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'Really Respectable Settlers'

Peninsular War veterans
in the Australian colonies,
1820s and 1830s

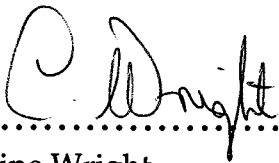
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A thesis submitted for the degree of Doctor of Philosophy
of the Australian National University

June 2005

DECLARATION

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

A handwritten signature in cursive script, appearing to read "C. Wright", positioned above a horizontal dotted line.

Christine Wright
June 2005

ABSTRACT

As the Napoleonic Wars convulsed Europe during the early nineteenth century, many more British young men than ever before became army officers, particularly during the latter part of the conflict, fought in Spain and Portugal between 1808 and 1814. The Peninsular War provided not only employment, but also the opportunity to climb the social ladder. As this thesis will demonstrate, the majority of British army commissions in this period were not purchased, and it was these men who later came to settle in the Australian colonies. After the demobilization of the British army following the battle of Waterloo in 1815, many officers found themselves on half-pay, doing the rounds of government offices seeking colonial positions; some were successful and were appointed to New South Wales. As well, many of those who came to New South Wales in garrison regiments, from 1817 onwards, found the place appealing and decided to settle.

These British army officers, and those others who came in the next couple of decades, were a unique group of emigrants because of the skills they brought with them acquired in the army: self-discipline, self-reliance, the knowledge of how to discipline men, reconnaissance and exploring techniques, mapping, survey, engineering, town planning, medical skills and the building of roads and bridges. They were also Protestant, educated, literate and artistic men, and the carriers of British colonizing notions. They arrived at an opportune time to fill key positions in the newly created civil services in New South Wales and Van Diemen's Land. They also took advantage of British government regulations and obtained land grants under favourable conditions, something hitherto unattainable for them in Britain. In any case,

it was mutually beneficial for the British Government and the Australian colonies to plant ex-army officers in what was the colony farthest away from Britain.

Also revealed are the social networks created by Peninsular War veterans on the other side of the world, and their influence in the Australian colonies. These networks made an impact on the exercise of the law, marriage and settlement patterns, and the social and public life of the colonies. Many of the men who in earlier histories have been called 'the founding fathers' of Australia had a Peninsular War background and developed related social networks. John Macarthur proposed to Commissioner Bigge in 1821 that the colony of New South Wales needed 'really respectable settlers'. Peninsular War veterans proved to be ideal in this respect, and in many others besides. The role of these veterans demonstrates key aspects of the emergence of the 'second' British Empire in the early nineteenth century, and also the change in the nature of the colony of New South Wales, from a penal and military society to a free one.

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The School of Social Sciences at the Australian National University is very generous to its postgraduate students, in terms of resources and accommodation, and I thank them for this. My colleagues in the History Program at this School provided a congenial atmosphere in which to work.

My greatest debt, however, is to my husband Ian who provided extraordinary support. Without his constant help and encouragement, this thesis would never have been written.

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INTRODUCTION

'war was our trade'

'If His Majesty's Government propose to retain this Colony, as a dependency of Great Britain, there is no time to be lost, in establishing a body of *really respectable Settlers* – Men of real Capital – not needy adventurers.¹

Dominating the landscape of colonial Sydney were the largest military barracks in the British colonies, and it was here, on a cold May night in 1829, that two regiments of the British army each gave a grand dinner to celebrate the anniversary of the glorious battle of Albuera,² one of the more well known battles of the Peninsular War. These regiments, the 39th and the 57th, were part of the garrison in the British colony of New South Wales.³ Lamps illuminated the barracks, and the large central building had a ribbon of lamps with the word ALBUERA in large letters, underneath a crown. The effect was magnificent, and spectators jostled to obtain a glimpse. Preceding the dinners, two veterans were chaired around the barrack square: Lieutenant Colonel Shadforth, who had been severely wounded, and Captain Jackson, both of whom performed 'heroic deeds' on that battlefield, according to the *Sydney Gazette*.⁴ At the dinner of the 57th, the walls of the Mess Hall were hung with laurel, and on one was an inscription with the date of the battle: 16 May 1811. British army officers, civil officers and 'respectable private inhabitants' were invited and these guests included Sir Ralph Darling, the Governor of the colony and a Peninsular War veteran, Alexander Macleay, the Colonial Secretary who had been with the Transport Board during the Napoleonic wars, and Deputy Commissary General Laidley, who had been with the Commissariat during the Peninsular War.⁵

¹ Letter John Macarthur to Commissioner Bigge 19 December 1821, M. Clarke (ed.), *Sources of Australian History*, Melbourne : Oxford University Press, 1957.

² The battlefield is near the town of the same name, 187 kilometres north-west of Seville in Spain.

³ Only infantry line regiments served overseas.

⁴ *Sydney Gazette*, 19 May 1829.

⁵ *Ibid.*

The guests chose each course from the best food the colony could offer, and champagne and wine flowed. Many toasts were drunk at these feasts: to the Duke of Wellington, to Lieutenant General William Inglis who commanded the 57th at Albuera, to Lieutenant General Sir G. Airey and the men of the 39th, to those who had fallen at Albuera and, fittingly, to the Colonial Secretary and the gentlemen of the Civil Department, the majority of whom had also been involved in the Peninsular War.

Men such as these, British army officers who had fought in the Peninsular War and who later came to the Australian colonies, are the focus of this thesis. These men are important for two reasons: they played a crucial role in the emergence of the British Empire, from the time of the loss of the American colonies to Waterloo, and they were instrumental in the transformation of the Australian colonies, particularly the development of New South Wales from a penal colony to a free society. They were the nucleus of colonial power structures, and may well have been the only group so well prepared for this role. It could be said that Peninsular War veterans were merely the first of many groups to come to Australia following a major European war; but this group was distinctive because of its unique impact on the Australian colonies.

Although military aspects of imperial history and colonial history are usually explored separately, occasionally they overlap, as they do especially in the period following the Napoleonic wars in Europe. Hence, this thesis sits at the juncture of British imperial history, Australian colonial history, and the social aspect of military history in both countries, and contributes to contemporary debates in each of these histories. The contribution of this thesis to the historiography of Australia is to illuminate the processes of transition of New South Wales from a military and penal society to a free one. In analyzing the elements of a free society, historians have emphasised the increasing number

of free emigration schemes in the 1830s, the cessation of transportation of convicts from Britain in 1840, and the introduction of trial by jury. This thesis demonstrates how Peninsular War veterans, with their own transition from military to civil life, aided in the transformation of New South Wales.

