great numbers were not able to walk, nor to move hand or foot; such were slung over the ship side in the same manner as they would sling a cask, a box, or anything of that nature. Upon their being brought up to the open air some fainted, some died upon deck, and others in the boat before they reached the shore. ... Some crept upon their hands and knees, and some were carried upon the backs of others.⁹²

William Hill accused the masters of the transports of villainy, oppression and shameful speculation. He believed that they had deliberately withheld provisions from the convicts in order to sell the remaining surplus in a foreign market.⁹³ Captain Parker, who sailed out to the colony immediately after the second fleet stated, "the more of them(convicts) that die, the more it redounds to the interest of the shipowners and masters, who are paid so much a head by government, for each individual, whether they arrive in the colony or not."⁹⁴ Phillip felt that the contractors had crowded too many on board the vessels and that the convicts had been denied sufficient fresh air and exercise.⁹⁵ Together with many in the colony, he believed that the masters of the vessels had cruelly neglected and ill-treated the convicts.⁹⁶

⁹² The Reverend Richard Johnson to Mr. S. Thorton, July 1790, HRNSW, vol. I, pt. 2, p.387. See also W.Hill, CO 201/5, f. 281; Collins, op. cit., pp. 99-100; J.Scott, Remarks on a passage to Botany Bay, Sydney, 1963, p.54.

⁹³ W. Hill, CO 201/5, ff. 280-281.

⁹⁴ M. A. Parker, A Voyage round the World in the Gorgon Man of War, London, 1795, pp. 72-73.

⁹⁵ A. Phillip to W.W.Grenville, 13 July 1790, HRA, ser. I, pt. I, pp.188-189.

⁹⁶ Public indignation over the treatment of the convicts on board the *Neptune* led to demands for an inquiry into the transportation system and for legal action to be taken against Captain Trail. In July 1792 news reached the colony that steps had been taken toward prosecuting Donald Trail. In January 1792 Donald Trail and Mr Ellington, his chief mate, stood charged with the wilful murder of Andrew Anderson, sixth mate of the *Neptune*, one of the convicts and Johnathon Joseph, the cook. Reports in London at this time indicated that the

Wentworth surely witnessed the suffering, neglect and abuse of the convicts; as a doctor he might even have rendered assistance to the sick and dying, yet he remained silent.

Captain Trail occupied a powerful position on board his ship because he exercised ultimate control over the allocation of living quarters and the distribution of essential provisions. He did not depend on the convicts' labour for the well-being of the ship's community or for his own survival, indeed, their death proved a financial bonus. This situation made them particularly susceptible to his will. Furthermore, he appeared blind to, or unconcerned with, the likelihood of official or public censure for his behaviour and clearly ignored the guidelines, governing the transportation of convicts, set out by the Navy Board. As master of his ship, Trail placed himself above the law. Most significantly, he lacked a basic and genuine concern for the welfare of others, particularly convicts.

Unrestrained by humane sentiments and unhindered by moral constraints, Trail callously abused his authority in order to advance his own interests. Thus, he even managed to intimidate Captain Nicholas Nepean, the commander of the troops, and Shapcote, the navy agent.

Within days of leaving England, Nepean and Shapcote quickly assessed the mode of behaviour most likely to promote their welfare while on board the vessel. Nepean refused to act when Lieutenant Macarthur requested him to intervene on behalf of a group of soldiers who complained about portions of their ration being purloined. Nepean informed Macarthur that the master

accused had attempted to avoid prosecution by absconding. Thomas Evans, who spearheaded the move to have Trail prosecuted, suggested that the accused had gone into hiding until the witnesses had gone to sea. The ploy succeeded and the trial was conducted on 8 June 1792 when both were honourably acquitted. Collins, *op.cit.*, p 187; T. Evans to J. Street Minors, 19 January 1792, CO 201/7; Annual Register, vol. 34, 1792, p. 23.

of the ship "does everything to oblige me, and I must give up some points to him."⁹⁷ On Sunday 31 January 1790 the gallery door was nailed up, forcing the Macarthurs to use the common passageway inhabited by the female convicts. Macarthur sought Lieutenant Shapcote's intervention but he replied that he would not quarrel with Captain Trail for any man.⁹⁸

Both Nepean and Shapcote, recognized the extent of Captain Trail's power and his readiness to exploit it. They appreciated how his will could have a far-reaching impact on their daily lives; rather than confront this power, as Macarthur set out to do, they chose to conciliate it. Under conditions where the captain wielded such power, they preferred to ensure their own welfare, leaving other people to follow their example. Indeed, as noted by Elizabeth Macarthur, the maxim "every man for himself" dictated the conduct of those on board the *Neptune*⁹⁹

Macarthur stood alone and impotent in his challenge against Trail. The Captain had gathered about him a circle of supporters who, through fear of reprisals and a desire for privileges, chose not to cross him. Macarthur's endeavours to bring about changes on the *Neptune* met resistance and vindictiveness. At an early stage on the voyage Macarthur, who sensed his inability to prevail over Trail's power, accepted defeat and escaped from the captain's iron rule by transferring to the *Scarborough*.¹⁰⁰

There is no indication of Wentworth's social position on board this ship. Official documents designate him the only free passenger, the other

⁹⁷ Mrs Macarthur's Journal, *loc cit.*, p. 9.

⁹⁸ *Ibid.*, pp. 9-10.

⁹⁹ *Ibid.*, p. 7.

¹⁰⁰ *Ibid.*, pp. 10. On the 19 February 1790, a hot, calm day, when the *Neptune* was six degrees north of the Equator Macarthur, his wife and young son left the *Neptune* taking their belongings with them. Elizabeth rejoiced at quitting a vessel of "tyranny, insult and every species of oppression."

passengers being recorded as troops, convicts, or wives and children of convicts.¹⁰¹ According to Elizabeth Macarthur, Mr and Mrs Trail, Lieutenant Shapcote and Mr Nepean formed an elite coterie on board the *Neptune*. She did not cite Wentworth as a member of this group, nor did she mention him in relation to her own friends.¹⁰² It seems probable that he kept to himself on this voyage, or joined the company of the two medical gentlemen on board, William Gray the ship's surgeon, and a surgeon's mate in the New South Wales Corps.¹⁰³ Wentworth's political stance on the *Neptune* also remains unclear. It appears likely that he imitated Nepean and Shapcote in attempting to make himself as agreeable as possible to those in authority and followed the maxim "Every man for himself."

During 1789 numerous published accounts of Botany Bay appeared throughout Britain. Although some purported to be authentic accounts written by officers recently returned from that settlement, they tended to contain embellished interpretations of material contained in Watkin Tench's book. These accounts, including Tench's work and a book, published by Stockdale and compiled from official papers, presented promising reports of the settlement.¹⁰⁴

¹⁰¹ Memorial of George Whitlock, 17 March 1790, HO 35/1; State of the Three Convict Ships at Spithead, 21 December 1789, CO 201/4, f.169

¹⁰² Mrs Macarthur Journal, *loc. cit.*, f.5.

¹⁰³ Report of the Commissioners of His Majesty's Navy, 15 February 1792, in Accounts and Papers, 1792, p.63.

¹⁰⁴ The following is a list of books about New South Wales published in 1789 and 1790; An Officer, An Authentic Journal of the Expedition under Commodore Phillips to Botany Bay: with an Account of the Settlement made at Port Jackson, London 1789; An Officer just returned in the Prince of Wales, An Authentic and Interesting Narrative of the Late Expedition to Botany Bay as performed by Commodore Phillips, and The Fleet of the Seven Transport Ships under his Command, London, 1789; An Officer of the Late Expedition to Botany Bay, An Authentic and Interesting Narrative, Facsimile series 12, Sydney, 1798; A. Phillip, The Voyage of Governor Phillip to Botany Bay with an Account of the Establishment of the Colonies of Port Jackson and Norfolk Island, compiled from Authentic Papers, London, 1789; W. Tench, 1789, *op.cit.*; J.White, Journal of a Voyage to New South Wales, (originally printed London,

When Richard Johnson read one of these accounts he regarded it as far too flattering and another colonist, Richard Campbell, denounced the one he read as villainous. He maintained that the people at home were not only deceived about the state of the colony, but that unfavourable reports displeased and offended them.¹⁰⁵ Britons wanted to know the good news. The encouraging reports from Sydney buoyed the hopes of those going out to the colony and allayed their fears. Elizabeth Macarthur, before sailing on the second fleet to Botany Bay wrote to her mother,

By the last accounts from Port Jackson - where the New Settlement is established - we learn that wheat which had been sown flourished in a manner nearly incredible and - that the Settlers are making rapid progress in buildings, so that by the time our Corps arrives, everything will be made comfortable for their reception.¹⁰⁶

The numerous available accounts of the voyage of the first fleet and their settlement at Port Jackson did not prepare Wentworth for the realities of the transportation system and of colonial life in New South Wales. While he had read promising accounts of the "goodness" of the soil and the "fineness" of the climate the exiles strained their eyes toward the empty horizon anxiously awaiting the arrival of store ships with food supplies and word from home. David Blackburn wrote to his sister: "... the year[1789] Ended without Any Arrivals. The situation of the Colony became Alarming &, In Case the Expected Ships Should not Arrive, famine Without the Means of Relief was Apprehended."¹⁰⁷ These published accounts gave no

Sydney, 1962.

¹⁰⁵ R. Johnson to H. Fricker, 21 August 1790, R. Johnson, Some Letters of the Reverend Richard Johnson, pt. I, G. Mackaness(ed.), Sydney, 1954, p.35; J. Campbell to Dr Farr, 24 March 1791, M.L.Doc.1174.

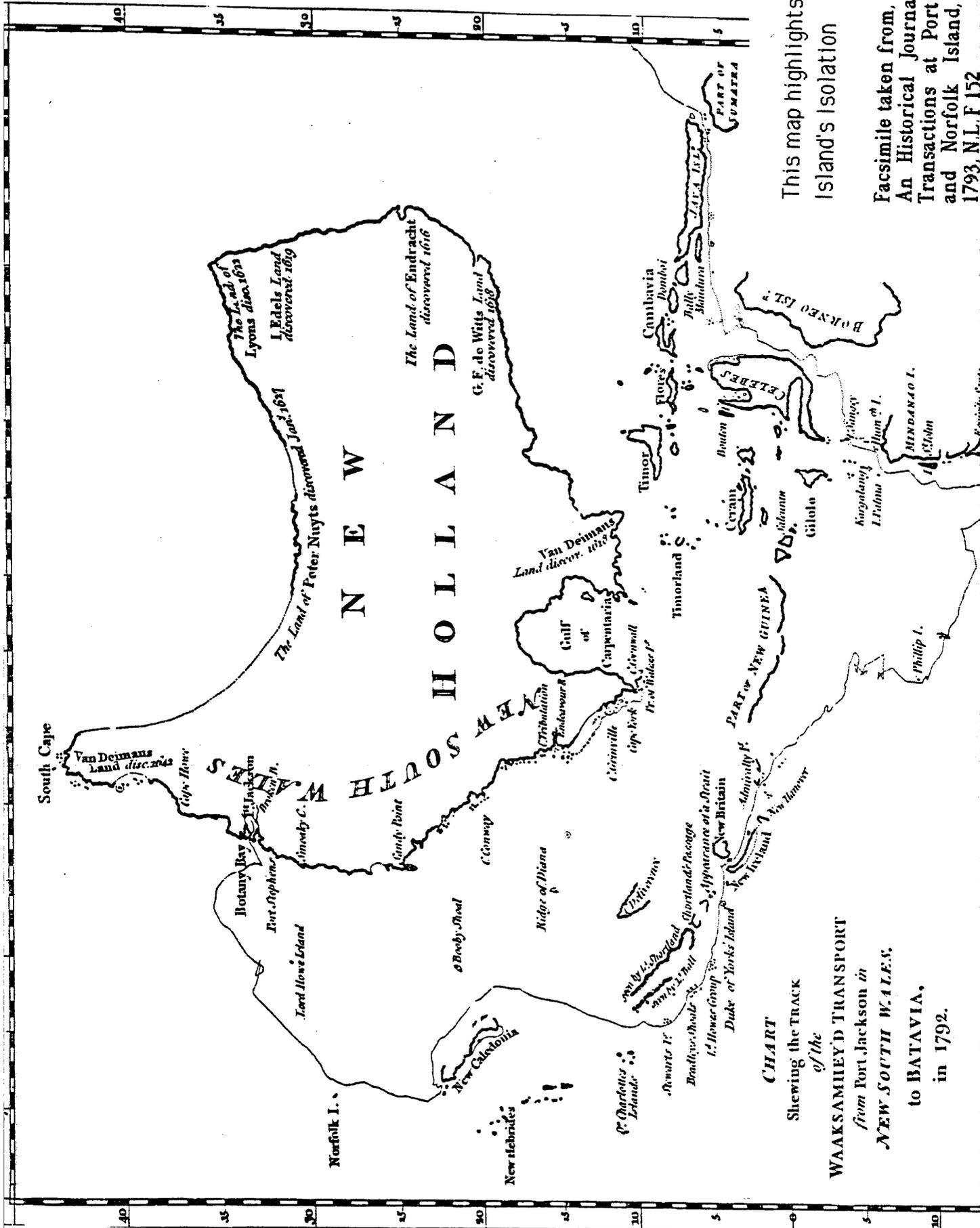
¹⁰⁶ E. Macarthur to her mother, 8 October 1789, Macarthur Papers, A2908.

¹⁰⁷ D. Blackburn to M. Blackburn, 12 August 1790, Correspondence between Lieutenant

indication of the despair and physical deprivation endured by the early colonists. They did not reveal the faction fighting and interminable petty squabbles that beset colonial life nor could they prepare Wentworth for the suffering and death he was to witness on the *Neptune*. When he stepped ashore at Port Jackson he gazed upon a miserable garrison camp composed of wooden barracks and thatched huts, a world apart from Portadown, or Mr Sinclair's respectable residence in York, or even his humble abode in Oxford Market.¹⁰⁸

Blackburn R.N. and his Sister Margaret Blackburn 1785 - 1795 , AJCP , M971.

¹⁰⁸ See Dr. Harris's reaction to Port Jackson, Letter from John Harris, 20 March 1791, Dr. John Harris Papers, M.L. A1597, f.2.



This map highlights Norfolk Island's Isolation

Facsimile taken from, J.Hunter, An Historical Journal of the Transactions at Port Jackson and Norfolk Island, London 1793, N.L.F. 152

CHART
 Shewing the TRACK
 of the
WAAKSAMIEY D TRANSPORT
 from Fort Jackson in
NEW SOUTH WALES,
 to **BATAVIA,**
 in 1792.

Chapter 2

On Probation 1790 - 1796.

The sight of English ships sailing into the harbour during June 1790 enlivened the residents of Sydney Town who had, since the beginning of the year, drifted into a state of physical and mental torpor. Reduced rations of less than one half the established allowance, the dread of starvation as the crops repeatedly failed and the inhabitants' growing sense of isolation and neglect enervated bodies and minds. In April 1790 Governor Phillip had reduced the hours of labour and halted the progress on public works.¹ Richard Johnson compared their situation to being "buried alive."²

Wentworth witnessed the colony awaken from its lethargy. With the restoration of full rations and the reassuring presence of English ships in the harbour, a new phase began. Hours of labour were restored to normal; convicts started the construction of new buildings, including a brick storehouse in Sydney; Phillip laid the plans for a town at Rose Hill and ordered large tracts to be cleared for cultivation.³

The newcomers were quickly assimilated. The detachment of the New South Wales Corps disembarked from the transports, some taking up

¹D. Southwell in a letter to his uncle in April 1790 wrote, "We are now at less than half Allowance, and some Articles of Diet are deficient, having been consumed. We are now on the Brink of going three on one man's Dividend." D. Southwell to W. Butler, 14 April 1790, Letter XII, Daniel Southwell Papers, British Library, London, AJCP M1538, f.161. The colony was put on two third ration from 1 November 1789 and on less than half from 11 April 1790, Governor Phillip to Lord Sydney, 12 February 1790 and Governor Phillip to Lord Sydney 11 April 1790, *HRNSW*, vol. I, pt. II, pp.299, 326-327.

² Rev. R. Johnson to H.Ficker, 9 April 1790, *op.cit.*, pt. I, p. 27.

³ W. Tench, *Sydney's First Four Years*, Sydney, 1961, p. 174; Collins *op.cit.*, p. 103.

residence in the marines' barracks at Sydney, others assuming military duties at Rose Hill. Most of the recent arrivals settled into the daily routine of colonial life with the able-bodied convicts assisting with construction or cultivation.

For Wentworth, however, Sydney was not to be his new home. Governor Phillip greeted his unannounced arrival with suspicion and, despite the advantages to be gained from employing Wentworth on the medical staff, Phillip was cautious about offering him an appointment. He directed Wentworth to proceed to Norfolk Island as assistant to the surgeon there and promised him that if he behaved well he would be permitted to return to Sydney. Clearly the young exile was on probation.⁴

Wentworth was deeply concerned that his friends in England had failed to secure him an appointment in New South Wales. Before leaving England, he had feared that Whitehall would not sanction his employment in the colony and had pressed his acquaintances to rectify the matter. While on board the *Neptune* at Portsmouth, he received a placatory letter dated 16 January 1790 from Thomas Hill, assuring him that he would not be neglected and encouraging him to believe that Under Secretary Nepean had written to Phillip about his appointment.⁵ Wentworth now realized that he was not only a stranger in this new world but that his position in the colony was in doubt and his future uncertain. Furthermore, without his network of friends, he lacked the support and security he had enjoyed in England. Dejected and confused, he followed the governor's directive and prepared for his next

⁴ There is no correspondence which deals directly with Wentworth's transfer to Norfolk Island, Later letters, however, indicate Phillip's attitude towards Wentworth's arrival in the colony and his removal to the island. See Governor Phillip to Lt. Gov'r King, 3 January and 30 November 1792, King Letterbook, M.L. C187, pp. 83, 128.

⁵ T. Hill to D. Wentworth, 16 January 1790, Wentworth Papers, A751, f. 20.

destination.

The name Norfolk Island was probably as unfamiliar to Wentworth as to the other people ordered to proceed to that isolated Pacific outpost. It was a small island, five miles long and three miles wide, situated a week's to a fortnight's sail east-north-east of Sydney.⁶ Captain James Cook, when commanding the *Resolution*, discovered this previously uncharted island on 11 October 1774. Published accounts of his find appeared in Britain in 1777 and depicted the island as an uninhabited, secluded, pretty spot where the flax plant, the giant spruce pine and the cabbage tree flourished in rich and deep soil. Cook and other members of his expedition commented on the spectacular variety of birds which visited the isle, and the abundance of fish to be caught in its waters. The expeditionary party spent only one day on Norfolk and experienced no difficulty in landing, but they did refer to the rocky outcrops jutting from the shoreline.⁷ The favourable reports, especially on the presence of flax and pines, impressed government officials who, when outlining Phillip's instructions, directed him to establish a small settlement there.⁸

On 15 February 1788 Lieutenant Phillip Gidley King left Sydney for Norfolk Island with 21 carefully chosen people, including nine male and six

⁶ J. Hunter, An Historical Journal of the Transactions At Port Jackson and Norfolk Island, London, 1793, p. 194; G.B. Worgan, Journal of a First Fleet Surgeon, Sydney, 1978, p.8; A. Bowes Symth, The Journal of Arthur Bowes Symth, Sydney, 1979, p.66.

⁷ J. Cook A Voyage Towards the South Pole, and Round the World Performed in His Majesty's Ships the Resolution and Adventure in the Years 1772, 1773, 1774 and 1775, vol. II, London, 1777, pp. 147-149; G. Forster, A Voyage Round the World in His Majesty's Ship Resolution, vol. II, London, 1777, pp. 444-446. See also J. Cook, The Journal of H.M.S. Resolution 1772-1775, facsimile of MS 27886, Sydney, 1981; The Memoirs of John Elliott in Captain Cook's Second Voyage, C. Holmes (ed.), London, 1984, pp. 35-36; John Marra's Journal in Journal of the Resolution's Voyage in 1771-1775, Amsterdam, 1967, pp. 301-302.

⁸ HRA, ser. i, vol. I, p.13.

female convicts, as well as supplies and provisions for six months. They arrived on the 29th but, unlike Cook, found difficulty in finding a safe landing site. They circled the island for five days before locating a suitable bay. This small party immediately started to clear the ground, erect shelters and sow a variety of grain and vegetable seeds. Despite setbacks in the cultivation of crops, King reported favourably on the settlement's progress. In response, Phillip periodically sent additional soldiers and convicts to augment their numbers.⁹

Some colonists, such as Captain James Campbell, reserved their judgement on the island. Writing to England in November 1788 he informed his friend, Francis Reynolds: "Norfolk, we are told, is a most fertile spot, and we are wished to believe it a second Paradise - but be it what it will, it is so very difficult of access that four or five lives have already been lost in the surf which surrounds it."¹⁰ As Wentworth would appreciate, Campbell did not exaggerate the dangers of the seas that broke on the coast of the island. On 4 March 1788 Jonathon Jays, a marine quartermaster, drowned in the waters off the island while attempting to catch a turtle. John Batchelor, another marine, drowned in Sydney Bay at Norfolk Island on 15 June 1788 after being thrown overboard by the unpredictable surf. A similar accident, claiming the lives of four men, occurred in the Bay on 6 August of the same year when heavy seas swamped and overturned a small craft going out to meet incoming boats from the *Supply*.¹¹ Although no lives were lost, the wreck of the *Sirius* at Norfolk on 19 March 1790, drove home to the

⁹ A. Bowes Smyth, *op.cit.*, p. 65; P.G.King, The Journal of Phillip Gidley King, Lieutenant, R.N. 1787-1790, (reproduction of manuscript Safe 1/16, M.L.), Sydney, 1980, pp.40-42; Worgan, *op.cit.*, p.38.

¹⁰ J. Campbell to F. Reynolds, November 1788, M.L. AC145.

¹¹ P.G.King, *Journal 1787-1790*, *op.cit.*, pp. 44, 87, 103-105; J. Scott, *op.cit.*, p.40.

colonists in New South Wales the treachery of the surf. She had struck a reef while transferring Major Robert Ross, two companies of marines and over 200 convicts from Sydney.¹²

In gaining knowledge about his new home, Wentworth became aware not only of the savage sea but also of the prevailing fears for the safety of those on the island.¹³ Relieved at being delivered from the brink of starvation, the residents of Sydney Town turned their thoughts to the plight of those left on the secluded settlement. The last communication with the remote outpost brought the grim news of the loss of the *Sirius*. The accident had occurred before provisions for the settlement could be landed and the armed tender *Supply*, which had accompanied the *Sirius* on this exercise, put to sea without knowing if any of the provisions might be saved. King, who was returning to Sydney on his way to England, brought word of the disaster.¹⁴ He left behind a group of people without any means of escape or communication with the outside world, a community whose numbers had been trebled in one week from 149 to 498 including 80 men from the *Sirius*. The 30 acres of cleared land could not supply the needs of the settlers.

¹² For accounts of the loss of the *Sirius* see; Hunter, *op.cit.*, pp. 175-178; W. Bradley, *A Voyage to New South Wales 1786-1792*, facsimile edition, Sydney, 1969, pp. 193-97; N.Fowell to his Father, 31 July 1790, reprinted in *Sydney Morning Herald*, 31 July 1987, p.8; Extract of a letter from an Officer, 14 April 1790, *HRNSW*, vol. 2, p. 759. Most contemporary accounts of Norfolk Island mention the dangerous surf. See Worgan, *op.cit.*, p. 41; White, *op.cit.*, p.164.

¹³ Elizabeth Macarthur wrote of the fears held by the colonists for those on Norfolk Island, "We had every hope that the supplies might arrive in time to prevent any fatal consequences; yet as we could have no certainty of that till some ship should arrive here that might be dispatch'd to know the particulars of their fate, our minds were never perfectly easy on their account." E. Macarthur to friends in England, 7 March 1791, *HRNSW*, vol. II, p.495.

¹⁴ Collins, *op.cit.*, p.98; D. Southwell to W. Butler, 27 July 1790, Southwell Papers, AJCP, M1538.

Their survival depended on their success in retrieving supplies and provisions from the wreck.¹⁵

Troubled and insecure, the young surgeon boarded the *Surprize* Exile held no joy. He faced another voyage aboard a convict transport, acutely aware of his most recent experiences on the hellship *Neptune*. This young doctor must also have worried over the well-being of his companion Catherine Crowley who was due to give birth to their first child within weeks. Moreover, he could only speculate on the fate of those he was about to join at this lonely outpost. Wentworth and Catherine together with two superintendents, a deputy commissary, 35 female convicts and 150 male convicts sailed for their new home.¹⁶

Laden with provisions, the *Justinian* left Sydney Cove on 28 July 1790 and the *Surprize* followed her on 1 August.¹⁷ After a speedy passage the *Surprize* came in sight of Norfolk Island during the late afternoon of the 7th. The *Justinian* had arrived earlier that day and lay offshore. Anxious for despatches from Port Jackson and letters from home, Lieutenant Ralph Clark, a marine officer who had lived on the island since the previous March, boarded the *Surprize* just after sunset.¹⁸

He spoke of the distressed circumstances of their new home and of their timely appearance. Since the wreck of the *Sirius*, the islanders had been under martial law and on reduced rations. Indeed, the arrival of the

¹⁵ Lieutenant King's Journal in Hunter, *op.cit.*, pp. 379, 400.

¹⁶ See f.n. 23, p.53; Collins, *op.cit.*, p. 106. Collins records that 150 female and 35 male convicts sailed, but this seems unlikely particularly in light of King's figures on Norfolk Island in November 1791. See fn. 56, p. 64. He probably meant that 150 male and 35 female convicts embarked for Norfolk Island.

¹⁷ *Ibid.*; Scott, *op.cit.*, p.54.

¹⁸ R. Clark, The Journal And Letters of Lt. Ralph Clark 1787-1792, Sydney, 1981, pp. 156-157.

Justinian and *Surprize* had forestalled the implementation of even more desperate measures. On this day Ross had proposed to reduce the ration to 2lbs of flour and one pint of rice per week. He also had intended to introduce a law which allowed for the execution of any person who deserted their work for a week or more. The residents on Norfolk were overjoyed at their rescue when all their hope for such deliverance had faded.¹⁹

The following day the ships moved closer to Sydney Bay. Despite fine weather, moderate north westerly winds and calm waters, Captain John Hunter, the former commander of the unfortunate *Sirius*, directed Lieutenant William Bradley and Mr Donovan to board the ships and advise the masters on the peculiar dangers of the surf. Giving priority to the unloading of urgently needed provisions for the settlement, Major Ross ordered the convicts to stay on board. Captain Hunter remained as supervisor at the landing site and the small boats carrying the provisions were manned by seamen from the *Sirius* as a precaution against accident.²⁰

The clear weather provided Wentworth with the opportunity to survey his *ultima Thule*. From the *Surprize* he saw a small well-wooded and hilly island with its towering pines. He also observed the boiling surf swirling about the jagged rocks and submerged reefs, and contemplated both the beauty and the perils of his place of sojourn.²¹ The weather continued fine for the succeeding days and the landing of supplies and provisions proceeded without mishap. On Thursday, 12 August, the winds freshened and the surf

¹⁹ Bradley, *op. cit.*, p.206; Hunter, *op. cit.*, p. 190; Major Ross to the Right Honourable W.W.Grenville, 29 August 1790, CO 201/9, f.8.

²⁰ Bradley, *op. cit.*, p. 210; Hunter, *op. cit.*, p. 188.

²¹ For contemporary descriptions of Norfolk Island see; Bradley, *op. cit.*, pp.213-214; Correspondence between David Blackburn and his sister Margaret, 17 March 1791, *loc. cit.*; Cook, 1777, *op. cit.*, pp.147-149; Forster, *op. cit.*, pp. 444-446; King's Description of Norfolk Island, 10 January 1791, CO 201/9, ff. 354-358.

began to rise, preventing further landings. The ships retreated to the opposite side of the island and sheltered in Cascade Bay.²² On the following day, the 13th, the winds turned squally and, while the *Surprize* harboured in the protected and calmer waters of the Bay, Catherine Crowley gave birth to a son named William.²³

On the 16th, when the winds had abated, the ships moved to Sydney Bay where the tedious business of unloading provisions and convicts recommenced. The journey from the ship, through the narrow passage in the reef to the shore, filled many of the passengers with terror and must surely have frightened Catherine Crowley with her new born babe. The wrecked hulk of the *Sirius* still impaled on the rocks, stood as an ominous symbol. Despite the care taken in ferrying the convicts and provisions from the *Surprize* to the island, the violence of the surf again struck. On Tuesday 17

²² Clark, *op. cit.*, p. 158.

²³ A number of conflicting dates are given for William's birth. C. A. Liston gives his birth date at about the time of D'Arcy's arrival on Norfolk Island or soon after. See C. A. Liston "William Charles Wentworth - The Formative Years 1810-1824," *JRAHS*, June 1976, vol. 62, pt. 1, p. 20; A.C.V. Melbourne maintains he was born in the later part of 1792. See A.C.V. Melbourne, *William Charles Wentworth*, Brisbane 1934, p. 6. H.P. Barker, suggests that William was born just before 7 August 1790 and questions whether D'Arcy was his natural father. H.P. Barker, 'D'Arcy Wentworth'. M.A. thesis, 1971, University of New England, pp. 7-10. The Norfolk Island Victualling Book compiled, it appears, from 1792, records William's arrival on the island as being on 7 August 1790. As noted above Ross issued orders for the urgently needed provisions to be unloaded first. The book recorded D'Arcy's arrival on the island on 13 August 1790. It seems unlikely that Catherine would have disembarked before the 13th. While dates tend to become hazy with the passing of time, particular circumstances associated with dates do not blur so easily, thus I have given weight to the family tradition that William was born aboard ship between Sydney and Norfolk. I have settled on the 13 August because this is the exact date given by D'Arcy in a letter dated 30 November 1811 although he gives the year of birth as 1791. As evidence suggests that D'Arcy was on board the *Neptune* before 21 December 1789 there is no difficulty in naming him the father although William would have been a month premature. Norfolk Island Victualling Book, M.L.A1958, pp. 16; 75a; D. Wentworth to Lord Fitzwilliam, 30 November 1811, Wentworth Woodhouse Muniments; affidavit of E.L. Wentworth, item 81 and affidavit of F.K. Reeve, item 83 in D'Arcy Wentworth, Miscellaneous Material MSS 8/4; State of the Three Convict Ships at Spithead under orders to proceed to New South Wales, 21 December 1789, C.O. 201/4, f. 169.

August a succession of huge waves hit a boat carrying convicts and casks of salt provisions from the *Surprize*. The sea lifted the boat and tossed it against the rocks where it disintegrated within two minutes. Thrown into the surf, the passengers fought against a strong tide running out from the shore. A convict Jonathon Roberts dived into the sea in an attempt to rescue some of the victims but, he too, was carried out by the current. Three managed to struggle ashore, yet seven souls perished: three female convicts and a child, two seamen from the *Sirius* and Roberts. This tragedy affected everyone in the community, heightening their awareness of the precariousness of existence.²⁴

By 28 August all the provisions and convicts had been landed. The *Surprize* put to sea on the 29th bound for China and the *Justinians* sailed on the ensuing day. As contact with the outside world was again severed, the residents turned their attention to the immediate and pressing needs of survival. Major Ross discontinued martial law and restored full allowances. Labour re-commenced on public works; people began to clear ground, build shelters and plant seeds. The inhabitants gradually recovered from the months of hardship and anguish. Captain Hunter, his own spirits revived by the arrival of supplies and provisions, observed how gloomy dejection and pale sickly looks were temporarily transformed into cheerful and happy appearances. After months of disquiet, confusion and uncertainty, Wentworth could begin to build a new life for himself and his young family in a remote and alien part of the world.²⁵

Before long, however, poor morale again beset the community, undermining Major Ross's attempts to forge this motley collection of

²⁴ Bradley, *op. cit.*, pp. 210-211; Clark, *op. cit.*, p. 159; Hunter, *op. cit.*, pp. 188-9.

²⁵ Bradley, *op. cit.*, p. 211; Hunter, *op. cit.*, p. 190.

marines, seamen, civil officers and convicts into a cooperative, industrious unit. The population of Norfolk Island comprised some 580 persons, consisting of 94 civil, military and free persons, 78 men belonging to the *Sirius*, 240 male convicts, 132 female convicts and 36 children. Rather than coalesce into a community motivated by common purpose and guided by shared goals, the settlement fractured into rival groups.²⁶

Dissatisfied with the living and working conditions, and restive under the constraints imposed by a penal establishment, a number of convicts resisted authority. Their offences included neglect of duty, insolence and disobedience. Thomas Street left his place of work on 4 September 1790 and absconded into the woods to live with two other runaway convicts. Phoebe Flattery received 26 lashes at Charlotte Field on 6 October 1790 for repeatedly going into town without leave. William Colling and James McKay bore welts from the 50 lashes they each received on 15 November 1790 for encouraging other convicts to apply for additional free time. Despite the vicious floggings, some convicts continued to test the limits of authority and the administration's ability to enforce obedience.²⁷

Tensions were not confined to relations between the bond and the free. An undercurrent of discord coursed through the community. Within the administration itself rivalry, jealousy and discontent soured relationships. The main administrative body on the island comprised of officers from the *Sirius* and the marine officers. Major Ross, the commanding officer, was

²⁶ These figures are only approximations based on King's figures given in March 1790 with the addition of those who arrived in the *Surprise* allowing for the seven deaths in the accident on the 17 August 1790. The number of children was probably greater. King's Journal in Hunter, *op. cit.*, p. 400; Collins, *op. cit.*, p. 106. See fn. 16, p. 51 for my comments on Collins's figures.

²⁷ Clark, *op. cit.*, pp. 162, 165, 169. These are only a few examples drawn from Clark's journal.

followed in seniority by Captain Hunter and Lieutenant Bradley from the *Sirius*, and the marine officers George Johnston, John Creswell, Robert Kellow, John Johnstone, Ralph Clark and William Faddy.²⁸ By the time of Wentworth's arrival on Norfolk, the marine officers had already ostracised Lieutenant Kellow from their society because of his mischief-making. Ill-feeling and jealousy also developed between Ralph Clark and his messmates. Clark believed that his fellow officers, particularly Lieutenant Creswell, resented his being favoured by Major Ross.²⁹

A far more serious rift occurred between the officers of the *Sirius* and those of the marines which resulted in the formation of two distinct camps. Ralph Clark summed up the situation when he wrote, "In Short every Officer of the Sirius here has followed ther Captain & 1st. Lieutenants Steps So much So that the[y] often have breached Major Ross without paying him the least Compliment."³⁰

Wentworth entered this community as a stranger. He encountered an unfamiliar society with its ill-defined and unstable social networks. Cut off from his past, confused with the present and anxious about his future, he faced a period of adjustment. Newcomers, if not instinctively aware of the need for prudence, were soon advised to be circumspect and discreet. Familiar with the politics of their community, the old hands counselled initiates like Wentworth to live quietly for a while, to remain unobtrusive

²⁸ based the order of seniority on signatures given to Proclamations issued 26 March 1790, CO 201/9, ff. 4-6.

²⁹ Clark, *op. cit.*, p. 154; Kellow had alleged that Lieutenant Faddy had uttered some uncomplimentary words about the commanding officer; his brother officers deeming his behaviour unworthy of an officer and a gentleman, refused to associate with him.

³⁰ R. Clark to J. Campbell, 10 February 1791, *ibid.*, pp. 287-288.

and tight-lipped – regardless of provocation or injured feelings – and to be careful in forming friendships.³¹

Dennis Coninden befriended Wentworth and endeavoured to make him feel as comfortable as possible in his new surroundings.³² Coninden, also a doctor, had arrived in New South Wales with the first fleet as surgeon on the *Scarborough*. In March 1790 he had transferred to Norfolk Island as a member of Ross's contingent. Wentworth benefited from his relationship with Coninden in a number of ways. He had the friendship of a seasoned colonist who advised him on the social composition of the colony, identifying the turbulent and the machinators. As a keen natural historian and as a colleague, Coninden also taught him about using indigenous plants for the treatment of sickness. Dennis had already been successful with the infusion of an indigenous myrtle as a mild and safe astringent in treating dysentery. Coninden had sent numerous specimens of native flora and fauna home to Sir Joseph Banks.³³ In this isolated, insular and divided community, Coninden offered the young doctor guidance and support.

Each day during his first six months on Norfolk Island, Wentworth walked from Sydney Bay to Charlotte Field to attend the sick. The site had been chosen by Major Ross in June 1790 as a suitable location for the

³¹ There are numerous examples of this type of advice being offered to newcomers, both bond and free. See the advice offered to John Grant by the judge-advocate Richard Atkins, and Major Johnston and Lieutenant Kemp of the New South Wales Corps in J. Grant to his mother, 2 May 1804, Folder 14, Grant Papers, N.L., MS 737, f. 7. See also advice given to Daniel Paine by Governor Hunter in D. Paine, The Journal of Daniel Paine, Sydney, 1983, p. 30; J. Holt, The Memoirs of Joseph Holt, vol. II, London, n.d., pp. 70-74; M. Margarot to R. Lathrop Murray, 23 March 1815, Murray Robert Lathrop Letters received 1801-1848, vol. II, M.L.A4435, ff. 81-3.

³² On 24 February 1804 Coninden wrote to D'Arcy chastising him for not writing, stating "I am confident I endeavoured to Render your Situation as Comfortable as I could while I was on Norfolk Island." D. Coninden to D. Wentworth, 24 February 1804, Wentworth Papers, A751, f. 134.

³³ D. Coninden to J. Banks, 18 November 1788, HRNSW, vol. I, pt. II, p. 220.

establishment of a government farm. Captain Johnston, a company of marines and a party of convicts began clearing the ground on the 17th. Situated two miles inland and to the west of Sydney Bay the area was well watered, level, and regarded by the islanders as a charming spot.³⁴

The daily walk to this outstation gave Wentworth opportunities to observe the beauty of his surroundings. The land rolled to hills and fell to valleys which, according to Hunter, resembled "the waves of the sea in a gale of wind." The track from Sydney to Charlotte Field cut through a wood which was choked with undergrowth and alive with the sounds of many colourful birds. The trees and plants flowered constantly and from Mount Pitt flowed several fine streams that teemed with eels.³⁵

The inhabitants praised Norfolk Island for its wholesome air and salubrious climate. In a letter dated 26 August 1790 Clark remarked that since the first settlement only one person, an old woman, had died from natural causes. On the 10th day of the following October Clark recorded the first male to die a natural death. The most common illnesses that Wentworth treated were dysentery and diarrhoea. The major cause of death was drowning, but some were killed when felling trees. One baby had perished through neglect.³⁶

On 11 February 1791, after many months of waiting, the seamen from the *Sirius* boarded the *Supply* and sailed for Port Jackson, pleased to be leaving a place which had been a source of distress and vexation. Until this stage Wentworth had avoided involvement in any squabble or dispute and had managed to remain on amicable terms with officers from both factions.

³⁴ Clark, *op. cit.*, p. 142; Bradley, *op. cit.*, pp. 204-205.

³⁵ Hunter, *op. cit.*, p. 196; King's Journal, *ibid.*, pp. 388-394; P.G. King, Description of Norfolk Island, 10 January 1791, CO 201/9, f.354.

³⁶ Clark, *op. cit.*, pp. 165, 285.

Captain Hunter carried favourable reports about Wentworth to Governor Phillip and Clark, who remained on the island, spoke of him with respect.³⁷

At the beginning of February 1791 convicts began to build a house for Wentworth at Charlotte Field, yet he continued to feel insecure and uncertain about his prospects.³⁸ He wrote to Governor Phillip on 10 February, seeking intelligence about his position in the colony. Through David Collins, the governor informed him that he was perfectly satisfied with his conduct on Norfolk and that he would determine his future residence and employment as soon as he received directions from England. Wentworth remained sceptical. Since his arrest and trial for highway robbery 14 months previously, he had lived in purgatory and Phillip's response offered no release.³⁹

In April 1791 Wentworth's home was completed and he took up residence. It seems likely that Catherine Crowley and her son, William moved in with him, but he deliberately kept his domestic life private.⁴⁰ A friend in Ireland remarked that, in his letters home, Wentworth often referred to his sons but never mentioned his wife.⁴¹ A list of landholders

³⁷ D. Collins to D. Wentworth, 21 March 1791, Wentworth Papers, A754-2, f. 293; Clark, *op. cit.*, p. 184.

³⁸ Clark. *op. cit.*, p. 180.

³⁹ Letter written by D'Arcy to Governor Phillip not extant but its contents can be gleaned from Collins's response to it. D. Collins to D. Wentworth, 23 March 1791, Wentworth Papers, A 754-2, f. 293.

⁴⁰ For a comprehensive examination of the relationships that convict women formed in the colony see P. Robinson, *The Women of Botany Bay*, Macquarie University, 1988.

⁴¹ Author's name unclear to H.W. Keays Young, 22 March 1883, Item 74, D'Arcy Wentworth Miscellaneous, M.L. MSS8/3. H.W. Keays Young was helping the Wentworth Family establish their family pedigree. See correspondence; 27 January and 5 February 1886, Wentworth Papers, M.L. A760, ff. 439-448. In correspondence with Lord Fitzwilliam's son after Wentworth's death, Charles Cookney revealed that D'Arcy had sired two sons by the first woman with whom he had lived and a host of children by others. C. Cookney to Earl Fitzwilliam, July 1834, Wentworth Woodhouse Muniments.

dated 18 October 1796 recorded Wentworth as married, but this probably indicated a *de facto* relationship.⁴² Cohabitation and illegitimacy were accepted features of colonial life and Lieutenants King, Johnston and Kellow were but three of the many officers whose convict mistresses bore them children.⁴³

In April 1791 discontent and tension produced a serious breakdown in military discipline. The dispute arose between the marines and their officers. On Saturday the 9th Major Ross had ordered that no more than three-quarters of the allowance was to be issued to the civil and military. The soldiers refused to accept their provisions from the storekeeper, alleging that the convicts were advantaged because they had gardens. Clark captured the mood of the soldiers when he stated that they were trying to establish who was master, Major Ross or themselves. With his officers support, Ross stood firm and the soldiers reluctantly acquiesced.⁴⁴

Disgruntled with their living conditions and with the degree of self-denial and personal sacrifice demanded of them, the marines challenged their superiors. Drawn together by their sense of belonging and commitment, they united in defence of a common interest. They set themselves apart from, and above, the convicts and stood opposed to their officers. Although

⁴² Present State of His Majesty's Settlement on Norfolk Island, 18 October 1796, CO 201/18, f. 150-1. For further comment on this type of relationship see Robinson, *op. cit.*, pp. 200-5.

⁴³ See ADB, vols. I and II; D. Chapman, 1788 The People of the First Fleet, Sydney, 1986. For contemporary opinions see M. Hayes to his sister Mary, 2 November 1802, N.L. MS 246; G. Thompson, Slavery and Famine Punishments for Sedition or An Account of the Miseries and Starvation at Botany Bay, privately printed by G. Mackaness, Sydney, 1947, p. 37; T. Watling, Letters from an Exile at Botany Bay to his Aunt in Dumfries, privately printed by G. Mackaness, Sydney, 1945, pp. 34-35.

⁴⁴ Clark remarked on the dangerous situation: "never was Club Law near taking place in any part of the World than it was in this ... for our men here are the Most Mutinous Set I ever was amongst and are ripe for rising against any Authority." Clark, *op. cit.*, p. 192.

they finally obeyed the orders of their commanding officer, their readiness to question authority formed an emerging pattern of behaviour which their successors, the soldiers of the New South Wales Corps, were soon to follow.⁴⁵

On 15 April 1791 a small detachment of the New South Wales Corps arrived at Norfolk Island on board the *Supply*. Captain William Hill, Lieutenant Edward Abbott and Ensign Prentice together with one sergeant, a corporal, drummer and 10 private soldiers replaced Johnston, Creswell and 13 marines on the island. Their numbers would grow to three officers, a chaplain and 73 noncommissioned officers and privates by March 1793. Thomas Jamison also returned to Norfolk as assistant to Mr Consider.⁴⁶

Discord soon arose between the officers of the marines and those of the New South Wales Corps. Ross thought it best to separate the two factions and on 13 August 1791 ordered the New South Wales Corps to Phillipburgh. This camp was situated on the north side of the island.⁴⁷ The move eased the tensions between the two officer factions, but infighting - particularly between the soldiers of the New South Wales Corps and their officers - created unease. Between the months of May and October 1791 at least nine soldiers appeared before courts martial. This mottled settlement

⁴⁵ *Ibid.*, pp. 192-3. John Ascott, the first soldier to break solidarity and accept his ration, stated that the other soldiers treated him coolly asserting that "Marching Regiment should stick together."

⁴⁶ *Ibid.*, p. 194; State of the Settlements at Sydney, Parramatta, etc., 31 May 1793, *HRNSW*, vol. 2, p. 32.

⁴⁷ Clark, *op. cit.*, pp. 208-209. See also R. Clark to G. Johnston, 29 August 1791, *ibid.*, p. 296; Captain Hill of the New South Wales Corps quarrelled with Major Ross. Since the middle of June 1790 Lieutenant Faddy a marine and Captain Hill would not stable their horses together and refused to acknowledge one another.

which combined the elements of a garrison camp, a penal outpost and an incipient civilian colony was rent with squabbles and disputes.⁴⁸

Wentworth found himself in a community where suspicion, rumour mongering and frustration both stemmed from and fuelled feelings of uncertainty, dissatisfaction and jealousy. Conflicts emerged between individuals and between factions over authority, status, material possessions, personal and group integrity and relationships. As a member of the civil staff he belonged to a loosely defined collection of people with varying interests and occupations. As a group they lacked the *esprit de corps* that stemmed from a collective identity prevalent in the military ranks. Wentworth formed friendships with Considen and later with Jamison. He also became close to William Balmain, another doctor who transferred from Port Jackson to Norfolk Island in October 1791. While the ties of friendship required mutual support, the weight of group pressure did not command allegiance. Professional rivalry and jealousy created friction between the surgeons but the doctors were few in number and separately located which lessened the chance of large disputes. They were more likely to become involved in personal quarrels with other civilian or military officers or with colleagues than in factional confrontations. For a while Considen and Ross quarrelled, Jamison and Ross exchanged heated words and Balmain and James White fell to duelling. This ill-feeling, however, tended to remain on a private level, failing to escalate into wider conflict.⁴⁹

Removed from the discord of the main town at Sydney Bay, Wentworth remained in the small outstation at Charlotte Field, performing his medical

⁴⁸ *Ibid.*, pp. 199-200, 202, 208, 217, 219, 220.

⁴⁹ *Ibid.*, pp. 195-196, 299. For mention of the duel between W. Balmain and J. White see J. Easty, Memorandum of the transactions of a Voyage from England to Botany Bay 1787-1793, Sydney, 1965, p.105.

duties diligently and quietly. Several acres of wheat and maize grew in the cleared gardens on the outskirts of the newly constructed settlement. The village had a street of neat houses which spread beneath the superintendent's house and the guard house each of which nestled on a slight rise.⁵⁰ The serenity of this setting contrasted with the human brutality and suffering. On Saturday 30 April 1791 the settlement at Charlotte Field was officially named Queenborough: on the following Tuesday three women, who had been detected stealing corn from the public gardens, were punished. Clark ordered one of them, the elderly Mary Higgins, to receive 50 strokes, but she endured only 26 before Clark remitted the remainder because of her age. The stocks stood at the entrance to Queenborough's gaol, dual reminders to all of the penal purposes of the society.⁵¹

The floggings were intended as deterrents. Age and sex made no difference. A man of almost 70 years received 100 lashes for stealing wheat and neglecting his work, while a boy received 13 lashes on his buttocks for stealing from his master.⁵² As resident surgeon at Queenborough, Wentworth attended the floggings to ensure that life was not at risk, then tended the victims' lacerated backs. At times he showed compassion toward convicts. On 3 May 1791 Ralph Clark ordered Catherine White to receive 50 lashes, but she could bear only 15 before fainting. Wentworth then asked Clark to have her taken down. That compassion extended to circumstances even when he had been the offended party. Sarah Lyons had been ordered to receive 50 lashes on 6 June 1791 for abusing Wentworth, but after receiving only 16, Wentworth begged Clark to forgive

⁵⁰ P.G.King, *Journal of Philip Gidley King while Lieutenant-Governor of Norfolk Island, 1791-1796*, N.L. MS70, p. 4.

⁵¹ Clark, *op. cit.*, p. 197.

⁵² *Ibid.*, pp. 207, 218.

her the remaining 34, and again Clark complied with his wish.⁵³

The wheat sown during May and June in 1791 at Queenborough began to ripen in September and promised a plentiful harvest. In all, ten acres of wheat and 36 acres of Indian corn had been sown. The inhabitants of this settlement watched anxiously for any signs of the return of a ground grub which had destroyed previous harvests. They also waited apprehensively lest the moths and caterpillars which had ruined crops in the past would reappear. At this stage the only threat to the harvest came from marauding convicts, but the incidents of theft from the gardens at Queenborough were few.⁵⁴

The *Atlantic* appeared off Norfolk Island on 2 November 1791, bringing the new commandant, Lieutenant-Governor Philip Gidley King. He came ashore on the 4th, keen to see the improvements that had taken place since his departure 20 months earlier.⁵⁵ With this latest influx of soldiers, settlers and convicts, the population rose to 1,008, and broke into 131 civil, military and settlers, 39 ex-convicts, 490 male convicts, 263 women both bond and free, and 85 children.⁵⁶ King found the settlement flourishing, with the newly built towns of Queenborough and Phillipburgh progressing rapidly and the public and private gardens promising a plentiful harvest. These outward signs of prosperity masked the discontent that simmered beneath the surface, for King wrote to Nepean on 23 November 1791 of the murmurings of discord and strife which emanated from every corner and niche on the island.⁵⁷

⁵³ *Ibid.*, pp. 197, 202.

⁵⁴ *Ibid.*, pp. 217-9.

⁵⁵ P.G. King, *Journal*, N.L.MS 70, p. 4.

⁵⁶ *Ibid.*

⁵⁷ P.G. King to E. Nepean, 23 November 1791, CO 201/9, f.49; One of the main grievances

Since May dysentery had eroded the health of the community and the doctors continued to assist those stricken with the disease. While only few cases had proven fatal, the afflicted generally became debilitated and could not work. Over his seventeen months working with the sick at Queenborough, Wentworth had established a reputation for conscientiousness and dedication. When the superintendent of convicts at this settlement, Denis Doidge, resigned after King had reprimanded him for improper conduct, the lieutenant-governor - impressed with Wentworth's conduct - appointed him as successor.⁵⁸ On 10 December 1791 King notified him of his appointment, stating "I have thought proper in consideration of your diligence, & good behaviour, to appoint you to act as Superintendant of Convicts & Ass.t Surgeon, untill His Excellency the Governor in Chiefs Pleasure is known thereon."⁵⁹ Wentworth continued to perform the duties of surgeon at Queenborough and King felt confident that he would acquit himself faithfully.⁶⁰

Wentworth now occupied the home built on the rise overlooking the village. In another house similarly situated, and with an established garden adjoining it, lived a corporal and six privates from the New South Wales Corps.⁶¹ As superintendent, Wentworth assumed the responsibility for the management and direction of 100 convicts whose activities included

stemmed from the endeavours of Major Ross to encourage the inhabitants to become independent of the government stores. Having received a representation signed by 150 convicts who asserted their inability to maintain themselves by the required date of March 1791, King abandoned the scheme. Norfolk Island, General Orders, 8 January 1792, HRA, ser. i, vol. 1, pp.241-3; P.G.King to E.Nepean, 23 November 1791, CO 201/9, f.4.

⁵⁸ Lt. Gov'r.King to Mr Secretary Dundas, 8 May 1792, King Letterbook, Norfolk Island 1788 -99, f.96.

⁵⁹ Lieutenant- Governor King to D. Wentworth, 10 December 1791, CO 201/9, f. 59.

⁶⁰ Lt.-Governor King to Governor Phillip, 29 December 1791, King Letter Book on Norfolk Island 1788-1799, M.L. C187, ff. 87-8.

⁶¹ Lt.-Governor King to Lord Grenville, 29 December 1791, C.O. 201/9, f. 107.

clearing ground around the settlement and cultivating crops in the public gardens. King's recognition, coupled with his words of praise, must surely have encouraged and reassured him. The added responsibility presented him with a further opportunity to prove his worth. Although inexperienced in the cultivation of crops and the superintendence of convicts, Wentworth's work on the island had prepared him for this situation. Daily visits to the early camp site at Charlotte Field before Queenborough was built and then his residency in the town had acquainted him with the routine of the settlement and of the character of its inhabitants.

As the lieutenant-governor of Norfolk Island, King also had an opportunity to distinguish himself. When Phillip appointed him commandant of Norfolk Island in February 1788, he recognized a good, young, steady naval officer with the patience and perseverance required to oversee and establish a settlement on a remote outpost. David Collins wrote in April 1788 that King spoke of all the difficulties he encountered at Norfolk "like a man determined to overcome them." King had joined the navy at the age of 12 and had served for 17 years before sailing with the first fleet. He was self-reliant and devoted to duty, he respected authority and expected others to do likewise, he liked order, discipline and regulation, and kept detailed records, journals and copies of letters.⁶²

Wentworth's life had followed a different course. He had lived a more sheltered, secure existence in the north of Ireland under the protection of family and friends. Even his short military career had kept him in his native country. Once in the strange environment of London he had shown himself to be impressionable and at times reckless, looking to others for support

⁶² Governor Phillip to Lord Sydney, July 1788, HRNSW, vol. I, pt. II, p. 179; Collins op. cit., p. 18; A. Phillip, op. cit., pp. 95-96.

and assistance.

Although King and Wentworth were men of different stamp, their interests at this stage were complementary. Wentworth sought to redeem his reputation and to secure a future, while King looked for recognition and favour from his superiors. Both saw the advancement of their interests in promoting the success of the tiny settlement. To realize his goals, Wentworth needed the acceptance and support of his commandant and King relied on the cooperation and diligence of people like Wentworth to ensure the well-being and prosperity of the colony.

In a letter of 3 January 1792, Phillip informed King that, in keeping with his promise, Wentworth could return to Sydney if he had proved himself deserving. Nevertheless, he suggested that Wentworth's interests would be better served on Norfolk Island until his future prospects were determined. Wentworth heeded Phillip's advice and decided to stay. In the following months he faced a number of major problems in working to secure the peace and productivity of the district under his supervision. The appearance of dysentery among the settlers in the previous May had continued to sap the health of the community and by February almost all the inhabitants had been afflicted, with the recent arrivals, in particular, suffering greatly. Wentworth was also dealing with men and women struggling to adjust to an alienating world. Some could not. In July 1792, one of his charges endured excruciating pains for three days after eating his weekly allowance in one meal. Despite Wentworth's attention the man died. His death, however, did not deter others from such compulsive and self-destructive behaviour.⁶³

⁶³ Governor Phillip to Lt.-Governor King, 3 January 1792, King, Letterbook, C187, f. 83; P.G.King, Journal, MS 70, f. 21; P.G.King, A Journal of Transactions on Norfolk

Another problem lay in the control and management of his charges. King regarded the convicts as a set of miserable and lawless wretches. Indeed, he maintained that a number of the recent arrivals would rather starve than work.⁶⁴ The convicts on Norfolk Island, in particular the female convicts at Queenborough, had irritated and provoked Ralph Clark to such an extent that, on 25 January 1791, he noted in his journal, 'I never came a Cross Such a sett of D..... B..... in my life - - they make me curs and swer my Soul out.'⁶⁵ In addition to the usual minor offences such as neglect of duty, disobedience and insolence which interfered with the effective management of the settlement, more daring robberies had been committed during the first few weeks of King's administration. In an attempt to deter such crimes, which to King struck at the very root of property and peace, he ordered the punishment for such offences to be extended to a maximum of 800 lashes. On 24 May 1793 King proudly boasted to Sir Joseph Banks that for the previous four months circumstance had not warranted even the slightest punishment.⁶⁶

Despite the difficulties, Wentworth continued to impress his superior. On 9 March 1792 King wrote to Nepean extolling D'Arcy's virtues, and praising his propriety, punctuality, good conduct and industry.⁶⁷ Subsequently the number of convicts at Queenborough grew to 150 and within two months, on 8 May, King wrote to Nepean again reiterating his high opinion of Wentworth. This time he assured the Secretary of State that

Island, 4 November 1791 - 6 November 1794, M.L. A1687, f.66.

⁶⁴ P.G.King to E. Nepean, 23 November 1791, CO 201/9, f. 50.

⁶⁵ Clark, *op. cit.*, p. 178.

⁶⁶ King meant the order stipulating 800 lashes as a warning and never intended the punishment to exceed 200 except in heinous crimes. P.G.King, *A Journal of Transactions*, CO 201/10, f. 282; P.G.King to J. Banks, 24 May 1793, Joseph Banks Collection, N.L. MS 9/94a.

⁶⁷ P.G.King to E.Nepean, 9 March 1792, CO 201/9, f. 95.

he had not exaggerated in the slightest the young surgeon's exemplary behaviour which was obvious to all who lived on the island; and he further suggested that Wentworth deserved a small remuneration for his efforts in performing two duties. The letter also mentioned that Wentworth had requested King to write in his favour to his patrons Lord Fitzwilliam and Mr Villiers.⁶⁸ In July King noted in his journal Wentworth's attentiveness and activity in overseeing the public work and in maintaining law and order, observing that the young doctor did not pretend to any knowledge or experience in farming. On 21 September he also wrote to Phillip stressing that Wentworth was of the greatest service.

Wentworth had won over an important ally - a new supporter - willing to represent and defend his interests. Through King, Wentworth had gained immediate access to a channel of influence leading directly to the Home Office. Furthermore, by acquainting Fitzwilliam and Villiers with King's name, Wentworth hoped to strengthen his links with his patrons.

Word of Wentworth's reform filtered home to England where, on 21 June 1792, the following paragraph appeared in the English newspaper, the *Advertiser*; "Wentworth, the highwayman, acts as assistant to the Surgeon General of Norfolk Island, and likewise behaves himself remarkably well." Ironically while Wentworth attempted to establish his good name in the colony, gossip and press reports kept rumours of his disreputable past alive in England.⁶⁹

After the disappointing and bewildering course of events in 1790, Wentworth managed to achieve some stability and hope for the future.

⁶⁸ P.G.King to E. Nepean, 8 May 1792, CO 201/9, f. 160.

⁶⁹ Bonwick Transcripts, Biography, vol. 4, M-Y, M.L. A2000-4, f.1106. A similar account appeared in *Annual Register*, 1792, p. 26.

During 1791 and 1792 he proved that he could effectively supervise an establishment of 150 convicts, despite their reduced rations, ill health and laziness. He also demonstrated to himself and to the inhabitants on the island that he could both oversee the cultivation of crops at Queenborough, and fulfil the duties of the resident doctor. He had therefore taken the first positive steps towards establishing his worth and redeeming his reputation. Furthermore, apart from his public duties, Wentworth had begun to concentrate on accruing private assets. On land allocated to him by the Governor, he had started to breed swine with some success. On 7 May 1792 he received £11/2/- for the six sows he sold to the government.⁷⁰

In January 1793 John Stockdale published a book by John Hunter entitled *An Historical Journal of the Transactions at Port Jackson and Norfolk Island*. Compiled from official papers, and including the journals of Governor Phillip, King and Lieutenant Ball, this book covered the period from 1786 to Hunter's departure from Port Jackson in 1791. It also included the announcement of Wentworth's appointment as superintendent of convicts at Queenborough and commended his professional conduct. The account concluded by asserting that, "Mr. Wentworth has behaved with the greatest attention and propriety as assistant-surgeon, which duty he still continued to discharge." This publication made no reference to Wentworth's past.⁷¹

Although Wentworth's good behaviour and his position as assistant surgeon became public knowledge, the Home Office would make no comment on his appointment. Moreover, Phillip was reluctant - without the approval of his superiors - to acknowledge Wentworth officially as a member of the medical staff. In a letter of 30 November 1792 the governor chided King for

⁷⁰ List of Payments, 7 May 1792, CO 201/9, f. 138.

⁷¹ Hunter, *op. cit.*, p.579.

citing Wentworth as an assistant surgeon in the list of returns. He stressed that in future Wentworth should only be mentioned in his minor capacity as a superintendent. King in turn defended his actions by maintaining that Wentworth was recorded as "Superintendent and having the Medical Treatment of those under his direction as well as the Settlers in his Neighbourhood." With no one prepared to accept responsibility for his position in New South Wales, Wentworth wrote to his patron, Lord Fitzwilliam, seeking his aid in securing official endorsement for his commission as assistant surgeon.⁷² After two and a half years service as a doctor on Norfolk Island, he still remained unconfirmed in that position and hence unpaid for the medical duties he had performed.

Wentworth's anxiety over the government's unwillingness to ratify his position stemmed not only from his concern over monetary matters, but from the uncertainty of his standing in the colony. Without official recognition his situation remained ambiguous, and influential men like Phillip and King were cautious in their official and public dealings with him. Frustrated and disappointed with the failure of civil servants in London to act upon his appointment, Wentworth announced his intention to return home.

This act was probably a ploy. It seems unlikely that he seriously contemplated going back so soon to the scene of his own disgrace and his family's shame. Rather, he probably hoped that such a threat would prompt Lord Fitzwilliam to take a more forceful stand on his behalf. In light of his

⁷² Governor Phillip to P.G.King, 30 November 1792, P.G.King to D.Collins, 12 July 1795, King, Letterbook, M.L.C187, ff.128,291. Letter from D.Wentworth to Lord Fitzwilliam not extant but Lord Fitzwilliam's reply points to the contents of Wentworth's Letter. See Lord Fitzwilliam to D. Wentworth 24 June 1793, Wentworth Papers,A754-2, ff. 295-297.

praiseworthy behaviour in the colony he might also have anticipated that Whitehall would sympathize with his predicament and soften their attitude towards him.

King continued to place Wentworth's case before the Home Office. In a letter of 4 March 1793, he reminded Nepean of Wentworth's uniform good conduct, maintaining that the people on Norfolk Island were indebted to him for the 2,000 bushels of maize and 500 bushels of wheat produced under his supervision for the government. He mentioned that neither Wentworth nor any of his charges had ever complained to him and that he was "a real treasure."⁷³ Furthermore, he pleaded with the under-secretary to pay Wentworth for his services as assistant surgeon and as superintendent of convicts. In drawing attention to Wentworth's stated intention to leave the colony, the lieutenant-governor bemoaned, "how I shall replace his loss I cannot tell."⁷⁴

To impress Nepean, King again emphasized Wentworth's industry and cooperation. This praise was not hollow. Wentworth combined a number of qualities which the lieutenant-governor valued in his subordinates. He not only successfully produced crops for the settlement, but he did so without causing disagreements, rifts or discontent. It would seem that Wentworth's compassion for his convict labourers and his friendly nature encouraged a cooperative spirit at Queenborough. Rather than seeing his qualities as a weakness to be exploited, the convicts responded positively to his manner. Joseph Smith, an overseer who worked for Wentworth on the island insisted that "a better master never lived in the world." Plagued by attacks of gout, King appreciated Wentworth's steady and quiet contribution to the good

⁷³ P.G.King to E. Nepean, 4 March 1793, CO 201/9, f. 198.

⁷⁴ Ibid.

order and prosperity of the island dependency. On 25 August 1792, King appointed Wentworth a constable responsible for maintaining law and order in Queenborough and the surrounding districts.⁷⁵

Despite Wentworth's anxiety about his future in the colony and his growing discontent at performing the duties of an assistant surgeon without recognition or remuneration, he continued to fulfil his duties at Queenborough with propriety and competency. During 1793 additional ground was cleared and wheat and maize planted. The ground grub appeared in the crops in July and August, destroying 16 acres of maize and much of the wheat. This ground grub, together with caterpillars and a destructive moth, tested the ingenuity of the lieutenant-governor and his superintendents. King, in particular, tirelessly experimented with techniques to eradicate the pests and eventually resorted to using fowls in the gardens to control the insects. Wentworth likewise used this strategy at Queenborough, but introduced the fowls too late to prevent the destruction of the crop.⁷⁶

The inhabitants suffered particular hardships because of their isolation. Their distress during 1793 intensified as articles such as clothes, tea and sugar became scarce in the settlement. Hardly a ship called at the island, preventing the settlers from acquiring even essential goods. Lieutenant Chapman, who worked as commissary at Phillipburgh, stated that the officers were in want of different articles and King maintained that many settlers were in desperate need of clothes.⁷⁷

⁷⁵ J. McMahon, *op. cit.*, p. 59. For details of King's ill-health see W.N. Chapman to his mother, 5 May 1792, W.N. Chapman Letters 1791-1838, M.L. A1974, pp. 21-2; P.G. King, *A Journal of Transactions on Norfolk Island* M.L. A1687, ff. 152, 427-8.

⁷⁶ P.G. King, *Journal*, MS 70, pp. 81-85.

⁷⁷ Chapman, *loc. cit.*, p. 23; P.G. King, *Journal*, MS 70, p. 93.

During October 1793 the settlers formally complained to King, of their need for clothing and other necessities. At about this time Francis Grose, who had replaced Phillip and acted as governor, chartered the *Britannia* to carry provisions to Port Jackson for the colony's use. The ship called at Norfolk Island during November on its way to procure its much wanted cargo and King sought the Captain's aid in purchasing goods for the settlers on his own island. Every part of the ship had been appropriated for cargo for the settlers at Port Jackson, except the master's cabin and the storage area for the ship's stores. King managed to persuade Captain William Raven to allow this space for his settlers who then submitted a list of their requirements which was not to exceed 5 or 6 pounds for each family.⁷⁸

Wentworth and Thomas Jamieson, the superintendents at Norfolk Island, also sought to purchase articles through Captain Raven. Aware that they had pay due to them, King drew part of their salary on His Majesty's Treasury which enabled the captain to purchase articles at prime cost on their behalf.⁷⁹ These business transactions provided important lessons for colonists interested in increasing their wealth through trading ventures in this part of the world. They underlined the lucrative profits that could be made in purchasing articles for sale in New South Wales. Lieutenant Chapman immediately saw the pecuniary advantages in chartering a ship laden with supplies for the colony. He wrote home explaining that when a ship brought articles to the settlement the prices charged were "amazing" and the least profit made was 100 per cent. Undoubtedly Wentworth recognized the same advantages.⁸⁰

⁷⁸ P.G. King, Journal, MS 70, pp. 93-94.

⁷⁹ *Ibid.*, p.94.

⁸⁰ Chapman, 5 May 1792, *loc. cit.*, p. 23.

King worked to promote the welfare of the officers and settlers. His representations to Captain Raven indicated how this group strove toward a joint goal. Their sharing of a common purpose promoted good order and tranquillity in the settlement. A number of convicts still disobeyed orders, neglected their duties and were insolent to their superiors, but not on such a scale as to threaten the peace of the settlement. In this divided community King had managed to secure the cooperation and support of the military and civilian officers, and the free settlers in the effective government of the island.

The soldiers of the New South Wales Corps formed the only troublesome group of malcontents. They had become a constant source of strife and disruption since their arrival. On 31 May 1792 the privates in Captain William Paterson's company refused to draw their rations. After much persuasion by their captain, they agreed to accept it, though with bitter complaints of being put on reduced allowances. During July 1793 King found it necessary to issue maize in lieu of rice. Once again the detachment belligerently and aggressively refused to accept their ration until persuaded to do so by Lieutenant Abbott.⁸¹

Away from the politics of the main settlement, Wentworth concentrated on improving and developing the district under his supervision. During the latter half of 1793 convicts, under his direction, cleared additional land at Queenborough, planted sugar cane as protective borders around the gardens, and tendered the flourishing wheat crop. Working industriously, the inhabitants had managed to harvest most of the wheat by Christmas. As a reward for their efforts, King allowed them one pound of

⁸¹ P.G.King, Journal, MS 70, p.83.

flour, one and a half pounds of pork above their normal ration and as much spruce beer as they wished. From his home overlooking the settlement Wentworth had watched the land under cultivation increase and the latest crop prove successful. He had seen his own family grow with the birth of his second son, Dorsett Crowley, on 23 June. For all that, Wentworth continued unsettled while awaiting word on his appointment as assistant surgeon.⁸²

After the heightened activity of reaping and storing the harvest, the inhabitants of Queenborough relaxed over the Christmas period and enjoyed their extra rations and spruce beer. At Headquarters, however, the undercurrent of discontent within the New South Wales Corps erupted into an open and vicious conflict between the soldiers and some settlers and convicts.⁸³

On the evening of 18 January 1794 a scuffle broke out during the public performance of a play at Sydney Bay. After the performance the dispute spilled onto the streets, drawing more people into the brawl. King intervened in the melee, ordered everyone to their homes and directed that a soldier named Bannister and a convict named Cooper be taken into custody for their involvement in the fracas.⁸⁴

Angered at the confinement of one of their number, the soldiers gathered on the parade ground at Sydney Bay, determined to release their fellow. This group at first defied Lieutenant Abbott's orders to return to their barracks, then, after much persuasion, they finally acquiesced. On learning that the soldiers had taken an oath to be true to one another, and not to suffer any of their comrades to be punished for an offence against a

⁸² *ibid.*, pp. 88-89, 100; Norfolk Island Victualling Book, M.L. A1958, f.80b.

⁸³ Lt.-Governor King to H. Dundas, 10 November 1794, *HRNSW*, vol. 2, pp. 135-173.

⁸⁴ *ibid.*

convict, King realized that a further escalation of the conflict seemed imminent and that public safety was in jeopardy. With the support of the officers of the Corps, King managed to disarm the detachment and arrest the leaders of the mutiny.⁸⁵

This temporary but alarming lapse in public order did not seem to disrupt the peace and good order at Queenborough. After the Christmas break the inhabitants began gathering, husking and storing the maize. During April King encouraged those who reared hogs for slaughter to sell them to the government for 6d a pound. Wentworth, who continued to fulfil two official positions at Queenborough, also supervised his own farm. On 3 May he sold 814 lbs of swine flesh to the government for £20/7/- and on the 18th an additional 900 lbs for £24/10/-. At this time he drew an annual salary of £40/-/- as superintendent of convicts.⁸⁶

On 19 March King reported to Grose that he had already purchased 3,400 bushels of maize from the settlers and expected to buy another 3,000; that furthermore, they could spare 5,000 bushels if it were needed at Port Jackson. On closer scrutiny of the crop, King realized that he had underestimated the harvest by half and now anticipated 12,000 bushels.⁸⁷ At this stage Wentworth was one of the largest private maize producers on the island. Between 3 January and 10 May 1794 he lodged in the government stores 436 bushels of maize worth £105/7/4 harvested from his land grant.⁸⁸

⁸⁵ Ibid.

⁸⁶ Copy of Vouchers for the Payment of Swine Flesh between 3 April 1794 and 13 July 1794, CO 201/10, f. 238. For the salary of superintendents see Estimates of Expenditure, HRNSW, vol. 2, p. 19. For proposals to raise salary to £50, see H. Dundas to Lt-Governor Grose, 15 November 1793, ibid., p. 83.

⁸⁷ P.G.King, Journal, MS 70, p. 145.

⁸⁸ List of Bills issued by Z. Clark, commissary of stores, Norfolk Island, between 30

Queenborough also shared in the prosperity of the country. A spacious barn and granary 60 feet long was constructed during the year and new houses for the convicts were erected to replace the ones built in 1790.⁸⁹ Around mid-1794 Wentworth received a letter of 24 June 1793 from his patron, Lord Fitzwilliam who reassured him that he had approached Under-Secretary King and felt confident that official endorsement of his appointment would be forthcoming. Sensing restlessness and disappointment in Wentworth's correspondence, Fitzwilliam encouraged him to focus on the potential for personal wealth and achievement offered by a young and growing colony.⁹⁰ Yet, no official confirmation arrived and, despite his progress on Norfolk Island, D'Arcy Wentworth became increasingly frustrated with his failure to gain official recognition and remuneration as assistant surgeon.

The plentiful harvest on Norfolk Island and the arrival of supplies at Port Jackson, created a glut on the market. During October 1794 King learnt from Grose that the bills issued for the maize he had taken into the government stores during the first half of the year would not be paid until he had received directions from England. Settlers, including Wentworth, who had worked so hard to produce this crop were angered and dispirited by the announcement.⁹¹

King voiced his concern at the number of free settlers selling or giving away their farms. By the end of October 1794 he pointed out that ten marine settlers had done so because of the distress they suffered due to

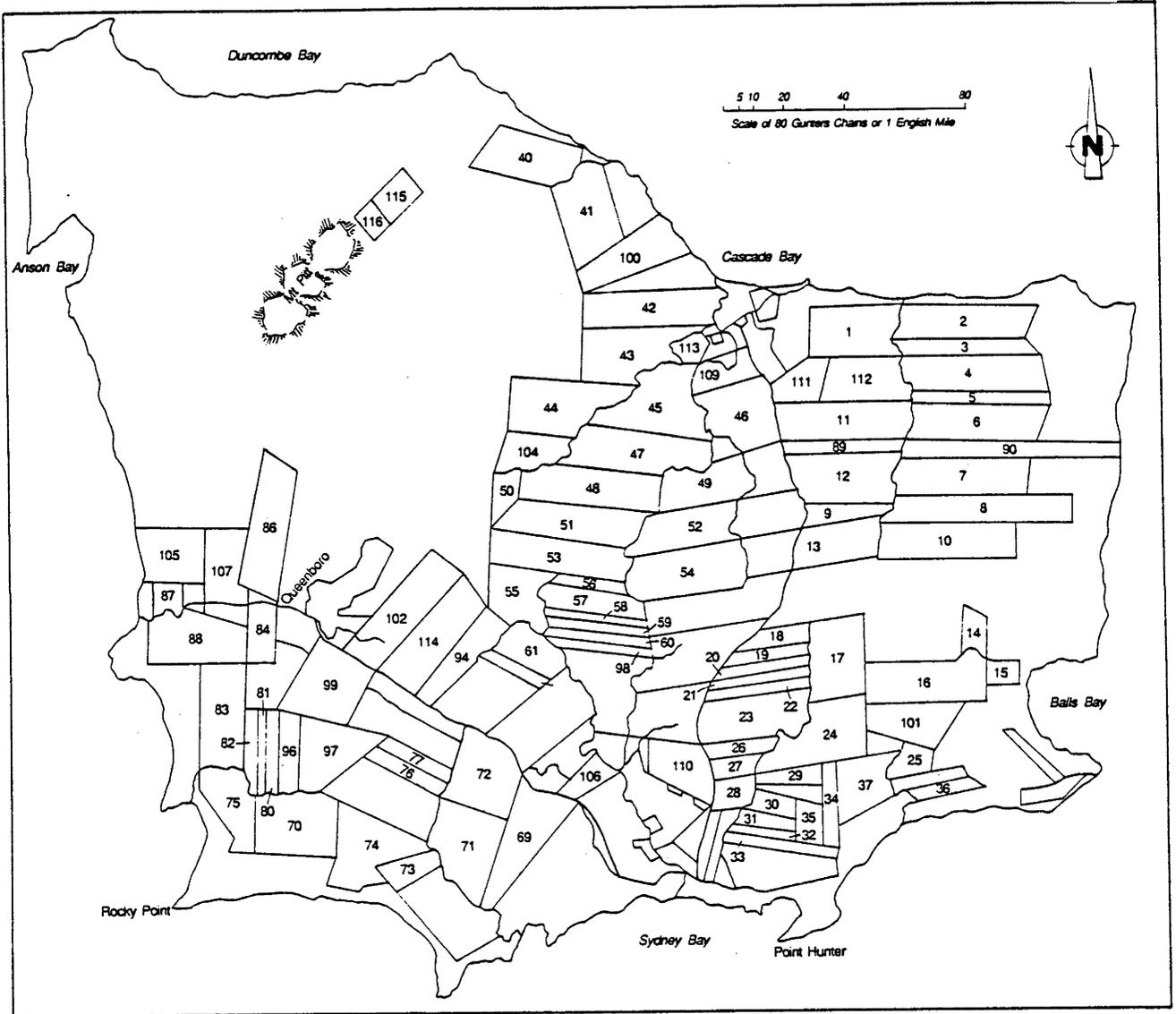
January and 10 May 1794, CO 201/10, f.226.

⁸⁹ P.G. King, Journal, MS 70, p.145.

⁹⁰ Lord Fitzwilliam to D. Wentworth, 24 June 1793, Wentworth Papers, A754-2, ff.295-297.

⁹¹ P.G.King, Journal, MS 70, pp. 154, 169-170.

Norfolk Island - Land Ownership



One of D'Arcy Wentworth's first farms in the colony was lot no. 88.

Map based on Plan of the Settlers' Lots, Norfolk Island, 1796, CO 201/18, ff.150-1.

the disappointment in not receiving payment for their grain already housed in the government stores. The settlers' growing sense of grievance at not having access to supplies at Port Jackson also lowered their morale and drove many to leave their land. In March 1793 there were 45 free settlers on the island, by March 1795 only 25 remained.⁹² Wentworth took advantage of this situation and acquired three farms of sixty acres each from settlers. One of these farms he used as an enclosed run for swine and goats.⁹³

The settlers produced in abundance the island's basic food requirements. For all this prosperity, they suffered hardship because of the continued lack of particular articles such as spirits, tea, sugar and clothes. King maintained that all articles brought out for sale in the colony were monopolized by the inhabitants at Port Jackson who compelled ships' masters to part with the whole of their cargo. The lieutenant-governor was less perturbed by the operation of the monopoly than by being excluded from the transactions. He maintained that he could not fathom the policy, necessity or humanity in the settlers on Norfolk Island being excluded from the advantages of those at Port Jackson, stressing that his own people had the greater need because of their isolation.⁹⁴

During April and May 1795, in an attempt to compensate for their disadvantages, King began to distil rum from sugar cane which offered a "very good and wholesome spirit."⁹⁵ A blanket of low morale, however, settled over the community. Another outbreak of dysentery in January which persisted into the middle of the year further affected the settlers' outlook

⁹² *Ibid.*, f. 173.

⁹³ P.G.King to Lord Fitzwilliam 19 February 1796, Wentworth Woodhouse Muniments.

⁹⁴ P.G.King, *Journal*, MS 70, f.181.

⁹⁵ *Ibid.*, f. 207.

as their growing sense of dissatisfaction and isolation intensified. In July 1795 King wrote in his journal:

I cannot help remarking in this place, how much we all feel the neglect attending us; The Britannia was Chartered by the Government at Port Jackson, to go to India for a Cargo; Each Officer there, has a share; Or rather what may be termed a privilege, of sending for articles in the proportion of £60 each Captain, and 30£ each subaltn. This indulgence myself and the other Officers have been excluded from, ... It is these, and Similar Neglects, which sours the Mind of those, who would otherwise be Contented in their Situation⁹⁶

After the oversupply of maize produced in 1794 and Grose's refusal to accept any additional maize into the government stores, Wentworth followed King's advice to the settlers and planted wheat on his farm with some success. In November 1795 he sold 78 bushels of wheat to the government for £39/-/-.⁹⁷ While Wentworth continued to prosper his family had also grown with the birth of his third son, Matthew Crowley, on 13 June 1795.⁹⁸

The *As/a*, an American ship from New York, arrived at the island on 3 October to replenish its water and food supply. For the first time since the settlement's founding, a ship had stopped at Norfolk Island without having previously touched at Port Jackson and the settlers seized the opportunity to furnish the ship with stock and vegetables in exchange for tobacco and

⁹⁶ *Ibid.*, ff. 209-10.

⁹⁷ Voucher for Payment of Wheat, 23 November 1795, Banks Papers, vol. VII, King, P.G., 1788-1805, M.L. 78-6, f. 4.

⁹⁸ Norfolk Island Victualling Book, *loc. cit.* p. 83a.

spirits.⁹⁹ With his success in breeding swine and in cultivation Wentworth surely reaped profits from this business.

Towards the end of October 1795 Wentworth received a shipment of goods sent out on the *Supply* by his London agent Charles Cookney. The cargo included such articles as cloth, soap, china and linen which cost him £94/18/4. Undoubtedly he retained part of the consignment for personal use, but much of the cargo was intended for sale. Wentworth began to tap the colony's lucrative trade in consumer goods. This month also brought the good news that the home government had directed Governor Hunter to pay the corn bill.¹⁰⁰ Despite his steady acquisition of property, his emerging trading interests, and successes in breeding livestock and cultivating crops, Wentworth shared the settlers' discontent. He was especially frustrated with Whitehall's silence on his position in the colony.

