A S P E C T S O F L I F E I N G U N D A G A I

1840 - 1860

by

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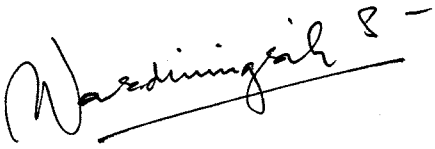
A thesis submitted for the degree of Master of Arts of the Australian National University.

Canberra, June 1986.

DECLARATION

Except where otherwise indicated, this thesis is my own work.



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Note : The correction had already been done in the thesis.

Canberra, 28 September 1988.

(Wardiningsih Soerjohardjo)

My thanks are also directed to several institutions, which have given me the opportunity to examine considerable source materials relating to this research: The Libraries of the Australian National University, Canberra, The National Library of Australia, Canberra, The New South Wales Archive Office, Sydney, The New South Wales Public Library, Sydney, Mitchell Library and Dixon Libraries, Sydney, The Uniting Church Records Association, Sydney, Ferguson Memorial Library, Sydney, The Archive Office of St Mary's - Catholic Church, Sydney, St John's Anglican Church, Gundagai, St. Patrick's - Catholic Church, Yass, St Clement's Anglican Church, Yass, The Gundagai Historical Society and the Gundagai Rotary Club.

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C O N T E N T S

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ABBREVIATIONS

A.N.L.	National Library of Australia
A.N.U.	Australian National University
A.O.	Archive Office of New South Wales
H.S.	Historical Studies
M.L.	Mitchell Library
R.A.H.S.J.	Journal of the Royal Australian Historical Society
VP-LC	New South Wales Votes and Proceedings of the Legislative Council

PREFACE

Historians tend to give more emphasis to explanation than to description. Description, however, is central to understanding. It is perhaps because I am foreign to Australia that description seems especially important for me. I cannot help but be aware of the gulf between my own culture and that of mid-nineteenth century Australia. Westerners who have studied my country have found it helpful to delineate certain cultural values which characterize social life in Indonesia and help to explain events occurring there. In this thesis, which examines one small community in nineteenth century Australia, I attempt to analyse some aspects of the culture of a European community.

Although the approach of this thesis is grounded in my foreignness I do not believe that this sort of exercise should be of interest only to non-Australians. It may be unwise for historians to assume that to be an Australian in 1986 gives one an immediate insight into the social life of rural Australia in the 1850's. As scholars continue to explore the social values and cultural categories of nineteenth century Australia, they may well become increasingly cautious about basing judgements about the nineteenth century on their experience of modern Australia.

One of my supervisors, Dr A.C. Milner, has in his own work investigated cultural attitudes in the nineteenth century Malay world.[1] He was influenced by the exercises in "thick description" - description which takes account of the cultural context in which human action takes place - of the American anthropologist, Clifford

Geertz.[2] In my thesis, too, some of the questions of Anthropology are being applied not to a living community but to a body of historical documents. Like others in this field of History, I have also gained confidence from reading Emmanuelle Le Roy Ladurie's anthropological description of a fourteenth century town, Mountaillou.[3]

Being interested in this type of cultural examination I sought advice from my principal supervisor, Professor J.N. Molony. He recommended that I look at the town of Gundagai, particularly the source materials related to the great flood which was central to the history of the township in the nineteenth century. Because of this suggestion I chose to write my thesis on aspects of life in Gundagai between 1840-1860. I owe much to Professor Molony for talking with me about the primary and secondary sources of Australian history and encouraging and guiding me in examining mid-nineteenth century Gundagai.

The most disastrous flood in the history of Gundagai occurred in 1852. This was a catastrophe for the town and the death toll and damage to property and buildings were recorded. What is important for historians is that as a consequence of the flood itself the documents of a special inquiry made by the Colonial Government were published in the Parliamentary Papers.[4] The documents do not merely provide us with records of the 1852 flood and its consequences, but also with a range of information on other aspects of Gundagai's social and economic life.

The use of some other source materials, such as "The Bench Book and Letter Book of Magistrates of Gundagai"[5] and also several newspapers provided me with much help in reconstructing aspects of the social life of the town. Finally, I found a helpful introduction to Gundagai in the writings of two local historians, A. Gaunt[6] and R.T. Kennedy.[7] A. Gaunt's book is concerned with the development of the town from the earliest times to the twentieth century, while Kennedy's work deals with some leading citizens of Gundagai and the disputes that occurred amongst them.

The first two introductory chapters are 'A Brief History of Gundagai', which describes Gundagai from the earliest time to the end of the nineteenth century; and an 'Introduction to Mid-Nineteenth Century Gundagai', which provides basic information about the inhabitants - about their economic life, communication arrangements, education, legal processes, and so forth. In this chapter I also discuss the great flood in some detail. Chapter three, 'Leadership and Social Hierarchy' deals with the question of how Gundagai society was structured and where did the authority lie. This chapter, furthermore, attempts to describe the rivalries occurring amongst the inhabitants. The next five chapters explore some prominent values, mores, and attitudes. I examine the concept of 'Agreement', attitudes to alcohol and language, 'Relation Between Sexes', 'Attitudes to Religion' and 'Racial Attitudes'.

PREFACE NOTES

1. A.C. Milner, Kerajaan: Malay Political Culture on the Eve of Colonial Rule, Tuscon, The University of Arizona Press, 1982.

2. Clifford Geertz, The Interpretation of Culture, Selected Essays, London, Hutchinson & Co. Ltd., 1975, p. 7.

3. Emmanuelle Le Roy Ladurie, Montaillou: Cathars and Catholics in a French Village 1294-1324, New York, Penguin Books, 1978.

4. VP-LC, 1852. Report on Flood, pp. 239-78.

5. The Bench Book and Letter Book of Magistrates of Gundagai, A.O. Reels 2741 and 2742, Sydney.

6. A. Gaunt, The History of Gundagai. No place of publication and publisher, 1944.

7. R.T. Kennedy,

- "A Peep into the Past", Newspaper Cutting, M.L., Sydney
- "The Earliest Gundagai Medical Practitioners: Life and Times", R.A.H.S., Vol. XXXIII, 1947, Part III, pp. 117-47.
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I.

A BRIEF HISTORY OF GUNDAGAI

The township of Gundagai which had a population of 4,250 in 1981 [1] is situated on the Murrumbidgee River, in the district of Murrumbidgee. The district was orginally settled illegally by pastoralists in the 1830's. The town was established on the banks of the river, close to a river crossing.

In 1829 the Governor of New South Wales issued a proclamation of the legal boundaries of settlement. The settled areas were known as 'The Nineteen Counties' and extended from the Manning to Moruya and from the coast to the Lachlan. Gundagai, therefore, lay beyond the Nineteen Counties. To all intents and purposes, the Nineteen Counties meant Australia and here, 'official Sydney took its stand'.[2] In practice, the defined limit could not be maintained, since it had already been crossed in all directions. By 1835, according to S.H. Roberts, settlement had taken place in many regions outside the legal limits: "... apart from the old nucleus of Cumberland, the largest alienated areas were round the Hunter and Goulburn, with a less progressive group at Bathurst; but most emphasis was on the Murrumbidgee and the Liverpool Plains".[3]

The name of the Murrumbidgee River is said to have derived from the Black man's warning "Mor-unbeed-ja", which means "a big flood",[4] whereas "Gundagai" derived from an Aboriginal word "Gundabandobingee", meaning to "cut with a tomahawk at the back of the tree".[5] The significance of this latter meaning is not apparent but some writers tend to consider that it relates to the shape of the river bend. Other

authorities give different meanings to the word. "Gundagai" to one, means "going upstream" and, to another means "Poor crows".[6]

A. Gaunt's, History of Gundagai, provides a helpful starting point for an attempt at a survey of the development of Gundagai. He makes a periodization of the history into two important stages: 1) The Old Town of Gundagai, 1829-1852, and 2) The New Town of Gundagai, 1852-1944.[7] The year, 1852, was a turning point in Gundagai's history because of the catastrophic flooding of the town. The first stage of Gundagai's history is concerned with a number of explorations, early settlers, economic life, the first sale of town allotments, and the first dwellings. The second stage is further divided into three periods: a) Gundagai from 1852 to 1875 (the 1852 flood, the discovery of gold, the bushrangers and the 1870 flood); b) 1875-1895 (a period of agricultural and pastoral pursuits); and c) Post 1895 (the second period of gold discovery).

The history of the growth and development of Gundagai is traced back by Gaunt to the early decades of the nineteenth century to the years when Sir Thomas Brisbane (1821-1825) was Governor of New South Wales. Practically all of eastern Australia at that time formed one administrative entity, although Van Diemen's Land was given a form of independence in 1825. Gaunt notes that at that time 'settlement was confined to the east coast for about 120 miles north and south of Sydney but extended inland to Bathurst and Goulburn from which Gundagai is 130 miles farther SOUTH'.[8] Dr Arthur Andrews, the Government Medical Officer residing in Albury between 1876 and 1919, said that despite the fact that a colony 'was first formed as an outlet for, and place of safekeeping for convicts', many free settlers

had been attracted by the prospects of the 'green fields far away'.[9] In June 1813, the early explorers, William Charles Wentworth, William Lawson and Gregory Blaxland, had crossed the fertile western slopes of the Blue Mountains.[10] The following years saw three of the most famous inland explorations in the annals of early Australian history, namely the explorations conducted by Hamilton Hume and William Hovell (1824), Charles Sturt (1829-1830), and Major Thomas Mitchell (1836).

Different opinions exist as to which expedition first arrived at what was to become the site of Gundagai. Andrews suggests that Hume's and Hovell's party passed the site of Gundagai:

> "The expedition left its base at Lake George on October the 17th, 1824. Two days later they reached the Murrumbidgee at Marjirrigong, and finding it in flood were detained till the 22nd; then crossing they endeavoured to follow down the stream, but met with considerable difficulty in places where the ranges approached closely to its banks. They were compelled to leave their heavy baggage and vehicles. They travelled past the present site of Gundagai, after which, finding the country less rugged, they took a more southerly course, following as nearly as possible a line a little west of south, towards their goal".[11]

An anonymous article in The Gundagai Independent of 1 December 1932, although admitting that the party certainly crossed the Murrumbidgee, argues that 'it must have been a considerable distance east of what is now Gundagai, for the party passed through and camped at the spot around which has grown the town of Tumut'.[12]

Wherever they crossed the Murrumbidgee, the real importance of Hume's expedition lies in the fact that the first settlers to the general district of Gundagai followed the initial sections of Hume's

route to Port Phillip. In 1829, Captain Charles Sturt was instructed to trace the Murrumbidgee to its source.[13] On the 24 November of that year he had reached Jugiong, where he found Henry O'Brien[14] who had established the first sheep station there in 1825.[15] Sturt gave this account:

> "... Mr O'Brien had informed me that he had a station for sheep, at a place called Tuggiong (sic.) by the natives, on the immediate banks of the river".[16]

From there Sturt soon arrived at the last known homestead belonging to another settler named Ben Warby:

> "We were now far beyond the acknowledged limits of the located parts of the colony, and Mr Whaby's (sic.) station was the last at which we could expect even the casual supply of milk or other triffling (sic.) relief; ... We reached Whaby's (sic.) about 9 a.m. of the morning of the 27th and received every attention and civility from him".[17]

On the afternoon of 28th November, the party crossed the river at a spot upon which Gaunt believes Gundagai now stands.[18] Sturt's words have been considered by Gaunt[19] as the first authentic written evidence of the crossing place, Gundagai:

> "He (Whaby - sic.) informed me that we should have to cross the river as its banks were too precipitous, and the ranges too abrupt to allow of our keeping to the right side. We accordingly rode down the river to a place where some stockmen had effected a passage; ... and I saw no objections to our crossing at the same place since its depth and consequent tranquillity rendered it eligible enough for that purpose; ... On the following morning we started for the place at which it had been arranged we should cross the Morumbidgee (sic.), but though no more than five miles in a direct line from Whaby's house, in consequence of rough ground, the drays did not reach it before noon. The weight and quantity of our stores being taken into consideration, the task we had before us was not a light one".[20]

The 30th of November, 1829, is considered by Gaunt to be generally accepted as the foundation date of Gundagai since Sturt crossed the Murrumbidgee River at the Gundagai crossing place on that date. But it is nevertheless obvious that he went over at the crossing place that had already been used by stockmen.

A further development in exploration which also had important consequences, was the Mitchell expedition which took place in 1836. Mitchell made a journey into what is now Victoria. After the subsequent publication of his favourable report on "Australia Felix", a great pastoral development took place in southern Australia. The main route south crossed the Murrumbidgee River at Gundagai and a settlement quickly took shape at this place.

Although pastoralists were not allowed to establish holdings beyond the defined limits of settlement (the Nineteen Counties), numerous stockmen and graziers followed Hume and Hovell into the region of the Upper Murrumbidgee.[21] Peter Stuckey, for instance, was credited by his descendants as the first man to cross the Murrumbidgee after Hume and Hovell.[22] What the situation was in the 1820's is difficult to determine. Sturt, however, mentioned the name of Stuckey when he was describing his own experience with the Aborigines in the Murrumbidgee:

> "Although the fires of the natives had been frequent upon the river, none had, as yet, ventured to approach us, in consequence of some misunderstanding that had taken place between them and Mr Stuckey".[23]

Furthermore, we know from the reports of 1847 by Henry Bingham. the

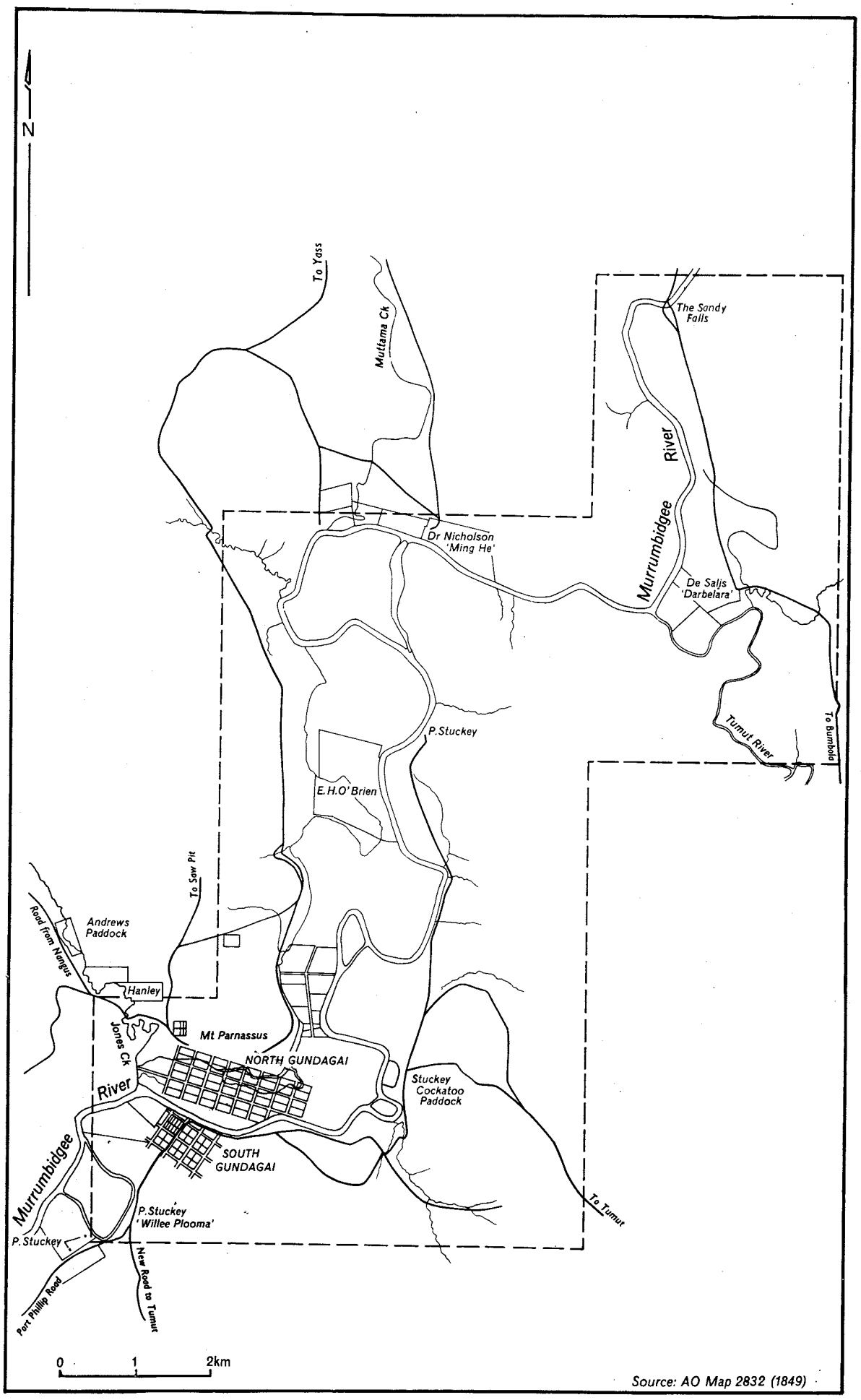


Fig. 1 Map Showing Some Properties in Gundagai (1849)

Commissioner of Crown Lands of the Murrumbidgee District, that a Peter Stuckey had in earlier years established a run, called Willi Plooma (sic.) and that a Henry Stuckey had a property called Tambelong (sic.).[24] It is only at an even later date, 1849, that we obtain a clear idea of the location of pastoral settlement in the Gundagai district. The 1849 map of Gundagai Agricultural Reserve.[25] (See Figure 1), indicates that Peter Stuckey had huts on the Southern side of the Murrumbidgee. His main homestead was Willie Ploma (sic.). The same map shows De Salis on Darbelara (sic.) (originally Warby's) and also on Sandy Falls. Nicholson is shown at Ming-he (sic.) and Edward H. O'Brien closer to Gundagai.[26]

After Sturt's journey, the Thompson family settled at Mickey's Corner (South Gundagai), Joseph Andrews was at Kimo station, John Jenkins at Nangus, Francis Toafe at Muttama, and John Thorn at Wantabadgery.[27] About 1836, W.A. Brodribb settled a station, where "the township of Gundagai now stands".[28] His memoirs of the period provide a picture of the pastoral activity which occurred then:

> "... I placed 1,200 ewes, and I wrote to my Sydney agent to hire a carrier and send me supplies of tools, flour, tea, and sugar for six months, to carry me over the shearing, and the necessary shearing supplies, such as woolpacks, shears, etc. My first lambing took place in September. On tailing the lambs, I had over 80 per cent of increase. In the month of October I commenced shearing - shearers were very scarce - the large sheep proprietors secured the best shearers. One man, the shepherd and myself, with all assistance of a few Aborigines, washed and sheared my 1,200 ewes. I made my dwelling hut the shearing shed, and my hut-keeper pressed the wool with a spade, in a rough primitive box made by ourselves on the station".[29]

Brodribb knew Joseph Hawdon, an early settler who was recorded as

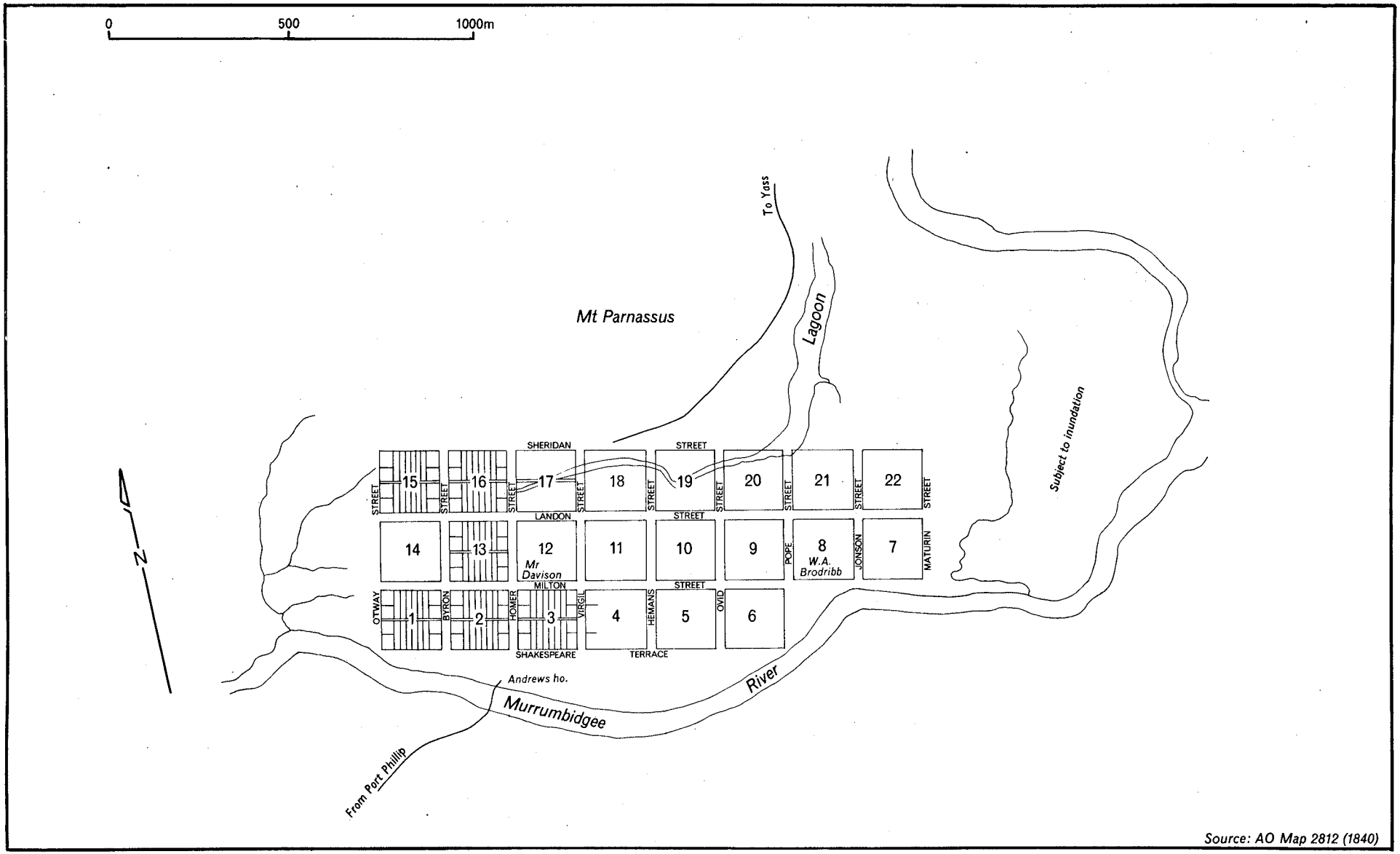


Fig. 2 Map Showing Early Purchasers of Land Allotments in North Gundagai (1840)

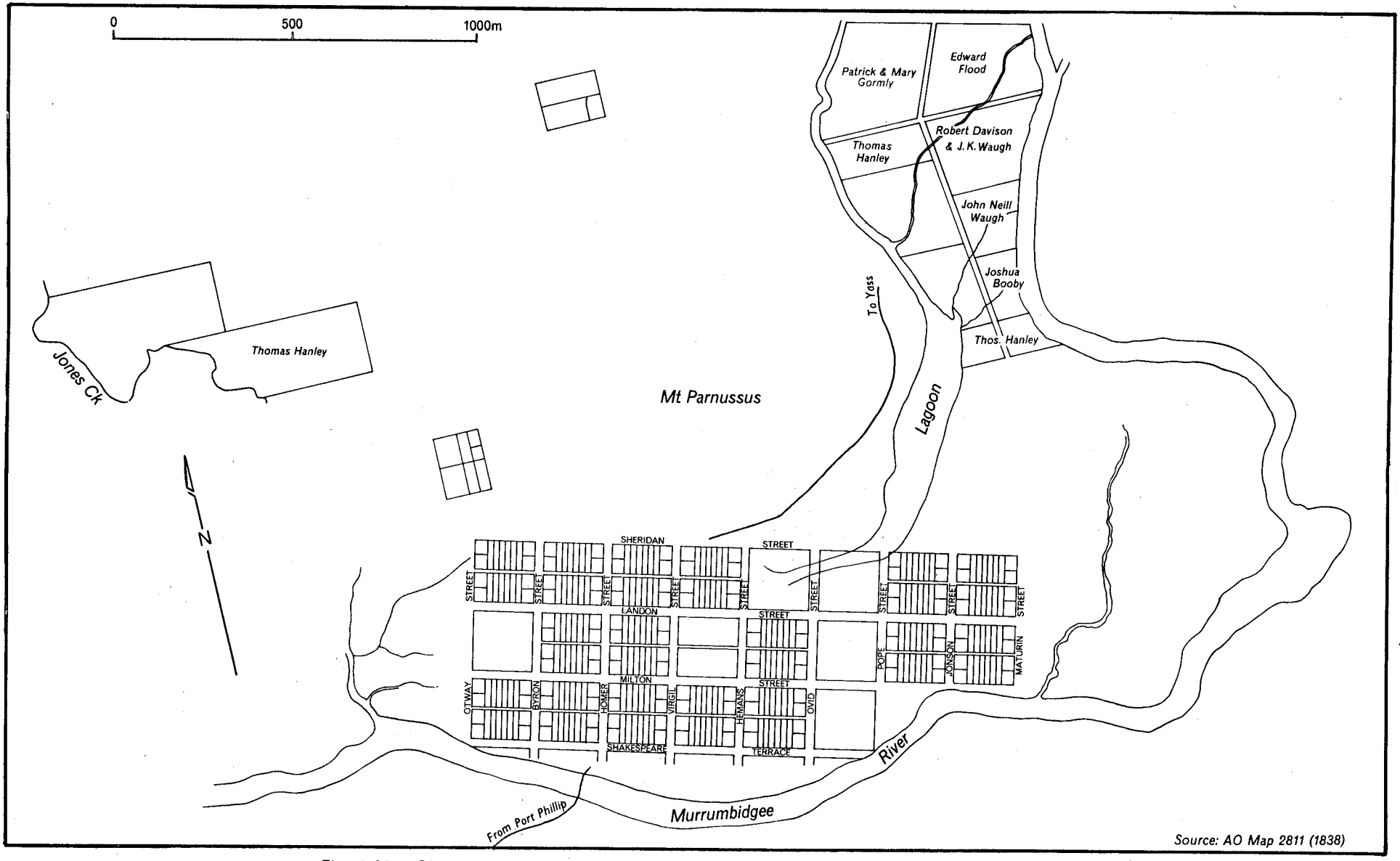


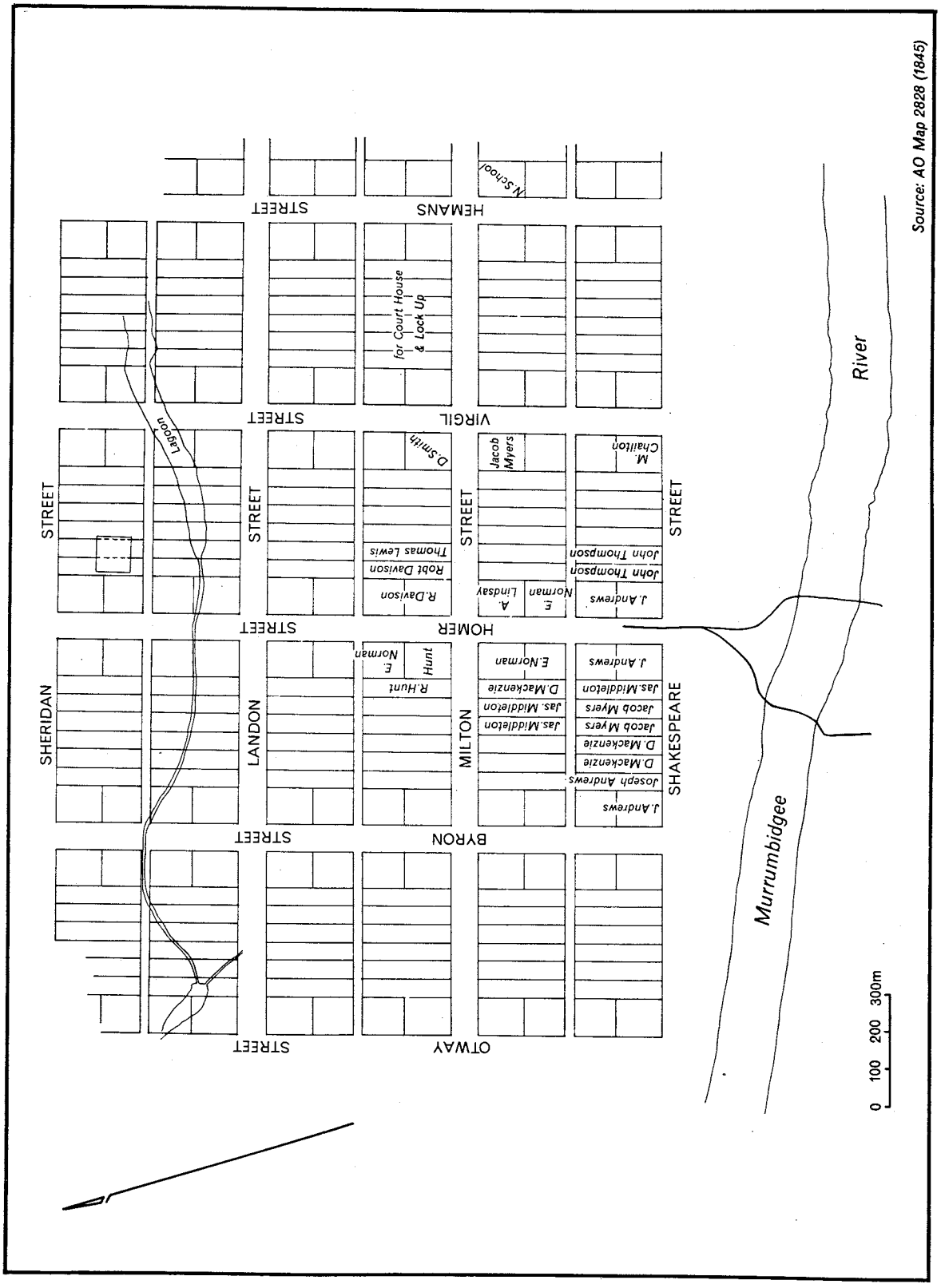
Fig. 3 Map Showing Blocks of Land and the Names of Streets in North Gundagai (1838)

having encountered the Mitchell expedition:

> "My late friend Mr Joseph Hawdon, was the first person to send cattle to Port Philip in 1836. I started the second drift of cattle the same year. We were the first to mark a road to Melbourne".[30]

Unfortunately, the drought which occurred in early 1839, in which "scarcely any rain fell in the south country"[31] was a huge setback and consequently Brodribb's stock suffered very much. He was then compelled to remove a large portion of stock to the SOUTH and farmed both sheep and cattle stations near Port Phillip.

On 22 January 1838, Captain Perry, Deputy Surveyor General, received an order to "proceed by the Post Office route, ... to a station on the Murrumbidgee, where Mr Brodribb has established a punt, and near to which Mr Hutchinson has an establishment", to make a survey of the area and lay out a town.[32] On 10th October, 1838, the township of Gundagai was gazetted which meant that the region had been officially declared 'open' for settlement. A map drawn by Captain Perry[33] shows Brodribb's huts on Section 8 of his town plan, in which Gerald Hemphill's run was later built. The other names in the map are R. Davison, Surgeon, storekeeper and publican, residing on Section 12 and J. Andrews, a retired Army Officer, possessing huts between Shakespeare Terrace and the bank of the Murrumbidgee River.[34] (See Figure 2.) In Perry's map, the township was located on the northern bank of the river and comprised some twenty sections bounded on the north by Sheridan Street, on the west by Otway Street, on the south by Shakespeare Terrace and on the east



Source: AO Map 2828 (1845)

Fig. 4 Map Showing the Purchasers' Names of Land Allotments in North Gundagai (1845)

by Maturin Street.[35] (See Figure 3.) The town was situated on the low lying alluvial flats between what is now Morley's Creek and the Murrumbidgee, and, despite frequent warnings from the Blacks that the river flooded, the flat was chosen as the site for the town. Subsequent events proved that the selection of the site was a disastrous mistake.

In June, 1840, Assistant Surveyor Larmer was instructed to measure a number of allotments for sale.[36] The first land sale in Gundagai was held on 13 August 1841, in which 29 blocks were offered for sale.[37] As can be seen from figure 4, the purchasers' names were Joseph Andrews, D. Mackenzie, Jacob Myers, James Middleton, E. Norman, R. Hunt, R. Davison, Thomas Lewis, John Thompson, A. Lindsay, M. Chailton and D. Smith. All blocks were half an acre in size. Of the 29 blocks offered at the first sale, 19 were sold. In December 1842, a further seven blocks were sold. There were subsequent land sales in 1843 and 1844, but by 1845 only six blocks had been sold.

In June 1844, the Gundagai residents experienced their first flood. The river rose above its banks, covered the flats and flooded the houses, the water rising in some houses to a height of eighteen inches and in others to four feet. As no great damage was caused by this flood, it did not discourage land sales. Emily Horsley, for instance, notes that in 1845, 10 blocks were sold; 16 were sold in 1846; 16 in 1847; 29 in 1848; 23 in 1849; 23 in 1850; and 23 in 1851.[38] Thus there was a total of 185 blocks sold in North Gundagai.[39] By 1851, there had been only 35 blocks sold in South Gundagai, although these were located on high ground.[40]

After the 1844 flood, the Commissioner of Crown Lands of the Murrumbidgee District, Henry Bingham, sent a petition to the Colonial Secretary, EDWARD DEASThom-son, seeking to exchange the purchased blocks of land for higher southern ground;41 but the reply, signed by Thom-son, advised that His Excellency (Governor Sir George Gipps), considered that they had bought the land "for better or worse".42 (See Appendix 1 and 2.) A number of satirical verses eventually appeared criticising the Governor's policy.43 (See Appendix 3.)

