

Francis Nicholas Rossi :
The Ambivalent Position of a French Nobleman
in 19th Century New South Wales

A thesis submitted for the degree of Doctor of Philosophy
of the Australian National University

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Declaration

This thesis is my own original work, and contains no material which has been previously submitted or accepted for a degree or diploma in any university or other institution. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person, except where due reference is made in the text of the thesis.

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Abstract

This thesis is the first study of the life and career of Francis Nicholas Rossi (1776–1851), a French nobleman born in Brittany and raised in Corsica, who achieved the singular distinction of occupying senior positions in the British Imperial administration of Mauritius and of New South Wales during and after the French Wars (1792–1815). Rossi joined the British Army in Corsica during the British occupation of that island, and fled into exile when the French revolutionary government retook the island. Rossi's career is examined in terms of the historical and social contexts of the various theatres in which he served—Corsica, Holland, Gibraltar, Ceylon, Mauritius and New South Wales—using Bourdieusian analysis to examine the influence of these various environments on Rossi, and his reciprocal influence on them. The thesis also draws on the approach developed by Subaltern Studies scholars to analyse the mocking response of the general populace to Rossi's appointment as Superintendent of Police in NSW, as well as the more antagonistic reaction of the liberal press. At the same time, the ambivalence of Rossi's position is shown by his acceptance as a member of the colony's ruling elite, and the praise heaped upon him by successive Governors. Historians and popular writers have privileged the response of the populace over the more accurate portrayal of him by the press, and the thesis examines how both these responses have in more recent times been overtaken by Rossi's representation in modern popular accounts as a trope of the old convict regime. Finally, the thesis places Rossi in the context of other French settlers of noble background in the colony, as well as other Frenchmen (particularly Corsicans) who also rose to international prominence in the aftermath of the Napoleonic Wars.

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List of Abbreviations

BL	British Library, London
DMB	<i>Dictionnaire de biographie mauricienne; Dictionary of Mauritian Biography</i>
HEIC	Honourable East India Company
HRA	Historical Records of Australia
IOR	India Office Records, British Library
JRAHS	Journal of the Royal Australian Historical Society
ML	Mitchell Library, Sydney
NAM	National Archives of Mauritius
PP	Parliamentary Papers
SLNA	Sri Lanka National Archives
SMH	<i>The Sydney Morning Herald</i>
SRNSW	State Records New South Wales
TGH	<i>The Goulburn Herald and County of Argyle Advertiser</i>
TNA	<i>The National Archives, Kew, United Kingdom</i>
TSG	<i>The Sydney Gazette</i>
TSH	<i>The Sydney Herald (from 1842, the Sydney Morning Herald)</i>
TSM	<i>The Sydney Monitor</i>

Notes

Christened Francis-Nicolas de Rossi, Rossi was known in Australia under the anglicised version of his name, Francis Nicholas Rossi. I therefore use the French form of his name in Chapter 2, but thereafter use the form with no hyphen and without the noble particle “de”.

The use of “de” before the family names of persons of noble background in Corsica during the period under study varies between French authors and often appears to be arbitrary. Xavier Poli writes, however, that Corsican officers in the French army began to place “de” before their surnames from 1752, when Louis XV decided that titles of nobility would be conferred on individuals for meritorious military service.¹ In documents before this time, however, the Rossi family is often referred to as “de Rossi”. I have therefore referred to individuals with the particle where this appears in contemporary documents. It is noteworthy, that despite a proclivity towards distinguishing himself socially from the great mass of the population in New South Wales, Francis Nicholas never used the “de” before his name, unlike his elder brother, Don-Grâce, who did.

Poli also states that, at the same time as the Corsican nobles adopted the use of “de”, they also began to substitute the letter “i” for the letter “y” in their family names. Thus, while early references to the Rossi family often appear as “Rossy”. I have adopted, for the sake of convenience, the spelling “Rossi”.

Finally, a note on the translation of French quotations. I have found that a number of published translations, particularly of Foucault, are inaccurate, or fail to adequately explain the author’s meaning. In such cases, my own translations appear in the footnotes, together with an indication that they are my translations. I have, however, retained references to the published English translations, so that the reader can verify these matters for him or herself. Where there is no published English translation, the translations are my own.

¹ Xavier Poli, *Histoire militaire des Corses au service de la France*. Ajaccio : D. de Peretti ; Bastia : Librairie Ollagnier, 1898–1900. 2 vols. Vol. 2, Première partie, *Peri, Royal-Corse, Corse-cavalerie, Volontaires-Corse, Légion-Corse, Buttafuoco, Régiment provincial de l’île de Corse*, p. 177.

Introduction

This thesis examines the life and career of Captain Francis Nicholas Rossi, who was born in the French town of Vannes (Brittany), in 1776 and died in Goulburn, in southern NSW, in 1851. The issue of a French noble family of Corsica, Rossi enlisted in the British Army in Corsica in 1795 and served the British Crown during the Napoleonic Wars in Gibraltar, Holland and Ceylon (Sri Lanka). He spent 13 years as a senior functionary in the British administration of Mauritius, after this former French colony was taken over by the British. He was appointed Superintendent of Police in NSW in 1824, in which position he served almost continually until his retirement in 1833, despite considerable hostility from some sections of the community. He withdrew to his property, Rossiville, near Goulburn, where he continued to serve the community as a magistrate and J.P. until his death in 1851.

The study of Rossi's life and career sheds light not only on the transnational nature of the British imperial administration in the 19th century, but also on a rare member of the elite of the British Empire, for Rossi was a member of a small class of foreign-born officials, and a French one at that, who rose to prominence after the Napoleonic Wars. The reasons for his success, despite the ambivalent position in which his career ultimately placed him, will emerge, and show how he made use of his intellectual and social resources to advance his career.

The thesis is the first study of Rossi's life, and of his reception in the colony of NSW. While, on the one hand, Rossi was highly respected by Governors Darling, Brisbane, and Bourke and Gipps, he was, on the other, reviled and mocked by the liberal press in Sydney, because of his supposed unsuitability for office, his alleged corruption, partiality, and un-British values and origins. There is much published misinformation about Rossi, and even Hazel King's 1967 entry in the *Australian Dictionary of Biography* contains several errors.¹ Subsequent scholars have touched on his career in Sydney and Goulburn, and

¹ Hazel King, "Rossi, Francis Nicholas (1776–1851)", *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/rossi-francis-nicholas-2610/text3595>. Accessed 29 December 2013.

that, for the most part, uncritically. Apart from bringing to light Rossi's hitherto unknown past, this study of the whole of Rossi's life reveals the same ambivalence in his private persona, for he was intensely British, but with the outlook, manners and life-style of a proud Corsican, and noble French military officer.

Historiographical approach adopted in the thesis

Modern scholarship has produced a considerable body of literature concerning the histories and societies of Corsica, Ceylon, Mauritius and Australia, much of it written from Orientalist, post-colonial and Subaltern Studies perspectives, which provide rich material for understanding the societies in which Rossi lived and worked.

His career saw him appointed to important positions in multi-ethnic and multi-cultural environments in which Corsicans, French, Sinhalese, Malay, Indian, Franco-Mauritian and British peoples were present. These societies were equally diverse, and ranged from colonial, military, slave, penal and free societies. His success was remarkable, and his case unique, given the deep animosity felt by the British towards the French, dating from the 18th century, when the disparate English, Irish, Welsh and Scots nations united to construct a British, Protestant, identity, in the face of Catholic France—the external “Other”.² This enmity hardened during the Wars of the French Revolution and the Napoleonic Wars, when Britain and France were at war for 22 years.

Although service to the British Crown is the underlying theme of Rossi's career, the fact that each of his roles was performed in a different historical context and society means that it is necessary to determine the most fruitful historiographical, social studies and biographical approach to take in examining his life.

Biography, as defined by the *Oxford English Dictionary*, is “the process of recording the events and circumstances of another person's life, [or]

² Linda Colley, *Britons: Forging the Nation 1707–1837*. New Haven : Yale University Press, 1992, p. 25.

the documenting of individual life histories”.³ Any study of an individual’s life must clearly go beyond this to look at the social forces which, in Rossi’s case, shaped his transition from colonial subject to colonial master. His French background, noble heritage and military background and his Corsican origin are also equally important.

While the basic facts of a subject’s life—his or her year of birth, marriage, death and other key events—are likely to be unequivocal, most of the information available about a person is likely to be either a partial, flawed, or uninformed representation of the truth. The individual recording the information, for example, may have done so with a particular bias, whether professional, personal or ideological. Of course, the most biased source can be the subject him, or herself, human nature being such as to want to present a positive picture of oneself. Likewise, the ruling elite in any society is likely to produce accounts that present views fundamentally different to those their vanquished subjects or dominated groups would produce. The latter are not always in the position of being able to, or are actively prevented from, recording their view of events.

The purpose for which the information was gathered is also relevant, as it reflects a deliberate bias on the part of the person compiling the facts. Any official record is likely to confine itself to a strict enumeration of factual details, and to the limited range of aspects that officialdom requires. It is probably unnecessary to point out too that gossip, satire, or vilification—all of which are present in Rossi’s case—are also glaring examples of bias.

Bias can also be unintentional. A writer cannot but write from within the standards, mores and world-view of the society he or she lives in, and from his or her position within it. It is the prism through which they view the world, further modified by the intellectual approach they take up, which could constrain, or indeed expand, their view of the facts. By way of example, Whig historiography, popular in the period under study, tended to view British history as “a steady evolution of British parliamentary institutions, benevolently

³ “biography”. OED Online. Oxford University Press.
<<http://www.oed.com/view/Entry/19219?rskey=9mLQgP&result=1>>. Accessed 21 November 2013.

watched over by Whig aristocrats, and steadily spreading social progress and prosperity”.⁴ Contrarily, A.J.P. Taylor states that a Tory approach “rests on doubt in human nature; it distrusts improvement, clings to traditional institutions, prefers the past to the future”.⁵

The equivocal nature of the details of a person’s life means that it is necessary to go beyond a mere empirical approach to evaluate critically those details, at the same being careful to minimise as much as possible the new bias that such an approach inevitably brings.

A particular bias historians and others often introduce into their analyses is to evaluate past events in terms of current day attitudes and values, a pitfall known as “Presentism”. This is a particular danger in Rossi’s case, for not only was the Georgian worldview completely different to today’s, but he also lived, worked and prospered in the slave society of early 19th century Mauritius. Studying Rossi’s life therefore involves having to come to terms with a number of features of contemporary society which he accepted as normal, but which, from a 21st century viewpoint, are regarded as morally reprehensible and unacceptable. The same considerations apply to the conditions of the penal colony of NSW.

Against these uncertainties, the following discussion canvasses the approaches adopted by historians and others, to arrive at the approach which will offer the most fruitful results in approaching Rossi’s life and times.

Karl Marx and the Marxist approach

The Marxist approach to history can be seen as a kind of Whig history, in that it regards history as an inexorable progression towards a better condition for mankind, in Marx’s case by means of an economically determined process. The outcome, an improvement in society by means of overthrowing the owners of capital and their replacement by state control, is not one that would be desired by the Whigs, however. Marx believed that a society’s culture (the “superstructure”) is determined by its “base”, that is, its economic foundation.

⁴ Arthur Marwick, *The New Nature of History: Knowledge, Evidence, Language*. London : Palgrave, 2001, p. 24.

⁵ A.J.P. Taylor, *Essays in English History*. London : Hamish Hamilton, 1976, p. 18.

At the same time, the ruling elite, through its economic control, is able to manipulate a society's culture to keep the working class in check, by imposing a "false consciousness" which ensures the workers remain unaware of their true condition. The resultant struggles between the rulers and the ruled produce a series of contradictions, the resolution of which, produces new, more advanced, outcomes—the process of dialectical materialism. For Marx, the inevitable outcome was the triumph of the proletariat.

Eric Hobsbawm, a leading Marxist historian, saw this process at work in what he termed "the long nineteenth century", which began with two major events—the Industrial Revolution and the French Revolution. The former, beginning in Britain from the 1780s, removed the shackles from the productive power of human society and launched a period of self-sustaining growth, commencing with the cotton industry.⁶ This in turn fostered the intensive use of slavery in the West Indies and America, and also created a demand for iron and steel, which in turn stimulated the coal industry and the railways. At the same time, a new, more comfortable, class emerged—the bourgeoisie.⁷

The French Revolution was responsible for a completely new way of political thinking, providing "the vocabulary and issues of liberal and radical-democratic politics for most of the world".⁸ From the class struggle of the French Revolution too came the bourgeoisie, whose desire for stability enabled not only Napoleon to emerge as Emperor, but also the spread of liberty and nationalism throughout Europe. This, Hobsbawm argued, developed into imperialism and the global empires of the great powers. The bourgeoisie, however, contained within it the seeds of its own destruction, for the liberal democratic ideas it spread led eventually to revolt and rebellion, and the rivalry of the Imperial powers led to the First World War. According to this deterministic view, the cycle of dialectical materialism brought the nineteenth century to a cataclysmic end in August 1914, from which the victory of the proletariat—at least in Russia—was to emerge.⁹

⁶ Eric Hobsbawm, *The Age of Revolution 1789–1848*. New York : Vintage, 1996, p. 28.

⁷ *ibid.*, p. 34.

⁸ *ibid.*, p. 54.

⁹ *ibid.*, pp. 54–74.

The Marxist approach has been criticised because of its insistence that economic factors are the sole determinant of societal change— leaving aside its dismal empirical record as a predictor of the triumph of the proletariat. To underline the importance of context, Marx’s views were shaped by the historical conditions existing at the time he wrote, when the ownership and control of capital and resources were much more concentrated than they are today. His views have less relevance today, despite the great discrepancies which still exist between the wealthiest individuals and the rest of the population in many Western societies. Government regulation and the rise of unions have meant that control of the means of production has been separated from ownership to a considerable degree, and those with capital now have to share power with other groups whose economic power is based on specialised technical and cultural knowledge. The growth of the public sector and State intrusion into all facets of the economy have also made for a far more complex economy and class structure than those which confronted Marx.¹⁰

Benedict Anderson, another Marxist historian, did not believe Marxism offered an explanation of nationalism, and he postulated the compact of a nation as an “imagined community”, maintained by “the image of [...] communion” which its citizens hold in their minds, even though they can never know all the other members of that communion.¹¹ Anderson also points to universal access to a common script, the existence of large cultural systems such as religious communities and dynastic realms as being necessary conditions to produce a nation.¹² He lays great stress on the awareness of others in the imagined community (which he calls “conception of temporality”) which was spread by the development of “print capitalism”, which allowed rapid and far-reaching dissemination of these influences.¹³

This concept of imagined communities provides a useful tool with which to examine Rossi’s position in colonial society, as well as his impact on it. His family owed allegiance to, and was amply rewarded by, in succession,

¹⁰ Nick Crossley, “Social Class”. In Michael Grenfell (ed.), *Pierre Bourdieu: Key Concepts*. 2nd edn. Durham : Acumen, 2012, p. 97.

¹¹ Benedict Richard O’Gorman Anderson, *Imagined communities: reflections on the origin and spread of nationalism*. London; New York : Verso, 2006, p. 6.

¹² *ibid.*, pp. 12; 36.

¹³ *ibid.*, pp. 32–33.

the Genoese state and the *ancien régime* in France, before taking advantage of the short-lived British occupation of Corsica. Such a succession of ephemeral attachments helps to explain Rossi's intense identification with the imagined community of Britain, his new *patrie*, despite his rejection by the general populace and the liberal press in Sydney. Anderson's analysis also throws into high relief the impact Rossi's vilification by the colonial press had in helping to shape the xenophobic attitudes of the nascent community of NSW.

Marx's ideas have been used by other theorists to develop historiographical approaches which focus more on the individual than on broad historical and economic forces.

Antonio Gramsci and cultural hegemony

Gramsci, an Italian Communist leader, developed Marx's ideas of "false consciousness" and the relation between the base and superstructure by postulating the concept of cultural hegemony. He characterised this as "the 'spontaneous' consent given by the great mass of the population to the general direction imposed on social life by the dominant fundamental group". This consent results historically from the prestige and self-confidence which the dominant group enjoys because of its control of the means of production.¹⁴ This consent extends across "the values, norms, perceptions, beliefs, sentiments, and prejudices that support and define the existing distribution of goods, the institutions that decide how this distribution occurs, and the permissible range of disagreement about those processes".¹⁵

In addition to this "cultural hegemony" over the "underclass", Gramsci pointed to the existence of a "political government", by which the State wields coercive power to enforce conformity and suppress dissent.¹⁶ Despite the ruling group's ability to use force, it still needs to win the consent of its subjects to the social order. This comes about, Gramsci believed, through the existence of what he called "historical blocs" within society, groups bound together by religious,

¹⁴ Antonio Gramsci, *Selections from the Prison Notebooks of Antonio Gramsci*. Ed. and transl. Quintin Hoare and Geoffrey Nowell. London : Laurence & Wishart, 1971, p. 12.

¹⁵ T. J. Jackson Lears, "The Concept of Cultural Hegemony: Problems and Possibilities". *The American Historical Review*, 90/3 (June 1985), p. 569.

¹⁶ Gramsci, loc. cit.

ideological or economic ties. Gramsci rebutted Marx's overdeterministic insistence that only the economic base was relevant, for Gramsci argued that while these groups accommodated themselves to society, they also had the potential to develop counter-hegemonies.¹⁷ Gramsci also attacked the concept of "false consciousness", pointing out that individuals could well be aware of the reasons for their own individual unfavourable circumstances, while at the same time being prepared to accept them.

Gramsci's hegemony is a useful concept in understanding the continuity and resistance to change that exists in society, despite the presence of what, to an outside observer, might be seen as intolerable and unjust conditions. His concept of an underclass has been taken up by other theorists, including a group of Indian historians who have studied the responses of the Indian population to their oppression by the British colonisers. These "Subaltern Studies" have relevance to an examination of Rossi's career, and are discussed below.

Michel Foucault and subaltern studies

The Subaltern Scholars were also influenced by the French philosopher Michel Foucault, a key figure whose views emerged from critical discussion about structuralism. Foucault's views are important, because they underlie the work of later scholars, who have developed critical approaches which are highly relevant to this examination of Rossi's life and career.

Structuralism was based on the views of the linguist Ferdinand de Saussure (1857–1913), who held that linguistic signs were arbitrary, in that there is no inherent connection between the sound of a word and what it signifies.¹⁸ Words have meaning only in relation to other words, and can only be defined by reference to other words. Structuralists argued, therefore, that language does not merely record our world, it *constitutes* our world, and that all systems of signification are structured on underlying codes or systems, in the same way that language is. When the anthropologist Claude Lévi-Strauss wrote that "the apparent arbitrariness of the mind, its supposedly spontaneous flow

¹⁷ Jackson Lears, op. cit., p. 571.

¹⁸ Ferdinand de Saussure, *Cours de linguistique générale*. Paris : Payot, 1955. 5th edn, p. 100; *Course in general linguistics*. New York : McGraw-Hill, [1966], p. 67.

of inspiration, and its seemingly uncontrolled inventiveness imply the existence of laws operating at a deeper level”, he was alluding to underlying mental structures which are present in all systems of signification, including culture and history. When he applied his theory to his study of myths, he explained that his aim was to show “not how men think in myth, but how myths operate in men’s minds without them being aware of the fact”.¹⁹

For Foucault, the idea of constructing our world through language is crucial, for language shapes our whole worldview and ideology, so much so that the word “language” fails to convey its full significance. Foucault uses instead the word *discours* (discourse) to denote the whole range of practices, claims and assumptions which exist in every field of society. He further maintains that not only do such practices mould and individuate us, they are also the means by which we express our subjectivities, and in so doing, we in turn help to consolidate and influence the discourse in question. Foucault captures this two-way process by equating such practices with “conduct”, for “conduct” (as a noun) describes one’s own behaviour, and also (as a verb) signifies the action of leading or influencing others.

Foucault called this process by which our personalities are determined by these discourses, or ways of perceiving the world, “the construction of human subjectivities”.²⁰ These discourses dominate the way we think, and become “common sense” to us, so much so that we are unaware of them—a concept similar to Marxian “false consciousness”.

Each discourse constitutes an all-pervasive power system diffused throughout society, or each sector of society, and is present in each individual in those societies. It differs from a hierarchical power relationship in which one party dominates another, for it is an “individuating power” which makes the individual a subject in a process which “marks him by his individuality, attaches him to

¹⁹ Claude Lévi-Strauss, *The Raw and the Cooked: Induction to a Science of Mythology*: transl. John and Doreen Weightman. London : Cape, 1970, p. 12; id., *Mythologiques : Le cru et le cuit*. Paris : Plon, 1964, p. 20. Claude.

²⁰ Michel Foucault, “Afterword: The Subject and Power”. In H. Dreyfus and P. Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*. London : Harvester Wheatsheaf, 1982, p. 208.

his identity, imposes a law of truth in him which he must recognise and which others have to recognise in him”.²¹

Foucault also points out that relationships of power are rooted deep in society and are not something superimposed from above,²² although he recognizes that violence does play a role in the overt exercise of power, and that wherever there is “a power relation, there is the possibility of resistance”.²³

Knowledge is a key part of Foucault’s thinking and is inextricably linked with the functioning of power in society. In his celebrated work on prisons and discipline, *Surveiller et punir : naissance de la prison*, Foucault explained:

*il n’y a pas de relations de pouvoir sans constitution corrélatrice
d’un champ de savoir, ni de savoir qui ne s’impose et ne constitue
en même temps des relations de pouvoir.*²⁴

Foucault’s post-structuralist approach—that discourses are governed by rules that go beyond the mere linguistic and that there are no overarching explanations—is seen in his 1966 study *Les mots et les choses: une archéologie des sciences humaines*.²⁵ In this work, he defined the nature of knowledge or “épistémè” (“episteme”) as follows:

*Dans une culture et à un moment donné, il n’y a jamais qu’une
épistémè, qui définit les conditions de possibilité de tout savoir.
Que ce soit celui qui se manifeste en une théorie ou celui qui est
silencieusement investi dans une pratique.*²⁶

The episteme which prevails at a given period of history therefore determines what is acceptable in the field of scientific discourse. Foucault examined the

²¹ Foucault, “Afterword”, p. 212.

²² *ibid.*, p. 222.

²³ Michel Foucault, “The End of the Monarchy of Sex”. In Sylvère Lotringer (ed.), *Foucault Live : (interviews, 1966–84)*. New York : Semiotext(e), c1989, p. 153.

²⁴ “There is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations”. Michel Foucault, *Surveiller et punir : naissance de la prison*. [Paris] : Gallimard, [1975], p. 32; Michel Foucault, *Discipline and Punish: The Birth of the Prison*. Transl. Alan Sheridan. New York : Pantheon, 1977, p. 27.

²⁵ *The Order of Things: An Archaeology of the Human Sciences* (1970).

²⁶ “In any given culture and at any given moment, there is always only one episteme that defines the conditions for the possibility of all knowledge, whether it be expressed in a theory or invested imperceptibly in a practice”. Foucault, Michel, *Les Mots et les choses ; une archéologie des sciences humaines*. [Paris] : Gallimard [1966], p. 179. Michel Foucault, *The order of things: an archaeology of the human sciences*. [London] : Tavistock, [1970], p. 168. My translation.

epistemes which prevailed in various periods from the Classical period on in his studies of the discourses of the fields of medicine, penology, and mental health. By studying the history of each, he argued that there was no evolutionary process of change within a discipline that resulted in a superior discipline, for no particular stage in the discourse was intrinsically better, or more “correct”, than another—they were just different.

Developing these ideas further, Foucault believed that history cannot be seen as a continuous narrative with its own logical coherence. As he expressed it, alongside the many continuities and links between individual events, there exist:

*les accidents, les infimes déviations—ou au contraire les retournements complets—les erreurs, les fautes d’appréciation, les mauvais calculs qui ont donné naissance à ce qui existe et vaut pour nous.*²⁷

For Foucault, therefore, history is nothing more than a series of discontinuous events, and conventional historians are mistaken in trying to write history that has an underlying continuity and a specific origin. The correct way to approach history, Foucault believes, is to work backwards from the present, tracing descent backwards, as a genealogist does, to discover not a logical progression from an origin, but rather *des commencements innombrables* (numberless beginnings), whose subsequent impacts on historical events are random and haphazard.²⁸ He continues:

*Là où l’âme prétend s’unifier, là où le Moi s’invente une identité ou une cohérence, le généalogiste part à la recherche du commencement,—des commencements innombrables [...] l’analyse de la provenance permet de dissocier le Moi et de faire pulluler, aux lieux et places de sa synthèse vide, mille événements maintenant perdus.*²⁹

²⁷ “The accidents, the minute deviations—or indeed, the complete reversals—the mistakes, the false reckonings which have brought about the condition which currently holds for us”. Michel Foucault, “Nietzsche, la généalogie, l’histoire”. In Suzanne Bachelard et al, *Hommage à Jean Hyppolite*. Paris : Presses universitaires de France, 1971, p. 152 ; Michel Foucault, “Nietzsche, Genealogy, History”. In Michel Foucault, *The Foucault Reader*. Ed. P. Rabinow. Harmondsworth : Penguin, 1984, p. 81. My translation.

²⁸ Foucault, *ibid*.

²⁹ “There where the soul claims to reunite itself, there where the Self invents for itself an identity or a meaning, the genealogist sets out on the search for the beginning—in fact for countless beginnings [...] the analysis of origins allows the dissociation of the Self and the filling in of the vacuum that is its synthesis, a thousand events that have been forgotten until now”. Foucault, “Nietzsche, la généalogie, l’histoire”, p. 84; “Nietzsche, Genealogy, History”, pp. 151–52.

In so doing, Foucault's approach produces not an exposition of a logical development or of progress in the past, but rather "the history of the present" (*l'histoire du présent*).³⁰

In other words, the historian enables the past to imagine the telling of radically different fictions of who we are or, more importantly, who we might become—a permanent critique of our historical era. In short, history has a subversive purpose for Foucault. Concerned with the "insurrection of subjugated knowledges" to counter "the tyranny of globalising discourse",³¹ it aims to provoke critical self-reflection on the methods of historical research, and "the question of power, the present and the role of discourse as practices".³²

Foucault's ideas about discursive practices have influenced the way many historians think about the concept of power and the role of discourse as practices and "regimes of truth", and they are useful in understanding how Rossi's character, and those of other colonial officials, were shaped by the British colonial system.

Foucault's view of the disjunctive nature of history, however, cannot be applied to the history of an individual, for, despite the chance operation of fate and other events beyond their control, individuals are able to impose a degree of control over their destinies to build on their past experiences and make the best of their situation to forge a progression that has evident causal links. This aspect of Foucault's thought is of little practical use in examining Rossi's life and career, and will be returned to later in the discussion on the writing of biography.

Narrative structure is, however, an essential element in writing history. As William Cronon points out, we impose narrative onto all our experiences, and the telling of narratives is fundamental to the way we organise those experiences—our world is this "endlessly storied".³³ This is a view which is fundamentally opposed to Foucault's belief that no given narrative is

³⁰ Foucault, *Surveiller*, p.35; *Discipline*, p. 31.

³¹ Michel Foucault, *Politics, Philosophy, Culture: Interviews and Other writings 1977–1984*. Ed. I. D. Kritzman. London : Routledge, 1988, p. 262.

³² Andrew Thacker, "Foucault and the Writing of History". In Moya Lloyd and Andrew Thacker, *The Impact of Michel Foucault on the Social Sciences and Humanities*. London : Macmillan, 1997, p. 50.

³³ William Cronon, "A Place for Stories: Nature, History, and Narrative". *The Journal of American History*. 78/4 (March 1992), p. 1368.

to be preferred over any other. As Cronon says, not to search out narrative is to abandon ourselves to “the profoundly unsatisfying and ultimately self-deluding [...] postmodernist deconstruction of texts that fails to ground itself in history, in community, in politics, and finally the moral problem of living on earth”.³⁴

Elsewhere, Foucault postulates the existence of overarching “grand narratives”, which he argues represent a “tyranny of globalising discourses” which disguise and suppress the “subjugated knowledges” of marginalised and ignored groups within society.³⁵ Such subjugated knowledges need to be “resurrected”, via criticism and scholarship, in order to combat the dominant discourse of society. His aims, therefore, are ultimately political, and other scholars have followed through on Foucault’s ideas to develop new approaches to postcolonial histories, which are very relevant to the thesis.

Postcolonial approaches

Orientalism and “history from below”

Edward Said, a Palestinian American academic, took Gramsci’s concept of the hegemonic subjection of the underclass and Foucault’s views on the power of discourse and applied them to the relationship between the West and the Orient. He shared Marx’s criticism of the role of capitalist imperialism, and in his influential work, *Orientalism*,³⁶ argued, as Foucault did, that knowledge, far from being neutral, is in fact an instrument of power. At the same time, like Foucault, Said challenged the idea of the universal validity of Western culture, postulating a fundamental duality between the West and the Orient, in which knowledge gave the West the upper hand.

Said believed the West was able to conquer and rule Oriental peoples because Western scholars had for centuries explored the Orient, both physically and intellectually. The resultant knowledge was then taken up and used by Western

³⁴ *ibid.*, p. 1374.

³⁵ Michel Foucault, “Two Lectures”. In Michael Foucault, *Power/Knowledge: Selected Interviews and other Writings 1972–1977*. Ed. Colin Gordon, transl. Kate Soper. Brighton : Harvester, 1980, pp. 82–84.

³⁶ Edward W. Said, *Orientalism*. New York : Pantheon, 1978.

countries to inform, and thereby maintain, the power structures by which they conquered and ruled Oriental nations.

The impact of Orientalism, Said argues, was not confined to the physical Orient, for it also changed the European psyche, by defining and “locating” Europe’s “Other” as the Orient. Said’s work builds, therefore, on the enduring Western metaphysical concept of a binary opposition in which one side is privileged over the other. The Self is the familiar (Europe, the West, “us”) and the ‘Other’ is strange (the Orient, the east, “them”, etc.).³⁷ The postcolonial critic Ania Loomba took Said’s argument further by defining the self as the colonialist and the ‘Other’ as the colonised, the ‘Other’ being everything that lies outside of the self.³⁸ In short, Orientalism is “a Western discourse about the Orient which is guilty of legitimising the civilising mission, essentialism, expansionism and imperialism and on the other hand, convincing natives of their own inferiority”.³⁹

Said’s insights into the relationship between East and West had the effect of directing scholars’ attention to the role of the colonised. The history of the ruling colonial class which had prevailed until then gave way to the study of subject peoples, with particular reference to the period after independence from the colonising powers. As Gayatri Spivak says, “the study of colonial discourse, directly released by work such as Said’s, has [...] blossomed into a garden where the marginal can speak and be spoken, even spoken for”.⁴⁰

Other scholars had of course already been looking at “history from below” since the 1950s and 1960s, inspired by the Marxist George Rudé, who studied not the dominant social groups or classes, or “elites”, but ordinary pre-industrial urban and rural popular movements.⁴¹ Postcolonialism, however, is a critique of the West’s cultural institutions and thought which implicitly rejects any Whig

³⁷ Said, op. cit., p. 43.

³⁸ Ania Loomba, *Colonialism and Postcolonialism*. New York : Routledge, 1998, p. 144.

³⁹ S.R. Moosavinia, N. Niazi, and Ahmad Ghaforian, “Edward Said’s Orientalism and the Study of the Self and the Other in Orwell’s *Burmese Days*”. *Studies in Literature and Language*. 2.1 (2011), pp. 103–13.

⁴⁰ Gayatri Chakravorty Spivak, *Outside in the Teaching Machine*. New York : Routledge, 1993, p. 56. Spivak later challenged the validity of those who claimed to speak “on behalf of” the marginalised.

⁴¹ Frederick Krantz (ed.), *History from below: studies in popular protest and popular ideology in honour of George Rudé*. Montreal : Concordia University, 1985, p. 3.

notion of the history of the West as an inexorable progression of a superior civilisation. It is, Spivak says, “the construction of a new object of investigation—the ‘third world’, ‘the marginal’—for institutional validation and certification”.⁴²

Postcolonialism may well concern itself with the task of revisiting, remembering, and, crucially, interrogating the colonial past, but there is little consensus among scholars as to its proper content. It is perhaps symbolic of the state of postcolonial studies that there is disagreement about the very name itself—whether it should be spelt “post-colonialism”—in which the hyphen serves as a temporal marker of the decolonising process—or “postcolonialism”—a term which denies any chronological separation, on the grounds that the postcolonial condition began with the onset, rather than the end of, colonisation.⁴³

Postcolonialism has thrown the spotlight onto the history of the colonised, who indeed had for so long been neglected in favour of the history of the coloniser. Before discussing whether postcolonialism has anything to offer this thesis, it will be useful to look at the further development of these ideas by Indian scholars who wished to write a history of India from the point of view of the colonised.

Subaltern studies

The result of these efforts is a school of inquiry now known as Subaltern Studies. This field arose from the work of Ranajit Guha, who was critical of previous Indian historians who neglected the role of the common people, and privileged the colonisers and the indigenous elite in the historical narrative. Guha and his supporters drew on the ideas of Marx, Foucault and Said, but especially on Gramsci’s idea of the subaltern being an active, rather than a passive, agent in history.⁴⁴ Gandhi characterises the group’s aims as an attempt “to allow the ‘people’ finally to speak within the jealous pages

⁴² Spivak, loc. cit.

⁴³ Leela Gandhi, *Postcolonial Theory: A critical introduction*. St Leonards : Allen and Unwin, 1998, pp. 3–4.

⁴⁴ Arnab Roy Chowdhury, “Subaltern Studies”. In Sangeeta Ray, and Henry Schwarz (eds.), *Postcolonial Studies Encyclopedia*. Chichester, West Sussex Malden, MA : Wiley Blackwell, 2016. 3 Vols. Vol. 3, p. 2.

of elitist historiography and, in so doing, to speak for, or to sound the muted voices of, the truly oppressed".⁴⁵

The lack of historical material left by subaltern people themselves presented the group with problems in identifying the subaltern voice. This led them to have recourse to the related disciplines of anthropology, sociology, literature and human geography, as well as narrative, folklore, ethnography and oral-history. Since the historical archives are, in the main, the product of the coloniser, the group adopted the technique recommended for Marxist historians by Walter Benjamin to "read against the grain"⁴⁶ of the archival material, in other words, to interrogate the records to see what they reveal about the subalterns.⁴⁷

This issue of subaltern autonomy, however, is problematic and has been criticised by many scholars. Spivak, contrary to her earlier view, later came to dispute that there is a subaltern voice, arguing that it is impossible for the subalterns to speak for themselves, and although they may be represented by a historian mediating the colonial text, it is still not the voice of the subaltern.⁴⁸ The Subaltern Studies approach has been taken up by scholars working in areas other than India. Clare Anderson has used this approach to marginal groups like the Indian convicts in Mauritius,⁴⁹ and Australian scholars have attempted to identify the subaltern voice of Australian convicts.⁵⁰

The Subaltern Studies approach has much to offer in examining Rossi's experiences in both Mauritius and Sydney. Foucault has pointed out that where there is a power relation, there is the possibility of resistance, and Rossi's positions as Superintendent of Indian Convicts in Mauritius and Chief Police Magistrate in Sydney placed him in very powerful positions indeed. Antoinette Burton has argued that while most historians implicitly accept the grand

⁴⁵ Gandhi, op. cit., p. 2.

⁴⁶ Benjamin's injunction was "to brush history against the grain". Walter Benjamin, *Illuminations*. New York : Harcourt Brace & World, 1968, p. 257.

⁴⁷ Dipesh Chakrabarty, *Habitations of Modernity: Essays in the wake of Subaltern Studies*. Chicago : Chicago University Press, 2002, p. 15.

⁴⁸ Gayatri Chakravorty Spivak, "Can the Subaltern Speak?". In Bill Ashcroft *et al* (eds.), *The Post-colonial Studies Reader*. 2nd edn. New York : Routledge, 2006, p. 28.

⁴⁹ Clare Anderson, *Subaltern Lives: Biographies of Colonialism in the Indian Ocean World, 1790–1920*. Cambridge : Cambridge University Press, 2012, pp. 7–8.

⁵⁰ See Hamish Maxwell Stewart, "The Search for the Convict Voice". *Tasmanian Historical Studies* 6 (1998); Michael R. Wolter, "Sound and Fury in Colonial Australia: The Search for the Convict Voice, 1800–1840". PhD Thesis. University of Sydney. 2014.

narrative of the British Empire's inexorable progress and global reach, "imperialism on the spot was downright rocky, its realities grimmer and more alarming than the tuneful imperative of *Rule Britannia!* allows".⁵¹

Rossi's experiences in the colonial settings of Ceylon, Mauritius, Sydney and even in Corsica bear this out, for they are all marked by resistance in various forms, often violent.⁵² In Sydney, in particular, the Subaltern Studies approach can explain the hostile reception which Rossi received in Sydney, for it sprang from the resistance and resentment of the subaltern class of convicts. Unlike India, and elsewhere, where the voice of the colonial subject has gone unrecorded, it is the voice of the convict which has been preserved in the historical record, overshadowing the more considered (and more accurate) view of Rossi which the liberal press of Sydney portrayed. This will be discussed in Chapters 1, 6 and 7.

Despite its focus on the colonial subject, the Subaltern Studies approach also offers a useful way of analysing much of the archival material relating to Rossi in Mauritius and Australia. The idea of "reading against the grain" is a useful tool, applicable also to the colonisers' records to discern information about the colonisers themselves. By way of example, Rossi's official correspondence is the very model of official and often elegant English, but it is not until we read a personal letter he wrote in 1850 that we realise his English was in fact poor. This gives an important insight into the functioning of the British colonial administration, for Rossi had educated clerks supporting him, who enabled him to perform at the high level of administration which his duties demanded. Since report writing and correspondence was, even then, a fundamental part of government administration, Rossi clearly had other qualities to offer that justified his retention of the high offices which he held down.

⁵¹ Antoinette Burton, *The Trouble with Empire: Challenges to Modern British Imperialism*. Oxford : Oxford University Press, 2015, pp. 2–4.

⁵² Clare Anderson has used Foucault's ideas about knowledge and power to question the extent to which British colonial power was able to control Rossi's convict charges in Mauritius. Clare Anderson, "The Genealogy of the Modern Subject: Indian Convicts in Mauritius, 1814–1853". In Ian Duffield and James Bradley (eds.), *Representing Convicts: New Perspectives on Convict Forced Labour Migration*. London and Washington : Leicester University Press, 1997, p. 176.

The Subaltern Studies approach therefore offers the present study very useful insights, but there are other approaches which offer equally powerful methods of examining Rossi's life, and to these we now turn.

The French sociologist Pierre Bourdieu and the concept of *habitus*

The work of Pierre Bourdieu originated in his ethnological and sociological work in Algeria and later in France, inspired by his desire, during military service in Algeria, to understand the impact on Algerian society of the collision between colonial capitalism and indigenous nationalism.⁵³ One of Bourdieu's influences was Max Weber (1864-1920), who believed that ideas can exercise a powerful influence in society. Weber's views were most famously set out in his study *The Protestant ethic and the spirit of capitalism*, in which he ascribed the development of capitalism in Northern Europe to the influence of Protestantism.⁵⁴ Bourdieu set out to examine the relationship between the objective structures of the outside world and our individual thoughts and behaviour, and his impact on the social sciences has been profound. As he explained, "all of my thinking started from this point: how can behaviour be regulated without being the product of obedience to rules?"⁵⁵

Like Foucault, Bourdieu stressed the importance of discourse in this relationship, but he strongly rejects the dualist thinking that underpins many of the approaches discussed above. He therefore maintains that objective reality and our own subjective actions are inextricably linked—so much so that, while the objective limitations of society constrain our actions, our individual subjective actions also shape and modify those objective realities, albeit over time.

Bourdieu argues that, in negotiating the world, individuals make the best possible use of the resources available to them, and he borrows the term "capital" from economics to describe the totality of an individual's resources—

⁵³ Loïc Wacquant, "Pierre Bourdieu". In Rob Stones (ed.), *Key Contemporary Thinkers*. London and New York : Macmillan, 2006, pp. 261–62.

⁵⁴ Max Weber, *The Protestant ethic and the spirit of capitalism*. Transl. Stephen Kalberg. (*Protestantische Ethik und der Geist des Kapitalismus*). Chicago; London : Fitzroy Dearborn, 2001.

⁵⁵ Pierre Bourdieu, *In Other Words: Essays Towards a Reflexive Sociology*. M. Adamson (transl.). Cambridge : Polity, 1994; Pierre Bourdieu, *Choses dites*. Paris : Editions de Minuit, 1987.

not just the financial resources available to him or her. He then classifies capital into four types: economic, cultural, social and symbolic. Economic capital represents an individual's financial resources, and cultural capital his or her intellectual capabilities (including education). An individual's social capital is made up of their persona and the public networks he or she builds up and exploits, while symbolic capital consists of the less tangible, but equally important, attributes of legitimacy, status and reputation.

Each type of capital can be converted or transferred into other types, but Bourdieu does acknowledge the greater facility with which economic capital can be converted into other types of capital. The use of economic resources to gain an education, thereby increasing one's cultural capital is an obvious example. Capital can also be transferred intergenerationally, and Bourdieu instances parents who use their financial resources to purchase a good education for their offspring, thus enhancing the child's cultural capital.

An individual's portfolio of capital is put to use in what Bourdieu calls "fields", and his use of the French word "*champs*", as with the English "field", embraces several concepts, ranging from an area of land, a field of battle, a playing field and a field of knowledge,⁵⁶ all of which are relevant to his thinking. Bourdieu builds on the example of playing fields to make the point that it is not sufficient to know the rules of the game, one needs also to have "a good feeling for how the game is played", in other words, how to maximise one's own set of dispositions to the reality of the game.⁵⁷

"Disposition" is another of Bourdieu's key concepts, and comprehends all our predispositions, tendencies, propensities and inclinations,⁵⁸ the totality of which constitutes what Bourdieu calls our *habitus*. This is an old philosophical concept described by the Latin word *habitus*, which means both

⁵⁶ Patricia Thomson, "Field". In Michael Grenfell (ed.), *Pierre Bourdieu: Key Concepts*. 2nd edn. Durham : Acumen, 2012, p. 66.

⁵⁷ Craig Calhoun, "Pierre Bourdieu". In George Ritzer (ed.), *The Blackwell Companion to Major Contemporary Social Theorists*. Blackwell Publishing, 2003. Blackwell Reference Online.
http://www.blackwellreference.com/subscriber/tocnode.html?id=g9781405105958_chunk_g978140510595814. Accessed 10 October 2013.

⁵⁸ Pierre Bourdieu, *Outline of a Theory of Practice*. Transl. R. Nice. Cambridge : Cambridge University Press, 1977, p. 214 ; Pierre Bourdieu, *Esquisse d'une théorie de la pratique*. (1st edn 1972). Paris : Seuil, 2000.

“a disposition”, as well as “an acquired perfect state or condition”.⁵⁹ The active and passive states conveyed by the Latin perfectly capture what Bourdieu intends, for *habitus* is at once something that is both structured and structuring (*structure structurée et structurant*).⁶⁰ It is *structured* by the dictates of external society, and *structuring*, because it gives form and coherence to an individual’s activities within society. It is also continuous and discontinuous: *continuous* because it is the means by which we store society’s dictates within us for our future use, and *discontinuous* because it can be altered as we take on new dispositions, transfer our dispositions to different fields, or adapt to new social situations.⁶¹

The principle of reflexivity pervades all of Bourdieu’s thinking, and its importance cannot be overestimated, for in the relationship between an individual’s *habitus* and society, each is inextricably bound up with the other. As Navarro explains, the use of *habitus* is neither “the free intentional pursuit of individuals”, nor the result of “the mechanical imposition of structures”.⁶² It comprehends both, and just as society impacts on each individual’s *habitus*, so the exercise of each individual’s *habitus* both reproduces society and modifies it, however imperceptibly. Because the social practices which result from any single individual’s use of *habitus* are moulded by the dominant structures within society, any single individual has only a small impact on society, so that, in the normal course of events, society changes very slowly, and over a long time.⁶³

To round off this outline of Bourdieu’s views, our *habitus* is also influenced by what Bourdieu called *doxa*, an inherent preconscious understanding of “the way things are”. It is “felt reality”, Calhoun says, “what we take not as *beyond* challenge but *before* any possible challenge”.⁶⁴ It is a socially implanted understanding, which varies from field to field, culture to culture, and from historical period to historical period, and is responsible for individuals not being

⁵⁹ Charlton T. Lewis and Charles Short, *A Latin Dictionary*. Oxford : Clarendon Press. 1879.

⁶⁰ Pierre Bourdieu, *La distinction: critique sociale du jugement*. Paris : Les Éditions de Minuit, 1979, p. 19.

⁶¹ Wacquant, op. cit., p. 7.

⁶² Zander Navarro, “In Search of a Cultural Interpretation of Power: The Contribution of Pierre Bourdieu”. *IDS Bulletin* 37/6 (November 2006), p. 16.

⁶³ *ibid.*

⁶⁴ My emphases. Calhoun, op. cit., p. 15.

aware of their subjection to social forces.⁶⁵ It is therefore similar to Marx's "false consciousness", Gramsci's "hegemony", and Foucault's "discourses", but Bourdieu calls it *méconnaissance* (misrecognition) because our most fundamental societal understandings are subject to distortion, misunderstanding, or error. Navarro cites the European centuries-long doxic understanding that the world was flat, and that to think otherwise was madness. Notwithstanding its inherent imperfections, misrecognition is nevertheless a fundamental feature of our functioning in society.

Normally, individuals in society have a close match between their *habitus* and the fields in which they operate, and are at home in the *doxa* pertaining to that field, fully conscious of what they can and cannot do. There are, however, situations where there is a mismatch between *habitus* and field. In such cases, the durable nature of our dispositions may not be flexible enough to cope with a rapidly changing field,⁶⁶ as Bourdieu found with the Algerian peasants who were unable to adjust quickly to the commercial economy imposed on them by French colonialism. Bourdieu named this condition *hysteresis*, and it is likely to befall anyone who participates in a foreign culture. It applies in Rossi's case, both to him and to the NSW society which experienced difficulties in accepting him.

Apart from this, the application of Bourdieu's approach offers other insights into Rossi's career. The ability to be able to map out an individual's position in any given field by reference to the disposition of his capital, and to plot that person's progression through life as a trajectory of successive dispositions, is a useful approach to understanding how Rossi transformed the original stock of capital in his *habitus* into other forms of capital, and, over time, transferred them from one field to another. In other words, this enables us to identify how Rossi developed throughout his career, building on his capital, his innate abilities and his experiences to progress from one stage of his career to the next.

Bourdieu's approach provides a methodology with which to examine Rossi's life within a framework that is far less abstract than Foucault's, and is a more

⁶⁵ Navarro, op. cit., p. 1.

⁶⁶ Bourdieu, *Distinction*, p. 158.

complex and integrated approach. Bourdieu's emphasis on the reflexive relationship between society and the individual illuminates Rossi's difficulties in New South Wales, and prompts us to consider not only how British society may have shaped Rossi, but what reciprocal impact he may have had upon his own milieu in NSW and Mauritius.

Finally, the application of Bourdieu's ideas of capital and *habitus* allows us to explore the rich nature of Rossi's own portfolio of capital—economic, cultural, social and symbolic. His was an exotic background, and while he was by no means well-endowed with economic capital, he did possess a formidable stock of cultural, social and symbolic capital in the form of his noble Corsican and French background and his status in the British military to advance his career in an alien society. The notion of *habitus*, along with Bourdieu's other concepts including capital, hysteresis and reflexivity, will appear in the thesis as Rossi's life and character are examined.

Before concluding, it will be in order to briefly consider the relevance of the above historiographic approaches to the writing of biography.

Bourdieu is sceptical that it is possible to write an accurate biography. He talks, rather, of *l'illusion biographique* (the biographical illusion), for he believes the practice of biographers (and autobiographers) to use their professional and personal interpretative dispositions to impose a coherent progression on the data of a life is a flawed process.⁶⁷ The selection of the significant events of a person's life and the establishment of meaningful and causal links between them can only result in what he terms a "formidable abstraction" of the subject of the biography. In other words, the process produces something resembling an "official identity" that is represented by the totality of that person's "official" existence—an identity card, a civil registration record, a *curriculum vitae*, and an official biography. Like Foucault, Bourdieu sees the process as flawed, but unlike Foucault, Bourdieu goes on to affirm the possibility of accurately portraying a "personality", that is to say an individual with a *habitus* and the ability to adapt to, and function effectively in, a number of fields. To achieve this, however, Bourdieu believes it is crucial for the biographer to be aware of

⁶⁷ Pierre Bourdieu, "L'illusion biographique". *Actes de la recherche en sciences sociales*. 62/1 (1986), pp. 69–70.

the contexts in which an individual makes his or her life choices, while at the same time being conscious that those contexts are themselves changing and that other individuals are also acting within them. For Bourdieu, context is paramount, and he tellingly points out that no one undertakes a voyage without having some idea of the countryside through which he or she will travel.⁶⁸

Giovanni Levi also discusses the problematic nature of the biographer's task. It is rare, he writes, for a biographer to be able to resist imposing functionalist patterns or the assumptions of neoclassical economics on the subject. In other words, a biographer should not assume that individuals always act as though they were "in possession of complete information and [...] have the same cognitive dispositions, obey the same decision-making mechanisms [as others] and deal according to a socially normative and uniform sum of profit and loss".⁶⁹ This error can be countered, he argues, by respecting the freedom of choice available to individuals, acknowledging that people can make decisions that are contrary to their own interests, and that normative systems can often function in contradictory ways.⁷⁰

In Rossi's case, the differing contexts or fields in which he operated are striking. He spent his life in diverse societies, from his early years as a colonial subject of Genoa, France and Britain, to service in the British Army in various European theatres before being posted to serve in a Malay regiment in Ceylon. Then followed 14 years in the Francophone British colony of Mauritius, before taking up a senior judicial position in the penal colony of NSW. His last 25 years were spent in the frontier society of rural Goulburn in southern NSW. Despite the warnings of Bourdieu and Levi against imposing arbitrary judgements on Rossi's life, it is possible to see that his career does have a logical progression, and that a pattern of influences on his *habitus* is at work. Levi's caution against assuming people always act rationally in their own interests is also relevant, for there were several instances where the fallible nature of Rossi's *habitus* intervenes, to his cost.

⁶⁸ *ibid.*, pp. 71–72.

⁶⁹ Giovanni Levi, "The uses of biography". In Hans Renders and Binne de Haan, *Theoretical discussions of biography: approaches from history, microhistory, and life writing*. Lewiston, New York : Edwin Mellen Press, [2013], pp. 107–8.

⁷⁰ *ibid.*

Levi also identifies four possible approaches to the writing of a biography, and provides useful insights into the nature of the task. He identifies firstly a prosopographical approach, in which an individual's life is studied because it is illustrative of the typical forms of behaviour or the status of a group in society—it is therefore an exemplar of its context. The second approach is the opposite, where the social and historical context of a period or a particular group serves to explain an individual's actions. The third approach is also concerned with the historical context, but views it from the point of view of an individual situated at the margins of that society. This is a dialectical approach, Levi argues, in which the historical context is examined by reference to the experiences of someone “on the edge” of that society. Finally, Levi talks of the hermeneutical approach, which recognises that the biographical material is subject to differing interpretations.⁷¹

Levi's four approaches are not mutually exclusive, for a biography can contain elements of all four. Levi's prosopographical approach is less useful, for an examination of the lives of several individuals would be necessary before the nature of that society could be known. Moreover, Bourdieu would regard this as too passive a concept, for an individual's *habitus* is more than illustrative of a field, it is inextricably bound up with it, in that the *habitus* acts upon the field, just as the field acts upon it. To take the present subject, Rossi's behaviour and manners are indeed illustrative of several historical periods and classes, and his behaviour impacted on them—in terms of reinforcing and sustaining the *doxa* of the fields in which he operated—just as those fields served to shape his character and his behaviour.

This thesis makes use of all of Levi's four approaches, although it privileges the second, as it analyses Rossi's actions principally in the context of the social and historical fields in which he operated, bearing in mind the pitfalls which Bourdieu and Levi himself point out. The concept of the marginal approach is also useful, for Rossi was indeed situated on the margins of society, in his army career among the British, and among the Sinhalese and Malays of Ceylon, in his administrative career in Francophone Mauritius, and his police and judicial roles in colonial Sydney and Goulburn. Lastly, the hermeneutic

⁷¹ *ibid.*, pp. 98–105.

approach is also relevant, as is evident from the discussion of the Subaltern Studies approach, for there is no settled judgement on Rossi's character and career, either by his contemporaries or by later commentators and scholars. Any judgement must inevitably reflect the standpoint of the observer.

Nor should it be forgotten, in discussing the hermeneutic approach, that a third party is also involved, that of the reader, for in addition to the interpretation placed on the material by the biographer, the reader too imposes his or her predispositions on the material. Careful scholarship by, and some restraint on the part of, the biographer, however, can mitigate this bias, and produce what Inge Clendinnin calls not so much "an artfully constructed narrative with the (inevitably inadequate) evidence banished to footnotes, but a dialogue between historian and reader as they explore the fragile sources, and the silences, together".⁷² This has been my aim.

The thesis also contributes to our understanding of Australia's colonial legacy and, in particular, attitudes to the French in this country, testing in the process the limitations of such an "ethnic" category based on supposed national identity. It also contributes to knowledge of the period by examining the importance of language in the issue of xenophobia in early NSW (for Rossi never managed to lose his foreign accent), and the indispensable role of patronage in the administration of Britain's Empire. It also develops Kirsten McKenzie's concept of "decentralising" Australia's national history, by highlighting the transnational aspects of our colonial history, in contrast to the nationalistic character so often ascribed to it.

Transnational history is the study of the ways in which past lives and events have been shaped by processes and relationships that have transcended the borders of nation states.⁷³ It sprang from the work of historians in the 1990s and 2000s who examined the question of "exceptionalism" in the history of the United States, that is, whether the history of the US was "'outside' the normal patterns and laws of history", as compared particularly to European

⁷² Inga Clendinnen, "Van Diemonians. Review of *Van Diemen's Land: A History* by James Boyce". *London Review of Books*. 30/23 (4 December 2008), p. 36.

⁷³ Ann Curthoys and Marilyn Lake, *Connected Worlds: History in Transnational Perspective*. Canberra : ANU E Press, 2005, p. 5.

history.⁷⁴ This, in turn, provoked a revision of British Imperial history which stressed the relations between the peripheral parts of the Empire, rather than viewing London as the centre. The Empire was now seen as “assemblages of networks, complex threads of correspondence and exchange that linked distant components together and ensured a steady, but largely overlooked, cultural traffic”.⁷⁵ Historians have also looked at integrating the postcolonial histories of former parts of the Empire with each other and with Britain, this time without deference to the centre.⁷⁶ The examination of Rossi’s life which follows shows that there was indeed an ongoing and self-sustaining relationship between Britain’s Indian Ocean possessions of India, Ceylon, Penang, Mauritius and Australia.

In examining Rossi’s life and his alienation in NSW, it is necessary to look at the role of gossip in society, for false rumours about his past spread very quickly after his arrival in Sydney. McKenzie analyses a similar instance in the Cape Colony in 1824, when the Governor, Lord Charles Somerset, was the subject of malicious gossip.⁷⁷ He was accused of having a homosexual relationship with his personal physician, James Barry, who was in fact a woman. McKenzie concludes that the gossip not only gave voice to popular opposition to Somerset and his high-handed attempts to stifle a free press, but it also reinforced the community’s shared values and helped to define the colony’s internal morality.⁷⁸ Chris Wickham points out that gossip is not gendered, being undertaken by both men and women, and it almost always has a moral edge.⁷⁹ He further states that the idea of resistance is often found in gossip, and that there is a dialectic between public acts and the meaning which gossip confers on them.⁸⁰

⁷⁴ Curthoys and Lake, op. cit., p. 7.

⁷⁵ Tony Ballantyne, “Empire, Knowledge and Culture: From Proto-Globalization to Modern Globalization”. In A.G. Hopkins (ed.), *Globalization in World History*. London : Pimlico, 2002, p. 127.

⁷⁶ Curthoys and Lake, op. cit., pp. 7–8. For an application to Australian colonial history, see Kirsten McKenzie, *Scandal in the colonies: Sydney & Cape Town, 1820–1850*. Carlton, Vic. : Melbourne University Press, 2004.

⁷⁷ The Cape Colony, situated in present day South Africa and Namibia and named after the Cape of Good Hope, was taken over by the British from the Dutch in 1797. Somerset was the first British Governor of the colony.

⁷⁸ McKenzie, op. cit., p. 4.

⁷⁹ Chris Wickham, “Gossip and Resistance among the Medieval Peasantry”. *Past & Present*. 160 (August 1998), pp. 10–15.

⁸⁰ *ibid.*, p. 8.

It can undermine authority,⁸¹ but fundamentally, it reinforces group identity and social practice.⁸² Wickham's analysis provides a very useful framework in which to analyse the predicament in which Rossi found himself on his arrival in Sydney, and this is the subject of Chapter 1.

Having presented the picture of Rossi as he appeared to the inhabitants of Sydney, Chapter 2 explores Rossi's family background in Corsica, its noble origins and strong military tradition, in the context of the turbulent history of 18th century Corsica. The impact of these factors on the formation of the young Rossi's *habitus* is discussed, as are the events leading up to his decision to flee his native land and side with the British.

Chapter 3 examines Rossi's early years in the British army, on active service in Northern Holland and then on garrison duty in Gibraltar, where the salient features of his *habitus* and personal characteristics became apparent to his superiors. This chapter also deals with Rossi's eight years in Ceylon where, no doubt because of his foreign origins, he was charged with the recruitment of Malay soldiers for the British, and subsequently with the command of a company of Malays at Batticaloa. The impact of these testing years on Rossi is assessed, as is his role as an agent of British colonialism, and his minor, but nevertheless discernible and lasting impact on the society of this nation.

In 1811 Rossi was appointed as a senior British official in the newly conquered French colony of Isle de France (Mauritius). Chapter 4 discusses his transition to a civilian role, his duties as an intermediary between the British occupiers and the Franco-Mauritian settlers and his successful commanding of the Indian convict workforce all represented a substantial increase in his social and symbolic capital. Chapter 5 canvasses Rossi's *habitus* as it was at this point in his career, his reputation for reliability and dedication to his duties, all of which earned him the approbation of the Colonial Office in London and his appointment as Superintendent of Police in NSW in 1824.

Chapter 6 discusses Rossi as a mature individual and a member of the ruling elite of NSW, and how the ambivalence of his reception caused his *habitus*

⁸¹ *ibid.*, p. 18.

⁸² *ibid.*, p. 23.

to change, distancing himself socially from the ordinary people of Sydney and building up his stock of symbolic capital. His achievements in his dual role as Chief Police Magistrate and Superintendent of Police in Sydney are examined, as are his efforts to increase his economic capital. Chapter 7 examines the implications for Rossi of his twice being censured by the Supreme Court, as well as the nature of his private life, to the extent this is known. The chapter concludes with Rossi's retirement to Goulburn, his career as a Police Magistrate there and his assumption of the role of a patrician ruling over his estate Rossiville.

The concluding chapter discusses Rossi's reflexive impact on the *habitus* of the Sydney community, and by extension, that of NSW, examining his recent elevation as a trope in contemporary popular literature dealing with the colonial period. Finally, a comparison is drawn between Rossi and other French noblemen in the colony, as well as other Corsicans who were also players on the international stage.

Finally, it is necessary to discuss the sources used in this examination of Rossi's life.

Primary sources

The most extensive bodies of contemporary primary source material which I have consulted relate to events in 18th and 19th century Corsica, and to Rossi's time in NSW from 1825 to 1851. These have allowed not only the basic facts to be established, but also the contexts of Rossi's endeavours in these two fields.

The principal primary sources consulted were, first, two collections of Rossi family papers preserved in the Mitchell Library, Sydney. These are the *Rossi papers 1745-1903* deposited by Rossi's eldest son, Francis Robert Lewis Rossi, and catalogued as ML: A 1695 CY 2736, frames 60–126, and the *Rossi family papers, 1805-1896*, catalogued as ML: A 723 CY 2736, frames 127–204. Both contain much biographical material kept by Rossi, including important correspondence as well as other material collected or written by Francis Robert Lewis.

Another key source was *Les Rossi*, a detailed history of the Rossi family prepared by a descendant, the late M. Michel Roulhac de Rochebrune. M. Roulhac de Rochebrune's account is based on his research of original sources and of material preserved by the family, although many of the family's papers were destroyed by a German bombing raid in the Second World War. *Les Rossi*, a typescript document of 57 pages completed in 1970, is an important source for the history of Rossi's family, and I am grateful to another descendant, M. Olivier Roulhac de Rochebrune, of Angers, who very generously provided me with a copy of *Les Rossi*. It details the history of the Rossis from their origins in medieval Parma, their subsequent service to the Republic of Genova in Liguria and Corsica, and their attachment to the French Crown before and after the takeover of Corsica by the French. The document is also revealing of attitudes held by *les Français continentaux* towards their Corsican compatriots.

The remaining primary sources are contained in the large quantity of official correspondence generated by, or relating to Rossi, in several archives, including the *Archives départementales de la Corse du Sud* in Ajaccio, the Mauritian National Archives in Port Louis, the Sri Lanka National Archives in Colombo, the *Archives nationales* in Paris, the UK National Archives and the India Office Archives in London, the State Records Office of NSW, and the Mitchell Library in Sydney. The National Library of Australia, Canberra, the Local Studies Library in Goulburn and the Goulburn and District Historical Society also hold relevant material.

Secondary sources

The thesis also makes use of extensive secondary sources relating to each of the geographical areas and historical periods in which Rossi lived and worked. These comprise both contemporary and modern secondary sources.

Contemporary Corsican historians and observers have generated a large volume of information relating to Corsica and the extended Rossi family, including the 13-volume history by the *Abbé* Ambrogio Rossi, a distant relative of Rossi. The *Abbé's Osservazioni storiche sopra la Corsica* were written over a period of 40 years from 1779, and published a century later. Accounts

by British officials of the Anglo-Corsican Kingdom, and those of French officers and officials before and after this period also provide an interesting perspective.

Rossi's time in Ceylon coincided with Britain's disastrous First Kandy War (1803-1805) and there exists an important body of accounts by British personalities during this period. It was not possible to consult sources in the Sri Lanka National Archives in Colombo, and the thesis draws instead on B.A. Hussainmiya's comprehensive study of the Sri Lankan Malays.⁸³

The few contemporary primary sources dealing with Rossi's recruitment mission to Penang shed light on his activities and their implications for his subsequent career in Mauritius. The Mauritian National Archives in Port Louis contain extensive material on the British takeover of Mauritius and their subsequent rule of their new French colony, which information is supplemented by revealing accounts by British visitors to the island, as well as a smaller number of contemporary accounts by Franco-Mauritian settlers. I have also made use of the abundant scholarship of early colonial NSW.

⁸³ Bachamiya Abdul Hussainmiya, *Orang Rejimen: The Malays of the Ceylon Rifle Regiment*. 2nd edn. Dehiwala, Sri Lanka : AJ Prints, 2008.

Chapter 1

Rossi's Reception in Sydney

When Rossi arrived in Sydney in May 1825, NSW was still a penal colony, although, due to Governor Macquarie's liberal policies, it had lost the fearsome reputation it once held out for British criminals. Rossi's appointment as the colony's Superintendent of Police was part of the British Government's determination not only to restore the colony as a place to be feared, but to make it even more so. Earl Bathurst, Secretary of State for War and the Colonies, was determined to make transportation "permanently formidable", and for convicts sent to the colony to face "strict discipline, unremitting labour, severe privations and estrangement from a comfortable life in Britain".¹

Rossi's arrival was described by *The Australian* newspaper as part of "the great political mutations" expected after the official Inquiry into the colony conducted by John Thomas Bigge from 1819 to 1821. The British Government had tasked Bigge with examining how expenditure could be reined in and the colony's former harsh penal regime restored, and Rossi was part of the new administration under Governor Major General Ralph Darling and Colonial Secretary, Alexander MacLeay, to implement Bigge's recommendations. Rossi, explained *The Australian*, was a Corsican and "a sub-colonial secretary at the Mauritius, under Major General Darling"²—an innocuous beginning to what would be a turbulent and controversial Governorship, in which Rossi would play a key role.

The duties of the Superintendent of Police were twofold: apart from commanding the Police Force and maintaining good order in the town, Rossi had also to preside as First Police Magistrate over the Police Magistrates' Court in Sydney. The role of the magistrates was to ensure the convicts were subordinated to the hegemony of their masters, as Atkinson describes it,³ and

¹ Earl Bathurst to J T Bigge, Downing St., 6 January 1819. John Thomas Bigge, *Report of the Commissioner of Inquiry into the State of the Colony of New South Wales*. Adelaide : Libraries Board of South Australia, 1966. Australiana Facsimile Editions No. 68, p. 5.

² *The Australian*, 5 May 1825, p. 2.

³ Alan Atkinson, "Four Patterns of Convict Protest". *Labour History* 37 (November 1979), p. 43.

they tried minor offenses committed by convicts and free settlers alike, referring more serious offences to the higher courts. Rossi was therefore a highly visible figure on the streets of Sydney and also in court. It was unfortunate, therefore, that only a week after his arrival, *The Australian* referred to him disparagingly as “*Monsieur Rossi*”, which title, along with “*Signor*”, it would invariably use in future when referring to Rossi. The newspaper added that he “speaks English very well, but with a foreign—an Italian accent”.⁴



Figure 1.1 North View of Sydney [sic] New South Wales 1825
By Joseph Lycett. From the collection of the State Library of New South Wales.

It may have been from this report that the rumour spread that the new Superintendent of Police was not only Italian, but that he was in fact the despised Teodoro (Theodore) Majocchi, who had been paid to give false incriminating evidence in George IV’s divorce case against Queen Caroline. The divorce proceedings had taken place in London in 1820, when Majocchi had become a laughing stock on account of his evasive answers under cross-examination. He had answered questions put to him with *non mi ricordo* (“I don’t remember”), a phrase which quickly became notorious, and which was now attached to Rossi in Sydney. It was obvious, the gossip-mongers explained, that Rossi had been given the post in Sydney in return for the

⁴ *The Australian*, 12 May 1825, p. 2.

shameful services he had rendered to the King. Thus began the erroneous association of Rossi with Majocchi, an "historical error" which, with the assistance of historians, has persisted to this day.

George IV's ill-fated attempt to divorce the Queen created much civil unrest in Britain, and was still fresh in popular memory when Rossi arrived in Sydney. The rumour must have begun soon after Rossi's arrival, but did not appear in print until 1830, when *The Sydney Monitor* (hereinafter *The Monitor*) republished an article from *The Times* of London which referred to Rossi by name and stated he may have been a witness at the trial of Queen Caroline.⁵ *The Monitor* republished the report, without mentioning Rossi by name, but stated that the Head of Police referred to had been a witness at an unnamed trial,⁶ knowing full well that its readers would know the reference was to Rossi—proof that the rumour was well-known in Sydney.

To understand the gravity of this charge against Rossi, it is necessary to look at the marriage of the unfortunate Queen Caroline to George III's eldest son, George Augustus Frederick, Prince of Wales. Caroline was born in 1768, the second daughter of Duke Charles William Ferdinand of Brunswick-Wolfenbüttel and his wife Princess Augusta, who was the sister of George III. Caroline and George were therefore cousins, but were nevertheless ill-matched. The Prince entered the marriage because he was heavily in debt, knowing that Parliament would increase his allowance if he were to marry a suitable royal bride. Britain, at the time, was at war with France and Protestant Brunswick-Wolfenbüttel was seen as a safe ally.

Their marriage in 1795 was a failure, and they separated the next year, each continuing illicit affairs. In 1814, Caroline accepted a handsome pension offered by the authorities if she would go abroad, but when news of her scandalous behaviour in Italy reached England, George was enraged and set up a Commission to gather evidence of her conduct. After ascending to the throne in 1820, he ordered his Ministers to introduce into the House of Lords a "Bill of Pains and Penalties", which he intended would condemn Caroline's behaviour, deprive her of her position as Royal Consort and grant him his

⁵ *The Times*, 28 May 1830, p. 2.

⁶ *The Sydney Monitor* (hereinafter *TSM*), 16 October 1830, p. 2.

freedom.⁷ The King's own numerous affairs meant that he was unable to begin normal divorce proceedings. It was the debate on the Bill which formed Queen Caroline's "trial" and which quickly became the cause of great popular discontent and agitation. After lengthy hearings, including the examination of a number of Italian witnesses including Majocchi, the House of Lords passed the bill by a narrow margin, but, alarmed by the lack of public support for the King, the Government withdrew the bill, in effect, granting Caroline an acquittal.

Despite her outrageous conduct, popular sentiment lay with the Queen as a wronged wife, for George was deeply unpopular—not only because of high taxes, interruptions to foreign trade and unemployment following the French Wars, but also because of his libertine life-style, profligate use of public money and his treatment of Caroline.⁸

Caroline's acquittal was met by popular rejoicing all over Britain, matched by an equal measure of vilification against the Italian witnesses, Majocchi in particular. The affair blew over, however, and by the end of 1820 the King had recovered his popularity, but the general execration of Majocchi continued and he remained in popular imagination as the epitome of foreign perfidy. This was due in no small measure to the intense scrutiny which the contemporary press gave to the affair, for more than 500 cartoons on the scandal were published in 1820, and numerous pamphlets, placards and banners were distributed in both city and countryside.⁹ Caroline herself wrote a widely-read pamphlet called *Answer to the King*, in which she recounted the story of her unhappy marriage.

Not a word of the scandal was published in Sydney's sole newspaper, *The Sydney Gazette and New South Wales Advertiser* (hereinafter *The Gazette*), apart from an erroneous report that Caroline had been given permission to attend George's 1821 coronation.¹⁰

⁷ Thomas W. Laqueur, "The Queen Caroline Affair: Politics as Art in the Reign of George IV". *Journal of Modern History*, 54/3 (1982), p. 420.

⁸ Ernest Anthony Smith, *George IV*. Yale English Monarchs. New Haven & London : Yale University Press, 1999, p. 167.

⁹ Laqueur, op. cit., pp. 429–30.

¹⁰ *The Sydney Gazette and New South Wales Advertiser* (hereinafter *TSG*), 24 November 1821, p. 3.

The Gazette was the Government's official publication in the colony, and would therefore publish nothing detrimental to the King or to good order. Word was carried to the colony by new arrivals from England, who brought with them newspapers, and some of the pamphlets and ephemera which were circulating freely in Britain.

The Queen's affair demonstrated many features of early 19th century British political and social culture, not the least of which was the widespread prejudice towards foreigners.¹¹ While the liberal press in Sydney, *The Australian* and *The Monitor*, were persistently ferocious in their attacks on Rossi's foreign origins, they never exploited the popular identification of him with Majocchi to denigrate or belittle him. In fact, when Rossi took up office, *The Monitor* stated specifically it would not publish the rumour, on account of "particular circumstances which we feel delicate in mentioning".¹² *The Monitor's* article four years later referred to above represented a change in that paper's view of Rossi, and the matter was only ever ventilated again by the press when *The Australian* linked Rossi's name with *non mi ricordo* in 1831,¹³ and again the following month in a spoof article headed "Lies of the Day", purporting to be from *The Times*. The latter ascribed the maladministration of justice in Corsica to a certain "Francisco Nicolas Non Mi Ricordo "R*ss*i".¹⁴

References to *non mi ricordo* therefore were confined to gossip and rumour, and were subsequently taken up by popular historians. John Michael Forde, who recorded many anecdotes of early Sydney under the pseudonym "Old Chum",¹⁵ repeated the rumour as fact several times, referring to the "spice of romance clinging to this old police functionary".¹⁶ He also noted the story that a "Mr D'Arrietta" and a Mrs Maria Sharpe were involved with Rossi in the Queen's trial, all of whom received grants of land for their services.¹⁷

¹¹ E A Smith, *A Queen on Trial. The Affair of Queen Caroline*. Sutton : Stroud, 1993, p. 66.

¹² *TSM*, 7 July 1826, p. 3.

¹³ *The Australian*, 1 April 1831, p. 2.

¹⁴ *The Australian*, 20 May 1831, p. 3.

¹⁵ "Joseph Michael Forde (1840–1929", Austlit. <http://www.austlit.edu.au/austlit/page/A99081>. Accessed 24 June 2016.

¹⁶ Forde ("Old Chum"), *Truth*, 15 November 1903, p. 2. See also 27 August 1899, p. 3; 3 September 1922, p. 12.

¹⁷ *ibid.*, 9 May 1920.

“D’Arrietta” was Juan Baptiste Lehimaz De Arrietta (died 1838), the first Spanish free settler in Australia, who had been a contractor to the British Commissariat in the Peninsular War. He had taken advantage of the offer extended to Peninsular veterans to take up land in the colony,¹⁸ and had arrived in Sydney in April 1821 to take up land at Picton. MacAlister tells the same rumour about De Arrietta,¹⁹ although he omits yet another rumour spread by the Spaniard’s neighbours that he had been a spy for the English in Spain.²⁰

Mrs Sharpe, before her marriage in 1828 to William Sharpe, a butcher of Hunter St., was Maria Catharina Groffman, one of Rossi’s servants who had arrived with the family on the Hercules.²¹ Her association with Rossi, and no doubt her foreign name and accent, resulted in her also being credited with a role in the conspiracy. She was suspected of being Louisa Demont, Caroline’s Swiss maid, who, after giving evidence of Caroline’s scandalous behaviour, had been reduced under skilful cross-examination to “*je ne me rappelle pas*”, the French equivalent of “*non mi ricordo*”.²²

Other foreigners in the colony were also assigned exotic pasts by the gossips. The Breton, Gabriel Louis Marie Huon de Kerilleau (1769–1828), was also an aristocratic refugee from Revolutionary France who was rumoured to be a member of the House of Bourbon.²³ Similarly, Prosper de Mestre (1789–1844), born in the West Indies to a French officer who had fled the French Revolution, was rumoured to be the illegitimate son of the Duke of Kent, the father of the future Queen Victoria.²⁴ Nor were native-born Britishers

¹⁸ Judith Keene, “Surviving the Peninsular War in Australia: Juan De Arrietta—Spanish free settler and colonial gentleman”. *JRAHS* 85/1 (June 1999), p. 37.

¹⁹ Charles MacAlister, *Old Pioneering Days in the Sunny South*. Goulburn : Chas. MacAlister Book Publication Committee, 1907. Facsimile reprint, North Sydney, Library of Australian History, 1977, p. 25.

²⁰ Keene, op. cit., p. 41.

²¹ Brisbane, “Certification of Government Passengers Landed, 11 May 1825”. State Records NSW (SRNSW), Colonial Secretary’s Office, Miscellaneous Persons April 1825–July 1825 No. 26. 4/3514 Reel 6014. P 356.

²² Flora Fraser, *The unruly queen: the life of Queen Caroline*. New York : Knopf, 1996, p. 255.

²³ G. P. Walsh, ‘Huon de Kerilleau, Gabriel Louis Marie (1769–1828)’, *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/huon-de-kerilleau-gabriel-louis-marie-2215/text2877>, published first in hardcopy 1966. Accessed online 29 June 2016.

²⁴ Ivan Barko, “The French in Sydney”. *Sydney Journal* 1/2 (June 2008), pp. 63–69. http://epress.lib.uts.edu.au/ojs/index.php/sydney_journal/index P. 64. Accessed 5 October 2016.

exempted from such gossip: Lieutenant-Colonel John George Nathaniel Gibbes, appointed Collector of Customs in 1833, was said to be an illegitimate son of Frederick, Duke of York, second son of George III.²⁵

While the mass of Sydney's inhabitants had neither the means nor the inclination to ascertain the truth of the malicious rumour about Rossi, his peers would have, for there were people in Sydney who had served in Mauritius with Rossi in 1820, including Henry Dumaresq, Darling's Private Secretary and William Lithgow, the colony's Auditor General, to name but two.

The historical record has been muddied slightly too by Hazel King, who in her entry on Rossi in the *Australian Dictionary of Biography*, incorrectly states that the first reference to Rossi as Majocchi was in 1844, when Rear Admiral Phillip Parker King drew up a list of the original members of the prestigious Australian Club.²⁶ In fact, the list was not compiled until 1901, and it was made by Phillip Parker King's son, Phillip Gidley King MLC, President of the Club from 1894 to 1899.²⁷

King probably compiled his list as a record for the Club, for against each member's name he noted their civilian or military rank, profession or family. He wrote that he had personally known all the members he listed, although some more intimately than others. All his notations are factual, and he nowhere strikes a jocular note, implying that Rossi was well-known to his fellow Club members as Majocchi, no doubt behind his back. If the Club members held any reservations about Rossi's background, however, these were not serious enough to bar him from membership, for Rossi was a founding member of the Club in 1838.²⁸

²⁵ Christopher Stray, *Gilbert Murray Reassessed: Hellenism, Theatre, and International Politics*. Oxford : Oxford University Press, 2007, p. 39.

²⁶ Hazel King, "Rossi, Francis Nicholas (1776–1851)", *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/rossi-francis-nicholas-2610/text3595>. Accessed 29 December 2013.

²⁷ Phillip Parker King, "Original Founders and Old Members of the Australian Club in 1844". Mitchell Library (ML). *King Family—Correspondence, 1830–1917*. ML: MS A 1977 CY Reel 876. Vol. 2, p. 230.

²⁸ J.R. Angel, *The Australian Club 1838 1988: the First 150 Years*. Sydney : John Ferguson in association with the Australian Club, 1988, p. 385.

It was on the basis of King's 1901 annotation that Hazel King, in her *Australian Dictionary of Biography* entry on Rossi, claims the identification of Rossi as Majocchi was "harmful" to Rossi, before going on to state—correctly—that although no firm evidence was ever produced to substantiate the rumours, they nevertheless persisted.²⁹

Charles MacAlister (1830–1908), who, as a young man in Goulburn, knew Rossi, sounded a similar note of caution. In his memoirs, MacAlister recounted that "old Captain Rossi" had been sent out from England to escape the popular clamour over [his] alleged complicity in the persecution of Queen Caroline", but added that "this may have been only a baseless rumour".³⁰ Subsequent historians however have ignored these warnings, preferring to accept the rumour as fact.

Thus, Aubrey Halloran, a past President of the Royal Australian Historical Society, wrote in 1924 that Rossi's appointment was the reward for services rendered to George IV during the Royal Divorce, adding, confusingly, that the claim "may not be groundless". He concluded that, in view of a payment made to Rossi for "secret service" expenses, "there may be more than a glimmer of truth in the assertions".³¹

One of Goulburn's official historians, Ransome T. Wyatt, wrote in 1937 of Rossi's "romantic career", stating that had he been identified "upon reasonable grounds with the "Theodore Majorca" at Queen Caroline's trial."³² Wyatt repeated the claim in his 1941 *History of Goulburn*,³³ and included the story in an article about Rossi's eldest son, Francis Robert Lewis.³⁴ Stephen Tazewell, and one-time president of the Goulburn District Historical Society, was more circumspect, indeed equivocal, when he wrote that it has "repeatedly been asserted, and without some foundation", that Rossi and Majocchi were one and

²⁹ Hazel King, loc. cit.

³⁰ MacAlister, op. cit., p. 25.

³¹ Aubrey Halloran, A. Halloran, "Some Early Legal Celebrities", *Journal and Proceedings Royal Australian Historical Society*. 10/4 (1924). P. 193. (Hereinafter JRAHS).

³² Ransome T. Wyatt, *The History of the Diocese of Goulburn*. Sydney : Bragg, 1937, p. 151.

³³ id., *The History of Goulburn*, NSW Goulburn : Municipality of Goulburn, 1941, p. 477.

³⁴ id., "The Comte De Rossi and the Goulburn Cathedral Dispute". *JRAHS* 24/2 (1938), p. 113.

the same person. Nevertheless, he adds, it remains “an unsolved mystery”.³⁵ Gwendoline Wilson’s biography of Terence Aubrey Murray also recounts the tale as fact, again based on Phillip Parker King’s supposed annotation. She wrote that Rossi was the “Theodore Majorca” who had uttered at a critical moment in the trial, “*Non mi recordo*”.³⁶

Popular historians have subsequently taken up the rumour as fact, including Glynde Nesta Griffiths in *Some Southern Homes of New South Wales*³⁷ and Geoffrey Scott in *Sydney’s Highways of History*.³⁸ The appeal of the rumour has then influenced the view of others like Thornton, who, after examining the above views, declared he was unable to disprove them.³⁹ The gossip has also proved irresistible as colourful background material for those writing more general works on the period. Their fanciful contributions will be discussed in Chapter 9.

Those who have resisted the temptation are few. Helen Rosenman is the sole author to dismiss the treatment of Rossi as “traditional British xenophobia,” on the basis that he held the trust of successive Governors.⁴⁰ Forde, having earlier accepted the rumour as fact, later decided it was “nonsense”, on the grounds that contemporary reports of the trial contained no mention of Rossi. This was inconclusive proof, of course, for the rumour had it that Rossi had given his evidence under an assumed name. Forde was acquainted with Francis Robert Lewis, but “never had the courage or the imprudence” to ask

³⁵ Stephen J. Tazewell, *Grand Goulburn, First Inland City of Australia: A Random History*. Goulburn : Council of the City of Goulburn, 1991, p. 185.

³⁶ Gwendoline Wilson, *Murray of Yarralumla*. Melbourne : Oxford University Press, 1968, p. 48.

³⁷ G. Nesta Griffiths, *Some Southern Homes of New South Wales*. Sydney : National Trust (NSW), 1976. [Facsimile edn. first published, Sydney: Shepherd Press, 1952], p. 84.

³⁸ Geoffrey Scott, *Sydney’s Highways of History*. Melbourne : Georgian House, 1958, p. 43.

³⁹ Stanley Allering Thornton, “Captain Francis Nicholas Rossi, First Police Magistrate, Sydney, and Principal Superintendent of Police of New South Wales, 1824–1834”. Typescript. [Sydney : Magistrates’ Convention, 1949]. Mitchell Library, ML DOC 1556. f. 9.

⁴⁰ Jules Sébastien César Dumont d’Urville, *An account in two volumes of two voyages to the south seas by Captain (later Rear-Admiral) Jules S-C Dumont D’Urville of the French Navy to Australia, New Zealand, Oceania 1826–1829 in the corvette Astrolabe and to the Straits of Magellan, Chile, Oceania, South East Asia, Australia, Antarctica, New Zealand and Torres Strait 1837–1840 in the corvettes Astrolabe and Zélée*. Translated from the French and edited by Helen Rosenman. Carlton, Vic. : Melbourne University Press, 1987. 2 Vols. Vol 2, p. 611.

him what role his father played in the proceedings against Queen Caroline, or how he came to be appointed Police Magistrate in Sydney.⁴¹

The fact is that Rossi was in Mauritius from 1811 to 1824, and at the time of the Queen's trial in June 1820, was dealing with a disturbance among the Indian convicts there.⁴² He was not offered the post of Superintendent of Police in Sydney until August 1824, which timing makes it highly unlikely the post was offered in return for services rendered four years earlier. In any event, the Parliamentary Under Secretary of the Colonial Department in London, Sir Robert Wilmot Horton, made it clear to Rossi that the offer of the post of Superintendent of Police was because of his services in Mauritius and the favourable reports written about him by Governor Farquhar.⁴³

There remains the question of payment to Rossi for secret services. Rossi did receive a payment in 1831 for "Secret Service".⁴⁴ The amount paid was £76.6.4, authorised by Governor Darling, and for which Rossi signed a receipt.⁴⁵

The reason for the payment has not survived, but it is too small and too odd an amount to be taken as recompense for perjuring oneself before the House of Lords, particularly as it was paid more than 10 years after the trial.

In any event, the real Majocchi is known to have returned to Italy after the trial, and reports of him living there on the proceeds of his evidence appeared in the British press for a number of years afterwards.⁴⁶

There is, moreover, more than xenophobia at play here, for in the equating of Rossi with Majocchi we hear the voice of the subaltern speaking—both convicts and free settlers (most of whom were ex-convicts)—against the most visible authority figure in the colony—the First Police Magistrate and Chief of Police. The powerless could resist those in authority by attacking them verbally or

⁴¹ E.M. Forde (Old Chum), *Truth*. 8 May 1910.