Within British imperial historiography, this thesis contributes to the new imperial social history that focuses on movement around the wider colonial world, rather than just from the centre to the periphery.⁶ It also engages in the recent debate on the forces shaping the British Empire, generated by Catherine Hall and Linda Colley,⁷ in respect of a few topics: the importance of the Empire to the British army, the militarisation of colonial political and legal structures, and the role of Peninsular War veterans in the New South Wales Mounted Police. This thesis also contributes to the study of war's impact on society in this period: a field in which John Cookson, John Brewer and Linda Colley are prominent.⁸

The British Empire expanded at an extraordinary rate at the end of the eighteenth and at the beginning of the nineteenth century, a period that has been somewhat neglected by historians in favour of events in the latter decades of the nineteenth century. There has, however, been work on the concept of a 'second British Empire' from 1783, reflecting the new nature of imperialism that emerged after the American War of Independence.⁹ While in agreement on the concept of a 'second British Empire', historians have contested the timing of the imperial transformation. Bayly, who has argued that in this period there emerged a more autocratic form of government,

⁶ For example, Kirsten McKenzie's *Scandal in the Colonies, Sydney and Cape Town, 1820-1850*, Melbourne : Melbourne University Press, 2004.

⁷ Catherine Hall, *Cultures of Empire: Colonizers in Britain and the Empire in the Nineteenth and Twentieth Centuries : A Reader*. New York, 2000. Linda Colley, *Britons : Forging the Nation, 1707-1837*. New Haven, 1992.

⁸ For recent work on the British Navy in this period, see Margarette Lincoln, *Representating the Royal Navy: British Sea Power 1750-1815*. London, 2002.

⁹ This was first floated in the 1950s. Robert Johnson, *British Imperialism, Histories and Controversies*. Basingstoke, 2003. p.13.

prefers the period 1780 to 1830.¹⁰ Yet Stone contends that this transformation can be traced back even further.¹¹ Economic factors played a minor part;¹² but it was the war with France from 1793 to 1815 that was at the heart of the change, a war that was on a wholly unprecedented scale.¹³

Whenever a Briton spoke of the 'Great War' during the nineteenth century and the earliest years of the twentieth, he or she meant the long struggle between Britain and revolutionary France, which had lasted for a generation. The Peninsular War was the latter part of that 'Great War', and it shook the Iberian Peninsula from 1808 until 1814. The Peninsular War was one of the largest campaigns the British ever fought, and was a massive exercise in logistics and administration, besides involving the largest number of fighting men ever put together by the British. The British army served in several other places during this period: in Walcheren in Holland for a few months in 1809, to demolish the docks the French were building, and in the war of 1812 between the United States of America and Canada. The campaign to North America was a longer one, and was a nuisance, a distraction, but not a serious threat.¹⁴ Napoleon with his Grande Armée was the serious threat.

The wars between Britain and France began in 1793. Napoleon became virtually the ruler of Europe: he was Emperor of the French and King of Italy, his brothers reigned in Holland, Naples and Westphalia, and most of the other countries were his allies. In all continental Europe, only Sweden and Portugal were outside his sphere of influence, but it was Britain that was his bitter enemy. Napoleon finally gave the British the opening they

¹⁰ C. A. Bayly, *Imperial Meridian : The British Empire and the World, 1780-1830* . London : Longman, 1989. p.8.

¹¹ Lawrence Stone, introduction to *An Imperial State at War: Britain from 1689 to 1815*, London, 1994. p.20.

¹² Food production was one. Britain's agricultural productivity was much higher than that of France. See K. Wilson, *Empire of Virtue: the imperial project and Hanoverian culture c.1720-1785*, in Lawrence Stone, *An Imperial State at War : Britain from 1689 to 1815*, London, 1994.

¹³ Stone, *An Imperial State*. p.21.

¹⁴ Rory Muir, *Britain and the Defeat of Napoleon, 1807-1815* New Haven, 1996. p.240.

desperately needed when he took his army across Spain in an attempt to capture Portuguese ships. In doing this, he made an enemy of Spain, his oldest ally. As a result, from 1808 onwards, British troops and their Portuguese and Spanish allies marched through the mountains of Portugal, across the rivers, plains and sierras of Spain, finally crossing the western Pyrenees and forcing Napoleon's army back into France. After the British troops had invaded France, the last battle of the Peninsular War was fought in 1814 at Toulouse by a combined British, Portuguese and Spanish army under the command of Field Marshall Lord Wellington. Early nineteenth century Britain was a country at war, a war that pressed on every household, and impinged on every aspect of life. Indeed, it has been argued that the common experience shared by all Britons in the late eighteenth and early nineteenth centuries was shaped by the demands of war.¹⁵ By the war's end in 1815, Britain had transformed itself into a global empire and the leading commercial and industrial power in the world. The British army played a central part in Britain's dramatic transformation.

With the declaration of peace after the Battle of Waterloo in 1815, and the subsequent reduction in the army, Peninsular War veterans found themselves reduced to half pay. Many were disillusioned, for it meant the end of their career. After all, an army officer in peacetime had little chance of promotion. Some were fortunate enough to be retained in their regiments and were deployed in garrison regiments, mainly in Ireland. But even those fortunate few were aware that they should look around for other opportunities, and it was the Empire that provided these. The Empire was dominated by military structures, especially in New South Wales, a penal colony run by the military. Peninsular War veterans were in demand because they were military men who had gained useful skills in wartime, one of which was the management of men.

¹⁵ Clive Emsley, *British Society and the French Wars, 1793-1815* London : Macmillan, 1979. p.4.