In 1848, Gundagai had a population of 87, living in 13 houses and a few tents. There were three hotels and two large stores, a National School had been built. That year also saw the opening of a flour mill which gives an indication of the development of the flats as a wheat-growing area.44 In Old Pioneering Days of the Sunny South, Charles MacAlister wrote:

> "Gundagai in 1848 was a brisk little township. Two hotels were on the northside of the river (MURRUMBIDGEE), kept, respectively, by Mr Luke Riley and Mr Morley, while Tom Lindley had a pub on the south side of the water. Turnbull and Spencer were the chief storekeepers. Everything in the "Big Flood Town" was as "green as a leek", trade was good and the cattle in rare order."45

In a report to the Surveyor General, dated 4 February, 1850, Larmer, the Assistant Surveyor, recorded that in South Gundagai there were two public houses with poor accommodation, one small brewery, and a blacksmith's shop. In North Gundagai there were four public houses, a steam flour mill, four substantial stores, butchers', bakers', blacksmiths' and carpenters' shops, besides several private residences, and numerous huts occupied by labourers employed in the town.46

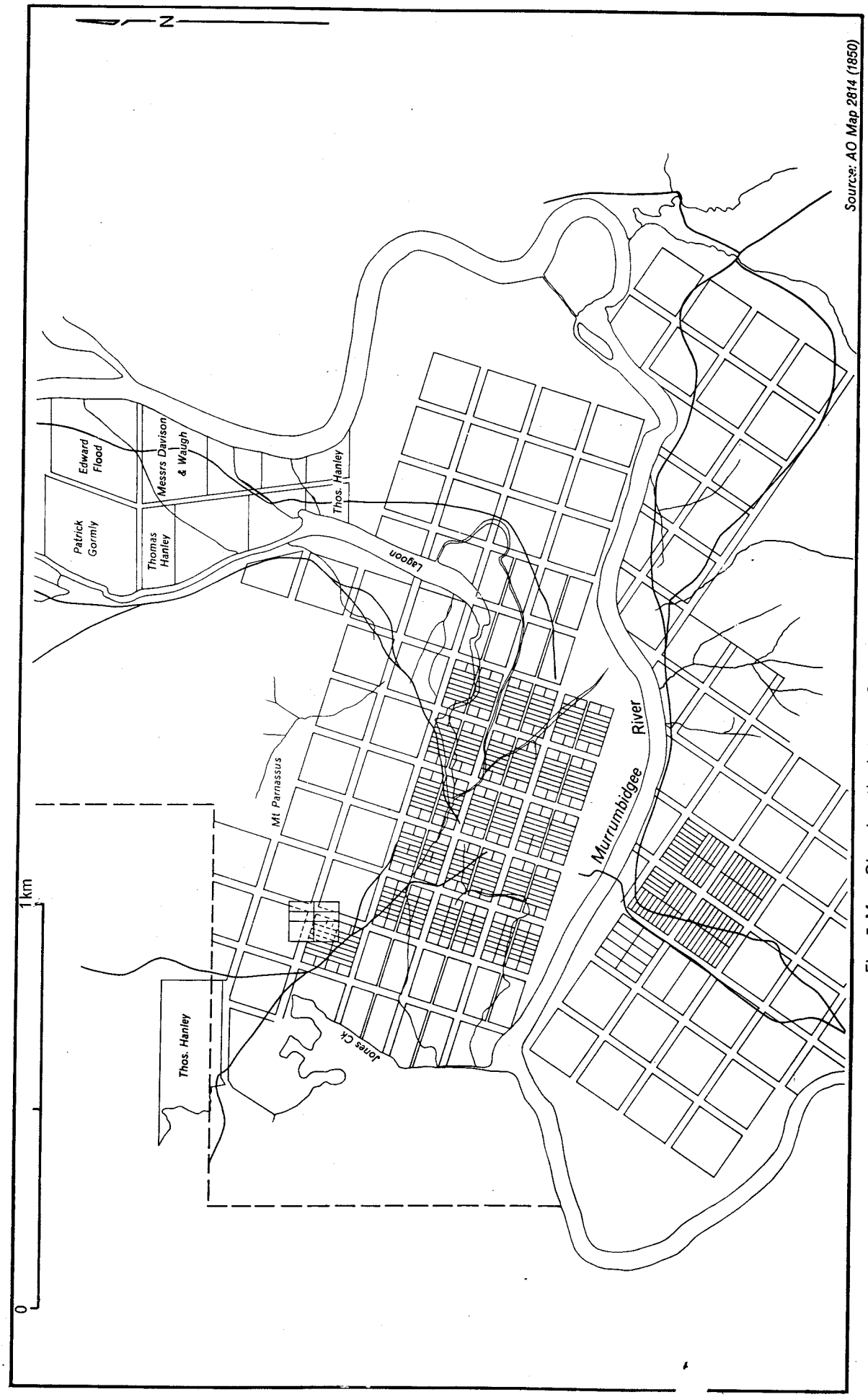


Fig. 5 Map Showing the Intense Settlement of Gundagai (1850)

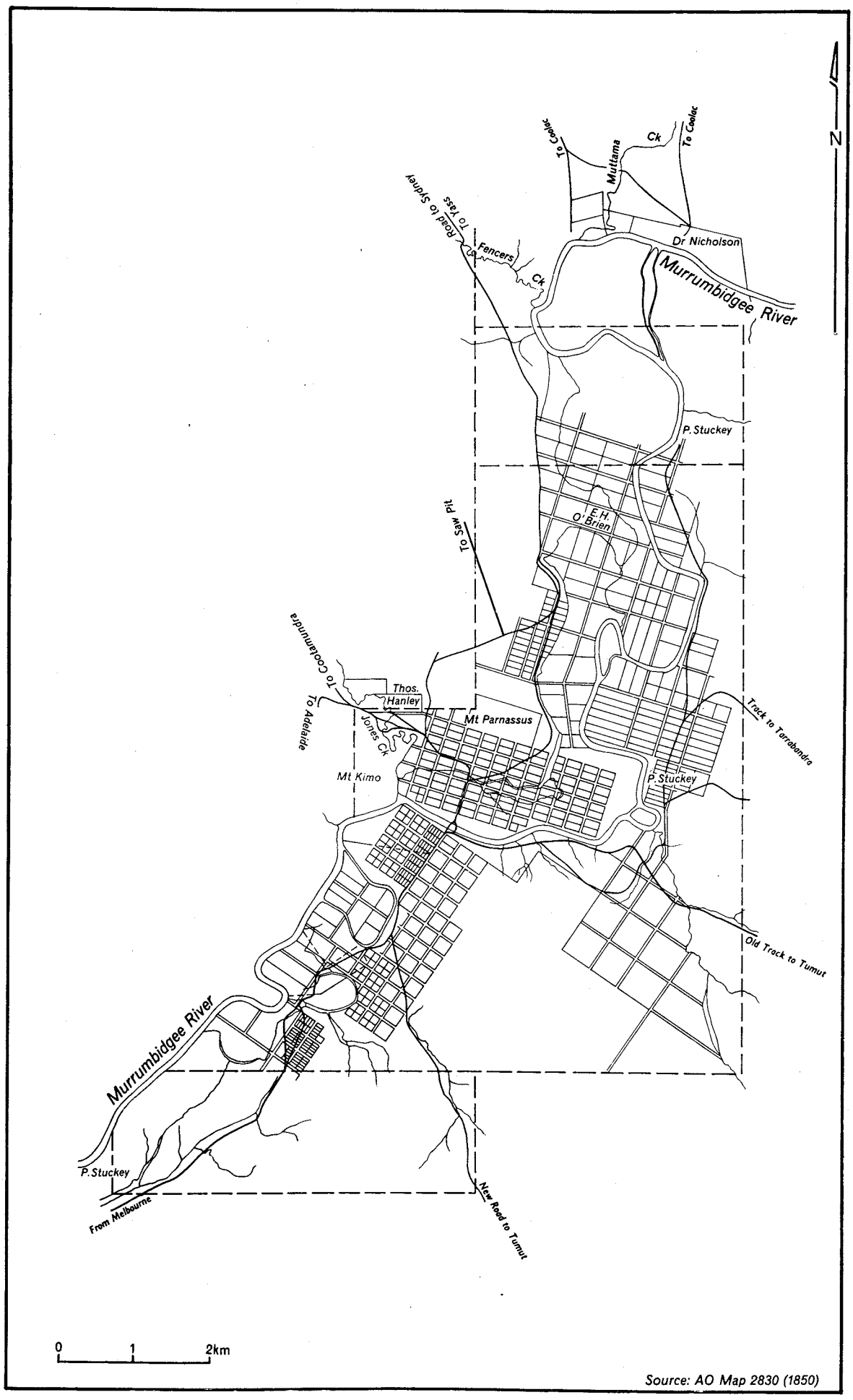


Fig. 6 Map Showing the Roads from Gundagai Diverging in Many Directions (1850)

The 1850 map indicates the intensity of the settlement between the slopes of Mount Parnassus on the north bank, and the hill on the south bank of the Murrumbidgee river.[47] (See Figure 5.) Another 1850 map[48] portrays how roads spread in many directions. (See Figure 6.) Gundagai was located directly on the main road from Sydney to Melbourne, and had a ferry to facilitate the crossing of the river. From Gundagai, the Melbourne road followed the south side of the river. The road to Wagga went from Gundagai along the Cootamundra road, along Jones Creek, then branched off, going round behind Mount Kimo, and then down the northern bank of the river. This was also the route to Adelaide. The road to Tumut, and the alps, branched off the Melbourne road just south of Gundagai.

In 1851 a drought occurred in the district; in the following year that drought was broken by what has proven to be the most disastrous flood in Gundagai's history.[49] The year of 1852 was an important turning point in Gundagai's development. By that year the town was progressing rapidly. There were sixty or seventy families and when the flood occurred the population in the town was about 250,[50] of which one third perished.

Another dramatic influence on Gundagai's development at this time was the gold discoveries. In the early 1850's, great influxes of people from many parts of the colony, including Gundagai, tried to make fortunes on the goldfields. In his recollections, James Gormly, said:

> "In 1852, in all parts of N.S.W., and probably in all Australia, almost every man was off to the diggings, and a constant stream of conveyances kept passing from the different districts of N.S.W. through Gundagai to the

famed goldfield at Bendigo, which was then in the greatest favour."[51]

He further described his own experiences during the rush:

"In '51, when the drought broke up, there was a general rush to the goldfields ...; My two brothers and myself went to the rush ...; After mining in the Turon, Tamboora and other fields for about 10 months, we returned to our parents' home at Gundagai."[52]

Gold, like the flood, added to the demographic turbulence of Gundagai, and its district. The Goulburn Herald, 10 January 1852, commented that in Gundagai, "two thirds of our community is off to the diggins (sic.)" and The Empire of 31 August in the same year, also reported that in Gundagai, "50 to 100 people are leaving us every week for the Victoria (sic.) diggings. Large parties pass along every day, making for the land of promise". The New South Wales censuses certainly indicate a decrease in population in both the town and Police District. The population decreased from 1,416 in 1851 to 1,313 in 1856.[53]

Discovering gold was not the only way to make a fortune on the goldfields. People tried to make big profits by selling flour at a very high price. Gormly remembered that:

"... in the early days of the diggings at Bendigo flour was sold at from £16 to £20 a bag. The high value of flour on the Victorian goldfields if further confirmed by my wife, who now states that her step-brother, John Cox, who afterwards owned Pullitop and Mangoplah Stations, in company with one of his neighbours, John Keane, took bullock teams loaded with flour to the Victorian diggings, and sold the flour for £20 a bag. The profit realised from this transaction was chiefly the means of giving John Cox a substantial start to make a great fortune".[54]

Gundagai too was to experience a gold rush. An early indication of the discovery of gold was reported by the Adelong Mining Journal and Tumut Express, 23 December 1859:

> "Considerable excitement has been caused in our usually quiet locality, by a reported discovery of gold in a creek, upon the station of G.R. Collins, Esq., at Kimo. A large number of persons have paid the spot a visit, and a thousand rumours are flying about its worth."

The excitement reached a peak in 1861 when gold was discovered by an Italian, "Jasper Bellardi" on Spring Flat in North Gundagai.[55] Bellardi was one of a party of miners who were making their way from Lambing Flat (Young) to the Kiandra field.[56] He was reported as "working quietly and perseveringly on the spot for several weeks past, and seemed fully impressed that he would succeed in discovering a gold field".[57] His expectations were justified at the end of May 1861 when he found two holes 'with very flattering prospects of coarse gold', near the cemetery, on ground adjoining the land purchased by Quilter, and this place was then known as Spring Flat.[58] A rush immediately occurred so that Gundagai was pronounced a goldfield.[59] By 1865, the town was a rich agricultural district producing not only wheat, barley, maize, oats, millet, potatoes and butter, but also gold. There were three steam flour mills and the population was about 600. During the years 1858-1875 the total production of gold was 46,093 ounces at an estimated value of approximately £170,000.[60]

The excitement of the gold period was followed by one of bushranging: Gardiner, Peisley, Ben Hall and his gang and "Moonlight" with his. "Moonlight" himself was brought before the Gundagai Court

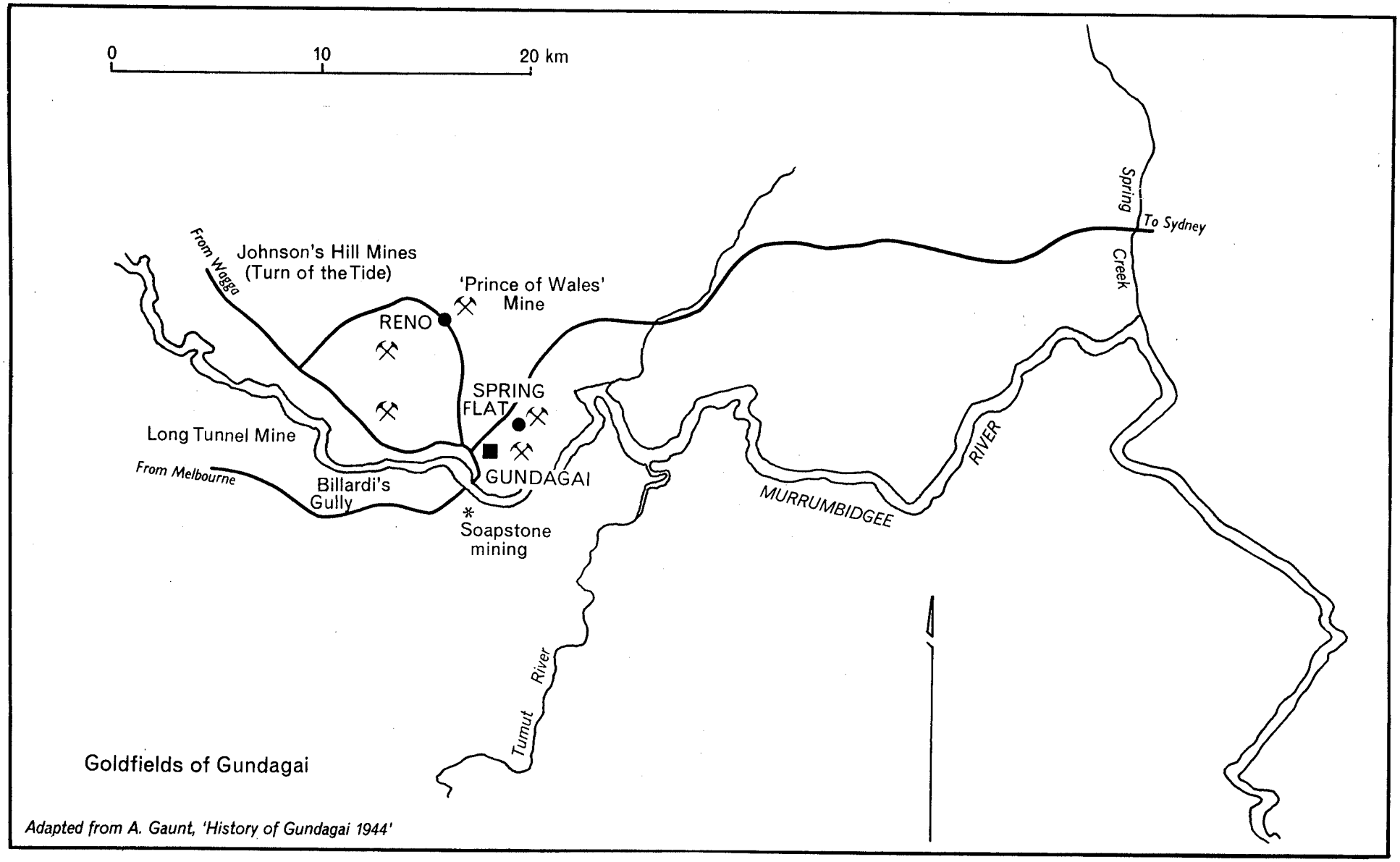


Fig. 7 Map Showing Goldfields in Gundagai

House in November 1870.[61] In the same year a flood again occurred resulting in three deaths and great destruction of property.[62]

Gundagai between 1875 and 1895 experienced a period of agricultural and pastoral EXPANSION , following upon the complete disappearance of goldmining.[63] The statistics clearly show the effect mining had on the town for there was a population of 1,008 in 1871 which had decreased to 787 by 1881.[64]

In 1886, the railway to Gundagai was opened. This was the most important event for communication in the history of the town.[65]

The second period of gold discovery commenced in the year 1895. Gold was found in separate areas: Long Flat, Reno and Johnston's hill. (See Figure 7.) Again, a great influx of population occurred. All of the mines, however, ceased to function in 1905. During these ten years the total production of gold had been 143,456 ounces at an estimated value of nearly £600,000.[66]

In May 1925, the fourth and last great flood took place.[67] Although crops were damaged and cattle and sheep lost, there was no loss of human life. The history of Gundagai during recent decades has yet to be written. But it is certain that a decisive event took place in 1927.[68] In that year the Burrinjuck Dam was completed and the town no longer faced the threat of disastrous flooding.

CHAPTER I NOTES

1. Australian Bureau of Statistics, New South Wales Office. Catalogue No. 3209.1 (New Issue).

2. Stephen Henry Roberts, The Squatting Age in Australia, 1835-1847, Melbourne University Press, 1935, pp. 4-5.

3. Ibid., p. 5.

4. "The Murrumbidgee", The Gundagai Independent, June 26, 1952, p. 9.

5. A.C. Butcher, Gundagai: Its History, Verse and Song, Gundagai Independent Print, 1956, p. 5.

6. Ibid., p. 5.

7. A. Gaunt, A History of Gundagai, October 1979. This is a thesis that was written in 1944. At that time the writer was a teacher at the Gundagai Public School. It was part of his 1B examination which was required for promotion in the Department of Education. In October 1979, Graeme and Nancy Dixon published his work. Unfortunately, the Appendix A of Gaunt's work could not be found for this publication.

8. A. Gaunt, Op. cit., p. 2.

9. Dr Arthur Andrews, The First Settlement of the Upper Murray, 1835 to 1845, with A Short Account of over two hundred Runs, 1835 to 1880, Sydney, D.S. Ford Printers, 1920, p. 7.

10 Ibid., p. 8.

11 Ibid., p. 10.

12 The Gundagai Independent, December 1, 1932.

13. A. Gaunt, Op. cit., pp. 3-4.

14. The largest stockholder, taking up an estate called Douro on the Yass plains, and establishing the first sheep station on the Murrumbidgee at Jugiong. By 1833 he was recorded as having 12,000 sheep. (A.D.B., Vol. 2, pp. 292-3.)

15 A. Gaunt, Op. cit., pp. 3-4.

16. Charles Sturt, Two Expeditions into the Interior of Southern Australia, Vol. II, Adelaide, Public Library of South Australia, 1963, p. 20.

17 Ibid., pp. 23-4.

18 A. Gaunt, Op. cit., p. 4.

19 Ibid.

20. Charles Sturt, Op. cit., pp. 25-6.

21. A. Gaunt, Op. cit., p. 4.

22. The Gundagai Independent, December 1, 1932.

23. Charles Sturt, Op. cit., p. 29.

24. Colonial Secretary : Commissioner of Crown Lands - Itineraries, A.O. Original Location : X 812, Reel 2748, Sydney.

25. Land Department Map, A.O. 2832, Sydney.

26. Ibid., Edward Henry O'Brien here was not related to Henry O'Brien of Yass who popularized boiling down in the drought (see Peter Scott, O'Brien, Henry [1793-1866] and Cornelius [1796-1869], A.D.B., Vol. 2, pp. 292-3).

27. A. Gaunt, Op. cit., p. 5.

28. W.A. Brodribb, Recollections of an Australian Squatter, Sydney, Queensland Hill Press, 1976, p. 7. First published in 1883.

29. Ibid., pp. 7-8.

30. Ibid., p. 9; Together with John Hepburn and John Gardiner, Joseph Hawdon met the Mitchell Expedition in Gundagai (see Frank Crowley, Colonial Australia 1788-1840, A Documentary History of Australia, Vol. I, Melbourne, Nelson, 1980, pp. 517-8. See also T.F. Bride (ed) Letters from Victorian Pioneers, Melbourne, Lloyd O'Neil Pty Ltd, 1983, pp. 46-9. First published in 1898.

31. Ibid., pp. 10-11.

32. The Sydney Morning Herald, February 15, 1845, p. 2. col. 1.

33. Land Department Map: G1028 (A.O. 2812).

34. A. Gaunt, Op. cit., p. 7.

35. Ibid. See also Land Department Map: G.1028 (A.O. 2811).

36. A. Gaunt, Op. cit.,

37. Emily Horsley, a manuscript regarding the Horsley Family History, 32 Wansey Street, Randwick, Sydney, N.S.W. 2031.

38. Ibid.

39. Ibid.

40. Ibid. I owe much to Emily Horsley's observation on the land sale in Gundagai by exploring the N.S.W. Government Gazettes.

41. Old residents of South Gundagai claimed that the intention of the Government was not carried out because the pastoralists who owned the ground on which the new site was surveyed demanded exorbitant prices for the land ... thus it came about that those who were living on the flat did not receive a new block of land

... This was told by the residents of South Gundagai as an explanation of why the town had grown up mainly on the north side of the river. (A. Gaunt, Op cit., p. 10); and see the complete text of the petition in Appendix 1.)

42. VP-LC, 1852, Correspondence Relative to Gundagai Allotments, p. 433. (See Appendix 2.)

25. The Atlas, February 22, 1845. (See the complete poem in Appendix 3.)

44. A. Gaunt, Op. cit., p. 12.

45. C. MacAlister, Old Pioneering Days of the Sunny South, p. 138.

46. VP-LC, 1852, Correspondence Relative to Gundagai Allotments, p. 268.

47. Land Department Map, A.O. 2814.

48. Ibid., A.O. 2830; and see also a manuscript regarding the Horsley's Family History, written by Mrs Emily Horsley, Sydney.

49. See further discussion on the flood in the next chapters.

50. "Centenary of the 1852 Flood", The Gundagai Independent, June 13 and 26, 1952. See also the list of the people who were drowned in the [illegible] flood in Appendix 4.

51. James Gormly, In His Reminiscences, Manuscript Collection, Vol. I, M.L.

52. Ibid.

53. The Blue Book of 1851 and The 1856 New South Wales Census.

54. James Gormly, Op. cit.

55. See a claim to obtain a reward made by Jasper Bellardi to the Secretary for Land in Sydney, dated from Goulburn, 1 November 1862. (A.O. Location: 5/3647, No. 626098); See also The Gundagai Independent, December 1, 1932; November 6, 1961; and September 6, 1973.

56. The Gundagai Independent, December 1, 1932.

57. Ibid.

58. Ibid.

59. See a map on "Goldfield of Gundagai" (A. Gaunt, Op. cit., Appendix).

60. A. Gaunt, Ibid., p. 19.

61. Ibid., pp. 19-20.

62. The Gundagai Times, August 7, 1875.

63. A. Gaunt, Op. cit., p. 22.

64. Ibid.,

65. Ibid., pp. 24-5.

66. Ibid., pp. 27-8.

67. The Gundagai Independent,

68. In 1956 the dam was modified (according to the Department of Housing and Construction, Canberra).

II.

INTRODUCTION TO GUNDAGAI IN THE MID-NINETEENTH CENTURY

Although Gundagai had an agricultural and pastoral base like so many other rural towns in Australia, it also possessed commercial and social features which were relatively rare at the time. Gundagai was not merely a highway town, stationed close to the main thoroughfare between Sydney and Port Phillip, it was also located at a point at which travellers crossed the Murrumbidgee River. Gundagai possessed a punt which ferried travellers and stock across the river and at the same time the town was able to provide hospitality of various types. In 1844, a vivid picture of the township appeared in a newspaper:

> "Gundagai is situated on the right hand bank or Sydney side of the Murrumbidgee River; it is a pretty romantic spot; the river abounds with fish, and affords good duck shooting; the land is exceedingly rich and capable of maintaining a dense population; the mail passes to and from Port Phillip once a month".[1]

The Sydney Morning Herald, 25 November 1848, added the information that "many flocks of wethers" passed through the town "on their way to the city...".

Located on this busy thoroughfare, Gundagai was often seen to be a place to make money. Prosperity is a theme which historians frequently encounter in references to the place. The Sydney Morning Herald, 16 December 1848, for instance, recorded that in Gundagai "money in both pockets is the popular air here just now". The recollection of a senior police officer also mentions that in Gundagai "money was plentiful in the forties and fifties",[2] particularly at

the opening up of the Oven's goldfield in Victoria, where the road was crowded with people from Tambaroora (sic.), Bathurst and Orange. In these years, Gundagai developed into a lively place and "money could be made in quick order".[3]

Economic prosperity, of course, did not merely occur in Gundagai. One historian, George Nadel, quotes the view of Mackenzie that in the late 1830's "Money is so easily earned in this colony".[4] Mackenzie, furthermore, affirmed:

> "that parents, instead of educating their sons for the learned professions, or allowing them to remain at school until they have received a liberal education, send them to the bush with a few flocks of sheep, which is a surer and much shorter way of arriving at colonial eminence and independence."[5]

Further evidence of economic prosperity in colonial society is to be found in "voluntary statements" given by working-class immigrants, suggesting the prosperity of colonial labourers:

> "Comfort for the Poor! Meat Three Times a Day! ... ;
> Like this country very well; Oh! very well.
> More money. Oh! yes more money than at home - much more plenty. Oh! Yes certainly, I like my relations to come here; certainly this is the best country ..."[6]

Inhabitants

A fairly detailed picture of mid-nineteenth century Gundagai can be obtained from the historical records. The population of the place in 1844 included "two wheelwrights, three blacksmiths, two tanners and carriers, three shoemakers, one harnessmaker, one storekeeper, two surgeons, three innkeepers and a flour mill is about being erected".[7]

Despite the ravages of the 1852 flood, the town quickly recovered and even expanded. In a report to the Auditor General, dated from Gundagai, 3 April 1855, the Police Magistrate of Gundagai recorded that "the township at present consists of six inns, four stores, and about twenty cottages, or huts, all tenanted".[8]

The statistical record indicates that the population in 1851 was 397 in the town.[9] Following the deaths which took place during the flood year and the emigration which occurred about that time, the population decreased to 347 in 1856.[10] In the larger Police District, which included the rural districts in the vicinity of Gundagai, the population fell slightly from 1019 in 1851 to 966 in 1856.[11] (See Table 1.) As shown in Table 1, there was a marked increase in the number of population from 347 in 1856 to 487 in 1861 (Township), and from 966 in 1856 to 2,386 in 1861 (Police District). This increase as suggested above, was probably encouraged by the gold discoveries in the Gundagai district.

TABLE 1
POPULATION OF THE TOWNSHIP AND POLICE DISTRICT OF GUNDAGAI IN 1851, 1856 AND 1861

Year	Township		Police District		Total
	Males	Females	Males	Females	
1851	234	163	623	396	1,416
1856	207	140	612	354	1,313 *
1861	277	207	1,478	908	2,870

* The decrease in the number of population was partly attributed to the 1852 flood and gold rush.

Source: The Blue Book, 1851; The Censuses of New South Wales, 1856 and 1861.

The record shows furthermore that in Gundagai there was an absence of convicts in 1851. Only one male in the town and nine males

in the Police District were identified as ex-convicts in that year. (See Tables 2.) Tables 2 and 3 indicate that the proportion of emancipists (categorised into 'Other Free Persons') and free persons (categorised into 'Born in the Colony, or arrived Free) was 72 to 324 in the Gundagai town and 202 to 808 in the Police District.[12] Amongst the free persons in the town (324) and Police District (808), half were perhaps children and amongst the emancipists in the town (72) and Police District (202), none of them, certainly, were children. A third to a half of the adult population of Gundagai and its district was thus emancipist, which was a high proportion for a New South Wales town.[13]

TABLE 2
CIVIL CONDITION IN THE TOWNSHIP OF GUNDAGAI IN 1851

FREE:	Males	Females
Born in the Colony, or arrived Free	172	152
Other Free Persons	62	11
BOND:		
Holding tickets of Leave	1	-
In Government Employment	-	-
In Private Assignment	-	-
TOTAL	235	163

Source: The Blue Book, 1851.

TABLE 3
CIVIL CONDITION IN THE POLICE DISTRICT OF GUNDAGAI IN 1851

FREE:	Males	Females
Born in the Colony, or arrived Free	437	371
Other Free Persons	177	25
BOND:		
Holding tickets of Leave	9	-
In Government Employment	-	-
In Private Assignment	-	-
TOTAL	623	396

Source: The Blue Book, 1851.

Like other towns in New South Wales, such as Goulburn and Braidwood, Gundagai possessed a smaller number of Australian born than foreign born inhabitants. In both Police District and town in 1856, Goulburn had 4247 Australian born out of a total population of 8,797 (48.3%), Braidwood had 1,407 out of a total population of 3, 552 (39.6%) and Gundagai had 622 out of 1,313 (47.4%).[14] In the same year, there were only seven Chinese males in Gundagai, one lived in the town and six lived in the Police District.[15] The number of Aborigines in Gundagai, on the other hand, is unclear. James Gormly remembered that when he first came to the Murrumbidgee District in 1842, the Blacks were "very numerous".[16] An annual report made by the Commissioner of Crown Lands of Cullendina-Lower Murray, William Mackenzie, in 1851 stated that Gundagai's Aborigines who were categorized as of the Tumut tribe, consisted of 35 groups.[17] This record does not tell us the number of Aborigines in each group, but the fact that there were 35 groups does suggest a numerous population.

Gundagai in the mid-nineteenth century was certainly dominated by a male population, just as was the case in Braidwood, Cooma, Goulburn and Yass.[18] The 1856 statistical records indicate that Gundagai had a much higher proportion of males to females, that is 612 to 214 in the Police District and also in the town itself the proportion was 207 to 140.

Another conclusion which may be drawn from the records, is that a numerous 'labouring population' existed in the district. Both in the Police District and Town, more people were identified as being labourers than professionals, traders, graziers and farmers in 1856.

This 'labouring population' was more clearly seen in the 1861 census, in which 14 people were identified as being masters and 209 were identified as being servants in the town. In the District, there were 115 masters and 996 servants. (See Table 4.)

TABLE 4
NUMBERS OF MASTERS AND SERVANTS IN GUNDAGAI CLASSIFIED WITH REFERENCE TO FIELDS IN 1861

Fields	M/F	1861 Masters T	Masters PD	Servants T	Servants PD
Skilled Workmen and Artificers:					
Superior Arts	M	–	–	–	2
	F	–	–	–	–
Metals	M	2	5	6	17
	F	–	–	–	–
Wood	M	3	3	18	34
	F	–	–	–	–
Stone and Earth	M	2	3	3	15
	F	–	–	–	–
Leather and Skins	M	2	2	5	8
	F	–	–	–	–
Other Materials	M	–	2	3	5
	F	–	–	–	–
Agriculture	M	2	54	4	74
	F	1	11	1	6
Pastoral (Sheep)	M	1	7 *	1	53 **
	F	–	–	–	9 **
Pastoral (Cattle/Horses)	M	–	22 *	1	60
	F	1	6 *	–	–
Horticulture	M	–	–	3	4
	F	–	–	1	1
Domestics	M	–	–	27	117
	F	–	–	110	506
Unskilled Labourers	M	–	–	26	85
	F	–	–	–	–
TOTAL		14	115	209	996

T: Town
PD: Police District
* Lessees and Licensees
** Shepherds, Hutkeepers, etc.

Source: The Census of New South Wales, 1861.

With respect to religious affiliation, the evidence shows that the greatest number of people embraced the Church of England. In 1851, for instance, of 479 persons in the town, 221 (41.4%) were Anglicans; 22 (4.6%) Church of Scotland; 23 (4.8%) Wesleyan Methodist; 8 (1.7%) Other Protestants; and 123 (25.7%) Roman Catholics. In the same year, of 1,019 persons in the Police District, 479 (49.0% embraced the Church of England; 74 (7.3%) Church of Scotland; 25 (2.5%) Wesleyan Methodist; 22 (2.2%) Other Protestants; 414 (40.6%) Roman Catholics; 1 (0.1%) Jew; 1 (0.1%) Mahomedan/Pagan; 3 (0.3%) other Persuasion.[19] The higher number of Catholics in the District clearly indicates that more of them in proportion were engaged in rural labour which is consistent with their predominantly Irish origin.[20] These were proportions that were general throughout the colony at the time.[21]

Weather

An indication of the persistent interest in weather on the part of the inhabitants of Gundagai can be seen in newspaper reports from the town. Nearly every despatch from Gundagai contains remarks on the weather. Dramatically bad weather was, naturally, of particular interest. Heavy rains, for instance, could cause big floods, and consequently drownings were common. The Sydney Morning Herald, 3 September 1846, reported the drowning of a Mr Crisp who wanted to help his hired shepherd crossing the Murrumbidgee river. The same newspaper reported several days later the drowning of a Mr Potts in the Murrumbidgee river.[22] In 1847, a postman was reported drowned.[23]

The crops destroyed by the weather were also often reported.

Under the title "Lower Murrumbidgee: Near Gundagai", The Sydney Morning Herald, 17 December 1845, reported:

> "... the weather has been fearfully warm, and its effects on the late wheat have been most serious; indeed the crops about here, and lower down the river, are, for the most part, a total failure, and grain next year will be scarce and dear in this quarter, not more than two or three persons having been fortunate enough to realize more than will carry them through the next year."

On the other hand, the wet season, also badly affected crops in the area:

> "The season is still continuing very wet, the greater portion of the hay crop has been totally destroyed; considerable injury has been done to the wheat. The wheat harvest on the banks of the Murrumbidgee River is very nearly completed, and in general the produce will be rather above an average".[24]

In 1848, sheep in the Lower Murrumbidgee was reported badly affected by drought:

> "The weather here, since my last, has been dry, and the atmosphere variations extreme: scorching days, with a thermometer at 91° in the shade, being succeeded by excessively cold nights; ... sheep in some instances have suffered severely from these sudden variations of temperature, and losses have been experienced in consequence."[25]

James Gormly, a Gundagai settler during the mid-nineteenth century, remembered that:

> "In October '50, the pinch of the previous summer and winter, without rain, began to be seriously felt. The lagoon at Nangus, where we normally washed the sheep before shearing, was without water, so we washed the sheep in the river, which was very low. The dust was so bad that the sheep, from the time they were washed until they were shorn, were folded at night in a bend of the river, where there were tussocks of grass from the

> previous year's growth. ... Cattle, horses and sheep so lean that so many perished, and the river banks were strewn with carcases of dead animals. Out back the oppossums and iguanos got so weak they could not crawl up the trees, and died on the ground."[26]

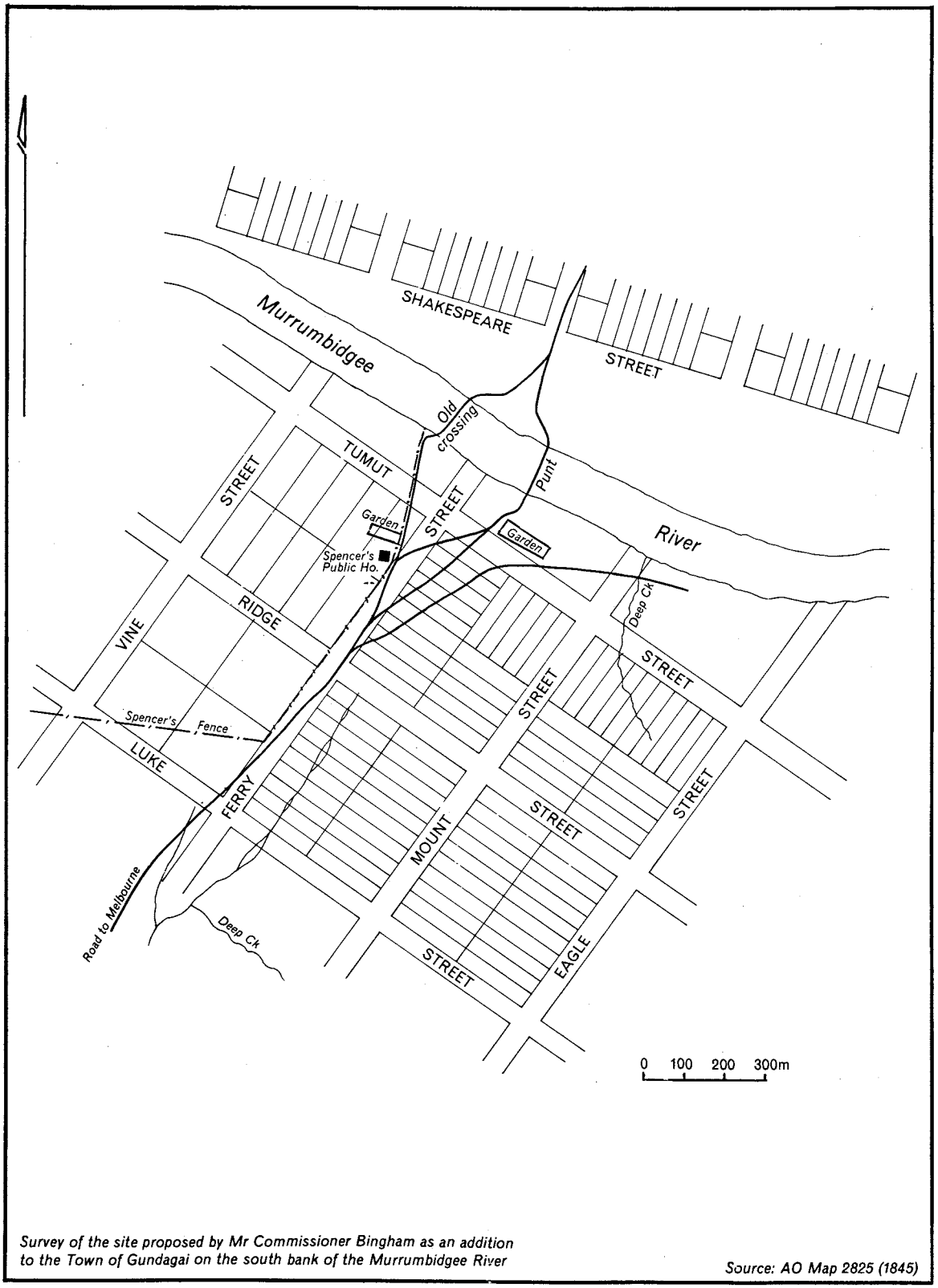
Daily activities were strongly affected by the weather. In 1844, The Sydney Morning Herald reported that in Mingay Station, belonging to Dr Nicholson, Gundagai, a hired shearer, "refused to wash sheep on a particular day, on the plea that the water was too cold".[27] MacAlister a bullock driver, because of 'bad weather' in 1849 could not reach Gundagai from Sydney in time to bring goods which belonged to his master, Henry Turnbull.[28]

Reports of good weather, however, also appeared regularly in the newspaper. In Lower Murrumbidgee, "we have had much rain, and from the mild and open weather, the hills and flats on the river bank present a most beautiful appearance of green, and already there is good feed for horses and sheep", reported The Goulburn Herald in 1851.[29]

It is clear that the weather played a critical part in the life of Gundagai. It affected the economy, security and comfort of the town and was a preoccupation of its inhabitants. Another important factor in Gundagai's life, as in that of any community, was communication.