⁴² Rossi to Barry Convict, 5 June 1820. Mauritius Archives (MA): RA 137 June 1820. f26.

⁴³ Horton to Rossi, 18 August 1824. Rossi Papers 1805–1896. ML: A7231, f. 54. (Hereinafter ML: A 723).

⁴⁴ Spring Rice to Governor Bourke, 7 November 1834. Mitchell Library, Sydney (ML), *Despatches to the Governor of NSW January–December 1834*. M 1271 CY Reel 1400. f. 329.

⁴⁵ William Lithgow, "Explanation by Audit Office Sydney 17 October 1835". ML: M3380. f. 351.

⁴⁶ See Neville Potter, *Goulburn's Brush with Royalty: Captain Francis Rossi and Queen Caroline*. Canberra : Bricolage Press, 2011, pp. 22–23.

physically, by making appeals to the authorities for their rights, by withdrawing their labour, or by compensatory retribution under the convict code of punishment.⁴⁷ Such resistance, including verbal abuse, was punished harshly, but gossip was the easiest and least detectable means of resistance.

It was only natural for the subaltern class to mock and attempt to belittle the chief magistrate. Rossi had the authority to punish them for any offences committed against their masters or the system generally. Some convicts did openly rebel against the penal code and were punished, and a few did raise their voice against their harsh conditions and leave a record of their protests, but for the most part, the voice of convict resistance has largely gone unrecorded.

Hamish Maxwell-Stewart has argued that the closest we can now get to the convict voice are their tattoos, despite the heavy intervention of the state in recording the tattoos for purposes of identification.⁴⁸ Michael Wolter, however, claims the “unmediated convict voice” is to be found in the broader “auditory culture” of the convict period, as revealed by a study of “the aural aspects of penal social, cultural and disciplinary relations”, including the ritual of flogging.⁴⁹ The association of Rossi with Majocchi by the general populace is, however, a clear instance of the subaltern voice, without a historian “mediating the colonial text”.⁵⁰ It has, moreover, passed into the historical record as their protest against authority, unlike most subaltern protest.

It will be recalled from the Introduction that Wickham contends that gossip often has a moral “edge”, as well as an element of resistance. This is certainly the case with Rossi, for by invoking the discredited memory of Majocchi, the rumours gave voice to society’s repugnance at the idea of giving false evidence against the Queen for reward. The fact that the convicts’ own morals left much

⁴⁷ Alan Atkinson, “Four Patterns of Convict Protest”. *Labour History*. 37 (November 1979), pp. 28–51, p. 30.

⁴⁸ Hamish Maxwell-Stewart, “The search for the convict voice”. *Tasmanian Historical Studies*. 6/1 (1998), pp. 78–79.

⁴⁹ Michael Wolter, “Sound and fury in colonial Australia: the search for the convict voice, 1800–1840”. PhD thesis, University of Sydney (2014), p. 26.

⁵⁰ Gayatri Chakravorty Spivak, “Can the Subaltern Speak?”. In Bill Ashcroft *et al.* (eds.), *The Post-colonial Studies Reader*. 2nd edn. New York : Routledge, 2006, p. 28.

to be desired would not necessarily deter them from indulging in such condemnatory gossip themselves.

Wickham also points out that gossip is not gendered, as Phillip Gidley King's confirmation that the members of the Australia Club also indulged in perpetuating the rumours. Further, the fact that Rossi was known among his peers at the Club as "*non mi ricordo*" is proof that use of the alienating sobriquet was not confined to the town's ale-houses and back streets, but was taken up by Sydney's elite. There were obviously points of commonality in the *habitus* of both the lower and the upper classes of Sydney, notably a shared outlook that regarded Rossi as an outsider, despite his acceptance otherwise by the colony's governing elite.

Wickham's observation that gossips sets up a dialectic within society is also pertinent, for, as we have seen, historians and others have taken up the rumours to create another image of Rossi that is cloaked in mystery and romance. This dialectic has also resulted in the judgement by Hazel King and others referred to above that the rumours damaged his effectiveness as Superintendent of Police (his "dominance", to use Wickham's term). It will be seen, however, that although the gossip may have contributed to the stress that Rossi experienced, his effectiveness was in no way adversely affected, his *habitus* being such that it only served to reinforce his sense of difference from the common elements of the colony and to buttress the private aristocratic domain which he was able to construct and rule over, consolidating both his economic and symbolic capital.

Describing the widespread use of the sobriquet *non mi ricordo* as the reaction of the subaltern class also explains why the press did not take it up in their attacks on Rossi. The newspaper references quoted above are few, and were afterthoughts tacked onto a series of other, more abusive, descriptions. The response of the subaltern rabble, moreover, would have been seen by the educated editors of *The Australian* and *The Monitor* as too trivial and implausible a charge to bring against Rossi. They did not otherwise hold back from criticising Rossi's foreign background in a sustained and ferocious manner, and concentrated on what they saw as his failings as a senior magistrate who was at Darling's beck and call.

From the point of view of the subaltern studies scholar, it is paradoxical that it was historians who have perpetuated the voice of the subaltern, rather than the more substantial and serious charges levelled against Rossi by the contemporary press.

It is instructive here to look at how other historical fallacies have been perpetuated in the Australian context. Wilkie, for example, examines how a falsehood begun by William Charles Wentworth to capitalise on inter-colonial rivalry and resentment has passed into the historical record as fact. Wentworth fabricated a story that the resumption of convict transportation was forced upon NSW because the colonists in Port Phillip (Melbourne) had refused to let convicts from the *Hashemy* disembark there in 1849. The ship, in fact, never went to Port Phillip, but the story was taken up by other politicians eager to exploit inter-colonial rivalry between NSW and the nascent colony of Port Phillip, and it was subsequently reproduced unquestioningly by successive historians.⁵¹ Wilkie notes that “[s]uch errors are easily perpetuated and multiplied in popular literature”, adding the ominous warning that it can now occur “even more easily on the internet”.⁵²

A more egregious example is provided by the compassionate statement which the Turkish President Kemal Atatürk is said to have made about the Australian soldiers killed at Gallipoli in 1915. He is alleged to have comforted bereaved Australian mothers in 1934 by writing that their fallen sons, “having lost their lives on this land, [...] have become our sons as well”. Stanley points out that there is no evidence for this sentiment, worthy though it is, ever having been expressed by Atatürk. It was politically useful at the time for Australian politicians to claim Atatürk actually said this, and it also offered some solace to bereaved families.⁵³ Stanley sums up the dynamics at play here by quoting the journalistic maxim: “when the legend becomes fact, print the legend”.

⁵¹ Douglas Wilkie, “The Convict Ship *Hashemy* at Port Phillip: A Case Study in Historical Error”. *Victorian Historical Journal*. 85/1 (June 2014), p. 38.

⁵² *ibid.*, p. 46.

⁵³ *Canberra Times*, September 8 2014
<http://www.canberratimes.com.au/comment/aturks-letter-expresses-admirable-sentiment-but-is-not-necessarily-good-history-20140906-10bk5u.html#ixzz3liQRyptm>. Accessed 11 November 2014.

In the case of Rossi's treatment by historians, there are no political motives present. Rather, historians and others have been unable to resist weaving such colourful gossip into their accounts, irrespective of its implausibility. Their motives are more akin to those of the journalist, though they have, as previously stated, unwittingly perpetuated the voice of the early Sydney's subaltern class.

Wilkie asks if it matters whether such tales are true or not. He concludes that it does, for historians should correct mistaken perceptions when new evidence comes to light, or when they are found to be wrong. He also believes historians should expose political motivations behind such falsehoods as the *Hashemy* story.⁵⁴ In Rossi's case, exposure of the myth reveals not only that the xenophobia towards Rossi was not confined to the mob, but gained currency among Rossi's peers. It is revelatory also of the xenophobic *habitus* of the Sydney community, as well as the more tolerant *habitus* of Rossi, who was able to rise above such contumely.

Having so easily taken up the implausible story of Rossi's past, the people of Sydney were never aware of the background of the man they were dealing with, and their ignorance was not helped by the incessant attacks of the press. In fact, it was not until 1896 that details of his personal achievements and of the family's history became public knowledge. This occurred when an article was published to coincide with the accession by Rossi's eldest son, Francis Robert Lewis, to the hereditary title of *comte de Rossi* (Count de Rossi).⁵⁵ As a result, Rossi's memory is often invoked in popular literature in ways that reflect the gossip rather than the reality.

This thesis will therefore examine Rossi's life, and the influences on his *habitus*, from which will emerge the figure of a disciplined, loyal and determined man of high moral stature and compassion for his fellow man. Rather than the hapless foreigner placed in an important judicial position for which he was unqualified and criticised for his loyalty to Governor Darling, Rossi was in fact a member of a very select group of international professional military men who rose to positions of authority in the new world order that emerged after the Napoleonic Wars.

⁵⁴ Wilkie, op. cit., p. 47.

⁵⁵ J.E. Macmillan, "Comte de Rossi". *Evening News*. 16 May 1896, p. 4.

Chapter 2

The Rossi Family of Ajaccio, Corsica

The Rossi family of Ajaccio can be traced back to the 16th century, and to the 12th century in Genoa and Parma. The family's origins are of interest, for the whole weight of the family's tradition would have been passed on to the young Francis-Nicolas by his father, Filippu Antoniu Francescu, *comte de Rossi* (Philippe-Antoine-François, Count de Rossi, 1721–1800).¹ Rossi *père* was not only a professional soldier and a nobleman, but he was also one of those men of his class who were inspired by Enlightenment ideals to undertake projects to improve the economic lot of their society.²

For Bourdieu, the impact of both family and education on the formation of an individual's *habitus* and on the social order is of fundamental importance. As he explains:

*C'est sans doute sur le terrain de l'éducation et de la culture que les membres des classes dominées ont le moins de chance de découvrir leur intérêt objectif et de produire et d'imposer la problématique conforme à leurs intérêts : en effet la conscience des déterminants économiques et sociaux de la dépossession culturelle varie presque en raison inverse de la dépossession culturelle.*³

An examination of the Rossi family will therefore shed much light on Rossi's character and outlook, explain his remarkable ability to maintain the standards not only of his family, but also of his class, in the alien and often hostile environments in which he later found himself. This was particularly the case in

¹ Corsican is an Italian dialect, and people were baptised with Corsican names, later adopting Gallicised versions of their names as French influence over the island grew. I have adopted the practice of introducing a person first by their Corsican names and their French equivalents, and then using thereafter the French names.

² See Guy Chaussinand-Nogaret, *La Noblesse au XVIII^e siècle : de la Féodalité aux Lumières*. Brussels : Editions Complexe, 2000, pp. 128 *et seq.*

³ "It is no doubt in the area of education and culture that the members of the dominated classes have the least chance of discovering their objective interests and of producing and imposing the solution most consistent with their interests, but in reality, awareness of the economic and social determinants of cultural dispossession varies in almost inverse proportion to cultural dispossession". Pierre Bourdieu, *La Distinction : Critique sociale du jugement*. Paris : Éditions de Minuit, 1979. Collection "Le sens commun", p. 452; id., *Distinction: A Social Critique of the Judgement of Taste*. London : Routledge & Kegan Paul, 1986, pp. 387–90. My translation.

the NSW of the 1820s and 1830s—a society composed predominantly of convicts and ex-convicts, and even more so in Goulburn, at the limits of settlement in the colony.

The Rossi Family in mid-sixteenth century Corsica

Although the surname “Rossi” is the fifth most common surname in Corsica,⁴ the Rossis were one of Ajaccio’s leading families, able to prove their origins from the mid-16th century, when the Genoese merchant, Lazare de Rossey, moved his *établissement* (business) from Genoa.⁵ Corsica had been ruled by the Republic of Genoa since the mid-14th century, and the island would remain under the harsh Genoese yoke for a further two centuries. According to a legal document of 1552, Lazare was the son of Christophe Rossi and had purchased a house in Ajaccio in 1552. Both Christophe and Lazare were referred to as *messires* (Lords),⁶ and were part of the Genoese ruling class. Lazare had come to Corsica with two brothers, one of whom settled in Bastia, and the other in Balagne.

⁴ “Noms et Prénoms de Corse”. *Economie Corse*, Ajaccio, 27 (January–March, 1984), pp. 15–20. A more recent survey by the *Journal des Femmes*, based on a sample of some 11 million of their subscribers throughout Metropolitan France, lists “Rossi” as the sixth most frequently occurring name in Corsica. See <http://www.journaldesfemmes.com/nom-de-famille/noms/46/1/corse.shtml>. Accessed 6 May 2014.

⁵ “Reconnaissance de Noblesse Pour le Sr De Rossey cap^{ne} au Régiment royal corse”, 11 janvier 1769. Archives départementales de Loire-Atlantique, Nantes. Registre de la Chambre des Comptes, Nantes. Série B – Registre B 518. f. 283.

⁶ “Rossi No. 71, 17 octobre 1771”. Archives départementales de la Haute-Corse. Conseil Supérieur Série 1 B-22. *Titres de famille*. E33/7. f. 69 *recto*.



Figure 2.1 Street sign in Ajaccio commemorating Lazare Rossi
Author's photo 2000.

A legal document of 5 January 1623 refers to a transaction Lazare made to trade wheat for goods from Genoa.⁷ The Rossis later became well-known grain merchants and dealt with the chiefs of the local Corsican fiefdoms, including the Colonna, Istria and Bozzi families.⁸ Lazare was a successful businessman, for both he and his descendants were said to have lived in “all the splendour befitting their birth and fortune, owning houses in Ajaccio and extensive lands outside it”.⁹ The Rossis were said to have always filled the highest civic posts in Ajaccio, and the wealth of Lazare’s grandson, Marc-Aurèle, was legendary. Roulhac de Rochebrune, drawing on the Rossi family traditions, adds that at that time, it was common for a rich Corsican to be referred to as “an heir of Marc-Aurèle”, a story known to Rossi’s son in Australia and preserved in the Rossi papers in Sydney’s Mitchell Library.¹⁰

⁷ Antoine-Marie Graziani, *Vistighe Corse : Guide des sources de l'histoire de la Corse dans les archives génoises : époque moderne, 1483–1790*. Ajaccio : Piazzola ; Archives départementales de la Corse-du-Sud, 2004, p. 378. The document (which is in the Archives in Genoa and which I have not sighted) refers to Lazare and Christophe as being the sons of a certain Giovanni Battista Rossi.

⁸ Francis Pomponi, *Histoire d'Ajaccio*. Ajaccio : La Marge, 1992, p. 104.

⁹ “Reconnaissance de Noblesse... 1769”, loc. cit.

¹⁰ Roulhac de Rochebrune, Michel, *Les Rossi*. Typescript, 57 pages. 1980, p. 12; ML: A 1695. f. 3.

The Rossi family's Italian origins

Roulhac de Rochebrune states that the founder of the Rossi family in Genoa was a certain Guglielmo di Rossi (Guillaume de Rossi).¹¹ The existence of this Guillaume is independently verified by an inscription in the church of a castle near Chiavari in Liguria, which states that the castle was founded by Guglielmo of the noble Rossi family of Parma. The inscription is cited in a legal document of November 1632, which indicates that the castle, on the river Lavagna, belonged to the Rivarola family and was constructed by the Rossi family, from whom the Rivarola family is descended.¹²

Adolphe de Lescure described the Rivarola family in France in 1883 as “*cet arbre fécond, qui a étendu ses rameaux en Italie, en Espagne, en Corse, en France*” (“that fertile tree, which has spread its branches in Italy, Spain, Corsica and France”), and which was descended from the noble Rossi family of Parma.¹³ According to the *Annales de Parme* and the Italian historian Casoni (1662–1723),¹⁴ Guglielmo, the son of Bernardo Rossi, Count of San Secondo, was driven out of his fiefdom of Rivarola in Parma. He came to Chiavari in Liguria, where he built a castle in 1089, to which he gave the name of Rivarolo. This same tradition was related to James Boswell in 1765 by Count Domenico Rivarola of Bastia, who informed him that the Rivarola family was “a branch of the house of Rossi, at Parma, one of the most ancient and conspicuous of the Italian nobility”.¹⁵

¹¹ Roulhac de Rochebrune, op. cit., p. 1.

¹² “Deposizione legalizzate intorno a un castello presso il torrente Lavagna, detto dei Rivarola, costruttovi dai Rossi di Parma. 1632”. Società Economica di Chiavari, Archivio Storico Rivarola. Tot. Carte 19. Filza No. 27. The document is dated 22 November 1632, and is annotated in the Società's catalogue as follows “Testimonianze rese sul fatto che a due miglia da Chiavari vicino al fiume Lavagna ci siano vestigia di un castello con chiesa, che sempre si è chiamato il “Castello dei Rivarola” e fatto costruire dai Rossi di Parma e nel quale “Vi era un epitaffio in Pietra che fu levato dinotante le cose sopra espresse, e da’ quali Rossi è discesa la Famiglia de’ Rivarola di Chiavari”. <http://www.societaeconomica.it/archivi/biblioteca/archivi/archivio-rivarola/archivio-rivarola>. Accessed 24 April 2014.

¹³ Adolphe de Lescure, *Rivarol et la société française pendant la Révolution et l’émigration (1753–1801) : études et portraits historiques et littéraires d’après des documents inédits*. Paris : Plon, 1883, pp. 15–17.

¹⁴ Filippo Casoni (1662–1723), a Genoese historian, wrote *Annali della storia di Genova*, the first volume of which was published in 1708, and the second in 1799.

¹⁵ James Boswell, *An Account of Corsica: The Journal of a Tour to That Island, and Memoirs of Pascal Paoli*. 2nd edn. London : Edward & Charles Dilly, 1768, p. 97.

The descendants of Lazare de Rossy

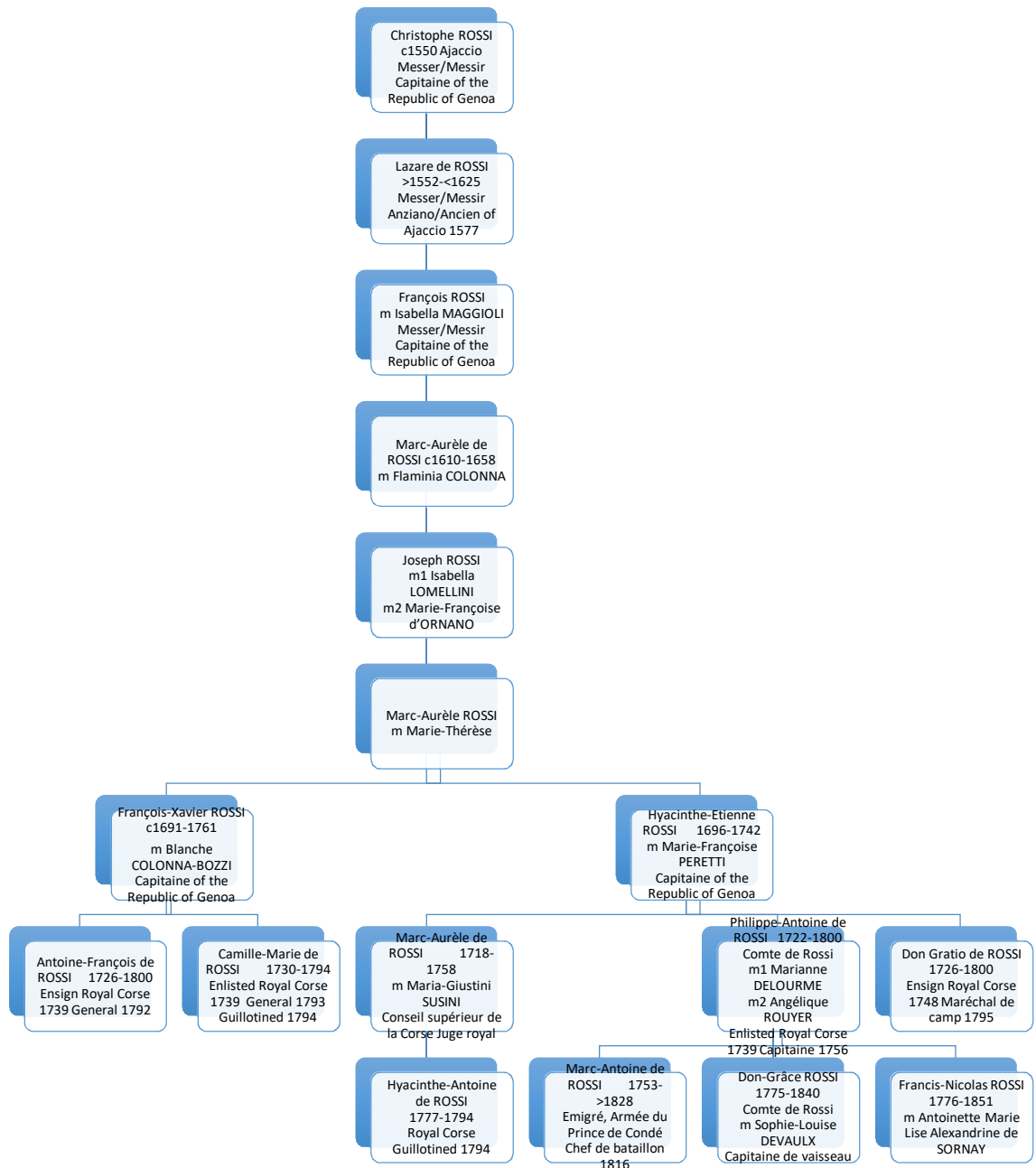


Figure 2.2 Rossi Family, Ajaccio : 16th–19th centuries
(abbreviated chart)

The chart above lists the male line from Christophe Rossi and bears out the family's contention that Lazare's male descendants were all styled "Magnificent" and "Most Illustrious",¹⁶ and that they married into only the most important Genoese families. Isabella Maggioli who married François Rossi

¹⁶ Carrington notes these were courtesy titles, carrying no implication of nobility, but nevertheless accepted as such by the authorities. Dorothy Carrington, *Napoleon and his parents: on the threshold of history*. London : Viking, 1988, p. 72.

in 1598, was the daughter of the “very illustrious Maggioli, at that time Genoese Prefect at Ajaccio”,¹⁷ and François’s brother, Lepidi, married Lucrece Maggioli (Isabella’s sister). The latter couple’s child Dumenicu (Dominique) de Rossi became Archdeacon of the Cathedral at Ajaccio in 1628 and “*premier dignitaire de l’église cathédrale*” (the highest office-holder of the Cathedral”). The Colonna, d’Ornano, Peretti and Bozzi families, into which Lazare’s later descendants married were also families of distinction.

Corsica’s major towns were inhabited principally by merchants and others who relied on Genoa to maintain their position, and the Rossis quickly established themselves among the Genoese elite of Ajaccio. Lazare de Rossi was an *anziano* (“*ancien*” or “elder”, meaning a member of the town’s Council) as early as 1577.¹⁸ In turn, Genoese control of the island depended on the loyalty of major towns like Ajaccio, whose fidelity, however, was “the misfortune of the Corsicans”,¹⁹ for the great bulk of the population regarded the towns as alien implantations and barracks for the occupying troops.²⁰

Ajaccio is the principal town in the south-west of the island, in the *Di-là-da-Monti* (*Au-Delà-des-Monts*, The Other Side of the Mountains), an essentially pastoral region inhabited by clans of mountain dwellers, whose leaders traditionally resisted Genoese overlordship.²¹ The headquarters of the Genoese administration was located in Bastia, in the island’s north-west, in the more heavily populated *Di-Quà-da-Monti*, (*En-Deça-des-Monts*, This Side of the Mountains), which was closer to Genoa both geographically and politically.

The Rossis had faithfully supported their Genoese overlords, for both Philippe-Antoine’s father, Ghjacintu Stefano (Hyacinthe-Etienne) Rossi (1696→1770) and uncle, Francescu Savieru (François-Xavier; c1691–1761),

¹⁷ Roulhac de Rochebrune, *op. cit.*, p. 12.

¹⁸ “Rossi No. 71”, *op. cit.*, f. 69 verso. The *Conseil supérieur* even cites the page number— p. 302—of the *Grosso Libro*. According to Carrington (*op. cit.*, pp. 75 & 270), the *Grosso Libro* is “a massive register of municipal edicts”.

¹⁹ P. Garelli, *Les institutions démocratiques de la Corse jusqu’à la conquête française : thèse pour le doctorat...* Faculté de droit de l’Université de Paris. Paris : H. Jouve, 1905, p. 33.

²⁰ Yerahmiel Kolodny, *La Géographie urbaine de la Corse*. Paris : 1962, pp. 4; 68–74. Quoted in F. Roy Willis, “Development Planning in Eighteenth-Century France: Corsica’s Plan Terrier”. *French Historical Studies* 11/3 (Spring 1980), p. 333.

²¹ Antoine-Marie Graziani et José. Stromboni, *Les feux de la Saint-Laurent*. Ajaccio : Piazzola, 1992, p. 29. Quoted in Graziani, *La Corse génoise*, *op. cit.*, p. 93.

were captains of the Republic of Genoa, having raised troops for the Genoese at their own expense. However, resentment at the heavy taxes imposed by the Genoese Republic led to a series of revolts by the general populace, with which the leading families sided. Genoa sought the aid of Emperor Charles VI of the Holy Roman Empire, who sent troops to put down the revolt. A settlement reached in 1735 was not honoured by the Genoese, and the Corsicans looked to outside assistance to rid the island of the Genoese. They turned to a German adventurer named Theodore Neuhoff, and welcomed him to the island as their King in March 1736. Neuhoff, crippled with debts, hoped to enrich himself, but was driven from the island with the help again of Charles VI's troops after a short six months.

The Corsican elites realised they needed outside assistance, and in addition to a long-standing pro-French faction, there were others who favoured Venice, Spain and, later, Britain. The Rossi family played a leading role in the pro-French faction and their strong attachment to France dates from this time. The wife of the Francis-Xavier mentioned above, Bianca (Blanche) Colonna-Bozzi, was a key figure in the political manoeuvring to bring about French rule in the island, as was her brother, Antoniu Francescu (Antoine-François) Colonna-Bozzi (1713–1761). Revolts against the Genoese were put down with the aid of the French, who occupied parts of the island from 1738 to 1741, and again from 1748 to 1753, withdrawing after each uprising was suppressed.

Bianca²² was of the generation of Francis-Nicolas's grandparents, and probably died before Rossi was born, but he would have known of her achievements, both by family and public report. Bianca's remarkable role is well known, and Corsican historians invariably acknowledge her great contribution. Her father, Francescu Maria (François-Marie) Colonna di Bozzi was a feudatory lord of Ziddarà (Zigliara) in the *Au-Delà-des-Monts*, and a colonel in the service of Genoa, before he turned against the Genoese. In 1729 he went so far as to offer Corsica to King Philippe V of Spain,²³ to which the Genoese responded

²² Possibly because of her fame, historians invariably refer to her as Bianca, rather than Blanche.

²³ Evelyne Lucciani, Louis Belgodere de Bagnaja and Dominique Taddei, *Trois prêtres balanins. Au coeur de la révolution corse, Buonfigliuolo Guelfucci, Erasmo Orticoni, Gregorio Sabrini*. Ajaccio : Editions Alain Piazzola, 2006, p. 37.

by blockading the island, burning villages, and destroying crops and fruit trees. He was arrested in Genoa and spent ten years in prison before Bianca could persuade the Genoese to release him.

Bianca and her brother successfully intrigued with the French to expel the hated Genoese, for she was a very talented woman, and became the principal French political agent on the island, corresponding with successive Ministers of Foreign Affairs in Versailles. She was “*la véritable hégérie [sic] du parti français*”, (“the charismatic leader of the pro-French party”),²⁴ and the Genoese faced no fiercer enemy than her in Corsica. During the periods when the French withdrew from the island, she would take refuge in the family village in the high mountains of Taravo, south of Ajaccio, where “surrounded by devoted shepherds, she lived the life of a bandit”.²⁵

The French were now playing their own game on Corsica, ostensibly supporting the Genoese, while having an eye to displace them as masters of the island. The French were therefore happy to work with Bianca, although they remained on their guard in dealing with her. Despite speaking no French, she was nevertheless able to influence the new invaders. French agents reported to the head of the French invading force, the Marquis de Maillebois, that she was “reserved, polite and dignified, speaking little but well enough, and engaging with that Corsican directness against which one must always be on guard”.²⁶

When Maillebois arrived in Ajaccio in 1739, he lodged in Bianca’s residence in Ajaccio, no doubt to keep her at close quarters. It was during this time that she lobbied for the formation in the French army of a regiment entirely of Corsicans, in order to bind the two nations closer together. Convinced by Bianca’s arguments, Versailles set up the *régiment Royal Corse* (the Royal Corsican Regiment) in Antibes on the mainland in 1739. Ambrughju (Ambroise) Rossi, the renowned 18th century Corsican historian and distant relative of the

²⁴ Lucciani, op. cit., p. 92.

²⁵ Jules-Toussaint Biancamaria, *La Corse dans sa gloire, ses luttes et ses souffrances*. Paris : Peyronnet, 1963, pp. 157–58.

²⁶ “Extrait d’une lettre de M.S.L.V. à M. le Marquis de Maillebois, général des troupes de France à Bastia, 13 mai 1739”. In Lucien Auguste Letteron, *Pièces et documents divers pour servir à l’histoire de la Corse : pendant les années 1737–1739*. Bastia : Ollagnier, 1893, p. 376.

Rossis, quoted Cardinal Fleury, one of Louis XV's ministers, as praising Bianca in 1740 for having "rendered the greatest service to France by reawakening the old enthusiasm which the Corsicans had for the King, [...] and the perpetual guarantee of this is this Regiment, the Royal Corse".²⁷ Bianca quickly enlisted her two sons at the regiment's inception: Antonio-Francescu (Antoine-François, 1726–1800) as an Ensign, and Camillu-Maria (Camille-Marie, 1730–1794) as a 9 year old cadet.²⁸ They were Francis-Nicolas's first cousins once removed, and both rose to the rank of General, Camille-Marie falling victim to the guillotine in 1794.

Not all Corsicans supported the French cause, for many looked to an independent Corsica and to its champion, Filippo Antonio Pasquale di Paoli (Pascal Paoli, 1725–1807). On his return from exile in Italy, Paoli was elected General-in-Chief of Corsica, and on 14 July 1755, proclaimed the island's independence. Paoli is known to the Corsicans as *u Babbu di a Patria* (*le père de la nation*, Father of the Nation), and is still revered as such today.

Despite internal armed opposition, most notably from the clan leader Emmanuel Matra, who sided with the Genoese, Paoli now led an independent Corsica for some 14 years. The new nation entered a progressive period, enacting in November 1755 an enlightened democratic constitution, and also setting up an army, navy, and its own currency. In 1765 Paoli established a University at Corte, in the island's mountainous interior, where the island's future leaders were to be trained.

The constitution was a remarkable achievement, inspired by the principles of the Enlightenment and built on traditional Corsican elective institutions known as *consulte*. The preamble declares the sovereignty of the Corsican people and their desire to create a constitution that will ensure the happiness of the people, anticipating by some seven years Rousseau's *Du contrat social*, not to mention the sentiments expressed in the texts of the American Declaration of Independence and the French *Déclaration des droits de l'homme et du citoyen*.

²⁷ Ambroise Rossi, *Osservazioni storiche sopra la Corsica dell'abbate Ambrogio Rossi*. Ed.by l'abbé Letteron. Bastia : Ollagnier, 1895–1909. 13 vols. Book VIII, Observation IV, No. 52 1740. The *abbé* Letteron says that Rossi was a Cappucine monk and a member of the Rossi family. (Vol 1, p. vi).

²⁸ Xavier Poli, *Histoire militaire des Corses au service de la France. Première partie*. Ajaccio : de Peretti ; Bastia : Ollagnier, 1898–1900. 2 Vols. Vol. 2, p. 116.

It provided for a representative legislature or Diet, which regulated taxation, nominated the head of the executive, determined foreign policy and could remove any member of the executive. Its laws were binding on all citizens, including the nobles and the clergy, and every adult male had the right to stand for election. In practice, however, the Diet was controlled by local leaders, who were not always supporters of Paoli.²⁹

This determination of the Corsicans to govern themselves earned the praise of Rousseau, who wrote in his *Social Contract* of 1762 that

*Il est encore en Europe un pays capable de législation : c'est l'île de Corse. La valeur et la constance avec laquelle ce brave peuple a su recouvrer et défendre sa liberté, mériterait bien que quelque homme sage lui apprît à la conserver. J'ai quelque pressentiment qu'un jour cette île étonnera l'Europe.*³⁰

James Boswell, Samuel Johnston's biographer, who met Paoli in Corsica in 1765, was also impressed by the young Corsican government and by Paoli, describing his government as "the best model that hath ever existed in the democratical form".³¹ Not all believe Boswell's activities in Corsica were entirely altruistic—Vergé-Franceschi, echoing Said, sees them as "an effective manual for a colonial adventure"—the later British occupation of the island.³²

²⁹ Dorothy Carrington, "The Corsican Constitution of Pasquale Paoli (1755–1769)". *The English Historical Review*. 88/348 (July 1973), pp. 482; 487; 501.

³⁰ "There is in Europe one country which is still capable of creating laws [to govern itself]: it is the island of Corsica. The courage and the constancy with which this brave people has been able to recover and defend its liberty well merits some wise man to teach it how to preserve it". Jean-Jacques Rousseau, *Du Contrat Social ou Principes du droit politique*. Paris : Garnier Frères, 1962, p. 269. My translation.

³¹ James Boswell, *An Account of Corsica, the Journal of a Tour to That Island, and Memoirs of Pascal Paoli*. 3rd edn. London : Dilly, 1769, p. 189.

³² It is to be noted that, after the British occupation of Corsica, Boswell sought to be appointed as Viceroy there. (Michel Vergé-Franceschi, *Histoire de Corse : Le pays de la grandeur*. Paris : Éditions de Félin, 2000, pp. 324 *et seq.*



Figure 2.3 Map of Corsica
 UBehrje 2010, Wikimedia Commons, viewed 14 September 2016,
https://commons.wikimedia.org/wiki/File:Corsica_Map.png.

The notion of an independent Corsica under Paoli was however anathema to the old Corsican families and to the middle class, who saw it as a threat to their political and economic status. As Mathieu Buttafoco, an officer in the Royal Corse and an ardent advocate of the French, expressed it:

*la domination française est le seul moyen de garantir la sécurité contro il populaccio, c'est l'ordre social enfin rétabli et avec lui la loi, la liberté, le 'retto governo'.*³³

³³ “Domination by the French is the only way of guaranteeing our security against the mob; we will see social order finally restored, and with it, law, liberty and proper government”. Mathieu Buttafoco, “Letter believed to be to Charles François Allesandrini, 24 November 1769”. Quoted in Antoine Casanova and Ange Rovère, *La Révolution française en Corse 1789–1800*. Paris : Bibliothèque historique Privât, 1989, p. 75. My translation.

Their hostility towards Paoli, as the advocate of the people, was “hereditary”, according to Vergé-Franceschi, passed on through the generations.³⁴

The Rossis were no exception, and Philippe-Antoine’s elder brother, Marc-Aurèle, had been one of the leaders of a virulent anti-Paolist organisation in Ajaccio.³⁵

In the face of Paoli’s successes in driving the Genoese from the island’s mountainous inland, the Genoese again appealed for French assistance. By this time, however, France had designs of its own, wishing to forestall a British takeover of the island. As a result, France concluded the Treaty of Versailles with Genoa on 15 May 1768, which gave the French effective possession of the island. Genoa was in considerable debt to the French, and the Treaty permitted Louis XV to levy taxes in Corsica in order to recoup its loans to Genoa.³⁶ A short four months later, France invaded the island and defeated Paoli’s army at the Battle of Ponte Novu in the island’s north, bringing Corsica’s independence to an end. The impact on the Corsican patriots was summed up by a young Napoleon in a letter he wrote to Paoli in 1789:

*Trente mille Français vomis sur nos côtes, noyant le trône de la Liberté dans des flots de sang tel fut le spectacle odieux qui vint le premier frapper mes regards [...] Les cris des mourants, les gémissements de l’opprimé, les larmes du désespoir environnèrent mon berceau dès ma naissance.*³⁷

It was an ignominious fate for Corsica, to be bartered between two great powers in settlement of a debt. Paoli, however, fled to London, where he had many admirers among liberal circles. As a result of Boswell’s championing, Paoli was given a pension by the British Government and was on friendly terms with King George III. The movement for Corsican independence, however, appeared to have been stifled.

³⁴ Michel Vergé-Franceschi, *Paoli : un Corse des Lumières*. Paris : Fayard, 2005, p. 82.

³⁵ Philippe-Antoine de Rossi to Sérigny d’Hozier, 26 December 1771. Bibliothèque nationale de France (BNF), Département des MSS, Section occidentale. Fonds Français Nouveau de d’Hozier 291 (Français 31516). R 167 581. 6723. “Rossi 6723 [f. 6]”.

³⁶ J.-M. Jacobi, *Histoire générale de la Corse depuis les premiers temps jusqu’à nos jours (1835)*. Paris : Bellizard, Barthès, Dufour et Lowell, 1835. 2 Vols. Vol 2, pp. 385–388.

³⁷ “Thirty thousand Frenchmen vomited onto our shores, drowning the throne of liberty in rivers of blood, such was the odious sight which met my sight [...] The cries of the dying, the groans of the oppressed, the tears of despair have surrounded my cradle since my birth”. Frédéric Masson and Guido Biagi, *Napoléon inconnu : papiers inédits, 1786–1793*. Paris : P. Ollendorff, 1895. 2 Vols. Vol 2, p. 64. My translation. Napoleon was at the time an enthusiastic supporter of Paoli.

The French, quite sensibly, had not deployed the Royal Corse Regiment in the invasion, and indeed, the regiment's officers, with Francis-Nicolas's uncle Camille-Marie to the fore, had petitioned the King not to require them to bear arms against their compatriots.³⁸ The regiment never fought in Corsica, and was only ever used in campaigns on Continental Europe, most notably in Louis XV's campaigns in the War of the Austrian Succession (1740–48), and the Seven Years' War (1756–1763).³⁹

Three years after its establishment, the regiment was sent to Flanders to fight in the War of the Austrian Succession. Here, it was quartered in Berg-op-Zoom, near the mouth of the Scheldt, and took part in the sieges of Tournai, Dendermonde, Ostende, and d'Ath, and in the 70-day siege to retake Berg-op-Zoom in June 1747. The Regiment remained in Flanders after hostilities had ceased, and was withdrawn to La Rochelle in 1753, and later to Perpignan.

The Seven Years' War saw the regiment again sent north to fight with the Army of the Rhine, where it suffered heavy losses at the Battle of Hastembeck, and in June 1758 at Krefeld. It was subsequently withdrawn and sent to the Ile de Ré to protect against an English invasion. At the end of hostilities in February 1763, the regiment was incorporated as a battalion of the Royal Italian Regiment, only to be reconstituted as the Royal Corse three years later. It was then stationed successively in various places throughout France, including Avignon and Brittany, before being disbanded in March 1788 to become the 3rd and 4th Battalions of Chasseurs Corses.⁴⁰

It was, during its heyday, one of the French Army's elite units, to which many young Corsican noble and bourgeois men were attracted, as it provided a means of social and economic advancement. Even the young Pascal Paoli had tried to enrol, but was rejected.⁴¹ This was precisely the intention of the French authorities in establishing the regiment: to tame the independent "republican" nature of the Corsicans and to instil the proper sense of nobility into the island's leading citizens. As Salvadori explains:

³⁸ Poli, *op. cit.*, p. 188.

³⁹ The following account is taken from Poli, *op. cit.*

⁴⁰ Poli, *ibid.*, p. 202.

⁴¹ Biancamaria, *op. cit.*, pp. 158–59.

*L'armée française devient une école de civilisation pour le simple soldat et l'officier, permettant au surplus de faire émerger une élite en voie d'anoblissement.*⁴²

Morale among the regiment's officers was high, and an official inspection in 1765 found that, although they were loyal to the King of France, they were nevertheless united in their commitment to Corsica:

*Les sentiments qui les unit en un faisceau qui rien ne saurait rompre, c'est une affection inaltérable pour la Patrie, pour la Corse. Corses toujours et partout !*⁴³

Their greatest fault, the report continued, was gambling, although this flaw was not confined to the Royal Corse. Their courteous and diplomatic manners often surprised the mainland French, who were accustomed to more direct Corsican behaviour.⁴⁴ As a result, they were readily accepted into noble society wherever they were garrisoned—"in Marseille, Besancon, Dunkirk or Dinan". They contracted very good marriages, brought gaiety and affability to social occasions, and generally enhanced the reputation of their island. They paid great attention to their children's future prospects, and some, including the Rossis, succeeded in having their sons accepted into the Regiment, where they attended classes in the garrison's school until they could arrange a sub-lieutenancy for them. The Rossi family was among those given special mention for securing "in large measure" positions in the regiment for their relatives and friends.

There were five *sieurs Rossi* in the regiment, all serving with distinction, and the 1765 report made specific mention of them:

Mais il est nécessaire de faire une remarque générale sur les sieurs Rossi, qui sont cinq dans le régiment [...]. Ils sont en général tous bons officiers mais ce sont des esprits chauds

⁴² "The French Army became a place of instruction to civilise both the [Corsican] private soldier and the officer, at the same time facilitating the emergence of an elite on its way to ennoblement". Philippe Salvadori, "Royal-Corse". In Antoine Laurent Serpentine, *Dictionnaire historique de la Corse*. Ajaccio : Albiana, 2006, pp. 858–59. My translation.

⁴³ "The sentiment which unites them into a tightly knit family that no-one can break is their unalterable love for their Fatherland, for Corsica. They are Corsicans through and through!" Poli, op. cit., p. 109. My translation.

⁴⁴ Poli, *ibid.*, p. 110.

*vraiment corses, capables de s'unir entr'eux et de cabaler contre l'autorité.*⁴⁵

The five officers were Rossi's father, Captain Philippe-Antoine, his uncle, Lieutenant Don Gratio (later General), his cousin, Sub-lieutenant Hyacinthe-Antoine, his first cousin, Camille-Marie and Antoine-François (both Aide-majors and later Generals), and his elder half-brother, Ensign Marc-Antoine, who was awaiting a commission in the regiment.⁴⁶

After Ponte Novu, Louis Charles René, *comte* de Marbeuf, was appointed head (*Intendant*) of the island's administration, with the task of securing the allegiance of the Corsicans. As noted above, the creation of a Corsican nobility loyal to the Crown was central to this, and it was particularly effective as the Genoese had neglected to maintain the island's nobility, another grievance held by the island's leading families.⁴⁷ Another aim of the French authorities was to reform traditional Corsican society by weakening the power of the clergy, whom they saw as economically unproductive and, in some cases, prejudicial to social order, being "little better than bandits".⁴⁸

The French moved quickly, and on 20 September 1769, the King issued an edict setting up a *chancellerie* (chancellery), attached to the *Conseil supérieur de la Corse* in Bastia, to verify the claims of nobility by Corsican families. Claimants needed to provide documentary evidence of at least 200 years of patrician status, before being granted the status of nobility and access to its privileges.⁴⁹ Unlike in Continental France, the status of nobility under the Genoese Republic bestowed no great distinctions—some fiscal privileges, but principally the rights to carry an arquebus, to erect a family tower armed with

⁴⁵ "It is necessary to remark generally about the *sieurs* Rossi, of whom there are five in the regiment [...]. They are all, on the whole, good officers, but hotheaded, true Corsicans, capable of uniting as one to collude against authority". Poli, *ibid.*, pp. 105–6. My translation.

⁴⁶ Marc-Antoine was made a *sous-lieutenant* (second lieutenant) in the regiment in 1768. Fernand Emile Beaucour, *Un fidèle de l'Empereur en son époque : Jean Mathieu Alexandre Sari, 1792–1862*. Wimereux ; Paris : Société de Sauvegarde du Château Impérial de Pont de Briques, 1972–1973, p. 640.

⁴⁷ Antoine-Marie Graziani, *La Corse génoise : économie, société, culture : période moderne 1453–1768*. Ajaccio : A. Piazzola, 1997, pp. 134–34.

⁴⁸ Thadd E. Hall, "Thought and Practice of Enlightened Government in French Corsica". *The American Historical Review*. 74/3 (February 1969), pp. 890 ; 892.

⁴⁹ Hervé Pinoteau, *Vingt-cinq ans d'études dynastiques*, Paris : Ed. Christian, 1982, p. 262.

two or four cannons, and to go abroad with an armed escort of six or 12 men.⁵⁰ It did, however, facilitate promotion within the French army and access to Royal favours.⁵¹ The Rossis took full advantage of both.

Many families, including those who had previously supported Paoli, moved quickly to lodge their claims. Some resorted to a certain Bernardino (Bernardin) Delfino in Ajaccio to fabricate the necessary papers, while others, notably Carlo (Charles) Bonaparte, Napoleon's father, appear to have altered the dates of some events in order to meet the 200 year requirement.⁵² The Rossi family's claim was facilitated by the recognition in 1769 of Philippe-Antoine's by the *Chambre des comptes* in Nantes. The Letters Patent issued by the *Chambre* had certified that he was a loyal subject of the King and had forgone a pension of 700 *livres* from the Republic of Genoa for services rendered to it by his father, Hyacinthe-Etienne.⁵³ A captain in the Royal Corse, Philippe-Antoine had lived in Vannes for some 16 years, having made a good marriage in 1753 to *Demoiselle* Marianne Pétronille Delourme, *dame de Quéraly*.⁵⁴ She was the daughter of *noble homme* Charles Delourme, himself the son of *noble homme* and *architecte célèbre*, Olivier Delourme.⁵⁵ The Letters Patent provided that Philippe-Antoine, his children and descendants were entitled to the rights and privileges which he and his ancestors had always enjoyed,⁵⁶ including exemption from all taxes. This latter right applied only in continental France, however, for Philippe-Antoine was later obliged to pay taxes to the King on the income from his *comté* (county) in Corsica.⁵⁷

⁵⁰ Michel Vergé-Franceschi, "Introduction". In François Demartini, *Armorial de la Corse*. Ajaccio : Piazzola, 2003. 2 Vols. Vol 1, p. 16.

⁵¹ Vergé-Franceschi, *Enfance*, p. 250.

⁵² Carrington, *Napoleon and his parents*, p. 74.

⁵³ "Reconnaissance de Noblesse 1769", f. 284.

⁵⁴ Roulhac de Rochebrune, *op. cit.*, p. 34.

⁵⁵ Baptismal certificate of Jean-François Delourme, 28 November 1730. Louis Rosenzweig and Charles Estienne, Archives départementales de Morbihan, Inventaire-Sommaire des Archives Départementales antérieures à 1790. Morbihan, Archives Civiles, Série E, Supplément. 2e Partie (No. 808 à 1595.). Vannes : Imprimerie et Librairie Galles, 1888. Tome 5, p. 609. Jean-François is stated to be the son of "*noble homme Charles Delourme*", and the godson of Jeanne Caillot, "*veuve Delourme*". Other records in the same volume state that Jeanne Caillot was Olivier's widow.

⁵⁶ "Reconnaissance de Noblesse 1769", f. 284.

⁵⁷ Pascal-Pierre Santini, "Le Comte de Rossi". In *Hommages à Fernand Ettore. Etudes Corses*. 10^e année. Nos 18–19 (1982), p. 210.

Philippe-Antoine had supported his claim to noble status with documents supplied by the *anciens*⁵⁸ (elders) and magistrates of Ajaccio, and testimonials from three high ranking officials. These were the Genoese nobleman and Bishop of Ajaccio, Bernardino Centurione (Bernardin Centurion) (1686–1759),⁵⁹ and the Genoese commander at Ajaccio, Taramè Maggioli.⁶⁰ The third official probably carried more weight with the Court in Nantes, for he was the well-known Marquis de Curzay, Nicolas Marie Séraphin Rioult de Neuville, *chevalier*, who had commanded the French troops in Corsica during the French intervention of 1748–1753.⁶¹ de Curzay had generously rewarded those who had assisted the French cause with appointments, pensions, titles and decorations, including no doubt the Rossi family, for he had met Bianca Rossi in Ajaccio in 1749.⁶²

De Curzay was recalled and arrested in 1752,⁶³ but his ignominy was either unknown to the officials in Nantes, or did not detract from his authority. It is a sign of Philippe-Antoine's political adroitness that he had no qualms about enlisting two Genoese officials to support his claim, even though the family had been actively working against Genoa for several decades.

The family's claim before the *Conseil supérieur* in Bastia was lodged by Philippe-Antoine's brothers, Marcu Aureliu (Marc-Aurèle) and Don Grazio (Don-Grâce), and by his first cousins Camillu Maria (Camille-Marie) and Antoniu Francescu (Antoine-François).⁶⁴ The four men made use of Philippe-Antoine's

⁵⁸ The *anziani (anciens)*, were four officials elected each year, along with a *podestat*, whom they assisted in governing the affairs of the town. Together, they were known as the *magistrato superiore*. See P. Garelli, *Les institutions démocratiques de la Corse jusqu'à la conquête française : thèse pour le doctorat...* Faculté de droit de l'Université de Paris. Paris : H. Jouve, 1905, p. 33.

⁵⁹ Goffredo Casalis (ed.), *Dizionario geografico, storico, statistico, commerciale degli stati di S.M. il re di Sardegna*, Torino : Maspero, 1840. 28 Vols. Vol. 7, p. 617.

⁶⁰ Graziani, op. cit., p. 66; most likely the Teramo Maggiolo mentioned as the *commissaire génois* (Genoese prefect) of Ajaccio in 1757—see Antoine Dominique Monti, "La Grande révolte des Corses contre Gênes 1729–1769". <http://adecec.net/adecec-net/parutions/granderevoltecorse2.html>. Accessed 24 July 2004.

⁶¹ Edouard de Magny (ed.), *Nobiliaire de Normandie : publié par une société généalogiste, avec le concours des principales familles nobles de la province*. Paris : E. de Magny ; Librairie Héraldique d'Auguste Aubry ; Rouen : Lebrument ; Caen : A. Massif, [1863]–[1864]. 2 Vols. Vol. 2, p. 176.

⁶² Jean-Marie Arrighi, "Rossi, Bianca née Colonna". In Antoine-Laurent Serpentine, *Dictionnaire historique de la Corse*. Ajaccio : Albiana, 2006, pp. 858–59.

⁶³ Michel Vergé-Franceschi, *Histoire de Corse : Le pays de la grandeur*. Paris : Éditions de Félin, 2000, pp. 298–300.

⁶⁴ "Rossi No. 71", op. cit., f. 22 verso.

Letters Patent to advance their claim, and the *Conseil supérieur* duly certified the family's noble status by issuing an *arrêt de maintenue* (decision on maintenance [of nobility]) on 13 December 1771.

Most of the *arrêts de maintenue* issued in Bastia were made in favour of military officers, for the principal criterion was not noble ancestry but loyalty to the French King. Only a few were given to officials, and the old Genoese noble families did not bother to apply, their nobility already long established and recognised throughout the island. At least 17 officers of the Royal Corse Regiment were ennobled in this process.⁶⁵

A noble family needed a coat of arms (*blason*), and in 1784 Philippe-Antoine submitted his claims to the official in Paris who maintained the register of French coats of arms.⁶⁶ This was Ambroise-Louis d'Hozier de Sérigny (1764–1841), *juge d'Armes de la Noblesse de France* (Adjudicator of Arms and of the French Nobility), whose determinations were accepted by the courts.⁶⁷

D'Hozier confirmed the Rossi *blason* on 12 May 1789, just two months before the storming of the Bastille, describing it as:

*Un aigle de sable à deux têtes couronnées d'or, chargé sur la poitrine d'un écu d'azur à un lion d'or couronné de même tenant de la patte droite une rose d'argent tigée et feuillée de sinople, le dit écu timbré d'une couronne de comte et accosté de chaque côté de deux drapeaux d'argent, celui de droite chargé d'une croix de gueules et celui de gauche, d'une croix d'azur. Supports deux lions d'or, la tête en dehors et se regardant, posés chacun sur un canon de même, la bouche en dehors.*⁶⁸

⁶⁵ Vergé-Franceschi, *Enfance*, p. 244.

⁶⁶ "6723 Rossi".

⁶⁷ d'Hozier de Sérigny's extraordinarily voluminous papers (*Les Carrés d'Hozier*) are conserved in the *Archives nationales* and in the *Bibliothèque nationale de France*. They comprise some 136 volumes, 165 portfolios of documents et 200 bundles of proofs of nobility.

⁶⁸ "A black eagle with two heads with a gold crown, bearing on its chest a blue shield with a lion with a golden crown, holding in its right paw a silver rose with stems and leaves of green; the same shield crested with a comital crown, and bordered on each side by two silver flags, that on the right bearing a cross of gules, and that on the left, an azure cross. Supports of two golden lions, heads outside the shield and looking at each other, each one placed on a cannon of the same, the mouth outside the shield, facing outwards". D'Hozier, 12 May 1789. Quoted in Roulhac de Rochebrune, *op. cit.*, p. 3. D'Hozier's original parchment document was destroyed during the Second World War, although a photograph of the original was preserved. *Comital* is the adjectival form of "count", derived from the

In 1846, Pol Potier de Courcy (1815–1891), the authority on Breton nobility of the *ancien régime*, acknowledged the antiquity of the Rossi arms, adding that the black eagle was an imperial symbol which the Holy Roman Emperor Maximilien II had granted to the family and which Charles V (ruler of the Holy Roman Empire) had confirmed in 1533.⁶⁹ The Rossi arms which still adorn the walls of Rossiville, Francis-Nicolas’s home near Goulburn, faithfully reproduce d’Hozier’s 1798 description.



Figure 2.4 The Rossi coat of arms at Rossiville, Goulburn
Author’s photo 2006.

If the nobility were pleased with their new French overlords and were becoming staunchly Royalist, the general mass of Corsicans were not. The efforts of Louis XV and XVI to win them over were unsuccessful, for the ordinary people resented police control of their weapons and movements, and new laws written

Medieval Latin *comitālis* via French *comte*, and *gules* (French *gueules*) is the heraldic name of the tincture red. My translation.

⁶⁹ Pol Potier de Courcy, *Nobiliaire de Bretagne ou Tableau de l’Aristocratie bretonne depuis l’établissement de la féodalité jusqu’à nos jours*. Brest : St Pol de Leon, 1846, p. 349. Potier de Courcy’s work contains some errors, which have been corrected in recent times, although the entry for *Rossi* is unchanged. See Jacques Petit and Norbert Bernard, “Complément et correctifs au Nobiliaire et Armorial de Bretagne de Pol Potier de Courcy”. 2010.
http://www.tudchentil.org/IMG/pdf/Errata-Addenda_au_Nobiliaire_et_Armorial_de_Bretagne.pdf. Accessed 31 May 2014.

in a language which they did not understand. In short, they resented being treated as colonial subjects.⁷⁰ There was widespread resentment at the increased taxes, particularly after a series of bad harvests, the closing down of centres of learning and the cost of sending deputies to Versailles. Corsicans were more accustomed to settling grievances with the sword rather than by a *cahier de doléances* sent to Versailles.⁷¹ Added to these complaints were high customs duties which stifled trade with the mainland, stamp duty on legal documents, the concessions granted to the recently elevated nobles—regarded by many as phoney elites (*fausses élites*)—and, most galling of all, the appointment of Frenchmen to positions of authority.⁷²

Despite the French take-over, an air of uncertainty hung over the island, for the terms of the 1768 Treaty of Versailles did not preclude the return of Corsica to Genoa. It was well known that the Treasury in Paris had been exhausted by support for the American War of Independence, and it was feared that the French Government might return Corsica to Genoa, to rid itself of the costs of governing it. This was not resolved until 30 November 1789, when the National Assembly decreed that Corsica was part of the French Empire and that its inhabitants governed by the same Constitution as other Frenchmen (paradoxically, this was later a cause of the break with France).⁷³

Resistance against the French was sporadic and lacked leadership after Paoli fled to England. What resistance did occur was put down ruthlessly, most notably in the Niolu, in the island's central north, in 1774.

This then was the uneasy situation in Corsica when Philippe-Antoine returned in 1778 with his children, having been absent from his homeland with the Royal Corse since 1742. His father, Hyacinthe-Étienne, had also been a soldier, and had distinguished himself in 1731 when he successfully defended Ajaccio against German troops who were assisting the Genoese. His wife, Marie-Françoise, was the daughter of the tribune Dongrâce Peretti, of the Peretti

⁷⁰ Gregory, *op. cit.*, p. 34.

⁷¹ Vergé-Franceschi, *Enfance*, p. 380. The *cahiers de doléances* were lists of grievances drawn up separately by the clergy, nobility and workers in 1789.

⁷² *ibid.*, p. 405.

⁷³ *ibid.*, p. 416.

family of Rocca, ennobled in 1772.⁷⁴ Philippe-Antoine had enlisted in the Royal Corse at its inception in 1739, at the age of 14, and joined a company commanded by his uncle, Antoine-François Colonna (Bianca's brother).⁷⁵ He rose steadily through the officer ranks, being made a *chevalier de Saint Louis* in 1759 before retiring, due to ill-health, with the rank of Major in March 1774.⁷⁶

Philippe-Antoine was a lively, boisterous and independent character, according to the army report of 1765 referred to above, which said of him:

*Cet officier qui sans déranger se livre quelquefois au jeu est très remuant, infatigable dans tout ce qui peut avoir rapport à ses intérêts, et même à ceux de ses amis auxquels il paroît attaché singulièrement et sincèrement. Il parle beaucoup et souvent beaucoup trop, quoique très vif son caractère est sociable, comme il ne se propose pas de vieillir au service il ne s'en occupe que superficiellement.*⁷⁷

Philippe-Antoine's soldierly qualities, however, were not in doubt, for he fought bravely and was wounded at the siege of Tournay in 1745, during the War of the Austrian Succession. Two years later, at Berg-op-Zoom, after leading an assault, and foraging food, grain and wood for the besieging army⁷⁸ he was promoted to the rank of *adjoint d'aide-major de place*.⁷⁹ This officer assisted the *aide-major de place*, who in turn worked and deputised for the senior officer responsible for all the logistics in the field—the *major de place*.⁸⁰

Philippe-Antoine had several children from his marriage to Marie-Anne Delourme in Brittany: Marc-Antoine-Joseph-Vincent, born at Ajaccio or Auray

⁷⁴ Roulhac de Rochebrune, op. cit., p. 26.

⁷⁵ Archives de l'armée de Terre et des organismes du ministère de la défense—Vincennes. Fonds de la Guerre, Série Y : archives collectives et individuelles du personnel, Sous-série 1 Yf : Pensions sur le Trésor royal, 1777–1790. Dossier 13727 Rossi, Philippe François Antoine. [f. 5].

⁷⁶ Dossier 13727 Rossi, f. 13.

⁷⁷ "This officer, who is fond of gambling, is boisterous, and tireless in the pursuit of everything which affects his own interests, as well as those of his friends, to whom he seems singularly and sincerely attached. He is very talkative, often too much so, and although very lively, is very sociable, and as he does not intend to grow old in the service, he involves himself only superficially with it". Poli, op. cit., p. 105. My translation.

⁷⁸ Noted in the "Reconnaissance de Noblesse 1769", f. 284.

⁷⁹ Poli, op. cit., p. 147.

⁸⁰ Adolphe Hatzfeld et Arsène Darmesteter, *Dictionnaire général de la langue française du commencement du XVIIe siècle jusqu'à nos jours*. Paris : Ch. Delagrave, 1900. 2 Vols. Vol 1, p. 57; Vol 2, p. 1449.

(Brittany) in 1753,⁸¹ Vincente-Angélique, baptised 19 February 1755 in Vannes,⁸² and Anne-Perrine-Vincente, baptised 3 October 1765, also in Vannes.⁸³

After Marie-Anne's death in May 1766, Philippe-Antoine married the *noble demoiselle* Angélique-Jeanne Rouyer in August 1772 at Pont de Sorgues, near Avignon. His new bride was a Parisian, the daughter of *noble* Nicolas Rouyer, a former officer in the Agenois Infantry Regiment, and of the late *noble dame* Anne-Françoise Godebin.⁸⁴ The children from this marriage were Don-Grâce, born 30 December 1775 in Vannes, Francis-Nicolas, baptised in St Pierre de Vannes on 31 May 1777, and Sophie, who was possibly born in Corsica, but the date is unknown.

Philippe-Antoine had a taste for intrigue and adventure, which he indulged by acting as an intermediary passing information between a pro-French agent in Corsica and the Minister for War in Paris from 1748 to 1760. After Ponte Novu, he continued as an informer and adviser on Corsican affairs to the *comte de Vergennes*, Charles Gravier (1717–1787), who was Foreign Minister in 1774 and one of Louis XVI's most trusted Ministers.⁸⁵

Philippe-Antoine's allegiance to the French Crown was put to the test in 1770, shortly after Ponte Novu and after Philippe-Antoine had been granted his *reconnaissance de noblesse*. Turgot, Minister for the Navy,⁸⁶ summoned him to Paris to advise on how to improve the lot of Corsica's inhabitants.⁸⁷ Apart from wanting to ensure the islanders' loyalty to France, the French also

⁸¹ Roulhac de Rochebrune, *op. cit.*, p. 35 says Marc-Antoine was born in 1758, which would make him only 11 years old when he became a sub-lieutenant. Beaucour gives his year of birth as 1753 (Beaucour, *op. cit.*, p. 640).

⁸² Archives départementales de Morbihan, *Inventaire-Sommaire des Archives départementales antérieures à 1790*. Rédigé par MM. Rosenzweig et Estienne. Morbihan, Archives civiles – Série E, Supplément, (N^o 808 à 1595.) Vol. V. Vannes, *sub* "1755. 19 février".

⁸³ Archives départementales de Morbihan, *Inventaire—Sommaire...*, *sub* "1765. 3 octobre".

⁸⁴ "6723 Rossi", [f. 1].

⁸⁵ Roulhac de Rochebrune states the letters from Brittany are prolific and are in the Ministry of War Archives at Vincennes; the correspondence with Vergennes was in the family's possession until their destruction. See Roulhac de Rochebrune, *op. cit.*, pp. 30. The latter correspondence revealed that a Corsican rival had attempted to assassinate Philippe-Antoine in the Palais Royal.

⁸⁶ Anne-Robert-Jacques Turgot, Baron de Laune (1727–1781).

⁸⁷ Santini, *op. cit.*, p. 206.

wanted to recoup some of the costs of occupying the island, including the 200,000 *livres* they had to pay each year to Genoa, under the terms of the Treaty of Versailles.⁸⁸ Turgot was an economic liberal allied to the physiocrats, who promoted internal colonisation, believing a nation's wealth lay in the land and agricultural labour, rather than in its trade.

Philippe-Antoine complied with Turgot's request and set out his ideas in a "*Mémoire pour la population et le défrichement de l'île de Corse*" ("Report on the populating and clearing of the Island of Corsica").⁸⁹ His proposal was designed to eliminate the drain on the island's economy caused by the annual influx of some 10 to 11,000 seasonal workers from Lucca in Tuscany.⁹⁰ He suggested the authorities set up three depots on the island to house prisoners and army deserters who could then be hired out to landowners. Since the Government was already liable for the costs of maintaining these men, he calculated that the profits from the scheme would more than cover its costs. He believed life was too easy for prisoners in France—unlike in Corsica, and there was always the prospect that they would remain in Corsica after their sentences had expired, marry and settle down. The scheme no doubt had its roots in Philippe-Antoine's experience of deserters from the army.

Philippe-Antoine concluded that he would be happy if the authorities wished to modify his ideas, for he would know that he had been of some use to his compatriots. The authorities took him at his word, and changed his proposal considerably, commissioning him instead to establish a village at Chiavari within five years and settle at least 50 foreign families there. Each family was to receive a house, furniture, utensils and labouring tools, seeds, two bulls or cows

⁸⁸ Willis, *op. cit.*, p. 329.

⁸⁹ Philippe-Antoine de Rossi, "*Mémoire pour la population et le défrichement de l'île de Corse par le comte de Rossi*". Service historique de la Défense, Vincennes. Archives de la Guerre, Reconnaissances militaires (France et colonies)—Mémoires topographiques et statistiques projets d'opérations, 1. France jusqu'en 1790. Cote 1M : 1099.

⁹⁰ The French Government's *Plan terrier* of 1785 later identified the lack of manpower in Corsica as a major cause of the island's under-development. Jeanne Galiani, *Démographie et Economie d'une Cellule Corse : Coti-Chiavari*. Bulletin du Centre Pierre Léon, No. 1 (1972), p. 33. http://bcpl.ish-lyon.cnrs.fr/1972_N_1/6DEMOGRAP.PDF. Accessed 13 October 2015.

and ten goats, together with a minimum of 20 *arpents* (6.8 hectares) of cultivable land.⁹¹

Philippe-Antoine may have looked to Chiavari in Liguria for his settlers, since, apart from his ancestral connections there, the Marquis Stefano Rivarola had founded the *Società Economica di Chiavari* there in 1791 as a centre of agricultural innovation,⁹² The settlers may also have come from Acadia in North America, following the expulsion as French settlers there at the conclusion of the Seven Years' War. Lorraine was also a source of settlers at this time, but these would not have been foreign.



*Figure 2.5 The Gulf of Ajaccio
with Ajaccio in the distance. Taken from Coti-Chiavari. Author's photo 2000.*

The matter was now being handled by the Minister of War, *comte* Claude Louis de Saint-Germain (1707–1778), a professional soldier who was personally acquainted with Philippe-Antoine, and who had been introduced to court by Turgot. To encourage Philippe-Antoine to undertake this costly venture, Saint-Germain now held out the prospect of the position of the King's

⁹¹ Santini, op. cit., p. 201.

⁹² Antonella Grati, "Le società economiche in Liguria tra Sette e Ottocento : continuità e trasformazioni". In Massimo M. Argello and Marco E.L.Guidi, *Associazionismo economico e diffusione dell'economica politica nell'Italia dell'Ottocento : dalle società economico-agrarie alle associazioni di economisti*. Milan : FrancoAngeli, 2000, pp. 88–89.

Lieutenant, or representative, in Ajaccio, when the position became vacant.⁹³ Philippe-Antoine was duly granted the land for his venture, and on 16 January 1778, the King signed letters patent granting him a *comté* (county) at Chiavari, on the southern shores of the Gulf of Ajaccio. He was not the only nobleman to receive such a commission in this area, for two others—the *Sieurs* Jean Stephanopoli de Comnène and Nicolas Fleury—were also given concessions there in May 1777.⁹⁴

Granting concessions to the nobles was not the French authorities' sole strategy plans to develop Corsica. They also included the land survey (*plan terrier*) begun by Louis XV in 1773, but not completed until 1795, due to the French Revolution. The plan proposed that Corsica's confused system of land tenure be regularised, and nominated other projects to develop the island, but it was unfortunately not implemented. It was as late as 1957 that the French Government implemented a development plan for Corsica, which resembled the 1795 *Plan terrier*, and was described as both "a compliment to the farsightedness of [the 1795 Plan] and an indication of the permanence of Corsica's economic and social problems".⁹⁵

Francis-Nicolas's childhood in Corsica and early education

When Philippe-Antoine returned to the island in 1778 to take up his concession at Chiavari, the extended Rossi family would have welcomed Francis-Nicolas and his brother Don-Grâce, and introduced them to the military exploits of their uncles and first cousins, and to the family's proud military tradition in the Royal Corse and earlier. Apart from Camille-Marie and Antoine-François, there was their cousin, Major Hyacinthe-Étienne Rossi (1746–1794), guillotined in 1794, as well as their uncle, Captain Don Grazio Rossi (1726–1800), later *Maréchal de camp* (Field Marshall).⁹⁶ Moreover, the *colonel commandant* (Senior

⁹³ Dossier 13727, [f. 1].

⁹⁴ Santini, op. cit., p. 208.

⁹⁵ Willis, op. cit., p. 346.

⁹⁶ Albertini and Rivollet, op. cit., pp. 317–18.

Colonel) of the regiment was also a relative, François-Marie, *comte* d'Ornano (1726–1794), also guillotined in 1794.⁹⁷

Of these, Antoine-François is the most well-known, for in 1792 while commanding the 23rd Military Division in Corsica, he saved his distant relative, Napoleon Bonaparte, from dismissal from his Artillery Unit in France, before being promoted to Captain.⁹⁸ Napoleon promptly departed permanently for France, not to rejoin his unit, but to Paris and greater glory.⁹⁹

The boys' mother, Jeanne de Rouyer, had died either in 1778 or 1780,¹⁰⁰ and is unlikely to have exercised a great influence over them. Nor is there any evidence that the Rouyer family in Paris played any part in their lives. Philippe-Antoine would therefore have been the dominant influence in their upbringing. Bourdieu's findings on the importance of the twin influences of family background and education in the formation of an individual's *habitus* have already been noted, and the scales were tipped in favour of children like Francis-Nicolas and Don-Grâce, for the family's recent ennoblement meant that they could apply for one of the scholarships offered by the French Government. This was another means by which the French sought to bind their Corsican subjects closer to France. Philippe-Antoine's long service in the Royal Corse had served to acculturate him in the upper echelons of French society, and he twice married into respectable French families, and his children were precisely the type of Corsican the authorities wished to further enculturate. This policy had been adopted in other conquered parts of France, and was especially welcomed in Corsica, as the French had expelled the Jesuits from their colleges at Ajaccio and Bastia and had closed Paoli's university at Corte. One family which took prompt advantage of this was the Bonaparte family, for by assiduously courting the French *intendant* of the island, Marbeuf, Napoleon's

⁹⁷ Philippe-Antoine had made use of the *comte*'s good offices in pressing his case with d'Hozier in 1772. "6723 Rossi", [f. 6].

⁹⁸ Arthur Chuquet, *La jeunesse de Napoléon*, Vol 2, pp. 241–245 ; Albertini and Rivollet, *op. cit.*, pp. 320–21.

⁹⁹ It is impossible to separate issues of nepotism from politics here, for Napoleon, too, was a staunch opponent of Paoli, having been an ardent admirer until 1791 when the two fell out over whether Corsica should throw in her lot with Revolutionary France or pursue her own independence.

¹⁰⁰ Roulhac de Rochebrune, *op. cit.*, p. 38.

parents secured a scholarship for the young Napoleon to attend the military academy at Brienne.

An additional influence on the young Francis-Nicolas was the militarised environment of Ajaccio which so animated the young Napoleon. During Genoese times, Ajaccio had been home to only a few hundred soldiers and cavalry, but in the 1770s, it was filled with army and military officers wearing long riding coats, military uniforms, and red sashes bearing the Cross of Saint Louis.¹⁰¹ The *habitus* of young *Ajacciens* like Napoleon and the Rossi boys could not fail to be affected, although the careers of all three took vastly different turns.¹⁰²

The Bonapartes and the Rossis were connected by marriage—albeit distantly—for the family of Hyacinthe Étienne’s cousin, Antoine-François d’Ornano, *Maréchal de France* had married into the Bonaparte family.¹⁰³ More pertinently perhaps, Carlo Bonaparte, Napoleon’s father, was notary to the Rossi family.¹⁰⁴

During this time, boys like Francis-Nicolas and Don-Grâce were given a rudimentary education at home, as Napoleon was, being taught by nuns, or *béguines* (a lay monastic order), to count and read, before being sent to the well-known school nearby run by Jesuits. Francis-Nicolas may have undergone the same proto-military education which Joseph and Napoleon Bonaparte received at the hands of the Jesuit *abbé* Gio Batta Recco at the *collège royal d’Ajaccio*. Although the Jesuits had been expelled from France in 1773, and their building in Ajaccio converted in 1776 by Louis XVI into a *collège royal*, the municipality later re-employed teachers from among the Jesuits who had remained on the island.¹⁰⁵ The sole detail known of the *abbé*’s teaching style is the anecdote that he divided the class into “Romans” and “Carthaginians”, each group sitting opposite each other under their respective flags. This was to the young Napoleon’s great frustration, for he insisted on

¹⁰¹ Vergé-Franceschi, *Enfance*, p. 254.

¹⁰² Napoleon’s abandonment of his ardent opposition to the French and support of Corsican nationalism is still a contentious issue in Corsica today.

¹⁰³ Roulhac de Rochebrune, op. cit., pp. 15–16.

¹⁰⁴ ML:A 723, f. 6.

¹⁰⁵ P. de Casabianca, *Aux sources de Saint-Erasme d’Ajaccio : De Saint-Ignace à Saint-Erasme*. <http://www.corse.catholique.fr/Aux-sources-de-Saint-Erasme-d>. Accessed 20 July 2016.

being placed with the Romans rather than with the vanquished Carthaginians. The *abbé*, however, made a lasting impression on the future Emperor, for Napoleon bequeathed 20,000 francs to him in his will.¹⁰⁶

Philippe-Antoine was solicitous about his children's education, and sought to enrol his daughter Anne-Perrine-Vincente in St Cyr in 1771,¹⁰⁷ when she was just six years old. He was obviously taking great care to see that she received a good education, for St Cyr was the *Maison royale de Saint-Louis*, set up by Louis XIV in 1686 to educate the daughters of the nobility.¹⁰⁸ Located in a castle at Saint-Cyr near Versailles, it catered for 250 pupils, including the daughters of Corsican families with proof of noble status of at least 140 years standing.¹⁰⁹ One young Corsican noblewoman who was received there in 1784 was Napoleon's sister, Elisa-Marie-Anne Buonaparte (1777–1820).¹¹⁰ The school functioned until the Revolution, and in 1808 the *Ecole spéciale impériale militaire*, the French military academy, was transferred there from Fontainebleau.

For Don-Grâce, Philippe-Antoine secured a place as an *élève du Roi* (King's scholar) at the military school in Rebaix (Seine et Marne) from 1 July 1784, where the young boy studied from July 1784 until the school's closure in 1793.¹¹¹ Don-Grâce joined the French Navy in 1795, and had a distinguished career as a *capitaine de vaisseau* (Captain First Class), being made a *chevalier de la Légion d'Honneur* in 1821,¹¹² and succeeding to his father's title of *comte*.

¹⁰⁶ Arthur Chuquet, *Jeunesse*. Vol. 1, pp. 77–78.

¹⁰⁷ Philippe-Antoine de Rossi to d'Hozier, 26 December 1771. Quoted in Roulhac de Rochebrune, *op. cit.*, p. 36.

¹⁰⁸ Eugène F.-X. Gherardi, *Précis d'histoire de l'éducation en Corse : Les Origines de Petru Cirneu à Napoléon Bonaparte*. Corte : CRDP de Corse, 2011, p. 73.

¹⁰⁹ Louis XVI (roi de France ; 1754–1793), *Déclaration du roi, pour l'admission des Demoiselles nobles de Corse, à la Maison royale de Saint-Louis à Saint-Cyr*. Registrée en Parlement le 20 juin... [1777], p. 2.

¹¹⁰ Dominique Picco, "Origines géographiques des Demoiselles de Saint-Cyr". In Chantal Grell and Arnaud Ramière de Fortanier (eds.), *L'éducation des jeunes filles nobles en Europe : XVIIe–XVIIIe siècles*. Paris : Presses de l'Université Paris-Sorbonne, 2004, pp. 119; 123; 176.

¹¹¹ Don-Grâce de Rossi to Minister of the Marine, 17 December 1816. Service historique de la Défense, Vincennes. Archives de la marine, Fonds modernes 1789 1914. Série CC Dossiers personnels ; CC1 Officiers militaires (1780 [1943]). Dossier Don Grace Louis Rossi.

¹¹² "Chevalier de la Légion d'honneur Don Grace Louis, Comte de Rossi", 21 juillet 1821. Archives nationales, Paris. Légion d'honneur (base de données Léonore). Cote LH/2384/48. Dossier 30176. <http://www.culture.gouv.fr/public/mistral/leonore/>. Accessed 28 January 2015.

Being of noble background was of less concern to the French Navy during the Revolution, as greater importance was placed on a candidate's standard of education, which noble families, of course, were more likely to be able to confer on their sons.¹¹³

Unfortunately, nothing is known of Francis-Nicolas's schooling. In February 1784, Philippe-Antoine intended to enrol Francis-Nicolas in the prestigious *Collège des Quatre Nations* in Paris.¹¹⁴ The school was founded in 1661 by Cardinal Jules Mazarin (1602–1661) to educate 60 sons of nobles or the high bourgeoisie from the “Four Nations”, that is, the provinces ceded to the French Crown by the Treaty of Münster—namely Pignerol, Flandre, Alsace and Roussillon. It was situated in the building that now houses the *Institut de France*, and occupied the leading position in science from its opening.¹¹⁵ It is highly probable that Francis-Nicolas was awarded a place here, or in a similar institution, given that his sister was educated in mainland France. He would have entered in 1787 at the age of 10, the usual age to enter such institutions, perhaps taking up one of the eight *pensionnaire* places for boys from Lorraine and Corsica created by Royal decree in March 1781.¹¹⁶ By 1789 standards at the College had declined and it was in disarray, and of the 36 pupils who attended the College in 1789 only 21 remained when it closed in 1791 due to emigration.¹¹⁷ Rossi was probably back in Corsica by this stage, where Philippe-Antoine had spent more than 10 frustrating years developing his county at Coti-Chiavari. The French government's plans for the colony, though well-intentioned, were flawed, for they disregarded the failure of the earlier Genoese settlement there, due to the poor soil and local conditions, as well as the opposition of the local communities. The authorities were well aware of the activities of these “usurping communities”, for they were specifically acknowledged when the old Genoese domain of Chiavari was incorporated into

¹¹³ Pierre Lévêque, *Les Officiers de Marine du Premier Empire: Etude Sociale*. Thèse pour le doctorat d'Université (Histoire : nouveau régime). Paris : Université de Paris I, October 1998. 2 vols. Vol 1, p. 94.

¹¹⁴ Philippe-Antoine Rossi to d'Hozier, received 6 February 1784. “6723 Rossi”, [f. 10]. The letter is a copy made by an obviously careless assistant, who has transcribed Francis-Nicolas's name as “François Madeleine de Rossi”.

¹¹⁵ Charles Coulston Gillispie, *Science and polity in France: the end of the old regime*. Princeton, NJ : Princeton University Press, 2004, p. 143.

¹¹⁶ Alfred Franklin, *Recherches historiques sur le collège des Nations d'après des documents entièrement inédits*. Paris : Auguste Aubray, 1872, pp. 90-91.

¹¹⁷ *ibid.*

the Royal Domain in 1771.¹¹⁸ The opposition of these local communities, as well as the unhealthy location,¹¹⁹ would again prove insurmountable.

Philippe-Antoine had begun confidently, despite the recent death of his second wife, and by September 1779, had settled two families there, and was hopeful of the arrival of others.¹²⁰ He improved his concession by making bricks, importing timber to build houses, and by planting over 70,000 vines and more than 300 fruit trees on the Isolella peninsula, and enclosing this part of his land with a wall.¹²¹

All this entailed great expense, especially the construction of a large building to house the workmen, as well as a brick and tile kiln. His efforts, however, were continually frustrated by the inhabitants of the local villages of Campo, Frasseto, Quasquara and Zevaco, who continued to graze their livestock on his land, pulling down his fences to allow their animals free access, destroying crops and fruit trees in the process. Added to Philippe-Antoine's difficulties was the decision by the authorities in 1781 to place more stringent conditions on his concession, and to correct the initial faulty survey of his land, depriving him of some 400–500 *arpents* of land (160 to 200 hectares).¹²²

As the villagers' attacks on his property became more frequent, he was frustrated by the inaction of the judicial authorities in Ajaccio to bring the perpetrators to justice.¹²³ He was granted permission in 1788 to hire two guards to protect the property, but this too proved to be in vain. The *receveur des domaines du roi au département d'Ajaccio* (the Collector of Taxes in the Royal Domain in the Department of Ajaccio), Jean-Pierre Souiris,¹²⁴ however, criticised both Fleury and Rossi for exacting the *erbatico* and *terratico* (taxes on produce and land) from the mountain dwellers of Chiavari after they had forced

¹¹⁸ Santini, *op. cit.*, pp. 202–4.

¹¹⁹ Malaria was long the scourge of Corsica's coastal regions, and was not eradicated until the Second World War.

¹²⁰ Santini, *op. cit.*, p. 208.

¹²¹ *ibid.*, pp. 208–9.

¹²² *ibid.*, pp 212–13.

¹²³ He lodged a formal complaint about this in February 1783. Santini, *op. cit.*, pp. 212–13.

¹²⁴ Louis Villat, *La Corse de 1768 à 1789*. Besançon : Millot frères , 1924–1925. 2 vols. Vol 2, p. 444.

them, against their will, to settle at Coti.¹²⁵ Souiris admitted that he himself was unable to get the inhabitants to pay their dues, and cautioned that it would be “imprudent” to take active steps against the united populace of the villages. Philippe-Antoine’s inability to collect taxes meant that he could not pay his taxes to the King, which had been fixed at an annual *champart*¹²⁶ equal to one-tenth of the animal and crop production, with the exception of fruit trees.¹²⁷

Blame also attaches to the authorities in Paris, who, in true colonial fashion, had alienated the land from its customary inhabitants, taking no account of their way of life or means of subsistence. Like most Corsicans, the inhabitants of the four villages lived in the mountains, safe from the attacks of Barbary pirates from North Africa and from the ravages of malaria. They cultivated the fertile coastal areas and practised transhumance, moving their flocks from the mountains in winter to the coastal areas in summer. The French were as guilty in this regard as the earlier Genoese, and matters deteriorated steadily until 20 August 1789 (a month after the storming of the Bastille in Paris), when the inhabitants of the four villages united in a 600-strong band, and forcing their priests to accompany them, marched on Philippe-Antoine’s property, set fire to the building containing his construction materials, burnt his vines and laid waste to the concession. The other nobles suffered the same fate.

The villagers had no option but to try to take back their lands, as the inhabitants of Frasseto made clear in their *Cahier de doléances* presented to the *États généraux* in April 1789.¹²⁸ They lived in a sterile mountain region and therefore depended for their livelihood on using the coastal lands to grow crops and graze livestock. Further, the destruction of their trees and vines on the coast by Philippe-Antoine and the other nobles, together with the exorbitant taxes and charges they were forced to pay, were also impoverishing them.

By now Philippe-Antoine had had enough, and that same month he wrote to the King, pointing out that he had been persuaded to return to Corsica

¹²⁵ Quoted in Antoine Casanova and Ange Rovère, *La Révolution française en Corse 1789–1800*. Paris : Bibliothèque historique Privât, 1989, p. 85.

¹²⁶ The *champart* was part of the harvest due to the King under his *droit de seigneur*.

¹²⁷ Santini, op. cit., p. 205.

¹²⁸ *Cahier de doléances de Frasseto aux États Généraux de 1789, 30 avril 1789*. In René Franceschi, *Combats et souffrances d’un village corse : Frasseto 1770–1850*. 2nd edn. Paris : Poly print, 200, pp. 276–80.

on the promise that he would be appointed Royal Lieutenant of Ajaccio. He had, however, been twice passed over for the position and had spent 100,000 *livres* developing his concession, and unable to obtain justice from the authorities in Ajaccio, had almost exhausted his and his wife's fortunes, the inheritance of the children of his second marriage.¹²⁹

That Philippe-Antoine was disillusioned with the French Crown is an understatement, but the events of July 1789 in Paris put an end to his struggle. All concessions granted to the nobles were revoked by the National Assembly, and by a law dated 12 October 1791 (No. 1370), Philippe-Antoine's concession and those of the other Corsican nobles were resumed into the National Estate.¹³⁰



Figure 2.6 The modern commune of Coti-Chiavari's traditional links with Frasseto, Campo, Quasquara and Zevaco.
Author's photo 2000.

All was not lost, however, for the political situation in Corsica was to take a strange turn, and held out to Philippe-Antoine the chance of regaining his property. Paoli, still in exile in London, had welcomed the Revolution, for it offered the prospect of liberty for Corsica. On hearing that the new

¹²⁹ Dossier 13727 Rossi, [f. 8].