* * * *

My interest in veterans of the Peninsular War has its origins with my 1998 honours thesis, in which I examined one settler's dealings with the convict system in New South Wales during the 1820s and 1830s. This was John Coghill and in my research among the vast Coghill papers in the Mitchell Library,¹⁶ I became aware of Coghill's social networks. Although his name is all but forgotten today, he was a man of authority and with influential connections; and it was his connections, and the use he made of them, that interested me. Initially, I began to examine social networks during this same period, but soon became captivated by a particular group of people. British army officers who had fought in the Peninsular War and who later settled in the Australian colonies had, I discovered, the very best of social networks, beginning with their shared experiences fighting Napoleon's army in Spain and Portugal, and this led me on an exploration of their experiences: in Britain, in Europe, and later on in Australia.

Yet today, within Britain, very little is known of the veterans of the Napoleonic wars, and Linda Colley has noted this in her ground-breaking work.¹⁷ The number of Peninsular War veterans in Britain would make it almost impossible to study them in that location, and this could explain why there has been little, if any, research on the lives of veterans in Britain.¹⁸ South African historians have identified the importance of the Peninsular campaign in that country's history. Mostert has written of the influence of those veterans, particularly men such as Sir Benjamin D'Urban and Sir Harry Smith, and of how the military affairs of the frontier there were commanded by men such as these.¹⁹ So also has Zoë Laidlaw, in her recent doctoral thesis

¹⁶ This collection is uncatalogued.

¹⁷ Linda Colley, *Britons : Forging the Nation, 1707-1837* New Haven, 1992. p.321.

¹⁸ Conversation with Charles Esdaile, Liverpool University, May 2003.

¹⁹ Noël Mostert, *Frontiers : The Epic of South Africa's Creation and the Tragedy of the Xhosa People*, New York : Knopf, 1992. p.660.

from Oxford University, which examined the contribution of Peninsular War veterans and their social networks to colonial governance in New South Wales and the Cape Colony.²⁰ Laidlaw, however, while discussing the Peninsula connection with affairs in South Africa, gives less attention to linking the affairs of the Australian colonies with veterans of the Peninsular War. Yet this is the only work that examines Peninsular War veterans as a discrete group. An avenue for further research is the later lives of Peninsular War veterans in other locales, perhaps Scotland, or their role in the garrisoning of Ireland in the 1820s.

The British historian and Peninsular War specialist, Dr Charles Esdaile of Liverpool University, has observed that most work on the Peninsular War is of recent origin and laments not only that historians within the academy have neglected the subject, but that there is among academics a hostile attitude to military history.²¹ This attitude has resulted in much of the work of the Peninsular War being left to amateur military enthusiasts and the writers of popular British history. In the latter genre, the Peninsular War has recently acquired a high profile, as that well-known regiment of green jacketed Riflemen in the Peninsular War, the 95th, has been fictionalised in the enormously popular Sharpe series of novels, and then made into a very successful television series in Britain. The latest non-fictional offering on the 95th Regiment is Mark Urban's *Rifles: Six Years with Wellington's Legendary Sharpshooters*, published in 2004. The continued popularity of the Peninsular War is also reflected in the current demand for battlefield tours: a couple of

²⁰ Zoe Laidlaw, *Networks, Patronage and Information in Colonial Governance: Britain, New South Wales and the Cape Colony, 1826-1843*. Doctor of Philosophy, Oxford, U.K. 2001.

²¹ Charles Esdaile, 'The Peninsular War: A Review of Recent Literature,' *Historian*, Winter, No. 64, 1999. p.12. Further, Esdaile claims that academic historians are prejudiced against military history, see C. Esdaile, *The Peninsular War*, London : Penguin, 2003. p.x.

years ago, a web search located two such tours; this year the same search produced eight.²²

Despite the British army's having had a key role in colonial Australia, the historiography is poor: there is nothing at all that examines veterans of the Peninsular War in Australia as a distinct group, in the light of their experiences in that war. The immensity of the military barracks in Sydney and the distinctly martial atmosphere of the early Australian colonies have occasionally been commented on, but their long term significance has not been explored. Altogether, fourteen regiments of the British army that served in the Peninsular War later undertook garrison duty in the various Australian colonies. The history of the first of the Peninsular regiments to serve in New South Wales is recorded in Clem Sargent's *The Colonial Garrison 1817-1824: the 48th Foot, the Northamptonshire Regiment in New South Wales*, published in 1996. Sargent, a former army officer himself, goes some of the way to recording the impact of Peninsular War veterans, but his work is restricted to one regiment. Sargent has published, alongside this book, many worthwhile articles in *Sabretache*²³ on the contribution of British military regiments. In a similar vein to Sargent, Geoff Blackburn has recorded the history of one regiment of the British army in Western Australia. But in his *Conquest and Settlement: the 21st Regiment (Royal North British Fusiliers) in Western Australia 1833-1840*, published in 1999, he makes no mention of the regiment's previous service in the Iberian Peninsula.

Of the more general military histories, *Two Centuries of War and Peace* edited by M. McKernan and M. Browne, published in 1988, is by far the best and most thoroughly researched study of the contribution of the military to

²² Midas Tours, Remembrance Travel, Old Country Tours, Ian Fletcher Battlefield Tours, Walking Safari Co., Anglia Battlefield Tours, Cooper's Waterloo Tours, and Holt's Tours. All are based in the UK, apart from Old Country Tours, based in the US.

²³ The journal of the Military History Society of Australia.

Australia. Chapter 2, 'The military and the development of the Australian colonies 1788-1888' written by Gerald Walsh, devotes much attention to the military explorers, particularly Captain Charles Sturt and Major Thomas Livingston Mitchell, two of Australia's better known explorers; but Walsh does not consider their explorations in the light of their war-time activities, or strive to make any connection between the two, although Mitchell, for example, spent much of the Peninsular War in exploring, surveying and drawing the topography of Spain and Portugal. By contrast, Peter Stanley, in *The Remote Garrison: The British army in Australia 1788-1870*, published in 1986, devotes one quarter of the book to the 1820s and 1830s, the period when Peninsular regiments were serving in the Australian colonies. With a general focus on military uniforms, Stanley covers all the activities of the garrison regiments: hunting bushrangers, the formation of the Mounted Police, wars against the aborigines, guarding convicts and rounding up absconding convicts. On the whole, though, the book is hampered by a lack of references. *A Military History of Australia*, by Jeffrey Grey, published in 1990, is written from a military perspective and makes the observation that 'the nature of that military force influenced the shape which the early colonies took'.²⁴ Beyond this brief comment, there is no reference to Peninsular War veterans. In his first chapter, however, while detailing the movements of detachments of the early regiments to serve in the Australian colonies, Grey writes:

The British army of the eighteenth and much of the nineteenth centuries comprised an officer corps of aristocratic amateurs in command of the social sweepings of the industrial slums²⁵

While the above generalization may be a true reflection of the British army before the Napoleonic Wars, so far as the campaign on the Iberian Peninsula is concerned, my research has proved this to be incorrect. During that period

²⁴ Jeffrey Grey, *A Military History of Australia, Studies in Australian History*. Melbourne : Cambridge University Press, 1990. p.10.