Communication

Communication was especially important to Gundagai and it was to a large extent the basis of the town's prosperity. The Prince Alfred



Survey of the site proposed by Mr Commissioner Bingham as an addition to the Town of Gundagai on the south bank of the Murrumbidgee River

Source: AO Map 2825 (1845)

Fig. 8 Map Showing the Road from Melbourne to Sydney, Passing Through Ferry Street (South Gundagai) and Crossing the 'Old Crossing' and 'Punt', Entering a Street in North Gundagai (1845)

Bridge which crosses the Murrumbidgee River was erected on 17 October 1869. Up to that time, crossing was only possible by ford or punt. (See Figure 8.) Fording the river was possible when the river was very low. Mostly the level of water of the River was high, and nearly every year there were floods. This condition sometimes made even punt crossings impossible, so that teamsters, travellers, cattle herds and sheep flocks were stranded on one or on the other side of the river for days. Even when the water level of the river reached its very lowest ordinarily all stock had to be taken across by punt: "A slow process", wrote R.T. Kennedy, "but a profitable one from the punt-keeper's viewpoint".[30]

Michael Norton, a retired police officer of Gundagai, remembered the importance of punts at that time:

> "What is now Homer Street was then the main thoroughfare. Gundagai being the only crossing place on the Murrumbidgee, we had heavy traffic here. All this went by way of Homer Street across the punt. The road over the flat was the main street of the old town. It was of irregular formation, but houses had been built on both sides of the road right up to the punt. Perhaps the first crossing on the Murrumbidgee was that provided by a man named Johnson, after whom the Corner was named. Vehicles were taken over by him on a small punt, but one had to swim his horse".[31]

The local historian, Kennedy, suggests that the first mention of a crossing by punt is that recorded by Captain Sturt on 28 November 1829. Sturt carried equipment, drays and sheep across the river "by means of a punt that we made with the tarpaulins on an oblong frame".[32] At the end of 1835, W.A. Brodribb was recorded as the second man to build a punt on the river. Brodribb said that in one

period of three months in 1836 in which settlers were quickly taking up positions along the Murrumbidgee's banks, "100,000 sheep crossed the Murrumbidgee going south".[33] Other puntkeepers soon appeared in Gundagai, such as Stuckey, Major Joseph Andrews and Dr John Spencer.[34] Punts, certainly, were of "vital importance to our district", reported The Sydney Morning Herald, 26 February 1845. But the risk to the efficiency of mail deliveries conducted by crossing a punt was reported by David Minton, the Postmaster of Gundagai in his letter to the Postmaster General in Sydney, from Gundagai, 15 September 1857:

> "The Punt at Gundagai over the Murrumbidgee has occasionally delayed the mails - the Lessees not having it worked on account of the rise in the river."[35]

The Gundagai Post Office was only opened on April 1, 1843; the Sydney Office had been long in existence, opening in 1809.[36] The first postmaster in Gundagai, not surprisingly, was the puntkeeper, Joseph Andrews.[37] A further and vital development in communication, affecting the community took place on 28 August, 1858, when the Gundagai Telegraph Station was opened.[38] A public lecture on 'Telegraphs', organised by the Gundagai School of Arts and delivered by J. Jewell Rutter, was held on 14 December of that year at the Crown Inn.[39]

The essential and most common means of conveyance in the period was by horse. Postal services for instance were carried out on horseback.[40] And in the 1840's, Thomas McAlister was engaged to deliver mail to and from Gundagai and Tumut once a week for an annual fee of £30.[41] In the 1860's, Edward Doyle held the Gundagai-Tumut

postal contract, which was a three times weekly service on horseback, and it was worth £210 per annum.[42] The well known Cobb and Co., after extending into New South Wales in 1862, gradually acquired many other contractors' services and by 1870 had services extending south to Gundagai and Albury.[43]

The use of four-horse, a four-wheeled vehicle for postal delivery was suggested by David Minton in 1857:

> "... Properly constructed four wheeled machines would in my opinion be much safer and if drawn by four horses would obviate very many fruitful sources of delay now occurring to the more punctual delivery of the mails."[44]

The four-horse coach was publicly advertised in 1858:

> Mr. Sheehan
> "Beg to inform the public and the inhabitants of Adelong that his 'four-horse coach' will leave Gundagai every Mon and Fri for Yass".[45]

By 1861 it was mentioned as a normal means of conveying mails in the Postmaster General Annual Report.[46]

Horses, furthermore, were also important for the police [47] and to the Gold Escort Police.[48] Neil Waugh, a Gundagai surgeon, also used a horse as transport for visiting his patients[49] and those ordinary citizens with enough money to buy a horse used it for all manner of day to day life. The newspapers always carried advertisements for horses and horse stealing was regarded as a serious offence.[50]

Bullock-drays were also enormously important in carting supplies. The number of bullocks to a dray appears to have varied. Some had 8 bullocks yoked in pairs[51] while others had up to 16 or

18.[52] The majority appeared to be drawn by 6 bullocks and to have hauled a variety of cargo.[53] In 1852, for instance, during the period of great flood, three drays carried 3½ tons of flour and 32 pairs of blankets to Gundagai.[54] Dray transport was expensive. On this occasion the price of carriage from Goulburn to Gundagai was £1 per cwt.[55] The price was especially high as the carriers believed they would be unlikely to obtain merchandise requiring carriage back to Goulburn.[56] Horses, bullocks and punts therefore, were essential and communication was central to economic life.

Economic Life

The punt was not the only source of prosperity in the town bringing trade to the hotels and to the various stores. Income was also generated by the pastoral and agricultural pursuits of the inhabitants of the town and its vicinity. Information regarding rural production in the district is contained in the reports of the itineraries of Edgar Beckham, Commissioner of Crown Lands of the Lachlan District. He visited, for instance, Nangus station, situated in the Gundagai Police District on 11 November 1845 and he made a report that the station (estimated at 38,000 acres) belonged to James and William McArthur, with J. McDonald as superintendent. The McArthurs had 1,843 cattle and 5 horses, while only 10 acres of land was used for hay cultivation.[57] In 1845, Edgar Beckham conducted three visits to a property, called "Gundagai" which belonged to Edward O'Brien. On the second visit, 6 April 1845, Beckham recorded that Edward O'Brien had 503 cattle and 33 horses and of the estimated run of 13,440 acres, he used 70 acres for wheat, barley and oat cultivation.[58] It is difficult to understand why O'Brien had no sheep on his property. He

may have disposed of his flock during the depression and drought of the early 1840s.[59] Furthermore, Beckham recorded that the estimate of annual produce in dairy products was 20 tons of butter and 1 ton of cheese,[60] so it is clear that O'Brien has turned to dairying. Joseph Andrews, was recorded on 9 November 1847, as having "Kimo" station in Gundagai (estimated 16,000 acres) running 379 cattle and 3,600 sheep and he cultivated 30 acres of his land for wheat.[61]

A further source of information about property and stock holdings is in the reports of Henry Bingham, Commissioner of Crown Land of the Murrumbidgee District. He notes, for instance, that P. Stuckey owned a property called "Willi Plooma", with 300 cattle, 3,979 sheep, 13 horses and of the estimated run of 38,400 acres, he used only 30 acres for wheat cultivation.[62]

Clearly the country around Gundagai was primarily used for pastoral, rather than agricultural purposes. The numbers of cattle indicate that there was a good market for meat and dairy products even before the Gold Rushes. Nevertheless Gundagai certainly played a part in wool marketing in the colony. G.L. Buxton notes that the sheep farmers of West Gundagai sent their wool to Sydney for sale instead of Melbourne as the roads were so bad.[63] In 1859, the Riverina press noticed a 'Revival of the wool Trade', and recorded the impression of an observer, 'Never since the time before the gold discovery, have we seen so many heavily laden drays winding their way to Melbourne'.[64] As in rural life elsewhere, there were fluctuations both in natural and market conditions. It was reported in 1844, for instance, that in Gundagai, "the wool is in first-rate condition generally and heavy". In 1845 wheat was also described as being "abundant and cheap".[65]

In 1844 there was a considerable surplus of stock in Gundagai as in other parts of New South Wales, and as a result the production of tallow developed. A report in The Sydney Morning Herald, 2 September 1844, noted that in Gundagai "a gentleman" with the assistance of Aboriginal labourers, boiled down his stock and the tallow "is of first-rate quality - his average is about 23 lbs per sheep", and the fat which he exhibited in Sydney was pronounced by "the trade as equal to any they had ever seen". The newspaper, furthermore, reported in 1849 that:

> "... the tallow market continues firm, and with such splendid seasons as we are now blessed with, all surplus of stock may be boiled down advantageously."[66]

Another enterprise linked to rural production in the Gundagai region was the flour mill. For some years the wheat crops of Gundagai had been taken to a mill in Yass which was the only mill between Sydney and Melbourne in the early years and most people used small steel machines, which had to be turned by hand to grind the wheat.[67] Each labourer was given a peck of wheat weekly to grind into flour.[68] A complaint was made eventually that the Yass mill "rules our flour market".[69] In 1844, it was reported that a cry came from Gundagai for the establishment of a mill in the town itself:

> "The inhabitants of this district have long been anxious for the establishment of a mill at Gundagai. A party, whose name I do not know (a practical man), has lately visited us for the purpose of taking notes of our condition to sustain 'a milling'; and so satisfied is he with the agricultural capabilities and resources of the district as well as with the position of the place, that he has determined upon erecting a water-mill without delay, and will be ready to grind by the end of the year. This will indeed be a great stride towards the erection of an 'oasis in the Desert'. To us, 'the mill' ever forms and has proved one of the most striking points in the features, as well as the condition, of an agricultural district."[70]

A "mill", was indeed a vital piece of equipment for an agricultural community. We do not know who the "party" was in 1844, but three years later it was reported that an Edward Flood was preparing to establish a mill:

> "Mr Edward Flood, late Alderman, has purchased the machinery for a steam mill, to be proceeded with as soon as the proprietor's arrangements are completed. This will be an inestimable blessing to the people of the district, and will abolish those nuisances - steel mills."[71]

Gormly also also made some notes on Edward Flood's activity:

> "Edward Flood, who was a carpenter by trade and had been a builder in '49, in partnership with Thomas Hanley, of Coolac, commenced to build a brick steam flour mill on Gundagai Creek."[72]

The mill was finally erected and opened in 1848,[73] and in 1850, its advertisement appeared in The Goulburn Herald:

Gundagai Steam Mill
Now in Full Operation,
Parties having wheat to grind,
must apply at the Mill, or to undersigned.[74]

Gundagai,
May, 1850

Thomas Hanley,
Coolac.

General stores were important businesses in the township. The first general storekeeper in Gundagai was a surgeon, Dr Robert Davison, who came to the town from Wollongong in 1842.[75]. The value of Davison's general store was £600.[76] Another Surgeon, Dr John Spencer, also ran a general store[77] and the third was owned by H.M. Turnbull, valued at £800.[78] An advertisement published on his behalf provides an indication not only of the scale of his business, but also the quality of life in Gundagai. A wide range of goods was available: spirits, wines, tobacco, groceries, shearing supplies, drugs,

perfumery, ironmongery, stationery, tinware, saddlery, and drapery. The groceries consisted of sugar, coffee, oatmeal, raisins, currants, bottled fruits, jams, herrings, tins of sardines, salmon, anchovy paste, pickles, sauces, chutney and mustards, soup, candles, soda, candlewick, sago, arrowroot, pearl barley, starch and blue, curry powder, spices, table salt, Liverpool salt, saltpetre, bath bricks, Day and Martin's blacking, rice, hops, nutmeg, vinegar and salad oil.[79] The advertisement was not merely directed at the inhabitants of Gundagai. Turnbull hoped, at least, that customers would come from further afield. The advertisement:

> "... begs to inform the Settlers and Inhabitants generally of Gundagai, Tumut, Jugiong and the surrounding districts, (Turnbull) have just received a large and varied assortment of goods ..."[80]

We know from the recollections of James Gormly written many years later, that the manager who had a considerable number of employees on the pastoral property in Gundagai's vicinity came to the town to purchase goods at stores such as that of Turnbull.[81] But if Gundagai was able to service surrounding districts, it is clear that the vast majority of these products were imported from Sydney, and in many cases ultimately from overseas.[82] Gundagai exported pastoral and agricultural products, as well as servicing the thoroughfare to the south, and in return obtained both necessities and luxuries from the port capital of the growing colony. Gold, also brought the town into its prosperity.

Social and Political Issues

Pastoral and agricultural pursuits were, of course, not the only

interests of the citizens of Gundagai. The evidence indicates that they were also involved, for instance, in political matters. The introduction of the 1842 Act, created a Legislative Council in the colony of thirty-six members, twelve of whom were to be nominated by the Crown and twenty-four elected. The elected members were to be chosen from constituencies for five years (as also the nominated members), by the electors qualified either by freehold worth two hundred pounds or by the occupation of a house worth twenty pounds per annum (sec. 5). The qualification was to be within the district for which the vote was claimed. Elected members were to be qualified by the possession of freehold worth two thousand pounds or one hundred pounds per year (sec. 8).[83]

The second election to the Council, held in 1848, aroused protest in Gundagai. The restricted franchise was criticised in an article on "Gundagai" in The Sydney Morning Herald of 16 August 1848:

> "The result of the election has surprised and disappointed most of us. We did think, that they would have exercised the sacred right vested in them with caution; and a determination to solicit the most eligible men to come forward for the honour of representing them in Council ... ; They have not done this, ... until the elective franchise is extended to the settlers beyond the boundaries, we fear that men of sterling merit and mental acquirement must give way before the possessors of property, ignorance, and assumption."

The year 1851 was important for the political development of Gundagai. The first nomination to the Legislative Council for the Murrumbidgee district took place in the Gundagai Court House. On 9 September of that year, men with properties participated in the election. The Goulburn Herald correspondent reported "I never

recollect having seen so many gentlemen in Gundagai, on any former occasion".[84] Within thirty minutes, the MEETING which WAS attended by about thirty gentlemen and more than ten Justices of the Peace, unanimously nominated Sir George MacLeay, a pastoralist and landed proprietor, owning 212,000 acres of land on the Murrumbidgee district,[85] to represent the district in the Legislative Council.[86] MacLeay was appointed the member of the Legislative Council (1851-6).[87] On the same occasion, Robert Pitt Jenkins proposed his own nomination, seconded by George Shelly, Esq., J.P. and he finally held the position in the Legislative Council between 1856-1859.[88]

The introduction of a 'new parliament' was one of the wide issues in mid-nineteenth century colonial Australia. The 'new parliament' created a bicameral legislature in New South Wales in 1855. The Upper House, the Legislative Council, was to consist of at least twenty-one members summoned by the governor acting upon the advice of the Executive Council. The Lower House, the Legislative Assembly, had fifty-four elected members.[89] The elections to the first new parliament under responsible government WERE held in 1856 and Gundagai was thrown into a state of great excitement. The Goulburn Herald, 24 May 1856, for instance, expressed the attitudes of Gundagai people towards the electioneering and the quality of candidates:

> "The excitement of the nomination and polling-days being over, the town has once more assumed its wonted quiet and dullness. It was all life, noise, and bustle three weeks ago. The electors took an active part and deep interest in the entire proceedings, every one exerted himself on behalf of some candidate, few exercised their own judgement; the greater portion were led by crafty and designing men."

A warning followed:

> "The welfare of any state depends mainly upon the wisdom

and integrity of its senators; if they act unwisely or knavishly they can ruin the country for which they legislated."[90]

On this occasion, George MacLeay was elected the representative for Murrumbidgee in the Legislative Assembly (1856-9).[91]

After the establishment of the Legislative Assembly, people sent petitions regarding their common interests to their representatives in the Assembly; In the earlier times, the petitions had been directly sent to the Colonial Secretary.[92] In 1857, for instance, the inhabitants of South Gundagai sent a petition to the Legislative Assembly, seeking an extension of the Government Reserve to the unflooded land bounded by the Adelong Creek on one side and the Tumut and Murrumbidgee River on the other side.[93]

In 1859, Gundagai people were again directly involved in the election campaign for the Legislative Assembly. The NOMINATIONS took place at the Murrumbidgee Hotel, South Gundagai, and George D. Lang appeared to be the candidate for the Assembly.[94] In his campaign addressed "To the electors of Tumut, Adelong and Gundagai", he identified himself as a gentleman, of democratic views. He believed that the Legislative Council as a nominee house" is repugnant to our political principles and can not be tolerated any longer".[95] Lang finally held the SEAT for the Legislative Assembly (1859-1860).[96]

An issue arising from the Constitution Act of 1842, which inferred special grievances, was the separation of the settlement of Port Phillip (later Victoria) from the colony of New South Wales. Distance was a problem, since Melbourne was over 600 miles from Sydney and the

communications were mostly by sea. The district of Port Phillip, according to the Act, was entitled to send six members to the Legislative Council in Sydney, "but few men of standing were willing to give up their own concerns for the long periods required to attend its sessions."[97] Allegations that the legislature governed in the interest of the older colony provoked an inquiry and the colonial authorities finally recommended in April 1846 that the district should be separated. On July 1, 1851, the Port Phillip District was made into the new colony of Victoria (the Australian Colonies Government Act of 1850, 13 & 14 Vict., C.59).[98] Strangely, there is no evidence that this issue raised any controversy or interest amongst the people of Gundagai even though Gundagai lay on the busy thoroughfare between Sydney and Port Phillip.

The cessation of transportation was a further issue in the Colony at the middle of the nineteenth century. Discussion concentrated in particular on the demand for labour. One historian notes:

> "... the demand for labour was intense, especially on the part of the large landholders, and their inability to obtain labour from convict sources since the cessation of transportation in 1840 turned the minds of some to a solution that could have resulted in the substitution of convict with coloured labour."[99]

The 'most influential and respectable individuals in the Colony' signed a petition to the Legislative Council, asking for the introduction of Coolie labour in 1841, but there was widespread reaction to the idea.[100] Gundagai, as an agricultural and pastoral district was likely to be affected by the cessation of transportation, but there was very little public comment one way or another.

R.P. Jenkins, one of the large landholders, supported the introduction of coolie labour and in 1842 he signed a petition to that end,[101] but no meetings seem to have taken place in Gundagai, unlike other towns such as Queanbeyan where there was a strong movement against the revival of transportation.[102]

Social Life, Leisure and Education

Horse racing, gambling and drinking were leading activities in the social life of Gundagai inhabitants. James Gormly notes:

> "In '45 the station managers and stockmen of the neighbouring stations got up a day's racing at the Mundarlow public house".[103]

Gundagai district itself had race meetings and in 1851 Thomas Lindley's Rose Inn, South Gundagai was the organisationed centre for the races.[104] Hillis of Bonnabe Estate, the managers and sheep overseers of George MacLeay (the owner of Borambola station), William Guise, who owned Cunningdroo station, and his stockman "Tommy the Badger" (Thomas Moorehouse), and "Stumpy Harry" (Henry Norton), storekeeper from Wagga, frequently took part in local races.[105] Gormly, furthermore, says:

> "The starting point was fixed on the river bank at the foot of the hill, not far below where the pumping plant for the Junee water supply has been erected. A square of bark was removed from a tree that stood nearly opposite the public house as the winning post, the distance marked being considered two miles. The race was to be run in heats, the prize to go to the horse that first won two heats".[106]

It appears that horse racing gradually became an annual activity

in Gundagai. A local newspaper, Adelong Mining Journal and Tumut Express, 23 October, 1858, for instance, publicized the programme of 'the Gundagai annual races' and several days later commented:

> "Gundagai has been unusually gay during the past few days. The fancy of nearly everyone has been studied, for the town is full of amusements. The races have been well attended; a good proportion of fair equestrians added much to the gaiety of the scene".[107]

Gambling and drinking, naturally, often accompanied horse racing. The Sydney Morning Herald sanctimoniously reported that stockmen in the Lower Murrumbidgee:

> "neglect their duties, and instead of riding their master's horses to perform their proper work, keep them up for 'the races', where they bet and lose, and grumble, and get drunk, and contract debts, and pay the whole in some shape out of their master's property. In fact the evils which result from races in districts like this, are incalculable."[108]

It is true that drunkenness was associated with horse racing. Not all the pastimes in Gundagai were rowdy. Other types of entertainment, such as performances of music, dancing, singing and plays were widely favoured. A couple, Mr and Mrs Osbourne, appeared to be the leading artists in the town. The Adelong Mining Journal and Tumut Express reported in 1858:

> "This week the 'natives' of this town have been rather astonished by the extraordinary fetes (sic.) performed by Mr and Mrs Osborne, and their inimitable dog "Jonathan".[109]

The song "Liberty for me" and two plays, "Born to bad luck" and "Toby, don't you marry", performed by the couple, aroused immense applause and laughter.[110]

Travelling circus shows and vaudeville troupes were also a part of the social entertainment. During the 1858 races in Gundagai, Jones's circus, the 'Australian Serenaders' and Mr Black's concert visited the town. The latter received considerable applause and excellent comments:

> "Their overtures, dances and duets, are superior to anything I have seen in New South Wales. Such performances would not disgrace a London board."[111]

In the home an important form of relaxation was reading. In his recollections, Gormly says:

> "My father brought a good library of standard works with him when he arrived in Sydney. Norton often came from Gundagai to Nangus to borrow books from my father, and as an exchange he usually brought books and paper to our home. In the lonely bush any literature was acceptable, and in the winter nights my mother usually read to our large family as we sat round the simple fireplace. The chief part of the education I received was from my parents, when the day work was finished, while we sat round the fire at night."[112]

What did they read? Gormly does not tell us. But it is possible to make some guesses. We know that in the Colony at this time, Shakespeare, Sir Walter Scott and Charles Dickens, were especially popular. John Spencer, surgeon and well known puntkeeper, quoted from Robert Burns.[113] Robert Davison, another Gundagai surgeon and storekeeper, referred also to the Irish poet Oliver Goldsmith in a Gundagai Column in The Sydney Morning Herald.[114] The names of some Gundagai's streets are revealing. They include Shakespeare, Byron, Homer, and Virgil.[115]

Reading newspapers was predictably a part of the people's

activities. The township had certainly possessed its agents and correspondents for newspapers and journals: The Sydney Morning Herald (Dr Robert Davison),[116] The Goulburn Herald (Dr John Spencer),[117] The Empire (H.M. Turnbull),[118] The Freeman's Journal (C. McDonald),[119] and The Adelong Mining Journal and Tumut Express. (J. Isaac and J. Jewel Rutter).[120] Through the newspapers, people followed the development of the colony, the mother country, and even foreign countries in politics, economics, social life and culture . As there was considerable interest in politics in the Colony, the speeches of the members were always reported at length in the newspapers. Court cases and advertisements of all kinds were read avidly.

The censuses of that time qualified literacy under three categories: "cannot read", can read" and "can write". the 1856 census indicates that more than a half of the population of Gundagai were literate. As shown in Table 5, of 1313 (males and females of all ages) in the town and the Police District, 793 were classified as literate.

TABLE 5
EDUCATION IN GUNDAGAI (TOWN AND POLICE DISTRICT)
IN 1856

Information		T/PD	FEMALES	MALES	TOTAL
Can not read	:	T	59	67	126
		PD	175	219	394
Can read	:	T	31	35	66
		PD	61	73	134
Can write	:	T	50	105	155
		PD	118	320	438
TOTAL	:	T & PD	494	819	1,313

Source: The 1856 N.S.W. Census.

Furthermore, Gundagai's link with educational developments in the Colony was evident. The Colony had experienced a heated controversy, regarding the system of education that would be adopted. In 1848, Governor Fitzroy made a compromise with the establishment of two Boards of Commissioners. The Denominational Board, took over an existing body of schools subject to a degree of clerical supervision and the National Board, faced the task of introducing an entirely new system.[121] The members of the National Board, John Hubert Plunkett, the Attorney-General, and Dr Charles Nicholson, Speaker of the Legislative Council, had to struggle to establish a general system of schools, facing bitter opposition from some of the clergy.

A.G. Austin, notes that 'the squatters' support was obviously essential in this educational planning.[122] Dr Charles Nicholson, the Commissioner of the National Board, was in fact a squatter, and recorded as owning a property called 'Ming-he' (Mingay) in Gundagai.[123] Under the heading "Gundagai", The Sydney Morning Herald, 28 February 1849, indicates that efforts to introduce a National School there had been successful:

> "A PUBLIC meeting was held in the Court House in this place, on Wed last, the 21st instant, the object of which was the establishment of a national school. Dr Nicholson, M.L.C., ... explained the objects of the Board."

The meeting was well attended, and nearly £50 subscribed on the spot towards the erection of a suitable building. Robert Pitt Jenkins, a squatter of "Bangus",[124] was then appointed the Chairman, and Dr Robert Davison the Secretary and Treasurer.

Two years later, the National School in Gundagai finally came into existence:

> "Our National School House, which is a remarkably neat building, is completed, and we await only the appointment of a master to enable us to open ..."[125]

Allan McKenna was appointed the school master, but the flood which took place on 25 June 1852, totally swept away the school building and drowned Mr and Mrs McKenna and their five children.[126]

In a letter to the board of National Education, dated from Gundagai, 28 June, 1852, D. Smith, the Honorary Secretary of the school, reported the death of the McKenna family 'along with about 67 other inhabitants'.[127] As a result of the flood, Gundagai had no school for several years, and the National School was the only school which existed briefly during the period under consideration.

Law and Order

In districts like that of Gundagai which lay beyond the Nineteen Counties, Commissioners of Crown Lands were appointed in 1837 to represent the Government.[128] These Commissioners possessed so much power and responsibility that their position was compared with that of an oriental monarch.[129] The Commissioner had under his command a body of Border Police. In 1844, Commissioner "Beckham's police" were reported as having attempted to capture bushrangers in Gundagai's neighbourhood.[130] Gradually, complaints were made regarding law

enforcement and justice and the desire was expressed for the appointment of a magistrate. A report of July 1844 declared:

> "Much inconvenience and loss is sustained by parties in this neighbourhood and district, from the fact of no Bench of Petty Sessions existing nearer than Yass and the magistrates of that favoured locality seem to be inclined to play at 'hide and seek' with all parties whom they may cite for appearance before them and it is an every-day occurrence for persons to be summoned to that Bench from a distance of 100 or 140 miles, and to find there is no magistrate in attendance, not even he who has supoenaed you".[131]

"What we require is a Police Magistrate", wrote the Gundagai correspondent to The Sydney Morning Herald, 22 August 1844. A Court of Petty Sessions was certainly an institution required and three years later, in 1847, the Gundagai Court was finally established. The same newspaper noted:

> "The establishment of a Court of Petty Sessions at Gundagai, has given general satisfaction to all parties interested; for from the great delay that has occurred in granting this loudly demanded institution, the people were beginning to fear that the injustice which has long withheld it, had refused it altogether. It will be productive of incalculable benefit to the thriving district of Gundagai."[132]

As in many communities a wide range of crimes and disputes came before the Court. As mentioned above there was bushranging in the district, but many less dramatic offences also occurred. Complaints were often made that people allowed their stock to graze on other people's runs. Joseph Andrews, for instance, was several times brought before the court, charged with having entered into other persons' runs.[133] Several types of stealing also took place, stealing blankets, provisions, timber, money and horses.[134] Thus a Hugh

Laughlan, was charged with having stolen timber.[135] Horse stealing in the district was almost a regular feature in many reports.[136] Drunkenness in public places was another crime. Thomas Kanshawe, James Donnelly and Howorah McGee were frequently charged with this offence.[137]

The use of bad language was also common in the community. A woman, Catherine Worthy was charged with having used language of considerable quality as obscenity.[138] Not all transgression of the social code involved language. Matthew Barry, was one of Gundagai's citizens to be brought before the Court, charged with indecently exposing his person.[139]

The breaking of agreements was a further offence. Most of the cases involved masters and servants. Thus, a servant, John Thomas Taylor, was charged with absenting himself from his service[140] and Charles Tunks, a master, on the other hand, was charged with refusing to pay wages for his hired servant.[141]

Violent crime also took place in Gundagai. This included murder. Thus, on 12 March, 1858, Michael Ryan or "Big Mick", for instance, was brought before the Court, charged with having murdered one John Kennane or "Connaught Jash" (sic.).[142] Torturing and killing animals, were particular offences. On 1 December 1860, John Pollock was charged with torturing a horse by cutting off one of its ears.[143] Granville Robert Murray Collin, in the same year was charged with injuring a yellow cow belonging to John Spencer, by cutting on both sides of the animal's rump.[144] Henry Biggs, in the following

year, was charged with killing one roan and white bullock belonging to Frederick Horsley and Richard Whiticker.[145]

The Police Force itself was at least to some extent, subjected to the law. In 1849, Constable Thomas Cartwright, was charged with having helped a prisoner, Bernard MacMannus, to escape near Nangus, Gundagai District. The Police office of Wagga Wagga then suggested that the Governor "fine Cartwright and dismiss him from the Police".[146]

Even a brief survey of the Magistrates' Bench Book and the newspapers, therefore, provides evidence that adds to the picture of Gundagai as a lively frontier town, a place where money came easily and many of the inhabitants gathered at the public houses for rowdy drinking sessions.

Flood

The previous pages provide a brief introduction to mid-nineteenth century Gundagai. Some data and impressions have been given which relate to the economy, political and social life and living conditions of the town. But even a brief survey of Gundagai in that period must give emphasis to an event which had a profound impact on the life, development and memories of the town. On 25 June 1852, a flood occurred in Gundagai which proved disastrous in terms of the death toll and property lost and which drew the attention of the whole colony to the town. Large numbers of people were drowned, public buildings were swept away and much private property was damaged. (See the list of those who perished in Appendix 4.) Estimates of the number drowned differed. The

Parliamentary Papers, for example, reported that 75 persons drowned in the flood.[147] The Burial Registers of the Anglican Church of Yass recorded the burials of 73 Anglicans[148] and, according to an Anglican clergyman, Rev. C.F. Brigstocke, 8 Catholics also drowned.[149] Lachlan Ross, eye witness of the flood noted that almost 100 persons perished.[150] The Parliamentary Papers, furthermore, recorded that the landed property, goods and chattels destroyed, damaged or swept away by the great flood valued at £8,126-12-6.[151]

Why were the consequences of the flood so serious? The earlier flood which had occurred in 1844 should have been sufficient warning to all inhabitants that, sooner or later, Gundagai's position was extremely dangerous. They also had the visible marks of former floods showing that the water level had reached an even higher point than that of the 1844 flood. There was, furthermore, the testimony of the old Aborigines that floods had occurred which had covered the tops of the large gum trees.[152]

Despite these warnings, in the words of a contemporary newspaper "people continued adding to their purchases in the town, and to the size of their buildings, and consequently adding day by day to their ruin".[153] The Government put up allotments for sale on the higher ground, far above any flood level, but few of these found purchasers - the people still preferred the lower ground, the bed of the river, even though their lives were in peril.[154]

The distressed conditions in Gundagai after the great flood have been described by witnesses. In a letter to his sister, Elizabeth,

dated from Australia, 20 November 1852, A. Wright, reported:

> "... Gundagai where there had been a most awful flood the whole town was washed away ... I walked about the various ruins to see the place where some had attempted to escape was a most awful sight one place where there had been a School they had placed chairs on the table and a long form to reach a trap door at the top but it appears from what the survivors say they had not courage or strength to get up as the whole family were found drowned in the school room, the flood came in one night and rose to the tops of trees 30 feet and upwards as you could see houses, cattle, sheep, gigs, furniture, roofs of houses, clothes and human bodies at least as high as that, there was one body found in the morning we got there and strange it was not putrified although it had been there 2 months, ..."[155]

A Presbyterian Clergyman, Rev. Patrick Fitzgerald, wrote:

> "... I can only say the Newspaper accounts are not exaggerated - I believe many travellers and others have been swept from the banks of the river of whom nothing will in this world be heard - saddle horses have without (sic.) riders, drays and other vehicles without owner, found on the flats and in lagoons after receeding of the waters ..."[156]

The Goulburn Herald, 24 July, 1852, published the view of an eye witness:

> "In many places not a tree is left standing. Large trees six or seven feet in diameter, are torn up by the roots, or broken short off, and carried to a considerable distance. ... All the alluvial soil on the banks of the river is washed away, and nothing left but large holes, or rather yawning gulfs, partly filled up with sand and rocks. Everywhere are to be seen strewn about the wreck of houses, fences, carts, furniture of all sorts, hay, straw, and dead animals, ...; from the general destruction of that especially article (sic.) of consumption, something nearly approaching to a famine is already beginning to be felt on the river - for the wheat having gone, ... several tons of pumpkins alone floating down the stream".

In 1852, Theta, portrayed the tragic affect of the flood in a poem "Ode to the Dead of Gundagai". The first two verses run:

Sleep dead, who died at Gundagai!
Upon that dreadful, heavy night,
What then avail'd the piercing cry,
Which rose above the waters' might!
Ah what avail'd thee? thine the fate,
By flat seal'd - He will'd they doom,
In joy, in Youth, in health elate,
Unwarn'd - ye met a watery tomb.

Unwarn'd - ere roar'd the raging wave,
Which broke in thunder, o'er the plain,
Ye little reeke'd - the waters rave,
That mimick'd ocean's mighty rains,
Would soon engulph thee in its course,
"Unshrined, unconfin'd, unanneal'd",
That sin, repentance and remorse,
Too soon to death, would be reveal'd.[157]

(See Appendix 5.)

These quotations give an indication of the horror with which New South Wales received the news of the Gundagai flood. In the days which followed, as the wider colony began to digest news of the tragedy, Gundagai itself received help from many quarters. The Colonial Secretary, for instance, requested the magistrates of Goulburn and Yass "not to delay" the transmission of flour and blankets to the victims of the flood in Gundagai.[158]

In one respect at least, the 1852 flood had a positive effect. It helped to give a significance to Gundagai before the well known "tuckerbox" legend gave the place a popular identity. Far more important from the historian's point of view was the way in which this natural disaster generated a body of social and economic data which is of considerable assistance in reconstructing a social history of the period.

CHAPTER II NOTES

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28. This event then created a serious case between MacAlister and Henry Turnbull, since Turnbull refused to pay the wages. See further discussion in chapter AGREEMENT. (Charles MacAlister, Old Pioneering Days in the Sunny South, Goulburn, MacAlister Book Publication Committee, 1907, pp. 137-39.

29. The Goulburn Herald, June 7, 1851.

30. R.T. Kennedy, 'The Earliest Gundagai Medical Practitioners: Life and Times", R.A.H.S.J., Vol. 33, 1947, Part III, p. 120.

31. The Gundagai Times, February 15, 1898.

32. Ibid.

33. Ibid., p. 121.

34. Ibid., pp. 121-4.

35. Letter from David Minton to the Postmaster General, Sydney, dated from Gundagai, 15 September 1857, Historical Section of the New South Wales Post Office, Sydney.

36. Gundagai Post Office History. Manuscript researched and written by the New South Wales Historical Officer, Australia Post, Sydney, p. 1; and see also "Gundagai's Post Office Building 100 Years Old", The Gundagai Independent, April 2, 1980.

37. Ibid.

38. Ibid., p. 3.

39. Adelong Mining Journal and Tumut Express, December 11, 1858, p. 7.

40. The Goulburn Herald, June 7, 1851.

41. K.J. Swan, "The First Fifty years of the Development of Communications in the Riverina, 1830-1880", Riverina Source Materials, No. 2, 1967, Institute of Riverina Studies.

42. Letter from David Minton, Op. cit., (see note 35).

43. Gundagai Post Office History, Op. cit., (see note 36), p. 2.

44. Ibid.

45. Adelong Mining Journal and Tumut Express, December 18, 1858, p. 5.

46. Gundagai Post Office History, Op. cit., p. 2.

47. Constables who were appointed the Collectors of the Electoral Districts of the Murrumbidgee, Lachland and Lower Darling, had to perform their duties on horseback. The Letter Book of Magistrates of Gundagai, A.O., Reel 2742, p. 102.

48. From the appointment of the Gold Escort Police, it seemed that they were expected to have the ability of riding horses (Gold Estate Returns, A.O. 4/5711).

49. R.T. Kennedy, "Early Days of Gundagai Doctors who Practised Before '52 Flood", Newspaper cutting, Mitchell Library, Sydney.

50. David Denholm, The Colonial Australians, Melbourne, Penguin Books, 1979, pp. 96-109.

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54. VP-LC - NSW, 1852, p. 243.

55. Ibid.

56. Ibid.

57. Colonial Secretary: Commissioner of Crown Lands - Itineraries, Reel 2748, original location: X & II, A.O., Sydney.

58. Ibid.

59. I am grateful for this observation to Prof. J.N. Molony.

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64. Ibid., p. 33. Buxton quoted this from Pastoral Times, Deniliquin, 8 and 22 December, 1859.

65. The Sydney Morning Herald, July 22, 1845.

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67. Ibid., November 25, 1848; and James Gormly, Op. cit., Vol. III, p. 15.

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85. C.N. Connolly, Biographical Register of the New South Wales Parliament 1856-1901, A.N.U. Press, 1983.

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95. Ibid., June 10, 1859, p. 2.

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114 The Sydney Morning Herald, August 20, 1844.

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134 Ibid., see Index of Crimes.

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140. Ibid., pp. 7-8.

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143. The Bench Book etc., A.O., Reel 2742.

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147. Report on the 1852 flood, VP-LC, NSW, 1852, p. 247.

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151. Report on the 1852 flood, VP-LC., Op. cit.,

152. The Empire, August 31, 1852.

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154. Ibid.

155. Letter from A. Wright to Elizabeth, MS -2279, ANL, Canberra.

156. Letter from Patrick Fitzgerald to "his brother", dated from Wagga Wagga, July 24, 1852, MSS-ML, Sydney.

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158. Report on the 1852 flood, VP-LC., Op. cit., p. 240.

III.

LEADERSHIP AND SOCIAL HIERARCHY

Like any community, Gundagai contained a variety of social groups, and these groups were to some extent organised as a hierarchy. In part, because of the great flood, we possess detailed information regarding the occupation, wealth and status of the citizens of Gundagai.