¹³⁰ M. Lepec (ed.), *Bulletin annoté des lois, décrets et ordonnances, depuis le mois de juin 1789 jusqu'au mois d'août 1830*. Paris : Paul Dupont, 1834. 20 vols. Vol 2, p. 418.

Constituent Assembly had, in November 1789, invited fugitives to return home, he immediately did so. In Paris he was hailed as a defender of liberty by both the King and the National Assembly, and in his address to that body, declared his joy at seeing Corsica freed, and pledged his loyalty to the French people, the King and the Assembly.¹³¹

Louis XVI then appointed Paoli Lieutenant-General of Corsica in charge of the island's military forces.¹³² Paoli was ecstatically welcomed in Corsica, and in September 1790, he was elected President of the *Conseil général* of the Department of Corsica. Paoli's enthusiasm, however, was short lived, for on the same day in November 1789 that the Constituent Assembly had invited the exiles to return, it also decreed Corsica to be an integral part of France and governed by the same Constitution. Paoli was further alarmed by the Jacobins' assumption of power in Paris, and by the King's execution in January 1793. Paoli's dream of an autonomous Corsica under French protection was at an end,¹³³ and his disenchantment was such that in February 1793, he resisted an order from Paris to mount an expedition against Sardinia, to counter Britain's strategic interests. Recalling that King Vittorio Amedeo III of Sardinia had assisted the Corsican cause, Paoli ensured that the attack would fail. One of the commanders of the abortive expedition was Napoleon, and this former ardent supporter now became Paoli's bitterest enemy. Forced to flee Corsica with his family, Napoleon, with the support of the Corsican Jacobins, denounced Paoli as a traitor before the National Convention in Paris. Paoli's arrest was ordered in April, but his popularity in Corsica prevented this, and in May, Paoli summoned a *consulte* at Corte which condemned the French Government and hailed Paoli as *Babbu di a Patria* (*Père de la patrie*, Father of the Nation).

Paoli now fought with Royalist supporters to expel the revolutionary forces from the island, rebuffing a naval attack led by Napoleon, and bottling up

¹³¹ Archives parlementaires de 1787 à 1860. 1^{re} série (1789 à 1800), Tome XV, *Assemblée nationale constituante du 21 avril 1790 au 30 mai 1790*. Paris : Dupont, 1883, p. 256.

¹³² Gilbert Elliot Minto, *Life and letters of Sir Gilbert Elliot, first earl of Minto, from 1751 to 1806, when his public life in Europe was closed by his appointment to the vice-royalty of India*. Ed. by his great-niece the Countess of Minto. London : Longmans, Green & Co., 1874. 3 vols. Vol. 2, p. 211.

¹³³ Dorothy Carrington, "The Corsican Constitution of Pasquale Paoli (1755–1769)". *The English Historical Review*. 88/348 (July 1973), p. 502.

the Republican troops in Calvi, Saint-Florent and Bastia. Realising he could not dislodge the French from the coastal cities, Paoli turned to the British for help, for that nation had already declared war against the revolutionary government in Paris. In September 1793, he made an impassioned appeal to George III for assistance, and in January 1794 secured British help to expel the French, in exchange for the annexation of Corsica to Britain.¹³⁴ On 17 February 1794, the British fleet, commanded by the as yet unknown naval officer Horatio Nelson, captured Saint Florent, and in anticipation of a British victory, Paoli convened the *Consultà* (Assembly) at Corte on 15 June, at which Corsica's independence from France was formally declared, and Paoli appointed as President. Bastia soon fell, as did Calvi in early August (during which battle Nelson lost his right eye).

Thus began a curious interlude in Corsican history in which Britain attempted to rule Corsica, in a more determined and organised manner than Neuhoff had, but with the same result. Corsica was now a British protectorate, and Sir Gilbert Elliot (1751–1814), a Scottish MP and member of the Privy Council, was appointed Viceroy. Frederick North (1766–1827), the son of the former Prime Minister Lord North, was appointed Secretary for State. Both these men were to play important roles in Francis-Nicolas's career, both in Corsica and later in India and Ceylon.

Corsica now became the "Anglo-Corsican Kingdom", but it was never formally incorporated into the British Empire—an omission which later caused Rossi considerable distress and the annulment of all land grants made to him in NSW. The threat of the loss of Rossi family lands for a second time was only averted by intervention at the highest level.

Paoli addressed himself to the government of the new kingdom, and charged one of his protégés, Charles Andrea Pozzo di Borgo, with drafting a new constitution. It was less democratic than Paoli's 1755 constitution, for it provided for the Viceroy to be appointed by, and be answerable to, the British Sovereign, and to be head of the executive and commander-in-chief of the armed forces. He had the power of veto over the Parliament and could dissolve it, although the Parliament could petition the King and Viceroy. Universal suffrage

¹³⁴ Elliot, op. cit., p. 223.

was extended to all males over the age of 25, but the members of Parliament, two per district (*pieve*), had to own property worth 6,000 lire.¹³⁵ The result was a body well-suited to serving the interests of the nobles and those with influence.¹³⁶

The ever adroit Philippe-Antoine soon accommodated himself to the new regime, for he established a rapport with the Viceroy and secured a position for Francis-Nicolas as *enseigne* (ensign) in the new Anglo-Corsican Regiment which the British set up.¹³⁷ Rossi's eldest son, Francis Robert Lewis, recorded later that his father's enlistment was "under the auspices of Earl Minto",¹³⁸ a plausible scenario, for Lord Minto, in later years the Governor-General of India, was to say of Francis-Nicolas that "he was quite a boy".¹³⁹ This mark of obvious approbation from the British Viceroy about a young Corsican is a telling contrast to the critical remarks about Philippe-Antoine made by the French army in its 1765 review of the Royal Corse. Which is not to say that the British did not also entertain prejudices about their Corsican subjects, nor that the Corsicans themselves did not view the British unfavourably.

Notwithstanding the family's previous opposition to Paoli, Philippe-Antoine took advantage of the changed political situation to seek compensation from the new regime for the loss of his concession at Chiavari. He put a claim forward to the new Assembly on 21 December 1795,¹⁴⁰ which referred it on to the Viceroy, who turned it down.¹⁴¹

Corsicans of all classes welcomed the British, and Elliot wrote of the "enthusiastic rapture" with which he was greeted, and how

¹³⁵ Carrington, "Corsican Constitution", p. 205.

¹³⁶ Francis Pomponi and Pierre Pascal Santini, "Ajaccio en Révolution : De l'adhésion à l'intégration ". In Francis Pomponi (ed.), *Histoire d'Ajaccio*. Ajaccio : la Marge, 1992, p. 177.

¹³⁷ He also obtained a position of judge for his brother, Marc-Aurèle de Rossi (1718–1798), who was later to become a member of the *Conseil supérieur de la Corse*. Phillipe-Antoine de Rossi, letter dated 22 September 1796. Quoted in Franceschi, op. cit., p. 39.

¹³⁸ ML: A 723. f. 7.

¹³⁹ Thomson, Private Secretary to Earl Moira to Rossi, 20 November 1813. ML: A 723. f. 17.

¹⁴⁰ L'Abbé Letterari (ed.), *Procès-verbaux des Séances du Parlement Anglo-Corse*, Bastia, Ollagne, 1891. *Société des Sciences Historiques et Naturelles de la Corse*. XI (juin-novembre 1891), p. 705.

¹⁴¹ Francis Nicholas's elder brother, Don-Grâce, (the next *comte* de Rossi) also sought recompense under an 1825 law intended to compensate émigrés for the confiscation of their property during the Revolution, but his claim too was rejected.

the females of the humbler classes demonstrate their good will, some by firing pistols out of windows at me, others by throwing handfuls of wheat over me to make me fruitful as they do to brides. When I arrive at a house it is full of the gentry, and my only refuge is the custom of the siesta. Then comes a dinner with fifty people in a small room, succeeded by a walk with a hundred people in the party.

He was particularly complementary about the “most splendid” reception he was given in Ajaccio, whose inhabitants were “more like gentle folk”.¹⁴²

The situation soon changed, however, for Paoli had expected to be appointed Viceroy, and in the Corsican manner, had told Elliot that he did not desire the position and intended to retire. A Corsican would have known that this was but an invitation for Elliot to persuade him to accept the position, but the Scot Elliot took him at his word.¹⁴³ Paoli did not retire and the new regime was effectively hobbled from the start.

Matters became worse after Paoli was given a pension of £1,000 p.a. and a gold neck-chain with a portrait of the King, as a mark of the King’s favour, for the neck-chain never arrived, adding to Paoli’s mistrust.¹⁴⁴ The situation worsened after Elliot, in an attempt to weaken Paoli’s influence, appointed Pozzo di Borgo as President of the *Consultà*. The final straw came in July 1795 when a bust of Paoli was slightly damaged during a reception given by Elliot in Ajaccio. Known as *l’assassinat du buste* (the assassination of the bust), news of the insult quickly spread, and Paoli’s supporters incited unrest. Strident calls for Paoli to be restored and Pozzo di Borgo dismissed forced the British to invite Paoli to retire to England, with an additional pension of £2,000. The 72 year-old Paoli departed for England in October 1795, never to return to Corsica.

Ordinary Corsicans were also disillusioned with the British, for the same problems which bedevilled them under the *ancien régime* still threatened their traditional way of life—their use of communal lands for grazing and raising crops, the resumption of the enclosure of lands, and, of course, crushing taxes.¹⁴⁵ Bonapartist agents were at work aggravating people’s discontent, and

¹⁴² Elliot, op. cit., p. 305.

¹⁴³ Carrington, “Corsican Constitution”, p. 203.

¹⁴⁴ Elliot, op. cit., p. 313.

¹⁴⁵ Pomponi and Santini, op. cit., pp. 177–78.

riots broke out, the most serious being at Bocagnano in April 1796. The British put this outbreak down harshly by the use of troops, including the Anglo-Corsican Regiment, in which Rossi was serving. Further disturbances followed, culminating in an outbreak at Corte and the cutting of communications between Corte and Bastia. The rebels were driven from the citadel at Corte, but organised a rally near Ajaccio during which the property of those supporting the British was damaged. Elliot, now fearful of a French invasion, made concessions to the rebels by abolishing some taxes, granting a general amnesty, recalling Parliament and dismissing his principal Corsican adviser and President of the Consultà, Pozzo di Borgo.¹⁴⁶



*Figure 2.7 The citadel at Corte
Author's photo 2000.*

Elliot also faced problems with his Corsican troops. The four battalions of the Anglo-Corsican Regiment were each composed of 500 Corsican soldiers under mainly British officers,¹⁴⁷ but Elliot's confidence in them was dashed when they proved "unsuitable to the labour and regular duties" of soldiers.¹⁴⁸

¹⁴⁶ Carrington, "Corsican Constitution", p. 209 *et seq.*

¹⁴⁷ François-Marie-Léon-Robert Grouvel (Vicomte), *Les Corps de troupe de l'émigration française 1789–1815...* Paris : Éditions de la Sabretache, 1957, pp. 211–12.

¹⁴⁸ Elliot to Dundas, 25 May 1795 and Elliott/Dundas, 1 August 1795. TNA. War Department—Letters and Papers. French Wars Period. Europe and the Mediterranean. TNA: WO 1/302 1794–1797 Corsica, pp. 629–630.

The British were unable to prevent desertions and soon two-thirds of the Corsican recruits had absconded. The Corsican officers were unable to control their men, with whom they had blood ties or other obligations, and as many officers were Paoli supporters, they were reluctant to collect taxes and put down local revolts.¹⁴⁹

Elliot had earlier noted that the lack of industry on the island meant the only way for a Corsican to gain wealth was to obtain a position in the civil administration or in the military. Since “every shepherd” considered himself entitled to be an officer in the army, and every gentleman to be given command of a battalion, Elliot concluded that the expectations of the Corsicans could never be met.¹⁵⁰ Paoli had made a similar observation some 40 years earlier, speaking of his Corsican troops: *Je trouve deux mille officiers mais pas deux cents soldats. Notre nation est trop avide de titres.*¹⁵¹

Nevertheless, Elliot had no option but to raise Corsican troops, for the withdrawal of British troops after the invasion left a vacuum which the ill-disciplined Paolist bands threatened to fill. A revolt by a few villages soon spread throughout the island, and it became clear that Republican influence in the island was growing and that the French were landing arms and sending in officers to incite the people.¹⁵² Elliot, like the Genoese and the French before him, concentrated his forces in the coastal ports.¹⁵³ Rossi was caught up in these preparations, and was promoted to Lieutenant in the Anglo-Corsican Regiment in May or June 1796.¹⁵⁴ Events now moved swiftly, and in June, Napoleon’s army captured Leghorn (Livorno) on the Italian coast, the main centre for supplying the British fleet. The French then prepared to invade

¹⁴⁹ Albertini and Rivollet, op. cit., p. 85.

¹⁵⁰ Gilbert Elliot, Sir, Bart., *Life and letters of Sir Gilbert Elliot, first earl of Minto, from 1751 to 1806, when his public life in Europe was closed by his appointment to the vice-royalty of India*. Ed. by his great-niece the Countess of Minto. London : Longmans, Green, 1874. 3 vols. Vol 2, pp. 266–67.

¹⁵¹ “I find I have 2,000 officers but not even 200 soldiers. Our nation is too greedy for titles”. My translation. Paoli to Don Gregorio Salvini, 15 September 1755. In Louis-Antoine Perelli (ed.), *Lettres de Pascal Paoli*. Bastia : Société des sciences historiques et naturelles de la Corse, 1884, pp. 23–26.

¹⁵² Mockler-Ferryman, Lt-Col A.F., *The Life of a Regimental Officer During the Great War 1793–1815. Compiled from the Correspondence of Colonel Samuel Rice, C.B., K.H., 51st Light Infantry and From Other Sources*. London : Blackwell, 1913, p. 77.

¹⁵³ Carrington, p. 309 *et seq.*

¹⁵⁴ Rossi to Hunter, Military Secretary NSW, 13 February 1835. SRNSW : Colonial Secretary. Letters from individuals re Land 1826–1856. 35/1161.

Corsica, and Elliot marshalled his troops—some 3,000 British and Corsicans, and 500 marines—to repel the invasion.¹⁵⁵

Napoleon's victories, however, caused the British to abandon hopes of enlisting support in Italy to resist him, and when, in August, Spain changed sides to support the French, the British knew they could not withstand a combined French and Spanish fleet in the Mediterranean. They decided therefore to withdraw from Corsica.

The evacuation order went down hard with Elliot, for he was reluctant to abandon the effort against the French in Italy, and he was also greatly concerned about the fate of the Corsicans who had supported the British cause. The tone of London's instructions also bemused him, for they spoke regretfully of withdrawing "the blessings of the British constitution from the people of Corsica"—the latter having "entertained the blessing unawares", as Elliot noted.¹⁵⁶

The British had made some attempts to improve the Corsicans' lot. Elliot, for example, had proposed the transportation of 1,000 convicts from Britain to work on draining the island's marshes, although he did flag the risk that criminals would find the prospect of living in Corsica so attractive that it would be an incentive to commit crimes. London rejected the proposal, however, on more practical grounds, believing the sight of British convicts would be prejudicial to the deference and respect that Corsicans should show towards their new masters.¹⁵⁷

News of the impending British departure caused conditions to rapidly deteriorate. Republican committees sprang up in the towns and cities and began preparing for government. The British fleet was despatched to Bastia to embark the soldiers concentrated there, but the Corsican troops—both officers and men—had deserted, and the two Anglo-Corsican battalions had to be

¹⁵⁵ Maurice Jollivet, *Les Anglais dans La Méditerranée (1794–1797). Un Royaume Anglo-Corse*. Paris : Chailley, 1896, p. 270.

¹⁵⁶ Quoted in Elliot, *Letters*, pp. 354–55.

¹⁵⁷ Desmond Gregory, *The ungovernable rock : a history of the Anglo-Corsican Kingdom and its role in Britain's Mediterranean strategy during the Revolutionary War, 1793–1797*. Rutherford : Fairleigh Dickinson University Press ; London ; Cranbury, NJ : Associated University Presses, c1985, p. 101.

disbanded.¹⁵⁸ Francis-Nicolas did not desert, despite now having no regiment, and left with the departing British.¹⁵⁹ On the eve of the withdrawal, he secured a position—albeit a demotion to ensign—in another mixed regiment, the crack Smith’s Union Regiment, which had also been depleted by desertions. It was a confused time, for Rossi could not later remember whether he had been appointed to the Regiment in October or in November 1796.¹⁶⁰

It was a fateful step for Rossi, although he would have faced an uncertain fate had he remained in Corsica. The cultural differences between the British and the Corsicans were vast, and it is a mark of Rossi’s *habitus* that he was willing, and able to assimilate into British society, albeit that of the British military. In an oft-quoted passage, Napoleon wrote of the Corsicans’ aversion to the “habitual gloom [of the British] [...] their manner of being continually at table, almost always intoxicated, and of uncommunicative disposition”.¹⁶¹ The Corsicans also regarded the Protestant religion as heretical, and were repulsed its “unceremonious worship, and its naked, dismal temples”, preferring “the pomp and splendour of the Catholic religion, its beautiful churches adored with pictures and frescoes, and its imposing ceremonies”.

For their part, the British held a jaundiced view of the Corsicans—they were the “very perversion of morality”, according to Lieutenant-General Trigge. Trigge explained that in most countries, murder, theft and deceit were dishonourable, but in Corsica, a man was dishonoured if he did not kill the man who had insulted him or his family, if he was forced to work for a wage or to carry a burden himself rather than get his wife to carry it, or, worst of all, to serve as a drummer in the army.¹⁶² The apparently universal desire of the

¹⁵⁸ Grouvel, op. cit., p. 215.

¹⁵⁹ Francis Nicholas Rossi to Hunter, Military Secretary, 16 February 1835. ML: Colonial Secretary. Letters Received relating to Land, 1826–1860, 2/7462.

¹⁶⁰ Francis Nicholas Rossi, “Case submitted for the opinion of Her Majesty’s Attorney General”, 18 September 1843. *HRA I/XXIV*, pp. 393–94.

¹⁶¹ Napoleon I, Emperor of the French, 1769–1821, *Memoirs of the history of France during the reign of Napoleon dictated by the emperor at Saint Helena to the generals who shared his captivity; and published from the original manuscripts corrected by himself*. London : Colburn, 1823. 7 Vols. Vol 7, pp. 56–57.

¹⁶² Trigge to Addington, 19 December 1795. Devon Record Office, 152 M/C 1795 OM4. Quoted in Francis Beretti, *Pascal Paoli et l’image de la Corse au dix-huitième siècle: le témoignage des voyageurs britanniques*. Oxford : Voltaire Foundation, 1988, p. 285.

Corsicans to extract as much money as possible from the British, a trait which Elliot also noted, was also resented.

The French too had difficulties adjusting to the Corsican temperament. Carrington, a perceptive British historian of Corsica, wrote that the French found the Corsicans “forebidding [...] suspicious, secretive, vindictive, deceitful, arrogant, sombre, [and] melancholy”, and that most French officers stationed in the island regarded their service there “as a punishment and endured it in a mood of resentful depression”.¹⁶³

Elliot, however, held less jaundiced views for he admired the Corsicans, comparing them to the Scots Borderers of the 16th century, whose clans made common cause against a foreign ruler, while continually quarrelling among themselves.¹⁶⁴ Rossi, of course, was no rude peasant, his *habitus* adapted to French manners via his father’s influence and his schooling. He was well prepared to make his way in the turbulent times which were to follow.

The British troops embarked at Bastia around 16 October 1796, and after calling at Ajaccio and Calvi, sailed to Elba. They took with them some 180 Corsican and French citizens, mostly “elderly persons or women”, some very respectable, of “the antient French Service”, according to Lieutenant-General de Burgh. de Burgh tried to persuade them to go to Naples or Rome,¹⁶⁵ and although many were keen to go to Naples, there was no means of getting there safely. Some 346 men of Smith’s Regiment were also evacuated to Elba, to join the other 2,500 Corsican troops there.¹⁶⁶ After six months on Elba, the troops departed for Gibraltar, where in May 1796¹⁶⁷ they joined some 4,000 troops to be sent to Lisbon to help the Portuguese repulse a possible attack by Spain or France.¹⁶⁸

¹⁶³ Dorothy Carrington, *Napoleon and his parents*, pp. 69–70.

¹⁶⁴ Elliott, op. cit., pp. 265–66.

¹⁶⁵ J.H.S. de Burgh to Henry Dundas, 7 April 1797. TNA: WO 1/302, ff 765–667.

¹⁶⁶ Henry Dundas to Lt. General O’Hara, 8 November 1798. TNA: WO 1/288, f. 351; Grouvel, op. cit., p. 246.

¹⁶⁷ de Burgh to William Huskisson, 11 November 1797. TNA: WO 1/302, f. 293.

¹⁶⁸ Dundas to Charles O’Hara, Governor of Gibraltar, 8 November 1798. TNA: WO 1/288, f. 352.; *The Times*, 30 November 1796, p. 2.

Rossi was among those evacuated to Gibraltar, and in October or November 1796, Smith's Regiment was reduced and the officers placed on half-pay. A Board of General Officers held in London then considered the plight of the Corsican officers, and as they were considered British subjects, they were appointed to commissions in British Regiments of the Line.¹⁶⁹ Rossi was appointed, as an Ensign, to the 69th (South Lincolnshire) Regiment on 28 February 1798. This regiment had taken part in the taking of Saint Florent, Calvi and Bastia in 1794,¹⁷⁰ and had also served as Royal Marines on Nelson's ship, HMS *Captain*.¹⁷¹ Rossi may have served alongside this regiment and been well known to them, or perhaps his transfer had been arranged, once again, by Elliot.

Elliot took pains as well to ensure the safety and wellbeing of the Corsican refugees in Gibraltar, taking to heart, says Jollivet, the task of wiping out the stain on the English name caused by the shameful departure from Corsica. In December 1796, Elliot sought asylum for these people in Naples, and was cordially received by the King and Queen of Naples,¹⁷² Naples being one of the few Italian states sympathetic to the British.¹⁷³ Elliot also persuaded the British Government to provide pensions for the Corsicans evacuated with the British—a handsome £400 annually to those who had displayed the greatest loyalty, ability and zeal: Charles-André Pozzo di Borgo, Pasquale Bertolacci, president of the Supreme Civil Tribunal, and Francescu-Maria-Antoniou Peraldi, a Councillor of State (*conseiller d'Etat*).¹⁷⁴ The next group received £300 per annum, and the third group, including Philippe-Antoine, “the Count de Rossi, an old gentleman of the highest breeding, belonging to one of the noblest families of the island”, received £200.¹⁷⁵ The fourth group of judges and other officials received £100 each, and the remainder were given pensions of £12–£50 per annum.

¹⁶⁹ Francis Nicholas Rossi “Case submitted for the opinion of Her Majesty's Attorney General” 18 September 1843. *HRA I/XXIV*, pp. 393–94.

¹⁷⁰ William Wheeler, *A Record of the Services of the Fifty-first (Second West York), the King's Own Light Infantry Regiment*. London : Longmans, Green, 1870, pp. 5; 46.

¹⁷¹ H. L. Wickes, *Regiments of Foot: a historical record of all the foot regiments of the British Army*. Reading : Osprey, 1974, p. 100.

¹⁷² Elliot, op. cit., p. 363.

¹⁷³ Jollivet, op. cit., p. 294.

¹⁷⁴ *ibid.*, p. 295.

¹⁷⁵ *ibid.*, pp. 296–97.

The official lists of émigrés compiled by the new French Revolutionary government show that Philippe-Antoine left Corsica on *10 Messidor an V*, that is, Wednesday 28 June 1797, accompanied by his wife and daughter Sophie, as well as his son, described as *officier au service des Anglais*.¹⁷⁶ The date is odd, for Philippe-Antoine had fled to Gibraltar with the other refugees in 1795. The son referred to was either Francis-Nicolas, or Philippe-Antoine's other son in the British army, Marc-Antoine-Joseph-Vincent, who was serving in an *émigré* regiment, the York Hussars, which was in the West Indies in 1796.¹⁷⁷ It is also unclear, if Philippe-Antoine was still in Corsica, why the French authorities would have allowed Francis-Nicolas to return to the island to emigrate with his father. In any event, Philippe-Antoine went to Palermo,¹⁷⁸ where he lived on his British pension with his wife and daughter, dying there in October 1800.¹⁷⁹

As for Elliot, he was created Baron Minto in 1797, appointed as Ambassador to Vienna in 1799, and in 1807 Governor-General of the Bengal Presidency. Here, he and Rossi would cross paths again, before Elliot died in June 1814—the same month that Lord Bentinck, commander of British forces in Italy, invaded Corsica, again at the invitation of a group of Corsican nobles. He drove the French from the island, but the subsequent Treaty of Bastia which he signed was repudiated by the British Government, which was now working towards the restoration of the Bourbons in France.¹⁸⁰ By this time, however, Rossi was far from Corsica, and, although he never returned to his native island—as far as is known—he would often refer to his Corsican origins in his magisterial career in Sydney, and it presumably remained a deep-seated part of his *habitus*.

¹⁷⁶ *Sixième supplément à la liste générale des émigrés de toute la République*. Paris : Impr. Des domaines nationaux, 1794. See also Roulhac de Rochebrune, *op. cit.*, p. 39.

¹⁷⁷ Roulhac de Rochebrune, *op. cit.*, p. 36; René Chartrand, *Émigré & foreign troops in British service. Vol. 1, 1793–1802*. Oxford : Osprey Military, 1999, p. 1.

¹⁷⁸ Palermo, along with Naples, was part of the Kingdom of the Two Sicilies.

¹⁷⁹ The identity of Philippe-Antoine's third wife is unknown. Santini, *op. cit.*, p. 15; Roulhac de Rochebrune, *op. cit.*, pp. 38–39.

¹⁸⁰ Gregory, *op. cit.*, pp. 182–83.

Chapter 3

A Junior Officer in the European Theatre and in Ceylon, 1799–1811

Rossi, now an ensign of full pay, accompanied his new regiment, the 69th (South Lincolnshire) Regiment back to England in August 1799, where it was briefly quartered at Shirley, near Southampton, before being ordered to join an Anglo-Russian expedition to Den Helder, in the north of Holland. The British wished to support the former *stadtholder*, William V, against the Batavian government, which had sided with the French. The expedition of some 48,000 men was led by Prince Frederick, the Duke of York and Albany, to face a similarly-sized French-Batavian force.

Rossi now found himself fighting for Britain against the French, not far from where his father had fought against the British and the Austrians in the south of Holland, some 60 years before. Rossi's regiment landed on the island of Texel, north of Den Helder, on 27 August, where it was "warmly engaged with the enemy".¹ The regiment then took up a position just outside Den Helder, to act as the rear guard of the campaign.² The British forces were lightly equipped for a swift campaign and they suffered badly due to very adverse weather and three failed attacks on the enemy. They were not aided by their Russian allies, who arrived late, were ill-disciplined and given over to liquor and looting.³ Faced with the approaching winter, the British withdrew, after negotiating an honourable withdrawal with the French.

The safe evacuation of the British troops was completed by 19 November, but not before Rossi was made a Lieutenant in the 5th Regiment—the renowned Royal Northumberland Fusiliers.⁴ The 5th had suffered many losses during the campaign, as it had been reinforced with large numbers of raw

¹ James Smyth, *Records of the Sixty-Ninth, or, South Lincolnshire regiment: compiled from the original records*. Quebec : Middleton and Dawson, 1870, pp. 7–8.

² Edward Walsh, *A Narrative of the Expedition to Holland, in the Autumn Year 1799*. London : Robinson, 1800, pp. 7–8.

³ Basil Peacock, *The Royal Northumberland Fusiliers (the 5th Regiment of Foot)*. Famous regiments series. London : Leo Cooper, 1970, p. 39.

⁴ Rossi's commission, signed by the Duke of York on 29 October 1799, is in ML A 1695. f. 9.

recruits before sailing for Den Helder. It arrived back in England “a dirty, unkempt crew, very different from the gay parti-coloured battalions who had set out”.⁵ They had however distinguished themselves in holding up the French advance at the village of Winkel on 10 October, allowing the rest of the army to retreat.⁶ Even allowing for the depletion of the regiment’s officer corps, it was no small feat for Rossi to be appointed an officer at the age of 18.

The 5th spent the winter at Silver Hill Barracks, near Robertsbridge in Sussex, but again, Rossi’s stay in England was to be brief. Rossi had barely four months to get to know his men and to exercise his new authority, before the Regiment was posted in March 1800 for garrison duty in Gibraltar.⁷ This was not a posting that would see the regiment in active combat against Napoleon’s armies, and the closest it came to action was when the men were put to work as “dockyard maties” repairing the British ships damaged in the Battle of Algeciras.⁸

Despite, or perhaps because of, the lack of contact with the enemy, Gibraltar was a difficult posting. It was impossible to maintain discipline in the unhealthy fortress that was Gibraltar, with its lack of sewerage and fresh water, abundance of cheap wine, and the frequent sight of soldiers and sailors lying drunk in the streets. The officers, too, took to drink, becoming “glorious” every night, but presumably within the confines of the regimental mess.⁹

We may suppose that Rossi kept himself aloof from the intemperance of his fellow officers, for he distinguished himself during this period. The authorities in London were well aware of the immorality, drunkenness and insubordination of the troops, and, to restore order, they dispatched a martinet—Prince Edward, Duke of Kent and Strathearn, the fourth son of George III and the future father of Queen Victoria. The Duke had a reputation for enforcing military discipline,¹⁰

⁵ H. M. Walker, *A History of the Northumberland Fusiliers, 1647–1902*. London : John Murray, 1919, p. 235.

⁶ *ibid.*

⁷ *The London Chronicle*, 87/63 (31 December 1799–28 June 1800), p. 312.

⁸ This battle, fought in July 1801, saw a British fleet led by Rear-Admiral Sir James Saumarez defeat a French squadron off Gibraltar, strengthening British control of the Mediterranean and hastening Napoleon’s defeat in Egypt

⁹ Walker, *op. cit.*, pp. 237–38; 241.

¹⁰ William James Anderson, *The Life of F.M., H.R.H. Edward, Duke of Kent*. Ottawa & Toront : Edward, Rose & Co, 1870, p. 85.

and he was specifically instructed in Gibraltar “to exact the most minute attention to all His Majesty’s regulations of disciplining, arming, clothing and appointing the army, from which not the most trifling deviation can be allowed”.¹¹

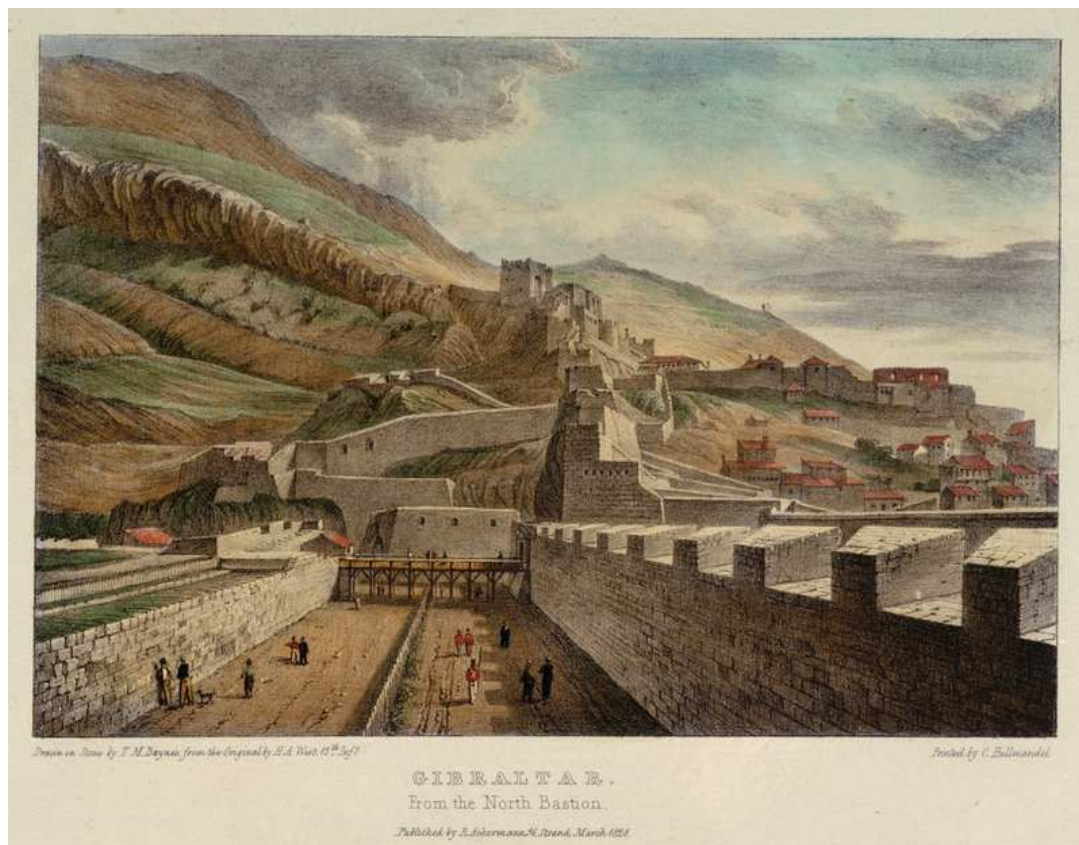


Figure 3.1 Gibraltar from the North Bastion 1828

T. M. Baynes 1828, from the original by H. A. West 1828 Wikimedia Commons, viewed 20 September 2015, https://commons.wikimedia.org/wiki/File:Gibraltar_from_the_North_Bastion_coloured.jpg.

The Duke arrived in May 1802, and immediately began restoring discipline. He was successful, but only at the cost of provoking a mutiny which he put down by executing three ringleaders and having another flogged to death.¹² The Duke’s career—about which reservations were already being felt—suffered as a result, but not so Rossi’s, for it was here, “under H.R.H. the late Duke of Kent, [...] that he was favourably noticed and commended by H.R.H. for his conspicuous ability”.¹³ The 5th Regiment was well-disciplined, being known

¹¹ *ibid.*

¹² Elizabeth Longford, ‘Edward, Prince, duke of Kent and Strathearn (1767–1820)’, *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn., May 2009 [http://www.oxforddnb.com/view/article/8526. Accessed 29 Sept 2014]

¹³ ML: A 1695. f. 7.

as “the Shiners”, on account of their high standard of “spit and polish”.¹⁴

By this time, Rossi’s traits of discipline, temperance and obedience that were to be his hallmarks, were well-formed and firmly embedded in his *habitus*.

One manifestation of the regiment’s discipline was its turn-out, the admiration of many. One observer thought the regiment’s “neat appearance, personal cleanliness, long white feathers waving in the wind, their bright breastplates [...], powdered patrician heads, presented so many attractions as taken together were irresistible. [...] A long tailed coat, white pantaloons, Hessian boots, hair powdered and a cocked hat—was the dress of the officers to which the staff sergeants wore an affinity in the hat with silver laced coats”.¹⁵

Hostilities against the French ceased on the signing of the Treaty of Amiens on 25 March 1802. The British took the opportunity to reduce their large army and the heavy military expenses it had borne since 1793. The second battalions of some 12 regiments, including the 5th, were disbanded, and all fit men transferred into their first battalions.¹⁶ Rossi was one of many placed on half-pay—on Christmas Day 1802,¹⁷ but any uncertainty about his future was dispelled when the peace negotiated at Amiens broke down, partly because of Napoleon’s continued aggression in Europe and his threat to British possessions in the East. (Britain herself had not fully complied with her undertakings, refusing, for example, to abandon Malta).

Thus Rossi found himself restored to full-pay in April 1803 and a Lieutenant in the 11th (Devonshire) Regiment, and one month later, he was appointed to the 1st Ceylon (Malay) Regiment.¹⁸ Britain declared war on France, and in June Rossi was en route to Ceylon.¹⁹

¹⁴ H. L. Wickes, *Regiments of Foot: a historical record of all the foot regiments of the British Army*. Reading : Osprey, 1974. P. 9.

¹⁵ Stephen Morley, quoted in Basil Peacock, *The Royal Northumberland Fusiliers (the 5th Regiment of Foot)*. Famous regiments series. London : Leo Cooper, 1970, p. 41.

¹⁶ “Reductions in the Army, May 1802”. Horse Guards memo 6 May 1802, TNA: War Department In-Letters and Papers: Of the French Wars period: m. Other Government Departments: vi. Home Office. 1800–802. TNA: WO 1/771. ff 221–22.

¹⁷ Rossi to Hunter, Military Secretary, 13 February 1835. Colonial Secretary Letters Received relating to Land 1826–1860. SRNSW: 2/7462 Reel 1178. Ref. 35/1161.

¹⁸ *ibid.*

¹⁹ “An Account of Extraordinary Expenses of the Army, incurred and paid by the [...] Paymaster General of his Majesty’s Forces, from the 25th Dec. 1803, both inclusive”.

Britain's war against the French was waged across the globe, and Rossi's assignment to Ceylon was part of this struggle. The British had seized the island from the Dutch in 1796 to prevent the French (who, the year before, had taken over the Dutch Republic) from seizing control of Ceylon and other Dutch possessions in the East. The Europeans had been in Ceylon since the beginning of the 16th century, when the Portuguese established trading posts there, only to be ousted by the Dutch from 1638 onwards.

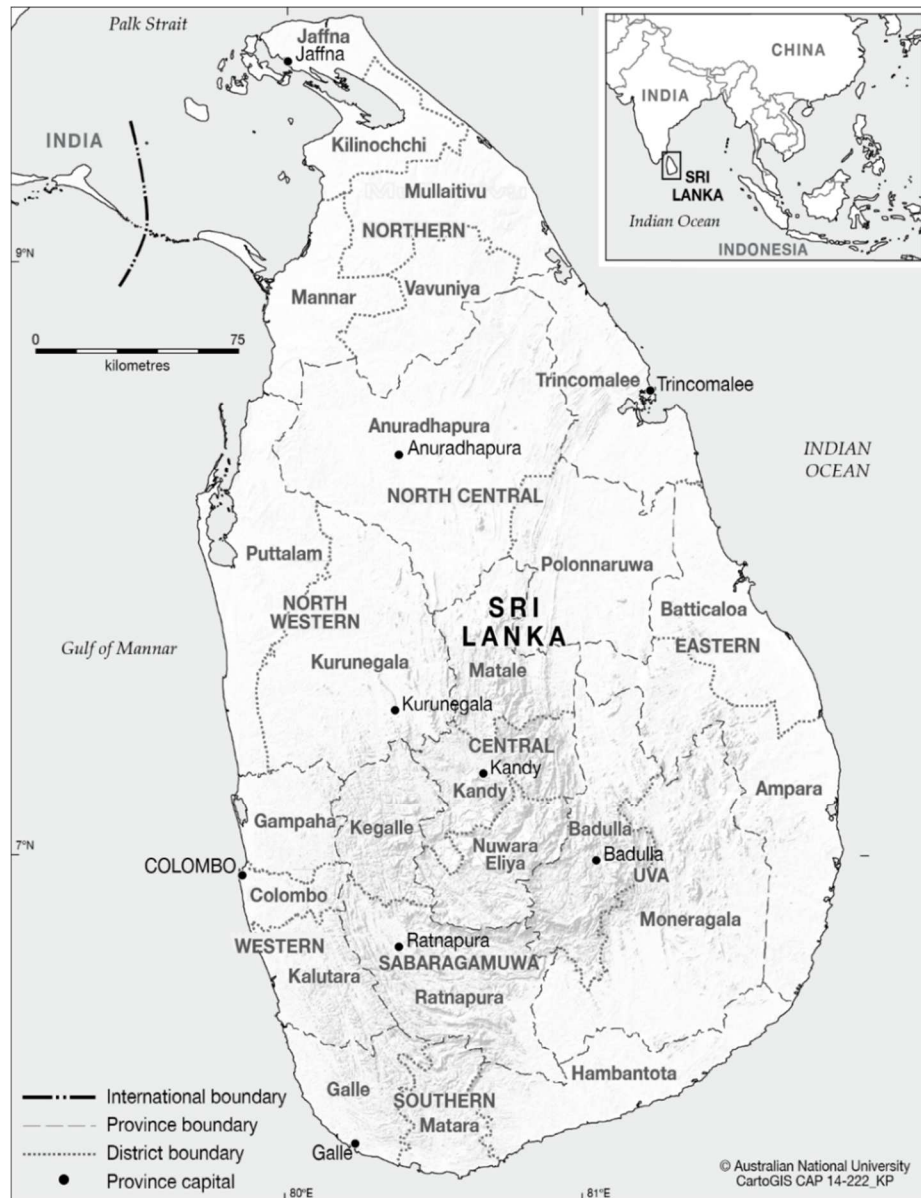


Figure 3.2 Map of Sri Lanka (Ceylon)
 CartoGIS, ANU College of Asia and the Pacific, The Australian National University.

House of Commons Debates, 29 March 1804. Vol. 1, cc1105–74.
<http://hansard.millbanksystems.com/commons/1804/mar/29/explanation-of-the-foregoing-account>. Accessed 5 June 2014.

The British, in turn, easily took the Dutch settlements, beginning with Trincomalee in August 1795, until by October they had captured all the Dutch coastal forts from Batticaloa to Mannar on the northwest coast.

The 300 years of European occupation had seen all the indigenous rulers of the island systematically conquered, with the exception of the King of Kandy, whose kingdom in the mountainous centre of the island had proved impossible to conquer, because of the rugged jungle terrain, disease and the fierce resistance of the Kandyans. As a result, European control was limited to coastal areas only, and Britain's "legitimacy" over what it called the "Maritime Provinces" was formalised by the Treaty of Amiens.

A posting to the 1st Ceylon or Malay Regiment was no great prize, for it offered limited scope for military service and poor promotion prospects. It was difficult to attract suitable officers to such a regiment, though there was no lack of sound officers in British regiments in Ceylon. Equally, Powell states, there was a "not inconsiderable" number of worthless officers, the result of "the exercise of patronage through mistresses, creditors and clients".²⁰ No doubt the Army thought the regiment would be a convenient place to post a young Corsican lieutenant.

The 1st Ceylon Regiment had, indeed, suffered badly from poor leadership, due to an ill-advised attempt by the Governor of Ceylon, Lord Frederick North, to take the capital of Kandy in early 1803. Governor North was the same man who had been Elliot's Secretary of State in Corsica a few short years before. He had impressed Elliot, and the latter had recommended him for promotion. North arrived in Ceylon in September 1798, two years after it had been seized by the British, and began at once to reform the judiciary and the colony's revenue raising capacity. In an effort to expand the British sphere of control, soon became involved in Kandyan politics, with disastrous results.

The Kingdom of Kandy, perhaps rather surprisingly to today's observer, united both Tamil and Sinhalese elements in the island. The Sinhalese kings—of the Kandy Nayak dynasty—were related to the Nayak rulers in Tamil Nadu,

²⁰ Geoffrey Powell, *The Kandyan Wars. The British Army in Ceylon 1803–1818*. 19th Century Military Campaigns. London : Cooper, 1973, p. 117.

and often took wives from Southern India. This practice ceased only when the Sinhalese nobles rebelled in 1815 against the unjust rule of Sri Vikrama Rajasinha of Kandy, allowing the British, using their well-tested tactic of divide and conquer, to come to the aid of the nobles, depose the King, and exile him to India.²¹

In early 1803, North resolved to remove the Kandyan King, Pilama Talawuwé, from the throne and replace him with a pretender, Prince Muttusámí, in return for which Muttusámí undertook to cede vital territories to the British.

Accordingly, an expedition of some 3,250 British and local troops was assembled, including the greater part of the 1st Ceylon Regiment, as well as a company of Malays from the 2nd Ceylon Regiment. The British entered Kandy on 22 February, and, finding the city deserted, placed Muttusámí on the throne, only to find that the new king was unable to garner the support of his subjects.

At this point, news came from Madras of the resumption of hostilities against the French, and the British withdrew from Kandy, leaving a garrison of 700 Malays and 300 Europeans under the command of Major Adam Davie of the 1st Ceylon Regiment. The troops had been greatly weakened by beri-beri and the fever that was endemic to the area, and when there was scarcely a European soldier in fit condition to fight, some of the Malay troops deserted to join the 400 to 500 Malays already fighting for the Kandyan army.²² Some Malays deserted in response to Kandyan threats that they would be slaughtered, but most deserted back to the British a few months later, due to ill-treatment by the Kandyans.²³ With no alternative, Davie surrendered, and handed over Muttusámí, who was promptly executed. The remaining British troops attempted to make their way back to Colombo, but were ambushed and beheaded outside Kandy (Davie himself died later in captivity).

²¹ Margaret Trawick, *Enemy Lines: Childhood, Warfare and Play in Batticaloa*. Berkeley and Los Angeles : University of California press, 2007, pp. 40–41.

²² Channa Wickremesekera, *Kandy at War: Indigenous Military Resistance to European Expansion in Sri Lanka 1594–1818*. New Delhi : Manohar, 2004, p. 61.

²³ Frederick North. "Draft Report [late 1805]". British Library, London (BL): Guilford Papers (1791–1833), Papers of Frederick North, 5th Earl of Guilford (1792–1827), Add MS 88900/1/8: Ceylon (1813–1825), f. 1d.

North at first blamed the disaster on the Malays, and then later on Davie. The latter, however, was an inexperienced officer who had been in Ceylon less than two years, and his fellow officers were little better. In fact, much of the blame lay with the poor planning and North's reckless approach.²⁴ North had been confident of an easy victory, and was later rebuked by London for entering "light-heartedly" into what was "the most disastrous war in the history of British rule in Ceylon".²⁵

The Kandyanans followed up their victory by attacking the British in the lowlands, forcing them in many places back to the walls of their forts. Both sides then conducted raids across the divide between the coastal area and the interior, ravaging the countryside in the process. A decisive British victory did not come until 1815, when discontent among the Kandyan nobles allowed the British to take Kandy and crush all opposition by 1818. The superior firepower of the British—muskets, light cannon and mortars—as well as the economic impact of laying waste to the productive lowland farming areas—meant that a European victory was inevitable, but only after a long and drawn out guerrilla war by the Kandyanans and with significant British losses from disease, terrain and the climate. Governor North's own naïve approach to dealing with the Kandyanans was also a factor.²⁶

When Rossi arrived in the second half of 1803, he found the British in a state of shock after the campaign to Kandy and in fear of further Kandyan attacks. While only 250 of the 700 Malays in the regiment had deserted at Kandy, most of the remainder had died of disease.²⁷

There had been Malay soldiers in Ceylon since the mid-17th century, when they were recruited by the Dutch to fight against the Portuguese and later the Kingdom of Kandy. They came from the Dutch East Indies and from the Malay

²⁴ Powell, loc. cit.

²⁵ Lennox A, Mills, *Ceylon Under British Rule 1795–1932, With an Account of the East India Company's Embassies to Kandy 1762–1795*. London : Oxford University Press, 1933, p. 144. Lord Hobart to North, 29 March 1804. TNA: CO 54/13, Vol. I. Quoted in V.M. Methley, "The Ceylon Expedition of 1803". *Transactions of the Royal Historical Society*. 4th Series/1 (1918), p. 127.

²⁶ Wickremesekera, op. cit., p. 208.

²⁷ James Cordiner, *A Description of Ceylon, Containing An Account of the Country, Inhabitants, and Natural Productions*. 2 Vols. Aberdeen : Longman, Hurst, Rees & Orme, 1807. Reprinted New Delhi : Navranj, 1983. Vol. 2, p. 210.

community in Ceylon. The latter consisted of descendants of Javanese princes banished by the Dutch from Java²⁸ and freed Malay slaves and others deported to Ceylon by the Dutch.²⁹ By the end of the 18th century, there were some 2,400 Malays in Ceylon.

Strictly speaking, they were not “Malays”, for the Malays were predominantly the inhabitants of the Malayan Peninsula, while the Dutch recruits came from various ethnic groups in all parts of the archipelago: Ambon, Banda, Bali, Sulawesi (Celebes), Batavia (Jakarta) and other parts of Java, Madura— as well as from the Malayan Peninsula. Captain Robert Percival, who spent three and a half years in garrison with the Malay troops in Ceylon, wrote in 1803 that they came from Malaya, Java, Sumatra, the Moluccas, and other islands, including even the Philippines.³⁰ The Dutch called them *Oosterlingen* (“Easterners”) and those from Batavia *Javaans* (“Javanese”),³¹ but the British knew them as Malays, as they formed a linguistic community, Malay being the *lingua franca* of the Archipelago.

The British respected the fighting capabilities of the Malay troops, and during the taking of Colombo in 1796, it was only the Malays in the Dutch forces who put up any resistance, or “kept up any appearance of discipline”, according to Percival.³² The British decided to make use of them in their own army, but, as a precaution, they sent them to the Coromandel Coast, where five companies of them fought in the East India Company’s Madras Army against Tipu Sultan of Mysore, an ally of the French.

The British recruited other foreign troops for their army in Ceylon, not only 100,000 Sepoys or infantrymen from India, but also several hundred African troops, who outnumbered the Malay troops by the early nineteenth century.³³

²⁸ John Crawfurd, *History of the Indian Archipelago: containing an account of the manners, arts, languages, religions, institutions, and commerce of its inhabitants*. Edinburgh ; London : Constable ; Hurst, Robinson and Co., 1820. 2 Vols. Vol. 2, pp. 546; 548; 554.

²⁹ Bachamiya Abdul Hussainmiya, *Orang Rejimen: The Malays of the Ceylon Rifle Regiment*. Dehiwala, Sri Lanka : AJ Prints, 2008. 2nd edn., p. 45.

³⁰ Robert Percival, *An Account of the Island of Ceylon Containing the History, Geography, Natural History, with the Manners and Customs of its Various Inhabitants*. First published London : 1803. 2nd edn. London : C. and R. Baldwin, 1805, p. 168.

³¹ Hussainmiya, op. cit., pp. 50; 52.

³² Percival, op. cit., p. 77.

³³ Wickremesekera, op. cit., p. 174.

North was initially ill-disposed towards the Malays, dividing them into three classes—princes, soldiers and robbers, with the qualification that “the third class [by no means] exercises its profession to the exclusion of the other two”, and that they were inclined to murder.³⁴ The discipline of the Malays on the Coromandel Coast, however, was exemplary, and, after receiving reports from their commanding officers expressing “more than ordinary satisfaction with their Conduct”,³⁵ North became an enthusiastic advocate. He wrote to Lord Hobart in London in December 1801, praising the Malays’ “Gallantry, [...] Discipline, Regularity, and peaceable Behaviour”, and noting that the English troops “were so much pleased with their General Behaviour that they treated them as Brothers”, sharing their provisions and water with them.³⁶

When the need for more troops in Ceylon arose, North recalled the Malays from India and sought permission to establish a Malay Corps and a Sepoy (Sinhalese) Corps, each of 1200 men. London agreed, and ordered that the two regiments be formed on the same footing, to the extent that the different religions of the two nations would permit (the Malays being Muslim and the Sinhalese Buddhist). Each regiment was to be commanded by European officers, namely a Colonel, a Major, three Captains, six First Lieutenants, one Surgeon and one Assistant, an Adjutant, a Quarter Master, a Sergeant-Major and a Quarter Master Sergeant. The remaining positions were to be filled by Malays, including ten Captains, ten Second Lieutenants, 50 Sergeants and 50 Corporals.³⁷

The Malay Regiment was placed under the command of Colonel Josiah Champagné (1754–1840) of the 80th Regiment, who, despite his name, was not French, but British, and Protestant at that. His forebears had fled France in 1598 after the revocation of the Edict of Nantes and settled in Pontarlington in Ireland, where Josiah’s father, the Very Reverend Arthur

³⁴ Frederik North. “Letter to the Court of Directors”. 26 February 1799. Sri Langka National Archives (SLNA), Colombo. 5/1, and Frederick North to Mornington, 22 January 1799, *Ceylon Literary Review* 2 (1888), p. 245. Both letters quoted in Hussainmiya, op. cit., p. 74.

³⁵ North to Lord Hobart, 5 October 1801. TNA: WO 1/363 (Ceylon). f. 91.

³⁶ North to Lord Hobart, 19 December 1801. TNA: WO 1/363 (Ceylon), ff. 254–55.

³⁷ Brownrigg to North, 1 June 1801. TNA: WO 40/20, *War Office Unnumbered Papers 1804*. f. 11.

Champagné was Dean of Clonmacnoise.³⁸ The Colonel was a distinguished soldier, having served in America, the West Indies, France, India and South Africa before being promoted to General and knighted in January 1832.³⁹ The Regiment's European officers were to be chosen from old hands who had experience and knowledge of "the Country, Languages and [...] Customs" of the Malays and Sinhalese.⁴⁰ Rossi possessed none of these qualifications, and the lack of suitable (or willing) serving officers, and his own foreign background might have been thought useful in commanding other foreigners.

In fact, the young Rossi was fortunate in being posted to the Malay Regiment, for they were good troops to command. A fellow officer, Lieutenant-Colonel David Robertson, who joined the Regiment in April 1802, wrote favourably that they "behave remarkably well and whenever money is to be sent from one station to another they are applied for in preference to any other of the Native Troops".⁴¹ London obviously shared this high opinion, for the Malay Regiment (along with the Sinhalese Regiment) were placed on the official establishment of the British Army on 26 April 1801,⁴² becoming regular British regiments of the Line. It was a great boost to the morale of the Malays, and Robertson noted that it "is quite astonishing the good that has already resulted from making them a King's Regiment and giving them regular Cloathing [sic], and appointments".⁴³

The Regiment was badly under strength when Rossi arrived, having lost so many men at Kandy.⁴⁴ North, now convinced that the loyalty of the Malays was "perfectly well secured", and that, unlike other local troops, they were

³⁸ Bernard Burke, *The General Armoury of England, Scotland, Ireland, and Wales, Comprising a Registry of Armorial Bearings from the Earliest to the Present Time*. London : Harrison, 1884. 2 Vols. Vol I, p. 183.

³⁹ *The Royal Military Calendar*, 3rd edn. 5 Vols. London : Valpy, 1820. Vol. 2, pp. 141–42; *The London Gazette*, 12 February 1832, p. 1.

⁴⁰ Brownrigg, loc. cit.

⁴¹ Robertson to Sir William Huskisson, 23 November 1802. National Library of Scotland, Edinburgh. *Letter-book of Lieut.-Colonel David Robertson containing copies of letters written mostly from Colombo, 1802–1804*. NLS MS 3971. ff. 70–71, 28 January 2015. <http://www.indiaraj.amdigital.co.uk/contents/documentdetails.aspx?documentid=94057>. Accessed 8 August 2014.

⁴² Brownrigg, loc. cit.

⁴³ Robertson, loc. cit.

⁴⁴ North to Earl Camden, 8 February 1805. TNA: CO 54/16. Quoted in Tennakoon Vimalananda, *The British Intrigue in the Kingdom of Ceylon*. Gunasena Historical Series, Vol. 2. Colombo : Gunasena, 1973, p. 464.

“remarkably stout and [...] fitted to the Climate”,⁴⁵ determined to recruit more of them. Since the Malay community in Ceylon was too small to supply sufficient recruits, North set his sights eastwards, as the Dutch had done.

The British at this time were relatively unfamiliar with the peoples of South East Asia and the Indonesian Archipelago, their presence being largely confined to the Indian Subcontinent. Their presence in Malaya dated from only 1771, when they set up a trading post on Penang (Prince of Wales Island). The East India Company had a small presence in the far-off spice islands of the Indonesian Archipelago, until then the almost exclusive preserve of the Dutch, apart from a British trading post at Bengkulu (Bencoolen) in Sumatra. British penetration of the Malayan Peninsula had begun only in 1795, when they seized the Dutch possession of Melaka (Malacca), on the west coast, followed by Padang in Sumatra and then Ambon, Banda and Tidore in the Moluccas (which latter they returned to the Dutch under the Treaty of Amiens).

Thus when Francis Light, the founder of British Penang, wrote on 25 January 1794 to the Governor General of India, Sir John Shore, suggesting improvements to the island’s administration, he had to inform his superiors in India of the nature of island’s inhabitants—the Chinese, Arabs, Indians from the Coromandel coast, Peninsula Malays, and the Bugis from Sulawesi Selatan (South Celebes). The last-named community, Light wrote, was swelled each year by the two or three thousand Bugis who spent several months on the island, trading gold bullion, opium and piece goods with the local merchants. “They are Mahomedans”, he wrote, proud, warlike independent people who “reluctantly yield to stern authority [and] require to be carefully watched and cautiously ruled”.⁴⁶ Most of the island’s population was ethnic Malay, from nearby Kedah on the mainland and beyond, as well as from Sumatra and Java. Light characterised them as timber gatherers and rice growers, “indigent, ignorant of arts manufactures or trades”, or seafarers, who were “almost without exception a bad description of people addicted to smoking

⁴⁵ Frederick North. “Draft Report [late 1805]”. *Guilford Papers*, f. 1d.

⁴⁶ Francis Light to Sir John Shore, 25 January 1794. Quoted in Marcus Langdon, *Penang: the Fourth Presidency of India 1805–1830*. 2 Vols. Vol 1. *Ships, Men and Mansions*. Penang : Areca Books, 2013, pp. 196–201.

of Opium, gaming and other vices, living by piracy and under the protection of local Malay Chiefs”.

After recruiting some 81 Malays from Cochin, North attempted, without success, to obtain more recruits from Malays transported to St Helena by the Dutch, as well as from the Bugis in the Moluccas. The officer dispatched on the latter mission in 1800, a former Dutch officer named Drieberg, arrived too late in Madras to catch the Moluccan ships, and the mission was abandoned.⁴⁷

Then, in early 1802, North decided to establish a recruiting agent at Penang to solicit both Chinese and Malays.⁴⁸ Sir George Leith, the Lieutenant Governor of Penang, cautioned against this, as the island “was not overstocked with Chinese”, and that the Malays at Penang and on the nearby mainland were “not to be depended upon, either for courage or fidelity”, but those from Borneo and the Celebes could be recruited without difficulty.⁴⁹

Undeterred, North dispatched a Captain Ryan to Penang, with the result predicted by Leith, that no recruits could be found—neither Chinese nor Malay. In Malacca, however, Ryan met Robert Townsend Farquhar (1776–1830), who had been the East India Company’s resident at Ambon in the Moluccas. Farquhar had been sent there at the very young age of 18, and had devoted considerable effort to learning about the peoples of the Eastern Archipelago and its commercial potential. His knowledge earned him the praise of his more famous contemporary, Stamford Raffles, who said of him that “no man is more extensively acquainted with the interests and resources of East insular India”.⁵⁰ Farquhar encouraged Ryan to travel to the Moluccas, where he could, “without much difficulty”, procure 300–400 soldiers,⁵¹ but Ryan managed only to recruit

⁴⁷ Hussainmiya, *op. cit.*, pp. 65; 67.

⁴⁸ North to Sir George Leith, 28 January 1802. TNA: CO 54/13. Quoted in Vimalananda, *op. cit.*, p. 385.

⁴⁹ Leith to North, 3 June 1802. TNA: CO 54/13. Quoted in Vimalananda, *op. cit.*, p. 386.

⁵⁰ Thomas Stamford Raffles, *The History of Java*. London : Murray, 1830. 2nd edn., p. 258.

⁵¹ Ryan to Robert Arbuthnot, Chief Secretary, Ceylon, 24 September 1802. TNA: CO 54/13. Quoted in Vimalananda, *op. cit.*, p. 396.

18 men in Malacca and none in the Moluccas,⁵² despite visiting Macassar, Ambon, Ternate, Tidore and Menado.⁵³

North did not abandon his plans for a recruiting agency on Penang, but, now in dire need of Malay troops, he obtained the transfer from India of Malay troops which the East India Company had earlier raised in the Moluccas.⁵⁴ He again sought advice from Penang, where Farquhar was now Lieutenant Governor and Political Agent to the Malay States.⁵⁵ Farquhar had the same definite views about the Peninsula Malays as had Light in 1794, and both Light's report and Farquhar's letter to North of 22 December 1804⁵⁶ are striking examples of the intelligence gathering process which Said characterised as fundamental to the European colonial project—the assembling, categorising and systematic dissemination of information about indigenous races before subjugating them. Not only did this alter the European psyche, Said believes, by defining and “locating” Europe's ‘Other’ as the Orient, it also, more subtly, helped to instil a sense of inferiority in the “natives” subjected to this process.⁵⁷

Farquhar's reply confirmed Light's view that the Bugis made the best soldiers, and could be recruited in Macassar in the Southern Celebes and in Riau, a small archipelago just south of Singapore.⁵⁸ They had proved themselves “faithfull and brave” in previous service with the British, for whom they showed “a decided predilection”.⁵⁹ An added advantage was that they detested the Dutch. They could also be recruited from the Buginese crews of the prows (sailing ships) which traded in Penang from August to January each year,

⁵² Ryan to Arbuthnot, n.d. TNA: CO 54/13. Quoted in Vimalananda, op. cit., p. 397.

⁵³ Ryan to Arbuthnot, 27 May 1803. TNA: CO 54/13. Quoted in Vimalananda, op. cit., p. 399.

⁵⁴ Despatch of 16 March 1802, paras 105–106. Quoted in John D'Oyly and Lewis James Barnetson Turner, “A Sketch of the constitution of the Kandyan kingdom, and other relevant papers”. *Ceylon Historical Journal*, 24 (1975), p. 62.

⁵⁵ C.E. Wurtzburg, *Raffles of the Eastern Isles*. London : Hodder and Stoughton, 1954, pp. 456–57.

⁵⁶ Farquhar to George Arbuthnot, Chief Secretary to Governor North, 22 December 1804. ML: A 723, f. 1.

⁵⁷ S.R. Moosavinia, N. Niazi, and Ahmad Ghaforian, “Edward Said's Orientalism and the Study of the Self and the Other in Orwell's *Burmese Days*”. *Studies in Literature and Language*. 2/1 (2011), pp. 103–13.

⁵⁸ John Bastin, *Raffles and Hastings. Pre-Exchanges behind the Founding of Singapore*. Singapore : Marshall-Cavendish ; National Library Board Singapore, 2014, p. 54.

⁵⁹ Raffles was to make use of them in 1819, when he stationed an agent at Pahang in Sumatra with a small force group of Bugis, in order to prevent the transfer of that territory to the Dutch. Bastin, op. cit., p. 189.

and Farquhar suggested arrangements be made with the captains of these vessels to bring men from Macassar.

The islands around Java, Farquhar continued, should be avoided, as this was where the Dutch recruited (particularly on Madura) and their inhabitants were too closely attached to the Dutch. The Menadonese, from Menado in Northern Celebes, would be suitable, but were Christians and unlikely to get along with Muslims.⁶⁰

It was at this point that North selected Rossi to undertake the next recruiting voyage to the East. He probably knew Rossi from his time in Corsica, for Rossi was well-known to Elliott. It would not be an easy mission, so North held out to the young lieutenant the inducement of “a liberal retribution in proportion to the Success of your Exertions”,⁶¹ and later the promise of a promotion, should Rossi recruit 100 men.⁶²

Rossi left Ceylon in early 1805, taking several Malay officers and sergeants with him,⁶³ and by April, had recruited over 90 Malays at Penang. He hired a ship to take them to Ceylon, before proceeding to seek further recruits in Malacca,⁶⁴ where Farquhar was well-placed to assist Rossi. Rossi had been authorised to offer generous pay and conditions to potential recruits, who could also bring their families with them to Ceylon.⁶⁵ Rossi wrote that he had sent back some 91–93 recruits by May 1805,⁶⁶ and North later noted that Rossi had sent back two parties each of 60 or 70 Malays to Madras and Trincomalee.⁶⁷ The Sultan of Kedah was also reported to have sent men to enlist for service in Ceylon, which may be in addition to the numbers already quoted.⁶⁸ At the completion of the mission, Farquhar wrote a friendly letter to Rossi,

⁶⁰ Farquhar to George Arbuthnot, 22 December 1804. ML: A 723. f. 4.

⁶¹ Robert Arbuthnot to Rossi, 23 May 1805. TNA: CO 167/56 January–May 1821. ff. 4327–28.

⁶² Assistant Adjutant General, Ceylon, to Rossi, 12 June 1805. TNA: CO 167/56 January–May 1821. f. 4330.

⁶³ North to Earl Camden, 8 February 1805. TNA: CO 54/16. Quoted in Vimalananda, *op. cit.*, p. 464.

⁶⁴ Robert Arbuthnot, *loc. cit.*

⁶⁵ Hussainmiya, *op. cit.*, p. 66.

⁶⁶ Robert Arbuthnot to Rossi, 23 May 1805. TNA: CO 167/56 January–May 1821. ff. 4327–28.

⁶⁷ Frederick North, “Draft Report [late 1805]”, f. 2.

⁶⁸ G.L.E. Watson (Captain), “The First Malay Regiment”. *The Magazine of the Malayan Historical Society*. (July 1957), p. 86. Quoted in Hussainmiya, *loc. cit.*

congratulating him on his “very meritorious exertions in the Recruiting Service”, and trusting the new Governor of Ceylon, General Maitland, would reward Rossi handsomely.⁶⁹ Rossi’s efforts were duly rewarded, for he was promoted to the rank of Captain in the Malay Regiment in November 1806.⁷⁰

As a result of the mission, Rossi and Farquhar struck up a friendship that was to last until Farquhar’s death in 1830. They were about the same age, Farquhar 29 and Rossi 27, and both were unmarried. Farquhar was one of the East India Company’s very skilled and capable servants, and he was also well placed in society in London. He was the second son of Sir Walter Farquhar, Baronet, and Physician-in-Ordinary (personal physician) to the Prince of Wales, the future King George IV. Farquhar was educated at Westminster School in London, but his father believed his talents better fitted him for a career outside England, and he was sent, just before his 17th birthday, to become a “writer”, or clerk, in the Company’s trading post at Fort St George in Madras (modern-day Chennai). In 1797 he was posted to Ambon and Banda in the Moluccas, and became Commercial Resident there in 1798,⁷¹ with responsibility for managing the Company’s trade in Moluccan spices—cloves, nutmegs and mace, in competition with the Dutch. It was a trade which the European nations had been fighting over bitterly since the 16th century.

Ambon was the smallest of the three main islands in the southern Moluccas (Ceram lies to the north-east, and Buru to the west), but despite its size and remoteness, it was an important centre and the seat of colonial government from Dutch times.⁷² It was here that Farquhar made the acquaintance of John Macarthur, the impetuous and controversial NSW settler, who was on his way to England to attend his court martial, when a typhoon dismasted his ship. The two struck up a friendship after Macarthur advised Farquhar on how to seek reappointment after being dismissed for exceeding his authority in attacking

⁶⁹ Robert Townsend Farquhar, Lieutenant-Governor of Penang, to Rossi, 15 September 1805. ML: A 723. ff. 9–12.

⁷⁰ *The London Gazette*, 3 May 1808, p. 625. The promotion was later antedated to September 1806.

⁷¹ Michael W. and Mary Allan, *The Man and the Island: Sir Robert Townsend Farquhar, Bt. First British Governor of Mauritius 1810–823*. Cambridge : Michael and Mary Allan, 2010, pp. 12–14.

⁷² E. M. Beekman, *Two Tales of the East Indies*. Amherst : University of Massachusetts Press, 1983, p. 180.

Dutch settlements. Both left for Calcutta on the *Princess Charlotte*, arriving there in October 1802, where Farquhar presented his defence to the Governor General, and Macarthur continued on to London with a letter of introduction to Sir Walter Farquhar.⁷³ Sir Walter also interceded with Calcutta on Farquhar's behalf, with the result that the Company appointed Farquhar Commissioner for Adjusting British Claims in the Moluccas. A degree of chastisement was involved, for the position required Farquhar to arrange the handing back of the Moluccas to the Dutch, in fulfilment of the 1802 Treaty of Amiens—no doubt a distasteful task for Farquhar.

The affair was also of significance for Macarthur, for his meeting with Sir Walter in London was the beginning of a close relationship between the influential Farquhar family in London and the Macarthurs in NSW.⁷⁴ The latter now had an influential patron in London, and the Farquhars a valuable contact in Australia,⁷⁵ and the two families later participated in the formation of the Australian Agricultural Company in 1824, subsequently becoming Directors and shareholders.⁷⁶

Farquhar's rehabilitation was complete when, in January 1804, he was appointed Lieutenant Governor of Penang, with responsibilities also for Malacca and Balambangan off the northern tip of Borneo. Later that year, he was made Special Agent to the Malay States and tasked with opening communications with the local rulers of the Archipelago.⁷⁷ And this when he was still only 28 years old.

As Lieutenant Governor of Penang, Farquhar set about improving the island's roads, water supply and fortifications, and although he was criticised for financial mismanagement,⁷⁸ recent historians have judged him a man

⁷³ Penelope Anne Pemberton, *The London Connection: the Formation and Early Years of the Australian Agricultural Company*. PhD Thesis. Australian National University. July 1991, p. 115.

⁷⁴ James Macarthur, "Account of John Macarthur's career written for Judge Therry". ML: Macarthur Family—Papers, 1789–1930 [First Collection] A 2897 CY 927. ff. 239–240.

⁷⁵ Michael Duffy, *Man of Honour: John Macarthur—Duellist, Rebel, Founding Father*. Sydney : Macmillan, 2003, p. 214.

⁷⁶ Pemberton, op. cit., pp. 44; 370.

⁷⁷ George Miller, "Robert Farquhar in the Malay World", *Journal of the Malaysian Branch of the Royal Asiatic Society*. 51/2 (1978), p. 137.

⁷⁸ T. Braddell, "Notices of Penang". *Journal of Indian Archipelago and East Asia* (1851), p. 414.

of "exceptional merit",⁷⁹ and an enthusiastic and talented official, although his youthful impulsiveness at times antagonised his superiors.⁸⁰

Farquhar was therefore well placed to assist Rossi's recruitment mission, and he contributed in no small measure to Rossi's success in a mission in which others had failed.

The new Governor of Ceylon, Maitland, had a very jaundiced view of the Malay troops, calling the Regiment "not only useless but extremely dangerous".⁸¹ His views were based on the debacle at Kandy in March 1803, but, like North, he soon realised that he needed the Malays. This was partly because the Malay community attached to the Regiment was so large that disbanding it would have deprived the community of its principal means of support, leaving it vulnerable to recruitment by the Kandyans.

Maitland, following orders from London, ceased hostilities against Kandy in July 1805 and set about rebuilding the administration from the state of unparalleled confusion in which North had left it. It was a sign of his trust in the Malays that, while he discharged nearly 3,500 other native soldiers, he increased the number of Malay troops from 2,760 to 3,228.⁸²

Captain Rossi was now given command of a company in the Malay Regiment stationed at Batticaloa, on the east coast of the island. Here he was to spend the next six years, in what was by no means an ideal post. It was "one of a number of small outposts for the protection of the inhabitants and for maintaining order and tranquillity",⁸³ and was located in a Tamil-speaking area in which King Senerat of Kandy had resettled some 4,000 Muslims in the 17th

⁷⁹ C.E. Wurtzburg, *Raffles of the Eastern Isles*. London : Hodder and Stoughton, 1954, pp. 28–99.

⁸⁰ Anthony Webster, 'British Expansion in South-East Asia and the role of Robert Farquhar, Lieutenant-Governor of Penang, 1804–5', *Journal of International and Commonwealth History*, 23/1 (January 1995), p. 3.

⁸¹ Maitland to Camden, 18 February 1806. SLNA 5/75. Quoted in Hussainmiya, op. cit., p. 78.

⁸² P. Smith, "Military History of Ceylon". ms 1833. TNA: CO 59/26. f. 29.

⁸³ David Robertson, *Account of Ceylon by Lieut.-Colonel David Robertson, 1799*. ff. 135–36. National Library of Scotland, Edinburgh. "India, Raj and Empire". NLS: MS.3970. <http://www.indiaraj.amdigital.co.uk/Contents/DocumentDetails.aspx?documentid=94055&prevPos=94055&vpath=ref&PageIndex=1> Sources from the National Library of Scotland. Accessed 28 January 2015.

century, who became established as farmers, intermarrying with the local Tamils.⁸⁴

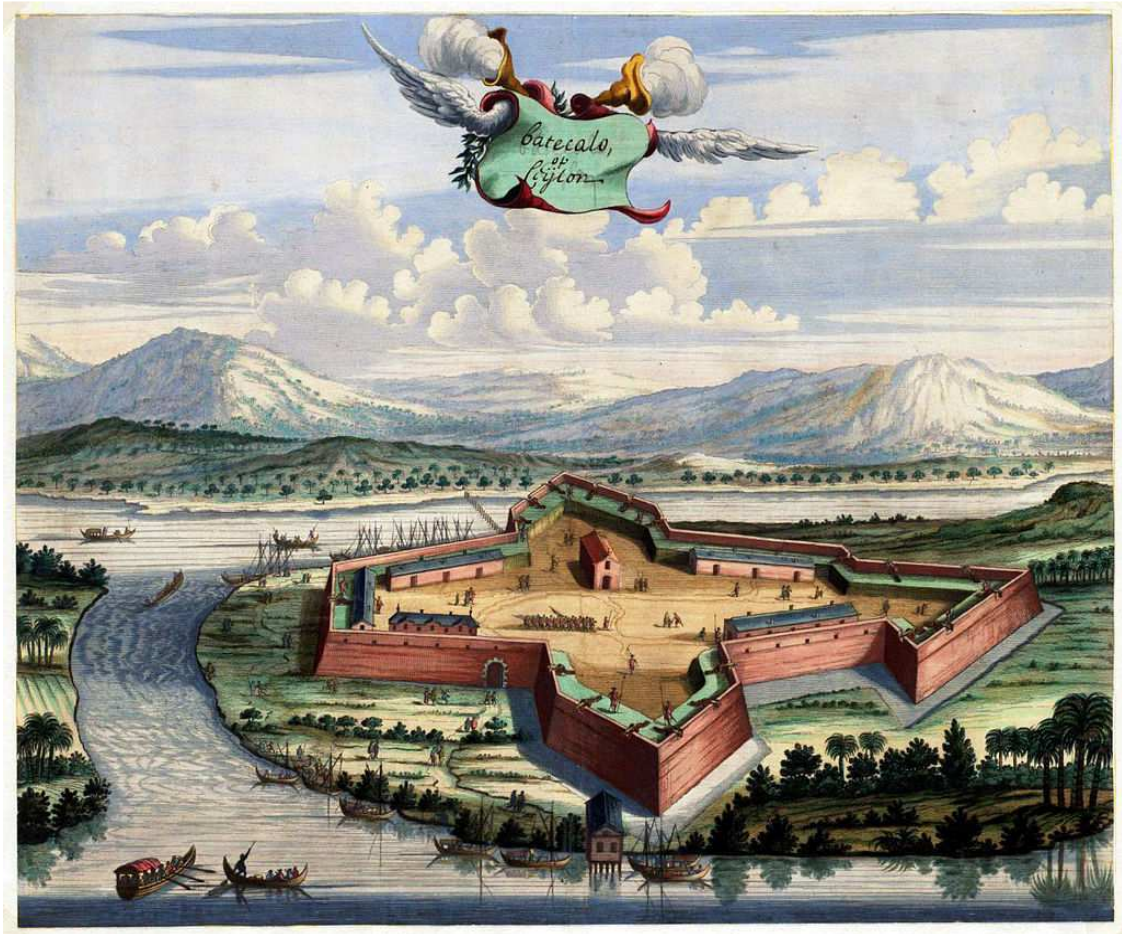


Figure 3.3 Bird's eye view of the fort of Batticaloa 1672
Baldaeus, 1672, Dutch National Archives. Wikimedia Commons, viewed 14 September 2015,
https://en.wikipedia.org/wiki/File:Antique_print_of_the_Batticaloa_Fort,_1672.jpg.

Batticaloa was relatively unimportant because it possessed no natural harbour like Colombo, Galle and Trincomalee.⁸⁵ It lay in the centre of a coastal strip some 320 kms long, and was sited on an island in a long narrow lagoon formed by the estuary of several streams. Behind it, a flat alluvial plain extended some 16–50 kms inland, sandy but verdant at first, but then covered with jungle and forest as it neared the mountains. Mangrove swamps near the shore made navigation difficult, but they contained an astonishing variety of birds of “gorgeous plumage”. The lagoon and still waters of the district were

⁸⁴ Dennis McGillivray and Mirfak Raheem, *Origins of the Sri Lankan Muslims and Varieties of the Muslim Identity*. In John Clifford Holt (ed.), *The Sri Lanka Reader: History, Culture, Politics*. Durham and London : Duke University Press, 2011, p. 411.

⁸⁵ Lodewijk Wagenaar, *Galle: VOC Vestiging in Ceylon. Beschrijving van een koloniale samenleving aan de vooravond van de Singalese opstand tegen het Nederlandse gezag 1760*. Amsterdam : De Bataafsche Leeuw, 1994, p. 106.

“remarkable for the numbers and prodigious size of the crocodiles which infest them”, some growing to nearly six metres.⁸⁶

Batticaloa was also unimportant because it did not produce cinnamon, the crop which had drawn the Europeans to Ceylon in the first place. However, the continuous garden of coco-nut palms, which extended 25 km north of the town and 40 km south, was not only very productive, but also “pre-eminent for beauty and luxuriance”.⁸⁷ The area’s Muslim population came to monopolise the trade in ebony, satinwood and timber which they traded in Coromandel for cotton goods and brassware. They sailed their vessels between Ceylon and the French possessions of Pondicherry and Karikal, bringing back rice, Indian corn, deer horn and wax.⁸⁸

The area on the eastern coast to which the British clung was described in 1808 by Maitland as “a stripe [sic] of about 700 miles in length inhabited by people of various description and characters all liable to attack at any moment from the Candian Territories”. To keep the Kandyans in check, he estimated some 1,500 to 2,000 soldiers were needed outside the garrisons of Colombo and Trincomalee.⁸⁹ At Batticaloa, British control extended to the waterways for some 6 km inland, beyond which lay some 25 to 30 kms of low and flat country which stretched to the foot of a chain of high, steep mountains that marked the border of the Kingdom of Kandy.⁹⁰ The British knew little of these mountains, save that they were populated by the original inhabitants of Ceylon, the Veddah, and they were equally unfamiliar with the still more rugged Ouva mountain range, where the Kandyan kings took refuge when driven out of Kandy.⁹¹

⁸⁶ James Emerson Tennent, *Ceylon: an account of the island physical, historical, and topographical with notices of its natural history, antiquities and productions*. London : Longman, Green, Longman, and Roberts, 1860. 5th edn. 2 Vols. Vol. 2, pp. 454–55; 466–67.

⁸⁷ *ibid.* Vol. 1, p. 920. The palms no longer grow in the area, having been destroyed by cyclones.

⁸⁸ *ibid.*, Vol. 1, p. 921.

⁸⁹ Thomas Maitland, Governor, “Letter to Viscount Castlereagh, Observations on the Military Establishment of Ceylon”. 20 August 1808. SLNA 5/81, ff. 109–10. Quoted in Hussainmiya, *op. cit.*, p. 85.

⁹⁰ Major Arthur Johnston, *Narrative of the Operations of a Detachment in an Expedition to Candy, in the Island of Ceylon, in the Year 1804. With some Observations on the Previous Campaign, and on the Nature of Candian Warfare...* Dublin & London : James McGlashan ; Orr & Co, 1854. Revised edn. First published London 1810, p. 40.

⁹¹ *ibid.*

To cap matters off, the local inhabitants around Batticaloa were not well disposed towards the British, smallpox having carried off a great number of them, leaving the survivors nurturing “a general disaffection [...] to our cause”, according to Major Johnston, Commander of the Batticaloa garrison.⁹² Some of the Muslim leaders around Batticaloa had remained loyal to the King of Kandy, and were declared enemies by the British in June 1804.⁹³ The province, like the rest of the island, was subject to invasion by the Kandyans, who were driven out only after repeated skirmishes.⁹⁴ It was this desultory warfare which Rossi and his men had to face, even though overt hostilities had ceased in 1805.

Before Maitland’s arrival, however, it was decided in mid-1804 to make another attempt to take Kandy. Plans were laid for six columns of troops to advance on the capital,⁹⁵ one of which was commanded by Johnston, and which contained a detachment of 53 Malays under Lieutenant William Virgo. Rossi appears not to have taken part, although he was more experienced than Virgo, who was “a quiet inoffensive man, who had originally been a private in the band of the 80th Regiment”.⁹⁶ In any event, Rossi was spared the ordeal which followed, for Johnson interpreted his orders as requiring him to attack Kandy without waiting for the other columns, although the orders, admittedly, were poorly drafted. The column fought its way to Kandy and occupied the capital for several days before being forced to retreat, passing on the way the spot where lay the bones of their earlier massacred comrades. They were under continual attack, but despite the lack of ammunition, sickness and exhaustion, they succeeded in reaching Trincomalee, with a loss of 48 men. It was, nevertheless, hailed as a “brilliant feat of arms”, although almost all the European survivors subsequently died in hospital from fever or exhaustion.⁹⁷

Even after overt hostilities had ceased, the British could not allow themselves to let down their guard, so brutal and savage had the fighting been on both

⁹² *ibid.*, pp. 41–42.

⁹³ S.H.M. Jameel and Asiff Hussein, *The Muslim Heritage of Eastern Sri Lanka*. Colombo : Muslim Women’s Research and Action Forum, 2011, p. 19.

⁹⁴ Johnston, *op. cit.*, p. vi.

⁹⁵ The expedition is described at length on pp. 82–92 of Hugh Nevill’s “Notes on Military History of Trincomalee”. *Journal of the Royal Asiatic Society (Sri Lanka)* 38 (NS) (1993–94). Nevill erroneously dates the expedition as taking place in 1803.

⁹⁶ Nevill, *op. cit.*, p. 91.

⁹⁷ Mills, *op. cit.*, p. 155.

sides. Dr Henry Marshall, an assistant-surgeon in the 2nd Ceylon regiment in 1809, thought British policy in Ceylon was as savage as the Duke of Cumberland's reprisals against the "malcontents" in Scotland after Culloden:

Neither of the belligerents seemed much disposed to take prisoners, and that the atrocities of a force trained in the usages of civilised warfare, were not less flagrant than those of an uncivilised population. White and black races, the invaded and the invaders, Christian and Pagan, vied with each other in promoting the horrors and barbarities of mutual destruction.⁹⁸

Marshall added that "one sentiment seemed to animate the mass of the population—a detestation of foreigners who meant to humble their national pride, together with a desire to avenge, by every possible expedient, the injuries they considered their country had sustained".⁹⁹

In this hostile environment, Rossi and his company would have been reasonably secure in the fort at Batticaloa. The Dutch had built it in 1628 on a former Portuguese site, and had stationed a company of Malay troops there,¹⁰⁰ who would have defended the fort during the British invasion. The fort was surrounded by a swampy lagoon,¹⁰¹ and was a "grim little quadrangular stronghold, with a battery at each angle connected by a loop-holed wall, and surrounded by a ditch swarming with crocodiles".¹⁰² The soldiers' quarters enclosed a square in the interior, which held a house for the commandant and a bomb-proof magazine, together with an old Dutch church, "of the most Calvinistic simplicity".

⁹⁸ Dr Henry Marshall, *Ceylon: A General description of the Island and Its Inhabitants; With an Historical Sketch of the Conquest of the Colony by the English*. London : William H Allen & Co, 1846, pp. 204–6.

⁹⁹ *ibid.*, p. 203.

¹⁰⁰ E. Reimers, *The Malay Mail*, 17 October 1924. Quoted in H.M. Said, "Ceylon Malays". *Journal of the Malayan Branch of the Royal Asiatic Society* 4 (1926), p. 268.

¹⁰¹ The Sinhalese *Matta-kalappa* means "muddy-lake".

¹⁰² Tennent, *op. cit.*, Vol. 2, p. 465.



Figure 3.4 The fort at Batticaloa today
Anton Croos 2010, https://commons.wikimedia.org/wiki/File:Batticaloa_Portuguese_fort.jpg
<https://creativecommons.org/licenses/by-sa/3.0/legalcode>.