In the previous July Wentworth had written to David Collins expressing his disappointment in the Home government's failure to confirm his commission. He sought permission to return to England and in a covering letter, King supported his request. He stressed that Wentworth's conduct, both as superintendent and doctor, had given much satisfaction. In an attempt to force a decision on Wentworth's future, King wrote; "How far Mr. Wentworth can be spared, I must submit to the Governor: As well as the Propriety of his being detained to perform an Office, for which he does not receive any Emolument." Furthermore, he maintained that if no additional people were to be sent to the island, Wentworth's services as

⁹⁹ P.G.King, Journal, MS 70, pp. 222-3.

¹⁰⁰ Lord Fitzwilliam had advanced £54/13/6 credit to D'Arcy's account with Cookney. For this statement together with the list of Goods sent out to D'Arcy by his agent Charles Cookney, see Account Book in Wentworth Papers, A754-2, f.540. For the arrival date of the *Supply* see J.H.Cumpston, Shipping Arrivals and Departures, Sydney, 1788-1825, Canberra, 1964, p.30; P.G.King, Journal, MS 70, p. 224.

superintendent would not be needed.

Hunter sympathized with Wentworth's predicament. He explained to King in a letter of 17 October 1795 that, as recommendations had been forwarded home on Wentworth's behalf, and as Whitehall had not attended to them, he could see no point in pressing the issue any further on the secretary of state. He expressed regret at the need for Wentworth to quit a settlement where he had been of "so much Public Utility." and gave his permission for him either to return to Sydney or to leave Norfolk Island by the *Endeavour*.¹⁰¹

On 23 January 1796 Wentworth notified Lord Fitzwilliam of his plans to return to Europe. Although his patron occupied the dominant role in the relationship, Wentworth actively and knowingly attempted to shape his decisions. Clearly he valued and wished to maintain the bond with Lord Fitzwilliam, yet he sought to pursue a course of action which his patron might well have disapproved. Hence Wentworth endeavoured to obtain his patron's approval for his return to England by convincing him of the necessity of taking such a step. He wrote of his disappointment in not being confirmed as an assistant surgeon and of the "Heartfelt Sorrow, and Reluctance" he experienced in being compelled to return to England. He reminded Fitzwilliam of his six years service in the colony and mentioned the disagreeable circumstances endured by subordinate officers.¹⁰²

Wentworth was, however, seeking more than Lord Fitzwilliam's sanction to return home: he was also priming his patron for a part in his

¹⁰¹ Lt-Governor King to Lord Fitzwilliam, 19 February 1796, Wentworth Woodhouse Muniments. . . . Wentworth's letter is not extant but its contents can be gleaned from King's covering letter, P.G.King to D.Collins, 12 July 1795, King, Letterbook, C187, p.291. D.Collins to Lt- Govr. King, 17 October 1795, *ibid.*, p. 294.

¹⁰² D.Wentworth to Lord Fitzwilliam, 23 January 1796, Wentworth Woodhouse Muniments.

future plans. The letter contained two references to Wentworth's intention to return to New South Wales. He stated that he had no desire to remain in London and added that he held no objections to returning to the colony. In outlining his immediate plans, Wentworth explained that he had sold one of his farms and thought it prudent to entrust the remaining two to the care of King "in the hope, that I will obtain (through your Lordship's kindness) a Situation which will enable me to return to this island."¹⁰³

Although Wentworth gave no indication of the situation he had in mind, his final remarks to Lord Fitzwilliam suggest that he was seeking a secure situation with scope for profit-making. He assured his patron that his only motive in leaving Norfolk Island was to obtain a permanent situation, stressing that if he remained in his present position he could not expect to earn "a single shilling."¹⁰⁴

On a previous occasion, Wentworth had requested Governor King to write to Lord Fitzwilliam in his favour, and it would appear that he again approached King with the same request. On 19 February 1796 King wrote to Lord Fitzwilliam, praising Wentworth's achievements, not only for raising crops for the Crown and maintaining good order in his district, but also for the grain and stock he produced on his own farms. King mentioned that Wentworth's three farms, together with his industry, placed his pecuniary circumstances at an advantage. King then confided:

Whatever may have been his former Errors I have no doubt but his future Conduct in Life, will be mark'd by the same propriety of behaviour which has procured him the General Esteem of everyone here -

¹⁰³ Ibid.

¹⁰⁴ Ibid.

And I sincerely hope the liberal & Good will consign his former Wanderings to Oblivion.¹⁰⁵

On 19 February 1796 Wentworth, Catherine Crowley and their three sons boarded the *Reliance* and sailed for Port Jackson. Late in the evening of 5 March they arrived in Sydney. Many changes had taken place in the settlement since 1790 when Wentworth had first encountered colonial life.¹⁰⁶

¹⁰⁵ Lt-Governor King to Lord Fitzwilliam, 19 February 1796, ibid.

¹⁰⁶ Norfolk Island Victualling Book, loc. cit., pp. 1b, 60a, 75a, 80b, 83a; Collins, op. cit., p.384.

Sydney and Outlying Districts 1798

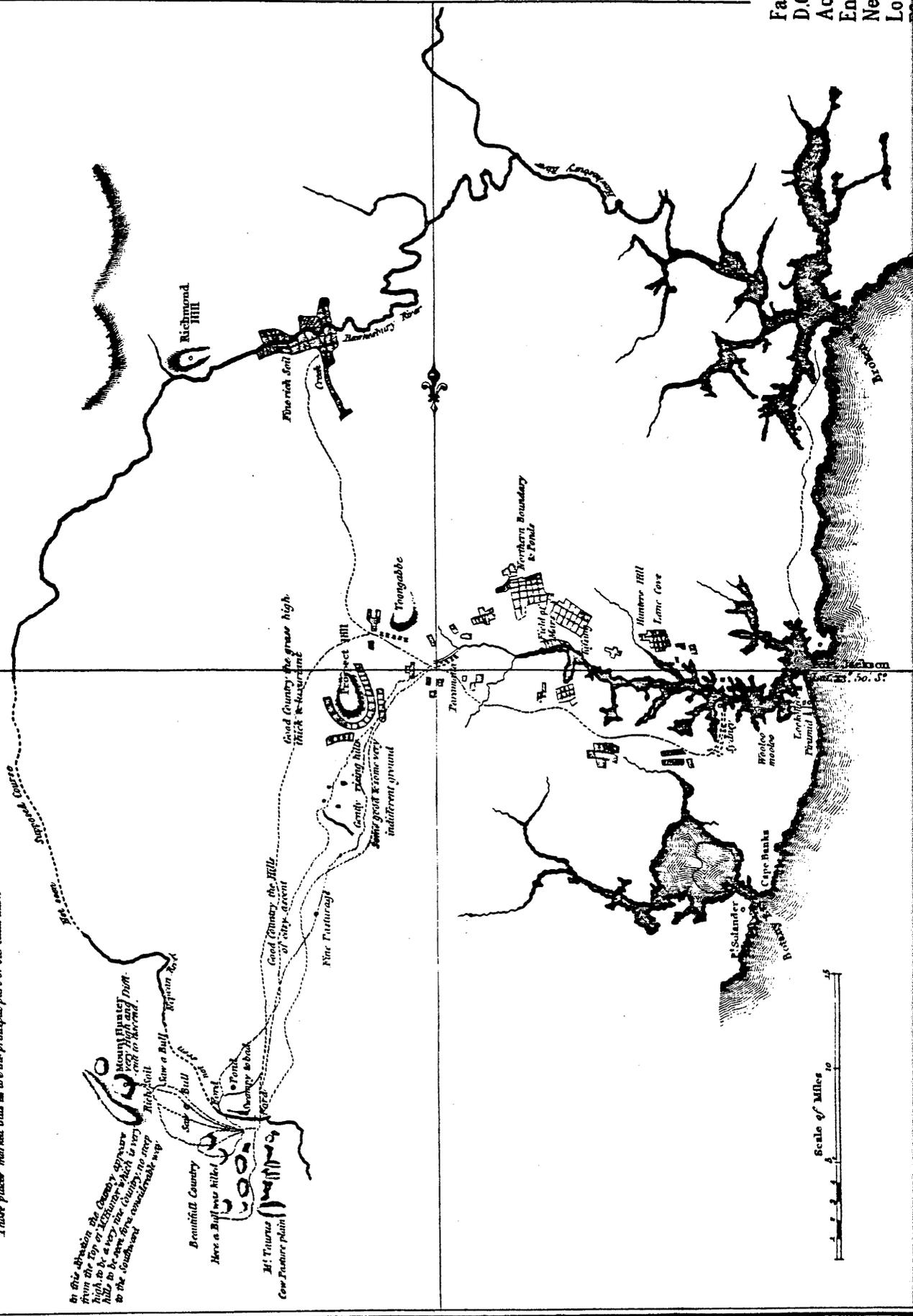
The dotted lines show the ground walked over lately
 • Are places where the Latitude has been Observed
 These places marked thus ■ are the principal parts of our Colonization

In this situation the Country appears
 high to the top or bottom of the
 hills, to be a very nice country, which is very
 to the southward considerably way

Beautiful Country

Here a Bull was killed

At Taurus
 Cow Pasture plain



Facsimile of Map,
 D Collins, An
 Account of the
 English Colony in
 New South Wales.
 London, 1798, N.L.

Chapter 3

Opportunities in Sydney, 1796-1800

During Wentworth's time on Norfolk Island, the ramshackle garrison camp at Sydney had grown into a small town and had assumed an air of permanence.¹ In October 1795 the population of Sydney and the outlying districts numbered 3,211.² Optimism for the future, fed by discoveries of fertile land, had replaced the despondency which had dogged the settlement during its founding years. Thriving crops and small flocks of sheep and goats, together with the three merchant ships lying in the harbour, attested to the settlement's progress.³ Despite the changed face of Sydney, Wentworth knew that one important aspect - his official status - had not altered.

In October 1795 the arrival from England of two men, appointed by Whitehall as assistant surgeons, dashed Wentworth's hopes of receiving his commission.⁴ Cookney had informed him that Secretary Dundas had promised that he would succeed to the position of assistant surgeon when the next vacancy occurred in New South Wales. The commissions of the recent appointees, however, post-dated Dundas's undertaking and Wentworth despaired, "I considered this to be an Act of the greatest Injustice towards

¹For accounts of building and construction in Sydney refer to index in D. Collins, *op. cit.* vol. I, and in particular note the following pp. 153, 189, 194, 216 266, 269.

²State of the Settlements, 25 October 1795, *HRNSW*, vol. II, p. 334.

³J. Hunter to J. Banks, 12 October 1795 and 20 August 1796, Governor J. Hunter Letters, 1795 - 1802., M.L. A1787, pp. 1-4, 16; J. S. Cumpston, *Shipping Arrivals and Departures, Sydney, 1788 - 1825*, Canberra 1964, pp. 30 - 31.

⁴D. Wentworth to Lord Fitzwilliam, 1 May 1796, Wentworth Woodhouse Muniments.

me, who had acted so long under Governor King's appointment." Nonetheless, he had proven that, even without Home Office endorsement, he could succeed. The £800 which he had accumulated on Norfolk Island, together with his hard-earned reputation for propriety and industry, provided a base for advancement.⁵ He disembarked in Sydney, keen to consolidate this start, but unsure of what course to follow.

The sudden resignation of one of the newly arrived assistant surgeons afforded Wentworth an opportunity. Because of his heavy drinking, Samuel Leeds, soon proved an embarrassment to the colonial government. In March 1796 Hunter denounced him as an incorrigible drunkard and insisted on his return to England. Citing ill-health, Leeds tendered his resignation as assistant surgeon and on 1 April 1796 Hunter conferred the vacancy on Wentworth.⁶

This appointment served Wentworth in a number of ways. In practical terms it provided him with a steady income, status, the opportunity for respectability and scope for promotion. It also furnished him with a face-saving means of remaining in the colony, while enabling him to retain the threat of returning to England as a trump card. At this stage, however, his reiterated intention to leave the colony had produced no tangible rewards. Nonetheless, he regarded this intimidation as a lever in bargaining with those at home, particularly his patron and his agent.

The conferral of the position on Wentworth also helped publicly to vindicate his honour and privately to repair his damaged pride. In a large

⁵ C. Cookney's letter is not extant. D. Wentworth to Lord Fitzwilliam, 10 September 1796, *ibid.*; D'Arcy mentions the sum of £800 in his letter to Lord Fitzwilliam, 1 May 1796, *ibid.*

⁶ D. Wentworth to Lord Fitzwilliam, 10 September 1796, *ibid.*; Governor Hunter to The Duke of Portland, 30 April 1796; Governor Hunter to Under Secretary King, 20 August 1796, *HRNSW*, vol. 3, pp. 43-45, 74 also in CO 201/13, ff. 19, 73.

measure he derived his sense of self-worth and equilibrium from the approval of others and he felt a particular sense of satisfaction in obtaining this situation without having sought the favour from Hunter. For Wentworth, this unsolicited kindness provided additional proof of the governor's approval. In demonstrating his support, Hunter placated Wentworth's impetuosity and petulance. The governor now assumed the role of mentor.

Moreover, Wentworth's appointment partly compensated for Whitehall's snub. Unlike Phillip, Hunter was prepared to assume responsibility for conferring the position on Wentworth. In explaining his motives, Hunter merely informed Under Secretary King and the Duke of Portland that Wentworth had assisted at the hospital on Norfolk Island since 1790 and that his claim to the office of assistant surgeon was both deserving and "fair."⁷ Leed's conduct threw Wentworth's record in the colony into sharp relief. Wentworth not only witnessed the disgrace of the government's appointee, but subsequently was requested to fill the very situation which Whitehall had denied him. Although usually a tolerant man, he relished this opportunity to inform Lord Fitzwilliam of Leed's inability to perform his duties from "being in an almost constant State of Drunkenness."⁸

Pleased with his small victory, Wentworth immediately informed King of the appointment. The news delighted his patron who, keen to add him once again to his staff, proposed that Wentworth volunteer for a transfer to Norfolk Island.⁹ Yet, having won the approval and support of Hunter, and aware of the opportunities for advancement in Sydney, Wentworth chose to

⁷ Governor Hunter to the Duke of Portland, 30 April 1796, Governor Hunter to Under Secretary King 20 August 1796, *HRNSW*, vol. 3, pp. 43-4, 74.; also in CO 201/13, p.73.

⁸ D. Wentworth to Lord Fitzwilliam, 1 May 1796, Wentworth Woodhouse Muniments.

⁹ P.G.King to D. Wentworth, 16 April 1796, Wentworth Papers, 4754-2, f. 314.

remain on the mainland.

While the appointment answered Wentworth's immediate concerns, it also exposed him to the same humiliation and disappointment should Whitehall again fail to confirm his situation. He acted promptly to secure his position. Wentworth sent a copy of his appointment to Cookney with strict instructions to present it to the office of the Secretary of State and to request his commission. Again using his trump card, Wentworth directed his agent to inform the Secretary of State that, if any objection prevented confirmation, he would return to England.¹⁰ While setting in motion official machinery, Wentworth also sought additional support by urging Lord Fitzwilliam to use his influence with Under-Secretary King. In a letter to Fitzwilliam, dated 1 May 1796, Wentworth presented his case: "I trust ... the Hour is come, when no possible objection can be made to this appointment, my long Services in a double Capacity ... ought I presume to be a sufficient Recommendation."¹¹ Having established the justice of his claim, Wentworth proceeded to play on Fitzwilliam's affections and sense of obligation to secure his support. Pointedly, he reminded Fitzwilliam of his Lordship's previous failure to have the appointment confirmed and of the subsequent disappointment he had himself suffered.

Wentworth's self-absorption tended to dull his sensitivity toward the ill-fortune of others. At the beginning of 1795 his patron suffered a personal rebuff and major political setback. In December 1794 William Pitt appointed Fitzwilliam as Lord-Lieutenant of Ireland, where he became involved in a political misunderstanding with Pitt and the Duke of Portland

¹⁰ This letter is not extant but for its subject matter refer to D. Wentworth to Lord Fitzwilliam, 1 May 1796, Wentworth Woodhouse Muniments.

¹¹ Ibid.

leading to his humiliating recall to England only three months later. The rift between Fitzwilliam and the government was finally healed in 1798 with his appointment as Lord-Lieutenant of the West Riding.¹² In the interim Fitzwilliam suffered prolonged embarrassment and hurt but Wentworth, preoccupied with his own troubles, showed pique towards, rather than compassion for, his patron. In commenting about the failure to have King's appointment ratified, he noted, "perhaps the great political change which has taken place made it impossible for your Lordship to apply, if so, I am bound to wait your Lordship's own convenience."¹³

While Wentworth urged Cookney and Fitzwilliam to pursue his interests in London, he devoted long hours to his medical duties in Sydney and did not travel two miles beyond the town during the initial months of his appointment. Such involvement with his new office did not, however, blind Wentworth to alternatives. In his letter of 10 May 1796 he informed Fitzwilliam of Governor Hunter's recommendation to the Duke of Portland to appoint three or four officers to command the outlying settlements, suggesting further that these officials should receive a liberal allowance. Wentworth understood that a number of individuals had already forwarded their applications to friends in England to make representation on their behalf. Fired with ambition, Wentworth saw advantages in gaining such an appointment and solicited his patron's influence. His letter, characterized by self promotion and deference, again carried the threat of his return:

from the long Experience & the many Proofs which I
have given of my Abillies in managing a distant
Settlement, I presume I may say ... that I am in every

¹² See Entry under, Fitzwilliam, William Wentworth, Second Earl Fitzwilliam, in Dictionary of National Biography, vol. VII, p. 236.

¹³ D. Wentworth to Lord Fitzwilliam, 1 May 1796, Wentworth Woodhouse Muniments.

way qualified for such a Situation & could I be so fortunate through your Lordship's goodness to obtain one of these Situations; it would be [the] constant study of my Life to prove myself not unworthy of so great a Favour, from that moment I would relinquish every Idea of returning to England, & would endeavour to make myself as comfortable as possible here for the remainder of my Days.¹⁴

Wentworth's writings began to exude confidence. Although still faltering, his self-assurance grew as each passing year testified to his industry, and distanced him from his past. The stain of his bygone notoriety always threatened to seep through to the present. Yet he never attempted to explain or to justify his mistakes, to cry victim or to plead youthful folly; he simply refused to acknowledge his troubled history. He dealt with the disgrace and humiliation of his arrests and trials by blocking them from his mind.¹⁵

In May 1794 David Collins noted that each officer from the moment he received a grant, enthusiastically applied himself to converting his land into a productive, profitmaking venture. He accepted that the colony would most likely achieve independence through the exertions of these men.¹⁶ With his efforts on Norfolk Island, Wentworth epitomized the industrious and productive officer and farmer. Hunter, who at first praised the enthusiasm of such individuals in raising crops and breeding livestock, soon questioned their motives and the contribution they made to the community's well-being. The industry he once lauded he now, in March 1797, roundly condemned as blatant self-interest and injurious to the colony. He maintained that the granting of large farms and convict labour to the

¹⁴ Ibid.

¹⁵ Recall his statement at the Old Bailey, see Chapter I, p. 25.

¹⁶ Collins, op. cit., vol. I, p.308.

officers "broke upon duty; it engaged their thoughts and occupied every moment they could snatch from the public service with a view of rendering themselves independent."¹⁷

The officers' farming activities, however, formed only one part of their emerging pattern of control over colonial affairs. The energy they expended in overseeing the establishment and development of their land flowed into other areas of colonial life, particularly trade. An entrepreneurial spirit gripped the colony with buying, selling and bartering dominating the conversations in Sydney Town. A free settler, George Suttor, on his arrival in the colony in 1800 noted that "all agreed it was necessary to make money, make it honestly if you can, but you must make money."¹⁸

Hunter sympathized with individuals who endeavoured to provide for their families in honest ways and did not condemn those who made fortunes where the means did not conflict with their situation. He felt, however, that the officers in their "rage for traffic" abused their privileged position in the community. He maintained that they availed themselves of every opportunity to purchase goods cheaply and took advantage of the scarcity of consumable products by demanding the highest prices obtainable.¹⁹ Other inhabitants such as the colony's two clergymen, Samuel Marsden and Richard Johnson, also denounced the trading officers. To Johnson, such trade practices were beneath the dignity of a gentleman.²⁰ Daniel Paine, a ship builder in Sydney,

¹⁷ Compare Hunter's early letter J. Hunter to J. Banks, 12 October 1795 with later correspondence 30 March 1797, Governor Hunter Letters, 1788 - 1802, M.L. A1787, pp. 1- 4, 19 - 23. See also J. Hunter, Governor Hunter's Remarks on the Causes of the Colonial Expense of the Establishment of New South Wales, London, 1802, p. 27.

¹⁸ G. Suttor, 'Sketch of Events in New South Wales, 1800 - 1820', M.L. C783, p. 5; R. Johnson to J. Stonard, 11 August 1794, J. Johnson, op.cit., pt. II, p. 7.

¹⁹ J. Hunter, 1802, op.cit., pp. 20 - 27.

²⁰ S. Marsden to M. Atkinson, 17 September 1796, S. Marsden, The Letters and Journal of Samuel Marsden 1765 - 1838, J. R. Elder (ed.), Dunedin, 1932, pp. 31 - 34; R. Johnson to J.

labelled the officers "Gentlemen Monopolisers" and in pungent language Robert Murray, a crew member on the *Britannia*, lambasted their conduct:

The picture I form of an Officer, If married, with a Wife - a farm to exercise his leisure hours upon, and supply his family with grain and stock; is an amiable one. but, An Officer with a prostitute, and illegitimate offspring, Land added to their own possessions, purchased with enormous priced articles of the Soldiers, under their command - Publick duty neglected, The Officer standing forth in different characters. - A Publican - Money Lender. Farmer - Chandler. - and an Officer of the New South Wales Corps, forms one, which must strike a man of common feelings, with horror and detestation.²¹

Although Murray cited military officers as the culprits, people in civilian life were also involved in trade. Rather than censure the monopolists, many residents, also infected with the passion for trade, hoped to emulate them. John Grant, a gentleman convict, who worked as an agent for John Macarthur, shared in the profits of their trading business and anticipated making a fortune.²² Undoubtedly Wentworth was heartened rather than offended by the prevailing accounts of people with slender means amassing wealth through trade. He had previously stated his ambition to make money. Moreover, his patron in England had not only encouraged Wentworth to engage in trade but had also actively assisted in financing and purchasing

Stonard, 11 August 1794, R Johnson, *op. cit.*, p. 7. For further contemporary opinion see; T. F. Palmer to T. Lyndesay, 23 April 1796, Letters from Thomas Palmer to his Friends in England, N.L. MS 761, ff. 9, 12; R. Atkins, *Voyage to Botany Bay 1791*, N.L. MS 4039(NK37), ff. 52, 55; M. Everingham to S. Shepherd, 30 August 1796, V. Ross, *The Everingham Letterbook*, Wamberal, 1985, pp. 41 - 45; Hunter, 1802, *op. cit.*, pp. 16 -20.

²¹ D. Paine, *The Journal of Daniel Paine*, Sydney, 1983, p. 23; R. Murray, 'The Britannia Journal of Robert Murray, Port Jackson, New South Wales 1792 - 1794', published in *JRAHS*, June 1974, vol. 60, pt. II, p. 80.

²² J. Grant to Lady Grant, 19 December 1794, GD248/351/7, Seafield Muniments, Scottish Records Office, AJCP M985-6.

articles for sale in the colony. Despite the lack of opportunity for speculation on Norfolk Island, Wentworth had accumulated the impressive sum of £800 and saw no conflict of interest.²³ Indeed, he anticipated no difficulty in balancing his official duties and his business ventures.

Strong incentives both pushed and enticed Wentworth into trading. According to William Balmain, Samuel Marsden and William Paterson, officers' salaries proved inadequate to provide for their comfort in the colony. Exorbitant prices for commodities such as tea, sugar, soap, clothes and spirits, forced the cost of living upward.²⁴ Furthermore, officers in New South Wales aspired to respectability. Within colonial society, distinction of status depended on traditional factors such as profession, rank and family, but wealth and those trappings of respectability which it could buy became more and more significant. In their quest for social standing officers strove to acquire the necessary accoutrements of a house, carriage, horses and servants. Ironically, to maintain the outward signs of respectability, the officers indulged in activities which could be regarded by genteel society as unbecoming.²⁵

Wentworth always considered himself a gentleman. He had the

²³ D'Arcy mentions the amount of capital he held in his letter to Lord Fitzwilliam, 1 May 1796, Wentworth Woodhouse Muniments.

²⁴ Dr. William Balmain Papers 1751 - 1869, M.L. A2022, f.4; S. Marsden to M. Atkinson, 17 September 1796, Marsden, 1932, *op. cit.*, p. 33; W. Paterson to J. Banks, 20 February 1800, Banks Papers, vol. 19, M.L. A82, ff. 123-124.

²⁵ Officers either denied their involvement in trade or justified their actions by stating that they were indeed breaking a monopoly controlled by the ships' captains. See Officers to Governor Hunter, 13 January 1800, *HRNSW*, vol. 4, p. 19; E. Macarthur to Miss Kingdom, 1 September 1795, Extracts of Letters, M.L. A2908, f. 36; Evidence of G. Johnson, Appendix No. 1, Minutes of Evidence, Report from the Select Committee on Transportation, House of Commons, 1812, pp. 72-73. For a different viewpoint refer to comments by R. Murray and R. Johnson, see above footnotes 20 and 21. See also; G. Bond, A Brief Account of the Colony of Port-Jackson in New South Wales, Oxford, 1806, pp. 8-9; Hunter, 1802, *op. cit.*, p. 29.

education and demeanour, but more importantly he laid claim to an illustrious family heritage. Although few in the colony could boast of such pedigree, Wentworth still needed the means to support his way of life. Concerned, not only with living comfortably, but also with maintaining the appearance of a gentleman in an increasingly acquisitive society, he needed to augment his salary substantially.

Moreover, by the time of Wentworth's return to Sydney the traders had created an aura of excitement and adventure about their activities. On 10 May 1796 barely two months after Wentworth's disembarkation, Captain Raven returned from one of his speculative voyages. Daniel Paine described the great joy, tumult and ludicrous extravagance which greeted Raven on his landing. Principal officers of the colony met and attended him, the military band played and a chaise belonging to Captain Paterson, commander of the Corps, carried him to the market place. Reflecting on this scene, Paine remarked:

Such were the *Honours* paid to this *Great man*... much greater than those paid to Governor Hunter on his Arrival although his Character and Virtues were well known in the Colony. But he brought no supply of Rum with him!²⁶

Despite the outpouring of criticism and the officers' own ambivalent feelings about their involvement in trade, such public celebrations served not only to legitimize the officers' conduct but also to establish their standing in the community. Attracted by the social prominence afforded to officer traders coupled with their conspicuous material success, Wentworth sought to join their ranks.

²⁶ Paine, *op. cit.*, p.23.

The traders formed an elite company. Entry to this club largely depended on an individual's ability to finance the purchase of articles for sale. Few in the colony, except the officers, possessed the capital to undertake such a venture. So, initially the group remained small, exclusive and economically powerful. John Grant maintained in December 1794 that all the officers were merchants and none but themselves were allowed to sell anything.²⁷ In his endeavour to gain access to the trading world, Wentworth was doubly advantaged. He held treasury bills acquired through the sale of grain and livestock while on Norfolk Island, and he had contacts in England willing to purchase and send out articles for sale.

A definite hierarchy operated within the trading junta. At the very core of this body stood a cabal of the officers of the New South Wales Corps who wielded economic and political power in the colony. From the commencement of Major Grose's command in New South Wales after Phillip's departure on 11 December 1791, the military began to take control of the administration of the settlement. Richard Atkins, a civil magistrate whose duties had been usurped by the military, asserted that the only uniform plan adopted by Grose was that 'of raising the military on the ruins of the civil power.'²⁸

As the military officers' economic and political might grew, so did their sense of superiority and self-importance. They regarded themselves as leaders in the community entitled to respect and deference from convicts

²⁷ Matthew Everingham provides a relatively objective account of the trading monopoly. M Everingham to S. Shepherd, 30 August 1796, Ross, *op. cit.*, pp. 40 - 45.

²⁸ Atkins, *loc. cit.*, pp. 35, 55. See also J. Grant to Lady Grant, 19 December 1794, GD248/351/7, Seafield Muniments, Scottish Record Office, AJCP M985-6; D. Mann, *The Present Picture of New South Wales*, London, 1811, p. 69; R. Murray, *op. cit.*, p. 79; J. Hunter, 1802, *op. cit.*, pp. 17 - 20.

as well as from any free colonist whom they regarded as beneath their station. Maurice Margarot, one of the Scottish Martyrs transported for sedition, stressed that a strong *esprit de corps* existed among the military officers and claimed that, although they squabbled between themselves, an outsider who happened to offend one called down the wrath of the whole.²⁹ Wentworth's friend Balmain bore the full brunt of the Corps' anger in February 1796 when he intervened in a dispute between a settler, John Baughan, and some soldiers who had destroyed Baughan's property. Enraged by his actions, the officers of the Corps, as a body, sent a note to Balmain expressing their indignation at his "shameful and malignant interference in the affairs of the corps." A bitter exchange followed between Balmain and the military officers.³⁰

This clash involved only one incident in a continuing series of conflicts which sprang from deep-seated jealousies between the civil and the military. In this hierarchical society both groups composed the dominant class, yet at times rivalry drove them into opposing camps. Throughout the early decades of settlement in New South Wales, tension and discord soured relationships. In September 1796 Richard Johnson complained that "party spirit" appeared to be on the increase, notwithstanding the governor's mild disposition and his endeavours to make the situation of all residents comfortable. Little had changed by 1800 when John Turnbull, an occasional visitor to the colony, remarked that "The colony has at all times suffered

²⁹ Evidence of M. Margot, Appendix no. 1, Minutes of Evidence, Report from the Select Committee on Transportation, 1812, p. 53. See also Palmer, 23 April 1796, N.L.MS 761, p.9.

³⁰ For a full account of the incident see HRNSW, vol. 3, pp. 19-22, 430 - 432.

much from a want of union and cooperation amongst the servants of government."³¹

Wentworth arrived in the colony at a time when Hunter was attempting to wrest from a belligerent and fiercely defensive military, some of the power that had accrued to them under the previous command. This struggle inevitably aggravated the ill-will existing between military and civil officers and led to vicious clashes.

By this time Wentworth was no stranger to factional fighting. Norfolk Island had provided opportunities for him to observe the bitter infighting endemic to life in New South Wales. Up to this stage in his colonial career he had managed to avoid entanglement in disputes. Thus, in Sydney, Wentworth characteristically avoided factional fighting and social rifts. He established friendly relations with the governor and Balmain while remaining on cordial terms with the Corps. During 1796 he eased his way into Sydney's business world without raising party ire or alienating Hunter's friendship.

By September Wentworth had settled into life in Sydney Town. He wrote to Cookney, enclosing a shopping list which included wearing apparel, cloth for children's jackets, combs and sealing wax, household items such as silver spoons and a silver soup ladle and medical text books. One particular book he requested dealt with the latest treatments for cancer and venereal diseases. Pride in family heritage formed an essential ingredient in his attempt to build a new life in the colony. Not surprisingly, he requested the purchase of a good cornelian stone, well set in gold with the arms of the

³¹ R. Johnson to J. Stonard, 16 September 1796, Johnson, *op. cit.*, pt. II, p.17; J. Turnbull, A voyage round the World in the Years 1800, 1801, 1802, 1803, and 1804. Philadelphia, 1810, p.363.

Elmsal branch of the Wentworth family engraved upon it.³²

Wentworth also wrote to his patron on 10 September 1796, entrusting the letter to his friend King who was returning to England because of ill-health. He referred King to Fitzwilliam, emphasizing the warmth of their friendship and expressing regret that King had not been appointed governor of New South Wales. This letter also showed how Wentworth's moods fluctuated between hope and despair. He talked of the promises made and broken, and referred to the injustice of not receiving payment for his past medical duties. At one point in the letter he expressed hopes of attaining some remuneration for his work on Norfolk Island, only to complain a few lines later that Whitehall would not pay him adequately for his present appointment.³³

He also sent home an unfavourable account of the state of New South Wales, in which he commented on the inhabitants' avidity for spirits and the consequent breakdown in public order. For a number of months prior to September considerable quantities of alcohol had been landed in the colony with the result that scenes of drunkenness and profligacy prevailed in the different settlements. The human cost became evident when some settlers eventually forfeited their farms because of alcohol-induced idleness and indebtedness contracted for spirits. In June 1796 Judge-Advocate Collins attributed the recent increase in crime to the pernicious effects of liquor.³⁴

Hunter tried in vain to control the traffic in spirits. He lamented that, even if he possessed the eyes of Argus, he could not prevent the smuggling of spirits. Whole cargoes were landed in Sydney in defiance of public

³² D. Wentworth to C. Cookney, Shopping list 1796, Wentworth Papers, A751, ff. 25-28.

³³ D. Wentworth to Lord Fitzwilliam, 10 September 1796, Wentworth Woodhouse Muniments.

³⁴ Collins, *op. cit.*, vol. I, pp. 400-402.

orders.³⁵ Those critical of the spirit traffic exposed the trading officers as self-seeking profiteers. Marsden railed against them: "The greatest part of these officers sold spiritous liquor and enriched themselves at the expense of the morals of the people - the more drunkenness the more money returned to their pockets."³⁶

The extent of Wentworth's involvement in the liquor trade at this time is not known, but, if his early activities anticipate those of later years, then spirits formed an important part of his business. Although publicly identified as dealers in spirits, the officers deliberately distanced themselves from such transactions, employing their washerwomen or similar substitutes to retail the product. Undoubtedly their official duties prevented such direct involvement, and their quest for respectability kept them from the shop front.³⁷ Interestingly, in his letters home, Wentworth remained silent on his part in the liquor trade which suggests that he shared the same uneasy and ambivalent feelings about dealing in alcohol.

Despite the mounting criticism of the trading officers, Wentworth's prospects brightened during 1797. Although figures are not available, returns from the Court of Civil Jurisdiction indicate that his financial situation improved steadily, pointing to success in trade. In February he sought the recovery of four debts amounting to £91/2/9 and in July another four to the value of £193/1/8.³⁸ During this month he also received a

³⁵ J. Hunter to J. Banks, 30 March 1797, Governor Hunter Letters, 1795 - 1802, M.L.A1787, pp. 22-23.

³⁶ S. Marsden to M. Atkinson, 17 September 1796, 1932, Marsden, *op. cit.*, p.32.

³⁷ Bond, *op. cit.*, p.8; R. Johnson to J. Stonard, 11 August 1794, Johnson, *op. cit.*, pt. II, p, 7.

³⁸ Court of Civil Jurisdiction, Rough Minutes of Proceedings and Related Case Papers, 1 July 1788 - August 1801, AONSW, 2/8147, pp. 177 - 179, 181 - 184, 189 - 190.

Treasury Bill for £502/10/- which he remitted to Lord Fitzwilliam.³⁹ The receipt of this bill pleased and encouraged Cookney who interpreted it as a sure sign that the goods sent out had found a market. At this time Wentworth's salary as an assistant surgeon amounted to only £91/5/- per year.⁴⁰

While Wentworth's business concerns proved successful and augured well for the future, he still worried over his official standing in the colony. His past disappointments haunted him so that he anticipated new and further setbacks. In a letter to his patron on 19 August 1797 he wrote:

I trust the Duke of Portland will do me that Justice to which I think I am entitled from my long, and faithful service by granting me a Commission from the date of Governor King's Appointment, vizt. from the ... 10th day of December 1791, if this should not be the Case, how mortyfying must my Situation be, placed(after Seven years Service)on the List of Assistant Surgeons perhaps Junior to those who have arrived in this Country but a few Weeks ago.⁴¹

This time Wentworth showed concern for his seniority in the medical service and yet again threatened to leave New South Wales if his fears proved valid. Nevertheless, he informed his patron that should he succeed to a situation in another department "through your Lordship's Interest" he promised "a Continuance of the same honourable, & upright Conduct, which I have always pursued in this Country." In spite of his pessimism, he dared to

³⁹ See D. Wentworth Account with C. Cookney, Wentworth Papers, A754-2, f. 539. Information taken from the Appendix to paper 'Of Officers and Men in NSW 1788 - 1800' delivered by P. Statham to Economic History Dept. Seminar, R.S.S.S., ANU, Canberra, 6 November 1987, p. 23.

⁴⁰ C. Cookney to Lord Fitzwilliam, 10 July 1798, Wentworth Woodhouse Muniments; For salary received see D. Wentworth Account, Wentworth Papers, A754-2, f. 540.

⁴¹ D. Wentworth to Lord Fitzwilliam, 19 August 1797, Wentworth Woodhouse Muniments.

envisage a promising future in the colony where he hoped to accumulate "a handsome Fortune and Live in Peace and Quietness for the remainder of my years." 42

At the age of 35 Wentworth lacked a sure centre. Like a ship without ballast, he had the personal drive and determination to succeed but depended upon external conditions for balance and stability. During times of security and goodwill he worked consistently toward his goals, but during periods of frustration and conflict he behaved erratically, relying on outside assistance to steady his course.

His patron and his agent provided sources of constancy and support. On 30 August 1797 Cookney wrote to Wentworth informing him that he had finally obtained his commission (bearing the date 1 April 1796) and enclosed a copy. He explained to Wentworth that he would not receive a full assistant surgeon's allowance for his duty on Norfolk Island, but would be granted a recompense of £160 for the four years service. Cookney admitted that justice had finally won through, but stressed that, without Fitzwilliam's attention, it seemed unlikely that his allowance would have materialized.⁴³

Cookney also purchased the goods which Wentworth had requested and sent them out on board the *Barwell*. These goods, and merchandise previously sent to New South Wales, did not form the bulk of Wentworth's trading. At this stage he, like most of the traders, was purchasing shares in cargoes bought to the colony by speculating captains. Wentworth now took his place among the "Gentlemen Monopolisers" in Sydney Town.⁴⁴

⁴² *Ibid.*

⁴³ C. Cookney to D. Wentworth, 30 August 1797, Wentworth Papers, A 754-2, ff.330-1.

⁴⁴ Accounts show that the value of goods sent out to D'Arcy did not exceed £300 each year. Apart from buying shares in cargoes brought by speculators to Sydney,

By 1798 Hunter realized that he could not singlehandedly rein in the trading activities of the officers. In a letter to the Duke of Portland dated 25 May 1798 he warned that the government must lay an axe to the root of the colony's commercial dealings and order the officers to attend less to their private concerns.⁴⁵ In the face of the governor's inability to contain trading activities, Wentworth's success accelerated. During this month he received two treasury bills, one for £1,000 the other for £500.⁴⁶ These he did not remit to England, but retained for investment in the colony. All the while he continued to carry out his official duties as a medical officer and earned the high praise of Hunter who informed the Home Office of Wentworth's valuable assistance.⁴⁷

His industry, reliability and dutifulness formed part of his public image, a persona he projected in his official role, and deliberately promoted and upon which he prided himself. This serious and sober face he presented to his patron and superiors. His friends in New South Wales carried home favourable reports about Wentworth's conscientious and proper conduct and he did not fail to mention in letters his long and faithful service to the colony and the many proofs of his professional competence.⁴⁸

Wentworth's correspondence, however, betrayed that underlying instability and impetuosity which threatened to undo the solid work both he and his supporters had accomplished. Cookney, ever cautious and level-

Wentworth may also have been involved in chartering ships to purchase merchandise in overseas ports. For a comprehensive study of the trading practices see D.R. Hainsworth, *The Sydney Traders*, Melbourne, 1981, Chapters I and II.

⁴⁵ J. Hunter to the Duke of Portland, 25 May 1798, *HRNSW*, vol. 3, p. 387.

⁴⁶ Statham, *loc cit.*, p. 23.

⁴⁷ Under Secretary King to Lord Fitzwilliam, 3 August 1797, Wentworth Woodhouse Muniments.

⁴⁸ D. Wentworth to Lord Fitzwilliam, 1 May 1796, 10 September 1796, 19 August 1797, *ibid.*

headed, preached even-mindedness. In August 1798 he reproved Wentworth for not fully appreciating Lord Fitzwilliam's and Under Secretary King's achievements in gaining recompense for his medical services on Norfolk Island. He reminded Wentworth of Fitzwilliam's ill-treatment at the hands of the Duke of Portland over his viceroyalty in Ireland, pointing out that he was pleased they had succeeded so well. Exhorting common sense and restraint, he suggested it would be imprudent at present to "shew ourselves dissatisfied with Mr. Sec.y King's Interest."⁴⁹

At times Wentworth's behaviour in the colony also revealed his rashness. In more relaxed, genial settings among acquaintances and friends, Wentworth's official composure and sobriety surrendered to his sense of fun and adventure. That streak of recklessness or even irresponsibility which troubled his old teacher, Doctor Patton, and which had led to his exile in the colony was still very much a part of his character. Though held in check by a determination to redeem his reputation, his impulsive liveliness occasionally surfaced. For example, on 4 November 1798 he entered into a wager with Captain Maum. He staked 50 guineas against Maum's 50 that the French would not be in possession of the Electorate of Hanover on the 15th day of November 1798.⁵⁰

Wentworth's success in business did not destroy his friendship with the governor and on Christmas Day 1798 he joined Hunter for dinner.⁵¹ The future certainly appeared promising for Wentworth. He now held a copy of his commission, his private capital had grown during the year and he still retained the affection of the governor.

⁴⁹ C. Cookney to D. Wentworth, 1 August 1798, Wentworth Papers, A754-2, ff.345-6.

⁵⁰ Wager, 29 November 1798 Wentworth Papers, A751, f. 35.

⁵¹ J. Hunter to D. Wentworth, 21 December 1798, *ibid.*, f. 40.

The prosperity Wentworth enjoyed contrasted with the hardships endured by many of his fellow colonists. According to Marsden the evils under which the colony groaned multiplied. He continued to scorn the avarice of the merchant traders, and in 1799 observed how monopolies and the price of every article of consumption gradually increased in proportion to the trading officers' advance towards independence.⁵² Such criticism did not thwart Wentworth's progress.

On 16 May 1799 he removed to Parramatta replacing James Mileham who returned to Sydney.⁵³ This town, located about 15 miles northwest from the main settlement, nestled in the middle of a large plain on the banks of the Parramatta river. A road sufficiently wide for three carriages to pass abreast, linked this district with Sydney and boats also travelled to and fro along the river between the two towns. Over 150 houses formed a grand street running parallel to the river, with a smaller one intersecting it at right angles.⁵⁴ On 18 October, five months after his arrival, Wentworth leased a property in the township of Parramatta on the eastern side of the main road leading to Sydney. The land included 6 acres and 20 roods and the lease ran for 14 years. In the following November Wentworth accepted from the governor, a grant of 140 acres in this district.⁵⁵

The year 1799 saw Wentworth's economic position in the colony strengthen while Hunter's hold on the command of New South Wales became

⁵² S. Marsden to W. Wilberforce, 1799, Bonwick Transcripts - Missionary, vol. I, Box 49 also in Hassall Family Correspondence, vol. II, M.L. A1677-2, ff. 3-4.

⁵³ Government and General Order, 11 May 1799, HRNSW, vol. 3, p. 672.

⁵⁴ Description based on accounts given in July 1802 by M. F. Peron, A Voyage of Discovery to the Southern Hemisphere, London 1809, p.282; S. Marsden to Miss Stokes, 13 December 1794, S. Marsden, Some Private Correspondence of the Rev. Samuel Marsden and Family 1794 - 1824, G. Mackaness (ed.) Sydney 1942, p. 8.

⁵⁵ HRNSW, vol. 4, p. 47. See also R.J.Ryan, Land Grants 1788 - 1809, Australian Document Library, Sydney 1974, pp. 121, 129.

increasingly tenuous. The realization that a more determined man was needed to govern the country fuelled speculation about King replacing Hunter as governor. Yet, while this rumour gained ground in the colony, Hunter, at the close of 1799, informed Paterson of his intention to remain for at least a further two years.⁵⁶ Despite widespread anticipation of King's appointment as governor, the Duke of Portland did not ratify Hunter's recall until November 1799 and this despatch did not arrive in Sydney until the following April.⁵⁷

Meanwhile Hunter faced another problem in the colony. Since the arrival of Irish convicts (styled "Defenders") in 1794, the free colonists had become apprehensive about the security of their community. Generally looked upon by the free inhabitants as restless and turbulent characters, these Irish convicts aroused suspicions about dangerous plots to subvert the social order.⁵⁸ With the arrival of over 250 alleged United Irishmen at the end of 1799, the fear of an uprising intensified.⁵⁹ By September 1800 open rebellion seemed imminent and a number of suspected rebels were apprehended and interrogated. A bench of magistrates found that several disaffected Irishmen had assembled with the intention to incite a spirit of discontent. They sentenced those who appeared most active in the affair to a public flogging and ordered their removal to distant settlements.⁶⁰ On 6 September, in response to the alarm created by the activities of these

⁵⁶ W. Paterson to J. Banks, 28 November 1799, Banks Papers, vol. 19, M.L. A82, p. 102.

⁵⁷ The Duke of Portland to Governor Hunter, 5 November 1799, HRNSW, vol. 3, p. 738.

⁵⁸ Atkins, loc. cit., p. 42; Governor Hunter to The Duke of Portland, 25 June 1797, HRNSW, vol. 3, p. 235.

⁵⁹ J. Hunter to J. Banks, 5 April 1800, N.L. MS 4247; Governor King to The Duke of Portland, 28 September 1800, HRNSW, vol. 4, p. 185; Mann, op. cit., p. 5; E. Paterson to Captain Johnson 10 February 1800, M.L. Ap36/5; E. Paterson to Captain Johnson, 3 October 1800, M.L. Ap36/6.

⁶⁰ For various documents related to this affair see HRNSW, vol. 4, pp. 119 - 131.

insurgents, Hunter established two volunteer associations of armed civilians. As with other prominent men in the community, including Balmain and Richard Atkins now the judge advocate, Wentworth joined the volunteers. He assumed the rank of lieutenant.⁶¹ In spite of these measures, rumours of an uprising persisted and, on 27 September, the colony once again prepared for a convict outbreak. Forewarned of a plan to attack the township of Parramatta, the volunteer association assembled ready to resist and crush any revolt. But no such disturbance occurred. Again, those who appeared most forward in the conspiracy were questioned and punished, and an uneasy peace settled on the country.⁶²

Against this backdrop Wentworth waged a private struggle. Since 1790 he had managed to keep to his chosen path of amity and conciliation in an environment which fostered rivalry, petty squabbles and factional fighting. During the early months of 1800, however, he found opponents blocking his preferred course of friendly cooperation. In February he informed his agent and Lord Fitzwilliam that a number of capricious individuals sought to render his situation in the colony disagreeable. Confronted with hostility, and sensitive to any form of rejection, Wentworth reacted emotionally rather than rationally. Predictably his immediate response was to escape the unpleasantness, and he wrote to his patron of his determination to return home. Significantly, though, he did not seek his patron's intercession which suggested that official influence could not redress the problem and that the difficulties concerned his private life.

⁶¹ Government and General Order, 6 September 1800, Government and General Orders, 22 October 1802, *ibid.*, p. 131, 861.

⁶² J. Hunter to Governor King, 4 October 1800, Philip Gidley King, Letters Received and Other Papers, M.L. MSS 710, p. 43. See other correspondence, *ibid.*, pp. 31

Yet, in this same letter, he inexplicably requested his patron to assist Cookney in purchasing him an ensigncy in one of the Duke of York's regiments with a view to obtaining a lieutenancy in the New South Wales Corps.⁶³

Wentworth volunteered no further information on the nature of his ill-treatment or on those responsible for his unhappiness. In this insular and faction-ridden society, his growing success and his friendship with the governor must have attracted attention and given rise to envy. One of the favoured means used to sabotage an individual's progress was to blacken his character.⁶⁴ Proven diligence and conscientiousness in his medical duties shielded Wentworth from censure as a civil officer. The significant number of influential men who lived with convict mistresses and engaged in trade also protected him from a personal reproach on these grounds.⁶⁵ The past, which he tried so vainly to conceal, was his achilles heel, and any person seeking to injure him would most likely have attacked this vulnerable point.

As a matter of interest and not of malicious intent, the *Advertiser and Annual Register* in 1792 announced to the world that D'Arcy Wentworth the noted highwayman behaved himself remarkably well in the colony.⁶⁶ While Wentworth remained a relatively insignificant and innocuous civil servant such news remained harmless and dormant. But as a man, quietly and

⁶³ D. Wentworth to Lord Fitzwilliam. 11 October 1800, Wentworth Woodhouse Muniments. See also D. Wentworth to C. Cookney, n.d. (probably October 1800), Wentworth Papers, A751, ff. 107-9.

⁶⁴ For Examples see Government and General Order, 21 June 1797, *HRNSW*, vol. 3, p. 231 and the dispute between John Macarthur and Richard Atkins, *ibid.*, p. 119 et seq.

⁶⁵ Although a number of colonists complained about this type of behaviour there was a reluctance to name specific individuals. See Chapter III, footnote 43.

⁶⁶ Bonwick Transcripts, Biography, vol. IV, M-Y, M.L. A2000-4, p. 1106; *Annual Register*, 1792, p. 26.

assuredly accumulating wealth, he probably aroused the jealousy and spite of people who could recast this information to their advantage. Disgruntled political activists in the colony like Maurice Margarot demonstrated how such information could be translated into a form designed to undermine Wentworth's credibility. Margarot recorded in his journal:

A noted highwayman after repeated escapes owing to great protection and interference is at last transported; he ranks as a gentleman, sits at the Governor's table, plunders the Colony and amasses a fortune after having twenty times deserved to be hanged.⁶⁷

Whether Margarot or individuals of like persuasion conspired to ridicule and discredit Wentworth is not known. But, this journal entry definitely showed the nature of the rumours circulating in the colony and their potential to injure Wentworth's standing in the community. Proud and protective of his colonial reputation and sensitive to any slight to his name, this type of rumour-mongering was probably at the core of Wentworth's unhappiness, particularly if it followed the colonial pattern of vilifying public figures by leaving unsigned, scurrilous notes, called pipes, in the streets for all to read.⁶⁸

Furthermore, ill-treatment probably spread beyond insinuations and anonymous writings. A letter purportedly written by Major Grose to Lieutenant-Colonel Foveaux on 25 June 1799 suggests that Wentworth may have been subjected to a form of social ostracism at this time. It noted that some officers had been so indiscreet as to receive Wentworth into their company and warned, that if the Duke of York should hear that an officer of

⁶⁷ M. Margot's Journal, Rusden Papers, M.L. B1374.

⁶⁸ Government and General Orders, 21 June 1797, HRNSW, vol. 3, p. 231.

the corps had disgraced himself by associating with D'Arcy Wentworth, he would be turned out of the service.⁶⁹ No such strict ban ever came into force in the colony, some officers, however, who wore their newly acquired respectability with arrogance and viewed the success of Wentworth with envy, might well have used his notoriety as a highwayman both to scorn and shun him.⁷⁰

This situation appears even more likely because competition within the colonial trading world intensified at this period as speculators from the lower orders began to infiltrate the market. Hunter saw how the affluence of the dealers and their expensive way of life encouraged a number of "the less elevated inhabitants" to turn their attention to trade.⁷¹ As a civil servant, successful trader and reputed highwayman, Wentworth presented a likely target for the barbs of military officers who felt socially and economically threatened.

When a copy of Grose's letter appeared eighteen years later, Wentworth denounced it as "a vile and infamous forgery."⁷² Although no original manuscript survives, evidence supporting the idea that Wentworth experienced some degree of social exclusion is supported by an allegation made by Philip Gidley King. He maintained that, soon after his return to New South Wales in 1800, Balmain, the principal surgeon in New South Wales, advised him to exclude Wentworth from his table. This statement suggests that even those close to Wentworth were unsure about his social standing in

⁶⁹ Copy of an Extract of a letter from Major Grose to Lt. Col. Foveaux, 25 June 1799, Wentworth Papers, A753, f. 567.

⁷⁰ This rejection by some officers could explain D'Arcy's endeavour to purchase a commission in the corps as means of rebuffing his traducers.

⁷¹ Hunter, 1802, *op. cit.*, p. 29; See Hainsworth, *op. cit.*, Chapter II.

⁷² D. Wentworth to Governor Macquarie, 8 September 1817, Wentworth Papers, A753, f.568.

the community and felt ambivalent about accepting him in their company. People, bond and free, met and conversed in the daily routine of work and business, but those who aspired to respectability were discriminating in choosing their dining companions. As his business and professional colleague, Balmain had no difficulty in associating with Wentworth, but privately agreed that Wentworth should be excluded from the tables of respectable society. Balmain was obviously keen to cultivate Wentworth's friendship, not only because of their shared business interests, but also because of Wentworth's influential family connexions in England. Balmain offered a brotherly hand to Wentworth, though all the while was careful to hide his misgivings. At the time, Wentworth certainly was unaware of his friend's vacillation, and numbered him, Captain Waterhouse and Captain Kent among his trusted friends. While Balmain concealed his feelings from Wentworth others not connected with him would have been more open in their opposition.⁷³

Certainly a group of individuals deliberately endeavoured to make Wentworth's life disagreeable and damaging rumours about his past definitely circulated in the colony. His reluctance to identify the nature of his ill-treatment and his failure to seek his patron's influence point to the likelihood that he did experience some form of personal attack that used his past as a means to embarrass and discredit him. His long awaited recognition from Whitehall in the form of his commission did not protect him from the prejudices of some sections of the colony's community.

⁷³ D. Wentworth to n.n. (probably D. Consider) n.d. Wentworth Papers, A752, ff.284.
 See friendly letter from Captain Kent to D. Wentworth, 2 May 1800, *ibid.*, A751, f.50.
 Officers refusing to associate socially with convicts or ex convicts became an important issue during Governor Macquarie's government but this will be discussed in later chapters.

Despite the unpleasantness of his situation, business commitments kept Wentworth in New South Wales. He continued to maintain a high level of involvement in trading and showed unabated interest in acquiring assets in the country, including one of the best houses in Sydney, a chaise and horses. He answered his detractors by ignoring their snubs, avoiding fashionable society, adopting a reserved public demeanour and amassing wealth. Throughout this troubled period, Hunter stood by him as a friend and expressed pleasure in being able to testify to Wentworth's diligence and upright conduct. In a letter of recommendation Hunter stated that he had appointed Wentworth as assistant surgeon and "during the whole of which time, he has Conducted himself not only in his Official Situation but upon all other occasions with the most exact propriety."⁷⁴

When King finally arrived in Sydney on 16 April 1800, Hunter received his official recall. There followed five months of unease and tension between the two senior officers. Anxious to initiate reforms, King waited impatiently as Hunter tarried.⁷⁵ Long before he had left England, King had considered possible measures to cut colonial expenditure, lower the price of commodities, smash the trading monopolies and contain the traffic in spirits.⁷⁶ This lengthy interim allowed King time to study the state of the country at first hand and to refine his strategies for change.

The governor—designate appreciated the impact that his administration would have on the colony and in particular on those who

⁷⁴ Captain Kent to D. Wentworth, 2 May 1800, Wentworth Papers, A751, f.50; J. Hunter, Letter of Recommendation for D. Wentworth, 20 September 1800, Wentworth Woodhouse Muniments.

⁷⁵ Lt.- Governor King to the Duke of Portland, 29 April 1800, Lt.- Governor King to Under-Secretary King, 3 May 1800; Governor Hunter to Lt.-Governor King, 8 July 1800, *HRNSW*, vol. 4, pp. 78, 83, 171 - 172.

⁷⁶ P.G. King to Under Secretary King, 8 March 1799, King, Letter Book 1797-1806, M.L. A2015, p. 29 - 34.

looked forward to renewing their friendship with him. Jotting down his thoughts, he pondered:

Still, I could not help foreboding that many of those who now smiled at the rising sun would change their ideas, when the proceedings, which the good nature of my predecessor had sanctioned should be any ways checked, which was the principle object of my mission.⁷⁷

Undoubtedly Wentworth was one man who smiled in anticipation of King's command. Their close friendship spanned over nine years, a relationship they both valued and one which Wentworth hoped to strengthen. Aware of the nature of colonial life, soured by chronic ill-health and by the weight of opposition to government, King held no such expectations. He told George Suttor in 1800 that "friends had never been planted in the colony and if they had they would not grow."⁷⁸

To induce those engaged in trade to abandon practices soon to be prohibited, King made his intentions clear. Indeed, before assuming command, he had endeavoured to impress on the traders his commitment to reform, regardless of the injury such changes posed to their interests. He used his prolonged transition to government to put on notice his proposals to destroy the trading monopoly and to control the importation of spirits. He also used this time to place beyond any doubt his resolve to effect change. Publicly he declared his determination to send home the first officer who disobeyed his orders regarding the traffic in spirits. He did not mince

⁷⁷ P.G. King, King on Spirits and Trade, September 1805, New South Wales - Colonial Secretary Papers regarding New South Wales, M.L. MSS 681/2, f. 245.

⁷⁸ G. Suttor, C783, f. 4.

words, stating, "This I will do, and will not fail to draw forth the publick destroyer, be his work what it will." ⁷⁹

Since Wentworth's first appointment in the colony his prospects had steadily improved, gradually gaining a momentum which by the beginning of 1800 promised to realize the fortune he coveted. King's pronouncements, however, assumed alarming proportions for Wentworth and his fellow merchants when the lieutenant-governor took a definite step to stop the officers from trading in the colony.

Apprehensive lest spirits would be landed in Sydney, King sought Hunter's permission to inform the officers of His Majesty's Royal Instructions. On 8 September 1800 he directed Lieutenant-Colonel Paterson to convene a meeting of civil and military officers and to read to the assemblage a letter outlining regulations governing trade.⁸⁰ Although the contents were not to be made public, Paterson directed the officers to regard them as a public order. The letter required that no spirits were to be landed from any vessel arriving at Port Jackson or Norfolk Island without prior consent and a written permit. The orders directed Paterson to prohibit "by the most effectual means, any officer from disgracing His Majesty's service in future by entering into any traffic whereby that respect due to His Majesty's commission may be called in question."⁸¹

In an attempt to salvage profits from goods previously purchased and awaiting sale, Wentworth and Balmain disclosed the extent of their trading operations in the colony. On 14 September they wrote separately to

⁷⁹ Lt. Governor King to Governor Hunter, 6 July 1800, HRNSW, vol. 4, p. 170.

⁸⁰ Lt. Governor King to Lt. Col. Paterson, 8 September 1800, ibid., pp. 139 - 140.

⁸¹ ibid.

King admitting to the possession of large quantities of spirits and tea intended for sale. Balmain held in his house 1,359 gallons of spirits and 7 chests of tea, while Wentworth had 3,000 gallons of spirits and 10 containers of tea. They insisted that these goods had been purchased prior to King's arrival in Sydney and before they had become aware of the Royal Instructions. In compliance with the orders, they promised not to dispose of the goods without the lieutenant-governor's permission or approbation. They then appealed to him to help them dispose of their stock without causing serious financial loss. Both men offered their merchandise to King on account of government at an advance to compensate them for the money outlaid, the risks undertaken and the damages incurred. Stating that they had purchased the spirits at 10/- a gallon and the tea at the same cost per lb, Wentworth and Balmain sought from the government 20/- a gallon for the liquor and the same for tea per lb. Wentworth pointed out that he would obtain considerably more if he were allowed to sell it to individuals.⁸²

Laying down strict conditions, King gave permission for the doctors to retail their goods. He consented to the disposal of only those articles which had been purchased prior to his arrival, stipulating that they could not be sold without his permission, or without his approval of the purchaser. King set a retail price on the goods and insisted that a specific list of the quality and quantity of the articles which they intended for sale was to be compiled and delivered to him. Finally, King required them to give a written undertaking that they would not enter into any future speculations or purchases contrary to the tenor of His Majesty's Orders. Confronted with no

⁸² Surgeon Balmain to Lt. Governor King, 14 September 1800, Lt. Governor King to W. Balmain and D. Wentworth, 16 September 1800, *ibid.*, pp. 141 - 142. See also remarks and notes by King, *ibid.*, pp. 141 - 3.

satisfactory alternative, Wentworth and Balmain agreed to the conditions and pledged themselves as gentlemen not to engage in trading practices incompatible with the orders recently issued.⁸³ On 29 September 1800 King took command of the colony.

⁸³ Lt. Governor King to Lt. Col. Paterson 18 September 1800, *ibid.*, pp. 142 - 143, and note by Governor King September 1800, *ibid.*, p. 143.

Chapter 4
Disappointment and Determination Under Governor King
1800 - 1806

King's words of warning translated into action during the early months of his command. In December 1800 he refused to permit two captains to land their cargoes of liquor.¹ Throughout 1801 he continued to monitor and regulate the importation of spirits and the sale of articles brought to the settlement.² He also implemented additional measures such as restricting an individual's use of convict servants maintained by government to two, and collecting outstanding government debts.³ His regulations intensified animosity and an increasing number of colonists began to question the governor's right to impose his will on their way of life. In contrast to his administration on Norfolk Island, King soon experienced determined and bitter opposition.

When he had assumed command of the fledgling community on Norfolk Island in 1791, King found no organized opposition to the hierarchial authority he established.⁴ In this official structure, power flowed from him through clearly defined channels to the convicts at the base. At times individuals and small groups challenged his authority, but with the support of his officers he managed to maintain his chain of command and succeeded in administering a well-regulated community. King enjoyed the cooperation

¹D.D. Mann, *op.cit.*, pp.7-8.

² Letter from S. Marsden to W. Wilberforce, 11 August 180[1 or 2], Hassall Correspondence, M.L.A1677-2, f.15 (this letter begins on f.12 but is interrupted and continues on f.15). See also S.Marsden to M.Stokes, 22 August 1801, Marsden, 1942, *op.cit.*, p.26.

³ Governor King to Under Secretary King, 21 August 1801, *HRNSW*, vol. 4, pp.497-8. For some idea of the reforms see *New South Wales Almanack*, Sydney, 1806.

⁴ See comments by S. Marsden in Rev. Samuel Marsden to the Society for the Propagation of the Gospel, 2 January 1796, *HRNSW*, vol. 3, p.1.

of his military and civil officers, including Wentworth, because the official goals of establishing a self-sufficient and law-abiding society meshed with the private concerns of the officers. Their interest in bringing meat, maize and wheat to market reaped both personal and communal benefits, and King encouraged their industry. Furthermore, as newcomers to this outpost which lacked opportunities for private trade, the officers relied on King to promote their well-being. Their dependency assured him of their support.

Sydney Town in 1800 presented King with a different set of circumstances. He joined a community where an entrenched power network had the potential to undermine his authority. The trading officers, who had accrued significant political and economic influence, exerted a degree of control in the colony over and above that determined by their official rank. Although an integral part of the government hierarchy, these men formed the backbone of an unofficial power network which competed for control over colonial affairs.⁵

By the time Hunter and King took command, the officers regarded themselves as natural leaders in the community and resented government meddling in their affairs. They had become accustomed to indulgence; they regarded such practices as trading and the use of convict labour, as rights to be defended rather than privileges to be bestowed by a governor.⁶ Furthermore, they were ready to exploit their strategic hold over colonial affairs to promote their own interests.⁷ King identified John Macarthur as a leader of this group, observing prophetically in August 1801 that

⁵ For a full explanation of the operation of official and unofficial power structures see A. Etzioni, Modern Organizations, New Jersey, 1964.

⁶ Mann, op.cit., p.65; Hunter, 1802, op.cit., p.27; Governor King to Under Secretary King, 21 August 1801, HRNSW, vol. 4, p.501.

⁷ Governor King to Under Secretary King, 21 August 1801, HRNSW, vol. 4, p. 501.

Macarthur's arts and intrigues would one day set the colony aflame. Like his predecessor, King found his authority weakened by this unofficial structure which diverted power from him and towards the influential officers.

In theory, Governors Hunter and King occupied a position at the apex of authority in New South Wales; in practice, they found themselves circumscribed by the presence of the officers. Their dependence on the services and cooperation of these men weakened their control over the colony. Hunter complained that the small number of qualified officers necessary to administer the colony and the want of respectable persons able to fill the vacant positions prevented his use of coercion to enforce conformity. Indeed, he maintained that it would have been easier to plant a new colony than to control the old.⁸ The growth and development of the settlement with its multifarious duties meant that Hunter and King came to rely increasingly on the officers for assistance. King told George Suttor in 1801 that he could not be troubled with trifling affairs, "as he had six thousand people to govern which was as much as he could do."⁹

Both governors were also aware of a development which further threatened their authority. The officers' growing independence bolstered their courage to challenge the administration and, according to Hunter, had

⁸ J. Hunter to J. Banks, 30 March 1797, J. Hunter, Letters, M.L. A1787, f.21. For a comprehensive discussion on the role of dependency in determining power distribution see; S.B. Bacharach and E.J. Lawler, Power and Politics in Organizations, San Francisco, 1981, pp. 19-24; R.M. Emerson, 'Power-Dependence Relations', American Sociological Review, February 1962, vol 27, pp.31-41; R.H. Hall, Organizations: Structure and Process, New Jersey, 1977, pp.197-200; J. Pfeffer, Power in Organizations, Boston 1981; D.H. Wrong, Power, Its Forms, Bases and Uses, Oxford, 1977.

⁹ A number of contemporaries remarked on the governor's heavy and varied workload. G. Suttor, Memoirs of George Suttor, G. Mackaness (ed.), privately printed by G. Mackaness, Sydney, 1948, p. 41. See also comments by W. Balmain, n.d., Banks Papers, Australia 1801-1820, A78-3, f.61.

"entailed a want of subordination throughout the colony."¹⁰ In September 1800 King noted that all officers in New South Wales, except Governor Hunter and Colonel Paterson, had been guilty of trafficking in spirits and many had amassed a sufficient fortune to be "indifferent about what happens to them."¹¹ Indeed, Wentworth had begun to appreciate his new found sense of independence and in October 1800 thanked Cookney for helping him to achieve this state, declaring: "Thanks to God, I am so independant, that I will not court his(King's) Favours; neither do I dread his [Tyranny]... I shall always entertain a lasting Sense of the kind attention you have always shown for my Interests."¹²

While the officers' growing independence loosened the governor's hold over them, he still remained dependent on them for support. To avoid a complete cleavage in the administration and the ultimate collapse of official hierarchy, Hunter attempted to appease the officers rather than alienate them. King confronted this same power network aware of its influence, yet prepared to engage in a tussle for control. In November 1801 he claimed that he had not only withstood opposition to his orders, but succeeded in rescuing the inhabitants and the public purse from the monopolists and extortionists who included men like Macarthur, Balmain and the acting commissary Williamson. It is highly likely that King now numbered Wentworth among the privileged individuals whom he identified as opponents.¹³

¹⁰ Hunter, 1802, *op. cit.*, pp. 27-8.

¹¹ Governor King to Under Secretary King, 28 September 1800, *HRNSW*, vol. 4, p. 202.

¹² This letter is faded and difficult to decipher. D. Wentworth to C. Cookney, n.d. (probably October 1800), Wentworth Papers, A751, f.110.

¹³ Governor King to Under Secretary King, 8 November 1801, *HRNSW*, vol. 4, p.613.

As an assistant surgeon on the civil staff, the junior of Balmain, Thompson and Jamison, Wentworth occupied a relatively insignificant position in both the official and unofficial power structure. Nevertheless, his steady accumulation of a private fortune enhanced his status, as did his family connections in England. Despite King's determination to pursue a course of action detrimental to the traders' interest, Wentworth at this point showed no inclination to defy the governor openly. He remained in the colony as a dutiful, though disgruntled civil officer, attempting to fulfil his medical duties while protecting his private concerns. Yet, if Wentworth complied publicly with King's orders, he agitated privately for change.

As a direct consequence of King's restrictive trading policy, Wentworth experienced difficulty in disposing of his merchandise. In letters written during October 1800 to Lord Fitzwilliam and Cookney he disclosed that, in purchasing the goods now in his possession, he had speculated to his last pound; before King's interference, he had expected to realize between £6,000 and £8,000. The governor's measures threatened to reduce this sum to £5,000; furthermore, Wentworth feared that in order to secure this amount he might have to resign his commission.¹⁴

In the past Wentworth's conduct in the colony had won approval from his various commanding officers. When seeking to influence Whitehall, he had tended to operate within the official network, communicating through his superiors to officials in London, or, when using his patrons' intercession, doing so with their knowledge and support. Wentworth however, no longer saw King as an advocate and, doubted that the governor would grant him any indulgences. He therefore moved from the official

¹⁴ D. Wentworth to C. Cookney, n.d. (probably October 1800), Wentworth Papers, A751, f. 107-9; D. Wentworth to Lord Fitzwilliam, 11 October 1800, Wentworth Woodhouse Muniments.

authority structure, by-passed the governor and looked to his patrons to gain advantage over King. Rather than use his connections to work in conjunction with the official hierarchy he now sought their influence to circumvent King's authority. Thus, in New South Wales he maintained a friendly and cooperative stance toward King, while in England his agent and patron endeavoured to outmanoeuvre the governor.

At the end of 1802, in an attempt to frustrate King's orders, Lord Fitzwilliam and Cookney appealed to the new Under Secretary of State, John Sullivan. On 10 December Cookney wrote to Sullivan outlining Wentworth's situation and assuring him that, unless Wentworth were permitted to sell his property, he would face financial ruin.¹⁵ Cookney requested Whitehall to direct the governor to purchase Wentworth's articles for the government stores at a moderate advance on the invoice price. Cookney and Fitzwilliam, who had gathered their information from Wentworth and Balmain, soon learnt, however, that the official view differed. The under secretary asserted that many others in the colony faced the same difficulties as Wentworth and that King's regulations were necessary. According to Cookney, despite Sullivan's reservations about interfering in King's administration, he promised to advise the governor to purchase Wentworth's merchandise at a moderate profit upon the cost price.¹⁶ On learning of this decision, Balmain, who was on leave in England, also wrote to Wentworth categorically stating that Governor King was to take his goods allowing for a moderate percentage thereon. He added his conviction that Sullivan would

¹⁵ C.Cookney to J.Sullivan, 10 December 1802, Wentworth Papers, A754-2, f.381.

¹⁶ C.Cookney to D.Wentworth, 8 February 1803, *ibid.*, ff.381-2.

"convey his Instructions in such a Manner as will induce Mr King in spite of his cankered heart to show you a little more civility."¹⁷

King was hostile toward any move to frustrate or override his orders, and regarded the trading officers as trouble-makers. He felt that every step he took clashed with their business interests which then drove them to thwart his exertions by using every means which "art, cunning, and fraud could suggest."¹⁸ Even Fitzwilliam's and Cookney's efforts in London to assist Wentworth in the disposal of his merchandise annoyed the governor, creating a breach between King and Wentworth that would widen as King's administration progressed.¹⁹

Having taken leave of absence from the colony, Balmain became an active member of Wentworth's network. He arrived in England in March 1801, and the following month paid his respects to Lord Fitzwilliam who received him "like a Prince."²⁰ Balmain filled in many of the details of colonial life, particularly outlining Wentworth's progress and the difficulties he encountered under King's administration. In light of Balmain's account, Fitzwilliam and Cookney wrote to Wentworth. The prudent Cookney, aware of D'Arcy's impetuosity, offered practical advice by urging him to remain in the colony to recover his property and to refrain from injuring his own interests. He endeavoured to impress upon Wentworth the need to ride out the storm.²¹

Lord Fitzwilliam took a different tack to induce D'Arcy to behave responsibly and with circumspection. He wrote on 3 July 1802 offering

¹⁷ W. Balmain to D. Wentworth, 25 March 1803, Wentworth Papers, A751, f. 113-4.

¹⁸ Governor King to Under Secretary King, 8 November 1801, HRNSW, vol. 4, p. 613.

¹⁹ See letter, A.J. King to D. Wentworth, 18 July 1804, Wentworth Papers, A751, ff. 148-9.

²⁰ W. Balmain to D. Wentworth, 10 April 1802, ibid., f. 92.

²¹ C. Cookney to D. Wentworth, 2 June 1801, Wentworth Papers, A754-2, ff. 368-9.

encouragement and expressing his satisfaction with the numerous reports reaching him of the service he had rendered the colony and of the success which had rewarded his industry in his private concerns. Designed to inspire confidence and to arouse feelings of family pride and obligation, Fitzwilliam's letter directed Wentworth to look to the future of the new country:

The circumstances of the Colony must afford to the contemplative mind, constant subjects of admiration and speculation. a New World rising into consideration, for you are young enough to live to see it reach a point of considerable importance, ... I hope ... you will leave the name of Wentworth, one of the most considerable and most respectable in this New World.²²

Fitzwilliam also took the practical precaution of declining to apply for leave on Wentworth's behalf, maintaining that it would be inadvisable for him to return to Europe as he did not see how D'Arcy could leave his property.²³

Fitzwilliam's encouragement boosted Wentworth's morale. He acknowledged his patron's praise, stating that it gave him much pleasure and that he hoped his future conduct would elicit the same approbation.²⁴ Yet, independently of this advice and support, Wentworth had already demonstrated both caution and restraint in his conduct, as well as showing an eagerness to exploit the opportunities offered by this developing settlement. When the Sydney market became over supplied with goods during 1801 and 1802, he waited for the most propitious time to sell his

²² Lord Fitzwilliam to D. Wentworth, 30 July 1802, *ibid.*, f.371.

²³ C. Cookney to D. Wentworth, 8 February 1803, Wentworth Papers, A754-2, ff.381-2.

²⁴ D. Wentworth to Lord Fitzwilliam, 12 May 1803, Wentworth Woodhouse Muniments.

merchandise. Accordingly, rather than panic, he adopted a level-headed approach, as did George Bass who remarked that although the merchants' wings had been clipped they would endeavour to fall on their feet.²⁵

King's relationship with a number of colonists continued to deteriorate. John Grant, a gentleman convict who arrived in the colony in 1804, remarked succinctly that "Governor King hates Hunter's friends, the military hate King abominably."²⁶ As Wentworth's association with King became increasingly strained, and his feelings of personal rejection by and alienation from his former ally intensified, he searched for an explanation. He could still not understand the governor's conduct toward him, maintaining that King behaved in a manner inconsistent with his "former professions of Friendship."²⁷ Balmain, who had also served with King during the amicable days on Norfolk Island, offered Wentworth an explanation:

perhaps you have not thought of a well known maxim, namely that Tyrants while they are dependant will apparently overflow with the full tide of thankfulness, but when placed in Power they throw off [f] the Mask and cannot brook the restraint which a retrospect of former obligations necessarily imposes on them, and thus it often turns out that he who served them in adversity is now an object hateful to their sight and the earliest victim of their rankling hearts, and such is that man.²⁸

Balmain did not question Wentworth's conduct, nor did he consider the expectations and obligations placed upon King as governor. Rather he looked for and found flaws in King's character; Balmain's approach accorded with

²⁵ G.Bass to H.Waterhouse, 4 October 1801, HRNSW, vol.4, p.587. See also W.Balmain to D.Wentworth, 8 August 1802, Wentworth Papers, A754-2, f.374.

²⁶ J.Grant to his mother and sister, 13 July 1804, John Grant Papers, N.L.MS 737, folder no.15, f.6.

²⁷ D.Wentworth to Lord Fitzwilliam, 11 October 1801, Wentworth Woodhouse Muniments.

²⁸ W.Balmain to D.Wentworth, 25 March 1803, Wentworth Papers, A751, ff.112-3.

the prevailing trend of thought among the growing number of individuals disaffected with King's government.

Although conflict in New South Wales centred on the power to control colonial affairs and on personality clashes, ideology formed the main front on which opponents fought their struggles. Underlying ideologies produced a social, moral and political framework within which the colonists sought to define and evaluate colonial behaviour. Traditional key notions such as justice, liberty and the rights of individuals, moulded a broad communal conscience. Those restive under burdensome regulations and the rule of one man endeavoured to wrest from the governor the legitimising grounds of justice and liberty and to claim this strategic stronghold for themselves. King sought to validate his rule by declaring his intention to uphold the law, to stop abuses and to ensure the welfare of all the inhabitants. In response, his opponents scoffed at such claims, maintaining that he misused his authority and failed to protect the basic rights of those under his command.

Thus, those injured by the governor's reforms simply refused to acknowledge his stated intention to advance the well-being of all colonists and failed to appreciate his attempt to reduce government spending. They attempted to justify their opposition to King, by using evocative, political language. Rather than addressing their particular area of complaint, this rhetoric obscured the real issues, drew attention away from their conduct and focussed on the governor as the villain. King's enemies read into his conduct either insanity or malice. When he realized as early as July 1801 that he would gain no trading favours from the governor, John Grant attributed King's behaviour to a mind contaminated by either madness or

unwarranted prejudice.²⁹ Another convict complained bitterly on learning that the governor would not allow him to sell the spirits he had purchased *en route* to the colony:

Governor King, under pretence of attending to the Health of the lower class of People here refused to let me have my Rum to dispose of ... which is very arbitrary indeed.³⁰

John Macarthur emerged as a leader not only capable of articulating the grievances and demands of men such as Balmain, Grant and even the puzzled Wentworth, but also able to mobilize their support and coordinate a campaign of determined opposition. He proved skilful at using the prevailing ideologies in the colony to validate his stand against King. His language highlighted and made salient the differences between his faction and those loyal to King. It was designed to encourage support by promulgating a belief in the morality of their cause and to engender solidarity by identifying King as a threat to their interests. His dispute with Lieutenant-Governor Paterson demonstrated his single-minded determination to gain ascendancy over King, as well as his ability to justify his actions on the grounds of propriety. This conflict emerged when Paterson refused to join his brother officers in snubbing the governor, and culminated in a duel with Macarthur in which the lieutenant-governor was wounded.³¹

²⁹ J. Grant to Sir J. Grant, 30 July 1801, GD248/701/3, Seafield Muniments, Scottish Records Office, AJCP M985-6.

³⁰ This convict also bore the name of John Grant but is not the same person as the man cited above. J. Grant to his mother and sister, 13 July 1804, John Grant Papers, N.L.MS 737, folder no. 15, f.6.

³¹ For accounts of this dispute see; W. Paterson to J. Banks, 2 November 1801, Colonial Secretary Papers regarding New South Wales, MSS 681/2, f. 377; W. Paterson to Col. Brownrigg, 11 March 1802, Banks Papers, vol. 20, A83, f.133; Governor King to J. Banks, 21 July 1805, Banks Papers, vol. 7, A78-6, f.271.

Regarded by King as the master worker of puppets,³² Macarthur, before his departure for England to face a court martial, collected deputations from his friends, declaring that "I shall not fail to exhibit them at the Tyrant's expense in a place where he will tremble to meet me."³³ At home he continued to engender support and to arouse a sense of solidarity in those remaining in the colony. He used the arrest of his second, John Piper, as a *cause célèbre*, claiming it would benefit them by exposing King's oppression and ultimately contribute to his overthrow. He reassured Piper with the words, "It will give you the greatest pleasure to hear that every person acquainted with our story applauds our conduct and execrates Mr King and his venal associates."³⁴ Furthermore, he encouraged his colleagues to show a united front by assuring them that confidence was the most likely way to demoralise the "wretched, unprincipled, pusillanimous wretches we have to contend against." Macarthur clearly presented King and his supporters, not only as foes, but as a dangerous and evil faction.³⁵ Wentworth found himself being drawn toward this more vocal group of King's opponents as he increasingly became involved in confrontations with the governor.

When Wentworth learned that the staff surgeon on Norfolk Island, James Thompson, intended to return to England on leave of absence, he wrote to Principal Surgeon Jamison on 4 July 1802 claiming a right to the vacancy. He asked his superior to inform the governor that he considered himself entitled to that situation from his seniority of rank and that he would be ready to obey the governor's order to embark for Norfolk Island as

³² Governor King to Under Secretary King, 8 November 1801, HRNSW, vol. 4, p.612.

³³ J.Macarthur to J.Piper, 4 December 1801, Piper Papers, vol. III, M.L. A256, f.463.

³⁴ J.Macarthur to J.Piper, 8 September 1802, Piper Papers, vol I, M.L. A254, f. 25.

³⁵ J.Macarthur to J.Piper, 4 December 1801, Piper Papers, vol. III, M.L. A256, ff. 463-5.

soon as directed.³⁶

King responded promptly to Wentworth's presumption by issuing a government order on 6 July 1802 announcing Wentworth's appointment as staff surgeon at Norfolk Island until the return of Thompson or Balmain. It directed Wentworth to be ready for embarkation in about three weeks.³⁷ Caught off guard by the governor's sudden action, Wentworth wrote to him stating that he was in possession of a considerable quantity of private property and seeking to know if the governor had any objection to him taking it to his new post. He added that, as Balmain's and Thompson's return to the colony remained uncertain, his residence on Norfolk Island was likely to be lengthy. Consequently, he volunteered to undertake the expense of transporting his goods by private ship. King refused outright, whereupon Wentworth sought permission to leave it with a person in Sydney to sell during his absence. Again King denied the request.³⁸

Since 1790 Wentworth had worked toward redeeming his reputation and establishing a successful career. Driven by a need to experience a sense of achievement, he looked for approval, recognition, rank and fortune as tangible proofs of his accomplishments. The attainment of these goals reassured him of his own worth. During his first ten years in the colony, he found that he could strive towards realizing his objectives without conflict. His diligence and hard work in both his official duties and private business had won him a measure of esteem. Now tempted by incompatible goals, Wentworth confronted a choice between advancing his career or protecting

³⁶ D. Wentworth to T. Jamison, 4 July 1802, Colonial Secretary Papers regarding Norfolk Island 1800-5 M.L. MSS 681/3, f. 13.