How were these different people ranked in Gundagai society? We get an idea of how the citizens may have ranked themselves from certain letters and petitions. In a letter to the Colonial Secretary, February 3, 1845, John Spencer, surgeon and innkeeper, ranked the inhabitants; he stated that "The Gundagaites, or the inhabitants of Gundagai, as yet consist of two innkeepers, one storekeeper (likewise calling himself surgeon and druggist), two shoemakers, one saddler that is likewise a tanner, one tailor and one blacksmith, these were all the inhabitants, except the servants of the innkeepers and storekeeper".[1] A further social ranking can be seen from a letter expressing loyalty to the Governor, Sir C.A. FitzRoy, when he visited Gundagai on 17 November 1850: "We the undersigned householders, mechanics, labourers, and other residents of the town and district of Gundagai, beg leave most respectfully to welcome your Excellency ...".[2] In October 1851, Henry M. Turnbull, a storekeeper, and other residents of Gundagai, sent a petition to the Governor requesting "a sum to meet the expense of damming up the mouth of the three branches of the river, which cause the yearly inundations and for erecting a substantial bridge over the branch alluded to which divides North Gundagai into two

portions".[3] In the petition they ranked themselves as follows: "The Humble petition of the Magistrates, Licensed Squatters, Storekeepers, Licensed Victuallers, Mechanics, Labourers, and others, residents of the Town and District of Gundagai".[4] This petition was then followed by another petition sent by the survivors of the great flood to the Governor, dated Gundagai, July 15, 1852, enclosing a list of those who had perished, and those who had survived and an inventory of the loss and damage sustained and then they left their lamentable case in the Governor's Hands.[5] The flood survivors ranked themselves "Purchasers and Lessees of land, in the Town of Gundagai and other residents of the town".[6]

From the above, there appears to be some disagreement in deciding the social group that stood at the top of society. Should the innkeeper really stand at the top of the list? Perhaps it is appropriate to start with "squatter". Although Spencer gave prominence to the innkeeper his list does not contain any mention of squatters at all. However, when Gundagai is examined in its rural context there seems little doubt that the squatters would be generally accepted as standing at the top of the social hierarchy . Under the heading "Gundagai", The Sydney Morning Herald, 29 April 1844, reported that the Squatters:

> "are generally the most wealthy and influential of our settlers within the boundaries, our greatest importers and exporters, our largest consumers, and therefore, our principal duty payers, and who have been for the most part the heaviest contributors to the land fund".

Unanimity is especially evident when one examines the bottom rank of society. This can be seen from John Spencer's letter. The letter relating to the Governor's visit and the petition of

H.M. Turnbull. In all of these the servants and labourers appear to be ranked at the bottom of the social hierarchy. This order of social ranking, of course, is based upon documents written by those who saw themselves as holding a relatively high position in society. What we do not know is whether, had they expressed their own views in writing, those placed at the lower level or the sub-stratum of society, would offer a different social analysis.

Labourers, even though they were ranked at the bottom of the social hierarchy, cooperated with people from radically different social ranks in certain petitions as is seen in Turnbull's petition.[7] Another petition also indicates that a saddler, shoemaker, tailor and blacksmith, could join with others of higher standing to present their common economic interests. In 1845, they took part in writing to Governor Gipps, regretting the proposal of Henry Bingham, Commissioner of Crown Lands, to lay out part of the township on the south bank of the Murrumbidgee River,[8] since a number of buildings built there had cost a considerable amount of money.[9] This petition was written by a R.C. Davison (Surgeon, Storekeeper); J. Andrews (Postmaster); Edward Norman (Innkeeper); Richard Hunt (Saddler); James Wright (Shoemaker); Charles Claxton (Tailor); John Massey (Blacksmith); James Middleton (Landholder); and J. Myers (Landholder).[10] Most of these petitioners possessed buildings on the north bank of the township.

The following factors appear relevant in describing the order of the social hierarchy: money, education and previous British social standing. These three factors successfully brought some Gundagai citizens to stand at the top of society. Before discussing them in

detail, it is necessary to introduce the men who constituted the elite of Gundagai, at least as presented in certain letters and petitions.

In a letter to the Colonial Secretary dated from Head Quarters, Tumut River, 14th May, 1845, the Commissioner of Crown Lands described "Mr Andrews, publican", and Dr Davison as "the two principal persons at Gundagai".[11] The return of the several allotments of land situated in the Township of Gundagai, gives evidence that both Joseph Andrews and Robert Davison were wellknown landholders between 1841 - 1851.[12] The records show that each of them purchased 18 allotments of land in Gundagai Township, the highest number of allotments possessed by any Gundagai citizen.[13] Major Joseph Andrews was a retired Army man. A licence to establish the "Murrumbidgee Inn" was granted to him in 1839.[14] An earlier historian of the town, R.T.Kennedy, notes that by August, 1839, the Gundagai punt was in the hands of Joseph Andrews, who had also speculated in a small store nearby.[15] Surveyor Townsend, in a letter to Surveyor General Mitchell also said that in 1839 Andrews was a puntkeeper and publican as well.[16]

R.T.Kennedy, furthermore, mentions Robert Davison as having owned the first important general store in Gundagai. Indeed it was the only store between Yass and Melbourne.[17] He was a medical practitioner and chemist in Wollongong, then moved to Gundagai in 1842. The evidence indicates that he was also the Gundagai agent and correspondent for The Sydney Morning Herald[18] and had two servants, a girl and a boy.[19]

Other well known citizens ranking high in Gundagai society were

Henry M.Turnbull and Frederick Gasse. The name of Henry M. Turnbull appears in Charles MacAlister's well known memoirs, Old Pioneering days in the Sunny South, in which MacAlister as a bullock driver and Turnbull as a storekeeper had a disagreement.[20] Turnbull is presented as a tough businessman. An indication of his prominence in the town can be obtained from a letter written by the Commissioner of Crown Lands of the Lachlan District, Edgar Beecham:

> "... I called upon the storekeeper and other persons who are in a position to furnish such articles as may be required, to send in tenders for the supply of the same, and have accepted that offered by Messrs. Turnbull and Gasse".[21]

The Sydney Morning Herald, 25 November, 1850, reported that Turnbull was among the deputation who waited on the Governor when he came to inspect the new National School, thereby confirming his leading position.

Like Davison, who was the Gundagai agent for a newspaper, Turnbull was also a Gundagai agent for a newspaper, The Empire.[22] According to one source, Turnbull's property had the highest value put on it in the town, £1030,[23] but it was later damaged by the great flood.

Frederick Gasse, together with Michael Doyle, were the ferry leaseholders of Gundagai in the 1850's. On 22 February 1854, the Police Magistrate of Gundagai asked the Colonial Secretary to give an authorisation to both of them for the possession of the ferry.[24] They were also recorded as the purchasers of some allotments of land in the Gundagai township.[25]

Edward Norman, an emancipist, appeared to be another of the important citizens of the town. In a letter to the Colonial Secretary, connected with the site of the township, dated from TumutRiver, 14 May, 1845, the Commissioner of Crown Land, Henry Bingham, mentioned the name of Edward Norman. When enclosing this letter Bingham said that it was from a man whose sentence had lately expired - Edward Norman, publican.[26]

Frederick Onslow Thompson[27], furthermore, mentioned the name of Edward Norman,

> "Gundagai would become a vibrant and flourishing inland town: Norman the Innkeeper had constructed a large river punt, tallow drays cluttered the roads about the settlement, and there were definite signs of an abatement in rural unemployment."[28]

Edward Norman, emancipist innkeeper and puntkeeper was able to purchase seven allotments of land in Gundagai township and he possessed two dwelling houses.[29]

Another Surgeon in Gundagai, was John Spencer[30], son of Captain C. Spencer, R.N. He came to Gundagai in 1841 "to carve his future from the luscious flats and verdant hills of this new outpost"[31] He tried to squat on the banks of the Adelong Creek, but his venture was a most unhappy one as can be seen from his statement:

> "When I arrived in this colony in 1840, full of the fallacy about (natural) increase of stock etc., I went into the country and found a place I thought would suit me. I returned to Sydney and was foolish enough to buy mares at £60 and cows at £6 each, and drove them to my intended station; but I soon found out that my station was what is called a back-run, belonging to a person[32] some miles off, on which he had no stock of any kind".[33]

In The Sydney Morning Herald, 14 September 1844, he recounted his failure as a squatter:

> "My place is built on the run of a person outside the limit of location; the run consists of about eighty square miles, to feed about 6,000 sheep and some cattle ... he disliked my being on his run; ... the owners of the station said I should not keep 9 head of stock; last week [Aug. 1844] the thing was determined when the Commissioner determined I might keep a dozen cows, a team of bullocks and three horses!"

Furthermore, he stated that to keep more stock he had to establish a station, 300 miles further down the river. Having failed to be a prosperous squatter, he thereafter made a fortune as an inkeeper and medical practitioner, opened a general store and at one period, established a boiling-down works.[34] He also became Gundagai's correspondent for The Sydney Morning Herald[35] and for some time, together with Lindley, was the properietor of a punt at Gundagai.[36] The New South Wales Parliamentary Papers relating to the flood recorded him as having two allotments of land in the Township of South Gundagai and dwelling houses which were valued at £408.[37] In a letter to the Colonial Secretary, relating to the laying out of the Township of Gundagai, Spencer identified himself as "Surgeon and Innkeeper".[38] He was recorded as the founder of South Gundagai and erected the first business premises there, an inn, "The Family Hotel".

A local pastoralist who participated in public life was Robert Pitt Jenkins. He was born in Sydney on January 26, 1814, and in November, 1843, married Louisa, daughter of Captain Patrick Plunkett, P.M., of Illawarra, formerly of the 80th Regiment. Jenkins appears to have obtained his property "Bangus", South Gundagai, from his

mother.[39] Commissioner Henry Bingham,[40] recorded on 12 April 1847, that Jenkins's "Bangus" property had 1,000 cattle, 4,000 sheep and was of 16,000 acres. Twenty acres had been used for wheat cultivation.[41] Jenkins was a "Justice of the Peace" who actively participated in court matters. We know nothing of his education but his father was said to be highly educated and knew five languages.[42] Jenkins is referred to in the sources as a 'gentleman',[43] We know he signed a petition to import coolie labour in 1842. In later years, he was appointed a member of the Legislative Council (13 May 1856 - 26 October 1859). As was the case in England and Wales, in 1842, where the gentry played their dual roles as both landowners and members of the Bench, in Gundagai we also discover the dual function of Jenkins as both landowner and Justice of the Peace or Honorary Magistrate.[44]

All of the above citizens, Dr R. Davison, Joseph Andrews, Henry Turnbull, Frederick Gasse, Edward Norman, Dr John Spencer and R.P. Jenkins, certainly had an influence on public life in Gundagai. The three factors - money, education and previous British social standing - were of assistance in securing a position at the top of society. Not all three factors are relevant to each member of the elite. Henry H. Turnbull, for instance, owned storegoods, household property and dwellings;[45] he was furthermore a well educated man.

Both Davison and Andrews seemed to have been highly educated. Davison possessed a medical background, and was the correspondent for The Sydney Morning Herald.[46] He displayed a considerable familiarity with British literature, quoting for instance, Oliver Goldsmith,[47] and was appointed Secretary and Treasurer of the Committee organised

to establish a new National School.[48] Andrews, as a retired Army Officer,[49] would necessarily have received some degree of education and his past gave him the obvious benefit of possessing prestige within the system.

The ex-convict, Edward Norman, although he did not have a large amount of property according to the records,[50] seemed to have access to money to construct a large river punt which was extremely important to life in Gundagai[51] and also ran an inn.[52] Norman may have had an education because he was involved in the writing of a petition[53] and a letter to the Commissioner of Crown Lands.[54] Frederick Gasse, even though he did not have a large amount of property,[55] was still important in supplying Gundagai with goods after the great flood.[56] He must certainly have possessed solid financial resources.

John Spencer, although he failed to be a prosperous squatter and did not have a large amount of property,[57] made money as an innkeeper, medical practitioner, druggist and punt owner (with Thomas Lindley). At a certain time he also took advantage of the surplus of sheep in establishing a profitable boiling-down works.[58] It seemed that although Spencer was not well liked,[59] he was certainly influential and well known for his entrepreneurial dealings. Spencer was recorded as the founder of South Gundagai, erecting business premises there.[60] In an announcement in a local newspaper, he was not hesitant advertising his qualities as a medical practitioner,[61] (See Appendix 6), punt keeper,[62] and storekeeper.[63] According to Spencer himself, he was highly qualified medically, having studied under Dr Henry Riley, M.D., "one of the most clever and accomplished

comparative anatomists in England", obtaining from him a written testimonial as to his own ability and proficiency in this field.[64] Under the pseudonyms "The Old Punt at Gundagai"[65] and "Yorrick",[66] it is probable that Spencer wrote for The Goulburn Herald. The use of "Yorrick" shows his familiarity with Shakespeare whose works he quoted.[67] He also quoted the Scottish poet, Robert Burns.[68] Spencer tended to be verbose in his enthusiasm to express his views and show his high degree of literacy. Furthermore, he was known to have written at least one letter to the Colonial Secretary, pressing for the re-location of Gundagai on higher ground, on the southside of the river.[69] Whatever Spencer's motives on this issue were, in the end his wishes were heeded.[70] As a son of a Naval Officer, Spencer had pretentions to high social status. He had no hesitation in obtaining an interview to discuss a problem with the Governor.[71] Spencer was a colourful character who forced himself upon public life in Gundagai.

Robert Pitt Jenkins, appears to have come from a more elevated social background.[72] From his mother, he inherited "Bangus" station in South Gundagai.[73] Unlike the other leading citizens, R.P. Jenkins does not appear to have made money through trade and business in the town.[74] It appears that Jenkins was a true "gentleman"[75] who easily assumed the role of honorary magistrate[76] and the chairmanship of the Committee to establish the new National School.[77] When Governor Fitzroy visited Gundagai on November 17, 1850, he naturally dined and stayed the night with Jenkins.[78] In his role as an honorary magistrate, Jenkins wrote several letters to the Colonial Secretary advising him on the siting of the new Court House, Police Office and the Lock-Up.[79]

In the case of the members of the elite of Gundagai, therefore, the three factors - money, education and previous British social standing - appear to have been important elements in attaining and assuming social position. These factors would have provided the self confidence necessary for leadership.

To what extent was the hierarchical order respected by those relegated to its lower ranks? Did the lower ranks always look up to and show respect to their 'betters'? John Doyle, a labourer, was brought before the Court, charged with having used bad language towards a licensed grazier, one of the squatter class, John Bray, on August 10, 1857. John Bray stated that:

> "Last Monday, the tenth day of August, instant, which I was on the Punt, this young man, defendant, came up and said, 'Why didn't you kick the buggers arse when you had him on this side' - he said this to his brother in my hearing. Defendant was on the bank of the river - that is a public place in this colony - he said further, 'Bray you damn scoundrel don't let me catch you this side of the river today'. He said a great deal more abusive language, but I cannot remember the words exactly - I remember perfectly well his calling me a 'bugger' just as I was going off the punt".[80]

John Doyle was found guilty and fined.

Another example expressing dislike of the social ranking can be seen from the conflict between a bullock-driver, Charles MacAlister and the prominent general storekeeper, Henry M. Turnbull. In 1849, both of them entered into an agreement in which MacAlister had to deliver some racing equipment from Sydney to Gundagai within 21 days. Due to the bad weather, MacAlister was consequently unable to arrive in Gundagai in time and Turnbull therefore refused to pay his wages. MacAlister wrote a poem which expressed his attitude,

But when I got to Gundagai, so far, and far away,
My Mr Henry Turnbull he just refused to pay -
He said: "I've missed the races here and all because of you,
I will not pay a half-penny, you're THREE DAYS OVER DUE"
WELL, THEN, MR TURNBULL, YOU'RE A POLTRY ROGUE," SAID I
As homeward bound I started from the town of Gundagai.[81]

(See the complete poem in Appendix 8.)

A report in The Goulburn Herald, November 24, 1849, also indicates that some people were not happy with the accepted social ranking.

> "Country Court of Petty Sessions, under the sway or dictatorship of one or two Magistrates, in, as you term them, the bye towns of the colony, appear to us to be unmixed evils, or, at the least, not worth the expense of their maintenance. It is a very common thing to hear pronounced at the Gundagai Bench - "Oh! Mr. __ has said so and so, and I believe it". Others are told in open Court, "you are only a publican", "you are only a poundkeeper", etc. As if their occupation precluded them from protection. Any mechanic who prides himself on a little knowledge of things, is generally insulted by being called a "lawyer", etc."

The magistrate under criticism here is probably R.P. Jenkins. The sentiments, however, display a more general attitude to authority and the fact that newspapers printed strong criticism of men in authority is itself an indication of a certain lack of reverence. The Sydney Morning Herald, also provides evidence of this. It was willing to allow criticism of a senior Government official such as Commissioner Bingham, who was one of the outsiders who most frequently and effectively influenced the administration and development of Gundagai. From an article of July 10, 1852, we learn that considerable assistance was given to Gundagai citizens during the flood by Bingham.[82] But on August 5, the Gundagai's correspondent wrote:

> "... he (H. Bingham) had commented so much on his own exertions and meritorious conduct, which we beg to state is rather exaggerated. Mr Bingham persuaded the blacks to cut two bark canoes, by which means several lives were

saved; but as to his endeavouring to prevent the plunder of property, it is altogether false, as there were several digging parties encamped near the town, who took everything of value that they could find, without any person even trying to prevent them. The survivors themselves were too much engaged endeavouring to find the bodies of their unfortunate friends to think about property."[83]

This attitude towards Land Commissioners is to be encountered in other areas of the colony. For instance, in a sarcastic poem, "Songs of the Squatters", another newspaper, The Atlas, 22 February 1845, expressed the attitude of squatters towards the Commissioner of Crown Lands. Some verses of Part 2 run:

The Commissioner bet me a pony - I won,
So he cut off exactly two thirds of my run,
For he said I was making a fortune too fast;
And profit gained slower, the longer would last.

The Commissioner pounded my cattle, because
They had mumbled the scrub with their famishing jaw
On the part of the run he had taken away,
And he sold them by auction the cost to defray.

The Commissioner's bosom with anger was filled
Against me, because my poor shepherd was killed;
So he straight took away the last third of my run,
And got it transferred to the name of his son.

(See the complete poem in Appendix 7.)

Such criticism did not stop at a Lands Commissioner. Governor Gipps, who held, of course, the highest position of the social hierarchy in the Colony, turned up in The Sydney Atlas, February 22, 1845, in a poem entitled "To the Men of Gundagai".[84] The author is identified as J.L.T. This poem expressed a deep feeling of disappointment towards the Governor's policy of refusing the proposed exchange of the flooded allotments for higher ground after the first great flood of 1844. Gipps considered that what a man bought, he bought for

better or worse.[85] Some parts of the poem read thus:

The watery town of Gundagai
No native fire shall burn
Till stout Sir Robert's ministry
Shall order Gipps' return;
Then perhaps the men of Gundagai
Upon dry land shall go,
Leave the bogs to the frogs
And the Settlements below.

Then Gundagai, then Gundagai
Be liberal with your purse;
Again your town allotments buy
"For better or for worse";
And if, as further still you wind,
To lands still worse you go,
Gipps will stand still your friend
In the Settlements below!

(See the complete poem in Appendix 3.)

The refusal of the Governor to exchange low lying land for higher, safer land, led to an article in the Atlas, of the same date, by a person identified as John Punch, who railed at the people of Gundagai for their passiveness and their submissiveness in accepting their fate after the flood of 1844:

"Are you senseless, mad, men of Gundagai;
Have the floods which roar above your hearthstones
left their stagnant waters on your brain,
... you have bought, and you have paid for -
you have bargained, and have been deceived -
you have possessed, and have been ruined! ...
up and be stirring, then, Men of Gundagai!
erect your brazen ensign! Think no more of
prayer and petition![86]

It is not surprising that both The Sydney Morning Herald and the Sydney Atlas allowed people to express their minds and attitudes attacking men of authority. J.N. Molony has noted that The Sydney Morning Herald, which was in its editorial policy, mainly influenced

by the former Methodist missionary Ralph Mansfield, 'remained conservative, Protestant and anti-Gipps'.[87] And the Atlas, which was under the dominant influence of Robert Lowe, was 'competent, hard-hitting and bitter' and also 'pro squatter'.[88]

In the Law Court also, the 'lower orders' displayed their willingness to combat those who claimed to be their superiors. The working people were not hesitant in bringing charges in Court against the employer class.[89] On September 14, 1861, the Police Office of Gundagai recorded the case of Matthew Callaghan who refused to pay wages of £1 to his labourer, William Parker.[90] Callaghan consequently had to pay both wages and costs.

Charles Tunks of Parramatta, contractor for the Electric Telegraph, appeared before the Court on August 3, 1858, to answer the charge of his hired servant, Morgan Hely, for refusing to pay him wages due. Before the Court, Morgan Hely stated:

> "I engaged for eight shillings a day to do particular work for Mr Tunks the defendant. I was hired at the gap the other side of Yass. He hired me for eight shillings a day to be paid every fortnight - When I demanded my wages due, he, Mr Tunks told me he wouldn't pay me - he gave me no reason - I have been idle in consequence, this is the tenth day - he didn't say when he would pay me - he didn't say any day at all - he owes me for seven days and a half."[91]

The Court, finally decided to give a verdict for Morgan Hely of £2.9s.8d., for the wages and rations.

The Court records above suggest that however rigid the social hierarchy was, the lower orders in mid-nineteenth century Gundagai

were both willing and able to challenge those placed above them. To what extent were the 'lower order' challenging the hierarchy itself? Or were they merely calling for just treatment within the system? There are plenty of indications that the rigidity of the social structure was mediated by the egalitarian tradition[92] and a tendency towards cutting down 'tall poppies'. Russel Ward says that according to legend the 'typical Australian' is "... a fiercely independent person who hates officiousness and authority, especially when these qualities are embodied in military officers and policemen".[93] In Gundagai, a hint of this attitude can be seen in the Court records, particularly in some obscene language cases. On October 29, 1858, John Smith, a mail driver, was on Sheridan Street, North Gundagai. When Constable Walter Bushman Young was passing near him, Smith said "Is that Young, he is a monkey faced bugger".[94] Smith was ordered to pay £5.2s.0. including costs, or 3 months in Goulburn gaol. Some of the other cases quoted above, especially that of the labourer abusing the licensed grazier, show a similar contempt for the hierarchy.

Mid-nineteenth century Gundagai, in addition, was also marked by personal rivalries amongst the elite which tended to level off distinction in rank. Robert Pitt Jenkins was described as "the only working magistrate we have; he is punctual in his attendance at the police office, and earnest in his duties".[95] Jenkins, appeared to be the most respectable citizen in the township and he was painfully aware of his rank. On November 24, 1849, The Goulburn Herald, for which John Spencer was the correspondent for Gundagai, accused Jenkins of pomposity, detailing the way he insisted that the Chief Constable say "your Worship" in the Court.[96]

Under the title "Magisterial Vindictiveness", Spencer attacked Jenkins in relation to refusing licence of the Family Hotel of which Spencer was the proprietor. (See the location of the hotel in Figure 8, Chapter II.)

> "It is one of our duties, although not amongst our most pleasant ones, to expose acts of tyranny and oppression that may come to our knowledge ... When Mr Spencer applied for his license there were only two magistrates on the Bench, one of whom was very willing to sign the certificate,[97] but the other peremptorily refused;[98] ... Six of the most respectable magistrates[99] of the neighbourhood have signed a letter strongly recommending Mr Spencer as a fit and proper person to hold a license ...; It is a scandal to a Bench that one Magistrate should have the power of "shewing his teeth" at an honest man ....; Mr Spencer has forwarded a statement of his case to the Colonial Secretary, ..."[100]

When Spencer asked the Bench the reason for the refusal, Jenkins replied "It was sufficient that the Bench did not consider Spencer to be a fit and proper person to hold a license".[101] To the Bench, Spencer then showed four certificates stating that he was "a person of high character and integrity, signed by members of the Tumut Bench".[102] Jenkins replied:

> "As the Tumut Magistrates think so highly of you, you had better go there and get your license; We shall not grant it you, you have tried all you know to get your license, and seven magistrates very improperly interfering with this Bench assisted you, you wrote to the Governor, and he could not assist you, and your certificates from the Tumut Bench will not assist you now; we will not grant it you".[103]

Just as the business of the day closed, John Neil Waugh, a surgeon, and an Honorary Magistrate as well, issued a warrant for the apprehension of Spencer, on the deposition of Jenkins, charging him with having used threatening language towards Jenkins. On his return

to the Court, Spencer then argued that the offensive words imputed to him were never uttered, and offered to produce four witnesses who had heard all that passed between himself and Jenkins: but the Court would not hear any witnesses. Jenkins had sworn to the truth of the deposition. After the Court business was completed it was reported that Spencer met Jenkins in the street and said:

> "When I made use of the assertion in the Council to-day that I had never committed any act unbecoming the character of a man or a gentleman, you laughed and sneered; now I beg to tell you that I have as great a claim to the appellation of 'gentleman ' as any one in the district, having descended from a family once distinguished by rank and wealth, and am the son of a Captain in the Royal Navy".[104]

Spencer then alluded to some family connections of the Jenkins's, drawing an unflattering parallel between the rank of their respective ancestors. Spencer was ultimately bound over to keep the peace, personally in £50 and two sureties in £25 each.[105] Several days later, Spencer received notice from the Clerk of the Bench, to attend an adjourned meeting of the Justices for granting Publicans' licences, and he finally won the case, with Jenkins J.P., merely observing that the Bench had, on reconsidering the matter, decided to grant his publican's licence.[106] There were no objections made against Spencer. The fine of £50 had been remitted on the recommendation of the Governor.

The legal clash between Jenkins and Spencer demonstrates how Jenkins, a "gentleman" and an honorary magistrate who arrogantly placed himself higher than others,[107] suffered a defeat at the hands of a publican, surgeon and puntkeeper. Spencer, on the other hand, was

himself proud to be the son of a Captain of the Royal Navy.[108]

What was the reason for this rivalry between Spencer and Jenkins? It would be helpful to have much more information on both of them, but even from the data we possess, it is possible to get a hint of the causes of tension. The use of the word 'gentleman' and the way Jenkins said "you are only a publican" and "you are only a poundkeeper",[109] indicate a certain social distinction between them based on their British background. It would be helpful to know more about Jenkins's view of the world, but it is likely he found Spencer's attitudes offensive. As a gentleman and member of the squatter class, he may have found Spencer's economic views threatening. Spencer declared on one occasion, in defence of the right of punt proprietors to obtain considerable economic benefit, that "If enterprising men have advanced into the remote interior and constructed punts much to the convenience of travellers, why should the Government want to have the benefit of their capital and industry?"[110] In religious matters too, Spencer possessed liberal opinions, which may have offended his rivals.[111]

Another dispute which revealed a division in Gundagai's elite concerned the site to be chosen for the Court House and the Lock-up. Jenkins was also at the heart of this dispute. Jenkins, who lived in South Gundagai, recommended that the Court House and the Lock-up be established there since the north side of the town was subject to inundation. In a letter to the colonial Secretary dated from Bangus, December 20, 1849, he said "... the ground on the north side being half year damp, and unhealthy in consequence of the floods, and its low situation, whilst on the south side sufficient quantity of ground

can be selected for a township in elevated, dry, and healthy situations."[112] Larmer, the Assistant Surveyor, on the other hand, stated that the Court House and the Lock-up should be established in North Gundagai since there had been substantial public buildings, such as stores, "butchers', bakers', blacksmiths', and carpenters' shops, beside private residences, and numerous houses occupied by labourers", whereas in South Gundagai, there were only "two public houses of poor accommodation, one small brewery and blacksmith shop".[113] One magistrate of Gundagai, W.K.Smith, supported Larmer's view in this matter because "...two hundred and eighty allotments had been purchased in North Gundagai, which has a population of upwards of two hundred and fifty persons, while South Gundagai has not more than twenty residents, who have bought about twenty-five allotments".[114] Both Larmer and Smith showed their suspicious attitudes towards Jenkins' motive in this matter by stating that Jenkins had in mind "his own private convenience".[115]

Being suspected of having in mind "his own private convenience", Jenkins wrote to the Colonial secretary that Smith's view in this matter "does not originate with himself, but with a man named Davison, a shopkeeper, who has allotments adjoining the site."[116] The Colonial Secretary, in his reply, refused the proposal of Jenkins.[117]

John Spencer also entered into this dispute. In the Goulburn Herald, January 27, 1849, he said;

> "Hon. R.P.Jenkins P.M. ... has recommended our new court house be built on piles in a swamp ... surely the

> Government has land on both sides of the river above high water mark and we would recommend the consideration of the south side of the river on the higher land that is already measured out..."

Despite his difficulties in the matter of getting the publican's licence, Spencer certainly supported the recommendation of Jenkins. He continued to warn of impending flood and advocated the transfer of the township to the south bank of the river on higher ground. On June 7, 1851, he regretted that:

> " On the 17th June the river Murrumbidge rose suddenly. On Monday it overflowed the bank and during a residence of nine years we never saw the river rise so rapidly so early in the autumn or to such a height; it was a first rate flood..."[118]

The disastrous flood of June 2, 1852, proved that both Jenkins and Spencer had long predicted this natural tragedy. The Court House was never built in South Gundagai. After the great flood, Jenkins wrote to the Colonial Secretary, dated from Darling Street, Sydney, July 7th, 1852, that;

> " the object, I would venture to remark, being a desire to prove to the satisfaction of His Excellency that the late disastrous flood confirms my representation that the site chosen was ineligible from the fact of its being subject to inundation."[119]

E.D.Thomson, the Colonial Secretary, then replied to Jenkins' letter: "... I am desired to inform you that His Excellency can only very deeply regret that the recent melancholy dispensation of Providence should have confirmed your opinion."[120]

The above dispute indicates that the refusal to establish the

Court House and Lock-up in South Gundagai might be attributed to economic reasons. As North Gundagai had developed much further than South Gundagai, money, therefore, could be made quickly. Smith, who was accused of having a close relationship with Davison, the store-keeper, who certainly had allotments in North Gundagai, opposed the proposal. It may also be significant, that Spencer who on this rare occasion supported Jenkins, himself had allotments in South Gundagai. Whatever Spencer's real motive may have been in this affair, we know from his statement on the right of punt owners that he believed the pursuit of money was a worthy cause. One account of the period remarks that "Even with an eye (sic.) open for profit, Dr John Spencer was not slow to decide that a punt was a money-spinner."[121]

In examining the feud between Spencer and Jenkins and the debate over the re-location of the Court House and Lock-up, we encounter a number of elements which promoted division within Gundagai's elite. It is not suprising to find in this frontier town that money was often a cause of dispute. But the discussion of 'gentleman' and the whole tension between Jenkins and Spencer suggest the importance of other factors also in social relationships. Jenkins, it would appear saw himself in the English tradition of rural gentry. He was certainly not alone in assuming, or hoping, that in Australia as in England the landed gentry would play a prominent role in rural society. Manning Clark and David Denholm have written of the significance of the gentry in the government of the colonial state, particularly in the magistracy.[122] We know something of their England-derived culture. But in Australia, and also in England, the gentry's claims were increasingly challenged: in this respect Spencer at least is a typical

figure. At the end of the nineteenth century, the novelist Rolf Boldrewood, continued to assert the importance of the gentleman[123] and to enunciate his values in terms which are likely to have pleased even Jenkins. But Boldrewood's views were not accepted by the majority.[124] The future lay with men like Spencer.

In this chapter we have examined leadership and the social hierarchy in Gundagai. The divisions within that society have been given particular emphasis. It is important, however, not to exaggerate those divisions. Especially from the point of view of other societies having a hierarchical structure, it is noticeable that in petitions, the different ranks were able to co-operate with one another toward a common goal. It is significant that when they were sent to the Government in Sydney, they were written for the benefit not merely of members of the elite, but also of the'lower orders'.

CHAPTER III NOTES

1. Letter from John Spencer, Surgeon and innkeeper, to the Colonial Secretary, respecting the laying out of the Township of Gundagai, as proposed by Mr. Bingham, VP-LC 1852, Vol.2, NSW Parl. Papers. p. 255.

2. The Goulburn Herald, 23 Nov. 1850.

3. Ibid., 11 September 1852.

4. Ibid.

5. Ibid.

6. Ibid.

7. Ibid.

8. VP-LC, Op. cit., p. 256

9. Ibid.

10. The Atlas, March 22, 1845; and R.T. Kennedy, "The Earliest Gundagai Medical Practitioners: Life and Times, R.A.H.S.J., Vol. XXXIII, 1947, Part III, p. 136.

11. VP-LC, 1852, correspondence relative to Gundagai allotments. p.259.

12. Ibid., Return of the several allotments of land situated in the township of Gundagai, pp. 275-8

13. Ibid.

14. R.T.Kennedy, Op. cit., p. 117.

15. Ibid., p. 121.

16. Ibid., Kennedy quoted from the MS - Surveyors' Reports; Mitchell Library, Sydney.

17. Ibid., p. 129.

18. Ibid., p. 130.

19. VP-LC, 1852, Papers relative to Gundagai, p. 247.

20. Charles MacAlister, Old Pioneering Days in the Sunny South, Goulburn, The Chas. MacAlister Book Publication Committee, 1907, pp. 139-40. See the complete poem in Appendix *g*.

21. The Goulburn Herald, September 11, 1852.

22. The Empire, July 17, 1852.

23. An inventory of landed property, and goods and chattels,

destroyed, damaged, or swept away, at Gundagai, by the flood of 25th. June, 1852, VP-LC, 1852, p. 246.

24. Letter Book of the Magistrates of Gundagai, 1852-1859, AO, Reel 2742, page 36.

25. VP-LC, 1852, Return to the Several Allotments... (Op Cit.)

26. VP-LC, 1852, Correspondence relative to Gundagai allotments, p. 259.

27. He was probably the Gundagai Correspondent for The Sydney Morning Herald, who identified himself as F.A.T.

28. The Sydney Morning Herald, 29 July 1844.

29. VP-LC, Return of the several allotments.

30. Spencer spent several years as a Chemist in Bristol, and studied with Dr. Henry Riley, M.D., an outstanding anatomist in England. He then received a written testimony as to his ability and proficiency which procured him the situation of surgeon in a first class ship to Australia. Additionally Spencer was also an assistant to two surgeons in London in a large practice and had the advantage while in Jamaica of seeing Hospital practice for one year.
(See The Goulburn Herald, August 1, 1857, and R.T.Kennedy, "The Remarkable 'Dr.' Spencer", The Medical Journal of Australia, Vol. 1, February 2, 1946, pp. 150-151.)

31. R.T. Kennedy, Ibid., p. 118.

32. The "person" was Stanley whom Captain Sturt had found holding the last settled place on the Murrumbidgee in 1829. John Spencer and Stuckey were to remain bitter enemies all their lives in Gundagai (Ibid.). This can be seen from Spencer's statement:
"At first I was permitted to remain undisturbed, but having 14 miles of Creek below me, I determined on investing the remainder of my Capital in a flock of ewes; when this became known my neighbour intimated to me he disliked sheep, and he should oppose me in renting the sections, and if I did have them, I should pay at least £30 each for them. I was not disposed to throw away my money in that way; I abandoned the place and many of my cattle and turned my attention to trade" ("Original Correspondence", The Sydney Morning Herald, September 14, 1844).

33. Ibid.

34. R.T. Kennedy, Op. cit.

35. Thomas Lindley was an innkeeper and had seven allotments of land in Gundagai township. The allotments and the inn were valued at £729. (Return of the several allotments etc. VP-LC, 1852 and

inventory of Landed Property ... etc, VP-LC, 1852). He was born in Sheffield Yorkshire, England in 1807. The family settled at Jackalass, South Gundagai and called their property "Rosevale". His wife Hannah and four children, Emma, George, Thomas and Anne were drowned in the great flood, whereas Lindley was in Yass on business on that day. (The Lindley Family Tree., MSS, at the hands of the descendants who live in Gundagai, collected in 1984.)

36. R.T.Kennedy, Op.Cit., p. 119.

37. VP-LC., 1852, Return to the several allotments ... etc.

38. Ibid., Correspondence relative to Gundagai allotments.

39. Letter from Matilda J Warren Jenkins to G.B.Nicholls, dated 10 September, 1917, MSS - M.L., Sydney.

40. Bingham did not appear to live in Gundagai. His Headquarters as the Commissioner of Crown Lands of the Murrumbidgee District was Tumut. (VP-LC., 1852, p. 253).

41. Colonial Secretary: Commissioner of Crown Land - Itineraries, A.O., Sydney. Original Location; X 812, Reel 2748.

42. Letter from Matilda J. Warren, Op. cit.

43. The Goulburn Herald, October 14, 1848.

44. On 26 October 1859, Jenkins drowned at Sea. C.N.Connolly, Biographical Register of the New South Wales Parliament 1856 - 1901.

45. VP-LC, 1852, An inventory of landed property, and goods and chattels, destroyed by the 1852 flood, p. 246.

46. R.T.Kennedy, Op. cit., p. 130.

47. The Sydney Morning Herald, August 20, 1844.

48. VP-LC, 1852. Return of the Several Allotments etc ... and the Inventory of Landed Property etc...

49. R.T.Kennedy, Op. cit., p. 117.

50. VP-LC, Op. cit.

51. The Sydney Morning Herald, July 29, 1844.

52. VP-LC, Op. cit.,

53. The Atlas, March 22, 1845.

54. VP-LC, Correspondence etc. ....

55. Ibid., Return to the Several Allotments ... etc., and An Inventory of Landed Property ... etc.

56. Letter from the Commissioner of Crown Lands of the Lachlan District, to the Colonial Secretary, dated from North Gundagai, 16 July, 1852, Ibid., p. 245.