²⁵ *Ibid.* p.13.

the officer corps was certainly not composed entirely of aristocrats, as Chapter Two will show.

The most recent commentary on the British army in Australia is Peter Stanley's entry in *The Oxford Companion to Australian Military History*, published in 1995. The problem with British military historiography, Stanley notes, was that it focused entirely on the army in war, and paid no attention to any other role. The army's role in colonial society has likewise been neglected,²⁶ and this thesis addresses this issue. Stanley also notes that the primary sources available for the study of the British army in Australia are not extensive; but, by focusing on individuals and their careers I have sought to overcome this problem. The involvement of British army soldiers in the conflict against Aborigines still required investigation, Stanley commented in 1995. However, John Connor's recent work has addressed this, as does Chapter Eight of this thesis, in which I examine the role of the New South Wales Mounted Police in that conflict.

John Connor's *The Australian Frontier Wars 1788-1838*,²⁷ describes the methods of warfare used on the frontier by both the British army and the Aborigines. Connor skillfully draws on the military experience of some officers who had fought in the Peninsular War and, in his chapter on the 'Black Line' in Van Diemen's Land, shows the importance of military logistics in this operation. The Commissariat, drawn on normally by the garrison regiments and the convict population, supplied clothing and boots to the civilian volunteers who took part. Governor Arthur, Connor argues, used his position as colonial governor and commander of the military garrison to mobilize the civilians. But again, Connor's is a purely military history, albeit one with a

²⁶ P. Stanley, 'British Army in Australia', in P. Dennis, J. Grey, E. Morris, R. Prior, and J. Connor (eds.), *The Oxford Companion to Australian Military History* Melbourne : Oxford University Press, 1995. p.121.

²⁷ John Connor, *The Australian Frontier Wars, 1788-1838*. Sydney : University of New South Wales Press, 2002.

distinctive focus. His concept of the way the Australian frontier changed in 1838 is somewhat different from my own, and this is explored in Chapter Eight. Connor drew somewhat on the earlier work of Bill Thorpe's *Colonial Queensland: perspectives on a frontier society*, published in 1996. In this work of historical sociology, Thorpe commented on the importance of the military in the establishment of Queensland. Again, this was only a brief mention, but it was a recognition of the role of veterans of the Peninsular War in one Australian colony.

Specialist historians too have noted the presence of Peninsular War veterans. Economic historian Noel Butlin, in *Forming a Colonial Economy*, emphasised the importance of ex-army and navy officers as emigrants, describing them as part of an imperial network,²⁸ and noting that their service background and their contacts were influential in their deciding to emigrate to the Australian colonies. However, although he noted the 1826 military grant regulations to provide inducements to army and navy officers, he assumed that these regulations applied only to the Australian colonies. In Chapter One, I point out that these grant regulations also applied to other British colonies, and I explain why Peninsular War veterans overwhelmingly chose to settle in New South Wales. Arthur McMartin, in *Public Servants and Patronage: the foundation and rise of the New South Wales Public Service 1786–1859*,²⁹ notes the preponderance of Peninsular War veterans in the public service, although he does not examine the origin of their skills in any way.

Recently, a couple of journal articles have recognised a particular aspect of the impact of Peninsular War veterans on the Australian colonies. Grace Karskens, writing on the construction of the Great North Road from Sydney, points out that military men who dominated the Roads and Bridges

²⁸ N. G. Butlin, *Forming a Colonial Economy, Australia 1810-1850*, Melbourne : Cambridge University Press, 1994. p.21.

²⁹ published in Sydney, 1983, p.200.

Department and the Surveyor General's Department in colonial Sydney were the carriers of new technology in road making.³⁰ Judith Keene's article focused on the experience of one man, Juan D'Arrieta, who was firstly a Spanish contractor for the British Commissariat in Spain, then a settler in New South Wales. Keene argues that these veterans were significant, and left a considerable mark on Australian society and culture. She also indicated the need for a full study of the impact of the whole group.³¹

There has been some recognition by Australian historians, then, that a gap exists in the historiography of colonial Australia – the impact of Peninsular War veterans on the Australian colonies – and those who edit the journals of Peninsular War veterans have also felt this. From the Australian perspective, these journals have been of interest only because of what they reveal about life in the various colonies. In 1992, John Mulvaney, in his introduction to Captain Collet Barker's journals: *Commandant of Solitude: The Journals of Captain Collet Barker, 1828-1831*, recognised the importance and breadth of the contribution of veterans of the Peninsular Wars to the Australian colonies, and noted that it has been barely recognized.³² Likewise, Peter Chapman, the editor of *The Diaries and Letters of G.T.W.B. Boyes, Volume 1 1820-1832*, in 1985 recorded the significance of what he termed the 'cultural' migration of Peninsular War veterans. Chapman's work, in particular, was a source of inspiration at the beginning of my research. He wrote that the Peninsular War was

indeed a prologue, not only for Boyes but for many of his Peninsular colleagues, a great collective experience which determined not only the courses of their lives, but also a certain course in Australian history. So much of what happened in the vast and

³⁰ Grace Karskens, 'as Good as Any in England': The Background to the Construction of the Great North Road,' *Journal of the Royal Australian Historical Society* 68, 1982.

³¹ Judith Keene, 'Surviving the Peninsular War in Australia: Juan De Arrieta' *Journal of the Royal Australian Historical Society* 85, No. 1, 1999.