Life must have been monotonous, and even Batticaloa's famous attraction—its singing fish—would soon have lost its novelty. Every visitor commented on them: Tennent described how a multitude of sounds, each clear and distinct, “came up from the water like the gentle thrills of a musical chord, or a faint vibration of wine-glass when its rim is rubbed by a musical finger”.¹⁰³ The sound in fact was produced by mussels.

Tennent contrasted the island's climate favourably with that of India, for it lacked India's extremes of heat and cold, and it received more steady sea breezes. There were “no dangerous results from exposure to the sun, moderate exercise is practicable and agreeable for most of the year”, he enthused.¹⁰⁴ He recommended only the moderate consumption of “flesh meat”, suggesting vegetables and farinaceous foods take its place. “The latter”, he wrote,

is rendered attractive by the unrivalled excellence of the Singhalese in the preparation of innumerable curries, each tempered by the delicate creamy juice expressed from the flesh of the coco-nut after it has been reduced to a pulp. Nothing of the same class in India can bear a comparison with the piquant

¹⁰³ *ibid.*, p. 469.

¹⁰⁴ *ibid.*, Vol. 1, pp. 54; 70.

delicacy of a curry in Ceylon, comprised of fresh condiments and compounded by the skilful hand of a native.¹⁰⁵

Tennent held the exalted post of Colonial Secretary, and it is doubtful that Rossi and others at Batticaloa would have shared his views. Corporal George Barnsley was stationed at Trincomalee from 1803 to 1810—the “worst station on the island”, he wrote, where the climate, the great fatigue, but especially the food took its toll. Dysentery, liver complaints, beri-beri, inflammation of the stomach and bowels, and fevers plagued the troops, resulting in a “great mortality”. The longer the troops stayed in this wretched place—the “gates of hell”, he called it—the more immoral and depraved they became, and the officers resorted to constant flogging, in which they seemed to take pleasure. Nor were the local inhabitants friendly, taking every opportunity to abuse and insult the troops, and to goad them into actions which would earn them a flogging. Food in the barracks mess was so bad it made Barnsley ill, and he was forced to take a native wife—a “Nurse”, as he termed it—to obtain and cook food for him.¹⁰⁶

As an officer, Rossi’s living conditions would have been better, but the isolation, boredom and tedium of garrison life, as well as the dictates of military discipline and the idiosyncratic, exclusive life-style and *mores* of the British officers’ mess would have made their mark on the young captain. He was to spend eight years in Ceylon, five of them at Battacaloea, and as well as consolidating the military traits of his *habitus*, the experience would have moulded him into a British regimental officer, and one skilled in working with and commanding colonial troops. He was a young lieutenant when he arrived in 1803 and left a veteran army officer.

Some have disparaged the Malay Regiment as inferior. “Not exactly one of the most crack regiments in the service”, was Thomas Horton James’s sarcastic description in 1838.¹⁰⁷ It should be recognised, however, that while there were officers like the unfortunate Major Davie, there were also officers who were both competent and brave. Captain Philip Delatre, Rossi’s fellow officer and friend in

¹⁰⁵ *ibid.*, p. 77.

¹⁰⁶ G. P. Thomas, *The History of Trincomalee*. Colombo : The Times of Ceylon, 1940, p. 29.

¹⁰⁷ Thomas Horton James, *Six Months in South Australia: With Some Account of Port Philip and Portland Bay, in Australia Felix*. London : Cross, 1838, p. 185.

the regiment,¹⁰⁸ distinguished himself in 1818 by successfully leading a detachment of 100 men against the Kandyans, fighting his way from Trincomalee to Kandy, despite a right arm fractured by Kandyan musket ball.¹⁰⁹

In any event, commanding foreign troops like the Malays was not a task for the incompetent. Captain Percival, who had considerable experience commanding Malay troops, wrote in 1805 of the need for “proper” leadership, if the Malays’ “natural ferocity” and intrepid and hardy nature were to be effectively harnessed. This required “much management, much attention to their economy, firmness in maintaining discipline, and at the same time great caution in punishing misbehaviour”.¹¹⁰ The Malays’ discipline was “very excellent”, and they behaved “universally with great respect and obedience to their European officers”. There is evidence, admittedly from Rossi himself later in Mauritius, that he realised the value of good communications with those he commanded. It may well be that his background gave him greater cultural breadth than the average junior British officer.

Percival expands on the difficulties in commanding Malays, whom he believes were “almost incapable of being admitted into social life”, given their belief that revenge is no crime, and their triumph in shedding blood.¹¹¹ He was referring in part to the incidence among Malays of the phenomenon of *amok*, where a man, usually after of a prolonged depressive state, seizes a weapon and begins killing as many of those around him as he can, before he is cut down and killed himself.¹¹² Percival relates that there was a constant fear among Europeans of their Malay servants and attendants as they would be of “a mad dog”, although

¹⁰⁸ Philip Cheneau Delatre (1777–1848) was the son of a French father who emigrated to England in the 2nd half of the 18th century and an English mother. Philip enlisted in the British Army and served many years in Ceylon, retiring to Canada in 1828 with the rank of Lieutenant-Colonel. In Canada, he received a grant of land under a scheme for former military officers, similar to the New South Wales scheme Rossi benefitted from. “Philip Cheneau Delatre: A Biographical Sketch by His Great-Grandson John Delatre Falconbridge”. Personal communication John Delatre Falconbridge, 27 July 2013. Rossi and Delatre were still corresponding in 1816, five years after Rossi’s departure from Ceylon.

¹⁰⁹ Marshall, op. cit., pp. 193–95.

¹¹⁰ Percival, op. cit., pp. 111; 121.

¹¹¹ Percival, op cit., p. 180.

¹¹² Sir Hugh Clifford, an eminent British Resident in colonial Malaya and close observer of Malay life, so describes the condition. Hugh Clifford, *In Court and Kampong: being tales and sketches of native life in the Malay Peninsula*. London : Richards, 1895, p. 80.

he believed the “superior mildness of the English government” would mitigate against its occurrence.¹¹³

The Regiment did not fare well under Governor Maitland, although he was unable to abolish it. After Maitland sent a number of Malay princes, nobles and their families back to Java in 1808, regimental numbers fell to half its establishment in that same year.¹¹⁴ After Maitland’s departure in 1811, the value of the Malays was again recognised and Wilson, the acting Governor, was able to quickly recruit some 150 young Malays.¹¹⁵ There is no evidence that the Malay Regiment did anything to warrant Maitland’s disapprobation, nor is there any evidence that Rossi and his fellow officers did not effectively command them.

The fact that the Malays were accustomed to the conditions and climate of Ceylon meant their health was much better than that of their European counterparts, easing the task of commanding them. Dr Thomas Christie (1772/3–1829), the British Superintendent of Hospitals in Ceylon at the time, reported that “the Malays are “an uncommonly hardy race, and as soldiers peculiarly fitted for duties in which great fatigue and a privation of comforts are expected. Besides their rice, the only luxury they require, or what may with them be considered as a necessary, is opium, which serves the same purpose to a Malay, as drams to a European, or spices to natives of other descriptions”.¹¹⁶ Christie, incidentally, was a clansman and protégé of Sir Walter Farquhar,¹¹⁷ who later helped Christie secure the position of physician-extraordinary to the Prince Regent (later George IV) of Wales.¹¹⁸ The reach of patronage and influence throughout the Empire was extensive indeed, and

¹¹³ Percival, loc. cit.

¹¹⁴ Maitland to Castlereagh, 20 August 1808. SLNA 5/81. Quoted in Hussainmiya, op. cit., p. 80. The Regiment had only 600 rank and file, against its establishment of 1250.

¹¹⁵ Wilson to Liverpool, 29 September 1811, SNLA, 5/5 Quoted in Hussainmiya, op. cit., p. 81.

¹¹⁶ Thomas Christie, “The General Medical Report of the Troops Serving in Ceylon for April 1803”. Quoted in Cordiner, op. cit., Vol. 2, p. 277.

¹¹⁷ Peter John Anderson (ed.), *Fasti Academiae Mariscallanae aberdonensis: Selections from the records of the Marischal college and university MDXCII–MDCCCLX*. Aberdeen : New Spalding Club, 1898–89. 2 vols. Vol. 2, p. 143.
https://archive.org/stream/fastiacademiaema02univuoft/fastiacademiaema02univuoft_djvu.txt. Accessed 7 March 2015.

¹¹⁸ Norman Moore, “Christie, Thomas (1772/3–1829)”, rev. Elizabeth Baigent, *Oxford Dictionary of National Biography*. Oxford : Oxford University Press, 2004.
<http://www.oxforddnb.com/view/article/5366>. Accessed 21 Feb 2015.

Christie could well have been instrumental in Rossi's obtaining the position of aide-de-camp to Sir Walter's son, when the latter was made Governor of Mauritius.

Britain's imperial success is ascribed by some historians to the English public school system—not because of any intellectual rigour it instilled in future leaders, but rather by the “hidden curriculum” the system inculcated in its charges.¹¹⁹ This “curriculum” was made up of the principles, characteristics and manners which the institutions of Empire would subsequently reinforce and maintain. The competences and behaviours so transmitted helped form the *doxa* of that part of the British elite—the inherent, preconscious understanding that Bourdieu states is a fundamental part of an individual's *habitus*. Thornton, in his classic study of British Imperialism, makes the point that “the public school spirit and the clannishness associated with it became one of the most potent of imperial elixirs”.¹²⁰

Rossi may not have benefitted from a public school upbringing, but he certainly would have conformed to the hierarchical nature and the rituals of the army and of the imperial administration during his time in Ceylon. Both institutions would have been potent and shaping influences on the young man, equipping his *habitus* with the means to cope with new fields or environments.

Another important means by which the Empire functioned was Freemasonry, an institution which engendered and maintained social cohesion among the male imperial elite. Freemasons' lodges appealed to many interests—philanthropy, mutual aid, and to some, the appeal of the mystical and the occult, but it primarily fulfilled an important social function in relieving the boredom and triviality of everyday life in isolated parts of the Empire.¹²¹ It was particularly popular in the 19th century, especially in the British army, whose numerous

¹¹⁹ See, for example, the perceptive extended review by Clive Griggs, “The Influence of British Public Schools on British Imperialism”. *British Journal of Sociology of Education*. 15/12 (1994), p. 130.

¹²⁰ A. P. Thornton, *The Imperial Idea and its Enemies: A Study in British Power*. Houndsmill, Basingstoke : MacMillan Press, 1985. 2nd edn., p. 90.

¹²¹ Ronald Hyam, *Britain's Imperial Century 1815–1914: A Study of Empire and Expansion*. New York : Harper & Rowe, 1976, p. 154.

lodges formed, in Harland-Jacobs's view, the most important factor in the institutions global spread.¹²²

Freemasons' lodges were present in Ceylon, Mauritius and, of course, NSW, and there were numerous Masons among Rossi's acquaintances, including some high-ranking officials. The Earl of Moira, Governor-General of India from 1807 to 1813, was a longstanding Freemason, and Rossi would have been present when Moira, in a Masonic ritual ceremony, laid the foundation stone of the Roman Catholic Cathedral in Port Louis in August 1823.¹²³ Moira's close friend and masonic brother, the Prince of Wales, had helped him gain the appointment of Governor General of India, and during his time in India, the relationship between Freemasonry and the ruling British elite of India was "highly symbiotic".¹²⁴ Freemasons among Rossi's friends and colleagues in Mauritius included Captain Alexander Gilbert Barry, Charles Telfair, Dr William Burke, Major Waugh, Rev. T. Shepherd, George Smith,¹²⁵ and tellingly, Governor Farquhar, who had joined in England in 1807.¹²⁶ In Mauritius, Farquhar was a member of Lodge *La Paix*, which had been established in 1790 under the *Grand Orient de France*,¹²⁷ and later became Provincial Grand Master of Mauritius in 1811.¹²⁸ Having said that, no evidence of Rossi's membership of any lodge has come to light.

In September 1811, Rossi was appointed aide-de-camp to Farquhar, newly appointed as Governor of Mauritius in December 1810. At the same time, he was given leave from the Malay Regiment.¹²⁹ Mauritius, the former French Indian Ocean colony of Île de France, had been seized by the British, and

¹²² Jessica L. Harland-Jacobs, *Builders of Empire: Freemasons and British Imperialism, 1717–1927*. Chapel Hill : The University of North Carolina Press, c. 2012, p. 32.

¹²³ Michael W. Allan, *Freemasonry in Mauritius: A Chronological Compilation of Lodges 1778–2004*. Cambridge : Allan, 2004, p. 38.

¹²⁴ Harland-Jacobs, op. cit., p. 171.

¹²⁵ Allan, *Freemasonry*, pp. 37; 40.

¹²⁶ Mary Allan, "The First Entente Cordiale". *Freemasonry Today* (15 March 2012). <http://freemasonrytoday.com/features/the-first-entente-cordiale>. Accessed 25 April 2013.

¹²⁷ Michael W. Allan, "An Island Tale". *MQ* 11 (October 2004). <http://www.mqmagazine.co.uk/issue-11/p-26.php>. Accessed 1 May 2013.

¹²⁸ Robert Freke Gould, *Gould's history of freemasonry throughout the world, revised by Dudley Wright*. New York : C. Scribner's sons, [c1936]. 4 Vols. Vol. 4, p. 239. http://www.phoenixmasonry.org/goulds_history_volume_4.htm. Accessed 16 March 2015.

¹²⁹ "Monthly Return for 1st Ceylon Regiment, Josiah Champagne Commanding". TNA: WO 17/233 Ceylon Regiments. Book 1, September 1807 and Book 3 September 1811; ML: A 1695, f. 8.

Farquhar was given the difficult task of governing a society of French settlers who had no love of Britain, particularly as the two nations would remain at war for the next 4 years. Farquhar needed reliable men who could work with the French, a requirement which Rossi fitted well, and he had the advantage of being well-known to Farquhar.

No record survives of Rossi's appointment, but the new Secretary to Government in Mauritius was a former officer of the 1st Ceylon Regiment, Captain Alexander Gilbert Barry. Barry also happened to be one of Earl Minto's eight illegitimate children, and when Minto became Governor-General of India in 1807, he had appointed Barry to his personal staff in Calcutta.¹³⁰ Barry may have recommended his brother officer to Farquhar, but there was no lack of channels through which such recommendations could have been made, including, as we have seen, Dr Thomas Christie. Coincidentally—but most likely not—Farquhar later appointed Christie's son, John Harvie Christie (1768–1840), as the Judge of Appeal in Mauritius in January 1813, as part of moves by Farquhar to bolster his position as Governor.¹³¹ An intricate system of patronage was indeed at work in this corner of the Imperial administration.

Rossi became close friends with Barry in Mauritius, as he did with another fellow officer from his Regiment in Ceylon, Lieutenant George Fairbairn Dick, who was posted to Mauritius as Auditor in August 1811.¹³²

Notwithstanding the paucity of information about Rossi's years in Ceylon, he did make a substantial contribution to that nation's development. Hussainmiya concludes that Governor North's recruitment policy gave a new lease of life to the previously small Malay community there, and the cultural and ethnic survival of that community is due in no small measure to the influence of the Malay Regiment.¹³³ The first successful British recruitment mission which Rossi carried out in 1805 came at a crucial period in the regiment's history, and, since the regiment was the mainstay of employment

¹³⁰ Margot Finn, "Family formations: Anglo India and the familial proto-state". In David Feldman and Jon Lawrence, *Structure and Transformations in Modern British History*. Cambridge : Cambridge University Press, 2011, p. 113.

¹³¹ Allan, *The Man and the Island*, p. 61.

¹³² "Monthly Return for 1st Ceylon Regiment", Josiah Champagne Commanding". TNA: WO 17/233 Ceylon Regiments. Book 1, September 1807 and Book 3 August 1811.

¹³³ Hussainmiya, op. cit., p. 73.

for the Malay community at least until 1873, Rossi's efforts were instrumental in ensuring the community's survival and subsequent development.¹³⁴

The impact can be seen in modern Sri Lanka, where the Malays now constitute a recognised part of Sri Lankan society, numbering some 44,130, or 0.22% of the population in 2012.¹³⁵ They are the third smallest ethnic group in Sri Lanka, and are located principally in Colombo (33%), Kandy (6%), and Gampaha, a large town on the west coast.

The translocation of peoples was a feature of British imperial administration, and Rossi's activities in Ceylon meant that he was now no mere passive recruit to Britain's Imperial project—he was now an active agent who would play an even greater role in the shaping of modern-day Mauritius, the subject of the next chapter.

¹³⁴ *ibid.*, p. 156.

¹³⁵ Sri Lanka, Department of Census and Statistics, *Census of Population and Housing of Sri Lanka, 2012*. Table A8— Population by district, ethnic group and sex. <http://www.statistics.gov.lk/PopHouSat/CPH2011/index.php?fileName=FinalPopulation&gp=Activities&tpl=3>. Accessed 20 February 2015.

Chapter 4

Mauritius

The make-up of modern Mauritius indeed owes much to Rossi, for it was under his stewardship that the British introduced Indian convicts into Mauritius, the forerunners of many later immigrants from India, who now form the largest ethnic group on the island. Rossi held positions of great responsibility here, for as well being in charge of the Indian convicts, he was also Governor Farquhar's aide-de-camp, and acted regularly as Secretary to Government. He was a friend and close associate of Governor Farquhar, but shared none of the notoriety attached to his colleagues Alexander Barry, Charles Telfair and Edward Draper. Nor, unlike other senior British officials of the time, was he ever accused of being involved in the slave trade.

By the time Rossi came to Mauritius, he had served in the British Army for fifteen years, and was accepted by the British as a member of their officer class. To the Franco-Mauritians, on the other hand, he was a *Corse naturalisé anglais*,¹ suggesting he was not entirely accepted by them—understandable since he was a British officer, and a Protestant to boot. When Rossi arrived in Mauritius in 1811, the island had been a French possession—Isle de France—for nearly a century, having been settled by the *Compagnie des Indes* (The French East India Company) in 1715.

The French colony of Isle de France

Located strategically in the Indian Ocean on the shipping routes between England and her Australian and Indian colonies, the island benefited greatly from sea-borne commerce. Its main port, Port Louis, was one of the busiest commercial centres in the Indian Ocean, rivalling the great ports of metropolitan France. Sea-borne “commerce” at the time, however, also included raiding the ships of the British East India Company, and so successful were the French privateers that one contemporary estimate put British losses at many millions of pounds sterling, the insurance offices of Bengal alone paying out some

¹ “A naturalised English Corsican”. My translation. Albert Pitot, *Île de France : esquisses historiques (1715–1810)*. Port-Louis : E. Pezzani, 1899, p. 210.

£3 million sterling for captured ships in 1810 alone.² Plans to neutralise the French menace had been laid before the newly arrived Governor-General of India, Lord Minto,³ in 1807, but lack of finances prevented an invasion force being assembled before 1810. The British first captured the Isle de Bourbon (modern Réunion), but their invasion of the Isle de France was held up by the defeat of the British fleet by the French at the Battle of Grand Port, off the island's east coast, in August 1810.⁴ In December, however, British invading troops easily took the island, encountering little resistance from the French military and none from the population.

The British colony of Mauritius

The invading British troops were drawn mainly from India and Ceylon, but Rossi, stationed at Batticaloa, was not among them. He did not arrive in Mauritius until September 1811, to take up the position of aide-de-camp to Governor Farquhar, in which position he served for all of Farquhar's Governorship.⁵ Rossi was given extended leave from his regiment in Ceylon in September 1811, and never returned to it, remaining on half pay until 1834, when he retired.⁶ The two men had known each other since Rossi's recruiting mission to Penang in 1805, were the same age—thirty five—and both appreciated the pleasures of French cuisine, wine, and manners (Farquhar's wife, Marie Frances Geslip Latour, was from a wealthy Madras family of French background).

Farquhar's unassuming exterior masked his determined nature, excellent qualities for a man who had to rule this difficult colony. A Franco-Mauritian of the time, André Maure (1770–1842) wrote that Farquhar had been chosen to govern the colony because of his “apparently simple exterior and first impression of timidity [which] concealed both magnanimity as well as

² Dugald Carmichael, *Account of the Conquest of Mauritius: With Some Notices on the History, Soil, Products, Defences, and Political Importance of This Island. To Which is Added a Sketch Explanatory of the Military Operations, By an Officer who Served in the Expedition*. London : T. Egerton, 1811, p. 53.

³ Lord Minto, it will be recalled, was Sir Gilbert Elliot, the former Viceroy of the Anglo Corsican Kingdom.

⁴ Grand Port was the only French naval victory during the Napoleonic Wars.

⁵ ML: A 1695. ff. 7–8.

⁶ *The London Gazette*, 19174 (18 July 1834), p. 5.

firmness”.⁷ Maure added that Farquhar was always “available to all, for anyone could see and speak with him at any time of the day, and audiences with him were always amicable conversations”—a disarming approach which could often resolve a difficult situation.

As Farquhar’s aide-de-camp, Rossi lived at Le Réduit, the Governor’s residence in the cooler climate of Moka, outside Port Louis. After several years, a degree of intimacy inevitably grew up between the two men, for although Farquhar was reserved, cultivated and invariably polite, he was not overbearing or unreasonably demanding. In the Governor’s employ, Rossi was exposed to the art of British diplomacy as practised by a master, as well as to the ways of English vice-regal entertaining. Having been schooled in the military, he now had to conduct himself as a gentleman, rather than a military man. He was, however, no stranger to the higher echelons of French society under the *ancien régime*, both in Ajaccio and on mainland France. No doubt the vice-regal formalities further moulded his *habitus*, for both chivalry and military discipline were hallmarks which distinguished Rossi’s later career in Sydney and Goulburn.

As aide-de-camp, Rossi was in close attendance on the Governor, at his constant beck and call, handling tasks as they cropped up, generally smoothing the way for the Governor in all things. “*Homme à tout faire*” (“a jack of all trades”), is how Thomi Pitot described him.⁸ Letters which Farquhar wrote to Rossi show a close friendship between the two men, and in his later life in Goulburn, Rossi would entertain his guests at his home, Rossiville, in a manner redolent of Farquhar’s dinners and formal occasions at Le Réduit, when the Governor’s table overflowed with the best that France, Britain, India, China and Africa could offer.

In March 1810, Farquhar was charged by Lord Minto with the governorship of both the Isle de Bourbon and of the Isle de France when the two islands were

⁷ André Maure, *Souvenirs d’un vieux colon de l’île Maurice : renfermant tous les évènements qui lui sont arrivés depuis 1790 jusqu’en 1837, époque du Bill d’Emancipation, ce qui renferme une période de 46 ans ; dédiés à Sir Walter Minto Farquhar par un ami de son père, Sir R. T. Farquhar*. La Rochelle : Frederic Boutet, 1840, p. 241.

⁸ Pitot, *ibid.* Thomi Pitot de la Beaujardière (1779–1821) was an influential writer, merchant and Secretary of the *Conseil commune* in Port Louis set up by Farquhar in 1817. A good friend of Matthew Flinders, he was also intensely pro-France.

taken. After the capture of the Isle de Bourbon on 8 July, Farquhar circulated a proclamation to the inhabitants of the Isle de France, warning them not to resist the invasion, in return for which the British would respect their laws, property and religion. On assuming the governorship, Farquhar followed this up with a proclamation requiring that the island's inhabitants sign their allegiance and obedience to King George III within 23 hours or be returned to France. Many Frenchmen balked at this, but while some left, the majority stayed.

Ruling their new French colony was not going to be easy for the British, as the two nations had been at war for 17 years, and would continue to be so for a further four. The Franco-Mauritians retained close ties with France—the island is still Francophone today—and the British destruction of France's colonies in Southern India had caused much hardship and resentment for the many Isle de France families who had formerly lived or had connections there, including Rossi's future father-in-law.

Apart from the presence of French settlers, Mauritius (as the British now called it) presented the British with other problems. The island's economy depended on slave labour, and Mauritius was the only British slave colony in the region. How best to administer it also raised problems—it could not be administered efficiently as part of Britain's other slave colonies, the sugar producing islands of the Caribbean, if only because the industry in Mauritius was far less developed than the latter. Mauritius was also culturally and historically different from Britain's East African and Indian colonies, making it impractical to govern it collectively with them. London decided therefore to administer Mauritius as part of a group of geographically, administratively and culturally isolated British possessions—namely NSW, Van Diemen's Land and Ceylon.⁹

The British had captured Mauritius to protect their Indian trade, and, consequently, they had no economic or commercial plans for the island's development. Both the immigration of British settlers or investment by British investors was not possible, given the established presence of French settlers on the island.¹⁰ The British takeover had deprived the Mauritians of their

⁹ Vijayalakshmi Teelock, *Mauritian History: From its Beginnings to Modern Times*. Moka : Mahatma Gandhi Institute, 2009, pp. 169–70.

¹⁰ *ibid.*, pp. 172–73.

revenue from privateering, and legitimate trade was stifled by the requirements of the British *Navigation Act*, which prohibited British colonies from trading directly with other nations and their colonies. The island's economic woes were also made worse by competition from the British controlled Cape of Good Hope.

The history of the British in Mauritius at this stage, therefore, revolved around three issues: first, to develop the island's economy, second, to govern the French population with as little friction as possible, and, last, to deal with the problem of labour supply. The islanders relied on slaves imported from Africa to meet their labour needs, but Britain had outlawed the slave trade in 1807, although slavery itself was still legal. Slavery was at the heart of the three issues facing the British, and it bedevilled the whole of Farquhar's time as Governor. As a senior British official, Rossi's time in Mauritius was intimately bound up with all three issues.

Farquhar began badly by attacking the matter of slavery head-on. He wrote to Lord Liverpool, the Secretary of State for War and the Colonies, arguing that, since the legislation banning the slave trade predated the capture of Mauritius and made no reference to Mauritius, the law should not apply to Mauritius. He argued that it was necessary to keep up the supply of slaves, lest the island be "annihilated" and the French settlers "rendered desperate if the supply of Slaves be refused them".¹¹ Liverpool's rebuke was swift, stating that Farquhar was under "an extraordinary misapprehension" if he thought Parliament's prohibition did not apply to Mauritius.¹² It was an inauspicious beginning, for the slave trade proved impossible to stop.

Farquhar's other policies proved more successful: he introduced a twice-yearly lottery to pay for improvements to the island's roads,¹³ and encouraged agriculture, particularly the cultivation of sugar cane, more than doubling the area under cultivation over the next five years. He greatly assisted commerce by reopening Port Louis to foreign ships in 1816, for which London again reprimanded him. Farquhar is still remembered today in Mauritius for his

¹¹ Farquhar to Earl of Liverpool, 15 February 1811. TNA: CO 167/5.

¹² Liverpool to Farquhar, 2 May 1811. TNA : CO 168/5.

¹³ Michael W. Allan and Mary Allan, *The Man and the Island: Sir Robert Townsend Farquhar, Bt. First British Governor of Mauritius 1810–1823*. Cambridge : Michael and Mary Allan, 2010, pp. 55–56.

efforts on behalf of the island, and Rossi was to play an important role in supporting Farquhar's efforts.

Farquhar also tried to cultivate good relations with the Franco-Mauritians, and gave a splendid ball to better acquaint his new French subjects with the British newcomers. It was a great success, wrote the naval surgeon James Prior, for "more than a hundred of the fair sex paraded the room, displaying many good figures and interesting features. The general expectation of inquisitive beaux was not disappointed, their dress was in general showy, but not so the complexions".¹⁴ The dancing brought the two sides closer, for after watching the French dances the British "mustered an English country dance, to the great amusement of those of the natives who had never witnessed anything of the kind". The fireworks which followed pleased the ladies, and the refreshments the men, and Prior "never saw a party of hungry Britons do more determined justice to the very abundant fare than the good people of Mauritius".

As aide-de-camp, Rossi would have attended many such occasions, but he was also appointed *Collecteur des droits d'enregistrements et hypothèques* (Collector of Registration Fees and Mortgages) in December 1811,¹⁵ and six months later, the senior post of Deputy Chief Secretary,¹⁶ which he held until the permanent Deputy arrived in May 1813. Rossi then became the First Assistant Secretary, and when the Deputy Secretary departed for India, Rossi again filled the post until May 1815,¹⁷ and also on subsequent occasions. These posts meant that Rossi was now working at the very pinnacle of the British administration in Mauritius.

Another measure which Farquhar adopted from the outset was to attract French settlers—preferably the sons of the island's principal landholders—into the administration. His aim was to attach them more closely to British rule, but most

¹⁴ Patrick Joseph Barnwell, *Visits and Despatches: Mauritius, 1598–1948*. Port Louis : Standard Printing Establishment, 1948, pp. 212–13.

¹⁵ *Blue Book Mauritius* 1822, p. 11.

¹⁶ *Java Government Gazette*, 5 December 1812, p. 4.
http://resources2.kb.nl/010245000/pdf/DDD_010247567.pdf. Accessed 6 March 2015.

¹⁷ *ibid.*

remained inimical, while “taking all the benefits they could”.¹⁸ It was as a result of this policy of Farquhar that Rossi was later to meet his future father-in-law.

The island soon became an exotic stopover for Britons travelling to India and Australia, who, partly fuelled by innate suspicion of the French, left many accounts of the island. Their impressions of the inhabitants and the scenery are remarkably consistent, and therefore paint a good picture of what life was like for Rossi and his colleagues.

The exotic beauty of Mauritius was the first thing that impressed visitors. Herman Melville (1819–1891), who visited in 1828, wrote of the island’s jagged volcanic mountains that “fanciful nature had been collecting her odds and ends, and jumbling them together, to make this beautiful spot [...] nothing but pointed rocks, overhanging eminences and unnatural shaped mountains”.¹⁹



*Figure 4.1 Mauritius—“pointed rocks, overhanging eminences and unnatural shaped mountains”
Author’s photo 2011.*

¹⁸ Teelock, op. cit., p. 174.

¹⁹ Henry Melville, *Observations respecting the islands of the Mauritius, written during a short sojourn there in 1828*. Hobart Town, Van Diemen’s Land : Henry Melville, 1830. Facsimile edn. Adelaide : James Dally, 2004, p.35.

The next impression visitors reported was the great variety of humanity thronging the capital, Port Louis. Prior noted that the harbour was “a forest of masts, from line-of-battle ships to canoes scooped out of single wood”, and in the town’s streets, “John Bull contrasted [...] with his French adversary, the florid European with the pale creole, the Asiatic and the Negro, besides an infinity of mongrels of all nations, every possible tint and hue between pure white and jet black”.²⁰ Port Louis is confined between high mountains and the sea, and is hot and steamy in the summer, so the well-to-do lived on their plantations until the cool sea breezes and bright sunny skies of April brought an influx of “an idle population bored by the seclusion and monotony of the plantation” into the town, eager for shopping and pleasure.²¹



Figure 4.2 The entrance to the bazaar at Port Louis
Author's photo 2011.

²⁰ Barnwell, op. cit., p. 209.

²¹ Huguette Ly-Tio-Fane Pineo, *In the grips of the eagle: Matthew Flinders at Île de France 1803–1810*. Moka : Mahatma Gandhi Institute, 1988, p. 102.



Figure 4.3 Street scene in Port Louis
Author's photo 2011.

The Reverend Patrick Beaton, writing in the 1850s, agreed that life outside Port Louis was dull, like “solitary imprisonment in a stifling atmosphere, [with] much the same effect upon the mind and the body”—of suicide, crime and ennui, curable only by “a change of scenery; and none who wish to enjoy the greatest of all earthly blessings, the *mens sana in corpore sano* [a healthy mind in a healthy body] should remain in Mauritius more than five years at a time”.²²

If some found island life tedious, no visitor—whether male or female—failed to admire the French ladies. Matthew Flinders (1774–1814), held a prisoner by the French on the island from 1803 to 1810, was taken aback in Port Louis at the sight of so many “handsomely dressed women” at the theatre, their dress “more expensive and gay” than in England. “The younger women were some of them very pretty [...] The necks of almost all, and the shoulders, and bosoms and nearly half of the breasts were uncovered, as well as the arms nearly up to the shoulders. They seemed to have good clear skins, and well-turned necks

²² Patrick Beaton, *Creoles and Coolies, or, Five Years in Mauritius*. London : Nisbet, 1859, pp. 163–64.

and bosoms for the most part: and large eyes that were by no means destitute of power. An equal number of women, equally dressed would I think raise an uproar in one of our English theatres”.²³ They turned even a Governor’s head, for Farquhar found them “mysterious and bewitching”, with “the languor, agility and lightness of goddesses” from Olympus, “with peaches and cream complexions sweetened with a touch of honey”.²⁴

Mrs Alfred Bartram, a no-nonsense Englishwoman who stayed seven years in Mauritius, was perhaps more objective, but nevertheless complimentary. At the “really splendid” balls of Port Louis, she wrote, the ladies “spared neither expense nor time in their preparations. Invisible before dinner, like fire-flies, they appeared only after sunset, and if you were by chance to see one in morning costume, the extreme negligence of their attire renders them anything but attractive”. Mrs Bartram did concede, graciously, that this was a fault not confined to Mauritius, or even to the French!²⁵

The French planters also impressed the British. The Reverend Beaton thought them “a fine, frank hospitable race, passionately fond of field sports and possessed of great physical strength from their constant exposure to the open air, and their active habits”. Their “patriarchal” way of life, with four or more families often living on the one estate, bound together by the closest ties, was especially praiseworthy, for, although living in separate pavilions or cottages, they met and dined together at the same table. “The rude hospitality,” he continued, “is extended to all comers”, embracing even “the Englishman who has tact enough to enter into their feelings, and to make some allowance for their prejudice”.²⁶ Such sentiments were not, however, universally reciprocated.

²³ Flinders to Madame D’Arifat, quoted in Catharine Retter and Shirley Sinclair, *Letters to Ann: The love story of Matthew Flinders and Ann Chappelle*. Sydney : Angus and Robertson, 2001, pp. 81–82.

²⁴ Farquhar to Marquess Wellesley, 3 September 1812. Quoted in « Bourbon à l’heure du thé : Sir Robert Townsend Farquhar premier gouverneur général des Mascareignes (1810–1815)”.
<http://www.interpc.fr/mapage/fe.hoarau/perso/histoire/gouverneur/010507farquar.htm>. Accessed 18 April 2016.

²⁵ Alfred Bartram, Mrs, *Recollections of seven years residence at the Mauritius or Isle of France by a Lady*. London : James Cawthorn, 1830, pp. 57–59; 67.

²⁶ Beaton, op. cit., pp. 109–10.

Life in Mauritius was good, thought Theodore Hook, the colony's Accountant General and Treasurer, for Mauritius was a "paradise, and not without angels". Like Adam, however, Hook's fall from grace in 1817 was spectacular,²⁷ but until then, he enjoyed the operas, racing, food, parties and nightly balls in Port Louis, and although food was expensive, luxury goods were not. "A pretty life we do lead", he confided to a friend.²⁸ Melville concurred, finding that the French colonists were "very rich, and live in great splendour; the climate, it is true, considerably adds to the comforts of the country residents, leaving them but very few wants that cannot be supplied from their own estates".²⁹ "All classes of society, he continued, are well bred, gallant, and exceedingly free and polite and easy, in their manners. The sullen English character has rather tamed the superficial volatile French into the more sterling gentleman; and [...] the French ladies have materially assisted in giving life and energy to the dull plodding, 'mean what he says' Englishman".³⁰

²⁷ Hook was sent home in disgrace in 1817 for misappropriating £12,000 of public monies. He was not only Farquhar's brother-in-law, but also a talented musician, author of farces and comic operas, practical joker and hoaxer, and belonged to the Prince of Wales's inner circle. Back in England, he was found civilly, but not criminally, liable. Derek Hollingsworth, *They came to Mauritius; portraits of the eighteenth and nineteenth centuries*. London : Oxford University Press, 1965, pp. 77–78.

²⁸ Dalton Barham Richard Harris, *The Life and Remains of Theodore Edward Hook*. London : Richard Bentley, 1849. 2 Vols. Vol. 1, pp. 125–26.

²⁹ Melville, op. cit., pp. 52–53.

³⁰ *ibid.*, p. 51.



*Figure 4.4 The race course at Port Louis
built by Rossi's superior officer, Major Edward Draper. Author's photo 2011.*

The "Montpellier of the East", Mrs Bartram called it, for many British officers from India went there to recuperate.³¹ This comfortable and luxurious lifestyle, however, was the sole preserve of the Europeans, who made up less than 10% of the island's population. The great majority of Mauritius's 78,000 inhabitants were slaves from Madagascar and Africa, for whom life was the very antithesis of paradise.³²

It is difficult for a 21st century reader to come to terms with the idea of slavery, not only because of its cruelty, but also because it was an institutionalised and accepted part of society. It was a global industry, run by a few hundred families in Britain and elsewhere, including many of Britain's great aristocratic families. Nor was its impact confined to the upper classes, for everyone in Britain and Europe benefited from it. Slavery provided the labour for the sugar plantations of the West Indies and Mauritius, whose output transformed British taste by making biscuits, cakes, sweets, toffee and rum possible. Apart from

³¹ Bartram, op. cit., p. 83.

³² Sydney Selvon, *Historical dictionary of Mauritius*. 2nd edn. Metuchen, N.J. : Scarecrow Press, 1991, p. 156.

the well-known British “sweet tooth”, slavery also helped to transform tea from an Indian novelty to a national institution.³³

In the 17th and 18th centuries, slavery was the way of the world, and indeed, it had existed for centuries. Linda Colley writes that Britain’s slave trade was a major contributor to its economy, “buttressing its mercantile, supplying essential labour for its colonies, providing vital capital for industrialisation and turning Bristol, Glasgow and Liverpool into major ports and splendid cities”.³⁴ Even the Church of England owned slaves in the West Indies, branding them with a red-hot iron to identify them as Church property. When the British Government finally abolished slavery in 1833 and freed the slaves, it compensated not the slaves, but their former owners! The Bishop of Exeter and three of his colleagues, for example, were paid nearly £13,000 in compensation for 665 slaves.³⁵

The French government had drawn up laws for the treatment of slaves in the Caribbean, and Louis XV proclaimed *le Code noir de décembre 1723* to apply to the slaves in the Isle de France and the Isle de Bourbon. This made slaves the chattels of their owners, who could punish them with death. It did prohibit owners from torturing or mutilating their slaves, but this was honoured more in the breach than in the observance, and the clergy could not marry slaves without the consent of their owners.³⁶

The French Revolution had declared slavery to be inconsistent with the ideals of *égalité, liberté et fraternité*, and a law was passed in 1794 to abolish slavery in French colonies. The Mauritian planters initially welcomed this, but, realising the implications for their livelihood, expelled the two officials sent out by the French Government to enforce the liberation of the slaves, and locked up the

³³ “10 things about British slavery”. *BBC News*, 3 August 2005. http://news.bbc.co.uk/2/hi/uk_news/magazine/4742049.stm. Accessed 20 July 2011.

³⁴ Linda Colley, *Britons: forging the nation, 1707–1837*. 2nd edn. New Haven, Conn. ; London : Yale University Press, 2005, p. 358.

³⁵ “Church apologises for slave trade”. *BBC News*, 8 February 2006. http://news.bbc.co.uk/2/hi/uk_news/4694896.stm. Accessed 20 July 2011.

³⁶ Christiane Taubira and André Cataldo, *Codes noirs : de l’esclavage aux abolitions*. Paris : Dalloz, 2006, pp. 4; 59–65.

troops accompanying them.³⁷ The law was similarly resisted in other French colonies, and Napoleon was forced to revoke it in 1802.

The cultivation of sugar cane requires land, labour and capital. Land was plentiful in Mauritius, as was capital from investors both in France and the Île de Bourbon, as well as from the proceeds of Mauritius's commerce and sea-based trade.³⁸ The problem was labour, and slaves had been imported by the *Compagnie des Indes* as early as 1721, from nearby Madagascar and the East African coast, and further away from Guinea, Malaya and the East Indian Archipelago (modern-day Indonesia). From a small number of 648 slaves in 1735, numerous importations brought their numbers to 49,080 in 1797, 60,646 in 1806, and on the eve of the British conquest, 63,281.³⁹

Although slaves could provide a return of 20% on a planter's investment,⁴⁰ the value to their owners was not so great as to warrant their being looked after properly, for it was cheaper to replace dead or worn out slaves with new ones, as Mauritius was so close to the sources of the slaves. Slavery impressed itself on the visitor immediately on arriving Port Louis harbour: the British sailor Trelawney was shocked to see male slaves at work in the dockyard, their spines "knotted like a pine tree, and the skins as scaled and callous, with the flesh cracked into chasms, from which blood oozed out like gum". Female slaves fared no better, for slave owners "will lash, or order to be goaded, the bare and festered back of an overloaded female slave, her tender nature one animated mass of ulcers and cancers, half consumed by flies and maggots, antedating their destined prey".⁴¹ Conditions for slaves on the island's many plantations were no better, and, in fact, were frequently worse.

While the cruel and inhuman treatment of slaves for economic gain may have moulded the *habitus* of most people in society to accommodate it, not all found the institution acceptable. A minority found it abhorrent, and it was these men

³⁷ Derek Hollingworth, *They came to Mauritius; portraits of the eighteenth and nineteenth centuries*. London : Oxford University Press, 1965, pp. 41–42.

³⁸ See Allen, Richard B. Allen, *Slaves, Freedmen, and Indentured Laborers in Colonial Mauritius*, Cambridge : Cambridge University Press, 1999, pp. 20–21.

³⁹ Allen, *Slaves, Freedmen*, p. 13.

⁴⁰ Deryck Scarr, *Slaving and Slavery in the Indian Ocean*. Houndmills : Macmillan; New York, St Martins Press : 1998, pp. 54; 56.

⁴¹ Edward John Trelawny, *Adventures of a younger son*. [Originally published in 1831]. London ; New York : Oxford University Press, 1974, p. 187.

and women whose determination eventually succeeded in changing society's attitudes and achieving the abolition of slavery. A number of intellectuals attacked slavery: Samuel Johnson (1709–1784), Jean-Jacques Rousseau (1712–1778), Edmund Burke (1729–1797), and Adam Smith (1723–1790), among others. The Quakers worked to abolish slavery and in the 1760s campaigners repeatedly brought cases to court, until Lord Chief Justice Mansfield ruled, in the 1772 case of James Somerset, that there was no provision for slavery in either positive statute or common law in England, a judgement that ultimately led to the end of slavery.⁴²

The French novelist Bernardin de Saint-Pierre visited Mauritius in 1770 and was appalled by what he saw. He queried whether coffee and sugar were necessary for the happiness of Europe, given the misery they wrought on the slaves of America and Africa:

*Il faut traiter [ce peuple d'esclaves] comme des bêtes, afin que les blancs puissent vivre comme des hommes [...] Ah ! je sais bien que quand on a une fois posé un principe très-injuste, on n'en tire que des conséquences très-inhumaines.*⁴³

Rossi was inescapably part of the system, and it formed part of his routine official duties. As Chief Secretary in 1813, for example, he advertised slaves for hire in the *Government Gazette*, “prize negroes” seized by the British from illegal slave traders and the property of the Government. Above Rossi's signature were advertised “several lots of 5 or 10 individuals—apprentices, Journey-men and Negro-women”, to be hired out to individuals who were “to pledge themselves that they will treat the Slaves hired to them with the greatest Kindness”.⁴⁴

When, in an attempt to control slave numbers and halt their illegal importation, Farquhar decided to establish a register of slaves, the order was published

⁴² James Oldham, “Murray, William, first earl of Mansfield (1705–1793)”. *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Oct 2008 <http://www.oxforddnb.com/view/article/19655>. Accessed 18 April 2016.

⁴³ “It is necessary to treat [this race of slaves] as animals, so that the whites can live like people [...] Oh! I know only too well that once a very unjust principle is accepted, the outcome can only be inhumane”. Bernardin de Saint-Pierre, *Voyage à l'île de France*. Paris : Hiard, 1835. 2 Vols. Vol. 1, pp. 149–50. My translation.

⁴⁴ *Mauritius Government Gazette*, 5 February 1813, p. 4.

in the *Government Gazette* under Rossi's name.⁴⁵ The census proved to be a major source of discontent for the French settlers, who resisted providing information, so that nothing meaningful was achieved until the mid-1820s. Rossi owned no slaves, although, like other Government officials, he hired a Government male slave.⁴⁶ Farquhar in 1819 had eight,⁴⁷ and as late as 1829, there were some 100 slaves employed at the Governor's residence at Le Réduit.⁴⁸

Not surprisingly, Mauritians maintained a rigid colour bar. Melville was appalled that the ladies of Mauritius—both French and English—despised anyone who was not of “pure” blood, i.e., anyone who had an African parent.⁴⁹ The French visitor, Auguste Billard, was castigated for crossing the Port Louis bazaar with a *baguette* under his arm. It simply was not done, he was told, to carry any such burden in public, such menial work being the work of African slaves.⁵⁰

Some justified slavery on the grounds that the Africans were unlike Europeans, or that they were somehow responsible for their own condition. Mrs Bartram thought them a “very degraded race”, repulsive and “invariably ugly”. At first shocked to see so many blacks in the streets wearing only a short piece of blue cloth around the waist, she found that “habit lessens the disgust”, though it remained “revolting”.⁵¹ Melville too thought slavery the natural condition of the African, and although deploring their maltreatment, believed most were “unquestionably very stupid unintelligible creatures,” and inferior to even the most ignorant European.⁵²

Sir Galbraith Lowry Cole, who succeeded Farquhar in 1824, pledged to improve the slaves' plight, but even he found it hard to accord them any respect: “the blacks here are generally much less enlightened and of a more stupid race than those in our West Indian Colonies, and [...]”

⁴⁵ *ibid*, 11 April 1814.

⁴⁶ British Parliamentary Paper, *Slave Trade: Papers Relating to Slaves in the Colonies*. Vol XXV (1828). 2 Vols. Vol. 1, pp. 7; 9; 10; 15.

⁴⁷ From the Slave Registers, quoted in Allan and Allan, *op. cit.*, pp. 61–62.

⁴⁸ Barnwell, *op. cit.*, p 236.

⁴⁹ Melville, *op. cit.*, p. 50.

⁵⁰ Auguste Billard, *Voyage aux colonies orientales*. Paris : Librairie de l'Advocat, 1822, p.35.

⁵¹ Bartram, *op. cit.*, pp. 150–51.

⁵² Melville, *op. cit.*, p. 70.

as far as I can judge, are in every way unfit to receive their freedom. For, if left to themselves, they certainly would not work, and I have no hesitation in saying total ruin to the inhabitants would ensue”.⁵³ These remarks echoed Farquhar’s views, for he had cautioned London that the abolition of slavery should be undertaken cautiously, for it underpinned Mauritius’s economic and social structure.⁵⁴ His attempts to tread a path between the economic realities of Mauritius and the need to abolish the slave trade have been condemned by modern historians, who claim Farquhar tolerated the slave trade and took no effective steps to suppress it.⁵⁵ Not that these views were not understood in London, for Sir Henry Taylor, a long-time senior official and abolitionist in the Colonial Office, wrote sympathetically that “the Governors of the slave colonies were almost all of them identified in feeling and opinion with the slave owners, and constituted to a great extent “His Majesty’s Opposition” in that portion of his dominions”.⁵⁶

Since Britain was to remain at war with France until 1815, and Mauritius was predominantly Bonapartist,⁵⁷ Farquhar appreciated the value of having on his staff a Frenchman—and a noble one at that—on whom he could rely to build good relations with the French settlers, not only at official balls, dinners and levees, but also in ordinary administrative matters. Farquhar held Rossi in high esteem, and at the end of their professional association he praised Rossi’s “constant Course of active and zealous exertions in your duties—unwearied industry & the utmost propriety of conduct”.⁵⁸ Rossi was not,

⁵³ Maud Lowry Cole and Stephen Gwynn, *Memoirs of Sir Lowry Cole*. London : Macmillan, 1934, p. 219.

⁵⁴ Sydney Selvon, *A Comprehensive History of Mauritius: From the Beginning to 2001*. Port Louis, M.D.S., 2001, p. 182.

⁵⁵ Anthony J. Barker, *Slavery and anti-slavery in Mauritius, 1810–33: the conflict between economic expansion and humanitarian reform under British rule*. New York : St. Martin’s Press, 1996, pp. 25–30; Scarr, op. cit., pp. 63, 91; 100.

⁵⁶ Henry Taylor, *Autobiography of Henry Taylor, 1800–1875*. London : Longmans, Green and Co, 1885. 2 Vols. Vol. 1, p. 70.

⁵⁷ Henri Magny, *Maurice à vol d’oiseau en 1882 : notes politiques sur l’île Maurice (ancienne Île de France)*. Île Maurice : Impr. de The Merchants and Planters Gazette, 1882, p. 9.

⁵⁸ Farquhar to Rossi, 19 May 1815. ML: A 723. f. 20.

however, among the inner circle of Farquhar's friends and associates, to whom he made grants of land.⁵⁹

The political situation in Mauritius too was not unfamiliar to Rossi, for it resembled Corsica in having an unruly population which resented its British overlords. However, the French settlers may not have regarded him as one of their own, for Pitot's characterisation of him as Corsican rather than French demonstrates, particularly as Pitot was writing some 100 years after the event. Rossi's siding with the British, and his adoption of their religion, would also have made him an outsider.

Religious feeling was a strong foundation of British society at this time, and Rossi was one of a group of British officials who founded the Mauritius Bible Society in November 1812. The date of Rossi's entering the Protestant faith is unknown, and it would be uncharitable to suggest that he regarded his participation merely as part of his official duties, despite Governor Farquhar's being the Society's patron.⁶⁰ Rossi remained a member of the Church of England, and despite being unostentatious in his faith, he contributed generously to many Church causes and, particularly, to the establishment of St. Saviour's Church in Goulburn.

The aims of the Mauritius Bible Society were, ostensibly, not at odds with slavery, for its aim were "to encourage the circulation of the Holy Scriptures without note or comment; and to furnish copies of the same gratis to the indigent, and at reduced prices to all others". In Mauritius, however, the Society directed its efforts towards the French population, for whom the 550 Bibles and 2,000 testaments sent to the island in early 1812 were destined.⁶¹ The other officials involved were Major Gilbert Alexander Barry, the Chief Secretary to Government, Dr William Burke, the Chief Medical Officer, George Dick, the Auditor General, Christian Teesdale, the Collector of Customs, the Reverend Henry Shepherd and Mark Roworth and Charles Stokes, two East India Company employees.

⁵⁹ These included the Government Archivist, Baron d'Unienville, his first host on the island, Nicolas Foisy, his gardener at Le Réduit, Victor Jaunet, the educationalist Jean Lebrun, and his long-time friend and crony Charles Telfair. Allan, *op. cit.*, p. 116.

⁶⁰ *Ninth Report of the British and Foreign Bible Society, 1813*. London : 1813, pp. 90–93.

⁶¹ John Owen, *The History of the Origin and First Ten Years of the British and Foreign Bible Society*. London : 1816. 2 Vols. Vol. 2, pp. 275–76.



*Figure 4.5 Le Réduit
where Rossi spent much time as Farquhar's aide-de-camp. Author's photo 2011.*

The Catholic Church held similar views, as Nagapen, in his account of the Church in Mauritius, explains:

... l'esclavage caractérise la société mauricienne, structure l'interdépendance des classes et même imprègne l'échelle des valeurs humaines. L'Église catholique accrochée à un tel ancrage esclavagiste et respire les miasmes et s'accommode au régime pour survivre. [...] L'exercice dans l'île du catholicisme exige la reconnaissance et même la soumission au régime esclavagiste, comme prix de sa survie.⁶²

The Catholic Church too owned slaves, and Nagapen quotes a letter from the *Abbé Charlot* to Rossi, as Secretary to Government, demanding the return of six *négresses* who had escaped from his rectory, “to receive the punishment they deserve” (“*pour y recevoir la correction qu’elles méritent*”). The *Abbé*

⁶² “Slavery characterised Mauritian society, structured the interdependence of the classes, and even permeated the whole gamut of society’s values. The Catholic Church was mired in slavery and had to not only breathe in the stench of the institution, but also had to accommodate itself to it to survive. The practice of Catholicism on the island demanded not only recognition of the slave regime, but also submission to it, as the price of its survival”. Amédée Nagapen, *L’Église à Maurice 1810–1841 : les trois premières décennies de la colonisation britannique*. Port Louis : Imprimerie Père Laval, 1984, p. 204. My translation.

threatened to take the matter up with Farquhar, so doubtless the six unfortunate women were returned to the priest's tender care.⁶³



Figure 4.6 The staff living quarters at Le Réduit
Author's photo 2011.

The Indian convict transportation scheme

Farquhar did attempt to find an alternative source of labour to replace the slaves, and turned to the idea of importing Indian convicts. He had already, in 1807, proposed a scheme to replace African slaves in the West Indies plantations with Chinese labourers.⁶⁴ In September 1814, therefore, he wrote to Earl Moira, the Governor-General of India, proposing that some 1500 to 2000 convicts be sent to Mauritius. The response was favourable, and when the financial arrangements had been agreed,⁶⁵ Rossi was sent to India with a formal letter from Farquhar formally requesting an initial 500 convicts.

⁶³ Abbé Charlot to Rossi, 10 February 1815. Quoted in *ibid.*, pp. 204–5.

⁶⁴ Robert Townsend Farquhar, *Suggestions Arising from the Abolition of the Africa Slave Trade for Supplying the Demands of the West India Colonies with Agricultural Labourers*. London : John Stockdale, 1807, p. 12.

⁶⁵ Farquhar's letter and the East India Company's response are reproduced in Clare Anderson and Satyendra Peerthum, "Select Documents on the Indian Convicts & Vagrants in British Mauritius". In Vijayalakshmi Teelock (ed.), *The Vagrant Depot of Grand River, its Surroundings and Vagrancy in British Mauritius*. Port Louis : Aapravasi Ghat Trust Fund, 2004, p. 142–144.

There were already at that time, according to Hazareesingh, some 6,000 Indians in Mauritius—domestic servants, field slaves, skilled free labour, merchants and, after the British takeover, English-speaking clerical staff.⁶⁶ The transportation of subject colonial races was nothing new to the British, for they had relocated convicts, slaves, indentured labourers and free settlers in Penang, Ambon, Java, and would do so later in Singapore, Malacca, Arakan and Tenasserim, all to meet the needs of the Empire.⁶⁷

Rossi's military background fitted him well to supervise a convict labour force, having commanded Malay troops in Ceylon. At the same time, his French background enabled him to move easily among the French settlers, and to gain some measure of their confidence. His fifteen years in Mauritius would, in time, allow his *habitus* to adapt to functioning at a high level in the fields of civilian endeavour, and successfully make the transition from the military "field", or environment.

Rossi left for India in May 1815, carrying a personal letter from Farquhar in which the Governor assured Rossi that his mission was "proof of the high estimation in which I hold your Services".⁶⁸ Besides organising the transport of the convicts, Rossi was also instructed to collect silkworm eggs in Bengal, and by March 1816, some 80,000 cocoons had been sent to Mauritius for distribution to various settlers. Only one settler, however, Toussaint Antoine de Chazal, had any success, producing a 520 kg (116 pounds) bale of silk, but it was reckoned to be only of "fair" quality when it reached London.⁶⁹

Farquhar believed the plough would also reduce the reliance on slave labour and use of the hoe or *pioche*, so he also asked Rossi to examine "the Husbandry of the Plough" in India. The first European plough was not, however, introduced until 1818, when it was found one plough and eight oxen could perform the work of 100 slaves with hoes, as well as more efficiently preparing

⁶⁶ K. Hazareesingh, *History of Indians in Mauritius*. London : Macmillan, 1975, pp. 32–34.

⁶⁷ Anand A. Yang, "Indian Convict Workers in Southeast Asia in the Late Eighteenth and Early Nineteenth Centuries". *Journal of World History*. 14/2 (June, 2003), pp. 191–92.

⁶⁸ Farquhar to Rossi, Port Louis, 19 May 1815. ML: A 723. f. 20.

⁶⁹ John Clarke, *A Treatise on the Mulberry Tree and the Silkworm and on the Production and Manufacture of Silk*. 2nd edn. Philadelphia : Thomas, Cowperthwait & Co, 1839, p. 106.

the ground.⁷⁰ Farquhar later claimed one of the benefits of his convict scheme was the extensive substitution of the plough for human labour.⁷¹

Rossi had also to raise the finance for the chartering of the transport ships for his convicts, a task which he seems to have accomplished quite easily at one of Calcutta's leading trading houses, Fairlie, Fergusson and Company.⁷² Far more difficult was his first encounter with his future charges at Alipore Jail, near Calcutta (modern Kolkata). Alipore was the foremost penal institution in British India, having been converted in December 1810 from an old Indian fort. Its construction was so defective and conditions in it so crowded that there were frequent outbreaks of violence,⁷³ and shortly before Rossi's arrival the inmates tried to kill the governor, John Eliot, and the *subahdar* (native officer) of the guard.⁷⁴ Rossi wrote later that the revolt was put down only after many convicts were killed or wounded by the troops firing into the compound from the walls. The Bengal authorities then ordered the prisoners be kept in irons for the whole of the voyage to Mauritius.⁷⁵ There were further disturbances later that year, when 230 prisoners refused to work, and a further revolt early the next year.⁷⁶ It is to Rossi's credit that, in Mauritius, he never had to resort to such deadly force to control the same convicts in Mauritius.

The first batch of 236 Indian convicts left Calcutta for Mauritius on 10 September 1815, on the *Lady Barlow* and the *Helen*, followed by a further 167 by the end of the year.⁷⁷ Rossi did not accompany them, and on their arrival in Mauritius, they were put under the control of the *procureur général* (Public Prosecutor) and Chief of Police, Jean-Marie Virieux. They were not kept

⁷⁰ Charles Telfair, *Some account of the state of slavery at Mauritius: since the British Occupation in 1810, In Refutation of Anonymous Charges Promulgated Against Government and That Colony*. 2nd edn. London : Ridgeway, 1830, pp. 29; 134.

⁷¹ "Convicts—Minute by His Excellency the Governor 1815". TNA: CO 167/42 Office and Individuals 1818.

⁷² S. B. Singh, *European agency houses in Bengal, 1783–1833*. Calcutta : K. L. Mukhopadhyay, 1966, p. 97.

⁷³ Madurima Sen, *Prisons in colonial Bengal, 1838–1919*. Kolkata : Thema, 2007, pp., 32–33; 97. Alipore prison is still in use today.

⁷⁴ J. Eliot to Turnbull, 18 September 1815. India Office Library, London (IOL): IOL P/132/13 7. November 1815. Quoted in Anderson, *Convicts in the Indian Ocean*, p. 22.

⁷⁵ Rossi to G.A. Barry, Secretary to Government, 5 June 1820. Mauritius Archives, Coromandel (MA): RA 137. Quoted in Anderson, *Convicts in the Indian Ocean*, p. 22.

⁷⁶ Anderson, *ibid.*, p. 22.

⁷⁷ *ibid.*, p. 127.

in chains, and wore their own clothing—*dhotis*—and sometimes turbans, waistcoats and scarves. A single ring around the ankle marked their convict status, despite their being a distinct group and small in number. As well, many of them had their name, crime, date of conviction and sentence tattooed in blue indigo ink on their foreheads. The convicts were guarded by British soldiers and by Government slaves, and were divided into two groups and put to work repairing the roads from Port Louis to Grande Rivière Nord-Ouest (Grand River North West) and on to Grand Port.⁷⁸

The convicts were initially housed in a former hospital at Grand Rivière Nord-Ouest, four kilometres southwest of Port Louis on the road to Plaines Wilhems. The hospital is still visible on the left hand side of the road before Coromandel, and bears the name “Borstal”, from its later use as a place of detention for young offenders.⁷⁹ The river opens into the Baie Saint-Louis, and its banks housed a number of residences, where Mrs Bartram enjoyed the “country life” during her two years’ stay here.⁸⁰ Thick woods covered the land along the river, and it was a favoured place for the illegal landing of slaves, despite the proximity of the Chief of Police’s residence.⁸¹ He, like many others, including Rossi, never noticed what was happening.

⁷⁸ E. O’Brien to G A Barry, 5 December 1815. MA RA66. Quoted in Anderson, *Convicts in the Indian Ocean*, pp. 35–36.

⁷⁹ Clare Anderson, “The Indian Convicts in Mauritius, 1815–1853”. In Teelock, *Vagrant Depot*, p. 9.

⁸⁰ Bartram, *op. cit.*, pp. 74; 79.

⁸¹ Scarr, *op. cit.*, pp. 89; 103.

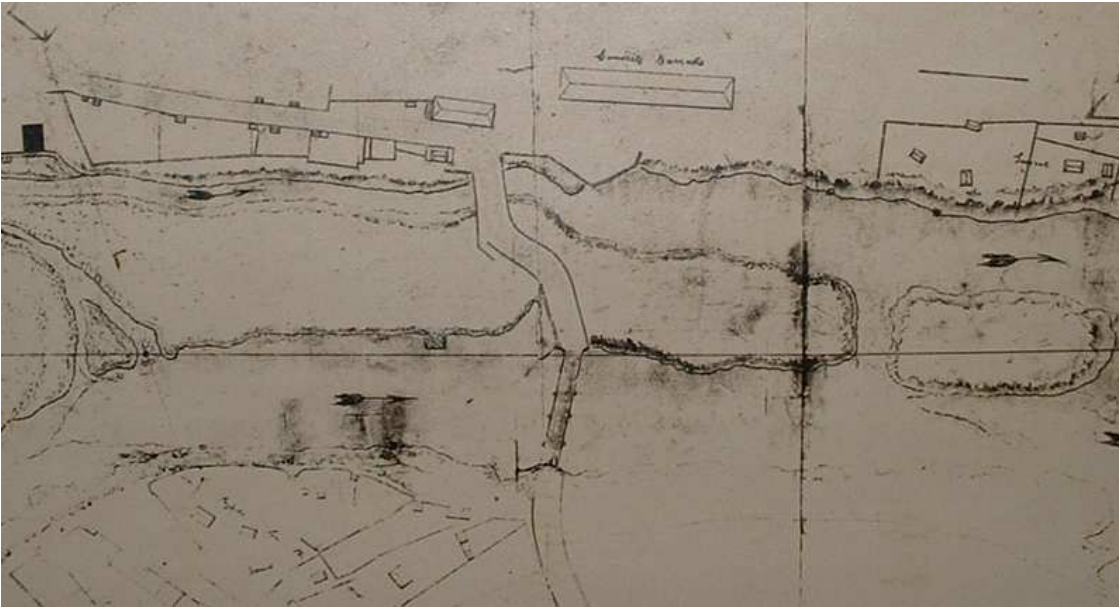


Figure 4.7 Plan of Grand River North West 1834 Ulliac, 1834, (National Archives of Mauritius). The Convict Barracks are located to the right of where the road from Port Louis turns left after crossing the second (narrower) arm of the river.



Figure 4.8 Grande Rivière Nord-Ouest T. Bradshaw (Views in the Mauritius, 1852). The convicts were housed in the buildings nearest the river.



Figure 4.9 Grande Rivière Nord-Ouest, looking out to sea
Author's photo 2011.

Rossi returned from India on 25 December 1815 to take up his new position as General Superintendent of the Convict Department. The convicts were soon shifted from the hospital to a two-storied former military barracks on the other side of the road. It was demolished in 1864, and rebuilt to become a Vagrant Depot, although it still retained its old function—to confine Indian indentured labourers who had escaped from the sugar estates and were put to work on the colony's public buildings, roads, bridges and dams.

The new Convict Department was part of the Police Department, and a Proclamation by Farquhar of 24 January 1816 set out how it would operate. It was to be run along military lines, and two sergeants, two corporals and six privates were assigned to act as overseers, as well as a clerk and two peons, or general servants.⁸² Soldiers were employed because they could enforce penal discipline, and the authorities needed to find employment for soldiers

⁸² *Recueil complet des Lois et Règlements de l'Île Maurice, ou Île de France*. Tome Première. Cinquième Partie (Port Louis : Mallac, 1823), Proclamation 193, 24 janvier 1816. Quoted in Anderson, *Convicts in the Indian Ocean*, p. 36.

at the end of the Napoleonic Wars.⁸³ Rossi was ideally suited therefore for the post. The number of overseers was later increased to 25, but was never sufficient.

Only a small number of convicts were stationed at Grande Rivière Nord-Ouest. Most worked on the roads in the districts, where they were housed either in specially constructed mud huts with straw roofs, or in “flying camps” of dried grass huts on private property. Convicts who worked in Port Louis were housed in the old army barracks at Trou Fanfaron,⁸⁴ and Grande Rivière Nord-Ouest was reserved for those working in the headquarters, hospital, and on the roads nearby.

The convicts were occasionally put to work on other public works, such as clearing up Port Louis after 19 streets of buildings were burned to the ground on 25 September 1816.⁸⁵ Another fire in 1818, which again destroyed much of Port Louis, required the Governor and all the officers of Government, including convicts, to turn out to battle the flames. When the walls of the powder magazine began to be licked by flames, Farquhar was told the colony’s gun-powder was still inside and liable to blow up the whole town. It was to Rossi—*toujours l’homme à tout faire*—whom Farquhar turned to collect men to transport the powder to a ship in the harbour—a task which Rossi carried out successfully amidst a shower of sparks and flames.⁸⁶

Roads in Mauritius at this time were so bad that Farquhar’s plan to use convicts to improve them was welcomed by the French settlers. Mrs Bartram was told that, before the conquest, there was “hardly a road for a carriage of any kind”,⁸⁷ and the settlers were carried in palanquins or sedan chairs, borne aloft on two poles by four slaves, with six, eight or even twelve slaves in reserve, depending on the distance to be travelled. The palanquins were very comfortable, so much so that they were still used in town after the roads had improved, to Mrs Bartram’s great delight. She found it “very comfortable and luxurious” to recline on a soft mattress, with cushions under her head, silken curtains

⁸³ *ibid.*

⁸⁴ *ibid.*, p. 39.

⁸⁵ Farquhar to Earl Bathurst, 18 July 1818. TNA: CO 167/42. Office and Individuals 1818.

⁸⁶ Pitot, *op. cit.*, p. 140.

⁸⁷ Bartram, *op. cit.*, p. 124.

blocking the heat of the sun, and the “not unpleasant” motion lulling her to sleep. An idyll, she said, marred only by the “disagreeable” singing of the bearers as they ran, stripped to the waist. Still, she conceded, the songs, however discordant, did serve to cheer and animate the bearers.⁸⁸

Rossi's return to Europe

Rossi had barely settled into his new role before he was told he would be carrying despatches to England in April 1816.⁸⁹ No imposition this, for it was a wonderful opportunity to enjoy a long spell in England, and Rossi did not return to Mauritius until July the next year. He also visited his family in France, including no doubt his elder brother Don-Grâce, now a lieutenant in the French Navy at Brest. The brothers had a lot to catch up on, for Don-Grâce had twice been a prisoner of war of the British: first after the abortive invasion of Ireland in 1798, and again in 1803 after the British capture of Saint-Domingue (modern Haiti). Moreover, Don-Grâce himself was fresh from the naval campaign of Martinique and Guadeloupe, which saw France regain those islands from Britain.⁹⁰

It would have been an interesting reunion, but not an unusual one, for many brothers found themselves fighting on opposite sides during the Napoleonic Wars.⁹¹ Because France was still very unsettled after Napoleon's defeat the year before at Waterloo, one of Rossi's brother officers, Major Philip Delatre of the Ceylon Malay Regiment, begged him “to restrain your impetuosity when in France [...] The state of parties there is such that a Service man should be neutral; and particularly if you are determined to remain an Englishman. The narrow-minded *Emigrés*, appear to be as contemptible as the profligate and unprincipled *Bonapartistes*; and I should be [...] concerned if you should involve yourself in dangerous disputes”.⁹²

⁸⁸ *ibid.*, p. 126.

⁸⁹ Rossi to Barry, 6 April 1816. MA: RA 73. f. 176

⁹⁰ “Chevalier de la Légion d'Honneur Don Grace Louis, Comte de Rossi”, 21 juillet 1821. Archives nationales, Paris ; CARAN LH 238448. Pièce No. 9.

⁹¹ Francis-Nicolas and Don-Grâce's elder brother, Dominique Rossi, had, like Francis-Nicolas, enlisted in the British Army in Corsica. He subsequently fought in various foreign regiments in the British Army, and rose to the rank of major in the Royal Corsican Rangers, although there is no record of the brothers ever meeting again.

⁹² Delatre to Rossi, 6 June 1816. ML: A 723. ff. 40–43.

Impetuosity was also a characteristic ascribed to Rossi's father, Philippe-Antoine, for his army reports described him so, as well as garrulous and *un esprit chaud vraiment corse* (hot-headed like a true Corsican).⁹³ It is unlikely Rossi would have entered into acrimonious debate with Don-Grâce, for the latter was no *Bonapartiste*. On the restoration of the Bourbons in 1814, he had declared himself a Royalist and was promoted to *Capitaine de frégate* in 1819.⁹⁴ His noble ancestry had proved no obstacle to promotion during the Revolution, for the French *Marine* valued a good education more than a noble background, although a candidate from a noble family was more likely to have received a good education.⁹⁵

Delatre's letter to Rossi was addressed to Conduit Street in London, the home of Farquhar's father, Sir Walter Farquhar,⁹⁶ evidence that the Mauritian elite had a network in England through which they assisted and maintained contact with each other, and which lasted long after they had left the island.

Rossi's stewardship of the Convict Department

After 16 months in Europe, Rossi resumed his office in the Convict Department in July 1817, where he was immediately faced with the problem of housing the 780 convicts now in his charge. He needed space for an extra 390 convicts at Grande Rivière, where some 600 men were housed in barracks designed to hold just 208.⁹⁷ He did succeed in having alterations made to the building,⁹⁸ but by October 1820 he warned that the building was not secure, as two convicts had escaped. He argued that many of the convicts were "of very resolute and daring minds" and were able to come and go as they pleased. He recommended not only replacing the wooden bars in the windows with iron

⁹³ Xavier Poli, *Histoire militaire des Corses au service de la France. Première partie... Peri, Royal-Corse, Corse-cavalerie, Volontaires-Corse, Légion-Corse, Buttafuoco, Regiment provincial de l'île de Corse*. Ajaccio : D. de Peretti, 1898–1900. Bastia : Librairie Ollagnier. 2 Vols. Vol. 2, p. 106.

⁹⁴ Personal communication from Olivier de Rochebrune, 9 February 2006.

⁹⁵ Pierre Lévêque, *Les Officiers de Marine du Premier Empire : Etude Sociale*. Thèse pour le doctorat d'Université (Histoire: nouveau régime). Paris, Université de Paris I, octobre 1998. Vol. 1, p. 94.

⁹⁶ *The Times*. 10473 (Monday, September 28, 1818). Pg. 3, col. B.

⁹⁷ F Rossi to G A Barry, 5 December 1817. MA: RA 99.

⁹⁸ Draper, Chief Engineer and General Surveyor, to Barry, 5 December 1817. MA: RA 99. f. 46.

ones, but a completely new prison should be built next to the barracks, to confine the more dangerous convicts.⁹⁹

By now the convicts were a familiar sight on the roads, and travellers often remarked on their singular appearance. Mrs Bartram found that their partly naked state and ferocious scowling aspect, dark malignant glance, bent brow and dirty turbans gave them “a wild picturesque appearance, to which the mountain scenery of Mauritius added still greater effect”.¹⁰⁰ In 1826, Charles Darwin found them “noble”, particularly the older men with their large moustaches and snowy white beards, “the fire of their expressions” giving them “an aspect quite imposing”.¹⁰¹ They were generally quiet and well conducted, and he found that “from their outward conduct, their cleanliness, and faithful observance of their strange religious enactments, it was impossible to look at these men with the same eyes as our wretched convicts in New South Wales”. A mistaken comparison, for Darwin did not know that the Indians had been transported for life, while NSW convicts could look forward to working off their sentences.

Rossi now took up residence at the Grand Rivière barracks, the better to supervise his charges. When an office was made available for him at the barracks in Port Louis, he turned it down, telling Acting Governor Darling that it was “absolutely expedient for the regular subordination and good conduct of the Convicts” that he remain at Grande Rivière.¹⁰²

⁹⁹ Rossi to Barry, 20 October 1820. MA: RA 146. ff. 196–197.

¹⁰⁰ Bartram, op. cit., pp. 123–25

¹⁰¹ Charles Darwin, *Charles Darwin's Diary of the Voyage of H.M.S. Beagle*. Ed. by Nora Barlow. New York : Macmillan; Cambridge, Cambridge University Press, 1933, pp. 402.

¹⁰² Rossi to Blane, Acting Chief Secretary, 3 September 1819. MA: RA 131. f. 24.



*Figure 4.10 Grande Rivière Nord-Ouest—the former convict barracks
The former convict barracks are on the right. Author's photo 2011.*

Farquhar had asked the authorities in India to send female convicts, not only to balance the “natural proportion of the Sexes,”¹⁰³ but also to ensure a future labour force through natural reproduction. Cessation of the slave trade, he argued, had “deprived the Inhabitants of the means of equalising the Sexes”.¹⁰⁴ Unfortunately, female offenders in India could not be sentenced to transportation for life, so only male convicts were sent. Seven female convicts were, however, sent to Mauritius: two from Bengal, one from Ceylon (from where several male convicts were also sent), and four from Bombay.¹⁰⁵ Six of these women convicts lived with the male convicts, and a number of them married convicts. One woman from Bengal, Mussomant Bhunrojee, had two sons born in 1816 and 1818, whom she and her convict partner had to feed and clothe from their own rations. It was not until 1821 that Rossi proposed that

¹⁰³ IOL E/4/695, *Bengal Despatches.*, 11 September 1815.

¹⁰⁴ Farquhar to the Earl of Moira, 11 and 20 September 1815. IOL E/4/695, *Bengal Despatches: Correspondence from the Earl of Moira to Governor Farquhar*. Quoted in Anderson, “The Indian Convicts in Mauritius”, p. 143.

¹⁰⁵ One of these women was an Anglo-Indian from Bengal, whose presence was an embarrassment to the British authorities that was removed only when the woman died two years later. Clare Anderson, “The Indian Convicts in Mauritius”, p. 3.

the children be supplied with rations until they were old enough to find work and support themselves—a request agreed to by the Governor.¹⁰⁶ Two years later, Rossi reported that he was supplying three children of a Female convict with rations.¹⁰⁷

At any one time Rossi had charge of around 750 convicts—500 on the roads and 250 allocated to special tasks. The arrangements for September 1818 were typical, with eight working parties in the districts: gangs of 80 men at Grand Port, Flacq, Pamplemousses, Plaines Wilhems, of 50 at Rivière du Rempart, the Moka Road, and Rivière Noire, and another of 30 at Savanne. Convicts were also assigned to work on the Quay in Port Louis harbour, the Quarry, the Commissariat Office, the Hospital (as orderlies), as well as with Colonel Barry and Colonel Dalrymple, and 23 in Madagascar.¹⁰⁸ The Department operated in this fashion until 1853, by which time a total of 1,500 convicts had been sent to Mauritius. Rossi's superintendence of the Department, from 1815 to 1823, saw 902 convicts arrive.¹⁰⁹

Although Rossi was responsible for the convict's work on the island's roads and bridges, he was no engineer, and was required to report to the Civil Engineer and Surveyor, Major Edward Alured Draper. Draper, in turn, reported to the Governor, and also sought approval for the next works to be undertaken. The works programme was worked up with the local planters, who paid for the maintenance of the convicts.¹¹⁰ They bore these costs willingly, for the convicts replaced an earlier system of *corvée* labour, under which the settlers had to provide three days of slave labour each year for each slave they owned. The old system was difficult to administer and enforce, for the settlers lost three days labour each year.¹¹¹

Conditions for the Indian convicts were far better than those of the unfortunate African slaves, even though the convicts had to perform hard labour for 9–10 hours a day, and were flogged for any offences. In accordance with British

¹⁰⁶ Rossi to Barry, 8 June 1821. MA: RA 180. f. 53.

¹⁰⁷ Rossi to Barry, 17 July 1823. MA: RA 228. f. 240.

¹⁰⁸ Rossi to Barry, 3 September 1818. MA: RA 113. f. 24.

¹⁰⁹ Clare Anderson, "The Indian Convicts in Mauritius", ff. 12–14.

¹¹⁰ Draper to Darling, 29 April 1820. MA: RA 150. f. 293 *et seq.*

¹¹¹ Anderson, *Convicts in the Indian Ocean*, p. 39.

military practice, floggings were inflicted in the presence of a surgeon and the assembled convicts, either at Grande Rivière or the convict's working party. To provide an incentive for good behaviour, Rossi instituted a system of rewards, and gave trusted convicts positions of authority. Like the convicts sent to Australia, they might better be described as "penal labourers", rather than convicts.¹¹²

By 1823, Rossi had appointed 40 convicts as "commanders", each receiving £1.4.0 per year, plus a gratuity of one rupee a month.¹¹³ The commanders helped supervise working parties, and were exempt from hard labour. They were expected to set an example to the other convicts and provide a position to which other convicts could aspire. They had to inform the overseer of any disorder among the convicts, and could punish convicts for minor infractions by placing them in the stocks. Moreover, should the British overseers not carry out their duties properly, the commanders had to inform on them as well.¹¹⁴

Rossi was responsible for feeding, clothing and housing the convicts, as well as maintaining discipline and ensuring the work was carried out. He was assisted in this by a staff of 25 overseers and their chief, who lived with the convicts day and night in the districts, "at all hours exposed to the inclemency of the weather and the heat of the sun at times [...] very severely felt by them".¹¹⁵ The overseers were experienced soldiers who had seen service in India, and preference was given to men who had learnt Hindi or Bengali. It was not easy work, since the convicts were housed in open camps and in huts from which they could easily escape at night.

The work was also dangerous. When overseer Sergeant Forder was struck in October 1821 by a *coup de soleil* (sunstroke), he suffered a fit of insanity and died, leaving a pregnant widow and two young children.¹¹⁶ The overseers' lot was not improved by the failure of the authorities to pay them the salaries

¹¹² Raymond Evans and Wm Thorpe, "Power, Punishment and Penal Labour; Convict Workers and Moreton Bay". *Australian Historical Studies*, 25/98 (1992), pp. 90–111; Anderson, *Convicts in the Indian Ocean*, p. 34; Memorial of R T Farquhar, 28 October 1817. TNA: CO 415/15.

¹¹³ "Civil and Judicial Establishments for 1827 (Dept of Roads and Bridges)—Blue Book 1825–7". TNA: CO172/47.

¹¹⁴ Anderson, *Convicts in the Indian Ocean*, pp. 55–56.

¹¹⁵ "Convict Department 1822", *Blue Book Mauritius 1822*, p. 12.

¹¹⁶ RA 184 October 1821, f 194—Rossi/Barry 22 October 1821.

which had been held out to them, for, as Rossi pointed out, they received less than they would have, if they had returned to England and taken their pension.¹¹⁷

Much work fell on Rossi, for he had to travel all over the island supervising both convicts and overseers, to which end he maintained three horses, all at his own expense.¹¹⁸ He complained in December 1819 that it was a great responsibility for one man, and his office was the only one in Mauritius “or perhaps in any Country, where a Body of Seven Hundred Men is left to the care and responsibility of a Sole Person”. Moreover, with few exceptions, most of his overseers were useless, for “their Cooperation instead of proving of assistance to me has in many instances been productive of much trouble and Vexation”.¹¹⁹

Despite Rossi’s frequent complaints about the difficulties of obtaining suitable overseers, there was little the Governor, or anyone else, could do. To the danger attending the overseer’s lot, there was also monotony and boredom. Drunkenness was often the reason for dismissal, and Rossi’s remarks of December 1817 were typical: “at present there are at most four overseers besides my Chief overseer in whom I can place any confidence, the others being generally careless, inattentive, and disobedient to orders and many of them given to drunkenness and when in that state very passionate and tyrannical over the convicts”.¹²⁰

Thus Rossi sought the removal of Henry Murray, “owing to indisposition from the effects of repeated intoxication”,¹²¹ James Hall for “having been in a state of almost continual drunkenness from the moment he joined the Department”,¹²² and Cradon, an “incorrigible drunkard” who failed to supervise the convicts.¹²³ In 1821 Rossi dismissed Clark and Whitman after they had

¹¹⁷ RA 184 October 1821 f 182—Rossi/Barry 20 October 1821.

¹¹⁸ “Convict Department 1822”, *Blue Book Mauritius 1822*, p. 11.

¹¹⁹ Rossi to Barry, 13 December 1819. MA: RA 142. f. 113.

¹²⁰ Rossi to Barry, 14 June 1820. MA: MA RA137.

¹²¹ Rossi to Barry, 2 December 1817. MA: RA 99, f 11.

¹²² Rossi to Barry, 9 March 1818. MA: RA 104. f. 51.

¹²³ Rossi to Barry, 18 November 1818. MA: RA 144. f. 235.

been hospitalised several times for illness brought on by drunkenness.¹²⁴ John Shaw was another “incorrigible drunkard”, who, “when in a state of intoxication [caused] much mischief among the Convicts and trouble to the Department”. He was dismissed in November 1819, after repeated absences, “in a Canteen close by amongst Negroes and people of that description”.¹²⁵

However, given that he had 20 or more overseers at any one time, Rossi’s problems were probably not out of line with workforces in other isolated outposts. Indeed, when the Quaker missionary James Backhouse visited Mauritius in 1838, long after Rossi had left the island, in just two weeks he observed six soldiers dying from excessive drinking.¹²⁶

Life for the overseers at the Grande Rivière barracks was better, for Rossi had huts built to house them and their families,¹²⁷ and they were closer to the attractions of Port Louis. Still, discipline here was a problem, as Rossi found in May 1821 when he had to remove overseer Kenyon’s partner, Mary Frill, whose “improper conduct often caused and fomented quarrels amongst the overseers”.¹²⁸ Her 20-year old son also caused serious disturbances, due to frequent quarrels with Kenyon. Once he assaulted and brutally beat Kenyon, and would have killed him had not the convicts intervened. Mary was a 40-year old Malay from the East India Company’s trading post at Bencoolen in Southwest Sumatra, and had lived among Europeans for the past 17 years. Abandoned by her partner in 1819 when the 22nd Regiment left Mauritius, she had no other means of obtaining a livelihood, and pleaded with Governor Darling to be allowed to remain with Kenyon. She was allowed to stay, on condition she “henceforth be very Cautious of her Conduct”, and that Kenyon guarantee her behaviour.

Another “incorrigible” overseer whom Rossi had good cause to remember was William Kendrick, dismissed in April 1822 for repeated intoxication and insubordination. In 1826 Kendrick would allege that Rossi had ordered

¹²⁴ Rossi to G F Dick, Acting Chief Secretary, 3 July 1821. MA: RA181.

¹²⁵ Rossi to Barry, 1 November 1819. MA: RA 143. f. 5.

¹²⁶ James Backhouse, *Extracts from the Letters of James Backhouse, When Engaged in a Religious Visit to the Island of Mauritius, Accompanied by George Washington Walker*. London : Harvey and Darton, 1839. 6th Part, p. 81.

¹²⁷ Rossi to Barry, 20 October 1820. MA: RA 146. ff. 196–197.

¹²⁸ Rossi to Barry 18 May 1821. MA: RA 179. ff. 142 and 149.

his overseers to turn a blind eye to the slave trade, prompting the authorities to set up an official enquiry into Rossi's conduct.¹²⁹

Rossi's pleas for assistance did not fall entirely on deaf ears, for in February 1820 Farquhar appointed one of the island's prominent citizens, Alexandre de Sornay, to be Rossi's "Accountant and Second Assistant," at a salary of \$200 a month.¹³⁰ Notwithstanding the vague description of his duties—"to assist the General Superintendent in his duties"—de Sornay assumed all Rossi's duties at Grande Rivière when Rossi toured the island inspecting the convicts.¹³¹ It was a felicitous appointment for all concerned, for de Sornay had sought a position in the civil administration which had been promised to him as long ago as 1815,¹³² and it enabled the Governor to advance his policy of employing French settlers in the administration, with a view to attaching the principal inhabitants and families to British rule. Most, however, remained "steadfastly opposed to the British, while taking all benefits they could".¹³³

Managing the convicts

Maintaining discipline among the convicts was no less a challenge for Rossi than was supervising his overseers. Farquhar had requested young, fit, skilled males who were not dangerous offenders, but the British authorities in India had other ideas. They believed that transportation was "the only punishment that a native dreads",¹³⁴ for Hindus had a great antipathy to crossing the *kala pani* or "black water" and becoming "lepers" to their communities. They therefore selected the most serious and hardened offenders for transportation.¹³⁵

The first convicts all came from Bengal, the first convicts from Bombay not arriving until November 1826, by which time Rossi had departed Mauritius.¹³⁶

¹²⁹ Rossi to Barry, 10 April 1822. MA: RA 200. f. 477.