57. Ibid., Return to the several Allotments ... etc., and An Inventory of Landed Property ... etc.

58. R.T. Kennedy, "The Remarkable 'Dr' Spencer", Op. cit.,

59. According to the recollection of David Reid, there were many rumours after the 1852 flood regarding Spencer since he seemed to have a charmed life. Reid said that "many said that he had been helped by the Prince of Darkness, for he escaped from the flood with his cash-box in his hand, and it appeared to many almost impossible that a man could escape from that flood and carry a heavy cash-box in his hand without some supernatural aid". Many stories therefore turned up against him ("Recollections of David Reid", MSS, Under Hume Papers' Collection, M.L., Sydney.)

60. R.T. Kennedy, Op. cit., pp. 119-20.

61. R.T. Kennedy, "The Remarkable 'Dr' Spencer", The Medical Journal of Australia, Op. cit.

62. Ibid., see also his cheerful advertisement in The Goulburn Herald, March 25, 1854. See the complete advertisement in Appendix 6.

63. Ibid.

64. The Goulburn Herald, August 1, 1857.

65. Ibid.

66. Ibid., April 26, 1851; and The Sydney Morning Herald, August 22, 1844.

67. The Goulburn Herald, August 1, 1857.

68. Ibid., May 28, 1853.

69. VP-LC, 1852, Correspondence relative to Gundagai Allotments, p. 255.

70. R.T. Kennedy, "A Peep into the Past", ML-MSG. Newspaper cutting, M.L., Sydney, p. 12.

71. Ibid., p. 11.

72. Letters from Matilda & Warren Jenkins ... etc., Op. cit., dated 10 and 11 September, 1917, MSS, M.L., Sydney.

73. Ibid., dated 10 August.

74. VP-LC, 1852, An Inventory of Landed property ... etc., p. 246.

75. As happened in England, the composition of the English County

magistracy before the mid-nineteenth century, included landed gentlemen. "Landed gentlemen", men of landed property, ruled the countryside. (Lorraine Barlow, "A Strictly Temporary Office: N.S.W. Police Magistrate, 1830-1860, Law in History Conference, La Trobe University, May 17-19, 1985, pp. 3-4).

76. The Sydney Morning Herald, February 28, 1849.

77. Ibid.

78. R.T. Kennedy, "A Peep into the Past", see note 70, p. 9.

79. VP-LC, 1852, Correspondence Relative to Gundagai Allotments, pp. 266-73.

80. The Bench Book of Magistrates of Gundagai, 1856-1858, A.O., Reel 2741, p. 186.

81. C. MacAlister, Op. cit., pp. 139-40. See the complete poem in Appendix 8.

82. The Sydney Morning Herald, July 10, 1852.

83. Ibid., August 5, 1852.

84. See the complete poem in Appendix 3.

85. VP-LC, 1852, Correspondence Relative to Gundagai Allotments, (op. cit.)

86. The Atlas, February 22, 1845, p. 150.

87. John N. Molony, An Architect of Freedom, John Hubert Plunkett in New South Wales, 1832-1869, Australian National University Press, Canberra, 1973, p. 281.

88. Ibid., p. 282.

89 See further discussion in 'Agreement' Chapter IV.

90. The Bench Book of Magistrates of Gundagai, 1856-1858, A.O., Reel 2742, p. 447.

91. Ibid., A.O., Reel 2741, p. 350.

92. Russel Ward, The Australian Legend, Oxford University Press, London, 1958, pp. 83-4.

93. Ibid., pp. 1-2.

94. The Bench Book of Magistrates of Gundagai, 1856-1858, AO, Reel 2742, pp. 132-4.

95. The Sydney Morning Herald, December 16, 1846.

96. The Goulburn Herald, November 24, 1849,

97. W.K. Smith, J.P.

98. R.P. Jenkins, J.P.

99. W.K. Smith, J.P.; J. Viner, J.P.; Watson, J.P.; G. Shelley, J.P.; John Whitby, J.P.; and J.A. Broughton, J.P.; (The Goulburn Herald)., August 3, 1850

100. The Goulburn Herald, August 3, 1850.

101. Ibid.

102. Ibid., The Commissioner of Crown Lands of the Murrumbidge District, Henry Bingham, George Shelly, J.P.; J.W. Vyner, J.P.; and W.H. Broughton.

103. Ibid.

104. The Goulburn Herald, April 26, 1851.

105. Ibid., May 10, 1851.

106. Ibid.

107. Ibid., November 24, 1849

108. Ibid., April 26, 1851

109. Ibid., November 24, 1849

110. Ibid., October 27, 1849

111. See further discussion about this in chapter eight "Attitudes to Religion".

112. VP-LC, 1852, Correspondence ... etc, pp.266-7

113. Ibid, pp.267-8

114. Ibid., p. 268.

115. Ibid., pp. 267-8.

116. Ibid., p. 272.

117. Ibid.

118. The Goulburn Herald, June 7, 1851.

119. VP-LC, 1852, Correspondence ... etc, p. 273.

120. Ibid.

121. R.T. Kennedy, "The Earliest ... etc., Op. cit., p.128. Kennedy quoted from the MSS, Colonial Secretary Correspondence, Mitchell Library, Sydney, Op. cit., p. 123.

122. C.M.H. Clark, A History of Australia: The Beginning of An Australian Civilization, 1824-1851, Vol. III, Melbourne

University Press, 1980, p. 251. (First published in 1973); and David Denholm, The Colonial Australians, Melbourne, Penguin Books, 1979, Chapter 9.

123. R. Boldrewood, Robbery Under Arms, Melbourne, MacMillan of Australia, 1967, pp. 62-3. First published in 1889.

124. Russel Braddock Ward, The Australian Legend, London, Oxford University Press, 1983, pp. 266-7. (First published in 1958.)

IV.

AGREEMENT

A theme which quickly becomes apparent to the historian reading the evidence for mid-nineteenth century Gundagai is the importance of agreements in relationships between the citizens. The term "agreement" was commonly used by the Bench Book and Letter Book of Magistrates of Gundagai particularly in recording cases of breaking agreements between masters and servants. These agreements were characterised by the imposition of binding obligations between the two parties. On the one side servants were bound to provide services decided by the agreements they had made. On the other side masters were required to pay wages for services provided by servants based on the agreements. The records show that both masters and servants occasionally broke the agreements they had made and disputes arose between the two groups. Such breakdowns often resulted in court cases: that is "agreements" were not only socially institutionalised but there was a system to regulate breakdowns which was genuinely available to both parties.

The following cases involve a refusal to pay wages. They reveal disputes over the interpretation of agreements. It is important to relate these cases in considerable detail. Only by presenting the court evidence in as complete a manner as possible, even though that evidence sometimes includes repetitive, long-winded, dialogue - can the role of the concept of agreement be appreciated.

On 18 May 1857, William Groves appeared on a summons charged with refusing to pay wages due to his hired servant, William Jackson.[1]

Before the Court, William Jackson provided the following statement:

> "... there is a written agreement - I signed that agreement - the defendant told me to take the left hand road - I took it and went wrong. He told me to take my things off the dray. I took them off. I considered I was discharged. I asked for my wages and all the reply I got was I had before (sic.). I worked there three weeks - the wages was two pounds per week - I asked for my money - and was told I was ... lucky to get off as I did" .[2]

Groves on the other hand, stated that he discharged Jackson because he: "cooked the victuals very badly - which caused discontent among the men".[3] The magistrate supported Jackson in his understanding of the agreement. As Jackson had already received £1.14s.0d for his wages, Groves was ordered to pay the rest of Jackson's wages £1.6s.0d.

On 1 June 1857, the Police Office of Gundagai recorded a case between Patrick Howard and John Allison Turner, which demanded that agreements were to be honoured even if they were verbal rather than written.[4] Before the Court, Patrick Howard, a labourer, stated:

> "I served John Allison Turner seven weeks I ploughed seven or eight days - I worked in a garden and did other work - I did not all the ploughing at one time - I did it at different times - I was not ploughing when I left him - it was on that account I left - I hired as ploughman only - when I asked for my wages, defendant said, he would not pay if I didn't thresh wheat - at another time he said he would pay us all as soon as Mr Osborn would come up - my agreement was not in writing - No one was present when we agreed - I signed no paper - My agreement was for a pound a week wages and rations - I could not plough because defendant had no plough part of the time and at other times he ploughed himself and would not let me plough. At the commencement I offered to thresh wheat for defendant at ten pence per bushell but he did not take my offer - he said, he would keep me the plough. Defendant did not object to my ploughing when I asked him how he liked my ploughing - he said very well."[5]

John Allison Turner did not make his appearance in court. Based on the statement of Constable William Hodge he was then ordered to pay £7 to Patrick Howard as wages.

Robert Riley, a master on 26 June 1860, came before the Court charged with refusing to pay wages to his cook, Edward Hollis. Hollis gave the following statement:

> "On Friday morning last Mrs Riley came into the kitchen, and said to me 'I've got another man ... who will engage if you like' - I said 'Do in the name of God' - I acknowledge that the defendant has a set off against me from £2.5.0. to £2.10.0 - ... I claim the balance."[6]

Johannah Riley, wife of Robert Riley, a witness, on the other hand, stated:

> "I have not discharged the complainant from my service - I did not give him notice to leave - he said, he would not do any more work for me."

To Hollis, she furthermore said:

> "I do not remember saying to you on Friday last 'Cook do you want to leave' - I remember bringing a man into the kitchen for something to eat - you told me to engage that man. I did not ask the man who was in the kitchen to engage for three months - I did not return any man from Saturday night to yesterday morning. Mr Riley offered to settle with you yesterday morning but you would not give up your agreement, saying, that you had burnt it. Mr Riley told you to give up your agreement and he would settle with you."[7]

Robert Riley added to his wife's statement that he had given Hollis £2.17s.6d for his wages. Hollis finally won the case and received the rest of his wages, 2s.6p.

The cases demonstrate a number of things. It is clear that not only the employer class but also employees even though of lower social status, had recourse to the law and did not hesitate to use it. What is important for the present purpose, however, is that the concept of agreement was significant and potent at every level of society. Agreements were expected to be honoured even if they were made between persons of radically different status.

In 1860, Walter O. Windeyer, was recorded as a master who was involved in 10 cases of refusing to pay wages to[8] his labourers.[9] One of his labourers, John Nicholson, gave his statement before the Court on 19 October 1860 as follows:

> "I entered into Mr Wyndeyer's employment on the twentieth of September last - for wages one pound per week and the usual rations - I was engaged by the week - I served him three weeks and one day - I received the regular rations the first two weeks - the third week I got eight pounds of flour and was told that if I wanted more I would have to pay for it - I said I wouldn't pay for rations out of a pound a week - I went up afterwards and saw Mr Windeyer come out and said he would have nothing to do with us whatever to go and redress - The usual rations of flour is ten pounds - This occurred last Friday - In consequence of what Mr Windeyer told me I came into Gundagai and had been out of employment since then - I was not certain of employment last - I should have looked out for it - it is now eight days - I had no written agreement - I signed by the week - there was no limited time agreed upon - I was engaged on the twentieth of September - I have my rations on the following Saturday night - ten rations of flour were issued that night all together - I cannot say how much flour was allowed then I was not there."[10]

William Hodge, a constable, as well as the witness of this case, stated that Mary Ann Phillips told him that John Nicholson was the cook of Windeyer. Another witness, Donald McDonald, one of Windeyer's labourers, who also brought the same case on another occasion, provided the

following statements to Joseph Ryall, the Attorney for the defendant

> "Last year I was sheep washing at Dowe's on the Murrumbidgee below Wagga Wagga - I received twenty five shillings per week with rations - two pounds of flour and there was no doubt of anything else - I would be entitled and would charge two pounds per week if I did the same work without rations - I know the complainant has been without employment for the last eight days - that is since the day Mr Windeyer refused to employ him."[11]

Walter O. Windeyer consequently was ordered to pay £3.3.4 for wages and £2.10.0 for trying to refuse the wages. In addition, he had to pay 3 shillings and 6 pence costs. The sum of money had to be paid, or in default of 14 days to be imprisoned in the Watch House of Gundagai.[12] Of 10 cases of refusing to pay wages, 3 cases brought Windeyer punishment, 1 case was dismissed, and 6 cases were withdrawn and settled out of Court.

In the following year, a case between John Clifton and Charles Hardy, a builder, took place. On 14 September 1861, John Clifton provided the following statement.

> "I know Mr. Hardy - I took a contract from him - I know the agreement produced - I went to work the same day I took the agreement - I undertook to put up the lock - up ground fence at eight shillings per rod - I had nothing to do with splitting but only to put up the fence - the first two loads of ... nails - I told Mr. Hardy were not good - he said they were not good but to go on with them - when I used up all the stuff on the ground I had to wait a long time for another supply - I complained of this ... - He told me to dig the holes - I did it - Mr. Hardy came on the ground several times and saw my work - but found no fault with any of it. About a month ago he paid me the lot of two pounds - last Saturday he found fault for the first time - he said, he would have to pull it all down - it was not put up straight and was very badly put up. I was very nearly finished when he took the work out of my hands."[13]

To Hardy, furthermore, Clifton said:

> "I agreed with you to put up the fence - I put it up in the best manner I could - I did my best. I have done the work according to my agreement. I cut the palings according to the mould you gave me".[14]

To the Court, he emphasized that:

> "Mr. Hardy said there should be no delay in detaining the split stuff - In wet weather I could not expect the delivery - but in fair weather I saw there were several delays by which I lost a great deal of time."[15]

Hardy, on the other hand, stated that.

> "The complainant is a contractor, not a hired servant - that it was specially agreed upon that complainant should make good his time at the Gold Field or otherwise, when ever any delay should take place in the delivery of the stuff - and that the work is not done according to contract or in a workmanlike manner - the posts are not rammed - the ... are not fitted into the posts as they ought to have been - and the palings are not in line at the top - there are some up and some down,"[16]

Hardy failed to defend himself and he was ordered to pay £10 including costs in default of payment to be imprisoned for 14 days.

In 1849 as has been mentioned in the previous chapter, Charles MacAlister, a bullock driver and Henry Turnbull, one of the Chief storekeepers in Gundagai entered into a agreement according to which MacAlister had to deliver saddles, bridles and other material required for the Gundagai races within 21 days from Sydney to Gundagai. Because of the heavy weather he was not able to reach the town in time. He reached Gundagai only after 24 days and Turnbull consequently refused to pay the wages for the carriage from Sydney. Turnbull said that the delay had lost him fully £50, and the racing equipment would be left on

his hands for a long time. Turnbull, furthermore, said that "as we were four days behind time, he had no liability in the matter.[17] There was evidently debate regarding the meaning and implication of this agreement and MacAlister therefore brought his case to a lawyer, Charles Hamilton Walsh. MacAlister later remembered that Walsh simply said "Well Charlie, before fourteen days go by he'll be glad to pay you every penny and find my cost, too." MacAlister's interpretation of the agreement apppeared to have triumphed as he finally got the wages. From this incident, he later composed a poem entitled "The way to Gundagai". In the poem he wrote that he "signed to get to Gundagai in three weeks to a day; but keep to that agreement it was in vain to try, when in the rains of '49 I left for Gundagai".[18] (See appendix 8.)

Besides cases of refusing to pay wages there were cases of servants or labourers being absent from work. In these cases it was the master who took his servant to Court. The Bench Book of Magistrates of Wagga Wagga, on 17 April 1849, recorded that Ming, a Chinese labourer, was charged with absenting himself from hired service. Ming worked for Leopold Fane de Salis of Darballara, Gundagai. Based on the statement given by Thomas Lawson, Superintendent to L. De Salis, Ming was finally sentenced to 7 days in the lock-up of Wagga Wagga, and he afterwards had to return to service under De Salis.[19]

Another labourer, Edward Gregory, a sawyer of Gundagai, was charged by William Browne, a storekeeper of Wagga Wagga, with refusing to enter upon his hired service in 1849. Edward Gregory then begged to be allowed to withdraw if he consented to perform his contract. Gregory succeeded in making a compromise and paid for the Court costs.[20]

Li Sing, a Chinese labourer, had a different reason for absenting himself from hired service. The Goulburn Herald, 1 January 1853, reported that Li Sing who worked on a station belonging to Sir Charles Nicholson, was brought before the Court charged with absenting himself from hired service. On examination, it was found that Li Sing had been subjected to beating and that he therefore would not return to work. Without hearing any evidence, Li Sing. was then sent to gaol for 2 months and he afterwards had to return to work.[21]

Another Chinese, Ting Sim, who was known as John, was brought before the Court in a similar case. In 1856, Robert Riley, Ting Sim's master, gave a statement as follows:

> "I call John 'the Chinaman' and I hired him as cook and waiter, for three months to commence from the 30th last month - the term of agreement is not expired. He was to be paid one pound per week if he requested it - his work terminated last night - I did not pay him - there was fourteen shillings due - he demanded payment - he walked down to the kitchen and packed up his bundle and went away - I took out a warrant for him - I did not pay him because I did not consider that he had finished his work - I heard the mistress tell him to take away the tea things - I heard him say he would not until he was paid - I generally paid him between 8 and 9 o'clock after he had washed up the supper things".[22]

Ting Sim was then discharged and had to return to his service. Robert Riley promised to pay his wages weekly.

The same master, Robert Riley, was involved in another case; this time concerning Peter Hamilton, his hired servant. On 23 November 1857, he provided the following statement:

> "The defendant is my hired servant - he hired for three months ... from the 15th November, instant - The agreement produced is the one under which he agreed to

enter my service - The defendant was absent all last night from my premises - This morning he had his bundle tied up - I said Peter are you going - he said 'yes I am' - I said, between me I'll stop you - he said 'you can just do as you like' - he left the premises after this conversation took place - the time for which he is hired is not yet expired".[23]

The Court then decided to order Peter Hamilton to pay £5 or in default 14 days in the Watch House.

The cases above, indicate that 'agreement' was seen to be binding both on masters and their servants: as a concept 'agreement' was institutionalized in Gundagai and presumably throughout the Colony. It is interesting to examine the number of both masters and servants involved in agreement cases.

TABLE 6 : NUMBER OF CASES OF REFUSING TO PAY WAGES AND ABSENTING FROM HIRED SERVICES IN GUNDAGAI BETWEEN 1849 - 1861

Year	Refusing to pay wages	Absenting from hired services	Total
1849	-	1	1
1850	-	-	-
1851	-	-	-
1852	-	-	-
1853	-	1	1
1854	-	4	4
1855	-	4	4
1856	-	3	3
1857	2	1	3
1858	3	1	4
1859	-	-	-
1860	21	1	22
1861	12	3	15
Total	38	19	57

Sources: The Bench Book of Magistrates of Wagga Wagga (A.O., reel 584); The Bench Books of Magistrates of Gundagai, 1856 - 1858 (A.O., 2741) and 1859 - 1860 (A.O., Reel 2742); The Letter Book of Magistrates of Gundagai, 1852-1871 (A.O., Reel 2742).

As can be seen from Table 6, in 1849, the Bench Book recorded only one case of absenting from hired service in Gundagai and for the next three years there were no similar cases recorded by that Bench despite the gold rushes. The number of cases of absenting from hired services then fluctuated from nil to four between 1853-1861. On the other hand, the earliest two cases of refusing to pay wages occurred in 1857. Then a slight increase of similar cases occurred in another year, and the figures dropped down to nil in 1859. A peak point of 21 cases in 1860 and 12 cases in the following year were recorded. There were a total of 57 agreements' cases amongst the Gundagai's citizens between 1849-1861, according to the records. Table 6 indicates that in the earlier years (1849-1856) servants or labourers tended to be the breakers of agreements. Compared with the number of cases of absenting from hired services, the number of cases of refusing to pay wages was higher between 1857-1861. It can be therefore inferred that more masters than servants tended to break agreements and that servants increasingly exercised a power of bringing their grievances to court.

It is also significant to examine the results of trials from agreements' cases to see whether one class had a more powerful influence than the other in the mid-nineteenth century court proceedings.

TABLE 7: RESULT OF TRIALS ON THE CASES OF REFUSING TO PAY WAGES BETWEEN 1857 - 1861

Masters were ordered to pay money	The parties did not appear	Withdrawn and settled out of court	No information or needed further investigation
24	3	7	4

TABLE 8: RESULT OF TRIALS ON THE ABSENTING FROM HIRED SERVICES IN GUNDAGAI BETWEEN 1849-1861

Labourers were sentenced and returned to their services	Labourers were sentenced	Detention	Labourers were discharged
3	7	8	1

10.

Sources of Table 6: The Bench Book of Magistrates of Gundagai, 1856-1860 (A.O., Reels 2741 and 2742) and The Letter Book of Magistrates of Gundagai, 1852-1871 (A.O., Reel 2742).

Sources of Table 7: Ibid., and The Bench Book of Magistrates of Wagga Wagga (A.O., Reel 594).

From Table 7, it is seen that of 38 cases of refusing to pay wages brought before the Court within a period of four years (1857-1861), 24 masters were consequently ordered to pay wages to their servants and seven cases were withdrawn and settled out of Court. The withdrawal of those seven cases probably resulted in payments to servants as masters would not have settled the cases out of Court had they been able to avoid paying through the Court process. On the other hand, of 19 cases of absenting from hired services (as can be seen from Table 8), within a period of twelve years (1849 - 1861) three servants were sentenced and returned to their hired services, seven servants were merely sentenced and eight servants were placed on detention. This fragmentary evidence from one country town does not suggest that masters had an obvious advantage over their servants in court disputes. Such a conclusion might well have encouraged servants to take their employers to court when disagreement arose. These cases certainly illustrate the ability of employees as well as employers to obtain some form of democratic justice through the Courts. The point

to emphasize here is that these cases do not merely inform us about the social and legal conditions of the time. They also provide the historian with valuable information regarding the cultural norms of mid-nineteenth century Gundagai. In the detailed accounts of Court cases one finds revealed a concept of "agreement" which underpinned much social and commercial behavior. Did the economic circumstances of that period encourage a respect for "agreement" in commercial relationships? The fact that masters were determined to see that agreements were kept and that servants frequently walked off the job certainly suggests the mobility of labour and the difficulty employers found in getting servants to stay at work. The Australian bush was a place to which many free immigrants in the mid-nineteenth century were reluctant to go,preferring to remain in the city. Employers were always on the look-out for labour and if a worker was in any way useful the employer was reluctant to lose his or her services. By the late 1850's it is possible that, with the main gold rushes over, there was more labour available which may account for the greater tendency in 1860 and 1861 to refuse to pay wages.

In all of these cases, the complainants were appealing to establish legislation in affirming their rights. The 'Masters and Servants Acts', which regulated "contracts of employment by summary actions for breach",[24] was particularly important in this regard. The evidence presented above, however, suggests that 'agreement' was a concept of more than legal significance. The keeping of agreements was seen as a fundamental value in the society of the time. What concerns the researcher here is not primarily the content and scope of the legislation which operated in nineteenth century Australia, but rather the values which underpinned social action in one rural community.

CHAPTER IV NOTES

1. The Bench Book of Magistrates of Gundagai, 1856-1858, A.O., Reel 2741, pp. 143-44.

2. Ibid.

3. Ibid.

4. Ibid., pp. 152-155.

5. Ibid.

6. Ibid.

7. Ibid.

8. The Bench Book of Magistrates of Gundagai, 1859-1860, A.O., Reel 2742, pp. 319-320; 334-341.

9. His labourers: Martin Ryan, John Nicholson, Thomas Wilson, Francis Flynn, William Lord, John Humphries, John Morris, Francisco Meg, Donald McDonald Henry Shepstone (Ibid.).

10 Ibid., p. 335

11. Ibid., pp. 334-335.

12. Ibid., p. 336.

13. Ibid., pp. 447-448.

14. Ibid.

15. Ibid.

16. Ibid.

17. Charles MacAlister, Old Pioneering Days in the Sunny South, Goulburn, MacAlister Book Publication Committee, 1907, pp. 137-9.

18. Ibid. pp. 139-40. See the complete poem in Appendix

19. The Bench Book of Magistrates of Wagga Wagga, A.O., Reel 594.

20. Ibid.

21. The Goulburn Herald, 1 January, 1853. Dr. Sir Charles Nicholson was at the time the Speaker of the Legislative Council and lived in Sydney.

22. The Bench Book of Magistrates of Gundagai, 1855-5860, A.O., Reel 2741, p. 13.

23. Ibid.

24. Adrian S. Merritt, 'The Development and Application of Masters and Servants Legislation in N.S.W. 1845 to 1930.' PhD Thesis, A.N.U., 1981.

V.

DRINK AND LANGUAGE

The reader of the Gundagai evidence is immediately struck by the prevalence of alcohol consumption and bad language in that society. Many of the anecdotes and descriptions give vivid support to the picture of Gundagai as a turbulent frontier town. There can be no doubt that the citizens of Gundagai often drank heavily and swore obscenely. In these matters, Gundagai people had much in common with people of the colony generally.[1] But the Gundagai evidence does not merely confirm the presence of high alcohol consumption. It also helps us to discern the attitudes towards alcohol and language which existed in that society. They are attitudes which, in important respects, differ from those expressed in late twentieth century Australia.

Drunkenness was "the order of the day" in Gundagai, so said The Sydney Morning Herald, 16 December 1848. Time and again in newspapers and Court records, we find evidence of the prevalence of drunkenness. The Bench Book of Magistrates of Gundagai shows that 132 cases of drunkenness appeared before the Court between 1856-1861.

On 30 October 1860, Henry Ball, was charged with having been drunk and disorderly in North Gundagai.[2] Constable Thomas William Harvey stated that he was summoned by a Mr Norton: "I went into his yard which is a public place and there saw the prisoner - his face covered with blood - he was drunk and very uproarious - he stood in a fighting attitude when I went to apprehend him". Michael Norton, an innkeeper stated: "yesterday evening the prisoner who is my servant was beating another man in my kitchen. I put him into my yard - he

then made use of the words "Bloody day', 'bloody wretch', 'bugger' and other such words in a very loud voice".[3] Henry Ball was consequently fined 40s. or imprisoned in the Watch House of Gundagai.

On 20 September 1860, between 1 or 2 p.m., a labourer, Patrick Kitrick was drunk and came into the portico of the Court House carrying liquor and with his shirt hanging outside his trousers. Constable James St Clair then asked him to go away, but he would not go.[4] Patrick Kitrick was fined.

On 7 January 1857, Frederick Johnson was drunk in Sheridan Street, North Gundagai. Constable Christopher Walsh then arrested him; "... his conduct was very violent while in the lock-up". He made use of the words 'bloody wretch' - 'bloody bugger'.[5] Johnson was fined for having been drunk and using obscene language.

Drunkenness was not just confined to men. Several cases of drunkenness involved women. The magistrates' Bench Book of Gundagai recorded that Mary Ann Smith, Catherine Cummings, Clara Boon, Margaret (an Aborigine), Mary Holloway, Honorah McGee, Eliza Wilkinson, Mary Nightingale and Catherine Worthy were charged with having been drunk in public streets.

Occasionally, drunkenness involved husband and wife as can be seen from the case of James and Honorah McGee. On 31 March 1857 John Green advised James and Honorah to leave Mrs Gasse's public house as they were very drunk. James then replied "I will go home when I like". Honorah said "you be buggered". About 11 o'clock the same night,

James was found lying drunk in Ferry street. John Green told James that information would be filed against him to which James replied "you can please yourself".[6] Neither James nor Honorah McGee appeared in Court.

It appears from the Bench Book and the Police Charge Book that most culprits brought before the Court for drunkenness were of the working class, such as labourers, gardeners, mailmen, carpenters, cooks, and blacksmiths.[7] In one case, a pauper, John Allston, was brought before the Court on February 14, 1857, charged with having been found drunk in Byron Street and having no visible means of support.[8] He had been found lying drunk at the back of Riley's public house and used obscene language. Two days later, the same man was again charged with having no visible means of support. Chief Constable James St Clair stated:

> "I know the prisoner for better than (sic.) three months - I have known him to be going about from one public house to another - I know he has no fixed place of residence or any visible means of support - I have seen in two (sic.) different occasions lying out in the open air against a log on the flat on questioning him in each occasion - he informed me that he was going to the other side river -on Friday night last about eleven o'clock - Mr Jones, publican, called on me and told that he found the prisoner lying on his hand and face at the back of his house apparently watching it."[9]

Another witness, Constable Christopher Walsh said: "I have never seen him at any work and I know that he was in the lock-up before for stealing blankets".[10]

The involvement of Aborigines in drunkenness was evident. In 1860, Jimmy and Margaret, were charged with having been found drunk

and disorderly in Sheridan Street. They were apprehended by Constable William Cullen and sentenced to 48 hours each in separate cells.[11]

The association of drunkenness with the lower group of society - the working class and the paupers - is underlined by a report in The Sydney Morning Herald, 21 February 1848, which stated that in the Lower Murrumbidgee, there was "a prevailing tendency to drunkenness amongst the lower orders". There are, in the court records no names from higher social or professional groups involved in drunkenness charges. It may be significant, however, that all cases of drunkenness occurred in public places, such as streets and public houses. It is possible that the higher order were drinking at their homes and if they got drunk they were considered "simply vicious" to use an expression contained in The Illustrated Sydney News, 25 February 1854:

> "If a man gets drunk quietly in his own home, he is simply vicious, if he appears drunk in the public street he is criminal too."

What is certain, however, is that some leading citizens of Gundagai, profited by the sale of the 'demon drink'. For example, the puntkeepers Michael Doyle and Frederick Gasse, were both spirit merchants as was the surgeon John Spencer[12] and the former policeman, Michael Norton.[13]

In many cases the consumption of alcohol was one aspect of a general turbulence. Gundagai participates in the Australian myth as a place where men "gamble heavily and often drink deeply on

occasion".[14] Whether or not drunkenness was the actual cause of Gundagai's turbulence is difficult to determine. Today the historian would be inclined to examine a variety of social, economic and psychological factors which might promote disruption of social behaviour. What immediately strikes the researcher in the records of Gundagai's history, however, is the extent to which people of the town were content to perceive alcohol as the sole cause of aberrant social behaviour. Preoccupation with alcohol, whether or not it was in fact a dominant feature of social life in Gundagai, was certainly a principle theme in the social attitudes of that time.

A case from August 1861, provides an illustration of the role attributed to alcohol. On 13th of that month, Catherine Cummings informed the Court by letter that her husband was an habitual drunkard and asked for an order prohibiting the sale of liquor to him. She wrote,

> "... my husband William Cummings was habitually drunk by his excessive drinking of spirituous liquor he so misspends, wastes and lessens to his estate as thereby exposing himself to indecent circumstances and greatly injured his health. I pray that an order may be made prohibiting the sale of fermented and spirituous liquors to my husband by all licensed publicans and others.[15]

This letter was signed with her mark. A prohibition order was then issued. It is obvious that Catherine Cummings attributed her husband's moral decline entirely to the demon drink.

In a similar case, it is interesting to notice that the correspondent of The Sydney Morning Herald, 26 October 1848 hoped that

the establishment of a brewery introducing its own cheap, light and good ale would materially lessen the consumption of ardent spirits and therefore its concomitant evils. The introduction of such ale, it was hoped, would materially lessen the brutalizing vice of drunkenness.

The attitude of constables towards drink is seen from their involvement in most of the drunkenness charges, particularly as complainants and witnesses. Constables Quinn and Walsh, for instance, on 19 June 1857, judged a particular woman to be "stupified with drink". They said she "could give no account of herself" and that "she had no control over herself".[16]

Magistrates were known to take strong action with respect to alcohol offences and they often punished those who dared to sell alcohol illegally. The case of Joshua Morley is a good illustration in point. Morley was charged with having sold illicitly two glasses of spirituous liquor at a place known as Hurley's station without holding any license for such sale.[17] As a consequence, he was given the heavy fine of £30 indicating that the illicit sale of liquor was considered to be very serious. Perhaps the law was harsh [AS THE SALE OF ILLICIT LIQUOR DEPRIVED THE GOVERNMENT OF REVENUE AND ALSO] because licensed premises would suffer a loss through this kind of illegal activity.

The war against alcohol was not merely fought in the Courts. Although there is no evidence indicating that Gundagai had a temperance society, we know that the Gundagai Benevolent Society set up in Gundagai in 1849, used the fines from drunkenness cases for charitable causes[18]. Also, in Gundagai, as in many other parts of the colony, social functions were held with the aim of avoiding joy with

alcohol.[19] In South Gundagai, in 1860, for instance, a 'tea-meeting' was held:

> "On Thursday, 5th instant, a tea meeting was held in the School-house here, when there were about one hundred persons present all of whom seemed greatly to enjoy themselves. The object of the meeting was to obtain funds toward paying off a debt of £100 on the building, which had been advanced by Diocesan Society. Several ladies provided tea, coffee, cakes, etc., and presided at the tables, which were loaded with refreshments".[20]

Such functions as these, like the cases quoted above are significant, because they reveal a particular attitude towards drunkenness. It was an attitude expressed at the highest level of society by Governor Gipps, who found "Drunkenness, the fruitful parent, of every species of crime ... still the prevailing vice in the Colony".[21] As far away as Belfast (Port Fairy), the same sentiments were expressed. In 1837, James Bonwick declared that "the moral condition of Belfast is not rated very high, because of the all-prevalent habit of intemperance".[22]

In 1854 the problem of alcohol seemed to be so serious that a Select Committee was appointed by the Legislative Council of New South Wales to examine the alarming growth of intemperance in the colony and to suggest ways of combating it.[23] One modern historian has criticised the failure of this Select Committee to accept the products of drunkenness as "real people". He observes that the Committee "forgot individuality".[24] This judgement is probably correct, but it is necessary to examine the work of an inquiry such as this in the context of the social attitudes of the time.

In Gundagai, it is significant that in all Court cases of

drunkenness, magistrates always found the culprits guilty and displayed no interest in ascertaining the presence of extenuating circumstances. What the Gundagai evidence suggests is that problems of alcohol were never understood in terms of a broader personal/psychological analysis of intoxicated persons. The influence of alcohol tended to be perceived in very different terms than it is today. To a large extent we are inclined to see drunkenness as a symptom of some deeper problem rather than a cause of social ills. We look for what we consider to be deeper causes of disruption in a society - causes sometimes of a social, sometimes of an economic or sometimes of a psychological character. In mid-nineteenth century Gundagai, alcohol was itself seen as the catalyst of misconduct. Religion also played a larger role in the interpretation of mid-nineteenth century attitudes. Its prohibition of drunkennes may well have encouraged many to attribute all social ills to drink.[25] It may be the case that 100 years ago people saw the 'demon drink' almost like a devil which independently entered men's lives to undermine the social order.

Language was another area in which mid-nineteenth century thinking appears to have differed from modern perceptions. The records of the period suggest that people were stirred not merely by the enunciation of ideas and values. They also seem to have been acutely sensitive to the manner of communication.

A sensitivity to language can be seen most clearly in the reports of Court cases. It seems significant that a considerable number of cases were concerned not with theft or violence or other offences but with the use of 'bad' language. The Bench Book of Magistrates of

Gundagai, 1856-1860, contains many cases of the use of 'bad' or profane language.

On 15 May 1858, constable John Green heard Thomas Kanshawe say "by my God" in Mount Street of South Gundagai.[26] Ten days later, Kanshawe was brought before the Court charged with having used profane language. He was found guilty and fined twenty shillings including the costs, in default of payment to be imprisoned in Gundagai lock-up for 14 days. It is clear that to utter the words "By my God" in public places was regarded as a serious offence.

On 7 October 1856, Richard Gorman, a drover, expressed his anger at George Stucky by saying "damn blackguard" outside the Rose Inn in South Gundagai. Gorman was found guilty and sentenced to a fine of two pounds and ten shillings including costs, or three months imprisonment.[27]

Abusive and obscene language connected with certain parts of the body was also unacceptable. William Hodge, after being found drunk, was confined in the Watch House, where in answer to a prisoner's questioning he replied "ask my arse". On 5 October 1858 he was awarded a fine of 20 shillings or imprisonment for 24 hours. [28]

Several months earlier, on 8 January 1857, after being found drunk, Frederick Johnson was brought to the lock-up by Constable Christopher Walsh. Johnson's conduct was very violent and he made use of the words "bloody bugger" loudly on a public street. He consequently received a fine of £2, or imprisonment for 48 hours for drunkenness. In

addition, for using obscene language, he was ordered to pay £3, or received 6 months in Goulburn gaol.[29] It is clear that in this case bad language was treated as a far more serious offence than drunkenness.

It appears, however, that exposure of one's person sometimes went in conjunction with 'bad' language. This is suggested by the case of William Smith, a labourer, who was charged with exposing his person as well as having used insulting words in June 1858. In Court, Constable John Green stated:

> "Last night about six o'clock I was on duty in south Gundagai in the street known as Mount Street - hearing a disturbance went to know the cause - a man named Gun came towards me and told me there was a man exposing his person at his door - I saw the man going away and followed him - he went into Mrs Lindley's sitting room - Gun gave him in charge for the offence and I confined him in the Lock-Up - I told him the charge, he laughed but said nothing."[30]

The complainant, William Gun, said:

> "Last night about six o'clock this man (the prisoner) came to my house and made water on my thighs at my door - I saw his person exposed inside my house - he was at my door - I pushed him, he said 'if you pushed me again I'll punch your white head' - I took up a stick - he then went away and threw two stones at me - I assisted in bringing him to the lock-up - he was very troublesome but did not strike me - he called me many very bad names and threatened what he would do to me some other time. He called me "bloody wretch" and "you old bugger you'll be up at the diggings sometime or other and I'll see you there."[31]

Smith was found guilty of having exposed his person and having used insulting language. He received a fine of £5, or 3 months imprisonment in Goulburn gaol.