³² Collet Barker, *Commandant of Solitude : The Journals of Captain Collet Barker, 1828-1831, The Miegunyah Press Series; No. 8*. D.J. Mulvaney and N. Green (eds.), Melbourne : Melbourne University Press 1992. p.22.

alien countries of the Iberian Peninsula was transferred, in the persons of the officer elite, to the management of the Australian colonies.³³

Chapman and Mulvaney each dealt with only one particular Peninsular War veteran. Nonetheless, both recognized the impact of Peninsular War veterans as a group.

Biographers of men involved in the Peninsular War - for example, Sir Thomas Mitchell, Governor Ralph Darling and Governor George Gipps - have also delved into the background of their particular veteran and his part in that war. Two examples are Brian Fletcher's *Ralph Darling: A Governor Maligned*, published in 1984, and William Foster's *Sir Thomas Livingston Mitchell and his World 1792-1855, Surveyor General of New South Wales 1828-1855*, published in 1985. In another biography of Mitchell, *The Civilised Surveyor: Thomas Mitchell and the Australian Aborigines*, published in 1997, Don Baker also conveys some sense of Mitchell's background and military life on the Peninsula. John Gipps in *Every Inch a Governor: Sir George Gipps Governor of New South Wales 1838-46*, published in 1996, gives due recognition to Gipps's Peninsular War experiences. But again, each historian is concerned with only one subject, not with Peninsular War veterans as a group. Yet the contribution of many Peninsular War veterans to the Australian colonies has been recognized by entries in the *Australian Dictionary of Biography*. Some, including Sir Thomas Mitchell and William Light, also have entries in the British *Dictionary of National Biography*.

What is clear, then, is that the effects of the Napoleonic Wars on the men who fought in them have not been explored in any geographic location. There is a paucity of academic, or any other, historical research on the impact of the Peninsular War, not only on veterans involved in that conflict, but also on the social, cultural and political affairs of the Australian colonies following

³³ G. T. W. B. Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832*, Peter Chapman (ed.), Melbourne : Oxford University Press, 1985. p.8.

that war, particularly the 1820s and 1830s. This thesis attempts to fill that gap. It also introduces a new range of sources relating to the Peninsular War available in Australia: personal papers, memoirs and biographies published in this country, among them, Clem Sargent's superb work on the 48th Regiment in Australia, published in Canberra;³⁴ Val Blomfield's letters written from some of the Peninsular War battlefields and later published by his descendants in New South Wales;³⁵ Foster Fyans's reminiscences, published in Victoria;³⁶ and David Elder's study of the art of William Light, published in South Australia.³⁷

* * * *

The very masculine social world of the British army is examined in this thesis, alongside its transmission to the Australian colonies. The mothers, wives and daughters of Peninsular War veterans warrant attention too, and this is achieved in a minor way in a couple of instances, with Georgiana Molloy in the Swan River colony and the extended family network of the Dumaresq families in New South Wales. The story of the women's private lives, however, is beyond the scope of this thesis and calls for further research. Rather, my aim is to sketch the lives of certain Peninsular War veterans in order to draw attention to important aspects of their careers, as well as to the physical circumstances of their experiences as British army officers. These individual biographies reveal similarities and divergences between the men and, using this method, I have been able to show that this group had a disproportionate impact on the Australian colonies. The

³⁴ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*. PCS Publications : Canberra, 1996.

³⁵ Captain T.V. Blomfield, *Memoirs of the Blomfield Family*, Armidale, N.S.W, 1926.

³⁶ Foster Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870) : Transcribed from His Holograph Manuscript Given by Descendants to the State Library, Melbourne, 1996*, P.L. Brown (ed.), Geelong : Geelong Advertiser, 1986.

³⁷ David Elder, *Art of William Light*. Adelaide : The Corporation of the City of Adelaide in conjunction with Wakefield Press, 1987.

Australian experience of Peninsular War veterans is located firmly within the study of relationships, networks and connections, traced not only between the Australian colonies and London, but also around the British Empire.

The framework of the thesis is thematic. Chapter One examines the aftermath of the Peninsular War, and argues that, as the Napoleonic Wars had transformed the British army, Britain itself and the Empire, Peninsular War veterans found they had few opportunities on their return to Britain. Their future was in the new British Empire with their newly acquired skills, ones that were sought after in the Australian colonies. They were a distinct group of emigrants, though the circumstances of their emigration varied. The timing of their emigration varied too, but it was all in the critical expansionist years of the 1820s and the 1830s. Many took advantage of the military grant regulations of 1826, which gave special consideration to officers of the army and navy, and became landholders. Peninsular War veterans benefited financially and socially from their emigration, and there were benefits for the British Government too.

Chapter Two studies the social origins of some Peninsular War veterans, and contrasts those origins with their later high social status in the Australian colonies. Part of my argument in this chapter is that it was this lack of aristocratic status that led to a vigilant interpretation of hierarchies and rank by Peninsular War veterans. Both General Ralph Darling and Sir Thomas Mitchell, for instance, sprang from modest backgrounds, yet were most particular about social distinctions. The Empire provided opportunities for advancement: if they stayed in Britain, their chances of being landholders and magistrates were non-existent. This chapter contributes to the debate on 'gentlemanly capitalism' within the British Empire. It also confirms a hitherto little known fact: that the system of obtaining commissions in the British

army altered considerably during the Peninsular War, and that this had significant consequences for the Australian colonies.

Chapter Three, by probing the social networks of Peninsular War veterans, shows how these networks influenced the pattern of settlement, the exercise of law, marriage patterns, and the social and public life of the colonies. The transition of Peninsular War veterans from obscurity to colonial prominence should be thought of not simply as a matter of individual ability – although I will show that this was important – but also as the result of social and political connections and their dynamics in the critical post-Napoleonic war years in Britain. These were networks of knowledge, patronage and power. The study of these networks reinforces Marjorie Harper's argument that personal networks were more important than government policies when making the decision to emigrate to the colonies.³⁸

Chapter Four discusses the ubiquity of Protestantism in Britain, and in the British army, and shows how this religious influence was a fundamental part of the impact of Peninsular War veterans in colonial Australia. It also demonstrates the link between the British army, British national identity and Protestantism, and how the Napoleonic War years transformed the concept of British nationalism. Among Peninsular War veterans, national and religious identities were inextricably linked. Consequently, I provide a response to John Brewer's call for more work on the formation of identities in which national, regional, ethnic and religious allegiances clash or converge.³⁹ By emphasising the Anglican component in the Australian colonies, this chapter adds another dimension to the work of Linda Colley on British nationalism and the importance of Protestantism. It also complements the

³⁸ Marjory Harper, 'British Migration and the Peopling of the Empire,' in *The Oxford History of the British Empire*, R. Louis. (ed.) Oxford : University Press, 1999. pp.75-76.