³⁷ Government and General Order, 6 July 1802, HRNSW, vol. 4, p. 798. See also Governor King to J. Foveaux, 9 August 1802, King Letter Book M.L. A2015, p. 254.

³⁸ D. Wentworth to Lord Fitzwilliam, 12 May 1803, Wentworth Woodhouse muniments.

his trading concerns.

Faced with this dilemma, he placed his private affairs over promotion to staff surgeon and elected to remain on the mainland. Angry at having been forced to choose between rank and fortune, Wentworth interpreted King's actions as cruel and unjust. He wrote:

It is with real Concern I am obliged to say that the Conduct which Governor King still pursues towards me is of the most distressing Nature, for there is hardly any thing within his Power but what he has done to render my Situation uncomfortable to me, he has even done the most unjustifiable Acts to injure me in my private Fortune.³⁹

In preferring material wealth, Wentworth took a course which led him away from the objectives pursued by the governor and into the company of King's enemies. His language began to assume that aggressive, political rhetoric characteristic of men like Macarthur as he became locked in a mutually antagonistic relationship with King.

Confronted by a network of powerful men whose influence challenged his authority and undermined his administration, King felt intimidated by and unsure of those on whom he relied for assistance. His want of confidence in those around him fuelled distrust and suspicion.⁴⁰ Neither King nor his opponents were willing to appreciate the other's position. Intent on protecting their own interests and the integrity of their group, each faction, blind to its own shortcomings, focused on its opponents' conduct in an effort either to identify a legitimate wrongdoing or, failing that, to fabricate one. Thus King and his supporters denounced the officers

³⁹ Ibid.

⁴⁰ See comment by W.N.Chapman in letter to his sisters, 13 December 1800, Chapman Papers, M.L. A1974, p.78.

as "commissioned hucksters" while their opponents labelled the governor a "tyrant."⁴¹

The actions of one group provoked the other into a counter response which then set in train a cycle of bitter retaliatory measures. James Tuckey, an observer of colonial society, highlighted in his account of New South Wales the reciprocally hostile nature of the relationship between King and his officers: a relationship in which Wentworth now found himself inextricably involved.

The governor supposing himself surrounded by enemies, watching every opportunity to injure him and to prey upon the public, descends to execute the Office of a petty custom house officer, and degrades himself by suspicions without foundation and by violence without cause; while the Military complain of those proceedings as arbitrary and tyrannical, which their own idle conduct at first rendered necessary.⁴²

Clearly identified by King as belonging to that cabal which sought to undermine his government, Wentworth became a victim of the distrust which at times led the governor to act with irascible belligerence, a disposition aggravated by his failing health. On 16 August 1802 Balmain informed Wentworth that he had sent out to the colony in the care of Mr Savage a quarter cask of madeira wine which he begged him to accept as a gift.⁴³ The *Glatton* arrived in Sydney Cove on 11 March 1803, carrying the

⁴¹ Governor King to Under Secretary King, 21 August 1801, HRNSW, vol. 4, p.498.

The labels "oppressor" and "tyrant" were used in anonymous pamphlets and by colonists such as Balmain, Macarthur, the two gentleman convicts and entrepreneurs both named John Grant and even by D'Arcy. See also the sentiments of G.Caley in his letter to J.Banks, 24 April 1803, A79-1, f.122. He maintained "I would sooner face a wild beast as face him(King), as then I should be at liberty to repel an attack."

⁴² J.H.Tuckey, Papers 1804, M.L. A2001, pp.42-3.

⁴³ W.Balmain to D.Wentworth, 16 August 1802, Wentworth Papers, A754-2, f. 378.

madeira. As Wentworth lived at Parramatta, Savage undertook to collect the wine and obtained the governor's permit to take possession of the cask. To assist Savage in securing the wine, a surgeon on the civil staff, James Mileham, sent his servant to procure the cask. On being landed, the wine and the long boat used to carry the cask were immediately seized on the grounds that the permit had not been counter-signed by the naval officer. Wentworth attributed this oversight to Savage's ignorance of colonial regulations. These events were reported to the governor who referred the matter to the civil court then in session to decide on the legality of the proceedings. The magistrates found the seizure to be illegal on the grounds that Wentworth had no intention to defraud the revenue and that he had not acted with wilful impropriety. They recommended the release of the wine and boat.⁴⁴

Displeased, King referred their ruling to a bench of magistrates specially convened to hear the case. This court upheld the original verdict. Disregarding their finding, King confirmed the seizure and distributed the wine among those who had assisted in confiscating the cask. Enraged by King's conduct, Wentworth faced another choice: whether to woo the governor's favour by accepting his decision or to provoke his wrath by seeking reparation. He chose to alienate himself even further from his former friend by petitioning the new Secretary of State, Lord Hobart, to intervene on his behalf.

In his memorial to Hobart, Wentworth clearly and dispassionately presented the details of the business. He concluded the petition by praying that, in considering all the circumstances, his lordship would interfere and

⁴⁴ D. Wentworth to Lord Hobart, draft letter, 19 April 1803, Wentworth Papers, A751, ff. 119-22; D. Wentworth to Lord Hobart, 14 May 1803, HRNSW, vol. 5, p. 143.

afford him the redress to which he was entitled as a British subject.⁴⁵ In addressing Lord Fitzwilliam, Wentworth again outlined the details, but showed less restraint in airing his grievance against King:

his Conduct, or more properly speaking his detestable Tyranny has made him so many Enemies that there is not an officer this day in the New South Wales Corps and but very few of any other description that will speak to him but on Service.⁴⁶

Wentworth's identification with the Macarthur faction was complete. Their political language bore a direct relevance to his experiences with King, helping him to shape and clarify his ideas and to define his position in the colony. He now shared their sense of outrage and voiced their rejection of King's authority. He joined them on the high moral level of British subjects who had fallen victim to a tyrant's power and he increasingly sympathized with their campaign to discredit King.

Private murmurings of discontent and secret denunciations of the governor as an oppressor now became public. Turnbull noticed this trend when comparing his visit to the colony in 1801 with the one in 1803. He remarked that by 1803 the high party spirit existing between the governor and the military had intensified greatly. Caricatures and anonymous writings reflecting on King and his conduct had been distributed in several parts of the town and country. Wentworth became involved in one such incident.⁴⁷

On 13 January 1803 Lieutenant Hobby's servant found a paper in his master's chaise. It was addressed to Major Johnston and Hobby took a copy

⁴⁵ Ibid.

⁴⁶ D.Wentworth to Lord Fitzwilliam, 12 May 1803, Wentworth Woodhouse Muniments.

⁴⁷ J.Turnbull, op.cit., p.332.

of it before travelling to Parramatta. Here he read the lampoon to Captain Kent, Mr Jamison and Deputy Commissary Williamson.⁴⁸ Wentworth also read the pipe which included the following extract:

And to Ministers fates - Pitt and Portland are out
Then says K--g, "I soon shall be put to the rout;
But damn me, while powerful, I'll do what I can,
According to what I proposed as a plan,
To make all subservient, humble, and poor,
Take women and children all off the store,
Crush all independence and poverty plant,
Ruin, tense, and distress, and make every one want
If my power was not stinted, I'd make the world shake,
Give serjeants commissions and officers break,
Which already I've tried, but in vain showed my spite,
And bit my own tongue when nought else I could bite;
I'd civilians give trust, confide in new faces,
Make magistrates of them and give them new places ...⁴⁹

On 17 January King wrote to Wentworth requesting him, as an officer in His Majesty's service, to inform him unequivocally of the circumstances surrounding the reading and distribution of the anonymous paper shown to him by Hobby. King wanted to know the time, place and those present when the paper was circulated at Parramatta.⁵⁰ Although not a principal figure in this affair, Wentworth had thrown in his lot with the participants. Despite the governor's attempts to expose the author of the slanderous pipes, the identity remained a close-kept secret within the circle of officers.⁵¹

In his brief colonial career Wentworth had endeavoured to avoid acrimonious disputes. Yet, in this land of discord, the task of avoiding

⁴⁸ Inquiry regards Printed Libel Against the Government of the Territory, 17 January 1803, HRNSW, vol. 5, p.127.

⁴⁹ A Copy of Original Paper circulated by Lt. Hobby, ibid., p.126.

⁵⁰ Governor King to D.Wentworth, 17 January 1803, Wentworth Papers, A751, f.105.

⁵¹ Turnbull, op. cit., p.332.

conflict was difficult and rendered the situation unpleasant for individuals who preferred to remain aloof from squabbles. Marsden maintained that he deliberately avoided quarrels as much as possible and that for the sake of peace sometimes injured his own feelings. Caley also pointed out that, despite his attempts to live in obscurity, he could not avoid involvement in disputes with enemies.⁵² The situation was particularly awkward for those engaged in trade. Turnbull maintained that the multitude of law suits and litigations in the colony exceeded all proportions in relation to its population.⁵³ The conflict with King was problem enough for Wentworth without the added burden of a bitter legal dispute. In 1801, however, Wentworth became involved in a long legal wrangle which tried his patience and further aggravated his relationship with King. Wentworth had been involved previously in small claims before the civil court against men of minor influence, but in December he locked horns with a clever ex-convict, the lawyer, George Crossley.

On 4 June 1800 John and James Mangles wrote from England to Balmain, informing him that Crossley had drawn bills upon Schell, a man they found to be "a miserable pauper in a work house and not worth a farthing."⁵⁴ They appointed Balmain their attorney in New South Wales and directed him to recover several sums of money amounting to £1,886. In August 1801 Balmain left the colony and appointed Wentworth his legal attorney. Wentworth then assumed responsibility for pursuing Crossley.⁵⁵

⁵² G.Caley to J.Banks, 24 April 1803, Banks Papers, vol. 8, A79-1, p.125. Letter dated 24 August 1801, probably by S.Marsden, Hassall Family Correspondence, vol. 2, M.L.A1677-2, f.5.

⁵³ Turnbull, *op. cit.*, p.33. See also Bond, *op. cit.*, p. 9.

⁵⁴ J.Mangles to W.Balmain, 4 June 1800, Wentworth Papers, A751, ff.65-6.

⁵⁵ W.Balmain to D.Wentworth, 11 August 1801, *ibid.*, f.71.

At Wentworth's instigation, Crossley was arrested on 16 December 1801 and immediately brought before the civil court where the plaintiff produced three unpaid bills. One of the few legally trained men in the colony, Crossley objected to the proceedings on the grounds that the bills had never been presented to him for payment according to law and that no reasonable time had been allowed for payment after presentation. Acknowledging that the bills should have been presented to the defendant before application for a writ, the court quashed the suit, but informed Wentworth that, according to established practice, he was allowed to issue a fresh writ.

Having learned from his previous mistake, Wentworth made sure that Crossley sighted the protested bills. On leaving the courtroom, he approached Crossley, showed him the bills, then immediately strode into the judge-advocate's rooms where he applied for a second writ. Before Crossley had time to reach his home, he was again apprehended and ordered to appear before the civil court on the following day. On this occasion the court found in favour of Wentworth for the £1,886, but Crossley gave notice of appeal to the governor.⁵⁶

Crossley pointed out in his petition, dated 26 December 1801, that his property, now held by the provost marshal in execution of the court's findings, was significant. He argued that, if his goods were sold at prime cost, sufficient money would be raised to meet the full claims of every creditor, including Wentworth, besides leaving a surplus for his own benefit. He stressed, however, that in the present depressed state of the market not one-twentieth of the prime cost of these articles would be raised.

⁵⁶ The Memorial of George Crossley, Court of Appeals Case Papers 1804, AONSW, 2/8133. f. 15; Wentworth against Crossley, 2, 17, 25 December 1801, *ibid.*, ff. 20-1, 25; King Papers, vol. 7, M.L.D141-2, ff.6-8.

Furthermore, he suggested that no one would be found to purchase the goods except the plaintiff and his agent and, as no deposit would be required from them, they could wait until the market improved and perhaps realize one thousand per cent.⁵⁷

After considering the appeal, King ordered the appellant and respondent each to appoint a trustee, together with a third trustee nominated by himself on their joint recommendation. These trustees, in consultation with Crossley and Wentworth, prepared and recorded an exact inventory of Crossley's effects. Crossley and Wentworth signed a deed of agreement on 19 January 1802. The award allowed Crossley to continue to sell his goods for twelve months from the date of signing. It required him to provide weekly accounts to Wentworth and, after repaying a debt to the Crown, to make monthly instalments to him until he cleared the debt. At the same time Crossley was allowed to retain £3 weekly on which to support his family. One of the main provisions of the award stipulated that "should any collusion be proved on the part of the Appellant, then and in that Case the whole of the Effects are to be immediately sold by Public Auction."⁵⁸

During the early months of 1802 Crossley experienced difficulty selling his goods. Wentworth came to his assistance, by advancing him £285 with interest at ten per cent upon security.⁵⁹ At this time Mrs Crossley stood as mortgagee for a sum of £160 on a property at Parramatta owned by R.J.Robinson. In June Wentworth stopped the sale of this property, alleging that the premises were charged with payment on the £285 loan to

⁵⁷ Appeal by G. Crossley to Governor King, 26 December 1801, Wentworth Papers, A751, pp. 74-7.

⁵⁸ Papers relating to George Crossley's Appeal, HRA, ser. I, vol. IV, pp. 582-4.

⁵⁹ Memorial of G. Crossley, 29 December 1802, N.S.W. Court of Appeals Papers 1801-6, AONSW, 2/8135, ff. 31-3.

Crossley.⁶⁰ According to Ann Robinson, when attempting to prevent the sale of the property, Wentworth ranted about the gardens, house and street like a tiger, threatening to have the servants flogged and herself transported. In a letter to King she prayed to be saved from this wild animal.⁶¹

Ann Robinson may have embellished her account, but she provided a glimpse into the predatory side of Wentworth's nature. Normally a charming and accommodating gentleman, he showed that - when sufficiently provoked - he could intimidate and threaten others. Yet his actions betray no evidence of a premeditated scheme to injure the Robinsons; rather they suggest the impulsive and uncontrolled outburst of an angry and frustrated man.

As the months passed, Wentworth suspected Crossley of chicanery and on 25 July 1802 he asked Chapman to inform the governor that Crossley was "making away with the property." Plainly irritated by the business, King chided Wentworth and, directed him to make such communications in writing. He reiterated the terms of the award, pointing out that the smallest deviation from the tenor of the agreement required Crossley's estate and goods to be immediately sold at auction. King also pointed out that Wentworth and the trustees possessed ample power to enquire into, and to detect, any improper proceedings by Crossley and warned Wentworth that, "if you do not exert yourselves your principals can only blame you."⁶²

Despite his terse rebuff, King immediately directed the lieutenant-governor, judge-advocate and two magistrates to investigate Wentworth's complaint. At this meeting Wentworth asserted that Crossley had failed to provide him with either weekly accounts or monies from the sale of his

⁶⁰ ibid.

⁶¹ A.R. Robinson to Governor King, 31 December 1802, King Family Papers, vol. 1, M.L. A1976, pp.62-3.

⁶² Governor King to D. Wentworth, 25 July 1802, Wentworth Papers, A751, f.100.

effects. On 31 July 1802 the magistrates agreed unanimously that Crossley had in no instance whatsoever complied with the tenor of the award.⁶³ On receiving this intelligence, King directed the provost marshal to seize Crossley's effects and to proceed with their sale. On 1 August Wentworth, Provost Marshal Thomas Smyth and Patrick Cleary, a bailiff, entered Crossley's property and removed his effects.⁶⁴

The resourceful Crossley petitioned King on 3 August 1802 pleading that, by prosecuting the measure now in hand, the interests of all his creditors would be fatally injured and the goods in his shop "sacrificed for a mere trifle." He denied any deliberate collusion but pleaded accidental neglect. He entreated the governor to countermand the warrant in the provost marshal's hand; he promised to prepare a just statement of all the sales and accounts and to continue his exertions to benefit his creditors.⁶⁵

On 5 August Crossley again tried to influence the governor by stating that, if his goods were sold, poverty would be his lot.⁶⁶ Realizing that his pleas had failed, Crossley changed strategy. Aware that both King and the judge-advocate lacked any comprehensive knowledge of the law, he informed King of his own legal experience. After stating that since the age of fifteen he had been in law offices and British courts of justice as a legal officer, he concluded, "when any illegal proceedings is done to me, I feel it because I know it."⁶⁷ The governor remained impervious to Crossley's appeals. With the warrant still in force, Wentworth proceeded to sell the goods.⁶⁸

⁶³ W. Paterson to Governor King, 31 July 1802, Court of Appeals Case Papers 1804, AONSW, 2/8133, f.163.

⁶⁴ Bench of Magistrates, 31 July 1802, *ibid.*, f.166.

⁶⁵ Petition of G. Crossley, 3 August 1802, *ibid.*, f.133-5.

⁶⁶ G. Crossley to Governor King, 5 August 1802, *ibid.*, f.149.

⁶⁷ G. Crossley to Governor King, 31 October 1802, *ibid.*, f.273.

⁶⁸ *ibid.*, f.5. For Crossley's interpretation of the events see King Papers, vol. 7, M.L. D141-2,

On 10 November Wentworth wrote to Balmain, detailing the events leading up to the auction of Crossley's goods. He informed his friend that the property produced only £913 from which all the expenses were to be deducted.⁶⁹ Having been duped once by Crossley, Wentworth doggedly pursued him. During December Wentworth showed renewed vigor in continuing the recovery of debts and Crossley again sought the governor's intercession. He wrote to King questioning the legality of Wentworth's design to seize more of his property, pointing out that the civil process presented nearly six months earlier had been served on a Sunday and thus according to law rendered all subsequent procedures void.⁷⁰ According to Crossley, Wentworth announced on 11 January 1803 that he would indemnify the provost marshal for £5,000 damages if he would forcibly turn Crossley out of his house and seize his goods.⁷¹

The provost marshal subsequently warned Crossley of his intention to evict all parties from the house. Once more Crossley argued that the provost marshal was acting without any legal authority and applied for the governor's protection, pleading: "The distress of my affairs compells me again to apply to the interposition of Your Excellency, the oppression I have suffered by the illegal and overbearing proceedings of Mr Wentworth is not to be conceived." Crossley's attempts to secure King's intervention in the affair failed.⁷²

ff.6-18.

⁶⁹ D.Wentworth to W.Balmain, 10 November 1802, Wentworth Papers, A751, ff.101-4.

⁷⁰ Memorial of G. Crossley, 29 December 1802, N.S.W. Court of Appeals Papers 1801-1806, AONSW, 2/8135, f.31.

⁷¹ G.Crossley to Governor King, 11 January 1803, King Family Papers, vol. 1, M.L. A1976, ff.74-5.

⁷² G. Crossley to Governor King, 11, 18 January 1803 and Petition of G. Crossley, *ibid.*, ff. 70-2,74-5,89-91.

Faced with eviction and receiving no satisfaction from the governor, Crossley fell back on his legal training. On 17 January he went to the civil court and commenced legal proceedings against Thomas Smyth, Wentworth and Patrick Cleary, claiming an illegal trespass. He complained that on Sunday 1 August 1802 they broke into and entered his house with force and arms and continued periodically to occupy the house until 22 September. He also accused them of unlawfully seizing from his house goods and chattels valued at over £10,000 and, in violation of the law, selling his effects. Undaunted by this development, Wentworth pushed forward with his plan and on the following day the provost marshal and a constable climbed over the back part of Crossley's premises and ordered him out of the house. Crossley held this to be a forcible entry and detainer contrary to law and informed King that the premises had since been advertised for sale. Furthermore, he argued that they not only withheld his books to prevent him presenting his case, but oppressed him greatly in the hope of ruining him utterly.⁷³ Crossley's proceedings against Wentworth and the provost marshal continued in the civil court. After much delay, on 10 July 1803, the court acquitted Wentworth but found against Smyth for £10 and costs.⁷⁴

Wentworth informed Balmain of the verdict, adding that Crossley had again appealed to the governor. After such a long and protracted affair he told Balmain that he could not surmise how the business would terminate; he suspected that Crossley's machinations and legal knowledge would intimidate the governor and the judge-advocate, Richard Atkins.⁷⁵ Despite

⁷³ *ibid.*, ff.70-2; Crossley versus Wentworth, 21 February 1803, N.S.W. Court of Appeals - Case Papers, 1804, AONSW, 2/8133, f.139,

⁷⁴ Crossley versus Wentworth, N.S.W. Court of Appeals - Case Papers, *ibid.*, ff.84-126, 139.

⁷⁵ D.Wentworth to W. Balmain, dated 1803, Wentworth Papers, A751, ff.124-5.

Wentworth's pessimism, Balmain had already written to him on 25 March 1803 expressing Mangles's satisfaction with his conduct and directing him to retain a sufficiency to pay himself a commission of 10 per cent on all remittances.⁷⁶ The affair was finally resolved on 17 February 1804 when King confirmed the verdict of the court in acquitting Wentworth and reversed the decision on Smyth with costs to be met by the appellant. Crossley again gave notice of appeal, but it eventually lapsed through lack of security.⁷⁷

Throughout this battle Wentworth showed tenacity. He learned quickly from his early excessive zeal in bringing Crossley to court prematurely and from his delay in challenging the probity of Crossley's business transactions. Undeterred by his adversary's craftiness and knowledge of the law, Wentworth demonstrated a capacity to channel his energy into a sustained and determined effort to recover the debts. Motivated by his obligation to Balmain, Wentworth singlemindedly and successfully pursued Crossley to the end. Moreover, he secured the victory without favour or intercession from friends or patrons; Wentworth was beginning to fend for himself.

This same strength of purpose brought its rewards during 1803 when Wentworth finally managed to dispose profitably of his own merchandise.⁷⁸ Nor did his conflict with King force him to quit the commercial world and in 1804 he entered into a partnership with the Sydney merchant, Simeon

⁷⁶ W. Balmain to D. Wentworth, 25 March 1803, *ibid.*, ff. 111-2.

⁷⁷ Governor King's Award on the Appeal, 17 February 1804, *HRA*, ser. 1, vol. IV, p. 588.

⁷⁸ See comments by D. Considen in letter to D. Wentworth, 20 February 1804, Wentworth Papers, A751, f. 131; Cookney to D. Wentworth, 31 December 1805, Wentworth Papers, A754-2, ff. 416-7.

Lord.⁷⁹ Despite King's regulations, trading ventures in the colony could still earn healthy profits, particularly from the sale of spirits. Although the governor sang his own praises in having succeeded in restricting the importation of spirits and in controlling its price, liquor still remained an important medium of exchange with potential for generating large profits. Spirits sold wholesale for 10/- a gallon and retailed at 20/- a gallon, but its value was much higher. A sheep valued at £3 could often be purchased for a gallon and a half of spirits. As John Grant found in 1804, "Rum ... is more prized than Gold, and will obtain what money will not - Stock for a farm."⁸⁰ Wentworth, enterprising and ambitious, continued to deal in spirits, but carefully maintained a subdued part in these transactions.

Despite his concern with disposing of merchandise and managing Balmain's business, including his involvement in the Crossley affair, Wentworth kept to his task as surgeon. In November 1801 George Howe attributed his recovery from "a painful and dangerous malady" to Wentworth's skill and attention and thanked him as the preserver of his life.⁸¹ In the face of many problems Wentworth also supervised the hospital at Parramatta.⁸² During November and December 1802 an unusually high number of deaths occurred in the district and many of the sick, suffering mainly from dysentery, were admitted to the hospital which strained its already meagre resources. On 1 January 1803 Wentworth complained to

⁷⁹ D.R.Hainsworth, 1981, op.cit., p.91; See also letters from S.Lord to D.Wentworth reprinted from Equity Court papers, AONSW in D.R.Hainsworth, Builders and Adventurers, Melbourne, 1968, pp.19-20.

⁸⁰ For contemporary comment see; G.Chalmers to J. Banks, 10 or 18 May 1805, Banks Papers, A78-3, p.21 1a; J. Grant to his mother and sister, 2 April 1804, N.L. MS 737, folder no. 14, ff.12, 15; Turnbull, op.cit., p.351; Tuckey, loc.cit., p.7.

⁸¹ G.Howe to D.Wentworth, 16 November 1801, Wentworth Papers, A751, pp.82-3.

⁸² M.F.Peron, op.cit., p.282.

Jamison about the state of the hospital and the critical shortage of essential medicines and supplies. Frustrated over delays and neglect he wrote, "I must request that you will represent to His Excellency how necessary it is, that the Hospital should have a compleat and speedy repair." In addition he stressed:

It is really impossible for me to describe to you the wretched State of the Patients as to Bedding, which there is almost a total lack of nor have I had a single grain of either Oatmeal, Barley or Sago for some time past.

I beg you will order me the Necessaries and Medicines mentioned in the enclosed list, being very much in want of them.⁸³

For years the surgeons had experienced difficulties in treating their patients because of the chronic shortage of medicines, bedding and utensils and the inattention given to repairing or renovating the buildings.⁸⁴

Apart from the daily routine of tending the sick, colonial surgeons also performed additional official duties including attendance at corporal punishments, coronial inquiries and criminal trials. For example, on 22 January 1804 Wentworth appeared as a witness in the case of Richard Grimshaw, who was accused of having beaten his infant daughter causing her death.⁸⁵ Although his attendance on the sick necessitated his travelling long distances, Wentworth undertook his additional duties, applying himself energetically and conscientiously. All the while, however, he kept a vigilant

⁸³ D.Wentworth to T. Jamison, 1 January 1803, Wentworth Papers - Medical Stores, Hospital Returns, 1803-1820, A762.

⁸⁴ W.Balmain to Governor Hunter, 1 August 1798, and List of Wants for the General Hospital, CO 201/14, ff. 235,237, W.Balmain to Governor Hunter, 29 August 1799, CO 201/15, f.159 and 10 February 1800, CO 201/16, f. 94. In the last mentioned letter Balmain comments on the extreme distress of the hospital and the want of medicines and bedding, stressing that such conditions had been in existence for upwards of two years.

⁸⁵ Sydney Gazette, 2 January 1804, p.2.

watch for means to improve his situation. In May 1803 he expressed a desire to retire on half-pay and to assume the civil command at Parramatta. Failing that appointment, Wentworth regarded the office of Naval Officer as an appealing opportunity for advancement and sought Fitzwilliam's influence in Whitehall to procure either post. If successful Wentworth informed his patron that "it would render me infinitely more comfortable than I am at present and I solemnly assure your Lordship. I will not trouble Your Lordship again during my residence in this Country."⁸⁶

Besides his official concerns, Wentworth was involved in the management of his farms. In June 1800 he owned two properties in New South Wales which totalled 190 acres and held a 14 year lease on six and a quarter acres at Parramatta. He used one farm of 140 acres for grazing and owned eight pigs, eight goats and one horse.⁸⁷ By 1802 his holdings had increased to 245 acres, of which 24 acres were cleared including 14 under cultivation.⁸⁸ By mid-1803 Wentworth had virtually completed the construction of one of the best private houses in the colony.⁸⁹ He continued to acquire property and in April 1804 spent 381 guineas on the purchase of five small farms at Parramatta, bringing his holdings to 340 acres. His live stock had increased to six horses, ten cattle, 72 sheep and 12 hogs.⁹⁰ At the 1804 muster the largest landholders in the colony were Macarthur with 3,500 acres and Balmain with 1,480, both of whom were absentee owners,

⁸⁶ D. Wentworth to Lord Fitzwilliam, 12 May 1803, Wentworth Woodhouse Muniments.

⁸⁷ Entry under Wentworth, T.D. Mutch, King's Musters 1800-2, M.L. A4413.

⁸⁸ List of Every Civil and Military officer ... as mustered in 1802, 31 December 1802, HRNSW, vol. 4, p. 933.

⁸⁹ D. Wentworth to Lord Fitzwilliam, 12 May 1803, Wentworth Woodhouse Muniments.

⁹⁰ Sydney Gazette, 8 April 1804, p.3; Return of Acres Sown, August 1804, HRNSW, vol. 5, pp.434-5.

Samuel Marsden with 1,720 and Quarter Master Laycock with 1,365 acres.⁹¹ In comparison with his fellow officers, Wentworth was a modest landowner, but showed a strong wish to acquire more property.

Changes also occurred in his domestic life. In 1800 Catherine, the mother of his three sons, died.⁹² Wentworth preserved the privacy of his domestic situation and remained silent on her death. He changed the names of Dorsett and Matthew Crowley to D'Arcy and John Wentworth and in 1802 sent his two eldest sons, William and D'Arcy, to England to further their education. He requested Balmain to assist Cookney in finding a "proper school" for his children, but urged him to tell Cookney that the cost should not exceed his salary in the colony.⁹³ A frugal streak had entered this man who had once wagered over half his annual salary on a frivolous bet.

The years between 1800 and 1804 constituted a turning point for Wentworth. Compelled by circumstances to choose between official approval and fortune, he chose the latter and, in so doing, committed himself to a course of action which placed him at odds with King. Having ventured from the governor's protective wing, Wentworth found that he could not only survive setbacks and conflicts, but that he could succeed in spite of them. During this testing period Wentworth discovered a wellspring of confidence and determination which he learnt to tap, proving that he had the capacity to act effectively and independently.

A government and general order issued on 3 January 1804 announced Wentworth's appointment as surgeon of Norfolk Island.⁹⁴ On this occasion,

⁹¹ *Ibid.*, pp. 432-5.

⁹² Inscription on vault, Wentworth Papers, A754-2, f.635.

⁹³ D. Wentworth to W. Balmain, letter dated 1803, Wentworth Papers, A751, f.126.

⁹⁴ Government and General Order, 3 January 1804, *HRNSW*, vol. 5, p.300.

Wentworth's transfer did not appear to threaten his business interests and he had ample time to prepare for his removal. He did not leave Sydney until May and was in the colony when a violent convict insurrection occurred at Castle Hill. Between 9 and 10 p.m. on Sunday 4 March 1804 the drum beat to arms at Parramatta. The alarm was raised that some 300 convicts from the surrounding districts had gathered in open rebellion. Mrs Macarthur, Mrs Abbott and Mrs Marsden, together with their children, and the Reverend Samuel Marsden fled Parramatta by boat for Sydney. Other free settlers either barricaded themselves in their houses or gathered at the barracks in readiness to resist the rebels. Major Johnston, heading a detachment of 25 soldiers, a trooper and some of the inhabitants of Parramatta, pursued the insurgents who were heading toward the Hawkesbury. They caught up with the convicts close to Toongabbie but unsuccessfully pleaded with them to surrender. Johnston then apprehended two of the ringleaders and routed the main body of rebels. In the ensuing skirmish 12 convicts were killed, six wounded and 26 taken prisoner. During the following week eight prisoners were executed for their part in the rebellion.⁹⁵

Although this insurrection sent shock waves through the colony, Wentworth did not mention it in his correspondence. Whether he participated with Johnston in pursuing the rebels, or was in Sydney completing preparations for his removal to Norfolk Island, remains unknown, but it seems likely that he was in Sydney. It is difficult to explain Wentworth's silence on this incident and also on the general social conditions in the

⁹⁵ For accounts of the convict uprising see; Holt, *op. cit.*, pp. 193-203; *HRNSW*, vol. 5, pp.345-57; Governor King to Lt. Governor Collins, 20 April 1804, King Letter Book, M.L. A2015, p.382-3; Mann, *op. cit.*, pp.13-4; E. Marsden to J.Piper, 14 April 1804, Piper Papers, vol. III, M.L. A256, pp.545-6; Suttor, *Memoirs*, p.47; *Sydney Gazette*, 11 March 1804; D. Woodruff to whom it may concern, n.d., Woodruff Family Papers 1803-65, M.L.MSS 613, pt. 1.

colony. In part his reluctance to comment on colonial life may have reflected his personal disinclination to indulge in descriptive writing. Throughout his life this trait frustrated many of his friends, who were annoyed and sometimes hurt by his failure to correspond.⁹⁶ Wentworth's silence might further be explained by his priorities and interests.

His correspondence tended to relate specifically to those areas in which he sought or had gained success. The major concerns raised in his letters had a direct bearing on his official or business life in the colony. Events such as the convict uprising, while of great general importance, did not impinge on his more immediate concerns and hence were not of crucial significance to him.

Wentworth arrived on Norfolk Island on 10 May 1804. He immediately resumed both his private and official paths.⁹⁷ His first task was to ensure that his property in New South Wales was well-managed. By return ship he sent instructions to his agent in Sydney, outlining the conditions under which his house would be let, and issuing directives to ensure the safety of its contents.⁹⁸ He continued trading, acting as Simeon Lord's agent on Norfolk Island where he held Captain Piper's account for £900 over almost eighteen months.⁹⁹ A great deal of the trade involved spirits, as well as commodities such as sugar, tea and clothing. He also turned his attention to farming. By the end of June 1804 he had lodged with government stores, meat to the value of £239/4/1 and by December had placed additional meat and grain in the stores worth £1,038/93/-. Between January and June of the following year he received £130/13/- and £1,050/9/4 for produce sold to

⁹⁶ See D.Considen to D.Wentworth, 20 February 1804, Wentworth Papers, A751, f.131-2.

⁹⁷ Major Foveaux to Governor King, 16 June 1804, M.L. A1444, pp.81-2.

⁹⁸ D.Wentworth to n.n., 14 May 1804, Wentworth Papers, A751, ff.151-3.

⁹⁹ J.Piper's Account with D.Wentworth, Piper Papers, vol.1, ff.29-31.

the government, and, earned a further £312/2/10 by the end of the year.¹⁰⁰ Besides attending to these many concerns, he assumed responsibility for administering Balmain's estate after William's death on 6 November 1803; on 14 April 1804 Thomas Jamison appointed him his attorney. Wentworth also rendered medical assistance to the detachment of the New South Wales Corps stationed on the island.¹⁰¹

In spite of his busy workload, he managed to perform his duties to his superiors' satisfaction. His friend Considen congratulated him in February 1804 on becoming independent of the world, while succeeding in retaining the friendship of those under whom he served.¹⁰² Indeed, when Major Foveaux left Norfolk Island for his return to England on 9 September 1804, Wentworth had once again won the friendship of a senior officer and added yet another to his patronage network.¹⁰³ In England Foveaux made representations on Wentworth's behalf and, in particular, befriended his sons. In spite of the many duties he performed and the energy he expended in conducting his various affairs, Wentworth was uneasy. Unsatisfied with resting on the laurels of past and present achievements, his quest for success and his acquisitiveness kept him alert to opportunities for advancement. In July 1805 he requested Fitzwilliam to use his influence to obtain for him the position of provost marshal. He pointed out that while the pay was only 5/- a day, the additional emoluments were not less than £700

¹⁰⁰ Colonial Secretary Papers regarding Norfolk Island, 1800 - 1805, M.L.MSS 681/3, ff. 112, 201, 287, 293; AONSW, COD412, ff. 183, 193, 199-200, COD413, ff. 279, 355, 453.

¹⁰¹ D. Considen to D. Wentworth, 20 February 1804; I. Clemenston to D. Wentworth, 5 May 1804, Wentworth Papers, A751, ff. 131, 141-3; Official Document, 14 April 1804 Wentworth Papers, A754-2, ff. 394.

¹⁰² D. Considen to D. Wentworth, 20 February 1804, Wentworth Papers, A751, f. 131.

¹⁰³ See comments by D. Considen in his letter to D. Wentworth, 9 October 1806, Wentworth Papers, A754-2, ff. 427-8; W.C. Wentworth to D. Wentworth, 11 August 1805 Wentworth Papers, A756, f. 763.

per year.¹⁰⁴

He had also asked Cookney to purchase and send out to the colony a still and a worm used for distilling. In June and again in October 1803 Cookney informed Wentworth that he could not get leave to send the apparatus.¹⁰⁵ Considen reminded Wentworth that sending a still to the colony was forbidden unless it could be established that the intention was to distil essential oils from native plants and to conduct necessary experiments which "may prove Useful to the World at large."¹⁰⁶ Apparently Wentworth had in mind an enterprise that would have been welcomed by many inhabitants in New South Wales though disapproved of by Whitehall. On his farm at Parramatta, he had an orchard of peach trees and, anticipating the arrival of the still, sent instructions from Norfolk Island to his agent on the mainland to have the peach juice on hand.¹⁰⁷ Ten gallons of peach cider made one gallon of highly prized brandy and the entrepreneur Wentworth clearly had in mind the illegal distillation of his fruit into this profitable product.¹⁰⁸ Despite his claim that the equipment was meant for experiments, Whitehall refused permission for the still to be transported, thus thwarting Wentworth's scheme.

Norfolk Island provided a respite from the tension that existed between Wentworth and King. Yet, despite the undercurrent of animosity dividing the two men, Wentworth managed to maintain friendly relations with members of King's family. On 18 July 1804 Anna King, the governor's

¹⁰⁴ D.Wentworth to Lord Fitzwilliam, 4 November 1806, Wentworth Woodhouse Muniments.

¹⁰⁵ C.Cookney to D. Wentworth, 11 June 1803, 31 October 1803, Wentworth Papers, A754-2, ff. 386-90.

¹⁰⁶ D.Considen to D.Wentworth, 9 October 1806, *ibid.*, f.427.

¹⁰⁷ D.Wentworth to n.n., 14 May 1804, Wentworth Papers, A751, ff.153.

¹⁰⁸ Holt, *op.cit.*, explained the distillation of peach juice into brandy, pp. 272-3.

wife, thanked him for the bonnet he had sent her. She stated that she had always experienced his kind attention and that no persons, wished more for his prosperity than King and herself.¹⁰⁹ Clearly she blamed Balmain's duplicity for the rift which had developed between Wentworth and her husband; explaining that if Wentworth had shown her Balmain's letter, she could have convinced him of the man's double heart. Anna was probably referring to the letter in which Balmain unequivocally asserted that the governor had been ordered to purchase Wentworth's merchandise.¹¹⁰ Although his relationship with King had deteriorated, he did not allow this estrangement to sour his friendship with the governor's wife who regretted the situation.

Regardless of the enmity existing between himself and the governor, Wentworth continued to turn an amicable face to King. Shortly after Wentworth's arrival on the island, King received directions from Whitehall to commence the evacuation of Norfolk Island in favour of the settlements in Van Diemen's Land. Lord Hobart felt that the great expense of maintaining Norfolk Island, together with its lack of safe anchorage, made the settlement a liability.¹¹¹ During July or August Wentworth learned that the governor intended sending him to Port Dalrymple.¹¹² Upset at the prospect of transferring to Van Diemen's Land, Wentworth attempted to persuade King to allow him to return to Sydney. Putting aside for the moment his anger and disappointment, Wentworth assumed a diplomatic stance and wrote:

¹⁰⁹ A.J.King to D.Wentworth, 18 July 1804, Wentworth Papers, A751, ff.148-9.

¹¹⁰ W.Balmain to D.Wentworth, 25 March 1803, *ibid.*, ff.111-4.

¹¹¹ Governor King to Major Foveaux, 31 May 1804, King, Letter Book, M.L. A2015, 1797-1806, pp.394, 148-52.

¹¹² Governor King To Major Foveaux, 20 July 1804, *ibid.*, pp.425-6.

I can have no doubt but my Request in this Instance will be complied with, unless his Excellency should be determined on something that kind Impartiality and manifest Regard to my Welfare and Prosperity which has distinguished his Conduct towards me on almost every Occasion since his late Arrival in New South Wales.¹¹³

These sentiments contradicted those which Wentworth had expressed to his patron. He had been in the colony for fourteen years and was familiar with colonial politics. Wentworth knew how the formal and informal power networks operated and, as a thoroughgoing opportunist, was prepared to use both to achieve his desired ends. In this instance he appreciated that his return to Sydney depended on the goodwill of the governor and was prepared to use the official channel and the best means - in this case feigned dutifulness - to obtain his goal. King permitted him to remain on the island.

News about the proposed evacuation of Norfolk Island prompted speculation about a reshuffle of the civil staff. James Mileham wanted to know Wentworth's intentions. In a letter of 18 August 1804 he informed him that according to Atkins, Wentworth's friends in England were exerting themselves to obtain for him the situation of principal surgeon.¹¹⁴ Mileham added. "I should be happy in congratulating you on the occasion and verily hope it is so." Wentworth's patronage network had expanded since his first arrival in the colony. In addition to Lord Fitzwilliam and Cookney, men such as Waterhouse, Considen, Hunter and Foveaux were prepared to lobby for him. Significantly, most of Wentworth's advocates were senior officers and their support testified to the respect and affection he earned as a subordinate. Rather than seeking to secure the post of principal surgeon,

¹¹³ D.Wentworth to n.n.(probably T.Jamison), 14 August 1804, Wentworth Papers, A751, ff.157-8.

¹¹⁴ J.Mileham to D.Wentworth, 18 August 1804, ibid., ff.159-60.

Wentworth's friends at this time, were working to obtain for him a leave of absence, salary increments due to promotion and remuneration for performing additional medical duties.¹¹⁵

Piper took command of the island when Foveaux left on 9 September 1804 and many inhabitants, particularly the convicts, welcomed the change.¹¹⁶ Foveaux had already established a reputation among the convicts for his harsh and brutal administration.¹¹⁷ His name passed into folk-lore as a tyrant and bloody murderer; as one responsible for the summary execution of two convicts in 1802.¹¹⁸ Men who worked under him remarked on his cruelty and described him as a man who "believed in the lash more than the bible" and who "had a passion for witnessing punishments." In particular, a number of colonists criticized the treatment of female convicts during his administration, alleging that some were sold for a gallon of rum.¹¹⁹

Wentworth's reputation contrasted with Foveaux's. Among the overseers and convicts Wentworth became known for his generosity, kind heartedness, and for the consideration he showed even to the poorest of prisoners, and especially to those who had suffered a flogging.¹²⁰ Transported to Norfolk Island from Sydney as a suspected leader in the 1804

¹¹⁵ State of Facts on behalf of D.Wentworth to Earl Camden, n.d. Wentworth Papers, A754-2, ff.398-403.

¹¹⁶ J.Piper to Governor King, 10 February 1805, HRNSW, vol.5, p.550.

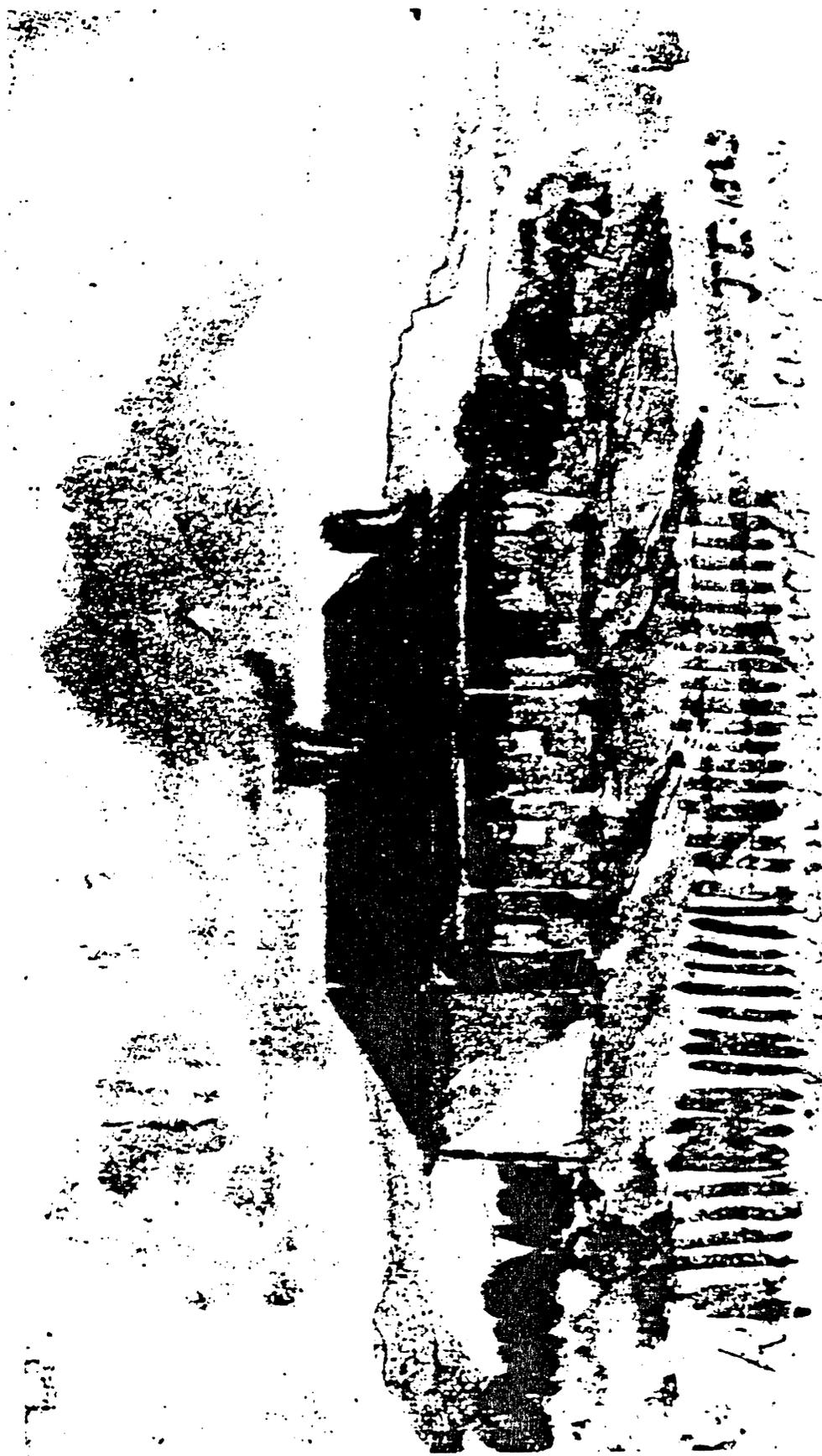
¹¹⁷ Holt, op.cit., pp. 220, 225,230; R. Jones, 'Recollections of 13 Years Residence in Norfolk Island', 15 June 1813, M.L. Safe 1/2d, ff.3,8; J.Mitchell, Norfolk Island, 1804 till 1809, M.L. MSS 27, ff.2-3.

¹¹⁸ See; L.Davoren, A New Song Made in New South Wales, privately printed by G.Mackaness, Sydney, 1951, pp.20-21; J.Grant to W. Cox, 21 October 1805, Copy of a Note to the Commandant of Norfolk Island, 26 March 1806, John Grant's Journal, original copy, N.L. MS 737, ff. 45, 66; Holt, op.cit., pp.221,233-5; Jones, loc.cit., pp.15-6; W. Maun to Viscount Castlereagh, 26 May 1806, HRNSW, vol.6, p.80; Mitchell, loc.cit., ff.2-3.

¹¹⁹ Jones, loc.cit., ff. 3-5, 7-8.

¹²⁰ Ibid., ff.17-8.

D'Arcy Wentworth's Home on Norfolk Island



Cottage believed to have been
Wentworth's, R. Jones, Recollections
of 13 Years residence in Norfolk
Island, June 15, 1823, M.L. Safe
1/2d, f. 34

convict uprising, Joseph Holt praised Wentworth's compassion for his fellow human beings. On his arrival, Foveaux assigned Holt to heavy work where he suffered great hardship and, because of reduced rations and overwork, eventually fell ill. On visiting him, Wentworth sympathized with his predicament, ordered the necessary medicines and made representation to Foveaux. According to Holt, Wentworth told his commander that he believed he was acting beyond his authority, and that if his patient died from the effects of labour and the want of proper food, he would be obliged to make a report.¹²¹ Such a confrontation was out of character for Wentworth and it is likely that Holt exaggerated. Nevertheless, Wentworth did raise the matter with Foveaux and, with his determination and appeal, succeeded in persuading him to be lenient towards the Irish rebel.

Most inhabitants regarded Foveaux's successor as a worthy and honourable gentleman who held the good will and respect of those he governed.¹²² Wentworth enjoyed the more relaxed style of government and Piper's casual attitude to King's regulations. On 6 January 1805 King admonished Piper for allowing spirits to be landed on the island and for permitting men to leave on visiting vessels.¹²³ Away from the reproofs of men such as Marsden and King, Wentworth and Piper consorted with the females on the island and a woman, referred to by Wentworth as Mary G., appears to have been his favourite. It seems likely that she was Mary Ginders, a woman who was popular with the soldiers, and who led the dances held on Thursday nights in the barrack room. At this dance the women, with numbers painted to their backs, performed "the dance of the mermaids" to

¹²¹ Holt, *op.cit.*, pp.229-30.

¹²² *Ibid.*, p.231; Jones, *loc.cit.*, p.8; Mitchell, *loc.cit.*, p.3.

¹²³ Governor King to J. Piper, 6 January 1805, King Letter Book, M.L. A2015, p.471.

the appreciation and applause of their admirers. After a generous consumption of rum, the night's amusements ended in drunken revelry and remained the talk of the soldiers for many days.¹²⁴ A letter written to Piper wherein Wentworth advised him to make good use of his time among the young girls and "Don't forget my old friend, Mary G." suggests that Wentworth enjoyed the company of women and savoured the memories of the bawdy entertainment on the island.¹²⁵ Once more he revealed a glimpse of that fun-loving and raffish world which so attracted and fascinated him. Although he worked hard to preserve his reputation he was nevertheless prepared to risk censure and engage in untoward activities. During this time on Norfolk Island, Wentworth wrote home flattering accounts of the colony and of his welfare and happiness.¹²⁶

Meanwhile, his two eldest boys had been placed in a school in Buckinghamshire where they remained in good health and high spirits.¹²⁷ Both boys, however, missed their father and looked forward to a reunion with him. The young D'Arcy also missed his brother, John, and wrote to his father, "it will give me great pleasure to see you and my brother, and I trust that period will soon arrive."¹²⁸ In March 1805 Wentworth sent his youngest son to join D'Arcy and William in England. John's passage took fifteen months and, on his arrival, he was ill from the effects of scurvy. Under the care of the solicitous Cookney, he recovered quickly and joined young D'Arcy at school.¹²⁹ Before John's arrival, Cookney had enrolled William at a

¹²⁴ Jones, *loc. cit.*, pp.27-9.

¹²⁵ D.Wentworth to J.Piper, 29 November 1806, *HRNSW*, vol.6, p.204.

¹²⁶ C.Cookney to D.Wentworth, 31 December 1805, Wentworth Papers, A754-2, f.417-8.

¹²⁷ C.Cookney to D.Wentworth, 31 October 1803, *ibid.*, f.390-1.

¹²⁸ W.C.Wentworth to D.Wentworth, 24 July 1804, Wentworth Papers, A756, ff.760-1; D.Wentworth to D.Wentworth, 4 July 1805, Wentworth Papers, A755, f.643.

¹²⁹ C.Cookney to D.Wentworth, 27 September 1806, Wentworth Papers, A754-2, f.431.

superior school under a strict disciplinarian, Dr. Crombie at Greenwich. Cookney regarded Crombie as an excellent master, though William did not appreciate the change.¹³⁰ Fitzwilliam and Foveaux paid kind attention to the boys, but Cookney looked after their material needs, paying fees, buying clothes, providing pocket-money and arranging for medical treatment. He also offered the boys genuine affection, giving them a degree of love and attention which their absent father could not provide.¹³¹ Wentworth also fretted over the welfare of his sons and found the separation painful, particularly, when letters failed to reach him.¹³²

On 8 February 1806 Jamison notified Wentworth of his recall to Port Jackson.¹³³ The prospect of returning to Sydney dampened Wentworth's spirits. He wrote to Cookney in the hope that Fitzwilliam had obtained permission for him to return to England, and declared that if it were so, he would soon leave. He added despondently, "for believe me I am most heartily tired of living under the present Government here."¹³⁴ Concern for the welfare of his children deepened his melancholy: he had not received word about them for over a year. He waited impatiently for the arrival of the next ship, anxious to hear that they were still "in the land of the living." He asked Cookney to remember him to his sons in the most kind and affectionate terms.¹³⁵

Notwithstanding his dark mood, Wentworth continued to hatch plans for the future. Not having abandoned his scheme for distilling, he once again

¹³⁰ C.Cookney to D.Wentworth, 8 October 1805, *ibid.*, ff.412-3.

¹³¹ C.Cookney to D.Wentworth, 13 April 1805, *ibid.*, ff.406-7.

¹³² D.Wentworth to C.Cookney, 12 March 1806, Wentworth Papers, A751, f.181-2.

¹³³ T.Jamison to D.Wentworth, 8 February 1806, *ibid.*, f.179, Governor King to J.Piper, 24 February 1806, Colonial Secretary Papers regarding Norfolk Island M.L.MSS 681/4, f.21.

¹³⁴ D.Wentworth to C.Cookney, 12 March 1806, Wentworth Papers, A751, f.182.

¹³⁵ *ibid.*

pleaded with Cookney to send out a worm and still which he stressed was of the first priority.¹³⁶ Aware that New South Wales was experiencing a shortage of produce goods, Wentworth arranged for the transportation of a cargo of his pork from the island to the mainland.¹³⁷ He ceased his medical duties on 30 March 1806. Restless and unhappy, he boarded the *Argos* for Sydney Town.¹³⁸

¹³⁶ *Ibid.*

¹³⁷ Rev. Henry Fulton to Capt. Piper, 27 May 1806, *HRNSW*, vol. 6, p.81.

¹³⁸ *Ibid.*; Capt. Piper to Governor King, 28 March 1806, Colonial Secretary Papers regarding Norfolk Island, M.L. MSS 681/4, p.25.

Chapter 5

The Road to Rebellion 1806 - 1808

After a stormy passage Wentworth landed in Sydney Cove on 7 April 1806.¹ Unhappy in his position under King, he had hoped to obtain leave of absence to return to England. Within days, however, he received the news of William Bligh's appointment as King's successor, and of his expected arrival in the colony within six months. When Cookney wrote to Wentworth of the governor's recall, he anticipated that Bligh would make amends for King's behaviour.² Although this change in government offered encouragement to those who chafed under the existing administration, available intelligence about the governor-designate aroused misgivings. Some saw Bligh as the unfortunate victim of Fletcher Christian and his mutineers on board the *Bounty*; others viewed him as an overbearing despot.³ In New South Wales where the governor had become a target for criticism and fair game for derision, "Bounty Bligh" provided ideal grist for rumour-mongers. According to Suttor, everything disrespectful was insinuated about their new commander, even before he set foot in Sydney Town.⁴

While the colonists considered the impact that Bligh would have on their lives, Wentworth brooded over his personal disappointments. In April he had lost his cargo of pork destined for Sydney from Norfolk Island, when

¹ *Sydney Gazette*, 13 April 1806, p.2.

² G.Caley to J.Banks, 9 April 1806, *HRNSW*, vol. 6, p. 67. The *William Pitt* carrying official documents concerned with Bligh's appointment arrived in Sydney 13 April 1806. Governor King to the Commissioners of the Navy, 18 June 1806, Governor King to Viscount Castlereagh, 27 July, 1806, *ibid.*, pp. 97, 113; C.Cookney to D.Wentworth, 31 December 1805, Wentworth Papers, A754-2, f.417.

³ J. Macarthur to J. Piper, 6 April 1806, Piper Papers, vol. III, A256, f.477. A.Serle to S.Marsden 15 April 1805, Letters to Rev. Samuel Marsden, vol. I, M.L. A1992, f.26.

⁴ G.Suttor, M.L.C783, p.7.

the *Governor King* was wrecked and sunk in the Hunter River north of Sydney.⁵ In June he sustained serious injuries in an accident which confined him to his house for nearly five months.⁶ Bligh's arrival in the colony on 6 August 1806 brought more disappointments. Anticipating official confirmation of his leave of absence, Wentworth soon learnt that no-one in Whitehall had mentioned the matter to Bligh.⁷ In addition, it was rumoured in the colony that James Thompson, after four years absence, had obtained permission to return to the settlement as principal surgeon. This report crushed Wentworth's hopes for promotion to that office and he grumbled about those in authority allowing such an act of injustice.⁸ Moreover, Richard Gore - who had accompanied Bligh to New South Wales - took appointment as provost marshal. Having long coveted this position, Wentworth lamented his lost opportunity. In his opinion this appointment promised a life of comfort and a release from the frequent upheavals and serious disruptions to his private business caused by moving from one settlement to another. He stressed that the office of provost marshal would have extricated him from the situation of assistant surgeon, a position he had come to regard as most disagreeable.⁹

Dispirited by his prolonged recuperation and the succession of setbacks, Wentworth succumbed to despondency. Self-pity and despair characterized his letter to Fitzwilliam in November 1806, revealing his

⁵ Sydney Gazette, 4 May 1806, p.1, 11 May 1806, p.3; Rev. Henry Fulton to Captain Piper, 27 May 1806, HRNSW, vol. 6, p. 81.

⁶ D.Wentworth to Lord Fitzwilliam, 4 November 1806, Wentworth Woodhouse Muniments.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

frustration and sense of powerlessness. With little prospect of change in his situation, he complained to his patron, "I am therefore under the sad necessity of remaining here, or resigning my Situation, which I would not have hesitated a Moment in doing had not I been afraid of incurring your Lordship's displeasure." Wentworth projected his glumness upon the colony at large and characteristically blamed others for his unhappiness. In his brief account of the colony, he outlined the high price of grain, fresh meat, tea and coffee which he attributed to "a Government conducted on the Principles of Tyranny, oppression and Injustice." King's imminent departure from the colony provided the only cheerful note in this letter, for "his Conduct towards me has been one continual Scene of Oppression." Before King and his wife sailed for England, Anna promised Wentworth that she would make a point of visiting his sons. He gave her two guineas to pass on to William and D'Arcy. The enmity between Wentworth and her husband did not destroy their friendship. Wentworth admired her as "a worthy woman", and she held him in high regard.¹⁰

While he fretted over his misfortunes, other colonists actively sought to impress the new governor. Assuming command on 13 April, Bligh addressed the inhabitants in a short but impressive speech. Those present gave three cheers, the new South Wales Corps fired three rounds, the Battery answered with 19 guns and the ships in the harbour followed with 15 guns each.¹¹ On 14 August the governor received an address bearing the signatures of Johnston representing the military, Richard Atkins for the civil officers and John Macarthur signing on behalf of the free inhabitants.

¹⁰ *Ibid.*; D.Wentworth to n.n.(probably C.Cookney), n.d.(internal evidence suggests October 1807), Wentworth Papers, A751, f.254.

¹¹ *Sydney Gazette*, 17 August 1806, p.3.

They offered their congratulations on his appointment and expressed their joy at his safe arrival. Furthermore, they felt confident that he would promote their happiness by a just, moderate, firm and sure government and pledged their united support for the measures he might adopt to improve the welfare of the colony.¹²

Within a week the settlers of the Hawkesbury presented the governor with his second address. They also congratulated Bligh on his promotion to governor and promised their assistance in ensuring the "salvation, honour and interest of the colony." The signatories, however, expressed indignation that John Macarthur had presumed to represent them. By so doing, he had infringed their rights and liberties. Wentworth's former rival, George Crossley, signed the address and was one of a small party who presented it to Bligh.¹³ Although confined to his house, Wentworth kept in touch with these developments. Among his papers is a copy of this address.¹⁴

On 22 September a group of colonists, designating themselves the "free settlers of Sydney", produced a third address. Simeon Lord figured prominently as a member of this group. While agreeing in substance with the first address, like their Hawkesbury counterparts, they felt aggrieved that Macarthur had arrogated the authority to represent their views. They considered him an unfit person to act on their behalf, and accused him of

¹² *Ibid.*, p.2; Address to Governor Bligh, 14 August 1806, *HRNSW*, vol. 6. pp. 165-6.

¹³ Hawkesbury Settlers' Address 1806, *HRNSW*, vol. 6, p.190.

¹⁴ Copy of the Address of the Settlers, Landholders, Cultivators and the Principal Inhabitants of the Hawkesbury and parts adjacent, Wentworth Papers, A751, ff. 187-94.

knowingly withholding a large flock of wethers in order to manipulate the market.¹⁵

Colonial society remained divided into factions with old rivalries persisting and new ones emerging as shown in the public airing of personal animosities and rivalries through the three addresses. At the age of 52, Bligh was a seasoned campaigner. As a young man of 22 he had sailed with Captain Cook in the *Resolution*, remaining in this post for four years. He then took command of another ship, the *Lynx* where, in his own words, he spent a further four years traversing "unknown seas, braving difficulties more terrible because less frequently encountered."¹⁶ In May 1789 mutineers seized command of his ship the *Bounty*, and set him, together with 18 companions, adrift in a small boat. Nine years later he was present at the mutiny of the *Nore* where, as part of a much larger protest, crew members forced him to surrender his ship and to go ashore. Bligh knew well the machinations of men.¹⁷

In addition to his own experience, Bligh had been briefed before leaving England on the divisive nature of colonial society. Sir Joseph Banks had warned him of those most likely to disrupt his administration and named Macarthur as a likely adversary.¹⁸ During the transfer of government King also apprised Bligh of the state of the colony and those who threatened

¹⁵ Sydney Settlers' Address to Governor Bligh, 22 September 1806, HRNSW, vol. 6, p.188.

¹⁶ Proceedings of a General Court-Martial, held at Chelsea Hospital ... for the Trial of Lieut.-Col. Geo. Johnston ... on a Charge of Mutiny, London 1811, Evidence of Governor Bligh. p. 47 and Bligh's reply, p.391.

¹⁷ For a full account of Bligh's Life, see G. Mackaness, The Life of Vice-Admiral William Bligh, Sydney, 1951.

¹⁸ Governor Bligh to J. Banks, 10 October 1807, Banks Papers, vol. 22, A85, f. 193.

its stability, identifying D'Arcy Wentworth and John Macarthur as troublesome characters.¹⁹

While some inhabitants jostled for the new governor's favour, Wentworth recovered slowly from his injuries. Throughout 1807 he continued to accumulate property and by October owned 1,219 acres, most of which he used to graze his stock of some 300 sheep, 27 horned cattle, 30 swine and 14 horses. He employed one overseer and five servants to assist in managing his property. He lived with Maria Ainslie, a quiet and unassuming woman, who was recorded as his concubine in official documents, but was generally acknowledged as his housekeeper.²⁰ His three sons remained in England, and on a number of occasions Cookney pressed him for instructions regarding their future, particularly in regard to William. In October 1806 Consider relayed Cookney's concern to Wentworth, stating that nothing could be done for the young man until he made known his wishes.²¹ Lord Fitzwilliam persevered in his efforts to obtain Wentworth's leave of absence until it was granted in December 1807. By that date events in the colony had outrun the administrative machinery in Whitehall, and Wentworth faced more serious problems.²²

On 15 April 1807 he had taken charge of Parramatta hospital where he applied himself with diligence, but within three months a dispute arose with Captain Abbott, the commanding officer at Parramatta.²³ The row originated early in July when George Beldon, overseer of the convict gangs

¹⁹ Evidence of W. Bligh, Select Committee on Transportation, 1812, p. 45; evidence of J. Harris, Proceedings of a General Court Martial ... Geo. Johnston, pp. 333-4.

²⁰ Return of the number of acres of land sown etc. 1807, HRNSW, vol. 6, pp. 408-9; Maria Ainslie is mentioned in Sydney Gazette, 31 August 1806, p.3.

²¹ D. Consider to D. Wentworth, 9 October 1806, Wentworth Papers, A754-2, f.427.

²² Viscount Castlereagh to Governor Bligh, 30 December 1807, HRNSW, vol. 6, p.397.

²³ Proceedings of a General Court-Martial ... 18 July 1807, ibid., p. 321.

at Parramatta notified his superintendent, Richard Rouse, that Wentworth employed convalescent patients from the hospital for his own advantage. Rouse informed the governor who directed Francis Oakes, the chief constable at Parramatta, to investigate the allegations and - if he found them to be correct - to remove the convicts and set them to government labour at Castle Hill. On 3 July Oakes went to Wentworth's home where he found James Griffin working in the garden and Lawrence Killarney employed as a house servant. Under instructions, a constable proceeded to Wentworth's farm where he found Thomas Steakham in charge of the farm house and Michael Davy working as a stockman. A fifth man, James McDonald, was out with Wentworth's cattle but surrendered to Oakes that evening. The chief constable removed these prisoners from Wentworth's superintendence and placed them in government labour.²⁴

Shocked by these actions, coming as they did without any warning or discussion, Wentworth, who was in Sydney, immediately inquired of the principal surgeon whether he had any knowledge of the affair. Jamison assured Wentworth that he was a stranger to the transaction, whereupon Wentworth sought his assistance to elicit an explanation from Bligh. Jamison was unable to obtain an audience with the governor and Wentworth returned to Parramatta, ignorant of the governor's motives and seething with indignation.²⁵ Three days later Captain Abbott directed Michael Francis, a convict constable, to accompany two of the prisoners, Killarney and Griffin, back to the hospital for readmission. Killarney had an open wound on his arm and Griffin suffered from an ulcerated leg. Wentworth informed Francis that he would accept them only on the orders of the

²⁴ *Ibid.*, pp. 316-26.

²⁵ D. Wentworth's address to the Court, 21 July 1807, *ibid.*, p. 323.

governor or the principal surgeon. Undaunted, Abbott tried a second time to have the men placed in the hospital. While acknowledging that their condition warranted admission, Wentworth stubbornly refused to accept them, declaring that "as the Gov'r had taken upon himself to discharge them he was the most proper person to order them in again." He insisted that Abbott be informed however, that the prisoners' lives were not in danger and that he would render them every necessary medical assistance as outpatients.²⁶

Abbott interpreted Wentworth's action as defiance and sought satisfaction by instigating legal proceedings against him. On the 10th he sent Lieutenant Brabyn to arrest the assistant surgeon; Wentworth, protesting his innocence, submitted peaceably. A court martial assembled on the 18th where Wentworth faced charges of contempt and disobeying Abbott's orders. Eight officers of the New South Wales Corps and Judge-Advocate Atkins comprised the court. Having established that Wentworth had knowingly disregarded his order to admit the two government men, Abbott endeavoured to prove the legitimacy of his authority. George Johnston, commander of the New South Wales Corps and president of the court, maintained that Abbott held the chief command at Parramatta.²⁷ Abbott then asserted that, as a captain in command of the detachment at Parramatta and as a magistrate, he had the right to direct Wentworth to accept convicts into the hospital.

Wentworth defended his actions by appealing to reason and to emotion. He refuted Abbott's claim to have jurisdiction over the running of the hospital as well as the right to determine the duties of "His Majesty's

²⁶ Evidence of M.____ F.____ and G.____ S.____, *ibid.*, pp. 317-9

²⁷ *ibid.*, pp. 316-7.

surgeon at the General Hospital." He submitted that a medical man, denied the right to exercise his prerogative, could not for a single day carry on the duties of his office satisfactorily, or to the benefit to his patients. Without hesitation Wentworth claimed that Abbott had "no authority to interfere with the discretionary power I have, or to dictate to me how I am to act in the duties of my office."²⁸ To strengthen his case, Wentworth secured the opinion of his professional colleague and superior officer, Jamison, who supported his argument. Wentworth also had the backing of John Harris, James Mileham and William Redfern, all of whom agreed that he was justified in his actions. This small group of doctors, however, could not intimidate the military who stood by their fellow officer.

The question of authority remained central to Wentworth's case. His second line of defence sought to convince the court of the invalidity of Abbott's order. He argued that the governor's written instructions directing the removal of the prisoners from his jurisdiction took priority over any oral request given by a captain. He claimed that, if he had complied with Abbott's message, he would have infringed the governor's order. Had he so done, he stressed that he would have risked being court-martialled for contempt and defiance of the governor's authority, and would have been guilty of the greatest irregularity.²⁹

Wentworth impressed his dilemma upon the court, but he was appealing to a military tribunal with Richard Atkins as its only civilian member. Moreover, the hearing was conducted in circumstances which heightened the officers' *esprit de corps*. Although the hearing dealt with a specific case of insubordination, it touched on a matter of greater

²⁸ *Ibid.*, p.325.

²⁹ *Ibid.*, p.324.

significance. In disregarding Abbott's orders, Wentworth raised fundamental issues of authority and status in the colony, and aggravated the rivalry existing between the military and civil officers. These officers formed the privileged class in New South Wales society, but little had changed since Hunter's time: the military still regarded themselves as superior and jealously guarded their social and political position. Undercurrents of contempt and envy flowed between these two groups.³⁰

If members of the court appreciated or even sympathised with Wentworth's predicament, their sense of loyalty led them to support their brother officer, and in effect to uphold and protect their own standing in the colony. The court frustrated Wentworth's attempt to challenge Abbott's authority. When he asked pointedly whether it was customary in New South Wales, or consistent with the King's service, for military officers to send their orders orally through a convict, the court was cleared. On resuming, the deputy judge-advocate announced that the president of the court had directed him to say that the question was extraneous. The members of the court also deemed inadmissible Wentworth's question to Abbott whether a loose verbal message relayed by a prisoner was an official order. Despite their unwillingness to permit this line of questioning, Wentworth persisted. He asked Abbott if he were aware that the two prisoners had been discharged from the hospital a few days prior to 7 July by a written order from the governor directed to the chief constable. Pursuing the point, the defendant pressed Abbott to agree that if he had obeyed the spoken

³⁰ The rivalry existing between the military and civilian officers, which has been treated in chapter III, continued under Bligh's command. In 1812 when questioned before a committee of inquiry about the composition of colonial society Bligh divided the colony into six classes placing the military as the first class and the civil staff as the second. Evidence of W. Bligh, Select Committee on Transportation, 1812, p. 35; Governor Bligh to Lord Minto, 12 August 1808, Safe 1/45, ff. 144-5.

directive he would have risked being court-martialled for contempt and defiance of the governor's authority. The court disallowed both questions, and refused Wentworth's request for their inclusion in the minutes. It also dismissed similar questions concerning the legal standing of an oral message. Frustrated, Wentworth informed the court that he had many questions to ask of other witnesses subpoenaed on his behalf and which he considered material in his defence, but "as it appears that you are not disposed to permit them to be put, I will not trouble you any longer."³¹

He produced a third line of defence - his professionalism and attention to duty - and claimed that he was responsible in his actions and guided by humane motives. During the trial he sought to prove that the men's lives were not in danger and their readmission to the hospital not necessary. He stressed that he had supplied and applied his own dressings to the two prisoners, and had given Griffin some of his own corn to make a poultice for his leg. Furthermore, he attempted to establish that he frequently made his own medicines available to the sick in hospital and to outpatients. Although Wentworth felt compelled to uphold his reputation, the court regarded such questions as irrelevant and advised him that he need only justify disobeying the order of a commanding officer. Nonetheless, Wentworth continued to focus on his good name. He went beyond merely establishing his reputation as a conscientious and diligent officer, and made a direct and personal appeal to individual members of the corps. First, he asked Abbott whether he had, as his physician, frequently attended him and his family and always treated them with respect and attention. Abbott expressed his pleasure in

³¹ Proceedings of a General Court-Martial on D'Arcy Wentworth 18 July 1807, HRNSW, vol. 6, p. 322. Up to this point I have referred to the proceedings of Wentworth's court martial reproduced in HRNSW, vol. 6. This document does not contain the questions disallowed by the court and some of the court's rulings and comments during the trial, which are included in the

being able to answer in the affirmative and, without prompting, added: "your Conduct for the Space of Seventeen Years or thereabouts Since I have known You, has been perfectly that of an Officer and Gentleman."³²

Wentworth put a similar question to Lieutenant Lawson, another member of the court. He replied that, during the time he was at Norfolk Island and dangerously ill, he had received the greatest care and attention from Wentworth, as he had on several other occasions.³³ Both officers felt gratitude towards Wentworth and he played on their sentiments. For all that, he could not break the loyalty and collective self-interest binding these comrades in arms. The court found him guilty as charged and sentenced him to be publicly reprimanded in such manner as the governor deemed proper.³⁴

The members of the court did not act improperly. Wentworth had disobeyed the captain's directive. The question, however, of whether Abbott possessed the authority to order Wentworth to accept patients into his hospital was open to interpretation, as the conflicting opinions of the military officers and the medical fraternity clearly demonstrated. The light

copy found in Wentworth Woodhouse Muniments.

³² Proceedings of a General Court Martial on D'Arcy Wentworth, 18 July 1807, Wentworth Woodhouse Muniments, f.6

³³ *Ibid.*, f. 19.

³⁴ *Ibid.*, f. 27. H.V. Evatt, *The Rum Rebellion*, London, 1975, p.91, suggested that "the closest and most friendly collaboration" existed between Abbott, Macarthur and D'Arcy in instigating the court martial as a deliberate means of defying the governor. This view was upheld by R. Fitzgerald and M. Hearn, *Bligh, Macarthur and The Rum Rebellion*, Kenthurst, 1988, pp. 77-8. I disagree strongly with this hypothesis. It was out of character for Wentworth to draw public attention to himself, to expose himself to censure or to call into question his reputation. Furthermore, the line of questioning that he attempted to pursue, but which the court disallowed, was meant to define the limitations of Abbott's authority and this is shown only in Wentworth's copy of the trial and not in the one published in *HRNSW*, vol. 6 (see footnote 31). This does not, however, discount the view that Macarthur and Abbott may well have set out to challenge Bligh (though I think the evidence is slim) and, if so, D'Arcy was unwittingly involved.

in which individuals viewed Wentworth's conduct depended in a large measure on their position within society.

On 23 July Major Johnston assembled the troops on the parade ground; at the head of this body he called Wentworth forward and expressed the governor's displeasure at his behaviour. Wentworth submitted quietly to this public humiliation.³⁵ Bligh regarded Wentworth as a troublesome character who belonged to the trading faction.³⁶ Any rupture within their ranks weakened their influence, and in this case the military and the medical officers had been brought into conflict.

Under King, two main opposing factions had formed: those who supported the governor in his endeavours to check abuses, and the trading officers who tenaciously sought to protect their privileges. Although Wentworth had aligned himself with the latter, this faction was really a coalition of a number of interest groups, and he belonged to a smaller, less influential one, as his court martial showed. Yet, if the trading officers were to join ranks and overlook their differences in a concerted effort to thwart the governor, the discontent which had festered under King could develop to alarming proportions.

Bligh spent the early months of his command visiting the numerous districts and outlying settlements, acquainting himself with the country and its problems. In particular he paid attention to the settlers at the Hawkesbury who had suffered great losses during the flood of March 1806.³⁷

³⁵ Evidence of R. Atkins, Proceedings of a General Court Martial ... George Johnston, p.160; General Order, 23 July 1807, HRNSW, vol. 6, p.326.

³⁶ Evidence of W.Bligh, Select Committee on Transportation, 1812, p. 45.

³⁷ G. Suttor, C783, f. 6. Governor Bligh to The Right Hon. William Windham, 5 November 1806, HRNSW, vol. 6, p.199; E.Bligh to Mrs Bond, 14 September 1807, Elizabeth Bligh Letters, M.L. MSS 1016.

As the first step in building up a personal power base, Bligh gathered a core of loyal supporters. In August 1806 Richard Gore replaced Garnham Blaxcell, a close friend of Macarthur, as provost marshal. In Bligh's view this appointment enraged some colonists who actively but unsuccessfully conspired to injure Gore.³⁸ The governor also brought with him a young man, Edward Griffin, whom he installed as his secretary. Furthermore, he appointed his son-in-law, Lieutenant Putland, as his aide-de-camp and a magistrate of the territory.³⁹ There was nothing reprehensible in Bligh consolidating his own faction in this fashion. His actions, however, aroused suspicion and antagonized the growing number of his opponents who interpreted this behaviour as provocative and threatening. Expressions of animosity and dissatisfaction soon surfaced and in January 1807 Mrs Macarthur complained that the governor was rash, tyrannical and violent.⁴⁰

In February the division between him and some colonists widened when he took decisive steps to regulate the traffic in spirits. The governor issued a government and general order prohibiting all persons from exchanging spirits in payment for grain, meat, labour, clothes or any commodity whatsoever.⁴¹ This move against the barter of spirits refuelled the hostility that had existed between the trading officers and King, and exacerbated the spirit of subversiveness which had dogged the colony since the time of Hunter.

³⁸ Governor Bligh to J. Banks, 5 November 1807, Banks Papers, vol. 22, A85, f. 261.

³⁹ Sydney Gazette, 17 August 1806, p. 1.

⁴⁰ Mrs E. Macarthur to Miss Kingdom, 29 January, 1807, Macarthur Onslow, Some Early Records of The Macarthurs of Camden, Sydney, 1914, pp. 136-7.

⁴¹ Government and General Order, 14 February 1807, HRNSW, vol. 6, p. 253. R. Hassall to n.n., 8 September 1808, Papers of Roland Hassall, M.L. A859, ff. 224-6.

The clergyman, Hassall, predicted that this measure would not sit pleasantly on the shoulders of the spirit-dealers and maintained that Bligh's regulation struck at the very vitals of the monopolists.⁴² Marsden noted in hindsight that, from the moment he first saw the order, he was convinced that it would not be effected and felt apprehensive about the outcome. He realised that, by implementing a prohibition, Bligh had endangered his government, his character and all that was dear to him.⁴³

The trading officers could not lodge any public or official complaint about Bligh's endeavours to control their lucrative business. The home government had made its policy regarding the traffic in spirits patently clear, and Bligh was simply implementing Whitehall's directives.⁴⁴ Colonists such as Wentworth, Macarthur and the officers of the New South Wales Corps, still regarded themselves as a ruling elite entitled to certain privileges. They resented being controlled by a governor and, although forced to concede, they refused to surrender totally. New settlers, including Gregory and John Blaxland, aggravated the tension existing between the governor and his officers by adopting similar attitudes. While outwardly complying with Bligh's orders, the officers searched for ways to undermine his administration. Bligh's daughter, who had accompanied him to New South Wales, was well aware of the intrigues: "It is known their Tools have been at work some time; that is they are trying to find something on Papa's conduct to write home upon but which I am sure, from his great

⁴² *Ibid.*

⁴³ S. Marsden to J. Banks, 28 September 1808, Banks Papers, vol. 20, A83, ff. 305-6; See also S. Marsden, *A Few Observations upon the Barter of Spirits in the Colony of New South Wales*, 1807, M.L. ZMSS 18(uncatalogued); For comments on Marsden's manuscript see M. Saelter, 'Sam Marsden's Colony', *JRAHS*, vol. 52, pt. 2, June 1966, pp. 94-111.

⁴⁴ Memorial of W. Bligh, M.L. Safe 1/44, ff. 31, 39; Viscount Castlereagh to Governor Bligh, 31 December 1807, *HRNSW*, vol. 6, p. 400.

circumspection they will not be able to do with honour to themselves."⁴⁵ Although worried by Bligh's efforts to control the traffic in liquor, the officers scrutinized other aspects of his government which could draw legitimate complaint.

Against this background of general discontent and suspicion a number of individual colonists aroused the governor's displeasure. A free settler, John Townson, had arrived in the colony with Bligh. Officials in Whitehall had promised him a large land grant, stock and convict labour; Bligh, who disapproved of such indulgences, hesitated in honouring the agreement.⁴⁶ Free settlers, John and Gregory Blaxland suffered the same setbacks as Townson. Having remonstrated with the governor about not receiving the promised quota of cattle, John Blaxland averred that the governor had declared, "What did a Secretary of State know about cattle; he should act as he pleas'd."⁴⁷ Next Townson's brother, Robert, arrived in July 1807, bearing a letter of assurance from Under-Secretary Sir George Shee which stated that 2,000 acres should be allocated to him together with other advantages. Bligh, however, denied him the land grant also.⁴⁸ The governor remained unmoved by the complaints from these free settlers and maintained that he had received no orders concerning such business.

Like Mrs Macarthur, the Blaxlands and the Townsons, Harris also became disenchanted with the governor. He complained that Bligh, with use

⁴⁵ Mrs Putland to Mrs E. Bligh, 10 October 1807, M.L. Safe 1/45, f. 106.

⁴⁶ Evidence of E. Griffin, Proceedings at the Trial of John Macarthur, HRA, ser.i, vol. VI, p. 331; Evidence of J. Macarthur, A.F. Kemp, J. Blaxland and J. Harris, Proceedings of a General Court Martial ... Geo. Johnston, pp. 180-1, 217, 229, 288-9, 294-5, 328.