Bad language often involved likening a person to an animal. For calling a constable a "monkey faced bugger", John Smith, a mail driver, was ordered to pay £5 and 5s. costs, or serve imprisonment for 3 months in Goulburn gaol.[32] In 1848, The Goulburn Herald, recorded that the use of the word "dog" with reference to another person had resulted in serious problems in Gundagai. William Pearce was a boot and shoemaker. When he was passing the Chief Constable, he said that his dog had a better countenance than him (the Chief Constable).[33] This was considered to be an indictable offence and Pearce was then confined for 7 days in Goulburn gaol. Both of the cases of John Smith and William Pearce, of course, indicate the feelings of dislike towards the police. Edmund Seppings considered that the punishment given to William Pearce was an unduly severe punishment since Pearce had to travel a distance of 125 miles from Gundagai to Goulburn, and leave his wife and young family unprotected. Pearce would probably have lost his job as a consequence of his absence.[34]

A number of cases also occurred in which sexual language was used, sometimes in conjunction with racially abusive language. On 22 February 1857, a woman, Eliza Wilkinson, got drunk and used 'bad' language. In Court, the following day, Constable John Green gave the following statement:

> "yesterday about six o'clock in the evening I was sent for by Mrs Gasse. I went down to Mrs Gasse's public house when she gave the prisoner (sic.) before the Court in charge for using obscene language. ... She said to Mrs Gasse 'This is all your doings you bloody Irish whore'. These words were made in front of Mrs Gasse's public house and were in hearing of persons passing in Ferry street, in South Gundagai."[35]

Eliza Wilkinson was ordered to pay £2.10.10 and 2s for costs, or serve

imprisonment in Goulburn gaol for six weeks. For having been drunk in a public place she was sentenced to a fine of 10s or imprisonment in a cell for 24 hours. Here again bad language was considered the more serious crime.

Another woman, Catherine Worthey, was brought to the lock-up on 1 June 1858 for using obscene language. On the way to the lock-up she said "you bloody fucking bugger kiss my arse".[36] Three years later on 7 February 1861, Emma Morley made a complaint against Catherine Cummings for having been insulted by her words "you bloody wretch, you said you rode that woman behind the counter".[37] The case of Emma Morley and Catherine Cummings may have referred to an act of lesbianism, but it is probable that it was more of an insult than a reference to an actual event.

On 10 July 1861, the same woman, Catherine Cummings was drunk and was confined in the lock-up. To Emma Morley, she said "Oh you are a bloody whore, you was covered by all nations and covered by the Blacks".[38] These words were uttered in front of Frederick Ban. The first woman, Catherine Worthy, finally received a fine of £5 including costs, or 3 months imprisonment in Goulburn gaol. In the second case, neither Emma Morley as the complainant nor Catherine Cummings appeared in the Court and the case was therefore dismissed. The further case of Catherine Cummings resulted in her having to pay £3, or serve imprisonment for 14 days.

A man, Beeston Cooper, appeared on summons on 4 June 1850, charged with having used obscene language. Five persons, John McKenzie, Peter

Reardon, Hyam Jones Phillips, Robert Giddins and John Gay turned up before the Court as witnesses. From the record, it appeared that the complainant, Joseph Dilton Morley, and the witnesses were the neighbours of Beeston Cooper. Peter Reardon, one of the witnesses gave his statement as follows:

> "I was down at Mrs Morley's place about nine o'clock of Thursday night - I heard someone talk very loud - ... The words I heard were 'I would sooner be fucked by a soldier than allow my wife to be fucked by any bloody man' ... I can not swear it was said by Cooper but to the best of my opinion it was Cooper'.[39]

Another witness, John Gay, then said:

> "I was in defendant's house on Thursday night last at nine o'clock - and ten o'clock - I heard no bad language that night - all Mr Cooper said to me was 'make out Morley's and Mr Hayes' Bills and deliver these tomorrow morning'- they were talking loud but no bad language".[40]

On the basis of John Gay's statement the case was dismissed.

Apart from what these cases tell us about attitudes to the police, the Irish, the Blacks, sex and soldiers, they yet again show the sensitivity to language prevalent in Gundagai in the mid-nineteenth century.

Bad language was also used to threaten people. On 26 July 1861, James Henry Ansell, cursed, swore and called a man out to fight in a public place. Having seen this, Constable Manasses McElwain, who was on duty at the time, asked Ansell to keep quiet. But Ansell replied with the following words, "you bugger of an Irish Policeman if you

come here I'll make your grave'.[41] James Henry Ansell was given a fine of 5 pounds or one month in the Gundagai gaol.

On 3 June 1861, Kelly, an Aborigine, was charged with having used bad language in Tumut street, South Gundagai. There was no detailed information about the type of words spoken by Kelly. The complainant, Daby, supported by the evidence of Isabella Daby, his wife, and William Harvey, reported that Kelly had used obscene language. Daby won the case and Kelly was ordered to pay £5, and in default 3 months in Goulburn gaol.[42] The case of Kelly provides an indication of the way the British Colonial government controlled the Blacks and supervised them within the Whites' social system.

All these examples are varieties of bad language. The sensitivity to language is not restricted to what may seem old fashioned prudishness. The researcher on this period of Gundagai history becomes aware that the people of the town responded not only to the interests, motives and authority which lie behind words but to the words themselves.

It was not only obscene or blasphemous language people were sensitive to but also to merely sarcastic and derogatory words. As we have seen in Chapter III, The Goulburn Herald, of 24 November 1849, reported that it was "very common" to be told dismissively in open Court by magistrates "you are only a publican" or "you are only a poundkeeper". One particular magistrate also arrogantly insisted that he be called "your worship at every word" in Court.[43]

From the cases discussed above it can be seen that there were eight types of words which were considered as bad or offensive language, namely:

1. Profane words: "By my God".

2. Abusive words: "damned blackguard"; "bloody bugger".

3. Threatening words: "you bugger of an Irish Policeman if you come here I'll make your grave".

4. Words related to a part of the human body: "ask my arse".

5. Words related to animals: "Monkey faced bugger"; the defendant's "dog had a better countenance than him" (the Chief Constable).

6. Racial words: "This is all your doings you bloody Irish whore"; "Oh you are a bloody whore, you was covered by all nations and covered by the Blacks".

7. Words related to sexual connotations: "you bloody fucking bugger kiss my arse"; "you bloody wretch, you said you rode that woman behind the counter"; "Oh you are a bloody whore, you was covered by all nations and covered by the Blacks".

8. Language which is neither obscene nor blasphemous but merely insulting: "you are only a publican"; "you are only a poundkeeper".

It is also clear that in any one language case, several categories of bad or offensive words were frequently used. In most cases, legal proceedings followed very quickly after a complaint had been lodged. The complainant would directly report the case to the police, and the Court Session was then held on the following day. A considerable range of punishment might result from the same type of offence. This is illustrated by the cases of Catherine Worthy and Catherine Cummings who were both charged with having used obscene language referring to sexual connotations. Both women were ordered to pay £5, but Worthy in default was to be imprisoned for 3 months in the Goulburn gaol, whereas Cummings in default was to be imprisoned for 14 days in the Gundagai gaol. It is clear that different judges provided different punishments resulting for the same offence. Charles Thomas Weaver, J.P. & P.M. attended the trial of Catherine Worthy and Alfred C.S. Rose Esquire P.M. attended the trial of Catherine Cummings.[44] It is also interesting to note how frequently the offence of 'bad language' was more heavily punished than that of drunkenness - showing again how seriously regarded bad language was as a crime.

Bad language was often associated with drinking of alcohol and, in most cases, the defendants were already drunk when they started using obscene language. It appears that only a few cases of using bad or offensive language involved rural people from outside the Gundagai township. All of the language offences brought to Court occurred amongst the townships's inhabitants. Does this mean that people of the rural district of Gundagai were more respectable than the townspeople? There is no other evidence to answer this. It is possible that in a small place like the township of Gundagai, where a large number of

people lived, conflicts might occur more frequently than in the rural district of Gundagai with its scattered habitations. The more concentrated presence of the police is surely a factor.

Between 1856-1861 there were 47 charges of using unacceptable language brought before the Court.[45] Of these cases, only nine women appeared on summons.[46] The low proportion of female offenders does not mean that women always behaved in a more respectable manner than men. From the records it seems that both men and women used unacceptable language in expressing themselves. The higher number of men charged might merely reflect the social situation in which more men than women appeared in public places.

Similarly, what can be concluded from the fact that most of the cases involved people from the lower rank of society? The occupations of offenders tended to be described as "drovers, labourers, shoemakers, blacksmiths, tailors, gardeners and mail drivers".[47] It is true the magistrate caused offence by his language, but he used derogatory but not obscene or blasphemous words. Was bad language more common among the lower orders or did members of the upper rank of society merely escape prosecution? And to what extent can it be said that those from higher levels of society merely used bad language at home while restraining themselves from its use in public places? These are important questions, but I have no further evidence with which to pursue them. According to one report, at least, the situation in Sydney about that time encourages the view that "horrid oaths and obscene language" were particularly common among the "lower orders".[48]

Another observation which may be made on the basis of these language cases concerns the role played by the police in enforcing social values. When people began to use bad language, constables or neighbours would subsequently appear before the Court as complainants and witnesses. This indicates also that contradictory attitudes towards the police were widely spread amongst the people. On the one hand, people went to the police to report cases of bad language. On the other hand, the dislike of the police occasionally aroused reactions amongst the people as can be seen from the cases of John Smith and William Pearce who publicly compared constables with animals.

Finally, and this is perhaps the most important point to make, the cases and incidents discussed in this chapter tell us something about the attitude to language itself and to its misuse, in mid-nineteenth century Gundagai. From the modern perspective, language, appears to have possessed a surprising potency in that period. Gundagai is unlikely to have been an exception, and it may be fruitful to examine on a far larger scale the way language was perceived in nineteenth century Australia. The changing significance of language from the eighteenth century to modern times is a field which has received scholarly attention in the last decade.[49]

CHAPTER V NOTES

1. Russel Ward, The Australian Legend, Oxford University Press, 1983, p. 2. First published in 1958.

2. The Bench Book of Magistrates of Gundagai, 1859-1861, AO Reel 2742, p. 343.

3. Ibid., p. 344.

4. Ibid., p. 317.

5. The Bench Book of Magistrates of Gundagai, 1856-1858, AO Reel 2741, p. 70.

6. Ibid., pp. 168-9.

7. Ibid., pp. 120-1.

8. The Bench Book of Magistrates of Gundagai, 1856-1858, AO Reel 2741 and 2742; and the Police Charge Book of Gundagai, AO Reel 2911.

9. The Bench Book of Magistrates of Gundagai, 1856-1858, AO Reel 2741, pp. 81-2.

10. Ibid., p. 82.

11. The Bench Book of Magistrates of Gundagai, 1856-1858, AO Reel 2742, p. 283.

12 The Letter Book of Magistrates of Gundagai, 1852-1859, AO Reel 2741, p. 157.

13. Ibid., 1859-1871, Reel 274, p. 96.

14. A.E. Dingle, 'The Truly Magnificent Thirst': An Historical Survey of Australian Drinking Habits, H.S., Vol. 19, 1980-81, Melbourne University Press, p. 227.

    Dingle quoted it from R. Ward, The Australian Legend, Melbourne, 1966, pp. 1-2.

15. The Bench Book, AO Reel 2742, pp. 437-438.

16. Ibid., A.O., Reel 2741, pp. 167-9.

17. Ibid., A.O. Reel 2742, pp. 416-7.

18. The Letter Book of Magistrates of Gundagai, A.O. Reel 2743, p. 102.

19. Michael Roe, Quest for Australia in Eastern Australia, 1835-1851, Melbourne University Press, 1965, p. 172.

20. Adelong Mining Journal and Tumut Advertiser, January 13, p. 4. This meeting was attended by an Anglican Clergyman, Rev. Samuel Fox and a Presbyterian Clergyman, Rev. P. Fitzgerald.

21. A.W. Martin, "Drink and Deviance in Sydney: Investigating Intemperance, 1854-1855", H.S., Vol. 17, April 1976 - October 1977, p. 342.

22. J.W. Powling, Port Fairy: The First Fifty Years, 1837-1887, A Social History, William Heinemann, Melbourne, 1980, p. 127.

23. A.W. Martin, Op. cit.

24. Ibid., p. 357.

25. The attitudes of different churches toward 'drink' can be further seen in Quentin Beresford, "Drinkers and the Anti-Drink Movement in Sydney, 1870-1930", A.N.U. PhD. Thesis, July 1984.

26. The Bench Book, AO Reel 2741, pp. 329-30.

27. Ibid., pp. 21-3.

28. Ibid., p. 379.

29. Ibid., p. 70.

30. The Bench Book, AO Reel 2741, pp. 340-1.

31. Ibid., pp. 341-2.

32. Ibid., pp. 132-4.

33. The Goulburn Herald, August 12, 1848.

34. Ibid.

34. This derived from the fact that virtually all of the white women who came in the first two decades of colonization were transported convicts. As a result, it was continuously strengthened by the social structure of the penal colony and even though they were female convicts who had served their sentences, they had little possibility to redefine their status and this stereotype was then applied to many other free females in the colony. (Anne Summers, Damned Whores and God's Police, The Colonization of Women in Australia, Penguin Books Ltd., 1975, p. 267) and The Bench Book, AO Reel 2741, pp. 94-5.

36. The Bench Book, Ibid., p. 307.

37. Ibid., pp. 132-4.

38. Ibid., pp. 422-6.

39. Ibid., pp. 268-70.

40. Ibid., p. 271.

41. Ibid., pp. 431-3.

42. Ibid., p. 412.

43. The Goulburn Herald, 24 November 1849.

44. The Bench Book, 1856-1858, AO Reel 2741, p. 307 and 1859-1860, AO Reel 2742, pp. 422-26.

45. Ibid., AO Reels 2741 and 2742.

46. Ibid.

47. Ibid.

48. Michael Sturma, Vice in a Vicious Society, Crime and Convicts in Mid-Nineteenth Century, University of Queensland Press, 1983, p. 129.

49. Richard Sennett, The Fall of Public Man, London, Cambridge University Press, 1976, pp. 73-88. First published in 1974.

VI

RELATION BETWEEN SEXES

We know little of the attitudes of women themselves in mid-nineteenth Century Gundagai. The source materials are all written by men. Nevertheless it is possible to glean some information regarding the position of women, and some indication exists of the way men perceived the opposite sex at that time.

As might be expected, the majority of adult women were married. The marriage registers indicate that the lowest age of marriage for women was sixteen.[1] The 1856 New South Wales census shows that in the Gundagai township, there were 140 females. Of the 140 females, eighty-one were unmarried and fifty-nine married. Of the eighty-one unmarried females, sixty were under fourteen years of age. In the Police district, furthermore, there were 138 married and 216 unmarried females. Of the 216 unmarried females, 164 were children under fourteen years old. It therefore can be concluded that the vast majority of adult females were married.

Domestic duties of marriage life were not the only occupation followed by women in Gundagai. The 1851 New South Wales census shows that of 396 females of all ages in the Police District of Gundagai, thirty-four were engaged in domestic service jobs,[2] while in the township, of 163 females, fourteen were engaged in domestic service.[3] The 1856 census, shows that of 354 females in the Police District of Gundagai,[4] one woman only was involved in trade and commerce, eighteen women in domestic service jobs and eight women in miscellaneous occupations, while in the township, of 140 females,[5]

one woman was involved in trade and commerce, eleven women in domestic service and five women in miscellaneous occupations. The Roman Catholic Marriages' Register also provides useful data. It shows that of 129 women who got married, one woman was a farmer, one a dressmaker, twenty-nine were servants, eight were housekeepers, and ninety women had no information about occupation.[6] This evidence suggests that more women were involved in domestic service jobs than other jobs and it is supported by regular advertisements in a local newspaper, The Goulburn Herald, which sought women for employment. The following is an example;

Registry Office
For Masters and Servant
William Jones - Printer, Herald Office, Goulburn

Beg to announce that by the advice of his friends and repeated solicitations of parties concerned, he intends to establish a Registry office, where Master and Servant can be accommodated, at a trifling remuneration.

Persons in want of servants of any description are requested to register their names at the office, with the description of servants they require; and servants in like manner must also register themselves stating their qualifications and other particulars.

A list of description of servants required and also of those wanting places will be advertised in this paper Saturday.

1st. July, 1848

Goulburn Registry Office

Goulburn Street

Wanted - Cooks
- Shepherds
- Stock - keepers
- Housemaids
- Man and his wife
- Laundress
- Errand Boys.

Want places - Man and his wife
- Cooks
- General servants

- Bar man
- Labourers
- Hut Keepers

Apply at the "Goulburn Herald" Office.[7]

In an article in The Sydney Morning Herald, 17 December 1844, under the title 'Gundagai', a grazier, F.A. Thompson,[8] argued strongly for the desirability of having married couples working on sheep stations. He based his opinion partly on his appreciation of the requirements of shepherding.

> "... On every station let one married couple be employed: let the husband shepherd and the woman sweep the yards daily, which she could do without labour: for this she might be paid some £5, without rations, and she would be well satisfied; ... I am, from ex-service, well aware of the strong objections that exist to the employment of married men on sheep stations, where the wife is bound to do the duty of a watcher; but I am also aware that "shifting the hurdles" originates the objection. A woman could sweep a yard (being a sort of legitimate employment for her), when she could not move two folds of hurdles properly. There is also a powerful moral argument in favour of my suggestion, and the introduction of decent married couples amongst the present semi-barbarous labouring population of the borders, which needs not my feeble rhetoric to portray".

In the same year, another article in The Sydney Morning Herald, announced that in Gundagai:

> "... A few decent married couples as domestic servants would meet with ready employment here at good wages".[9]

The demand for women in the labor force especially in a time of full employment even though only in domestic jobs, must have given women an actual or at least a potential power vis-a-vis men. We will return to this point, but first it is necessary to understand

something of the inferior position in which women in general were held in society.

In nineteenth century Australia it has been argued that generally women were considered subordinate to men. The historians, Miriam Dixon[10] and Anne Summers,[11] for instance, portray how women had a much lower social standing than men and how women were badly treated by men. In 1811, the Sydney Gazette gave an instance of men treating women as property:

> "A person (for A MAN I cannot call him) of the name of RALPH MALKIM, led his lawful wife into our streets on the 28th. nothing, with a rope round her neck, and publicly exposed her for sale, and shameful to be told, another fellow, equally contemptible, called, THOMAS QUIRE, actually purchased and paid for her on the spot, sixteen pounds in money, and some yards of cloth. I am sorry to add that the woman herself was so devoid of feelings which are so justly deemed the most valuable in her sex, agreed to the base traffic, and went off with her purchaser ..."[12]

In A Lady's visit to the Gold Diggings in 1852 - 1853, Mrs Charles Clacy, an eye witness, illustrated how women were treated as property:

> "But night on the diggings is the characteristic time; ... Here is one man grumbling because he has brought his wife with him, another ditto because he has left his behind or sold her for an ounce of gold or a bottle of rum".[13]

Russel Ward notes that in 1811, T.W. Plummer wrote that officers, private soldiers, settlers and other free inhabitants all chose female assignees "not only as servants but as avowed objects of intercourse, which is without even the plea of the slightest previous attachment as an excuse, rendering the whole colony little less than an extensive

brothel."[14] It cannot be denied that mid-nineteenth century Gundagai was also characterized by the maltreatment of women by men. Women, here too were sometimes considered almost as mere sexual objects. This is seen in the case of Mary Ann Diggins who complained against the attitude of Patrick Ryan. Before the Court, on 15 December 1856 she provided the following statement:

> "He (Patrick Ryan) asked me whether I got the bloody old lag of a husband ... in yet - I told him if he did not go away I would tell the magistrate of it - he said 'damn you and the magistrate - I have plenty of money to spend if you do' - this happened in South Gundagai - it is a public place in this Colony - he said "shall I take my trousers down and show my arse to you" - I shut my door - he continued to call me "Old whore - bloody old whore". There were some persons present but they walked away - this was said loud enough to within hearing of other persons ..."[15]

Patrick Ryan was found guilty and sentenced to pay £5 or to serve a prison term of three months in Goulburn gaol.

Violent sexual assaults also occurred sometimes. In 1849, The Sydney Morning Herald reported:

> "... a monster of human shape, named John Swift, was committed to take his trial at the next Goulburn Circuit Court, for violating the person of a female child aged six years and six months, the daughter of a respectable man residing near the village of Gundagai".[16]

There is no further detailed information since the case was "too revolting for publication and for the distressed parents of the unfortunate victim of lawless and brutal lust".[17]

In Gundagai, the inferior and subservient position of women to

men was clearly apparent. This inferior position can be seen again if we trace their education and their participation in public affairs. The 1856 census shows that slightly more women than men were illiterate in Gundagai (Police District and Township). Of 497 adult males (of age 14 upwards), 108(22%) of them were illiterate, whereas of 270 adult females (of age 14 upwards), 67(25%) were illiterate. Furthermore, the Roman Catholic Marriages' Register between 1850-1859, recorded that of 36 husbands in Gundagai, 19 of them were illiterate, and of 36 wives, 21 of them were illiterate.[18]

In official positions there was an absence of female participation in Gundagai. No women were involved in the Magistracy Office and the Police Office, or became members of the Committee of the establishment of the New National School.[19] None of Gundagai's women volunteered to sit as members of a Committee to secure the election of Dr. Owen as a Representative for the Murrumbidgee District.[20] All those on this Committee, consisting of 90 persons, were men. All of the SIGNATORIES TO the petitions relating to Gundagai allotments[21] and the great flood[22] were men. Gundagai women were, it seems, required for less prestigious jobs, i.e. in domestic services.

The subordination of the female sex, however, must not be exaggerated, even though Gundagai's women appear to have been inferior to men, in that they lacked education and official or prestigious jobs and were sometimes badly treated by men, we must not overestimate the degree of their inferiority. Two vivid episodes, both to be found in the Court records, illustrate the danger of portraying these colonial women as passive and submissive. Sometimes they themselves were involved in

violent and disruptive behaviour. Mary Carrol, an illiterate woman, on 29 November 1858 brought her husband, Charles Carroll, a wheelwright, before the Court for threatening to kill her and ordering her to leave home. (See the official Police record in Appendix 9.) In the witness box she stated:

> "Charles Carroll, now before the Court is my husband - I am still afraid of my life - he will do me an injury I believe - he said, he wishes to get divorced from me - I do not make this complaint from any hatred, malice or ill-will."[23]

However, Charles Carroll, the husband, in defence, stated:

> "Mary Carroll now before the Court is my wife - she is continually abusing me - she tells my child that he is not my child - but a bastard - she drinks very much - she is very violent and threatening - I fear she will do me some grievous bodily injury unless she is bound to keep the peace. I do not make this charge against Mary Carroll from any malice, hatred - or ill-will - my object in making this complaint is to get protection and for the preservation of my life from injury."[24]

Both parties were required to pay £25 each and enter into a good behaviour bond for 6 months which if broken, would result in imprisonment in Goulburn gaol.

Another case illustrating the way women could be disruptive is that of Mary Ann Smith and William Cook, who on 30 Jannuary 1857 were brought before the Court, charged for indecently exposing their persons in Byron Street, Gundagai. Constable Bernard Quinn stated that:

> "I apprehended the prisoner (William Cook) for exposing his person in Byron Street, a public place in North Gundagai, in this colony - The prisoner had down his fall (the front of his trousers) (sic.) and I saw his person - he seemed to be ill - urging a woman (Mary Ann Smith) who was with him - I took them both into custody..."[25]

Bernard Quinn then added:

> "About ten o'clock last night the prisoner (Mary Ann Smith) was lying on the broad of her back exposing her person in Byron street, ... - the last prisoner (William Cook), was with her and I took them both into custody. This prisoner was stupified with drink and could give no answer."[26]

Another Constable, Christopher Walsh, supported the statement of Bernard Quinn. Both William Cook and Mary Ann Smith were found guilty. Cook was sentenced to a fine of 50s, or 6 weeks imprisonment in Goulburn gaol. Whereas Smith received 20s fine, or 24 hours in the cells.

These two episodes probably do not represent the behaviour of the majority of women. Nevertheless, there is other evidence to suggest that the historian must be wary of overemphasizing the subordinate position of women. A reason for this is that the Court records suggest women were willing and able to defend their rights in Court. On 26 August 1856, for instance, Ann Doyle, an illiterate woman, was able to bring her husband, John Doyle, before the Court, on the charge that he unlawfuly deserted her and left her without adequate support. Ann stated that she was the lawfully married wife of John Doyle. She had been married by licence in the Albury Presbyterian Church on 5 August 1856 and there had, of course, been two witnesses. Furthermore, she stated:

> "... John Doyle has given me no money or provided me with any means of support - I have been at Gasse's since Friday night - my husband promised to come there but did not come - he put his hand to his nose and told me to go and do my best - I have no means of my own of supporting myself - my husband turned me away on thursday morning last and said I should not be with him - since friday night last he has not allowed me go with him."[27]

To her husband, Ann said:

> "... you were perfectly sober when you were married - not drunk".[28]

George Howard, the witness said:

> "The marriage took place in the evening. I won't swear to the day - you had one glass of drink. You were perfectly sober".[29]

Another witness, Helen Howard, stated:

> "I was present when John Doyle married Ann, the party now in Court - I signed the marriage lines by putting my mark to it - Mr. Ballantyne signed my name - he was the clergyman - this took place at Albury ... you were perfectly sober Johnny when the marriage took place - you only drank one glass."[30]

John Doyle then tried to defend himself by stating:

> "I cannot tell whether that is my mark or not on the paper produced."[31]

John Doyle said that he would not support Ann as he did not consider her to be his wife. From the marriage certificate it was clear that neither of the parties could write: other persons wrote their names and they put only their marks on the certificate. Ann Doyle finally won the case and her husband was sentenced to pay ten shillings per week through the Chief Constable to her for one year commencing from 26 August 1856.[32] (See the Order of Payment in Appendix 10.)

Similar to the case of Ann Doyle, on 5 June 1857, Mary Wilson, an illiterate woman, also brought to Court her husband, John Wilson, for deserting her. Mary wilson gave the following statement:

> "The prisoner is my husband - we were married on the 11th of February last at Wagga Wagga by the Reverend W. Maher - I have only one child - It will be three weeks tomorrow night since he left me - I didn't see him until I saw him in Court - he left me nothing toward my support nor did he tell me where he was going - he told me he was going as far as Barton's the butcher - my husband is labouring at Mr. Gasse's - he told me he was making ten shillings per day - He has deserted me twice

before - he was only once before the Bench for it - I cannot support myself - I expect shortly to be confined."[33]

Mary also won the case, and her husband, John Wilson was consequently ordered to pay the sum of fifteen shillings per week to her for 6 months commencing from 8 June 1857.[34] (See the Order of Payment in Appendix 11.)

The above cases certainly indicate something of the value attached to marriage by the community in Gundagai. Once an individual had decided to marry, he/she had accepted certain rights and obligations. In particular, husbands were required to provide support for their wives.

At that time, also working women, had the confidence to bring their masters before the Court. On 10 September 1861, Ellen Murphy, a labourer, brought before the Court her master Joseph Ryall, for having refused to pay her wages.[35] Again, a woman won the case. Joseph Ryall was consequently ordered to pay £3-6-0 balance of wages according to Ellen's claim and he had also to pay 3s-6d for costs. The Court records of Gundagai, indeed, provide evidence that women did have the means to obtain their rights. This may not mean adequate legal protection of the female was provided but it was still an effective protection by the standards of some other societies in the world at the time.

Laws and social mores also existed to guide and compel men to treat women with a certain respect. Women too, were regulated by these

laws and customs, but it is clear that the main effect of these was to control male behaviour. A number of Court cases show the way society prevented men from behaving indecently, for instance, in sexual matters. Edmund Walker, for instance, was apprehended by the Chief Constable of Gundagai for wilfully and obscenely exposing his person at the Murrumbidgee River at the public ferry. In his defence he said "he was sorry for what he had done but did not know he was doing wrong - if it was wrong notices ought to be up to warn people of it."[36] However he was found guilty and imprisoned for 3 days in Gundagai Lock-up.

In cases of indecent exposure, just as in the cases involving bad language which we discussed in the previous chapter, we see the way in which society protected both women and men. Society, particularly through its laws, mediated the power which men might otherwise have excercised over women. As wives, as employees, and simply as participants in the social life of the town, women received, and expected to receive, protection and support from the law. The fact that women made an independent contribution to the labour resources of Gundagai must also have enhanced their status and power.

Miriam Dixon tends to suggest that in a "Frontier Land", democracy offered little to women: she quotes the dictum "All right for men and dogs, but it's hell on women and horses" (Anon.).[37] It cannot be denied that the social standing of women in nineteenth century Australia was relatively low and that they were frequently badly treated by men. But is is also important to examine the situation in a wider perspective. It is clear that "democracy" was not merely for men. Women certainly had opportunities to defend themselves and obtain their rights through

the institution of law. In international terms, a mid-nineteenth century Gundagai woman can certainly not be described as powerless. In another part of the nineteenth century world, for instance, an advanced Javanese princess, Raden Adjeng Kartini, portrayed the condition of Javanese women in general in her letters to a Dutch friend:

> "The ideal Javanese girl is silent and expressionless as a wooden doll, speaking only when it is necessary, and then with a little whispering voice which can hardly be heard by an ant; she must walk foot before foot and slowly like a snail, laugh silently without opening her lips; it is unseemly for the teeth to show, that is to be like a clown;
> ... Women are nothing - women are created for men, for their pleasure; they can do with them as they will; ...
> ... We are human just as much as men. Oh, let me learn. Loose my bonds! Only give me the chance, and I will show that I am a human being a woman just as good as man".38

In a further letter, she described the difficulty of Javanese women wishing to avoid marriages arranged by their fathers.

> "... Father can come home any day at all and say to me, 'you are married to so and so'. I must then follow my husband. It is true I can refuse, but that gives the man the right to chain me to him for my whole life, without ever having come near. I am his wife although I will not follow him, and if he will not allow me to be divorced, then I am bound to him all my life, while he is free to do as he pleases. He may marry as many women as he chooses without being concerned in the least about me. If Father should marry me off in this manner then I should find a way out at the beginning, one way or another. But then Father would never do that".39

Java, of course, had little in common with nineteenth century Australia. Moreover, Kartini is not here presenting the Javanese women within the broader context of Javanese culture. Nevertheless, it may help to define the position of European women in Gundagai, if we examine them in this broader context. In emphasising the inferiority of Australian women we must be aware of the rights and powers which they did possess at that time.

CHAPTER VI NOTES

1. The Marriages Registers of: St Clement - Yass-Anglican Church (1844-1855); Gundagai - St John's Anglican Church (1869); Gundagai-St Patrick Catholic Church (1864-1870); Tumut - St Mary Catholic Church (1864-1870); Yass Catholic Church (1850-1852); Tumut - Presbyterian Church (1856); and Gundagai - Methodist Church (1865-1869).

2. The occupation was not stated for the rest.

3. Idem.

4. There was no information of occupation of the 327 females.

5. There was no information of occupation of the 123 females.

6. The Marriages Registers of St Augustine - Yass - Catholic Church.

7. The Goulburn Herald, September 9, 1848. This newspaper had its readers in Gundagai. Dr John Spencer was the Gundagai correspondent and agent for Gundagai.

8. The Gundagai correspondent for The Sydney Morning Herald, in the earlier time.

9. The Sydney Morning Herald, May 27, 1848.

10. Miriam Dixon, The Real Matilda: Women and Identity in Australia 1788 to the present, revised edition, Penguin Books, 1984. (First published in 1976).

11. Anne Summers, Damned Whores and God's Police: The Colonization of Women in Australia, Penguin Books, 1975.

12. The Sydney Gazette, September 14, 1811.

13. Mrs Charles Clacy, A Lady's Visit to the Gold Diggings of Australia, in 1852-1853, Hurstand Blackett, London, 1853, p. 95.

14. Russel Ward, Australia, Melbourne, Horwitz Publication Inc., 1965, pp. 32-3.

15 The Bench Book of Magistrates of Gundagai, AO Reel 2741, pp. 60-1.

16. The Sydney Morning Herald, February 1, 1849.

17. Ibid.

18. The Marriage Register of St Augustine - Roman Catholic Church, Yass.

19. The Sydney Morning Herald, February 28, 1849.

20. The Goulburn Herald, January 23, 1858.

21. Correspondence Relative to Gundagai Allotments, the N.S.W. Parliamentary Papers, VP-LC, 1852, pp. 252-73.

22. Ibid., p. 256.

23. The Bench Book of Magistrates of Gundagai, AO Reel 2741, pp. 429-30.

24. Ibid., pp. 430-1.

25. Ibid., pp. 167-9.

26. Ibid.

27. Ibid., p. 11.

28. Ibid.

29. Ibid.

30. Ibid., p. 12.

31. Ibid.

32. Ibid.

33. Ibid., p. 157.

34. Ibid.

35. The Bench Book of Magistrates of Gundagai, AO Reel 2742, p. 444.

36. Ibid., Reel 2741, pp. 56-8.

37. Miriam Dixon, Op. cit., p. 179.

38. Raden Adjeng Kartini, Letters of a Javanese Princess, translated from the Dutch by Agnes Louise Symmers. Edited by Hildred Geertz and preface by Eleanor Roosevelt, New York, W.W. Horton & Company, 1964, pp. 73 and 76.

39. Ibid., p. 82.

VII.

ATTITUDES TO RELIGION

What strikes an Indonesian researcher on Gundagai history, particularly one working on the Victorian era, is the lack of attention given to religious matters in the town. It is only in the turmoil of the flood that the historian is reminded not to ignore completely the significance of a spiritual consciousness in the town.