³⁹ John Brewer, 'The Eighteenth-Century British State - Contexts and Issues,' in *An Imperial State at War: Britain from 1689 to 1815*, Lawrence Stone (ed.) London : Routledge, 1994. p.68.

work of Margarett Lincoln on the support of the Anglican church for the British Navy on a national level.

Chapter Five describes the skills these men acquired during the Peninsular War, and shows how these contributed to the development of colonial institutions, and the British colonisation of Australia. They were among the few colonists who had acquired the necessary bureaucratic and management skills, as well as the latest technical skills: surveying, map making draughting, town planning, engineering and road-making. Others brought medical skills acquired in the new British Army Medical Department. These men had an advantage over many others seeking colonial appointments, for their skills were in demand in the decades following the demobilisation of troops at the end of the Peninsular War.

Chapter Six argues that Peninsular War veterans were a major component of the ruling class in New South Wales and other Australian colonies, were at the heart of colonial power structures, and considerably reinforced the military character of colonial administration. This engages with Stone's argument that late eighteenth century and early nineteenth century Britain was a military state.⁴⁰ It also reinforces Bayly's argument that there was a more autocratic form of government in this period. The 1820s and 1830s were the peak period of the authority of military men in New South Wales, when Governors Darling and Bourke, Peninsular War veterans themselves, selected magistrates for their military background.

Chapter Seven details the relationship between the arts in the colonies and those in Britain. Art was a significant aspect of British culture brought to the Australian colonies by Peninsular War veterans, and this chapter shows that art served imperial purposes. These were well-educated, often literary and

⁴⁰ Stone, *An Imperial State*. pp.20-21.

artistic men who played an important role in the cultural life of the Australian colonies and helped to shape Australian images of Britishness and imperial identity.

In Chapter Eight the occupations of Peninsular War veterans on the frontier are examined: as Mounted Police defending settlers against Aborigines, and as commandants of penal stations. Army officers in both these occupations, I argue, aided British colonisation by paving the way for free settlers. The role of mounted police is discussed in part one, together with the reasons why the British government later wished to remove the Army from that role. Also noted are the two competing views of the frontier: the colonial and the imperial. The role of commandants of penal stations in New South Wales is discussed in part two, which engages with the debate on prisons and penal authority in Britain.⁴¹ This chapter argues that the appointment of Peninsular War veterans as military commandants of penal stations was an ineluctable consequence of British penal ideology.

Chapter Nine scrutinizes another group of Peninsular War veterans, the men of other ranks. Using the example of three Royal Veteran Companies raised in Britain in 1825 for service in New South Wales, this chapter contrasts the experiences of these men as settlers with those of the officers, again drawing on some individual biographies. Veteran Companies contained aged and wounded men from the rank and file; in other words, soldiers generally unfit for normal work. In the same way as for officers, it was suggested that these men had the potential to make good settlers in the colonies. While the scheme to settle these men in New South Wales and Van Diemen's Land was broadly a failure, it was not without some individual successes.

⁴¹ see Michael Ignatieff, *A Just Measure of Pain : The Penitentiary in the Industrial Revolution, 1750-1850*. New York : Columbia University Press, 1980.

As one member of Wellington's famous Rifle Brigade, Captain John Kincaid, wrote in his memoirs, 'We had been born in war, reared in war, and war was our trade...'⁴² After 1815, and facing lean times on half-pay, British army officers who had fought in the Peninsular War were surely delighted to discover that they were uniquely advantaged by their service and that their 'trade' was vital to the Empire, particularly the Australian colonies, at a time of large scale colonial development. The Peninsular War veteran experience was at the core of the emergence of the new British Empire. The veterans also aided in the transformation of New South Wales from a penal and military society to a free one, and were influential in the foundation of other Australian colonies.

⁴² Captain Jonathan Kincaid, *Adventures in the Rifle Brigade: In the Peninsula, France and the Netherlands From 1809 to 1815*. London : 1929. p.221.

CHAPTER ONE

'emigration is a matter of necessity': the aftermath of the Peninsular War

As the wife of a young lieutenant who was part of the general reduction in the British army following the battle of Waterloo, Susanna Moodie firmly believed that 'emigration is a matter of necessity'.¹ In 1813, John Wedderburn Dunbar Moodie had joined the 21st Regiment, or Royal North British Fusiliers; he was the fourth of five sons of Major James Moodie of Orkney and had two brothers in the Royal Navy, one in the service of the East India Company, and one who had emigrated to the Cape Colony in 1816.² Moodie was sent to Holland, and was part of the campaign at Bergen-op-Zoom, where a musket ball lodged itself in his left wrist. Unable to continue in the army, he was placed on a small pension for a couple of years. After the war, Lieutenant Moodie, attempting to exist on half-pay like so many other British army officers, moved to the Cape Colony where he lived cheaply with his brother, Benjamin, for ten years. He then returned to England and married Susanna Strickland,³ placing himself under more financial pressure. At the time, Moodie's income was about £100 per year, barely enough to provide him and his wife with food and rented accommodation.⁴ Emigration seemed the only solution, though this time Moodie chose Canada, a decision he later regretted. Moodie languished in Canada, serving for seven months in the Provincial Militia at Toronto, before being appointed Captain and Paymaster to sixteen Companies of Militia. Moodie's opportunities might have been

¹ Susanna Moodie, *Roughing It in the Bush, or, Life in Canada*, London : Virago, 1986. p.xv.

² J.W.D. Moodie, *Scenes and adventures, as a soldier and settler, during half a century*, Montreal : J. Lovell, 1866. p.xiv. Microfilm National Library, Canberra. mc756.

³ Susanna Moodie published poems, novels, and two volumes of her life in Canada. Her sister, Agnes Strickland, edited the letters of Mary, Queen of Scots, and published biographies of some of the Queens and Kings of England.