¹³⁰ MA: RA 146. f. 195.

¹³¹ Rossi to Barry, 11 June 1823. MA: RA 227. f. 185.

¹³² de Sornay to Farquhar, 15 September 1815. MA: RA 57. ff. 48–50.

¹³³ Teelock, *Mauritian History*, p. 174.

¹³⁴ Sen, op. cit., pp. 5–6.

¹³⁵ Anderson, "Indian Convicts in Mauritius", p. 34.

¹³⁶ id., *Convicts in the Indian Ocean*, p. 127.

Of the 928 Bengal convicts for whom records still survive, some 90% had been convicted of highway or gang robbery, 20% of whom with open violence. Nearly one-third were dacoits (members of armed bandit gangs), and 3% were murderers.¹³⁷ Some 81 committed further offences in Mauritius—mostly robbery (47) but four murders and three attempted murders. Three were convicted of selling marijuana, and 16 of rebellion.¹³⁸ Most (55%) were Hindus, the remainder being Muslims (34%) and Adivasis or tribal peoples (12%).¹³⁹



Figure 4.11 Tantia Bhil, a “dacoit” (robber) in the Madhya Pradesh state of India 1890
Matthew Vanitas, 2014. From R. V. Russell, *The Tribes and Castes of the Central Provinces of India*
(1916) Wikimedia Commons, viewed 25 September 2014.
https://commons.wikimedia.org/wiki/File:Tantia_bhil_dacoit.jpg.

The Bengal authorities drove a hard bargain with Farquhar, for they also demanded that Mauritius pay for housing, feeding and providing medical treatment for the convicts.¹⁴⁰ Farquhar had also asked for convicts with

¹³⁷ id., “Indian Convicts in Mauritius”, p. 138.

¹³⁸ *ibid.*, p. 135.

¹³⁹ *ibid.*, pp. 133; 135.

¹⁴⁰ Anderson, *Convicts in the Indian Ocean*, pp. 21–22.

life sentences, but, when transportation from Bengal ceased, they were forced to accept Bombay convicts sentenced to terms of seven or fourteen years.¹⁴¹

The convicts arrived with detailed personal records, including caste lists, and sometimes the convicts' profession. The British made scant use of the caste lists, probably through ignorance. The British did however record the convicts' religion—either “Hindoo” or “Mussulman”—and did differentiate between “low” and “high” Hindu castes by assigning the former as hospital attendants, and Brahmins as cooks at the hospital.¹⁴² Rossi's reports show that neither he nor the authorities were sensitive to Indian customs, apart from those connected with diet. The British had much still to learn about India. The most up-to-date advice for East India Company employees, published in 1815 by a Bengal court officer of eight years standing, Alexander Fraser Tytler (died 1816),¹⁴³ was prone to sweeping judgements. Tytler's considered view of the Indian character was that “The Mussulmans are more bold and enterprising; the Hindoos, sluggish and cowardly, but cautious and cunning. Both are in general equally destitute of moral principle”. Further, he explained that the only people to live well were thieves and robbers, who led a “merry life [...] that many poor wretches are induced to follow”. Given that there was “a general depravity of manners among the *Brahmin*, and among the lower orders a total want of religious and moral principle”, Tytler recommended that every Indian be regarded as guilty until proven innocent, and that any all evidence which appeared to contradict this be rejected!¹⁴⁴

Not surprisingly, the convicts were unwilling to assist the authorities, and were reluctant to reveal their trades or professions on arrival, lest they be assigned to work on the sugar plantations. They invariably said they were labourers, and it was only by chance that Rossi might learn they were in fact skilled workers.¹⁴⁵ This hampered his ability to assign convicts to work details,

¹⁴¹ Anderson, *Convicts in the Indian Ocean*, p. 112; Henry Yule, *Hobson-Jobson: the Anglo-Indian dictionary*. Ware : Wordsworth Reference, 1996, pp. 915–16.

¹⁴² Anderson, *Convicts in the Indian Ocean*, pp. 43–44.

¹⁴³ “Tytler, Alexander Fraser”, *Bengal Civil Servants Career Histories to 1860*. http://search.fibis.org/frontis/bin/aps_detail.php?id=1166515. Accessed 20 April 2016.

¹⁴⁴ Alexander Fraser Tytler, *Considerations on the Present Political State of India ... intended chiefly as a manual of instruction ... for the younger servants of the Company*. London : Black, Parbury, & Allen, 1816. 2 Vols. Vol. 1, pp. 104; 106; 209.

¹⁴⁵ Rossi to Barry, 30 May 1823. MA: RA 240.

and he was severely embarrassed when, after informing the Deputy Adjutant General, Colonel Lindsay, that he had no convict masons available, Lindsay somehow discovered this was not the case. Rossi was forced to explain his error to the Governor, and his prompt and abject response to Lindsay's complaint reveals the importance of keeping one's record clean in the military environment and of not getting a senior officer offside.¹⁴⁶

Maintaining control over the convicts working in the districts was a problem—it being impossible, as Rossi explained to the Governor, to prevent their escaping as “there is not a place belonging to the department where a convict might be put in with anything like security”.¹⁴⁷ In October 1820 he complained he could assign only one overseer to every 50 convicts, when two were required. Groups of more than 60 convicts required three supervisors, and he therefore requested another eight overseers. More overseers too meant that more work could be obtained from the convicts.¹⁴⁸

On the other hand, it was no easy task to induce men under life sentences to work hard for nine or ten hours every day, even though Farquhar had optimistically advised London that their labour could be “obtained without force or difficulty [...] by the uniting of patient temperance with steady firmness, [and] to leave them no just ground of complaint, as to their rations, clothing, & Lodgings, and their terms of Labour, etc”. The use of “violent and unfeeling measures” to control them, he continued, would be counterproductive, although they should be subject to punishment of no more than 25 lashes, where punishment was unavoidable”.¹⁴⁹

Flogging was not unusual at this time, being the routine punishment in the army, navy and prisons. Although no punishment books survive,¹⁵⁰ Rossi's reports do not reveal particularly cruel treatment of the convicts. And although the death rate for the eight years (1815–1823) the convicts were under Rossi's care averaged 4.8% per year, compared with 2.9% for

¹⁴⁶ Rossi to Barry, 3 December 1817. MA: RA 99. f. 224.

¹⁴⁷ Rossi to Barry, 1 May 1820. MA: RA135.

¹⁴⁸ Rossi to /Barry, 20 October 1820. MA: RA 146. ff. 196–197.

¹⁴⁹ “Convicts. Minute by His Excellency the Governor 1815”. TNA: CO 167/42.

¹⁵⁰ Anderson, *Convicts in the Indian Ocean*, p. 37.

the subsequent years 1824–1826, Rossi did manage to reduce the average 7% for the five years to 1819 down to 2.6% for the four years 1820–1823.¹⁵¹

The convicts themselves were free, and given their reputation for temperance, were able to distil and drink their own liquor, smoke marijuana, dance and sing. Equally, though, they were not slow to complain about any ill-treatment.¹⁵² They were, according to Colonel Draper, “a remarkably fine race of people”, whose “general deportment [was] distinguished by peculiar propriety and decency”,¹⁵³ as they were not prone to “the incurable rage for Spirituous Liquors” that plagued Europeans,¹⁵⁴

Not surprisingly, the convicts’ productivity was not high. Acting Governor Darling summed them up as “ingenious and industrious, though not laborious”.¹⁵⁵ Thomi Pitot believed their output to be only one quarter of a good slave’s work,¹⁵⁶ and James Holman thought them “very idle”, working only when given task work and allowed to work for themselves when it was completed. They were also the “most determined thieves [...] stealing any thing that can be either converted into money, or turned to any use”.¹⁵⁷

There were occasional acts of revolt by the convicts, and a small number resorted to violence,¹⁵⁸ although no overseers were ever murdered (as occurred in NSW and Van Diemen’s Land). In September 1818, Whittle, the convict overseer at Rivière Noire, had his hut burnt down, and the convicts refused to help him save his possessions. For this, Rossi ordered a “slight punishment” inflicted on the offenders.¹⁵⁹ A more serious incident occurred in January 1819, when two convicts, Rutna and Ramsook, escaped and broke into

¹⁵¹ *ibid.*, p. 135.

¹⁵² Anderson, “The Indian Convicts in Mauritius”, p. 28.

¹⁵³ Darling to Bathurst, 6 May 1819, enclosing Report of the Civil Engineer, 30 April 1819. TNA: CO167/45.

¹⁵⁴ “Convicts. Minute by His Excellency the Governor 1815”. TNA: CO 167/42.

¹⁵⁵ Darling to Earl Bathurst, 6 May 1819. TNA: CO 167/47.

¹⁵⁶ “Troisième Séance du Conseil de Commune Générale, 15 décembre 1817”. MA : HC29. Quoted in Anderson, *Convicts in the Indian Ocean*, p. 67.

¹⁵⁷ James Holman, *A Voyage Around the World, including Travels in Africa, Asia, Australasia, America, etc. etc. from 1827 to 1832*. London : Smith, Elder & Co., 1834–35. Vol 3, p. 129.

¹⁵⁸ Anderson, *op. cit.*, p.61.

¹⁵⁹ Rossi to Barry, 2 October 1818. MA: RA 116. f. 8.

the house of Monsieur Boisgard, who was injured protecting his property.¹⁶⁰ The two convicts and their accomplices were arrested and flogged before being put into light irons (8 kgs) and sent back to work.¹⁶¹ Governor Darling ordered the leader, Kallora, to be given 100 lashes in front of the convicts.¹⁶² This man particularly vexed Rossi, as he was one of four convicts who had robbed Rossi in December 1819 and had escaped punishment by betraying his accomplices.¹⁶³

This robbery is of particular interest, for, as Anderson points out, it was an act of resistance against Rossi's power and authority by subjects who were otherwise voiceless and powerless.¹⁶⁴ The goods stolen included a pair of epaulettes, the sign of Rossi's authority.¹⁶⁵ Rossi made two of the perpetrators, Soojant Khan and Baharul Khan, work in heavy irons, but when Darling noticed this, he ordered Rossi to put them in light irons only. Rossi, as was his wont, complied immediately, but diplomatically pointed out to Darling that his instructions were misguided. He had placed the pair in heavy irons, not because of the robbery, but because they were "known to every Individual in the Department to be irreclaimable villains of a most resolute Character and daring temper [there being] perhaps no plot of villainy in the Department of which they have not been the advisers and contrivers, as well as the performers".¹⁶⁶ The pair had also taken part in the 1815 revolt at Alipore and were later involved in another insurrection at Bel Ombre. Darling relented, and the convicts were sent to work on the Canal at Mahébourg under the Military. There is some irony in Darling's concern, for his later removal as Governor of NSW was in no small measure due to the excessive ironing of two privates, one of whom, Joseph Sudds, subsequently died.

Several attacks by the convicts on their overseers with a crow bar or pickaxe are recorded, but a more serious incident occurred in June 1820, when the

¹⁶⁰ Rossi to Barry, 1st February 1819. MA: RA 125, f. 2.

¹⁶¹ Rossi to Barry, 5 June 1820. MA: RA 137. f. 26.

¹⁶² Rossi to Barry, 14 June 1820. MA: :RA 137. f. 136 *verso*.

¹⁶³ Rossi to Barry, undated. MA: RA 137. f. 135.

¹⁶⁴ Anderson, loc. cit.

¹⁶⁵ Trial of Ruttunah, Ramsook, Sobah, Turée, Kehurée and Madow. Interrogation of Torée. Court of First Instance, 5 May 1820. MA: JB 136.

¹⁶⁶ Rossi to Barry, 5 June 1820. MA: RA 137. f. 26.

convicts at Savanne attacked their overseer, a man called Nicholls. A number of historians have characterised Rossi as a harsh disciplinarian, both in Mauritius and in NSW, and Anderson judges Rossi's punishment of the Savanne convicts as "harsh", particularly as Rossi's sympathies lay with the convicts who had been severely provoked.¹⁶⁷

An examination of the incident, however, shows that Rossi's punishment was no more excessive than the norm. Five convicts, led by the afore-mentioned Kallora, had attacked Nicholls, leaving him "black and dreadfully bruised" and requiring hospital treatment. Nicholls, however, had been absent drinking all day, and after returning late and finding the convicts eating their meal, had ordered them to fall in, knowing full well their religion forbade them from resuming eating once they had been disturbed. Rossi hurried to the camp, but was unable to get the guilty convicts to confess, and he ordered the convict commander to receive 50 lashes and every third convict 25 lashes, administered on the spot while he watched. Rossi was convinced that Kallora was the main instigator, and knew that he would set "a most dangerous precedent if such an outrageous conduct was passed by unnoticed". He reminded the convicts, before the floggings commenced, that they well knew he never allowed an overseer to ill-treat them, but he would also never allow any one of them to raise his hand against an overseer.¹⁶⁸ Punishment of 25 lashes was within the limits laid down by Farquhar in 1815, although the convict commander bore additional guilt, given the privileges and responsibilities accorded him. Rossi knew, too, that his actions would be reviewed by the strict disciplinarian, Darling.

Kallora was a violent man, and just three months later, in concert with Nutthun, he severely beat another overseer at Moka, prompting Rossi to arm his overseers with a musket and cartridges. Kallora and Nutthun then escaped, and during their subsequent rampage across the island, they murdered the wife of a British soldier and injured half a dozen other men and women, some

¹⁶⁷ Anderson, *op. cit.*, p. 62.

¹⁶⁸ Rossi to Barry, 14 June 1820. MA: RA 137, ff. 131–36.

seriously. They were executed for their crimes, after which Rossi reported that Kallora's fellow convicts now "conducted themselves with great propriety".¹⁶⁹

Rossi's punishments, in any event, fell far short of the barbaric treatment of slaves on the island. Just one incident, recorded in a Colonial Office memo of September 1822, will suffice to show their appalling treatment. Secretary of State Earl Bathurst wrote to Farquhar condemning the case of a slave who had been caught stealing a parcel and was tied up and beaten by two Franco-Mauritians. This being insufficient "to gratify their revenge", they smeared lard over his body and tied him up, allowing him to be devoured by two fierce dogs, who tore off the unfortunate man's private parts and laid open his bowels.¹⁷⁰

Between 1815 and 1853 there were 350 recorded escapes by convicts, a rate of nearly 20%. Although rewards were offered, some were never recaptured.¹⁷¹ During Rossi's stewardship, however, only thirteen convicts escaped, most to hang themselves, although one drowned. Three killed themselves at Grande Rivière, two of them convict commanders who had betrayed the trust given to them. Overseer Barnard reported that the convict commander Mattadin had hung himself, after Barnard had taken away his cane because of a complaint by another convict.¹⁷² Rossi's reports, and the official police reports, show little understanding or even curiosity as to why the convicts might have suicided. As Rossi took seriously his responsibilities to care for his charges, this may reflect ignorance, rather than indifference, on his part. Thus, when the aged and unhealthy Topar Jaut put an end to his life, Rossi attributed his actions to insanity and his use of opium, despite his having been forced to do heavy work. Although suicide was a logical option when faced with being worked to death, Rossi described Topar Jaut as being "a little insane".¹⁷³ The same description was applied by Rossi to Roshun Mullick, who absconded

¹⁶⁹ Rossi to Barry, 2 February 1821. MA: RA 176. ff. 15–17.

¹⁷⁰ Bathurst to Farquhar, 20 September 1822. TNA: CO 168/6. ff. 262–63.

¹⁷¹ Anderson, *op. cit.*, pp. 70–71.

¹⁷² Rossi to Barry, 29 November 1819. MA: RA 143. ff 243–44.

¹⁷³ Rossi to Barry, 3 August 1823. MA: RA 299.

four times between 1816 and 1822,¹⁷⁴ and who was said to be “labouring at times under mental derangements”.¹⁷⁵

Rossi did, however, go to considerable lengths to ensure the convicts under his charge were treated properly. Whenever a new batch of convicts arrived in the harbour at Port Louis, Rossi was there to receive them. On 14 January 1818, for example, he took charge of 36 convicts who had arrived on the *Friendship*. They appeared to be in good health, he reported, apart from six old men “whom from their advanced age and weakness I consider never can be rendered in any way serviceable”. They were nearly naked and had no bedding, and Rossi had to request the Governor for clothing. At the same time, he repeated his earlier request for *cumlies*, or blankets, for 120 of the convicts who had arrived since November 1817 and had to sleep on the bare brick floor of the barracks with no night clothing.¹⁷⁶

Ensuring adequate nightwear for the convicts was a constant concern, and when in November 1819, 500 *cumlies* did finally arrive, they were already used and of “very inferior quality”, and 245 convicts were still without night clothing.¹⁷⁷ These *cumlies*, however, were far better than those Rossi received a year later, which were “not only of an inferior kind but the worst I have ever seen and so slight as to not last one month”.¹⁷⁸

Ensuring a suitable diet for the convicts was also a constant preoccupation. The lack of ghee in particular was severely felt by the convicts, being, after rice, the most important part of their diet, and “the privation of it is a constant topic of complaint on their part”. When the convicts were without ghee for four months, Rossi proposed to compensate them with a cash payment \$1.37 each. A degree of self-preservation was involved on Rossi’s part, for he warned the Governor such compensation would “remove any false impression [of their being deprived of what they considered their due] which men of so suspicious

¹⁷⁴ Rossi to Draper, 4 April 1816. MA: Z2A8.

¹⁷⁵ Rossi to E Byam, Chief of Police, 24 September 1821. MA: Z2A20.

¹⁷⁶ Rossi to Barry, 16 January 1818. MA: RA 102. f. 132.

¹⁷⁷ Rossi to Barry, 10 November 1819. MA: RA 143. f. 96.

¹⁷⁸ Rossi to Barry, 24 December 1820. MA: RA 164. f. 245.

characters and turbulent tempers might easily entertain against the persons placed in authority over them”.¹⁷⁹

Rossi's requests were invariably agreed to by the Governor, and this was no exception, and the practice continued thereafter whenever ghee was unavailable. But, in the way of bureaucracies, unthinking officials in Port Louis sent the cash out to Grande Rivière in large denominations, and Rossi was forced to ask for small notes and copper coins so he could distribute them to the convicts.¹⁸⁰ Similarly, when salt fish could not be obtained in the bazaar at Port Louis, Rossi suggested *dhall* be substituted.¹⁸¹ Later, after another ghee shortage, Rossi visited the convicts in the Districts and personally gave each man his cash compensation. Irrespective of his motives, Rossi could report favourably to the Governor on the behaviour of the convicts, which the local planters had informed him “was good and orderly” and the convicts “a Set of quiet and inoffensive people”.¹⁸² Similarly, on learning that convicts working in the woods were inadequately clothed, he quickly ensured they were issued with flannel waistcoats.¹⁸³ The problem of *cumlies*, however, was never solved.

During all this time, slaves continued to be smuggled into the island, until in 1817, Farquhar was rebuked by Lord Bathurst, the Secretary of State for War and the Colonies, for being ineffectual in dealing with the problem.¹⁸⁴ Farquhar then moved to conclude a treaty in October 1817 with King Radama of Madagascar, who agreed to cease the export of slaves in return for a guarantee of his sovereignty. In November 1817, the next month, Farquhar left for home leave in England, to recover from the ill-health that plagued him.

Before leaving, Farquhar, responding to “numerous and incessant” requests by the planters to be permitted to employ Indian convicts,¹⁸⁵ allocated them a large number of convicts.¹⁸⁶ By June 1817, over 200 convicts (more than a quarter of the total number) were assigned to private settlers. de Sornay himself

¹⁷⁹ Rossi to Barry, 3 November 1818. MA: RA 144. f. 16,

¹⁸⁰ Rossi to Barry, 3 July 1820. MA: RA 153. f. 11.

¹⁸¹ Rossi to Barry, 15 May 1818. MA: RA 107. f. 170.

¹⁸² Rossi to Barry, 5 December 1820. MA: RA 164. f. 47:

¹⁸³ Rossi to Barry, 2 February 1821. MA: RA 176. ff. 20–21.

¹⁸⁴ Bathurst to Farquhar, 1 April 1817. Quoted in Allan, op. cit., p. 95.

¹⁸⁵ “Convicts. Minute by His Excellency the Governor 1815”. TNA: CO 167/42.

¹⁸⁶ Major General Hall to Lord Bathurst, 28 May 1819. TNA: CO 167/47.

received 25, as did Alexander Barry, the Government Secretary, and Baron d'Unienville, the Colonial Archivist. Toussaint Antoine de Chazal had 22 convicts working in his silk manufactory, and although they appear to have been well treated, the venture folded in 1822, after de Chazal overdosed on another of his estate's crops, opium.¹⁸⁷

Overall, however, the convicts did not fare well at the hands of the private settlers. Louis Blancard, the Civil Commissary of Savanne, was allocated 75 convicts for his estate at Bel Ombre in the island's southwest, his request no doubt facilitated by Farquhar's private secretary and confidante, Charles Telfair, who was a partner in the estate. Now a luxurious holiday resort, Bel Ombre in 1817 was home to more than 200 slaves, and the convicts assigned there were also treated very badly. Historians have struggled to identify the reasons for what happened, but it is clear that the convicts were not given the rations they were used to receiving at Grande Rivière. It is not clear, however, whether the convicts rebelled because part of their Government-supplied rations were given to slaves on the estate, or their religious sensibilities were offended by having to eat out of the same vessels as the slaves, or whether they raised complaints of caste violations in an attempt to elicit sympathy from the British.¹⁸⁸

In any event, a large group of 47 disaffected convicts absconded and made their way back to Grande Rivière, where they complained of having being severely whipped. An official enquiry confirmed their complaints, but nevertheless ordered 32 of them to be punished for absconding and all to be sent back to Bel Ombre. Here, the situation deteriorated further, and when 18 convicts again absconded, two were killed in the attempts to recapture them.

It is a telling endorsement of Rossi's administration that the convicts who made it back to Grande Rivière said they knew they would receive fair punishment there from Rossi. However, Farquhar quickly set up another enquiry, as there were suggestions that the escaped convicts had made

¹⁸⁷ Anderson, op. cit., p. 46; and TNA: CO 167/40. "Return showing the number of convicts employed with individuals during the months of February–July 1817".

¹⁸⁸ Anderson canvasses what is known about the incident and what historians have made of it in "The Bel Ombre Rebellion: Indian Convicts in Mauritius, 1815–53". In Gwynn Campbell (ed.), *Abolition and its aftermath in Indian Ocean Africa and Asia*. London and New York : Routledge, 2005, pp. 50–65.

contact with gangs of marauding escaped slaves or *marrons*. Such bands were dangerous, and Farquhar was keen to not let their numbers be swollen by escaping convicts. The ensuing inquiry acquitted the slaves of rebellion, but found them guilty of deserting their work, and they were sent as a group to work on the Mahébourg canal at Grand Port.¹⁸⁹

The matter did not end there, for the enquiry reported while Farquhar was on leave in England, and the Acting Governor, Major General John Gage Hall, was appalled by the events at Bel Ombre and immediately put an end to the assignment of convicts to private settlers. Hall was vehemently opposed to slavery, and was appalled at the inhuman treatment of slaves on the 800 km [500 miles] voyage from Madagascar.¹⁹⁰ He was one of the few British officials in Mauritius who tried to put an end to the slave trade, but his attempts to reform this and other matters drew such widespread resentment and open opposition from the settlers and some British officials that he was recalled in December 1818.

It says much for Rossi that he did not fall foul of Acting Governor Hall, but, equally, he was not among the four officials of whom Hall approved. These were the Collector of Customs, William Blane, the Collector of Revenue, Robert Barclay, the Treasurer, Major Webster, and Major Hector Hall of the 22nd Regiment. Nor was Rossi one of a number of officials targeted by Hall, who included senior officials close to Farquhar, notably Gilbert Barry, Chief Secretary and a very close friend of Rossi.¹⁹¹

A number of other convicts were ill-treated after being sent by Farquhar to King Radama of Madagascar as a diplomatic gesture. In 1818 Rossi reported that 15 of the 23 men sent had been returned to Mauritius with no clothing and in “a very Sickly state [...] and not capable of any labour for some time”.¹⁹² Another four had died in Madagascar, and four remained there. Rossi’s report is couched in neutral terms, prompted perhaps by an unwillingness to criticise

¹⁸⁹ Anderson, *Convicts in the Indian Ocean*, pp. 64–65.

¹⁹⁰ Quoted in Barnwell, *op. cit.*, p. 219.

¹⁹¹ Barnwell, *op. cit.*, pp. 219–223.

¹⁹² Rossi to Barry, 11 November 1818. MA: RA 144. f. 131.

Farquhar's initiative, although its official tone does, on the face of it, show a lack of empathy for 23 of his charges.

After Major General Ralph Darling was appointed Acting Governor in February 1819, he had good relations initially with the Franco-Mauritians and with the *Conseils de commune* (local advisory councils) which Farquhar had established. But by the end of the year, relations had soured in the aftermath of a cholera epidemic introduced by the British frigate *Topaze*. The settlers took advantage of Darling's relaxation of patrols to begin importing slaves again, a move Darling regarded as a betrayal of his trust. He therefore dissolved the *Conseil général* of Port Louis in February 1820, and took a hard line against the local press. His popularity plummeted, but not to the same extent as Hall's.¹⁹³

Rossi worked well with Darling, as the incident involving Soojant Khan and Baharul Khan in June 1820 described above shows. Their relationship was to be consolidated when Rossi served again under Darling when the latter was appointed Governor of NSW in 1825.

Farquhar returned to Mauritius in July 1820, his popularity somewhat diminished, according to Thomi Pitot, for he had devoted much of his time in London defending himself against charges of allowing the slave trade to continue, to the detriment of advancing the cause of the colony. His second period as Governor also saw him much preoccupied with the treaty with King Radama.¹⁹⁴

Rossi's marriage

None of Farquhar's difficulties affected Rossi, who continued at his post, now with de Sornay's assistance. The pair evidently developed good relations, for just ten months after de Sornay joined the Convict Department, the bans were read for Rossi's marriage to the fourth of de Sornay's seven daughters, Lise Alexandrine Antoinette Geneviève. The records are silent as to whether Rossi had a hand in securing the position for his future father-in-law in return

¹⁹³ Brian H. Fletcher, *Ralph Darling: A Governor Maligned*. Melbourne : Oxford University Press, 1984, pp. 51–64.

¹⁹⁴ Pitot, op. cit., p. 483–84.

for his daughter's hand, but it is unlikely, for Rossi had not recommended de Sornay by name when he sought an assistant,¹⁹⁵ and de Sornay had already approached Farquhar some years earlier to be given a post in the Government.

The de Sornays were a distinguished family on the island, being one of the earliest to settle there, and Alexandre (1768–1842) was a respected planter and politician.¹⁹⁶ He informed Farquhar in 1815 that the family had always held “a distinctive position” in Mauritius, having come “to serve the State, rather than to pursue personal fortune”.¹⁹⁷ In the same letter, he revealed that he had spent 25 years away from the island serving in the military, and that he was a captain in the *régiment d'Angoulême*.

The de Sornays trace their history back to the village of Sornay in eastern France, 20 km west of Besançon,¹⁹⁸ where, in the late 17th century, Nicolas Sornay was the Director of the Hospitals and Superintendent of Works at Fort Louis, in Alsace. The family owed allegiance to the Duke of Burgundy, and when the Duke was made Philip I of Castile in 1504, the family followed him to Spain. Here, Nicolas's son Alexandre (1698–1758) worked on the fortifications of Pamplona and took part in the siege of the English fort at Gibraltar in 1727. In 1731 Alexandre was sent by the French *Compagnie des Indes* to work on the fortifications of Port Louis, and then in 1742 to be the Company's Chief Engineer at its trading post at Pondichéry. He fought against the British at the naval Battle of Negapatam, off the coast of India, serving on the 384-gun royal warship *Achille* under *comte* Bertrand-François Mahé de La Bourdonnais (later Governor of the Isle de France).

Alexandre's son, Pierre-Bazile de Sornay (1727–1801), was born in Pamplona, and became like his father, a military engineer, and fought against the British in 1750 in Pondichéry. After the British later captured Pondichéry in 1761 after a four months' siege and razed it to the ground, Pierre-Bazile took his family to Madras, where they lived until Pondichéry was restored to France in 1763.

¹⁹⁵ Rossi to Barry, 13 December 1819. MA: RA 146. ff. 194–95.

¹⁹⁶ Vijayalakshmi Teelock, *Bitter sugar: sugar and slavery in 19th century Mauritius*. Moka : Mahatma Gandhi Institute, c1998, p. 178.

¹⁹⁷ de Sornay to Farquhar, 15 September 1815. MA: RA 57. ff. 48–50.

¹⁹⁸ [Paul] de Sornay, “La famille de Sornay à l'île Maurice”. Typescript, 10 pages. [Port Louis] : n.d., p. 1.

He worked as Chief Engineer in the reconstruction of Pondichéry, but French influence and trade in India was effectively at an end,¹⁹⁹ and Alexandre moved to the Isle de France in 1767, where he settled at Moka.²⁰⁰



Figure 4.12 The Le Clézio family home at Moka
The de Sornay family would have lived in a similar house on their sugar estate. Author's photo 2011.

Rossi's future father-in-law was born in Moka in 1746, and at the time he met Rossi, owned residences both at Moka and Plaines Wilhems.²⁰¹ He also, at various times, owned some nine sugar plantations in the districts of Pamplemousses, Grand Port, Rivière Noire and Rivière du Rempart.²⁰² He was also one of the fourteen largest slave owners in Mauritius,²⁰³ owning

¹⁹⁹ Pierre Pichard, "City Planning and Architecture in Pondicherry". In Indian National Trust for Art and Cultural Heritage, *Reminiscences: the French in India*. New Delhi : INTACH, 1997, p. 124–25.

²⁰⁰ Pierre-Bazile is celebrated for his invention of the "heliopt", a device to measure longitudes at sea, an invention which, alas, went unrecognised. Georges Védie, *Their Destiny In Natal—The Story Of A Colonial Family Of The Indian Ocean*. N.p. : Védie, through Lulu.com, 2015, pp. 112–13; 116–18.

²⁰¹ *Mauritius Government Gazette*, 17 January 1824.

²⁰² Guy Rouillard, *Histoire des domaines sucriers de l'Île Maurice*. Les Pailles (Île Maurice) : General Printing and Stationery Company/Henry et Cie Ltée, 1964–1979. Passim.

²⁰³ Teelock, op. cit., p. 300.

several hundred slaves.²⁰⁴ He was well known to Farquhar, from whom he on several occasions sought favours, including the education of his sons at the Royal College in Port Louis.²⁰⁵

De Sornay and his family were no doubt frequent guests of the Governor at Le Réduit, where Rossi, as the Governor's aide-de-camp, may have met and charmed the young Lise, or perhaps it was the other way round.

De Sornay's residence, *Notre Exil*, was located in L'Anse Courtois, a pleasant little valley whose stream flowed into the Grande Rivière Nord-Ouest, and, as it was not far from Rossi's convict headquarters. Rossi may have been de Sornay's guest there.

Relations between the British and the Franco-Mauritians

The British generally spoke of their warm relations between them and the Franco-Mauritians—Mrs Bartram enthused that English officers were much sought-after marriage catches in Mauritius, “*Il y a de la gloire à subjuger les vainqueurs de la terre*”.²⁰⁶ The military uniform, she continued, had “great charms” in the eyes of the ladies of the Isle de France,²⁰⁷ but in reality, such sentiments were seldom reciprocated. Henry Magny wrote in 1832 that it was little consolation to the Franco-Mauritians to have retained their language, culture and laws as long as the “odious presence” of the British persisted. The result was, he continued, “[une] *animosité qui, dans les premières années de ce siècle, avait creusé entre les français et les anglais un abîme qui rien ne paraissait devoir fermer de sitôt*”.²⁰⁸ Farquhar's requirement that they should swear allegiance to the British Sovereign, and his failure to restore their *Assemblées coloniales*, which the Revolutionary Government had abolished in 1791, and Darling's subsequent abolition of the *conseils de commune*, together with a host of trivial incidents, added to their resentment. The dislike of the

²⁰⁴ See e.g. “Recensement biennal 1832—Esclaves : de Sornay [...] Attachés à l'Habitation dit Palma situé au Quartier des Plaines Wilhems”. TNA : CO T71/642.

²⁰⁵ Sornay to Farquhar, undated; and Sornay to Darling, 29 July 1819. MA: RA 96. ff. 236; 352. The request was not granted, the College being full.

²⁰⁶ “There is great prestige in vanquishing the conquerors of the globe”. My translation.

²⁰⁷ Bartram, op. cit., p. 69.

²⁰⁸ “[An] animosity which at the beginning of this century created a gulf between the French and the English which nothing seemed ever to be able to bridge”. My translation. Henri Magny, *Maurice à vol d'oiseau en 1882 : notes politiques sur l'île Maurice (ancienne Île de France)*. Île Maurice : Impr. de The Merchants and Planters Gazette, 1882, pp. 8–9.

foreign conquerors, Edward Duyker says, was exacerbated, as in Corsica, by the Britishers' Protestant religion. This last difference was a major impediment to marriage between the two nations, and as Duyker tellingly expresses it, the Franco-Mauritians "clung to their language and religion with a tenacity which rivalled that of the Irish".²⁰⁹

Governor Lowry Cole found the ties binding the two peoples to indeed be "slender", during the visit of Sir Hudson Lowe, Napoleon's gaoler on St Helena, in 1828. Despite their absorption for some 18 years into the British Empire, a mob of Franco-Mauritians attacked Lowe in an assault that was led by "persons connected with some of the most respectable families in the colony, who heaped upon him the most abusive and insulting epithets which the French language affords".²¹⁰

De Sornay must not have been particularly affected by the general antipathy towards the British, and Rossi's French (albeit Corsican) origins may have counted in his favour, as did de Sornay's lucrative position in the British administration. Nor did the 25-year difference in age between Rossi and his bride—he was 42 and she 17—prove an impediment. Such a marriage was not unusual for the time, and, as noted above, Farquhar was 33 at the time of his marriage to his bride of 18. The fact that de Sornay had seven daughters, three of whom were still single and of marriageable age in 1822, may have also influenced him.²¹¹ In any event, his second youngest daughter, Antoinette Marie Joséphine Elie, also married an Englishman in 1838—Richard Leigh, a Port Louis merchant.

²⁰⁹ Edward Duyker, Personal Communication 11 February 2015 ; and "Review of Amédée Nagapen, *L'Eglise à Maurice, 1810–1841*". *Explorations*. 7 (December 1988), p. 29.

²¹⁰ Maud Lowry Cole and Stephen Gwynn, *Memoirs of Sir Lowry Cole*. London : Macmillan, 1934, pp. 223–25.

²¹¹ [Paul] de Sornay, *op. cit.*, p. 5.



Figure 4.13 The drawing room at Le Réduit
Author's photo 2011.

Nor does Rossi's Protestant faith seem to have deterred de Sornay. The couple were married in St James Protestant Cathedral, Port Louis, the service being conducted by R. E. Jones, Chaplain to the Forces and Acting Civil Chaplain.²¹² The marriage, as required by law, was registered on the same day before the Civil Commissary of the *quartier* of Plaines Wilhems.²¹³ Whether there was also a civil contract between Rossi and his bride as to the upbringing of the children of the marriage is not known, but, in the event, the two sons were brought up as Protestants. Witnesses to the marriage were the Chief Secretary, Gilbert Alexander Barry, and James Smith, another of Farquhar's aides-de-camp. The witnesses for the bride were her paternal and maternal uncles, Louis-Auguste de Sornay, *chevalier de la Légion d'honneur* and a Captain in the French infantry, and Jean-Louis Demouhy, a businessman of Port Louis. As noted above, Rossi had outwardly become a devout Protestant, and his choice of a young French Catholic woman may reveal

²¹² Acte de mariage—F.N. Rossi et S.A.A.N. Sornay. Cercle de Généalogie Maurice-Rodrigues http://www.cgmrgenealogie.org/actes/acte_mari.php?xid=12979&xct=6545. Accessed 16 December 2015.

²¹³ "Extrait du Registre des Actes de l'Etat Civil de la Population blanche du quartier des Plaines Wilhems, Année 1822". ML: A 723. ff. 10–11.

a desire to maintain a connection with his native culture in this most intimate of areas.

De Sornay himself was twice married to the same woman, a not infrequent occurrence in the Isle de France. The wife in question was Marie de Mouhy, whom he first married in 1791, and after divorcing in 1803, married her again in 1806. Their daughter Lise was born on 7 March 1804, during the period of their divorce, as was their fifth daughter, Antoinette Blanche Julie Louise. The births of both daughters were recorded as legitimate in 1806, the registers noting the fact that the parents were to remarry.²¹⁴ Marie too was of distinguished stock—"*une de nos plus anciennes familles*", recorded Albert Pitot (1855–1918), her father being Charles du Mouhy d'Agey, *chevalier* and infantry captain.²¹⁵

The de Sornays' *habitation* at Moka was not far from the Governor's residence, *le Réduit*, and was perhaps one of the concessions which his father Pierre-Bazile owned in 1776.²¹⁶ Their home in the upper part of Plaines Wilhems was probably near *Le Refuge*, the home of Madame D'Arifat at Vacoas, where Matthew Flinders agreeably spent five and a half years of captivity from 1805. Flinders mentions the de Sornay family several times in his letters, and although not among his most intimate friends, de Sornay's house, like that of other Plaines Wilhems residents, would have been "...ever open to the English captain, and they were always glad to have him with them, and hear him talk about the wonders of his adventurous life".²¹⁷ Perhaps the de Sornays' exposure to Flinders's English amiability was instrumental in smoothing the way for Rossi's acceptance as a suitable husband for Lise.

²¹⁴ Acte de naissance : Lise Alexandrine de Sornay, 16 Ventôse XIII (7 March 1805). MA: KF80D ; Noel Regnard, *Filiations Mauriciennes. Ascendance et Parenté de Mes Enfants*. Port Louis : Esclapon, 1975, p. 163.

²¹⁵ "One of our most ancient families". Pitot, op. cit., p. 210 ; Gaston Sarré, *Recueil de renseignements sur les familles de L'île Maurice*, typescript, 1945 ; a copy is among the papers of Edward Duyker in the National Library of Australia (NLA: MS 9061), Series 3 File 2.

²¹⁶ Bruce Ingram, Claude Vinueza and Henri Maurel, "*Recensement 1776. Le dépouillement du recensement de l'Isle de France*". <http://perso.wanadoo.fr/henri.maurel/recensm3.htm>. Accessed 14 June 2014.

²¹⁷ Ernest Scott, *The Life of Captain Matthew Flinders, R.N.* Sydney : Angus and Robertson, 1914, pp. 258–59.



*Figure 4.14 The verandah at Le Réduit
Author's photo 2011.*

Records of complaints made by several of de Sornay's slaves at Grand Port reveal they were ill-treated no worse than was usual for the period, and, indeed, unlike most owners, de Sornay had a doctor at his Grand Port plantation to care for his slaves.²¹⁸ De Sornay was no different, however, in regarding his slaves as his property, for in December 1817 he complained to Farquhar that two of the four slaves he had supplied to work on the roads had died, and a third had returned spitting blood, for which he sought no compensation other than admission of two of his sons to the Royal College in Port Louis.²¹⁹

Like other plantation owners, de Sornay smuggled slaves into the colony in defiance of the British ban. When Cleradon, one of his employees, found several "New Slaves" on de Sornay's plantation and handed them over to the police, de Sornay is alleged to have brought false charges against Cleradon and had him thrown into prison. Virieux, the Attorney General, had Cleradon

²¹⁸ Teelock, *op. cit.*, pp. 138–39; 178–79; 218.

²¹⁹ de Sornay to Farquhar, October 1917. MA: RA 96. f. 236.

re-arrested on his release and sent to the Cape of Good Hope on board a “crazy” (unseaworthy) ship. All this was allegedly done with de Sornay’s agreement²²⁰ and the connivance of the courts, a not uncommon occurrence during Farquhar’s governorship.

Lise enjoyed the life of ease of a well-to-do French settler. Young women of her station were passionately fond of music and dance, of dressing up to look their best, and attending an endless sequence of balls. And why not? asked Auguste Billiard—who opined that the shapely and attractive young women of Mauritius had the pleasing complexion of a lightly coloured white rose, the gift of the climate. They also wore the latest fashions from Paris and Lyon, and the beautiful muslins and shawls of India.²²¹ For Mrs Bartram, they were “*charmant*” [sic], and appeared in public at the age of 15. They spared no expense to ensure their dresses showed great taste, all of which made Port Louis ball-room a “really splendid scene”. Said to be “great admirers of the British military uniform,” they were apt to smile at the *gaucherie* of their English suitors.²²² No doubt, Rossi, with his courteous French manners, was an exception.

Like the daughters of other planters, Lise owned several personal slaves. In 1817 these numbered eleven: two household servants, a washer woman and her 18-month old daughter, a groom, and six field workers (*pioches*).²²³

Lise probably received little education, for Mrs Bartram observed that education for French women was superficial—even in France—and that in Mauritius was “no more solid”.²²⁴ The Reverend Beaton, too, said that few Mauritian women received “a careful education”, although this was offset by their “just reputation for beauty, [being] pretty and graceful, with charming figures”. In any event, he

²²⁰ Edward Byam, *Three Years Administration of the Isle of France (otherwise called Mauritius) and particularly in those Points in which the Commissary General of the Police (Byam) has been concerned with some Reference to the whole Administration of Sir Robert Farquhar since the Commencement of his Government*. TNA: CO 172/38. ff. 144–159.

²²¹ Auguste Billiard, *Voyage aux Colonies orientales*. Paris : Librairie de l’Advocat, 1822, pp. 45–46.

²²² Bartram, op. cit., pp. 69–70.

²²³ Office of Registry of Colonial Slaves and Slave Compensation Commission. Registration. Slave Registers Mauritius 1817: Personal Slaves 648–1001. TNA: T 71/567. f. 913.

²²⁴ Bartram, *ibid.* p. 67.

believed, mingling with English society enlarged their minds, and the natural vivacity of the French character was tempered by the island's climate.²²⁵

Departure of Farquhar and closure of the Convict Department

The couple's first son, Francis Robert Lewis, was born on 22 February 1823 in Mauritius. He was baptised in Port Louis on 17 May, with Governor Farquhar and his wife, and Gilbert Alexander Barry, being his sponsors.²²⁶ Rossi probably named Robert in Farquhar's honour, and his second son, Philip Alexander, born at sea in 1825, after Barry, and Rossi's father, Philippe-Antoine.²²⁷ Acting as godfather to Francis Robert was, in fact, one of Farquhar's last acts before he resigned as Governor on 20 May 1823, three days before leaving for England on the *Mena*.²²⁸

It was the end of an era for the colony and for Rossi. The new Governor, Sir Galbraith Lowry Cole, quickly moved to introduce economies into the administration. He transferred responsibility for the convicts to the Deputy Quartermaster General's Department and to members of the Royal Staff Corps, abolishing Rossi's position of General Superintendent of the Convict Department, along with de Sornay's. The new arrangements, Cole advised London, would save the Government over \$500 a year.²²⁹

Rossi handed over his responsibilities on 1 September to Lieutenant Colonel William Stavely, a decorated veteran of the Peninsula War and of Waterloo.²³⁰ Stavely was to remain 26 years in Mauritius, becoming Commandant of Port Louis in 1825 and acting Governor in 1842 before leaving for Hong Kong in 1847.²³¹

Slavery continued in Mauritius for another ten years, until 1834, and Indian convicts were still arriving as late as 1837. The convicts remained as unfree labourers until 1847, and by 1853, all bar two had been freed. Some were

²²⁵ Beaton, op. cit., p. 166.

²²⁶ ML: A 723. f. 14.

²²⁷ *ibid.*, ff. 12; 14.

²²⁸ Allan, *The Man and the Island*, p. 144.

²²⁹ Cole to Bathurst, 30 August 1823. TNA: CO 167/67.

²³⁰ Rossi/Barry 30 August 1823. MA: RA 229. f. 349.

²³¹ Sir Louis Jackson, "One of Wellington's Staff Officers: Lieut.-General William Stavely, C.B.". *Journal of the Society for Army Historical Research*. 14 (1935), p. 165–66.

repatriated to India but many stayed and took up their trade in Mauritius. A few bought land, and one, Lathan, became a medical practitioner.²³²

Assessment of Rossi's work in Mauritius

Rossi could look back with satisfaction on his time in Mauritius, for the island had benefited greatly from his exertions. James Prior reported in 1810 that the roads were "in many places so thickly wedged with projecting stones as to be nearly impassable to a delicately-wheeled vehicle, and even difficult to the feet of horses".²³³ Later observers recorded seeing coaches and carts pulled by oxen,²³⁴ the difficulties in transporting produce having the effect of limiting sugar plantations to locations near the coast.

Now, the interior was being cultivated, and plantation owners could get their sugar to ports for export. Just three years after the introduction of the convicts, Farquhar reported to London of "the good they have accomplished [...] by the improvement of the streets, roads and Quays".²³⁵ Anderson's extensive study of the convict experience in Mauritius concludes that convicts played a vital role in developing the island's economy, not only in building and repairing roads and bridges, but also in private agricultural enterprise.²³⁶

The French settlers too believed the convict scheme was a success and constantly petitioned the Government to have more convicts working on the roads in their districts.²³⁷ Moreover, it was a scheme which, as Rossi pointed out, cost the Colonial Treasury nothing, as the planters had "unanimously consented to tax themselves for the Support of the Establishment after having experienced its utility".²³⁸ The expansion of land under sugar cane cultivation allowed exports of sugar to Britain to increase fifteen-fold between

²³² Anderson, "The Genealogy of the Modern Subject", pp. 168–169; id., "The Indian Convicts in Mauritius", p. 32.

²³³ Barnwell, op. cit., p. 214.

²³⁴ Bartram, op. cit., p. 127 ; Léon Huet de Froberville (ed.), *Ephémérides mauriciennes 1827–1834*. Port Louis : Imprimerie Nouvelle, 1906, p. 65.

²³⁵ "Convicts. Minute by His Excellency the Governor 1815". TNA: CO 167/42.

²³⁶ Anderson, "The Genealogy of the Modern Subject", p. 164.

²³⁷ Anderson, *Convicts in the Indian Ocean*, p. 43.

²³⁸ Memorial of F. N. Rossi to Farquhar, 30 December 1820. TNA: CO 167/56.

1812 and 1820, and a further fourfold increase by 1830.²³⁹ This increase was also facilitated by Farquhar's efforts in London to persuade the British Government to reduce the high tariff on imports of Mauritian sugar. Farquhar had become an MP on his return to Britain, but continued to work on behalf of his former charges. As a result, sugar came to dominate the Mauritian economy, and by 1845, the island was the largest sugar-producing colony in the British Empire.

Rossi had played a key role in this success, which Charles Pridham reported was "such as to astonish even the natives themselves". Farquhar's revival of the island's commerce from its depressed state, and the public works carried out by the convicts had "rendered communications both rapid and facile". Farquhar's departure was a "misfortune that was very sensibly felt", and his efforts to heal the wounds inflicted by the colony's separation from France were "no less deserving of commendation"²⁴⁰—another area in which Rossi was able to contribute.

As in Ceylon, Rossi had played a part in shaping the future ethnic composition of the nation that was to become the Republic of Mauritius in 1968. As late as 1830, Indians totalled fewer than 11,000 out of the island's total population of 96,779, according to the island's statistician, Baron d'Unienville.²⁴¹ The abolition of slavery in 1834 was quickly followed by the importation of Indian indentured labourers, bringing the number of Indians to 453,000. Today, Indians make up nearly 70% of the population.²⁴² Rossi's successful introduction of an effective labour force of Indian convicts paved the way for this expansion of Indian labourers. The Royal Commission of 1875 into the treatment of immigrants in Mauritius acknowledged this when it reported that the earlier introduction

²³⁹ Nicolas Pike, *Sub-tropical rambles in the land of the aphanapteryx: personal experiences, adventures, & wanderings in and around the island of Mauritius*. London : Sampson Low, Marston, Low, & Searle, 1873, pp. 506–7.

²⁴⁰ Charles Pridham, *An Historical, Political, and Statistical Account of Mauritius and Its Dependencies*. The Mauritius and Its Dependencies. London : Boone, 1846. 2 Vols. Vol. 1, p. 129.

²⁴¹ Marie Claude Antoine Marrier, baron d'Unienville, *Statistique de l'Île Maurice et ses dépendances ; suivie d'Une notice historique sur cette colonie et d'un essai sur l'île de Madagascar*. Paris : Gustave Barba, 1838. 3 vols. Vol. 1, pp. 249; 277.

²⁴² Clare Anderson, op. cit., p. 6.

of Indian convicts had made the indentured labourer “not the entire stranger he was in the West Indies and Demerara”.²⁴³

At this stage at least, however, London was unappreciative of Rossi’s efforts. His appointment as Superintendent of Convicts had been a purely local one, and when in 1823 he sought retrospective approval from London of his appointment, with Farquhar’s backing of course, it was refused, although the refusal had no adverse effect on Rossi’s career.²⁴⁴

Rossi could take justified pride in his achievements in Mauritius, and if he was glad to see the end of the difficult task of managing the convicts, he now faced the prospect of securing a new post to provide for his wife and nine-month old son. The family left Mauritius in January 1824,²⁴⁵ and by June 1824, they were settled in the heart of London, at Holmes’s Hotel in Parliament Street.

Their arrival was reported in *The Morning Post* was reported under the rubrique “Illustrious Arrivals”.²⁴⁶

Rossi’s thirteen years in Mauritius had wrought great changes on him. Not only was he now married with a young son, he had also made a successful transition from military to civilian life. His stock of social and symbolic capital was now quite substantial, given the senior positions he had occupied and the experience obtained from them, although the extent of his economic capital was not great. Mauritius stamped her ways on his *habitus* by other means as well: his youth in Corsica had been interrupted by the French Revolution and his early manhood consumed by war in Europe and in Ceylon, but Mauritius afforded him the longest period in his life of peace and stability. He carried with him memories of Mauritius to his later home in Goulburn, Rossiville, whose gardens he had laid out with the trees and other mementoes of Mauritius, to the extent that Goulburn’s cold winters permitted. As well,

²⁴³ Mauritius (Treatment of Immigrants): report of the Royal Commissioners appointed to inquire into the Treatment of Immigrants in Mauritius”. PP 1875 (34 I & 35 I), p. 27. Quoted in Clare Anderson, “Convicts and Coolies: Rethinking Indentured Labour in the Nineteenth Century”. *Slavery & Abolition: A Journal of Slave and Post-Slave Studies*. 30/1 (2009), pp. 93; 104; 109.

²⁴⁴ Bathurst to Farquhar, 25 October 1821. TNA: CO 167/56. f. 189.

²⁴⁵ “Départs projetés : Pour l’Angleterre—M. et Mme. Rossi”. *Mauritius Government Gazette* 199 (24 January 1824).

²⁴⁶ *The Morning Post*, 12 June 1824.

his sumptuous and lavish hospitality towards his guests at Rossiville—including successive Governors—relived the splendour of vice-regal life at Le Réduit.

Rossi remained in contact with his friends from Mauritius, and his son Robert was still corresponding with Lady Farquhar in 1871, shortly before she died (Farquhar had died in 1830). He also kept in touch with Mrs Letitia Luff in London, the widow of Captain Charles Luff, Deputy Assistant Paymaster General in Mauritius. The Luffs had lived in the Lake District in England, and were friends of the poet William and his wife Mary Wordsworth, and of Farquhar's opponent, the antislavery campaigner Thomas Clarkson. Clarkson and Farquhar had known each other in the Lake District long before the debate over slavery began between them in 1820s.²⁴⁷

On the eve of his departure from Mauritius, Farquhar wrote to his faithful aide-de-camp on 20 May 1823, expressing his appreciation of Rossi's service. The letter indicates a professional, but not necessarily intimate, relationship:

My Dear Sir

I am happy to leave with you this last acknowledgment of your zeal and services, for many years under my Govt in situations of trust, as well as those, more particularly about my own person & family, & I shall feel very happy to learn that this testimonial of your services, & of my sentiments of personal regard & friendship has been useful to you in promoting your just claims to consideration by His Maj's Govt at home, as well as, more particularly, in this Colony, and by this Govt.

Believe me ever, in trust,

Your sincere friend

R T Farquhar²⁴⁸

Farquhar's hope that his testimonial would help Rossi in obtaining a new post was realised, for just three months later, Rossi was appointed Superintendent of Police in the young colony of NSW.

²⁴⁷ Dorothy Wordsworth and Pamela Woof, *The Grasmere Journals*. Oxford : Clarendon Press, 1991, p. 182.

²⁴⁸ Farquhar to Rossi, 20 May 1823. ML: A 723. ff. 50–51.

Chapter 5

Appointment as Superintendent of Police NSW, London 1824

Rossi did not have to wait long in London for, in early August 1824, Robert Wilmot-Horton, the Under-Secretary of State for War and the Colonies, offered him the post of Superintendent of Police in NSW, with a salary of £500 a year and a residence attached.¹ This “Mark of favor,” Wilmot-Horton wrote, had been conferred on Rossi by the Secretary of State, Earl Bathurst, in recognition of Rossi’s services in Mauritius, and because of Farquhar’s testimony to Rossi’s zeal in carrying out his several duties there. There is no suggestion in Wilmot-Horton’s letter that the post was offered to Rossi in consideration of any other services, including those of a personal nature performed for the King. This confirms the finding in Chapter 1 that Rossi was innocent of any such charge.

Rossi had planned to spend a month at the fashionable spa resort of Cheltenham, and leave was granted him, with the proviso that he return to London as soon as possible to finalise arrangements for the family’s travel to NSW.

Patronage was at this time the usual means of obtaining an official appointment, but, notwithstanding its drawbacks and abuses, it is difficult to see, in the age before official examinations, how candidates could be recruited without some system of personal recommendation. By the 1820s though, an effort was being made in the Colonial Office to select individuals on merit, particularly for judicial appointments.² It was impossible to obtain a colonial appointment without some kind of patronage, and Rossi was fortunate that Farquhar was in London and able to intervene on his behalf.

Farquhar was at this time living at 13 Bruton Street in London, following his return from Mauritius. He and Wilmot-Horton were well acquainted through their mutual friend, John Macarthur junior, and the trio was involved in the founding

¹ Wilmot-Horton to Rossi, 18 August 1824. ML: A 723. ff. 54–55.

² Hazel King, “Pulling Strings at the Colonial Office”, *JRAHS*. 61/3 (September 1975), pp. 145–47.

of the Australian Agricultural Company in April 1824, and afterwards.³ The exact terms of Farquhar's recommendation to Wilmot-Horton have not survived, if indeed they were committed to paper, but the esteem in which Farquhar held Rossi's services is evident from Farquhar's letter of 20 May 1823 to Rossi, quoted in the preceding chapter.

Farquhar's successor in Mauritius, Sir Galbraith Lowry Cole, had also written to the Colonial Office on Rossi's behalf. Cole felt obliged to explain that, although he had removed Rossi as head of the Convict Department, this was not due to any lack of confidence in Rossi, but rather because of the need to reorganise the Department. He reassured Wilmot-Horton that, "from my subsequent acquaintance with that Gentleman and from the character he bears in the Colony, I should have been happy to have availed myself of his services, had a suitable occasion presented itself".⁴

Another factor in Rossi's favour, as Wilmot-Horton later explained, was Rossi's "presumed readiness" to embark for NSW at a moment's notice, which placed him in front of the "many other candidates" for the position. A new Police Superintendent was needed urgently, in view of "the complaints that appear in the Newspapers respecting the Police Dept".⁵

It was therefore the reports of Rossi's high moral character, reliability and success in commanding the Indian convicts in Mauritius which secured him the post. Bathurst and Wilmot-Horton were recruiting such men for NSW, for they wanted to reduce Government expenditure and bring greater efficiency to the administration of the colony. They also wanted to restore the fearsome reputation which the colony once held for criminals, and Bathurst had set up an official inquiry into the affairs of NSW to investigate these matters, following considerable dissatisfaction at the liberal policies pursued by Governor Lachlan Macquarie.

To conduct the inquiry, Bathurst appointed John Thomas Bigge, a British judge who had served with great success in Trinidad. Bigge was asked to examine

³ Penelope Anne Pemberton, *The London connection: the formation and early years of the Australian Agricultural Company*. PhD Thesis ANU. 1991, pp. 46; 157.

⁴ Cole to Wilmot-Horton, 19 February 1824. TNA: CO 167/72.

⁵ Notation by Earl Bathurst, [August 1824]. TNA: CO 201/157. f. 51.

and report on the administration of the settlements in NSW, and to determine whether they remained “fit receptacles for convicts”.⁶ Another important issue to be examined was whether any of the more severe provisions of the Police Regulations might be done away with, as these were “irksome” to the colony’s free settlers. Bathurst was also keen to learn whether there was any possibility of reconciling the differences which had emerged between the “Emancipists”, convicts whose terms had expired, and “Exclusives”, free settlers who held any associations with convicts “to be a degradation”. Bathurst admitted, however, that he was not hopeful this could be achieved.

Bigge had travelled to NSW in 1819 and, on his return, submitted three reports in 1822 and 1823. His reports were extensive, and in the areas in which Rossi would work—the administration of the police and the system of magistrates’ courts—he found much fault.

Bigge had interviewed the then Superintendent of Police and First Police Magistrate, D’Arcy Wentworth, who had set up Sydney’s police system for Macquarie in 1811, and occupied the position of Superintendent and Police Magistrate until his retirement in 1819. When his successor, William Minchin, died shortly after taking up office, Macquarie had asked Wentworth to resume the two posts. Wentworth had also been Principal Surgeon of the colony from 1811 until 1818. Bigge did not share Macquarie’s approbation of Wentworth, and in a private report to Bathurst,⁷ he accused Wentworth of failing to impartially administer justice, for he had been openly involved in the sale of spirits and was reluctant to convict unlicensed spirit vendors. He had, in fact, even encouraged them to act with impunity. Equally damning, in London’s eyes, was Bigge’s condemning of Wentworth’s dubious social position, notably his voluntary and timely emigration to the colony after three times being found acquitted of charges of highway robbery in 1788 and 1789. Bigge also condemned the succession of concubines, mistresses and illegitimate children which Wentworth had indulged in. Notwithstanding this catalogue of faults,

⁶ Earl Bathurst to Bigge, 6 January 1819. John Thomas Bigge, *Report of the Commissioner of Inquiry into the State of the Colony of New South Wales*. Adelaide : Libraries Board of South Australia, 1966. Australiana Facsimile Editions No. 68, p. 1.

⁷ Bigge to Bathurst, 7 February 1823. TNA: CO 201/142. ff. 336–41. Quoted in John Ritchie, *The Evidence to the Bigge Reports: New South Wales under Governor Macquarie*. Melbourne : Heinemann, 1971. 2 Vols. Vol. 2, pp. 183–85.

Bigge admitted that Wentworth was “much trusted by Individuals of all Classes” in the colony, although he “was informed, and also perceived, that there prevailed much the same sort of feeling in Society [i.e. the free settlers] towards him as towards persons who had been convicts”.

Bigge therefore recommended that a more reliable and respectable person be appointed to the positions of Superintendent of Police and Police Magistrate. In January 1823, he advised Wilmot-Horton that the Superintendent of Police should be “well acquainted” with English Criminal laws, and that one of the “Clerks” of the London Police of respectable character would be best qualified for the position. He repeated this recommendation in his Final Report, again stressing that “a competent person from England” should undertake the duties of the office, and that this person should have experience of police duties in London.⁸ The appointment of such a qualified person, he added, would mean that the position of Assistant Superintendent of Police could be done away with.

Wentworth was the colony’s First Stipendiary Magistrate, the other magistrates being unpaid and appointed from among respectable free settlers. In taking this initiative, Macquarie followed the precedent set in England by the *Middlesex and Surrey Justices Act* of 1792. This act allowed for salaried magistrates to administer justice and to be in charge of constables with powers of arrest. It was intended to do away with the situation whereby the lack of landed gentry in London had led to the appointment of merchants who exploited their position financially, and were known as “Trading Justices”. The Act was not a success, for only one new magistrate had been appointed by 1813, its intentions having been thwarted by country and borough justices who feared the loss of their privileges and any increased central control from London. There was also a fear it might lead to a secret police system along the lines of that set up in France by Joseph Fouché, Napoleon’s Minister of Police. Similar fears were expressed in NSW, but were outweighed by the recognition that a strong hand was needed in a penal colony, whose criminal inhabitants required constant supervision.⁹

⁸ John Thomas Bigge, *Report of the Commissioner of Inquiry, on the judicial establishments of New South Wales, and Van Diemen’s Land*. [1st published London, 1823]. Adelaide : Libraries Board of South Australia, 1966, pp. 82–83.

⁹ Hilary Golder, *High and Responsible Office: A History of the NSW Magistracy*. Sydney : Sydney University Press, 1991, p. 39.

The appointment of a man like Rossi was therefore official recognition by the Government of the importance of the Superintendent of Police's position, and the need for its occupant to be competent, impartial and of high moral standing. For Rossi, the position, with its dual police and magisterial roles, was a great challenge, as he had no legal training or police experience. These drawbacks were, however, clearly outweighed by his military background and his success in commanding the Indian convicts in Mauritius, and in performing other high-level official duties there. The restoration of proper control and effective punishment of the convicts was more important for the authorities than the impartial dispensation of justice. As Bathurst expressed it, the Government wanted the convicts to face "strict discipline, unremitting labour, the severe, but wholesome privations [...] their sad estrangement from the sweets and comforts of a life which their guilt has forfeited". It was "ill-considered compassion for the convicts" which had weakened the "effectual example" that transportation formerly held out for the community, and he had informed Bigge that the Government would be receptive to measures that even increased, and not just restored, the colony's reputation as a place of punishment.¹⁰

Rossi was but one of a number of officials handpicked by London to tighten up the administration of the colony. The new Governor chosen to put the new regime into effect was General (later Sir) Ralph Darling, under whom Rossi had served in Mauritius, and the new Colonial Secretary was Alexander Macleay, the former occupants of both these respective posts having both been recalled as they were unable to work together. Other new appointments were made by London, and not by the Governor, as had been the practice in the past. William Balcombe was appointed to a new position of Colonial Treasurer in 1823, and in the same year, Frederick Hely was made Superintended of Convicts, replacing William Hutchinson, a former convict. 1823 also saw the appointment as Auditor General of William Lithgow, who had also served in Mauritius as Assistant Commissariat General. Darling was, however, permitted to appoint his former military secretary in Mauritius and his brother-in-law, Henry Dumaresq, as his private secretary.

¹⁰ Bigge, *Report of the Commissioner of Inquiry into the State of the Colony of New South Wales*, p. 5.

Rossi's appointment therefore came at a critical juncture in the colony's development, when its transformation from a penal settlement to a colony was just beginning. It was Rossi's misfortune that his efforts to enforce discipline and order would come up against the progressive elements in the colony who were pressing for greater freedom for and recognition of the rights of both convicts and ex-convicts. Rossi was by no means the worst of the reactionary and harsh disciplinarians among the colony's governing elite, but Sydney was a raw and violent place where convicts were in the majority, and the process by which the penal settlement would become a self-respecting colony would take many years and much internal debate and strife.

In recognition of Bigge's recommendation that a legal person be appointed as Police Superintendent, Bathurst compensated for Rossi's lack of policing experience by appointing not one, but two, Assistant Superintendents of Police. He informed Governor Brisbane in July 1824 that he had appointed "two respectable young men", both chosen from the London Police "with reference as much to their Personal Characters as to their Knowledge and experience in their Business".¹¹ They were George Cornick [sic] and Thomas Armaden [sic], in reality George Cormick and Thomas Amsden.

Bathurst's misnaming of the two men may betray some haste in their selection, for both men were to fall far short of what the colony required. By December 1827, Cormick had "been in Jail for some time", and Amsden had avoided arrest only because his creditors believed it would have prevented him from repaying his debts.¹² Cormick committed suicide in September 1828, a catastrophe which *The Australian* ascribed to having been "superinduced [by] pecuniary embarrassments".¹³ It was indeed ironic that it would be Rossi, rather than these two career police officers, who would uphold the standards of honesty and probity in the colony's fledgling Police Force.

If Rossi had misgivings about his suitability for the post, he did not display any, for he replied with alacrity to Wilmot-Horton's letter—in fact, on the very same day that he received it. Rossi assured Wilmot-Horton that he was greatly

¹¹ Bathurst to Brisbane, 23 July 1824. *Historical Records of Australia (HRA)* I/XI, pp. 322–23; Bathurst to Brisbane, 2 January 1825. *HRA* I/XI, pp. 457–58.

¹² Darling to Under Secretary Hay, 21 December 1827. *HRA* I/XIII, p. 660.

¹³ *The Australian*, 26 September 1828, p. 3.

flattered by His Lordship's praise of his services, and was "deeply grateful" for the offer of the position.¹⁴ He did acknowledge that he was, "in many respects", ignorant of the duties of the position, but was willing to receive instructions and to consult with whomever the Colonial Office required. However, Rossi was well skilled in the bureaucratic arts, and, while effusively expressing his gratitude, did not hesitate to point out that he was cognisant, after 20 years in the colonies, that a salary of £500 per annum would be insufficient in a place like Sydney. Fearful of his family's plight should he die prematurely, he asked to also receive his army half-pay, some £125 per year. Should this request be granted, Rossi assured Wilmot-Horton, he would "very cheerfully bid adieu for ever to Europe and undertake at my time of life a Voyage which in my present circumstances, I confess, I do not view without many serious apprehensions".

This request was duly granted, but not so Rossi's request for three month's leave of absence—a month's stay at Cheltenham for his health, a short visit to France necessary for family reasons, and "a few days" preparation for the voyage, after which, Rossi said, he would ready to embark by 25 November. He was peremptorily summoned to the Colonial Office in Downing Street, where he was told that "under the circumstances of NSW, and with the complaints that appear in the Newspapers respecting the Police Department", three months leave of absence was out of the question. To emphasise the point, Wilmot-Horton told Rossi that one of the reasons for his preferment ahead of other candidates was that the Government expected he would be ready to leave at a moment's notice. (In fact, he did not leave England until January 1825).

Rossi's correspondence with the Colonial Office during this period shows that he was not absent from London for any protracted period of time. Letters from his London accommodation in fashionable Belgravia, at 38 Chapel Street, Grosvenor Place, were written at intervals of a week to a fortnight. There is a break in the correspondence of a month, from 18 August to 18 September, and he probably took his family to Cheltenham, or even made a quick visit to Paris, during this period.

Cheltenham, some 150 kilometres from London, lies at the edge of the Cotswold Hills, midway between Bristol and Birmingham. The difficulties of

¹⁴ Rossi to Wilmot-Horton, 18 August 1824. TNA: CO 201/157. ff. 52–53.

transport, the state of the roads and the shortage and expenses of lodgings there made it difficult to reach from London,¹⁵ but it had become a very desirable destination after King George III had stayed there in 1788. It quickly became popular with foreign dignitaries, members of the royal family and famous figures such as Lord Byron, and the young Wellington, who went there to recover from the rigours of army service in India.¹⁶ Rossi did have connections there—Dr Thomas Christie had practised medicine there after leaving Ceylon in 1810,¹⁷ and it was also the place where Darling's wife, Eliza, had grown up.¹⁸ Even if Rossi did not spend several weeks there with his family—taking the waters, attending the theatre and the town's frequent balls—his desire to go there shows that he did regard himself as part of the English establishment.

Had he made a trip to Paris, he may well have called on those of his mother's family still living there. He was unlikely to have travelled further afield to Brest, where his brother, Don-Grâce, by now a Captain in the French Navy, was based, given the distances involved and the possibility that Don-Grâce may have been at sea.

While in London, Rossi was busy preparing for his new position and the long voyage. The latter entailed considerable outlays which he had not foreseen and which he found difficult to meet, as he had been without an income since October 1823. He wrote again on 18 September to Wilmot-Horton, praying that Earl Bathurst seek the Commander in Chief of the Army's permission for Rossi to resign his commission so as to obtain the full price of his commission as Captain. It was, Rossi believed, "a favor which [...] His Royal Highness's paternal solicitude for the welfare of Old Officers [had] graciously granted to those who have had the honor to serve their King during a period of 27 years".¹⁹ The Commander-in-Chief was none other than Prince Frederick, the Duke of

¹⁵ Simona Pakenham, *Cheltenham: a biography*. London : Macmillan, 1971, p. 82.

¹⁶ Gwen Hart, *History of Cheltenham*. Leicester : Leicester University Press, 1965, pp. 161–62.

¹⁷ Norman Moore, 'Christie, Thomas (1772/3–1829)', rev. Elizabeth Baigent, *Oxford Dictionary of National Biography*, Oxford University Press, 2004. <http://www.oxforddnb.com/view/article/5366>. Accessed 1 Sept 2015.

¹⁸ Brian H. Fletcher, *Ralph Darling: A Governor Maligned*. Melbourne : Oxford University Press, 1984, p. 24.

¹⁹ Rossi to Wilmot-Horton, 18 September 1824. TNA: CO 201/157. ff. 60–61.

York, who had awarded Rossi his lieutenant's commission in Flanders in October 1799. It would be pleasing to record that the Duke remembered the keen young officer and obliged him, but Rossi's request was turned down. Bathurst, however, was more sympathetic, and, in lieu of obtaining the proceeds from selling his commission, he increased Rossi's salary from £500 to £600 a year.²⁰ Unfortunately, even this amount was to prove inadequate in Sydney.

Rossi now learned that the newly appointed Archdeacon of NSW, Thomas Hobbes Scott, intended to embark on the *Hercules*, and he was very keen to seize this god-sent opportunity to learn whatever he could about the colony and his new position, for Scott had been Secretary to the Bigge Inquiry. Scott, moreover, spoke French,²¹ and if Rossi himself was able to converse well enough in English, his wife, Lise, probably could not. She was, moreover, pregnant, and the presence of the churchman on board may have provided some comfort for her as well.

Rossi asked Bathurst for the cost of the passage and accommodation on the ship for himself, his wife and son, and two female servants—£165, without which, he confessed, he would be forced to take out a loan.²² Interestingly, Rossi concluded this letter of 15 October by referring to himself to “Frank Rossi”, a further sign that he was now identifying himself as British. Rossi also sought payment of the cost of transporting to Sydney the “four to five tons” of his family's possessions. It was a time-consuming and frustrating process to seek Bathurst's indulgence for each expense, but there were no established procedures for equipping officials to travel overseas on duty. Nor was it a formality, for this request brought the unwelcome response that Rossi's salary would commence only when he took up duty in Sydney, and that he could take only his “ordinary baggage” on the ship. Rossi was therefore obliged to take four months' advance of his salary, from 1 December 1824 to 31 March 1825,²³ not a promising start, but there was no other prospect in sight.

²⁰ Rossi to Wilmot-Horton, 30 September 1824. TNA: CO 201/157. ff. 62–64.

²¹ *ibid.*

²² Rossi to Wilmot-Horton, 7 October 1824 and 15 October 1824. TNA: CO 201/157. ff. 65 and 71–72.

²³ Rossi to Wilmot-Horton, 1 November 1824. TNA: CO 201/157. ff. 80–84.

Rossi's final request to the Colonial Office was for the Agent for the New South Wales Colonial Government to purchase for him the legal books "recommended by a professional Gentleman" for use by Magistrates and "much required" in a Police Office.²⁴ It was Rossi's intention to study these before and during the voyage, and to consult them when he came to sit on the Bench in Sydney. A daunting task, which Rossi's later critics in NSW claimed he never mastered. Foremost on his list was Sir William Blackstone's *Commentaries on the Laws of England*, published in four volumes from 1765 to 1769. "Blackstone" was an immensely popular and readable exposition of English law, the Commentaries being "remarkable for their admirably clear and pleasant style".²⁵ A copy went out with the First Fleet in 1788, and such was Sir William's fame that he is commemorated in a stained glass window in the University of Sydney's Great Hall, alongside Captain Cook.²⁶

Also on Rossi's list were:

- Richard Burn's *Justice of the peace and parish officer* (1824);
- "Campbell on Crime"; the work is unknown, but probably a treatise by Baron John Campbell, Lord Chief Justice of England in 1850;
- Sir William Oldnall's two volume *Treatise on Crimes and Misdemeanours* (1819);
- John Frederick Archbold's *Summary of the law relative to pleading and evidence in criminal cases* (1824);
- Sir William David Evans's eight volume *Collection of the Statutes Connected with the General Administration of the Law...* (1817);
- S. M. Phillips's two volume *Treatise on the Law of Evidence...* (1817);
- Michael Nolan's *Treatise of the Laws for the relief and settlement of the Poor* (1808);

²⁴ Rossi to Wilmot-Horton, 9 October 1824. TNA: CO 201/157. ff. 89–91.

²⁵ William John Victor Windeyer, *Lectures on Legal History*. 2nd edn. (revised). Sydney : Law Book Company, 1957, pp. 243; 245; Gregory D. Woods, *A history of criminal law in New South Wales: the colonial period, 1788–1900*. Institute of Criminology Monograph Series No. 17. Annandale : Federation Press, 2002, p. 99.

²⁶ Wilfrid Prest, "Antipodean Blackstone", in Wilfrid Prest (ed.), *Re-interpreting Blackstone's Commentaries: A Seminal Text in National and International Contexts*. Hart : Oxford and Portland, Oregon, 2014, p. 147.

- James Stamford Caldwell's *Digest of the Laws relating to the Poor* (1821);
- Tynhill & Tyndall's two volume *Digest of the public general statutes, from Magna Carta, A.D. 1224–5, to 1 and 2 Geo. 4. A.D. 1821* (1822);
- William Toone's *Magistrate's Manual; or a Summary of the duties and powers of a Justice of the Peace...* (1817); and
- Henry James Pye's *Summary of the duties of a Justice of the Peace out of Sessions, etc.* (1808).

Later references to Rossi consulting some of these works means his request was successful, and no doubt he set about preparing himself for the considerable challenges he was going to face in dispensing criminal justice in his own courtroom. When he was not studying his law books, or attending to his young family, Rossi would have been able to visit the Bow Street Runners (on whom Macquarie had modelled Sydney's police system) as well as read Bigge's three reports. Apart from the two already mentioned, the third was *The State of Agriculture and Trade in the Colony of New South Wales*, published in March 1823.

Rossi would no doubt have consulted Bigge himself, had not Bigge already left to undertake another Inquiry, this time into the affairs of the Cape Colony, Mauritius and Ceylon. Bigge's three reports, however, were comprehensive, as they were the first review of the colony since its foundation in 1788. They also supported Bathurst's belief that Macquarie's liberal policies had undermined the colony's original purpose to such an extent that, where criminals had once begged for the death penalty rather than be transported, they now asked to be transported, even for minor offences.²⁷

In the Reports, Bigge set out his solution to this problem—to reassign convicts sentenced for serious crimes and capital offences from settlers in the settled districts to areas being newly opened up for settlement, where “their conditions were harder, their labour more severe, and the food restricted”.²⁸ This would also ensure they were separated from the less hardened convicts. Once

²⁷ Bathurst to Bigge, 6 January 1819. Bigge, op. cit., pp. 3–5.

²⁸ *ibid.*, p. 175.

relocated, it would be up to the authorities to administer the correct degree of severity and rigour that would restore the colony's fearful reputation. After serving their full sentences, convicts should not be given indulgences, Bigge recommended, for these were "quite inconsistent with a state of punishment or reform".²⁹ Rather, they should first be assigned to settlers, and then, after a defined period, given a Ticket of Leave and granted land under strict conditions.

Bigge's recommendations for the Police were formulated after he had interviewed Wentworth over three days in November 1819.³⁰ Wentworth explained that, as Police Magistrate, he sat in the Police Office every day from 10 am, hearing "all misdemeanours of every kind and breaches of the Peace". He could only sit in judgement over convicts, his authority over free settlers and emancipated convicts being confined to binding them over or committing them to trial in a higher court. The regular Bench of Magistrates sat every Saturday to hear such cases.

As regards the administration of the Police, Sydney had been divided into six districts, each with a watch house, and a District Constable, to whom six ordinary constables reported. Constables were required to reside in their district, or close to it, and were responsible for the "tranquillity" of their district. They performed the duty of watchmen, carrying rattles to raise the alarm, and calling out the hours. Each morning the six district constables reported to the Assistant Superintendent of Police about all the incidents of the previous night. The Assistant Superintendent then reported to Wentworth, and any prisoners were brought up before Wentworth for examination. This was the system introduced by Macquarie in 1811, based on the Bow Street Patrols established under the control of the Bow Street Magistrates in London in 1782.³¹

The constables were generally selected from among the free settlers and emancipated convicts, although some retired soldiers had also been recruited. Complaints against constables had of late been few, but Wentworth always

²⁹ *ibid.*

³⁰ Ritchie, *op. cit.*, Vol. 1, pp. 40–62.

³¹ Alice Hazel King, "Police Organization and Administration in the Middle District of New South Wales, 1825–1851". MA Thesis, University of Sydney, 1956, pp. 12; 169.

investigated them and dismissed any constables against whom offences were proved.

Theft, and “robberies of cloaths and small articles”, were the most common offences, the incidence of housebreaking being uncommon, and since the convicts were confined at night time in the Hyde Park Barracks in Macquarie Street, the amount of crime had “diminished very considerably”. Wentworth disagreed with the indulgence given to the convicts of being allowed out on Saturday nights, as their “pernicious effects were very visible”. He explained further: “on a Saturday night and till Monday morning, the watch houses are frequently full of prisoners who are brought up on the Monday morning before me”. He also agreed with Bigge that prisoners should not be permitted to buy spirits, and should be made to wear a special mark or badge to facilitate this.

Of the punishments he, as a Justice of the Peace, could hand down, Wentworth said, the most feared was to be sent to the Coal River (Newcastle), and after that, solitary confinement with bread and water. Flogging was the least feared, and he claimed prisoners would rather submit to 50 lashes than be given solitary confinement.

Bigge was shocked to learn that, due to the failure to keep records of the inhabitants and the convicts, Wentworth was unable to tell how many prisoners were in Sydney at any one time. This state of affairs had developed because Macquarie’s instructions to the Chief Constable to register the dwelling places of all convicts and record their movements had never been carried out. John Redman, the Chief Constable, was illiterate and unable to perform the task, so Wentworth had his clerk take a census instead. The constables never collected the information for the Census, and Wentworth relied instead on the Superintendent of Convicts to keep track of the convicts.³² The police also failed to enforce the 9 pm curfew for convicts, which allowed much crime to be perpetrated.

Bigge’s conclusion therefore was that the police were not as “efficient and active as the colony required”. He criticised Chief Constable John Redman, an emancipated convict, as being too old and illiterate, although respectable in

³² Bigge, *Report [...] on the judicial establishments*, p. 63.

character. The efficiency of the ordinary constables was affected by their often being diverted from police work to deliver letters and orders, and the meagre allowances paid precluded obtaining men of good character. Recruiting them from Ticket of Leave men, and even convicts, resulted in frequent dismissals for drunkenness, negligence and shirking of duty, though Bigge did signal one positive note—that dismissals for “positive connivance in crime” were rare.³³

Bigge expanded on these findings in his second Report.³⁴ He found that more constables were needed, for the 45 constables on street patrol in 1810 had risen to only 50 by 1820, while convict numbers in the colony had swelled by an additional 15,000 who arrived over the same period.³⁵ Police morale was badly affected by the tardy issuing of their clothing allowances since 1811. Bigge recommended these be issued immediately, and should include a great coat and four pairs of shoes each year. Constables were also entitled to a daily issue of one and half rations each, together with a ration with their families, and were bartering away their unused rations. Bigge therefore recommended reducing the rations to 7 lbs of meat and 7 lbs of flour per week, and substituting the one-half with an allowance of tea and sugar, or their equivalent in cash. The rations to families should be discontinued and an annual allowance of £10 provided in compensation. Bigge also recommended continuing the system by which constables received a reward of £5 for the capture of burglars and highway robbers, as this encouraged the constables to greater efforts, and aided in the capture of bushrangers.

The Police Magistrates were responsible for issuing spirit licences and for punishing those who sold spirits without a licence. The latter was such a problem that Macquarie had been obliged in 1810 to punish people selling beer or spirits or possessing a still with a £20 fine and five years' hard labour. This failed to stop the problem, and Macquarie was forced to increase the number of spirits sellers, both to put the unlicensed sellers out of business and to maintain revenue from the licences. From an initial 31 spirit licences in 1810,

³³ Bigge, *Report of the Commissioner of Inquiry into the State of the Colony of New South Wales*, p. 106.

³⁴ Bigge, *Report [...] on the judicial establishments*, pp. 60–83.

³⁵ N.G. Butlin, J. Ginswick and Pamela Strathan, “The Economy before 1850”, Wray Vamplew (ed.), *Australians: Historical Statistics*. Sydney : Fairfax, Syme and Weldon Associates, 1987, p. 105.

the number had soared to 110 in 1814, and 94 in 1818, but had been reduced to 46 in 1820. As noted above, there was a lack of resolve on the part of the Magistrates in prosecuting unlicensed sellers of spirits.

Bigge singled out for particular criticism the lack of policing in The Rocks, an area he said was “chiefly inhabited by the most profligate and depraved part of the population”.³⁶ This lack of activity by the police began with the Superintendent and extended down to the petty constables, who, he observed, would only do their duty if forced to, or if constantly supervised. Laxity on the part of the Police was also responsible for the high incidence of smuggling.

Drunkenness was an acute problem—and the cause of many deaths. Bigge himself witnessed the “the state in which the settlers or their servants [...] on return from the markets, and the injuries and accidents consequent thereto”.³⁷ He recommended the Government control the immoderate use of spirits and enforce the orders for the strict observance of the Lord’s Day. The latter regulations were frequently violated, and indeed “in some degree encouraged by the example of certain individuals of the higher classes, whose carts and horses were frequently observed to be travelling on the high roads on Sundays”.³⁸

Bigge also recommended the number of magistrates in country districts be increased, and be given the power to extend the sentences of convicts who committed offences in the colony, although the concurrence of three magistrates should be required to do this. No less than three magistrates should also be required to validate any sentence of flogging of more than fifty lashes, or transportation to new settlements for periods longer than a year. The magistrates should also make quarterly returns of punishments, fines and penalties imposed, and make an abstract so that the “moral condition” of each district’s inhabitants might be ascertained. The reassignment of convicts from government employment in Sydney to private settlers in the country would reduce the Superintendent of Police’s workload in Sydney, which was another reason the position of Assistant Superintendent could be done away with.

³⁶ *ibid.*, p. 70.

³⁷ *ibid.*, p. 71.

³⁸ *ibid.*, p. 72.

As regards relaxation of the more severe provisions of the Police Regulations which were irksome to the free inhabitants, Bigge found that the state of the colony was such that it would be inexpedient to relax any of the regulations which “interfered with the rights of property or personal liberty”.³⁹ It would prove a difficult task to reconcile the traditional rights of Englishmen to move about freely and enjoy their liberty with the need to control a society largely composed of criminals and ex-criminals. Rossi would later be criticised for this, and it is worth bearing in mind the Government’s priorities in this area.