INSERT PARAGRAPH TWO, PAGE 144

Governor George Gipps had always been concerned about the dispersal of settlement into the interior. In his opinion it could only result in a race of barbarians growing up without religion or education. The great distance to Gundagai, whether from Sydney or Melbourne, the state of the roads and the tendency of the clergy to remain in the centres of higher population resulted in little attention being given to its spiritual needs in the early days of settlement.

church. The report of W.G. Broughton, the Bishop of Sydney, in 1852 includes the following comment on Gundagai:

> "The attempt to establish a clergyman here, which was made last year, has failed owing to causes which it appeared to me might, by the exercise of a little patience, have been avoided. But is is my earnest hope that ere long I may be enabled to provide the services of a clergyman for Wagga Wagga, Tumut and this place unitedly."[3]

Brigstocke occasionally travelled through Gundagai to conduct services and solemmized baptism and marriages until 1855.[4] Together with Rev. William Lisle and Rev. F.A.C. Lemingston, from 1839 to 1869,

Brigstocke baptised 119 children in Gundagai.[5] On 27 January 1850 Broughton baptised 9 children and on 12 February 1850, he celebrated a marriage in the town of Gundagai.[6] There is one curious feature of this record. The return of Baptisms is headed "Baptisms administered in the Parish of S. Simon, Gundagai ...", but there is no other evidence that any such Church of S. Simon ever existed. On his second visit to Gundagai Broughton wrote:

> "... Carcoar where I preached on the 30th November, thence across country to the Lachlan ... to the Melbourne road near Gundagai. At the latter place I rested some days, preparing candidates who presented themselves for confirmation, and officiating on Sunday, the 7th December, but having no better place for the celebration of God's worship than the best inn's best room".[7]

The irregular visits of clergymen, appear to have encouraged some families to bring their children to be baptised all at once. James, William, Jane and Edward, the children of Thomas and Mary Hill, for instance, were baptised on 4 January 1852.[8] Before the establishment of an Anglican Church in Gundagai, the solemnization of marriages of Gundagai's inhabitants was conducted in private homes. From 1844 to 1855, Brigstocke solemnized 19 marriages in Gundagai.[9] In 1867, St. John's Anglican Church was finally erected.[10]

The Catholic Parish of Gundagai, on the other hand, was originally an outpost of the Sydney Diocese, under the episcopacy of Bishop Polding. In 1838 it was included in the Yass Parish.[11] Fathers M. Brennan and J. Fitzpatrick were placed in charge of Yass and Goulburn[12] and both visited Gundagai and Tumut irregularly. In 1849, P. Magennis was appointed to Yass and there after between 1850 -

1863, together with M. Kavanagh and P. Bermingham, he solemnized 29 marriages of Gundagai inhabitants.[13] From 1839 to 1866, Fathers Charles Lovat, H.G. Gregory, P. Magennis, P. Bermingham, M.Mc. Alroy, J.F. O'Neill, and J. Hanly baptized about 209 children in Gundagai's township and its villages: Gobarralong, Nangus, Coolac, Tarabandra, Five Miles Creek, Mingay, Cowart, Darbalara, Naca-Naca, Bondarbo and Cootamundra.[14] Tjurunga, a Catholic Journal, recorded that in 1858:

> "Forty horsemen escorted Polding into Gundagai where he put up at O'Reilly's Hotel. On Friday, February 19, he celebrated Mass, gave an instruction to the people and blessed the Foundation Stone of the Church of St. Patrick, explaining the rites of the ceremony to the people as was his WONT."[15]

The earliest marriages registered by St. Patricks Catholic Church in Gundagai were recorded in 1864.[16]

In the same period, the Presbyterian Church was also attempting to initiate religious activities in Gundagai. One historian, Keith Swan, notes that:

> "Before the establishment of Parishes and the erection of church buildings. John Dunmore Lang brought the Kirk to these early settlers when he drove along Port Phillip Road from Sydney to Melbourne in 1845. He conducted services in wayside inns and private homes, baptised children there and was eagerly greeted by other Christians as well as presbyterians. He stopped for a few days at Gundagai to perform Divine Services in this part of the country on the intervening Sabbath: spent some time further south at Kyamba Station with his fellow - Scot John Smith, Superintendent of the station: and then moved on through Albury to Melbourne."[17]

In a letter to the Moderator of the Synod of Australia, dated 28 January 1851, Lang proposed to place Gundagai in the charge of Patrick Fitzgerald at Wagga Wagga.[18] The first regular services commenced in 1851, and Fitzgerald visited Gundagai every second month to conduct

services. After the flood, Fitzgerald wrote a letter to his brother, dated from Wagga Wagga, 24 July 1852, remarking that:

> "Gundagai is about 45 miles from Wagga Wagga in consequence I was unable to visit it more frequently than the 1st Sabbath in every second month ..."[19]

According to The Sydney Morning Herald, 16 June 1852, Fitzgerald, and Mr. Anderson, conducted divine services in a Sunday School.[20] The next year Fitzgerald was transferred to Tumut and for a long period Gundagai was included in the Tumut charge.[21] The earliest marriage of Gundagai inhabitants registered by the Presbyterian Church of Tumut was on 9 September 1856.[22]

Finally, efforts to conduct services were made by the Methodist Church. In 1856, the Methodist Church conducted services in Gundagai, although earlier services might have been held.[23] Nine years later, a Methodist Church was finally built and opened in Gundagai.[24] In the same year, Minister H.W.L. Pincombe registered three marriages of Gundagai inhabitants.[25]

What is significant from the above information about the Church and its denominations is how long it took to build churches and appoint clergymen to the town. Gundagai was gazetted in 1837, and compared with some other Australian towns, it is obvious that Gundagai took a longer time to establish churches. The foundation stone of St Augustine's Catholic Church in Yass, for instance, was laid on 27th August 1838, one year after the town was gazetted.[26] Gundagai which was gazetted in the same year did not have a Catholic Church built for another twenty years. The first Anglican Church of Yass was

established before 1850, but then it was burnt in 1850. The new Anglican Church was opened in the same year, seventeen years before the establishment of the Anglican Church of Gundagai.[27] The Presbyterian Church of Yass was established in 1850.[28] Another town, Braidwood, which was surveyed in 1839 with the first land sales taking place in 1840,[29] was also much earlier in erecting churches than Gundagai. St. Andrew's Anglican Church, for instance, was erected in 1850[30] and the foundation stone of St. Bede's Catholic Church in Braidwood was laid in 1850.[31]

The responsibility for the slow development of religious institutions in Gundagai, at least in the opinion of some, lay squarely with the inhabitants of the town. The tragedy of the 1852 flood provoked consideration of the problem. The following quotation from a letter written by Charles Cutcliffe, who described himself as gentleman, is particularly explicit:

> "... it must be granted that clergymen, no more than others, can (sic.) perform their duty unless a maintenance be provided for them by those for whose benefit they labour. The absence, therefore of a clergyman at Gundagai on the late awful calamity, must be attributed to the neglect of the residents; at all events no blame can attach to the Church."[32]

How can one explain this "neglect of the residents?" We know, that at least, one of the leading citizens of the town, Dr John Spencer, was sceptical regarding religion and it may be the case that others thought likewise. By chance, Gundagai may have possessed a particularly irreligious elite: we simply do not have the evidence to be certain. As a storekeeper, puntkeeper and surgeon, Spencer was

clearly the type of person who might have been expected to help organize the building of the Church. But an inscription he wrote in his common Prayer Book provides an illuminating hint as to why he did not do so. In his Prayer Book, which was examined in later years by the local historian, R.T. Kennedy, Spencer wrote as follows beside the reference "to doubting Thomas", who wanted to see the nail marks in Christ's hands and feet: "I am just as entitled to proof as Thomas -John Spencer".[33]

Another possible indication of cynicism regarding religion is the relative neglect of the normal Christmas celebration in Gundagai. The absence of social activities of Christmas time in 1859 provoked a criticism in The Adelong Mining Journal and Tumut Express:

> "South Gundagai"
> "Christmas found us miserably dull - nothing to remind one of this particular period except perhaps the fact of the houses in the town being decorated with boughs of the Kurrajong and other trees. No amusement whatever everything wearing the usual aspect".[34]

Evidence also exists of scepticism towards the clergy within the Gundagai Community. As a consequence of the disastrous flood a subscription was collected by various parishes. The Sydney Morning Herald, 13 August 1853, reported that:

> "with the Circular Letter of the Lord Bishop of this Diocese", the collection from several Churches and places had been received from the flood sufferers in Gundagai and places adjacent. In relation to the collection of money, a subscriber to the Gundagai fund (anon.), expressed his attitudes towards clergymen, as reads:
>
> "Sir, - Nearly twelve months have now elapsed since the newspapers throughout the length and breadth of New South Wales informed the public of the melancholy state of

> affairs at Gundagai, and clergymen of every denomination appealed to their congregations for subscriptions in aid of the sufferers; and if we are to give credit to the account published, the inhabitants came nobly forward to the relief of the distressed, and only did their duty. Now, Sir, I would wish to know on whose shoulders the detestable brand rests of keeping the money from those for whom it was subscribed. If the money was divided amongst the sufferers at once, they would still be deficient, at least 200 per cent of the real value of the money at the time of collection. Many I know from personal experience if not most of them, have through perseverence partially recovered, and now would scorn any proffered aid. But still the money is not accounted for - ".[35]

Here, clergymen were almost certainly suspected of being involved in corrupt practices.

In a letter to Rev. Dunmore Lang, dated from South Gundagai, 10 September 1867, John Spencer reported the irresponsibility of Reverend Samuel Fox as the Chairman of the finance committee for the school establishment. For completing the school building, Samuel Fox, Mr Lindley and Spencer lent £15 each and the loan was promised to be paid by Fox by collection, but "he managed to collect almost enough to pay himself and we did not object to it as he was in want of the money."[36]

Apart from the certain antagonism towards the clergy in the above evidence, we also find here a strong emphasis on money as a preoccupation in the life of Gundagai. In Chapter II, something has been said of the role of money: "Money in both pockets is the popular air here just now"[37] and "Money could be made in quick order"[38] were two judgements made about Gundagai. Moreover, John Spencer, the writer of the complaint to the Reverend Dunmore Lang, was himself known to be a devotee of "money" rather than "religion".

Even apparently devout parishioners were accused of allowing a love of money to rival their love of the Church. A particular misdemeanour appears to have occurred in 1856. Under the heading "District Intelligence: Gundagai", The Goulburn Herald, states:

> "Our clergyman, the Reverend Samuel Fox of the Church of England, holds divine service at Gundagai once a month, and at Wagga Wagga once a quarter. Such is the state of the colony, even at the present day, the religious ordinances are doled out to us in this miserable manner. The Gundagaites, however, grateful for the rev. gentleman's services, and sensible of his zealous exertions and arduous labouring among them, made up a purse of 42 sovereigns for presentation to him as an Easter Gift, but the person deputed to read the address and present the purse shrunk from his trust, by handing over the purse to his reverence at his own private dwelling, instead of presenting it before the meeting convened for the purpose of witnessing the presentation: the consequence is that the subscribers are not a little dissatisfied with their delegate, and some will not believe that the purse has been presented at all. The rev. gentleman's acknowledgement should be published."[39]

Despite these indications of suspicion towards religion and the religious, however, there are signs of a Christian element in Gundagai life. Although Gundagai inhabitants might not have been conscientious church builders and were healthily sceptical of the clergy - there still remained a sensitivity to Christian values. This is seen, for instance, in the court action taken against those using profane language (see Chapter V).

But it was at the time of the flood, however, that religious feeling was most evident in Gundagai. Newspaper evidence indicates that God was frequently appealed to in this crisis:

> "... Between six and seven o'clock on Thursday morning, the 24th instant, I was aroused from my sleep by the

voice of a neighbour, exclaiming in accents of horror. 'For God's sake jump up, or you will be flooded'. ... I shall not, on this occasion, speak: every man did his duty, and by the blessing of Divine Providence, I believe not a single life was lost".[40]

Similarly, The Goulburn Herald, sent a message to the surviving sufferers:

"The hand of the Almighty has fallen heavily upon you, doubtless for some wise purpose: it behoves you to bear the affliction patiently without murmur or complaint, always remembering, that "He who scatters can restore, and that He ever tempers the wind to the shorn lamb".[41]

In a private letter (anon.), it was said:

"... I am thankful for God's especial mercy on us that night; it was indeed my sole reliance - my only hope; I took a death-bed leave of my two sons, and resigned myself to my fate, calmly and composedly; not a murmur escaped from me. ... The parting from my sons was a painful and trying occasion ... - but we were not to be separated."[42]

Another sign of religious feeling was expressed in a poem "The Gundagai Calamity", written by James Riley, from Castlesteads, dated August 19, 1852, as follows:

Great God! What battlings now for breath!
What gurgling sounds of agony!
What contests with the monster, Death,
His loathed, abhorred, embrace to flee!

O, Mighty One! whose lightest scan
Unnumbered worlds can comprehend,
To whose high will man's best laid plan,
Like reed before the wind, will bend.[43]

(See the complete poem in Appendix 12.)

Under the title "Ode to the Dead of Gundagai", another poet, 'Theta',

also portrayed the catastrophe of the great flood. The fourth verse certainly contains spiritual sentiments:

> And vain the prayer, that ask'd of Him,
> To spare thee, but a little while,
> Ye pray'd, till even hope drew dim,
> Till even hope forgot its smile,
> As death with crushing jaws drew near,
> Say mothers from thy seigy graves!
> How clung thee, to they children dear,
> When dragg'd beneath those snow cold waves.[44]

(See the complete poem in Appendix 5.)

Predictably, the institution of religion in Gundagai benefited from the disaster. The events of the great flood brought people to attend special services on behalf of the flood sufferers which were held separately by the Anglican Church, Catholic Church and Wesleyan Church.[45] Charles F. Brigstocke of the Anglican Church, said that:

> "... I performed public worship here yesterday in the mill, and preached from Ecclesiastes vii. 18, to as many as could be assembled, and it was gratifying to observe the deep attention paid to the whole service, and that too by some I fear, who have not bowed their knee in prayer for many years."[46]

The burial ceremony of the dead bodies after the flood indicates the sectarian nature of the Church. Brigstocke said:

> "... Five Protestants are buried on this side of the river, over whom I performed the like ceremony; and apart from these, at a short distance, are laid the remains of eight who were Romanists. For the performance of the last rites over these eight, I was informed the Priest from Yass was daily expected; so I did not interfere."[47]

Another example of sectarian attitudes is the tale of an itinerant preacher, J.J. Westwood, a Quaker turned Baptist, who

travelled throughout Victoria and New South Wales in the early sixties to conduct his preaching. The historian, Buxton, notes that wherever Westwood went he had trouble with Roman Catholics since he said that their religion was a corrupt one. At Castlemaine in Victoria Irish navvies boycotted his preaching with "terrible yells and hooting". At Gundagai he aroused such feeling that 'a gentleman present' forced him to continue preaching from his gig in the main street.[48]

This sectarian attitude was not altogether universal as can be seen in a private letter (anon.) in The Sydney Morning Herald, 21 July, 1852:

> "... I regret exceedingly that no public service has been held, no general thanksgiving offered; there has been no Minister here to call us together or to lead the way; I assure you I feel the absence of it, it is a deplorable ommission, an unpardonable one - seventy-four lives lost - and the survivors have not, as a body of Christians, offered up to God a prayer or thanksgiving for the mercies vouchsafed unto them."[49]

The flood, of course, was a period of extreme crisis. The large death toll, the threat of life, the loss of properties, particularly homes, must have had a social and psychologically dislocating effect. Nearly everyone in the town would have lost either relatives or friends. The whole structure of administration and social life of the town would have been disorganized. Therefore, it can be concluded that although the citizens of Gundagai may have been generally neglectful of religious rituals, the somewhat cynical and easy going attitudes towards religion disappeared in times of crisis and transition such as the great flood. In that crisis, the citizens of Gundagai are revealed as being more deeply religious than was apparent earlier. The flood

also showed that the Church possessed some power to provide comfort.

It seems, however, reasonable to conclude from this and the other data discussed that the character of the mid-nineteenth century Gundagai community was not such as might have encouraged the rapid establishment there of Christian organisations. There was cynicism towards religion and towards the clergy. In this frontier town there are indications that money may have competed with the Christian God as an object of worship.

CHAPTER VII NOTES

1. Brigstocke was born in Wales in 1806, received training at St David's College Lampeter and was ordained a Deacon at Worcester. Following a period at Bristol and Tenley he resigned, emigrated to Australia, arrived in Sydney in 1837 and was immediately appointed to be incumbency of Ryde. He served in the Yass district 1839-59, married in 1844, and died in 1859 (R.T. Whyatt, The History of The Diocese of Goulburn, Sydney, 1937, p. 19).

2. R.T. Whyatt, The Southern Visitation of Bishop Broughton 1837-1852, Bishop Broughton Centenary, 1836-1936, Diocesan Church House Goulburn, p. 270; and Where the Murrumbidgee's Flowing, No Date. The story of the Anglican Parish of Gundagai and its Historic Parish Church of Saint John the Evangelist.

3. R.T. Whyatt, Ibid., p. 271.

4. St Clement - Church of England's Registers on Baptism, Yass (A.N.L. - 3085/38/24) and on Baptism and Marriages, Yass (A.N.L. - 3085/38/25).

5. Baptism, Marriages, and Burials Registers of the Anglican Church, Sydney, AO Reel 5016.

6. R.T. Whyatt, Ibid., p. 271.

7. Ibid.

8. St Clement - Church of England's Registers on Baptism, Yass, Op. cit.

9. Ibid.

10. A.C. Butcher, Gundagai: Its History, Verse and Song, Gundagai Independent Print, 1956, p. 25.

11. Ibid., p. 26.

12. Ibid.

13. Ibid., and St Augustine - Catholic Church's Register on Marriages, Yass.

14. St Augustine - Catholic Church's Register on Marriages, Yass.

15. Tjurunga, The Centenary of the Death of Australia's first Bishop, John Bede Polding O.S.B., 1794-1877, 1977/13, p. 58.

16. St Patrick - Catholic Church's Register on Marriages, Gundagai.

17. Keith Swan, The Kirk at Work and Worship, One Hundred years of the Presbytery of Wagga Wagga 1883-1983, The Presbytery of Wagga Wagga, 1983, p. 7.

18. "Lang Papers", Manuscript Collection, M.L. Sydney.

19. Ibid.

20. This building was then swept away by the great flood. (Ibid.)

21. A.C. Butcher, Op. cit., p. 26.

22. The Presbyterian Church's Register on Marriages of Tumut, Ferguson Memorial Library, Sydney.

23. A.C. Butcher, Op. cit.

25. Ibid.

26. St Augustine's Paris, Yass, N.S.W. Yass.

27. William A. Bayley, Yass Municipal Centenary History, Yass Municipal Council, 1973, p. 29.

28. Ibid.

29. Sue Murray and Netta Ellis, Early Days in The Braidwood District 1822-51, Braidwood and District Historical Society, .S.W., 1981, p. 5.

30. Netta Ellis, Braidwood Heritage, Braidwood and District Historical Society, N.S.W. 1983, p. 9.

31. Ibid., p. 16.

32. The Sydney Morning Herald, July 24, 1852.

33. R.T. Kennedy, "The Earliest Gundagai Medical Practitioners: Life and Times", R.A.H.S., Vol. 23, 1947, Part III, p. 120.

34. Adelong Mining Journal and Tumut Express, December 30, 1859, p. 4.

35. The Goulburn Herald, April 23, 1853.

36. "Lang Papers", Vol. 7, Mitchell Library, A.2227, Sydney.

37. The Sydney Morning Herald, August 22, 1844.

38. Ibid., December 16, 1848.

39. The Goulburn Herald, May 31, 1853.

40. The Sydney Morning Herald, July 6, 1852. (Despite, in fact, many lives being lost, according to the sources.)

41. The Goulburn Herald, January 15, 1853.

42. The Sydney Morning Herald, July 21, 1852.

43. The Goulburn Herald, August 28, 1852.

44. The Sydney Morning Herald, August 13, 1852. See the complete poem in Appendix 5.

45. Ibid., July 10, 1852; and The Goulburn Herald, July 31, 1852.

46. The Sydney Morning Herald, July 26, 1852.

47. Ibid.

48. G.L. Buxton, The Riverina 1861-1891, Melbourne University Press, 1967, p. 90.

49. Ibid., July 21, 1852.

VIII.

RACIAL ATTITUDES

The best known story regarding Aborigines in Gundagai concerns the heroic deeds of the Aborigine, Yarrie, during the flood. On 16 August, 1875, Yarrie was baptised at St Patrick's Catholic Church, Gundagai, with the name "Yarrie McDonnell".[1] His baptismal record states that he came from Brungle IN the Gundagai Police Districts. He later worked as a shepherd at Nangus station which belonged to the Gormly family.[2]

In the flood of 1852,[3] Yarrie played an important role in rescuing many townspeople. James Gormly, who was a child at the time of the flood, remembered Yarrie "on his knees, crouched in the bottom of his frail canoe which was liable to be upset by the current at any moment".[4] Yarrie "was willing to run any risk to give assistance". Although his canoe would only carry two light persons at once, he rescued the wife and children of a man named Reardon.[5] Mr Reardon was away at the Bendigo gold diggings when the flood occurred and only heard later of Yarrie's heroic deeds.

Richard T. Kennedy recorded that Yarrie also rescued the wife and daughter of one of the town's leading citizens, the surgeon, Dr Davison, taking them off the roof of their house.[6] Another important town citizen rescued by Yarrie was the puntkeeper and surgeon, Dr John Spencer, who "after swimming three quarters of a mile, got on a tree on Stuckey Island, where he remained, naked, until noon next day, when

he was got off by a black named Yarra".[7] Yet another important business family to be rescued by Yarrie was the Turnbull family, "after intermidable hours of dreadful experience".[8] Altogether, Yarrie rescued 49 people from roof tops and trees.[9]

Another flood hero was the Aborigine, Jackey. The Sydney Morning Herald, 15 July, 1852, recorded that Jackey, who worked for Mr Joseph Andrews, "afforded in this respect the most valuable assistance, saving a great many lives". An eye witness of the flood, Lachlan Ross, who was at that time on his way to the gold rush, states that what the Black fellows had done was "a most difficult and dangerous task; ... These fellows (Black if you like) did splendid service".[10]

James Riley, whose groom and cook had been saved by Yarrie, wrote a poem in August 1852 under the title "The Calamity of Gundagai". The sixth verse runs:

> "Again, Australia's sable son,
> With vigor ply their frail canoe;
> Right well hast thou already done
> But much, o much is, still to do".[11]
>
> (See the complete poem in Appendix 12.)

The Commissioner of Crown Lands of the Lachlan District, Edgar Beckham, reported to the Colonial Secretary on 20 July 1852, that "four of the Aboriginal natives were very active during the flood and saved many lives and much property".[12] Jackey, was afterwards presented with a copper medallion by the subscribers to a relief fund in appreciation of his courageous assistance during the flood.[13] The

medallion, on a chain to be worn around the neck as a "breast-plate" is seven inches long and three inches wide. At the top is a drawing of the flood, with a man perched high up in a tree above the swirling waters, whilst below, in a bark canoe, is an Aborigine rowing towards the stranded settler. The wording on the medallion reads:

PRESENTED TO JACKEY

by the subscribers to a relief fund as a reward for his assisting the sufferers during the Floods at Gundagai on the 25th June, 1852.[14]

The White attitude towards the Aborigines at this time is expressed with particular clarity in the poem about Yarrie, whose deeds have left a deep and lasting memory right up to the present.[15]

The Gundagai Historical society has commemorated the heroism of Yarrie by erecting a plaque in front of the local Museum.

Fig. 9 The photograph was made in 1983.

In 1960, W. Wallace Horsley whose grandfather, the Late Frederick Horsley was rescued by Yarrie, erected in front of his home a sculpture of Yarrie on his bark canoe and named his property "Yarri".[16]

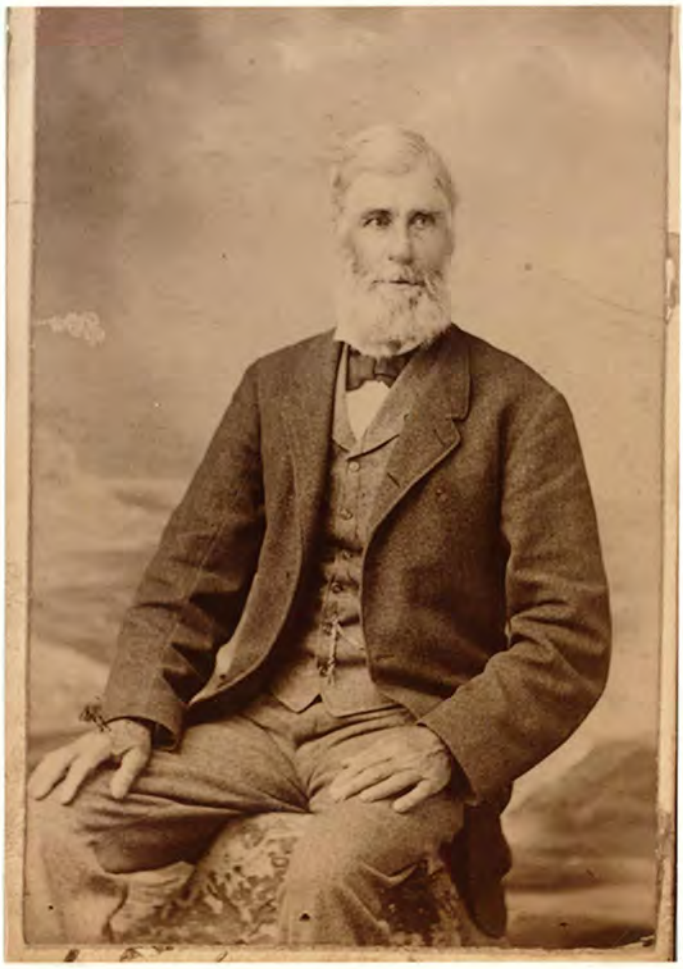

Fig. 10 The late Frederick Horsley
(1826-1891)

The Gundagai Independent, 6 November 1961, reported that the Horsley family of "Yabtree", "Yarri" and "Gundilawah" presented a sundial to the people of Gundagai to honour Yarrie.

Fig. 11 The sculpture of Yarrie.
The photograph was made in November 1983.

Fig. 12 The photograph was made in 1984. The Sundial had been removed from the Gundagai Court House to the front of the local Museum, Gundagai.

The inscription on the sundial is as follows:

> THIS SUNDIAL WAS PRESENTED TO GUNDAGAI BY THE HORSLEY FAMILY OF YABTREE IN MEMORY OF THOSE INHABITANTS WHO LOST THEIR LIVES IN THE DISASTROUS FLOOD ON THE 25TH OF JUNE 1852. ON THAT DATE GUNDAGAI, THEN SITUATED ON THE FLAT, WAS WASHED AWAY AND SEVENTY-TWO RESIDENTS WERE DROWNED.
> RICHARD FREDERICK HORSLEY SAVED HIS LIFE BY CLIMBING FROM A FLOATING ROOFTOP INTO A TREE FROM WHICH HE WAS RESCUED THIRTY-SIX HOURS LATER BY AN ABORIGINE NAMED YARRY IN A BARK CANOE.
>
> ACCEPTED BY THE SHIRE PRESIDENT CR. C.B. STRIBLEY ON BEHALF OF THE PEOPLE OF GUNDAGAI ON 25TH JUNE 1952.

On the centenary of the 1852 flood, The Gundagai Independent reported:

> There were no V.C.'s or George Medals for bravery back in the fifties. If there had been, that great Australian hero - "Yarrie" - would have certainly "copped the lot".[17]

An unknown versifier wrote with faintly racist overtones:

> But on he went and on again,
> A black man, but his heart was white;
> Not once to cross that stream in vain
> Till barred by darkness of the night.[18]
>
> (See the complete poem in Appendix 13.)

Finally, at the 1983 ceremony of Australia Day in "Yarri Park", Gundagai, the Parliamentary Member for Hume, stated that Yarrie "has a remarkable place in Gundagai history".[19] There is an abundance of evidence, therefore, to show the affection and esteem with which the Aborigines, and in particular, Yarrie, are held in Gundagai. On the centenary of the tragic flood, The Gundagai Independent, 26 June, 1852, published a poem to honour the heroic deeds of Yarrie. (See Appendix 12.) As regards race relations, however, the respect for Yarrie cannot be seen to represent the general attitude toward non-Europeans.

It was certainly admitted that the Aborigines "had their good points as well as their bad ones".[20] James Gormly, whose parents, two brothers and a sister were drowned in the flood and for whom Yarrie worked as a shepherd, portrayed his relationship with Aborigines as follows:

> "When I first came to Australia, and resided in the Illawarra district, I studied the habit of blackmen, and became an expert in making and using their weapons, and afterwards on the Murrumbidgee I made many staunch friends amongst the blackfellows. Often when I have been in dangers and difficulties I have had blackfellows as companions who have been as faithful and reliable as whitemen. The blacks were usually grateful for kind treatment."[21]

James Gormly, furthermore, said that he could trust his black friends with "the greatest confidence". He knew Blacks willing "to risk their lives to save white friends".[22] The Aborigines were "experts at gesticulation".[23] When referring to the Murrumbidgee as a river, they firstly extended the hand forwards to indicate that the stream was a long one, and then spread out the arms in front of the body to show that the river was also a broad body of water, or perhaps that the stream was liable to great floods. In speaking of animals, the Aborigines made their meaning known by signs and indicated the type of animal by imitating the animal's sound.[24] The Black had "a keen sense of humour" and frequently enjoyed a joke at the expense of the white men.[25]

Gormly was not the only observer willing to admit the good features of the Aborigines. Under the title "On the Murrumbidgee Thirty Years Ago", certain commendable characteristics were noted by an unknown writer who identified himself as "an old bushman".[26]

He gave the example of two Blacks, Barlow and Jones, who were attending a corrobboree:

> "To Jones it soon became positively repulsive, the wild shrieks and gestures, and well simulated fury of the mimic combatants recalling to his mind the catastrope which had thrown a blight upon his existence. He stood a little apart from us in an attitude of fixed attention, as if retracing in the scene before him the horrid circumstances that had accompanied the massacre of his wife and children. I saw his eyes gleam and his lips quiver, and was at no loss to divine what was in his thoughts. Barlow had been equally observant, I found, for he anticipated me in suggesting that we would return to the station, and at the same time took poor Jones by the arm and led him off, without saying a word, in the direction towards home. There was something in Barlow's manner of doing this which was deeply expressive to me of that tenderness of heart and delicacy of feeling which he concealed under his rough exterior."[27]

In 1851, Edgar Beckham, the Commissioner of Crown Lands of the Lachlan District recorded that the Blacks did "much service" to the settlers in sheep washing and during the harvest;[28] "There are a few of the Aborigines employed as stockmen for which service they are well adapted, they are fond of riding and remarkable quick in distinguishing the stock belonging to their master from those of other parties."[29] The Blacks, were also "hard - working fellows" at sheep - shearing, and after their rescue work during the flood, much respect was won by their talent for cutting and using bark canoes.[30]

Neville, another white settler in the Murrumbidgee District had strong and enlightened views on Aborigines. He believed that the way Whites treated Aborigines had a great deal to do with how the Aborigines responded to Whites. On one occasion he invited an Aborigine, Hibbi, who was employed by his landlord, to have dinner with his wife and children. Neville said: "I placed a chair for him and he sat up to

dinner with me and my family, like a friend and equal. No gentleman could behave in a more polite and dignified manner at the dinner-table than Hibbi".[31] On another occasion Hibbi had stripped forty sheets of bark from box trees. These sheets of bark were a valuable roofing material in the mid-nineteenth century and much sought after. The landlord's team of bullock drivers and Blacks had tried to steal these sheets of bark but Hibbi sternly resisted every attempt, on the part of either bullock drivers or Blackfellows to meddle with any of the bark he had stripped. "Does such conduct", Neville asked, "show that an aboriginal Australian has no honesty or truthfulness or gratitude?"[32] Neville elaborated his views on Aborigines to a friend, Jones, who marvelled at Neville's ability to enlist friendship, gratitude and honesty from an Aborigine. Neville's attitude is sufficiently interesting to be quoted at length:

> "... a blackman will hardly act honestly or feel grateful towards a man against whom he harbours dislike, and therefore looks upon him as an enemy. Now even favours may be bestowed upon a black in such a manner as to provoke his indignation, and eventually his hatred. If that contempt for their race which so commonly blends with our kindness or compassion for the individual is perceptible in our manner of conferring a favour; if instead of addressing the object of it as a man, we speak to him as though he were little better than an ape; if, by everything we do in regard to him, we in effect remind him tauntingly of the inferior and degraded position he occupies in comparison with ourselves - then instead of winning his attachment we shall arm against us all that is evil in his nature, aye! and all that is good. The idea of quality (sic.) is engraven on the heart of the black man as well as on that of the white. And it was by my behaving in conformity with that idea, and thus bringing myself into brotherly relations with the black man referred to (Hibbi); ... treating him in all other respects as a friend and an equal that he was brought to reciprocate my kindly sentiments and do to me as he was done unto."[33]

Whites who thought like Neville were admirable, but rare.

James Gormly, who was certainly not antagonistic towards Blacks, nevertheless noted in his memoirs that the Aborigines "in many instances were a source of annoyance to the early settlers on the Murrumbidgee and Murray."[34] Frank Jenkins informed James Gormly that on one occasion he found nine head of his cattle had been speared as they went to water. On another occasion, when Jenkins went out to his run he discovered about 200 Aborigines ringing a mob and riddling the cattle with spears all the time.[35]

The Blacks, furthermore, were "very hostile and treacherous one to another."[36] Gormly remembered that in 1845, toward morning, when the Gundagai Blacks were camped near the town, they were attacked by another tribe while they were sleeping. Three of them were killed and several were dangerously wounded. "I saw those slain next day and found that the remains had been opened and the kidney fat taken out."[38] This fat was used to smear the bodies of the fighting men and it was supposed to make them strong. In a letter to the Governor, dated from Tumut River, 19 April 1848, Henry Bingham reported that on 16 April that year, two Blacks, named Muttoga and Mickee, were speared to death, one Black (according to a local surgeon) was mortally wounded, and several others were injured, while they were encamped in "the precints of the township of North Gundagai."[38] Bingham, furthermore, wrote that the unfortunate Blacks belonged to the Tumut tribe and seemed to be "a marauding party from a hostile tribe", but "there is as yet no clue to the discovery of the perpetrator."[39]

Some blacks were both "cunning and treacherous". On one occasion, James Gormly, together with some friends, was travelling

with stock. It was a strong party, equipped with drays, cattle and horses. One night some of the working horses strayed and James Gormly was sent out to search for them. After a while he saw a black man in the distance. The Black was tall, young and naked and appeared to be unarmed. He kept one foot close to the ground amongst the long grass. Gormly endeavoured to communicate with the Black first by words and afterwards by signs and at the same time he did not lower his eyes. He could see that the Black's hand was as far down his leg as he could reach without stooping and his foot was gradually rising towards his hand, and that the end of a spear was held between his toes. The Black tried to divert Gormly's attention by speaking rapidly, and pointing with one hand to a clump of timber. Gormly had a stockwhip in his hand and he quickly touched his horse with his heel, sprang forward and brought the thong of the whip down on the naked body of the Black. The stroke made the Black roar with pain and afterward Gormly secured the spear, which was pointed and barbed with bone.[40]

A white labourer who was employed at a station in the Murrumbidgee District stated in his memoirs of this period that the Blackman everywhere had "a servile, despicable and humiliating position" forced on him and in consequence "had renounced our habits and taken refuge in barbarism, as affording the only opportunity of mixing with men and women who would not treat him with contempt." He continued: "I knew that the Aborigines in this colony, like the savages generally, do not scruple to fabricate a falsehood to serve a purpose, I heard from them the most sickening details of horrible cruelties, indiscriminate massacres, provoked and unprovoked - all indirectly confirmatory of the statement in question."[41]

It can be seen that the racial words which the Whites commonly used in relation to the Black community were: "a source of annoyance"; "hostile"; "cunning"; "treacherous"; "a servile, despicable and humiliating position"; "barbarism"; "savages"; "horribe cruelties"; "wild tribes"; "little better than an ape"; and "inferior and degraded position".

In general, therefore, it is the negative attitudes towards Blacks which are dominant in the sources. Too seldom was an attempt made to understand the reaction of the Aborigines to the fact that the coming of the European meant the loss of their hunting grounds, starvation, disease, the prostitution of their women and the destruction of their ancient culture.

Not surprisingly, the actual treatment of Blacks motivated the White attitudes towards them. Under the conditions of employment, for instance, Blacks sufferred discrimination. A number of Black labourers at the time were involved in pastoral and agricultural concerns belonging to the Whites. Edgar Beckham, Commissioner of Crown Lands of the Lachlan District reported that the payment for Aboriginal labour "is usually made in rations and clothes, but I have invariably found that they would work more willingly for money than anything else".[42] It seems then that the white employers were unconcerned with Black desires particularly in their need for money and their sense of standing on an equal footing with the Whites who worked for wages.

The rapid decline of the Aboriginal population in the district is a poignant comment on their exposure to White settlement. In 1852,

William Mackenzie reported that 15 per cent was too low a figure for the annual decrease in numbers of the Race. MacKenzie believed that the swarming of the natives round the Public Houses in Tumut, Gundagai and Albury "adds fearfully to their diminution".[43] Edgar Beckham, on the other hand, emphasized that the decrease in the number of Aborigines "is in a great measure to be attributed to the diseases which have been engendered amongst them by their intercourse with the European population".[44] One historian, Bill Gammage, in discussing "The Wiradjuri War", also emphasizes the role of disease. In the war between the Blacks and the Whites in the 1840's throughout the Murrumbidgee District, he notes that "the people who fought the White invaders were the survivors of at least one smallpox epidemic which had killed at least half their countrymen".[45]

White attitudes towards the Chinese, were different from those towards Blacks, but not markedly more respectful. Chinese were certainly maltreated by Whites - but unlike the Aborigines who were believed by some to be almost sub-human - in feelings towards Chinese there was a certain fear of Chinese having a distinct culture.

In an example mentioned in Chapter IV, "Agreement", Li Sing, a hired Chinese labourer of Sir Charles Nicholson, appeared several times before the Bench of Magistrates in 1853. He was charged with absenting himself from his service. When he was asked whether he would return to his hired service, Li Sing refused to return since his master had "a habit of beating him".[46] "Without hearing a particle evidence", the Bench, then sentenced him to two months in gaol after which he had to return to his service.[47]

Discrimination towards Chinese was also evident. On 30 January 1861, the Police Office of Gundagai, recorded that two Chinese made a complaint of having been overcharged by Cooper, the ferryman, for being carried across the Murrumbidgee.[48] Twenty seven Chinese crossed on the punt at that time and Cooper demanded a payment of one shilling a head which was double the charge he was authorised to impose. A.C.S. Rose, the Police Magistrate of Gundagai, expressed his opinion that the attitude of Cooper was "disgraceful", "dishonest" and "it is cowardly, at being a gross imposition upon a number of men, whose inexperience with the English language must throw them in their monetary transaction to a very great extent, upon the honest and generosity of those with whom they have to deal".[49]

To the lessees of this ferry, Doyle and Gasse, Magistrate Rose wrote that:

> "The Chinese could not wait to prosecute a criminal charge information against you; and although the Chief Constable is in possession of evidence which would be sufficient to support a conviction under the 9th section of the Act of Council 2 Vic. No. 12, I have chosen rather to address you by letter than to subject you to public exposure, in the hope that you will see the propriety of remedying this wrong and of taking the best precautions against a recurrence of anything of the kind."[50]

Rose's attitude towards the Chinese in this case was different from other Whites' attitudes, nevertheless he preferred warning the ferry leaseholders by letter rather than bringing them before the Court.