⁴ Patrick A. Dunae, *Gentlemen Emigrants: From the British Public Schools to the Canadian Frontier* Vancouver, B.C.: Douglas and McIntyre, 1981. p.15.

enhanced had he chosen to emigrate to one of the Australian colonies, where Peninsular War veterans generally enjoyed financial and social success.

In this chapter, I demonstrate that, because the Napoleonic Wars transformed the British army, Britain itself, and the Empire, relatively few Peninsular War veterans saw a place for themselves in post-war Britain. Britain had changed radically and, while the generation that fought in the Peninsular War lacked economic opportunities in Britain itself, they were more fortunate than most because a future was available for them in the Empire. Those Peninsular War veterans who settled in the Australian colonies are here treated as a group, although they arrived over a 20 odd year period, and the circumstances of their emigration varied. Some came in garrison regiments and then stayed; some emigrated with their families; some came with civil appointments and then stayed. A distinctive feature of this group was the broad timing of their arrival: they were part of a crucial transition in New South Wales during which the colony was transformed from a convict depot into a settler colony.

The differences between the British army before and after the Napoleonic Wars are examined in this chapter, as are the radical economic, social and demographic changes in Britain itself. The Peninsular War was the defining episode in the life of many British army officers, yet the combination of attempting to live on half-pay, and the diminishing prospects for employment after the war, meant they had no future in Britain. As well, some had wounds that restricted their ability to continue a full life as an officer in the British army, and I give the example of three such officers. Emigration seemed the only avenue for many Peninsular War veterans, and when the British government introduced the military grant regulations in 1826 to encourage settlement in British colonies, their fate was sealed. Why

New South Wales was the favoured destination, rather than elsewhere, will be explained. The British government had a general policy of planting ex-army and ex-navy officers in the colonies, but there were particular reasons for encouraging Peninsular War veterans to settle in New South Wales. There, they could find civil employment and reduce the numbers on half-pay, they could provide colonial law and order, they could be useful in what had become a strategic location.

* * * *

The French Revolutionary wars and the Napoleonic Wars changed the face of continental Europe and that of Britain's Empire also. During the Napoleonic wars, for instance, Britain gained control of the Seychelles, Mauritius, Trinidad, Tobago, St. Lucia, the Cape Colony and British Guyana. Britain doubled her export trade, trebled her revenue and increased commerce with South America by fourteen fold.⁵ After the Peninsular War and Waterloo, Britain was at the zenith of its power. It was the strongest military power in the world and red-coated soldiers served on every continent except Antarctica.⁶ For the first time, Britain's power was military, rather than naval. This was reflected in the military component of Parliament: nearly 1,000 Members of Parliament, or almost half the politicians returned in the thirty years between 1790 and 1820 had served in the military.⁷ Outside Parliament, there was a huge military lobby.

The Napoleonic wars also transformed the British army, not least because it was more than six times larger in 1814 than it had been in 1789.⁸ One source has put the number of British men fighting during these years at one in four

⁵ Arthur Bryant, *The Age of Elegance, 1812-1822*, London : Collins, 1950. p.295.

⁶ Jeremy Black, *Britain as Military Power, 1688-1815*, London : University College Press, 1999. p.1.

⁷ R.G. Thorne, *House of Commons 1790-1820*, London, 1986. p.313, quoted in Hew Strachan, *The Politics of the British Army*, Oxford : Clarendon Press, 1997. p.32.

⁸ Strachan, *The Politics of the British Army*. p.24.

of the British male population.⁹ During this period, the army gained a hold on the imagination of the British public, reversing the trend that the British navy had always been far more popular than the army.¹⁰ An instance of this is recorded in Jane Austen's *Sanditon*, in which Mr. Parker named his house Trafalgar House, but lamented that he had, 'for Waterloo is more the thing now'.¹¹

The British Army that pushed Napoleon's Grande Armée over the Pyrenees and back into France in 1813 was an entirely different army from that which had fought in Flanders twenty years before. For the first time, it was a truly professional one. Hitherto, many had described the army in terms similar to those of Major-General Sir Henry Bunbury:

We have been so long accustomed to measure the efficiency and conduct of British troops by the standard of that noble army which fought and conquered in the Spanish Peninsula that men of the present generation can hardly form an idea of what the military forces of England really were when the great war broke out in 1793. Our army was lax in its discipline, entirely without system, and very weak in numbers. Each colonel of a regiment managed it according to his own notion, or neglected it altogether. There was no uniformity of drill or movement: professional pride was rare; professional knowledge still more so.¹²

Allowing for exaggeration, this statement still makes the point that the British army at the end of the Napoleonic Wars was different: it was larger and more professional than it had ever been before. Many departments of the British army were put on a professional footing for the first time: the Commissariat and the Medical Department, for instance. After the battle of Waterloo, and the large reduction in numbers, it changed again: three-quarters of the infantry battalions were assigned to garrison duty in overseas stations. Thus, the army became primarily a colonial force whose duty was

⁹ L. Colley, 'Whose Nation? Class and National Consciousness in Britain 1750-1830,' *Past and Present* 113, 1986. p.101.

¹⁰ Margarette Lincoln, *Representing the Royal Navy: British Sea Power 1750-1815*, London, 2002. p.7.

¹¹ Written in 1817, not long before she died. Jane Austen and Another Lady, *Sanditon* Boston : Houghton Mifflin Company, 1975. p.19.

¹² Sir Henry Bunbury, *Narratives of Some Passages in the Great War with France*, London, 1927 p.xv. (original edition 1854), quoted in H. C. B. Rogers, *Wellington's Army*, London : I. Allan, 1979. p.12.

to protect the frontiers of the Empire.¹³ The role of the British army in this regard in the Australian colonies is detailed in Chapter Eight.

The soldiers who fought in the latter part of the Napoleonic Wars, on the Iberian Peninsula, were likewise transformed. It was a defining episode in their lives, as evidenced by the transcription on Major James Crummer's grave in Port Macquarie, which lists all battles in which he fought.¹⁴ Crummer suffered injuries, as did many others. For some, their appearance had changed so dramatically that were not recognised on arrival home in Britain. Edward Close recorded his bitterness on arriving back in England with the 48th Regiment:

From very few uniforms being amongst us we were taken for Frenchmen during the entire route to Northampton. Whether this proceeded from the above cause – our sun burnt countenances, or our habit of communicating our remarks in Portuguese – certain it is we were not acknowledged for countrymen.¹⁵

British army officers who fought in the Peninsular War were a different type altogether. The purchase system, whereby one purchased a British Army commission, is well understood; but what is less well known is that this system expanded during the Peninsular War to accommodate men of quite different backgrounds who were given commissions without purchase during the Peninsular War;¹⁶ and it was precisely this type of officer who found himself with no prospects at all in Britain at war's end.