Having prepared himself as best he could for his new life in NSW, Rossi, together with his pregnant wife, son and two female servants boarded the *Hercules* in London on 26 November. The beginning of the voyage was inauspicious, for after taking on 134 convicts from the hulks at Portsmouth on 9 December, the *Hercules* was still there on 18 December, held up by contrary winds. It was not until 9 January that the ship, along with two other convict transports, the *Royal Charlotte* and the *Asia*, finally set sail.⁴⁰

The travellers, particularly the convicts on board, were fortunate, for the ship had a quick passage and favourable weather, according to the ship’s surgeon, Michael Goodsir, a Royal Naval officer.⁴¹ The voyage took only 129 days, and Goodsir lost only one convict, a man who had come on board at Portsmouth in very poor health.⁴² The free passengers on board were, of course, outnumbered by the convicts, for apart from Archdeacon Scott and the Rossis, there was Lieutenant Stewart with a detachment from the 41st and 48th Regiments guarding the prisoners, Mrs Stewart and her four servants, and John Ralfe or Ralph, a Surveyor.⁴³

If, notwithstanding the “quick” passage, time weighed heavily on the passengers’ hands, it was not so for Rossi and his wife. Six days and some 800 km west of Cape Town, Lise gave birth to their second son, Alexander Philip,

³⁹ Bigge, op. cit., p. 89.

⁴⁰ Jen Willetts, “Free Settler or Felon? Convict Ship *Hercules* 1825”. http://www.jenwilletts.com/convict_ship_hercules_1825.htm. Accessed 25 Aug 2015.

⁴¹ Michael Goodsir, *Diary of the convict ship Hercules, which sailed from England to New South Wales, from 26 November 1824 to 10 May 1825*. TNA: ADM 101/34/1. f. 21.

⁴² *ibid.*

⁴³ TSG, 12 May 1825, p. 2.

at 2 am on 11 March 1825, and the boy was baptised on board by Archdeacon Scott.⁴⁴

The *Hercules* arrived at Cape Town by 17 March, a welcome respite no doubt from the voyage. The passengers were greatly alarmed, however, when a gunshot was heard on the following evening, causing the Guard and the sailors to turn out with their weapons, fearing the convicts were attempting to escape. In fact, the sentry, 20 year-old Private Green, had accidentally shot himself in the wrist. He was taken on shore to hospital where the doctors had some hope of saving his hand, although his soldiering days were over, according to Goodsir.⁴⁵

Rossi used his time on the voyage to find out from Scott all he could about the colony. He would have seen no profit in conversing with the *Hercules*'s convicts, given his views on the classes in society, which will be discussed later. The Archdeacon may have preached to the convicts during services held on open deck, but it is doubtful he would have attempted to proselytise among them. This was more a task for missionaries, as occurred when the *Hillsborough* lay off Portsmouth in 1798 when four missionaries from the London Missionary Society preached to the convicts and distributed religious books to them and to the ship's crew.⁴⁶ Scott may have had "good sense, mild address and plain prepossessing manner", but had abandoned his earlier liberal principles, which he did not believe were suitable for the "greater Newgate" of NSW. He came to be regarded as a Tory,⁴⁷ and his views would not have differed greatly from Rossi's own conservative views. There is no evidence, however, of any ongoing friendship between the two when they reached Sydney.

Rossi's new position would place great demands on him, for this new stage in his career would place him and his young family in a society that was far different to, and far less friendly than, the French society of Mauritius. He would

⁴⁴ ML: A 723. f. 14.

⁴⁵ Goodsir, op. cit., f. 19.

⁴⁶ William Noah, *Voyage to Sydney in the ship Hillsborough: 1798–1799 and a description of the colony*. North Sydney : Library of Australian History, 1978, p. 19.

⁴⁷ John Douglas Ritchie, *Punishment and profit: the reports of Commissioner John Bigge on the colonies of New South Wales and Van Diemen's Land, 1822–1823: their origins and significance*. Melbourne : Heinemann, 1970, p. 59.

be without Farquhar's support and friendship, having to perform the unfamiliar role of administering justice to, and supervising the police force of, a convict colony on the other side of the world. In many ways, however, his *habitus* was well suited to this new field of endeavour, for he would be required to act dispassionately and authoritatively in a society that would not necessarily welcome him, qualities for which his military experience would place him in good stead.

Chapter 6

Career in Sydney, 1825–1829

When Rossi arrived in Sydney in 1825, the colony's European population was just 35,011, of whom 18,778 were free settlers and 16,233 were convicts. The free settlers included convicts whose sentences had expired, and to the difficulties of policing a community with such a high proportion of convicts were added the tensions caused by the imbalance of the sexes. There were 13 male convicts for every female convict (15,105 to 1,128), and the free females were outnumbered more than two to one by the free male population (4,920 and 9,134).¹

The town of Sydney extended just 2.4 km inland from Sydney Cove, and its houses were single storey, each with a flower garden facing to the street and a larger garden at the rear. So noted the French naval surgeon, Pierre Lesson, in January 1824, who described these English "cottages" as making the lives of their inhabitants "secure, sweet and agreeable".² He noted, too, a "host of useful monuments", all bearing the name Macquarie, "twenty times in the length of a single street". Boyes, an English visitor, was less impressed, for the sight of a number of handsome houses with broad verandahs was marred by the presence of many "rude" houses, of a "very mean character", which had been built by the first settlers.³

The Rossis' new residence in Pitt Street was one of the town's grander edifices, for it had been designed in 1821 by Francis Greenway at Macquarie's behest for the Superintendent of Police's use. "Commodious" and "delightful", it had three bays at the front and a semi-circular arched doorway that was later covered by a verandah. The interior boasted an elegant oval stairhall, with

¹ The male and female counts include adults only, the balance being children under 14. N.G. Butlin, J. Ginswick and Pamela Strathan, "The Economy before 1850", Wray Vamplew (ed.), *Australians: Historical Statistics*. Sydney : Fairfax, Syme and Weldon Associates, 1987, p. 104.

² Arthur Jose, "Sydney and District in 1824 as described by a French visitor". *JRAHS*. 10/4 (1924), pp. 217–18.

³ Extracts from *Letters by Deputy-Assistant Commissary-General Geo Thomas Wm Blaney Boyes from Sydney to His Wife in England*. Sydney 31 January 1824. Typescript. Mitchell Library Q991.1 B. P.13.

a geometric stair and niches, the whole being planned with “unusual finesse”.⁴ It adjoined the Police Office in George Street, which contained the Police Magistrates’ Court which Rossi would preside over. Together, the two buildings occupied the block between Pitt and George Streets that was later occupied by the General Post Office.

There was a brief interlude before Rossi’s appointment was officially announced by Governor Brisbane in the *Government and General Orders* of 11 May,⁵ some five days after his arrival. The time would have been spent settling the two boys into their new surroundings, unpacking the family’s possessions, although no doubt it was Lise who busied herself with these tasks. These were considerable and must have been within the “ordinary baggage” which Rossi was allowed to ship from London. A 1828 description of the family’s “elegant household furniture” included a large set of dining tables, sideboards, chairs, couches, toilet and other glasses [sic], silver-plate, rich cut-glass decanters, tumblers, goblets, Madeira, claret, and champagne glasses, and a “most superb table and desert [sic] service”.⁶

Rossi sat in on several sessions of the Police Magistrates Court before formally taking up office on Thursday 19 May in a ceremony at the Police Office. The ceremony was principally a gracious and touching farewell by the magistrates to the departing Chief Magistrate, D’Arcy Wentworth, for neither *The Sydney Gazette* (hereinafter *The Gazette*) nor *The Australian* reported any welcoming remarks for Rossi. Indeed, the latter remarked only that Rossi could do no better than tread in Wentworth’s “official steps as nearly as possible”, and, alluding to Rossi’s small stature, added that “[t]hough M. Rossi does not exactly fill the chair, he fills the Office, we are informed, tolerably well”.⁷ A guarded—if inauspicious—beginning.

⁴ James Broadbent and Joy Hughes, *Francis Greenway, Architect*. Glebe, Historic Houses Trust, 1997, pp. 95–6. The building was pulled down in the mid-1860s for the Post Office, which today houses a luxury hotel. See also Darling to Huskisson, 14 May 1828. *HRA* I/IXIV, p. 182.

⁵ *TSG*, 12 May 1825, p. 1.

⁶ Rossi of course may have purchased the family possessions in Sydney, but this is unlikely. *The Australian*, 16 April 1828, p. 2.

⁷ *The Australian*, 26 May 1825, p. 1–2; 26 May 1825, p. 3.

Rossi was keen to start work, for Earl Bathurst had instructed him to draw up new Police Regulations “embracing the several objects recommended in Mr Bigge’s Report”, as soon as he had settled in. Brisbane was then to submit the report to the colony’s Legislative Council for approval.⁸ The new regulations were to apply to all the towns in the Colony—Parramatta, Windsor and Liverpool, even though Rossi’s authority as Superintendent of Police was restricted to Sydney. Bathurst’s intention that Rossi take charge of all the police in NSW was never put into effect, for although Brisbane informed Bathurst on 14 May 1825 that the “general System of Police was under arrangement [*i.e.*, review]”,⁹ the advice of his recall had come with Rossi on the *Hercules* and he seems to have left the matter for his successor.¹⁰ Rossi later pressed for this extension of his authority to better co-ordinate the efforts of the Sydney and country police, but Darling took only limited action to implement it.

It was the correct decision, for Rossi’s dual role of Superintendent of Police and Police Magistrate proved to be onerous indeed. With no legal training, Rossi faced a great challenge in presiding over the Police Magistrates’ Bench and guiding its decisions, all in a totally new environment and in a language not his mother tongue. At the same time, he had to reorganise and manage the 70-man strong Police Force. It says much for his character and training—his *habitus*, in short—that he could adjust to these new roles and discharge them successfully. By contrast, we have seen in Chapter 1 the hysteresis demonstrated by the general populace in coming to terms with Rossi.

Of course, Rossi carried with him a sense of superiority over those he had been sent to command, which helped him discharge his responsibilities, although he was well supported in this by the military background and exclusive attitudes of most of the colony’s ruling elite, including successive Governors.

Rossi’s duties as Superintendent of Police, as laid down by Bathurst, were to receive a daily verbal report from the constables of “all material incidents” occurring the previous night and to keep his office open to receive complaints against all “disorderly and Riotous persons”. As Police Magistrate, he was

⁸ Bathurst to Brisbane, 2 January 1825. *HRA I/XI*, pp. 457–58. The seven-member Legislative Council was set up in 1823 to advise the Governor on legislative matters.

⁹ Brisbane to Bathurst, 14 May 1825. *HRA I/XI*, p. 575.

¹⁰ Alice Hazel King, “Police organisation and administration in the middle district of NSW 1825–1851”. MA Thesis, University of Sydney, 1956, pp. 187–88.

to carry out the duties of a Justice of Peace in hearing minor cases and dispensing justice.¹¹ Bathurst gave no specific instructions about restoring strict penal discipline in the colony, but this was clear from the Bigge Reports and the briefings Rossi received at the Colonial Office.

Although the offices of Superintendent of Police and Magistrate were closely linked, it will be convenient to discuss them separately.

Rossi's career as Superintendent of Police

In May 1825, Governor Brisbane, in rebutting claims in the English press that the colony's police was "in a miserable state", informed London that crimes in the colony were, in proportion to the population, six times greater than in England.¹² The Sydney press regularly carried stories of crimes committed in Sydney, but their accounts tended to be tinged by the particular stance of their editors. *The Gazette*, the Government newspaper, generally played down the seriousness of the crime rate, while *The Australian* and *The Monitor* were more critical. The latter were also biased against Rossi, having branded him at the outset as a foreigner unfamiliar with the English language and English law. *The Australian* sarcastically referred to Rossi as "Monsieur" or "Signor", and *The Monitor* also stated early on that "[w]e like Mr Rossi as a man, but we think no foreigner ought ever to have filled such a situation as Head of Police any where, but particularly in New South Wales".¹³

The *Australian* had been founded in October 1824 by William Charles Wentworth (1790–1872) and Dr Robert Wardell (1793–1834), two lawyers who were critical of Bigge and who used their newspaper to campaign for greater political rights, an elected assembly, freedom of the press, trial by jury, and the rights of emancipated convicts. Edward Smith Hall (1786–1860), who founded *The Monitor* in May 1826, also supported the Emancipist cause, but he was also a religious and social reformer, and his attacks often carried a strong moral tone.

¹¹ Bathurst to Darling, 14 July 1825. *HRA I/XI*, pp. 20–21.

¹² Brisbane to Bathurst, 23 May 1825. *HRA I/XI*, p. 612.

¹³ *TSM*, 30 June 1826, p. 5.

The Gazette, on the other hand, was always supportive of government policy and championed public officials, including Rossi, whom it invariably referred to as “our indefatigable Superintendent of Police”. In turn, Rossi and other senior officials used *The Gazette* to correct the public record and to defend their actions against the attacks of *The Australian* and *The Monitor*.

Rossi made a brisk start to his new career, for after his first Bench appearance, he visited the markets and fined those bakers selling underweight bread and publicans trading after 9 pm. He also inspected the constables, with a view to enforcing the British law which restricted the age of policemen to between 22 and 44.¹⁴ *The Gazette* was impressed by Rossi’s determination to reform the police, and by his “pretty decent” office hours—from 10 or 11 in the morning to almost 5 in the afternoon. *The Gazette* also commented that many of the constables “sighed” for the “olden time” when drunkenness, inefficiency and corruption were rife.¹⁵ Reform of the police would take time, for an official inquiry in September 1825 found that the police were incapable of mounting a night-watch, even *The Gazette* admitting that the total absence of constables late at night meant there was great difficulty “in securing depredators”.¹⁶ The inquiry recommended a regular night-watch and patrol to ensure the watchmen carried out their duties, a recommendation repeated in a further report in November 1825.¹⁷

In that same month of September, however, Rossi was able to secure from the Governor approval to increase wages for the Force, as well as a bonus for good conduct after five years and an issue of clothing every two years.¹⁸ The following months saw no complaints from the press about the level of crime, and in January 1826 *The Gazette* effusively praised Rossi and the “very excellent Police of Sydney” for their efficiency, explaining that the few crimes committed at night were only to be expected in a large town like Sydney. The paper continued:

¹⁴ *The Australian*, 2 June 1825, p. 2.

¹⁵ *TSG*, 26 May 1825, p. 3.

¹⁶ *TSG*, 8 September 1825, p. 3.

¹⁷ *TSG*, 14 November 1825, p. 2.

¹⁸ *TSG*, 1 September 1825, p. 3.

There is not a department under the Crown kept in better discipline, and more diligent in the exercise of arduous duty, than that [...] under the Superintendence of Captain Rossi, for the labours and attention of that Officer are absolutely unwearied in the zealous discharge of that responsibility which lies upon him.¹⁹

In February 1826, *The Australian* too confirmed the considerable decline in the number of crimes, but warned of the ongoing lack of constables, due principally to low wages, and the consequent feeling of insecurity among the inhabitants. The paper did not lack confidence in Rossi, and was confident that Rossi was aware of these problems.²⁰ *The Australian* also argued a stronger police force was needed to deal with the menace of bushrangers who were plundering travellers on the road to Parramatta with impunity.²¹

In June, *The Gazette* claimed that the Police Force was “never in better discipline”, and that it was “next to impossibility [sic] for a robbery to occur without detection sooner or later”.²² The paper’s sole regret was that more active young men did not join the police to protect their fellow citizens. And when *The Monitor* criticised the Police for a series of “frequent daring depredations” and declared “improvement is still necessary”, *The Gazette* sprang to the force’s defence, claiming the same remarks would apply to London, where, despite a most vigilant Police force, “dreadful outrages are occasionally committed”.²³

The constables were recruited from the ex-convict population, and besides being unreliable and corrupt, they were frequently drunk. Their behaviour caused *The Gazette* to temper its hyperbole the following month when it criticised them for being “badly defective”, with only a minority being “judicious and steady”.²⁴ Higher wages were not the solution, the paper opined, for the few trustworthy men “of rank” in the country would not join the police because they believed it to be degrading. *The Gazette* urged the Government to use the recently arrived Veteran Corps to carry out night patrols, as they were “one of

¹⁹ TSG, 23 January 1826, p. 2d.

²⁰ *The Australian*, 2 February 1826, p. 3.

²¹ *The Australian*, 9 February 1826, p. 3.

²² TSG, 7 June 1826, p. 2.

²³ TSG, 21 June 1826, p. 3.

²⁴ TSG, 19 July 1826, p. 2.

the most steady, sober, and experienced body of men that ever trod the shores of Australia". Robert Howe, the paper's editor, must have known that London was sending more Veterans Corps members to Sydney,²⁵ and although Governor Darling did attempt to make use of them, he found them to be "the most drunken, disorderly, worthless set of fellows that ever existed", and asked London not to send any more. He had posted them to the Mounted Police detachments at Bathurst and Hunter's River, where they ruined the morale of these units rendering them drunk and disorderly.²⁶ *The Australian*, too, complained about Rossi's orders to the constables to stop and interrogate "respectable people" late at night,²⁷ even though it was intended to stop thieves going about their business and to arrest convicts abroad without licence.

On balance, it would appear Rossi's efforts were showing results, and both Brisbane and Darling conveyed to London their praise of Rossi's efforts. Brisbane, in supporting a request by Rossi for an increase in salary, spoke of Rossi's "zeal, discretion and activity", which "have tended greatly to improve the Police under his direction".²⁸ Darling assured Hay on 4 February 1826, that Rossi was "extremely zealous in the discharge of his duty, and appears to conduct the Police in a manner satisfactory to the Public".²⁹

Inquiry into Rossi's alleged connivance in the slave trade in Mauritius

While Rossi was supervising the force and attending to his Bench duties, he was also drawing up his reforms of the Police. In March 1826, however, Governor Darling received a letter from Bathurst containing allegations that Rossi had been complicit in the importation of slaves into Mauritius. The accusation had been made by one of Rossi's former overseers, William Kendrick, who claimed that he had frequently seen groups of recently landed slaves. He cited one incident in August 1823 when he had come across a group of Frenchmen smuggling a party of 50 slaves into the island. "Knowing the ways of the Isle of France", Kendrick said, he had not reported it, for Rossi, his Chief

²⁵ See for example Hay to Darling, 8 August 1826. *HRA I/XII*, p. 480.

²⁶ Darling to Hay, 8 February 1827. *HRA I/XIII*, p. 87.

²⁷ *The Australian*, 21 June 1826, p. 2.

²⁸ Brisbane to Bathurst, 21 Nov 1825. *HRA I/XI*, p. 904.

²⁹ Darling to Under Secretary Hay, 4 February 1826. *HRA I/XII*, p. 159.

in the Convict Department, had “always told those under him not to mind such things, that they were not supposed to see them”.³⁰ Darling was instructed to investigate this grave allegation without delay,³¹ and since he had served on the island as Acting Governor, he too was asked for his knowledge of the alleged incident.

Darling had left Mauritius in June 1823 and knew nothing of the incident,³² but he lost no time in appointing the Acting Attorney General, William Moore, and three Magistrates, William Carter, John Piper and William Balcomb, to examine Rossi. By November, however, the Commission was sufficiently advanced in its inquiry for *The Monitor* to report that “Mr Rossi’s friends report it [the Inquiry] will terminate in his favour”.³³

Rossi offered to give his statement to the Commissioners under oath, but as Kendrick’s statement was not given under oath, they were satisfied with Rossi’s lengthy statement denying Kendrick’s claims. They accepted Rossi’s denial, for although Kendrick said he had seen newly imported slaves on many occasions, he gave details of only one such incident, at which Rossi was neither present nor aware of. Nor did Kendrick claim that Rossi was present at any other occurrence.

Darling forwarded the Commission’s findings to London, adding his personal knowledge of Kendrick as a “turbulent, dissipated fellow”, who was often the subject of complaint in Mauritius.³⁴ The Colonial Secretary, Viscount Goderich, subsequently informed Darling that His Majesty’s Government had “received with much satisfaction” the Commission’s findings and Rossi’s denial, and that the matter was now concluded.³⁵

The outcome of the inquiry was, surprisingly, reported with little fanfare by the liberal press, given their hostility towards Rossi. Slavery, perhaps, had little relevance to the colony, and in any event the newspapers were full of reports

³⁰ Bathurst to Darling, 6 March 1826. *HRA I/XII*, pp. 206–8.

³¹ *ibid.*

³² Darling to Bathurst, 8 October 1826. *HRA I/XII*, pp. 632–33.

³³ *TSM*, 24 November 1826, p. 4.

³⁴ Darling to Bathurst, 7 December 1826. *HRA I/XII*, pp. 731–34.

³⁵ Viscount Goderich to Darling, 21 June 1827. *HRA I/XII*, pp. 422–23.

of a sensational trial in which Rossi was accused of persuading a free woman, Mrs Reynolds, to withdraw her prosecution against a young female convict accused of theft.³⁶

For Rossi, of course, it was a very serious allegation, as the tone of Bathurst's letter had made clear. He knew, however, that Kendrick was not a credible witness, for he had been dismissed in April 1822 for repeated drunkenness and insubordination, and was perhaps now motivated by revenge. Having said that, it is entirely plausible that Rossi would so instruct his men, for Farquhar's policy as regards the slave trade was, at best, *laissez faire*, and at worst, active connivance.³⁷

The same allegation—that Rossi had told his overseers “You are not supposed to see such things”—had earlier been made by the Commissary of Police in Mauritius, Edward Byam. Byam had been dismissed by Farquhar in 1823 for inefficiency, and during his return to England, had learned that there was to be an Inquiry into the administration of Mauritius, similar to the earlier Inquiry into NSW.³⁸ Byam's information was, however, third-hand, from two of Rossi's overseers, Higginson and Monck. Monck had been dismissed, Byam alleged, because he had claimed Rossi had escaped through the window of a house before it was searched for illegally imported slaves. The official record, however, shows that Rossi had Monk transferred in June 1818 for neglect of duty and insubordination.³⁹ Byam also claimed that Rossi's father-in-law, Alexandre de Sornay, had conspired with the authorities to expel an employee named Cleradon from the island, after Cleradon had reported the arrival of two illegal slaves to the police. It was the Acting Attorney General, no less, who had

³⁶ The trial and its outcome will be discussed in Chapter 7.

³⁷ Barker and Scarr, for example, argue convincingly that Farquhar had a corrupt personal stake in the local slave regime, if not the trade itself. Anthony J Barker, *Slavery and Antislavery in Mauritius, 1810–33: The Conflict between Economic Expansion and Humanitarian Reform under British Rule*. New York : St. Martin's Press, 1996, pp. 25–30; Deryck Scarr, *Slaving and Slavery in the Indian Ocean*. Houndmills : Macmillan; New York, St Martins Press : 1998, pp. 63; 91; 100.

³⁸ Edward Byam, Three Years Administration of the Isle of France (otherwise called Mauritius) and particularly in those Points in which the Commissary General of the Police (Byam) has been concerned with some Reference to the whole Administration of Sir Robert Farquhar since the Commencement of his Government. 1822. TNA: CO 172/38, pp. 24–26 and 144–60. *The Commission of Eastern Enquiry: Inquiry into the government of the colonies of the Cape, Mauritius and Ceylon* was conducted by Thomas Bigge, and ran from 1823 until 1830.

³⁹ Rossi to Barry, 2 June 1818. MA: RA 108 June 1818. f. 121.

conveyed this information to him, Byam insisted.⁴⁰ Most of Byam's report to the Commission dealt with the "machinations and double-dealings of the Farquhar circle",⁴¹ but they were never examined by the Commission. He had, in any event, lived for 10 years on the banks of Grande Rivière, a well-known location for the illegal landing of slaves, but had never reported any landings, remembering them only on his way back to England.

It is most likely that Kendrick's allegations against Rossi were true, for slavery was so fundamental to the economy of Mauritius, and the importation of slaves so pervasive, that it is entirely plausible that Rossi would have instructed his men to turn a blind eye to the illegal landing of slaves. When the Commission reported in 1830, it concluded that:

nothing but a general disposition in the inhabitants in favor of the slave trade, and the negligence or connivance of the civil authorities in the districts, and great inefficiency if not culpability in the police department, could have enabled bands of negroes to be landed and carried through so small an island and disposed of without detection.⁴²

Had not the Inquiry in Sydney been able to dismiss Kendrick's allegation, not only on the basis of his dissolute character but also because of the imprecise nature of his allegations, the affair may have turned out differently for Rossi. He was fortunate too that Darling had been stationed in Mauritius at the time and was able to vouch for him.

Rossi's report on police reform

Having been cleared of Kendrick's allegations, Rossi completed his Report and submitted it to Darling on 7 October 1826, a short 16 months after taking up his post.⁴³ The style and language of the report was not Rossi's, for it is couched in the elevated style of officialdom, and, as has already been noted, Rossi did not have a good command of English. The report is well argued, and was no doubt carefully prepared after consultation with other arms of

⁴⁰ Byam, *op. cit.*, pp. 144–60.

⁴¹ P. J. Barnwell, "Byam, Edward Samuel, 1788–1869". DMB.

⁴² *Report of the Commissioners of Inquiry upon the Slave trade at Mauritius*. PP 1829 XXV [292], pp. 14–15. Quoted in Richard B. Allen, *Slaves, Freedmen, and Indentured Laborers in Colonial Mauritius*. Cambridge : Cambridge University Press, 1999, p. 15.

⁴³ Rossi to Colonial Secretary McLeay, 7 October 1826. *HRA I/XII*, pp. 679–86.

government, for most of the recommendations were accepted. It begins dramatically:

The numerous Robberies, desperate and alarming depredations and Outrages, committed within the last few Months in the Town of Sydney and its Vicinity, and other places in the interior, have attracted my most serious attention; and, in tracing the various causes, to which they be attributed, the following appear to me to be the most prominent.

The prime cause of the crime in Sydney, Rossi argued, was the great number of time-expired convicts living there, who were “of loose, dissolute, and frequently of a desperate description of Character, abandoned in Idleness and Profligacy”, and who consorted with their old associates to carry out crimes. A report in *The Australian* the day Rossi lodged his report concurred with his assessment:

Ruffians of the worst stamp, whose career has been one of crimes and punishments, of guilt and suffering, are vomited out of every receptacle of sin and wickedness upon the public—by scores, by fifties, and by hundreds [...] The insecurity of the people who reside in Sydney is daily on the increase.⁴⁴

Rossi went on to state the problem was made worse by the “great influx” of prisoners from the penal settlement at Port Macquarie, as a result of Darling’s decision to reduce numbers there. The Governor had informed London that there were more than 1600 convicts, 500 of whom had been transported under “illegal Sentences”, and he had pardoned a number of the better behaved in June 1826.⁴⁵ The Governor’s caution that they behave virtuously seems to have gone unheeded, for Rossi summed them up as “Men of the most depraved Habits and character”, who linked up with their former associates to commit the “most dreadful Outrages”. He hoped that the problem would be lessened as numbers of them had been assigned to working parties outside Sydney.

Rossi also recommended that Police Magistrates be appointed in those Districts where there were none, so as to facilitate the speedy circulation of information about crimes and offenders, a system which worked well in the districts where

⁴⁴ *The Australian*, 7 October 1826, p. 2.

⁴⁵ Darling to Bathurst, 31 August 1826. *HRA* I/XII, pp. 513–515.

Police Magistrates had been appointed. He proposed the magistrates so appointed be under his control, in conformity with Bathurst's intention when he appointed Rossi.

As regards the deficiency in police numbers, Rossi proposed to remedy this by the appointment of "a small addition" of honorary and auxiliary constables to the ranks of permanent constables. The recruitment of 40 honorary constables from among the "decent" citizens of Sydney would assist in patrolling the streets, and the appointment of 16 night constables to work six hours each night would afford the "utmost protection" to the town at night-time. The latter would allow Rossi to send regular constables to the interior during emergencies without endangering the security of Sydney. He was confident these measures would work, provided the Government establish a Water Police, ensure the streets were lit and enforce the Police Regulations, all measures he had previously recommended.

The most important of Rossi's recommendations, however, was to improve the constables' pay, to permit the recruitment and retention of the proper type of men. Although the force averaged only 50 men at any one time, Rossi had, since assuming office in May 1825, recruited 92 constables, of whom he was forced to dismiss 39 for misconduct, and 19 had resigned due to the poor pay. Only 34 still remained in the force.

Rossi recommended lifting the constables' basic salary to £52 per year (a 30% increase), with the more senior patrol conductors to receive £60 (a 15% increase), and Wardsmen in charge of Patrol Districts, £72 (a rise of 20%), with the new Night Constables to receive a £25 base salary. He also singled out his Chief Constable in Sydney, Thomas Dunn, for a salary increase of 15%, as Dunn's duties were "extremely arduous" and his "zeal, activity and exertions" were worthy of Rossi's warmest approbation.⁴⁶ In all, Rossi's reforms would increase the Police salary bill by £1220, bringing the wages bill to £4948 per annum, a 25% increase.

⁴⁶ Rossi's relationship with the equally assiduous Dunn is discussed in Neville Potter, *Convict, chief constable, citizen: Thomas Dunn, 1776–1832*. Canberra : Bricolage Press, 2014.

The preparatory work Rossi had put into framing his recommendations paid off, for the Governor and the Legislative Council agreed to his major recommendations and approved funding for them, although the additional wages bill was offset by doing away with all the constables' clothing allowance.⁴⁷ The recommendation concerning permanent Police Magistrates was not taken up, although Darling did inform the country magistrates advising they could correspond with Rossi and with each other as required.⁴⁸ Since Rossi had complained that the country magistrates sat only infrequently, this was no great improvement.

Other recommendations were a request for a fourth clerk in the Police Office, to deal with the increased police activity and the record keeping required for Rossi's new system of recording crimes and offenders. Whereas Wentworth had kept only four sets of records, Rossi now required an additional ten registers to be maintained.⁴⁹ The additional clerk was not, however, approved. A further recommendation, to procure 20 muskets and 20 pistols to replace the force's ten unserviceable muskets, eight swords and four brace of pistols was agreed. This did away with the need for the police to borrow arms from the local inhabitants whenever they pursued bushrangers.

Finally, Rossi had recommended a new Police Office, as the existing office was unfit for both court and office functions. He had complained that the foul and confined air there deterred the other Police Magistrates from assisting him on the Bench, causing delays and an increased workload for him. This recommendation was accepted, and a new Police Office was opened in June 1827 next to the Markets and on the site of the cattle market on George Street (where the Queen Victoria Building now stands).⁵⁰

⁴⁷ Executive Council Minute No. 21, 1 November 186. *HRA I/XIII*, p. 684.

⁴⁸ *Governor's Minute*, No. 155. November 1826. *HRA I/XII*, pp. 687–88.

⁴⁹ Rossi, *op. cit.*, p. 686.

⁵⁰ *TSM*, 19 June 1827, p. 5.



Figure 6.1 The Police-office, Sydney

By Joseph Fowles, "Spacious and healthy", it was located next to the market-place, on the site of the present Queen Victoria Building From Joseph Fowles, Sydney in 1848. Viewed 15 October 2016 <http://gutenberg.net.au/ebooks06/0600151h.html#chapter12>.

Darling acted swiftly after the Executive Council's consideration of the report, and advised Bathurst on 15 November 1826 that he had approved the additional expenditure to implement Rossi's reforms.⁵¹ London agreed, but only after the Secretary of State rebuked Darling for having exceeded his authority. He was reminded that he could not spend more than £200 without London's permission.⁵²

The press welcomed Rossi's reforms, *The Gazette* stating that the Police had been put "on a most respectable footing", and that the increased number of constables was a "sort of guarantee for the public safety".⁵³ Two months later, when *The Monitor* complained about the lack of action, pointing out "the necessity of hiring a better description of men as constables, and paying them better salaries",⁵⁴ *The Gazette* sprang to Rossi's defence, claiming it was too early for the impact of Rossi's reforms to be felt, even though, "the Police was never more efficient and diligent—so narrowly are they watched by the

⁵¹ Darling to Bathurst, 15 November 1826, *HRA I/XII*, pp. 678–79.

⁵² Goderich to Darling, 15 June 1827. *HRA I/XIII*, p. 419.

⁵³ *TSG*, 27 January 1827, pp. 1 & 3.

⁵⁴ *TSM*, 16 March 1827, p. 4.

Superintendent of Police”.⁵⁵ *The Australian* too praised Rossi, republishing an article from the English *Morning Chronicle*⁵⁶ complimenting Rossi for giving the “lethargic and bloated structure” of the Police “that thorough reform which it has so long imperiously demanded”. The paper praised Rossi’s “determined unflinching efforts” to suppress drunkenness—the “acknowledged root of every vice”—before favourably comparing Rossi’s performance to that of his predecessor, D’Arcy Wentworth, whose lax management of the force was made up for by his acuity, sympathy for the poor and desire for justice.⁵⁷

Rossi also equipped the police with a uniform, in “true English blue, surmounted with royal red”, in which they appeared on St George’s day (23 April).⁵⁸

Rossi was, however, unable to implement his reforms personally, for illness forced him to take leave in January and February 1827.⁵⁹ The pressures caused by the Inquiry and his onerous duties would not have been helped by his financial worries, his finances being somewhat straitened, as is evident from his requests to Bathurst while still in London for an increase in his salary. Notwithstanding his success in obtaining hefty increases for his constables’ pay, his own request to London for an increase⁶⁰ was turned down on the grounds that it was too early to consider such a request, as Rossi’s presence in the colony “scarcely exceeds a Twelvemonth”.⁶¹

The nature of Rossi’s illness is not known, but Darling informed Bathurst in April 1827 that he had granted Rossi leave on full pay to allow him to recuperate in the country, because of “the laborious nature of his duties as Principal Superintendent of Police”.⁶² The very next day, however, Darling again wrote to Bathurst, informing him that, despite his zeal, Rossi’s health was unequal to the task, and he had therefore appointed him to the less onerous position of Comptroller of Customs. He had dismissed the previous Collector of Customs, Captain John Piper (1773–1851) for financial mismanagement,

⁵⁵ TSG, 22 March 1827, p. 2.

⁵⁶ *The Australian*, 31 January 1827, p. 3.

⁵⁷ *The Australian*, 20 April 1827, pp. 3–4.

⁵⁸ TSM, 27 April 1827, p. 8.

⁵⁹ *The Australian*, 7 February 1827, p. 2.

⁶⁰ Brisbane to Bathurst, 21 November 1825. HRA I/XI, p. 904.

⁶¹ Bathurst to Darling 11 July 1826, HRA XII, p. 357.

⁶² Darling to Bathurst, 9 April 1827. HRA I/XIII, p. 244.

replacing him with John Thomas Campbell (1770–1830).⁶³ Rossi's new appointment, incidentally, was the source of some amusement to the family in France, given the Corsicans' reputation for shady dealings, in the eyes of the French.⁶⁴

Darling had wanted to reform the ineffective Customs Department as early as February 1826,⁶⁵ for it comprised just Piper and one unpaid clerk, not enough to cope with the colony's rapidly increasing trade and with smuggling. Darling set up a Board of Enquiry in October 1826,⁶⁶ which recommended a Comptroller be appointed to oversee the accounts and check incoming goods.⁶⁷ Darling sought Bathurst's confirmation of Campbell and Rossi's appointments, and of their proposed salaries—in Rossi's case, a £200 per annum increase over his Police salary.⁶⁸ The new appointments were announced by Darling on 7 May, along with the appointment of John Dalhunny as Superintendent of Police.⁶⁹

The Customs House was certainly a welcome respite for Rossi, for he was now freed from his long hours on the Bench and the headaches of managing his unreliable constables. He even worked in the same building, for the new Customs House was set up in the old Police Office building in George Street. Rossi continued to reside in his residence at the rear of the building in Pitt Street, and instead of having to contend with the "drunks and ne'er-do-wells fronting him in the Police office every morning", he now had more civilised dealings with masters and merchants.⁷⁰

The new Customs Office, unfortunately, soon came under fire for inefficiency, *The Gazette* pointing out that much had been done in a short time to reform it, despite, as with the Police Force, the difficulty of recruiting suitable persons to

⁶³ Darling to Bathurst, 10 April 1827. *HRA I/XIII*, pp. 245–46.

⁶⁴ Roulhac de Rochebrune, *op. cit.*, pp. 44–45.

⁶⁵ Darling to Bathurst, 2 February 1826. *HRA I/XII*, pp. 150–51.

⁶⁶ Darling to Bathurst, 10 April 1829. *HRA I/XIII*, p. 245.

⁶⁷ David Day, *Smugglers and sailors: the customs history of Australia 1788–1901*. Canberra : AGPS Press, c. 1992, p. 172.

⁶⁸ Darling to Bathurst, 11 April 1827. *HRA I/XIII*, pp. 247–48.

⁶⁹ *TSG*, 9 May 1827, p. 1.

⁷⁰ Day, *op. cit.*, p. 173.

be customs officers.⁷¹ *The Gazette* was responding to the complaints of the newly established Chamber of Commerce, who criticised the Custom House's failure to define the duties of its officers, causing many "needless and vexatious obstruction to the transaction of business".⁷² Five tide waiters were subsequently dismissed in November 1827 for being absent from duty.⁷³ The lack of uniforms or any identifying insignia was also a problem, for the customs men were often assaulted when trying to carry out their duties.⁷⁴ The Chamber did succeed in having some charges reduced,⁷⁵ and in forcing the Customs House to change its hours of business.⁷⁶

When Campbell resigned in December 1827, Rossi was appointed Collector,⁷⁷ but so disorganised was the previous establishment that Darling had to advise London in April 1828 that "maturing the arrangements of the Customs Department" was "arduous in the extreme".⁷⁸ Rossi did make some progress, for he reported in July 1828 that revenue had increased in each of the first two quarters of 1828 by £3,000 over the same periods in 1827, news which Darling was quick to pass on to London.⁷⁹ It was not welcome news for *The Australian*, who linked this money "ground out of the people" to its claims that Darling was limiting the rights of the people. What need of a House of Assembly, it asked mockingly, if the Government could so efficiently supply the coffers of the State with money squeezed out of its inhabitants?⁸⁰

Overall, however, Rossi's performance as Collector gave the press little opportunity for criticism. *The Australian* did complain in May 1828 that Rossi's Customs House did hinder business and annoy the public, after Rossi had refused to remit duty paid on some imported wine when it was re-exported,

⁷¹ TSG, 1 August 1827, pp. 2–3.

⁷² *ibid.*

⁷³ TSG, 12 November 1827, p. 3.

⁷⁴ TSG, 2 November 1827, p. 3.

⁷⁵ TSG, 13 July 1826. p. 2; 3 August 1827, p. 2.

⁷⁶ TSG, 3 August 1827, p. 2.

⁷⁷ R. F. Holder, 'Campbell, John Thomas (1770–1830)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/campbell-john-thomas-1873/text2191>. Accessed online 5 June 2016.

⁷⁸ Darling to Huskisson, 10 April 1828. *HRA I/XIV*, p. 123.

⁷⁹ F. Rossi, "Return of Sums collected Monthly and Quarterly at the Custom House, April–June 1828, inclusive". Enclosure to Darling to Hay 1 September 1828. *HRA I/XIV*, p. 378.

⁸⁰ *The Australian*, 1 June 1827, p. 3.

on the grounds that the wine had been imported prior to the establishment of the Custom House.⁸¹ A technicality, but one which saved the colony's revenue, which Rossi would have been expected to do. A similar case occurred in December 1828, when Rossi's action to retrospectively collect £1,300 of tobacco duties was successfully challenged in the Courts.⁸²

Reappointment as Superintendent of Police

Alas, this idyllic interlude was not to last. London decided to appoint two experienced Customs men to head the new Department, and informed Rossi, regretfully, in May 1828 that this meant he would have to return to his position as Superintendent of Police.⁸³ This he did on 1 February 1829, no doubt reluctantly, and was to serve as Superintendent again for a further four years.⁸⁴

He would have been frustrated to learn that little progress had been made in improving the Police Force. While *The Gazette* reported, at the time of Rossi's return, that the efforts of the Police and measures taken to control the convicts had reduced the rate of crime to such an extent that it was "a sad time for Editors",⁸⁵ and subsequently observed that the Police had never been more efficient,⁸⁶ *The Australian* contradicted this by declaring that "a greater number and variety of robberies have been committed in Sydney, during the present winter", and most of the perpetrators undetected.⁸⁷ *The Australian's* version is closer the mark, for the clerks in the Police Office were struggling to cope with the paperwork flowing from the amount of crime. So much so that, in February 1829, Darling had to increase the number of clerks, "as the business appears to have fallen so much in arrear".⁸⁸

Some improvement to police numbers had been made in Rossi's absence, following *The Australian's* complaint in November 1827 that there were never more than 50 constables on duty at any one time, and since they worked in

⁸¹ *The Australian*, 14 May 1828, p. 2.

⁸² Campbell and Others v. Rossi [1828]. *The Australian*, 16 January 1829, p. 3.

⁸³ Goderich to Darling, 19 May 1828. *HRA I/XIV*, p. 192. See also Murray to Darling, 22 June 1828. *HRA I/XIV*, p. 237

⁸⁴ *TSG*, 5 February 1829, p. 2; Darling to Murray, 12 February 1829. *HRA I/XIV*, p. 642.

⁸⁵ *TSG*, 10 February 1829, p. 2.

⁸⁶ *TSG*, 25 July 1829, p. 2.

⁸⁷ *The Australian*, 7 August 1829, p. 3.

⁸⁸ Darling to Huskisson, 20 February 1829. *HRA I/XIV*, p. 661.

six hour shifts, there were only ever 25 patrolling the streets. It is a wonder, the paper concluded, that there were not more house and street robberies.⁸⁹ The following year, however, saw police numbers increase by 19 to 74, and the number of police clerks doubled from three to six.⁹⁰ The circumstances surrounding this welcome increase are not recorded, but numbers were still insufficient, as Darling was constrained by the need to reduce expenditure.

The problems continued, *The Gazette* complaining in January 1830 that, if the deficiency in numbers was “sorely felt before, it is even more so now”, though no blame could be attached to Rossi, for the paper knew he was well aware of the need for more and better constables.⁹¹ *The Monitor* also weighed in, protesting that while the watch-houses were full of innocent townspeople, scarcely a night passed without some unsuspecting passer-by being attacked. The paper added that people suspected the constables were deliberately arranging this state of affairs to benefit themselves,⁹² a sentiment endorsed by *The Australian*, which pointed out that the constables’ pay was often months in arrears, which led to “the artifices and abominations by which so many try to eke out their several pittances”.⁹³

To ease the situation, in May 1831, Darling ordered that convicts of good character could be recruited as constables,⁹⁴ but matters continued apace, and at the end of 1832, the Police Courts could not cope with “the frightful increase of crime during the last few weeks. Highway robberies, burglaries, murder, and almost every description of offence have stained the columns of the public journals to a sad extent”.⁹⁵ The fact that Rossi was absent on sick leave did not help. The recruitment of convicts was not a success, and Governor Burke, who had taken over from Darling in December 1831, reported to London that Darling’s initiative was a failure, for neither the ex-convict or convict constables could be trusted, and it was difficult to recruit free men to the

⁸⁹ *The Australian*, 14 November 1827, p. 2.

⁹⁰ The circumstances of the increase are not clear, but the numbers are given in Rossi’s memorandum of 3 September to Darling, *HRA I/XV*, pp. 756–58.

⁹¹ *TSG*, 9 January 1830, p. 3.

⁹² *TSM*, 16 January 1830, p. 3.

⁹³ *The Australian*, 4 February 1831, p. 3.

⁹⁴ *TSG*, 24 May 1831, p. 1.

⁹⁵ *TSG*, 4 December 1832, p. 2.

force.⁹⁶ He was forced to conclude that there was “little hope for seeing for many years a decent Constabulary Force in New South Wales”. As if to underline this depressing outlook, the next month *The Gazette* reported the occurrence of “three murders, a conspiracy to murder about eighty souls, an attempt at rape, a solicitation to become abominable, numerous brutally violent highway robberies, [and] midnight burglaries”.⁹⁷

Rossi never gave up lobbying for more resources, and it is a measure of his determination that in October 1833 Governor Burke increased the number of constables to 96, and the office clerks to 6.⁹⁸ In informing London of his decision, Burke made special mention of Rossi’s persistent demands, which “both out of Doors and in the Office have been frequent and loud”.⁹⁹ It was a pity therefore that that Rossi’s efforts were crowned with success only when he was beginning a year’s leave of absence from 1 October, in preparation for his retirement in October 1834.

While the police numbers, the pay and conditions, and the large presence of undesirables in the force were factors beyond Rossi’s control, he was more successful in areas where he could exercise his own authority. One area which occupied a great deal of Rossi’s time, both as Superintendent and Magistrate, and in which he was more successful was in the control of unlicensed spirit sellers. As Police Magistrate, he was responsible for the annual issuing of beer and spirit licences, and as Police Superintendent, for the suppression of unlicensed sellers. This was an area in which Wentworth was considerably lax, even selling spirits himself, but for Rossi, the suppression of drunkenness was something of a personal crusade. He was not, however, inflexible: he ruled, for example, that publicans could supply their neighbours and *bona fide* travellers with refreshments on Sundays, outside the hours of divine service. If this liberal ruling was inspired by Rossi’s French background, it was nevertheless overturned by the Bench during one of his absences.¹⁰⁰

⁹⁶ Bourke to Goderich, 3 November 1832. *HRA I/XVI*, pp. 78–90.

⁹⁷ *TSG*, 8 December 1832, p. 2.

⁹⁸ New South Wales Colonial Secretary, *Returns of the Colony 1833*.

⁹⁹ Burke to Stanley 2 October 1833. *HRA I/XVII*, pp. 233–35.

¹⁰⁰ *The Australian*, 6 February 1829, p. 9.

The scale of the problem of unlicensed liquor vendors can be seen from an official report of February 1829 which showed that Sydney's 80 licensed premises were vastly outnumbered by 210 unlicensed houses.¹⁰¹ Rossi seems to have made progress in reducing the number of sly grog sellers,¹⁰² but the passage of a new *Licensing Act* in July 1830 allowed him to make real inroads into their number, prompting *The Gazette* to look forward to the "speedy extermination of these vermin".¹⁰³

Rossi's labours had little effect, however, in The Rocks, which Archdeacon Broughton, who had replaced Scott in September 1829, described as "the haunts of the most vicious and degraded part of the Community, where prostitution, adultery, drunkenness and theft are their habitual occupations". The area was "a hot bed of crime" where crime sprang up more rapidly than any Police regulations could put down.¹⁰⁴ The Archdeacon might be allowed a degree of embellishment, for he was arguing for a new Church to be built, but the lawless and unruly nature of The Rocks was a common theme among contemporary observers.

Rossi was more successful in the suppression of bushranging, and although Mounted Police units of soldiers under the military command were charged with eradicating this scourge, Rossi led his constables in a number of actions against these "banditti", as they were called. This required leadership, courage and military strategy on Rossi's part, allowing the best parts of his *habitus* to come to the fore.

The bushrangers were mainly escaped convicts who lived by robbery and murder, sometimes aided by the convicts. They were feared for their brutality, and often showed little mercy to their victims. Brisbane had flagged with London in June 1825 the need to hunt down these "public Robbers", after the Act which to repress bushranging had met with considerable success.¹⁰⁵ Nevertheless, Brisbane was obliged to seek London's agreement in November to use

¹⁰¹ *TSM*, 16 February 1828, p. 8.

¹⁰² *TSG*, 12 January 1830, p. 2.

¹⁰³ *TSG*, 8 July 1830, p. 2.

¹⁰⁴ Archdeacon Broughton to Darling, 19 June 1830. *HRA I/XV*, pp. 725–728.

¹⁰⁵ Saxe Bannister to Brisbane, 28 June 1825. *HRA I/XI*, p. 676. The Act was the *Runaway Convicts Harbours Act 1825 No. 2a* (19 January 1825).

mounted police before bushranging became “sufficiently concocted” to require full use of the military.¹⁰⁶

In January 1826, after a party of Rossi’s constables located a gang of eight bushrangers, a “sharp encounter” ensued, in which a constable and a bushranger were killed. The remainder escaped, and made their way to Haslem’s Creek near Parramatta, where Rossi cornered them in a house. The constables launched an assault at midnight on 4 February, precipitating a violent battle with the five “desperadoes” inside, each “well provided with firearms, a cutlass and sabre”. When the siege ended, four bushrangers were captured while the fifth escaped,¹⁰⁷ and Darling’s subsequent advice to Bathurst of the action made special mention of Rossi’s role.¹⁰⁸

The bushrangers did not confine themselves to the countryside—they even operated along Parramatta Road,¹⁰⁹ where the Reverend Samuel Marsden was held up and robbed of £4 in 1829.¹¹⁰ After another holdup, *The Gazette* advised travellers to equip themselves with arms when travelling on Parramatta Road.¹¹¹ The bushrangers operated even closer to Sydney, for constables arrested five in 1830 who were terrorising the South Head Road;¹¹² they were bold enough to “infest” the Race Course, where they plundered drunk racegoers who lingered too long after the races.¹¹³

Rossi’s efforts were singled out again for praise in September 1826, when two bushrangers, Mustin and Watkins, robbed James Coll’s hotel at Liverpool, before travelling to Burwood and invading the house of Dr Dulhunty. Dulhunty was able to repel them with his pistol and a bludgeon, and the police subsequently arrested them.¹¹⁴ The pair met the usual fate of the bushrangers, for they were hanged the next month at the scene of their crime—in front of

¹⁰⁶ Brisbane to Bathurst, 8 November 1825. *HRA* I/XI, pp. 897–98.

¹⁰⁷ *The Australian*, 9 February 1826, p. 3.

¹⁰⁸ Darling to Bathurst, 6 February 1826, pp. 168–69.

¹⁰⁹ *TSG*, 9 Jan 1826, p. 3

¹¹⁰ *The Australian*, 5 June 1829, p. 3.

¹¹¹ *TSG*, 6 June 1829, p. 2.

¹¹² *TSG*, 12 January 1830, p. 2.

¹¹³ *TSG*, 21 May 1831, p. 3.

¹¹⁴ *The Australian*, 27 September 1826, p. 3.

Dulhunty's house.¹¹⁵ Darling again publicly thanked Rossi for "his unwearied assiduity in the superintendence and conduct of the police of Sydney".¹¹⁶

In 1833, Rossi displayed considerable bravery in personally pursuing two bushrangers near Mittagong, while he was travelling in a gig to Goulburn with his son Alexander and a servant. Hearing that two bushrangers had robbed several travellers near Bargo, he borrowed a fowling piece¹¹⁷ from an inn, and set off in pursuit, with son and servant, until he overtook the bushrangers south of Mittagong. When one bushranger made to draw his pistol, Rossi levelled his gun at him, not knowing if it was loaded, but "determined not to be the first to fire". The standoff ended only when one of the horses started and the bushrangers made off, to be captured a short time later by a Mounted Policeman. It was a brave act, carried out instinctively as a result of Rossi's military training, but it was also impetuous, as Alexander and the servant were standing between Rossi and the bushranger.¹¹⁸ As we have seen in Chapter 4—from the advice Rossi received from his colleague from Ceylon, Philip Delatre—that impetuosity was a part of Rossi's *habitus*.

Ever ready to criticise the Superintendent of Police, *The Monitor* published a letter from a Bargo citizen who accused Rossi of cowardice during this incident. The anonymous writer claimed Rossi was in a coach when it was bailed up, and although allegedly armed with a double-barrelled shotgun, he was supposed to have left the field—and his firearm—to the bushrangers when they brandished a pistol. Further, the bushrangers were supposed to have used the shotgun to commit another robbery.¹¹⁹ The paper did, it is true, publish a different and less condemnatory version of the incident in the same edition, but it was left to Rossi to correct the record and rebut the scurrilous allegations, which he did in a letter to the *Sydney Herald* on 6 May.

Rossi displayed considerable courage in the face of other threats of personal violence, which were reported by the press. All three newspapers, *The*

¹¹⁵ *TSG*, 18 October 1826, p. 3.

¹¹⁶ Government Notice, 29 September 1826, *The Australian*, 30 September 1826, p. 2.

¹¹⁷ A fowling piece was a light, smooth bore gun used for shooting fowl.

¹¹⁸ *The Sydney Herald*, hereinafter the *Herald (TSH)*, was founded in 1831 and renamed *The Sydney Morning Herald* in 1842. *TSH*, 6 May 1833, pp. 2–3.

¹¹⁹ *TSM*, 1 May 1833, p. 3.

Australian, *The Monitor* and *The Gazette*, praised Rossi's heroism when, in October 1827, he intervened in a domestic dispute and was threatened with a butcher's cleaver. Rossi, however, declined to press charges, provided his assailant apologised for his conduct and contributed five shillings to the poor funds.¹²⁰ On another occasion, Rossi led a guard of soldiers to put down a serious disturbance between the townspeople and a mob of sailors and marines from the warship *Satellite*. Several severe wounds were inflicted on both sides, and one man from the *Satellite* was dangerously injured.¹²¹ Rossi displayed even more courage in September 1829, when he quelled a "dreadful military outrage" one Sunday afternoon. Half a dozen soldiers of the 39th Regiment had set upon three New Zealanders, wounding them with their bayonets. When Rossi, who was out walking, intervened, the soldiers attacked Rossi with their bayonets. Rossi was parrying the thrusts with his walking cane when bystanders told the soldiers—to no effect—that it was the Superintendent of Police they were attacking. Rossi called out for the constables to be summoned and the brawl was quelled.¹²²

Assessment of Rossi's performance as Superintendent of Police

Despite their antagonism towards Rossi, *The Australian* and *The Monitor* could find little fault with Rossi's performance as Police Superintendent. Brisbane and Darling had no cause to criticise Rossi's performance, and, Governor Bourke in turn was also impressed by Rossi. Apart from having to contend with the high criminal propensities of Sydney's inhabitants and of the Police Force, Rossi had to deal with a rapid increase in the number of convicts transported. By the time he retired, the convict population of 24,543 was 50% greater than it had been in 1825.

Rossi's efforts as Superintendent were praised by ordinary citizens as well. The naval surgeon Peter Cunningham (1789–1864), who spent five years in NSW, wrote in 1827 that Rossi had "effected most beneficial reforms in his department since his assumption of office, the whole police having been

¹²⁰ *The Australian*, 31 October 1827, p. 3.

¹²¹ *TSG*, 26 May 1829, p. 2.

¹²² *TSM*, 5 December 1829, p. 2. True to form, *The Monitor* used the occasion to attack Rossi for not trying the soldiers in the Police Court, but leaving them to be disciplined by the Army. Rossi, more so than *The Monitor*, knew that army punishment was a great deal severer than civil justice.

remodelled and placed upon a more respectable as well as efficient footing. His zealous efforts to chain down the demon of drunkenness, who had long been raging loose among us, deserves the highest praise, particularly in reference to a colony like this, composed of such dissolute materials".¹²³ *The Herald* too praised Rossi's "industrious" work habits, for almost every morning before office hours he would go around the town with the Chief Constable and then attend the Bench at the usual hour of business.¹²⁴ Even *The Monitor*, in a rare display of sympathy for the enormity of Rossi's task, admitted that Rossi had "the misfortune to be surrounded by a set of the greatest miscreants, in the shape of constables, which ever cursed a community".¹²⁵ The problem of finding suitable men to be constables persisted after Rossi retired in 1834. Rossi's successor as Superintendent, Henry Croasdaile Wilson, gave evidence to a Parliamentary Committee in 1835 of the difficulty in eradicating corruption among the constables: "As soon as they are sworn, every temptation is open to them for the gratification of their tastes free of expense—liquor, women, and bribes are employed to corrupt them, and many are corrupted".¹²⁶

Hazel King, who analysed Rossi's period of office in detail, concludes that Rossi did make the Sydney police more effective, but, like his three successors, failed to gain the community's respect and attract men of good character.¹²⁷ In all three cases, she believes, this was due to their "unfortunate personalities", in Rossi's case, his effectiveness being marred by the "dark rumours" which encircled him.¹²⁸ There is no evidence, however, either in King's own thesis or in the public record, that Rossi or his reputation was materially affected either by the gossips of Sydney or by the malevolent press. Similarly, also without supporting evidence, Ivan Barko follows King in stating that Rossi's period

¹²³ Peter Cunningham, *Two Years in New South Wales; a Series of Letters, Comprising Sketches of the Actual State of Society in that Colony; of its Peculiar Advantages to Emigrants; of its Topography, Natural History, etc. etc.* Sydney : Angus & Robertson, 1966. 1st published 1827, pp. 39–40.

¹²⁴ *TSH*, 3 July 1834, p. 2.

¹²⁵ *TSM*, 19 December 1829, p. 2.

¹²⁶ Report from H. C. Wilson, 1 May 1835, Appendix to the Minutes of Evidence taken before the Committee on Police and Gaols, NSW, V & PLC, 1835, p. 362. Quoted in Michael Sturma, *Vice in a vicious society: Crime and Convicts in Mid-Nineteenth Century New South Wales*. St Lucia, Queensland : University of Queensland Press, 1983, p. 164.

¹²⁷ King, op. cit., p. 191.

¹²⁸ *ibid.*, p. 228.

as Superintendent was hampered by his never being accepted by his subordinates,¹²⁹ and the claim is echoed by Dutton.¹³⁰

In fact, Rossi stood head and shoulders above his successors. His replacement, Colonel Henry Croasdaile Wilson, was appointed through the influence of his relative in London, Lord Althorp, and of Viscount Howick, the Under Secretary for Colonies.¹³¹ On hearing the announcement of Wilson's appointment, *The Monitor* declared that Wilson was "perhaps one of the last men in the Colony whose habits and talents fit him for the situation of Chief Sydney Police Magistrate". The paper was forced to acknowledge that Rossi had been blameless of "all proneness to mean peculation in his office".¹³² *The Monitor's* prediction proved correct, for, although Wilson had the respect of Bourke and Gipps, his bombastic and overbearing nature made him many enemies. Nor was his character beyond reproach, for after misconduct with a female convict and violent personal quarrels with other public officers, he was dismissed for using police constables in full livery for his own private service.¹³³ During his career, Rossi had scrupulously avoided any suggestion of the misuse of public resources.¹³⁴

Nor did Wilson's successors live up to Rossi's high standards. The next Superintendent, William Augustus Miles, was sacked in 1848 for corruption and for being drunk on duty. In turn, his successor, Major Joseph Long Innes, was dismissed in 1849 for employing prisoners and turnkeys from Darlinghurst Gaol in his private service. And next, Edward Denny Day, was dismissed in less than a year for being drunk on duty.¹³⁵ The low standards of these men throws

¹²⁹ Ivan Barko, "Francis Rossi, Superintendent of Police". In *Vive la Différence ! The French in NSW [Guide]*, Sydney : State Library of New South Wales, 2004, pp. 12–13.

¹³⁰ Kenneth R. Dutton, "Early Colonial Attitudes towards France and the French". *Explorations* 41 (December 2006), p. 8.

¹³¹ Bruce Swanton, *The Police of Sydney, 1788–1862*. Phillip, ACT : Australian Institute of Criminology and NSW Police Historical Society, 1984, p. 31.

¹³² *TSM*, 14 September 1833, p. 2.

¹³³ King, op. cit., pp. 205–211.

¹³⁴ In April 1829, Rossi had taken pains to ensure that he could not be accused of using police resources for his personal benefit while moving house to Church Hill, which *The Monitor* had falsely accused him of. See *TSG*, 7 April 1829, p. 2.

¹³⁵ Michael Sturma, *Vice in a vicious society: Crime and Convicts in Mid-Nineteenth Century New South Wales*. St Lucia, Queensland : University of Queensland Press, 1983, pp. 164–65.

into clear relief the high standards which Rossi set for himself in carrying out his duties.

Among this plethora of biased criticism and praise, the truth occasionally, and no doubt unintentionally, might emerge. In December 1829, at the height of Hall's campaign against Darling, *The Monitor* acknowledged sympathetically—while nevertheless maintaining that Rossi was unsuited to be Superintendent of Police—that Rossi had had no option but to accept the position as Superintendent of Police. “We consider”, said the paper, that “Captain Rossi is placed by his patrons in a situation which, however respectable or profitable it may be, will never bring him peace of mind, or render the country satisfied. We are compelled to call his appointment a job”.¹³⁶ Patronage was, admittedly, the normal method of gaining advancement, but this was in fact not the sole reason he gained his appointment—he was a rare example of someone who obtained his position principally on merit, and not on patronage alone.

If the picture painted by the newspapers is less than clear, the official “state of crime” numbers contained in the Governors' reports to London¹³⁷ indicate that Rossi was indeed successful in reducing and containing the level of crime in Sydney. These reports were based on the number of trials before the Supreme Court, which heard the most serious crimes. These covered offences against the person (murder, manslaughter, rape and highway robbery), offences against property (arson, burglary, breaking and entering, and theft of livestock), as well as “misdemeanours” (forgery, perjury, assault, and attempts to commit unnatural crimes). The reports therefore are a good indication of the effectiveness of the police in controlling serious crime. These figures are shown in the graph below, measured against the total number of convicts who arrived each year.

¹³⁶ *TSM*, 19 December 1829, p. 2.

¹³⁷ See e.g., Brisbane to Bathurst, 28 January 1825. *HRA* I/XI, pp. 476–79.

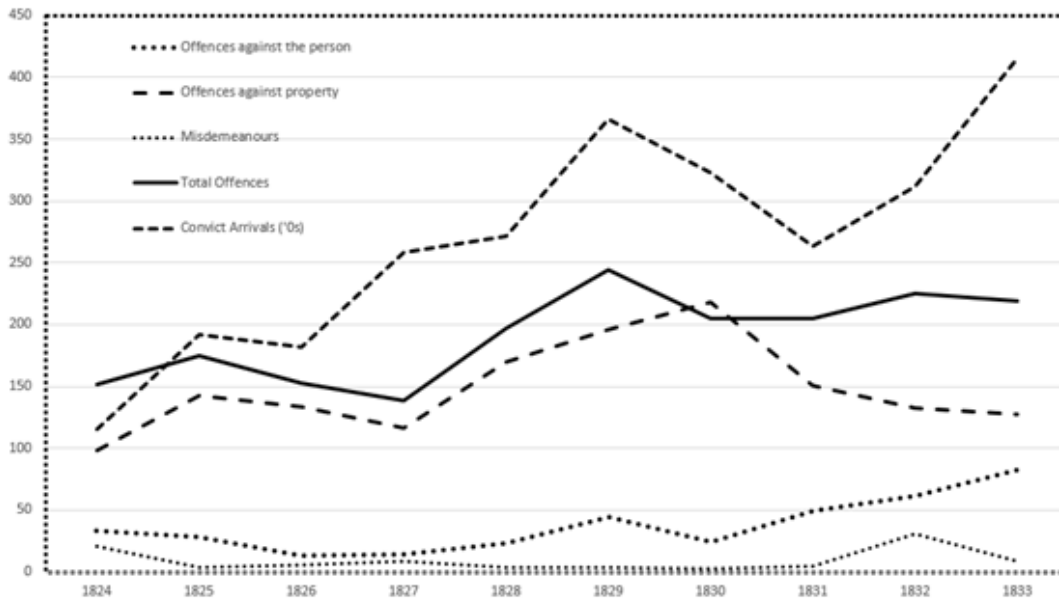


Figure 6.2 Convict arrivals and offences heard by the Supreme Court 1824-1833
 Data for 1825–1833 are from the Returns of the Colony, those for 1824 from Bateson, *op. cit.*, p. 84 and from Governor's Brisbane despatch to Bathurst of 28 January 1825, HRA I/XI, p. 477.

The graph bears out Rossi's claim in his 1826 Report of the close correlation between the numbers of convicts arriving and the crime rate. From 1825 to 1827, however, the total number of offences fell, and began to rise again after Rossi's transfer to the Customs Department in February 1827. After Rossi resumed the Police post in February 1829, total offences remained more or less constant until his departure on leave in late 1833, despite the steep increase in convict arrivals from 1831 on. It is reasonable to assume therefore that Rossi's efforts during his two periods of office contributed significantly to the reduction in the crime rate, although the fall in offences against property after 1830 was offset to some degree by the increase in offences against the person.

The magnitude of Rossi's achievements should be seen against the increase in the population of both convict and free settlers over the period of his office. When he arrived in 1825, there were 16,233 convicts in NSW and 18,778 free citizens (the latter number included ex-convicts, ticket of leave men and those with conditional pardons), but by the time he left office in 1833, there were 24,543 convicts and 36,251 free citizens.¹³⁸ To cope with this increase, the number of policemen on the beat (conductors and constables) had increased over the same period by only 13 men—from 56 to 69.¹³⁹

¹³⁸ Butlin, *ibid.*

¹³⁹ Swanton, *op. cit.*, pp. 26; 31.

The last word on Rossi's efforts in managing the Police can be left to two of his contemporaries—one a foe and one a colleague. Hall, speaking in 1832 of a considerably enlarged and better funded Police Department, wrote that it was better run "when the whole business was done by Captain Rossi".¹⁴⁰ Rossi's Assistant Magistrate, Charles Windeyer, stated to a Parliamentary Inquiry in September 1844 that "the police was never so effective as when it was in the hands of Captain Rossi and myself, because then we knew everything, either ourselves, or through the medium of the chief constable, who was a most efficient officer".¹⁴¹

Rossi's career as Magistrate

If Rossi's duties as Superintendent of Police were challenging, then those as First Police Magistrate were even more arduous. Rossi had no legal training, and although every other magistrate in the colony was in the same situation, Rossi was required to preside at the head of the Police Bench. The Police Court was the lowest court in the colony's judicial system, hearing minor offences and referring more serious cases to the superior courts. The Court heard cases involving convicts, ticket of leave men as well as free settlers, on charges of disturbances of the peace, physical and sexual assault, robbery, drunkenness, complaints by masters against their assigned convict servants (and vice versa), complaints involving masters and apprentices, and escapes by convicts. The Police Magistrates also determined applications by convicts for tickets of leave,¹⁴² and, very importantly, issued licences to spirit vendors. They were also required, in the absence of any local government authority, to sit in judgement on a range of civic offences, including "improper bathing", nuisances to public health and safety caused by animals (dead or alive), the sale of under-weight goods, and price manipulation by sellers.

Since NSW was a penal colony, the Sydney magistrates had a heavier caseload than magistrates in Britain, and many crimes, such as "insolence,

¹⁴⁰ *TSM*, 18 January 1832, p. 3.

¹⁴¹ *The Australian*, 5 September 1844, p. 4.

¹⁴² Darling to Bathurst 2 January 1827 *HRA I/XIII* pp. 3–5; Tickets of leave were issued to convicts who had demonstrated good behaviour, and they allowed them to work for themselves, on condition they remained in a specified area and reported regularly to the authorities. Due to Rossi's heavy workload, Darling later transferred this responsibility to the Superintendent of Convicts. Darling to Huskisson, 4 August 1828. *HRA I/XIV*, pp. 315–16.

neglect of work, drunkenness, running away, absence without leave and so on”, were never be heard by an English Bench, as Cunningham noted.¹⁴³ Moreover, the law the Police Magistrates administered was “a compound of Burn’s Justice and Government regulations”,¹⁴⁴ for they had to obey the dictates of the Governor, be they written or verbal. For this reason, the Government tended to appoint military officers to senior court positions in the colony.

The punishments which the magistrates could impose were also laid down in law by the Governor, and were limited to a flogging of 50 lashes, solitary confinement, transportation to a penal settlement, and shortly before Rossi’s arrival, seven days climbing on a treadmill located in the Carters’ Barracks.¹⁴⁵ The latter was a perpetually rotating machine which the convicts had to climb, “without being able to idle away a single moment”, reported *The Gazette* appreciatively.¹⁴⁶ Baron Hyacinthe de Bougainville, who visited Sydney in late 1825, could not bear to watch the wretched convicts on the machine, for if one refused to climb, he would receive 12 lashes. On a more positive note, Bougainville noted that the exercise did not affect the convicts’ health, some even becoming “more robust”. Furthermore, the energy they expended was not wasted, for the treadmill was used to grind flour.¹⁴⁷

Shortly before Rossi’s arrival, Governor Brisbane increased the punishments which a magistrate sitting alone could impose.¹⁴⁸ For misbehaviour or disorderly conduct, a sole magistrate could now inflict “moderate” punishment on a male convict, defined as 10 days working at the public treadmill, 50 lashes, or solitary confinement on bread and water for seven days. “More severe” punishment was confinement at a secondary place of punishment (such as the Coal River) with hard labour for three months. The only proviso was that magistrates could not punish their own assigned servants, a measure designed to stop the abuse of this power by country magistrates.

¹⁴³ Cunningham, op. cit., p. 40.

¹⁴⁴ John Henderson, *Observations on the colonies of New South Wales and Van Diemen’s Land*. Calcutta : Baptist Missionary Press, 1832, p. 11.

¹⁴⁵ TSG, 21 August 1823, p. 2.

¹⁴⁶ TSG, 24 April 1823, p. 2.

¹⁴⁷ Bougainville, *Guest*, pp. 179–80.

¹⁴⁸ *Male Convicts Punishment Act* 1825 No. 4a (6 Geo. IV, No. 5 (8 February 1825).

In May 1830, Governor Darling, fearing the existing penalties were not enough to deter the threat of bushrangers, increased the magistrates' powers again.¹⁴⁹ For lesser offences, a male convict could now receive up to 150 lashes, administered in three separate floggings, solitary confinement on bread and water for one month, or the treadmill for one month. In the same Act, Darling codified penalties for female convicts. These ranged from confinement in the third (penitentiary) class at the Female Factory for up to two years or solitary confinement on bread and water for one month, while lesser offenders received confinement in the first class, with the possibility of being assigned to a settler as a servant, or in the second class on probation. To ensure floggings were carried out, Darling also provided for a fine of £40 for any constable who failed to do so.

More serious offences by both male and female convicts were now punishable by transportation for three months with hard labour to a secondary place of punishment (Port Macquarie or Moreton Bay) and the Female Factory for women. Male convicts could also be given hard labour in chains on the roads or public works for up to 12 months, or 300 lashes administered in three separate floggings.

These draconian punishments were mitigated somewhat in 1832, but only to stop abuses by the country magistrates. Governor Bourke's "Fifty Lashes Act" reduced the number of lashes which a single magistrate could inflict from 150 to 50,¹⁵⁰ much to the disgust of the country magistrates, who felt their authority had been severely diminished. Hall, an outwardly religious and charitable man, bemoaned the Governor's humane and just principles, believing such weakness "injures the prisoners themselves, injures the master, and injures his neighbour".¹⁵¹ Hall was a keen advocate of flogging, and recommended spreading a flogging over weekly intervals, to create "an agony of anticipation, highly salutary to the culprit". He also campaigned for heavier scourges, as the standard scourge was suitable only "for a butcher's boy to beat flies off the meat with".

¹⁴⁹ *Offenders' Punishment and Transportation Act 1830*, 11 Geo. IV No. 12 (12 May 1830).

¹⁵⁰ *Offenders Punishment and Justices Summary Jurisdiction Act 1832*, 3 Will. IV No. 3 (24 August 1832).

¹⁵¹ *TSM*, 18 August 1832, p. 2.

The magistrates' lack of legal training presented problems, particularly in country districts, where their rough and ready justice often exceeded their legal powers. The main task of country magistrates was to discipline the convict workforce, who often formed the labour force of their own or their neighbours' properties.¹⁵² The actions of all magistrates were subject to judicial review by the Supreme Court,¹⁵³ but the remoteness of country magistrates rendered them less likely to such checks than Sydney magistrates. The latter were, of course, also subject to the close scrutiny of the vigilant Sydney press.

Rossi's first day chairing the Police Magistrates' Court, 19 May 1825, saw the Bench deal with typical offences. It discharged two soldiers wrongly accused of possessing a stolen silver watch, sentenced a convict to the treadmill for 28 days and to a clearing party for 12 months for theft of a shirt, and committed two free settlers for trial at the Quarter Sessions for stealing a shirt from a store in King Street and a bag of wheat from the market respectively.¹⁵⁴

Assessment of Rossi's career as Magistrate

Rossi's career in the Magistracy was much longer than his police career, for he continued to serve on the Bench in Goulburn after his retirement, and spent over 20 years dispensing justice.

The claim is often made that Rossi was a severe disciplinarian and an inflexible and obtuse magistrate. Charles McAlister, a pioneer in Goulburn district, alleges that Rossi and another magistrate, George Stewart, sentenced a convict to 25 lashes for feigning illness. The man had claimed he was unable to work because of an internal injury, and after the flogging, he crawled back to his station (Dr Andrew Gibson's Narrawa property on the Fish River, some 90 km northwest of Goulburn) where he died.¹⁵⁵ The incident is likely to be true, for Charles would have heard the story from his clansman, Captain Lachlan MacAlister, himself a Goulburn magistrate and commander of the mounted

¹⁵² TSG, 17 November 1825, p. 2.

¹⁵³ David Neal, *The Rule of Law in a Penal Colony: Law and Power in Early New South Wales*. Cambridge : Cambridge University Press, 1991, p. 109.

¹⁵⁴ TSG, 26 May 1825, p. 3.

¹⁵⁵ Charles MacAlister, *Old pioneering days in the sunny south*. North Sydney : Library of Australian History, 1977. Facsimile series; No. 1. First published 1907, pp. 62–63.

police at Goulburn Plains.¹⁵⁶ Duyker cites MacAlister's account to characterise Rossi as a "harsh disciplinarian" (in Mauritius as well as in Sydney),¹⁵⁷ and Shiel makes the same accusation in his account of the bushranger Ben Hall.¹⁵⁸

The unknown convict's death was unfortunate, but may not have been typical, for there are no other recorded cases of prisoners dying as a result of Rossi's sentences. Moreover, 25 lashes was a light sentence, as convict absconders usually received 100 lashes, and McAlister later cites instances of convicts at Towrang Stockade being given 25 or 50 lashes for "the least neglect of duty". The unfortunate convict's punishment was not particularly harsh, therefore, but it is not known whether the magistrates were aware of his physical condition.¹⁵⁹

It should not be overlooked that Rossi lived at a time when violence was an accepted means of societal control. Tim Castle, writing of the high number of public executions at this time, points out that the colony was at an early stage in its development, when the government did not yet have full control over what was a lawless society. State-sanctioned violence was therefore inflicted on those who threatened the social order, principally white males, and especially convicts. Executions of women and Aborigines were extremely rare. This moral order was accepted by society at the time, and was wholeheartedly supported by the press, who complained bitterly about Darling's administration, but never questioned capital punishment or flogging.¹⁶⁰

In the minds of many, flogging was necessary to control the convicts. As Captain John Henderson of the 78th Highlanders explained in 1832, convicts were thoroughly depraved and vicious, and not entitled to sympathy, but rather to be treated "with the rigour of Slaves". Slaves could be "guided by gentle

¹⁵⁶ Charles Daley, "Lachlan MacAlister: A Scottish Overlander". *The Argus*, 27 May 1933, p. 4.

¹⁵⁷ Edward Duyker, "Rossi, Francis Nicolas". *Dictionnaire de biographie mauricienne; Dictionary of Mauritian biography*. [Port Louis, Mauritius] : Société de l'histoire de l'Île Maurice. 42 (January, 1986), p. 1304.

¹⁵⁸ O.J. Shiel, *Ben Hall: Bushranger*. St Lucia : University of Queensland Press, 1983, p.182.

¹⁵⁹ MacAlister, op. cit., p. 70.

¹⁶⁰ Tim Castle, "Watching them hang: Capital punishment and public support in colonial New South Wales, 1826–1836". *History Australia* 5(2), pp. 43.5–43.6. Darling's treatment of the unfortunate Private Sudds in November 1826, which the press took up in its campaign against Darling, was a politically motivated exception.

means”, but convicts would only work under the threat of dread punishment.¹⁶¹ Flogging was principally confined to convicts and the military, and was a ritual carried out only in the presence of other convicts or soldiers. The victim was stripped to the waist and lashed to a triangle of logs, and each lash was counted aloud by a constable.¹⁶² It was a brutal business, but the flogging of convicts was much less severe than military floggings. *The Australian*, in an editorial of December 1831 critical of the lash, quoted Lieutenant Shipp, an Army officer in India, who recounted the inflicting of 1,000 lashes on a soldier:

The cats [...] were made of a thick and strong kind of whipcord; and in each lash, nine in number, and generally about two feet long, were tied three large knots, so that a poor wretch [...] had twenty seven thousand knots cutting into his back; [...] the sensation experienced at each lash was as though the talons of a hawk were tearing the flesh off their bones.¹⁶³

Compared to this barbarous excess, the sentences available to Rossi were not excessive, and indeed, his contemporaries complained that he was too lenient! *The Gazette* could be expected to be in favour of flogging wrongdoers—and it was—but *The Monitor* repeatedly chastised Rossi for his “frolics in exercising leniency”, greatly regretting that such laxity had become “quite fashionable” since Darling had left.¹⁶⁴ As with slavery, not everyone regarded flogging as acceptable. Alexander Harris, for example, a free immigrant who spent 16 years in NSW, described the lash as “legalised abomination”, because magistrates would order floggings with “such nonchalance as the housewife sends for a pound of candles”.¹⁶⁵ Rossi rarely voiced any religious sentiments, but it is completely possible that his judgements—harsh though they seem to us—may have been motivated by Christian charity.

¹⁶¹ John Henderson, *Observations on the colonies of New South Wales and Van Diemen's Land*. Calcutta : Baptist Missionary Press, 1832, p. 11.

¹⁶² Alan Atkinson and Marian Aveling, *Australians 1838*. Broadway, NSW : Fairfax, Syme & Weldon Associates, 1987, p. 376.

¹⁶³ John Shipp, *Memoirs of the extraordinary military career of John Shipp, late a Lieutenant in his Majesty's 87th Regiment. Written by himself*. London : Hurst, Chance & Co, 1829. 3 Vols. Vol 3, p. 235. Quoted in *The Australian*, 30 December 1831, p. 3.

¹⁶⁴ *TSM*, 18 August 1832, p.4.

¹⁶⁵ Alexander Harris, *Settlers and convicts, or, Recollections of sixteen years' labour in the Australian backwoods by an emigrant mechanic; with new foreword by C.M.H. Clark*. Parkville, Vic. : Melbourne University Press, 1964. First published 1847, pp. v; 132.

It will be recalled too that Rossi had been charged in London with Bathurst's mission to restore the colony's fearful reputation. Convicts were meant to suffer in NSW, as a judgement by Rossi in January 1832 clearly shows. Two boys, a 19-year old convict and a free youth several years younger, were charged with stealing a large quantity of fruit from the Rev. Mr Cowper. The younger boy was remorseful, and Rossi ordered him to pay the value of the fruit to Cowper and a fine of 5 shillings to the King, but sentenced the convict lad, who had led the younger boy into committing the theft, to 50 lashes.¹⁶⁶

The newspapers frequently commented on the *insouciance* with which convicts regarded a sentence of 50 lashes. *The Australian*, after Rossi had awarded 550 lashes to 19 convict malingerers in March 1830 (an average of 29 lashes each) pronounced that "mercy was of no use to such characters" and the punishment "not injudiciously awarded".¹⁶⁷ In September 1832, after Rossi had awarded James Allen 50 lashes for malingering, *The Gazette* described how Allen, "one of those pests in the Colony", "walked from the bar with a very swaggering air", priding himself on being "'game'—an idea which the gallows alone will induce him to discard".¹⁶⁸ And, when Rossi imposed sentences other than flogging, *The Gazette* voiced the popular view that confinement in the cells or on the treadmill punished the master more than the convict, for the former was deprived of his assigned servants' labour.¹⁶⁹

For his part, Rossi was accustomed to ordering floggings in the army and in Mauritius, so he would have been inured to the inflicting of pain and suffering, albeit by parties other than himself. He is unlikely therefore to have had any qualms about the floggings he was obliged to order in Sydney, although the effects of the punishment could be traumatic on some individuals—others were only made more defiant by the experience. Evidence was given to the 1838 Select Committee on Transportation on the amount of emotional vulnerability, weakness and debasement which flogging produced.¹⁷⁰ Bourdieu would remind us that there is also an impact on the person ordering the flogging, and that

¹⁶⁶ *TSG*, 19 January 1832, p.3.

¹⁶⁷ *The Australian*, 10 March 1830, p.2.

¹⁶⁸ *TSG*, 25 September 1832, p.3.

¹⁶⁹ *TSG*, 28 March 1833, p.2.

¹⁷⁰ Raymond Evans and Bill Thorpe, "Commanding men: Masculinities and the convict system". *Journal of Australian Studies*, 1988 22/56 (1988), pp. 25–26.

Rossi would not have been immune to this. Becoming inured to subjecting convicts, ordinary soldiers and criminals to the lash would have served to create even greater alienation between him and the convict class.

The rigid separation which Rossi maintained between himself and the hoi polloi placed him firmly in the camp of the “Exclusives”—men who were opposed to the efforts of former convicts—the “Emancipists”—to press for political and social rights. Rossi was famously quoted as saying “For my part no matter what crime man come for to dis country, I never put my legs under one table wid him”.¹⁷¹ This was not unusual, for Cunningham records that no “Exclusive” would dine with a convict or an ex-convict.¹⁷² Rossi also maintained his exclusive status by visible signs, both Rossiville and the harnesses for his carriages carrying his family crest.¹⁷³

Rossi was not entirely inflexible, however, for *The Australian* reported in March 1829 that during a visit to the country, Rossi was struck by the sober and industrious behaviour of assigned convicts there, in contrast to the worst characters “who managed to obtain employment in Sydney and resume criminal ways”. The paper went so far as to say Rossi had returned to Sydney with altered opinions, and that he now realised that the prisoners who lived with settlers up-country were “a different race of beings altogether” from those in Sydney.¹⁷⁴ *The Monitor* too commented on this change of heart, claiming that Rossi had “become a convert” to its opinion on this matter.¹⁷⁵

The criticism that Rossi was an unfeeling and unbending bureaucrat originates from an oft-quoted passage by Alexander Harris attacking the pass system used to control the movement of convicts. Harris witnessed the fate of a free immigrant who was arrested for not having a pass, and when brought before Rossi, was ordered to the Prisoners’ Barracks to establish whether he was a convict. The outcome being negative, he was then taken to his former lodgings, where someone confirmed that he was indeed a free man. Taken before Rossi again, he was discharged, but on asking what should he do if he arrested again,

¹⁷¹ *The Australian*, 10 December 1830, p. 2.

¹⁷² Cunningham, op. cit., Vol 2, p. 134.

¹⁷³ *TSG*, 31 July 1832, p. 3.

¹⁷⁴ *The Australian*, 3 March 1827, p. 3.

¹⁷⁵ *TSM*, 9 March 1827, p. 5.

Rossi replied that, since he now knew him, he would “liberate” him at once! Could not Rossi issue him with a pass? the young man asked. No, said Rossi, that was beyond his province, and recommended the young man apply to the Colonial Secretary.¹⁷⁶ Harris’s memoirs contain both fact and fiction,¹⁷⁷ but there is no reason to doubt the veracity of this incident, which Harris says was by no means an isolated one.¹⁷⁸

Far from being obtuse, Rossi was merely following orders, for Darling’s *Bushranging Act* of 1830 required any person suspected of being a “transported felon unlawfully at large” to be taken before a magistrate and detained until their status was established.¹⁷⁹ This requirement was introduced by Darling because of the bushranger threat, and was renewed until the Act lapsed in 1853.¹⁸⁰ Darling also ordered in May 1830 that magistrates issue passes to no-one other than their own assigned servants. The system did impinge on the liberty of the free settlers, there being no pass system for them. It remained one of those irksome measures which free people in the colony had to bear, measures which neither Bigge nor Bathurst had believed necessary to relax.¹⁸¹

Darling was a martinet, and officials who did not fall in line with his exacting demands could expect to be chastised. After the Chief Justice Forbes fell out with Darling over the Governor’s excessive actions, Forbes and his wife suffered the consequences. Mrs Forbes recorded their experience:

To be a friend or even an acquaintance of the Chief Justice was enough to place the delinquent so offending upon the black books at Government House, and as most of the Government officials in Crown Colony days, with the exception of those connected with the Supreme Court held their appointments “at the Governor’s pleasure” it was not to be wondered at that many fought shy of us.¹⁸²

¹⁷⁶ Harris, op. cit., pp. 75–77.