⁴⁷ J. Blaxland to n.n., 16 October 1807, HRNSW, vol. 6, p. 310. Terms for Mr G. Blaxland, Banks Papers, vol. 4, Australia, A78-3, ff. 223-5.

⁴⁸ J. Townson to Rt. Hon. W. Windham, 23 September 1807, HRNSW, vol. 6, pp. 286-7.

of vile and abusive language, had made his position so irksome that he had resigned as Naval Officer in May 1807, and that the governor in turn had dismissed him from the magistracy.⁴⁹ While Harris smarted under these injuries, other colonists saw the appointment of Robert Campbell as his successor as yet another political move by Bligh.

For almost a year the argumentative Macarthur and the uncompromising Bligh had managed to maintain an amicable relationship. Early in July 1807 they disagreed over a decision handed down by the civil court. Macarthur had sued Andrew Thompson for the number of bushels of wheat stipulated on a promissory note. Since the March floods in 1806 the price of wheat had increased fourfold. Macarthur sought to recover the value of the grain at its inflated price. The court decided against Macarthur who appealed to Bligh. For some time the governor had been attempting to stop the disputes and litigation arising from promissory notes that bore only a stated quantity of produce. On 5 July he allowed an article to appear in the *Sydney Gazette*, pointing out the dangers faced by individuals who bound themselves to pay a specific number of bushels, lest "Shylock still insists upon his bond." Angered by this article, and by Bligh's subsequent dismissal of his appeal, Macarthur severed relations with the governor and refused to visit Government House.⁵⁰

At this time Wentworth joined the growing list of disaffected colonists angered by the governor's conduct. Bligh had distanced himself from Wentworth's trial and left it to be settled between the corps and the medical department. Furthermore, in directing Johnston to reprimand

⁴⁹ Surgeon Harris to Mrs King, 25 October 1807, *ibid.*, p.343.

⁵⁰ The trial of John Macarthur, *HRNSW*, vol. 6, p. 485; *Sydney Gazette*, 5 July 1807, pp.1-2.

Wentworth, Bligh had appeared to stand aside from the business.⁵¹ With the governor's approval, Wentworth then resumed duties at Parramatta on 23 July.⁵² Two days later, and without warning, he received notice that Bligh had dismissed him from duty. The General Order stated that the governor deemed it necessary to suspend the assistant surgeon from his situation until His Majesty's pleasure were known.⁵³ Wentworth applied to Jamison as principal surgeon to intercede on his behalf, but Bligh would provide no explanation for the suspension. Genuinely bewildered by such action, Wentworth sought clarification and asked Jamison to discover whether his suspension was a consequence of the court martial or arose from fresh charges. Wentworth wrote twice to Jamison, on 27 and 30 July. Jamison finally met with the governor, but Bligh declined to give an official answer beyond stating that he disapproved of Wentworth's conduct.⁵⁴ Jamison notified Wentworth of the governor's explanation, whereupon Wentworth immediately applied for leave to return home. Bligh stubbornly refused permission, maintaining that, as Wentworth had been suspended until His Majesty's pleasure were known, he must await that result.⁵⁵

On 31 August Wentworth wrote to the governor requesting him to disclose the nature of the charges to be preferred against him, so that he could have the opportunity to defend his conduct. He concluded the letter: "This I respectfully hope is so reasonable a request that it will not be

⁵¹ Evidence of R. Atkins, Proceedings of a General Court Martial ... Geo. Johnston, p. 160-1.

⁵² Surgeon Jamison to Assistant-Surgeon Wentworth, 23 July 1807, HRNSW, vol. 6. p. 326.

⁵³ General Order, 25 July 1807, ibid.

⁵⁴ D. Wentworth to Viscount Castlereagh, 10 October 1808, Surgeon Jamison to Assistant-Surgeon Wentworth, 4 August 1807, ibid., pp. 314-5, 327.

⁵⁵ Assistant-Surgeon Wentworth to Surgeon Jamison, 4 August 1807; Surgeon Jamison to Assistant-Surgeon Wentworth, 6 August 1807, ibid., pp. 327-8.

denied, as I persuade myself your Excellency must feel that justice and humanity demand my defence ought to accompany your accusation."⁵⁶ Bligh remained tightlipped about his motives for the suspension. Although the governor's action involved only an assistant surgeon, several colonists saw the dismissal as an arbitrary and unjust act, and one which indicated that all were vulnerable to the governor's will.

From the depositions Bligh had obtained from Francis Oakes and an overseer, John Beldon, the governor had grounds for taking disciplinary action against Wentworth. The evidence showed that he had been using convalescent patients under his charge at Parramatta hospital to work privately for him.⁵⁷ In his letter to Windham dated 31 October 1807, Bligh spelt out his disapproval of Wentworth's actions. He accused him of extreme misconduct and justified his outrage with the assistant surgeon by asserting that:

Instead of the Hospital being an Assylum for sick Men, and as soon as they recovered to be returned to Government labour, or to the poor Settlers from whom they came, it has been a practice to allow them to remain victualled as Hospital Patients requiring care, applying their use to private advantage.⁵⁸

On learning that the governor intended to suspend Wentworth, Atkins voiced his misgivings and explained to Bligh that he thought such a measure improper and contrary to law because Wentworth had already undergone the sentence of the court. Rather than indicate that his actions arose not from

⁵⁶ Assistant-Surgeon Wentworth to Governor Bligh, 31 August 1807, *ibid.*, p.328.

⁵⁷ Depositions of Francis Oakes and George Beldon taken 23 July 1807 and enclosed in packet Governor Bligh to The Rt. Hon. W. Windham 31 October 1807, *HRA*, ser. i, vol. VI, pp. 189-90.

⁵⁸ Governor Bligh to The Rt. Hon. W. Windham, 31 October 1807, *ibid.*, p. 188.

Wentworth's disobedience of Abbott's orders but from his unauthorized use of patients' labour, the governor retorted: "The law, sir! damn the law: my will is the law, and woe unto the man that dares to disobey it." The governor's fury so affected Atkins that, when asked at Johnston's court martial to cite an occasion of the governor's ill-temper, he recalled this specific incident.⁵⁹

Bligh's wrath seems to have been provoked not merely by Wentworth's use of unauthorised convict labour but by his behaviour during his court martial. During this trial, Wentworth had taken a course that he would normally have avoided. Angered and insecure, he had lost the ability to reason calmly and censured Bligh for interfering in the management of the hospital, intimating that the governor possessed neither the right nor competency so to do. In examining Mileham, Wentworth asked if, during the time Mileham had charge of the hospital, the governor had discharged patients without his consent or without even communicating with him on the subject. The court was immediately cleared; on re-opening, the bench declared the question "highly disrespectful - disrespectful to the Commander-in-Chief - and consequently, reprehensible and inadmissable." In his hurt and indignation Wentworth lost sight of the possible consequences of his actions; notwithstanding the caution, in his address to the court he again questioned the governor's conduct. He stressed that the prisoners removed from his charge were registered as patients at the hospital because their condition warranted admission, and that the governor removed them from his care without "condescending to inform me of his motives or even speaking to me on the subject."

⁵⁹ Evidence of R. Atkins, Proceedings of a General Court Martial ... Geo. Johnston, pp. 160-1.

Wentworth also raised the issue of the chronic shortage of hospital medical supplies, and took the opportunity to contrast his own humanity in caring for the sick with the governor's apparent callous disregard. On taking charge of the hospital, Wentworth maintained that there was but one iron pot for the use of all the patients. He had also experienced shortages of dressings and ointments and on many occasions had supplied government servants with them at his own expense. Wentworth insisted that he had made a personal application to the governor on 18 June 1807 for necessary medical supplies and had received the governor's promise that they would be supplied, only to be subsequently disappointed.⁶⁰ Wentworth paid the price for allowing petulance to override self discipline. For a contrite Wentworth, Bligh might have been prepared to stop simply at removing the convalescing workers from his jurisdiction. Instead Wentworth had provoked the governor who retaliated by summarily suspending him from duty.

Bligh's measures aroused rancour and encouraged colonists to seek protection and security in groups. Moreover, his actions provided his enemies with weapons to attack his credibility as a fit and proper commander. Mrs Putland's confidence in her father's circumspection proved unfounded; although only individuals or small groups bore the direct brunt of his regulations, the effect engendered a momentum of determined opposition.

In the face of mounting criticism, Bligh issued an order on 23 July naming and directing six men who had erected houses on land near the Domain and close to Government House to quit their premises and clear all

⁶⁰ D. Wentworth's defence and address to the Court, 21 July 1807, HRNSW, vol. 6, pp. 321, 323-5.

materials from their allotments.⁶¹ Governors Hunter and King had permitted the construction of these houses on land lying within a line of demarcation marked out by Governor Phillip and contrary to his instructions.⁶² Although Bligh allowed the owners to choose alternative sites, his action caused apprehension. Colonists saw an ominous precedent, foreshadowing possible future acts against themselves and their property. Together with the Blaxlands, Bayly and Townson, Wentworth now declared that no man's property was safe under such a government. Deputy-Commissary Fitz agreed that the governor's actions rendered the tenure of all property insecure, and argued that, if one governor could nullify the act of a predecessor, all property of whatever nature must be open to question.⁶³

In August Simeon Lord - who had fallen from the governor's favour - together with two other merchants Kable and Underwood, were sentenced to one month's imprisonment and each fined £100 for writing a letter couched in insulting terms and highly derogatory to the governor's high rank and authority.⁶⁴ In September Major Johnston called on Bligh and complained bitterly about his interference in the internal management of the corps. He was unusually upset. Bligh had nominated and ordered his officers to sit as members of the criminal court without consulting him; Johnston threatened to complain to the commander-in-chief. Jamison accompanied Johnston and stood by him as a friend during a meeting with the governor. Bligh responded

⁶¹ Government and General Orders, 23 July 1807, HRNSW, vol. 6, pp.275-6; Sydney Gazette, 26 July 1807, p.1.

⁶² Evidence of W. Bligh, Proceedings of a General Court Martial ... Geo. Johnston, p.57.

⁶³ Deputy-Commissary Fitz to Under Secretary Chapman, 15 October 1807, HRNSW, vol.6, pp. 305-6; Evidence of A..Kemp, Proceedings of a General Court Martial ... Geo. Johnston, p.217.

⁶⁴ Sydney Gazette, 16 August 1807, p.2, The letter referred to is probably that by Messrs Lord and Co. to Governor Bligh, 10 August 1807, HRNSW, vol. 6, pp. 277-8.

by immediately issuing an order dismissing Jamison from the magistracy.⁶⁵ The governor clearly intended to intimidate the officers, and wrote to Banks: "perhaps the Major expected the same would follow to him, but as he was the Commandant of the Troops I stopt here and we are on as polite terms as before."⁶⁶

Although aware that he had offended a number of colonists, Bligh seemed oblivious to the degree and extent of ill-will he had generated, and remained confident in his ability to retain control over the settlement. Surrounded by his close knit enclave of supporters, which included Campbell, Palmer, Dr Luttrell, Gore, Nicholas Divine and Crossley, he felt secure. In October he wrote to Sir Joseph Banks that "The same characters you had suspicions of in Governor King's time are now existing, but Government House is alike to all."⁶⁷ His daughter also knew that some colonists plotted to injure her father, but felt that their enemies posed no serious threat. She named John Macarthur and the military officers as members of the faction which opposed the administration, but added: "they are all invited to the house and treated with the same politeness as usual." The cordiality which marked Bligh's relations with the colonists masked deep and brooding resentment. Bligh thought he had the measure of his enemies and confidently informed Sir Joseph Banks that the discontented were checked in their machinations.⁶⁸ The hostility which had smouldered

⁶⁵ Governor Bligh to J. Banks, 5 November 1807, A85, ff.262-3; Governor Bligh to The Rt. Hon. W. Windham, 31 October 1807, HRA, ser.i, vol. VI, p. 150; T.Jamison to G.Johnston, 14 February 1808, Colonial Secretary Papers, re N.S.W., 1799-1806, MSS 681/2, ff. 225-6.

⁶⁶ Governor Bligh to J.Banks, 5 November 1807, Banks Papers, vol. 22, A85, ff. 262-3.

⁶⁷ Governor Bligh to J.Banks, 10 October 1807, ibid., f. 193.

⁶⁸ Mrs Putland to Mrs Bligh 10 October 1807, M.L. Safe 1/45, f. 106; Governor Bligh to J. Banks, 10 October 1807, Banks Papers, vol. 22, A85, ff. 189-90.

under King now intensified as individuals laid aside personal jealousies and gradually formed a coalition against Bligh. When Anthony Fenn Kemp arrived in September in 1807 all those with whom he associated, including Wentworth, the Blaxlands and Dr Townson, complained bitterly of the arbitrary and tyrannical conduct of Bligh. People such as Simeon Lord - who had vehemently rejected Macarthur's representation in September 1806 - and Wentworth - who had clashed with the military officers - now perceived a greater danger to their well-being and saw the merit of joining forces.⁶⁹ Similarly, the military officers, at loggerheads with the governor, appreciated the advantages in embracing civilians in their circle.

By October a groundswell of indignation and anger had arisen against the governor; with two ships in the harbour preparing to leave for London, the colonists put their complaints on paper. Wentworth threw off the despondency that had threatened to engulf him since his return to New South Wales, and resolved not to buckle under what he termed "the persecuting Spirit of Governor Bligh."⁷⁰ Even the news that Lord Fitzwilliam was dangerously ill did not distract him. He prepared a memorial for Lord Castlereagh in which he detailed the events leading up to his suspension. Although he took the opportunity to justify his conduct, he explained that his court martial was not at issue. In his memorial Wentworth maintained that his suspension without explanation and the governor's refusal to allow him to return home to defend himself were of central importance. He appealed to his Lordship's sense of justice:

⁶⁹ Evidence of A. Fenn Kemp, Proceedings of a General Court Martial ... Geo. Johnston, p. 217.

⁷⁰ D. Wentworth to Lord Fitzwilliam, 17 October 1807, Wentworth Woodhouse Muniments.

Suspended from fulfilling the duties of his office without even an alleged Crime - degraded in the Eyes of the Colony - and altogether unacquainted with the Cause of such unprecedented Severity, - your Lordship's memorialist has now to look forward to a long and dreary period of undeserved humiliation.⁷¹

Wentworth made known his grievance and his readiness to seek redress from Whitehall. On 11 October he wrote to Bligh, revealing that as the governor had refused to disclose the causes of his suspension, he had written a memorial to the secretary of state. He stressed that this was the only means available to him to vindicate his conduct and requested Bligh to include his petition, together with accompanying explanatory documents, in the official dispatches to England. Bligh refused. Undeterred, Wentworth sent duplicate copies to England with an acquaintance, Mr. Williams, to be delivered to his agent and patrons. This measure ensured not only that the secretary of state received the correspondence, but that it would be presented in the most favourable light, supported by influential and sympathetic friends. In a covering letter to Cookney, Wentworth explained that lest illness prevent Fitzwilliam from being able to put forward his memorial he had taken the precaution of writing a second letter to Villiers, who could act as a substitute in pleading his case before Castlereagh.

To friends, Wentworth presented himself as an unfortunate and innocent victim of Bligh's despotism. Using rhetoric which had become an integral part of his language, Wentworth censured the English government for appointing as governor a man notorious throughout his life for acts of tyranny. In his letter to Fitzwilliam, Wentworth complained that, no sooner

⁷¹ D. Wentworth to Lord Castlereagh, Memorial of D'Arcy Wentworth, Wentworth Papers, A751, ff. 235-8. Also in HRNSW, vol. 6, pp.314-5.

had Bligh commenced his command than he "displayed many demonstrations of determined animosity towards me; and put it beyond doubt that he would lose no opportunity to do me all the injury in his power." He assured his patron that every part of his conduct would bear the most rigid examination, and he felt sure that Fitzwilliam would not allow him to be disgraced and ruined without cause. He asked him to read the enclosed documents, certain that they bore the clearest testimony of his blameless conduct.⁷² Surgeon Jamison also wrote to Lord Castlereagh, complaining of Bligh's treatment of those on the medical staff. He expressed anger at the governor's interference in the medical department and cited Wentworth's suspension as an example of injustice. He also felt that the governor was determined to ruin Wentworth.⁷³

A number of other colonists joined Wentworth and Jamison in censuring the governor and his administration. Mrs Macarthur simply announced to her friends in England that liberty had retired from among them into the pathless wilds.⁷⁴ Deputy-Commissary Fitz wrote to Under-Secretary Chapman, explaining that he was not on the best terms with the governor and could not understand how he had offended him. His main worry concerned the governor's order directing the people who lived within Phillip's line of demarcation to quit their houses. This action he felt rendered the tenure of property held in the colony insecure. As additional grievances, he cited the dismissal of Harris and Jamison from the magistracy and Bligh's interference in the selection of officers to sit on

⁷² D.Wentworth to C. Cookney, n.d., Wentworth Papers, A751, ff.251-3; D.Wentworth to Lord Fitzwilliam, 4 November 1806, Wentworth Woodhouse Muniments. For quote see D.Wentworth to Lord Fitzwilliam, 17 October 1807, *ibid.*

⁷³ Surgeon Jamison to Viscount Castlereagh, 18 October 1807, *HRNSW*, vol. 6, pp. 328-9.

⁷⁴ Mrs Macarthur to Miss Kingdom, 21 October 1807, Macarthur Onslow, *op.cit.*, p.137.

the court. Fitz was also disturbed by George Crossley's association with the governor and his involvement in administrative and legal affairs.⁷⁵ John Blaxland sent home his own litany of personal complaints against Bligh.⁷⁶ Lieutenant Minchin wrote to ex-governor King stating that he had never before experienced the weight of tyranny and oppression that presently obtained. Minchin thought that his situation as engineer was under threat and anticipated that he would soon be dismissed.⁷⁷ Johnston wrote to the military secretary complaining, not only of Bligh taking upon himself the duty of nominating officers for the courts, but of his harsh and humiliating treatment of soldiers.⁷⁸ In detailed letters to King and his wife, Harris chronicled his grievances against Bligh, including the dismissal of himself and Jamison as magistrates, the suspension of Wentworth, the eviction of individuals from their property, the appointment of Gore as provost marshal, George Crossley's influence over the governor and Bligh's interference in the private affairs of the corps.⁷⁹

In New South Wales a number of pipes began to appear. A short and pithy lampoon alluding to the mutiny on the *Bounty* encapsulated the mood of the anti-Bligh cabal. "Oh temporal Oh mores! Is there no Christian in New South Wales to put a stop to the tyranny of the Governor?"⁸⁰ Unlike Bligh, who drew reassurance from the polite relations he maintained with his intimates, Macarthur felt the tense undercurrent and understood the mood of

⁷⁵ Deputy-Commissary Fitz to Under Secretary Chapman, 15 October 1807, HRNSW, vol. 6 pp.305-6.

⁷⁶ J.Blaxland to n.n., 16 October 1807, ibid., pp.308-12; J.Blaxland to J.Banks, 22 October 1807, Banks Papers, vol. 20, A83, ff. 188-91.

⁷⁷ Lieutenant Minchin to Ex-Governor King, 20 October 1807, HRNSW, vol. 6, p. 331.

⁷⁸ Major Johnston to Lt. Col. Gordon, 8 October 1807, ibid., p.652.

⁷⁹ Surgeon Harris to Mrs King, 25 October 1807, ibid., pp.342-9; also in King Papers M.L.A1980-2, ff.237-248.

⁸⁰ Surgeon Harris to Governor King, 25 October 1807, HRNSW, vol 6, p. 339.

those forming themselves into a rebel faction. Bligh's wife, Elizabeth, who had remained in England, learned of the mounting campaign to ruin her husband both at home and in the colony. She begged him to be cautious and not to push anyone to extremes and reminded him that he had many enemies.⁸¹ Her warning came too late. Bligh had already embarked on a course which led him to antagonize influential colonists such as the Blaxlands, Townsons, Macarthurs, Wentworth, Lord, Harris, Blaxcell, Jamison and Johnston. The governor had also managed to arouse the enmity of the rank and file in the corps by denigrating and insulting them. On occasion the governor had belittled and taunted the men by calling them names such as "wretches", "villains" or "terrible buggers". Alexander Berry, who was in the colony in 1808, maintained that the governor treated the military with the most marked contempt and oppression and they in turn equally hated and despised him.⁸² Although Bligh remained confident that he held firm control over the colony, on 11 October Macarthur informed Piper on Norfolk Island that the corps was "galloping into a state of warfare with the governor."⁸³ Macarthur used this animosity in a concerted effort to bring down the governor.

Despite being absent during most of King's command, Macarthur had managed to stir and agitate the rebel faction. Having returned as a civilian to New South Wales in June 1805, he could now lead the rebel cause. Unlike Wentworth, Jamison, Blaxland and the many individuals who muttered among themselves and looked to England for redress, Macarthur chose to confront

⁸¹ Mrs Bligh to Governor Bligh, 15 February 1808, M.L. Safe 1/45, f. 123; E. Bligh to J. Banks, 1 February 1808, Banks Papers, vol. 6, Bligh 1805 - 1811, A78-5, ff. 39-40.

⁸² A. Berry, Narrative of a voyage 1807-9 (fair copy), Alexander Berry Manuscripts regard travel (M.L. in process of being catalogued).

⁸³ J. Macarthur to J. Piper, 11 October 1807, Piper Papers, vol. III, A256, f. 482.

Bligh and to pit his skills and ingenuity against those of the governor in New South Wales.

Like other malcontents in the colony, Wentworth used the terms "tyrannical" and "oppressive" to describe Bligh's administration. The ideas underpinning these terms had taken shape during the political and constitutional struggles of the seventeenth century when Englishmen laid claim to possess certain basic and inviolable rights. John Locke inspired succeeding generations when he wrote that the legislature, whether placed in one person or more, could not be absolutely arbitrary over the lives and fortunes of its people. He claimed that the legislature "is a power that hath no other end but preservation and therefore can never have a right to destroy, enslave, or designedly to impoverish the subjects." Cesare Beccaria's work, which was well received in England during the latter part of the eighteenth century, expressed ideas consistent with Locke's. In straightforward language he insisted that every act of authority of one man over another for which there is not an absolute necessity is tyrannical. The popular legal writer William Blackstone endorsed this notion in his commentaries on the law: "every wanton and causeless restraint of the will of the subject whether practiced by a monarch, a nobility, or a popular assembly, is a degree of tyranny." During the late-eighteenth century political activists in Britain used rhetoric from this traditional body of beliefs to seek constitutional reform. The notion of liberty versus tyranny was central to their struggle. In New South Wales where a single man - the governor- exercised wide-ranging authority over free men as well as bond, the rhetoric of reform bore a direct relevance to men such as Wentworth. Thus, members of the anti-Bligh faction used the terms "arbitrary", "tyrannical" and "oppressive" to validate their complaints against the

governor. Macarthur proceeded a step further and used the logic underpinning these terms not simply to justify complaints, but to legitimize action for resisting and ultimately overthrowing the authority he deemed oppressive.⁸⁴

In March 1807 the *Dart* arrived in Port Jackson with two stills on board, one belonging to Macarthur and the other to Captain Abbott. Bligh gave permission for them to be landed on condition that they be lodged in the government stores pending exportation. In October he directed Robert Campbell, the naval officer, to ship the stills on board the *Duke of Portland* which was preparing to sail for England. On discovering that the stills were in the possession of Macarthur, the governor directed Campbell to remove them on board the waiting vessel. Campbell directed his nephew, Robert, to execute Bligh's orders. Macarthur argued that, as Robert held no official commission, he was unauthorized to carry out the seizure; when Robert proceeded to confiscate the stills, Macarthur brought charges against him before a bench of magistrates.⁸⁵ In the courtroom before an audience of approximately 60 to 70, Macarthur declared:

it would therefore appear that a British subject, living in a British settlement, in which the British laws are established by the Royal Patent, has had

⁸⁴ J. Locke, *Two Treatises of Government*, vol. II, The Works of John Locke in Four Volumes, 7th edition, London, 1768, p. 269; C. Beccaria, An Essay on Crimes and Punishments with a commentary attributed to Mons. De Voltaire, London, 1768, p. 7; W. Blackstone, Book the First, Commentaries on the Laws of England in Four Books, Oxford, 1770, p. 126. For examples of the use of radical rhetoric by the political reformers see The Trial of Joseph Gerrald, delegate from the London Corresponding Society to the British Convention, Edinburgh, n.d. (probably 1794); The Trial of Maurice Margarot, printed for Maurice Margot, Edinburgh, 1794; The Trial of the Reverend Thomas Fyshe Palmer, printed for W. Skirving, Edinburgh, 1793; The trial of Thomas Muir, London 1793. These men known as the Scottish Martyrs were transported to New South Wales. The Reports of the Committee of Secrecy of the House of Commons, Edinburgh, 1794; London 1798 and 1799,

⁸⁵ Evidence of E. Griffin and R. Campbell, Proceedings at the trial of John Macarthur, HRA, ser. 1, vol. VI, pp. 318-21, 332-5.

his property wrested from him by a non-accredited individual, without any authority being produced or any other reason being assigned than that it was the Governor's order. It is therefore for you, gentlemen, to determine whether this be the tenor on which Englishmen hold their property in N. S. Wales.⁸⁶

Macarthur's rhetoric went to the very heart of traditional British values - the indefeasible rights of Englishmen. Although he was in flagrant disobedience of Bligh's orders, Macarthur used his misdemeanour as an occasion for censuring the government for what he regarded as its violation of basic rights. By inflaming a personal injury into a terrible and universal act of injustice, he captured attention and won support. Moreover, he used the courtroom - a symbol of law and authority - to give popular and legitimate voice to the rebel cause.

Through this action Macarthur initiated a process designed to usurp Bligh's authority. As a first step, he questioned the legality of the existing system of administration and set himself up as the true defender of British law.⁸⁷ His boldness in challenging the governor in open court inspired confidence in the growing number of disgruntled colonists, which was further bolstered when the court found in his favour. Atkins, Johnston and

⁸⁶ Macarthur's Address, Report of Proceedings, *Macarthur v. Campbell, jun'r*, 24 October 1807, HRNSW, vol. 6. p.335.

⁸⁷ A. Atkinson in his article 'Bentham and the Rum Rebellion', JRAHS, June 1978, vol. 64, pt. 1, argued that by providing the necessary logic to justify the revolution Jeremy Bentham may be held responsible, to a large degree, for the coup which deposed Bligh. Bentham argued that the governors in New South Wales had no lawful legislative power to make regulations binding the free colonist. J. Bentham, A Plea for the Constitution, Piccadilly, 1803, p. 2. I still feel that although Macarthur may well have used Bentham's reasoning, noticeably at his appearance before the bench on 16 December 1807, the less complicated and popular rhetoric of the British radical reformers became more pronounced as the 26 January 1808 approached. This type of rhetoric had been used by convicts such as the Scottish Martyrs and John Grant when seeking to regain some control over their lives. See Bond of Union, Grant Papers, Folder No. 26, N.L. MS 737. See also comments by G. Suttor, Memoirs, p. 12.

Abbott agreed that Robert Campbell junior was not authorized to seize the stills; Palmer, a supporter of Bligh, dissented.⁸⁸ Displeased with the finding, but undeterred in his efforts to check his opponents, Bligh worked in collaboration with his chief advisers, among them Palmer and Crossley, to initiate strategies that would see him gain ascendancy over his opponents.⁸⁹

In spite of Macarthur's influence, Bligh remained confident that he could prevail over his antagonists and maintain control over the administration. He noted in November, "The disturbers will always be at work until they find they are defeated without any visible resistance."⁹⁰ Bligh misread the mood of the colony. At this stage Macarthur and the governor stood ready to do battle; both headstrong and belligerent, neither would bend to the will of the other. Together with other malcontents, Wentworth was caught up in this struggle, but had not been called upon by Macarthur to proclaim publicly his allegiance to the rebel cause.

In December tension mounted. Macarthur and his partner Blaxcell owned the schooner *Parramatta* which had recently returned from a voyage to Oeheite. Bligh and the naval officer suspected that a convict, John Hoare, had absconded from Sydney aboard the vessel. According to colonial regulations the masters and owners of vessels were required to give security that no prisoner would use their ship for escape. Consequently,

⁸⁸ Report of Proceedings, Macarthur v. Campbell jun'r, *HRNSW*, vol. 6, p. 335.

⁸⁹ Major Johnston to Viscount Castlereagh, 11 April 1808, *ibid.*, pp.575-7.

⁹⁰ Governor Bligh to J. Banks, 5 November 1807, *HRNSW*, vol. 6, p.378.

Macarthur forfeited a bond of £900 and Robert Campbell retained the ship's papers and refused her entry. These measures effectively prevented the cargo from being landed or the vessel putting to sea.⁹¹ In retaliation, Macarthur disclaimed any responsibility for the ship or its crew. He notified the seamen on the *Parramatta* that from henceforth he would neither pay nor victual them, and gave the captain a letter explaining his actions.⁹² In breach of port regulations, the crew came ashore to place their predicament and Macarthur's letter before Atkins. On 14 December Atkins sent an official letter to Macarthur notifying him of the crew's action and requesting him to show cause for abandoning these men. Macarthur ignored Atkins request, which prompted the judge-advocate to issue a warrant ordering him to appear before him. On 15 December the chief constable, Francis Oakes, served the warrant on Macarthur who deliberately baited his opponents. He refused to comply with the order and warned Oakes to be well armed, should he come again, as blood would be spilt before he would surrender. He then delivered a paper to the constable which threatened, "that I never will submit to the horrid Tyranny that is attempted until I am forced; that I consider it with Scorn and Contempt, as I do the persons who have directed it to be executed." ⁹³

Oakes returned to Sydney and related the events to Atkins. He informed the governor, who directed a bench of magistrates to convene. They issued a second warrant ordering the arrest of Macarthur and his imprisonment in the Sydney gaol.⁹⁴ On 17 December Macarthur appeared

⁹¹ Evidence of R. Campbell, Proceedings at the trial of John Macarthur, *HRA*, ser. i, vol. VI, p.334.

⁹² Evidence of R. Atkins, *ibid.*, pp.307-10.

⁹³ Evidence of R. Atkins and Francis Oakes, *ibid.*, pp.312,347-9.

⁹⁴ Evidence of R. Atkins, *ibid.*, pp. 313-4.

before the magistrates, including Johnston, Abbott, Palmer and Atkins. They decided to commit him for trial on 25 January 1808 and allowed him bail. Even Johnston admitted that, in refusing to obey the warrant, Macarthur had used "expressions that could justly be considered too warm."⁹⁵ The mood in Sydney remained tense, and Charles Grimes voiced the sentiments of fellow colonists in December when he grumbled that the town was a Hell.⁹⁶

On New Year's Day the settlers presented Bligh with an address bearing over 900 signatures. It praised his work and congratulated him on the colony's prosperity. The governor noted wryly that John, Edward and Hannibal Macarthur, Blaxcell, John and Gregory Blaxland, Captain and Dr Townson, Grimes, Jamison, Bayly and Wentworth had not affixed their names. He explained their absence by maintaining that they had been checked in the business of bartering spirits and had become disaffected with his government.⁹⁷ Even after Macarthur's defiant stand, the governor underestimated the forces which threatened his government.

During January 1808 Alexander Berry maintained that the minds of all classes were worked up to such a pitch that "shortly some thing must have taken place." He argued that a little patience on the part of the governor would have prevented an explosion. But Macarthur, ambitious, combative, clever and aware of the volatility of the mood of many of the colonists, goaded the governor, making forbearance on his part difficult.⁹⁸ The retaliatory cycle of provocative acts involving these two headstrong men

⁹⁵ Evidence of G. Johnston, The Proceedings of a General Court Martial ... Geo. Johnston, p. 148-9.

⁹⁶ G. Grimes to J. Piper, 20 December 1807, Piper Papers vol. I, M.L. A254, f.115-6.

⁹⁷ Governor Bligh to Viscount Castlereagh, 30 April 1809, HRA, ser.i, vol. VI, pp. 420-1; Governor Bligh to Lord Minto, 12 August 1808, M.L. Safe 1/45, f. 146; Settlers' Address to Governor Bligh, 1 January 1808, HRNSW, vol. 6, p. 411,

⁹⁸ A. Berry, Narrative of A Voyage 1807 - 1809, Alexander Berry MSS - re travel, loc. cit.

intensified as Macarthur used this interval to prepare the groundwork for his trial. Apart from collaborating with his close friends, he also attempted to woo the soldiers by offering them supplies of spirits at the rate of only 5/- per gallon.⁹⁹ He also further provoked the governor by starting to fence his Sydney land, prompting Bligh to order the fence's dismantling. Although Wentworth was involved in this political struggle and participated in the discussions that took place during January, he remained a spectator to the unfolding crisis. Privately he offered advice and support but in public he stood back.

The court assembled at 10 o'clock on the morning of 25 January 1808 and, after swearing in the members of the court, Atkins prepared to take his oath; Macarthur interrupted the proceedings and objected to the judge-advocate sitting. Atkins and Macarthur had been engaged in a long running and at times acrimonious dispute and Macarthur insisted that he be removed and another judge-advocate appointed. The remaining members of the court - Captain Kemp, Lieutenants Brabyn, Moore, Lawson, Minchin and Laycock - supported Macarthur's objection and Atkins left his chair and moved to the side. In front of a crowded courtroom, estimated by Atkins at over a 1,000 people, many of whom were soldiers bearing side arms, Macarthur announced, "Now, Gentleman, for God's sake remember you have the eyes of an expecting public upon you, trembling for the safety of their lives, liberties and properties."¹⁰⁰ Once again Macarthur elevated a private legal matter into one of widespread public concern. He stood before the court as a

⁹⁹ Evidence of Sergeant Whittle, The Proceedings of a General Court Martial ... Geo. Johnston, p.371; Governor Bligh to Viscount Castlereagh, 30 April 1808, HRA, ser. 1, vol. VI, p.424.

¹⁰⁰ The Memorial of Richard Atkins, Appendix to The Trial of John Macarthur, Esq., 2 February 1808, M.L. C912, p.114.

champion of justice, seeking credibility and support by claiming to defend the basic rights of Englishmen. He effectively redefined the situation by assuming the stance of prosecutor fighting for the cause of justice. At this point Atkins announced that he would commit Macarthur for using contemptuous language. Whereupon Kemp retorted, "You commit? No sir! I will commit you to jail." The judge-advocate, sensing that only anarchy would ensue, adjourned the court and directed the people to disperse. The members of the court, however, urged the people back maintaining that it was still a court.¹⁰¹ These men assumed the mantle of moral crusaders as they openly defied Atkins and the system of government he represented. Suttor, who was in the courtroom, maintained that it was evident that something of an extraordinary nature was afoot.¹⁰²

Wentworth was mostly likely a part of this scene. Macarthur's rallying call, urging men in his situation to take a stand against any encroachments on their rights, would not have been lost on Wentworth. Macarthur sought protection from the court and was granted a military guard which received him with the utmost respect and deference. Atkins, together with Campbell, Palmer, Griffin and the Reverend Henry Fulton retreated to Government house to consult the governor and take counsel from their legal expert, Crossley. Thus two camps formed, one on the hill in Government House composed of Bligh and his advisers, while the opposing faction remained in the court house. Each group attempted to anticipate its enemies through strategy.¹⁰³

¹⁰¹ *Ibid.*, pp. 113-5. For accounts of this hearing see Major Johnston to Viscount Castlereagh, 11 April 1808, *HRA*, ser. i, vol. VI, pp. 208-211; R. Hassall to n.n., 8 September 1808, Hassall Correspondence, M.L. A859, ff.232-4.

¹⁰² G, Suttor, M.L. C783, f.9.

¹⁰³ R. Hassall to n.n., 8 September 1808, Hassall correspondence, M.L.A859, ff.234-6; A. Berry, *A Narrative of a Voyage*, loc. cit; Provost-Marshal Gore to Viscount

In consultation with his advisers, Bligh decided to summon the officers who had sat on the court to appear before him on the following day. He also requested the attendance of Major Johnston who was at this time confined to bed after sustaining serious injuries in a fall the previous night. Aware that Macarthur was not in the custody of the provost marshal, the governor referred the matter to Palmer and Campbell. When Gore placed before them an affidavit which declared that the prisoner was not in his custody, they issued a warrant for Macarthur's arrest.¹⁰⁴

On the morning of the 26th, in compliance with the warrant, Gore apprehended Macarthur and placed him in the Sydney gaol. Wentworth found the atmosphere in Sydney charged with apprehension. The six officers again assembled at the courthouse and sent two letters to the governor, one containing Macarthur's objections to Atkins presiding at the court, the second accusing Gore of falsely swearing that Macarthur was not in his custody. They requested Macarthur's release and the appointment of another judge-advocate. Government House remained silent and a tense stalemate developed.¹⁰⁵

The officers and supporters of Macarthur waited until 3 p.m. when they adjourned the court and repaired to the barracks.¹⁰⁶ Wentworth joined with Nicholas Bayly, the two Blaxlands, Dr Townson and his brother, Dr Jamison, Blaxcell and Simeon Lord in discussing possible alternatives to bring the matter to a satisfactory conclusion. They formed an agitated group

Castlereagh, 27 March 1808, HRNSW, vol. 6, pp. 554-5.

¹⁰⁴ Major Johnston to Viscount Castlereagh, 11 April 1808, HRA, ser. 1, vol. VI, p.211; Provost-Marshal Gore to Viscount Castlereagh, 27 March 1807; Governor Bligh to Viscount Castlereagh 30 April 1808, HRNSW, vol. 6, pp.556,615-6.

¹⁰⁵ Major Johnston to Viscount Castlereagh, 11 April 1808, HRA, ser.1, vol. VI, p.211; R.Hassall to n.n., 8 September 1808, Hassall Correspondence, M.L. A859, ff. 234-8.

¹⁰⁶ Major Johnston to Viscount Castlereagh, 11 April 1808, HRA, ser.i, vol VI, p. 211-212.

which paced from the barrack room onto the parade ground and inside again awaiting developments.¹⁰⁷

A flurry of activity followed the arrival of Major Johnston from his country house. He was greeted at the barracks by a gaggle of civil officers and free settlers who surrounded him and, according to his account, repeated "with importunate clamour a solicitation that I would immediately place the Governor under arrest." Furthermore they solemnly assured him, if he did not, "an insurrection and massacre would certainly take place; and ... that the blood of the colonists would be upon my head."¹⁰⁸ Johnston then entered into conversation with Bayly and Blaxcell, who appeared to be most forward in agitating for the governor's arrest. They also urged him to liberate Macarthur so they could consult with him on the most propitious measures to be taken in the crisis.¹⁰⁹ Johnston considered conferring with the governor, but the officers feared that Bligh would detain him and pressed Johnston to proceed with their proposal.¹¹⁰ Under a signed order, Major Johnston directed the gaol-keeper to deliver Macarthur into the custody of Blaxcell and Bayly. On liberation from confinement, Macarthur joined the assembly at the barracks. Johnston and Macarthur retired into an adjoining room and, after a brief discussion emerged. Macarthur drew up a requisition for the arrest of Bligh, signed it and left it for others to endorse. Blaxland signed next, but it remains unclear at what time subsequent persons signed the document.¹¹¹ The requisition declared:

¹⁰⁷ Evidence of J. Macarthur. A.F. Kemp, W. Minchin, Proceedings of a General Court Martial ... Geo. Johnston, pp. 205, 209, 220, 236, 267.

¹⁰⁸ Evidence of G. Johnston, ibid., p. 151-2.

¹⁰⁹ Major Johnston to Viscount Castlereagh, 11 April 1808, HRA, ser. i, vol. VI, p. 212.

¹¹⁰ G. Johnston to the Duke of Northumberland, 16 December 1811, George Johnston's Letterbook 1811-1812, M.L. C474, pp.6-7.

¹¹¹ Evidence of J. Macarthur, W. Minchin, C. Grimes and J. Blaxland, Proceedings of a

The present alarming state of this Colony, in which every Man's Property, Liberty and Life, is endangered, induces us most earnestly to implore you instantly to place Governor Bligh under an arrest, and to assume the Command of the Colony.

We pledge ourselves at a moment of less agitation to come forward to support the measure with our fortunes and our lives.¹¹²

Any individual who signed this document irretrievably implicated himself in the projected overthrow of the governor. Wentworth's sympathies rested with the rebels, but reason and calculated self-interest urged caution. He was nearly 48 years old, owned large tracts of land, and his professional future in the colony hung in the balance. In the opening paragraph of his memorial to Castlereagh, he had, with pride and confidence, declared that he had discharged the duty of assistant surgeon in New South Wales for seventeen years, twelve of which he had the honour to hold His Majesty's Commission and that he had always received the approbation of his superior officers. The reaction of Whitehall to the overthrow of a governor was unknown. Wentworth's participation in the arrest of Bligh might jeopardize his reinstatement as surgeon, or, at the extreme, lead him to the gallows. Yet, Wentworth abhorred the prospect of remaining in the colony to suffer further injury under Bligh. Neutrality would place him in danger of drawing the enmity of both factions. Ideally he wished the governor deposed and to remain friendly with the rebels, but he also wanted to retain the favour of his superiors in England. Wentworth chose to support the mutiny, but did not commit himself by signing the requisition.

General Court Martial ... Geo. Johnston, pp. 209, 267, 285-7, 301-3.

¹¹² Civil Officers and Respectable Inhabitants to Major George Johnston, 26 January 1808, M.L. Doc. 61. Copy in Piper Correspondence, vol. III, A256, f.341; Papers of Governor King referring to Bligh, M.L. A1982.

At sunset Johnston ordered the drums to beat to arms, at which signal the soldiers, dressed in full regimentals, immediately gathered in the barrack-yard. With bayonets fixed and colours flying, they fell into line. Major Johnston, his right arm in a sling and face disfigured by bruises, took his place at the head of 300 of his troops; they set off for Government House with the band playing the "Grenadiers March." Mr Harris and Lieutenant Moore, both members of the corps, marched with them. Jamison, the Blaxlands, Macarthur and his son Edward, Grimes and Dr Townson, accompanied the battalion. Messrs Bayly and Blaxcell brought up the rear composed of stragglers who had not fallen in with the main body. Wentworth most likely joined the laggards.¹¹³

Meantime, the governor's guard under the command of Lieutenant Bell, together with a group of young officers including Captain Kemp and Lieutenants Minchin, Lawson and Draffin, had already forced their way into Bligh's house. They had begun searching for the governor who, on hearing the approach of the regiment, had retired to a back room in order to conceal his papers. He later maintained that he had only five minutes' warning of the insurrection and that his intention was to escape to the Hawkesbury where he felt the settlers would support him. When the soldiers finally located the governor they escorted him downstairs where he found "troops stationed all round the walls, just like a Robespierrean party, or a revolutionary tribunal."¹¹⁴ Bligh was taken before Johnston and, in the presence of Dr

¹¹³ For contemporary accounts of the rebellion see; W. Bligh, Notes by Bligh, June 1808, King Papers, vol. 1, M.L. A1976, ff. 149-50; Governor Bligh to Lord Minto, 12 August 1808, Governor Bligh to Lord Pellan, 15 August 1808, M.L. Safe 1/45, ff. 147-8, 163-8; Major Johnston to Viscount Castlereagh, 11 April 1808, HRA, ser. 1, vol. VI, p.213; Provost-Marshal Gore to Viscount Castlereagh, 27 March 1808, HRNSW, vol. 6, pp.556-9.

¹¹⁴ Evidence of Governor Bligh, Proceedings of a General Court Martial ... Geo. Johnston, p. 26.

Townson, the Blaxlands, Blaxcell, Charles Grimes, Jamison, Bayly, Hannibal and Edward Macarthur, was placed under arrest. Wentworth did not join these men inside Government House, but waited outside with the troops and the large crowd which milled about anxious to know the meaning of the commotion. He did not assist the officers in rummaging through the governor's public and private papers or in rifling through the files of the judge advocate.¹¹⁵

That night small preliminary committees of the rebels conducted inquiries into the affairs of the government. Again Wentworth took no active role. Palmer, Gore and Campbell were arrested. The Reverend Henry Fulton was interrogated by what he termed a revolutionary committee, and ordered to return to his house and to consider himself under arrest. Griffin was taken before a similar committee composed of Dr Townson, John Blaxland, Lieutenant Draffin and John Macarthur, who questioned him about the governor's conduct and arrested him. Grimes and Bayly interrogated James Williamson, the deputy commissary.¹¹⁶

By about a quarter past eight that evening the rebels had secured the governor and seized all his public and private papers, letter books, the great seal of the colony and commissions. Johnson ordered five sentinels to be placed in and about Government House and the troops to be withdrawn.¹¹⁷ Macarthur gloried in the triumph; he informed his wife that he had been all day contending for the liberties of the unfortunate colony and expressed his

¹¹⁵ Provost-Marshal to Viscount Castlereagh, 27 March 1808, HRNSW, vol. 6, pp. 558-9; Governor Bligh to Viscount Castlereagh, 30 April 1808, HRA, ser. i, vol. VI, pp. 430-3; R. Hassall to n.n., 8 September 1808, Hassall Correspondence, M.L.A859, f. 240.

¹¹⁶ Evidence of R. Campbell, W. Gore, Mr Fulton, E. Griffin and J. Williamson, Proceedings of a General Court Martial ... Geo. Johnston, pp. 84, 100, 106-7, 109-11.

¹¹⁷ Governor Bligh to Lord Pellan, 15 August 1808, M.L. Safe 1/45, ff. 164-5.

happiness at succeeding beyond his expectations. Turning his thoughts to Bligh, he stated: "The tyrant is now no doubt gnashing his Teeth with vexation at his overthrow - may he often have cause to do the like."¹¹⁸ George Caley took a more serious view of the coup. He observed that those who had seized office were transported with joy on the occasion; but cautioned that only time would reveal the outcome.¹¹⁹

Throughout this affair Wentworth had sided with the rebels against Bligh. Although he was a member of the group at the barracks who urged Johnston to depose the governor, and while he subsequently accompanied the troops on their march to Government House, he remained in the background. He had supported and sympathized with the officers' cause, but had never assumed a prominent role in the insurrection.

¹¹⁸ J. Macarthur to E. Macarthur, n.d. (probably 26 January 1808), Macarthur Papers, vol. II, Letters written by J. Macarthur to his wife. M.L.A2898, f.2.

¹¹⁹ G. Caley to J. Banks, 14 April 1808, Banks Papers, vol. 20, A83, f. 275.

Chapter 6

The Aftermath 1808 - 1809

Scenes of jubilation ushered in the new government, as people busily prepared for the evening festivities. Once night fell, Sydney Town came to light with illuminated houses and huge bonfires. Invigorated with spirits, many inhabitants gathered in clusters to celebrate Bligh's downfall.¹ At Church Hill on 28 January a boisterous crowd jeered at an effigy of the deposed governor, tossed it into the flames and gave three loud cheers, after which the military band struck up a tune called "The Silly Old Man".² On the same evening at Parramatta a group of inhabitants roasted two sheep and at a bonfire opposite Government House paraded an effigy of Francis Oakes, the chief constable.³ Posters and pictures appeared: one bore the words "No Gore. No Tyranny. Johnston for ever!"; another depicted the cowering figure of a man, understood to be Bligh, being dragged from beneath a bed by two soldiers. Serjeant Whittle placed the latter picture between two lamps in his room for public inspection.⁴

Rebel supporters held this merrymaking to be a spontaneous and genuine outburst of exuberance on their release from oppression. Their

¹ Evidence of J.Palmer, F.Oakes, E.Griffin, G.Johnston, J.Macarthur, Proceedings of a General Court Martial ... Geo. Johnston, pp. 80-1,93,109-110,155,197-8; Major Johnston to Viscount Castlereagh, 11 April 1808, HRNSW, vol. 6, p.584.

² Evidence of I.Champion, W. Bremlow, Proceedings of a General Court Martial ... Geo. Johnston, pp.114,116.

³ Evidence of F.Oakes, ibid., p. 93.

⁴ Evidence of I.Champion, R.Davis,T.Finnegan, T.Tait, C.Walker, ibid., pp. 114,115,117,121, 137.

opponents saw only anarchy, and complained that the colony had fast deteriorated into a state of intoxication, riot and confusion. The participation of some colonists in the festivities was neither sincere nor willing, but even those removed from the power play of colonial politics found themselves compelled to join in the revelry. The sight of soldiers bearing side-arms, obliged a number of citizens to fetch firewood for the bonfires; others who were threatened with having their windows broken or their residences demolished prudently illuminated their homes.⁵ The presence of the senior officers, Johnston and Abbott, together with Macarthur and Minchin, at the main bonfire in Sydney indicated that the established order had passed and a new one had come into being.⁶

Although Wentworth supported the rebel cause, throughout this period of public celebration he remained discreetly on the periphery. Not a single colonist noticed his presence at the festivities, or mentioned his participation on the committees which probed into the affairs of the deposed government and interrogated its principal officers.⁷

At this parlous stage of the rebellion, with the governor and his advisers under arrest and many inhabitants uncertain of where to place their allegiance, the usurpers realized the need to consolidate their position of power. The celebrations heralded the transfer of power, but they did not confer authority. The new rulers, lacking any legal credentials to govern, therefore sought to generate confidence and to build trust by officially

⁵ Evidence of J.Palmer, M.Mason, C.Walker, *ibid.*, pp.80-1,122, 137; W.B.Hugh to Lord Pellan, 15 August 1808, M.L. Safe 1/45, f.165; G.Suttor, *Memoirs*, p.49.

⁶ Evidence of I.Champion, *Proceedings of a General Court Martial ... Geo. Johnston*, p.114.

⁷ Abbott to P.G.King, 13 February 1808, M.L. A1976, f. 121h; G.Johnston to Col. Gordon, 9 April 1808, M.L. Doc.61; Appendix to *Proceedings of a General Court Martial ... Geo. Johnston*, No.XVIII, p.444.

marking their ascendancy and establishing their credibility as responsible leaders. Lost in the crowd, Wentworth witnessed the inauguration of the new administration.

At 10 a.m. on 27 January 1808 the drums beat to arms, summoning the soldiers and inhabitants to assemble for the reading of a proclamation. Assuming the pomp of an official ceremony, Lieutenant Minchin read an address designed to assuage fears and convince the general populace of the worth of the new government. He announced that public peace had been restored and martial law discontinued. The address congratulated the soldiers on their manly and honourable conduct, and pledged that the impartial administration of justice according to the laws of England would be observed so that "no Man shall have just cause to complain of violence, Injustice or Oppression."⁸

Minchin announced that Richard Atkins had been suspended from his position as judge-advocate and Abbott appointed in his stead. Furthermore, he proclaimed that all persons who had previously held the office of magistrate had been dismissed; Kemp, Harris, Jamison, Grimes, Minchin, Blaxcell, John Blaxland and Archibald Bell were sworn in as their replacements. Bligh's chief advisers - Palmer, Campbell, Gore and Griffin - had been suspended from office and Nicholas Bayly appointed as secretary to the lieutenant governor. By sweeping Bligh's supporters from office and substituting their own, the rebels left no doubt as to who wielded power.⁹

To enhance the solemnity of the inauguration, Johnston invited all to

⁸ For proclamation 27 January 1808 see Piper Correspondence, vol.III, M.L. A256, f.344. Evidence of W.Bligh, Proceedings of a General Court Martial ... Geo. Johnston, p.35; R.Hassall to n.n., 8 September 1808, Hassall Correspondence, M.L. A859, f.242-4,

⁹ Government Order, R.Hassall to n.n., 8 September 1808, Hassall Correspondence, loc.cit., f.240-2; General Order 27 January 1808, Appendix to Proceedings of a General Court Martial ... Geo. Johnston, no. XVIII, pp.445-6.

join with the civil and military officers, and those well-disposed to the new order, to attend worship at the new church on the 28th. In a formal ceremony they offered thanks to Almighty God for his merciful intervention in delivering them, without bloodshed, from tyranny.¹⁰

Apart from this public rite of inauguration, the rebel rulers worked at projecting a united front. By spearheading the march on Government House and placing the governor under arrest, the military had clearly implicated themselves in the rebellion. As a mark of solidarity, even though the deed had already been accomplished, civilian officers and settlers who supported the new administration began to sign the requisition for the governor's arrest. Presented with this document, Wentworth saw before him the signatures of Macarthur, the Blaxland brothers, Mileham, Lord, Blaxcell, Jamison, Grimes and Abbott. All these men were involved in the rebellion, some were his closest friends and colleagues, and many now held influential positions in the new administration. Although he looked to benefit from the rebellion, he was reluctant to accept responsibility for its initiation. Wentworth had carefully refrained from identifying too closely with the usurpers, but now faced ostracism from the group if he failed to conform to its expectations. Thus, on this occasion, he moved from the rebel penumbra and signed as the twelfth petitioner for Bligh's arrest. Under pressure from the rebel faction to demonstrate further his commitment to the rebellion, Wentworth, before retiring again into the shadows, joined with them in endorsing an address of gratitude to Johnston. Dated 27 January, it thanked the Lieutenant-governor for rescuing them from a government which sought their ruin and hailed the new commander as "the Protector of our Property -

¹⁰ Government and General Order, 30 January 1808, HRNSW, vol. 6, p.458; Appendix to Proceedings of a General Court Martial ... George Johnston, No. XVIII, p.446.

Liberty, Lives and Reputations."¹¹

Conscious of their vulnerability and of the importance of appearing to have community approval, the rebels publicly asserted that their support was widely based. Their opponents, however, maintained that most inhabitants were shocked by Bligh's arrest and that very few actively engaged in the plot.¹² In view of the seriousness of their actions, which their enemies delighted in denouncing as akin to those of the French Revolution, the rebels endeavoured to secure proof of the sincerity and popularity of the coup by encouraging settlers to endorse declarations of support.¹³ One address, presented to Johnston on 30 January and signed by 66 persons, expressed gratitude for his actions in extricating the loyal inhabitants from the dread and horror caused by the recent arbitrary measures. Ironically, some of the signatories had pledged their allegiance to Bligh on the previous New Year's Day, but now recanted with an apology for being so misguided.¹⁴

¹¹ Wentworth's signature on the requisition appears after Grimes's. For Grimes's account of his signing see evidence of C.Grimes, Proceedings of a General Court Martial ... Geo. Johnston, pp.285-7. Copy of the requisition for Bligh's arrest, Copy of original Documents, M.L. A1982, also in HRNSW, vol 6, (inserted between pp.434-5). Address of 27 January 1808, M.L.DOC 61, also in HRNSW, vol.6, (inserted between pp.454-5).

¹² R.Hassall to the London Missionary Society, 26 August 1808, Bonwick Transcripts - Missionary, vol. 1, f.282; Memorial, 4 November 1808, Hassall Correspondence, M.L.A859, ff. 255-6; Suttor Family, Correspondence, re Bligh Case, M.L. MSS.2417/3, ff.1-5; R.Gore, Memoranda, 10 October 1809, M.L. Safe 1/45, f.265. See also the evidence of R. Campbell, F.Oakes, W.Gore, H.Fulton, E.Griffin, C.Walker, G.Johnston, J.Macarthur, W.Minchin, Proceedings of a General Court Martial ... Geo. Johnston, pp.83, 91, 97, 106, 109, 136, 140, 186, 242.

¹³ For references comparing the rebellion to the French Revolution see G.Suttor, M.L.C783, f.13, Evidence of W.Bligh, Proceedings of a General Court Martial ... Geo. Johnston, p. 35. Fulton referred to the rebel Courts as "assassination Committees", H.Fulton to Mrs Bligh, n.d.(June 1809?), Banks Papers, vol. 6, 78-5, f.154. In a letter to Lord Pellan, Bligh declared that "a scene of horror was continued for many days, which in every point, except murder, was an epitome of the French Revolution." W.Bligh to Lord Pellan, 15 August 1808, M.L. Safe 1/45, f.165.

¹⁴ Address of Settlers to Major Johnston, 30 January 1808, HRNSW, vol. 6, pp. 458-9.

Although the ceremonies and addresses bore an outward stamp of free and popular acceptance of the new administration, there was uncertainty and apprehension. The last paragraph in the 27 January address highlighted the insecurity felt by the rebels and their awareness of the fragility of their newly-won power. Mindful of their future, they suggested to Johnston that he refuse to surrender his command to any senior officer arriving in the colony before His Majesty's instructions were known, unless that officer confirmed the measures they had undertaken. In retrospect, Blaxland admitted that the inclusion of this paragraph was unwise.¹⁵ Moreover, the means employed by the usurpers to obtain signatures revealed the desperation which drove them to manufacture an impression of mass support.

Those inhabitants excluded from the ruling circle had little wish to second the actions of the military. The rebels' supporters, however, placed pressure on the inhabitants to sign the requisition for Bligh's arrest and the numerous addresses of support for Johnston and his soldiers. Realizing that the rebels held power, temporarily at least, and could materially injure any person opposing them, a number signed the documents for self-preservation. Like Wentworth, they appreciated that non-compliance would arouse displeasure and that they risked being victimised if they refused to endorse the addresses. Whereas Wentworth responded to pressures arising from his membership of the rebel faction, others were coerced into signing by implied threats of injury or direct acts of intimidation which included imprisonment or the withdrawal of government servants.¹⁶ Sinister

¹⁵ Copy of Address, 27 January 1808, M.L. DOC 61; E. Abbott to P.G.King, 13 February 1808, M.L. A1976, ff.121b-c; Evidence of J.Blaxland, Proceedings of a General Court Martial ... Geo. Johnston, pp.303.

¹⁶ Memorial from the Free Settlers to Viscount Castlereagh, 3 November 1808, M.L. Ab69;

elements of mob rule lay behind the celebrations and the campaign to conscript supporters. Although in private communications Wentworth advanced the rebel cause, he kept aloof from the heavy-handed measures used to gather signatures.

The rebel leaders appreciated that the support of the general populace served only their immediate needs. Convincing the home government of the probity of their actions was a greater challenge. From the colony's inception the distance separating it from the seat of government had posed problems. Unable to assess colonial circumstances at first hand British politicians and civil servants relied on written reports from those in the colony, or on oral accounts carried back by those who returned. Inevitably, conflicting accounts reached Whitehall. Patronage networks helped those seeking to influence the decision-makers.¹⁷

As they kept Bligh a prisoner and had access to his and his advisers' public and private papers, the rebels were better placed to present and have accepted their version of the rebellion. They also controlled the mail and shipping leaving the colony. Bligh certainly felt that his correspondence would be intercepted by his enemies. Realizing the advantage to be gained by being the first to make representations home, the rebel leaders arranged to convene a public meeting to appoint a delegate to go to England to plead their case.

R.Hassall to n.n., 8 September 1808, Hassall correspondence, M.L. A859, f.240. Also see G.Suttor's account, M.L. MSS.2417/5, f.2, and the evidence of M.Mason, N. Divine, C.Walker, Proceedings of a General Court Martial ... Geo. Johnston, pp. 122-6, 133-5, 137-8.

¹⁷ J. Hunter provided a good account of the difficulties confronting the Home government in assessing the accuracy of reports from New South Wales, Notes on New South Wales, August 1806, M.L. MSS.1462/5, f.1-4. Bligh and Caley certainly felt that their mail would be intercepted, see comments by G.Caley to J.Banks, 28 October 1808, Banks Papers, vol 8, A79-1, ff.190-1.

On 8 February 1808 the bellman gave notice that the inhabitants were requested to assemble at the church at 8 o'clock that night. Wentworth made his way to this gathering where he met Bayly, Blaxcell, John Blaxland and Minchin. Some days before this announcement, a considerable quantity of spirits had been landed; primed by the generous supply of liquor, the crowd warmed to the occasion and the meeting became lively, noisy and disorderly.¹⁸

In a tremulous voice Blaxcell called the meeting to order. With Blaxland's assistance, he explained that they had not gathered to commemorate the "ever memorable 26th January last", but to reassure the inhabitants that the lieutenant-governor's sole motive was to "keep inviolate the laws of the British Nation, and the Rights and Liberties of Englishmen ... and to suppress that Tyranny under which every Inhabitant of this Country groaned." The assembly voted to present a sword to the value of 100 guineas, together with an address of gratitude, to Johnston for his wise and salutary measures in ending the reign of oppression. Carried along by enthusiasm, the meeting also agreed to present an address to the New South Wales Corps congratulating them on their conduct in the arrest of the governor, as well as to present one to Macarthur. It was, moreover, agreed that a delegate should be appointed to proceed instantly to England and place before His Majesty's ministers the hardships they had endured under Bligh's administration. They voted that Macarthur should fill this appointment and called upon him to respond.¹⁹

¹⁸ E. Abbott to P.G.King, 13 February 1808, M.L. 1976, f.121g; Memorandum of the Proceedings of a Committee called 8 February 1808, M.L. Safe 1/41, ff.29-34; Governor Bligh to Viscount Castlereagh, 30 April 1808, HRNSW, vol. 6, pp.625-6.

¹⁹ Memorandum of the Proceedings of a Committee called 8 February 1808, M.L. Safe 1/41, ff.29-34.

Sensing the mood of his audience, Macarthur expounded on the injuries he had received from Bligh and the bench of magistrates. He held himself before the mob as "a Man who had nearly fallen a Victim to a band of Bloody minded (or Blood thirsty) Wretches Yea; Villains who wanted to drink his Blood." Macarthur praised God for his timely deliverance from ruin. He then thanked those gathered for conferring upon him the honour of appointing him their delegate and promised to work tirelessly in their service. Blaxcell then proposed that they raise a sum of money by voluntary contribution to assist Macarthur in undertaking his task.²⁰

Simeon Lord, together with his business partners Kable and Underwood, pledged £500; Bayly, Blaxcell and John and George Blaxland each promised £100. Wentworth demonstrated no commitment to the rebel cause. For all the euphoria, the goodwill soon dissipated, the voluntary fund lapsed and Macarthur remained in New South Wales assuming the office of secretary to the colony.²¹

The new regime set out formally to discredit Bligh's administration and used Richard Gore as a scapegoat. On 1 March he faced trial for wilful and corrupt perjury. The prosecution alleged that he had sworn that Macarthur had escaped from custody. Using the courtroom as his platform for resistance, Gore denied the legality of the proceedings. His trial was set aside, but the court refused him bail and jailed him for 81 days while awaiting another hearing. The new administration also publicly vilified Crossley for practising as an attorney after having been convicted of perjury and sentenced him to be transported for seven years to the Coal

²⁰ ibid.

²¹ ibid.; Document included in the examination of John Blaxland, Proceedings of a General Court Martial ... Geo. Johnston, p.300. See also Governor Bligh to Viscount Castlereagh, 30 April 1808. HRNSW, vol. 6, pp.625-6.

River.²² Henry Fulton, the acting principal chaplain and a friend of Bligh, was prohibited from performing the duties of his sacred office.²³

While such measures warned any who might contemplate challenging the existing administration, the usurpers used favours to encourage allegiance and to reward supporters. Wentworth had remained quietly loyal to the rebels and he soon reaped the benefits. Having sorted through Bligh's papers, the investigation committees located documents associated with Wentworth's suspension. On 31 January, under directions from Johnston, Bayly sent Wentworth a copy of Bligh's letter to William Windham, the secretary of state for war and the colonies, which contained the late governor's scathing censure of the doctor's misconduct. The depositions of Oakes and Beldon, detailing Wentworth's employment of patients for domestic purposes, were also included in this dispatch. In handing over these documents to Wentworth, Bayly explained that Johnston considered it wrong for any man to be accused of an offence without having an opportunity to defend himself. He advised Wentworth to examine the papers and then to proceed with whatever measures he felt appropriate.²⁴

For the first time Wentworth became acquainted with the reasons for his dismissal. Oakes had declared in the deposition taken on oath on 23 July 1807 that, since returning from Norfolk Island, Wentworth had taken many men to his farm for different reasons and "changed them more or less as he found it convenient." In general terms he claimed that the admission of

²² W.Bligh to Lord Pellian, 15 August 1808, M.L. Safe 1/45, f.165; evidence of W.Gore, Proceedings of a General Court Martial ... George Johnston, p.104.

²³ Evidence of H.Fulton, *ibid.*; p.107; R.Hassal to n.n., 8 September 1808, Hassall correspondence, M.L.A859, ff.240-6.

²⁴ N.Bayly to D.Wentworth, 31 January 1808, HRNSW, vol. 6, pp.459-60. T.Jamison also received documents relating to his dismissal as magistrate, see T.Jamison to G.Johnston, 14 February 1808, M.L. MSS 681/ 2, f. 225.

patients into the hospital and their engagement in private service was well known. Oakes noted that, of the five men he had removed from Wentworth's farm, all were fit for labour, except Griffin who had a limp. Moreover, he claimed that these men included, James McDonald who had been employed privately on Wentworth's property for 16 weeks, Killarney for a month, Steakham for six months and Davy for 10 days. Another government man, Francis Horton who had been a patient at the hospital receiving treatment for a sore thumb had also been employed by Wentworth for four or five months until discharged and replaced with Davy. Oakes maintained that the two men allocated to work in the hospital garden were frequently taken from this task and set to work on Wentworth's farm, adding that sometimes these men would work for only one day per week at the hospital. Furthermore, he alleged that he knew of patients who had been allowed to wander about the country creating mischief and who had been apprehended and sent back to government labour. Oakes stated that he knew of labouring men who had left their masters and declared themselves sick in order to be admitted to the hospital. He then added that, after the "poor settlers" had fed them for a fortnight, they still lost their government men who were allowed to work for other individuals. Casting further aspersions Oakes asserted that, in order to avoid government labour patients paid money to be allowed to remain in the hospital. Beldon corroborated Oakes' statements.²⁵

In his letter to Windham Bligh had highlighted the hardship suffered by settlers in having their servants unnecessarily detained in hospital. He maintained that, during his journeys through the country, the settlers had related how their assignees constantly fabricated excuses to obtain entry to

²⁵ Depositions of F.Oakes and Beldon, HRNSW, vol. 6, pp.369-70.

the hospital. They further complained that, after victualling them for fourteen days as required by colonial regulations, they still had not received their servants back which caused them even greater hardship.²⁶

Dismayed by the contents of the documents, Wentworth took his cue from Johnston and requested a court martial. Macarthur's trial on 2 February had already established a precedent. Bound by their complicity in the arrest of the governor, and, actuated by a desire to vindicate their conduct, the rebels used the court room to vilify the governor. Although Macarthur faced a number of charges, including defiance of the governor's orders, in effect Bligh and his advisers stood trial. During the proceedings Macarthur sought to prove Bligh's enmity towards him, to establish that the governor had intimidated and abused the judge-advocate, "an old man of 60 years of age", and to show that Bligh had been influenced by "the well-known perjured and pilloried attorney" Crossley. The court readily assisted the defendant in destroying Bligh's credibility.²⁷ Even the supporters of the rebellion acknowledged the blatant bias of the proceedings; Abbott, the second most senior officer on the mainland, admitted that the trial was a mockery in which every advantage rested with Macarthur.²⁸ Nevertheless Macarthur was chaired around the town after the announcement of his acquittal.²⁹

Undoubtedly buoyed by the results of Macarthur's trial, Wentworth prepared for his own. The newly appointed judge-advocate Grimes, transmitted to Bligh on 16 February 1808 a copy of the charges preferred

²⁶ Governor Bligh to the Rt. Hon. W. Windham, 31 October 1807, *ibid.*, pp. 368-9.

²⁷ See abstract of and Some Remarks on the Trial of John Macarthur by order of his Honour George Johnston, n.d., Banks Papers, vol. 4, 78-3, ff.302-3. Trial of John Macarthur, *HRNSW*, vol. 6, pp. 465-510, see especially pp. 489-90.

²⁸ E. Abbott to P.G. King, 13 February 1808, M.L. A1976, ff. 121f-g.

²⁹ Evidence of J. Harris, Proceedings of a General Court Martial ... Geo. Johnston, p.334.

against Wentworth and sought to know if he wished to nominate the prosecutor, or if he desired the prosecution to be conducted in any particular manner. Bligh retorted that he could not enter into any such proceedings until his return to England; where he felt that only he could assign reasons for actions taken in the colony.³⁰ Despite his protest, the court martial went ahead. Abbott again criticized Johnston for allowing such a sham to proceed and expressed gratitude that he was not involved.³¹ His brother officers however, showed no reticence in forming a court. Kemp was sworn in as president, and joined with Grimes and Lieutenants Moore, Lawson, Laycock and Draffin to conduct the trial. The charges exhibited against Wentworth derived directly from the information contained in the depositions. The first charge accused him of employing servants of the Crown, entrusted to his care, in labouring on his ground and in overseeing his livestock. Secondly, Wentworth stood charged with employing assignees, sent to the hospital for treatment, for his own private emolument which caused loss and injury to their masters and subjected the government to heavy expense. Wentworth pleaded not guilty to both charges.³²

The depositions of Oakes and Beldon together with Bligh's letter to Windham, were read in court.³³ The governor's secretary, Edmund Griffin, appeared as the first witness for the prosecution and verified that they were true copies of those transmitted home. Wentworth sought to draw attention away from the damaging testimony that he had employed James McDonald, James Griffin, Lawrence Killarney, Thomas Steakham and

³⁰ C.Grimes to W.Bligh, 16 February 1808, W.Bligh to C.Grimes, 16 February 1808, in Court Martial of D.Wentworth, 17 February, HRNSW, vol. 6, p. 522.

³¹ E.Abbott to P.G.King, 13 February 1808, M.L. A1976, ff. 121h-i.

³² Court Martial of D.Wentworth, HRNSW, vol. 6. p.522.

³³ Oakes's and Beldon's depositions, ibid., p. 369-70.

Michael Davy on and about his farm by proving that he had not used settlers' servants. He pressed Griffin to name any settler who had complained of having a servant detained improperly by him in the hospital. Griffin could not recollect any such individual. Pleased with this answer, Wentworth then sought to expose Bligh's arbitrary and unfair treatment. Through Griffin's testimony, Wentworth established that on 18 April 1807 he had sought the governor's permission to employ two convicts, not to be victualled by government, to care for his horses, but had been refused. According to the evidence, Wentworth then begged Griffin to inform the governor that it would be impossible for him to carry out his duties unless he had two men to manage the horses which he used on official business. Bligh was unmoved. Griffin told the court that the doctor had approached him a third time and requested him to inform the governor that he could not attend the sick at Castle Hill, a settlement nine miles from Parramatta, and that he would be compelled to order the sick of all description into the hospital.³⁴

Francis Oakes appeared as the second witness for the prosecution. He related to the court the events of 3 July 1807 when, under orders from Bligh, he had removed five prisoners working on Wentworth's farm and set them to work at government labour. When challenged by Wentworth, Oakes could not name one settler's servant who had been improperly admitted to, discharged from, or detained in the hospital. Wentworth taxed him about other irregularities alleged to have been committed at the hospital. Oakes could not name any person who had been allowed to roam the country and cause mischief during Wentworth's administration of the hospital. Moreover,

³⁴ Evidence of E.Griffin, *ibid.*, pp.522-3.

he maintained that, although Wentworth had employed the hospital gardeners on his property, he did so only during their own time and that the hospital garden was in good order.

The president of the court pursued a different line of questioning, directed at the circumstances surrounding the taking of the depositions. Oakes refused to give any substance to the innuendo of a deliberate conspiracy, but did agree that it appeared as though the governor wished to injure Wentworth. The court then turned its attention to the general practice of employing convalescent patients. Oakes suggested that it was customary for individuals to employ servants of the Crown after they had completed their government tasks.³⁵

The third witness for the prosecution, George Beldon, admitted that Wentworth employed patients from the hospital on his farm, and named Horton and Killarney as examples. Glossing over Beldon's testimony, the prosecution at this stage assumed the role of defence and returned to the issue of accepted practice. Leading the witness, the prosecutor asked pointedly if it was customary for the person in charge of the hospital to employ convalescent patients in light work about his barracks or garden, and whether Wentworth had acted contrary to established practice for an assistant surgeon. Beldon agreed that, although Wentworth employed convalescent patients, he had acted in accordance with custom. The prosecution again returned to the suspicious circumstances surrounding the taking of the depositions, but Beldon gave no weight to the suggestion of a conspiracy. Although Beldon appeared to have signed the deposition without full knowledge of its contents, neither the prosecution nor the defence

³⁵ Evidence of F.Oakes, *ibid.*, pp. 523-4.

attempted to capitalize on his admission.³⁶

Wentworth entered on his defence with an address to the court. He told of the disgrace he had suffered in being unfairly suspended from his situation after 17 years' faithful service, but expressed his pleasure in being able to vindicate his conduct. With theatrical magnanimity, Wentworth declared that, in consideration of the melancholy situation to which the governor had reduced himself, he would, in spite of the many injuries he had endured, refrain from attempting to explain Bligh's motives. Instead he informed the court that he would content himself with disproving the charges.³⁷

Although Wentworth did not endeavour to refute the statements that he had employed at least six hospital patients to work on his farm, he did attempt to justify his actions. He argued that his duties required him to travel long distances to attend the sick and that the governor had repeatedly refused his request for two government servants to care for his horses. Called to give evidence, Mileham concurred with Wentworth's submission that it had been the practice under previous governors, for assistant surgeons and principal surgeons to employ, with the governor's knowledge, convalescent patients in any way they considered proper. Indeed, Mileham asserted that, when Bligh first visited the hospital, he had informed the governor that he employed certain convalescent patients for his private convenience, to which Bligh voiced approval.³⁸

Calling upon Richard Rouse and George Mealmaker, both superindentents, to give evidence and making no reference to the five men

³⁶ Evidence of G. Beldon, *ibid.*, pp.524-5.

³⁷ Address of D. Wentworth, *ibid.*, p.525.

³⁸ Evidence of T. Jamison and Mileham, *ibid.*, pp.525-6. The six prisoners named in evidence were; Davy, Griffin, Horton, Killarney, McDonald and Steakham.

removed from his charge by Oakes, Wentworth asked them if they knew of any instance of his having refused to accept into the hospital any person requiring medical assistance, or of his having detained a patient longer than was necessary. They did not.³⁹

The dismissed judge-advocate appeared for the defence. Without any preamble, Wentworth asked Atkins if Bligh had bound him to keep silent about Oakes's and Beldon's depositions. Whereas Oakes and Beldon had refused to be drawn on the issue of a conspiracy, Atkins replied bluntly that subsequent to Wentworth's court martial he had been enjoined to secrecy. The court then questioned Atkins about the propriety of such methods. He agreed with their submission that, when depositions were taken against any person, the individual so accused should be acquainted with them. Satisfied with having emphasized the improper conduct of Bligh, Wentworth asked Atkins to comment on his professional conduct. Atkins informed the court that Wentworth could not have been more attentive as a medical man.⁴⁰ To promote further his good name, Wentworth called upon the president of the court and the deputy judge-advocate to vouch for his reputation. Kemp stated that he had known Wentworth for 13 years and had always considered him attentive to his duties and correct in his conduct as an officer. Echoing these sentiments, Grimes asserted that Wentworth, over a period of 17 years, had in every instance within his knowledge conducted himself with the utmost propriety as a doctor and an officer. Wentworth then closed his defence.⁴¹

³⁹ Evidence of R.Rouse and G.Mealmaker, *ibid.*, p. 526.

⁴⁰ Evidence of R.Atkins, *ibid.*, p. 527.

⁴¹ *ibid.*, p. 527.

In arguing that Bligh ignored his legitimate request for assistance in caring for the horses he used on duty, and in establishing that his conduct as assistant surgeon was consistent with established practice, Wentworth presented mitigating circumstances. Nevertheless, uncontested testimony showed that he had employed at least five convalescent patients for his private gain. Despite this evidence the court acquitted Wentworth of the first charge. The failure of the prosecutor to produce witnesses able or willing to identify any one settler who had complained of losing his servant because of his admittance into the hospital gave some credence to his acquittal of the second charge.⁴²

This trial exposed the tensions which existed in the colony between formal policy and informal practice, and between the administration's responsibility for community well-being and the private interest of the officers. While officially reprehensible, Wentworth's conduct in employing convict labour on his farm did not violate the unofficial code of ethics which had evolved over many years within the officer class. In 1811 David Dickenson Mann maintained that it had been customary for those in the medical department to use convalescent labourers for their own benefit. He argued that, at one point in the colony, a medical officer had employed up to 40 or 50 convicts from the hospital to further his private interests.⁴³ Towards the end of his administration, Hunter became aware of the private employment of convalescent labourers and of their being detained for longer than was necessary. He denounced this practice as a species of fraud which

⁴² Ibid.

⁴³ D.D.Mann, op.cit., p.72.

should be instantly stopped by the removal of those perpetrating the offence.⁴⁴

Yet the anomalies in colonial life persisted and, despite official denouncements, dual standards continued to operate throughout the colony. A level of abuse of privileges was tolerated and indeed promoted within the officer combination. Encouraged by their status in society, the officers felt entitled to pursue activities which enhanced their standing. Publicly and officially, activities such as the use of unauthorised convict labour, and the purchase and distribution of spirits, were condemned. Nevertheless, the officers regarded such indulgences as a right and expressed indignation when denied it. Governors were at times party to such abuses of privilege, but, as Wentworth discovered to his own cost, an individual could, if out of favour with those in authority, be held accountable for "official misconduct"⁴⁵

Although Wentworth took advantage of his position as doctor in charge of the hospital, he did not mistreat those under his care. Overwhelmingly, people in the colony held Wentworth in high regard as a medical practitioner and none of his opponents, including Bligh, insinuated that he mistreated his patients. The arrangements between Wentworth and those he employed probably benefited both parties. He furnished those convicts, who deliberately feigned sickness to avoid government labour or

⁴⁴ J.Hunter. Remarks on the Causes of the Colonial Expense of the Establishment of New South Wales. London, 1802, p.33.

⁴⁵ J.Mileham's evidence at D'Arcy's trial showed the governor's approval of the use of convict labour for private gain, Court Martial of D.Wentworth, op. cit., p. 526. The most glaring abuse of privilege involved the purchase and distribution of spirits. See, evidence of A. Fenn Kemp, W.Minchin, Proceedings of a General Court Martial ... Geo. Johnston, pp. 223, 246; comments by J.Holt, op. cit., pp.293-9; Report from the Select Committee on Transportation, 1812, p.4; and evidence of J.Palmer, R.Campbell before this committee, pp. 64, 68.

to escape from a severe overseer or master, with the means to achieve their ends and in return received free labour.⁴⁶

This court martial formed part of the ritual of inauguration. It served to exonerate a rebel supporter of any wrongdoing and to demonstrate that the new regime was setting to rights an injustice perpetrated by the former government. Although Bligh was not on trial, the new government used the courtroom to censure him, concluding:

The Court, adverting to what has appeared in evidence in the course of this trial, feel themselves called on by a sense of duty to express their pointed disapprobation of the novel and unprecedented measure of taking private depositions against an officer, to be transmitted to His Majesty's Ministers, without allowing the party accused an opportunity to defend himself.⁴⁷

Johnston, however, displayed cautious restraint when he issued the Government and General Order on 18 February. His proclamation stated that, although the lieutenant-governor approved wholeheartedly of the sentiments expressed by the court martial, he chose to insert only that part which stated that the prisoner was not guilty and thereby declared Wentworth's honourable acquittal.⁴⁸

The new lieutenant-governor who had overtly led the mutiny against his legally constituted predecessor, was aware of the need to justify his actions. In dispatches home Johnston detailed the events in the colony. He accused Bligh of betraying the trust and confidence which the Sovereign had

⁴⁶ James Vaux gives the prisoners' version of seeking refuge at the hospital and he mentions the humanity of the surgeon, J.H.Vaux, Memoirs of James Hardy Vaux, London, 1964, p. 205.

⁴⁷ Court Martial of D. Wentworth, HRNSW, vol,6, p. 527.

⁴⁸ Government and General Order, 18 February 1808, ibid., 6, p. 527.

placed in him and of engendering fear and alarm by his many and increasing acts of violence and oppression against the inhabitants.⁴⁹ Although Wentworth shied away from open involvement in rebel activities, he was prepared to promote the rebel cause and in his letters home he reiterated much of the rhetoric emanating from their camp. In April and May 1808 he blamed Bligh's unjust measures and his determination to violate the laws for provoking the rebellion. He supported Johnston's assertions that Bligh had improperly alienated Crown property for his own private purposes. He also fuelled the rumour of Bligh's disgraceful cowardice by suggesting that, on hearing that four officers were marching to Government House to arrest him, the governor hid himself in "a dark Closet between a Feather Bed and a Hair Mattress." Taking the opportunity to attain his former adversary Crossley, as well as Bligh, he asserted that nothing but the arrest of Bligh

could have saved the late Governor and his wicked advisers, at the head of whom was the notorious George Crossley, from falling Victims to an enraged People.⁵⁰

Wentworth willingly expressed his disapproval of Bligh and his administration, and unhesitatingly gave his approval to the coup. Yet, reluctant to admit complicity, he excluded himself from the events. His correspondence bore more the detachment of an onlooker than the commitment of a partisan. He informed Lord Fitzwilliam that Major Johnston had arrested the governor at the behest of "many of the Civil officers, and the whole of the Military, and great numbers of the most respectable Inhabitants." Rather than deny, justify or minimize his

⁴⁹ Major Johnston to Viscount Castlereagh, 11 April 1808, *ibid.*, p.576 ; G. Johnston to Earl of Liverpool, Macarthur Papers, M.L. A2897, f.168.