The evidence of mid-nineteenth century Gundagai also indicates that Chinese labourers were maltreated. In that period, there were a number of Chinese[51] either staying or passing through Gundagai. Under

the title "The Horrors of Chinese Emigration", The Goulburn Herald, 28 February, 1852, reported that 30 Chinese labourers were brought to the Murrumbidgee district. They were sent up under the charge of John Stewart. On the road to Goulburn, Laoo Souk, one of the Chinese labourers had the misfortune to scald his foot accidentally and was then unable to walk as fast as his companions. Instead of putting him on the dray, Stuart fastened him behind it with bullock hobbles, and dragged him on his journey. In addition, the Chinese labourers had literally been starved on the road, a pannikin of flour (struck)[52] being the only daily ration given amongst them. The Goulburn Herald of the same date, provided the following statement:

> "The justices who formed that Bench were not interested in the traffic which he had exposed, but it so appeared that the three magistrates who sat at Wagga Wagga, to which place the Chinamen were proceeding were all dealers in this species of slavery."[53]

Another indication of the Whites' racial attitudes towards the Chinese may be seen in the following statement in an article in the Goulburn Herald of 1 January 1853 on "Chinese Emigration":

> "... Our objection to Chinese emigration is not solely grounded on the manner in which it has been carried out. It must be remembered that the people we are thus introducing into our colonial society are as opposite in the habits, manners and customs, as two nations possibly can be; that they have scarcely a language in common."[54]

It seems likely that these differences in habits, manners and customs had created dislike or distrust amongst the Whites towards the Chinese.[55]

Although it is a matter of ethnic rather than racial attitudes,

finally, the evidence also suggests that the Irish were sometimes treated as a separate and despised group. C.M.H. Clark, has noted that:

> "The men of the establishment in Sydney thought the Irish Catholics so benighted ... that in their eyes, there was nothing but the shade of a Catholic's skin to distinguish him from an Aborigine."[56]

In these circumstances, the Irish were victims of the English Colonial arrogance. T.J. Kiernan, another historian, notes that every Governor before Macquarie regarded the Irish as a "separate class or type".[57]

In 1826, Governor Darling declared that:

> "... a large proportion of the Convicts BEING of the lowest class of Irish Catholics, ignorant in the extreme, and in proportion bigotted and under the domination of their Priest ".[58]

These attitudes towards the Irish were, it seems, founded on a sectarian dislike and distrust of Catholicism. These attitudes were manifested in the language used towards the Irish. Language, as Miriam Dixon notes, "gives many games away".[59] The evidence from Gundagai, strongly supports Dixon's viewpoint. In the "bad language cases" discussed in Chapter V, the Court records reveal the bigotry felt towards the Irish. When we read such abuse as "you bloody Irish whore"[60] and "you bugger of an Irish Policeman"[61] we obtain a hint of the feeling towards the Irish which existed in Gundagai as in other parts of Colonial Australia.

It can be therefore concluded that in mid-nineteenth century Gundagai, racism and ethnic prejudice were important elements in the social attitudes. The Aborigines, the Chinese and even the Irish in different ways, were victims of this sentiment.

CHAPTER VIII NOTES

1. The baptism was performed by Timothy Hanley, C.C. and Thomas and Mrs O'Brien acted as Yarrie's sponsors. (Register on Baptisms of the Gundagai - St Patrick Catholic Church). W. Finnegan, a Catholic priest, recorded that Yarrie died on 24 July, 1880, and was buried at the Catholic cemetery, North Gundagai. (Register on Burials, the Gundagai - St Patrick Catholic Church). According to the source materials, there are four different spellings of his name: Yarri, Yarrie, Yarra and Yarry.

2. James Gormly, M.L.A., "In His Reminiscences", Vol. I., Newspaper Cuttings, M.L.

3. Report on flood, VP-LC, 1852, pp. 239-78.

4. James Gormly, Op. cit.

5. Ibid.

6. R.T. Kennedy, "A Peep into the Past", Newspaper Cuttings, M.L.

7. The Empire, July 15, 1852, and The Goulburn Herald, July 24, 1852.

8. The Gundagai Independent, 26 June 1952. A Centenary of the 1852 Flood.

9. As written on the plague given by the Gundagai Historical Society to dedicate the heroic Yarrie.

10. Lachlan Ross, From Rossville to the Victorian Gold Field in 1852, 1908.

11. The Goulburn Herald, 28 August 1852. See the complete poem in Appendix 12.

12. VP-LC, Op. cit., p. 245.

13. This medal was found on a chain under the ground in 1968 by Dick Medcalf when he was ploughing on his property "Warralonga", Tenandra. (The Gundagai Independent, June 13, 1968.)

14. The medallion is located at the local Museum at Gundagai: See The Gundagai Independent, Ibid., and also a letter written by Miss Patricia Horsley to the researcher, dated from Yarri, Adelong, 18 Feb. 1986.

15. See Appendix 13 (Source: The Gundagai Independent, June 26, 1952.)

16. Interview with W. Wallace Horsley, November 1983.

17. The Gundagai Independent, June 26, 1952.

18. Ibid.

19. Ibid., February 3, 1983.

20. James Gormly, Op. cit., vol. 3.

21. Ibid.

22. Ibid.

23. Ibid.

24. Ibid.

25. Ibid.

26. An old Bushman, "On the Murrumbidgee Thirty Years Ago", Serial publications, Town and Country Journal, July 16, 1870.

27. Ibid.

28. The Annual Report upon the state of the Aborigines in the Lachlan District, A.N.L.-A.J.C.P., Original Correspondence, C.O. 201/452. Reel 636, p. 183.

29. Ibid.

30. The Goulburn Herald, July 17, 1852.

31. Town and Country Journal, October 1, Serial publications.

32. Ibid.

33. Ibid., October 15, 1870.

34. James Gormly, Op. cit.

35. Ibid.

36. Ibid.

37. Ibid.

38. Colonial Secretary: Commissioner of Crown Lands, A.O. 4/2811, Sydney, (Report on the Aborigines).

39. Ibid.

40. James Gormly, Op. cit.

41. Town and Country Journal, August 6, 1870, Serial publications, "On the Murrumbidgee Thirty Years Ago".

42. The Annual Report upon the state of the Aborigines, dated 31 December 1851, A.N.L.-A.J.C.P., Original Correspondence, C.O. 201/452. Reel 636, p. 183.

43. Ibid.

44. The Annual Report upon the state of the Aborigines, dated 31 December 1851, A.N.L.-A.J.C.P., Original Correspondence, C.O. 201/452. Reel 636, Op. cit., p. 184.

45. Bill Gammage, "The Wiradjuri War", Push from the Bush, No. 16, Oct. 1983, p. 14.

46. The Goulburn Herald, January 1, 1853.

47. Ibid.

48. The Letter Book of Magistrates of Gundagai, AO Reel 2742, pp. 56-7.

49. Ibid.

50. Ibid.

51. The Goulburn Herald, February 28, 1852.

52. 'Struck' is a measure, especially of grain (The Macquarie Dictionary, 1981).

53. The Goulburn Herald, January 1, 1853.

54. Ibid., March 6, 1852.

55. Economic factors, too, seemed to have encouraged racial attitudes of the Whites towards the Chinese (Russel Ward, The Australian Legend, Oxford University Press, 1983, pp. 130-1).

56. C.M.H. Clark, A Short History of Australia, Mentor, New American Library, New York, 1963, pp. 70-71.

57. T.J. Kiernan, Transportation from Ireland to Sydney 1791-1816, A.N.U., Canberra, 1954, p. 2.

58. Darling to Bathurst, 6 September 1826, H.R.A., Series I, Vol. 12, p. 543.

59. Miriam Dixon, The Real Matilda, Revised Edition, Penguin Books, 1984, p. 160. First publication in 1976.

60. The Bench Book of Magistrates of Gundagai, 1856-1860, AO Reel 2741, pp. 94-95.

61. The Bench Book of Magistrates of Gundagai, 1859-1860, AO Reel 2742, pp. 431-433.

CONCLUSION

Gundagai in the mid-nineteenth century, my research suggests, was more than a parochial frontier town.

Located at the crossing place on the banks of the Murrumbidgee River, on the route between Sydney and Melbourne, the town developed into a busy communication centre. Large numbers of travellers and stock passed over the crossing, and the business of the punt naturally became of great importance. The use of the punt in Gundagai had been mentioned in 1845, in a letter from T.L. Mitchell, the Surveyor General of that time. He said, the punt was "so small that it requires four turns to take the loading of one dray across, ... and while the master's attention is taken up in seeing his goods landed and shipped in safety, the men (labourers) take the opportunity of visiting the public house and getting drunk."1 In the following years, Gundagai was able to serve an increasing number of travellers with larger punts and provide hospitality. As an agricultural and pastoral district, Gundagai had also a capacity to distribute its products to other regions in the Colony.

In this THRIVING CENTRE money appeared to have been especially important. A "money orientation", I have suggested, went hand in hand with a lack of attention to religious matters. The people of Gundagai tended to neglect religious rituals, and the establishment of Churches - the institutions of religion - was very slow so that Sunday in the bush scarcely existed. It was only in a time of crisis - the occurrence of the great flood - that a real concern for spiritual matters is evident in Gundagai. The catastrophe demonstrated that the

Church possessed some power to give comfort and, perhaps as a consequence, had the effect of making people suddenly aware of the need of the services of permanent clergymen. After the flood this need became a topic of serious discussion.

The turbulence of this frontier town of Gundagai - visited by travellers of many races and occupations, possessing numerous busy and rowdy hotels - was not surprisingly accompainied by quarrels of many types. The court records relate drunken brawls and wild abusive language. But there were also more sophisticated battles of words between such elite figures as Jenkins and Spencer. Many indications exist at all levels of society of a lack of respect for authority in Gundagai.

Despite the turbulence of the town, there is documentary evidence of a social hierarchy. One historian, T.H. Irving, has given particular emphasis to the division of society in the Colony. He quotes Henry Parkes's Empire on the description of society, in 1851 - 'the whole of Australia is politically and socially divided into three classes, viz - 1st., the Squattocracy or vested interest: 2nd, the Bureaucracy or Mercantile interest: and 3rd, the Democracy or Labouring interest'.[2] The Gundagai material also suggests such a social division, but it should not be exaggerated. Strong egalitarian or democratic elements appear to have taken root within the white community in Gundagai. It was, in particular, a "petitioning society". different social ranks, such as storekeeper (he was a surgeon as well), postmaker, innkeeper, saddler, shoemaker, tailor, blacksmith, and landholder, wrote a joint petition to Governor George Gipps about the laying out of the town.[3]

Another example illustrating this democratic society is a petition sent to Governor FitzRoy in 1851, respecting the damming up the mouth of the branches of the river in Gundagai. This petition too, was sent by people of every social level. They included "Magistrates, Licensed Squatters, Licensed Victuallers, Mechanics, Labourers, and others, residents of the Town and District of Gundagai."[4] It is important to emphasize that Gundagai people did not merely take orders from Sydney; they constantly petitioned the Government to further their common goals. Their petitions were not only the expression of an elite view but an indication of a broadly based social involvement in public affairs. Even the often important distinction between emancipists and free settlers does not appear to have undermined this spirit. It is significant that Edward Norman, an emancipist, was one of the leading citizens of Gundagai and was involved in one of the petitions mentioned above.

In this democratic, petitioning, society, there appears to have been an openness in social and political discussion. "Two way communication" between the Colonial Government in Sydney and the inhabitants of Gundagai seems to have been firmly established. When in 1845, for instance, the Governor refused to exhange land purchased on lower ground for higher ground, a lot of protests appeared in certain letters, petitions, and even a poem. (See Chapter III.)

An abundance of data illustrating the open attitudes of Gundagai society has been discovered. In various ways people expressed their feelings, their regrets and their anger. They expressed themselves often in sarcastic and blunt word.

In looking at Gundagai, I am not merely trying to portray one town. As in the case of the anthropological studies which have influenced my work, I hope that this microscopic study will contribute to our understanding of the general character of mid - nineteenth century Australia. In this thesis I have investigated certain topics or themes which appear to me to be prominent in the sources. In particular, I have discussed some of what I believe were the critical values present in Gundagai society. The institution of 'agreement' and the social sensitivity towards language have received attention. A certain view of alcohol as an independent and malevalent force has also been delineated. I have discussed the position of women in the social structure and in men's perceptions, and I have noted also the element of racism in the community's culture. As I have remarked in the text, the Gundagai evidence in many of these matters complements the material presented by historians working in different parts of nineteenth century Australia. In other respects, such as the attitude to women, my evidence appears to throw a slightly different light on the position of women in mid-nineteenth century Australian life from that described by other researchers. (See Chapter VI). The best one can hope for from a piece of local history (or for that matter from the ethnography of an anthropologist) is that it provokes researchers in other areas to ask new questions of their evidence. This Gundagai study, I believe, has uncovered themes which have been given little emphasis elsewhere, and it is my hope that it will encourage other local history specialists to investigate, for instance, attitudes to language, or to the concept of 'agreement' when they examine the documentation for their own regions of colonial Australia.

CONCLUSION NOTES

1. VP-LC, 1852, p. 265.

2. T.H. Irving, "1850-70", in F.K. Crowley (Ed.), A New History of Australia, Melbourne, William Heinemann, 1974, p. 125.

3. The Atlas, Sydney, March 22, 1845; and also VP-LC, 1852, p. 256.

4. The Goulburn Herald, September 11, 1852.

APPENDIX 1

COPY OF A LETTER FROM MR COMMISSIONER BINGHAM, TO THE COLONIAL SECRETARY.

Headquarters, Tumut River,

November 4th, 1844

Sir,

I do myself the honour to submit for His Excellency the Governor's consideration, that from the late floods in this part it would be highly essential to the future welfare and advancement of the Township of Gundagai, to have a Surveyor sent up and lay out part of the Township on the south bank of the Murrumbidgee River, on moderate high ground, well adapted for building on, and some few allotments might be laid out north by east of the present Township giving the parties who have no allotments on the recently flooded land, allotments on the high land; the water was 4 to 5 feet deep in the huts at Gundagai, and parties suffered severe loss of property; and with a prospect of similar inundations, all chance of the advancement of Gundagai, as an Inland Township on its present site, I would say are at an end, as no persons would now think of purchasing allotments, or of building in such a precarious situation.

I have, &c.,

(Signed) HENRY BINGHAM

THE HONORABLE THE COLONIAL SECRETARY,

SYDNEY.

Source: VP-LC, N.S.W., 1852, p. 253.

APPENDIX 2

COPY OF A LETTER FROM THE COLONIAL SECRETARY, TO MR COMMISSIONER BINGHAM. NO. 44-275.

COLONIAL SECRETARY'S OFFICE,
SYDNEY, 7TH DECEMBER, 1844.

Sir,

In acknowledging the receipt of your communication of the 4th ultimo, recommending the laying out of allotments on the high ground on the south bank of the Murrumbidgee River in thh vicinity of Gundagai, out of the reach of the flood to which that Township has recently been subject, and suggesting the exchange of the flooded allotments for those on higher ground, I am directed by His Excellency the Governor to inform you, that the Surveyor General has been instructed to cause some allotments to be laid out in the situation described, but that a survey of the features will in the first instance be necessary.

2. His Excellency further directs me to inform you that he cannot however sanction the proposed exchange of the flooded allotments, as he considers that what a man buys, he buys for better or worse.

I have, & c.,

(Signed) E. DEAS THOMSON

Henry Bingham, Esq.,
Commissioner of Crown Lands,
Tumut River.

Source: VP-LC, N.S.W., p. 253.

APPENDIX 3

TO THE MEN OF GUNDAGAI

Ye watermen of Gundagai, who are grounded in the mud,
Whose huts not triumphantly, have battled with the floods,
Your new allotments haste to buy, and pay for ere you go,
For old ones are all gone to the Settlements below.

New Holland lacks much water, her flocks and herds to keep,
Your streets are little rivulets, your homes are in the deep,
With punts, canoes and jolly boats, from hut to hut ye go,
As ye swim with the stream to the Settlements below.

Your wives and children's drowning cries shall rise in every shower.
They swan their last at Gundagai, in the ill-omened hour.
And, as the auction hammer fell to "gone", why t'was a "go",
For you float in your boats o'er the Settlements below.

The watery town of Gundagai, No native fire shall burn,
Till stout Sir Robert's ministry, Shall order Gipps' return;
Then perhaps the men of Gundagai Upon dry land shall go,
Leave their bogs to the frogs, And the Settlement below.

Then Gundagai, then Gundagai be liberal with your purse,
Again your town allotments buy "For better or for worse",
And if, as further still you wind to lands still worse you go,
Gipps will still stand your friend in the settlements below.

Source: The Atlas, Sydney, February 22, 1845.

APPENDIX 4.

LIST OF THOSE WHO PERISHED

		Age
1.	Hannah Sophia Lindley, publican's wife	33
2.	George Lindley	8
3.	Emma Lindley	5
4.	Thomas Lindley	3
5.	Anna Sophia Lindley	1
6.	Daniel Morrissy, stonemason	70
7.	William Walker, labourer	51
8.	John M'Namara, labourer	40
9.	Catherine Thatcher, married	44
10.	Honora Thatcher, married	19
11.	Mary Ann Thatcher	18
12.	John Frederick Thatcher	14
13.	William Thatcher	8
14.	George Thatcher	6
15.	Alfred Thatcher	3
16.	Louise Thatcher	months 14
17.	Allan McKenna, schoolmaster	67
18.	Elizabeth McKenna, his wife	34
19.	Joseph McKenna	13
20.	John McKenna	11
21.	Martha McKenna	9
22.	William McKenna	6
23.	Justus McKenna	4
24.	Richart Hunt	56
25.	Sarah Hunt, his wife	46
26.	Emily Hunt	11

27.	Richard Hunt	9
28.	Caroline Hunt	5
29.	John Hunt	3
30.	Ann Farrell, servant at Lindley's	19
32.	Mary Ann Smmart, do do	11
33.	Ann Conolly, married	55
34.	James Flynn	5
35.	Ellen Flynn	7
36.	John Scott, butcher	30
37.	Mary Ann Scott, his wife	23
38.	William Luff, squatter	57
39.	Gerald Hemphill, his wife	48
40.	Ann Hemphill, his wife	47
41.	Jane Hemphill	16
42.	Rebecca Hemphill	14
43.	James Hemphill	9
44.	Ann Hemphill	7
45.	James Saxenby, watchmaker, from Braidwood	56
46.	Patrick Gormly, labourer	55
47.	Mary Gormly, his wife	46
48.	Jeremiah Gormly, labourer	22
49.	Patrick Gormly	10
50.	Sarah Gormly	14
51.	Mary Scott, married)	19
52.	Henry Scott, her infant)	3 weeks
53.	John Morris, horse breaker	43
54.	John Morris, junior	5
55.	David Morris	3

56.	John Williams, labourer	51
57.	John Perston, from Bathurst, gent.	24
58.	A shepherd, name unknown, old and lame	
59.	James Minahan, punt man	35
60.	John Sacks, storekeeper, a German	28
61.	George Ross	5
62.	Mary Ann Ross	2 1/2
63.	William Ross	1
64.	Mary Ann Doyle	6 1/2
65.	Charles Edward Doyle)	2 1/2
66.	Robert Thomas Doyle)	2 1/2
67.	John McKinnon, labourer	50
68.	William Eggerton, tailor	45
69.	Catherine Eggerton, his wife	36
70.	Mary Brennan	13
71.	Julia Brett	13
72.	John Haslem	36
73.	Henry Castleton	10
74.	John Perkins, labourer, from Goulburn	30
75.	Sarah Butler, married	43
76.	Emily Jane Butler	5 1/2

Source: The Sydney Morning Herald, July 26, 1852.

APPENDIX 5

ORIGINAL POETRY

ODE TO THE DEAD OF GUNDAGAI

Sleep dead, who died at Gundagai!
Upon that dreadful, heavy night,
What then avail'd the piercing cry,
Which rose above the waters' might!
Ah what avail'd thee? thine the fate,
By flat seal'd-He will'd thy doom,
In joy, in youth, in health elate,
Unwarn'd-ye met a watery tomb.

Unwarn'd - ere roar'd the raging wave,
Which broke in thunder, o'er the plain,
Ye little reek'd - the waters rave,
That mimiek'd ocean's mighty main,
Would soon engulph thee in its course,
"Unshrined, unconfin'd, unanneal'd,"
That sin, repentance, and remorse,
Too soon to death, wuld be reveal'd.

Ah! what suspense thy bosom swell'd,
As night set in upon that scene,
The last thy dying eyes be held,
A living agonising dream,
And blanch'd with fear, with deradful thought,
As rose the turbid, raging flood;
An age of pain those moments brought,
Chilling to very ice thy blood.

And vain the prayer, that ask'd of Him,
Ye pray'd, till even hope grew dim,
Till even hope forgot its smile,
As death with crushing jaws drew near.
Say mothers from thy seigy graves!
How clung thee, to thy children dear,
When dragg'd beneath those snow cold waves?

Were many link'd in wild embrace?
In love - that death could not divide,
And ending thus, their earthly race,
The loved, and loving, side by side
A down the waters headlong course,
Swept thy frail bodies, here and there;
And carrying, in its madden'd force,
What'er its mighty tide could bear.

Ye sleep, thou dead of Gundagai!
In slimy holes, and river beds;
The manes of many there will lie,
In haunts where seldom mankind treads,
There, festering in the summer heat,
While bleaching winters bleach thy bones,
The little birds shall oft repeat,
Thy fate, in music's measured tones.

All living sympathise with thee;
And Nature seems, still on to Mourn;
The very leaves on every tree,
Ere falling - by the rude blast torn,
At silent eve, a requiem sing,
And even the rocks, in listening weep.
But what relief can pity bring?
What wake thee from thy clammy sleep?

The pale cold moon, with dewy face,
Her glistening tears will o'er tee shed;
And stars which gleam in boundless space,
Shine on those unburied dead.
But brightest of all lights which shine,
The lights that light th'eternal shore,
Oh may their gleam, and grace be thine,
And Heaven thy lot for evermore.

Goulburn, August 9. THETA.

Source: The Sydney Morning Herald, August 13, 1852.

APPENDIX 6

SOUTH GUNDAGAI (Our Own Correspondent)

A short time since a respectable person of this neighbourhood took a strong does of strychnine in a fit of despondency. As soon as the rash act was known a young woman in the house had the presence of mind to administer large draughts of warm salt water which produced vomitting [sic].

As soon as Mr Spencer arrived, he gave vinegar and water, and shortly after, from the great depression which existed, prescribed a system of tonics. These means were happily successful, the person having quite recovered.

"Dr." Spencer had a pleasant little arrangement with the patients who could not affort his fees--his "gratis patients". This consisted in having them extol his merits, by way of a signed statement, which Spencer placed as an advertisement in the local Press. It only goes to prove that it is an ill wind indeed that cannot be made to blow in some suitable direction. For example, there was once in Gundagai a tailor named Corbett, who was more famous for his cut than his cash. He worked out his account with Spencer in the manner related, and eight insertions of the advertisement hereunder appeared in the news journal.

MEDICAL

My son, James Corbett, has been subected to Epileptic Fits during the last five years. I consulted many medical men for him, and I gave him many of the remedies suggested to me by others, but all failed to give him any relief. He has now been CURED and restored to health by DR. SPENCER of South Gundagai. For the information of other sufferers and thus publicly to express my thanks to Dr. Spencer I make this cure known.

James Corbett, Tailor.

It was probably as well that there were only eight insertions, as any more would have coincided with a funeral notice of the poor boy, who fell into the river in a fit.

Mr. Spencer's fees were not particularly high, just the same, as may be gathered from his regular advertisement, politely entitled "a card", and set out thus:

MR. SPENCER
Physician, Surgeon and Accoucheur
South Gundagai

Begs to inform his friends and the public that he has greatly reduced his charges, the following being his present rate of prices in all departments:

Confinements (if pre-engaged)	£ 2 2 0
Extracting Teeth	2 6
Bleeding	2 6
Attendance in the country, per mile ..	3 0

Diseases of A Certain Nature,
Secondary symptoms, Pains in the limbs, joints, etc. and all complaints of children quickly and efficiently cured.

Source: The Medical Journal of Australia, Feburary 2, 1946.

APPENDIX 7

"SONGS OF THE SQUATTERS"
(No. 2)

The Commissionair bet me a pony - I won,
So he cut off exactly two thirds of my rum,
For he said I was making a fortune too fast;
And profit gained slower, the longer would last,

He remarked as, devouring my mutton, he sat,
That I suffered my sheep to grow sadly too fat;
That they wasted waste land, did prerogative brown,
And rebelliously nibbled the droits of the Crown.

That the creek that divided my station in two
Showed that Nature design'ed that two fees should be due.
Mr Riddell assured me t' was paid but for show,
But he kept it, and spent it - that's all that I know,

The Commissioner fined me, because I forgot
To return an old ewe that was ill of the rot,
And a poor wry-necked lamb that we kept for a pet,
And he said it was treason such things to forget.

The Commissioner pounded my cattle, because
They had mumbled the scrub with their famishing jaws
On the part of the run he had taken away,
And he sold them by auction the costs to defray.

The Border Police they were out all the day,
To look for some thieves who had ransack'd my dray,
But the thieves they continued in quiet and peace,
For they'd robb'd it themselves, had the Border Police.

When the white thieves were gone, next the black thieves appeared,
My shepherds they waddied, my cattle they speared;
But for fear of my license I said not a word,
For I knew it was gone if the Government heard.

The Commissioner's bosom with anger was filled,
Against me, because my poor shepherd was killed;
So he straight took away the last third of my run,
And got it transferred to the name of his son.

The son had from Cambridge been lately expell'd,
And his license for preaching most justly withheld;
But this is no cause, the Commissioner says,
Why he should not be fit for my license to graze.

The cattle that had not been sold at the pound
He took with the run, at five shilllings all round,
And the sheep the blacks left me, at sixpence a head -
And a very good price, the Commissioner said.

The Governor told me I justly was served,
That Commissioners never from duty had swerved;
But that if I'd a fancy for any more land,
For one pound an acre he'd plenty on hand.

I'm very proud, I can dig in a bog,
Feed pigs, or for firewood can split up a log,
Clean shoes, riddle cinders, or help to boil down,
Anything that you please - but graze lands of the Crown!

Source: The Atlas, Sydney, February 22, 1845.

APPENDIX 8

THE WAY TO GUNDAGAI

Oh, boys, you've heard of Gundagai - to see that town I meant;
And so, upon the southern road to'ards Gundagai I went.
At Sydney town with merchandise I loaded up my dray,
And signed to get to Gundagai in three weeks to a day:
But keep to that agreement it was in vain to try,
When in the rains of '49 I left for Gundagai.

To view the Murrumbidgee banks I had made up my mind,
So bid good-bye to all my friends, and left them far behind;
And by- and bye we camped a night at Jugiong so green:
"A pretty place - but Gundagai's a far more pretty scene" -
That was what the people said as they came passing by,
When we camped at "Sugar" O'Brien's Creek, two miles from Gundagai.

But when I got to Gundagai, so far, and far away,
My Mr Henry Turnbull he just refused to pay -
He said, "I've missed the races here, and all because of you,
I will not pay a half-penny, you're three days overdue";
"Well, then, Mr Turnbull, you're a paltry rogue", said I,
As homeward bound I started from the town of Gundagai.

When next the spires of Goulburn town most joyfully I hailed,
To Mr Walsh, the lawyer there: the man who never failed,
I took my tale of injury, and Mr Walsh full soon
Made Mr Henry Turnbull sing quite another tune:

> For Mr Walsh "adduced the Law", and thus the foe at Bay
> Alias Henry Turnbull made haste his debt to pay

And now a moral I would add - let Trader never try
To "sharp" an honest teamster on the road to Gundagai.

Source: Charles MacAlister, Old Pioneering Days in the Sunny South, Goulburn, The Chas. MacAlister Book Publication Committee, 1907, pp. 139-140.

Information before a Justice to require Surety of the Peace or good behaviour.

New South Wales
Gundagai
to wit.

BE IT REMEMBERED, that on the Fifteenth day of November in the year of our Lord One thousand eight hundred and fifty eight, Mary Carroll of Gundagai in the [illegible] in the Colony of New South Wales, [illegible] personally cometh before me Charles Thomas Anderson Esquire, one of Her Majesty's Justices assigned to keep the Peace [illegible] [illegible] and saith, that her husband Charles Carroll of Gundagai aforesaid, in the Colony aforesaid, [illegible] did on the [illegible] day of November in the year of Our Lord One thousand eight hundred and fifty eight at [illegible] [illegible] in the Colony aforesaid [illegible]

Charles Carroll [illegible] [illegible] Mary Carroll [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] bodily harm

and that from the above premises this complainant doth [illegible] the said Charles Carroll will do her some grievous bodily injury, and therefore prays that the said Charles Carroll may be required to find sufficient sureties [illegible] towards her this complainant; and this complainant also saith that she doth not make this complaint against nor require such sureties from the said Charles Carroll from any hatred, malice, or ill will, but merely for the preservation of her life and person from injury.—And the said Mary Carroll prays that I the said Justice would proceed in the premises according to law.

Mary X Carroll
her mark

SWORN before me at the Police Office, [illegible] Gundagai in the Colony of New South Wales, this Fifteenth day of November in the year of Our Lord One thousand eight hundred and fifty eight.

Charles Thos. Anderson Justice of the Peace

(K. 2, 11 & 12 Vic., Cap. 43.)

Order for Payment of Money, ~~a ...~~

New South Wales
Gundagai
to wit.

Be it remembered That on the Fifteenth day of June, in the year of Our Lord one thousand eight hundred and Fifty Seven complaint was made before Charles Thomas Weaver Esquire & one of Her Majesty's Justices of the Peace in and for the said Colony of New South Wales, for that one John Doyle of Gundagai, Carrier, had unlawfully deserted his wife Ann Doyle leaving her without any adequate means of support

and now at this day, to wit, on the Twenty Second day of June, 1857 at Gundagai in the said Colony, the said John Doyle and the said Ann Doyle personally appeared before us Charles Thomas Weaver and Alexander Keith Collins Esquires, two of Her Majesty's Justices of the Peace in and for the said Colony

and now, having heard the matter of the said complaint, We do adjudge the said ordered John Doyle to pay to the said Ann Doyle by the hands of James [illegible], Chief Constable of Gundagai, the sum of ten shillings sterling per week for Six calendar months from this Twenty Second day of June 1857

~~and also to pay to the said ... the sum of ... costs ... the said several sums be not paid ... adjudge the said ... to be imprisoned in the Gaol at ... in the said Colony for the space of ... unless the said several sums ... shall be sooner paid.~~

Given under our Hands and Seals this Twenty Second day of June, in the year of Our Lord one thousand eight hundred and Fifty Seven at Gundagai in the Colony aforesaid.

Chas Thos Weaver JP

A K Collins JP

New South ... to ...

Sworn ... the 25 ... before

1

(K. 2, 11 & 12 Vic., Cap. 43.)

Order for Payment of Money, ~~and [illegible]~~

~~[illegible]~~

New South Wales
Gundagai
TO WIT.

BE IT REMEMBERED, That on the Twenty Second day of May, in the year of Our Lord one thousand eight hundred and fifty seven complaint was made before [illegible] one of Her Majesty's Justices of the Peace in and for the said Colony of New South Wales, for that one John Wilson of Gundagai, Labourer, had unlawfully deserted his wife Mary Wilson ~~[illegible]~~ ~~[illegible]~~ support

and now at this day, to wit, on the Eighth day of June 1857 at Gundagai in the said Colony, the said John Wilson and the said Mary Wilson personally appeared before us Charles Thomas Warren and Alexander Keith Collins Esquires two of Her Majesty's Justices of the Peace in and for the said Colony

and now, having heard the matter of the said complaint, We do adjudge the said John Wilson to pay to the said Mary Wilson by the hands of [illegible] of Gundagai, the sum of fifteen shillings per week for the support of his children [illegible] from this eighth day of June 1857 And payment to commence from this said eighth day of June 1857.

Given under our Hands and Seals this Eighth day of June in the year of Our Lord one thousand eight hundred and fifty seven at Gundagai in the Colony aforesaid.

Chas. Thos. Warren
A Keith Collins

APPENDIX 12

THE GUNDAGAI CALAMITY
by James Riley

O! Mourn, Australia, weep and mourn,
For yonder floats as sad a wail
As e'er on tempest wing was borne
Along the Murrumbidgee's vale.

Great God! what battlings now for breath,
What gurgling sounds of agony!
What contest with the monster - Death!
His loathed, abhored, embraced to flee.

On, on, the waters, madly rush
O'er highest bank at wildest will,
And many a cherished hope they crush,
And many a piercing cry they still.

The old, the young, the strong, the weak,
The bold, the timid, and the brave,
Their voices lend to that loud shriek -
Then, struggling, fill a watery grave.

Again, Australia's sable son
With vigor ply their frail canoe;
Right well hast thou already done,
But much, oh much, is still to do.

To yonder tree quick passage urge,
Whence cries for help ring shrill and wild,
Too late! Oh grief! the boiling surge
Engulfs the mother and the child.

Turn, turn, and aid yon drowning pair,
Whose outstretched hands would grasp at life -
Alas! they clutch but empty air -
Down sink the husband and the wife.

See how that noble saddled steed,
Who left a master's kindest care,
Now with the current tries his speed,
But where's that master - where? oh where?

Vainly plunging in yon tree
A horse is by the neck held fast;
The sinking stream will surely see
His ears dangling in the blast.

Insatiate death! what sights were bared
To those who stared with looks aghast,
When the receding flood declared
The secrets of thy dread repast.

While desolation far and wide
The water's raging course betrayed,
And fierce destruction's rechless stride
Disclosed the wreck his hands had made.

On that sad scene 'twere vain to dwell
What gathered corpses strewed the ground,
And many a tear of anguish fell
In bitter memory of the drowned.

O! Mighty One! Whose lightest scan
Unnumbered words can comprehend,
To whose high will man's best laid plan
Like reeds before the wind will bend.

'Tis not for us - mere food for worms -
To ask why Thy unerring hand
Sends forth those dreadful floods and storms
That scourge or desolate a land.

But then we trust (as mortals may)
That Thou in mercy heard the cry
Which, thrilling, winged its heavenward way
From doomed, ill-fated Gundagai.

Castlestead,
August, 19, 1852.

Source: The Goulburn Herald, August 28, 1852.

The above lines, which were written soon after the catastrophe by a resident of the Upper Murrumbidgee district, graphically describe the loss of human life by the flood which rolled down the valley of the river on June 25, 1852, and swept away the town of Gundagai and drowned about 100 of the residents.

The Hon. James Gormly, M.L.C., who resides in Wagga, is one of the few who escaped by swimming, when so many around him perished.

The following words are inscribed on a large block stone that stands in the Catholic portion of the Gundagai Cemetery.

IN MEMORY OF
PATRICK, MARY, JEREMIAH, SARAH, and
PATRICK GORMLY,
WHO PERISHED IN THE FLOOD AT GUNDAGAI
25 JUNE, 1852.
ERECTED 1910 BY JAMES GORMLY, M.L.C.

APPENDIX 13

YARRIE : THE HERO OF THAT TRAGIC NIGHT

The town of Gundagai first stood,
Upon the flat so nice and green
The scene was fair, the soil was good,
The river and the creek in between.

Neath shady gums the chillren play,
The Black men shook their heads in doubt,
They said Baal, that one good to stay,
When big one flood him walk about.

But talk of floods could not avail,
The boldest didn't care a darn,
For what they thought a fairy tale,
Or just some ancient woman's yarn.

At last one night a bushman came,
He coo-ed not, nor sang a song,
The night was dark, his horse was lame,
He'd raced him from Gobarralong.

Get up he yelled, I warn you fly,
Go off from here to higher ground.
The water's coming mountain high,
If you stay here you'll all be drowned.

The man is made then someone said,
He's either mad, or drunk, or both;
And I for one go back to bed,
I wouldn't believe him on his oath.

But morning brought remorse that kills,
On very side the water's bar;
Oh Lord, if we could reach the hills.
That are so near and yet so far.

One boat there was. The punt had gone,
The boat was on the Southern side;
But none there fit to take it on,
The stream was strong and swift and wide.

Then came two swagmen (sailor men),
Put down their swags and said we'll try;
We've rowed more boats than ere you' ken,
We'll rescue most of them or die.

Without mishap they reached the town,
Where people on their houses sat;
They started on the lowest down,
And those most easy to get at.

Take me take me, I'll help you pull,
Cried girls and children on the sheds;
The sailors filled the boat too full,
Their hearts were softer than their heads.

Quite safe had they been on the sea,
They had no chance that tide to stem;
Their boat was smashed against a tree,
Brave men the last was seen of them.

Next comes Australia's sable son,
With Yarrie in his bark canoe.
The deeds he did were nobly done,
As I will now relate to you.

That frail canoe the flood to span,
Poor imitation of a boat;
Said they, it takes a clever man,
To even keep that thing afloat.

But what's that shouting, listen hark,
The lookers on are cheering wild;
Bold Yarrie and his sheet of bark,
Has saved a woman and her child.

Good boy, Yarrie, don't you shirk,
Go fetch 'em, rescue all you can;
Poor Yarrie wasn't used to work,
That flood would test the strongest man.

But on he went and on again,
A black man, but his heart was white;
Not once to cross that stream in vain,
Till barred by darkness of the night.

Wild Yarrie and his craft was blest,
Each time he struggled to the shore;
They say old Yarrie did his best,
If so, the best could do no more.

Droughts and floods will ever be,
The tale of Yarrie's bark canoe;
I tell it as it was told me,
By one he saved in fifty-two.

Since then long years have come and gone,
When Yarrie sleeps in high and dry;
And floods still roll as they rolled on,
Before the fall of Gundagai.

Source: The Gundagai Independent, June 26, 1952.

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IV MAPS

A.O. 2811 : North Gundagai, Laid before the Executive Council, 18 August 1838.

A.O. 2812 : North Gundagai, showing some twenty blocks of land allotments in 1840.

A.O. 2814 : Gundagai North and South, in 1850.

A.O. 2825 : Map showing John Spencer's Public House, South Gundagai and the location of the 'old crossing' and the 'punt', crossing the Murrumbidgee River.

A.O. 2828 : Map showing the purchasers of land allotments in North Gundagai, in 1845.

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A.O. 2832 : Gundagai Agricultural Reserve (North and South), in 1849.

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