¹⁷⁷ Charles Manning Hope Clark, “Foreword”, p. 5 in *ibid.*

¹⁷⁸ Harris, *ibid.*

¹⁷⁹ 11 Geo IV No. 10. *An Act to suppress Robbery and Housebreaking and the harbouring of Robbers and Housebreakers.* (21 April 1830).

¹⁸⁰ Gregory D. Woods, *A history of criminal law in New South Wales: the colonial period, 1788–1900.* Annandale, NSW : Federation Press, 2002, pp. 77–78.

¹⁸¹ Bigge, *Judicial Report*, p. 89.

¹⁸² George Forbes, “Crown Colony Days: Lady Forbes’ Reminiscences”. *SMH*, 14 June 1924, p. 11.

In Darling's tightly-run bureaucracy, any initiative to circumvent his instructions would not have been appreciated. Nevertheless, Rossi did have scope to exercise considerable discretion in his judgements as magistrate, and it is to them that we shall now turn.

There are no surviving records from the Police Magistrates Court, but the contemporary press did record many of his judgements. These were, however, selected on the basis of their interest—or entertainment value—to their male readers. The reports deal with those in the dock and on the Bench, and reporters often saw themselves as drama critics in the way they reported the facts. Drunks and women were their favourite subjects, and reports were written in an elevated literary style, with classical references to Homer and Latin authors. Some were reported as a stage comedy, complete with stage directions (e.g. "Exit to the stocks"). Women, whether convict or free, were invariably treated in a patronising and condescending manner, and the reporters were, of course, also subject to the editorial policies of the newspaper owners. Since the Police Magistrates Court sat daily, there are more than enough reports to enable an accurate picture of Rossi's performance as magistrate to be drawn up.

Rossi also sat in judgement on the colony's free inhabitants, hearing minor offenses such as drunkenness, assault and disturbing the peace. These miscreants usually were ordered to pay a fine of five shillings into a fund for the relief of the poor,¹⁸³ or to undergo a spell in the stocks. Unlike flogging, the stocks were a public punishment, located in the market-place next to the Police Office,¹⁸⁴ where the miscreant was highly visible. Thomas Dowse, a visitor in 1828, was pleased to see this custom of Old England in the Antipodes, and described the lively scene in the market-place,

with its bark roofed sheds, stalls or shanties in which old Mobbs of the Field of Mars dispensed at a very moderate figure his fine oranges, peaches etc. and the trim little stall of Mrs Mary Howell from which the early rising house wives of old Sydney obtained their [...] weekly supply of butter, bacon, eggs, poultry and other requisites. The well stocked stalls of those children of Israel where vociferous utterances were incessant upon market mornings to

¹⁸³ *TSG*, 21 July 1825, p. 2.

¹⁸⁴ The new Police Office was opened in June 1827 in George Street on the site of the present Queen Victoria Building.

induce the clodhoppers from Kissing point, Parramatta, Windsor and other agricultural localities to purchase their wares ranging from hob nailed boots to the universal Cabbage Tree Hat for personal wear, and from a plug of Brazil tobacco to high dried Schnapper for home consumption.¹⁸⁵

Notwithstanding such approbation, the stocks were only used to punish the poorest colonists—drunks and “women who shout in public”—for disturbing the harmony of the town.¹⁸⁶ The public humiliation involved was important, and on one occasion when a fellow sent to the stocks was seen reading a newspaper “with the utmost sangfroid”, Rossi ordered the paper to be removed, as he could not “suffer His Majesty’s Stocks to be made a place of amusement instead of punishment”.¹⁸⁷

Recognising that the colony’s laws were designed to control the convicts, Rossi often showed leniency to the free citizens appearing before him. When one “unfortunate” victim of the “degrading infirmity of drunkenness” appeared before Rossi clad only in a watchman’s coat, having been found senseless in a ditch, completely naked and exposed to the winter weather, Rossi merely admonished the man, believing he had been sufficiently punished.¹⁸⁸ Rossi was known, too, for displaying charity to particularly deserving cases, sometimes paying their fines and fees from his own pocket.¹⁸⁹ In fact, it was his kindness in these matters which caused him serious trouble.

Rossi’s leniency also extended to female convicts brought up before him, usually on charges of drunkenness, prostitution or domestic violence. When Mary Delaney was charged with “a most furious battery” upon the head of her husband with a fire shovel, she was ordered only to provide securities and be of good behaviour for twelve months.¹⁹⁰ Catherine Marmon, “as usual, found drunk on the streets of Sydney”, expressed great abhorrence of the Factory

¹⁸⁵ Thomas Dowse, “Recollections of Old Times with the social history of New South Wales and Queensland [1827 to 1878]”, pp. 32–32A.
<http://tomdowse.blogspot.com.au/2003/02/recollections-of-old-times-with-social.html>.
Accessed 27 October 2015.

¹⁸⁶ Anderson & Aveling, *op. cit.*, p. 376.

¹⁸⁷ *The Australian*, 5 July 1833, p. 2.

¹⁸⁸ *TSG*, 21 July 1825, p. 2.

¹⁸⁹ See e.g., *The Australian*, 17 May 1826, p. 3, 27 May 1826, p. 3; *TSG*, 18 November 1826, p. 3, 4 March 1834, p. 2.

¹⁹⁰ *TSG*, 24 July 1830, p. 2.

and, “induced by her protestations of future good behaviour”, Rossi sentenced her to just three hours in the stocks”.¹⁹¹ Another woman— “the greatest pest that ever a husband was plagued with”—was despatched to the Factory for three months for being an incorrigible drunkard and abusive towards her husband.¹⁹² A seemingly harsh sentence, but handed down only after a long tirade, in which she “discharged from her crater of a mouth such a volley of obscenity and disgusting abuse at the Bench”.

Female convicts indulging in unlawful sexual relations were treated more severely. One “plump daughter of Erin, with a face as red as a pulpit cushion”, defended her entertaining of a gentleman after hours by telling Rossi “the story of her love with a pathos which operated on the risible muscles of the auditors like an electrifying machine”—in vain, for Rossi sentenced her to two months’ factory discipline.¹⁹³ After declaring his repugnance of a ticket of leave lady’s living “in a state of concubinage”, considering it “in the highest degree disgraceful, and utterly subversive of the morals of society”,¹⁹⁴ Rossi allowed Mrs Morris one month to produce a certificate of marriage, or be sent to the Factory. Ann Smith, charged with “enjoying herself with a man” in her master’s kitchen—for the second time—was labelled “an impudent slut” by Rossi, and sent to the Factory for three months.¹⁹⁵ The suppression of prostitution was one of Rossi’s major preoccupations: after Margaret Champion denied being a prostitute, Rossi contradicted her, saying “I speak from personal knowledge; you cannot deceive me, I know all the girls in Sydney”.¹⁹⁶ Other reports make it clear that Rossi’s personal policing of the streets of Sydney was motivated by the desire to catch law-breakers rather than by any prurient interest in loose women.

Some women convicts, of course, were incorrigible, and Rossi did deal with them severely. “Elizabeth F”, charged by her husband with promiscuity, prostitution and habitual drunkenness, was condemned as a woman of “vile

¹⁹¹ *TSG*, 8 November 1826, p. 3.

¹⁹² *TSG*, 19 January 1832, p. 3.

¹⁹³ *TSG*, 12 July 1832, p. 3.

¹⁹⁴ *TSG*, 1 November 1826, p. 3.

¹⁹⁵ *TSM*, 15 August 1832, p. 2. Three months was a typical sentence—William Caleb’s assigned servant (otherwise unnamed) received the same sentence for the same offence. See *TSM*, 11 July 1832, p. 2.

¹⁹⁶ *TSM*, 15 August 1832, p. 2.

character”, and ordered to have her head shaved and removed to the third class in the Factory for eight months of hard labour.¹⁹⁷

Rossi’s attitude towards women’s morals accorded with the outlook of the middle class of the time, and his sentencing of women was rarely criticised by the press. An exception, of course, being Hall, who accused Rossi of being too lenient on female offenders by not imposing the full sentences allowed under Bourke’s “Fifty Lashes Act”.¹⁹⁸ Harsher sentences, Hall argued, would encourage many offenders to marry, a boon to their master’s families, as well as emptying the Factory.¹⁹⁹ He accused Rossi and fellow Magistrate Windeyer of misunderstanding the new Act, or of hesitating “from feelings of tenderness to the sex”, a sentiment “baneful to our society”.²⁰⁰

Rossi was equally strict on the “vicious and immoral practices” of the men who seduced women,²⁰¹ and took care to ensure that young juvenile women were treated fairly. When it was evident that 14-year old Esther Harris, charged with stealing and receiving stolen property, had been induced by an older woman to do so, Rossi regretted having to commit both for trial, but ordered that the child “be situated as comfortably as her situation would allow, and not be allowed to mix with women in gaol if it could be avoided”.²⁰²

Rossi’s attitude towards promiscuity was representative of the middle class values of the time, but his more tolerant treatment of other offences by female convicts was not. The female convicts were regarded from the earliest days of the colony as degraded individuals beyond redemption, “utterly irreclaimable, being the most worthless and abandoned of human beings [and] infinitely worse than the males!”²⁰³ Their sexual behaviour, Anne Summers argues, was the result of the great imbalance between the sexes, which forced women to form

¹⁹⁷ *The Australian*, 9 June 1829, p. 4.

¹⁹⁸ The Act provided for 12 months’ imprisonment for pilfering or larceny, and for minor infractions, two months’ imprisonment, or 14 days solitary confinement.

¹⁹⁹ *TSM*, 1 December 1832, p. 2.

²⁰⁰ *TSM*, 2 January 1833, p. 3.

²⁰¹ *TSG*, 27 May 1826, p. 3.

²⁰² *The Australian*, 9 June 1829, p. 4.

²⁰³ William Henry Breton, *Excursions in New South Wales, Western Australia, and Van Diemen’s Land during the years 1830, 1831, 1832, and 1833*. 2nd edn. rev., with additions. London : R. Bentley, 1834. New York, Johnson Reprint Corp., 1970, pp. 280–81.

attachments with men, to escape the attentions of other males.²⁰⁴ Sturma sees their plight differently, claiming that the labelling of women convicts as “prostitutes” reflected middle class values, which cast women who behaved promiscuously, paid or unpaid, as prostitutes. Cohabitation among the English lower classes was normal, and the lack of accommodation for female convicts (the Female Factory being woefully inadequate) further encouraged the practice in Sydney.²⁰⁵

The lot of convict women was also harder than that of men, for the only employment available to women was domestic service, where both their labour and their personal lives were under the control of their “master” (a revealing term in itself). The magistrates too attempted to control the behaviour of female assigned servants. In 1833, for example, they pronounced that it was quite “unbecoming” for female servants to display “shewy ear-drops, rings, brooches, and other gew-gaws, and it is the duty of masters and mistresses to forbid their use. In the event of their non-removal [...], masters and mistresses will do right in removing them forcibly”.²⁰⁶

It is not surprising therefore that there was much conflict between female servants and their employers, and since, by Government decree, female convicts could only be reassigned to the Factory by a decision of a magistrate, Rossi spent much time determining disputes between female servants and masters. Byrne notes that the courts were effectively a labour exchange, for settlers could only obtain domestic labour by being assigned female convicts from the Factory at Parramatta.²⁰⁷

Flogging was never a punishment for females, and there is no evidence that females were sentenced to whipping in NSW.²⁰⁸ Instead, Darling introduced the

²⁰⁴ Anne Summers, *Damned whores and God's police: the colonization of women in Australia*. Ringwood, Vic. : Penguin Books, 1975, p. 270.

²⁰⁵ Michael Sturma, “Eye of the Beholder: The Stereotype of Women Convicts, 1788–1852”. *Labour History*. 34 (May, 1978), pp. 8–10. Sturma makes the point that most historians tend to be also of the middle class.

²⁰⁶ *TSG*, 28 March 1833, p. 2.

²⁰⁷ Paula Jane Byrne, “On Her Own Hands: Women and Criminal Law in New South Wales, 1810–1830”. In David Philips and Susanne Davies (eds.), *A nation of rogues? : crime, law and punishment in colonial Australia*. Carlton, Vic. : Melbourne University Press, 1994, pp. 16–18.

²⁰⁸ Woods, op. cit., p. 25.

shaving of female convicts' hair on a systematic basis in 1826, to be "a lasting sign of punishment and an outward sign of moral corruption and weak character".²⁰⁹

Free female offenders who appeared before Rossi were, of course, treated with even more solicitude, though the Courts saw it as their function to police their morals as well.²¹⁰ When a recently bereaved widow was placed at the bar, having been found lying in the Market-place, with a young child at her breast, in a helpless condition "arising out of the effects of intoxication", Rossi discharged her, remitting the usual fine. "This was humanity", commented *The Gazette*.²¹¹ When Eliza Bailey was charged with not paying the fine for harbouring a convict and was found to be sober, industrious and the sole breadwinner for six children, Rossi sought Government assistance for her, and, together with the other magistrates on the Bench, paid her fine and costs of \$26, before discharging her.²¹² In line with Bourdieu's notion of reflexivity, the response of some women was to manipulate the patronising attitude of the male magistrates. Elizabeth Woods, for example, "arrayed in an Opera cloak and sky blue silk bonnet", appeared before Rossi on the charge of being disorderly and drunk in the street at midnight, and after commenting on her appearance, Rossi admonished her to "go home and behave better". At which Woods was overcome by a "flood of tears" and "was carried from the bar in the arms of a constable, trying with all her might to gammon a swoon, but without effect".²¹³

Finally, one incident in particular sums up both Rossi's attitude towards women, although whether he was inspired by feelings of humanity or Christian charity cannot be known. This was the death in the Police Court in April 1830 of Ann Burnside, the elderly wife of an old veteran soldier. She had come to the Police Court to hear the judgement on a dispute with a neighbour, but collapsed in the hall of the courthouse. On being informed, Rossi left the Bench immediately, and "with his own hand bathed the temples and hands of the poor woman,

²⁰⁹ Damousi, op. cit., pp. 86; 88.

²¹⁰ Byrne, op. cit., p. 18.

²¹¹ *TSG*, 23 February 1830, p. 2.

²¹² The colony used a variety of currencies at this time, including Spanish dollars. *The Australian*, 9 March 1826, p. 4.

²¹³ *TSH*, 24 May 1832, p. 3.

whilst the constables were sent in every direction for medical assistance". A surgeon soon arrived, but the woman was already dead.²¹⁴ Rossi's compassion, perhaps part of his unostentatious Christian faith, is in sharp contrast to the attitudes of the editors of *The Monitor* and *The Australian*, the former merely remarking that the woman's death was due to "debauchery", while *The Australian* stated it was "the visitation of God, [...] considerably accelerated by drunkenness and disease, arising from prostitution".²¹⁵ Only *The Gazette* praised the "worthy magistrate". The consideration for others which Rossi's instinctive act demonstrates was not an attribute one might normally expect in a magistrate of the time.

Convict and ticket-of-leave men who re-offended were treated strictly, in line with the British Government's policy, but Rossi's judgements were also closely scrutinised by the newspapers, who were keen to protest any action by the authorities that they overrode the prisoners' rights. Thus, in April 1827, Rossi was criticised for giving James Philips, a convict under sentence of seven years, an additional three months for mistaking the date of expiry of his sentence.²¹⁶ Rossi simply did not believe Philips's story. *The Australian* criticised Rossi for sentencing an assigned servant to three days at the treadmill for being out at night without a pass, although the fault was his master's.²¹⁷ Rossi declared the *Licensed Publicans Act 1826 No. 2a* allowed him no discretion in the matter.²¹⁸

Despite such attacks, Rossi was indeed concerned to see that assigned servants were fairly and humanely treated. He upbraided a master who expected his unsupported testimony would be sufficient for the magistrates to punish his servant, an occasion when even *The Monitor* supported Rossi,²¹⁹ and on another occasion dismissed a request from a mistress to put her servant in the stocks "for a few hours" for allegedly absenting herself.²²⁰ Similarly, when

²¹⁴ TSG, 1 May 1830, p. 3.

²¹⁵ TSM, 5 May 1830, p. 2; *The Australian*, 6 May 1830, p. 3.

²¹⁶ TSM, 27 April 1827, pp. 3–4.

²¹⁷ *The Australian*, 10 February 1829, p. 3.

²¹⁸ 7 Geo IV (No. 2.) (20 February 1826). The Act provided that any convict found in the street after 8 pm without a written Pass from his or her Employer or Overseer was deemed guilty of "disorderly Conduct, and dealt with as by Law directed in such Cases".

²¹⁹ TSM, 25 April 1829, p. 2.

²²⁰ TSG, 30 June 1831, p.3.

a young apprentice carpenter complained that his master had denied him food and clothing and was not teaching him his trade, Rossi exclaimed that the lad looked like “misery personified”, and after verifying his story, severely admonished the master. He then discharged the boy from his indentures, fined the master £15 out of the £20 he had received as apprentice fee, and applied the fine for the boy’s apprenticeship to another master.²²¹ As *The Gazette* pointed out, Rossi’s solicitude for the underdog was such that, although he would enforce the Regulations for Convicts, he was “equally anxious that they should be protected from any individual”.²²² It could be argued that Rossi’s attitude had been influenced by the efforts of Wentworth, Wardell and Hall in campaigning for equal rights before the law for all, but it is likely that this sentiment was already part of Rossi’s *habitus*. It will be recalled that Rossi believed it necessary to demonstrate to his Indian convict charges that although he was strict, he was also fair and respectful of individual rights.

Rossi’s relationship with the Press

From the very beginning, the unrelenting attitude of the independent press was that Rossi’s foreign origin disqualified him from his post. *The Australian* confined itself at first to mocking his “ludicrous” foreign accent,²²³ and while *The Monitor* acknowledged that Rossi’s “upright conduct and high moral character [...] have gone a great way to towards alleviating this first prejudice against him”,²²⁴ the paper soon dropped any such concession. *The Australian*, in a lengthy editorial in March 1829, criticised Rossi’s behaviour on the Bench as “very un-English like”, although it may “betray keen craft and cunning in an Italian”.²²⁵ *The Monitor*’s oft-repeated objections to Rossi’s appointment was a variation of the theme that he was “a Military French or Italian gentleman [...] administering our laws to us Englishmen” who was ignorant of the law.²²⁶ Rossi did of course have *The Gazette* on his side, and the paper did defend him very early on, in a lengthy editorial, for example, on the foolishness of xenophobia.²²⁷

²²¹ TSG, 24 July 1830, p. 3.

²²² TSG, 21 February 1829, p. 2.

²²³ *The Australian*, 23 February 1827, p. 2.

²²⁴ TSM, 7 July 1826, p. 2.

²²⁵ *The Australian*, 27 March 1829, p. 2.

²²⁶ TSM, 10 February 1827, p. 3.

²²⁷ TSG, 5 July 1826, p. 2.

The Australian and *The Monitor*'s criticism of Rossi also had a political dimension, for the two editors objected to the British Government's practice of appointing military officers to civilian posts in the colony, the most egregious example, according to *The Monitor*, being Rossi.²²⁸

The Australian and *The Monitor* also criticised Rossi's less than polished court room manner, often to the fore when he dealt with lawyers. *The Monitor* delightedly reported, after Rossi had rounded on a solicitor named Sheehy, that the magistrate was "more than usually agitated with judicial wrath, for he applied sundry rough epithets to Mr S, and threatened to turn him out of court".²²⁹ Rossi's brusqueness with lawyers could perhaps be overlooked, given the Bench's heavy workload. Reporting on one session in May 1830 when there were more than 40 cases for hearing, *The Gazette* reported that Rossi "very often requires the patience of Job himself, to carry him through the discharge of his official duties".²³⁰ The situation was not made easier by the failure of the other magistrates to appear; being unpaid, they gave priority to pursuing their own livelihoods (most were traders and merchants).²³¹ Rossi's own self-discipline and his application to fulfilling the duties of his twin positions caused him considerable stress.

This irritability on Rossi's part was often directed at journalists, in May 1831, criticising them for continually misrepresenting proceedings. *The Monitor*'s reporter replied that, while he might "embellish" trivial cases now and then, this was never to the prejudice of the parties involved, and serious cases were always correctly reported. Tellingly, he told Rossi that the reports to which Rossi objected were always "very correct; namely, those wherein were faithfully narrated the undignified, not to say unfeeling remarks, which fell from himself [i.e. Rossi], and sometimes from other Magistrates". The *Herald*'s reporter backed up his colleague, declaring that "the only unpalatable reports were those which were strictly true, and which contained narrations not becoming to have fallen from a Magistrate".²³² The fact that some of the reporters were

²²⁸ *TSM*, 10 February 1827, p. 2.

²²⁹ *TSM*, 13 November 1830, p. 2.

²³⁰ *TSG*, 20 May 1830, p. 3.

²³¹ *TSG*, 24 February 1829, p. 2.

²³² *TSM*, 4 June 1831, p. 3.

assigned convicts may have strengthened Rossi's prejudices against them, and when he sentenced one such to 25 lashes for frequent absence from work, Rossi declared to the miscreant:

I don't care for the Press, or any paragraph you may write about me. You printers' devils give me more trouble than any other assigned servants. Most of the street robberies are committed by convict printers. I tell you publicly I don't care for the Press.²³³

Rossi also became embroiled in the political campaign conducted by the press against Governor Darling, and he was severely criticised for his obedience to the Governor. But it was Rossi himself who was to provide the newspapers with the most effective ammunition to use against him, as will be discussed in the next chapter.

Assessment of Rossi's career as Chief Police Magistrate

Rossi's lack of legal training was a disadvantage to the carrying out of his magisterial duties, but the British Government was more concerned to appoint magistrates who could be relied on to enforce discipline over the convicts.

This is not to say that the impartial administration of the law was not important, but it was subordinated to the maintenance of good order in the colony.

As a military man who could be relied on to carry out instructions and maintain discipline, Rossi fulfilled this requirement much more than many of his fellow magistrates did, and as regards his lack of legal expertise, he was in exactly the same position as the other magistrates. When, as was perhaps inevitable, he did fall foul of the Supreme Court on a serious legal issue, he received no censure from the Government, but was in fact promoted by Governor Darling.

Rossi's military background also meant that he devoted himself to his duties, working long hours to get through heavy caseloads, often without the assistance of other magistrates on the Bench. This had an effect on his health, but he continued to carry out his duties, in the face of fierce and sustained criticism from the liberal press. His efforts and scrupulous obedience to orders gained him the respect and confidence of four successive Governors, including the exacting Darling, although his loyalty proved to be to his cost.

²³³ TSH, 16 May 1833, p. 3.

Rossi was faithful to his instructions in administering strict justice to the convicts appearing before him, although he was not the brutal and callous tyrant he has been made out to be. His sentences of flogging were not excessive by the standards of the time, and indeed, he was criticised by the contemporary press for being too lenient. He was however solicitous of the rights of assigned convict servants, and would find in their favour against oppressive and unfair masters.

His treatment of females—whether free or convict—was considerate, and his attitudes towards sexual misconduct was in line with the male-oriented standards of the time, particularly when the bonds of marriage were violated. He was particularly strict in punishing drunkenness, his French upbringing perhaps rendering him more censorious of this failing than his fellow magistrates. Indeed, it might be said that Bathurst showed considerable foresight in appointing a Frenchman with a civilised attitude towards alcohol. Bougainville too found the British overindulgence to be repugnant, after attending a dinner at which several Government officials, including the Attorney General, Saxe Bannister, were carried senseless from the table.²³⁴

Finally, the instances cited above show that his career on the Bench was characterised by his humanity, extending gallantry to women of whatever station, and kindness and charity to those whom misfortune or adversity brought before his Bench.

It was unfortunate for Rossi that he had to serve under Darling, who, although an assiduous and brilliant administrator, was a strict disciplinarian, not given to self-doubt or introspection, and as a result alienated many in the colony.²³⁵ Mrs Amelia Forbes, the wife of Chief Justice Forbes, was repelled at her first meeting with the Governor, calling him a “military despot”, “somewhat forbidding in appearance, inclined to be overbearing, and “very dictatorial”.²³⁶

²³⁴ Bougainville, *Guest*, p. 68.

²³⁵ Brian H. Fletcher, *Ralph Darling: A Governor Maligned*. Melbourne : Oxford University Press, 1984, pp. 222–24.

²³⁶ George Forbes, “Crown Colony Days: Lady Forbes’ Reminiscences”, *SMH*, 26 April 1924, pp. 11; 13.

Rossi's selection for the post was quite deliberate on Bathurst's part, and Sydney benefitted from Rossi's high principles and dedication. Other colonies were not so fortunate, for shortly after appointing Rossi, Bathurst yielded to the request by the Duchess of Cambridge to appoint her relative, Baron Charles George Lorentz, to the post of Superintendent of Police in Cape Town, with a salary of £700 a year.²³⁷ Lorentz was a disaster in the post, and was denounced as being "ageing and incompetent", and generally acknowledged to be "useless"—criticisms that could never be levelled at Rossi.²³⁸

It is useful to compare Rossi's reception in Sydney with that of other Frenchmen, for the colony in general held no particular animosity towards the French, despite Britain's long and bitter wars against France. This is partly due to the privileged place which French language and culture had on the language and culture of the British Isles, and the familiarity of many of the elite with the French language.²³⁹ The administration, true, did have lingering suspicions of French designs on the region which dated from Lapérouse's unexpected appearance in Botany Bay in January 1788, but the subsequent French official expeditions which visited Sydney, however, were always received cordially—Péron in 1800–4, de Freycinet in 1800–3 and 1819, Baudin 1801–3, Duperre and Durmont d'Urville in 1822, Blosseville in 1824, Bougainville in 1825 and Laplace in 1832.

Two Frenchmen, however, did receive unfair treatment around this time—the naval ensign Francis Barrallier (1773–1853), and the convict entrepreneur François Girard (1792?–1859), but this was not on account of their nationality, but because they fell out with the Governor over personal and business matters.²⁴⁰ Barrallier left the colony in 1803, and Girard would have been shunned by Rossi as socially undesirable, being an emancipated convict. Rossi would likewise have spurned the small number of French ex-convicts in

²³⁷ Nigel Worden; Elizabeth Van Heyningen; Vivian Bickford-Smith, *Cape Town: the making of a city: an illustrated social history*. Claremont, South Africa : D. Philip ; Hilversum : Verloren Publishers, 2004, p. 173.

²³⁸ *TSG*, 31 January 1827, p. 3.

²³⁹ Ivan Barko, "The French in Sydney". *Sydney Journal* 1/2 (June 2008), p. 63. http://epress.lib.uts.edu.au/ojs/index.php/sydney_journal/index. Accessed 14 June 2016; Dutton, op. cit., p. 6. A number of French speakers with whom Rossi and his wife could have enjoyed conversing in French are discussed in the next chapter.

²⁴⁰ Dutton, op. cit., p. 7.

Sydney, in spite of their subsequent prosperity when freed. These included the successful inn-keeper James Larra, who arrived in 1790,²⁴¹ and the clockmaker and goldsmith Morand.²⁴² Others, like the thief George Francisco and the burglar Peter Parris,²⁴³ probably appeared at some stage in Rossi's court.

There were three Frenchmen of noble background who, unlike Rossi, did not meet with hostility from both the press Sydney's and the general populace. As mentioned in Chapter 1, two of them were given aristocratic pedigrees: Prosper de Mestre (1789–1844) who arrived in Sydney in 1818 to become a successful businessman with interests in banking, insurance, shipping and whaling was rumoured to be the illegitimate son of the Duke of Kent,²⁴⁴ while the Breton Gabriel Louis Marie Huon de Kerilleau (1769–1828), a successful pastoralist at Campbelltown and later at Marulan, was said to be a member of the House of Bourbon. Only the third, the Parisian, Lalouette de Vernicourt (1754–1804), son of the distinguished anatomist Pierre Lalouette (1711–1792),²⁴⁵ escaped the gossips, perhaps because, after arriving in 1801, he was granted 100 acres at Castle Hill, where he lived a frugal and isolated existence, and cultivating his land until his death in June 1804.²⁴⁶

Apart from de Kerilleau and de Mestre's origins being the subject of idle tongues, the three men had little in common with Rossi. While they lived their lives very much out of the public eye, Rossi's military background and his role in the judicial system made him a very prominent figure indeed. Very much an isolated figure in Sydney, Rossi had more in common with other Frenchmen, particularly Corsicans, who became part of a small international professional class elite that came in to being after fleeing Revolutionary France. This will be taken up in Chapter 8.

²⁴¹ Larra was possibly of Spanish origin. Barko, op. cit., p. 63.
http://epress.lib.uts.edu.au/ojs/index.php/sydney_journal/index. Accessed 14 June 2016.

²⁴² *ibid.*, p. 64.

²⁴³ Jean Rosemberg, "Studies in the French Presence in Australia". Typescript.
http://www.isfar.org.au/wp-content/uploads/2014/02/Rosemberg_Chap_1_2.pdf, p. 26.

²⁴⁴ Barko, op. cit., p. 64.

²⁴⁵ Edward Duyker, "De Vernicourt, Pierre Lalouette", *Dictionary of Sydney*, 2008,
http://dictionaryofsydney.org/entry/de_vernicourt_pierre_lalouette. Accessed 26 September 2016.

²⁴⁶ Edward Duyker, "Review of Karlene Dimbrowsky, *The Mysterious Baron of Castle Hill: The life and times of Chevalier Verincourt Declambe*". *Explorations* 40 (June 2006), pp. 22–27.

Rossi's success in reducing the crime rate was achieved despite having to command a police force composed of ill-disciplined and corrupt ex-convicts, and a constant supply of new convicts arriving from England. His efforts as head of the Police Force were commended by Darling and by the press, but the four years to 1829 had taken a toll on his health. It was unfortunate therefore that his appointment to the less arduous Customs Department was not sanctioned by London. His other duties, as Chief Police Magistrate, were long and arduous, and although he was obliged to operate within the harsh system laid down by successive Governors, he did display humanity and Christian charity in his judgements, particularly toward women, convict servants and young people.

Previous chapters have demonstrated that Rossi's *habitus* displayed a strong sense of duty, self-discipline and dedication, to which this chapter shows can be added personal courage, adaptability, humanity and charity. Rossi's time in Sydney was the peak of his career, and coincides perhaps with the maturing of his *habitus*.

Unfortunately for him, Rossi's difficulties only increased after he resumed the post of Superintendent of Police in February 1829. He was twice censured by the Supreme Court and although the judgements against him represented little more than reprimands, they did provide the liberal press with the ammunition to increase its attacks on him during the remaining five years of his appointment. These events, and Rossi's personal life, are discussed in the next chapter.

Chapter 7

Personal Life and Retirement in Goulburn, 1829–1851

Rossi's trials before the Supreme Court

The two major lapses of judgement which saw Rossi arraigned before the Supreme Court are an integral part of his magistracy, but the circumstances are sufficiently complex and the outcomes sufficiently important as to warrant separate discussion.

The first took place in 1826,¹ when Rossi was charged with persuading a shopkeeper, Mrs Mary Reynolds, to drop charges she wanted to bring against Mary Ann Cole, a convict caught stealing goods from Reynolds's millinery. The charge against Rossi was a criminal charge, and therefore a very serious one to be brought against a Superintendent of Police.

The facts were these. When Mary Ann Cole appeared before Rossi in the Police Court, she had in her arms a young baby, who, so Chief Constable Dunn informed Rossi, was the illegitimate offspring of "a gentleman who was in the habit of intimacy with the defendant". For "reasons of delicacy," the identity of the gentleman was not revealed in the proceedings (though it would have been known to Rossi), and Rossi took it upon himself to take Mrs Reynolds aside and offer her \$20 to abandon the charges against Cole. Reynolds took the money and withdrew her accusation, but later complained about Rossi's actions. The case presented Chief Justice Forbes with considerable difficulties, for the need to maintain the authority of Superintendent of Police had to be balanced against the need to see justice equitably dispensed. Accepting evidence that Reynolds bore some ill-will towards Rossi,² he dismissed the charge against Rossi, but did not award him costs. Forbes pronounced that although Rossi had erred in his judgement, it was "not from a corrupt motive, but from a mistaken feeling, though it certainly was of a reprehensible character". There had been "much

¹ Rex v Rossi, Principal Superintendent of Police [1826] NSWSupC 43
http://www.law.mq.edu.au/research/colonial_case_law/nsw/cases/case_index/1826/r_v_rossi_principal_superintendent_of_police/. Accessed 8 October 2015.

² Reynolds had refused to refund to Mrs Rossi the purchase price of some muslin which had been found to be unsuitable, and had taken umbrage when Rossi called her "a very bad woman, and an unfair dealer".

irregularity” in Rossi’s conduct, he went on, for “[t]he motives and conduct of a Magistrate, should not only be correct, but above suspicion”.³

Embarrassed, Rossi contacted the editor of *The Gazette* and asked him not to defend him in the newspaper’s columns, fearing any defence of him by that newspaper would only serve to prejudice people against him, given the newspaper’s reputation as the Government’s mouthpiece.⁴ Rossi’s judgement was correct, for the immediate reaction of the other papers was relatively benign. *The Australian* found Forbes’s decision “extremely fair, reasonable, and accurate,” charitably pointing out that the Chief Justice’s remarks were a warning to magistrates who “flatter themselves that when they act conscientiously they must act right”.⁵ *The Monitor* took a more legalistic view, grudgingly admitting that, while the public might be “tolerably satisfied” with the outcome, it criticised the Chief Justice for relying on Rossi’s own evidence that he had not acted corruptly.⁶ The paper also questioned Rossi’s “unusually great” compassion for Cole, which had induced him to withhold the name of the child’s father. This might have been understandable, had she been “honest, young and chaste”, but she was none of these, merely “a convict of loose character, [...] a concubine or a prostitute, or both”.

The possibility must be considered that the child was Rossi’s, but this is unlikely—the astute Dunn would have alerted his superior long before Reynolds appeared in court, and the matter would have been dealt with discreetly.

From now on, however, *The Australian* and *The Monitor* were able to add to their criticisms of Rossi the accusation that he had offered a bribe.⁷ The matter did not materially affect Rossi’s career, nor his standing in the eyes of Governor Darling, who shortly afterwards promoted him to the position of Comptroller of Customs. Hall’s stated opinion on this move—that it was the result of Rossi’s rebuke by Chief Justice Forbes in the Reynolds case—is incorrect.⁸ As stated

³ *TSM*, 11 August 1826, p. 7.

⁴ *TSG*, 9 August 1826, p. 2.

⁵ *The Australian*, 12 August 1826, p. 3.

⁶ *TSM*, 18 August 1826, p. 4.

⁷ See e.g. *TSM*, 10 February 1827, p. 3.

⁸ See e.g., *TSM*, 8 November 1828, p. 4; 9 February 1829, p. 4.

above, Darling acted out of concern for the stress Rossi was experiencing, of which the strain of the court case must have been a part.

The second case against Rossi occurred shortly after Rossi resumed the position of Superintendent of Police in February 1829. It was an outcome of Darling's attempts to silence his critics in *The Monitor* and *The Australian*—Hall and Atwell Edwin Hayes respectively, the latter having taken over as editor from Wardell in June 1828. Hall and Hayes had kept up sustained aggressive attacks on Darling's administration, which the Governor attempted to counter by denying the two men land grants, and by prosecuting them for libel, for which both were imprisoned but nevertheless managed to edit their newspapers from gaol.

In March 1829, in a further attempt to neutralise Hall and Hayes, Darling revoked the assignments of their convict servants. Two convict printers and a reporter assigned to Hall were ordered back into Government service, as well as a court reporter assigned to Hayes. Rossi became involved when Hall insisted that the Governor had no legal power to recall *The Monitor's* foreman printer, Peter Tyler. Rossi was instructed by the Solicitor General, John Sampson, to summons Hall and try him for "harbouring or employing a prisoner of the Crown illegally at large".⁹ Hall vigorously defended himself at the hearing, drawing the Magistrates' attention to a recent pronouncement by the Supreme Court that the Governor could only re-assign servants in cases where the convict's sentence was being remitted.¹⁰

Rossi and his fellow magistrates rejected Hall's defence—and the Supreme Court's ruling—and fined Hall \$6.¹¹ One of the magistrates, Captain George Bunn, was even so rash as to state that his law was as good as that of the judges of the Supreme Court! Hall, however, was not to be intimidated, and

⁹ Sampson to Rossi, 3 April 1829. Reproduced in *Hall v Rossi and others [1830]*. http://www.law.mq.edu.au/research/colonial_case_law/nsw/cases/case_index/1830/hall_v_rossi_and_others/. Accessed 12 February 2016.

¹⁰ The case was that of the convict Jane New. The question of the Governor's powers of re-assignment under Section 9 of 9th Geo 4th c. 83 is extensively discussed in Chapter 31 of Charles Herbert Currey, *Sir Francis Forbes : the first Chief Justice of the Supreme Court of New South Wales*. Sydney : Angus and Robertson, 1968, pp. 341–348. Currey explains that the situation was not clear cut, and in fact London disagreed in January 1830 with the Supreme Court's interpretation.

¹¹ *TSM*, 13 April 1829, pp. 3–4.

launched an action against the magistrates, which left the Supreme Court with no choice but to find that Hall had been wrongly convicted. Hall then moved to have criminal charges brought against Rossi and his colleagues, and it was the outcome of this action that was to have serious consequences for Rossi.

The Supreme Court delivered its unanimous verdict on 1 July 1830 in Hall's favour.¹² It found, first, that the Police Magistrates had no jurisdiction in the Tyler case, as it dealt with property rights—Tyler's services being effectively Hall's "property". Justice Dowling said that the Court was "really at a loss to divine how it could enter into the minds of the magistrates" that the case was within their jurisdiction. He added that a mere glance in Burn's *Justice*—one of Rossi's law books from London—would have clarified this.

Nevertheless, the Court found that Hall's claim that the Police Magistrates were influenced by malicious motives had not been proved, even though the Magistrates had wilfully ignored the earlier Supreme Court ruling on the Governor's powers. Despite this, the Court found that "there was some obliquity in the proceeding, inconsistent with that straight-forward, upright and impartial administration of justice, which the public have a right to expect".

Also found unproven was Hall's charge that the Police Magistrates had been unduly influenced by "a gentleman holding a high official situation in this Colony", and that they had "allowed themselves to be guided in their proceedings" by this person. Darling's name was not mentioned, for the official referred to was John Sampson, the Solicitor General. Although the charges against the Magistrates were dismissed, the Court did express disquiet that the defendants had not rebutted this allegation, and it therefore presumed that the charge "could not be safely contradicted".

Rossi and his colleagues were, however, in no way exonerated, for the Court awarded costs of £600 against Rossi and his colleagues. The Court went on to accuse the Police Magistrates of the constitutional violation of their duty as subordinate judges, for, while they could not be expected to possess the legal

¹² In re Tyler; R. v. Rossi and others (1828) NSW Sel Cas (Dowling) 568; [1829] NSWSupC 25
http://www.law.mq.edu.au/research/colonial_case_law/nsw/cases/case_index/1829/in_re_tyler_r_v_rossi_and_others/. Accessed 8 October 2015.

knowledge of trained lawyers, their action had “tended” to bring the Supreme Court into “disesteem and contempt”. The Court accepted that the Magistrates had not acted in contempt of the Court, but warned that, had they knowingly acted improperly, they would have faced criminal charges, and had they been in England, they would have exposed themselves to “very severe and just animadversion”.

It was an embarrassing finding for Rossi and his colleagues, although not everyone in the colony saw the Supreme Court’s censure as damaging to the Magistrates. Captain Henderson, for example, believed interference by the Executive in the functioning of the Courts was not only a good thing, it was also very necessary. Independence on the part of the judiciary was likely to undermine the Governor’s authority and to encourage those who supported “liberty and equality”.¹³ Should the Government act wrongly, Henderson continued, it should not be judged by a “portion of itself”, but by “an independent authority in the Mother Country”.¹⁴ The powerful Exclusive faction in the colony regarded Rossi’s actions quite differently than did the liberal press and the Emancipists. The matter would only have served, too, to exacerbate the enmity between the two groups.

After receiving Sampson’s instructions, Rossi had been astute enough to see the potential for controversy and he asked as many magistrates as he could to sit on the Bench with him for the hearing. Four magistrates therefore sat in judgment on Hall, when two would have normally sufficed. Rossi may have been unwise enough to concur with the views of his three colleagues, but at least he was not to be alone in his censure.

If the Supreme Court judges’ verdict was delivered in extended and in high-sounding legalese, Hall spelled it out plainly in *The Monitor*. He reproduced Sampson’s letter and pointed out that it amounted to an order from the Government. He claimed that Rossi had allowed himself to be swayed in his judicial duties by the Governor: “Mr Rossi knows as well as we do,” he

¹³ John Henderson, *Observations on the colonies of New South Wales and Van Diemen’s Land*. Calcutta : Baptist Missionary Press, 1832, pp. 77–78.

¹⁴ *ibid.*

thundered, “that our Crown officers do nothing, without first consulting the Governor. They do not move in their offices, but by tap of drum”!¹⁵

It was a serious lapse on the part of the Magistrates, and one that Hall never allowed Rossi to forget. Some four years later, as Rossi’s term was drawing to an end and Hall was reiterating his objection to Rossi’s appointment, he admitted that he bore Rossi no personal ill-will, despite having often “lost the day” with him, but he greatly condemned Rossi’s “habit” of obeying every dictate of “his great patron”, Darling.¹⁶

The untrained magistrates of the lower courts caused Chief Justice Forbes many a dilemma, for he was acutely aware of the conflict between the need to control the convict population and the need to uphold the principles of British law. He did his best not to intervene, but he had no choice in these two cases. He later told Wilmot-Horton that Rossi’s actions in the Reynolds case were so egregious that he was forced to act:¹⁷

I had strained hard to prevent any cases being inquired into, prior to [...] the establishment of regular tribunals of justice in the colony—I knew that not one, but one thousand cases of unauthorised jurisdiction and irregular sentences, would be found on the records of the different benches of Magistrates, in the course of two or three years—and that once the work of retributive justice were begun, it was impossible to see where it would end.

[...] I have had a most exceedingly difficult task to perform—on the one hand, to sustain the Magistrates in the exercise of their authority, and even to shield them when they were wrong, if their motives were right—and on the other, to check the pernicious example of past times, and keep the magistrates from acting erroneously or arbitrarily—a most difficult duty, which I have however performed with some success, inasmuch as I only can recall two cases, in which I felt myself constrained to set aside their proceedings—and in both, the Attorney General gave them up, as incapable of being sustained in law, one was the case of Capt Rossi.¹⁸

The issue had serious ramifications for others as well. Forbes earned Darling’s displeasure by criticising the Governor’s high-handed actions, after he had

¹⁵ *TSM*, 11 September 1830, p. 2.

¹⁶ *TSM*, 8 April 1834, p. 2. See also *TSM*, 6 March 1833, pp. 2–3.

¹⁷ Wilmot-Horton had left the Colonial Office in 1828 but continued to be an M.P. until 1831.

¹⁸ Forbes to Wilmot Horton, 16 May 1827. *Sir Francis William Forbes Papers, 1824–1863?*. ML: A 1819.

asked in exasperation, why not “make the head of the executive the head also of the judicature, and let his word stand for the law”?¹⁹ Nor did Darling fare any better. Although the Crown Law Officers in London supported his view that the Governor did have the power to revoke assignments, he was rebuked by London when he attempted again to revoke Tyler’s assignment. This time he made the mistake of telling London in 1829 that he had acted against Hall on political, rather than legal, grounds, in order to give Hall “less means of disseminating his poison, [so] that the tranquillity of the Colony would be the better preserved”.²⁰

The trial in the Supreme Court had other consequences for Rossi, for his fellow Police Magistrates refused to sit on the Bench, believing themselves now to be the targets of “unprovoked Attacks, [...] Odium, and [...] Malevolence”, and “held up as objects of scorn, hatred and ridicule”.²¹ Rossi had informed the Governor he found it impossible to carry out his magisterial responsibilities, despite daily asking the other Magistrates to attend. There was a backlog of cases and licensing applications to be heard, and it was affecting his police duties, which were now “utterly neglected or inadequately performed”.²² To relieve the pressures on Rossi, Darling appointed an Assistant Magistrate, Charles Windeyer, and set up a Bench of Magistrates composed of Government officers to sit daily to try convict offenders.²³

Rossi’s personal life and family matters

In spite of the heavy load of his official duties, Rossi also took part in a number of initiatives designed to help the less well-off citizens of Sydney.

No doubt with education of his sons in mind, in September 1825 Rossi became a Trustee of the Free Public Grammar School proposed by Laurence Hynes Halloran, a teacher and clergyman who had been transported in 1819 for forgery.²⁴ The Governor was the School’s patron, and other Trustees included

¹⁹ *ibid.*

²⁰ Darling to Murray, 6 July 1829, *HRA I/XV*, p. 53.

²¹ Edward Wollstonecraft, George Bunn and W. Jemmet Brown advised the Governor that they would not serve as long as these threats remained. *HRA I/XV*, pp. 763–765.

²² Rossi to Darling, 3 September 1830. *HRA I/XV*, pp. 758–61.

²³ Darling to Murray, 4 October 1830. *HRA I/XV*, pp. 756–58.

²⁴ *TSG*, 29 September 1825, p. 3.

such worthies as Chief Justice Forbes, Solicitor General Mr Justice Stephens, Dr William Bland, Simeon Lord and the Macarthurs. Trustees had to subscribe £50 and could nominate one pupil to attend. It was an ambitious venture, one which *The Australian* claimed would end the divide between the Emancipists and the Exclusives and ensure “the future harmony of the society of New South Wales”.²⁵

The school quickly ran into problems, however, when Halloran was reprimanded by the Trustees for his litigious behaviour and his son, the Under Master, for “unseemly behaviour”. There were stormy meetings of the Trustees, some of which Rossi chaired, and the situation was only resolved in late 1826 when the Trustees suspended the operation of the school, ostensibly on the grounds they wished to apply their limited funds to a permanent building.²⁶

When in February 1830, a proposal was made to establish another school, to be known as the Sydney College, Rossi was one of the proponents who wrote to the Governor seeking a block of land for the School.²⁷ This was granted, and the school went on to become the Sydney Grammar School, still in existence today. In the event, Rossi was to send his sons to the King’s School, when it was established at Parramatta in 1832. Francis Robert Lewis entered in 1834, and Alexander Philip in 1836.²⁸

Rossi was also a regular contributor to charitable and worthy causes, an act that was only to be expected of senior figures from the Governor down. Among the causes he subscribed to were the Catholic Chapel, the forerunner of St Mary’s Cathedral,²⁹ the Benevolent Society,³⁰ a Dispensary set up in June 1826 to dispense free medicines to the poor,³¹ and the Hibernian Society that was set up in 1832 to assist new arrivals find employment.³² He also

²⁵ *The Australian*, 3 November 1825, p. 3.

²⁶ *TSM*, 27 October 1826, p. 5.

²⁷ *The Australian*, 3 February 1830, p. 3.

²⁸ Both boys stayed until they were 18, leaving in 1839 and 1842 respectively. Yeend lists Alexander Philip’s last year as 1843, but this is incorrect. Peter Yeend, *The King’s School Register 1831–1999*. Parramatta : The Council of the King’s School, 1999, p. 392.

²⁹ *The Australian*, 22 December 1825, p. 1.

³⁰ *TSG*, 3 June 1826, p. 3.

³¹ *TSG*, 21 June 1826, p. 3.

³² *TSG*, 30 July 1833, p. 3.

subscribed to a fund to erect two memorials for the late Duke of York in London and Edinburgh.³³ He joined the committee that set up a Select School for Infants in the Macquarie St Chapel,³⁴ and became a founding member of the Australian Racing Club in April 1828.³⁵ He was also one of the ten men who founded the Australian Subscription Library in February 1826, which placed its first order for books from England in April of the same year. His was more than a passing interest, for he served as a committeeman in 1826, 1829—and again in 1833.³⁶ The library was subsequently merged with the State Library of NSW.³⁷

To the pressures on Rossi caused by his professional career were added great adversities in his personal life. The little evidence available of Rossi's home life and personal character is contained in the personal diary of Baron Hyacinthe de Bougainville, in which he recorded the events of his three months' stay in Sydney in 1825. Bougainville was commanding a French expedition to circumnavigate the globe collecting scientific, commercial and military information. While in Sydney, Bougainville spent much of his leisure hours with Rossi and his wife Lise,³⁸ making ten visits in all. By comparison, he made nine to the home of Captain and Mrs John Piper, who were renowned for their *bonhomie* and hospitality. When the time came for the expedition to leave, Rossi and Lise gave a "most sumptuous Dinner" at their home for Bougainville and his officers.³⁹

The Rossis figure prominently in Bougainville's diary, for not only did he take great pleasure in their company, but he soon learned the first mate on the voyage Bougainville had commanded to the Antilles in 1823 was none other than Rossi's brother, Don-Grâce.⁴⁰ Bougainville would therefore have been

³³ TSG, 14 November 1827, p. 1.

³⁴ TSG, 23 February 1830, p. 2.

³⁵ TSG, 25 April 1828, p. 2.

³⁶ Frank Murcott Bladen, *Historical notes : Public Library of New South Wales*. 2nd edn. Sydney : W. A. Gullick, Govt. Printer, 1911, pp. 3; 59; 60.

³⁷ HRA I/XVIII, p. 807.

³⁸ Rivière, op. cit., pp. 14–16.

³⁹ TSG, 15 September 1825, p. 3b.

⁴⁰ Hyacinthe Yves Philippe Potentien de Bougainville baron, 1781–1846, *Journal de la navigation autour du globe : de la frégate La Thétis et de la corvette L'Espérance pendant les années 1824, 1825 et 1826 / publié par ordre du roi, sous les auspices du Département*

especially welcome in the Rossi *foyer*, bringing news of Don-Grâce and also of the situation in France. Since Rossi had last seen his brother, Don-Grâce had been made a *Chevalier de la Légion d'Honneur* in 1821, and was also given permission to assume Philippe-Antoine's title of *comte de Rossi*. The title had first passed to Marc-Antoine-Joseph-Vincent, Philippe-Antoine's eldest son, after the latter had died in 1800,⁴¹ and it subsequently passed to Don-Grâce. This is most likely the reason Bougainville prefixed Rossi's name with the noble particle *de*, for Rossi himself never used it.⁴²

Bougainville spoke warmly of Lise, for he described her as

*[une] jeune et jolie créole de l'Île de France, faisant les honneurs de chez elle avec toute la grâce de nos Françaises et cette sorte de familiarité bienveillante qui paraît naturelle dans les colonies à l'égard de compatriotes, et dont le charme est inappréciable.*⁴³

After his second visit to the Rossis, Bougainville wrote that despite Lise's "amiable" and "unaffected" character", she liked neither the English nor their customs. "And yet," he continued, "her husband mimics their behaviour to the extreme".⁴⁴ Later she confided that she "has had enough of the local English people"⁴⁵—a not surprising reaction after only two and a half months living in the strange penal society that was Sydney.

Lise would have found a sympathetic ear with the Baron, for he too had difficulty in accommodating the English. Struck by Rossi's enthusiastic use of mercurous chloride, or calomel, he wrote "What odd people the English are with their queer practices!" Bougainville had observed the craze for this drug in Surabaya, and believed that it had originated with the English, "for whom sweet mercury is a panacea for all ills". Rossi took it every second or third day as a

de la Marine, par M. le Baron de Bougainville. Paris : Arthus Bertrand 1837. 2 Vols. Vol. 1, p. 491.

⁴¹ Roulhac de Rochebrune, op. cit., p. 35.

⁴² It is interesting to note that the Rossi family's elevation to the nobility predates that of the Bougainville family by some 40 years, Hyacinthe being made the *baron de Bougainville et de l'Empire* by Imperial decree in September 1811, and his father, the explorer Louis Antoine de Bougainville, *comte de Bougainville de l'Empire* in April 1808.

⁴³ "A young and pretty Creole from Mauritius who did herself proud by displaying all the grace of a Frenchwomen who dispenses to her compatriots that kind of indulgent familiarity normal in the colonies, and whose charms were immeasurable". *Créole* at this time was used to refer to a person of French parentage who was born in Mauritius. *ibid.*

⁴⁴ Bougainville, op. cit., p. 65.

⁴⁵ *ibid.*, pp. 79–80.

preventive drug, and had given it to his wife on the voyage from England, and was now giving it to his two-year old son Alexander Philip, who was suffering from worms. If he persisted, Bougainville concluded, “he will send both his wife and child to an early grave”. Calomel was, of course, poisonous, due to the toxic presence of mercury, and may have contributed to Rossi’s later ill health.

On 8 September, Bougainville, with several of his fellow officers, called on the Rossis, but found “poor Mrs Rossy [...] indisposed and confined to bed”.⁴⁶ When Bougainville left Sydney later that month, he spent his last day with the Rossis, in order to avoid sad farewells.⁴⁷

Lise’s foreign background, and perhaps her illness, would have hindered her from playing a prominent role in Sydney society. There were some of the Rossis’ peers who could speak French, even if not fluently.⁴⁸ Bougainville noted, for example, that Harriett Catherine Bannister, sister of the Attorney General Saxe Bannister, was “a most educated lady, [who] welcomed me in ‘very good French’”.⁴⁹ Archdeacon Scott and Frederick Goulburn, the Colonial Secretary, also spoke French,⁵⁰ as did Mrs Harriott Mary Blaxland, the wife of the landholder and merchant John Blaxland.⁵¹ Bougainville fell in love with Mrs Blaxland’s daughter, also named Harriott, with whom he was no doubt able to press his suit (unsuccessfully, as it happened) in his native tongue.⁵² Bougainville was also impressed by the fluent French of James and William Macarthur, the young sons of John Macarthur.⁵³

There is no evidence that Rossi was particularly friendly with any of these individuals, or that he enjoyed the company of other Frenchmen in the colony, a number of whom were of noble rank. No conclusions can be drawn from this, of

⁴⁶ Rivière, op. cit., p. 124.

⁴⁷ *ibid.*, p. 132.

⁴⁸ Kenneth R. Dutton, “Early Colonial Attitudes Towards France and the French,” *Explorations* 41 (December 2006), p. 6.

⁴⁹ Marc Serge Rivière, *The Governor’s noble guest: Hyacinthe de Bougainville’s account of Port Jackson, 1825*. Carlton, Vic. : Miegunyah Press, 1999, p. 63.

⁵⁰ *ibid.*

⁵¹ Harriott was the daughter of Louis de Marquet of Calcutta, a former officer in the *Gard du Corps* of Louis XVI. Bernard Burke. *A Genealogical and Heraldic History of the Colonial Gentry*. London : Harrison & Sons, 1891. 2 Vols. Vol. 1, p. 288.

⁵² Rivière, op. cit., p. 34.

⁵³ *ibid.*, p. 119.

course, but he did welcome and have extended discussions with other Frenchmen who visited Sydney: Dumont d'Urville in September 1826, and Laplace in December 1832.

Lise would have learned English in Mauritius, and was a competent enough speaker to join the committee which Eliza Darling, the Governor's wife, set up in March 1826 to establish a school for the education of female servants. Twenty girls aged seven to 14 were to be boarded at the School, in a former military barracks in Macquarie Street (on the site of the present Mitchell Library). Lise may have joined to support her husband's career prospects, for the Committee became the most fashionable charity among the colony's elite. Some 500 of Sydney's leading citizens subscribed to it, including both Rossi and Lise.⁵⁴

The generosity of the subscribers may have been due to the fact that, if of good moral character, they were entitled to receive the girls as servants. The school was not a success, however, for by 1831 it had produced only seven servants. Lise was present at the School's opening in December 1826,⁵⁵ and at the awards ceremony the next April,⁵⁶ but it is not known whether the Rossis ever received one of the girls as a servant.

The case of another servant assigned to Rossi provides an insight into his sense of *noblesse oblige*. When a 17-year old Madagascan slave named Theresa was transported from Mauritius in March 1831, she was assigned to Rossi as a house servant, most likely at his request.⁵⁷ Nothing remarkable perhaps, but Theresa had been sentenced to life imprisonment just five months previously in Mauritius, for "cutting and maiming".⁵⁸ Cassandra Pybus relates that she had attacked her owner's daughter with a hoe, in retaliation for being brutally treated, and when her owner intervened, she "seized his testicles and squeezed so hard that he fainted".⁵⁹ Whatever the circumstances, it was

⁵⁴ TSG, 5 April 1826, p. 1.

⁵⁵ TSG, 20 December 1826, p. 2.

⁵⁶ *The Australian*, 3 April 1827, p. 2.

⁵⁷ *Convict arrivals, 1788–1842; Bound Indents, 1830–32*. SRNSW: 4/4016, Fiche 677.

⁵⁸ *Musters and other papers relating to convict ships, 1790–1849*. SRNSW: 2/8252. Reel 2419, p. 61.

⁵⁹ Cassandra Pybus, "The African Diaspora at the End of the World". In Dawne Y. Curry, Eric D. Duke, & Marshanda A. Smith (eds.), *Extending the Diaspora: New Histories of Black People*. Urbana : University of Illinois, 2009, p. 171.

certainly altruistic on Rossi's part to bring her into his household. Nothing more is known of Theresa, other than that in 1839 she was in the Female Factory at Parramatta, where she was granted a ticket-of-leave.⁶⁰

Theresa was not the only female slave transported from Mauritius. Sophie, a Madagascarese, had been transported in June 1825 for stealing money and setting fire to a barn on her mistress's estate. She was assigned to Chief Constable Dunn. In July 1834, two sisters, Elizabeth and Constance, were transported for attempting to poison their mistress, and were assigned to H. C. Wilson, Rossi's successor. Like Sophie, they went on to lead respectable lives. All four had been released from slavery after arriving in Sydney.⁶¹

In Sydney, however, Lise participated with her husband in the many social functions attended by the ruling elite—"large dinner parties twice a week, a ball once a month, sometimes more frequently, and evening parties every week was rather more than we liked", complained Fanny Macleay, the daughter of the Colonial Secretary.⁶² Lise would have known Eliza Darling from their time in Mauritius, but there is no evidence of any particular friendship between the two women.

The School of Industry appears to have been the only charity with which Lise was associated, although it is questionable whether she found it a satisfactory outlet. She may not have been entirely comfortable with the School's Protestant orientation, and, like Fanny MacLeay, may have been coerced by Mrs Darling to join the Committee.⁶³ Her participation did, of course, however, support Rossi's position. The Committee, too, appears not to have been a particularly harmonious one. An anonymous correspondent to *The Gazette* praised the young ladies on the Committee for "making themselves useful", but deplored

⁶⁰ *Ticket of Leave butts, 1 May–16 August 1839*. SRNSW: 4/4130 (Reel 933) Ticket of Leave No. 39/1182.

⁶¹ The cases of all four women are discussed by Clare Anderson, *Subaltern Lives: Biographies of Colonialism in the Indian Ocean World, 1790–1920*. Cambridge: Cambridge University Press, 2012, pp. 76–80, and those of Elizabeth and Constance by James Bradley and Cassandra Pybus, "From Slavery to Servitude: The Australian Exile of Elizabeth and Constance". *Journal of Australian Colonial History* 9 (2207), p. 43.

⁶² Fanny MacLeay to William MacLeay, W.S. MacLeay, "Letters from Fanny MacLeay 1812–1826", ML: Macarthur Papers A 4300. Quoted in Brian Fletcher, "Eliza Darling: Colonial Benefactress and Governor's Lady". *JRAHS* 67/4 (March 1982), p. 308.

⁶³ *ibid.*, p. 310.

their keenness for “scandal and back-biting”.⁶⁴ A propos of which, Bougainville noted in his private diary that, while the people of NSW were “always kind, obliging and polite towards me, I would have had more reservations, had I been solely guided by their assessment of one another”.⁶⁵ And this during the relatively benign administration of Governor Brisbane, before the arrival of the authoritarian and divisive Darling.

By 1828, Lise’s illness had deteriorated to the point where she returned to Mauritius with her youngest son and a family servant, Mrs Hughes. Lise may have left as early as April 1828, for that month Rossi sold a “large quantity” of furniture, cutlery, glassware and utensils from his house in Pitt Street.⁶⁶ He was moving to the new Superintendent of Police’s house on Church Hill, on the corner of York and Jamison Streets, where St Philip’s Church now stands.⁶⁷ *The Australian*, critical of the benefits given to government officials, described it as a “splendid house, with ample grounds [...] well fenced in on all sides”.⁶⁸ *The Herald* wrote that it offered “one of the most delightful and pleasing situations in the Colony, commanding the whole ‘coup d’oeil’ of the Government domain, the Light House, North and South Head, with the Estates of Elizabeth Bay and the Harbours of Port Jackson”.⁶⁹ By the end of the year, Rossi had also begun residing on his land grant at Goulburn.

Lise was not to join Rossi on either Church Hill or in Goulburn, for she died in Port Louis on 20 April 1829.⁷⁰ The month before her death, she befriended an English woman, Elizabeth Fenton, who was travelling from India to Van Diemen’s Land and had stayed over in Mauritius for the birth of her child. Lise sent Mrs Hughes every evening to attend to the expectant mother, and to the child, after it was born. Mrs Fenton was grateful for this kindness from “a beautiful young woman” who she wrote was dying of consumption and had

⁶⁴ TSG, 18 July 1829, p. 3.

⁶⁵ Bougainville, op. cit., p. 136. Bougainville added this in 1836 by way of an epilogue to his journal.

⁶⁶ *The Australian*, 16 April 1828, p. 2.

⁶⁷ SMH, 4 May 1849, p. 3.

⁶⁸ *The Australian*, 24 December 1830, p. 2.

⁶⁹ SMH, 4 June 1832, p. 3.

⁷⁰ This is the date given by de Sornay, op. cit., p. 5, and also by Gaston Sarré in his *Recueil de renseignements sur les familles de L’île Maurice*, typescript, 1945. Copy on paper of Edward Duyker (NLA: MS 9061), Series 3 File 2. The plaque in Goulburn Cathedral erected by Francis Robert Lewis Rossi gives the date of 17 April.

returned to her native air on medical advice. This was “merely to soothe her”, for the unfortunate Lise had not been told that she was suffering from consumption. The family in France believed that she was suffering from a liver disease.⁷¹

Lise died shortly after Mrs Fenton gave birth to a daughter, and Mrs Hughes took Alexander Philip in charge, since she had nurtured him since his birth seven years earlier on the *Hercules*, Lise long being unwell. Mrs Fenton described Mrs Hughes as an Irishwoman whose cultivated air and manner were not those of a servant—another indication of the Rossi’s high social status, not having to rely on convict servants to look after their boys.

Mrs Hughes and Alexander returned to Sydney on the *Denmark Hill*, arriving on 15 September.⁷² Rossi may have had earlier news from Mauritius about Lise’s death, but he now took a month’s sick leave,⁷³ an event welcomed by *The Australian*, for the Bench could now be occupied by non-foreigners.⁷⁴ Curiously, none of the newspapers—not even *The Gazette*—carried a word about Rossi’s loss, an indication perhaps of Rossi’s desire to keep his private life out of the public gaze, and his public persona intact. More likely, it was because of society’s convention that married women were kept out of the public sphere.

There is no evidence that Rossi maintained contact with Mauritius after Lise’s death, although, like other settlers, he received consignments of foodstuffs from Mauritius. These included snuff, castor oil, sugar, coffee and wine, which may have come from his in-laws in Mauritius.⁷⁵

Rossi’s health too was now failing, for he was ill again in December and spent a month in Goulburn to recuperate, returning to duty in early February 1830.⁷⁶ By

⁷¹ Roulhac de Rochebrune, op. cit., p. 44.

⁷² Elizabeth Fenton, *Journal of Mrs Fenton: a narrative of her life in India, the Isle of France (Mauritius) and Tasmania*. London : Edward Arnold, 1901, pp. 302-13; *TSG*, 15 September 1829, p. 2.

⁷³ *TSG*, 12 September 1829, p. 2.

⁷⁴ *The Australian*, 25 September 1832, p. 2.

⁷⁵ *TSM*, 3 June 1832, p. 2; *Sydney General Trade List*, 17 September 1829, p. 1.

⁷⁶ *The Australian*, 25 December 1829, p. s. and *TSG*, 8 February 1830, p. 2.

July he was again unable to work or even to leave his room.⁷⁷ Four months later, he again took leave “to try the effect of a change of air” at his farm in Goulburn, *The Gazette* reported sympathetically.⁷⁸ The nature of Rossi’s illness is unknown, but was most likely the result of his years in the tropics: his medical adviser in Mauritius noted in 1819 that Rossi was suffering from “an affection of the Bowels with much attendant Fever”.⁷⁹

The Monitor and *The Australian* did not relent in their attacks on Rossi, and in October 1830, *The Monitor* published a report from the *Times of London* on a British parliamentary debate about Darling’s expenditures. The debate was prompted by information forwarded by Darling’s enemies to sympathetic M.P.s in London, who duly attacked Darling for his “mismanagement and abuse”. They particularly criticised the large number of military officers holding government posts in NSW, which they claimed allowed the Governor to interfere in the justice system.⁸⁰ The *Times* singled out Rossi for specific criticism, repeating all of *The Monitor* and *The Australian*’s well-worn criticisms. It claimed that Rossi was “an immense favourite with the Governor” and suggested he had been an unintelligible witness during Queen Caroline’s trial.⁸¹ Hall’s article in *The Monitor* repeated this allegation, but did not mention Rossi by name.

Rossi was not without friends in London, for just four days after the *Times* article, and long before news of it could reach Sydney, the *Times* published a letter from a James E. Saunders defending Rossi’s honour and integrity as being “the exact reverse” of what the *Times* had printed. Saunders’s address—No. 11 Leadenhall St—was the East India Company headquarters in London,⁸² and if the otherwise unknown Saunders had not written the letter on his own account, he must have been asked to do so by one of Rossi’s friends in London with connections in the East India Company. It was not Farquhar, because he had died two months before.

⁷⁷ TSG, 31 July 1830, p. 2; 5 August 1830, p. 2.

⁷⁸ TSG, 11 December 1830, p. 3.

⁷⁹ Medical Certificate, Dr William Sibbald MD, 12 December 1819. MA: RA 142. f. 114.

⁸⁰ TSM, 16 October 1830, p. 2.

⁸¹ *The Times*, 28 May 1830, p. 5.

⁸² The site is now occupied by Lloyds of London.

Nor was Saunders the only person to come to Rossi's defence. The magazine *John Bull* published an article on 30 May—two days after the *Times* article—pointing out that since Rossi was in Mauritius in 1821, he could not have appeared at the Queen's trial. Nor had Rossi had any difficulty speaking English in Mauritius. The author of this article was none other than Theodore Hook, who after his recall from Mauritius in disgrace had founded the *John Bull* in 1820. Hook's aim was to produce a satirical journal to counteract the popular enthusiasm for Queen Caroline, for it will be recalled that Hook was a friend of the Prince of Wales. Hook put his considerable wit to full use in this "scurrilous, but irresistibly facetious" journal,⁸³ and whatever success George IV had in garnering popular support against the Queen was said to have been due to Hook and the *John Bull*.⁸⁴ There is no evidence that Hook and Rossi were close friends, and his defence of Rossi was more likely an attempt to enhance his own status as editor of the *John Bull* by correcting the errors made by the *Times*.⁸⁵ This may explain why Hook also pointed out that Rossi was "a cousin of the late Napoleon Bonaparte".⁸⁶ Rossi must have made his connections with Napoleon known to his colleagues in Mauritius, something that he appears never to have mentioned in Sydney. Nor, curiously, did either *The Australian* or *The Monitor* use it in their attacks on Rossi.

By late January 1831 Rossi was back at work, in seemingly renewed health—"rude health" mocked *The Monitor*, due to Rossi's "pleasing rotundity" the result of sheep shearing and "living on wild ducks, silver eels, and [...] maize-fed pork".⁸⁷ When three months later, however, Rossi fell ill again, *The Monitor* dismissed such reports as a "puff", setting the groundwork for his retirement, either the result of being offered some financial inducement, or to avoid being dismissed.⁸⁸

⁸³ Graeme Harper, 'Hook, Theodore Edward (1788–1841)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Jan 2008 [http://www.oxforddnb.com/view/article/13686. Accessed 25 Sept 2015.

⁸⁴ "Peregrine Bunce", *Quarterly Review*. 72/143 (March 1843), p. 77.

⁸⁵ Mary Basham, Personal communication, 25 September 2015.

⁸⁶ The *John Bull* article was published in *The Gazette*, 2 December 1830, p. 4.

⁸⁷ *TSM*, 26 January 1831, p. 3.

⁸⁸ *TSM*, 27 April 1831, p. 3.

Further bouts of illness recurred, and Rossi again spent a month in Goulburn in December 1831,⁸⁹ followed by more sick leave in August and September 1832,⁹⁰ and again in November 1832.⁹¹ Nevertheless, illness did not prevent Rossi from being a generous host when Captain Cyrille Laplace (1793–1875) of *La Favorite* visited Sydney in September 1832.⁹² Rossi gave a splendid dinner to Laplace and his officers which lasted until the early hours, a considerable portion of which was spent “in tripping it on the light fantastic toe”.⁹³ Laplace too would have known Rossi’s elder brother, Don-Grâce, by now a *capitaine de vaisseau*.⁹⁴

Rumours had circulated in August 1832 that Rossi was to be replaced, and in March 1833, he sold his furniture, *The Gazette* helpfully pointing out that it was of a “Superb description” and would realise good prices.⁹⁵ The gossips said that Rossi would proceed to Europe, and that Henry Croasdaile Wilson, the Master of the Convict’s Barracks, would take over at the end of September.

In August 1833 Bourke introduced the *Sydney Police Act 1833*,⁹⁶ which was based on the recently established London Metropolitan Police, but contained additional powers to police health and hygiene, reflecting lack of a local government in the colony.⁹⁷ Rossi advised Bourke that his health would prevent him from meeting the demands of the new Act, and in October 1833 he applied for a year’s leave of absence to prepare for retirement.⁹⁸ This would include a voyage to England, and perhaps to France, although his precise movements are not known.⁹⁹

⁸⁹ TSG, 3 January 1832, p. 2.

⁹⁰ TSH, 13 September 1832, p. 3.

⁹¹ TSH, 5 November 1832, p. 3.

⁹² Laplace was in command of a mission to gather commercial information for French trade. Dunmore, op. cit., p. 234.

⁹³ TSH, 5 September 1831, p. 4.

⁹⁴ Roulhac de Rochebrune, op.cit., p. 41.

⁹⁵ TSG, 23 March 1833, p. 2.

⁹⁶ *Sydney Police Act*. 4 Wm IV No. 7 (6th August, 1833). http://www.austlii.edu.au/au/legis/nsw/num_act/spa1833n8188/. Accessed 21 June 2016.

⁹⁷ King, op. cit., p.203.

⁹⁸ Bourke to Stanley, 2 October 1833. *HRA I/XVII*, p. 233.

⁹⁹ TSG, 12 September 1833, p. 2.

In preparation for retirement, Rossi had set about to shore up his financial situation, for he had been caught in a bind which had caused him “considerable pecuniary loss and embarrassment”. His appointment as Superintendent of Police had meant that he could not receive his half-pay as a Captain in the Ceylon Regiment, nor was he able to obtain an increase in his salary from the £600 which Bathurst had granted him in 1824. He had sought an increase in November 1825 and he wrote again to Bathurst in November 1827, reiterating that £600 was not enough to support him and his family “with that degree of respectability and comfort which he at his advanced stage of life” and the demands of his position required. In vain he argued that the salaries of the Police Magistrates in London had increased by £200 pa, and that there were three magistrates in each London police office, compared to only one in Sydney.¹⁰⁰ Notwithstanding Governor Brisbane’s support, the request was refused, as was a further request in October 1829. It was particularly galling therefore when his successor was appointed on a salary of £700, and Rossi now asked London to permit him to receive the full price of £1,800 from the sale of his Company in the Ceylon Regiment, and remittance of the money he had paid to purchase his land—the latter being usual for officers of his rank and service who settled in the country.¹⁰¹ Rossi, however, was ineligible for this remission, as he had already received a grant of land, but Bourke, recognising the inadequacy of Rossi’s salary, agreed to Rossi’s request. Bourke’s decision was honoured by London, and the Secretary of State for War and the Colonies, Lord Glenelg, specifically acknowledged the exceptional nature of the arrangement.¹⁰²

When he retired on 1 November 1834, the day the new *Police Act* came into operation, Rossi was 58, and faced with the need to generate the income necessary to support himself and his two sons. He turned now to the development and management of his land grants in Goulburn, where he took up permanent residence.

¹⁰⁰ “Memorial of Francis Nicholas Rossi to Governor Brisbane”, 17 November 1825. *HRA I/XI*, pp. 904–5.

¹⁰¹ “Memorial of Francis Nicholas Rossi to Edward Geoffrey Smith Stanley, Sec State Colonies”, 15 October 1833. *HRA I/XVII*, pp. 244–47.

¹⁰² Glenelg to Bourke, 10 October 1835. *HRA I/XVIII*, p. 153.

A portrait, presumably of this period, shows Rossi to be of pleasant appearance, in comfortable middle age, with a confident air, but with a certain bemused detachment in the eyes and gaze. He is well-dressed, with a high collar, scarf and coat, and being of short stature, would have been a prepossessing figure—a man not to be trifled with.¹⁰³



Figure 7.1 Portrait of Francis Nicholas Rossi
Artist and date unknown. Photographic copy from the collections of the State Library of NSW.

Goulburn

The Goulburn Plains were first seen by Europeans in 1798, when Lieutenant Henry Hacking led a small exploration party to the area. Next came Hamilton

¹⁰³ Bladen, op. cit.

Hume and Surveyor James Meehan in 1818, searching for a route from Sutton Forest to Jervis Bay. Governor Macquarie himself visited on 22 October 1820, and three days later the explorer John Oxley traversed the site of what is now the city of Goulburn. In his journal entry for 23 October, Macquarie wrote that the Goulburn Plains, were “a most beautiful rich Tract of Country, [...] containing not less than Fifty Thousand acres of useful good Land, fit for both purposes of Cultivation and grazing—with a plentiful supply of Fresh Water Ponds, and hardly a Tree to be seen in this whole extent of Plain—but with plenty of good Timber on the Hills and Ridges which gird these Plains like a Belt”.¹⁰⁴ He authorised permanent settlement in the area, which he named Argyle after his native county in Scotland.

The first settlers came soon after in 1821, and by the end of the 1820s, there were more than 20 stations established, including Rossiville, Baw Baw, Strathallen, Cardross, Lansdowne, Springfield, Tirranna, Kippilaw, and Reevesdale.¹⁰⁵ The township of Goulburn was laid out in 1828 at the junction of the Wollondilly River and Mulwaree Ponds, but it proved to be subject to flooding and the present site was selected in 1832, a short distance to the south-west.

The new town of Goulburn was surveyed in 1833, when the first town lots were sold. Lachlan Macalister, who arrived in Goulburn as a young child in the 1830s, recalls that the town comprised a small shingled lockup of four cells, a little rough-hewn court-house, a licensed shanty dispensing the Colonial “Jamaica” and “barley bree”, a grocer’s store, a blacksmith’s store, and the first stone building in the town, a stable, all catering for the town’s 40 citizens.¹⁰⁶ It was practically at the extremity of European settlement, and James Chisholm, who settled at Kippilaw west of Goulburn in the 1830s, used to say that his back fence was the last fence between there and Adelaide.¹⁰⁷

¹⁰⁴ Lachlan Macquarie, *Lachlan Macquarie, Governor of New South Wales: journals of his tours in New South Wales and Van Diemen’s Land 1810-1822*. Sydney : Trustees of the Public Library of New South Wales, 1956, p. 152.

¹⁰⁵ Lester Firth and Associates, *Goulburn Heritage Study: final report prepared for Goulburn City Council and Department of Environment and Planning*. [Canberra] : Lester Firth Associates, 1983, p. 21.

¹⁰⁶ Charles MacAlister, *Old Pioneering Days in the Sunny South*. First published 1907. North Sydney : Library of Australian History, 1977, pp. 11–13.

¹⁰⁷ Keith Campbell, *Henry Parkes’s Utopia*. Glebe : Lynwood Press, 1994, p. 27.

Rossi took up land in Goulburn in 1825, and was one of the first settlers there. He was granted 2,000 acres by Governor Brisbane in 1825,¹⁰⁸ and a further 560 acres by Darling in October 1826.¹⁰⁹ Land grants had been discontinued under Governor Macquarie because of widespread abuse of the system, and when they were resumed under Brisbane, they were limited to officers whose farming activities would not intrude on their official duties, and who lived in Sydney or near their place of work.¹¹⁰ In July 1825, London ordered Governor Darling to cease making grants and sell land by auction,¹¹¹ although he was permitted to grant land to settlers who undertook to spend half the value of their grant in improving their land. The maximum grant that could be made was 2,560 acres, which explains why Darling granted Rossi an additional 560 acres in 1826. These changes were in line with Bigge's recommendation to improve the colony's agricultural production by giving priority to settlers with capital over emancipated convicts.

Rossi had initially asked for a land grant at Lake George, south of Goulburn, but before the grant could be finalised, he asked instead for land closer to Goulburn, between the Mulwaree Chain of Ponds and the Wollondilly River southwest of the town.¹¹² He believed the land at Lake George to be unsuitable for agriculture, and too far from Sydney to be able to make a living from it. Darling agreed to the request, and Rossi was granted land just west of Goulburn, between George Savage's 2,000 acre grant and Hannibal Macarthur's 5,000 acres. Rossi called his grant Rossiville, a name designed to impress, and certainly unique in Argyle.

Rossi began developing his land immediately, and by November 1828 had erected a slab cottage there, where he and his eldest son, Francis Robert Lewis, were living when the Census was taken. Rossi was at this time the Comptroller of Customs, and visited Goulburn whenever possible, his wife being in Mauritius with their three-year old son, Alexander Philip. Rossi and the six convicts assigned to him cleared and cultivated 15 acres of the grant, and

¹⁰⁸ *HRA I/XIV*, p. 479.

¹⁰⁹ *HRA I/XIII*, p. 7.

¹¹⁰ Bathurst to Brisbane, 5 June 1825. *HRA I/XI*, pp. 638–639.

¹¹¹ "Instructions to Governor Darling", 17 July 1825. *HRA I/XII*, pp. 102; 123.

¹¹² Rossi to McLeay, 28 February 1827. *SRNSW: Colonial Secretary, Letters Received relating to Land 1826–1860*. 2/7462, Reel 1178.

were running 155 horned cattle and 1400 sheep. Rossi also owned four horses.¹¹³ Since the grant was not large enough to sustain his sheep and cattle, Rossi sought in August 1829 to purchase an additional 2560 acres on the western boundary of his grant, which land he was allowed to rent prior to purchase.¹¹⁴

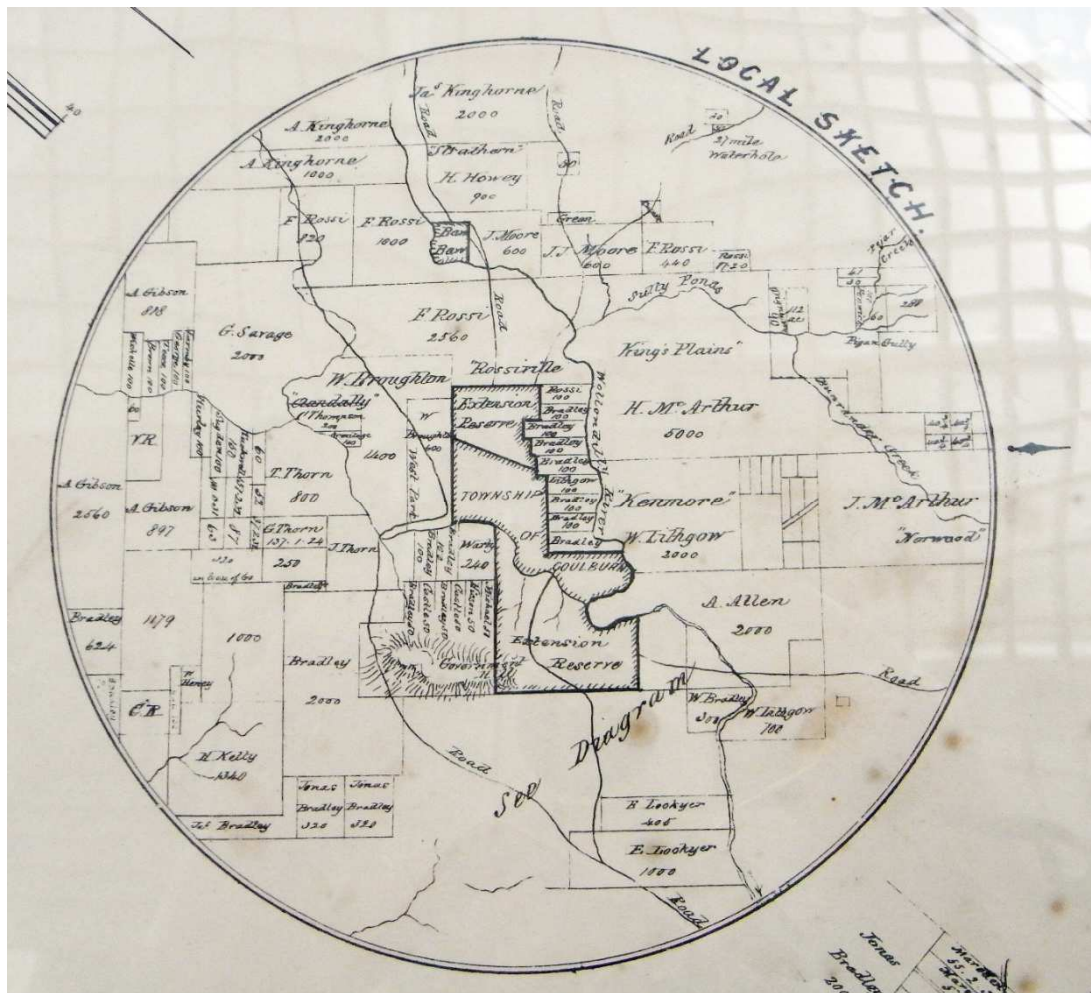


Figure 7.2 Map showing Rossi's land grants at Goulburn

Note: North is on the right-hand side of the map. Faithfull Family collection of maps and plans] / MAP Faithfull Map Collection / 12, National Library of Australia <http://nla.gov.au/nla.cat-vn1444259>.

In December 1830, Edward Riley (1807–1836), a young Australian-born pastoralist looking for suitable land for his father,¹¹⁵ visited Rossville, and found its owner “comfortably settled with his little boys in a small, whitewashed slab

¹¹³ John Woolley (ed.), *Extracts 1828 census, residents “Goulburn Plains” and south extending to Boorowa*. Goulburn : Goulburn and District Historical Society, [1981], p. 55.

¹¹⁴ Memo dated 17 August 1829. SRNSW: Colonial Secretary, *Letters Received relating to Land 1826-1860*. 2/7462, Reel 1178.

¹¹⁵ Libraries Australia, “Riley, W. E. (William E) (1807-1836)”. *Design and Art Australia Online*. <http://trove.nla.gov.au/people/624660?c=people>. Accessed 5 April 2016.

cottage of 3 rooms, lately erected for his accommodation”.¹¹⁶ Things were going well for Rossi, for Riley wrote he was “much pleased not only with the usual mode of life, but with the flourishing condition of his farm and the extent of the improvements effected by his overseer, a Ticket of leave man”. Rossi was now running some 2,500 sheep, all recently shorn and their wool packed in 20 bales stored in the verandah of a newly built slab barn near the cottage. The more substantial stone barn that still stands on the property was not completed until 1838.



*Figure 7.3 The barn at Rossiville, built in 1838
Author's photo 2011.*

Rossi began harvesting his wheat crop during Riley's visit, producing a good return of 35 to 40 bushels per acre, given that the land had been cropped “without any assistance from the farmer for the last 4 successive years”. Rossi must have started farming shortly after taking up his grant, in 1826, and it is noteworthy that nothing was done to replenish the soil—reflecting perhaps the lack of suitable fertilising material. James Atkinson's 1826 treatise on agriculture in NSW noted that even among the “better sort of settlers” with

¹¹⁶ James Jervis, “The journals of William Edward Riley”. *JRAHS* 32/4 (1946), pp. 258–59.

capital, there was “a most lamentable deficiency of agricultural knowledge and rural experience”. In fact, he wrote there were no more than ten individuals who could properly be called farmers, adding that very little had been done to ensure a proper rotation of crops or the addition of green crops and manure to replenish the soil.¹¹⁷ Rossi was no farmer, but had the means to employ men who knew agriculture, but men with farming skills were scarce in the colony.