⁵⁰ D. Wentworth to Lord Fitzwilliam, 12 April 1808, Wentworth Woodhouse Muniments. See also D. Wentworth to Lord Fitzwilliam, 1 May 1808, *ibid.*, ff.92-3.

involvement in the coup Wentworth simply removed himself from the scene: he saw himself as a spectator.⁵¹ Yet, though he might fall silent on his involvement in the rebellion, he could not ignore the evidence brought to light during his second court martial.

In April 1808 he informed his patron of his honourable acquittal and of the court's animadversion on Bligh's conduct. Freed from the strict legal interpretation imposed by a court of law, Wentworth unashamedly admitted that he had employed convict labour for his own private advantage. He trivialized the offence by calling the charges frivolous, and justified his actions by arguing that he was simply following an established and accepted code of conduct.⁵² At this time he did not mention that the enthusiasm which had galvanized the military and civil officers and some settlers into a determined alliance had begun to wane, and that jealousy, rivalry and distrust had already re-emerged to split the rebels into opposing groups.

Since assuming the leadership, Johnston had endeavoured to impose order and regulation on the settlement. As head of the colonial government, he faced obstacles in his administration similar to those confronted by his predecessors. His credibility as a responsible commander relied on his ability to establish effective government, but the officers and settlers, who had urged him to seize power, now attended to their private interests. Thus, those upon whom Johnston looked for support became his principal opponents. In particular, the Blaxland brothers almost from the day of the governor's arrest became uncooperative and unreasonable. This development provoked Johnston to complain to Viscount Castlereagh that indulgence had made them more restless and dissatisfied, and that their impropriety

⁵¹ D. Wentworth to Lord Fitzwilliam, 1 May 1808, ibid.

⁵² D. Wentworth to Lord Fitzwilliam, 12 April 1808, ibid., ff. 101-3.

appeared to increase proportionately to their sense of having secured their privileges.⁵³

By this stage Wentworth had withdrawn to Parramatta to attend to his duties at the hospital.⁵⁴ Yet reservation and circumspection could not shield any individual from the political struggle. By late-April 1808 disgruntlement within the rebel ranks compelled Johnston to seek a reaffirmation of the officers' and settlers' allegiance. The apparent cause of unhappiness centred on Macarthur's holding the office of secretary to the colony and on the confidence that Johnston placed in him. The man who had once inspired loyalty now became an object for derision.

Together with a number of other officers, Wentworth received a letter from Johnston, dated 26 April 1808. Stating that he was aware of the discontent which prevailed among a few officers, Johnston charged anyone who held a grievance against his secretary to come forward and to state unequivocally the offence. He maintained that Macarthur would be dismissed if any wrong-doing were proved against him. He stressed that, in order to preserve peace, to promote prosperity and to ensure the honour of the government, the "party Spirit" which had prevailed since January needed to be excised. He reminded them of the pledge they had made to support him, and defended Macarthur by claiming that no officer could infer that his secretary "had not fulfilled his share of that solemn promise."⁵⁵

Wentworth conferred with twelve of the officers who framed a curt reply. They asserted that they would not presume to question the

⁵³ Major Johnston to Viscount Castlereagh, 11 April 1808, 30 April 1808, HRNSW, vol.6, pp.586, 631.

⁵⁴ Government and General Order, 18 February 1808, ibid., p. 527.

⁵⁵ Major Johnston to the Officers, 26 April 1808, Macarthur Onslow, op. cit., pp. 160-161, also in HRNSW, vol. 6, pp. 600-1.

lieutenant-governor's propriety in consulting, either privately or publicly, with any individual he thought proper. Furthermore, they stated that they would at all times experience much pleasure in obeying his orders, but declared bluntly that such sentiments sprang from a sense of duty, rather than from feelings of personal attachment. Their failure to mention Macarthur highlighted the tension which had arisen.⁵⁶

Three men - Kemp, Lawson and Draffin - who in Macarthur's mind harboured no animosity towards him were among the signatories.⁵⁷ These men, together with Wentworth, who apparently held no grudge against Macarthur, probably sought to avoid any worsening of the rifts already threatening their fragile coalition. Similarly, the officers who muttered about Macarthur perceived the same danger. Thus, whether friendly, antagonistic or indifferent towards Macarthur, each officer realized that his own welfare rested with remaining in a faction which appeared united. No one accepted Johnston's challenge. Their reply appears to have been a compromise to alert Johnston and Macarthur to their discontent, without precipitating open confrontation.

Resentment and murmuring continued. In May Macarthur accused the officers of behaving "scurvily". He regarded Abbott as the worst offender and denounced Bayly as a "violent oppositionist." According to Macarthur, Minchin had been ordered to carry despatches home though not "from any confidence placed in him"; Grimes was sent on a similar mission for his mischief-making. Macarthur maintained that, aside from Kemp, Lawson and Draffin, not a man afforded Johnston the least support. In short, he declared

⁵⁶ Officers to Major Johnston, 26 April 1808, Macarthur Onslow, *op. cit.*, pp.162-3 and in *HRNSW*, vol. 6, pp.601-2.

⁵⁷ J.Macarthur to J.Piper, 24 May 1808, Piper Correspondence, vol.I, M.L. A254, ff.138-139.

that "had they been given way to, the whole of the publick property would not have satisfied them."⁵⁸ Still under arrest in Government House, Bligh delighted in seeing his enemies divide into squabbling groups.⁵⁹

With the rebel coalition in disarray, Wentworth focused on his own concerns. The *Rose* which anchored in Sydney Cove on 15 April 1808 brought word of James Thompson's death.⁶⁰ Wentworth had feared that this man would return from extended leave, resume his position as senior assistant surgeon and effectively delay or even block his own promotion on the medical staff. The news of his colleague's death boosted Wentworth's hopes for succeeding to the post of principal surgeon and in May he directed his patron to undertake measures that would ensure his promotion. Aware that complications arising from his suspension could thwart his plan, Wentworth impressed Fitzwilliam with the necessity to secure the succession in his favour. In his letter he enclosed an extract from a dispatch from Mr Dundas to Major Grose bearing the date 15 November 1793 which stated: "it is intended that the Assistant Surgeons shall succeed to the Office of Chief Surgeon by Rotation and according to their Seniority from the dates of their Commission." In order to obtain a dormant commission for him to assume the office of principal surgeon in the event of Jamison's death or absence, Wentworth exhorted Lord Fitzwilliam to present this document to Whitehall.⁶¹

⁵⁸ *Ibid.*, f.138.

⁵⁹ Governor Bligh to Viscount Castlereagh, 30 April 1808, *HRNSW*, vol. 6, p.626,

⁶⁰ *Sydney Gazette*, 22 May 1808, p. 1c; D.Wentworth to Lord Fitzwilliam, 1 May 1808, Wentworth Woodhouse Muniments.

⁶¹ D.Wentworth to Lord Fitzwilliam, 1 May 1808, *ibid.*, ff.95-8; Rt. Hon. Henry Dundas to Major Grose, 15 November 1793, *ibid.*

Having set his sights on the senior medical appointment, he requested his patron to refrain from using his influence to obtain for him the position of provost marshal. Although he no longer wanted this lucrative appointment, Wentworth urged Fitzwilliam to approach the secretary of state and recommend his eldest son, William, for the position. He felt confident that his son's education would fully equip him for the post.⁶² Around this same time Cookney had written to Wentworth, seeking instructions on placing his two eldest sons in careers. William, in particular, was proving difficult for Cookney who observed that "he gets rather above my mark."⁶³

Keeping his friends in England abreast of colonial affairs, Wentworth informed them that the *Porpoise* was due to sail to Port Dalrymple to collect Lieutenant Colonel Paterson and return him to Sydney. Wentworth assumed that Paterson would take command of the government until Foveaux arrived, or until Paterson received instructions from England. He expected that Bligh would leave for England when this vessel returned from the south.⁶⁴

Paterson, however, held serious doubts about returning to Sydney Town. He was aware of an order which directed him to continue the administration of the government during His Majesty's pleasure in the case of the absence or demise of the governor. Yet, unwilling to become embroiled in Sydney politics and unsure of how the home government would react to the coup, he remained in Van Diemen's Land. He informed Sir Joseph Banks that he had decided to await instructions from England, and gave

⁶² D.Wentworth to Lord Fitzwilliam, 1 May 1808, 12 April 1808, *ibid.*

⁶³ C.Cookney to D.Wentworth, 29 April 1808, Wentworth Papers, A754-2, ff.442-3.

⁶⁴ D.Wentworth to Lord Fitzwilliam, 12 April 1808, Wentworth Woodhouse Muniments.

thanks to God that he resided at such a distance from Headquarters.⁶⁵

Many in the colony, particularly those most active in the rebellion, shared Paterson's anxiety. Despite the celebrations which greeted the new administration and the formality of its inauguration, the nagging doubt and persistent fear that the home government would disapprove of the events of 26 January created unease. Johnston kept a sober watch on activities, aware that the rebels' conduct would eventually come under the scrutiny of his superiors. When Sergeant Whittle suggested that he display an effigy of Bligh on top of his house, Johnston warned him that such action would injure him in England.⁶⁶ As early as 13 February 1808 Abbott, Johnston's second in command, expressed misgivings about the direction taken by the new administration. Apprehensive of the home government's reaction to the coup, Abbott maintained that, although he concurred with the governor's arrest, he was unwilling to accept more blame than his actions warranted. Like Wentworth, he had signed the requisition for Bligh's arrest, but afterwards assiduously avoided any behaviour that might be construed as improper. Circumspect in his conduct, he declined appointment as judge-advocate and refused to assist in the examination of Bligh's private papers. He raised his voice against the prosecution and harassment of those who had served Bligh, against Johnston's styling himself lieutenant-governor, and against the trials of Macarthur and Wentworth.⁶⁷ Another prominent rebel, John Blaxland, also admitted to being alarmed at the prospect that his Majesty's ministers would condemn his conduct.⁶⁸

⁶⁵ W. Paterson to J. Banks, 29 September 1808, Banks Papers, vol. 4, A78-3, f.305.

⁶⁶ Evidence of I. Champion, Proceedings of a General Court Martial ... Geo. Johnston, p115. See also evidence of W. Minchin, p. 244.

⁶⁷ E. Abbott to P. G. King, 13 February 1808, M.L. A1976, ff. 121b-j.

⁶⁸ Evidence of J. Blaxland, Proceedings of a General Court Martial ... Geo. Johnston, p.322.

A small number of settlers who remained loyal to Bligh continued to question the legitimacy of the existing administration. Furthermore, some settlers who had pledged their allegiance to the rebel government began to defect. In a letter to Bligh dated 6 March 1808, Thomas Arndell apologized for endorsing a rebel document, maintaining that weakness induced him "to sign a paper which my heart and better judgement abhorred."⁶⁹ The arrival of Foveaux on 28 July 1808 shed no light on the intentions of the home government and his conduct only infuriated those loyal to Bligh. Three days after his arrival, Foveaux issued a proclamation which declared that he conceived it beyond his authority to judge between Bligh and Johnston, but, as the senior officer on the mainland, he would assume government.⁷⁰ Loyalists such as Gore and later Suttor, who, despite harsh treatment remained steadfast to the deposed governor, came to be seen as martyrs by some colonists which increased the rebels' feelings of unease. Moreover, Bligh's presence in the colony served as a constant reminder of their deeds and his insistence on disavowing the authority of the new administration further intensified their disquiet.⁷¹

The fear of official reprisals, the growing contrariness of the corps, together with Bligh's defiant stand, unsettled Wentworth. Eight months after the rebellion he expressed concern over the former governor's refusal to leave the colony and confided to his patron that he waited with foreboding the termination of the affair in New South Wales. Other officers, in public at least, continued to express the hope that the notoriety of Bligh's character coupled with his many acts of oppression would excuse their

⁶⁹ T.Arndell to Governor Bligh, 6 March 1808, HRNSW, vol.6, pp.532-3.

⁷⁰ Sydney Gazette, 31 July 1808, p.1.

⁷¹ G.Suttor, M.L. MSS.2417/5, ff.2-8.

behaviour. Wentworth, however, felt that the British government would not countenance the rebellion lest other colonies of much greater importance might consider it a precedent and destroy the "Peace, and Prosperity of the Mother country."⁷²

Whereas in his previous letter in April, Wentworth had written himself out of the rebellion by shrouding his involvement in silence, four months later he placed himself back on the stage, though to deplore rather than laud Bligh's arrest. Wise after the event, he informed Fitzwilliam that, had people heeded his advice, such extreme measures would not have been adopted. Wentworth maintained that those attached to Bligh's party knew of his suggestions, but, in his letter he gave no indication of his proposals which probably involved the transfer of the New South Wales Corps.⁷³ Bligh certainly saw this measure as an answer to the colony's woes.

By September 1808 Wentworth's alliance with the corps had dissolved and his feelings of enmity toward the military had resurfaced. He could not forget the humiliation he had suffered at their hands during his first court martial and his public censure on the parade ground.⁷⁴ In his own interests, Wentworth had joined with these officers during a time of crisis, but as the months passed and the military became increasingly quarrelsome, he saw no advantage in remaining with them. Furthermore, as the time approached when it seemed likely that the home government would call on individuals to account for their part in the rebellion, Wentworth sought to distance

⁷² D. Wentworth to Lord Fitzwilliam, 12 September 1808, Wentworth Woodhouse Muniments.

⁷³ *ibid.*

⁷⁴ See his comments regarding his first trial, D. Wentworth to C. Cookney, September 1808, *ibid.*

himself from the military. He now identified them as the source of the colony's ills and informed his patron:

it is a most melancholy Truth, and it is with the most profound Sorrow I say so, that there is not an officer in the King's Service who could govern this Country in opposition to the Whims, and Caprice of the Officers of the New South Wales Corps and I have no hesitation in assuring Your Lordship that it [is] useless to expect Quietness in this Country so long as that Corps is suffered to remain.⁷⁵

Having absolved himself from any guilt and placed the blame for the colony's trouble squarely on the shoulders of the corps, Wentworth turned optimistically to the pursuit of his own affairs. At this point, his letter came alive with an enthusiasm lacking in his previous correspondence. For all the commotion in the colony, Wentworth's prospects had brightened. His long-awaited leave of absence had arrived, but, as Jamison had also obtained permission to return to England, Wentworth would assume the position of principal surgeon as soon as Jamison left.⁷⁶ Furthermore, Wentworth understood that the principal surgeon was unlikely to return to New South Wales and felt confident that the home government would confirm him in this senior post.

He renewed his request for Lord Fitzwilliam to secure the position of provost marshal or vendue master for William, and also sought his aid in obtaining a cadetship in India for his second son, D'Arcy. Although pleased with the prospect of succeeding to the position of principal surgeon, Wentworth saw the opportunity for greater rewards and security in pursuing the same course as the Blaxland brothers. Under the terms of agreement,

⁷⁵ D. Wentworth to Lord Fitzwilliam, 12 September, 1808, *ibid.*

⁷⁶ Government and General Order, 24 February 1809, *HRNSW*, vol. 7, p. 51.

John Blaxland, in return for engaging not less than £6,000 in the colony, was to receive a grant of 8,000 acres and the use of 80 convicts, victualled and clothed by government, for 18 months. Aware of these generous provisions, Wentworth understood that any respectable person willing to settle and invest in the colony could easily obtain like benefits. He wondered, were his agent to present statements indicating the capital he had expended on land, stock and buildings, if the government might be persuaded to grant him similar advantages. Anticipating success in this venture, Wentworth authorized Cookney to tender his resignation as surgeon should the government grant him indulgences on the same terms as those enjoyed by the Blaxlands. Wentworth believed that, "after eighteen years faithful Service; I have some claim to this indulgence."⁷⁷

Meanwhile, Wentworth's patrons in England had been busy endeavouring to have him reinstated after his dismissal by Bligh. During April 1808 Fitzwilliam had written to Castlereagh defending his kinsman's conduct. Adopting Wentworth's logic, he argued that had D'Arcy obeyed Abbott he would have been guilty of the grave offence of insubordination to the governor. Fitzwilliam highlighted the apparent injustice of subsequent actions taken by Bligh and stressed that, having suffered the punishment inflicted by the court, Wentworth was then unjustly suspended without any crime alleged and without trial. He went on to add that "this devoted man is retained a prisoner in the Colony."⁷⁸ Castlereagh had, however, received Bligh's dispatches and was aware that the suspension had proceeded on grounds distinct from disobedience of Abbott's orders. Nevertheless, he still

⁷⁷ D. Wentworth to C. Cookney, September 1808, Wentworth Woodhouse Muniments. For the terms approved by government for John Blaxland to settle in New South Wales see, No. XLI, Appendix to Proceedings of a General Court Martial ... Geo. Johnston, p. 471.

⁷⁸ Lord Fitzwilliam to Viscount Castlereagh, 18 April 1808, ibid.

regarded the matter as not warranting suspension and told Fitzwilliam that he would express his disapprobation of the measures taken and direct that the alleged charges be brought to trial in New South Wales.⁷⁹ In corresponding with Wentworth in June 1808, Cookney enclosed an extract from Fitzwilliam's letter wherein he stated that, during his audience with Castlereagh, the minister gave no indication that Bligh's representations had prejudiced Wentworth; Fitzwilliam felt confident that he had left Castlereagh "duly impressed with the hardship as well as the injustice of the whole proceeding."⁸⁰

This encouraging report probably reached Sydney on the *Gambier* in December 1808.⁸¹ Yet, as news of the coup had not at the time of Cookney's writing reached England, Wentworth realized that his future in the colony was far from settled. He was correct. In November 1808 Castlereagh informed Fitzwilliam that the proceedings instigated by Bligh against Wentworth appeared highly irregular and harsh, but, as reports of the rebellion had reached England, he had decided to defer his decision until more information became available.⁸²

The stormy political climate in New South Wales did not abate under Foveaux or his successor, Paterson. Loyalists continued to undermine the rebel administration by refusing to attend a muster and by denying the legitimacy of the rebel government. Bligh stubbornly refused to leave the colony until March 1809 when, having promised to sail for England aboard

⁷⁹ Lord Castlereagh to Lord Fitzwilliam, 25 April 1808, *ibid.*, (out of sequence).

⁸⁰ C. Cookney to D. Wentworth, 14 June 1808, Wentworth Papers, A754-2, ff. 445-6.

⁸¹ Notice of the *Gambier's* arrival, *Sydney Gazette*, 25 December, 1808, p. 1. The vessel sailed from England 2 July 1809.

⁸² Lord Castlereagh to Lord Fitzwilliam, 10 November 1808, Wentworth Woodhouse Muniments.

the *Porpoise*, he turned instead for the Derwent. On leaving Sydney he fired a parting salvo by proclaiming the New South Wales Corps to be "in a state of mutiny and rebellion." He issued an order forbidding ships' masters from taking out of the colony any individuals connected with the rebellion. Furthermore, he named the officers of the Corps and 15 other inhabitants, including Wentworth, as suspected mutineers.⁸³ For all Wentworth's cautious manoeuvrings to avoid implication in the coup, Bligh had positively identified him as a rebel.

From April 1809 further information from England reached the colony. Edward Macarthur, who had arrived in London from New South Wales during September 1808, wrote of the disdain with which the ministers received the account of the rebellion. With the affairs of Spain and Portugal demanding their attention, the home government could not give the business of New South Wales high priority. In a letter to his father, which probably reached Sydney in April 1809, young Macarthur complained that the ministry was so preoccupied with the international crisis that he imagined they had read not one half the papers necessary to appreciate the situation in the colony. He confirmed Wentworth's fears, however, in surmising that they viewed the measures taken in New South Wales as an unfortunate precedent. Such news only aggravated the colonists' frustration and uncertainty.⁸⁴

Relationships within the rebel camp remained strained. Blaxcell complained that "the Corps now gets all the Loaves and Fishes, but even with this, they are envious of each other." Realizing that patience would see

⁸³ Proclamation, 12 March 1809, No. XXVII, Appendix to Proceedings of a General Court Martial ... Geo. Johnston, pp. 457-8; H. Fulton to Mrs Bligh, 1809, Banks Papers, vol. 6, A78-5, f.153-4; W. Gore to Mrs Bligh, 6 October 1809, ibid., f.167.

⁸⁴ E. Macarthur to W. Davidson, 30 September 1808, Macarthur Onslow, op. cit., p. 167; E. Macarthur to J. Macarthur, 1 October 1808, ibid., p. 169.

him through this temporary administration, Blaxcell determined to keep free from public brawls and to treat Foveaux's mean measures with "the silent contempt they deserve."⁸⁵ According to Gore, by October 1809 those most involved in the rebellion feared the impending repercussions of their actions and now "positively assert and pretend that they had nothing to do with it."⁸⁶

For all the rumours, uncertainty and political turbulence, Wentworth forged ahead with his plans during 1809. When Macarthur, Jamison and Harris left Sydney on 29 March for England, he had already taken over Jamison's duties in Sydney.⁸⁷ Furthermore, he cultivated his friendship with Foveaux. They had been associates during their days on Norfolk Island and Foveaux had taken a particular interest in Wentworth's sons when he was in England. Despite his contempt for the corps Wentworth did not let his feelings destroy his relationship with their commander. Throughout the administration of this interim government, Wentworth had pursued a careful course between the warring factions. Despite the animosity which existed between Johnston and Blaxland, and that between Macarthur and Foveaux, Wentworth managed to remain on amiable terms with all four. He recommended Macarthur and Blaxland to his agent and patron on their return to England, and more importantly retained an intimacy with Foveaux.⁸⁸

Notwithstanding Wentworth's endeavours to stand aloof from the intrigues of colonial politics, he managed to obtain generous land grants. On

⁸⁵ G. Blaxcell to J. Macarthur, 2 May 1809, 6 November 1809, Macarthur Papers, vol. 4, M.L. A2900, ff. 8-12.

⁸⁶ W. Gore to Mrs Bligh, 6 October 1809, Banks Papers, vol. 6, A78-5, f. 185.

⁸⁷ Government and General Order, 24 February 1809, HRNSW, vol. 7, p. 51.

⁸⁸ D. Wentworth to Lord Fitzwilliam, 12 September 1808, Wentworth Woodhouse Muniments. This letter gives an indication of the friendship between D'Arcy and Foveaux.

23 July 1808 Johnston gave him 270 acres in the Parramatta district and on 8 April he obtained a 14 year lease on 127 rods. On 3 December 1808 he accepted a grant from Foveaux of 500 acres in the same region. Paterson arrived in Sydney on New Year's Day 1809 and from the new commander Wentworth also found favour. On 11 April 1809 he received 100 acres at Liberty Plains, on 20 May he took possession of a 240-acre grant in the district of Parramatta, and on 29 September obtained another of 12 acres also in Parramatta.⁸⁹

Wentworth was only one among the principal inhabitants who had sided with the rebel government and received indulgences as rewards. Hassall alleged that Dr Townson had confided to him that the rebellion was good because he had obtained livestock. He also recalled an incident when the government issued Fitz with 14 fine cows worth about £700. This indulgence led Lawson to remark that, if there had been no coup, Fitz would never have been worth £14.⁹⁰ Such extensive tracts of land had been granted and so many government cattle distributed that Fulton maintained that "Every spot almost is given away, & the Herds of Government cattle thinned." He asserted that most of the land within 50 miles of headquarters had been appropriated.⁹¹

The beneficiaries of the rebel administration realized that their legal entitlement to grants and other favours rested with the home government. Wentworth, who in his own mind had divested himself of any complicity in the coup, continued to accept grants and to invest money in improving his properties. In October 1809, with a design to increase further his land

⁸⁹ R.J.Ryan, *op.cit.*, pp. 191, 194, 198, 204, 215.

⁹⁰ R. Hassall to n.n., 8 September 1808, Hassall Correspondence M.L. A859, f.249.

⁹¹ H.Fulton to Mrs Bligh, n.d., Banks Papers, vol 6, 78-5, f.162-3.

holdings, he again pleaded with Fitzwilliam to use his influence to obtain the same indulgences as those allowed the Blaxlands, stressing:

Should I be so fortunate as to succeed in this Application it will be the means of rendering me perfectly independant for life and of leaving the Name of Wentworth as great and respected as any in this Country.⁹²

Wentworth used this statement, in part, to solicit his patron's favour; but it also indicated fundamental changes in his outlook. After twenty years in the colony he now began to identify with this new land; to see himself as part of its history and its future. Haunted by a fear of failure and driven by the need for recognition, Wentworth had stumbled towards realizing ill-defined goals. Away from the political turmoil of the rebellion and its aftermath, his vision of building a private empire in the colony came into focus. The Blaxlands with their enormous land grants provided a model for Wentworth's aspirations; the land he had acquired before 1808, and that granted by Johnston, Foveaux and Paterson, reinforced his ambitions. On 18 October 1809 he received from Paterson, a grant of 750 acres at Parramatta which he named "Fitzwilliam Place".⁹³

At this time the inhabitants still had no clear understanding of the home government's intentions. Reports about the appointment of General Nightingall as the new governor and the arrival of a detachment of the 73rd regiment presaged the end of the rebel administration.⁹⁴ With impending change approaching, landholders concentrated on improving their

⁹² D.Wentworth to Lord Fitzwilliam, n.d.(probably October 1809 - appears to be a draft letter),Wentworth Papers, A752, ff.280-1.

⁹³ Ryan, *op. cit.*, p.290.

⁹⁴ G.Blaxcell to J.Macarthur, 6 November 1809, Macarthur Papers, vol. 4, M.L. A2900, f. 10.

acquisitions in an attempt to retain ownership. According to Gore, they hoped that the legally appointed government would confirm the grant rather than reimburse the holder for the expenses incurred in improving the property.⁹⁵ Wentworth spared neither effort nor capital in seeking to secure his grants and spent upwards of an estimated 7,000 guineas on his newly acquired lands. For a doctor on £182/10/- per annum it is certain that his continued activity in trading, particularly in spirits, and his success in stock breeding financed this large investment.⁹⁶

Fulton maintained that the rebels' land policy posed serious problems for the incoming governor. If confirmed, this alienation of large tracts of land left the governor with little to give away; conversely, if he rendered them invalid, it would arouse anger in the colony and create a determined body of powerful enemies.⁹⁷ Gore saw the distribution of favours as part of the rebels' deliberate plan to undermine the power of the legally appointed governor. Nevertheless, he envisaged defeat for such a stratagem if an Act of parliament or a royal proclamation cancelled the indulgences.⁹⁸

After months of indecision, the home government finally set about implementing a course of action for the colony. On 8 May 1809 Bligh's commission was revoked and Lachlan Macquarie's appointment as captain-general and governor-in-chief came into force. Two orders contained in Castlereagh's final instructions to Macquarie affected Wentworth. The secretary of state directed Macquarie to regard all the trials and investigations conducted during Johnston's administration as not legally

⁹⁵ W. Gore to Mrs Bligh, 6 October 1809, Banks Papers, vol. 6, A78-5, ff.185-6.

⁹⁶ The Colonial Civil List, HRNSW, vol. 6, p. 233.

⁹⁷ H.Fulton to Mrs Bligh, n.d., Banks Papers, vol. 6, A78-5, ff.162-3.

⁹⁸ W.Gore to Mrs Bligh, 6 October 1809, ibid., f.186.

binding. Secondly Castlereagh instructed the governor-designate to hold all grants of land, leases and stock made by Johnston or Foveaux as invalid, and to revoke those received by the officers of the New South Wales Corps. Castlereagh, however, permitted Macquarie to exercise impartiality and discretion in ratifying grants in his own name, if he saw no objections to them.⁹⁹

Lord Castlereagh had also decided upon Wentworth's dismissal. In a private letter to Wentworth, dated 13 May 1809, he conceded that Bligh had acted improperly in concealing his reasons for the suspension and in transmitting accusations to Whitehall without allowing him the opportunity to defend himself. He informed Wentworth that he regarded Bligh's conduct as a misdemeanour of which he disapproved and that he would convey his displeasure to Bligh. In turning to Wentworth's conduct, Castlereagh explained that he would have ordered his reinstatement, but for the recent upheaval in the colony. He further qualified his decision by stating that, in light of the steps Wentworth had pursued to vindicate his own cause, "I, therefore, cannot act in the manner which a different deportment on your part might have allowed."¹⁰⁰ Castlereagh certainly upbraided Wentworth, but the exact nature of his intention in regard to the doctor's career remained unclear. This ambiguity may have been a deliberate tactic designed to allow Macquarie to acquaint himself with the case and to make a final judgement.

⁹⁹ Viscount Castlereagh to Governor Macquarie, 14 May 1809, HRNSW, vol. 7, pp. 144-5.

¹⁰⁰ Viscount Castlereagh to D. Wentworth, 13 May 1809, ibid., p. 142.

Unaware that both his official position as assistant surgeon and his newly acquired 1,872 acres were under threat, Wentworth anxiously waited with his fellow colonists for the arrival of their new governor.

Chapter 7

A Little Tranquillity 1810 -1815.

The day was calm and the sea as smooth as a mill pond when Governor Lachlan Macquarie first saw Sydney Town on the afternoon of 30 December 1809. As he put off from his vessel the following morning a 15-gun salute was fired from the two ships in the cove. Foveaux, together with the principal officials in the colony greeted him and escorted him through a guard of honour, formed by the troops of the 102nd Regiment, which stretched from the wharf to the gates of Government House. Curious inhabitants thronged the roadway and bowed as he passed.¹

At 11 a.m. on Monday 1 January 1810 the 73rd Regiment disembarked and marched to the general parade ground where they joined with the 102nd. The vice-regal party assembled at the centre of a hollow square formed by the troops and Ellis Bent, the new judge-advocate, read aloud the commissions of Governor Macquarie, Lieutenant-Governor O'Connell and his own. Macquarie delivered a short speech, in which he urged cooperation and conciliation, and promised to befriend and protect the honest, sober and industrious inhabitant.²

¹ L. Macquarie, *Memoranda and Related Papers*, 22 December 1808- 14 July 1823, M.L. A772, ff. 11-6; E. Bent to his mother, 4 March 1810, *Letters from Ellis Bent*, N.L. MS 195/2, ff.75-8; A. Huey, 'The Voyage of the 73rd Regiment of Foot', 1809-11, M.L. B1514-2, f.22.

² The New South Wales Corps had been named the 102nd. E. Bent to his mother, 4 March 1810, N.L. MS 195/2, f.78-86; *Sydney Gazette*, 7 January 1810, pp.1-3.

Wentworth had witnessed a number of inaugurations and heard numerous mediatory addresses, but he knew the depth of enmity which divided the community and the bitterness of the "persecuting spirit" of governors. He was concerned with the practical implementation of policy rather than persuasive rhetoric. Still uncertain of the future, the officials adjourned to Government House where, before a large gathering, the governor's secretary read a proclamation which, after months of anxious speculation, spelt out the home government's official attitude:

His Majesty, having felt the utmost Regret and Displeasure on Account of the late Tumultuous Proceedings in this His Colony and the Mutinous Conduct of certain persons... has been graciously pleased to appoint me his Representative.³

This announcement, published in the *Sydney Gazette*, bore the phrase "MUTINOUS CONDUCT", bold in print and unambiguous in meaning, and caused much anxiety among the rebels. A second proclamation published in the same edition demonstrated the government's determination to dissociate itself from the rebel administration. All official appointments conferred by the interim government and all land, stock and leases granted since the arrest of Bligh were declared null and void. It also deemed unlawful all trials and investigations conducted since 26 January 1808. This document effectively cancelled Wentworth's appointment as principal surgeon, his large land grants and his exoneration on the charge of professional misconduct.⁴

³ HRNSW, vol. 7, p.252; Sydney Gazette, 7 January 1810.

⁴ HRNSW, vol. 7, p. 255-7; Sydney Gazette 7 January 1810.

Initially, the loyalists rejoiced in their triumph while the rebels feared for their future.⁵ Yet, Wentworth soon learnt that the official proclamations spoke one language and Macquarie's actions another. From the commencement of his administration, the governor seemed to favour the rebels and his close association with Foveaux disappointed the loyalists. Bligh, who had returned to Sydney on 17 January 1810, complained that the loyal people were least heeded and that Foveaux retained power. He was infuriated to see the former New South Wales Corps doing duty "in great glee" while the 73rd remained encamped two miles from the town.⁶ Wentworth's friendship with Foveaux paid dividends when the lieutenant-colonel made representations on his behalf to the governor.⁷

On 20 February 1810 Macquarie issued a government order directing Wentworth to remain in his position of principal surgeon.⁸ Furthermore, in March, after having known him for less than three months, Macquarie spoke highly of Wentworth in his correspondence to Lord Castlereagh. He described him as "a Gentleman of Considerable Professional Abilities, extremely attentive and humane in his Practice and Attendance on his Patients, and ... in every respect well qualified for being placed at the Head of the Medical Department here."⁹ He told Wentworth of his recommendation to Whitehall, and confided that he had requested the Secretary of State to prevent Jamison returning to the colony as a commissioned officer.¹⁰ Having

⁵ W Bligh to E. Bligh, 8 March 1810, M.L. Safe 1/45, f.284.

⁶ *Ibid.*; Suttor, *Memoirs*, p.50.

⁷ D.Wentworth to Lord Fitzwilliam, 17 March 1810, Wentworth Woodhouse Muniments.

⁸ Government and General Order, 20 February 1810, *ibid.*

⁹ Governor Macquarie to Viscount Castlereagh, 30 April 1810, *HRA*, ser.1, vol. VII, p.256.

¹⁰ D.Wentworth to C.Cookney, 8 May 1810, Wentworth papers, A752, ff. 291-2; D.Wentworth to Lord Fitzwilliam, 17 March 1810, Wentworth Woodhouse Muniments.

temporarily secured his position as chief surgeon in New South Wales, Wentworth also sought to retain ownership of his land grants.

In a memorial to Macquarie, Wentworth detailed his success in breeding livestock and his willingness to invest large sums of capital in developing his properties. He declared ownership of 119 head of horned cattle, 27 horses and nearly 400 sheep, and estimated that he had poured more than £3,200 into improving his properties. He affirmed his long term commitment to the colony's development and maintained that the land grants were in part a recognition of this contribution. In addition, he took the opportunity to underline his reputation for dependability in his official duties by noting that he had also been given sundry allotments in consideration of his 20 years' service in the colony.¹¹

To strengthen his claims in Whitehall, Wentworth enlisted yet again the aid of Lord Fitzwilliam. In a letter of 17 March 1810 he explained that his grants had been declared illegal, but were not to be cancelled without further instructions from the government's ministers. He reiterated much of the contents of his memorial to Macquarie, boastfully adding: "It is well known that I have expended as much money, if not more than any other Person in the Improvement of the Colony." In spite of his endeavours to retain his official situation in New South Wales, he once again informed Fitzwilliam of his readiness to forgo public office for the independence and security offered by landownership:

I assure Your Lordship that was it possible to obtain for me the same indulgences that were granted to Mr John Blaxland as a settler I Would prefer it even to the appointment of the Principal Surgeon.¹²

¹¹ Memorial no. 329, 1810, Colonial Secretary - Miscellaneous, AONSW, 4/1822.

¹² D.Wentworth to Lord Fitzwilliam, 17 March 1810, Wentworth Woodhouse Muniments;

For all the uncertainty about his future, Macquarie's friendliness and attention reassured Wentworth who felt confident that, at last, he was likely to enjoy a little tranquillity in New South Wales. He described Macquarie as "a Gentleman whose general Conduct towards all ranks and descriptions of Persons in the Colony excites universal Approbation excepting with those whom no man living could please. I mean several of the officers of the 102 Regt."¹³

Despite Wentworth's optimistic outlook, there were individuals in the community intent on opening old wounds. Many still harboured resentment at the injuries they had suffered at the hands of the rebels. When Bligh had arrived in Sydney from the Derwent, the former New South Wales Corps assembled on the wharf to receive him. He refused to come ashore, declaring that he would not be greeted by those who so recently had "threatened to cut his throat." Instead he waited until a detachment from the 73rd Regiment replaced them. His conduct revived the hostilities.¹⁴

In this tense climate a number of loyalists sought Macquarie's permission to convene a meeting so that they could disavow Johnston's assertion that the inhabitants had compelled him to place Bligh under arrest. The petitioners, who included Palmer, Campbell, Fulton and Suttor, also wished to frame an address of gratitude and affection for their former governor. On 7 April 1810 Gore, the reinstated provost marshal, inserted their advertisement in the *Sydney Gazette*. It requested him to convene a meeting of inhabitants to consider an address to be presented to Bligh. The notice also gave warning of their intention to disclaim publicly the

D. Wentworth to Lord Fitzwilliam, 1810, Wentworth Papers, A752, f.276.

¹³ D. Wentworth to Lord Fitzwilliam, 17 March 1810, Wentworth Woodhouse Muniments.

¹⁴ A. Huey, *loc.cit.*, f. 23.

assertion that Bligh had been arrested to protect him and his confidants from an incensed mob. Gore announced that this meeting would be held at the market place on Wednesday 11 April 1810.¹⁵

Although Wentworth had helped promulgate the myth of an enraged multitude thirsting for Bligh's blood, he nevertheless attended this meeting. He joined with Bayly, Lord, Kable, Underwood, Blaxcell, Gregory Blaxland, Lawson, Kemp and an assortment of their servants and dependants to form an opposition.¹⁶ Gore called the gathering to order, and asked if anyone would support the statement that they had intended to massacre Bligh and his advisers if Johnston had not imprisoned the governor. A general cry of "No, no! there was no such intention," went up from the crowd. In response to the absurdity of asking those assembled to incriminate themselves Wentworth shouted, "What man! do you think we are going to put a rope round our own necks."¹⁷ For that instant he abandoned the lofty rhetoric and exposed the political expediency which motivated him in the colonial power struggle. This unguarded moment passed as he quietly merged back into the scene where members of both sides continued to present themselves as upstanding, responsible and community-minded citizens.

Gore again called for the attention of the crowd. He placed before them a proposal to frame an address of congratulations and condolence to Bligh. Fulton immediately attempted to enrage the onlookers by denouncing the shameful events of 26 January 1808. Pandemonium broke out. While the

¹⁵ Evidence of R. Gore, Proceedings of a General Court Martial ... Geo. Johnston, p. 101; Commissary Palmer et al. to Provost Marshal Gore, 6 April 1810, HRNSW, vol. 7, p. 327; Sydney Gazette, 7 April 1810.

¹⁶ Evidence of R. Gore and A.F. Kemp, Proceedings of a General Court Martial ... Geo. Johnston, pp. 102, 224.

¹⁷ Evidence of R. Gore, ibid., p. 102.

rebels jeered and heckled, the loyalists signed the resolution and the address, and then withdrew. The anti-Bligh faction took charge of the meeting and attempted to put forward counter resolutions, but Gore refused to proceed. Blaxland and Lord complained to Macquarie who, seeking to appear impartial, directed Gore to place the new proposals before the meeting.¹⁸

The rebels reconvened at 3 o'clock and resolved unanimously that the earlier meeting was calculated to provoke and revive enmity which would destroy the goodwill and cooperation so vital for the colony's advancement. They affirmed their determination "to support and carry into full effect ... the Governor's proclamation of the 1st January 1810, recommending harmony and a conciliatory spirit to subsist between every individual in the colony." They voted that the provost marshal should sign their resolutions and insert them in the *Sydney Gazette*. The rebel cabal then gathered up the loyalists' resolution and address, and left their own proposals with Gore; unsure of his position, he sought Macquarie's guidance. The governor advised him to publish the counter resolutions in the *Sydney Gazette* but subsequently thought better of this direction and ordered that no resolutions be published.¹⁹

The unresolved tension simmered until 12 May 1810, when Bligh - together with an entourage of supporters including Palmer, Campbell, Fulton and Suttor - left the colony. The officers and troops of the New South Wales Corps also sailed from the cove on that calm autumn day, only to resume their bitter exchanges in England.²⁰ Before leaving Sydney, Bligh had sought

¹⁸ Evidence of R.Gore and A.F.Kemp, *ibid.*, pp. 102-4, 224-5.

¹⁹ Appendix XXIX, *ibid.*, pp. 458-9.

²⁰ L.Macquarie to C. Forbes, 18 June 1810, M.L. Safe 1/53, Letter no. 5; W.Bligh to E.Bligh, 11 August 1810, M.L. Safe 1/45, f. 299; B.M. Senior, 'Journal from the 10 th of April to

to prosecute some of the rebels, but Bent advised him against proceeding. The judge-advocate held him to be a revengeful and unpleasant person who would have been delighted to see men like Wentworth, hanged, drawn and quartered.²¹ Wentworth and his co-rebels were relieved when Bligh departed. They hoped that the past could now be buried so that they could begin to build their future under a new and benign administration.

Bligh once remarked to George Suttor that King had laid the nest egg that produced the clutch which deposed his government and overran the colony.²² Wentworth was one of the few of this brood who remained. With the decimation of both factions, Macquarie - unlike his predecessors - faced no formidable organized opposition and rapidly placed his own stamp on New South Wales. In June 1810 he maintained that he had already made advances in improving the morals of the lower orders; he predicted that his situation in the colony would be pleasant and comfortable once he succeeded in establishing "a more regular System of conducting the affairs of this Government." Nevertheless, he felt pleased with his progress and remarked that "as yet I am going on quietly and Peaceably here."²³

In the colony advancement depended to a large degree, on patronage; individuals in the society jockeyed for favour and quickly complained of perceived disadvantages. All too readily they maligned their fellows to promote their own interests. Despite Wentworth's efforts to avoid publicity, his involvement in the rebellion and his growing prominence as a senior civil officer lay him open to scrutiny. Stories of his past had begun

the 25th October 1810 during a Voyage from New South Wales to Old England in the Hindostan', entry for 12 May, M.L. MSS.820.

²¹ E.Bent to his mother, 4 March 1810, N.L. MS 195/2, ff.89-90; W.Bligh to E.Bligh, 8 March 1810, M.L. Safe 1/45, f. 284.

²² G.Suttor, M.LC783, f.7.

²³ L.Macquarie to C.Forbes, 18 June 1810, M.L. Safe 1/53, Letter no. 5.

to surface and gain credence. Thus, in arguing for the right to hold a commission Fulton had maintained in 1809 that if he were granted such an honour he would not be the first banished man to hold office, and cited Wentworth, the former highwayman, as a precedent.²⁴ The rumour also strengthened in England and in June 1810 Cookney urged Lord Fitzwilliam to correct the prevailing idea that Wentworth went to New South Wales as a convict.²⁵ Their efforts to quash the stories proved difficult. A natural curiosity on the part of the general public generated much interest in reformed felons. An author, designating himself a "Literary Gentleman" wrote in 1811: "We have, indeed, heard many accounts of the wonderful transformations which have taken place; of robbers and highwaymen being converted into good husbands, and of the most abandoned thieves and prostitutes into intelligent and industrious mothers."²⁶ Wentworth's detractors in the colony and abroad worked to keep the rumour alive, yet he held his peace.

While the governor was among those who regarded Wentworth as an emancipist, he nevertheless continued to favour him.²⁷ In April 1810 Macquarie explained to Lord Castlereagh that he was adopting a new policy based on his belief that exemplary conduct could expunge former wrongdoings from memory. He argued that emancipation combined with rectitude and established good behaviour should allow an individual to reclaim his former rank in society. To illustrate his sincerity in

²⁴ H. Fulton to Mrs Bligh, 1809, M.L. Safe 1/45, f.280.

²⁵ C. Cookney to Lord Fitzwilliam, 9 June 1810, Wentworth Woodhouse Muniments.

²⁶ History of New South Wales, Newcastle, 1811, p. 622. There are two editions of this book, one gives the author's name's as G. Paterson while the other book states that the work was written by a Literary Gentleman.

²⁷ L. Macquarie to Viscount Castlereagh, 30 April 1810, HRA, ser. i, vol. VII, p.276.

implementing this policy, he informed Castlereagh that he had admitted four such men to his table, namely: "D'Arcy Wentworth, Principal Surgeon, Mr. W. Redfern Assistant Surgeon, Andrew Thompson an opulent farmer and proprietor of land and Mr. Simeon Lord, an opulent merchant." He explained that three of them had acquired large amounts of property; had long conducted themselves with propriety and had demonstrated a willingness to step forward to assist government. Macquarie had appointed Thompson a magistrate and Wentworth the treasurer of the police fund and trustee of the turnpike road. Furthermore, he had plans to elevate both Wentworth and Lord to the magistracy.²⁸ True to his acquisitive nature, Wentworth was particularly pleased with his office as treasurer of the police fund, which he anticipated would be a "Situation of some profit."²⁹

Macquarie's motives in favouring these men went beyond a genuine and humane concern. He had a vision for the new country and realized that planning, hard work, and resolve were needed to bring it to maturity. Undaunted by the task, he embarked enthusiastically on his programme to remodel and improve the colony and looked for men most likely to effect his reforms. Concerned with the end product rather than the means, he was prepared to delegate. In choosing men to help realize his ambitions, he was drawn to individuals of proven success. Suttor remarked succinctly that the new governor soon noticed those individuals who had fine houses. In linking success with material wealth, Macquarie looked to Thompson, Lord and Wentworth.³⁰

²⁸ Ibid.

²⁹ D. Wentworth to C. Cookney, 8 May 1810, Wentworth Papers, A752, f.290.

³⁰ Suttor, M.L. C783, ff. 20-1.

Not only did Macquarie take pride in helping individuals, he also liked to have people dependent upon him. In elevating emancipists to such respected public offices, he placed upon them an obligation not easily discharged. His action satisfied his need for affection and loyalty. On a practical level it allowed him to exert a significant degree of control over his chosen assistants. Having promoted them to high office, he could always dismiss them.

Despite the exodus of the New South Wales Corps and a number of influential civil officers and settlers connected with the rebellion, the tensions and irritations arising within a small insular community persisted. New comers and those who remained in the colony carried on the legacy of petty fighting and factional squabbling. Bent complained that colonial society was very limited and "even that little is distracted by party spirit and little Jealousies."³¹ In favouring emancipists, Macquarie stoked embers of discord.

The affluence of Thompson, Lord and Wentworth, in itself excited envy in the community, and the attention shown to them by Macquarie exacerbated the ill-will. To some extent the three men became objects of scorn and derision. Joseph Arnold wrote to his brother that Thompson had been transported for stealing but now owned elegant town and country houses, cultivated several thousand acres and employed 300 labourers the year round on his extensive estates. He described Lord as a former horse stealer who had built a house at the cost of £20,000. He claimed that these men were despised and that free settlers "would not deign to sit at their tables." Wentworth's past did not escape Arnold's attention and he

³¹ E. Bent to his Mother, 25 October 1810, N.L. MS 195/2, f.203.

maintained that the doctor had been a highwayman who was now worth "£30,000 ready cash." He decried the three men for having built their fortunes on trade and again used Wentworth to underline their disreputable practices. Failing to mention that many esteemed gentlemen had speculated in spirits, including Judge-Advocate Bent, Arnold claimed that Wentworth had purchased 4,000 gallons of rum in Rio de Janerio at 2/- a gallon and sold it in the colony at an "enormous price."³²

Discontent soon moved beyond mutterings. Samuel Marsden was outraged by the recognition afforded to such men. He refused to sit as a commissioner of the turnpike road with Thompson and Lord, insisting that to do so would be inconsistent with his situation. In addition he declined to join them on the bench, arguing that to appoint as magistrates men who had been convicted, and who continued to live in a state of profligacy, was incompatible with "morality, religion and sound policy." These men he complained, lived openly with one mistress, and others with two or more. He pointed out that the governor issued public orders to promote morality, but appointed men to public office whose example militated against good behaviour.³³

Wentworth certainly exemplified the disjunction between stated policy and its implementation. On 28 April 1810 a notice appeared in the *Sydney Gazette* advising its readers that Mary Ann Mackneal had, without any provocation, left her husband's house and abandoned her infant son. It warned any person sheltering her that they risked prosecution and that her

³² J.Arnold, Letters to his brother 25 February - 25 October 1810, M.L. A1849-2, ff.3-4.

³³ Dr. J.M.Good to S.Marsden, 25 December 1814, Letters to The Rev. Samuel Marsden, vol 1, M.L. A1992, ff.177-8; S.Marsden to W.Wilberforce, 27 July 1810, Hassall Correspondence, M.L.A1677-2, f. 23-4; Evidence of A.Riley, Report from the Select Committee on the State of Goals, ordered to be printed by The House of Commons, 12 July 1819, p. 55.

husband would not be liable forthwith for any debts incurred in her name.³⁴ Years after she had left him, James Mackneal accused Wentworth of being the one who had seduced his wife and enticed her to forsake her family. Mary Ann had come out to New South Wales in 1806 as a free woman and servant to Richard Gore. She married James Mackneal in 1808 and was only about 17 years of age when she deserted him for Wentworth.³⁵ Although a number of men in the colony kept mistresses, Wentworth's action, invited censure. He minimized open scandal by screening from public view his private life both with Maria Ainslie, who remained with him, and with Mary Ann Mackneal. He shunned social gatherings; when he did attend public functions, such as dinner at Government House, he did so either alone or in the company of one of his sons.³⁶ Choosing to disregard Wentworth's liaison with Mrs Mackneal, (who now used her maiden name of Lawes) Macquarie issued a Government Order on 17 May 1810 announcing Wentworth's appointment as a justice of the peace and a magistrate.³⁷

Reports of Macquarie's policy reached England where those interested in colonial affairs were staggered by the accounts. Some asked whether it were true that the governor associated with, and brought to his table, ex-convicts who had amassed fortunes by infamous chicanery and who lived dissolutely. Elizabeth Macarthur informed her husband of Macquarie's

³⁴ Sydney Gazette, 28 April 1810, p.2.

³⁵ J.Mackneal to Saxe Bannister, 8 October 1824, J. Mackneal to the Governor in Council, August 1825, CSIL, Bundle 25, Letters and Petitions no. 1-67, AONSW, ff.76-8.

³⁶ A number of Wentworth's contemporaries maintained that he avoided social gatherings. J.Harris, A No.14, Convicts - Evidence, Appendix to Commissioner Bigge's Report 1822, CO 201/120, f.158; Evidence of J.Wylde, Judicial Evidence taken before Commissioner Bigge, HRA, ser. iv, vol. I, p.789. See Governor Macquarie's guest lists, L. Macquarie, Memoranda and Related Papers, M.L. A772, ff. 66, 76, 83, 141a, 157.

³⁷ Government and General Order, 17 May 1810, HRNSW, vol.7, p.380-1.

husband would not be liable forthwith for any debts incurred in her name.³⁴ Years after she had left him, James Mackneal accused Wentworth of being the one who had seduced his wife and enticed her to forsake her family. Mary Ann had come out to New South Wales in 1806 as a free woman and servant to Richard Gore. She married James Mackneal in 1808 and was only about 17 years of age when she deserted him for Wentworth.³⁵ Although a number of men in the colony kept mistresses, Wentworth's action, invited censure. He minimized open scandal by screening from public view his private life both with Maria Ainslie, who remained with him, and with Mary Ann Mackneal. He shunned social gatherings; when he did attend public functions, such as dinner at Government House, he did so either alone or in the company of one of his sons.³⁶ Choosing to disregard Wentworth's liaison with Mrs Mackneal, (who now used her maiden name of Lawes) Macquarie issued a Government Order on 17 May 1810 announcing Wentworth's appointment as a justice of the peace and a magistrate.³⁷

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³⁷ Government and General Order, 17 May 1810, HRNSW, vol.7, p.380-1.

emancipist policy and John, assured friends in England that the governor had surely been misled. He reasoned that Macquarie must have been blinded by the lies and cunning of individuals upon whom he at first naturally relied. Macarthur, however, felt that many remained unconvinced by his explanation; he confided to Elizabeth that "so contradictory - so strange are the events which have passed in the Colony, that I cannot expect belief when I am questioned about its affairs."³⁸

A number of individuals attempted to make political capital from Macquarie's emancipist policy. In 1812, before the Committee on Transportation, Bligh stated that people could not forget the stain borne by a convicted man and boasted that he had never permitted former convicts to come to Government House, nor elevated them to any dignities such as the magistracy.³⁹ He used the hearing to settle an old score. In this very public forum, the evidence of which was printed by order of the House of Commons, Bligh denounced Wentworth as a former highwayman whose conduct during his administration was far from exemplary.⁴⁰ Palmer also maintained before the committee that Wentworth's character in the colony was disreputable.⁴¹ These assertions passed unchallenged. Bligh nonetheless had misjudged the attitude of the committee: rather than censuring Macquarie for encouraging emancipists to re-enter society and assume office, the members praised his measures.⁴²

³⁸ In particular, Macarthur is referring to Foveaux. J. Macarthur to E. Macarthur, 21 April 1811, Macarthur Papers - Letters to Mrs Macarthur 1808 - 1832, M.L. A2898, ff.103-4; also in Macarthur Onslow, *op. cit.*, pp.215-6.

³⁹ Evidence of W. Bligh, Appendix to the Report from the Select Committee on Transportation, 1812, p. 36.

⁴⁰ *Ibid.*, p. 45.

⁴¹ Evidence of J. Palmer, *ibid.*, p. 64.

⁴² *Ibid.*, p. 13.

In the colony the undercurrents of discontent grew stronger. Undeterred, Macquarie continued to rely on emancipists and men of inferior rank to implement his programme of reform and construction in the colony. One of his first major developments was the building of a general hospital in Sydney. Alexander Riley and Blaxcell put forward a plan for the erection of this building and, before concluding the contract, asked Wentworth to join them. This development pleased Macquarie who felt that Wentworth's considerable wealth added greater security. Aside from the financial benefits, Macquarie also argued that Wentworth's "Rectitude of Conduct and Zealous Attention" would ensure the due and faithful execution of the contract.⁴³

According to the governor, the need for a new hospital was pressing; the proposal placed before him not only freed the government from expense, but would raise for government a revenue of £6,750 in three years.⁴⁴ The indenture signed on 6 November 1810 stipulated that the contractors had permission to import 45,000 gallons of spirits and required them to pay 3/- a gallon duty. The contract allowed them to dispose of this liquor in the manner they thought most advantageous. They were granted the use of 20 draught bullocks from the government herds for a period of three years; they were given 20 male convicts whom they were required to feed and clothe for the same period. During the three years, the contractors were also entitled to take possession of 80 oxen fit for slaughter. The contract contained the governor's undertaking to prohibit the importation of any other spirits, excepting that which government deemed necessary "for their own use and

⁴³ Governor Macquarie to Lord Liverpool, 17 November 1812, HRA, ser. i, vol. VII, p. 597.

⁴⁴ Ibid., p.595-6.

occasions, and without prejudice or reference to the importation of any quantity of spirits which may be brought into this country by promiscuous ships ... arriving in this port." This contract also exempted 67,500 gallons of spirits which Macquarie had already allowed individual merchants and companies to import. The contractors agreed to commence building on or before 1 May 1811 and to finish on or before 1 May 1814.⁴⁵

This undertaking required a substantial initial outlay. Wentworth wrote to his agent on 27 October 1810, informing him of the contract and of his need to draw a set of bills to the amount of £300 in favour of Blaxcell. He directed Cookney to sell his £500 worth of three per cent consols if he had insufficient funds.⁴⁶ At this time Wentworth's account in England was in arrears. To save his kinsman from embarrassment, Lord Fitzwilliam, in May 1810, had advanced £210 to Wentworth's account to enable Cookney to meet the payment of debts.⁴⁷ Cookney told Wentworth in August 1811 that it was fortunate the bill for the £300 had not yet been presented because he could not have honoured it; moreover, he could not again solicit aid from Lord Fitzwilliam.⁴⁸ Six months later, however, Cookney placed before Fitzwilliam the precarious state of Wentworth's account. He explained that Wentworth could not have anticipated the expenses incurred in outfitting and obtaining a passage to New South Wales for his son, D'Arcy, which amounted to £400. Furthermore, the bill for £300 had been presented: Cookney had insufficient funds to meet the payment and sought Fitzwilliam's guidance. His Lordship once again saved Wentworth's business

⁴⁵ Hospital Contract, *HRNSW*, vol. 7, pp. 449- 453.

⁴⁶ C. Cookney to Lord Fitzwilliam, 5 February 1812, Wentworth Woodhouse Muniments.

⁴⁷ C. Cookney to D. Wentworth, September 1810, 16 January 1812, Wentworth Papers, A754-2, f. 459, 472-3; D. Wentworth's Account with C. Cookney, *ibid.*, ff. 536-63.

⁴⁸ C. Cookney to D. Wentworth, 17 August 1811, Wentworth Papers, A752, f. 345-6.

reputation by advancing the full amount to his account.⁴⁹

While Cookney and Fitzwilliam endeavoured to save him from financial embarrassment in England, Wentworth himself was attempting to rescue William Evans, one of his colleagues, from a similar fate. At the instigation of a colonist named William Mansel, Assistant Surgeon Evans had been confined in gaol for a debt of £34/3/6. On 21 November 1810 Wentworth intervened on Evans's behalf, offering to liquidate the debt at £2 a month. The imprisonment of one of his colleagues had so infuriated Wentworth who, though normally a conciliatory person, now threatened to destroy Mansel's reputation if he refused to accept the proposal. In addition Wentworth declared that he would place the matter before the bench of magistrates and have Evans discharged without paying a shilling of the debt. The following day Mansel informed Wentworth that he would accept a promissory note for the debt at 12 months notice. Wentworth refused his offer, maintaining that he would have Evans discharged without payment if Mansel did not accept the original offer. Rather than being cowed by Wentworth's bullying, Mansel stood resolute. Allowing passion to override reason, Wentworth again approached Mansel. Accompanied by another surgeon, Charles Throsby, he visited Mansel at his house on Saturday the 24th, where he made out a promissory note for the full amount of the debt and insisted that Mansel accept it. He then warned that if ever Mansel or his family required medicine or medical attention it would be refused by Redfern, Evans and himself. He also threatened to persuade Drs Carter and Martin of the 73rd Regiment to deny him professional assistance. Having stated his determination to ruin Mansel, Wentworth stormed from the house,

⁴⁹ C. Cookney to Lord Fitzwilliam, 5 February 1812, Wentworth Woodhouse Muniments.

informed the provost marshal that he had honoured the debt, and proceeded to have his colleague released from gaol. On 6 December 1810 Mansel complained of Wentworth's behaviour in a petition to Macquarie.⁵⁰ Wentworth's petulant attempts to intimidate Mansel did not deter the governor from offering him another senior appointment.

As part of his reform programme, the governor embarked on a scheme to re-organize the police in Sydney. On his arrival he found the system for maintaining law and order in the town defective and inadequate. The streets often presented scenes of drunkenness, rioting and other forms of excess, while robberies, burglaries and assaults occurred frequently.⁵¹ Macquarie framed a new code of police regulations which came into effect on 1 January 1811. He appointed Wentworth, as superintendent of police.⁵² In justifying the appointment, the governor maintained that the doctor's long residence in the colony equipped him with a thorough understanding of the composition of the population and of the character of the inhabitants. Macquarie felt that his government was particularly fortunate in having secured Wentworth's services because he was "Indefatigable in his Exertions and Assiduity."⁵³ Wentworth volunteered to perform his police duties without remuneration, but Macquarie felt that, because he would devote a considerable amount of his time to the various tasks, he should

⁵⁰ Deposition of W. McIntosh, J. Johnston, G. Shaw and T. Storer, 30 November 1810; Petition of W.C.Mansel to Governor Macquarie, 6 December 1810; Deposition of W.C.Mansel, 6 December 1810, CSIL, AONSW, 4/1725, ff. 220-6.

⁵¹ Governor Macquarie to Earl Liverpool, 18 October 1811, HRNSW, vol. 7, p. 607.

⁵² Government and General Order, 29 December 1810, ibid., p. 476; Police Regulations, ibid., pp. 479-85.

⁵³ Governor Macquarie to Earl Liverpool, 18 October 1811, ibid., p. 607.

receive a salary. He recommended to Lord Liverpool that Wentworth be allowed a salary of £200 per annum.⁵⁴

Wentworth commenced duties on 1 January 1811 and conducted police affairs from his house in George Street where his busy schedule kept him from his medical duties.⁵⁵ His personal commitment to Macquarie intensified as he became increasingly involved in the administration of the settlement. He drew comfort from their friendship and from the trust and confidence the governor placed in him. In November 1811 he maintained that Macquarie's conduct towards him had been "one continued act of kindness." Wentworth hoped that his exertions in the various situations he held would contribute to the tranquillity that had settled on the colony.⁵⁶

The proceedings for the laying of the foundation stone at the General Hospital symbolized the nature of their relationship. At 12.45 p.m. on 30 October 1811 the ceremony commenced with the hoisting of the flags at Dawes Point. The contractors received the governor and Mrs Macquarie at the outer gate and escorted them to a marquee where they took refreshments. After leaving the tent, they proceeded to the north-west corner of the building. The contractors presented Macquarie with a handsome box containing gold and silver coins which he deposited in the cavity at the base of a stone which bore the inscription, "The first Stone of this Building was laid by the Projector, Lachlan Macquarie, Esquire, Governor in Chief of the British Territories in New South Wales." The governor took a silver trowel from one of the contractors and set the foundation stone, the

⁵⁴ ibid.

⁵⁵ Evidence of W. Johnston and Assistant Surgeon Owen, E nos. 4 and 5, Medical - Evidence, Appendix to Commissioner Bigge's Report, 1822, CO 201/ 124, ff.71, 85-6; Evidence of D.Wentworth, B. no.19, Police - Evidence, ibid., CO 201/ 121, ff. 6-8.

⁵⁶ D.Wentworth to Lord Fitzwilliam, 30 November 1811, Wentworth Woodhouse Muniments.

*The TRUSTEES of the POLICE FUNDS in an Account Current with D'ARCY WENTWORTH, Treasurer
for the Quarter ending on the 30th September, 1811.*

Dr.	£	s.	d.	£	s.	d.
To paid William Broughton, Esq. Acting Commissary, } on account of sundry persons.....	796	8	0			
— Mr. Alcock for work done by a party of soldiers in } repairing the streets of Sydney, &c.....	201	3	9			
— Mr. Hanner for services at Newcastle, during the } absence of Mr. Evans.....	60	0	0			
— Mr. Cox for fencing the burial ground at Windsor, } and for a timber-warehouse, &c.....	40	0	0			
— James Bowler for erecting a pump in the gaol yard } of Sydney.....	36	0	0			
— Mr. Lucas for putting up a fence near the brick- } fields.....	52	15	0			
— Thomas Legg in part for erecting buildings, &c. in } the gaol yard of Sydney.....	30	0	0			
— Campbell and Co for 56 gallons of oil supplied the } watch houses and toll-houses.....	17	4	0			
— Samuel Hockley for fire-wood supplied the watch } houses and toll-house.....	14	14	0			
— George Gamble for sundries for the repair of the } public pound.....	4	4	0			
— Sundries supplied the gaol.....	5	4	6			
— Mr. Bevan for paper.....	1	16	0	1297	9	9

SALARIES.

21th March } to July 30th }	— Lieutenant Purcell, Commandant at Newcastle.....	32	3	0		
1st July to } Sept. 30th }	— Lieutenant Durie, ——— at Parramatta....	25	0	0		
	— Mr. William Alcock, superintendent of public roads	23	0	0		
	— John Keenan, chief constable.....	15	0	0		
	— Daniel Cubitt, gaoler.....	15	0	0		
	— Robert Jones, assistant superintendent of police	15	0	0		
to Sept. 30th } inclusive }	— Matthew Gibbons, clerk to the public market..	20	0	0		
	— John Le-win, cooper.....	10	0	0		
	— Michael Robinson, secretary's clerk.....	12	10	0		
1st July to } Sept. 30 }	— Charles Gray ditto.....	12	10	0		
1st April to } Sept. 30th }	— Joseph Cowgill ditto.....	12	10	0		
	— George Jebb, police clerk.....	6	15	0		
9th July to } Sept. 31 }	— John Wheeler, Richard Bakon, Richard Phelps, } Jonathan Green, and John Russet, District Constables..	12	10	0		
18th July to } Sept. 30 }	— Rich. Wade, steeple-keeper.....	2	0	6	222	0
	Total expended			£1510	9	9

Cr.	£	s.	d.	£	s.	d.
By balance in hand.....	4185	0	6			
— Toll duties received from Sergeant Eager.....	74	12	11			
— ——— received from Sergeant John.....	28	5	0			
— Fines levied on sundry persons.....	27	1	3			
— Duties received from Norfolk Island.....	16	9	0			
— Market duties from Mr. Gibbons.....	20	0	4			
— Auction Duties from Mr. Howe, of Windsor.....	69	3	4			
— Cash from Captain Henry Glenholme, Naval Officer, } for Duties.....	1398	0	1	5822	12	6
	Total received			5822	12	6
	Total expended			1510	9	9
	Balance in Hand			£4303	2	9

(signed) D. WENTWORTH, Treasurer.

(Approved) (signed) M. C. O'CONNELL.

(signed) ELLIS BLUNT.

(Examined and Approved)

" LACHLAN MACQUARNEY "

This statement will provide some understanding of Wentworth's duties as treasurer of the police fund.

spectators gave three cheers and a 15-gun salute was fired from Dawes Battery.⁵⁷ Although attention focused on the governor, it was Wentworth and his partners, who would bear the responsibility and financial worry of seeing the hospital built.

Macquarie and Wentworth both sought and needed recognition and approval. They derived satisfaction and esteem from accomplishment. Yet, Macquarie looked for the glory in achievement, while Wentworth anticipated the more tangible rewards of property and office. The two men complemented each other: while the governor was interested in founding and designing, Wentworth wanted to build and own. The governor thus provided the necessary framework and guidance for Wentworth's continuing search for increased responsibility. This direction enabled Wentworth to channel his energies into achieving goals that would produce the rewards he sought. Macquarie formulated the plans and Wentworth willingly put them into execution.

Within twelve months of the governor's arrival, Wentworth had become a key figure in colonial administration and was engaged in three of the settlement's major projects. As a commissioner for the turnpike road, he undertook responsibility for ensuring the construction and maintenance of the colony's main road, as a contractor for the hospital, he assumed a vital role in the erection of the general hospital; as superintendent of police, he took charge of the remodelled force. Apart from these duties, he continued to hold the positions of principal surgeon, treasurer of the police fund and colonial magistrate.

⁵⁷ *Sydney Gazette*, 2 November 1811, p.2; Governor Macquarie, Instructions, 29 October 1811, Colonial Secretary, Special Bundles, Medical Establishment, AONSW, 5/3821.3.

Outwardly Wentworth appeared as a busy and ambitious man, gaining daily in importance. Still, for all his apparent success and influence, deep-rooted insecurities persisted. His peace of mind was disturbed by the presence of Bligh's daughter in New South Wales. She had remained in Sydney and married the lieutenant-governor who also commanded the 73rd Regiment. The new Mrs O'Connell appeared to be one of the few women in the settlement immune to the Wentworth charm.⁵⁸ According to colonial gossip, she had a violent temper and was reputed to have on occasion flung a plate or candlestick at her father's head.⁵⁹

Wentworth felt especially vulnerable after his son, D'Arcy, arrived in the colony on 29 September 1811 to begin duty as an ensign in the 73rd.⁶⁰ He feared that this appointment had incensed the commander's wife who, in revenge for the rebuke Castlereagh had delivered to her father over the Wentworth affair, was endeavouring to have young D'Arcy dismissed. Without any firm evidence Wentworth believed that she had prevailed upon her husband to write to the Duke of York for his son's suspension. He became alarmed in November 1811 and, with Macquarie absent from Sydney on a tour of inspection, wrote to Lord Fitzwilliam for help. He pleaded for his intervention, exhorting him to save his son's career from the "malicious disposition of a base and artful Woman." Fitzwilliam saw no cause for anxiety, and in October 1812 Cookney relayed His Lordship's assurance that Mrs O'Connell would not prejudice D'Arcy's career, and that his son need attend only to his own good behaviour to ensure success.⁶¹

⁵⁸ E. Bent to J. Bent, 2 May 1810, N.L. MS 195/2, ff.162-3.

⁵⁹ *Ibid.*

⁶⁰ *Sydney Gazette*, 5 October 1811, p.2.

⁶¹ D. Wentworth to Lord Fitzwilliam, 30 November 1811, Wentworth Woodhouse Muniments; C. Cookney to D. Wentworth, 11 October 1812, Wentworth Papers,

In October 1811 Macquarie re-granted the land which Wentworth had surrendered early in 1810, with an additional allowance of 990 acres.⁶² In conjunction with his official duties, Wentworth supervised the management of his extensive tracts of land and large herds of cattle and sheep. He realized the importance of economic independence as a means to protect himself from the caprice of governors and, throughout his life, continued to add to his estate. Even during Macquarie's administration, he could not forget the fears and insecurities he had experienced under former governors. He passed on to his son the lessons he had learnt during his early years of struggle. William was later to agree with his father and support him in his endeavours to acquire vast tracts of land and herds of stock:

I am now fully convinced that any person who has sufficient land to herd a few thousand fine wool sheep may derive from them, with common attention, a very independent income and one not to be limited in its extent or duration by the friendship, or hatred of Governors, one which may render unnecessary the [...] of servility; and guarantee its holder from the attacks of injustice and tyranny.⁶³

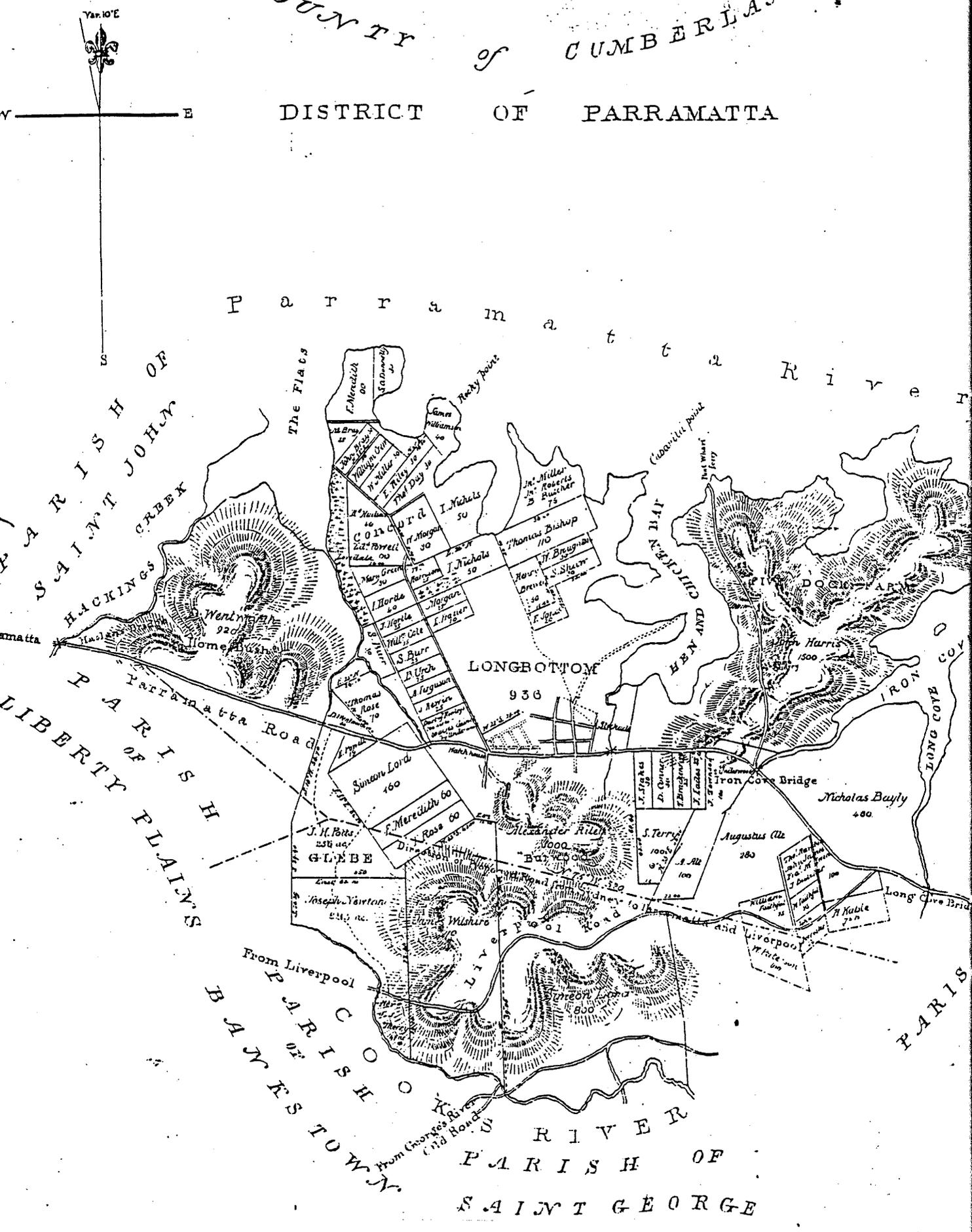
The drive to achieve financial independence did not prevent Wentworth from indulging in one of his favourite pastimes - horse racing. Under the patronage of Macquarie the first race meeting in the colony was held during the week commencing Monday 15 October 1810. In three separate heats Wentworth's bay gelding Gig outclassed Mr Broughton's black gelding

Treasury Orders, etc., 1812-1825, M.L. A763, f. 15; C.Cookney to Lord Fitzwilliam, 15 May 1812, Wentworth Woodhouse Muniments.

⁶² List of Land Grants surrendered into the Secretary's Office, 30 April 1810, HRA, ser. i, vol VII, p. 310; List of Grants of Land given by Governor Macquarie, 18 October 1811, *ibid.*, p. 436.

⁶³ W.C.Wentworth to D.Wentworth, 25 May 1818, Wentworth Papers, A756, ff. 817.

COUNTRY OF CONCORD
 DISTRICT OF PARRAMATTA



D'Arcy' Wentworth's Farm 'Homebush'

SCALE

Jerry, winning the third heat "at a canter" and netting D'Arcy 120 guineas. Wentworth also entered his horse in the race for the 50 guinea purse donated by the magistrates of the colony. During the first heat Gig fell when a dog crossed the course. The horse was uninjured, but the rider was unable to recover in time to re-mount and finish the race. Before the meeting in August 1811, Wentworth and Major Cleveland agreed to race their horses in a match against time thrice around the course for a "considerable sum." In this closely contested event Cleveland's horse Scratch defeated Gig. On another occasion Wentworth entered a wager of 100 guineas with Lord that one of Lord's horses could not complete a circuit of the course in under two minutes. Unfortunately an accident to Lord's horses prevented him from following through with the bet. Although Wentworth enjoyed the thrill of the race and the excitement of chancing his luck, there was a sober and business side to his involvement in racing. He also bred horses and established a stud farm at Homebush.⁶⁴

Much festivity accompanied the race meetings. During the week grand balls were held when "officers military and civil and the beauty and Fashion of the colony attended." Those excluded from such elite society entertained according to their taste and, with food and drink in abundance, the revelries lasted well into the night. The exuberance, however, placed a strain on the uneasy relationship that existed between the troops and the civilians and in 1816 the merrymaking and carousing gave way to scenes of "dissipation, fighting and rioting." Macquarie informed Wentworth that the affrays which had taken place between the soldiers and inhabitants were so serious that

⁶⁴ Sydney Gazette, 18 August 1810, pp.1-2, 20 October 1810, p.2; 17 August 1811, p.2; 22 August 1812, p.2, 29 August 1812, p.1, 4 September 1812, p.2; For the wager which bears no date, see Wentworth Papers, A752, f.367.

the troops had to be confined to their barracks the following day to prevent further mischief. The governor instructed him to notify the organizers that no further race meetings would be allowed at present.⁶⁵

Wentworth also took on the civic duties expected of a leading public figure. In December 1813 he joined with Marsden, Blaxcell, Oxley, Riley and Lord to request a meeting to consider measures for the support and relief of natives from the South Seas Islands who had arrived in Sydney. In July 1814 he subscribed £40 to the fund for the erection of a Court House and in September formed a committee with Campbell, Redfern, Hannibal Macarthur, the Reverend William Cowper, Henry Fulton and Rowland Hassall to promote the education and civilization of the Aborigines.⁶⁶

Wentworth's sons also helped promote the family name in the colony. In May 1810 he notified his agent of William's safe arrival in Sydney on 17 March and expressed satisfaction with his conduct. Wentworth was anxious to place William in a situation that would benefit both. The lucrative position of provost marshal remained vacant with Gore's return to England, and William promptly solicited Lord Fitzwilliam to use his influence to obtain this appointment.⁶⁷ Macquarie appointed William acting provost marshal in October 1811.⁶⁸ Two years later William, in company with Lawson and Blaxland, succeeded in discovering a route across the Blue Mountains. Wentworth proudly informed his patron that this feat had been

⁶⁵ Governor Macquarie to D. Wentworth, 13 August 1816, Wentworth Papers, M.L. A4073, Item 4.

⁶⁶ Sydney Gazette, 11 December 1813, p. 2 and 3 July 1813, p.2; CSIL, 10 September 1814, AONSW, 4/1730, ff. 341-5.

⁶⁷ D. Wentworth to C. Cookney, 8 May 1810, Wentworth Papers, A752, f.289.

⁶⁸ Government and General Orders, 26 October 1811, HRNSW, vol. 7, p. 630.

achieved "by the spirited and indefatigable Exertions of my Son William & two other Gentlemen who at their own expense undertook and compleated the arduous & often before attempted Enterprize."⁶⁹

If Wentworth saw himself contributing to the building of a better society, he certainly did not forgo his private ambitions. His determination to protect and increase his own fortune inevitably brought him into conflict with the governor. For Riley, Blaxcell and Wentworth, the construction of the hospital was primarily a business project intended to return handsome profits. For Macquarie, it was to be a showpiece of his reform programme for which future generations would remember him, but which he had to complete within the constraints of government policy and economy. At the signing of the contract, both parties to the agreement envisaged a profitable melding of their interests. On receiving a copy of the contract, Lord Liverpool, however, foresaw trouble.

In April 1810 Macquarie had written to Whitehall urging the adoption of a policy which allowed the free importation of spirits under a duty of not less than 3/- or 4/-.⁷⁰ Acting on this recommendation, the home government had approved the measure and issued licences to individuals for the export of various articles including spirits. Liverpool stressed that these merchants would have great reason to object if they found themselves entirely excluded from selling their cargo after having incurred the substantial risks of a lengthy voyage and the danger of an unpredictable market. Similarly, he felt that the contractors would be materially disadvantaged and have equally strong grounds for complaint if these

⁶⁹ D. Wentworth, n.n., n.d., (fragment of letter) Wentworth Papers, A 752, f.402.

⁷⁰ Governor Macquarie to Viscount Castlereagh, 30 April 1810, HRA, ser. i, vol. VII, p. 250.

vessels were allowed to land their cargoes. After expressing his disapprobation of Macquarie's agreement he eschewed all responsibility and left the governor to adopt measures which would do justice to both parties.⁷¹

Within months the contractors realised that the prevailing economic conditions in the colony threatened the profitability of their enterprise. Riley stated simply to his brother, "In truth the Colony has never been so glutted since its birth."⁷² In an attempt to gain control over the supply of spirits the contractors took steps to tighten their monopoly by seeking to extract more favourable terms from their contract. In a letter to Macquarie, dated 11 January 1812, they complained of the "most alarming inroads" made into their exclusive privilege by the importation of upwards of 10,000 gallons of spirits contrary to the conditions of their agreement which had caused them "irreparable injury." They explained to Macquarie that they had landed 18,700 gallons of liquor in the firm belief that their "privilege would be held inviolate", but could dispose of only 8,000 gallons. They protested bitterly that the funds which should have flowed into their store were being siphoned off by those who held a share in the 10,000 gallons of spirits. It was particularly vexing for the contractors to see these individuals reap rewards without having risked a single shilling or made any public sacrifice. Moreover, this large quantity of imported spirits, together with the practice of paying government workers in liquor (who then sold a portion of it to the licensed dealers), enabled vendors to undercut the contractors. They emphasised that their return on the sale of spirits, which they estimated to

⁷¹ Earl Liverpool to Governor Macquarie, 19 May 1812, *ibid.*, pp. 486-8.

⁷² A. Riley to E. Riley, 18 February 1812, Riley Papers, Letters from Sydney, 1811-14, M.L. Safe 1/50, f.27.

be only 2/3 per gallon, "will not Simply return us the Profit enjoyed by the lowest dealer in the Colony for the most humble Employment of his Time or means", and they appealed for the governor's protection.

The contractors also faced a lack of public sympathy for their predicament. They admitted to Macquarie that inhabitants from all ranks in the community entertained the notion that they were realizing considerable wealth from the enterprise, and hence regarded any attempt to avoid cooperating with their undertaking as reasonable.⁷³ Indeed, there were colonists who resented the contractors' apparent monopoly and openly ridiculed the scale of the project. Hannibal Macarthur caustically remarked that the public were to fill the coffers of the contractors and that the grandiose plan which afforded palaces for the medical staff was more appropriate for the West Indies. Wentworth's own proposed living quarters were an especially sore point to Hannibal Macarthur.⁷⁴

The governor expressed his intention to provide compensation for the loss suffered due to the introduction of spirits beyond the terms of the contract. Spirits, however, continued to find their way onto the colonial market and within three months Riley maintained that the contractors were "a Little annoyed at a further importation of 25,000 gallons of Cape Wine."⁷⁵ On 2 March 1812 they stressed the urgency of their problems, maintaining that they had already spent £5,000 on the construction of the hospital and that their disbursements exceeded £100 a week. Macquarie promptly indicated that he would permit them to buy additional spirits and allow an

⁷³ The Contractors to Governor Macquarie, 11 January 1811, Wentworth Papers, Papers re Sydney Hospital, 1810- 1817, M.L.A761, ff.20-4.

⁷⁴ H.Macarthur to J.Macarthur, 4 July 1813, Macarthur Papers, A2901, ff.49-52; J.D.Lang, *An Historical and Statistical Account of New South Wales*, vol. I, London, 1852, p. 147-8; Holt, *op. cit.*, pp. 315-6.

⁷⁵ A.Riley to E.Riley, 28 March 1821, Riley Papers, M.L. Safe1/50, f.21.

extension of time for its disposal.⁷⁶

Because of insufficient funds in the colony, the contractors pointed out that no amount of additional spirits could relieve their situation. They argued that at least 6,000 gallons of spirits, not stipulated in the conditions of their contract, had been landed in the colony. All of this amount was sold while 9,000 gallons of their spirits remained on hand. The contractors claimed that they had therefore been deprived of at least £8,000. Their prospects appeared gloomy. They maintained that they had been able to sell only 500 gallons per month; in order to sell the remaining 34,500 gallons within the prescribed time they estimated that they needed to dispose of their spirits at a rate of 1,500 gallons a month – a task they deemed impossible.⁷⁷

Riley, Blaxcell and Wentworth met with Macquarie toward the end of March 1812 to resolve their difficulties. The governor granted them permission to purchase an additional 10,000 gallons of spirits above that provided for in the contract, and gave them an additional six months to dispose of the liquor. He also allowed them twelve months credit in which to pay the import duties due to government. He rejected their proposal to reimburse them individually or collectively with grants of land, insisting that such a suggestion was totally unacceptable. In his letter of 26 March 1812 the governor formally outlined the agreements reached during their private conference. He stated that it was his sincere wish "to indemnify the Contractors most fully and liberally for any losses they may have sustained by the unavoidable deviation from the strict letter of the contract on his

⁷⁶ The Contractors to Governor Macquarie, 2 and 4 March 1812, Wentworth Papers, Papers re Sydney Hospital, A761, ff. 90(out of sequence), 26-9.

⁷⁷ The contractors to Governor Macquarie, 2 March 1812, *ibid.*, ff. 26-9.

part, in permitting Commanders of Vessels and others to land Spirits at Sydney," He reiterated his sentiments on the land grants but now claimed that he would have no objections, at some future date, to give moderate grants of land to individuals who could establish that they required more to accommodate their increased livestock.⁷⁸ The contractors acknowledged the governor's generosity and accepted the terms.⁷⁹

Throughout 1812 negotiations between the two parties continued, although the main considerations dealt with the construction and specifications for the hospital building. The contractors endeavoured to change the height of the building, the number of pillars, the extent of the flight of the stairs and the type of roof. On some occasions Macquarie acquiesced in their suggestions, on others he stood firm. Whenever he agreed to alterations he ensured that the contractors agreed to complete work on other projects commensurate with the reductions. Generally their negotiations were straightforward business dealings but sometimes the exchanges became strained.⁸⁰

By December 1812 the emphasis had moved from building technicalities back to finance. The contractors' profits from the sale of spirits fell far short of their expectations and they blamed Macquarie for their losses. At this stage one-half of the hospital had been constructed at a cost of £12,000. According to the contractors, they faced a disbursement greater than this amount to complete the building but had not been able to reimburse themselves for the amount they had already expended. Bluntly,

⁷⁸ Governor Macquarie to the Contractors, 26 March 1812, No. 37, Medical -Documents, Appendix to Commissioner Bigge Report, CO 201/124, ff. 54-6.

⁷⁹ The Contractors to Governor Macquarie, 28 March 1812, Wentworth Papers, Papers re General Hospital, A761, f.34.

⁸⁰ Correspondence between the Contractors and Governor Macquarie, *ibid.*, ff. 38-58.

they declared that they could never have imagined that within two years upwards of 21,000 extra gallons of spirits would be introduced for sale through the channel of H.M. Stores, "the door of which We implicitly relied would be inviolably shut against any Issues, but those provided." Unable to dispose of their large quantities of liquor, they branded every gallon of spirits which had been so issued from the government "a direct subversion of the true intent and purport of the Agreement."⁸¹

Macquarie defended his integrity. While admitting that he might have departed from the true spirit of the contract in allowing certain individuals to land and sell spirits, he maintained that he had demonstrated a readiness to indemnify the contractors for their losses. Their accusation that he was responsible for a breach of contract surprised and offended him. Resorting to a strictly legal argument, he pointed out that he was "justly and legally authorized" to pay a government man in spirits and threatened to refer the matter to the highest court in the country. In more mellow tone, he told them that he had never intended to injure their interests by paying government workmen in spirits, nor to persevere in that mode of payment longer than he regarded as fair and just to their interests.⁸² Neither intimidated nor placated, the contractors pressed their case; on 29 December they wrote to Macquarie declaring that their situation was "so pregnant with ruin to our Credit and Fortunes." They told him they felt confident in their claim for restitution and in the strength of their position should they be "unavoidably and reluctantly" drawn into legal action.⁸³

⁸¹ The Contractors to Governor Macquarie, 18 December 1812, *ibid.*, ff.60-4.

⁸² J.T.Campbell to the Contractors, 21 December 1812, *ibid.*, ff. 66-9.

⁸³ The Contractors to Governor Macquarie, 29 December 1812, *ibid.*, ff.70-3.

The governor responded coldly by referring them to his previous letter.⁸⁴ Undeterred, the contractors forced the issue by informing Macquarie of their intention to place their grievances before His Majesty's ministers in England.⁸⁵ This proposal jolted Macquarie into calling a private conference where he offered the contractors "adequate and liberal remuneration" to compensate for their losses. He admitted that the amount of spirits issued from the government stores during the period of the contract had exceeded his estimations and "of course has in an equal degree tended to the prejudice of your sales of Spirits under the Contract." Macquarie allowed them to land an extra 5,000 gallons of spirits and granted them an additional six months to dispose of their merchandise. More importantly, he undertook to limit his issue of spirits in payment for public employment to 3,500 gallons annually excluding the 9,500 gallons already stipulated in the original contract. On 12 February 1813 the contractors formally accepted this offer.⁸⁶

An uneasy lull lasted until May 1813 when another round of negotiations began. The governor had sent the contractors instructions for alterations and additions to be completed to the General Hospital. On 4 May 1813 the contractors reminded Macquarie of his expressions of gratitude for the manner in which they had executed his intentions. They felt confident that in considering the resources of the colony "it will ever create Astonishment that so much has been done so well in so little time". Broaching the issue of additional expenses involved in finishing the building,

⁸⁴ Governor Macquarie to the Contractors, 30 December 1812, *ibid.*, f. 74.

⁸⁵ The Contractors to Governor Macquarie, 11 January, 4 February 1813, *ibid.*, ff.78-9,82.

⁸⁶ J.T.Campbell to the Contractors, 10 February 1813, *ibid.*, ff.84-6; The Contractors to J.T.Campbell, 12 February 1813, *ibid.*, f.88.

they maintained that - in estimating the cost of the hospital - they were guided by the contract which required the apartments to be finished in a substantial and neat manner without "extending into Ornamental Elegance". The contractors complained about Macquarie's instructions concerning the doors, doorways, window frames, shutters and cornice work.⁸⁷

Exasperated, Macquarie declared that after this letter of 8 May 1813 he could no longer permit his time "to be so unnecessarily encroached upon and occupied by a correspondence so very vexatious and apparently interminable as the present." He maintained that they had not been required to undertake, nor had they executed any work, exceeding that agreed to by the letter and the spirit of the contract, and he insisted that they abide by their agreement to complete the work. He asserted that in both law and equity they were bound to complete the building according to the plan. With increasing irritation, he stressed that the remuneration outlined in the contract together with the additional allowances must be appreciated as not only adequate but most ample and generous. Finally, he threatened to relinquish the contract if they declined to finish the building in the appropriate style. On this angry note correspondence on the matter ceased.⁸⁸ Despite this exchange, Wentworth remained a close friend of the governor and attended a small gathering in Government House on 3 November 1813 to celebrate the Macquaries' sixth wedding anniversary.⁸⁹

In colonial society such disputes tended to escalate into bitter, protracted feuds. Wentworth and Macquarie managed to confine their

⁸⁷ The Contractors to Governor Macquarie, 4 May 1813, Medical - Documents, Appendix to Commissioner Bigge's Report, CO 201/124, ff. 78-82.

⁸⁸ J.T. Campbell to the Contractors, 8 May 1813, Wentworth Papers re General Hospital, A761, ff. 98-100.

⁸⁹ L. Macquarie, Memoranda and Related Papers, M.L. A772, f. 66.

conflict to the business at hand, preventing it from affecting their close personal attachment. Despite all their huffing and puffing, they kept their dispute out of the political arena and always kept a path clear for conciliation. Wentworth did not seek his patron's interference and, although Macquarie threatened legal recourse, he always seemed prepared to offer an olive branch.

From the earliest days of their association Macquarie had looked upon Wentworth as a friend and ally; Wentworth responded with gratitude and loyalty. A bond formed between the two men which withstood the effects of distrust and envy so endemic in the community. The governor saw himself as a benefactor to relatives and friends. He was a passionate family man who brought Wentworth into his intimate circle. Generous and fiercely protective of his friends, Macquarie undoubtedly wished to see Wentworth realise profit from the hospital contract. Wentworth wanted to meet the governor's expectations. Economic factors, including the home government's approval of free and open trade in spirits, undermined Macquarie's design to allow the contractors the degree of monopoly which would have given them greater control over the price and distribution of spirits in the colony. Although exasperated and at times angry with Macquarie, the contractors, particularly Wentworth, stood by their agreement to build the hospital.

Aside from the concerns of erecting a general hospital, Wentworth attended to his multifarious responsibilities. He had inherited a medical department with a history of official neglect dating from the foundation of the colony. Inadequate accommodation for the sick, shortages of essential supplies including bedding and cooking utensils, a want of medicines and delays in repairing or renovating the buildings were common problems. Some of the shortages occurred because of the negligence of the medical staff. In

1813 a court of inquiry found that Parramatta hospital had no candles or lighting oil because the surgeon in charge, Mr Lutterell had not applied to Wentworth for them. Macquarie and Wentworth strongly suspected that Lutterell misappropriated government stores and generally regarded him as an unworthy fellow.⁹⁰

The shortage of trained and reliable people to perform the various duties in the hospitals made Wentworth's task especially difficult. In August 1810 the Sydney bench of magistrates, which included Wentworth, ordered Elizabeth Davis and Hannah Chapple to hard labour at the Parramatta Factory for gross and repeated neglect of duty at the hospital. In April 1812 Wentworth was a member of the Sydney bench of magistrates which sentenced Ann Townshend, a free woman found guilty of stealing a cotton shirt, to do two months duty as a nurse at the General Hospital. The following month the court sentenced Rose Geraghty, also a free woman, to carry out nursing duties for three months at the hospital for stealing a blanket and sundry other items. Complaints about drunkenness and neglect were levelled against nurses who were known to escape from their duties in Sydney Hospital by scaling the inner wall and crawling through a drain in the lower wall.⁹¹

Wentworth's duties as superintendent of police and police magistrate demanded much of his time. Daily he presided over hearings when prisoners

⁹⁰ Report by Lieutenant-Governor O'Connell, 31 December 1813, E no. 25, Medical - Documents, Appendix to Commissioner Bigge's Report, CO 201/124, ff.420-1; D.Wentworth to Governor Macquarie, 15 January 1821, *ibid.*, f.421; Governor Macquarie to Commissioner Bigge, 4 February 1821 in enclosures from Commissioner Bigge to Earl Bathurst, 12 February 1823, CO 201/142, ff. 444.

⁹¹ Entry for 25 August 1810, Bench of Magistrates, Minutes of Proceedings 21 July 1810 - 22 June 1811, AONSW, COD 233; Entry for 4 April and 2 May 1812, Minutes of Proceedings, Bench of Magistrates, 29 June 1811 - 6 March 1813, AONSW, COD234; Evidence of W.Wakeman, grouped with E no.3, Medical -Evidence, Appendix to Commissioner Bigge's Report, CO .201/124, f.64.

were brought before him charged with a range of misdemeanours. According to the police regulations, Wentworth was authorized to punish those offenders convicted on oath before him of being a rogue and vagabond with a public flogging not exceeding 50 lashes and a term of hard labour not above six months. He was authorized to sentence any man found guilty of being an incorrigible rogue to confinement to hard labour for a period of up to 12 months during which time the prisoner could be whipped in such manner, times and place as the police superintendent thought fit.⁹²

Earl Bathurst voiced his concern at the wide powers granted to the police superintendent and directed Macquarie to alter the regulations. In particular, he questioned the wisdom of enabling a single magistrate to inflict corporal punishment upon the idle and disorderly. He thought the wording of this regulation so loose that it might be construed to include free persons. He directed Macquarie to change this regulation, restricting the sentence to confinement and hard labour. Similarly, he ordered the governor to place limitations on the form of punishment which applied to incorrigible rogues "in order to remove all possibility of abuse in the exercise of that unlimited Authority which it gives to the Superintendent."⁹³

Macquarie resisted any change to the original regulations. On 28 June 1813 he informed Bathurst of the absolute necessity in resorting to corporal punishment and told him that serious repercussions would threaten the peace of the settlement if the power of magistrates were weakened by the withdrawal of such authority. Clarifying the regulations, he insisted that a single magistrate possessed no authority to order a free man to be

⁹² Police Regulations for the Town of Sydney, 1 January 1811. See sections 6, nos. 7-8, HRA, ser. 1, vol. VII, pp.406-13.

⁹³ Earl Bathurst to Governor Macquarie, 23 November 1813, ibid., p.666.

flogged; only convicts could be punished in such a summary fashion, and then the sentence was limited to 50 lashes. He assured Bathurst that Wentworth was a most humane man who would never abuse the power vested in his office, and hoped that His Lordship would concur with his opinion.⁹⁴

While Macquarie and Bathurst sought to define the regulations governing the office of the police superintendent, Wentworth adopted a system of trial and punishment which met the daily needs of the settlement. For the sake of expediency he tried prisoners charged with offences such as robbery rather than referring them to the criminal court. Thus a constant parade of individuals came before him charged with theft, drunkenness, riotous and disorderly conduct, absence from work and abusive language. Now and again convicts would present themselves before him to complain about the poor quality of their rations or unfair treatment. Occasionally prisoners appeared charged with assault and battery, fraud, or homosexual acts. For the lesser offences he generally sentenced the miscreants to the gaol gang for periods ranging from one night to 12 months. For the more serious crimes, he sentenced the prisoners to the triangle, to suffer up to 50 lashes and, in addition, ordered them to Newcastle, a settlement for secondary punishment, for a period of up to three years. On finding S. Murray guilty of being "detected in a house at night", Wentworth directed that he receive 50 lashes and be put in the gaol gang for 12 months.⁹⁵ He sentenced Joseph Bather to be pilloried, whipped and transported to Newcastle for committing an "unnatural act." He showed no sympathy for highway robbers who could expect to receive 50 lashes, confinement in the cells and

⁹⁴ Governor Macquarie to Earl Bathurst, 28 June 1814, *ibid.*, p. 720.

⁹⁵ Evidence of A. Riley, *Select Committee on the State of Gaols*, 1819, p.56. Bench of Magistrates, 1 January - 24 December 1812, D.L. 15L, f.116; Account Book and Diary of Isaac Nichols, 1816-1819, N.L.MS3243, n.f.

banishment to Newcastle. After holding the appointment for a number of years, Wentworth, at times, exceeded the limit of 50 lashes. In July 1819 he ordered John Lislie to suffer 100 lashes and to be sent to the Coal River for assaulting a constable. Within six months Robert Medicott and Edward McCabe, both found guilty of robbery, had received similar sentences.⁹⁶

On occasion Wentworth tried free persons and, in compliance with regulations, fined them or bound them over to keep the peace instead of having them flogged.⁹⁷ He spared female convicts the pain and humiliation of the triangle and generally sent them to the Parramatta Factory for lesser offences or to the Coal River for more serious breaches of colonial laws.⁹⁸

Although the punishments were at times both harsh and brutal, Wentworth operated within a community which recognized flogging, particularly that of a recalcitrant convict, as an accepted form of punishment. Some settlers felt that the sentences were too lenient.⁹⁹ Given this milieu, his treatment of prisoners was not excessive. He did not order prisoners to be flogged in order to extract a confession, or to have stolen property located, as did happen at Parramatta. Often the book of record in Sydney stated only that the offender was to be confined in prison or ordered

⁹⁶ Bench of Magistrates, D.L. 15L, ff.46-7. Sentence passed on Samuel Myers, Abraham Levy, William Torley and Thomas Gates, John Lislie, Robert Medicott and Edward McCabe, A Return of Fines, Punishments in the Police Office, Sydney, 8 May 1817- 31 December 1820, Police - Documents, Appendix to Commissioner Bigge's Report, CO 201/121, ff. 527, 540, 554-5.

⁹⁷ A Return of Fines, Punishments in the Police Office, Sydney, 8 May 1817-31, December 1820, Police - Documents, Appendix to Commissioner Bigge's Report, CO 201/ 121. For example see Henry Hehry, 25 June 1817, Jane Morris, Thomas Ball, James Connell, 1,5,8 September 1817, ff.499,503.

⁹⁸ *Ibid*; Minutes of Proceedings, Bench of Magistrates, 29 June 1811 - 6 March 1813, AONSW, COD234.

⁹⁹ Evidence of J.Blaxland, D. No. 8, Agriculture - Evidence, Appendix to Commissioner Bigge's Report, C.O. 201/123, f.99; Evidence of A.Riley, Select Committee on the State of Gaols, 1819, p. 56.

to the gaol gang until further orders, though once Wentworth sentenced a prisoner who refused to work to receive 25 lashes every morning until he agreed to perform his allotted tasks.¹⁰⁰ While this method of sentencing appeared arbitrary, a committee of inquiry set up as late as 1825 (but whose investigation included the early part of Macquarie's administration) found that no instances of indefinite punishments had ever been carried into execution in Sydney. The committee went so far as to state that its members had "never heard, nor do they believe, that excess of punishment has ever been charged against the Sydney court of magistrates."¹⁰¹

One incident, retold by Alexander Harris in his memoirs, suggests that Wentworth also used his office of magistrate to gain access to convict labour for his private use. An escapee from the Coal River, who had previously worked for Wentworth and had become one of his favourites, appeared before a bench of magistrates and faced a certain 200 lashes until his former master intervened. Feigning anger, Wentworth maintained that this "double dyed scoundrel" would forget his flogging by the next morning and insisted that he could best teach the villain a lesson he would remember on his farm. Wentworth sought successfully to have the offender assigned to him. The prisoner then proceeded to the farm where he boasted: "I was by that night at sundown eating and drinking the best there was in the huts at Homebush; and you heard tell how all the doctor's men live."¹⁰² Although this "old lag" interpreted his rescue from the triangle and placement on the farm as an act of humanity, which it undoubtedly was, Wentworth was also

¹⁰⁰ Sentence passed on John Berks, 11 January 1820, A Return of Fines, Punishments in the Police Office, Sydney, 8 May 1817- 31 December 1820, Police - Documents, Appendix to Commissioner Bigge's Report, CO 201/121, f.554.

¹⁰¹ Papers Relating to the Conduct of Magistrates in New South Wales, House of Commons, 18 April 1826, p.4.

¹⁰² A. Harris, The Secrets of Alexander Harris, Sydney, 1961, pp. 108-9.

gaining an able and proven worker. This incident formed part of his pattern of behaviour. Wentworth used his various offices to promote his private business and, moreover, felt no pangs of guilt in so doing. Nevertheless, in employing convalescent patients from the Parramatta hospital, or refugees from the courtroom, he effectively combined self-promotion with a concern for the welfare of others (particularly those whom he had befriended). This incident also shows Wentworth as a kindly, indulgent master keen to reward those he deemed deserving.

Now and again, however, commercial interests overruled humane intentions. In November 1813 Wentworth investigated allegations of cruelty reported to have occurred on board the *Endeavour*. On examining the log book, his keen business eye noted that the ship had visited a new island which abounded in sandalwood. He quizzed the master about the supply of timber; satisfied with the accuracy of the report he entered into an agreement with his son William, Blaxcell, Riley and a sea captain Campbell to procure a cargo of the sandalwood.¹⁰³ William accompanied the vessel to the island. After an initial skirmish with the natives, they soon established a friendly but tenuous relationship with them and exchanged adzes and tomahawks for their labour. Inter-tribal rivalry exacerbated by the behaviour of the crew, led to an outbreak of violence. While on shore, William and a companion, John Cooker, were attacked by natives. The assailants bludgeoned Cooker to death, but William managed to escape unhurt by brandishing a pistol. At about the same time, but in a separate incident, two other crew members and a Ohetian were massacred and the

¹⁰³ W.C. Wentworth to T Moore, 4 June 1815, Wentworth Papers, A756, ff.767-773; Articles of Agreement, January 1814, Wentworth Papers, A751, ff.368-71.

mistress of the captain abducted and murdered. A report of the incident appeared in the *Sydney Gazette*.¹⁰⁴

Samuel Marsden felt certain that the crew had provoked the attacks and called a meeting of the Society for the Protection of the South Seas Islanders. Convinced that "a horrid scene of rapine, murder and Violence" would be exposed, he pressed for an inquiry. Riley, Blaxland and Wentworth - together with a number of men who belonged to the colonial business network - formed the committee which predictably showed no inclination to open this Pandora's box. Thus, they effectively dismissed Marsden's request and quietly buried the affair.¹⁰⁵

For all his failings, when stirred by a perceived injustice Wentworth would act. He took seriously his responsibility to defend the innocent and to bring the guilty to justice. On one occasion his perseverance in pursuing an investigation saved two innocent men from the gallows. These men, Michael Woolaghan and Alexander Sutor, had been found guilty of the wilful murder of two travellers at the Parramatta toll-gate. At their trial, witnesses identified a handkerchief and a straw hat, left at the scene of the crime as belonging to the accused. The toll-gate keeper maintained that Woolaghan held a grudge against him and bore a strong resemblance to one of the men who had attacked him and had killed the other two men.¹⁰⁶ Even after the sentence of death had been passed, Wentworth continued to probe for evidence relating to this case. Eventually he unearthed the truth and the incriminating hat and handkerchief, although bearing a striking resemblance

¹⁰⁴ *Sydney Gazette*, 22 October 1814, p.2.

¹⁰⁵ S.Marsden to J.Pratt, 26 October 1815, Hocken Library, Dunedin, MS 55/35 (original not sighted), extracts in H.E.Maude and M.T.Crocombe, 'Rarotongan Sandalwood', *The Journal of the Polynesian Society*, Vol. 71, March 1962, pp. 49-50.

¹⁰⁶ *Sydney Gazette*, 4 and 29 June 1814, pp. 2, 1-2.

to those thought to be owned by Woolaghan and Sutor, were proved to belong to others who were later convicted of the murders. As such evidence came to light, the toll-gate keeper became less sure of the identity of the offenders which led to the reprieve of Woolaghan and Sutor. The brutal murder of the two travellers and the subsequent trial of Woolaghan and Sutor had attracted much public attention. The *Sydney Gazette* devoted two full pages to the trial and Wentworth's eleventh hour rescue of the innocent men won him widespread acclaim. The *Sydney Gazette* declared:

The providential Discovery of the real Murderers of Jenkins and Edwards, which has saved the Lives of two innocent Men, is to be attributed to the humane, zealous, and indefatigable Exertions of D. Wentworth, Esq. Superintendant of Police.¹⁰⁷

This account of Wentworth's heroism passed into family folklore: his granddaughter recalled her mother talking of how D'Arcy had ridden many miles to save an innocent man from the gallows.¹⁰⁸

While Wentworth was advancing in the colony, his partners in the rebellion against Bligh marked time in England. In April 1811 Lawson informed Wentworth that he and two other officers from the 102nd had been appointed to the Veterans Corps in New South Wales and were anxious to return, but complained that nothing had yet been settled in the Bligh affair.¹⁰⁹ Johnston came to trial in May 1811 but the outcome satisfied neither faction. The court found Johnston guilty of mutiny and cashiered him. Acknowledging the leniency of the sentence, the court cited as

¹⁰⁷ *Ibid.*, 16 and 30 July 1814, p.2.

¹⁰⁸ Affidavit of Mrs Laura Keays-Young, Item 84, D'Arcy Wentworth, Miscellaneous Material M.L.8/4.

¹⁰⁹ W.Lawson to D.Wentworth, 3 March 1811, Wentworth Papers, A752, f313.

extenuating circumstances the novel and extraordinary conditions prevailing during Bligh's administration.¹¹⁰

Kemp wrote to Wentworth in August 1811, suggesting that Macquarie would have an arduous task in managing "Bligh's villainous and perjured party" about to take their passage to New South Wales. They were leaving, he said, with a "determined and rancorous and hostile disposition towards every person in any way connected with Johnston."¹¹¹ During 1812 a number of them returned from England. Suttor arrived in the colony in May while Fulton and Gore reached Sydney in October.¹¹²

Trouble of another kind had been brewing in New South Wales for some time before their return. By July 1813 Macquarie's patience with the 73rd Regiment had run its course. Complaining of their unruliness and insubordination, he requested their recall. A detachment left New South Wales in January 1814, with the remainder of the Corps following them to Ceylon in March and April.¹¹³ Some inhabitants, however, could not be so easily removed and individuals like Townson and the Blaxland brothers continued to prove disruptive. Moreover, Ellis Bent, who had come out with Macquarie and had worked indefatigably in assisting him to bring regularity and order to the administration, now turned against him.¹¹⁴

¹¹⁰ General Orders, 2 July 1811, Proceedings of a General Court Martial ... Geo. Johnston, p. 408.

¹¹¹ A.F.Kemp to D. Wentworth, 15 August 1811, Wentworth Papers, A752, ff.341-2.

¹¹² G. Suttor, M.L.C783, f.28; Governor Macquarie to Earl Liverpool, 17 November 1812, HRA, ser.i, vol.VII, p.608; General Embarkation Returns of 73rd Regiment, HRA, ser.i, vol.VIII, p.163.

¹¹³ Governor Macquarie to Earl Bathurst, 31 July 1813, HRA, ser. i, vol. VIII, p. 4; L.Macquarie to his brother Charles, 31 August 1813, L.Macquarie, Letters, N.L. MS 202, f. 71; G.Suttor, M.L.C783, f.28; Governor Macquarie to Earl Liverpool, 17 November 1812, HRA, ser.i, vol. VII, p.608; General Embarkation Returns of 73rd Regiment, ibid., vol. VIII, p.163.

¹¹⁴ Governor Macquarie to Earl Liverpool, 14,17 November 1812, HRA, ser. i, vol. VII, pp.552-3, 558-9.

Macquarie was at a loss to explain the shift in Bent's attitude. Insularity, overwork, chronic illness, and a heightened sensitivity combined to change Bent's attitude. In October 1810 he hinted at his underlying feelings of rejection and injured pride when he told his mother that he could not bring himself to ask for favours or cringe and flatter as others did. Consequently, he maintained that there were several individuals who exerted more influence at Government House than he did, even though none had rendered the governor as much assistance.¹¹⁵ He probably numbered Wentworth among the governor's favourites. This resentment fermented, although sullen silence was the only outward evidence of Bent's discontent. On 16 December 1813 Macquarie finally confronted Bent about his sulkiness. Taking the governor completely by surprise, Bent accused him of showing a "great Want of feeling for his Situation and personal Comfort as Judge-Advocate in Not Sooner having a suitable and Comfortable Court House Erected at Sydney for his Accommodation."¹¹⁶ Macquarie tried to appease Bent, but from this day their relationship deteriorated rapidly. The judge-advocate set out deliberately to oppose and irritate the governor. He declined to attend Government House except on official business; he ignored the governor's order for all officers to notify him of their intended absence from headquarters; he refused to satisfy the terms of his land grants before selling them; and in disregard for established practice, he refused to preside over the Sydney bench of magistrates. Of far graver significance, though petty in nature, was his public display of defiance in refusing to join with the Sunday congregation in standing for the governor as a mark of

¹¹⁵ E. Bent to his mother, 27 July 1810, Letters from Ellis Bent, N.L. MS 195/2, f. 182.

¹¹⁶ Governor Macquarie to Earl Bathurst, 24 February 1815, HRA, ser. i, vol. VIII, pp. 391-2.

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The circumstances surrounding the arrival in Sydney in July 1814 of Bent's brother, Jeffery, forewarned of a likely escalation in the feud between the Bents and Macquaries. Captain John Piper, intimated to the governor that Jeffery Bent expected to be received with the pomp and solemnity he thought due to his situation. Macquarie, however, ignored the gentleman's wishes. At Bent's behest, Piper informed the governor that the new judge insisted that if he were to be treated as an ordinary individual he would not land. Bent demanded assurance that he would be welcomed with appropriate ceremony. Macquarie eventually complied and ordered a thirteen-gun salute to be fired as Bent landed and sent his aide-de-camp to receive him at the wharf.¹¹⁸ Bent's heightened sensitivity to his position in society fuelled the envy and petty jealousy which gave rise to much of the discord in New South Wales. Peter Cunningham, an astute commentator on colonial society, observed that: "The pride and dignified hauteur of some of our ultra aristocracy far eclipse those of the nobility in England."¹¹⁹ Justice Bent held himself to be of superior standing in the community and was acutely conscious of any slight to his character or office.

Soon after stepping ashore Jeffery began to make demands on the governor. He complained to Macquarie that every public officer, with the exception of himself and the assistant chaplain, was furnished with a residence. Moreover, he was angry that Macquarie had allocated two wards of the new hospital for use as courtrooms, and informed the governor that he wanted the detached north wing for the courthouse. Macquarie had set

¹¹⁷ *Ibid.*, pp. 392-3.

¹¹⁸ J.H.Bent, *Journal 1814*, N.L. MS 195/3, ff. 205-6.

¹¹⁹ P.Cunningham, *op. cit.*, vol. II, p. 121.

this building aside as Wentworth's residence.¹²⁰ Bent wrote to Under Secretary Goulburn that it appeared reasonable to have hoped that "a Building, destined solely for the private, personal accommodation of the Principal Surgeon, should be converted into a Courthouse for the Administration of Public Justice at a time when there was an absolute necessity of a Building for that purpose." Bent forced the issue by claiming that, in holding the comfort of the principal surgeon above the due and solemn administration of justice, the governor degraded the office, the character and the person of His Majesty's judges in the colony.¹²¹

Macquarie stood resolute against Bent's carping. Although he had not directly offended the judge, Wentworth became a target for his contempt and envy. In December 1814 Bent again sought unsuccessfully to have the north wing of the hospital converted into a courthouse. He attacked Macquarie for refusing to adopt his proposals and accused him of not wishing to interfere with the accommodation of Wentworth.¹²²

In occupying a number of senior positions in the colony and as a recognized favourite of the governor, Wentworth inevitably aroused the wrath of those disgruntled with the government. Macquarie was fiercely loyal to his family and to his chosen friends. Clearly he had no intention of breaking his promise to Wentworth merely to sooth the injured pride of this new and troublesome upstart. Nevertheless, he did compromise by allowing Bent to use two rooms of the prized north wing. The judge, however, remained ill-tempered and quarrelsome.

¹²⁰ Mr Justice Bent to Under Secretary Goulburn, 15 October 1814, HRA, ser. iv, vol. I, pp. 109-10.

¹²¹ Ibid.

¹²² Governor Macquarie to Mr Justice Bent, 1 December 1814, Mr Justice Bent to Governor Macquarie, 5 December, ibid., pp. 111, 114-115.

After numerous delays Jeffery Bent finally agreed to assemble the Supreme Court. Satisfied that no further impediments would frustrate the sitting of this court, Macquarie - accompanied by a large entourage which included his wife and Redfern - set out on a tour of the newly discovered country west of the Blue Mountains. As a measure of his esteem for Wentworth, Macquarie entrusted to his care his only and much cherished son. The governor entreated him to send word immediately if the infant's health deteriorated; otherwise, he had no desire to hear from headquarters.¹²³

He returned to Sydney on 19 April 1815 to find his administration divided. In refusing to admit emancipist lawyers as attorneys, Jeffery Bent had clashed with Broughton and Riley, the two magistrates appointed by Macquarie to assist him. After bitter exchanges between the two parties, Bent refused to assemble the court until he received instructions from England. On 1 July 1815 he wrote to Lord Bathurst defending his stand. He complained that Macquarie, Broughton and Riley had endeavoured to force him to admit as attorneys and solicitors, ex-convicts transported to the colony for infamous crimes.¹²⁴

To substantiate his claim, he launched a withering attack on those seeking to practise law. He condemned Crossley as an infamous and base perjurer, Edward Eagar as a deceitful felon who had not practised as an attorney, and George Chartres as a transported convict who had already been sent to the Coal River for misconduct and was still under the sentence of the law. To strengthen his position, Bent poured scorn on the four magistrates in Sydney who would assist him on the supreme court. He

¹²³ Item 1, L. Macquarie to D. Wentworth, 24 April 1815, D. Wentworth, Miscellaneous - Materials, M.L. MSS 8.

¹²⁴ Mr Justice Bent to Earl Bathurst, 1 July 1815, HRA, ser. iv, vol. 1, p. 144.

denounced Lord as an ex-convict, Broughton as a man of inferior rank, and Riley as a merchant and one of the contractors who had "benefited considerably from the spirit monopoly." In addition, he maintained that Broughton and Riley were ignorant of the law and lacked independence of thought because they were under a great obligation to Macquarie. Although time had obscured the evidence, Bent resurrected Wentworth's past. He informed Bathurst that the principal surgeon had come to New South Wales "under circumstances of great degradation, though not as a Convict, and he is not at this day admitted to general society among the respectable Officers and Gentlemen in this Territory." Drawing from an alleged speech delivered by Sir William Garrow at Westminster, Bent garnished fact with fiction. He told Bathurst that Wentworth had been charged in open court with robbing Sir Henry Russell of his watch, but that the court had allowed him to depart after he announced he was due to embark in the fleet bound for the colony and that detention would ruin him. Implying guilt, Bent maintained that the stolen watch had been recovered from where Wentworth had been sitting in the courtroom.¹²⁵

In sullyng the reputation of these individual men, Bent sought to destroy the credibility of Macquarie's administration. He endeavoured to demonstrate that the governor's stated policy of restoring reformed and deserving felons to their original station in society, was fallacious and that in practice a levelling principle operated.¹²⁶ Macquarie's favoured treatment of a number of emancipists proved firm ground upon which to mount a campaign to discredit him. Bent's voice joined with others in maligning the emancipist policy. Joseph Arnold shared Bent's views. He saw

¹²⁵ *Ibid.*, p.146-7.

¹²⁶ *Ibid.*, p.153.

disillusionment with Macquarie's government spreading throughout the settlement as colonists became particularly disgruntled with the appointment of convicts to respected offices to the neglect of the free settler. As with Bent, he used Wentworth to illustrate the "truly mortifying" state of the magistracy. Arnold was aware of more than the one charge of robbery and maintained that the present police magistrate was "formerly of great note as a Highwayman on Finchley Common and Hounslow Heath."¹²⁷

At this time Ellis Bent also wrote to Lord Bathurst denouncing Macquarie's policy of indulging his chosen favourites. Wentworth's occupation of the north wing of the hospital particularly irritated him and he complained bitterly:

the comforts of the Judges and others, concerned in the administration of justice, nay even the interests of the publick, have been made to bend to the convenience of Mr. Wentworth, who is thus provided with a residence ... far beyond what his rank in the Colony can entitle him to expect and such as must tend to promote and excite jealousy in the minds of other officers in the Colony.¹²⁸

Some inhabitants felt that a convict carried the criminal taint for life and resented Macquarie's efforts to force them to accept emancipists into their society. They were galled by Macquarie's attention to his favourites. Archibald Bell recalled: "I have been at Government house in the uniform of my Corps when Mrs Macquarie has passed me by without notice & has held out her hand to persons who have been convicts & who were present."¹²⁹ The

¹²⁷ J. Arnold, Journal, M.L.C720, f.395-6.

¹²⁸ E. Bent to Earl Bathurst, 1 July 1815, HRA, ser. iv, vol. I, p. 135.

¹²⁹ See evidence of A. Bell, J. Blaxland, D. nos. 4 and 8, Agriculture - Evidence, Appendix to Commissioner Bigge's Report, CO 201/123, ff. 62, 99. For quote see A. Bell, ibid., f.63.

officers of the 46th Regiment, prior to their arrival in New South Wales, had agreed to exclude convicts or ex-convicts from their society.¹³⁰ By 1814 Marsden had already gained the support of a group of sympathizers in England, including a few members of parliament, who were keen to attack the governor's emancipist policy.¹³¹

On 1 July 1815 Macquarie also wrote to Bathurst. He accused the Bents of seeking to incite factional warfare and of casting odium on his government. Exasperated with their obstructions and criticism, he maintained that it was impossible for him to work in harmony with the brothers unless he abandoned his commitment to improve and promote the welfare of the colony. Bluntly, Macquarie presented Bathurst with the ultimatum: "it now becomes absolutely necessary for the good of the Colony ... that *they*, or I, should be removed from it."¹³² Macquarie was not only putting his own future and that of his emancipist policy in the balance, but also the careers of men such as D'Arcy Wentworth.

¹³⁰ Governor Macquarie to Duke of York, 25 July 1817, HRA, ser. 1, vol. IX, p. 445.

¹³¹ Dr J.M. Good to S. Marsden, 25 December 1814, Letters to Reverend Samuel Marsden, vol. I, M.L. A1992, f.180.

¹³² Governor Macquarie to Earl Bathurst, 1 July 1815, HRA, ser. i, vol. VIII, p.621.

Chapter 8

An Improper Person 1815 - 1817

Macquarie was confident that he would eventually achieve a total victory over his opponents. His determination to uphold his emancipist policy stemmed as much from his personal commitment to individuals, including Redfern, Lord and Wentworth, as from expediency or ambition. On 2 July 1815 he explained to his brother " As I have, however, been all along the Patron and Champion of all meritorious Persons who have been Convicts, I cannot now desert them." Opposition to his measures only steeled his resolve.¹

With Macquarie's patronage, Wentworth's confidence and self-assurance grew. Even Whitehall seemed to approve of him. It had confirmed him as principal surgeon, and in February 1814 Earl Bathurst notified Macquarie that he considered Wentworth "well entitled" to the salary of £200 per annum as superintendent of police.² Moreover, the bond between the governor and surgeon strengthened as Macquarie increasingly took Wentworth into his confidence as his friend and family doctor. On one occasion the governor's nephew, Hector Macquarie sent Wentworth a note stating simply that Mrs Macquarie wanted him to know that the medicine he had recommended was the only one which gave her relief from her spasms. At another time, when the governor's health was failing, Redfern informed

¹ L. Macquarie to his brother Charles, 20 July 1815, L. Macquarie, Letters, N.L. MS 202, f. 104.

² Government and General Order, 8 April 1815, Wentworth Papers, A754-2, f. 498; Extract from a despatch from Earl Bathurst to Governor Macquarie, 3 February 1814, Wentworth Papers, A754-2, f. 490.

Wentworth: "Mrs Macquarie and myself particularly require you will lose no time in coming up. Do not say any[thing] to spread an alarm." As a key officer in Macquarie's administration and as a close friend, he could not avoid colonial politics.³

Although Macquarie and Bent had placed their grievances before the government in England, no truce operated in the colony. Neither would allow the other any respite as each continued to provoke and snipe at the other. Wentworth supported Macquarie wholeheartedly, but as yet had not been drawn into the feud. On 30 March 1811 Macquarie had issued a proclamation announcing the tolls to be paid at the turnpike road. Ellis Bent had helped frame the document; in gratitude, the governor offered to exempt him from the obligation of paying, a privilege enjoyed only by the governor and his lieutenant. Though appreciative, Bent admitted that he had no reasonable grounds for claiming the indulgence: if he accepted, every magistrate and other officer would demand the right.⁴

Jeffery displayed no such public spirit. Since his arrival in the colony, he had never been compelled to pay the toll. During August 1815, however, he received notification that he would have to pay, like any other. He retaliated by informing the governor on 18 August that he had no intention of paying the toll.⁵

On Thursday 31 August 1815 Cullen, one of the proprietors for the toll-gate, observed Bent and a companion, Mr Nicholas, pass through the gate without paying. He pursued them and demanded payment. Infuriated with this interference, Bent stood upright in his gig, called Cullen a damned

³ These notes from H. Macquarie and W. Redfern bear no date, Items 5-6, Wentworth Papers, M.L.A4073.

⁴ Governor Macquarie to Earl Bathurst, 20 February 1816, *HRA*, ser. 1, vol. IX, pp. 4-6.

⁵ J.H. Bent to Governor Macquarie, 18 August 1815, *ibid.*, pp. 11-2.

scoundrel, proclaimed that he would never pay the toll and threatened to have him imprisoned. After this outburst, Cullen and his partner Redman directed the gatekeepers to prevent Bent from proceeding through the gate if he again refused to pay.⁶ At 3 p.m. on 5 September Wyer, a collector at the tolls at the lower end of George Street, observed Bent approaching on horseback and immediately closed and secured the gate. He informed Bent of his orders, whereupon the judge railed at him, threatening to have him gaoled if he would not let him pass. In a fury he dismounted from his horse, took hold of the gate and shouted that he would have it cut down and burnt. He then shook it violently which released the chain and allowed the gate to spring open. Bent then passed through without paying.⁷ The following morning Cullen and Wyer appeared before Wentworth to file a formal complaint against the judge. Wentworth took their depositions. On noticing Bent pass by his house, Wentworth hoped that he might defuse the situation and bring the business to a satisfactory conclusion. He caught up with Bent, briefed him about the charges exhibited against him and endeavoured to persuade him to reach an amicable agreement. Bent turned angrily on Wentworth and rejected any attempt at compromise.⁸

Unquestionably, Wentworth accepted the legality of the governor's regulations and viewed Bent's action as a wanton disregard of a valid order. With Bent's refusal to seek a congenial resolution, Wentworth adopted standard procedure and issued a summons. This document informed the judge that he was accused of refusing to pay the toll and of threatening to have the gatekeeper gaoled. Wentworth requested Bent to appear before him on

⁶ Deposition of P. Cullen, 6 September 1815, CSIL, AONSW, 4/1733, ff.32-3.

⁷ Deposition of M. Wyer, 6 September 1815; Deposition of S. Hockley, 7 September 1815, *ibid.*, ff. 30-1, 33.

⁸ D. Wentworth to Governor Macquarie, 9 September 1815, *ibid.*, ff. 27-9.

Saturday 9 September at 11 o'clock to answer the complaints.⁹ Outraged at the police superintendent's presumptuousness, Bent penned a withering reply. He expressed his astonishment at receiving a summons under Wentworth's hand and castigated him for omitting to address him as judge of the Supreme Court. He accused Wentworth of exceeding the bounds of his office and rejected outright the notion that he was amenable to any criminal jurisdiction in the colony. He bluntly told Wentworth that he would ignore the summons.¹⁰

Wentworth thought the letter contemptuous of his authority and subversive of law. Intimidated, but not overwhelmed by Bent's militancy, Wentworth proceeded cautiously and with forbearance; though he found the business repugnant, he was determined to see justice prevail. On the return of the summons, Wentworth - satisfied that his actions were correct - proceeded *ex parte* with the case. On consideration of the evidence he found:

Jeffery Hart Bent after being duly Summoned to answer the said charge, did neglect and refuse to make any defence against the said Charge but the same being fully proved upon the Oaths of ... Credible Witnesses, it manifestly Appears to me ... that the said Jeffery Hart Bent is Guilty of the Offence charged upon him.¹¹

While finding Bent guilty, Wentworth still entertained the hope of placating him by fining him only 40 shillings. He maintained that he had reduced the

⁹ D.Wentworth to J.H.Bent, 7 September 1815, *ibid.*, ff. 34-5.

¹⁰ J.H.Bent to D.Wentworth, 8 September 1815, *ibid.*, f.36.

¹¹ D.Wentworth's findings, 9 September 1815, *ibid.*, f. 37.

fine to the smallest sum "in a case where strictly speaking no mitigation was due."¹²

Wentworth did not proceed further without the governor's approval, and, on 9 September transmitted a copy of the proceedings to Macquarie. In a covering letter he impressed on the governor the measures he had taken to conciliate the judge, but Macquarie showed no inclination to follow his friend's example.¹³ Unlike Wentworth, the governor was not prepared to appease through diplomacy.

On the same day he issued a Government and General Order announcing that a very senior officer in the civil service of New South Wales had refused to pay the toll. Macquarie accused this officer of lacking public spirit and lamented that any person could "wish to evade contributing his Mite towards the Support of so useful and beneficial an Establishment for the Country and the Community at large." Without naming the judge, though it was common knowledge to whom the governor referred, Macquarie challenged Bent to defy him. In the order he included instructions directing the gatekeepers at the several turnpikes throughout the country to prevent any person on horseback or in a carriage from passing without payment. The collectors were to summon police assistance should any person use force or violence to evade paying the toll.¹⁴

Bent seemed momentarily stung by this public castigation and did not respond until 2 October when, in a controlled and studied letter, he lectured the governor on points of law. He asserted that, as one of his Majesty's judges he was exempt from the ordinary jurisdiction of the magistrates and

¹² D. Wentworth to Governor Macquarie, 9 September 1815, *ibid.*, ff.27-9.

¹³ *ibid.*

¹⁴ Government and General Order, 9 September 1815, *HRA*, ser. i, vol. IX, pp.20-2.

beyond any criminal jurisdiction within the territory save for treason or felony. He maintained that to claim otherwise was an absurdity, and then proceeded to ridicule Wentworth's incompetency. Ignoring the police superintendent's early attempt to mediate, Bent expressed his surprise that a man so ignorant of the law should, "when acting with regard to one of His Majesty's judges proceed with so much precipitancy."¹⁵

Rather than parry words with Bent, Macquarie simply replied: "The Governor has received the letter addressed to him by Mr Justice Bent ... which being like all his former ones of a highly disrespectful nature ... is not deemed worthy of any particular reply." Burning with indignation, Bent looked to England for redress.¹⁶

On 4 November he wrote a lengthy and detailed letter to Earl Bathurst. Bent's main purpose was to destroy Macquarie's credibility by proving that the present establishment was badly managed and filled by improper persons. To support his argument he used Wentworth as an example to show that disreputable individuals not only filled key situations in the administration but that they abused their privileged position to the detriment of the society at large. He reminded Bathurst of his former letter of 1 July 1815 in which he had drawn attention to "the degraded circumstances" under which Wentworth came out to the colony and his exclusion from the most respectable society in the colony.¹⁷ He then claimed that Wentworth, the principal surgeon of the colony, also filled the office of superintendent of police and, as a consequence:

¹⁵ J.H.Bent to Governor Macquarie, 2 October 1815, *ibid.*, pp.22-5, also in CSIL, AONSW, 4/1733, ff.39-44.

¹⁶ Government House to J.H.Bent, 2 October 1815, CSIL, 4/1733, f. 47.

¹⁷ Justice Bent to Earl Bathurst, 4 November 1815, Appendix E, Select Committee on the State of Gaols, 1819. p. 448; J.H.Bent to Earl Bathurst, 1 July 1815, *ibid.*, p.440.

his medical duties are almost entirely neglected; he is an improper person to be at the head of the police, from his ignorance of the law, and from the fact of his being one of the principal dealers in spirits in the colony ... his principal clerk is a transported attorney of bad character, and he is also a publican ... Mr Wentworth has the principal control over the licences, and the public houses. The whole conduct of the police by no means gives satisfaction to the public. ¹⁸

Although the letter provided Bent with the opportunity to vent his spite against Macquarie and one of his favourites, his allegations were not groundless. Wentworth's busy schedule kept him from his medical duties. Generally he spent the mornings engaged as police magistrate and rarely left his house except on Sundays when he visited his farm. He had no private medical practice and attended Sydney hospital only on particular occasions to consult on difficult cases or on the admission of a very ill patient.¹⁹ Despite his absence from the hospital he did attend when requested, and patients remarked that he visited the hospital at night. He did not, however, visit the hospitals in the outlying settlements.²⁰

Wentworth's business interests also impinged on his official duties. He engaged actively in disposing of the spirits which he and his partners had imported. A medical colleague, Harris, remarked that "I have seen him standing at the door of his Large Store & receiving the money for the Spirits that were sold there."²¹ A number of prisoners appearing before Wentworth

¹⁸ *Ibid.*, Quote on p.448.

¹⁹ Evidence of W. Johnston and Assistant Surgeon Owen, E no.4 and 5, Medical - Evidence, Appendix to Commissioner Bigge's Report, 1822, CO 201/124, ff.71, 85-6; Evidence of D.Wentworth, B. no. 1, Police - Evidence, *ibid.*, CO 201/ 121 , ff.6-8.

²⁰ Evidence of Assistant Surgeon Owen, E no. 5, Medical - Evidence, *ibid.*, CO 201/124, f. 86.

²¹ Evidence of J. Harris, J. Larra and J. Hodges, A. nos.14 and 19, Convicts - Evidence, Appendix to Commissioner Bigge's Report, C.O. 201/120, ff.159, 207, 210;

on alcohol-related charges, such as disorderly and drunken behaviour, had undoubtedly consumed spirits imported and sold by him. But moreover, Wentworth displayed noticeable reluctance to convict those brought before him on charges of selling spirits without a licence. On occasion he dissented from the opinion of his brother magistrates by arguing the insufficiency of evidence. Wentworth's hesitancy in bringing to trial or convicting such offenders seemed deliberate. During hearings against unlicensed dealers in spirits over which he presided, his clerk and close friend, Robert L. Murray, entered abridged transcripts of evidence in the book of record. It seems that Murray, a competent officer schooled in court procedures, conspired with Wentworth to have unlicensed dealers acquitted. The preferential treatment shown toward these offenders encouraged the illicit trade in spirits which in turn served Wentworth's business interests.²²

Wentworth, however, would not admit to a conflict of interest in performing the duties of his various offices. Harris maintained that, when he remonstrated with Wentworth over the growing number of disorderly public houses, the pragmatic businessman replied: "It was good for trade; and good for the Police fund."²³ To Wentworth there was no dilemma in reconciling his official position with promoting his private concerns.

Bent's assertion that the community was displeased with the police department was open to interpretation. While one astute observer of colonial life, Peter Cunningham, praised Wentworth's ability on the bench, he criticised his competence as head of the police establishment. He argued

Evidence of A. Nash, B. no.5, Police - Evidence, *ibid.*, CO 201/121, f.54.

²² Evidence of J. Wyld, Judicial Evidence taken before Mr. Commissioner Bigge, *HRA*, ser. iv, vol.1, pp. 810-1.

²³ Evidence of J. Harris, A no. 14, Convicts - Evidence, Appendix to Commissioner Bigge's Report, CO 201/120, f. 159.

that no other could match Wentworth's impartiality, sound judgement and strict undeviating sense of justice in the courtroom but as superintendent of police he was unable to maintain rigorous surveillance.²⁴ Wentworth's business partner, Blaxcell agreed. He wrote that - despite all the bombastical reports in the *Sydney Gazette* - the Sydney police under Wentworth's direction "is dreadful in the extreme."²⁵ Blaxcell made this statement on 1 June 1814, three days after the *Sydney Gazette* had proclaimed "we have with pleasure to reflect and be assured, that the security of this, the chief settlement and sea-port of the Territory is amply provided for."²⁶ Conflicting accounts, however, issued both before and after this announcement, suggest that crime - particularly robbery - was of major concern. In September 1814 the *Gazette* reported that the spate of depredations recently committed had induced settlers with carts to travel in groups.²⁷

Wentworth's other business partner, Riley, held a more sympathetic view. He concurred that the police in Sydney were inadequate, but maintained that the governor and the magistrates experienced difficulty in recruiting suitable men for such duties. The constables were drawn mainly from the convict class. In particular, he cited poor remuneration as a major factor, stressing that "no persons of any repute will take upon them the irksome duty, unless they are driven to it by distress." Nevertheless, he felt that the greater vigilance of the police established by Macquarie had

²⁴ P. Cunningham, *Two Years in New South Wales*, vol. I, Adelaide 1966, p. 64-5.

²⁵ G. Blaxcell to J. Macarthur, 1 June 1814, Macarthur Papers, Letters to John Macarthur, M.L. A2900, f. 42.

²⁶ *Sydney Gazette*, 28 May 1814, p.2.

²⁷ *Ibid.*, 5 June 1813, 28 May and 17 September 1814.

materially reduced the crime rate.²⁸ The governor was pleased with Wentworth's progress and thought that Sydney benefited from "as good and regular a System of Police, as any Town in England."²⁹ Supporting the governor's view, Richard Jones, a Sydney merchant, maintained that if a stranger kept clear of the notorious Rocks area, he might compare the settlement to an English country town, "it is as well ordered, and as well regulated; it is the general wonder of strangers to find so respectable a place, and the towns-people kept so orderly."³⁰

Wentworth seemed unaware of Bent's endeavours to ruin his reputation in the Colonial Office. His main concerns at this time were to see his three eldest sons established in careers. William was still in New South Wales residing with, and doing clerical work for, his father, as well as keeping up with his studies. He had been considering returning to England for health reasons and to embark on a military life. Young D'Arcy was stationed in India and anxious to gain the command of a company. In 1814, John sailed on the *Royal Oak* for an expedition in North America under Admiral Malcolm.³¹

For the remainder of his term in the colony Jeffery Bent relentlessly sought to undermine Macquarie's administration. In company he censured the governor's conduct, claiming it to be illegal, unwarranted and unauthorized. Often his expressions were so violent and passionate that friends would voice their disapproval.³² Unexpectedly on 23 February 1816

²⁸ Evidence of A.Riley, Select Committee on the State of Gaols, 1819, p. 56.

²⁹ Governor Macquarie to Earl Bathurst, 19 May 1813, H.R.A. ser. 1, vol. VII, p.722.

³⁰ Evidence of R.Jones, Select Committee on the State of Gaols, 1819, p. 147.

³¹ M.J.Cox, Reminiscences, N.L. MS 1559/25, f.11; D.Wentworth to D.Wentworth, August 1815, Wentworth Papers, A755, ff.661; C.Cookney to D.Wentworth 13 August 1814, Wentworth Papers, A754-2, f.492.

³² Evidence of J.Harris, 16 August 1820, A No.14, Convicts - Evidence, Appendix to

Bent's friend, the Reverend William Vale, in defiance of the governor's intentions, declared the American schooner, the *Traveller*, seized. In the opinion of Vale's solicitor, William Moore, such an action was valid though it violated a longstanding and accepted practice in New South Wales. The governor had already granted the captain permission to enter the harbour and land his cargo.³³ Macquarie suspected that Bent lay behind this latest attempt to sabotage his administration, but had no grounds for proceeding against him. Nevertheless, he turned on Vale and his solicitor with a vengeance. He had Vale court-martialled and suspended Moore's salary and rations.³⁴

Macquarie was beginning to lose his composure and to overstep the bounds of prudence. In March he declared that he was engaged in open warfare with Bent who was endeavouring to do all in his power to incite "Rebellion and insurrection in the Colony."³⁵ These constant attacks on his authority undermined Macquarie's confidence and impaired his judgement. Wentworth found himself in a difficult situation. Macquarie was his friend and patron, a man whom he admired and loved. He sought to retain Macquarie's affection and favour, yet, if he were to protect the governor from his own folly, he would have to alert him to his mistakes. Where possible he advised the governor, but he would not question his friend's authority.

Commissioner Bigge's Report, CO 201/120, f. 157.

³³ The Navigation Act was intended to stop illegal trade. Vale and Moore had consulted Bent on the legality of the proposed action. Although, according to Bent, he gave no active encouragement to the scheme, he clearly did not discourage them. J.H. Bent to Earl Bathurst, 16 March 1816, HRA, ser. iv, vol. I, pp. 192-3.

³⁴ Governor Macquarie to Earl Bathurst, 8 March 1816, HRA, ser. i, vol. IX, pp. 42-7; W.H. Moore to Earl Bathurst, 13 March 1816, HRA, ser. iv, vol. I, pp. 186-88.

³⁵ L. Macquarie to his brother Charles, 30 March 1816, L. Macquarie, Letters, N.L. MS 202, f. 110.

During April Macquarie decided to give force to his order to stop people trespassing in the Government Domain. Unhappy with Wentworth's leniency towards such offenders, who were generally dismissed with a mild reprimand, the governor directed his constables to hide themselves within the grounds and to arrest any person, male or female, bond or free, climbing over the wall.³⁶ At 9 a.m. on 18 April 1816 Daniel Read, a stone-mason, scaled the wall, was apprehended and placed in gaol. A little while later Wentworth visited the prison to see a patient, and Read informed him of what had transpired. He pleaded with Wentworth to intercede, but the police superintendent said he knew nothing of the business. When told that Read had been lodged in the gaol under the governor's orders, Wentworth explained that, if the governor had ordered his imprisonment, then only the governor could release him.³⁷

At 10 o'clock that same morning, William Blake, a blacksmith and one who had come to the colony as a free man, had also been arrested and imprisoned for unlawful entry into the domain.³⁸ The following morning at 7.30 Henshall, a silversmith, went over the wall into the domain and was stopped by Constable Wilbow who took him into custody. He expected to be taken before Wentworth and became anxious when he was confined in the gaol.³⁹ During this period a nursery maid employed by Robert Campbell also ventured over the wall and was apprehended by Constable Walker. He escorted her with a babe in arms back to her mistress's house, but Mrs

³⁶ Governor Macquarie to Under Secretary Goulburn, 15 December 1817, HRA, Ser. 1, vol. IX, p. 734-5. Also refer to the evidence of J.Wilbow, B. no.4, Police - Evidence, Appendix to Commissioner Bigge's Report, CO 201/121, ff. 46-7 and the evidence of J.Redman, grouped with B. no.3, ibid., ff. 41-2.

³⁷ Deposition of D.Read, 22 April 1816, HRA, ser. iv, vol. I, pp. 210-1.

³⁸ Deposition of W.Blake, ibid., p.211.

³⁹ Deposition of W.Henshall, ibid., pp.208-9.

Campbell locked the door behind her servant and would not surrender her to Walker. He retreated to the police superintendent's office where he applied for a warrant for the woman's arrest. Wentworth refused outright to issue any such document and admonished the constable for concealing himself in the bushes in order to see who came over the wall, rather than preventing individuals from trespassing.⁴⁰

That morning Mr Cubitt, the gaoler, presented his report to Macquarie who issued an order directing the men to receive 25 lashes each. On his return, Cubitt showed the order to the police superintendent. Wentworth immediately realized the foolhardiness of such an action and felt a strong urge to suppress it. He knew that Macquarie had a number of enemies, including Bent, Vale and Moore, who were poised, ready to seize any opportunity to discredit his administration. The summary flogging of these three men would provide them with an ideal case against the governor. Wentworth could have intervened - his instincts urged him to do so - but he kept his own counsel and did not approach the governor. He might have feared offending his friend or felt that Macquarie would interpret his interference as censure. In the face of the governor's anger, Wentworth might have felt powerless to stop the flogging, or have believed that Macquarie would prevail over his enemies. He may also have been brooding over Macquarie's actions in undermining his authority as superintendent of police.⁴¹ In choosing to stand aside from the business, Wentworth avoided a confrontation with the governor, but he also abrogated his responsibility as a friend.

⁴⁰ Evidence of J. Willbow, B. no. 4, *Convicts - Evidence*, Appendix to Commissioner Bigge's Report, CO 201/121, ff. 46-7; Evidence of D. Wentworth, B no. 1, *ibid.*, f. 26-7.

⁴¹ Evidence of D. Wentworth, *ibid.*

The gaoler summoned the public hangman who flogged the three men.⁴² Wentworth's instincts proved correct. The shock of Macquarie's action in having these individuals - two of whom had served their sentences and one who was a freeman - summarily flogged touched all. Disbelief gave way to alarm. Riley described Macquarie's conduct as "an unguarded measure, condemned and lamented by his best friends."⁴³ His enemies rejoiced and moved quickly to capitalize on the incident.

On 22 April Bent took depositions from the men. He and Vale then joined forces to ensure that word reached England. Vale drew up a draft document and presented it to Bent who wanted a more forceful and damning statement. He then framed a petition to the House of Commons and, under the rallying call of patriotism and public duty, persuaded people to sign. The paper was left at Moore's house and activists hostile to Macquarie went abroad to canvass support. The petition raised a number of grievances, it sought the introduction of free trade, the prohibition of wheat imports from India and the opening of the stores to settlers. Nevertheless, its centre piece was the sensational issue of the summary floggings.⁴⁴ According to Richard Jones, a Sydney merchant, the substance of the petition was correct, but some points were exaggerated.⁴⁵ Macquarie maintained, however, that the petition, framed ostensibly for the purpose of obtaining free navigation and trade and seeking relief from imaginary grievances, was

⁴² Deposition of W. Blake, HRA, ser. iv, vol. 1, p.211.

⁴³ Evidence of A.Riley, Minutes of Evidence taken before the Select Committee on the State of Gaols, 1819, p.59.

⁴⁴ Evidence of J.H.Bent, 29 April 1819, ibid., p. 122; C.Thompson to Governor Macquarie, 29 January 1821, A no. 89, Convicts - Documents, Appendix to Commissioner Bigge's Report, CO 201/119, ff.422-3,

⁴⁵ Evidence of R.Jones, Minutes of Evidence , Select Committee on the State of Gaols, 1819, p.146.

in reality designed "to Convey Charges of the Most false and Malicious Nature against me." In June 1816 Vale left the colony for England, taking the petition with him.⁴⁶

Although Wentworth regarded the flogging as improper, he stood loyal to Macquarie and moved against those who sought to discredit the governor. He regarded their conduct as an act of betrayal and, on obtaining a copy of the petition, took note of the signatories and proceeded to use his office to injure them.

As superintendent of police, Wentworth recommended persons who should be allowed to hold a publican's licence. He refused to sanction the licence of Mr Rose because he took an active role in soliciting support for the petition. For Wentworth, the issue was not one of legal right or wrong, but one of duty and obligation. He held that because Macquarie had favoured Rose and his father-in-law with a pardon, as well as granting them a considerable amount of land, Rose should have remained loyal to his benefactor. Wentworth denounced Rose's "baseness & ingratitude" in supporting the petition and urged Macquarie to refuse Rose as well as a number of other applicants - including those of a Mr Armytage of Pitt Street and Charles Thompson of Hunter Street, on the same grounds.⁴⁷

Macquarie needed no encouragement to withdraw promised favours from those who had signed the petition. Richard Jones felt that the governor persecuted those who had signed the petition as much as his power allowed. Macquarie ordered the immediate dismissal of George Williams from his employment with Howe at the *Sydney Gazette*, and withheld land grants

⁴⁶ Governor Macquarie to Earl Bathurst, 3 April 1817, HRA, ser. i, vol. IX, p.330.

⁴⁷ Evidence of D. Wentworth, B no. 1, Police - Evidence, Appendix to Commissioner Bigge's Report, CO 201/121, ff.17-9.

from Samuel Terry, Gustavus Low and Moore's brother. The rifts in colonial society deepened.⁴⁸

During this troubled period the Sydney Hospital was nearing completion. On 3 March 1816 the contractors notified Macquarie that the building was finished and ready to be delivered over to the government.⁴⁹ Macquarie appointed a committee of three to survey the construction and to file a written report. The committee conducted its examination on 29 March. It identified a number of structural faults and criticised the quality of workmanship.⁵⁰ Based on this report, the governor directed the contractors to take immediate measures to secure the buildings from the risk of imminent ruin, a condition he attributed to their negligence in failing to construct the building in accordance with the terms of the contract and with sound architectural principles.⁵¹

The contractors then produced a report from O'Hearne and Bean, their chief mason and carpenter, which refuted the findings of the official committee. The contractors also denied any responsibility for the standard of work, reminding Macquarie that they had never claimed to be masons or carpenters and had impressed on him the necessity to appoint, on the part of government, a person to attend and inspect the progress of the construction. They stressed that, if any fault could be attributed to them, it would be for

⁴⁸ Evidence of R. Jones, 1 July 1819, Minutes of Evidence, Select Committee on the State of Gaols, 1819, p. 145; Evidence of G. Howe, Judicial Evidence taken by Commissioner Bigge, HRA, ser. iv, vol. 1, pp. 847-8; Governor Macquarie to Earl Bathurst, 3 April 1817, HRA, ser. i, vol. IX, pp. 329-31; also refer to affidavit by S. Terry and G. Low, ibid., pp. 333-5. Terry and Low denied signing the petition and were seeking restitution.

⁴⁹ See information contained in J.T. Campbell to the Hospital Contractors, 27 March 1816, Medical - Documents, Appendix to Commissioner Bigge's Report, CO 201/124, f.340.

⁵⁰ J.T. Campbell to the Contractors, 27 March 1816; 12 April 1816; Report of the Committee nominated to Survey the Erection of the Building of His Majesty's General Hospital at Sydney, March 1816, ibid., ff. 340-1, 391-2.

⁵¹ J.T. Campbell to the Contractors, 12 April 1816, ibid., f.341.

paying high prices for the work performed.⁵² Macquarie was unmoved and informed the contractors that in his view the buildings had not been completed in a handsome and substantial manner. Furthermore, after examining O'Hearn's and Bean's report, the committee stood by its original findings. The governor then directed the contractors to rectify the building's defects.⁵³

On 22 June they responded by seeking remuneration for alleged additions and alterations amounting to the sum of £5,078. Macquarie dismissed their claims as totally unfounded and accused the contractors of attempting to offset the expense of remedying the defects. He declined to have any further meetings or discussions on the subject, but, to prevent an impasse, was prepared to take delivery of the hospital. Nevertheless, he warned the contractors that they would be held responsible for any expenses incurred, within the next five years, "in making good the gross defects left by you in the work".⁵⁴

In addition to structural flaws and poor workmanship, the hospital also had faults in its design. While admitting that the building resembled a magnificent villa, Arnold criticised the plan. Firstly, the hospital consisted of four large wards and nothing else. There were no rooms adjoining them for the nurses and attendants who, in his opinion, should always be within call. Next every hospital should have water closets: the Sydney hospital had none, except in a detached building at its rear. Furthermore, a hospital required a plentiful supply of water, yet this one only had a well. Finally, "all the filth thrown out of the building must remain and contaminate the

⁵² The Contractors to Governor Macquarie, 27 April 1816; J.O'Hearne to the Contractors, 26 April 1816; J.T.Campbell to the Contractors, 18 June 1816, *ibid.*, ff. 317, 322-3, 342.

⁵³ J.T.Campbell to the Contractors, 18 June 1816, *ibid.*, ff. 342-3.

⁵⁴ J.T.Campbell to the Contractors, 24 June 1816, *ibid.*, ff.343-4.

Air for want of Sewers and water to carry it away."

Despite the criticism, the General Hospital was a remarkable achievement for an infant colony. It stood on an eminence beyond Government House and was enclosed by a large stone wall. The building itself was of stone and round it was a "lofty and spacious verandah with stone pillars", there was also a verandah upstairs which had wooden pillars to imitate those underneath.⁵⁵ The construction of this hospital had been a long and vexatious affair for Wentworth. Despite the common belief that the contractors had made huge profits, their gains did not match their expectations. For all the sparring between Wentworth and the governor over the hospital, Macquarie was keen to have Wentworth cooperate on other projects.

In consultation with Judge Wylde, the governor called on a number of magistrates, merchants and gentlemen to assemble at the judge-advocate's chambers on 22 November 1816 to consider the state of the colonial currency. Macquarie did not include the names of some landed gentlemen and known malcontents, including Marsden, Cox and Bailey, on his list. Those he deemed suitable and who did attend included Lieutenant-Governor Molle, Judge Wylde, Richard Jones, Alexander Riley, J.T. Campbell and Wentworth. During this meeting they passed a resolution for the establishment of a colonial bank. Macquarie gave his consent to their proposal and on 5 December 1816, 37 people took up 105 shares valued at £50 each and another 9 individuals took up a number of unspecified shares. Wentworth purchased six shares and his son, John, two.⁵⁶ A convict by the name of

⁵⁵ Joseph Arnold's Journals, C720, ff. 398-400; J. Slater, A Description of Sydney, Parramatta, Newcastle & Settlements in New South Wales, with some account of the Manners and employment of the convicts, Bridlesmith-Gate, 1819.

⁵⁶ Minutes at meeting, 22 November 1816, HRA, ser. i, vol. IX, pp.861-2.

Eagar purchased 10 shares in anticipation that so large an interest would secure him a directorship.⁵⁷ On 18 December a committee of 15, which included Molle and Eagar, was elected to formulate the regulations to govern this institution.⁵⁸ At all the meetings the question of allowing convicts to take up shares had been raised; while some committee members held no objection to convicts being shareholders, they did balk at permitting them to become directors. Prior to the general meeting on 7 February 1817, six men who had been nominated as fit persons to hold directorships informed Wylde of a move to bring forward Eagar as a nominee for the office of director. Four of these men gave notice of their intention to withdraw, if convicts were to be admitted as directors. During the meeting, members debated this proposal. Redfern and Wentworth, vigorously defended the right of convicts to serve as directors, but they were outnumbered.⁵⁹ Consequently, a rule was incorporated into the charter under article 7 which deemed any person, not absolutely and unconditionally free, ineligible to become a director. The members then elected Harris, Robert Jenkins, Wylde, Riley, Redfern, Campbell and Wentworth as directors. Although displeased with the exclusion of Eagar from the court of directors, Macquarie accepted the majority decision. The governor had the final say by granting Eagar an absolute pardon as compensation for his disappointment.⁶⁰

Resistance to Macquarie's administration was becoming more blatant. On the evening of 18 January 1817, Macquarie held a dinner and a ball at Government House to celebrate the Queen's birthday. He had invited 155

⁵⁷ Report of the Commissioner of Inquiry into the State of the Colony of New South Wales, House of Commons, 1822, pp.151-2. Bigge maintained that Eagar had purchased 9 shares but the minutes show he purchased 10. HRA, ser. i, vol. IX, p. 862.

⁵⁸ Bank of New South Wales, enclosure 3, HRA, ser. i, vol. IX, p. 233.

⁵⁹ Evidence of J.Wylde, Judicial evidence taken before Commissioner Bigge, HRA, ser. iv, vol. I, p.788.

⁶⁰ Bank of New South Wales, enclosure 3, HRA, ser. i, vol. IX, p. 233; Report of the Commissioner of Inquiry into the State of the Colony of New South Wales, pp. 150-1.

people, but only 115 sat down to dinner.⁶¹ Statements of opposition to his administration were not only confined to the colony as disaffected colonists clamoured to be heard at home. Shortly after his arrival in England, William Wentworth learned of the petition brought home by Vale. D'Arcy had forwarded to him a copy of the document and included in his correspondence details of the intrigues of Vale and his agents in producing the petition.⁶² In March 1817 Henry Grey Bennet, a member of the House of Commons, gave notice in *The Times* of his intention to present a petition from several settlers in New South Wales.⁶³ William wrote to Bennet, informing him that the people who designated themselves settlers were in the main "publicans and shopkeepers of the convict description, who live by preying on the very vitals of the Settlers, whose names they have assumed." He informed Bennet that he had only recently returned from the colony after several years residence there and stood ready to refute many of the allegations contained in the document. William asked Bennet to consider whether he could feel justified in allowing himself "to become the Medium of conveying to the Honourable House, ... one of the grossest calumnies ever fabricated against the character of a public officer." Bennet did not receive this correspondence until after he had addressed parliament on 10 March.⁶⁴

When Bennet laid the petition before the House he assured its members that he had taken trouble to ascertain the character of those who had endorsed the petition and found them to be persons who had not been transported for their crimes but rather *bona fide* colonists. He informed

⁶¹ L. Macquarie, *Diary*, 18 January 1817, M.L. A773, f. 81.

⁶² W.C. Wentworth to D. Wentworth, n.d. (probably March 1817) *Wentworth Papers*, A756, f. 799.

⁶³ W.C. Wentworth to the Hon. Mr. Bennet, 10 March 1817, *ibid.*, ff. 797-8.

⁶⁴ *ibid.*

the House that the petition "complained generally of the mode in which the laws were administered in the colony, and particularly of the unjust and oppressive conduct of the present governor."⁶⁵ Although he did not oppose a discussion on the subject, Lord Castlereagh vouched for Macquarie's reputation as an able administrator and hoped that statements contained in the petition would not be allowed to damage the governor's character.⁶⁶ Despite the efforts of the anti-Macquarie faction in the colony and in England, the petition failed in its immediate objective to arouse widespread outrage at the governor's administration. Nevertheless, William stood ready to answer any adverse reports which appeared in the press.⁶⁷

He arranged an audience with Bennet, during which he pointed out the falsehoods of the allegations set forth in the petition. William, however, felt frustrated because he could not venture to contradict some of the charges which had occurred after his departure from New South Wales and which both his father and Redfern had failed to mention in their correspondence. William alluded particularly to the flogging of Blake, Henshall and Read. He chided his father: "This you know is the most serious complaint in the petition and on this head your letter affords no information." Nonetheless, William felt confident that he had succeeded in convincing Bennet of the unsoundness of that part of the petition concerned with the governor's character.⁶⁸

⁶⁵ Petition of the Settlers of New South Wales, House of Commons, Parliamentary Debates, 10 March 1817, vol. XXXV, pp.920-1.

⁶⁶ Ibid., p.921.

⁶⁷ W.C.Wentworth to D.Wentworth, n.d.(probably March 1817), Wentworth Papers, A756, ff.799-802.

⁶⁸ Ibid., f.799.

While William championed Macquarie's cause in England, his family and friends in Sydney were attempting to repair the damage which William himself had set in train before sailing from Sydney. During William's five years in the colony he had watched the officers of the 46th regiment grow increasingly hostile toward Macquarie and his favourites. Arnold maintained that the state of society was preposterous, with the governor admitting convicts to his table and the military adamantly refusing to associate with them.⁶⁹ The military officers resisted the imposition of those they deemed inferior, not merely by excluding them from their table, but by actively challenging them in their official capacity and by setting them up as figures of fun and contempt. Riley became the butt of the officers of the 46th Regiment who ridiculed his use of unusual words and his incorrect pronunciation.⁷⁰ In the face of mounting opposition, Macquarie persisted in his endeavours to have emancipists accepted into society. Some officers resented the governor foisting ex-convicts and those of inferior rank on their society. Cunningham observed :

Governor Macquarie, finding a number of demurrers to his opinions, instead of coaxing them on to his views; or taking no notice of what was done or said, but quietly inviting such individuals of the emancipist body to his table as he deemed respectable enough, and letting time and reason work the rest; forthwith began to look upon all who opposed his projects as *personal* enemies, and often indeed treated them as such.⁷¹

When Captain Sanderson appeared before Wentworth for a misdemeanour, he belittled the police superintendent by using the "Most

⁶⁹ Joseph Arnold, Journals, C720, f. 391.

⁷⁰ *Ibid.*, f.395.

⁷¹ P.Cunningham, *op. cit.*, vol. II, p.132.

unbecoming and disrespectful Language." Although deeply hurt by such insults, D'Arcy bore them in dignified silence, allowing the governor to defend his name. Macquarie privately admonished the officer for his offensive behaviour, but it only served to deepen his resentment. Sanderson promptly set about turning his brother officers against Macquarie, becoming one of the most active opponents of his emancipist policy. The governor denounced Sanderson's clique as a political faction which indulged in "reviling and Scoffing" at his administration.⁷²

William burned to strike back at these self-opinionated fellows and derived personal satisfaction from lampooning them. He whiled away his idle hours composing satirical verse directed at these men.⁷³ In particular, Colonel Molle, the commander of the regiment and the lieutenant-governor, raised William's ire. He felt that Molle's conduct towards his family was unequivocally hostile.⁷⁴ Before departing, he left in the keeping of his brother and a friend, young George Johnston, a number of his productions, one which cruelly satirized Molle and another which ridiculed Alexander Riley. The mischief-makers agreed that, in order to throw off any suspicions of their joint conspiracy, they would circulate the pipes some time after William's departure from Sydney. William insisted on secrecy, realizing that, if people traced the production back to him, they would then consider his father an accomplice. He saw himself as his father's avenger and did not want D'Arcy to suffer any anxieties because of the pipes. Thus, he withheld his confidence from his father in anticipation that D'Arcy's pleasure in witnessing the chastisement and humiliation of Molle would be

⁷² Governor Macquarie to the Duke of York, 25 July 1817, HRA, ser. i, vol. IX, p. 445.

⁷³ W.C. Wentworth to D. Wentworth, 25 May 1818, W.C. Wentworth to A. Riley, 25 August 1818, Wentworth Papers, A756, ff. 816, 829-30.

⁷⁴ W.C. Wentworth to A. Riley, 25 August 1818, ibid., ff. 830-1.

undiminished by the dread of the discovery of the author.⁷⁵

William left for England in late March 1816 and his co-conspirators showed restraint by not releasing the pipes about Molle and Riley until months later. On learning of the pipe, Molle flew into a rage: rather than allowing it to pass unnoticed, he actively sought to unmask his traducers. His agitation excited the public's curiosity and the number of copies multiplied to meet the demand. The officers of the mess convened a meeting and entered into a subscription to offer a reward for information about the lampoon. In addition, Macquarie offered emancipation to any convict who could help name the producers of the pipes. In spite of these rewards, the author's identity remained a mystery. Molle's irritation grew. Tormented by the anonymity of his detractors, he turned on his own officers and asked them to surrender their desks, writing paper and pens for inspection. Despite the slur on their honour, they submitted.⁷⁶ This investigation failed to cast any light on the production of the lampoon. It did, however, provoke the appearance of another biting verse which satirized, not only Molle, but the whole regiment:

Oh! This terrible Pipe - what a downfall is here
 That all is detected, alas is quite clear
 Farewell to all boastings of Storm and of Breach
 The Drill, and the Review are now all I can reach
 And in future Dear Caco I fear 'tis my Doom
 To confine all my stormings to Sub's barrack room
 Where with power supreme; I can storm without measure
 And writing Desk Locks, can break open at pleasure
 How cruel my fate! all my searches in Vain
 The wicked Pipe Maker, despises my Pain.⁷⁷

⁷⁵ Ibid., ff.829-31.

⁷⁶ Governor Macquarie to the Duke of York, 25 July 1817, HRA, ser. i, vol. IX, pp.446-8.

⁷⁷ The Double Dealers, Wentworth Papers, A758, f.156.

If D'Arcy had enjoyed Molle's humiliation, his satisfaction quickly dissipated as the lieutenant-governor became increasingly agitated and desperate to uncover the authors. Suspicion soon fell upon D'Arcy's clerk, Robert Lathrop Murray. Judge Wylde directed him to appear before a bench of magistrates on 11 June 1817 to answer a complaint lodged against him by Molle and Riley. He also subpoenaed D'Arcy to appear as a witness.⁷⁸

Despite William's attempts to conceal his authorship, D'Arcy knew his son too well and detected his hand in this affair. Both Redfern and D'Arcy had taxed William in their letters for information on the pipe; he eventually confessed his part in the business. William expressed sorrow for quitting the colony without confiding in his father, but remained unrepentant about the pipe. In his letter to D'Arcy, William boasted that it was due to himself, "irritated against Him[Molle] solely by a Sense of the indignity, which he offered to you that you are indebted for the severe chastisement."⁷⁹

After much reflection D'Arcy decided to make public his knowledge. Before the bench, he was asked if he had any knowledge of the pipe. Torn between loyalty to his son, respect for his family's name and a sense of duty to see the innocent cleared, Wentworth decided to expose William. Shame, remorse and guilt informed his brief statement:

⁷⁸ Judge Wylde to Governor Macquarie, 10 June 1817, CSIL, AONSW, 4/1737, ff.124-7.