The grass in the area, Riley continued, was very long and abundant, and the pastures well shaded by trees, but Rossi’s 5,120 acres could sustain no more than 200 head of cattle and 1,000–1,500 sheep. He was forced therefore to graze 1,000 of his sheep on land beyond the limits of settlement, which meant into the Monaro to the south and the Lachlan Valley to the south-west. To the former Rossi sent his sheep to graze on a run which he called Micalago (present day Michelago), and in 1833 he sent his men to the Lachlan district to run cattle on his Illunie Station, between Boorowa and Young. This practice was known as “squatting”, and it was not until 1836 that the Government attempted to control it by requiring an annual licence fee of £10 for each run. Rossi was granted three such pasturage licences in the first list of January 1837—two for Micalago, and one for Illunie Station. The latter covered 22,000 acres and was capable of running 5,000 sheep,¹¹⁸ although Rossi used it for his cattle until he abandoned the property in 1838.¹¹⁹

At Micalago, Rossi built a small shingle-roofed cottage of four rooms with plastered walls, with a low verandah front and rear. Most squatters did not bother to improve their runs by erecting fences or buildings, as they were unsurveyed and held only by annual leases,¹²⁰ but Rossi’s wealth probably meant this was not a concern for him. The cottage had walls of rubble stone up to 60 cm (two feet) thick in places, with French doors opening on to the verandah. Rossi retained Micalago all his life, his son Francis Robert Lewis selling to Alexander Ryrie in 1859. Rossi’s cottage is still in use today, despite

¹¹⁷ James Atkinson, *An Account of the State of Agriculture and Grazing in New South Wales*. [First published J. Cross, London 1826]. Sydney : Sydney University Press, 1975, pp. 34; 37.

¹¹⁸ *Supplement to the NSW Government Gazette*, 26 September 1848, p. 1311.

¹¹⁹ *SMH*, 13 September 1848, p. 2.

¹²⁰ J. F. Campbell, “*Squatting*” on Crown Lands in New South Wales. Edited and annotated by B. T. Dowd. Sydney : Royal Australian Historical Society, 1968, p. 12.

its low doorways of only 1.7m (5' 6"), confirming that Rossi was not a tall man.¹²¹

In 1839, the Government attempted to rein in further the unauthorised occupation of Crown lands by introducing a tax on livestock depastured beyond the limits of settlement. For Rossi, this meant a one penny tax per head of sheep per annum over and above the licence fee,¹²² some £47 10s, as Rossi's run had a carrying capacity of 9000 sheep. It was a large run, and when John Lambie, the Commissioner for Crown Lands in the Monaro, visited in 1839, he reported that it covered 30,600 hectares (90 square miles), and had twenty-eight residents and seven slab huts.¹²³ It was "prettily situated almost in a vale at the base of a lofty mountain, rising abruptly from the opposite bank of the river".¹²⁴ The artist George Lambert painted part of the property in 1923–24 in *The squatter's daughter*, now part of the collection of the National Gallery of Australia.

After his retirement, Rossi spent most of his time at Rossiville, although he travelled to Sydney for important occasions. Goulburn was still languishing when the naturalist and Quaker missionary, James Backhouse (1794–1869), visited in 1835, when the town contained only "a few scattered buildings of brick, and others of wood". One was the 30-bed hospital, whose patients were mostly stockmen and, he added, "others of the lower order; victims of immorality, the scourge of this class, in sequestered parts of the Colony".¹²⁵

Backhouse received a "courteous reception" at Rossiville, where he learned Rossi had lost 2,200 sheep due to an outbreak of influenza. This "trial from God" Rossi bore with "becoming patience", unaware, wrote Backhouse, that it could have been prevented by some care on his part and that of his

¹²¹ Philip Cox & Wesley Stacey, *The Australian Homestead*. Melbourne : Lansdowne Press, 1972, pp. 36; 38; 42.

¹²² Campbell, op. cit., p. 13.

¹²³ "Itinerary of John Lambie, 1846". SRNSW: Colonial Secretary: Special Bundles, *Itineraries and returns of Commissioners of Crown Lands. 4/10803 2, Reel 2748*. Quoted in Maurice Cantlon, *Homesteads of Southern New South Wales 1830-1900*. Carlton, Queensberry Hill Press, 1981, p. 40.

¹²⁴ *Australian Town and Country Journal*, 20 January 1872, p. 74.

¹²⁵ James Backhouse, *A Narrative of a Visit to the Australian Colonies*. London : Hamilton, Adams & Co., 1843, p. 440.

shepherds.¹²⁶ It appears the sheep contracted “Catarrh of Influenza” from an infected flock while being moved from the Lachlan to the Crookwell River. An official enquiry at the time found the move from an area with a benign climate to the snow and wintry conditions of Crookwell to be responsible.¹²⁷ Rossi was not the only settler to suffer, and the epidemic returned the following year, this time extending southwards along the Murrumbidgee and into the Monaro, as far as Twofold Bay.¹²⁸

Wool was now taking over from whaling as the colony’s major export, and it was to halt the rush on land that the Government ceased land grants in favour of sale by auction at 5 shillings an acre. Exceptions were made for senior military officers, who were allowed a remission of £300 on land purchases.¹²⁹ Rossi moved to take advantage of this, and in 1835 he purchased 1436 acres in the timber-covered foothills around Yandygunullah Creek, 35 km southeast of Queanbeyan, between Hoskinstown and Captains Flat. Technically, Rossi was ineligible for remission of any of the £359 purchase price, as he had already received a land grant, but he nevertheless obtained approval from London for £300 to be remitted, again in recognition of his low salary.¹³⁰

The area around Yandygunullah Creek is heavily timbered, and hardwoods are still logged there today.¹³¹ Presumably Rossi used it to obtain timber, either for sale and his own use, and was still occupying the land in 1841.¹³² Today, the little settlement there is called Rossi, and its valley, the Rossi Valley.

Rossi was not the sole settler of wealth and social standing in the area. Land grants at Argyle had been given to a number of veteran officers of the Peninsula Wars, and among Rossi’s neighbours were: Captain Francis Allman, Dr Andrew Gibson, Captain Lachlan MacAlister, Lieutenant John Moore, and

¹²⁶ *ibid.*, p. 441.

¹²⁷ *TSH*, 12 November 1835, p. 2

¹²⁸ *TSH*, 22 August 1836, p. 2.

¹²⁹ Goderich to Darling, 14 February 1831. *HRA* I/XVI, pp. 80–83.

¹³⁰ Lord Glenelg to Sir Richard Bourke, 10 October 1835. *HRA* I/XVIII, p. 153.

¹³¹ Suzannah Plowman, *Thematic History: Lake George, Molonglo Valley and Burra—Palerang Council, NSW*. Palm Beach : Victoria Design and Management, 2008, p. 66.
http://www.palerang.nsw.gov.au/sites/palerang/files/public/images/documents/palerang/mig/13221-thematic_history_part_2.pdf. Accessed 6 September 2010.

¹³² *TSH*, 2 December 1841, p. 3.

Captain Edmund Lockyer.¹³³ Rossi was also very friendly with Sir Terence Aubrey Murray (1810–1873), landowner and politician, whom Francis West describes as the very model of an educated gentleman, abiding by a code of honour and with refined tastes.¹³⁴ In 1844 Rossi was godfather to Terence’s daughter, Leila Alexandra, giving her a gift of 200 ewes.¹³⁵

Neighbours from the surrounding area often stayed overnight at Rossiville when visiting Goulburn or *en route* to Sydney. One such, Stewart Marjoriebanks Mowle (1822–1908) of Yarralumla (the site of today’s Canberra) remembered that “Old Captain Rossi” showed “unbounded hospitality” at Rossiville, where Mowle and his wife would be “surrounded with all the elegance and refinements of a gentleman’s residence”.¹³⁶ Rossi’s lavish hospitality also extended to balls, and in January 1840 hosted a ball for 70 guests, fitting out his wool shed as a ball room, where “dancing was kept up till daylight [...] and the Governor’s coat-of-arms [drawn] upon the floor”.¹³⁷

As befits a gentleman, Rossi also played host to the Argyle Hounds, which first met in July 1836. During its next meeting at Rossiville, the huntsmen soon found a “fine native dog”, which they pursued and killed at Breadalbane “after a brilliant run of six miles without a check over a beautiful line of country”.¹³⁸ By the following year, *The Australian* reported the Argyle Hunt had 14 couple of hounds,¹³⁹ who “from the superiority of their training, will soon rival the packs in England”.¹⁴⁰ Rossi also bred horses, and in August 1851 offered 32 colts and fillies for sale, the progeny of *Legislator* and *Emperor*.¹⁴¹ Rossi also put

¹³³ Christine Wright, *Wellington’s men in Australia: peninsular war veterans and the making of empire c.1820-40*. Basingstoke, Hampshire : Palgrave Macmillan, 2011. Wright incorrectly lists Rossi as a Peninsula War veteran (pp. 68; 86), although her table on p. 184 indicates he was not.

¹³⁴ Francis West, *Hubert Murray: The Australian Pro-Consul*. Melbourne : Oxford University Press, 1968, p. 17.

¹³⁵ Stewart Marjoriebanks Mowle, *Journal in retrospect ca. 1899-1955*. NLA: MS 1042. f. 17.

¹³⁶ Mowle, *op. cit.*, f. 15.

¹³⁷ Mowle, *op. cit.*, f. 30.

¹³⁸ *TSG*, 14 July 1836, p. 2; and 6 August 1836, p. 3.

¹³⁹ In foxhunting, hounds are counted in pairs, or “couples”.

¹⁴⁰ *The Australian*, 8 September 1837, p. 2.

¹⁴¹ Emperor had been bred by the Scott brothers, Robert and Helenus, well-known blood-stock breeders at Glendon, on the Hunter River. *TGH*, 30 August 1851, p. 5. See also Nancy Gray, “Scott, Helenus (1802–1879)”, *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/scott-helenus-2851/text3673>. Accessed 20 November 2015.

Emperor to stand at stud, with a sliding scale of fees according to the number of mares mounted, with “no responsibility incurred by the Proprietor”.¹⁴²



Figure 7.4 Rossiville's impressive entrance said to have been destroyed by fire in the 1890s. Photographer unknown, undated photo. Royal Australian Historical Society No. 21804108.

The Rossi coat of arms adorned the entrance to Rossiville, above four imposing Doric columns. The interior of the house is not spacious, but the fittings are of fine workmanship, and are still admired by visitors today. The property impressed contemporary visitors, many of whom recorded their impressions. The naturalist John Lhotsky (1795?–1866?) stayed there in January 1834 as the guest of Rossi and “his two promising sons”.¹⁴³ He found Rossiville to be “a considerable farming establishment [...] managed with judgement,” where the men were treated justly. Both the climate and the work were harsh, and Rossi had given up trying to grow warm climate fruits to concentrate on Northern European fruits. He did mention that life at Rossiville was somewhat precarious, for 12 people had recently died there, 11 of them from “some accident or other, as horses becoming unmanageable, drowning, accidents with

¹⁴² *SMH*, 12 September 1845, p. 4 and *TGH*, 14 October 1848, p. 1.

¹⁴³ John Lhotsky, *A Journey from Sydney to the Australian Alps, Undertaken in the Months of January, February, and March 1834*. Sydney : n.p., 1835, p. 29.

fire-arms etc".¹⁴⁴ The visitor enjoyed his stay, spending his evenings "with the Captain and his little household, and I felt it to be a satisfaction for an outcast as I might be considered, to meet at the end of the civilised world men of experience and feeling".¹⁴⁵ Lhotsky had difficulty in being accepted in the xenophobic society that was colonial NSW, for although he was always welcomed in the homes of the "humble and lower classes," he wrote that he was shunned and ignored by the "high and wealthy" in the region.¹⁴⁶ This is an interesting observation, for if Rossi did not feel himself to be fully accepted by colonial society, he could certainly sympathise with an outsider like Lhotsky. Despite his success and high status, there was a part of Rossi's *habitus* that seemed to remain outside the British society he lived in.

A quote from one more visitor is called for to demonstrate Rossi's discipline and sense of order. Thomas Walker (1804–1886) was very impressed by the buildings, gardens and fencing he saw at Rossiville in visited in April 1837:

[Rossi] has taken great pains in getting things into order and making himself comfortable, and he has succeeded. His barn-yard is full of stacks, and he has well-arranged stores, full of every supply requisite for his establishment for twelve months; his house is neat, comfortable, and well kept.¹⁴⁷

Rossi depended on his land holdings in Argyle and the Monaro to sustain him and his sons, and he therefore needed a workforce to produce his wheat, cattle and sheep. In 1841 there were 18 workers at Rossiville: two shepherds, seven agricultural labourers and livestock workers, and nine domestic servants. The difficulties of obtaining field labour at this time was probably the reason the number of field hands equalled that of domestic servants, the latter seeming otherwise to be excessive. Rossiville was a predominantly male establishment, for only four of the domestic servants were females, and one of them was under two years of age. Four of his employees were assigned convicts, and a further

¹⁴⁴ Lhotsky, *ibid.*, p. 32.

¹⁴⁵ *ibid.*

¹⁴⁶ *ibid.*, p. 34.

¹⁴⁷ Thomas Walker, *A Month in the bush of Australia: journal of one of a party of gentlemen who recently travelled from Sydney to Port Philip. With some remarks on the present state of the farming establishments and society in the settled part of the Argyle Country*. London : Cross, 1838, p. 5.

four ticket-of-leave men.¹⁴⁸ He ran Rossiville with patriarchal strictness—in 1838 pledging with other landholders in the district not to supply servants with liquor in lieu of pay, nor permit the sale of spirits on his properties.¹⁴⁹ Rossi appears, however, to have been a good employer, *The Goulburn Herald* calling him a “a kind master”,¹⁵⁰ and *The Southern Argus* later evincing as proof the more than 25 years of service by Rossiville’s gardener, Thomas Hall.¹⁵¹

Rossiville was a haven of good order and discipline in the otherwise frontier environment of the Argyle. During the late 1830s and early 1840s bushrangers “infested” the region’s roads and farms of the region,¹⁵² and Rossi’s wealth and status made him a tempting target. When the notorious bushranger Charley Marsden appeared in Rossi’s court in September 1841, he told Rossi that he had intended to “call on” Rossi, but had been prevented in so doing. “And what would you have done with me?” enquired Rossi. “I certainly would have fleeced your honor,” replied Marsden, causing Rossi’s face to change colour, “as if he had got an electric shock”, according to *The Gazette*’s Goulburn correspondent.¹⁵³

To guard against bushrangers, Rossi had constructed at the entrance to Rossiville a guardhouse with loopholes. As late as 1864, Rossiville was attacked by the Hall and Gilbert gang, who stole three horses bred by Francis Robert Lewis. The latter, fortunately perhaps, was absent, otherwise, said the bushrangers, they would have given Rossi 50 lashes for impounding poor men’s cattle.¹⁵⁴

¹⁴⁸ New South Wales Government, *1841 Census: Abstract of returns*. CGS 1282. State Records Authority of New South Wales. Kingswood, New South Wales, Australia.

¹⁴⁹ *The Australian*, 1 May 1838, p. 2.

¹⁵⁰ *TGH*, 6 December 1851, p. 4.

¹⁵¹ Quoted in *The Queanbeyan Age*, 29 February 1872, p. 2.

¹⁵² See for example, *TSM*, 23 August 1841, p. 2.

¹⁵³ *TSG*, 7 September 1841, p. 2.

¹⁵⁴ *TGH*, 12 November 1864, p. 3. Francis Robert Lewis was, like his father, a magistrate in Goulburn. The gang’s threat is often mistakenly described as having been directed at Rossi père.



Figure 7.5 Remains of the guardhouse at Rossiville showing the loopholes used to defend the property against attacks by bushrangers. Author's photo 2011.

Rossi's magisterial career in Goulburn

Although the Sydney newspapers did publish regular reports from Goulburn, Rossi's career on the Goulburn bench was relatively free of press scrutiny. This changed on 1 July 1848, however, when William Jones (1791?–1874) published the first edition of *The Goulburn Herald and County of Argyle Advertiser*. Jones had arrived in the colony in 1833, and found work as a general printer and as the printer of *The Sydney Gazette*.¹⁵⁵ By 1835 he was publishing a bi-weekly advertising sheet, *The Commercial Journal and Advertiser*, a profitable venture, which encouraged him to issue a prospectus in 1848 for a proposed *Sydney Morning Advertiser*.¹⁵⁶ He moved to Goulburn after this venture failed to eventuate.

In the first issue of *The Goulburn Herald*, Jones pledged an independent approach to promote “the equality of civil, religious, and political rights”. He also

¹⁵⁵ *TSH*, Monday 29 July 1833, p. 2 and 3 February 1834, p. 2S.

¹⁵⁶ Gavin Souter; *Company of Heralds: A century and a half of Australian publishing by John Fairfax Limited and its predecessors*. Melbourne : Melbourne University Press; 1981, p. 26; R.B. Walker, *The Newspaper Press in New South Wales, 1803-1920*. Sydney, Sydney University Press, 1976, pp. 32; 42.

undertook to respect the dignity and authority of the law, “when it is framed in the spirit of constitutional liberty and administered with impartial justice”.¹⁵⁷ True to his word, his subsequent reporting of the Goulburn Bench proceedings never failed to point out lapses from these principles by Rossi and the other magistrates.

Jones’s style was vigorous, occasionally mocking, invariably erudite and replete with classical references, although his frequent publishing of unsigned letters did not enhance the paper’s standing. Notwithstanding these features, or perhaps because of them, the paper was a success, and Jones sold it at a profit in 1858.¹⁵⁸ Rossi did not think much of it, telling Jones during a courtroom exchange in December 1848:

Captain ROSSI:—I will tell you candidly, Mr Jones, that I have never read your paper, nor do I ever intend to read it.

Mr JONES:—Well your worship, I suppose that is not of much consequence.¹⁵⁹

It was in his report of this sitting that Jones revealed that he was of Irish origin, which may explain his determination to challenge any perceived abuses of authority.

Goulburn’s first court house—a rough-hewn wooden or slab structure—was not built until 1836,¹⁶⁰ so Rossi probably conducted hearings until then at Rossiville. He had a gaol built at Rossiville to accommodate prisoners, a common practice of country magistrates. Sir Terence Murray held Police Courts at his residence, Winderadeen, near Lake George, where a constable and a scourger were located. Prisoners were kept in a “strong room” in his house.¹⁶¹

¹⁵⁷ *TGH*, 1 July 1848, p. 2.

¹⁵⁸ Rod Kirkpatrick, “Survival and persistence: A case study of four provincial press sites”. *Australian Studies in Journalism* 5 (1996), p. 166.

¹⁵⁹ *TGH*, 9 December 1848, p. 4.

¹⁶⁰ Ransom T. Wyatt, *The history of Goulburn, NSW* Sydney : Lansdowne Press, 1972. [First published Goulburn.: Municipality of Goulburn, 1941], p. 175.

¹⁶¹ *TSH*, 30 July 1835, p. 2.



Figure 7.6 Remains of the gaol at Rossiville
Author's photo 2011.

It is a measure of Rossi's dedication that he was presiding over Court hearings in April 1851, when he was 76 years old. As in Sydney, the Goulburn Police Bench had a heavy workload, and the list of 51 cases heard on 6 June 1848 when Rossi was the presiding magistrate was not unusual.¹⁶² On that day, however, the monotonous procession of drunkards, petty thieves, shirkers and disturbers of the peace who appeared before the Bench was broken by the presence of "a French musical artist of eminence and respectability," M. Joseph Gautrot, who was seeking to recover £9 17s. from Mr Albemarle Layard. The sum represented fees owed to Gautrot and his wife for music and dancing lessons given at Layard's Academy in Goulburn, an indication of Goulburn's progress towards becoming a town of some standing. Rossi, "with a benevolence that did him infinite honour," stood down from the Bench and adopted the role of *amicus curiae* to interpret for M. Gautrot.¹⁶³

The Bench, in the event, found against Gautrot, but Layard took exception to Rossi's assistance to his countryman, "whose interest he appeared to identify

¹⁶² *SMH*, 10 June 1848, p. 3.

¹⁶³ *ibid.*

himself with in a remarkable manner, and whose case he conducted with tact and zeal deserving of a better cause".¹⁶⁴ It was, perhaps, another instance of the impetuous behaviour characteristic of Rossi.

Rossi tussled with lawyers in Goulburn as well, in particular with a Mr Ogle, who seemed to take delight in provoking Rossi. On 2 April 1849, when the Bench heard 53 cases, Rossi interrupted Ogle, who was in full flight in a case involving the non-delivery of sheep skins, by declaring "in his usual brusque manner", that the court had no jurisdiction in the matter. Rossi responded to Ogle's protest by abruptly retiring to the Magistrates' Room, after which Rossi's fellow magistrate agreed with Rossi and dismissed the case.¹⁶⁵ Ogle suffered the same fate some months before, when Rossi's eldest son, Francis Robert Lewis, who had been appointed to the Bench in 1845,¹⁶⁶ walked out of the court room after claiming Ogle had insulted him.¹⁶⁷ It should be said, in passing, that the son displayed much of his father's temperament.

If Rossi did not suffer political attacks in Goulburn, his pronouncements in court were still ridiculed. When, at the April 1849 Annual Licensing hearing, he voiced disapproval of musical performances at public houses, by saying "the poet writes 'music hath charm' but I say music hath NO charms to soothe the SAVAGE BREAST", drawing Jones's sarcastic comment that "We suppose that his worship spoke from experience".¹⁶⁸

Jones frequently quoted Rossi's more curious turns of phrase, as in September 1848 when the butcher Thomas Webber applied for a ginger-pop licence.

Rossi, ever keen to limit the sale of alcohol, sought to dissuade him by asking:

you have the good trade, what do you want with ginger-beer licence? Faugh! - the confection and the tripes! Puff di Lunas and cow-heels!¹⁶⁹

¹⁶⁴ *SMH*, 17 June 1848, p. 3

¹⁶⁵ *TGH*, 7 April 1849, p. 6.

¹⁶⁶ ML: A 1695, f. 5.

¹⁶⁷ *TGH*, 22 July 1848, p. 3.

¹⁶⁸ *TGH*, 21 April 1849, p. 4.

¹⁶⁹ This enigmatic exclamation probably refers to "puftaloons", which the Oxford English Dictionary defines as an Australian bush delicacy—"a small fried cake or scone, typically eaten spread with jam, syrup, honey, or sugar". "Cow heels" was no doubt a reference to the meal of cow heels offered to Sancho Pancho and Don Quixote by an inn-keeper who

Jones's animosity may be partly explained by a libel suit in which Jones was sued by an attorney called Murray for describing him as a drunkard. Murray won his case, but was awarded the risible sum of 30 shillings for the damage to his good name.¹⁷⁰ It was a decision which Jones revisited many times in his paper, usually accompanied by a derogatory comment about Rossi.

Rossi affected to take such criticism lightly, telling Murray in the same case:

Action for defamation—tut, tut, tut—why if I was to bring actions for what people say and write about me I should be at law every day. Do as I do, laugh at them.¹⁷¹

Jones found in Rossi a never-ending source of good stories, as proven by Mrs Catherine Smith's suit against Mr Gould, the landlord of the Victoria Hotel for non-payment of a bill. The same lawyer Murray was in full flight when Rossi interrupted him to say a few words on the subject. Jones then described Rossi's contribution:

the worthy Magistrate, whose love of knowledge had led him into researches in various matters, enlarged upon the law relating to milkwomen and laundresses. He had apparently crammed for the occasion from various Cyclopaedia and "Domestic Economies"; he appeared to be perfectly au fait on the subject, dilating at times on the benefits arising from a weekly tally, and then on the necessity of counting pieces on delivery.¹⁷²

There being no real evidence in the case, Rossi declared it was impossible to know the truth of the affair, and tossed a coin, heads won, Mrs Smith lost, and the case was dismissed.

Rossi participated actively in community affairs, and, as in Sydney, both supported and promoted numerous charitable causes. In July 1847, he chaired a public meeting to collect donations for the destitute poor in Ireland and Scotland, at the conclusion of which he was elected member of the committee to receive donations.¹⁷³ In 1838 he was appointed a Trustee of the Savings

had run out of food for his guests. See Miguel de Cervantes Saavedra, *The History of Don Quixote of La Mancha*. Boston : Pierce, 1848, p. 386; and *TGH*, 23 September 1848, p. 2.

¹⁷⁰ *TGH*, 9 December 1848, p. 2.

¹⁷¹ *TGH*, 9 December 1848, p. 2.

¹⁷² *TGH*, 7 April 1849, p. 6.

¹⁷³ *SMH*, 21 Jul 1847, p. 3.

Bank of NSW, receiving deposits from people for their accounts,¹⁷⁴ as the bank did not open an office in Goulburn until 1862. He was also appointed a guardian under the *Minors' Marriages Act 1838* in January 1839, placing him *in loco parentis* to determine whether young people under the age of 21 should be permitted to marry.¹⁷⁵

Goulburn had its first hospital in 1834, albeit a temporary one for convicts, but it treated free citizens as well, doing away with the need to travel to the nearest hospital at Liverpool. When management of the hospital was transferred to a local committee in 1842,¹⁷⁶ Rossi was nominated as one of the trustees in whom the hospital's real property was vested. He declined, but played a leading role in the management of the hospital, donating five guineas in 1843 towards a new building,¹⁷⁷ and being the first of the six leading citizens to sign a letter of appreciation to Dr William Richardson, who was forced to leave Goulburn when the Government disbanded the original hospital.¹⁷⁸

Rossi was not ostentatious in his religious faith, but he was very active in supporting the Protestant church in Goulburn. In June 1835 he opened the subscription list for a church to be established in Goulburn, contributing £25 himself. Other well-to-do citizens also contributed £25, and both his sons contributed £22 10s each. By 9 June more than £380 had been subscribed, with Governor Bourke promising to match the amount raised.¹⁷⁹ Rossi was one of the four trustees for the church and its properties,¹⁸⁰ and had the pleasure of seeing St Saviour's erected in 1848, three years before his death.¹⁸¹

When news reached Goulburn in late 1847 that the Sydney Tramroad and Railroad Company had been formed in Sydney, there was great interest in a rail line between Goulburn and Sydney. Rossi was quick to join the committee that was set up to advocate for the link, under the chairmanship of Charles Cowper,

¹⁷⁴ *TSM*, 9 February 1838, p. 2.

¹⁷⁵ *NSW Government Gazette*, 30 January 1839, p. 142.

¹⁷⁶ Stephen J. Tazewell, *Grand Goulburn, first inland city of Australia: a random history*. Goulburn, NSW : Council of the City of Goulburn, 1991, p. 47.

¹⁷⁷ *SMH*, 21 April 1843, p. 3.

¹⁷⁸ *TSH*, 13 May 1842, p. 2.

¹⁷⁹ Wyatt, *op. cit.*, p. 395; *TSG*, 9 June 1835, p. 1.

¹⁸⁰ *TSH*, 21 June 1842, p. 4.

¹⁸¹ The Diocese of Goulburn was not established until 1863, when plans were made for the present cathedral building. Wyatt, *op. cit.*, pp. 9–14.

a member of the Legislative Council.¹⁸² In December 1847 Rossi chaired a meeting to discuss how best to cooperate with the Railroad Company, at which “every one present appeared to take a lively interest in the subject”.¹⁸³ The benefits were obvious, for wheat in the interior sold that season for 1s 6d per bushel, while in Sydney it could fetch 5s a bushel. By the end of the meeting, 400 shares had been subscribed for the Company, with the liability of shareholders to be limited, and the Government agreeing to guarantee the minimum rate of interest at 5%. Francis Robert Lewis also became a member of the Committee at this meeting, and no doubt both *père et fils* took out shares in the company.

One popular movement in which Rossi took an active part shows how deeply his *habitus* had changed since his upbringing in France, to become completely enculturated in British society and divorced from his Catholic roots. He, along with many others in the colony, opposed Governor’s Bourke’s proposal for a national education scheme. Bourke’s proposal to set up schools funded by the Government was an excellent one, for many districts had no schools, and those with Anglican parochial schools were poorly served by them. Unfortunately, Bourke wanted to base the scheme on the National Schools system in Ireland, where extracts from scripture were read every day, and visiting clergy were to visit once a week to instruct the pupils. Opposition to the scheme stemmed from the belief that the Authorised Version of the Bible would not be used, a fear which the vehemently anti-Catholic Lord Bishop of Australia, William Grant Broughton, and other Protestant clergy fuelled, claiming it was “subversive of the fundamental principle of Protestantism”.¹⁸⁴ Rossi joined, along with other prominent citizens of Goulburn, a Sub-Committee to support the Sydney Committee. In the event, Bourke’s scheme was approved by London, but determined opposition in the colony saw the scheme abandoned.¹⁸⁵

¹⁸² *TGH*, 4 November 1848, p. 3,

¹⁸³ *TGH*, 30 December 1848, p. 3.

¹⁸⁴ *TSH*, 18 July 1836, p. 3; *HRA I/XVIII*, pp. 474–75.

¹⁸⁵ Hazel King, ‘Bourke, Sir Richard (1777–1855)’, *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/bourke-sir-richard-1806/text2055>. Accessed online 28 April 2016.

As a leading member of the community, Rossi's name was bruited about as a possible candidate for the Legislature—in December 1841, and again in December 1842.¹⁸⁶

Rossi did not stand, but did sign the open letter to Dr Charles Nicholson urging him to stand for the Legislative Council in 1848.¹⁸⁷ Nicholson went on to have a successful career in the Legislative Council and in Sydney, having his name commemorated in the Nicholson Museum at the University of Sydney.¹⁸⁸ On Nomination Day, Rossi's four-horse carriage, driven by Francis Robert Lewis, had pride of place in the procession that escorted Dr Nicholson from his home, "Kenmore", via the Royal Hotel and refreshments, to the Goulburn Court-House.¹⁸⁹

During the 1830s, there was a serious shortage of labour, for the supply of convict labourers could not keep pace with the amount of land being taken up. The preference was for more labourers to come from Britain, but they were too expensive.¹⁹⁰ Rossi was affected by the scarcity of labour, and was a vocal participant in the debates in Goulburn, in support of the introduction of indentured labourers from India, as had happened in Mauritius after his departure. Rossi's views were very conservative, and gained some recognition when they were quoted approvingly in the Legislative Council.

So strident did the calls for indentured labourers become that Governor Bourke set up a committee to examine the proposal, which endorsed such a scheme in August 1837. Bourke, however, opposed the idea, as did London, on the grounds that it would not only discourage the immigration of British labourers but would also be socially divisive, by creating a "distinct class".¹⁹¹

¹⁸⁶ *SMH*, 31 December 1841, p. 2.; 31 December 1842, p. 2.

¹⁸⁷ *TGH*, 15 July 1848, p. 1.

¹⁸⁸ David S. Macmillan, 'Nicholson, Sir Charles (1808–1903)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/nicholson-sir-charles-2508/text3387>. Accessed online 2 May 2016.

¹⁸⁹ *TGH*, 29 July 1848, p. 2.

¹⁹⁰ Rose Cullen, "Empire, Indian indentured labour and the colony: the debate of 'coolie' labour in New South Wales 1836 1838". *History Australia*. 9/1 (2012), p. 85.

¹⁹¹ *ibid.*, p. 103.

The debate was revived when transportation was abolished in 1840, and an “Australian Immigration Association” was set up in November of that year, with the Governor as patron, to encourage immigration of labour. Rossi chaired a meeting in Goulburn to seek subscriptions to the Association, and delivered “a concise and appropriate speech” in support. After further speakers complained that the high wages of shepherds and overseers made sheep production unprofitable, a District Committee of the Association was set up, with Rossi as one of its members.¹⁹² Support again grew for bringing labourers from India, and in October 1841, Rossi’s friend Terence Aubrey Murray urged this course, given that only 3,600 labouring men had come to the colony in 1840, and there was no prospect of Britain supplying the manpower needed.¹⁹³

When a meeting was held in Sydney in August 1842 to set up another Association to promote Indian immigration, Rossi’s name was among those from Argyle who signalled their intent to join.¹⁹⁴ The experience of Indian indentured labourers in Mauritius was put forward in support of the idea, and *The Sydney Morning Herald* quoted “evidence” of Indian indentured labourers who said they were well treated and well paid there.¹⁹⁵ This was, of course, not the case, for their treatment was little better than that of the former slaves.¹⁹⁶

Rossi was also one of the very tiny minority in favour of the resumption of transportation of convicts. When a noisy public meeting in Goulburn in January 1847 condemned the idea, on the grounds that the “moral and social evils of the convict system, the contamination and vice which are inseparable from it, are evils from which no pecuniary benefit can serve as a counterpoise,” Rossi and several other landholders objected that the meeting had not been impartial, as no one had been present to argue the case for transportation. They convened another meeting, which they tried to restrict to electors only,¹⁹⁷ but Rossi and his allies failed to carry the day, and the meeting again declared its opposition

¹⁹² *TSH*, 18 October 1841, p. 2.

¹⁹³ *SMH*, 11 October 1841, p. 1.

¹⁹⁴ *Petition re Indian Labour, NSW 1842*. ML: A 2029 (CY Reel 1017).

¹⁹⁵ *SMH*, 27 August 1842, p. 2.

¹⁹⁶ See e.g., Marina Carter, *Servants, sirdars, and settlers: Indians in Mauritius, 1834–1874*. Delhi : Oxford University Press, 1995, pp. 173–75; 196–97; 219–20; Richard B. Allen, *Slaves, freedmen, and indentured laborers in colonial Mauritius*. Cambridge, U.K.; New York : Cambridge University Press, 1999, pp. 137–38.

¹⁹⁷ The franchise at his time was restricted to propertied males over the age of 21.

to transportation.¹⁹⁸ It was a losing battle, and Rossi's forthright view that no-one would buy land in the absence of convict labour was roundly condemned at another meeting in Goulburn on 26 January.¹⁹⁹ His views had impact beyond Goulburn, however, and were taken up by the pro-transportation cause, his advice of 1834 to Governor Bourke—"abolish transportation and you will abolish immigration"—being quoted with approval in the Legislative Council in June 1847.²⁰⁰ When the inhabitants of Argyle presented a petition to the Legislative Council in June 1849 opposing transportation, it was signed by some 1,200 people, with a rival petition supporting resumption of transportation receiving only 35 signatures.²⁰¹ The opponents of transportation carried the day, but the labour problem was to become even more acute after gold was discovered in 1851.

Such was the renown of Rossi and Rossiville that important visitors to the Goulburn stayed here—Bishop Broughton, Bishop of Australia, who had replaced Scott as Archdeacon of NSW in 1829, stayed there in February 1845, when he consecrated the new church of St Saviour's.²⁰² Rossiville was also graced by the presence of successive Governors, and when Bourke stayed there in March 1835, he occupied a new room which Rossi had built for the occasion.²⁰³ Bourke's visit and a subsequent one by Gipps in October 1842²⁰⁴ drew little comment from the press, but Governor Fitzroy's stay in February 1849 gave Jones another opportunity to criticise Rossi. When Rossi gave the address of welcome to the Governor at the Court House, *The Goulburn Herald* regretted that "the only naturalised alien" in Goulburn should be permitted "to present an English address to the representative of an English Queen, in the presence of an assemblage of English Subjects".²⁰⁵ Jones criticised Rossi for failing to present any of Goulburn's citizens to the Governor after the address,

¹⁹⁸ *SMH*, 8 January 1847, p. 1S.

¹⁹⁹ *SMH*, 2 February 1847, p. 2.

²⁰⁰ *SMH*, 23 June 1847, p. 2.

²⁰¹ *Transportation: The Petitions for and Against the Resumption of Transportation, Presented to the Legislative Council ...1850*. Sydney : New South Wales Association for Preventing the Revival of Transportation, 1850, pp. 33–35.

²⁰² Ransome T. Wyatt, *The history of the Diocese of Goulburn*. Sydney : Bragg, 1937, p. 24.

²⁰³ *ibid.*, p. 176.

²⁰⁴ *TSM*, 31 March 1835, p. 2; *SMH*, 29 October 1842, p. 2.

²⁰⁵ *TGH*, 3 Feb 1849, p. 2.

and to make his point, he published three letters to the editor which complained about Rossi—all of them unsigned.

After a short visit to Yass, Jones counselled the Governor to avoid Rossiville and the “vain babblings of a conceited old man whose days of mental acuteness have passed away”, and urged that he should instead mingle with the “intelligence, respectability, and wealth of the district”.²⁰⁶ Yet another unsigned letter to the editor expressed indifference to the Governor’s visit and mocked Rossi’s deference to the Governor.²⁰⁷ It is perhaps not surprising therefore that the Irish editor was not among those presented to the Governor at the levee at the Court House.

Denization

In 1843, Rossi had received a profound shock when he was informed that, despite having faithfully served the British Crown since 1795, he was not a British subject, and was therefore unable to receive grants of land from the Crown. Rossi believed the question of his nationality had been settled some 18 years before, when he had arrived in Sydney. The Attorney General, Saxe Bannister, had asked him whether he was a natural born subject of His Majesty, and after being apprised of Rossi’s history, confirmed that Rossi was a British subject.²⁰⁸

Rossi’s legal status was speedily considered by the Attorney General of the day, John Hubert Plunkett, who advised on 7 October 1843 that Rossi was not a British subject, as he had not been “under the King’s allegiance” when he was born in 1776. Nor did his military service count for aught.²⁰⁹ Plunkett advised the most effective solution would be to seek an act of the British Parliament in London naturalising Rossi, but since this would be expensive and difficult to obtain, he proposed instead that Governor Gipps issue Letters of Denization to Rossi. The drawback, however, was that denization would take effect only from

²⁰⁶ *TGH*, 10 February 1849, p. 2.

²⁰⁷ *TGH*, 24 February 1849, p. 3,

²⁰⁸ Francis Nicolas Rossi, “Case submitted for the opinion of Her Majesty’s Attorney General,” 18 September 1843. *HRA I/XXIV*, pp 393–94.

²⁰⁹ John Hubert Plunkett, “Case submitted for the opinion of Her Majesty’s Attorney General,” 7 October 1843. *HRA I/XXIV*, pp 394–95.

the date of the Letters Patent, unlike naturalisation, which had retrospective effect from birth.

It was a measure of Rossi's standing that Gipps did not delay in taking the matter up with Lord Stanley in London. Gipps explained that Rossi was anxious to be able to dispose of his lands and leave them to his sons, and to this end, was prepared to surrender all his lands so that they might be regranted when he had been made a denizen. Gipps concluded his letter by assuring Stanley of "the high esteem, which I personally entertain for Captain Rossi," and vouchsafing that, "amongst Her Majesty's natural Born subjects, there is not one who, in my opinion, is more deserving of all the privileges of an Englishman".²¹⁰

London's approval for Letters of Denization was duly given in May 1844,²¹¹ and Gipps issued the necessary documents.²¹² This was not an end to the nightmare, however, for it was then realised that the Act under which Letters of Denization were issued was defective. It empowered the Governor to grant Letters of Denization only to those foreigners who had a recommendation of denization from the Secretary of State.²¹³ All such Letters issued to date, including Rossi's, were found to be invalid, and Gipps now asked London for permission to propose a law to the Legislative Council to correct the situation, and if that was not possible, for the British Parliament to enact such legislation.

Approval was given for local legislation, and Rossi's concerns were finally laid to rest in 1847, when the *Aliens Act* was passed.²¹⁴ Wentworth, himself a lawyer, had in 1829 objected to Rossi's land grants on the grounds that "no denizen, much less an alien [...] can have any office of trust, civil or military or be capable of any grants of land, etc., from the Crown".²¹⁵ It says much for Wentworth's standing with the authorities that his view was ignored.

²¹⁰ Gipps to Lord Stanley, 23 November 1843. *HRA* 1/XXIII, p. 223.

²¹¹ Lord Stanley to Gipps, 2 May 1844. *HRA* 1/XXIII, p. 559.

²¹² Gipps to Lord Stanley, 1 July 1845. *HRA* 1/XXIV, pp. 386-88.

²¹³ *ibid.*

²¹⁴ *Aliens Act 1847* No. 39a (11 Vic. No. 39 NSW, 2 October 1847). http://www.austlii.edu.au/au/legis/nsw/num_act/aa1847n39102/. Accessed 8 August 2016.

²¹⁵ *The Australian*. 15 May 1829, p. 3.

Mention has been made of the high esteem in which Rossi was held by the Governors under whom he served. In 1844, Governor Gipps was moved to translate this into formal recognition, when he proposed to London the names of citizens whom he thought deserving of inclusion in a “local” Order of Merit. Queen Victoria had wished to honour the services of prominent citizens, and the Order was intended for both the UK and the colonies, along the lines of the Order of Saint Michael and Saint George. The latter had been established in 1818 to recognise those people in the Ionian Islands and Malta who had rendered extraordinary or important service to the Crown.

In December 1844 Gipps forwarded 19 names to London, of which Rossi was one.²¹⁶ In praising Rossi, he referred to his earlier recommendation of Rossi’s denization, reminding the authorities of the difficulties Rossi had encountered after being found to be an alien after 50 years’ service to the British Crown. In the event, the proposal for the new Order did not proceed, and after the transfer of the Ionian Islands to Greece in 1862, that Order was extended to the colonies in 1868, long after Rossi’s death.

Rossi as a parent

As might be expected, Rossi was strict with his boys, and he left among his papers a copy of instructions for Alexander Philip as to how the young teenager should comport himself at Rossiville during school holidays. These “Hints for A. Rossi” are reproduced at Appendix A, and were probably taken from a standard set of instructions prepared for the guidance of young boys. The language is not Rossi’s, for his command of English was not good, but the “hints” reveal as much—perhaps more—about Rossi than they do about Alexander Philip. They are strict, demand a high standard of behaviour, and counsel maintaining a rigid separation from “Bush manners” and becoming too intimate with strangers or, equally, too “pushy”. They are not without affection, though, and no doubt Francis Robert Lewis was also given similar guidance.

²¹⁶ Gipps to Stanley, 11 December 1844. *HRA I/XXIV*, pp. 123; 127. Other citizens nominated included Alexander McLeay, Captain Philip Parker King, and James and William Macarthur.

Rossi wanted a military career for his boys, and in 1841, with the support of Darling in England,²¹⁷ he obtained a commission for Francis Robert Lewis, who, wishing to remain with his ailing father, “waived the coveted distinction” in favour of Alexander Philip.²¹⁸ Thus it was that on 21 May 1842, at the age of 17 years and two months, Alexander was appointed an Ensign in the 51st Regiment of Foot (the King’s Own Light Infantry Regiment).²¹⁹ The 51st was serving in Van Diemen’s Land carrying out convict guard duties. Alexander Philip joined the regiment in Hobart Town in December 1842, and when the regiment was posted to India four years later, left with them.²²⁰

Alexander Philip’s health failed in India, and he returned to Sydney in December 1848, having travelled home via Mauritius. In Sydney, he fell in love with the daughter “of a person lately connected with the convict department”,²²¹ a *mésalliance de premier rang* in his father’s eyes. Agitated, Rossi encouraged Alexander Philip to rejoin his regiment in India, which Alexander Philip did, but he was of an independent mind, and resigned his commission in 1851 to seek his fortune in London. Here, he failed to make any headway and refused his brother’s offers of financial assistance.²²² Relations with his father seem to have completely broken down, for when Rossi drew up his will in April 1850, he made no mention of Alexander Philip and left all his property and possessions to Francis Robert Lewis.²²³ After his father’s death, Alexander Philip returned to Melbourne, where he eked out a living as a dealer in the floating population of gold seekers in “Tent City” on the southern bank of the Yarra. Here he married Catherine Smith, a recent arrival from England, in January 1854. Catherine was very ill with tuberculosis and died just three days after the marriage. Alexander Philip, too, fell ill and was brought back to Rossiville by Francis Robert Lewis and his wife. Here he died on 14 February 1855, and was interred in the Rossi

²¹⁷ John Woolley, “Alexander Philip Rossi (1825–1855). *Goulburn and District Historical Society Bulletin*. October 1973, p. 3.

²¹⁸ ML: A 1695, p. 5.

²¹⁹ *List of the Officers of the Army and Royal Marines on Full, Retired and Half-Pay with an Index: 1825*. [London], War Office, 1843, p. 236.

²²⁰ A full account of Alexander Philip’s life is contained in Neville Potter, “Do you know Mr Alexander Rossi?: the life of Alexander Philip Rossi 1825–1855”. Typescript, February 2010. ML: MSS 7946.

²²¹ *TGH*, 23 March 1850, p. 3.

²²² Roulhac de Rochebrune, op. cit., p. 46.

²²³ *Will of Francis Nicholas Rossi of Rossiville near Goulburn, New South Wales*. 17 April 1850. TNA: PROB 11/2176/93.

family vault alongside his father in St Saviour's Cemetery, just one month short of his 30th birthday.

Francis Robert Lewis remained at Rossville, performing the duties of magistrate in Goulburn, and appointed to the Local Government Council in June 1847,²²⁴ and made Registrar of the District Court at Goulburn in 1870. He was active in local and church affairs and pursued a military career of sorts, becoming Captain of the Goulburn Volunteer Rifles in 1870. He might be considered the steady and reliable son, but he was of a querulous disposition and conducted prolonged legal disputes with the Bishop of Goulburn over land he had donated to the church. More famously, he entered into another dispute with the Bishop over a plaque commemorating his parents, which Francis Robert Lewis had hung without permission in the cathedral. This led to his celebrated occupation of, and eviction from, the Goulburn Cathedral in 1891.

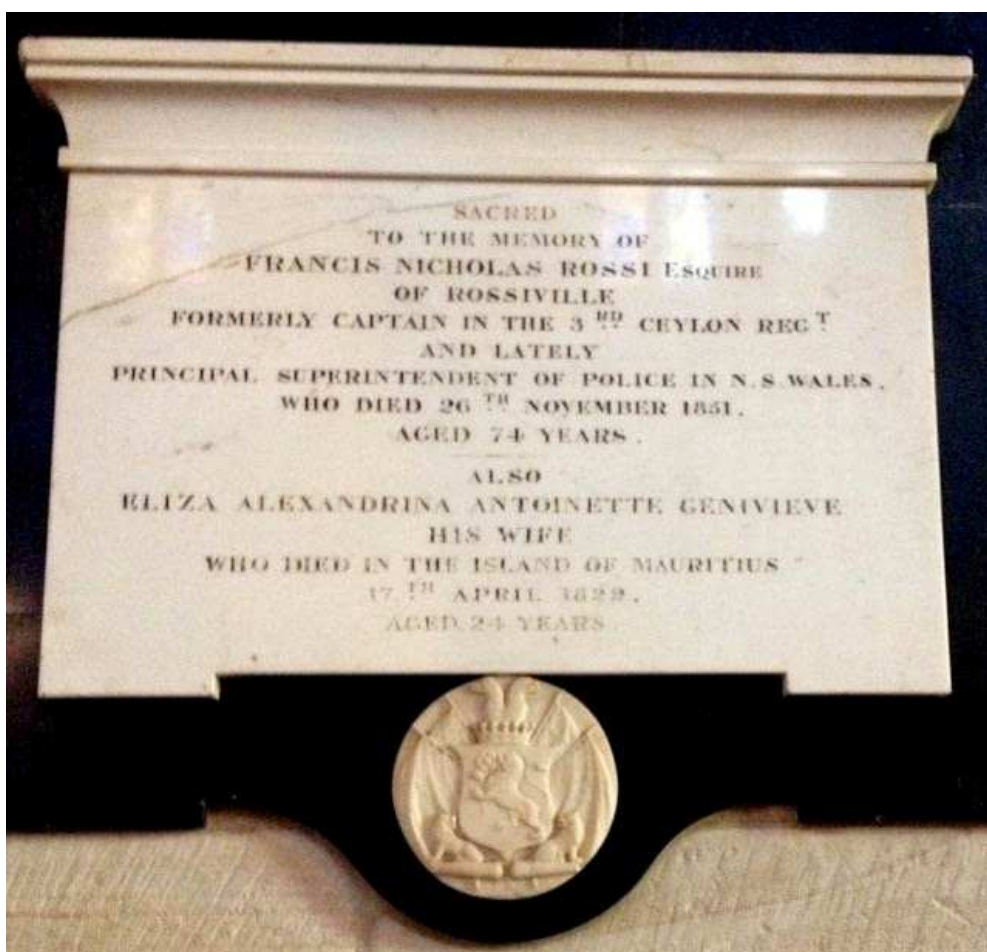


Figure 7.7 The memorial plaque erected by Francis Robert Lewis in the Goulburn Cathedral in memory of his parents. Author's photo 2015.

²²⁴ NSW Government Gazette, 18 June 1847. Quoted in Wyatt, op, cit., p. 122.

Francis Robert Lewis clearly inherited something of his father's impetuosity, for he doggedly pursued his claims and attempted to right what he perceived as grievances, which brought him into conflict with military, state and church authorities. These traits would not have been diminished by his accession in 1896 to his grandfather's title of *comte de Rossi*,²²⁵ following the death of the then Count in France. Curiously, Roulhac de Rochebrune notes that the French consul in Sydney, Georges Biard d'Aunet, advised the French authorities that since the Rossis had never sought British nationality, they were still technically French and able to assume the hereditary title!²²⁶

Cable, in concluding Francis Robert Lewis's biographical entry in the *Australian Dictionary of Biography*, states that "If there was any way of making a difficult situation worse, Rossi would invariably find it".²²⁷ The Rossi name is well known in Goulburn today, not least for the scandal of Francis Robert Lewis's occupation of the Cathedral, and his various exploits have been written about many times.²²⁸ He is even celebrated in a play by the local playwright, Tony Spicer, called *The Mad Count's Revenge*.²²⁹ Francis Robert Lewis died in Sydney in 1903, like his brother Alexander Philip, childless.

The discovery of gold

When Governor Fitzroy stayed at Rossiville in January 1849, he showed Rossi's dinner guests a gold nugget weighing 2½ ounces (78 g) which had been found at Berrima.²³⁰ The matter drew little attention at the time, apart from a mention in the local press, but when *The Sydney Morning Herald* reported in May 1851 that Edward Hammond Hargraves had discovered "an extensive gold field" stretching from Bathurst to Wellington,²³¹ a flock of gold-seekers rushed to Bathurst, abandoning their work and their families. The fever immediately

²²⁵ J. L. Macmillan, "Comte de Rossi". *Evening News*, 16 May 1896.

²²⁶ Roulhac de Rochebrune, op. cit., p. 47.

²²⁷ K. J. Cable, 'Rossi, Francis Robert Louis (Lewis) (1823–1903)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/rossi-francis-robert-louis-lewis-4511/text7379>. Accessed online 29 April 2016.

²²⁸ See for example Tony Vinson's *Tenant in the Cathedral: The Lord Bishop and the Count*. Melbourne : Arcadia, 2012.

²²⁹ David Cole, "The mad count's revenge". *Goulburn Post*, 27 March 2011.

²³⁰ *TGH*, 3 February 1849, p. 3; *Colonial Times*, 23 February 1849, p. 3.

²³¹ *SMH*, 15 May 1851, p. 3.

affected Goulburn, for a short two weeks later Rossi wrote to his son Francis Robert Lewis in Micalago saying it “will complete the ruin [...] of the Country and I look upon it as a great Curse”.²³² He continued:

In the mean While, Flour is in Goulburn at £30 per Ton and I am informed will be at £35 tomorrow. Sugar, Tea, Tobacco have risen to very high Prices and are bought up as Well as Flour to be sent up to Bathurst District where Hundreds of people are said are congregating—and as much as £20 per Ton for carriage of goods are paid to carriers to take things from Goulburn to the Diggings. The Jews Christians and Infidels are all mad—and God knows how this will end. In the mean While, Pray do not Sell or dispose of any Flour Tea and Sugar on any account or for any price—For I do not see where the Country I mean Sydney will be supplied with Such Articles for many many months and therefore it is incumbent upon us to be most careful what we may have in store. [...] Keep if possible the Shepherds in good humour for rely [sic: reliable] people will not for a long while be easily hired.

Alas, not even Rossi could resist the prospect of finding the precious metal, for after Hargraves visited the Araluen goldfield in October 1851, he stayed at Rossiville and told Rossi where to look for gold. With his usual enthusiasm, Rossi set to and, as was his wont, was “most indefatigable” in his search for the precious metal on his property.²³³ On 10 November he found a few specks in the Wollondilly, near his home, and after news of a find at the Run of Water, some three miles (5 km) from Goulburn, he took a party of his men and began digging further up the creek, in the southern portion of his property. Here he succeeded in finding a nugget, and according to the Goulburn correspondent of the *Empire*, was “quite enthusiastic in the matter, and [...] determined to persevere, as he is certain that gold will be found there in abundance”.²³⁴

Finding no more gold, however, he was prompted to learn more about prospecting by visiting the diggings at Major’s Creek and Araluen, which, according to *The Goulburn Herald*, were “progressing most prosperously, and [...] nearly every one of the diggers there are procuring gold in abundance”.²³⁵

The Araluen Valley is reached by a steep descent from the interior, and Rossi found the going difficult, as he was 74 years old and not in good health. He was

²³² Rossi to Francis Robert Lewis Rossi, 30 May 1851. ML: A 723. ff. 87–90.

²³³ *SMH*, 15 November 1851, p. 5,

²³⁴ *Empire*, 6 November 1851, p. 3.

²³⁵ *TGH*, 22 November 1851, p. 4.

“much fatigued and oppressed with the heat” by the time he arrived at the diggings, but set to work to learn about gold-washing methods. When he returned to Goulburn on Saturday 22 November, he was very ill, and although he received medical treatment, he died just four days later, on Wednesday 26 November at Rossiville.²³⁶ *The Goulburn Herald* reported that he had suffered from dysentery, followed by constipation and inflammation of the bowels, which latter “speedily terminated his sufferings”.²³⁷

Jones, in reporting Rossi’s death, laid down his combative pen and wrote a restrained, even respectful, obituary. He described Rossi as “somewhat eccentric and hasty, [but] a well-meaning and an honest man, a particularly shrewd and very useful magistrate”.²³⁸ A subsequent obituary, penned by another writer with greater sensitivity to the niceties of the age, wrote that as Police Magistrate in Sydney he was a respected figure, who had always acted “with the utmost impartiality, discretion and moderation”, and in Goulburn, was “the object of esteem to all who came within the sphere of his acquaintance”.²³⁹

Despite the controversy attending his appointment, Rossi’s efforts as Superintendent of Police had made him, by the end of his life, a pillar of the colonial establishment. Moreover, he was not one to stand back from civic affairs in both Sydney and Goulburn, taking an active part in promoting social, moral and economic welfare. Although not a reformer or a politician, he was not one to idly stand by when there was work to be done.

His patrician status was acknowledged—not only through his own efforts by displays of his status, particularly through his property, Rossiville, bestowing it with the standing of a village and a place frequented by successive Governors, but also through the actions of Governor Gipps, who not only acted quickly to legalise Rossi’s title to his land grants, but also nominated him for inclusion in the proposed system of honours in the early 1840s.

²³⁶ *SMH*, 2 December 1851, p. 3.

²³⁷ *TGH*, 29 November 1851, p. 4.

²³⁸ *TGH*, 29 November 1851, p. 4.

²³⁹ *TGH*, 6 December 1851, p. 4.

However, if Rossi was a man for his times, the times did not stand still, and when the prosperity of his way of life was threatened by labour shortages in the 1840s, he reacted by seeking a return to the resumption of transportation or by importing cheap indentured labour from India. In both these endeavours, he was in a small minority, and became increasingly isolated in his views. By the late 1840s, NSW was beginning to transform itself from a penal colony to a self-governing body, a process that was accelerated by the gold rushes of the 1850s. The old convict society was about to transform itself into a free, independently minded and resourceful bourgeois society, fuelled by the new settlers who came to seek their fortune. Rossi was to see, with some alarm, the beginnings of the gold rush, and it was in attempting to come to terms with it that he died.



*Figure 7.8 The Rossi Family Vault, St Saviour's Cemetery Goulburn
Author's photo 2015.*

Rossi was buried in the family vault in St Saviour's Cemetery on 29 November,²⁴⁰ where his body was later joined by that of Alexander Philip, the two being finally united in death. His resting place is still an imposing, if somewhat decayed, memorial, and it was only fitting that the NSW Government decided in 1884 to build a prison behind the cemetery. This prison, now the

²⁴⁰ *TGH*, 29 November 1851, p. 4.

Goulburn Correctional Centre, is a “super-maximum prison”, the nation’s most secure prison, holding some of our worst criminals. Rossi would not appreciate being forced to lie in such close proximity to the criminals whom he was obliged to deal with for so long, but he could console himself by his ongoing association with the training of police officers, for the nearby NSW Police Force Academy has named its scenario training village “Rossiville”.

Chapter 8

Conclusion

The thesis contributes to our understanding of Australia's colonial history and, in particular, attitudes to the French in this country and the importance of language in shaping the xenophobic attitudes of early NSW, all within the context of the resistance of the general populace and the liberal press to the authoritarian nature of colonial rule.

This examination of the life and career of Francis Nicolas Rossi has also shed light on the transnational nature of British imperial administration in the 19th century, by demonstrating that the course of imperial history did not necessarily centre on London, although it was the capital which set the broad policy parameters of policy for the colonies. Rossi's life and the forces which shaped it were controlled not so much from London, as by personalities and events in the colonies themselves. Thus Rossi was able to benefit from renewing his association with Elliot and North in Corsica after he was posted to Ceylon and Mauritius (Chapters 2, 3 and 4). He was able, too, to profit from Farquhar's patronage in Penang, Mauritius and NSW (Chapters 3, 4 and 5), and in Mauritius he could renew his friendship with fellow army officers Barry and Dick from Ceylon (Chapters 3 and 4), while his association with men like Darling, Lithgow and others in Mauritius stood him in good stead when he worked with them again in Sydney (Chapters 6 and 7). All of which took place within the Empire's Indian and Australian colonies.

The relevance of Foucauldian analysis of power and discourse was discussed in the Introduction, but Bourdieu's more systematic exposition of these concepts provided the most useful tools with which to examine Rossi's life. These include Bourdieu's concepts of an individual's disposition—*habitus*—and his capital, as well as *doxa* and hysteresis, and most usefully, reflexivity. These have been all brought to bear in the thesis, while Bourdieu's concept of a person's life as a trajectory of successive dispositions of capital in various fields also provided a useful framework to analyse the progress of Rossi's career. Other scholars who have followed in Foucault's path, notably the Subaltern Studies group, provided the useful concept of the subaltern voice and the nature of resistance in

voiceless and subjugated populations. These concepts have considerably enhanced an understanding of the role of gossip and its attractions for historians, as canvassed by Wickham and MacKenzie.

Finally, Bourdieu's thoughts on the writing of biography reinforced the importance of understanding the contexts in which individuals make their life choices—contexts which are themselves changing, and which are also subject to the actions of others. This is essential when looking at fields in which modern observers are less than comfortable with, such as the slave economy of Mauritius and the penal regime of NSW. The thesis has attempted to identify the contexts of the various fields in which Rossi operated, evaluating not only their impact on Rossi, but also identifying what impacts he had on those fields. Levi's ideas on biography have also been drawn upon, particularly the usefulness of writing biography from the point of view of the marginal individual, as indeed Rossi was, despite his long service and his devotion to the British Crown. As a Frenchman, he began his career in the British Army as an outsider, and then lived as a British officer among the alien societies of the Sinhalese and Malays in Ceylon, before operating on the margins of Francophone society in Mauritius, and later in his police and judicial roles in colonial Sydney and Goulburn. The thesis shows that this marginality had implications for the ambivalent position in which Rossi found himself, in terms of cultivating his own sense of exclusiveness, despite having striven to be a loyal British subject.

The use of these tools has allowed the rich nature of Rossi's portfolio of capital—economic, cultural, social and symbolic—to be explored, beginning with his noble Corsican and French origins. The thesis, however, departs from the usual sequence of a biography by discussing, in Chapter 1, Rossi's reception in Sydney, where the general population exhibited signs of hysteresis by associating him with the despised figure of Theodore Majocchi. In so doing, they—the subalterns—gave voice to their resistance against the powerful authority figure which Rossi represented. The colony's Emancipist press also criticised him for his unsuitability for the position of Superintendent of Police because of his military background, his unfamiliarity with the law, his foreign origin and his poor grasp of English. His accent and imperfect command of the language featured heavily in the press campaign against him, for he was

continually mocked on account of his accent and censured for “murdering the King’s English”.¹

There were indications, too, that while Rossi was accepted by the colony’s elite, his *habitus* outwardly conforming to the very model of an English patrician, there were signs of reservation on the part of his elite peers in the Australian Club, not to the point of exclusion, but present nevertheless.

The inhabitants of Sydney were, for the most part, ignorant of Rossi’s background and origins, and the fact that he came from a distinguished noble family which had arrived in Corsica from Genoa in the 16th century. Chapter 2 reveals how the family came to occupy a position within the island’s elite, and how the family’s proud military tradition was a great influence on Rossi, serving him well for the troubled times in which he lived. The family faithfully served, in succession, the Genoese Republic, the *ancien régime*, and the British Crown, before the island was retaken by the French Revolutionary Government. Official Army reports of the Rossi clan reveal their very strong attachment to Corsica, despite the necessity to serve a succession of foreign rulers, which Rossi himself was obliged to do. Although not well-endowed with economic capital, Rossi was able to build on his other capital resources during his service as a young officer in the British Army, where his dedication and self-discipline—the later hallmarks of his career—were commended by the Duke of York. This period saw his *habitus* adapting to British military life, and although his foreign background was probably the reason he was sent to Ceylon, he successfully recruited and commanded Malay troops there during the Kandy Wars (Chapter 3). The eight years he served here, much of it in the isolated fortress of Batticaloa, served only to strengthen his character, for the tedium and boredom could easily have driven him into despair and dissolution, as it did to many others. In terms of Bourdieu’s concept of reflexivity, Rossi had a minor, but nevertheless discernible, impact on Ceylon and the demography of modern Sri Lanka.

Rossi’s 13 years in Mauritius (Chapter 4) saw him make a successful transition to civilian life, making use of his cultural, social and symbolic capital to secure

¹ *The Australian*, 20 January 1832, p. 4. See also 9 June 1829, p. 4 and 23 February 1827, p. 2.

senior appointments in the British administration there, including the prestigious position of aide-de-camp to Governor Farquhar and, later, Superintendent of Indian Convicts. Patronage, an indispensable part of obtaining appointments at that time, also played a role in his success, but this too was the result of the adroit use by Rossi of his capital to impress those whom he served. Rossi's entry into civilian life was played out on two levels—the vice-regal surroundings of the Governor's residence at Le Réduit, and in the interior, where he dealt directly with the Franco-Mauritian planters. It was again his qualities of self-discipline, devotion to duty and loyalty—as well as Farquhar's patronage—which led to Rossi's appointment in 1824 as Superintendent of Police in NSW. In terms of reflexivity, Rossi's impact on Mauritius was significant, not only in greatly aiding the economic development of the island, but also in paving the way for the later influx of Indian indentured labourers and free settlers in the island that profoundly changed the make-up of modern Mauritius.

Rossi had only a short interlude in London after his service in Mauritius, where he sought another appointment, and then prepared for a major change in his life and career. Here, the salient features of Rossi's *habitus*, as it had developed in Mauritius, were apparent to the Colonial Office—his efficiency, reliability and leadership, as set out in Chapter 5. Not only did the British Government need a man who could, as Superintendent of Police, work towards restoring the colony's former fearful reputation as a dreaded place of punishment for convicts, it needed him as a matter of urgency, and Rossi fitted both these requirements.

In Sydney, Rossi achieved considerable success in restructuring the Sydney Police Force and presiding over the Police Magistrate's Court, he was able to reduce Sydney's crime rate, despite the very poor quality of his constables and the ever increasing numbers of convicts arriving from England. Chapter 6 describes how he arrived as a mature individual to become one of the colony's elite, distancing himself socially from his convict and Emancipist charges. He built up both his symbolic capital by way of his elevated status, and his economic capital by acquiring land grants at Goulburn in preparation for his retirement. A detailed examination of the nature of the judicial field in which Rossi was obliged to function shows that the popular misconceptions of both his cruelty and obtuseness as a magistrate are incorrect, and that he was in fact

criticised by the press for his leniency. The moral probity of his *habitus* and his effectiveness in his two roles have been shown to be far superior to those of his predecessor, D'Arcy Wentworth, as well as those of his successors.

As an important member of Governor Darling's administration, Rossi was continually attacked by the liberal press, but such was his *habitus* that he weathered these onslaughts, although not without some impact on his health. His years in the tropics may have played a part as well. By contrast, his contemporary, the privileged Archdeacon Scott, a competent administrator of religious and educational affairs,² was also vilified by the press, but he succumbed, informing Darling in 1827 of his intention to quit. Darling's advice to London that Scott did "not possess sufficient character for the place",³ is in stark contrast to his unwavering support of Rossi, even after Rossi was twice censured by the Supreme Court. It was in fact Rossi's loyalty, as discussed in Chapter 7, and his obedience to the highly unpopular Governor's instructions, that prompted the lapse of judgement which gave the press further ammunition with which to attack him. Chapter 7 also discusses the qualities of the *habitus* of the private Rossi, to the extent these are known. Rossi's retirement to Goulburn in 1833 saw him enter a new phase in his life, for he now had to manage his extensive estate, Rossiville, and its subsidiary properties, while continuing to serve as a police magistrate in the infant town of Goulburn. At Rossiville, his predisposition to the role of a patrician was on full display, not least for its name, which gave the impression of being a town in its own right, or a village at least. Here, Rossi presided over his estate and workers in the style of a nobleman, his status on full display and entertaining lavishly, to the intense annoyance of the Goulburn press.

The thesis has also demonstrated, in Bourdieusian terms, the reflexive impact which Rossi had on the *habitus* of NSW, in terms of the community's history and cultural heritage—its collective memory. In fact, three different impressions have been left by Rossi. The first—the subject of Chapter 1—was the xenophobic and antiauthoritarian reaction of the subaltern class in identifying Rossi as the despised Majocchi. An erroneous response, but one which helped

² Stephen Judd and Kenneth Cole, *Sydney Anglicans: A History of the Diocese*. Sydney : Anglican Information Office, 2000, p. 9.

³ Darling to Horton, 26 March 1827. *HRA I/XIII*, p. 190.

to consolidate the xenophobia of the little community, and which has subsequently entered into the archive and lodged firmly in the collective memory. The second impact, discussed in Chapter 7, was the more accurate depiction of Rossi by the liberal press as a Police Magistrate untrained in the law and overly acquiescent to Governor Darling's unlawful attempts to stifle the press. This impact, however, has proved more ephemeral, for although it is preserved in the archive, it has not persisted in popular memory. Nevertheless, the press, by excluding Rossi from the imagined community, as Anderson would have it,⁴ also helped to shape the xenophobic character of the nascent Australian nation, forming an "imagined community" that was different from the "imagined community" of Britain which had so attracted Rossi and which had amply rewarded him both materially and symbolically.

A third, and more recent, impact has manifested itself, for the figure of Rossi has ascended into the realm of popular literature, inspired by the many references to Rossi's Corsican origins and by Alexander Harris's well-known account of Rossi quoted in Chapter 6. A number of writers of popular works have created the trope of Rossi as a cruel and oppressive symbol of the hated convict system and as a foil to romantic convict figures. They may have also been inspired by Francis MacNamara's 1839 ballad, "A Convict's Tour to Hell", in which Rossi appears as a denizen of hell who torments convicts with cruel punishments.⁵

Thus, Jan Morris, in her popular book *Sydney*, glibly cites Rossi as a louche, disreputable foreigner whose involvement in the Queen's divorce was "true to his nature",⁶ while Babette Smith equally implausibly depicts him as "a volatile Corsican with true European regard for practicality in marital affairs"⁷ and in a separate work, as being of "sour disposition, impatient with witnesses, [...]"

⁴ Benedict Richard O'Gorman Anderson, *Imagined communities: reflections on the origin and spread of nationalism*. London; New York : Verso, 2006, p. 6.

⁵ MacNamara, (c1860–1861), who wrote under the pseudonym "Frank the Poet", never met Rossi, for he did not arrive in the colony until 1839. See Les Murray, "A Folk Inferno". In Les Murray, *A Working Forest*. Sydney : Duffy and Snellgrove, 1997, pp. 361–62.

⁶ Jan Morris, *Sydney*. London : faber and faber, 2010, p. 129.

⁷ Babette Smith, *A Cargo of women: Susannah Watson and the convicts of the Princess Royal*. Crows Nest: Allen & Unwin, 2008, p. 101.

hungover, thunderous and yelling at prisoners”.⁸ In yet another work of fiction, Rossi appears as “Police superintendent Francis de Rossi”, Secret Service spy and slave-trader from Mauritius!⁹ Yet others depict him as a despised Italian immigrant, “Francesco Rossi”, the subject of such discrimination that, “embittered by the hostility around him” and pursued by the “spite-driven lawyers of the Sydney bar”, his health was ruined.¹⁰ Such imaginative descriptions may distort the real nature of the man, but they have nevertheless elevated Rossi into the imagined literary world of colonial NSW, and therefore into the *habitus* of today’s community.¹¹

The thesis also, in Chapter 6, compared the treatment Rossi received in the colony with the experiences of other early French settlers of noble background. It was shown that, although men such as Huon de Kerilleau and de Mestre were the subject of a degree of xenophobia, Rossi’s background as a professional soldier in the British army, his high rank in the Government and public profile make comparison with his French contemporaries problematic, particularly as all of the latter lived outside Sydney. As such, Rossi is not to be compared with other expatriate Frenchmen in NSW, but rather with the more urbane, international professional individuals who went into exile after the French Revolution to serve France’s enemies in positions of power and influence—a group that is less British or French than transnational .

Maya Jasanoff, in her study of the Frenchman Claude Martin (1735—1800) describes such men as “on the edge” of Empire,¹² but this does justice to neither Rossi or Martin, for both men became British gentlemen and were accepted as such by the highest levels of British society.¹³ Martin fought for the French against the British in India before transferring his allegiance to the

⁸ Babette Smith, *A Cargo of Women: The Novel*. [Chippendale] : Pan Australia, 2013, pp. 11; 119; 195.

⁹ Robin Adair, *Death and the Running Patterer*. Camberwell, Vic. : Michael Joseph, 2009.

¹⁰ Nino Randazzo and Michael Ciger, *The Italians in Australia*. Australia Heritage Series. Melbourne : AE Press, 1987, pp. 19; 21.

¹¹ I am grateful to H el ene Cixous who, in a talk in 2005, brought to my attention the social and cultural significance of the elevation into the literary world of historical personalities in this manner. Pierre Assouline (Interviewer), *H el ene Cixous: entretien et lectures du 7 d ecembre 2005*. Enregistrement sonore. Paris : Biblioth eque nationale de France, 2005. Collection : Ma biblioth eque personnelle.

¹² Maya Jasanoff, *Edge of Empire: Lives, Culture, and Conquest in The East, 1750–1850*. New York : Knopf, 2005, p. 76.

¹³ Jasanoff, op. cit., p. 73.

British, afterwards becoming a successful trader and entrepreneur in British India. He used his considerable fortune to establish three schools at Kolkata, Lucknow and Lyon, all named “La Martinière”.¹⁴

There has traditionally been a strong incentive for Corsicans to emigrate, and their contribution to the colonies of the French Empire has been substantial. Their principal motivation, however, has been economic necessity, due to unfavourable conditions in Corsica.¹⁵ Rossi’s career, however, can be favourably compared with the experiences of other Corsicans who went into exile at the same time as Rossi, and who rose to positions of power and influence. The most egregious example is Charles-André Pozzo di Borgo (1764–1842), who was mentioned in Chapter 3. Also from a noble Ajaccian family, Pozzo di Borgo’s political activities in Corsica, where he supported Paoli before becoming *de facto* Prime Minister in the Anglo-Corsican Kingdom. He followed Elliot to Vienna when the latter was appointed Ambassador to Austria in 1799, and moved to St. Petersburg in 1804, where he embarked on a brilliant diplomatic career for the Tsar and for other nations fighting Napoleon. He returned to Paris after the Restoration, where he died, a rich man.¹⁶

Another successful Corsican who also achieved international elite status and whose achievements were comparable to Rossi’s was Antonio (Anthony) Bertolacci (1776–1833). Bertolacci was not of a noble family, but was the son of a judge in Bastia, who was influential in Corsican politics as a Paoli supporter and as a colleague of Pozzo di Borgo. Bertolacci secured a position as Assistant to Elliot’s Secretary of State, Lord Frederick North, whom he so impressed that when North was appointed Governor of Ceylon in 1798, he invited Bertolacci to be his Secretary for French Correspondence.¹⁷ In Ceylon, Bertolacci’s superior abilities saw him soon appointed as Postmaster General,

¹⁴ The schools at Kolkata and Lucknow are still functioning, as is the school at Lyon, having been combined with several other schools to become in 2006 *le Lycée La Martinière Diderot*.

¹⁵ Robert Aldrich, “France’s Colonial Island: Corsica and Empire”. In Gemma N. Betros (ed.), *French History and Civilization: Papers from the George Rudé Seminar*. 3 (2009), pp. 112–25. <http://h-france.net/rude/wp-content/uploads/2017/08/AldrichVol3.pdf>. Accessed 20 September 2017.

¹⁶ Ange Rovère, “Pozzo di Borgo, Charles André”, in Jean Tulard, Jean-François Fayard et Alfred Fierro, *Histoire et dictionnaire de la Révolution française : 1789–1799*. Paris : Laffont, 2002, p. 856.

¹⁷ J. R. Toussaint, “Literature and the Ceylon Civil Service”, *Journal of the Dutch Burger Union of Ceylon* XXIII/3 (January 1934), pp. 114–15.

and thereafter to a succession of senior appointments, culminating in the posts of Comptroller General of Customs and Acting Auditor General of Civil Accounts. He served in the latter position until 1814, and took a keen interest in economic and commercial affairs. After ill-health forced his retirement to England, he published in 1817 his well-known *View of the Agricultural, Commercial and Financial Interests of Ceylon*.¹⁸ This was followed by a treatise on the political economy of England,¹⁹ and after his return to France, to Versailles, he published *La France et la Grande-Bretagne : Terrae marisque connubium*,²⁰ in which he advocated the “natural alliance” between the two great commercial and maritime powers.²¹ Like Rossi, Bertolacci’s talents and abilities were such as to secure for him advancement into senior positions in the British Imperial administration.

Finally, closer to home, Rossi’s career was mirrored in large degree by that of his elder half-brother, Marc-Antoine-Joseph-Vincent de Rossi (c1758–?) who enlisted in the Royal Corse Regiment in 1769, but fled France in 1792 to fight with the *Armée des Princes* (the Army of the Princes) against the Revolutionary Government in France. A professional soldier in the proud Rossi family tradition, he never sought to become a British citizen, but served in a succession of *émigré* regiments until he was discharged in 1801, and, after the Treaty of Amiens, returned to France in 1802, where he obtained a minor civil post as a tax collector (*commis des droits réunis*) in 1806.²²

The career of Rossi’s elder brother Don-Grâce Louis de Rossi (1775–1856) also parallels Rossi’s career. Don-Grâce, who succeeded to the title *comte de Rossi* after the death of Philippe-Antoine, joined the French navy in 1795, and was made *lieutenant de vaisseau* in 1808, *capitaine de frégate* in 1818, and *capitaine de vaisseau* in 1825. His career suffered a setback when he was relieved of the command of the brig *le Faune* in 1811 for “lack of zeal”, the

¹⁸ London : Black, Parbury and Allen, 1817.

¹⁹ *An Inquiry into several questions of political Economy applicable to the present State of Great Britain*. London : Black, Parbury, and Allen, 1817.

²⁰ *France and Great Britain—a marriage of land and sea*. Paris : n.p., 1828.

²¹ “Bertolacci (Antonio)” in *Biografia Universale Antica e Moderna. Supplemento, Ossia Continuazione della Storia per Alfabeto della Vita Publica e Privata di Tutte le Persone Ch’esser Fama Per Axiomi, Scritti, Ingegno, Virtù, o Delitti. Compilata in Francia da una Società di Dotti e Per la Prima Volta Recata in Italiano*. Venezia : Gian Battista Missiaglia, 1836, Vol 2, p. 687.

²² Roulhac de Rochebrune, op. cit., pp. 35–36.

result, he claimed, of a conspiracy. He went on to be made *Chevalier de l'ordre royal et militaire de Saint-Louis* in 1818 and *Chevalier de l'ordre royal de la Légion d'Honneur* in 1821.²³ But for the 1818 incident, Roulhac de Rochebrune believes, he would have been promoted to Admiral.²⁴ He lived in Brest after his retirement in 1833, an unhappy and querulous individual, due, according to family tradition, to the *le Faune* incident. His naval career saw him twice a prisoner of war of the British, the first during the abortive French invasion of Ireland in 1798 and the second in 1803 during the naval battle off Cap Français (modern Cap Haïtien, in Haiti).

Finally, a useful parallel can be made between Rossi and the Spaniard De Arrietta who was mentioned in Chapter 1 as also being identified as the detested Majocchi. Like Rossi, he was readily accepted into the colony's elite and was a cheerful and generous host, but was the butt of jokes and malicious gossip behind his back. In De Arrietta's case, it was on account of his being his being an old Spanish gentlemen who spoke heavily accented English, and who suffered from jealous fears about his young wife, who was some thirty years his junior.²⁵

Rossi was a man for his times, for his military background fitted him admirably for service in the British Army during the French Wars, his subsequent experiences in Europe and Ceylon shaping his *habitus* to fill diverse roles of authority and leadership, first in Mauritius and then in NSW. Perseverance and strength of character were also features of his *habitus*, enabling him to withstand the malicious gossip that surrounded him in Sydney, and his qualities of discipline and self-control meant he was sufficiently adaptable to be able to function effectively at a high level in challenging and diverse environments. To these qualities were added personal courage, humanity and a strong commitment to civic life, as revealed in Chapter 7.

Rossi sought keenly to conform to British ways, even to the extent of becoming a Protestant very early in his career, and earning the contempt of fellow

²³ Service historique de la Marine, Vincennes. Dossiers personnels. SHM CC7. No. 27. Dossier Don Grace Louis Rossi.

²⁴ Roulhac de Rochebrune, *op. cit.*, pp. 40–42.

²⁵ Judith Keene, "Surviving the Peninsular War in Australia: Juan De Arrietta—Spanish free settler and colonial gentleman". *JRAHS* 84/2 (June 1999), pp. 36–47.

Frenchman Bougainville, who recorded that Rossi “mimicked” the manners of the English “to the extreme”.²⁶ Rossi did succeed at one level—and a high one, at that—in becoming British, as is evident from Governor Gipps’s avowal that there was no one more deserving of “all the privileges of an Englishman” than Rossi.²⁷ The ambivalence of Rossi’s position, however, stemmed from the fact that while he was accepted at the highest level of colonial society, his legal status as a British citizen and his financial security were put in doubt at a late stage in his life, and he was not accepted by the lower levels of the Sydney populace or by the Emancipist press.

This ambivalence was reflected in his *habitus*, for, although his was overtly the *habitus* of a member of the British Empire’s ruling elite, it retained within itself a core of his French and Corsican origins. These he never attempted to shed—his marriage to the young Franco-Mauritian woman, Lise, being one such sign—as were his frequent references in court to Corsica and Corsicans. Perhaps he was capitalising on the press’s constant reference to his Corsican origins to surround himself with an exotic and exclusive aura, thereby enhancing his symbolic capital. He may have been motivated too by the same pride in his Corsican roots which his relatives displayed in the Royal Corse Regiment. The strength of the pride of that island’s inhabitants is still evident today—and was brought home to me by a young Corsican woman who told me that, before leaving Corsica for Australia, her mother admonished her to let people know she was not French, but Corsican.

The times, however, did not stand still for Rossi, and as the colony began to shed its penal function and move towards self-government, he found his prosperity and his way of life under threat, as the supply of convict labour began to dry up in the 1840s. His response was to advocate for the return of transportation of convicts and the introduction of cheap indentured labour from India. In both these endeavours, he was in a small conservative minority, and became increasingly isolated in his views. By the end of the decade, the old paradigm of patrician rule and convict workforce was coming to an end, its demise hastened by the gold rushes of the 1850s, which brought a flood of free,

²⁶ Bougainville, op. cit., p. 65.

²⁷ Gipps to Lord Stanley, 23 November 1843. *HRA* 1/XXIII, p. 223.

independently minded and resourceful bourgeois diggers. Rossi did not welcome the gold rush and its siren call, causing men to leave their workplaces to search for the precious metal. However, he too found himself unable to resist the prospect of sudden riches, and it was during a visit to the Araluen goldfields that he fell ill and died on his return to Rossville.

Rossi was not a major actor on the British Imperial stage, yet he nevertheless made an impact in those fields where he found himself a player—Gibraltar, Ceylon, Mauritius, Sydney, and finally in Goulburn. His not inconsiderable achievements have secured him a firm place not only in the collective memories of both Sydney and Goulburn, but also in the history of NSW. This thesis has the hope that his place in broader Australian, British and transnational history may now be revisited.

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Appendix A

“Hints for A. Rossi”¹

Instructions to the teenage Alexander Philip Rossi

1. Recollect that you are not at School, but in a gentleman’s house, where you will meet not with Schoolboys, but with grown up persons whose manners you will do well to observe, and imitate. Your own actual good feeling will I am sure make you anxious not to annoy them by disagreeable or vulgar manners. It is not surprising that you should have contracted in the Bush manners which are not suitable in a Drawing Room. Show your good sense by endeavouring to improve and polish them as rapidly as you can.
2. Do not lounge or loll about upon the chairs and tables. It is an ungentlemanlike habit and one that annoys all who may be near you. By tilting your chair or putting your feet with dirty boots upon the Chairs and their bars, you not only do what is exceeding vulgar and unsightly, but destroy the Furniture.
3. Never whistle in the presence of a Lady—either out loud or in a whisper.
4. Never whistle in a Drawing Room, or in any Society or beat the Devil’s tattoo² either with your hands or feet.
5. Be extremely careful at Table, avoid unbecoming or disgusting manners. Eat slow, even if you keep all the party waiting. Nothing is more unhealthy, as well as disgusting, than to eat in a hurry. Avoid most carefully taking large pieces or making the least noise in eating and never by any chance allow a knife to approach your mouth.
6. Never eat and drink at the same time, and avoid emptying your tea into the saucer—a practice which is observed in the Kitchen but not in the Drawing Room.
7. Avoid being too free with those who are other than yourself—especially strangers—and recollect that Boys should never presume to interrupt the conversation of their elders.
8. You are naturally inclined by your great good nature to assist others, and I have no doubt inherit much national [sic: natural] Politeness. Only be careful in your manner of exercising this—and while you study to be civil and attentive to all; avoid being “Pushing”.
9. Avoid being in the way. Always study in your own rooms for altho’ at all other times I shall be glad to have you with me, you must recollect that the

¹ “Hints for A. Rossi”. ML: A 723. ff. 103–104.

² According to the OED, the “devil’s tattoo” was used in the 19th century to describe “the action of idly tapping or drumming with the fingers, etc. upon a table or other object, in an irritating manner, or as a sign of vexation, impatience, or the like”.

Dining Room is wanted by myself and others for writing and other business, when we must not be disturbed.

10. Never interrupt people when they are occupied and never look over any person who is Reading or Writing.

11. Never touch anything that does not belong to you without first asking permission—whether books, knives, or any other articles—and when books or other articles are lent, you be extremely careful not to destroy or injure them.

12. Be scrupulously clean—never appear with dirty hands or a speck of black. Never eat with your fingers—but should [sic] they by accident become dirty or greasy ask for a napkin and Finger [bowl]. Be careful to touch nothing with them until they are wiped.