⁷⁹ W.C.Wentworth to his brother John, 26 May 1818, Wentworth Papers, A755, f.672-4; W.C.Wentworth to D.Wentworth, 25 May 1818, *ibid.*, A756, f.816.

I beg also to mention that it was my full purpose to inform Col. Molle before he left the Colony in justice to those officers who sit there - Altho' the matter being asleep after he[William] was gone I did not think it necessary immediately to mention it - I did not know it till long after my Son was gone - I should have mentioned it certainly in justice to some of the officers who I knew had been charged as the authors of it.⁸⁰

The silence was broken by Molle who grasped Wentworth's hand warmly and thanked him for removing the suspicions he had entertained of others. Although the court had assembled to investigate the production of the second pipe, in his enthusiasm, Molle saw no need for the hearing to proceed and requested its adjournment.⁸¹

The regiment's solidarity strengthened when the authorship of the pipe became public. The officers joined ranks in their open condemnation of "dark assassins." It provided them with an ideal opportunity to vindicate their stand against Macquarie's emancipist policy and to vent their anger and frustration at the governor's favourites. The officers, under the leadership of Sanderson, assured Molle in a letter of congratulations that the vicious attacks on his reputation had never alienated their esteem and respect for him. They proclaimed such libels as "Issuing from the Pen of Men so much Our Inferiors in Rank and Situation, that We know them not but among that promiscuous Class, which (with Pride we Speak it) have been ever excluded from Intercourse with Us."⁸²

⁸⁰ Extract from the minutes of the proceedings before a Bench of Magistrates, 11 June 1817, B no. 46, Police - Documents, Appendix to Commissioner Bigge's Report, CO 201/121, ff.776-7.

⁸¹ Judge Wylde to Governor Macquarie, 12 June 1817, CSIL, AONSW, 4/1737, ff.128-9; Governor Macquarie to the Duke of York, 25 July 1817, HRA, ser. i, vol. IX, p.448.

⁸² Captain Sanderson et al. to Col. Molle, 13 June 1817, HRA, ser.i, vol. IX, pp. 453-4.

Responding with equal warmth, Molle expressed hope and confidence that our "Hearts and Hands will ever be united in Friendship, Esteem and Emulation."⁸³ On behalf of the officers, the government printer sought Macquarie's permission to have this correspondence printed in the form of handbills. On a cursory perusal, Macquarie thought the publication of such documents inadvisable and directed their return. Undeterred, the officers copied the letters themselves and circulated them. Macquarie bristled at their defiance and sought an explanation from Molle. The governor took particular exception to the officers' assertion in their letter that the rule of exclusion adopted by their regiment would elicit the "most perfect approbation of His Royal Highness the Commander-in-Chief" and that succeeding regiments would follow their example. Macquarie stated that it was his duty to voice his strongest reprobation of the officers' disrespectful and insubordinate conduct, and gave notice of his intention to transmit a report on their conduct to the Prince Regent.⁸⁴

The following day Molle answered Macquarie's letter. In a tit for tat stroke he informed the governor that it was now his duty to notify His Majesty's ministers of his intention to cause a criminal information to be exhibited against D'Arcy Wentworth "for gross disrespect and Contempt ... for Aiding and Abetting the Writing and Publishing of those Anonymous and Scurrilous Libels which went so maliciously to traduce Me as an Officer and a Gentleman."⁸⁵

⁸³ Col. Molle to Captain Sanderson et al., 14 June 1817, *ibid.*, p. 455.

⁸⁴ Governor Macquarie to Lt. Governor Molle, 23 June 1817, *ibid.*, pp. 451-2.

⁸⁵ Col. Molle to Governor Macquarie, 24 June 1817, *ibid.*, pp. 455-8.

Macquarie notified Wentworth of Molle's intention to prosecute, but both Wentworth and Molle let the matter rest for over two months.⁸⁶ Wentworth revived the business on 27 August 1817 when he wrote to Macquarie. He maintained that he had forborne troubling the governor on the matter because his conduct from the moment of his first arrival in New South Wales would bear the most rigid examination. Having learnt, however, that the 46th was about to quit the colony, Wentworth maintained that, in regard to himself, his reputation and interests, he now felt obliged to call upon the lieutenant-governor to particularize those parts of his conduct which appeared so reprehensible. Wentworth challenged him to cite any act, private or public, which, during his 28 years in the colony, could "be consider'd derogatory to my Character as an officer or as a Gentleman." He then requested Macquarie to ask Molle to bring forward the charges the lieutenant-governor held against him so that they might be properly investigated.⁸⁷

On 1 September 1817 Macquarie transmitted the letter to Molle. In response, he referred the governor to his correspondence, dated 24 June 1817, in which he declared his intention to press criminal charges against Wentworth for gross disrespect and contempt and for publishing a libel. He proceeded to explain that, had a criminal court been assembled during this period, he most certainly would have prosecuted Wentworth. Indignantly, he asserted that he felt no obligation to particularize Mr Wentworth's conduct for his information, but would offer an explanation for the governor's

⁸⁶ Governor Macquarie to D. Wentworth 25 June 1817, Wentworth Woodhouse Muniments. This letter is included in a section entitled, Statements of Proceedings in the affair with Lt. Governor Molle and is a self-contained unit with its own pagination.

⁸⁷ D. Wentworth to Governor Macquarie, 27 August 1817, *ibid.*, ff. 1-2.

consideration. Drawing from the proceedings of the bench of magistrates which sat upon the trial of Murray, Molle maintained that, on the advice of a very high authority, the offence of publishing one, at least, of the libels was proven against Wentworth. He argued that Lathrop Murray, a man employed by Mr Wentworth and surely in his confidence, had composed the pipe. Furthermore, he suggested that had he known at the time that Mr Wentworth held a military commission and was subject to martial law, he would most assuredly have placed him under arrest and had him court-martialled.⁸⁸

In pursuing Molle and inviting comment on his conduct, Wentworth laid his past open to scrutiny. The lieutenant-governor seized the opportunity to heap odium upon him. Molle produced a letter, purportedly written by Grose to Foveaux in 1799, which repeated the Duke of York's warning that officers who disgraced themselves by associating with D'Arcy Wentworth would be turned out of the service. Molle facetiously added: "Mr D'Arcy Wentworth's claim to the character of a gentleman is not of so old a date as he arrogates, viz. since his arrival in this colony."⁸⁹

Wentworth was spoiling for a fight. For years he had quietly borne the military officers' insults and endured their condescension. Secure under Macquarie's patronage, and probably encouraged and abetted by his clever and articulate friend Murray, Wentworth struck back. In a letter to the governor he complained that the lieutenant-governor offered not one syllable in explanation of the nature of the alleged gross disrespect and contempt. Referring to the charge of publishing a criminal libel, Wentworth pleaded innocence and expressed confidence that any such charge against him could not be proved. He stated categorically that he was ignorant of the

⁸⁸ Col. Molle to Governor Macquarie, 8 September 1817, *ibid.*, ff.3-5.

⁸⁹ *ibid.*, f.5.

authors and that Murray was not in his employment until long after the investigation. Wentworth wished to know the high authority to which Molle alluded and wanted him to cite how and when the criminal publishing took place. Further, he discounted as absurd Molle's assertion that he was unaware of Wentworth's holding a commission. He ridiculed Molle's statement that, had he known Wentworth was amenable to martial law, he would immediately have placed him under arrest by contrasting it with "those unbounded expressions of respect and regard with which he extorted from me an unwilling shake of the hand." Wentworth not only insisted that Molle had been aware of his holding a commission, but took the opportunity to boast that he had held His Majesty's commission at home "long before the Lieutenant Governor was ever known in the Service!" Baiting Molle, Wentworth remarked that the lieutenant-governor had appeared to have abandoned his intention to institute a criminal proceeding which Wentworth regretted because it denied him the opportunity "to overwhelm my accusers, with confusion and disgrace!"⁹⁰

Finally, Wentworth turned to the slur on his character and cried foul, insisting that the letter (allegedly written by Grose) was anonymous and undoubtedly a "false and infamous forgery." Wentworth turned the tables, declaring: "The Lieutenant Governor is himself the Libeller! for he publishes a Libel against me, which I defy him or any other Man to Establish!" Even allowing for the authenticity of the letter Wentworth asked:

what is the consequence to be deduced therefrom?
 is there anything contained in this production, by
 which he explains the cause of such proscription?
 does he state why I was, 18 years ago, to be (at the
 very time when I was serving His Majesty here as a

⁹⁰ D. Wentworth to Governor Macquarie, 8 September 1817, ibid., ff.6-10.

Commissioned officer,) thus subjected to so severe an animadversion! did he, then or does the Lieutenant Governor now, know of any single Act I had committed from the moment of my putting my foot on shore ... which could deserve such an Anathema as this!⁹¹

Not content with such rhetoric, Wentworth continued to force his point. He asked whether he had not arrived in New South Wales as free and uncontrolled as Major Grose, or any of his officers, or even the lieutenant-governor himself. Furthermore, he wanted to know why he was subjected to such a libel, after nearly 30 years of faithful and unblemished service in some of the highest and most respected offices in New South Wales.⁹² On receiving this letter, Molle immediately placed Wentworth under arrest. He accused him of grossly insulting and threatening him, his superior officer.⁹³

Judge Advocate Wylde intervened in an endeavour to stop proceedings before they reached a court martial. On the morning of 14 September, the day before the court martial was due to assemble, he met both parties, privately and individually. Wylde managed to have them agree to refer the matter to a body of gentleman and officers nominated by their joint agreement. Later in the day, however, Molle reneged on his promise and sent a letter to Wylde agreeing to submit the form of Wentworth's apology only, and not the whole affair, to the consideration of nominated officers. At 9 o'clock that evening Macquarie received the correspondence from Wylde which enclosed Molle's letter.⁹⁴ The governor held Molle's proposition to be indelicate and unreasonable, and saw it as an attempt to frustrate an

⁹¹ Ibid., f.10.

⁹² Ibid.

⁹³ Col. Molle to D.Wentworth, 9 September 1817, ibid., f.12.

⁹⁴ J.Wylde to Governor Macquarie, 14 September 1817, ibid., ff.13-4.

amicable resolution.⁹⁵ He then sent the correspondence to Wentworth, informing him that it was entirely his decision whether he agreed to, or rejected, the arrangements proposed by Molle.⁹⁶ Wentworth wrote his answer at 10 o'clock that night. He stated his willingness "to refer the whole affair between Col. Molle and myself to the opinion and decision of the officers and gentlemen named by Colonel Molle with the single addition of Mr Secretary Campbell." With Molle unwilling to have the whole affair placed before the officers, negotiations broke down and the court assembled the following morning.⁹⁷

Wentworth retaliated by drawing up a list of charges against Molle. He accused him of maliciously publishing a false and scandalous libel in a letter to the governor which purported to be an extract of a letter from Major Grose to Major Foveaux. Moreover, he accused Molle of degrading, and vilifying the royal authority itself by asserting that Wentworth's claim to the character of a gentleman was not as old as he professed, knowing full well that he held high office by royal appointment. Wentworth obtained a written statement from the governor, testifying that Foveaux had warmly and strongly recommended him as qualified to hold any civil office.⁹⁸

At the outset the court concurred that Wentworth, as a civil officer, was not subject to its authority and consequently declined to proceed. Before dissolving the court and ordering Molle to embark for India, Macquarie sent back to Wentworth the charges which he had laid against

⁹⁵ L. Macquarie, Memoranda and Related Papers, M.L. A772, 13 September 1817, f. 107.

⁹⁶ Governor Macquarie to D. Wentworth, 14 September 1817, Wentworth Woodhouse Muniments, Statement of Proceedings in the Affair with Lt. Governor Molle, f.13.

⁹⁷ D. Wentworth to Governor Macquarie, 14 September 1817, *ibid.*, f.15.

⁹⁸ Charges preferred against Col. Molle by D. Wentworth, *ibid.*, ff.16-7.

Molle.⁹⁹ The governor pointed out the inconvenience that would follow if he decided to press the charges and recommended that he withdraw them.¹⁰⁰ In mischievous mood, Wentworth returned the charges to Macquarie with the request to transmit them to Molle.

Clearly, Wentworth had no intention of pursuing the charges and Molle sailed from Sydney on 20 September 1817. On the 21st Macquarie congratulated Wentworth on his complete victory and informed him that he had communicated the charges to Molle. Gleefully, he told Wentworth that, "I did not hear from him afterwards and I therefore conclude he must have felt no small degree of mortification on receiving them."¹⁰¹ Both men were pleased to see Molle and the 46th leave. Nevertheless, as superintendent of police, Wentworth faced the continuing task of maintaining law and order in a community where soldiers and civilians lived in close proximity. For example in December 1818 Murray, the acting assistant superintendent of police, notified him that for several nights past some officers of the garrison had been disturbing the public peace by "parading the streets, at a very late hour, and performing Serenades, not of the most melodious description." In the hope that such conduct was temporary, Murray had hesitated in taking action against them. On discovering, however, that their mode of conduct was premeditated and intended to goad, he urged Wentworth to adopt measures that would prevent him from having to convey these "nocturnal disturbers" to the watch house.

⁹⁹ L. Macquarie, Memoranda and Related Papers, M.L. A772, ff.108-10.

¹⁰⁰ Governor Macquarie to D. Wentworth, 18 September 1817, Wentworth Woodhouse Muniments, Statement of Proceedings in the Affair with Lt. Governor Molle, f.18; D. Wentworth to Governor Macquarie, 18 September 1817, *ibid.*, ff.19-20.

¹⁰¹ Governor Macquarie to D. Wentworth, 21 September 1817, *ibid.*, f.20.

He warned that such a step would have serious ramifications.¹⁰² Although the military were a constant source of annoyance for Wentworth and his police, a much greater threat to the administration came from a number of civilian malcontents in New South Wales determined to sabotage Macquarie's government. In December 1817 Elizabeth Macquarie asserted:

It has ever since the commencement of this Colony been the custom of some designing and truly wicked Men here; to carry on underhand correspondence with the Clerks at the Colonial office, and every where they can think of to propagate falsehoods and represent the conduct of the different Governors in as unfavourable a light as they can.¹⁰³

Throughout 1817 Macquarie had received a number of letters from Bathurst which, he felt, censured his conduct and which he found "very insulting." In particular, he was upset over Bathurst's disapproval of Vale's court martial and with the directive to restore Moore's salary. By the close of the year Macquarie thought that his enemies had succeeded in prejudicing the minds of ministers against him. In a confidential letter to Bathurst, he admitted that he had known of the relentless exertions of "Evil Minded Men" to vilify his conduct and government and named those he regarded as given to discontent, intrigue and vindictiveness, with the Reverend Samuel Marsden heading the list.¹⁰⁴ Feeling that he no longer had the support of the government, on 1 December 1817 Macquarie notified Bathurst of his

¹⁰² R.L.Murray to D.Wentworth, 16 December 1818, Wentworth Papers, A753, f.713.

¹⁰³ E. Macquarie to a Friend in England, 12 December 1817, L.Macquarie, Letterbook, M.L.A797, f.137.

¹⁰⁴ See letters, Earl Bathurst to Governor Macquarie, 6 February; 22 April 1817, HRA, ser. 1, vol. IX, pp. 206-7, 385; Governor Macquarie to Earl Bathurst, 1 December 1817, ibid., pp.495-501.

regret that certain of his measures had met with disapproval and formally submitted his resignation.¹⁰⁵

¹⁰⁵ Governor Macquarie to Earl Bathurst, 1 December 1817, ibid., p. 501.

Chapter 9

Called to Account 1818 - 1821

Despite his enemies' success, Macquarie made no attempt to placate them. On 8 January 1818 he further alienated Marsden by admonishing him in the presence of Campbell, Cowper and John Watts. Incensed with Marsden for taking a deposition from the public hangman who had flogged the Domain trespassers, Macquarie accused him of malicious treachery and of being the head of a low cabal. He informed the principal chaplain that he never wished to see him except on public duty.¹

Aroused but not humbled by Macquarie's attack, Marsden continued his campaign to discredit the governor. In February 1818 he wrote to William Wilberforce, drawing attention to the state of the general hospital at Parramatta. According to Marsden, there was no room in which to place the dead and, before their burial, corpses remained alongside living patients. He maintained that the hospital was a place of want, wretchedness, vice and debauchery and "For the number of persons in the hospital I do not believe that there is such an infamous brothel in the whole universe." He asserted that he had informed the governor of how the patients - for weeks and months on end - suffered from a lack of common necessities including sugar, sago, rice, tea and wine.²

Although Marsden did not mention Wentworth, these allegations contained an implicit criticism of his standing as principal surgeon and strengthened those made by J.H.Bent to the Duke of Portland in November

¹ L. Macquarie to S. Marsden, 8 January 1818, L. Macquarie, Letterbook 1809-1820, M.L. A797, ff. 141-4; L. Macquarie, Diary 10 April 1816- 1 July 1818, M.L. A773, f. 133.

² Appendix no. 2, S. Marsden to W. Wilberforce, 5 February 1818, H. Grey Bennet, A Letter to Earl Bathurst, London, 1820, pp. 117-122.

1815. Wentworth had, however, been advocating reform in the medical service for some time. In March 1817 he informed the governor that owing to a combination of factors, particularly practices stemming from the early days of settlement when a shortage of grain and fresh meat existed, no allowances for the special needs of the sick had been made in their weekly ration. He pointed out the absurdity and injuriousness of the existing system, whereby patients received their grain from the stores unground only once a week and their fresh meat twice or thrice weekly. On occasion the rations began to putrefy before they could be eaten, and the need to have the grain ground caused great inconvenience for the sick. He recommended that contractors be appointed who would daily supply fresh meat, bread and vegetables to the patients. Acknowledging that his proposed scheme would be more costly, he argued: "the expense can bear no proportion to the quantum of Comfort which it will confer on the Sick, and to the means which it will afford of contributing to the alleviation of their sufferings and to the cure of their Diseases."

Considering himself unauthorized to sanction such alterations, Macquarie referred the proposals home for consideration. The Colonial Office agreed to the new system and in December 1818 Macquarie notified Wentworth of the government's approval. The measures, however, were not put into effect until September 1819, after Wentworth's resignation as principal surgeon.

Wentworth also suggested that, in order to achieve a degree of cleanliness in the hospital, patients on admission should be supplied with an entire change of clothes. Furthermore, he complained about the want of proper persons to fill the situations of clerk, overseer and matron. He reminded Macquarie that individuals working in the hospital received no pay

or emoluments for performing their duties, and claimed that, if salaries were attached to these situations, people of ability and character might seek employment in the hospital.³

At this time Wentworth was particularly troubled by a long running feud between George Suttor the superintendent of the lunatic asylum at Castle Hill and its surgeon Dr Parameter. On 24 May 1817 Parameter complained to Macquarie about the lack of respect shown him by the servants in the hospital. He believed that as long as he remained under the sentence of the law he would be subjected to insult. Macquarie severely chastised Suttor for his insolent and outrageous conduct toward the surgeon and threatened him with dismissal if he ever insulted Parameter again. The ill will brooded and in February 1818, Suttor complained to Wentworth about the want of soap in the hospital even though they had received an ample supply from the general hospital during the previous October. He intimated that Parameter had misappropriated supplies, claiming, "It is Sir impossible for me to obey ... the governor's orders, which are to keep the people clean if the soap is withheld." The discontent continued until finally in January 1819, Suttor brought charges of neglect and maladversion against Parameter. Hannibal Macarthur investigated the complaints and found that both parties had neglected their duties. This case merely highlighted the inefficiency and incompetence of many of those working in the hospitals. Wentworth claimed that aside from Redfern he could not rely on any individual in Sydney Hospital to carry out his orders.⁴

³ Memorial of D. Wentworth to Governor Macquarie, No. 43, 28 March 1817, CSIL, AONSW, 4/1737, ff.231-3; copy also in Appendix to Commissioner Bigge's Report, E no. 16, Medical - Evidence, CO 201/124, ff.379-81. Order of Governor Macquarie, 21 August 1819, CSIL, AONSW, 4/1742, f.392.

⁴ Dr Parameter to Governor Macquarie, 3 June 1816, Governor Macquarie to D. Wentworth, n.d.; Memorial of Dr Parameter, 24 May 1817; Dr Parameter to

As superintendent of police, Wentworth also recommended reforms in the police department. He and Judge-Advocate Wylde recognized that the level of remuneration offered to the police was insufficient to attract reliable and capable men. In April 1818 they suggested that constables should receive a fixed salary (payable quarterly) with an additional allowance of coal, slops and shoes instead of the existing ration. The proposed scale suggested that a district constable would draw £20 per annum and an ordinary constable £10. They declared that, if colonial policy prohibited the implementation of such measures, "it seems that there can be no well grounded Hope of obtaining an effective Police unless a double ration of the present scale be allowed to each ordinary constable."⁵

Again reform was slow in coming and people ill-suited for police duties continued to serve. For example, in an attempt to detect the illicit importation of spirits, a constable, trusted to watch Sydney Cove, was assigned a house that overlooked the area. In October 1818 he was brought before the magistrates for smuggling spirits which were found in his residence and in the premises of a licensed publican in Sydney Town. By 1820, district constables were earning an annual salary of £15 and an allowance of one and a half rations. Petty constables, however, received no salary, but were allowed one and a half rations and a double suit of slops.⁶

D.Wentworth 10 January 1819, Dr Parameter to D.Wentworth, 3 February 1819, Wentworth Papers, A753, ff. 601-4, 612, 714; G.Suttor to D.Wentworth, 3 February 1818, Medical - Evidence, Appendix to Commissioner Bigge's Report, CO 201/124, ff. 140-1; H.Macarthur to Governor Macquarie, 16 January 1819, CSIL, AONSW, 4/1742, f.65; D.Wentworth to T.J.Campbell, 27 May 1819, Appendix to Commissioner Bigge's Report, Medical - Documents, E no.13, C.O.201/124, ff. 355-6.

⁵ J. Wylde, D.Wentworth to Governor Macquarie, 10 April 1818, CSIL, AONSW, 4/1740, No. 27, ff.132-4.

⁶ Report into the State of the Colony of New South Wales, pp.106-7; Report of the Commissioner of Inquiry on the Judicial Establishments of New South Wales and Van Diemen's Land, House of Commons, 1823, pp.70-1.

During 1818 the anti-Macquarie network in England, which now included Jeffery Bent and Vale, ably assisted the colonial malcontents in their crusade against the administration in New South Wales. In April 1818 Vale wrote to Earl Bathurst reviewing the state of affairs in New South Wales. Reinforcing Bent's long-standing criticism of Macquarie's emancipist policy, he stated: "The general plan pursued under the present government is not to raise the convict to the rank of the free settler but to degrade the free settler to the rank of a convict." Wentworth's name had figured prominently as an example of this levelling process and Vale once again used him to malign Macquarie's administration. He maintained that, on Wentworth's recommendation, some convicts received as great an allowance of spirits as the late and esteemed Ellis Bent himself, although those convicts worked in a menial capacity. Furthermore, he maintained that Bent's recommendations for mercy went unheeded, resulting in the execution of worthy individuals, whereas Wentworth prosecuted and punished reformed persons for nominal crimes, allowing others of the most abandoned character to escape punishment. He cited the case of George Wakeman, alias Parsons, whom he asserted had been Wentworth's accomplice "in the most nefarious practices and has been transported three times." According to Vale, the governor pardoned this man on Wentworth's request.⁷

Every now and again Wentworth did recommend convicts for pardons.⁸ Yet, while Vale insinuated that sinister motives underpinned his actions,

⁷ B.Vale to Earl Bathurst, 16 April 1818, HRA, ser. iv, vol. I, pp.283-4. George Parsons obtained his pardon on 23 May 1816 after serving nearly seven years of his seven year sentence. Convict Pardons, 1 January 1810 - 31 December 1819, privately printed, Sydney, 1974, p.22.

⁸ Evidence of T.Hughes, B no.4, Police- Evidence, Appendix to Commissioner Bigge's Report, CO 201/121, f.50; P.E.Leroy, 'The Emancipists, Edward Eagar and the Struggle for Civil Liberties', JRAHS, vol. 48, pt. 4, August 1962, p.271.

Wentworth's attitude was consistent with the pragmatism of the ruling elite in New South Wales. He looked on the country as a place in which to amass wealth and property; he judged a person according to his usefulness rather than his rectitude; and he rewarded loyalty, enterprise, hard work and cleverness without being overscrupulous as to moral behaviour. He accepted the widespread abuse of government privileges as a natural part of colonial life, but, unlike a number of his colleagues, refrained from glossing over his own sins by traducing others.

In his endeavours to highlight the flaws in Macquarie's government, Jeffery Bent added weight to the attack on Wentworth's reputation. In June 1818 he complained to Bathurst about the governor's defiance of the Third Secretary's instructions which disallowed convict attorneys to practice: Macquarie had appointed a notorious highwayman and a convicted felon to sit as members of the Supreme Court. Although he did not name Wentworth or Lord, by this stage government ministers were well aware of the identity of those to whom Bent alluded.⁹

Wentworth's health had been declining for some period and worsened during 1818. At this time he decided to move his mistress, Ann Lawes, into the family home. Their union had lasted over eight years and she had given birth to four of his children, all of whom bore the family name Wentworth.¹⁰ His son John took offence at this proposal and a misunderstanding developed between them. John refused to speak to Ann and maintained that he would

⁹ J.H.Bent to Under Secretary Goulburn, 25 June 1818, HRA, ser.iv, vol. 1, p.304.

¹⁰ W.C.Wentworth to D.Wentworth, 25 May 1818, Wentworth Papers, A756, f.817; C.Cookney to D.Wentworth, 9 August 1821, Wentworth Papers, A754-2, f.509. See A Nominal Listing of Schoolmasters and Mistresses in the Town of Parramatta, 22 January 1820, G. no.13, Ecclesiastical Establishments, Schools, and Charitable Societies - Documents, Appendix to Commissioner Bigge's Report, - CO 201/127, f. 235. The children's names were George, Martha, Sophie and Robert.

not remain under the same roof as her. He sought counsel from his elder brother who supported his intention to shift from the house. William held a deep affection for Maria Ainslie, but regarded Ann Lawes as a self-seeking, scheming opportunist, intent on ameliorating her circumstances by imposing on his father.¹¹ Ignoring the apparent stability of their relationship and the ties that bound them, William remarked that his father was long past "that time of life when he could be expected to inspire love." He confided to his brother that in any other person he would reprobate such a miserable infatuation, but he could forgive his father. He stated: "How lamentable that a man otherwise possessed of the finest feelings & the most comprehensive Judgement should be insensible alike to the censure of the world, and the duplicity of the Syren who charms Him." William hoped that the recent attacks on his father's name would bring him to his senses.¹² Irrespective of public opinion, Wentworth continued his domestic arrangements. He kept Ann with him at his houses in Sydney and Parramatta, and Maria remained as his "housekeeper" at Homebush. When he eventually resigned from public office, Wentworth retired to Homebush where Ann Lawes lived with him and Maria Ainslie moved to his cottage in George Street, Sydney.¹³

At this time of growing controversy over the conduct and privileges enjoyed by Macquarie's favourites, Wentworth tendered his resignation as principal surgeon, and also sought to secure a pension in recognition of his devoted and long service. On 20 May 1818 he addressed a memorial to Earl Bathurst, reminding him of his 28 years service in the colony. He wrote of his advanced age and failing health, which he attributed to his close

¹¹ W.C.Wentworth to his brother John, 26 May 1818, Wentworth Papers, A755, ff.673-4.

¹² *Ibid.*

¹³ Conclusions about Wentworth's domestic arrangements were drawn from; Commissioner Bigge to Earl Bathurst, 7 February 1823, CO 201/142, ff. 338-9; D'Arcy Wentworth's Will, D.Wentworth, Miscellaneous Material, M.L. MSS.8/4, item 94.

application to the duties he had fulfilled, and stated his desire to retire from public life "to pass the remainder of his Days in the bosom of his Family." Furthermore, he pointed out that for nearly seven years he had held the office of treasurer of the police fund, during which time over £100,000 had passed through his hands. Stressing that the duties of this office demanded much attention and responsibility, Wentworth added that it was an office which "your Memorialist has so long filled without Salary, Remuneration, Advantage or Emolument of any Sort whatever." Having presented his case, he requested Bathurst to make representation on his behalf to the Prince Regent to allow him to retire on half pay or with an appropriate pension.¹⁴

Wentworth sought Macquarie's endorsement of his application to Bathurst. The governor assured him of his willingness to forward his warmest and strongest recommendation in his support.¹⁵ Wentworth also solicited Fitzwilliam's backing for his application and again, in justification of his claim, spoke of his advanced years and the infirmities brought on by dedication to his "various and important duties."¹⁶

In spite of his claim and the advocacy of influential friends, adverse reports reaching Whitehall frustrated his claim. Bathurst explained to Fitzwilliam in December that he would not have hesitated in recommending an allowance for Mr Wentworth, but for some complaints which had been lodged at his office and which he would refer to the governor to enable Wentworth to respond. William assumed that the dispute with Molle had

¹⁴ Memorial of D'Arcy Wentworth to Earl Bathurst, *HRA*, Ser. i, Vol. IX, pp. 888-9; draft of this memorial, Wentworth Papers, A753, ff. 695-6.

¹⁵ D. Wentworth to Governor Macquarie, 5 May 1818, Wentworth Papers, A753, ff. 664-666; Governor Macquarie to D. Wentworth, 6 May 1818, *ibid.*, ff. 667-8.

¹⁶ D. Wentworth to Lord Fitzwilliam, 16 May 1818, *ibid.*, f. 669.

caused the government to balk at granting his father's pension. Aware of how important it was for his father to clear his name, William urged him to forward an explanation of the Mollé affair to Lord Bathurst.¹⁷

The attacks on his reputation, however, did not abate. During the early months of 1819, demands for an investigation into Macquarie's administration grew louder and more strident and D'Arcy's name was again pushed forward to highlight the improper state of colonial affairs. In a *Letter to Viscount Sidmouth*, published at the beginning of 1819, Bennet sensationalized the grievances raised by colonial malcontents. He described the appalling living conditions of the female convicts, asking "Would it not have been better to have built a house for the reception of these poor wretches, than a palace for Mr. Darcy Wentworth, ... and two other similar edifices for the two assistant surgeons?" He accused Macquarie of exploiting the colonists' propensity for drunkenness in order to build the General Hospital in Sydney, and cited Wentworth as one of his agents in this wicked experiment which, he claimed, led to the destruction of hundreds of convicts. In Bennet's words, "the burial-ground became like a ploughed field, and ... the loss of life was prodigious." He complained of the arbitrary exercise of power by Macquarie and the illegal mandates of the governor. In his letter he denounced the flogging of Blake, Henshall and Read, and used Wentworth to expose further the impropriety of Macquarie's government. He questioned the governor's judgement in nominating "Mr Wentworth, surgeon general, principal police magistrate and an ex-convict to the courts of justice", stating:

¹⁷ Earl Bathurst to Lord Fitzwilliam, 14 December 1818, Wentworth Papers, A754-2, f.534; W.C.Wentworth to D.Wentworth, 14 February 1819, Wentworth Papers, A756, f.840.

Mr. D. Wentworth may be now a very honest man; I hope he is so, and do not know the reverse; but I am sure justice ought to be pure and unsullied, and no man is fit to sit on the Bench, who can be openly reproached as having been once a convict by the criminal he is trying.

Bennet interpreted Wentworth's appointment as an example of Macquarie's bold determination to govern absolutely and in flagrant disregard of even the laws of New South Wales.¹⁸

On reading this letter, William Wentworth boiled with indignation and was tempted to challenge Bennet to a duel so that his blood would "work out the foul stain which he had cast" on his father's reputation. Instead, William called on Bennet and berated him for the scurrilous attack on his father's name.¹⁹ During this meeting Bennet produced evidence which led William to question his own understanding of his father's past: he then sought advice from Cookney who told him about D'Arcy's appearance at the Old Bailey. All the innuendos and rumours circulating about D'Arcy's past, had not caused William to doubt his father's rectitude. He now had to come to terms with the knowledge that his family's reputation was blemished. Although shocked and disillusioned, William directed his anger at his father's detractors. He informed D'Arcy, "cut as I am to the quick at the discovery that you were once arraigned on a criminal charge ... Still I will compel this prying slanderer to make you the most public and ample reparation."²⁰ William wrote to Bennet acknowledging the truth of the allegation that his father had faced a charge of highway robbery and been

¹⁸ Hon. H. Grey Bennet, Letter to Lord Sidmouth, London, 1819, pp. 77-9, 106, 108, 110.

¹⁹ W.C. Wentworth to D. Wentworth, 13 April 1819, Wentworth Papers, A756, f.852.

²⁰ W.C. Wentworth to H. Grey Bennet, 12 February 1819; W. Wentworth to D. Wentworth, 14 February 1819, ibid., f.838.

acquitted. Yet, he argued that, regardless of this fact, no person had any right to draw conclusions other than his father was innocent of the crime imputed to him. Without being privy to D'Arcy's private sentiments, William nonetheless maintained that his father, far from admitting guilt, had declared in the most solemn manner that the jury of his peers had only done him justice. William then proceeded to defend his father's motives in abandoning his native-land. He asserted:

Descended from a long unsullied race of illustrious progenitors He felt that the Glory of his Ancestry was in some degree tarnished by the mere imputation that had been cast on His Character and He sought by a voluntary exile to a far distant clime to efface for ever the recollection of an unjust accusation - Vain Hope!²¹

Bennet acknowledged William's letter and thanked him for the "fresh and becoming manner" in which he had communicated the results of his investigation. While he drew different conclusions from William, he still promised to see justice done to D'Arcy. Bennet suspended the sale of his pamphlet and announced his intention to amend appropriately the page bearing the reference to D'Arcy's disgrace. Bennet hoped to put an end to the stories which he had heard a thousand times but was pessimistic about converting others to William's opinion.²²

On 18 February 1819 Bennet moved in the House for the appointment of a committee to inquire into the management of the hulks, the transportation system and the general government of New South Wales. In his address he again catalogued the numerous grievances levelled against

²¹W.C.Wentworth to H.Grey Bennet, 12 February 1819, *ibid.*, f.838.

²²H.Grey Bennet to W.C.Wentworth, Saturday afternoon n.d.(internal evidence suggests 12 February 1819), *ibid.*, A757, f.122.

Macquarie's administration. He raised the issue of the appointment of emancipist magistrates, citing Lord and Thompson as examples. To his credit, Bennet took this opportunity to admit that in his published letter to Lord Sidmouth he had misrepresented, as a convict, the person whom the governor had appointed as surgeon-general. He assured the House that this gentleman was not a convict and he understood that the man in question "during the whole of his residence in the colony had conducted himself with the utmost propriety."²³ In reply, Lord Castlereagh acknowledged Bennet's honourable admission but warned him to be more circumspect in future when bringing forward accusations.²⁴

The anti-Macquarie faction in the House relentlessly pushed for a full parliamentary inquiry. On 23 March 1819 Brougham laid before the House two petitions, one from Blake and the other from Williams, and used them to illustrate how Macquarie had exceeded the bounds of his authority.²⁵ In an attempt to meet the mounting criticism, in September 1818, the government had selected a commissioner of inquiry to investigate affairs in New South Wales and Van Diemen's Land; on 5 January John Thomas Bigge received his commission. Some members of parliament saw this measure as inadequate. Wilberforce stated that he understood the commission proposed to be sent out to New South Wales consisted of one person only. He wanted the committee on the state of gaols to include New South Wales in their examinations. In Wilberforce's view, this inquiry would provide a fund of

²³ Great Britain - Parliamentary Debates, Vol. XXXIX, 18 February 1819, p.471.

²⁴ Ibid., p.481.

²⁵ 23 March 1819, ibid., pp.1124-8.

knowledge for the commissioner. The committee promptly adopted the resolution to investigate the state of New South Wales.²⁶

On 13 April 1819 William wrote to his father about the hue and cry which had been raised against the appointment of ex-convicts to offices of trust and dignity and, of the committee's inquiry into colonial affairs.²⁷ He also informed him of the attacks made on his name and of the Colonial Office's refusal to disclose any information about his pension except that one was to be allowed. Finally William prepared D'Arcy for the arrival of "a Mr Bigge, a very clever man", who was on the point of leaving for New South Wales.²⁸

During the latter part of April 1819 the committee on gaols took evidence from Alexander Riley, but the commissioner left for New South Wales before his examination was completed.²⁹ Bigge arrived in Sydney on 26 September 1819 empowered to investigate fully the administration of the settlement. Macquarie expressed confidence that Bigge's assessment would place his conduct "beyond the reach of Faction, Malevolence and gross envious misrepresentation."³⁰ His enemies, however, hoped to lay bare Macquarie's failings. Bent informed Marsden that Bigge's instructions were rather secret, but people commonly understood that he was to inquire into the state, condition and expenditure of the colony, but not to examine Macquarie's conduct. Bent maintained that the governor's conduct and the condition of the colony were connected, and that the inquiry must expose the

²⁶ W. Willberforce's speech, 18 February 1819, 23 March 1819, *ibid.*, pp. 487, 1130-3.

²⁷ W.C. Wentworth to D. Wentworth, 13 April 1819, Wentworth Papers, A756, ff. 854-5.

²⁸ *ibid.*

²⁹ Evidence of A. Riley and J.H. Bent, Select Committee on the State of Gaols, 1819, pp. 11-96.

³⁰ L. Macquarie to his brother Charles, 7 October 1819, L. Macquarie, Letters, N.L. MS202, f. 117.

mismanagement of the colony and apportion blame.³¹

The government had accepted Wentworth's resignation as principal surgeon and Dr Bowman, who arrived with Bigge, had been appointed Wentworth's successor. On 23 October 1819 Macquarie issued a Government and General Order which announced Wentworth's resignation and praised him for the "able, zealous, humane and intelligent manner" in which he had undertaken his official duties.³² Despite his retirement as principal surgeon, Wentworth's conduct as head of the medical establishment, superintendent of police, magistrate and leading landowner would come under the commissioner's scrutiny.

Within weeks of his arrival, Bigge had the opportunity to observe Wentworth's conduct as a magistrate. Elizabeth Crook had lodged a complaint at the police office against Robert Lathrop Murray for his alleged part in abducting her 15-year-old daughter, Emma, who had been carried away from the colony on board Captain Howard's ship. According to this woman, when she lodged a complaint at the police office, Wentworth and Murray had ridiculed her and dismissed her charges, with Murray even taunting her about her absent daughter. Crook then appealed to the governor who ordered an investigation. On 26 October 1819 Lord, Harris, Wylde and Wentworth sat on the hearing. Before these gentlemen, Murray denied any complicity, arguing that Emma was not an innocent young creature and that Captain Howard's cohabitation with her was "public and notorious." Furthermore, he insisted that the girl was a prostitute who "having quitted the Colony with the person to whom her Mother had consigned her and now, (her mother) after having so long lived upon the wages of her(daughter's)

³¹ J.H.Bent to S.Marsden, June 1819, S. Marsden, Letters, vol. I, M.L. A1992, f.240.

³² Government and General Order, 23 October 1819, Wentworth Papers, A762, ff.55-8.

Prostitution has the unblushing effrontery to come here and complain of her loss." Despite Murray's assertions, Lord found him guilty and both Harris and Wylde felt that he was an accessory to the affair.³³

Wentworth and Murray had become close friends. Murray was one of the few people permitted to share Wentworth's family life, and in correspondence often asked to be remembered to Ann Lawes and the children, and also to Maria Ainslie. He referred to Ann by the familiar name of Nancy. This scandal had attracted widespread interest and provided Wentworth with an opportunity to impress Bigge with his impartiality as a magistrate. But loyalty to friends was important to Wentworth and, although he had been present throughout the investigation, he declined to give a written opinion. To save further embarrassment, Murray resigned his appointment under Wentworth and later went to Van Diemen's Land. From there he kept in touch with Wentworth, identifying himself as "your old follower" and declaring "I can never forget you nor what I owe you."³⁴

Bigge's presence in this troubled community sharpened its divisions as groups jostled to win his approval. Within weeks of his arrival the relationship between Macquarie and Bigge soured. The governor feared that his enemies had gained ground and were prejudicing the commissioner against his emancipist policy. In particular, the governor and Bigge disagreed over the proposed appointment of Macquarie's close friend, Redfern, to the magistracy. On 6 November 1819 Macquarie warned Bigge about the intrigues of the disgruntled whom he described as men of refined

³³ Letter by R.L.Murray, 26 October 1819, Evidence against R.L.Murray, R.L.Murray's defence, CSIL, AONSW, 4/1743, ff.50-70; J.Wylde to Governor Macquarie, 6 November, 1819, *ibid.*, ff.50-70, 97-100.

³⁴ J.Wylde to Governor Macquarie, 6 November, 1819, *ibid.*, ff.97-100; See letters from R.L.Murray to D.Wentworth, 26 January, 14 April, 20 June 1822, Wentworth Papers, A754-1, ff. 60, 83, 105-6.

manners, apparent good nature and in the sunshine of prosperity.³⁵

Even in light of Bennet's public admission that the principal surgeon had not been transported to the colony under sentence, the commissioner regarded Wentworth as a member of the emancipist class. Although he disapproved of ex-convicts sitting as magistrates, he did not wish to undermine the governor's authority by snubbing Lord and Wentworth. He favoured a quiet abandonment of Macquarie's scheme, but subdued his feelings "to afford an example of respect, at least, to the offices they had been allowed so long to fill." Although he received Wentworth at his table and sat with Lord upon the bench, he continued vehemently to oppose Macquarie's intention to elevate Redfern to the magistracy.³⁶

Despite Bigge's civility, Wentworth felt uneasy. He was troubled by the rift that had developed between the governor and the commissioner, and fretted over the delay in receiving his pension. It now appeared that complaints from the victualling board about inconsistencies in his accounts involving quantities of lime juice cases were delaying ministerial endorsement of his pension. Wentworth also feared that the commissioner had formed an unfavourable opinion of him and would transmit detrimental reports home.³⁷

On 10 November 1819, Wentworth appeared before Bigge to answer questions on the police establishment. At this early stage in the investigation the commissioner sought to gain an overview of the police system. He inquired into the daily operations of the police, the structure of

³⁵ Governor Macquarie to Commissioner Bigge, 6 November 1819, CO 201/142, ff.38-9.

³⁶ Commissioner Bigge to Lord Bathurst, 20 November 1819, CO 201/142, f.18; Commissioner Bigge to Governor Macquarie, 10 November 1819, *ibid.*, ff.48-9.

³⁷ D.Wentworth's letter not extant but his son's reply indicates its contents. W.C.Wentworth to D.Wentworth, 1 July 1820, Wentworth Papers, A756, f.896.

the establishment, and the procedures for issuing warrants, inflicting punishments, and granting and revoking licences. Wentworth presented himself as a man at the helm of his department, well-informed and responsible. When asked if complaints were often laid against the conduct of constables, D'Arcy maintained that charges were made only infrequently, but if proven he dismissed the offender. As sitting police magistrate, he assured Bigge that a register of all proceedings leading to a punishment was kept, and that he submitted quarterly returns recording the names, offences and punishments inflicted on those he had found guilty. He showed and prided himself on his extensive knowledge of the inhabitants of Sydney Town. Bigge asked Wentworth whether he was aware of the number of prisoners permitted to live out of the barracks and who lodged in the town. The police superintendent retorted, "Certainly I do, but those are selected as persons of good character or who have families."³⁸ Furthermore, when Bigge asked if he, or any person in his office, possessed such a complete knowledge of the lodging houses that they could locate a suspect at his place of residence, Wentworth boasted: "There is scarcely one with whom we are not well acquainted."³⁹ Little escaped Wentworth's attention in Sydney's underworld. He identified the two public houses known to be the resort of thieves and referred to as flash houses, one of which was managed by a Mrs Waples and another by William Welsh.⁴⁰ Wentworth appeared content to tolerate the existence of such establishments as a means of maintaining contact with, and gathering intelligence from, Sydney's criminal network.

³⁸ Evidence of D. Wentworth, B. no. 1, Police - Evidence, Appendix to Commissioner Bigge's Report, CO 201/121, ff. 9, 13-14.

³⁹ *Ibid.*, f. 14.

⁴⁰ *Ibid.*, f. 15.

Bigge also questioned Wentworth about the licensing of public houses and the availability of liquor. Without hinting at his own dealings in spirits, Wentworth assumed the mantle of a concerned police officer. He recommended denying prisoners access to liquor, penalising publicans and settlers for selling spirits to prisoners and clothing convicts in a distinctive uniform.⁴¹

On 19 November, Bigge examined Wentworth on the Vale-Bent petition to the House of Commons. Wentworth unashamedly admitted refusing to renew the licences of Rose, Armytage and Thompson because of their active support for the petition. He had no qualms in describing his action as a reprisal for their act of ingratitude and disloyalty toward the governor who had shown them kindness. Asked by Bigge if he realized, at the time, that the petition was addressed to the House of Commons, Wentworth declared full knowledge, but dismissed their grievances as unfounded.⁴² His forthright stand, which elevated the obligations of duty and patronage over the basic right to petition, impressed Bigge who was not unsympathetic to the governor's sense of "warm and just indignation" toward some individuals who had signed the petition.⁴³

Feelings of loyalty, gratitude and friendship bound Wentworth to Macquarie. Bigge's inquiry, however, held the potential to divide allegiances. Macquarie expected support from his favourites. Difficult issues, such as the punishment of the Domain trespassers, tested the degree to which his supporters were prepared to stand by him. When asked by Bigge about the floggings, Wentworth attempted to excuse the governor's conduct by

⁴¹ *Ibid.*, ff.10-11.

⁴² *Ibid.*, ff.18-9.

⁴³ Report into the State of the Colony of New South Wales, 1822, p. 92.

asserting that the Domain had become a hiding place for stolen goods, that Henshall was suspected of coining "dumps" and that Blake was a notorious receiver of stolen goods. Nevertheless he admitted that he had regretted Macquarie's action and had felt a strong inclination to suppress it.⁴⁴

In contrast to the picture of an officer in command of his establishment, Henry Cowper chronicled a sorry tale of mismanagement, neglect and abrogation of responsibility within the medical establishment. This young assistant to the general hospital at Sydney told Bigge that although Wentworth always stood ready to assist if called upon, he rarely attended the hospital. During his examination, Cowper referred to the free intermingling of male and female patients, of prisoners exchanging their rations for spirits, of their escapes from the hospital, of the intoxication and neglect of duty by the nurses, of incorrect medicines being administered, of the absence of a hospital cook, and of meals being prepared and cooked in the wards. He maintained that the stench emanating from the wards in the morning, "was so great as to cause vomiting and that even Mr Redfern himself has been obliged to turn back sometimes."⁴⁵

Conducted in private, Bigge's investigations fuelled suspicion. In his insecurity Wentworth was convinced that Bigge had forwarded home damaging reports about him. The commissioner, however, provided some relief from the uncertainty generated by his investigation when he left New South Wales for Van Diemen's Land in February 1820.

⁴⁴ Evidence of D. Wentworth, B no. 1, Police - Evidence, Appendix to Commissioner Bigge's Report, CO 201/121, ff. 21-2; W.C. Wentworth to D. Wentworth, 13 April 1819, Wentworth Papers, A756, ff. 854-6.

⁴⁵ Evidence of H. Cowper, E nos. 1-2, Medical - Evidence, Appendix to Commissioner Bigge's Report, CO 201/124, ff. 7, 14-5, 36-49.

Bennet's public avowal of the principal surgeon's status as a free man did not stop the attacks made on Wentworth's reputation. The committee on the gaols investigated a wide range of issues which included the appointment of magistrates, the police system, the housing and employment of convicts, the modes of punishment, the flogging of the Domain trespassers, the contract for the general hospital, the state of the colonial hospitals, and the levying of colonial duties and taxes. Bathurst kept Bigge informed of the progress of this committee and sent him its minutes. Witnesses mentioned Wentworth's name on a number of occasions, but nothing derogatory was said or intimated about him. Although evidence presented reflected poorly on the condition of the hospitals and their inmates, no one questioned the competency of the principal surgeon.⁴⁶ Nevertheless, the appendix to the report included two letters, which had been sent by Bent while he was resident in the colony to Bathurst, containing damning indictments on Wentworth's character and professionalism.⁴⁷

This appendix, together with the report, was published during 1819. The first letter referred to the degraded circumstances under which Wentworth left England; the second unequivocally stated that he neglected his medical duties and was an unfit person to be at the head of the police because of his ignorance of the law and his interests in spirits.⁴⁸ William instantly flew to his father's defence. He wrote to Lord Bathurst, enclosing a letter which lambasted Bent for his malicious attack on his father. William sought to have this letter inserted in any future report of a similar

⁴⁶ Evidence of A.Riley, J.H.Bent, R.Jones, Select Committee on the State of Gaols, 1819, pp. 54, 56, 76, 91-2, 95, 121, 139, 147.

⁴⁷ Ibid., Appendix D and E, pp. 439-51.

⁴⁸ Ibid., pp. 440, 448.

committee.⁴⁹ On Bathurst's behalf, Goulburn offered an apology for including Bent's correspondence in the appendix; he reassured him that Bathurst's opinion of his father remained favourable and that the proposal to allow D'Arcy to retire on a pension still stood. Goulburn hoped that William would appreciate how indecorous it would be to offer to any committee a letter of such a character as the one he addressed to Bent. As a more effectual means of vindicating his father, Goulburn advised William to transmit to the committee a temperate refutation of Bent's statements.⁵⁰

Despite Bathurst's reassurances about D'Arcy's pension the matter remained in abeyance. For over a year Wentworth had been contemplating resigning as superintendent of police and treasurer of the police fund, and hoped to receive remuneration - in the form of land and servants - for his services as treasurer. He had forwarded a petition seeking compensation for his seven years as treasurer to William to present to Lord Bathurst. But, by the time this letter reached England, the home government had already balked at approving a pension for his 28 years service as a surgeon in the colony. Wentworth had informed his son that his pension had been held up because of some anomalies in his accounting for a quantity of lime-juice cases. William chided his father for believing "that such a paltry matter could have delayed the granting of a pension to you."⁵¹ Yet, the matter, ostensibly at least, was frustrating the endorsement of D'Arcy's pension. According to Bathurst, the Prince Regent had accepted his resignation as principal surgeon, but the proposal for a moderate pension would not be presented to His Royal Highness until the Victualling Board could be

⁴⁹ H.Goulburn to W.C.Wentworth, 10 March 1820, Wentworth Papers, . A757, f.24.

⁵⁰ Ibid. William took Goulburn's advice and forwarded a letter to the members of the committee, W.C.Wentworth to D.Wentworth, 1 May 1820, ibid., A756, f.876.

⁵¹ W.C.Wentworth to D.Wentworth, 1 July 1820, ibid., f.895-6.

satisfied with D'Arcy's explanation about the lime juice.⁵² In light of the home government's tardiness in granting D'Arcy a pension for his service as surgeon, William advised him to approach Macquarie for compensation for his engagement as treasurer, rather than seek any indulgences from England. He maintained that, even if Whitehall approved his claim, the grant would be small.⁵³ The governor, however, pre-empted D'Arcy's request for remuneration.

On the 31 March 1820 Macquarie issued a Government and General Order announcing the appointment of William Minchin as superintendent of police on D'Arcy's retirement. Macquarie acknowledged Wentworth's valuable contribution to the community and expressed his approval of his "Steady, upright, able and impartial conduct in the discharge of the arduous and important duties." He also thanked him for the meritorious services which he had performed gratuitously as treasurer of the police fund.⁵⁴ Taken aback by the contents of the order, Wentworth immediately sought to clarify his position. He wrote to the governor, thanking him for his kind words, but informing him that it had never been his intention "to execute the very serious, responsible and arduous duties of Treasurer of the Police Fund without receiving a compensation." He detailed the burdens of this office and stressed that his predecessors had been generously remunerated. Aware that the governor might feel some difficulty in the matter, Wentworth stated his willingness to plead his case before the Lieutenant-governor, the

⁵² Ibid.

⁵³ W.C.Wentworth to D.Wentworth, 6 December 1819, ibid., f.868.

⁵⁴ Government and General Order, 31 March 1820, Wentworth Papers, A753, f.802. See explanation, ibid., f.799.

judges, the commissioner of inquiry, or any gentlemen whom the governor nominated.⁵⁵

Stunned by this unexpected claim, Macquarie declared that he had never contemplated Wentworth's seeking compensation for his services as treasurer. In reply, he accused Wentworth of not having once broached the subject and refused to reimburse him without reference to the Secretary of State. He advised Wentworth to prepare a memorial to Bathurst which he would support.⁵⁶

On the afternoon of the same day, Wentworth responded. He wrote of his reticence to press for compensation and of his hope that the governor would not fail to bestow an adequate reimbursement. Wentworth reminded his friend of the home government's shabby treatment of him in regard to his pension, in spite of the support of powerful friends in England. He then declared, "In your Excellency's Hand I am well convinced I am safe."⁵⁷ On 5 April Macquarie agreed to recommend that a salary of £100 per annum be allowed to Wentworth but again refused to accept responsibility for the payment without having referred the matter home. Understanding Wentworth's reluctance to place his request in the hands of His Majesty's Ministers, Macquarie offered to grant him 2,000 acres.⁵⁸

Wentworth replied immediately. He lamented that the governor neither appreciated the time he spent on attending to his orders nor the heavy responsibility of his duties. Frustrated by the governor's polite yet unsatisfactory compromise, he declined the offers and endeavoured to force

⁵⁵ D. Wentworth to Governor Macquarie, 31 March 1820, *ibid.*, f.799.

⁵⁶ L. Macquarie to D. Wentworth, 1 April 1820, *ibid.*, ff.803-4.

⁵⁷ D. Wentworth to Governor Macquarie, 1 April 1820, *ibid.*, ff.804-6.

⁵⁸ L. Macquarie to D. Wentworth, 5 April 1820, *ibid.*, ff.807-8.

Macquarie's hand by announcing his intention to assume responsibility for his own reimbursement. He threatened to deduct, and retain for himself, 2.5 per cent from the sums which he had received as treasurer.⁵⁹ Although alarmed by his threat, Macquarie did not succumb. He pleaded for mature deliberation and expressed the hope that "for the sake of your own Character and of the implicit confidence I have reposed in your Honor, and Integrity that you will abandon that purpose totally and unequivocally." Macquarie still could not fathom Wentworth's motives in seeking compensation. He thought that Wentworth had shared his understanding that the offices of superintendent and treasurer were combined, and that the salary for superintendent took into account the duties of treasurer. Besides, Macquarie felt bewildered by Wentworth's delay in seeking remuneration.⁶⁰

Intimidation having failed, Wentworth wrote to Macquarie expressing the poignant sorrow and mortification he had experienced on reading the governor's letter. He argued that his claim for remuneration was valid, of long standing, and known to the lieutenant-governor, the judge advocate, Redfern, Meechan and other gentlemen in the governor's confidence. Turning to his years of service, he stressed how his health had suffered from want of accommodation, "sitting as I have done for years in a Room thro' which the water occasionally made a fair Breach and of late often in an open Hall where I was exposed to the constant vicissitudes of the atmosphere." He vehemently denied that his intention to reimburse himself was a betrayal of confidence, and rejected the offer of 2,000 acres which, he claimed, amounted to no more than "the trifling sum of £50 per annum." Having come thus far in defending his claim, Wentworth laid down his arms:

⁵⁹ D.Wentworth to Governor Macquarie, 5 April 1820, *ibid.*, ff.808-11.

⁶⁰ L.Macquarie to D.Wentworth, 7 April 1820, *ibid.*, ff.811-14.

Mine are not common place expressions of Attachment nor has the devotion which I have ever felt towards your Excellency's person been limited to mere professions I cannot therefore resist the inclination which I feel to sacrifice my own Interests, and those of my family to my anxiety to prove to Yr Excellency my real desire to conform to your Excellency's wishes. I throw myself therefore entirely upon Your Excellency's Justice.⁶¹

In his apparent capitulation, Wentworth secured victory. On 11 April Macquarie informed him of his decision to accept responsibility for paying him a salary of £100 per annum for his 10 years service. That same afternoon Wentworth formally accepted the offer, and four days later Macquarie issued a warrant authorizing him to pay himself £1,000 and to charge the sum to the police fund.⁶²

Although on paper Wentworth appeared to be a man of considerable wealth, his account with Cookney had been overdrawn for many years. He had been in debt to Lord Fitzwilliam for £244/3/5 from before March 1817 and on 8 December that year Cookney pleaded "pray remit me some money the first opportunity." Even after repeated entreaties from his agent, the debt to Fitzwilliam remained unpaid until December 1821.⁶³ Wentworth's sons William and D'Arcy repeatedly sought increases in their allowances and money to repay their debts. On 13 April 1819 William informed his father of young D'Arcy's despondency over having lost an opportunity for promotion. He

⁶¹ D. Wentworth to Governor Macquarie, 7 April 1820, *ibid.*, ff.814-20.

⁶² L. Macquarie to D. Wentworth, 11 April 1820; D. Wentworth to Governor Macquarie, 11 April 1820; L. Macquarie to D. Wentworth, 15 April 1820, *ibid.*, ff.820-3.

⁶³ C. Cookney to D. Wentworth, 15 March, 15 April, 8 December 1817, 14 December 1818, 9 August, 28 December 1821, Wentworth Papers, A754-2, ff. 507-8, 511-2, 524, 533-4, 590-1, 593.

chastised his father for failing to seize the chance to buy the captaincy for his son. Turning to his own affairs William, four months later, attempted to shame his father into augmenting his allowance by complaining of being forced to live in a state of constant self-denial which, he argued, would reflect poorly on his parent if it became generally known. In November he again pleaded for an extra £100 per annum and in December begged "for God's sake do not neglect sending me money."⁶⁴ Yet, D'Arcy remained infuriatingly cautious about replenishing his funds with Cookney and in forwarding money to his sons.⁶⁵

Bigge returned to Sydney from Hobart on 4 June 1820 and resumed his investigations. Having gained an overview of the administration, he now began to probe specific areas. A number of witnesses, including Marsden and the hospital attendants and surgeons Hunter, Owen, Evans, Mileham, Harris and West, supported Cowper's preliminary evidence. They highlighted the misery and wretchedness in the hospitals of New South Wales. They spoke of dirtiness and overcrowding, of the lack of medical attention, and of the want of medicines, supplies, bedding and clothing, maintaining that requisitions often went unheeded by Wentworth.⁶⁶ Mileham could not recollect Wentworth ever having visited the hospital at Windsor, and Evans asserted that he had not attended the settlement at Newcastle.⁶⁷ Assistant

⁶⁴ W.C.Wentworth to D.Wentworth, 13 April 1819, 1 August 1819, 24 November 1819, 6 December 1819, *ibid.*, A765, ff. 852-65.

⁶⁵ C.Cookney to D.Wentworth, 28 December 1821, *ibid.*, A754-2, f. 593.

⁶⁶ Refer to evidence given by W. Wakeman, Assistant Surgeon Owen, D.West, Mr Bland, J.Mileham, E.Evans, E nos. 3(included with), 5,10,12,15,16, Medical-Evidence, Appendix to Commissioner Bigge's Report, CO 201/124, ff. 64-5, 87-8, 118-23, 133, 146, 158; Evidence of H.Macarthur, R.Rouse, Brevet Major Morrisset, A. nos. 13, 16 and 24, Convicts-Evidence, *ibid.*, CO 201/120, ff.151-2,188,256; Evidence of S.Marsden, *ibid.*, Ecclesiastical Establishments, Schools and Charitable Societies - Evidence, G no.5, CO 201/127, f.61.

⁶⁷ Evidence of J.Mileham, W.Evans, E nos. 15 and 16, Medical - Evidence, *ibid.*, CO 201/124,

Surgeon West complained of the delay in obtaining coffins, due to the drunkenness or carelessness of the mechanics.⁶⁸ Richard Rouse, superintendent of public works, described how the decayed state of the walls at Parramatta Hospital rendered repairs useless. He declared that convicts resisted going to the hospital and often had to be carried there against their will.⁶⁹ Bigge's early suspicions about the theft of medical supplies strengthened, but the hospital's lack of supervision and careless record-keeping frustrated his attempt to identify the culprits. Increasingly, Wentworth appeared as an ineffectual and incompetent administrator who delegated responsibility for management to the senior assistant surgeon in the respective institutions without monitoring their performance.

Evidence of mismanagement and lack of planning came from the principal surgeon's own lips. Wentworth admitted that Macquarie had consulted him over the design of Sydney hospital. When asked if he did not see the need for water closets, Wentworth replied: , "They were not thought of, or I dare say they would have been put in." He also admitted that the omission of a mortuary from the plans was another oversight. His naivety and want of assiduity became obvious to Bigge when he questioned Wentworth on the need for fixing locks to the lower wards to prevent males gaining access to the females. Wentworth replied that it was not at first apparent to him, and besides he thought it improbable that men who were themselves patients would have intercourse with the female patients when

ff. 146, 158.

⁶⁸ Evidence of Mr West, E no.10, ibid., f.123.

⁶⁹ Evidence of R.Rouse, 19 September 1820, A. no.16, Convicts - Evidence, ibid., CO 201/120, ff.188-9.

it was generally known that the women were infected with venereal diseases.⁷⁰

During the course of his investigation, Bigge learnt of the critical shortage of medical supplies which often occurred in the colony. He also became aware of the inadequate and haphazard supervision of medical stores.⁷¹ During 1816 the hospitals experienced a shortage of salt: Wentworth was obliged to buy it from private sources in the colony. When Bowman assumed office in 1819, a thorough survey of the hospital stores located a quantity of soda phosphate which had lain undetected for three years under a pile of bedding in the crowded storeroom. Asked about the discovery, Wentworth maintained that at the time of the shortage a strict survey had been conducted, but "from the smallness of the store, & the great quantity of bedding, & necessaries in it, the salt escaped our observation."⁷² This survey also revealed that many hospital supplies deteriorated or suffered damage during storage.⁷³

The commissioner questioned Wentworth about the crates of lime juice left with him by the captains of convict transports. On 5 July 1818 Earl Bathurst, at the instigation of the Victualling Board, had directed the governor to call upon Wentworth to account for the juice.⁷⁴ Wentworth explained to Bigge that the governor had granted him permission to sell surplus medical supplies; consequently, he had sold some crates and bottles

⁷⁰ Evidence of D. Wentworth, E no. 7, Medical - Evidence, *ibid.*, CO 201/124, ff. 102-3.

⁷¹ Evidence of W. Cowper, E nos. 1 and 2, *ibid.*, ff. 46-8.

⁷² Evidence of D. Wentworth, E no. 7, *ibid.*, f. 107.

⁷³ Evidence of J. Harris, A no. 14, Convicts - Evidence, *ibid.*, CO 201/120, f. 161.

⁷⁴ Earl Bathurst to Governor Macquarie 5 July 1818, *HRA*, ser. i, vol. IX, pp. 814-5. On 8 December 1818, D'Arcy informed Macquarie that he was in possession of a quantity of lime juice and that, with the governor's authority, he had sold 51 cases of empty bottles and accounted for the proceeds from the sale, *ibid.*, vol. X, pp. 68-9.

privately and others at public auction. Wentworth claimed to have used the proceeds to buy several articles needed by the hospital and to pay for the cartage of goods from the King's ships to the hospital.⁷⁵

Bigge also questioned colonists about the effectiveness of the police establishment. Cox regarded the police system that had been in force prior to Wentworth's appointment as superintendent as more effective in deterring crime which, he claimed, reduced the necessity of resorting to punishments.⁷⁶ Wentworth's predecessor, Harris, declined to answer the question; he suggested, nevertheless, that punishments formerly administered were more severe than those at present which, although now more frequent, were less dreaded.⁷⁷ To discourage police magistrates from attending to other business, Robert Cartwright recommended that they should receive a salary commensurate with their rank.⁷⁸ This conflict of interests concerned Bigge who probed into the affairs of men like Wentworth who held official positions, traded and owned extensive tracts of lands.⁷⁹

Under examination, Judge-advocate Wyld questioned Wentworth's professional impartiality when he drew Bigge's attention to the police magistrate's reluctance to bring to trial or convict persons accused of

⁷⁵ Evidence of D.Wentworth, E no. 7, Medical - Evidence, Appendix to Commissioner Bigge's Report, CO 201/124, f.104.

⁷⁶ Evidence of W.Cox, *ibid.*, A no. 9, Convicts - Evidence, CO 201/120, f.110

⁷⁷ Evidence of J.Harris, *ibid.*, Convicts - Documents, CO 201/118, f.422.

⁷⁸ Evidence of R.Cartwright, *ibid.*, f.453.

⁷⁹ Evidence of J.Harris, J.Larra, J.Hodges, A no. 14, 19, Convicts - Evidence, *ibid.*, CO 201/120, ff. 158-9,207,210; Evidence of A.Nash, B no.5, Police - Evidence, *ibid.*, CO 201/121, f.54; Evidence of J.Laurie, E no. 9, Medical - Evidence, CO 201/124, f.115. Among the documents collected by Bigge are detailed accounts of the grants issued by Macquarie to the Wentworth family, see: Appendix to Commissioner Bigge's Report, D nos.9, 28, Agriculture - Documents, CO 201/123, ff. 240-1, 372.

selling spirits without a licence.⁸⁰ On the other hand, Judge Barron Field found Wentworth, "useful ... and apt for business", and vouched for his competency on the bench.⁸¹ During the inquiry, Bigge also inquired into Wentworth's social standing in the colony. Wylde maintained that Wentworth was generally considered in the same light as those belonging to the convict class and that he rarely mixed in society.⁸² John Harris settled the rumours circulating about Wentworth's background by providing an authentic account of his past. He remembered Wentworth as a ship's surgeon on board the *Charlotte* transport before she sailed in the first fleet in 1787. According to Harris, Wentworth deserted the vessel at Portsmouth, but later, in 1789, appeared as a prisoner before the Old Bailey on highway robbery charges. Harris was present in the court during the trial and told Bigge of Wentworth's acquittal, and of meeting him again on board the *Neptune*. He stressed that Wentworth had come out to the colony as a free man, but agreed with Wylde's statement that he did not mix in general society. Harris also informed Bigge of Wentworth's involvement in the liquor trade and of his casual attitude to disorderly public houses, as well as of an alleged irregular agreement with a ship's captain over discounted bills.⁸³ Bigge took careful note of these allegations.

During the spring of 1820 Wentworth received the tragic news of the death of his son John of yellow fever.⁸⁴ On 5 October Elizabeth Macquarie wrote to D'Arcy explaining that she and the governor had refrained from

⁸⁰ Evidence of J.Wylde, Judicial Evidence taken by Commissioner Bigge, *HRA*, ser. iv, vol.1, p. 810-1.

⁸¹ Evidence of B.Field, *ibid.*, p.780.

⁸² Evidence of J.Wylde, *ibid.*, p.789.

⁸³ Evidence of J.Harris, A no. 14, Convicts - Evidence, Appendix to Commissioner Bigge's Report, CO 201/120, ff. 157-9.

⁸⁴ J.C.Ross to D.Wentworth, 8 August 1820, Wentworth Papers, A753, ff.473-5.

requesting to see him because they were reluctant to intrude on his sorrows. Three months later the Macquaries endeavoured to draw him out. On 31 January Macquarie urged him to join them for a birthday celebration, adding gently "and we will take no excuse."⁸⁵ All the while Bigge's investigation continued. On 25 January 1821 the commissioner informed Wentworth that, during the course of his investigations, observations had been made about his conduct as police magistrate and treasurer of the police fund. He assured Wentworth that while these charges did not affect the integrity of his character in either situation, he, nevertheless, felt duty-bound to acquaint him with the material so that he could take the opportunity to be aware of, and to answer, the allegations.⁸⁶

The specific charges raised by Bigge stemmed mainly from information supplied by Harris, and Wentworth unhesitatingly addressed them. He admitted to selling large quantities of spirits and to receiving payment for them during the period of the hospital contract, but asked, "was I not authorized to do so by the very terms of the Contract itself & had I not done so how was the Hospital to have been erected, or how could the Contractors have paid the very large Sum of Forty Thousand Pounds & upwards in the erecting thereof." He denied outright having ever made use of the expression that the prevailing disorder in the public houses was good for trade and for the police fund, and maintained that it was the first time he had heard of such irregularity. Wentworth disclaimed having, while a director of the bank, discounted to a ship's master, bills at a lower rate of interest than that offered by the bank. Nonetheless, he informed Bigge, that

⁸⁵ E. Macquarie to D. Wentworth, 5 October 1820, L. Macquarie to D. Wentworth, 31 January 1821, A754-2 ff. 582-4.

⁸⁶ Draft letter, Commissioner Bigge to D. Wentworth, 25 January 1821, CO 201/141, ff. 222-3.

when he accepted the situation as a director of the bank no stipulation existed which precluded him from using his own money as he deemed appropriate. Indeed, a number of colonists stood in debt to him. On the question of issuing notes as treasurer of the police fund, he maintained that colonists considered them a great convenience which gave general satisfaction. Again using a rhetorical question to turn the accusation on its head, Wentworth asked: "has it been represented to you, that any of those were not paid when payment was demanded or now remain in circulation?" Finally he asserted that he had repeatedly urged the governor to allow him to place the balance of the police fund in the bank, rather than keeping the money in his own house. A polite diplomacy masked any aggravation Wentworth suffered by having his conduct impugned. He concluded his correspondence by assuring Bigge that he would always retain a due sense of the candour shown to him on this occasion.⁸⁷

His friend Redfern showed no such restraint. With undisguised vengeance, he wrote to Bigge denouncing the new principal surgeon, Bowman, whom he claimed could now take full credit "for the ample and ready employment he has furnished to the Coffin makers, - the Grave diggers and the Chaplains." He maintained that under this man's superintendence, the Sydney hospital had become known as the slaughter-house of New South Wales. In a blistering personal attack on Bigge, Redfern accused the commissioner of unworthy conduct toward "my friend Mr Wentworth" and of even descending "to question the common strumpets in the streets of Sydney respecting the Character of Mr Wentworth and myself." He also accused Bigge of inaccurately recording the minutes of his and Wentworth's

⁸⁷ D. Wentworth to Commissioner Bigge, 26 January 1821, Wentworth Papers, A754-1, ff.12-7.

examinations in that he did not include their explanations for the inattention given to the hospital books. Furthermore, he charged Bigge with deliberately omitting Wentworth's acknowledgements of his professional skill.⁸⁸

On 4 February 1821 Macquarie also addressed specific charges raised by Bigge, a number of which related to the management of the medical establishment. To his utmost, Macquarie stood ready to defend Wentworth, but he was not prepared to shoulder the blame for his friend's shortcomings. Macquarie agreed that the supervision during the building of Sydney Hospital may not have been as complete as desired, but stressed that inspection was made as sufficient as the designation and character of the mechanics at the time allowed. He also argued that some accommodations requisite to a hospital might have escaped consideration, but emphasized that the omission was not intentional. Disclaiming responsibility for such oversights, he maintained that he could not be expected to be familiar with the nature and extent of accommodations for a hospital. Macquarie distanced himself from the allegations of neglect of the hospitals and of their dirty and dilapidated state. In his view, it was not a duty incumbent upon him to make daily, weekly or even monthly, personal visits to the several hospitals. Furthermore, he stated that he was not aware of the hospitals being in a filthy and wretched condition, as on his occasional inspections they had appeared satisfactory. He thought that the patients "were treated with a degree of Skill and Humanity which could not be exceeded." On the question of the free intermingling of the female and male patients, Macquarie denied any knowledge, directing Bigge to seek such answers from the surgeons

⁸⁸ W.Redfern to Commissioner Bigge, 5 February 1821, CO 201/124, ff.183-91.

rather than from a casual visitor. Similarly, Macquarie insisted that he could not be held accountable for the dietary practices in the hospital, or for the loss and misappropriation of medicines or supplies. He informed Bigge, "Those are Points of Duty resting with and depending on the honour of the Surgeons in Charge."⁸⁹

Nine days later Bigge sailed for England. To reach a fair appreciation of colonial affairs, he faced the task of winnowing bias, jealousy, and spite from the evidence he had gathered over 16 months. Although beset by doubts and anxieties, Wentworth realised that many months would pass before the commissioner's report became public. He was not optimistic about the findings, however, and believed that Bigge had written home recommending the government to disallow his pension.⁹⁰

After resigning from public office in July 1820, Wentworth had retired to Parramatta where he assisted as magistrate. Over many years he had amassed a very large estate and anticipated the day when the combined Wentworth estates would form a domain unparalleled in the colony. By November 1818 he had acquired 20,000 acres and was ambitious to expand these holdings. At this time he owned 950 horned cattle, 600 sheep, 96 horses and 20 hogs. During 1819 he was supplying large quantities of fresh meat to the government stores, as well as breeding horses.⁹¹ Retirement allowed him to concentrate on his private affairs but, with Minchin's death

⁸⁹ Governor Macquarie to Commissioner Bigge, 4 February 1821, enclosed in correspondence Commissioner Bigge to Earl Bathurst, 12 February 1821, CO 201/142, ff. 388-392.

⁹⁰ W.Redfern to Commissioner Bigge, 5 February 1821, C.O. 201/124, f.184.

⁹¹ W.C.Wentworth to D.Wentworth, 25 May 1818, Wentworth Papers, A756, ff.816-7; W.C.Wentworth to D.Wentworth, 6 December 1819, *ibid.*, ff.868-9; Account of Land and Stock belonging to Civil and Military Officers serving in New South Wales, D no. 62, Agriculture - Documents, Appendix to Commissioner Bigge's Report, CO 201/123, f.646.

in March 1821, Macquarie persuaded him to return to the offices of superintendent of police and treasurer of the police fund.⁹² The governor argued that there was no other person in the colony capable of performing the duties.⁹³ Although flattered by Macquarie's request, Wentworth agreed to the appointments on condition that he could resign, should he so decide, on the arrival of the new governor.⁹⁴ On 21 July Wentworth assumed office and was gratified by the generous acclaim which greeted his return to public service.⁹⁵

At this time his friend William Redfern and Edward Eagar were preparing to sail for England on board the *Duchess of York*. Since January they had been agitating on behalf of the "emancipated colonists" for the restoration of their full legal and civil rights and now intended to lobby the home government. As this campaign called upon emancipists to fight for their legal standing, Wentworth, although sympathetic, had not actively participated in their campaign.⁹⁶

During Macquarie's administration, Wentworth had emerged as a leading official and a staunch governor's man. As the time for Macquarie's departure grew closer, he became active in organizing farewells of gratitude and affection. On 6 July 1821, during the governor's absence from Sydney, a number of prominent citizens including Piper, Riley, Thomas Wylde and Wentworth, met to consider an address to be presented to the governor on his return from his visit to the Derwent. On 12 July a splendidly

⁹² Sydney Gazette, 31 March 1821, p.1; D.Wentworth to C.Cookney, 22 July 1821, Wentworth Papers, A754-1, f.31.

⁹³ Governor Macquarie to Earl Bathurst, 21 July 1821, HRA, ser. i, vol. X, p.532.

⁹⁴ ibid.

⁹⁵ D.Wentworth to C.Cookney, 22 July 1821, Wentworth Papers, A754-1, f.31.

⁹⁶ Sydney Gazette, 21, 28 July 1821, p.3

illuminated Sydney Town welcomed his safe return. The homes of rich and poor alike formed a continuous blaze of light, but the residences of John Jamison and Wentworth outshone most with their brilliance.⁹⁷ The following day a small deputation consisting of George Johnston, Piper and Wentworth presented Macquarie with a warm address.⁹⁸

Not all in the colony wished to join with Wentworth and his colleagues in honouring their retiring governor. Macquarie's successor, Brisbane, arrived in the colony in November and assumed office on 1 December 1821.⁹⁹ On this day a number of prominent colonists, led by Jamison and Wentworth, requested the provost marshal to convene a meeting to consider addresses to be presented to Brisbane and Macquarie.¹⁰⁰ Some colonists, clearly displeased with being associated with this faction, voiced dissent. Those who gathered on 7 December resolved that by reason of "a lamentable want of unanimity" the addresses would bear the words "the undersigned Magistrates, Chaplains, Civil Officers and Landowners", rather than "the Magistrates, Chaplains, Civil Officers, Landowners and other free Inhabitants."¹⁰¹ At this meeting Wentworth unashamedly stood as a Macquarie supporter and proposed that as a mark of public affection, a golden cup valued at £500 be presented to their former governor. To enable people from all ranks the privilege of subscribing to the gift, the meeting proposed that subscriptions not exceed £1.

John Jamison, who was to lead the deputation to present the address

⁹⁷ *ibid.*, 30 June 1821, p.1; 7 July 1821, p.2; 14 July 1821, p.2.

⁹⁸ *ibid.*

⁹⁹ L.Macquarie to his brother Charles, May 1820, L.Macquarie, Letters, N.L.MS202, f.125.

¹⁰⁰ *Sydney Gazette*, 1 December 1821, p.1

¹⁰¹ *ibid.*, 8 December 1821, p.1.

to Macquarie, fell ill and asked Wentworth to assume responsibility for completing the details of the ceremony.¹⁰² On 15 December the delegation presented Macquarie with the address which expressed their respect and regard for him and their appreciation for his unceasing exertions in promoting the welfare and development of the colony.¹⁰³

During the closing months of Macquarie's command the governor continued to look to Wentworth for advice and friendship. His thoughts, however, increasingly turned to affairs at home. He was anxious to return to England to vindicate his administration and to build a new life on Mull.¹⁰⁴ Nevertheless, as predicted by Marsden, Macquarie maintained his system of favourites to the very end.¹⁰⁵ Before relinquishing office, he rewarded Wentworth with a grant of 3,150 acres; on behalf of government he purchased his house in Macquarie Street for £1500; and he allowed him a further £1000 for his services as treasurer of the police fund.¹⁰⁶

From sunrise on 12 February 1822 the Union Jacks flew from Fort Phillip, Dawes Battery and Fort Macquarie and by 8 a.m. most vessels in the harbour were decorated in honour of Macquarie. At noon he left government house accompanied by Brisbane and the principal civil and military officers to board the *Surrey*. Spectators lined the shores and crowded onto boats, launches and barges to catch a last glimpse of Macquarie.¹⁰⁷ Wentworth

¹⁰² J.Jamison to D.Wentworth, 13 December 1821, Wentworth Papers, A754-1, ff.44-5.

¹⁰³ Sydney Gazette, 15 December 1821, p.3.

¹⁰⁴ L.Macquarie to his brother Charles, May 1820, L.Macquarie, Letters, N.L.MS202, f.125.

¹⁰⁵ S.Marsden to Commissioner Bigge, 24 September 1821, S.Marsden, Letters and Reports, vol.II, M.L. A1993, f. 74.

¹⁰⁶ HRA, ser.1, vol. X, p.566; Macquarie Papers, 22 February, 1821, M.L. A774, f.209c. See J.Ritchie, Lachlan Macquarie, Melbourne, 1986, p.187.

¹⁰⁷ Sydney Gazette, 15 February 1821, p.2.

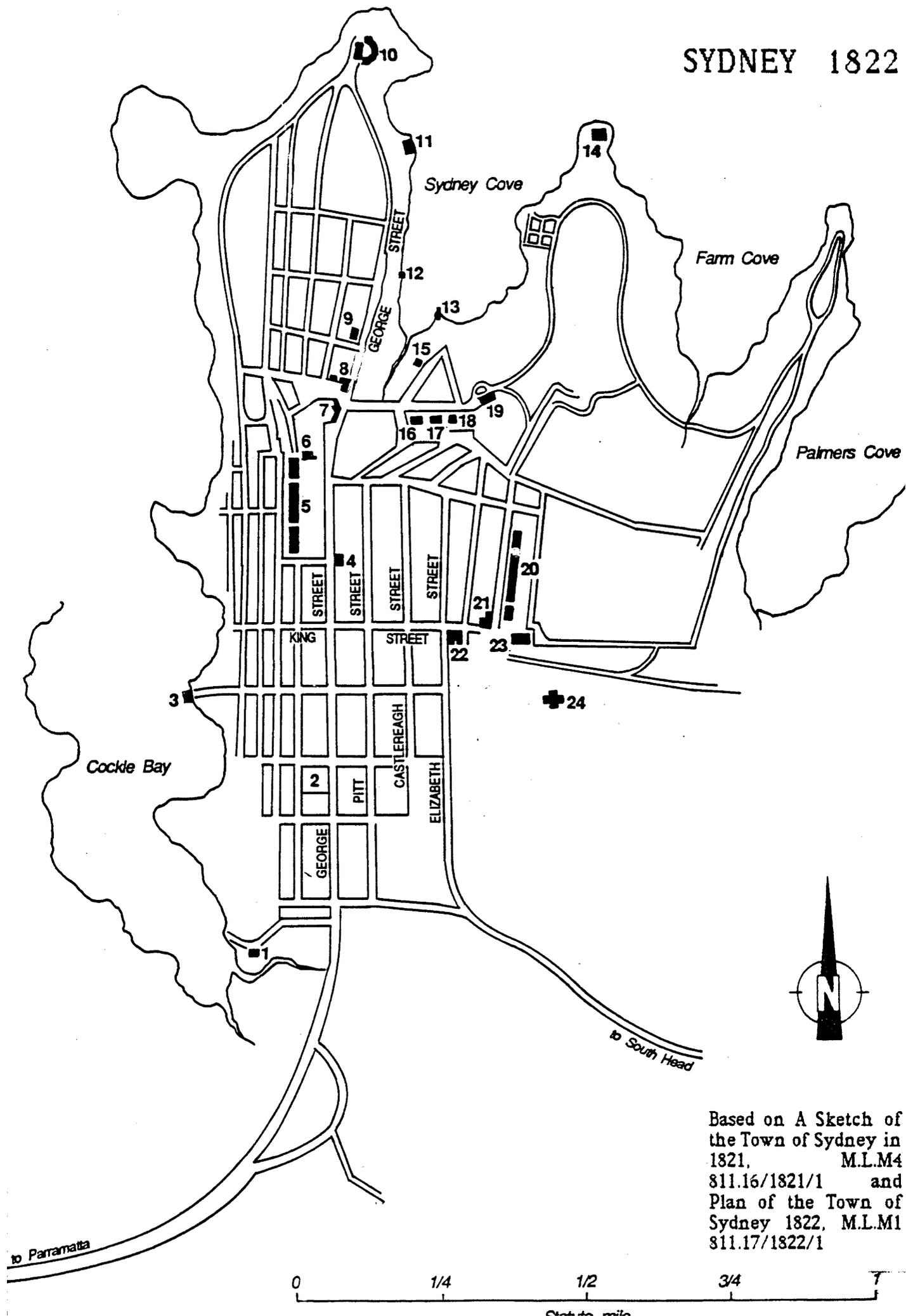
farewelled his loyal patron, generous benefactor and steadfast friend with sadness. In turning away from the departing ship, Wentworth faced a society which had progressed rapidly under Macquarie's administration, but one still rent by dissension, jealousy and rivalry.

KEY

- 1 Steam engine for grinding corn
- 2 Old church yard
- 3 Mr McArthur's Wharf
- 4 Police office
- 5 Military barracks
- 6 Lieutenant-Governor's residence
- 7 Principal Superintendent of Police
- 8 Main Guard
- 9 Jail
- 10 Dawes Battery
- 11 Mr Campbell's wharf
- 12 Public wharf

- 13 Governor's wharf
- 14 Fort Macquarie
- 15 Bank of New South Wales
- 16 Residence of the Judge of the Supreme Court
- 17 Residence of the Judge-Advocate
- 18 Colonial Secretary's Office
- 19 Government House
- 20 The General Hospital
- 21 Surveyor's General House
- 22 Court House
- 23 Convict Barracks for men
- 24 Roman Catholic chapel

SYDNEY 1822



Based on A Sketch of
 the Town of Sydney in
 1821, M.L.M4
 811.16/1821/1 and
 Plan of the Town of
 Sydney 1822, M.L.M1
 811.17/1822/1

Chapter 10

A Friend of the People 1822 - 1827

Alert to the quarrelsome nature of his charges Brisbane, from the moment he stepped ashore, carefully avoided controversy. He chose his friends with caution and distributed favours judiciously. He entertained in moderation and, to avoid ruffling colonial sensibilities, exercised discretion when choosing his guests.¹ On a number of occasions the governor and Lady Brisbane requested the pleasure of Wentworth's company at dinner.² The emancipists were slowly superseded as Brisbane gradually weeded ex-convicts from official positions.³ Lacking the fire and leadership of Eagar and Redfern, they withdrew from the political arena and concentrated on their private interests.

Brisbane felt that Macquarie had not harnessed the energies of the colony and, despite his wariness, was determined to reform the administration. His main priorities were to render labour productive and to improve the moral and social condition of the colony.⁴ Although admired

¹T.H.Brisbane to n.n., 13 December 1822, Brisbane Papers, N.L.MS 4036, Box 1, Series 1/1-2; T.H.Brisbane to n.n., 31 March and 26 July 1823, *ibid.*, Series 1/4-8; T.H.Scott to J. Macarthur, 10 June 1822, Macarthur Papers, vol 59, M.L. A2955, f.9; W.Oxley to J.T.Bigge, 3 September 1822, Oxley Papers, M.L.A5322-1, f.38.

² For example see T.Brisbane to D.Wentworth, 20 July 1824, Wentworth Papers, A754-1, f.181.

³ T.H.Brisbane to M.Bruce, 30 January 1824, Bruce Papers, M.L. UC.MSS329, f.37; P.Cunningham, *op. cit.*, p. 133; J.D.Lang, *An Historical and Statistical Account of New South Wales*, vol.1, London 1852, p.189; W. Oxley to P.King, 31 January 1823, King Family Papers, vol. 1, M.L.A1976, f. 250. Clearly Brisbane saw his role as a detached overseer of government. On 3 February 1822, the *Sydney Gazette* announced, "The present Governor does not feel it his duty to interfere with the public departments, other than by keeping in motion the various springs of the complicated machine he has to guide and govern."

⁴ T.H.Brisbane to Mr. Bruce, 28 March 1822, Brisbane Papers, N.L.MS4036, Box 1, Series 1/1-2; T.H.Brisbane to n.n., 31 March 1823, *ibid.*, Series 1/4-8.

for his mildness and good intentions, Brisbane was regarded by some colonists as an ineffective administrator. They criticised him for his lack of firmness, leadership and independence. Gossip held that he was more a man of science than of business, and that he had come out to the colony not to govern but to study astronomy. Oxley maintained that he had no more to do with transactions than the man in the moon; while Charles Macarthur referred to him as "our Man in the Clouds".⁵ To isolate himself further from the practical management of the colony, Brisbane resided in Parramatta, travelling to Sydney generally one day a week to conduct business.⁶

Wentworth decided to retain his positions as superintendent of police and treasurer of the police fund. The change in governors had little impact on his daily duties. He continued to deal with the numerous mundane complaints lodged at his office, which ranged from the nuisance created by the stray dogs, pigs, and assorted livestock which infested Sydney Town to the "nests of noisy, drunken, scolding women" who congregated on street corners. He investigated minor misdemeanours, such as the selling of underweight bread, as well as serious crimes, including the most brutal murders. In addition he sat on special benches to inquire into allegations of mutiny.⁷ All the while, he applied himself diligently to the duties of treasurer of the police fund.⁸

⁵ C. Brooks, Diary, N.L. MS 1559/23, f. 15; F. Forbes to R. Wilmot Horton, 10 July 1824, Catton Papers, Derby Central Library, AJCP M791; Lord Bathurst to Governor Brisbane, 57/64, 23 August 1825, Lord Bathurst Papers, British Library, London, AJCP M1169, f. 15; W. Oxley to T. J. Bigge, 3 September, Oxley Papers, M.L.A5322-1, f. 14; C. Macarthur to P. King, 20 November 1822, King Family Papers, vol I, M.L.A1976, f. 237.

⁶ Frequently the *Sydney Gazette* noted Brisbane's brief stay in Sydney. For example on 12 July 1822, p. 2, the *Sydney Gazette* announced that "His Excellency ... paid his accustomed visit to Head-quarters on Tuesday and returned to Parramatta early on Wednesday morning." For contemporary comment see; Mr Haywood to his son, August 1822, Bonwick Transcripts, Missionary, Box 52, f. 1297; F. Forbes to R. Wilmot Horton, 14 August 1824, Catton Papers, *loc cit.*; A. S. Forbes, 'Sydney society in Crown Colonial Days', M.L.MSS 943, f. 41.

⁷ *Sydney Gazette* 12 April 1822, p. 2; Pro Bono Publico, *ibid.*, 4 December 1823, p. 3. See

Brisbane introduced measures to improve the efficiency of the police force. In September 1822 he ordered that constables receive Spanish dollars in lieu of their rations. He also believed that rewards would bring about the apprehension of runaway convicts and bushrangers. Consequently, weekly lists of convict absconders appeared in the Sydney press offering a reward of one dollar for every time they had been advertised. Despite these incentives, the remuneration remained insufficient to attract men of good character willing to devote their time to police duties. In 1822 a number of constables were dismissed for neglect of duty or drunkenness. The settler and author, James Atkinson, thought that the rewards for apprehending runaways encouraged police officers to defer capturing fugitives until they were worth considerably more than a dollar. He admitted that, although the police force had improved, it still had many defects.⁹

Criticism was rarely levelled at Wentworth. Most appreciated that his endeavours to enforce law and order were frustrated by the difficulties in recruiting suitable constables. A number of colonists accepted that the nature of the population also created problems which further hampered the police. Thomas Reid, a ship's surgeon, maintained that in a town such as Sydney where the mass of the population was formed by convicted persons "much moral turpitude may be supposed to prevail, which not all the existing

notice regarding stray dogs, *ibid.*, 7, 14 21 June 1821, pp. 1; Inquiry of Bench of Magistrates re Captain of Brig Ben Johnson, *HRA*, ser. i, vol. XI, pp. 25-49.

⁸ For example see Statement of Colonial Revenue and Customs, 15 July 1823, *Sydney Gazette*.

⁹ W. Wemyss to Governor Brisbane, 18 November 1822, CSIL, 1822, AONSW, 4/1757, f. 98. James Benting and John English were dismissed for neglect of duty and Michael Newland for repeated acts of drunkenness, J. Lacker to F. Goulburn 22 January 1822, J. Ovens to F. Goulburn 28 February 1822, W. Cox to F. Goulburn, 20 April 1822, CSIL, 1822, AONSW, 4/1756, ff. 68, 74, 91. J. Atkinson, *An Account of the State of Agriculture & Grazing in New South Wales*, London, 1826, pp. 140-1.

regulations, however excellent ... even were they maintained with exactness are sufficient to repress." He was particularly concerned with the drinking habits of the colonists, yet he argued that even under the watchfulness of the police, who were extremely active, "I have seen women in a state of inebriety too shocking to describe."¹⁰

The *Sydney Gazette* also appreciated the difficulties faced by the police and on one occasion asked those who complained about the state of Sydney's streets to consider the enormous tasks confronting such a small body of men.¹¹ In September 1822 the paper congratulated the police on their activity in investigating the murder of an elderly couple and in apprehending the suspected culprits, as well as on their assiduity in locating the victim's stolen property.¹² Six months later the paper singled out Wentworth for praise over his handling of a murder investigation: "It is but justice to say, that our indefatigable Superintendent of Police has been scrutinizing into the mysteries of this dire affair."¹³

Despite Brisbane's efforts to please his civil staff, he quickly became disillusioned. In December 1823 he lamented the want of cooperation between the various departments, arguing that if they all pulled together the government would be easy to manage.¹⁴ He complained, however, that they were all at variance with each other and thought Surveyor General

¹⁰ T.Reid, Two Voyages to New South Wales and Van Diemen's Land, London, 1822, pp. 257, 266-7.

¹¹ *Sydney Gazette*, 4 December 1823, p.4.

¹² *Ibid.*, 6 September 1822, p.3

¹³ *Ibid.*, 13 March 1823, p.2.

¹⁴ T.H.Brisbane to Mr Bruce, 31 December 1823, Brisbane Papers, N.L. MSS 4036, Box I, Series 1/9-29.

Oxley, Principal Surgeon Bowman and Deputy Commissary-General Wemyss should be removed.¹⁵

Although disappointed with a number of his senior staff, he was pleased with the efforts of Wentworth and the police force in enforcing law and order. On 31 March 1822 he attributed the extraordinary decrease in crime to the efficacy of his policy; by January 1824 he maintained that whereas formerly a person was not safe travelling on the roads, day or night, he had not heard of one case of robbery for almost 12 months. Emphatically, he claimed, "I have got a better class of overseer and my Police are infinitely improved."¹⁶

During November 1822 copies of the long-awaited Bigge report reached Australia. At first, intense interest tinged with apprehension greeted its arrival, and, according to one colonist, great men trembled while they inquired into and read the report.¹⁷ The fear of its arrival, however, proved greater than was warranted. The *Sydney Gazette*, encouraged by the extraordinary interest in the report, proposed printing a number of copies, but as news of its contents spread, demand waned. The paper attributed this fall in demand to the expectancy of a second report "which is said to contain

¹⁵ T.H.Brisbane to Mr Bruce, 17 April 1824, *ibid.* Indeed R.Howe was amused by the irony of how Macquarie's bitterest enemies, who had initially gained an overwhelming ascendancy in the new administration, had in the space of several months turned themselves around to oppose the new government and become inimical to Brisbane. R.Howe, *Diary of R. Howe, 1822-3*, M.L.B846-1, entry for 30 August 1822.

¹⁶ T.H.Brisbane to n.n., 13 December 1822, Brisbane Papers, N.L. MSS 4036, Box 1, Series 1/1-2; T.H.Brisbane to n.n., 31 March 1823, *ibid.*, Series, 1/4-8, T.H.Brisbane to M.Bruce, 30 January and T.H.Brisbane to M.P.Butterworth, 12 April 1824, *ibid.*, Series, 1/9-29.

¹⁷ Entry for 22 November 1822, R.Howe, *Diary*, M.L.B846-1; *Sydney Gazette*, 29 November 1822, p. 2; J.Bowman to W. Buchanan, February 1822, Macarthur Papers, Buchanan Letters and Papers, M.L.A4266, f. 23; J.Macarthur to E.Macarthur, 18 August 1822, Macarthur Papers, vol. 15, M.L.A2911, f.157.

matter much more direct and unsoothing."¹⁸ The first report examined the condition and treatment of prisoners *en route* to the colony, during their embarkation and their muster. It also dealt with the convicts' employment, superintendence, work conditions and remuneration. The young John Macarthur in England suggested that the report was generally held to be a candid and fearless production, if defective in arrangement and embarrassing in detail.¹⁹ The *Sydney Gazette* predicted that some colonists would probably complain of the contempt and obloquy which it had cast on their characters.²⁰ Indeed, William Wentworth, who was still in England, reacted violently to the imputation, contained in the document, that he was the author of the Molle pipe and threatened to call Bigge out; Redfern was wild with rage at its contents. D'Arcy Wentworth took the publication in his stride.²¹

He received only scant attention in this report. Bigge mentioned Wentworth's observation that the convicts' desire for spirituous liquors was the principal incentive to crime and that the only hope for their improvement rested with the absolute privation of them.²² The report attacked Redfern for using government medical supplies for private purposes, but exonerated Wentworth from such practices. Nevertheless, Bigge pointed out that for several years Wentworth had turned a blind eye to Redfern's profitable disposal of government property.²³

¹⁸ *Sydney Gazette*, 6 December 1822, p.3.

¹⁹ J.Macarthur to E.Macarthur, 18 August 1822, Macarthur Papers, vol. 15, M.L.A2911, ff.161-2.

²⁰ *Sydney Gazette*, 13 December 1822, p.2.

²¹ J.Macarthur to E. Macarthur, 18 August 1822, Macarthur Papers, vol. 15, M.L.A2911, ff.159-60.

²² Report into the State of the Colony of New South Wales, House of Commons, 1822, p.49.

²³ *Ibid.*, pp.85-6.

During October 1823 the second and third reports arrived in the colony: they dealt in greater detail with Wentworth's official conduct.²⁴ In his second report Bigge, without naming Wentworth, asserted that certain magistrates in Sydney and one in Parramatta had held interests in the sale of spirits and had played a role in repressing information and defeating prosecutions for selling without a licence. He maintained:

In a community, wherein it was of the utmost importance that the exercise of magisterial authority should be placed above the suspicion of being actuated by personal motives, it was certainly unfortunate ... that any of the magistrates should have had, or should now possess an interest in the extended use of a commodity, which they knew to be the cause of mischief to the colony, in proportion as it was the cause of profit to themselves.²⁵

In turning to the police, Bigge criticised their casual enforcement of regulations, citing in particular their laxity in policing the regulations for clearing public houses after 9 p.m. and for closing them on Sunday during the hours of divine service. He asserted that, with greater activity on the part of the chief constables and the assistant superintendent of police, the junior officers in the establishment might have been compelled to do their duty. He nevertheless appreciated the problems in recruiting men suitable for police duties and bluntly stated that "From the inconsiderable allowances that the petty constables receive, a great difficulty has been found in prevailing upon men of good character to accept the situation." The main complaints levelled against the constables were for drunkenness,

²⁴ Sydney Gazette, 13 February 1823, p.4. Egar who was agitating in England for colonial reform sent a number of copies to Lord who kept them at his residence for the benefit of those friendly to the emancipist cause.

²⁵ Report of the Commissioner of Inquiry on the Judicial Establishments of New South Wales and Van Diemen's Land, House of Commons 1823, p. 69.

inattention and an unwillingness to perform their duties. During his stay in Sydney, the commissioner himself had dismissed a constable, assigned to him to carry messages, for gross neglect and intoxication while on duty. He also recognised the need to appoint, as head of the department, an individual who had experience in police work.²⁶ Bigge suggested that the salary of police superintendent be set at £500 per annum; acknowledging the demands and responsibilities of that office, he also advised that the position of treasurer of the police fund be held independent. Although these recommendations justified Wentworth's long-standing claims about his heavy and arduous workload, he must have bristled at this belated recognition.²⁷

In his third report Bigge named Wentworth as one of the seven principal proprietors of sheep and cattle in the colony and also one of the main beneficiaries of land grants.²⁸ He praised Wentworth's competency and diligence as treasurer of the police fund, stating that he performed his duties with punctuality and credit.²⁹ This acknowledgement, however, was overshadowed by Bigge's criticism of the state of the medical establishment under Wentworth's supervision. The commissioner criticised the overcrowding, the irregular book-keeping and the failure to take the simplest precautions to separate the male from the female patients. He also commented on the building of the General Hospital at Sydney, but blamed Macquarie's grandiose plan and the lack of skilled tradesmen for its flaws.³⁰

²⁶ Ibid., pp. 70, 83. Report on the State of the Colony of New South Wales, p. 107.

²⁷ Report on the Judicial Establishments, p. 83.

²⁸ Report on the State of Agriculture and Trade in the Colony of New South Wales, 1823, pp. 16, 41.

²⁹ Ibid., p. 86.

³⁰ Ibid., pp. 102, 105-7, 109.

Despite the damaging evidence presented before him in New South Wales, Bigge treated Wentworth leniently. The commissioner had also compiled a private dossier on Wentworth's conduct which he forwarded to Bathurst on 7 February 1823. Even in this confidential document Bigge equivocated when passing judgement. He outlined Wentworth's great interest in the traffic of spirits which he noted extended beyond the term of the contract for the general hospital. He also mentioned Wentworth's disinclination to convict unlicensed retailers of spirits, suggesting that this branch of the police department was "not administered with strictness." Moreover, he added that Wentworth's open involvement in the sale of spirits which, "he took no pains to disguise", encouraged the unlicensed vendors to persist in their activities with impunity. Yet, for all that, he maintained that Wentworth's conduct as police superintendent had not been "incorrect."³¹

To establish the grounds for the persistent rumours about Wentworth's past, Bigge conducted his own investigation by referring to the Old Bailey records. On his findings, he informed Bathurst, in his confidential report, that Wentworth had indeed been tried on three distinct charges of highway robbery, but had been acquitted. Nevertheless, he pointed out that the evidence produced in court left a strong presumption of guilt. He admitted that the details of Wentworth's past were not generally known in the colony, though colonists assumed that he had once been a convict.³²

Very generously, Bigge stated that, in assessing Wentworth's conduct as head of the medical department there had been little to deserve praise or censure. He commented on Wentworth's limited medical experience claiming

³¹J.T. Bigge to Earl Bathurst, 7 February 1823, CO 201/142, ff. 336-7.

³²*Ibid.*, ff. 337-8.

that the hospitals in New South Wales "have not afforded the means of improving it." Bigge also mentioned his lack of activity in supervising the hospitals, and questioned the system of dieting set down for patients which "was at variance with known principles of medical treatment." Yet Bigge conceded that he could not blame Wentworth, as his requests concerning matters connected with the hospital, and his applications for assistance with repairs and conveyancing of stores, met with little attention from the officers responsible for public works.³³

Bigge advised Bathurst that he had received no information that impeached Wentworth's official integrity, but he felt that this gentleman's private life warranted disapprobation. He maintained that Wentworth "has lived for some time in a state of concubinage with the wife of a Free person at his Houses in Sydney and Parramatta; and with another Female at a House situated between these places." Bigge assumed that, because of these liaisons, Wentworth rarely mixed in society. Yet, he again supported him by claiming that Wentworth "has always been distinguished by propriety of demeanour when invited to partake of it and has been observed to shun rather than court attention." In colonial society Wentworth's ability to win the trust of individuals from all classes impressed Bigge.³⁴

Despite the glaring flaws in his management of the hospitals, his involvement in the sale of spirits and his partiality in dealing with unlicensed vendors, Wentworth had not antagonized the commissioner. Indeed, Bigge even went to the trouble of defending Wentworth's conduct in the disposal of several lime juice cases. According to Bigge, Wentworth had sold them and quite properly applied the proceeds to purchase articles for

³³ *Ibid.*, ff.339-40.

³⁴ *Ibid.*, ff.336-9.

the hospitals. Bigge reminded Bathurst that Wentworth's pension had been withheld pending an acceptable explanation.³⁵

Rumour of a proposed reorganization of colonial appointments accompanied the second and third reports. The Colonial Office had already considered replacing Wentworth, as superintendent of police, with Henry Wilson.³⁶ The difficulty, however, in securing a replacement allowed Wentworth the satisfaction of resigning his post. Probably encouraged by Bigge's recommendation for higher remuneration, he approached Brisbane for an increase in his annual salary. Although sympathetic to his claim, the governor could not grant such a request. Subsequently, in June 1824, Wentworth informed him of the impossibility of his continuing as superintendent of police because his salary was "inconsistent with his duties."³⁷ The home government eventually appointed Captain Francis Rossi his successor at £600 per annum, but he did not relieve Wentworth until 19 May 1825.³⁸

In responding to the reports, the *Sydney Gazette* remarked that individuals who considered themselves maligned by the commissioner would have to rescue their own reputations.³⁹ In many ways the report did not affect Wentworth. He had retired from the office of principal surgeon four years earlier, and time had cushioned the criticism levelled against him. Moreover, for the colonists, the reports held no revelations about Wentworth. His involvement in the sale of spirits and his leniency towards

³⁵ *Ibid.*, ff.340-1.

³⁶ *Sydney Gazette*, 23 October 1823, p.2; T.A.Curtis to Earl Bathurst, 1 December 1823, *HRA*, ser. i, vol. XI, p.393.

³⁷ D.Wentworth to Governor Brisbane, 15 June 1824, Wentworth Family Papers, M.L.A754-1, f.179-80.

³⁸ Earl Bathurst to Sir Thomas Brisbane, 2 January 1825, *HRA*, ser. i, vol. XI, p.457.

³⁹ *Sydney Gazette*, 20 December 1822, p.2.

unlicensed vendors were common knowledge. The accusations of irregularities and inefficiency in the police force were not new, and in spite of complaints, most were prepared to concede that the composition of their society and the character of the constables made the task of maintaining law and order difficult. Besides, Captain Rossi's performance brought no significant improvements, though Mrs Brooks was pleased to hear that at long last constables had been ordered to apprehend indecently clad Aborigines who appeared in the public streets.⁴⁰ Captain Rossi had begun well, but, in Archdeacon Scott's opinion, life in Sydney Town had changed little. He claimed that, although there appeared greater outward respect and good behaviour, crimes of greater atrocity were more frequent, and while drunkenness and profligacy were not so openly practised they prevailed as much as ever.⁴¹

Over the years Wentworth's name in the colony had acquired an aura of respectability. His demeanour and nature, coupled with his record of public service, commanded respect. His peers on the bench drew on his wealth of experience and valued his advice and guidance. After examining the 1823 Act of parliament, entitled "An Act to provide ... for the better Administration of Justice", Oxley and Wentworth felt unsure of the proper course to follow in convening courts of quarter sessions. On 4 August 1824 they wrote to Brisbane inquiring whether they were required to summon juries.⁴² The governor referred the matter to Attorney General Saxe Bannister who suggested that, under the new Act, it would be proper to assemble juries for

⁴⁰ C.Brooks, Diary, N.L.MS 1559/23, f.6.

⁴¹ T.H.Scott to n.n., 20 June 1825, CO 201/168, f.164.

⁴² D.Wentworth, W.Oxley to Governor Brisbane, 4 August 1824, Sir Francis Forbes, Papers, Trial By Jury, M.L.A741, ff.4-7.

the quarter sessions.⁴³ Bannister's opinion was forwarded to the magistrates who, nevertheless, continued to have doubts about the meaning of the Act.⁴⁴ The Sydney magistrates, including Wentworth, Oxley, Piper, Wemyss, McHenry, Bowman, Berry and Wollstonecraft, met on the 26th in the Sydney courtroom. On Wollstonecraft's motion, Wentworth was appointed chairman. During this meeting they voiced their concerns about the legality of introducing trial by jury and Wollstonecraft moved that Wentworth and Oxley, two senior magistrates, give their opinions on the Act.⁴⁵

Throughout his official career in New South Wales, Wentworth had preferred to avoid overt political involvement in colonial affairs. In 1819 a number of prominent settlers and emancipists had joined forces to petition the House of Commons for the easing of trade restrictions and the introduction of trial by jury. Wentworth declined endorsing the petition, deeming it improper to do so while he held the King's Commission.⁴⁶ He may also have considered the introduction of trial by jury premature. In 1817 he had confided to his son, William, that he thought the colony not yet ripe for the establishment of such an institution.⁴⁷ Now faced with providing an interpretation on an Act of Parliament, he informed the meeting that in his view juries should be summoned. Whether his opinion at this stage rested on an impartial reading of the Act or on a personal desire to see the introduction of trial by jury is not known. Oxley, however, queried Wentworth's interpretation. Unable to resolve their uncertainties as

⁴³ Statement by S.Bannister, 6 August 1824, *ibid.*, ff.8-9, 11-13.

⁴⁴ J.Ovens to D.Wentworth and brother magistrates, 9 August 1824, *ibid.*, f.15.

⁴⁵ Rough Minutes of the Meeting of Magistrates, 26 August 1824, Wentworth Papers, A754-1, ff. 191-193.

⁴⁶ R.Jenkins to E.Eager, 18 March 1819, F no. 87, Judicial - Evidence, Appendix to Commissioner Bigge's Report, CO 201/126, f. 602.

⁴⁷ W.C.Wentworth to D.Wentworth, 8 July 1819, Wentworth Papers, A756, f.848.

to the exact intent and meaning of the Act, the magistrates agreed to seek the governor's intervention. On behalf of the Sydney justices, Wentworth requested Brisbane to obtain the written opinions of the attorney general and the solicitor general.⁴⁸

Unequivocally, Bannister advised the magistrates on 15 September that the court of quarter sessions could not legally be held without assembling a jury. He stressed that it was imperative for the magistrates to convene, through the instrumentality of the sheriff, grand and petit juries for the trial of all cases as were usually brought before similar tribunals in England. The solicitor general viewed the Act from a different standpoint. He felt that it allowed for the peculiar circumstances and condition of the colony, and hence, did not intend that juries be called.⁴⁹

Furnished with conflicting opinions, the Sydney magistrates again appealed to the governor who suggested that they obtain a judicial decision in the supreme court.⁵⁰ On 14 October 1824 the attorney general and solicitor general appeared before Chief Justice Forbes in the Supreme Court and argued their respective cases. Forbes, who had always felt that the clause governing the establishment of quarter sessions admitted an experiment with trial by jury, declared that he could not discover any words in the Act which restrained the sessions from trial by jury. He asserted that juries were essential and indispensable to exercising the primary duties of the courts of session, and directed the magistrates to proceed to summon jurors. He felt that all parties were satisfied with his finding: the colonial

⁴⁸ Rough Minutes of Magistrates Meeting, 26 August 1824, Wentworth Papers, A754-1, ff. 190-1; D.Wentworth to T.Brisbane, 26 August 1824, Sir Francis Forbes papers, Trial by Jury, M.L.A741, ff.21-3.

⁴⁹ Statement by S.Bannister, 15 September 1824, F.Forbes Papers, Trial by Jury, *loc.cit.*, f.19; J.Ovens to D.Wentworth and brother magistrates, 17 September 1824, *ibid.*, f.29.

⁵⁰ J.Ovens to D.Wentworth and brother magistrates, 28 September 1824, *ibid.*, f.31.

papers praised the introduction of trial by jury.⁵¹

The justices assembled to make arrangements for convening the court, but, in drawing up a list of jurors, faced the question of eligibility. In deciding this issue, they were guided by the English act of parliament governing the selection of jurors. The attorney general provided them with his written opinion that in England a pardoned felon could not sit on a jury. Believing this statement to be accurate, they proceeded to prepare the lists, inserting the names only of those free from any taint of criminal conviction.⁵²

A newly established colonial paper, the *Australian*, observed that the triumph secured on the 14th in the Supreme Court was but half complete if emancipists were to be excluded from the privilege of jury service. The paper maintained that "instead of becoming a bond of union and a common medium for the amalgamation of two discordant and heterogeneous classes, it is but to keep them still more aloof and to apply to those fatal feuds ... a new rancour and inveteracy."⁵³ William Wentworth, who had only recently returned from England and was co-editor of this newspaper, vigorously campaigned for the emancipists. Aside from publicly advocating their rights in his paper, he sought a legal resolution of their exclusion from jury service in the colonial courts. In December he notified the public that the

⁵¹ Directions given by Justice Forbes to D. Wentworth and other Justices, 19 October 1824, Wentworth Papers, A754-1, ff.193-5; F. Forbes to R. Wilmot Horton, 7 November 1824, 6 February 1825, Catton Papers, *loc. cit.*; F. Forbes to R. Wilmot Horton, 24 March 1825, R. Wilmot Horton's Private Letters, M.L.A1819, f. 1; A.S. Forbes, 'Sydney society in Crown Colonial Days', f.179; *Australian*, 21 October 1824, *Sydney Gazette*, 21 October 1824, pp.2-3. For a view criticising Forbes's decision see B. Field to S. Marsden, 18 May 1825, Marsden Papers, vol. 1, M.L.A1992, ff.440-2.

⁵² S. Bannister, *Statements and Documents to Proceedings in New South Wales*, Cape Town, 1827, pt. I, pp.146-7, pt.II, pp.36,41; *Australian*, 21, 28 October 1824.

⁵³ *Australian*, 28 October 1824.

emancipists were still determined to enforce their claims.⁵⁴ In January 1825 in the Supreme Court he and his colleague, Dr Robert Wardell, attempted to secure the rights of emancipists to be included in the jury lists. Legal technicalities prevented them from pleading their case and their action was discharged.⁵⁵

William's reputation as a radical, vulgar and troublesome fellow, contrasted with that of his father.⁵⁶ Nevertheless, D'Arcy also supported the emancipist cause and worked to effect change. In September 1825 Brisbane sought to gather intelligence about the operation of trial by jury in the colony. He wrote to the judges of the Supreme Court and the colonial magistrates seeking their opinions. The responses were overwhelmingly positive.⁵⁷ They spoke of the security which it provided for civil rights and of the proper conduct of juries.⁵⁸ The Parramatta magistrates, McLeod, Lawson and Wentworth (who by this time had retired), raised the vexatious issue of emancipist jurors. They advised that some individuals had used the privilege of jurors as a vehicle for private or improper purposes, suggesting that "if the respectable Emancipists were added to the list of Jurors many Evils that have arisen here would be effectively counteracted, if not

⁵⁴ Australian, 2 December 1824, p.2.

⁵⁵ Ibid.; Sydney Gazette, 10 January 1825, p.2; G.W.D. Allen, Early Georgian Extracts from the Journal of George Allen, Sydney, 1958, p.94.

⁵⁶ J.Macarthur to his father, 12 June 1825, Macarthur Papers, vol. 15, M.L. A2911, f. 298; H.Scott to R.Scott, 8 August 1824, Scott Family Papers, vol. 5, M.L. A2264; Governor Darling to Hay, 15,16 December 1826, Private Letters to Mr Hay, CO 323/146, ff. 256, 263.

⁵⁷ J.Stephen, Remarks with reference to the introduction of Trial by Jury and a Representative Assembly, London, 1831, p.12; Replies to Governor Brisbane's letter of 23 September 1825 to the magistrates of New South Wales, Sir Thomas Brisbane Papers, vol. 1, M.L. A1559/1, ff.264-71.

⁵⁸ J.Stephen to Major Ovens, 23 October 1825; W.Cox, J.Brabyn and A. Bell to Major Ovens, 8 October 1825, Brisbane Papers, vol. 1, M.L. A1559-1, ff. 266-70.

altogether prevented."⁵⁹ The eligibility of emancipists to serve as jurors remained a contested issue for a number of years, with the prevailing legal opinion claiming that convicted persons forfeited the right to such a privilege.⁶⁰

Although Wentworth's sympathies rested with the emancipists, he maintained friendly relations with, and was welcomed in the colony's upper echelons. In 1822 he was invited to join the prestigious Agricultural Society of New South Wales. The founders of this organization had previously sought Macquarie's permission to establish a similar association but he had refused because of their policy of excluding emancipists from membership. Brisbane felt that the advantages likely to flow from such an organization outweighed any other considerations and, despite its exclusionist tendencies, gave his full approval to its establishment.⁶¹ In June 1822 Wollstonecraft met with a number of gentlemen to discuss the founding of the society. Wentworth was requested to attend. The men who formed the nucleus of this association were very prominent in the community, and included Sir John Jamison as the president, Mr Justice Forbes, the Reverend Samuel Marsden, William Cox, Hannibal Macarthur, Piper, Oxley, Blaxland, Harris and Bell. Brisbane was their patron.⁶² At their

⁵⁹ D.Mcleod, D.Wentworth and W.Lawson to Major Ovens, 10 October 1825, *ibid.*, ff.270-1.

⁶⁰ See Attorney General to W.C.Wentworth, 25 August 1825; W.C.Wentworth to Attorney General, 1 September 1825; W.C.Wentworth to Attorney General, 7 January 1826, W.C.Wentworth Legal Letter Book. M.L.A1440, ff.156-61, 260.

⁶¹ Prospectus, Agricultural Society of New South Wales, CSIL, 1822, AONSW, 4/1753, ff.160-2; T.H. Brisbane to n.n., 26 July 1823, Brisbane Papers, N.L.MSS 4036, Box 1, Series 1/4-8.

⁶² E. Wollstonecraft to D.Wentworth, 21 June 1822, Wentworth Papers, 754-1, f. 112; First Anniversary Address ... of the Agricultural Society of New South Wales, Sydney, 1823, pp.10, 20; also at CO 201/155, f.107; Prospectus and Special Meeting of the General Committee of the Agricultural Society of New South Wales, 20 August 1822, CSIL, 1822, AONSW. 4/1753, ff. 160-2,174-5; R.Howe, Diary, M.L.B846-1, entry under 20 August 1822; Sydney Gazette, 12 July 1822, p.2.

anniversary dinners "Champagne, Claret, Port, Madeira, and other wines flowed abundantly."⁶³ Although Wentworth subscribed to the association and was a member of a special fund designed to introduce an improved breed of sheep and cattle in the colony, he did not appear active in the organization. Indeed, at the first anniversary dinner the speaker criticised William Wentworth's book on the colonies.⁶⁴ The presence of the Macarthur element, which was becoming increasingly obnoxious to the emancipist sector, may have discouraged Wentworth from greater participation.

In March 1825 George Mills, the honorary secretary of the Turf Club, sought permission to include Wentworth's name among the original members of the association. He requested D'Arcy to attend a meeting with himself and Sir John Jamison, known as "the hospitable Knight of Regentville", maintaining that his presence even for a few minutes would be "much acceptable to us all."⁶⁵ This club, founded under the auspices of Jamison, was a select social circle composed of gentlemen of the first rank and had the governor as its honorary president. Although supposedly established for improving the breed of horses, its main concern was in organizing horse races: during Brisbane's administration yearly and half yearly races became important events in the colony. Wentworth was more involved in this association. In June 1826 he subscribed £5 to the purse in the fourth race to be run on the first day of the meeting and in April 1827 raced his horse Molencum for the subscription purse.⁶⁶

⁶³ Sydney Gazette, 16 February 1827, p.3.

⁶⁴ First Anniversary Address ... of the Agricultural Society of New Souty Wales, pp.5-6.

⁶⁵ G.Mills to D.Wentworth, 19 March 1825, Wentworth Papers, A754-1, f. 212.

⁶⁶ For contemporary comment on the Turf Club see; P.Cunningham, op. cit., vol. I, p.128; J.D.Lang, op. cit., vol. I, p.194; R.Therry, Reminiscences of a Thirty Years' Residence in New South Wales and Victoria, (first published London 1863), Sydney, 1974, p.56; Sydney Gazette, 7 June 1826, p.1, 27 April 1827, p.3.

Wentworth was also a valued colleague in an administration where personality clashes and party politics intruded. In November 1824, after being recommended by Brisbane as chairman of the Court of Quarter Sessions, Wentworth was elected to this office by his brother magistrates. Unfortunately, ill-health prevented him from accepting this honour and John Stephen assumed the office.⁶⁷ On Wentworth's retirement from the offices of presiding magistrate and principal superintendent of police in May 1825, his brother magistrates presented him with a valedictory address. At this time Wentworth was 63 years old, a veteran of colonial affairs and a respected and valued adviser. They thanked him for the kind, considerate and competent manner in which he had instructed them. They gladly bore testimony to his humanity and to the firm and impartial spirit which guided his decisions, and they voiced the hope that his successor would "tread in his official steps as nearly as possible." Unhesitatingly they concluded "our expressions of respectful good will towards you form only an Echo to the public voice on this occasion."⁶⁸

Quietly and with modesty, Wentworth accepted their tribute. He assured them that his success in managing the police force was attributable to their cheerful and zealous cooperation and to the deference they showed in receiving his opinions and suggestions. He warmly declared that he would always cherish their sentiments and, in his retirement, contemplate them with pleasure and pride. Wentworth then surrendered his position to Captain Rossi and left for his country residence at Homebush.⁶⁹

⁶⁷ Sydney Gazette, 4 November 1824, p.2.

⁶⁸ Address of the Sydney Magistrates to D.Wentworth, Sydney Gazette, 26 May 1825, p.3.

⁶⁹ D.Wentworth's reply, ibid.

Over the years, Wentworth had continued to improve his estates. His impressive mansion at Homebush was set among 1,000 acres of cleared land, neatly divided by post and rail fences into regular fields. By February 1823 he had enclosed over 17,000 acres which he estimated required 65 miles of fencing. According to his own calculation, he had also cleared and stumped a greater quantity of land and employed at his own expense a greater number of convicts than any other individual in the territory. During this year he supplied 25,600 lbs of fresh beef to the commissariat and in the following year provided a further 27,587 lbs. Despite his large estates, his holdings were inadequate to support his growing herds and in November 1825 he requested Brisbane's permission to purchase 5,000 acres of crown land.⁷⁰

Wentworth had reached the stage when his landed wealth and personal influence placed him beyond the reach of bureaucrats and governors. No longer did he have to buy entry into political factions or seek the protective patronage of a governor to survive colonial intrigues. Recognised and respected throughout the community as a colonial elder, his presence lent weight to meetings and campaigns. Colonists urged him to take up their cause or join their circle. Free from the obligations of public office, Wentworth could now take full advantage of the tranquillity he had hoped to enjoy in his retirement. He chose, nevertheless, to enter the troubled politics of New South Wales.

By 1825 Brisbane's tenuous hold on the reins of government had further weakened. Some colonists were privately predicting, and others

⁷⁰ Refer to information contained in D. Wentworth's Memorial, 6 February 1823, Colonial Secretary - Miscellaneous, AONSW, 4/1835-B, No.345, ff.1129-30, 25 October 1825, *ibid.*, 4/1844-C, ff.1223-4, 1227; P. Cunningham, *op.cit.*, p. 96; Sydney Gazette, 17 April 1823, p. 4; 24 June and 18 September 1824, pp. 1,3.

secretly plotting, his downfall.⁷¹ Reports of Brisbane's abrogation of authority and of his preoccupation with personal pursuits sabotaged his credibility as governor and in May 1825 he received his recall.⁷² Stunned and hurt by the unexpectedness of this action, Brisbane had no wish to prolong his stay and promptly made arrangements for his return to England.⁷³

As soon as the governor announced his intention to leave for home, various factions vied for the honour to farewell him.⁷⁴ John Macarthur and his friends planned a dinner and formed a deputation to wait upon Brisbane to invite him to their elite gathering. Unaware of the composition of this party, Brisbane accepted. News of this public dinner roused the indignation of prominent emancipists and their supporters. On 17 October 1825 eight gentlemen, including Lord, Redfern, William Wentworth and Edward Hall, inserted a notice in the *Sydney Gazette* which scorned the so-called public dinner, claiming it excluded every emancipist, as well as numbers of immigrants of the most respectable description. Three days later the paper impugned the exclusives' motives by suggesting to the governor that he was not to suppose that this cadre of colonial gentlemen constituted the people he had the honour to govern, but rather formed only a small portion of the respectability or real wealth of the colony. The article complained that the great body politic had been "unhandsomely excluded" from paying their

⁷¹ S.Marsden to J.Pratt, 7 February 1825, S.Marsden to D. Coates, 17 March 1825, Bonwick Transcripts - Missionary, Box 53, ff. 1465-6, 1477; F.Forbes to R.Wilmot Horton, 22 March 1827, R.Wilmot Horton Private Letters, M.L.A1819, f. 116; H.Dumaresq to his mother, 25 November 1825, Letters of Colonel Henry Dumaresq, M.L.A2571, n.p.

⁷² Earl Bathurst to Governor Brisbane, 57/64, 25 August 1825, Bathurst Papers, *loc. cit.*, f.15.

⁷³ T.Brisbane to Mr Crawford, 13 May 1825, Brisbane Papers, N.L.MSS 4036, Box 1, Series 1/31; J.Macarthur to E.Macarthur, 12 April 1825, Macarthur Papers, vol. 15, M.L.A2911, f.259.

⁷⁴ C.Brooks, Diary, N.L.MS 1559/23, ff.20-21.

respects to the governor.⁷⁵

The emancipists and their sympathizers retaliated by proposing to hold their own farewell dinner. Wentworth watched the contest unfold. A second deputation waited upon the governor who now realized that he had become entangled in factionalism. He attempted a compromise by suggesting to Macarthur's committee that they invite representatives of the emancipists. He hoped that this move would destroy the appearance of exclusion and lead to the cancellation of the second dinner without giving offence. "'To dine or not to dine' with his Excellency 'that is the question,'" mused Christiana Brooks, a colonist.⁷⁶

Factional animosity, which had been simmering, now boiled over. A meeting of the colonists to discuss the production of a farewell address for the governor had been arranged for 21 October. With tension already heightened by the proposed dinners, the mood intensified as the time drew closer. For days before the meeting, the colonial newspapers urged people to attend: "this will be an important Meeting, and one in which the future destinies of Australia will be considerably involved ... and the man, that wilfully withholds attendance, should be content to submit to the deprivation of the liberties of Englishmen all his life." The intention of this meeting was to go beyond merely making arrangements for the governor's farewell.⁷⁷

On 21 October Wentworth entered the fray. He met with over 100 fellow colonists in the courthouse in Castlereagh Street, Sydney. Keen to

⁷⁵ F.Forbes to R.Wilmot Horton, 26 November 1825, Catton Papers, *loc. cit.*; *Sydney Gazette*, 17 October 1825, p.1, 20 October 1825, p.2.

⁷⁶ F.Forbes to R,Wilmot Horton, 26 November 1825, Catton Papers, *loc.cit.*; C.Brooks, *Diary*, *loc.cit.*, f.21.

⁷⁷ *Sydney Gazette*, 17 October 1825. p.2.

establish the propriety of the gathering, the *Sydney Gazette* described it as the most respectable meeting ever held in the colony and stressed that all who attended were free men, many of whom owned considerable property. At noon the sheriff opened the meeting and Mr Berry, a friend of the exclusives, came forward and presented an address. William Wentworth brushed aside this work as a "mere milk and water" production which was "too lukewarm, too inadequate." He then read an address which advocated the extension of trial by jury and the establishment of a house of assembly. Dr Wardell moved to expunge parts of this address, arguing that they had no place in a farewell address to a governor. Despite his objections, the meeting fully endorsed Wentworth's address.⁷⁸

Those present voted D'Arcy and William Wentworth, Thomas Raine, Brown and Cooper to be members of the delegation to present the address to the governor. Against the advice of some senior officials, Brisbane not only accepted the address, but publicly received them at Government House in the presence of the lieutenant-governor, the chief justice, Judge Stephen, and a body of civil and military officers. In formalising the occasion, Brisbane effectively conferred official recognition and approval on the emancipist faction. This small coup over the exclusives gave the emancipists the encouragement to press the governor for his attendance at their dinner.⁷⁹

Just as the main body of the exclusives declined to attend the public meeting so they withdrew from the contest to secure Brisbane's presence at their dinner. On 23 October 1825 William Moore notified the governor that the committee regretfully were "placed under the painful necessity of

⁷⁸ *Ibid.*, 24 October 1825, pp.2-3; C.Brooks, Diary, *loc. cit.*, f.19.

⁷⁹ T.H.Scott to Earl Bathurst, 5 November 1825, CO 201/168, ff.202-3; C.Brooks, Diary, *loc. cit.*, ff.19-21; F.Forbes to R.Wilmot Horton, 26 November 1825, Catton Papers, *loc. cit.*, n.p.

declining to make any further preparation for the expected honour of your Excellency's company."⁸⁰ By refusing to be conciliatory, the exclusives played into their enemies' hands: quite unexpectedly, the governor accepted the emancipists' invitation to dinner. They promptly claimed victory.⁸¹

On 27 October D'Arcy and William Wentworth, Raine and Cooper publicly announced the governor's acceptance of their invitation. The *Sydney Gazette* scoffed at the exclusives' arrogance in declining to accede to the governor's wishes, declaring:

If among the Exclusionists there were men of real birth ... men any nearer allied to the Gentry of England than stay-makers, blacksmiths, linen-drappers, bankrupt merchants, clock-makers etc.etc. usually are, then indeed we might make allowance for the prejudices of ancient birth and family: but even then, a refusal to dine with so distinguished a Man as Sir Thomas Brisbane ... would render such refusal deserving of reprobation mingled with contempt for their misplaced pride.⁸²

Undoubtedly amused by this biting attack, the emancipists, nevertheless, were aware of their own vulnerability to such sniping. They recognised the need to project a dignified and responsible image and looked to D'Arcy to promote their cause. On Friday 28 October he joined a small gathering to discuss arrangements for Brisbane's farewell dinner. In his opening address, Hall suggested that, instead of observing custom and having some high civil officer as the president, they should select some wealthy commoner from among the body of the people - "one that was respected and of ancient stamp, and whose influence was extensively

⁸⁰ W.H.Moore to Governor Brisbane, 23 October 1825, Brisbane Papers, M.L.A1559-1, ff.251-2.

⁸¹ *Sydney Gazette*, 27 October 1825, p.1; J.D.Lang, *op. cit.*, vol. I, p.193.

⁸² *Sydney Gazette*, 27 October 1825, p. 2.

acknowledged." He then proposed D'Arcy Wentworth as a candidate; the motion was unanimously carried. Wentworth declined the honour, claiming that his poor state of health would prevent him from fulfilling the arduous duties of such a position. Anxious to secure his patronage, those around him immediately promised every assistance; despite his attempts to counter their reassurances, they continued to press him until he acquiesced in their wishes. Dr Wardell was voted vice-president and William Wentworth, Lawson, Raine, Redfern, Hall, Lord, R. Howe and Hutchinson were among the stewards elected.⁸³

Later that day Wentworth occupied the chair at a meeting to discuss Moore's letter to the governor. It condemned the actions of the exclusives, concluding that their committee of management exceeded their power in causing the said letter to be written, claiming that they should have consulted their subscribers on the governor's proposition.⁸⁴

While the exclusives may have retreated, they did not abandon their resolve. The *Sydney Gazette* reported on 7 November that a gentleman from the aristocratic side had been running from house to house in Sydney procuring signatures to a document which asserted that the respectable majority were opposed to the sentiments expressed in Brisbane's address. The *Gazette* also maintained that efforts had been resorted to, in almost ten thousand ways, to overthrow the emancipists plan. "Influence, authority, and artifice of every kind, together with the most abominable lies, were all charmingly in ceaseless exercise, for the last fortnight or three weeks, to

⁸³ *Ibid.*, 31 October 1825, p. 2.

⁸⁴ *Ibid.*, 3 November 1825, p. 2.

render this a second abandoned Dinner". The dinner was emerging as a test case for the emancipists.⁸⁵

Although unwell, Wentworth was determined to fulfil his obligations as president of the farewell dinner. At half past six in the evening of 7 November, accompanied by his staff, the governor reached Nash's Inn, Parramatta. The tables were arranged in the shape of a horseshoe and the governor took his place at Wentworth's right hand.⁸⁶ Unfortunately, ill health obliged Wentworth to retire from the table before the completion of the dinner and William assumed his place. The mood of the company was momentarily dampened by a concern for their president's health, but a spirit of conviviality and good humour soon prevailed. They drank to the King, Governor Brisbane, the prosperity of Australia and the memory of Governor Phillip. In solemn silence they toasted the memory of Governor Macquarie. They also charged their glasses and drank to the health of D'Arcy Wentworth. On his father's behalf, William returned thanks. He acknowledged that he was proud to be the son of such a worthy man, and proud that the community possessed this "upright and zealous friend of liberty."⁸⁷

The dinner proved to be a decisive victory for Wentworth and his group. Over 100 guests sat down to dine, and while the exclusives boycotted the farewell, leading officials - with the exception of Archdeacon Scott and Commissary Wemyss - attended in force. The chief justice, whose ill health had prevented him from joining the company, apologized for his absence. The

⁸⁵ *ibid.*, 7 November and November 1825, p. 2.

⁸⁶ *ibid.*, 10 November 1825, p. 2.

⁸⁷ *ibid.*

presence of the governor, flanked by most of his senior staff at the dinner, gave the official imprimatur to the emancipist faction.⁸⁸

Having lost ground in the colony, the exclusives moved to consolidate their hold in Whitehall. Macarthur sent a petition signed by 61 colonists to Bathurst. It denounced the "wild opinions" contained in Brisbane's farewell address, arguing that they had aroused the base passions of the lower orders, and incited a spirit of hatred against the upper classes and against legitimate authority. Aware that the tide of public opinion favoured trial by jury and a more representative government, this petition advocated the extension of juries to the Supreme Court, noting that the eligibility of jurors should be determined on the principles operating in England. It also recommended the establishment of an executive council and an increase in the number of legislative council members to at least 15. Among the signatories were John and James Macarthur, Cox, Bell, Oxley, Berry, Bowman and Wollstonecraft.⁸⁹

In a covering letter to the Under Secretary of State Wilmot Horton, Macarthur stressed that the opinions of the emancipated convicts or rather the "Republican Party" were not those of the respectable majority in the colony. He set out systematically to destroy their credibility. He enclosed with his petition a list of those who had attended Brisbane's farewell dinner, attaching to each name, where possible, a disparaging comment. He labelled Daniel Cooper as an emancipist who was well known at Manchester where he had been repeatedly flogged at the cart's tail. He identified Thomas

⁸⁸ Governor Darling to Hay, 10 December 1825, CO 323/146, ff.129-32; J.D.Lang, *op. cit.*, vol. 1, pp.190-1. For the exclusives interpretation of the dinner see, C.Macarthur to P.King, 22 August 1826, King Family Papers, vol. 1, M.L.A1976, f.442.

⁸⁹ Address to Earl Bathurst, December 1825, CO .201/179, ff. 220-1; J.Macarthur to his father, 18 July 1826, Macarthur Papers, vol 15, M.L.A2911, ff.340-1.

Raine as the brother of a swindler, deeply in debt and E.S. Hall as a man living on his wits. The term emancipist was attached to the names of Lord and Redfern; against the names of D'Arcy and William Wentworth, Macarthur had written, "too well known to require a description."⁹⁰ Leaders of the exclusive party showed J.D.Lang this document. He disapproved of the "superlatively evil spirit" which it evinced, but could not help admiring "the consummate artifice with which it was concocted."⁹¹

The barbs aimed at D'Arcy's reputation had become blunt over the years. Now firmly established in New South Wales as a wealthy landowner and a venerable old gentleman, his name stood fast. His active involvement in the campaign for constitutional reform lent the cause credibility and in return, with the backing of the colonial press, Wentworth was gradually gaining recognition as a popular hero.

Having outwitted the exclusives in regard to Brisbane's farewell, the emancipists endeavoured to take charge of the new governor's welcoming speech. On 5 January 1826, 14 colonists, headed by D'Arcy Wentworth, requisitioned the sheriff to convene a public meeting to consider presenting Sir Ralph Darling with an address.⁹² William Wentworth assumed control of this meeting on 12 January 1826. He rose early to speak and seized the initiative by insisting that the address should be more than one of congratulations. He acknowledged that recent changes had taken place with the formation of an executive council and an extension of the legislative council. He stressed the importance of showing the government that it was not a change for the better and that such moves merely favoured "a certain

⁹⁰ J.Macarthur to R. Wilmot Horton, 11 July 1826, CO 201/179, ff.218-9, 230-1.

⁹¹ J.D.Lang, *op. cit.*, vol. I, p. 191.

⁹² *Sydney Gazette*, 5 January 1826, p.1.

party." The governor must be instructed on their wants, he insisted, so that if he made representation to the home government, he could only state their wishes, which were for "An Elective Assembly And Unlimited Trial By Jury." Wentworth then proceeded to read the address.⁹³

Disregarding John Robson's protest that it was not the time for politics, the meeting endorsed the address. Howe proposed that William Wentworth, Robert Lowe, D'Arcy Wentworth, Redfern, Lawson, Samuel Terry, Thomas Raine, Lord, Hall, Cooper and five other gentleman should form the deputation to present the address to Darling. He argued that they should have a significant number to show their weight and thereby give more efficiency to their proceedings.⁹⁴ In a letter to Bathurst, Archdeacon Scott, a close friend of the Macarthur family, described this gathering as a collection of about 120 persons composed mostly of the lowest class of ticket-of-leave convicts. He maintained that, aside from these people, the meeting was attended by about 20 emancipated convicts who had benefited from favours and indulgences at the expense of the Crown, some magistrates who were a disgrace to their commissions, some adventurers and a few colonial born youths. In his opinion, those belonging to the convict class were being led by some free persons intent on "sowing the seeds of vice and discord."⁹⁵

Darling, who regarded the address as offensive and injudicious, responded in guarded language. He was aware of the shift in power which had taken place in the colony and of the emancipists' growing confidence. In a letter home he confided that the emancipists had gained the ascendancy in the latest struggle and could "not be put down or rather kept down" by the

⁹³ *Ibid.*, 16 January 1826, pp. 2-3.

⁹⁴ *Ibid.*

⁹⁵ T.H.Scott to Earl Bathurst, 17 January 1826, CO 201/179, ff. 431-2; T.H.Scott to B[ishop] of London, 17 January 1826; Bonwick Transcripts - Missionary, Box 53, f.1595.

old settlers who were comparatively few in number. He told the permanent Secretary of State Robert William Hay that it would be in vain for the old settlers, who had hitherto taken the lead, to expect to retain the exclusive possession of it.⁹⁶ He wished to keep clear of all factions and intended his reply as a tacit rebuke to the emancipists though not sufficiently severe to engender ill-will and animosity. Darling kept himself at a distance from the emancipist faction and resisted their demands.⁹⁷

Business affairs also brought Wentworth from his Homebush retreat. He had resigned as a director of the Bank of New South Wales in January 1825, but, when the bank faced difficulties the following year, he assisted in its rescue.⁹⁸ During 1826 the bank's cash reserves fell alarmingly because of an injudicious creation of credit. Its difficulties were exacerbated by the establishment of a rival institution, the Bank of Australia. This new bank, in part a product of political rivalry, was founded by the landed proprietors, under the leadership of Wollstonecraft, Berry, Oxley and Macarthur. The share-list was not open for public subscription: Charles Macarthur confided to Phillip King that they had taken measures to exclude felons from exerting influence in the bank's affairs. Edward Hall dubbed this institution, "the bank of the faction."⁹⁹

Business and politics merged in the colony. The founding of the Bank of New South Wales during Macquarie's administration had political overtones and in 1826 the *Sydney Gazette* criticised it for being too much

⁹⁶ R. Darling to Hay, 10 December 1825, CO 323/146, ff.129-32.

⁹⁷ R. Darling to Hay, 1 February 1826, *ibid.*, ff.134-6; J.D.Lang, *op. cit.*, vol I, p.206.

⁹⁸ *Sydney Gazette*, 19 January 1825, p. 2.

⁹⁹ See statements by W.Hutchenson at Bank meeting, *Sydney Gazette*, 22 March 1826, p. 2; Editorial, *ibid.*, 16 April 1826, p. 2; C.Macarthur to P.King, 22 August 1826, King Family Papers, vol. I, M.L.A1976, f. 442; Statement by E.S.Hall, Special Bank Meeting, *Monitor*, 9 March 1827, p. 341.

of a family party - a political club - instead of a committee of industrious businessmen. It noted, however, that the bank's real stability would not be doubted as long as gentleman such as Wentworth, Terry and Messrs Jones and Walker were proprietors.¹⁰⁰

On 18 March 1826 Wentworth, although extremely ill, attended a bank meeting which lasted five hours. During this meeting, the members voted to call upon the proprietors to pay up their residual capital and to increase the numbers of shareholders. After the meeting a significant number of proprietors questioned these resolutions and on 22 April a court of proprietors assembled at the bank to reconsider them. Wentworth chaired this lively meeting which again lasted several hours. The members finally voted to suspend the resolutions passed on 18 March. They agreed to appoint a deputation to wait on the governor with an application to open subscriptions for an additional sum of £21,000, by creating 700 new shares requiring a deposit of £30 for each share. Darling refused their application.¹⁰¹

By May the bank's coffers were drained and it was forced to stop payment. On 11 May the directors of the bank formally applied to the governor for a loan of £20,000 in sterling currency. After an investigation into the bank's affairs the governor, in consultation with his executive council, agreed to the loan and on 18 May the directors accepted their terms.¹⁰² Conscious of the need to regain public confidence, the proprietors

¹⁰⁰ *Sydney Gazette*, 16 April 1826, p.2.

¹⁰¹ *Sydney Gazette*, 22 March 1826, pp.2-3, 22, 29 April 1826, p.1.

¹⁰² F.Forbes to R.Wilmot Horton, 26 May 1826, R.Wilmot Horton, Private Letters from Sir Francis Forbes, (typed transcripts) M.L.A1819, ff.39-42.

did not hesitate to accept Wentworth as a director in June 1826 and as their new president in the following January.¹⁰³

At this time Wentworth also became involved in private discussions on the means to influence the drafting of a new bill, which was due to come before parliament in 1827. This new legislation was to replace the 1823 Act governing the administration of justice in New South Wales. In July 1825, John Macarthur, Robert Cambell and Charles Throsby, together with the lieutenant-governor, the chief justice, Archdeacon Scott and the colonial secretary, became members of the legislative council.¹⁰⁴ Some prominent settlers of the propertied class, denied a place on the nominated body, joined with the emancipists to agitate for constitutional reform. Wentworth and Sir John Jamison publicly led the cause, but William Wentworth and Edward Hall gave the movement its impetus.¹⁰⁵

D'Arcy was now being hailed by the popular press as a champion of the people and a man to be emulated. In February 1826, the *Sydney Gazette* noted that Colonial Secretary, Major Goulburn had paid a visit to "that venerable and patriotic magistrate, D'Arcy Wentworth, the Premier Justice of the Peace in the Territory" at his retreat at Homebush. Four months later, a newly established newspaper, the *Monitor*, suggested to John Macarthur that he should become in his old age a friend of the people. "Let him join Mr Wentworth sen., Mr Gregory Blaxland, Mr Terry and some other half dozen of wealthy old Colonists whom the people look up to, in calling upon the sheriff

¹⁰³ *Sydney Gazette*, 10 June 1826, p.2, 12 January 1827, p.2; R.F.Holder, Bank of New South Wales. A History, vol.1, Sydney, 1970.pp. 65-9.

¹⁰⁴ Proclamation 20 December 1825, HRA, ser. 1, vol. XII, pp.128-9; R. Darling to T.H. Brisbane, 4 February 1826, Brisbane Papers, N.L.MS 4036, Box III, series 10; Governor Darling to Under Secretary Hay, 1 May 1826, HRA, ser. 1, vol.XII, p. 256.

¹⁰⁵ It is difficult to ascertain the degree to which, political, personal or altruistic motives underpinned an individual's support for reform.

by requisition to convene a public meeting of the colony."¹⁰⁶

By September a rumour strengthened that a committee was about to be founded in Sydney. The *Sydney Gazette* announced that D'Arcy Wentworth, Sir John Jamison, Lawson, Lowe, and other gentlemen too numerous to mention "will feel the greatest pleasure in stepping forward, with their united wealth and influence, to promote the prosperity of the Colony, by earnestly seeking the Constitutional Liberties of their Forefathers."¹⁰⁷ In December the *Sydney Gazette* again mentioned D'Arcy Wentworth, John Jamison and Gregory Blaxland as worthy champions of the colonists' constitutional rights.¹⁰⁸ Even old settlers such as Bell and Cox, who had supported Macarthur's petition in 1826, now deserted the oligarchy. Darling felt confident that mutual jealousy would thwart the endeavours of the old settlers and the emancipists to lobby effectively for reform.¹⁰⁹ Their determination to gain a greater share of political power in the colony proved Darling wrong. In January 1827, 24 colonists requisitioned the sheriff to convene a public meeting to consider petitioning the King and both Houses of Parliament for trial by jury and an elected House of Assembly. The *Sydney Gazette* proclaimed:

¹⁰⁶ *Sydney Gazette*, 4 February 1826, p. 2; *Monitor*, 2 June 1826.

¹⁰⁷ *Sydney Gazette*, 9 September 1826, p. 2.

¹⁰⁸ *Ibid.*, 6, 9 December 1826, p. 2.

¹⁰⁹ Darling to Hay, 17 December 1826, CO 323/146, ff. 267, 276.

In this Requisition we happily witness what we have long ardently wished - the union of men of the first rank, wealth and respectability in the Colony - whose combined influence, looking at wealth alone, ... presents a sum of £950,000, more or less ... Here are 24 Individuals, ... who are found at a moment's call, to request the Sheriff to convene a Meeting for the purpose of constitutionally obtaining those Immunities which should be considered, by Englishmen, more precious than rubies.¹¹⁰

John Jamison and D'Arcy Wentworth headed this list, which included a mix of prominent free colonists, such as J.T.Campbell, Gregory and John Blaxland, Lawson, Cox and Bell, with the emancipists Lord, Terry, Redfern and Robert and Daniel Cooper. The meeting was set down for 26 January, the 39th anniversary of the founding of the colony.¹¹¹

The local press urged colonists to help set the foundation-stone of British freedom in the colony by participating in this auspicious event.¹¹² Colonists crowded into the courthouse and cheered as William Wentworth rose to commence his speech.¹¹³ He informed the gathering that they had assembled to consider the propriety of petitioning the King and both Houses of Parliament for the extension of the two great constitutional privileges, trial by jury and taxation by representation. After a long peroration, Edward Hall then read the proposed petition to the assemblage. It assured the King that their competency for trial by jury had been established by upwards of two years experience in the court of quarter sessions. It maintained that four-fifths of the petitioners had been excluded from acting as jurors upon the assumption that those originally transported to the colony were

¹¹⁰ Sydney Gazette, 20 January 1827, p.2.

¹¹¹ Ibid., 19 January 1827, p.1.

¹¹² Ibid., 22 January 1827, p.2.

¹¹³ Ibid., 27 January 1827, p.2 ; Monitor, 27 January 1827, pp.292-3.

ineligible by law to hold that office. In praying for an elected Assembly, the petition alluded to the Macarthur, Oxley, Bowman combination, by pointing out that there were some private families in the colony possessing sufficient wealth and influence to monopolise for themselves and their nominees a great many votes. In order to neutralize this influence and to give the colonists a real voice in the management of their interests, the petitioners recommended that the legislative assembly should consist of no fewer than 100 members. Wentworth placed the petition before the meeting for its adoption. Sir John Jamison seconded William's motion, and the meeting gave its approval.¹¹⁴

In forwarding the petition to England, Darling stated that several respectable persons and principal inhabitants of Sydney had attended the meeting. He maintained that, while they appeared united in the broad objectives outlined, there existed considerable disagreement on the size of the assembly. He dismissed the proposal for a one hundred member assembly as extravagant and wild, and expressed concern over the growing influence of the "Radicals", William Wentworth and Wardell. In an attempt to discredit William, he wrote a letter home describing him as "the natural son of a Highwayman and a convict."¹¹⁵

D'Arcy Wentworth's name may well have been secretly vilified in confidential letters leaving New South Wales for the Colonial Office, but he continued to command wide respect in the colony. Wentworth's public reputation even withstood a legal suit by Ann Lawes's husband. Mackneal had reappeared in Sydney after having spent many years in Van Diemen's Land. In October 1824 he wrote to the attorney general seeking his advice

¹¹⁴ *Ibid.*; F. Forbes to R. Wilmot Horton, 6 February 1827, M.L.A1819, f.84.

¹¹⁵ R. Darling to Hay, 20 April 1827, CO 323/149, f.271.

and assistance in obtaining redress for "the great injury he has suffered and hopes in life frustrated" by Wentworth's base act of seduction.¹¹⁶ With Mackneal unable to pay legal fees, Bannister declined to intervene in the case. Pleading poverty, Mackneal wrote to the governor in August 1825, requesting him to direct one of the Crown legal officers to pursue, on his behalf, a civil action against Wentworth for the restoration of his wife.¹¹⁷ In January 1827 Wentworth received a summons, giving notice of Mackneal's intention to sue him for £1,500 damages. The case came to trial on 22 March 1827, but the court declared the case unsuited and dismissed it.¹¹⁸

Such incidents did not undermine Wentworth's value as an experienced colonist and businessman. In January 1827 he became president of the Bank of New South Wales. Nor did the incident prevent him from engaging in his chosen social activities. In March he formed a committee and chaired the celebration dinner honouring Saint Patrick. Justice Forbes, Colonel Mills, the sheriff Mr Mackaness and his long-term friend Piper attended as invited guests. During this lively dinner attended by 40 merry-makers, good humour, harmony and cordiality flowed as readily as the alcohol. On the cloth being removed, Wentworth stood and proposed a toast to the King. He again rose and "displaying a full glass of Irish whiskey, requested all present to charge their glasses with the precious liquid ... and exhaust them to the memory of one whose fame can never die ... - Saint Patrick." Amid the general air of festivity, and with memories still warm, Wentworth asked those assembled

¹¹⁶ J.Mackneal to S.Bannister, CSIL, Letters and Petitions, 1825, AONSW, Bundle 25, ff.75-6.

¹¹⁷ Petition of J.Mackneal, August 1825, *ibid.*, ff.76-8.

¹¹⁸ Entry No. 212 for the year 1827, Process Book, no. 1, 1826-9, AONSW, 5/4529,

not to forget the memory of his benefactor and friend, "the late lamented Major General Macquarie." They drank the toast in solemn silence.¹¹⁹

The Sydney Press embraced Wentworth. In May rumour that Dr Dalhunny was to succeed Captain Rossi as superintendent of police prompted the *Australian* to suggest that Dalhunny could hardly consider himself equal to the task. The paper declared "There is but one man in the Colony who, by his ability to fill the office, and by his claim as Senior Magistrate, fit and entitled to receive the appointment - and that man is Mr. D'Arcy Wentworth." Although the paper recognized that it would be difficult to induce Wentworth to take office again, it suggested that nothing could persuade them of the governor's goodwill toward the colony if Wentworth were passed over.¹²⁰

Two days later the *Sydney Gazette* criticised the narrowness of the existing council. It argued that it was impossible for the governor to gain any real appreciation of the state of the colony while only three colonists - who were supposed to represent the interests of the body politic - were members. It named Mr Jones, Sir John Jamison, Mr D'Arcy Wentworth, Mr William Cox, and Mr Wollstonecraft as men who would ably, honestly, and disinterestedly assist the governor.¹²¹

As winter advanced, Wentworth fell dangerously ill with influenza.¹²² He died at his Homebush residence on 9 July 1827. Saddened by the loss of the old colonist, people from all walks of life gathered at his home to pay their last respects. Despite the dismal weather and the influenza epidemic

¹¹⁹ *Australian*, 20 March 1827, p.3; *Sydney Gazette*, 20 March 1827, p.2.

¹²⁰ *Australian*, 9 May 1827, p.3.

¹²¹ *Sydney Gazette*, 11 May 1827, p.2.

¹²² *Monitor*, 10 July 1827, p. 499.

which was sweeping the colony, friends, public officials, tradesmen and relatives joined the funeral procession which stretched for nearly a mile. Upwards of 40 carriages and more than 50 gentlemen on horseback accompanied the hearse on its journey to Parramatta. At St John's the coffin was removed from the hearse. William Redfern then led the procession into the church, followed by eight of D'Arcy's servants bearing the coffin on their shoulders, with the pall bearers Piper, Lawson and Campbell walking on one side, and Harris, Brooks and Throsby on the other. William Wentworth, friends and relatives of the deceased took their places in the church; the Reverend Samuel Marsden conducted the service.¹²³

After the service, over 100 guests gathered at Walker's Inn to take of refreshments and reflect on Wentworth's long life. They remembered him as a humane and liberal master, a steadfast ally, an able, impartial, and fair public official and as a friend of the people. ¹²⁴

Ann Lawes, who would give birth to Wentworth's youngest son, Charles D'Arcy, in the New Year was not mentioned in public accounts of Wentworth's death or funeral; she remained a private part of his world.¹²⁵ Referring to her in his will as "my dear friend Ann Lawes, the mother of seven of my children", Wentworth entrusted his estate at Homebush to her, directing that on her death ownership would revert to their son John. To Maria Ainslie, his "housekeeper", he left £200, with an additional arrangement for her to receive a weekly sum of £3 for the remainder of her life. He bequeathed to her the cottage and land in George Street, Sydney, where she resided, stipulating that on her death ownership would pass to

¹²³ Australian, 11 July, 1827, pp.3-4, 13 July 1827, p.3; Monitor, 12 July 1827, p.511.

¹²⁴ ibid.

¹²⁵ See Entry under Charles D'Arcy Wentworth, No. W0 996, Census of New South Wales, November 1828, Sydney 1980, p. 388.

his son D'Arcy. Wentworth made provision for his nine children to share in his estate; to John he left his South Creek property, to D'Arcy the Fitzwilliam estate at Toongabbie, to George and Martha the Elmsall Park estate, and to his young daughter Katharine, his properties at Broken Bay, North Harbour and Duck River. Martha, Sophie, Robert, Mary Ann and Katharine became tenants in common of over 13,000 acres. His first born, William, inherited land at Bringelly, the house and grounds at Parramatta, property in Sydney Town, a curricle and harness and a share of his father's livestock.¹²⁶ As head of the family, he arranged for the remains of his mother, Catherine, to be removed from a nearby grave and buried with those of his father. Out of respect for his mother's memory and conscious of his family's name, William referred to her as D'Arcy's wife. In memory of the man he loved and admired, William had the words "In my Father's House are many Mansions" inscribed on the tomb.¹²⁷

¹²⁶ D. Wentworth Will, Item 94, D. Wentworth, Miscellaneous Material, M.L. MSS 8/4. For Wentworth's land holdings see Appendix I.

¹²⁷ Wentworth Papers, A754-2, f.635.

Conclusion

On boarding the *Neptune* in December 1789, D'Arcy Wentworth seized the opportunity to redeem his name and to start his life afresh in a new and distant land. His future nevertheless appeared bleak. Although a trained doctor with impressive family connexions, he had shown himself to be a restless and impressionable young gentleman, with a taste for low life, who was given to desperate and foolhardy exploits. He seemed to possess none of the independence of mind or strength of character needed to make good in a frontier country.

Wentworth had grown up depending on others to direct and guide him and to help him whenever he found himself in difficulties. To a significant degree, he relied on his personal charm to win people's support. When he arrived in New South Wales, he immediately sought to establish friendly ties with influential people. He soon realized that Governor Phillip would be an important patron and turned to him for the protection and favours he had received at home.

During his first weeks of exile, Wentworth learned a number of important lessons: first, that his patrons in England could not always secure his wants; secondly that Phillip's favours and indulgences would have to be earned. Wentworth knew that he was on probation and would have to prove his worth.

His influential contacts in England and his professional training set him on the path to success in the colony, but it was ambition, capacity for hard work and sound business sense that propelled him. On Norfolk Island he used his family name, medical skills, drive and acumen to establish himself. By 1796 he had won the favour of the commandant and acquired land through

official indulgence and private transactions. Through his own efforts, he had accumulated a significant sum of money and earned a reputation for diligence.

On his return to Sydney, Wentworth was welcomed and encouraged by Governor Hunter under whose patronage, Wentworth set out to fulfil his need for recognition, approval and security by obtaining a commission as assistant surgeon, by expanding his trading activities and by increasing his landholdings. He soon found that industry, family name and the governor's friendship were insufficient to cushion him against the pretensions of some of his fellow officers and colonists. His success and favoured position fanned envy and Wentworth found himself a target for their barbs. They used his past to discredit him and to justify excluding him from their society. His first reaction was to escape from their vindictiveness but his desire to protect his business interests prevailed: he remained in the colony and performed his public duties.

Under King, Wentworth experienced the frustrations and disappointments of being subjected to the will of an antipathetic governor. During this period he continued to seek the intercession of his patron, but increasingly drew on his own resources to gain ground in New South Wales. By this stage he fully appreciated the importance of financial independence as an answer to his detractors and as a buffer against the whims of his superiors. He wanted the safety and prestige of official rank, but came to a stronger conviction that a private fortune offered a better chance for recognition, security and peace of mind.

Despite his growing independence, Wentworth suffered humiliation and anxiety under Bligh. These experiences, particularly his suspension as assistant surgeon, further impressed on him the importance of wealth as a

means to insulate himself against the designs of others. By late 1809 he was prepared to forgo the prestige and security of public office to acquire large estates and envisaged overseeing a vast Wentworth domain.

Notwithstanding the security that Macquarie brought to Wentworth's life, D'Arcy continued to pursue his quest for recognition and material wealth. During Macquarie's administration, he effectively combined public office, trade and farming. Again the governor's patronage and Wentworth's emerging social and economic prominence aroused envy. But he was growing in confidence and self-assurance and, by the time he was ready to retire from public life in 1825, he himself had become a patron in New South Wales - a colonial elder to whom others looked for recognition and indulgence.

In remembering Wentworth after his death the *Sydney Gazette* observed that he "had the art of maintaining his own opinions and of acting independently throughout life without making enemies." This view of Wentworth was accurate, but only after he had attained a position of social and economic prominence in the colony. Circumstances had not always favoured him. The *Sydney Gazette* was unmindful of those early years when, as a junior officer attempting to find his way in New South Wales, he had struggled against prejudice, jealousy and divisiveness as well as his own impetuosity and insecurity.

During those times of trial and conflict Wentworth showed that he possessed the qualities necessary to succeed in colonial life. He was an enterprising man of action, seeking to make his way in a competitive world of business. He was also an opportunist, keen to take advantage of any chance that promised recognition and personal fortune. He saw advantages to be gained from serving as provost marshal and naval officer, and

unashamedly canvassed these positions. He did not balk at the idea of distilling brandy, dealing in spirits, lending money, or employing unauthorised convict labour. At times unscrupulous in his dealings, he was prepared to exploit his position of influence to advance his interests.

He was, as well, an ambitious man who craved recognition and approval, but his enthusiasm for success was guided by a sound business sense. The colony afforded Wentworth the opportunities to speculate and he did not hesitate to embark on risky ventures, among them the sandalwood expedition and the construction of the General Hospital. He underwrote these undertakings with his substantial investments in land and livestock.

His energy and drive matched his ambition, and he welcomed the opportunity to occupy public office. Under Macquarie he served in a number of key and demanding administrative positions. In his zeal, he overstretched his capabilities which led him to delegate responsibility and to neglect supervision. Nevertheless, through hard work and dedication, he managed to accomplish much, particularly when considering the want of trained, skilled and competent people to assist him. The police establishment in Sydney performed creditably under his superintendence, and his efforts as treasurer of the police fund were appreciated. The General Hospital in Sydney and the Bank of New South Wales owed him a debt as did the Sydney Turf Club. During his years in the colony he purchased, cleared and developed vast tracts of land, and contributed significant quantities of meat and grain to the government stores.

Above all, Wentworth was a survivor and a resourceful and persevering character. He sought to win people to his side through diplomacy and patience. He could feign dutifulness and gratitude if he thought such conduct would benefit him. When confronted with unpleasantness, he

preferred to walk away; when involved with warring factions, he looked for neutral ground. But he would not be trampled upon and, when sufficiently threatened or provoked, would retaliate. He showed resoluteness and determination in his confrontation with Crossley and aggressiveness against Mrs Robinson and William Mansell. In the face of King's opposition, he continued with his trading activities and he persisted in his demands for compensation as treasurer of the police fund until Macquarie finally acquiesced. In his anger Wentworth occasionally overstepped the bounds of prudence as he did when he questioned Bligh's motives during his court martial. Such occurrences were rare.

For all his drive and ambition, Wentworth still possessed qualities admired by his fellow colonists. He was neither ruthless nor underhanded. His ambition, rather than being sharpened by greed, was tempered by a genuine concern for others and by his staunch loyalty to his friends. Commissioner Bigge noted that Wentworth had earned the trust of people from all ranks in the colony: High praise in a society where the opportunities for profitmaking fed avarice and jealousy.

As an individual who well knew human failings, he was tolerant and forgiving; he won the respect and admiration of ex-convicts such as Joseph Holt, William Redfern and Robert Lathrop Murray. At times he lost his temper, but Wentworth was usually an amiable person who was valued for his good nature and kind-heartedness.

Although generally remembered as one of the contractors for the 'Rum Hospital', as one of Macquarie's favourites, or as William Wentworth's father, D'Arcy deserves recognition in his own right. In the process of redeeming his name and amassing a private fortune, he contributed to the well-being of the colony and helped in its transition from a prison to a

relatively self-sufficient and prosperous settlement which enjoyed a measure of freedom.

APPENDIX I

D'Arcy Wentworth - Land holdings as detailed in his will dated July 1827,
Item 94, D. Wentworth, Miscellaneous Material, M.L. MSS 8/4.

Estate of Homebush		1,205 acres
comprising;		
D. Wentworth	920 acres	
D. Wentworth	60 "	
Sophia Smithers	40 "	
- Dann	84 "	
Samuel Thorley	100 "	
Estates in the district of Cook		3,957 acres
comprising;		
John Wentworth	700 acres	
Robert Jones	580 "	
- Speed	200 "	
D. Wentworth	350 "	
Edward Smith Hall	1,090 "	
Robert Lowe	1,006 "	
Land and premises at Parramatta	- 31 acres	
Estates at Toongabbie called the Fitzwilliam Estates		2,850 acres
comprising:		
D. Wentworth	2,200 acres	
D. Wentworth	550 "	
- Sanders	100 "	
Estate at Duck River Bridge		100 acres
comprising:		
- Smith	100 acres	
Illawarra Estates		13,050 acres
comprising:		
D. Wentworth	2,000 acres	
"	1,500 "	
"	1,650 "	
"	1,000 "	
- Davy	2,000 "	
- Horsley	1,200 "	
- Mileham	700 "	

- Ralph 1,000 "
D. Wentworth 2,000 "

Land at Liverpool 130 acres
comprising:
- Moore 30 acres
Andrew Byrne 100 "

South Creek Estate purchased from Mr Blaxland 2,280 acres

Land opposite Homebush Estate 130 acres

Estate of Bringelly called Emsall Park Estate 8,515 acres
comprising:

Bents grant 1,265 acres
Bents 800 "
Wentworth 1,000 "
Birch 500 "
Piper 1,500 "
Gore 700 "
Palmer 700 "
Wentworth 300 "
Wentworth 1,200 "

Estates at Broken Bay, North Harbour and Duck River 1,815 acres
comprising:

Cheers 100 acres
Brien 50 "
Jones 25 "
Wentworth 380 "
Campbell 700 "
Napper 600 "

Also at Duck River 250 acres

Estate at Cockle Bay 2 acres

Note: The discrepancies in totals of acres are probably due to approximations made in the will.

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