In fact, there was very little gainful employment for British Army officers after 1815. Promotion in the army was practically unobtainable, as the half-pay lists were choked with all ranks. France was occupied until 1818, after which the strength of the army was reduced, and most of the infantry battalions were assigned to garrison duty in overseas stations. The reduction

¹³ E. Spiers, *The Army and Society 1815-1914*, London; New York : Longman, 1980. p.72.

¹⁴ See appendix two.

¹⁵ Edward Close, *Diary 1808-1821*, Mitchell Library, Sydney.

¹⁶ This point is developed in Chapter Two.

in Britain's post-war army and navy was enormous: the army's numbers were reduced from 236,000 in 1814 to 81,000 in 1819 and the navy's from 147,000 to 23,000 in the same period.¹⁷ A great many officers were placed on the half-pay list. Half-pay was a sort of retaining fee for future calls on their services, but it was fixed at the monetary level of a century before: at the level of 1714.¹⁸ Consequently, it was not long before the veterans realised they could not live on half-pay; but they had lost their youth to the war and it was perhaps too late to begin another career in a climate of economic decline. Linked to this latter reality was their institutionalization in the army, which made many of them unsuitable for other careers. Sir George Cockburn clarified these anxieties:

During the war which ended in 1815, we had more than two hundred battalions; of course, they required officers. Some got their commissions for nothing – but all served a certain number of years, and in their youth, so as to lose other professions, which it was too late to begin when discharged to half pay...¹⁹

Peninsular War veterans had very little choice. For most, it was not possible to remain in the army. Those who did remain faced slow promotion in peacetime, which was not universally appealing to ambitious young men.

Those officers on the half-pay list found that it was a mixed blessing to be part of Britain in 1815 and beyond. Britain became the foremost power in Europe, the British Empire was markedly increased and the City of London became the world's financial centre. Much of this change can be attributed to the effect of the Napoleonic wars, of which the war on the Iberian Peninsula was a major part. The Napoleonic wars had lasted for a generation, and when those who fought in those wars returned to Britain, they encountered many economic, social and demographic changes. Wars are expensive. A

¹⁷ W. D. Rubinstein, *Britain's Century: A Political and Social History, 1815-1905*, The Arnold History of Britain. London ; New York: Arnold, 1998. p.7.

¹⁸ Professor N. Gash, 'After Waterloo: British Society and the Legacy of the Napoleonic Wars', *Transactions of the Royal Historical Society*, No.28, 1978. p.147.

¹⁹ Sir G. Cockburn, *Six Letters on Subjects Very Important to England*. Edinburgh : W. Blackwood, 1831. National Library, Canberra.

new form of taxation, income tax, was introduced for the first time.²⁰ England counted the cost of the long struggle against the French, just part of which was the large half-pay bill. The cost of the pensions and half-pay in the post-1815 period – what was commonly referred to as the deadweight – amounted to £5 million.²¹ So, what was for many the welcome end of the Napoleonic Wars resulted in an economic depression that lasted until 1821.²² The rate of industrialisation increased, and one consequence of this was that more people left villages, where their families had lived for generations, and moved to large cities. The scale of industrial change was enormous, more extensive in Britain than it would be anywhere else in Europe or the world.²³ There were changes to traditional agricultural practices too, accompanied by protests: Captain Swing and the Tolpuddle Martyrs are two examples. Similarly, the 'Luddites' protested against industrialisation and the ensuing collapse of the handloom weaving industry in the north of England. As well, the population of Britain rose rapidly from the 1760s until the mid 1820s.²⁴ A rise in fertility rates was exacerbated by a couple of factors: almost 55 per cent of the British population was under 25 years old,²⁵ and it became the norm to marry younger.²⁶ Some of these changes were already in train before the Napoleonic wars and some men joined up because of the dislocation. But these changes accelerated in the time they were away, so even those who had jobs before the war were likely to return and find they were shut out, and this was especially true in the case of handloom weavers.

²⁰ C. Emsley, 'The Impact of War and Military Participation on Britain and France 1792-1815', in *Artisans, Peasants and Proletarians 1760-1860* C. Emsley and J. Walvin (eds.), Kent UK : Croom Helm, 1985. p.60.

²¹ Gash, *After Waterloo: British Society and the Legacy of the Napoleonic Wars*. p.147.

²² Gash, *After Waterloo: British Society and the Legacy of the Napoleonic Wars*. p.152.

²³ J. Black, *Britain 1800, History Today*, November 2000. p.3.

²⁴ Rubinstein, *Britain's Century : A Political and Social History, 1815-1905*. p.263.

²⁵ E.A. Wrigley and R.S. Schofield, *The Population History of England, 1541-1871*, Cambridge, 1981. p.529, quoted in L. Colley, 'The Reach of the State, the Appeal of the Nation: Mass arming and political culture in the Napoleonic Wars', in *An Imperial State at War: Britain from 1689 to 1815*, L. Stone (ed.), New York : Routledge, 1994. p.177.

²⁶ Black, *Britain 1800*, p.3.

During the turbulent period following the Napoleonic Wars, Britain faced a dangerous combination of political unrest, a rising crime rate, and much unemployment, caused to an extent by the discharge of large numbers of soldiers and sailors. After 1815, the number of convicts transported increased dramatically too. As Shaw points out, transportation was seen by the British government as the best way to deal with the post-war increase in crime.²⁷ It is perhaps not surprising that old soldiers were at times involved in protests: the striking weavers in Glasgow in 1819, for instance, were organised by an old Rifleman, and the protests were structured into street battalions and regiments.²⁸ The dangers of having trained soldiers on the radical side were well recognized by the government, and this may have prompted the introduction of the Veteran Companies for service in New South Wales, discussed in Chapter Nine. Sending surplus old soldiers, and their families, to New South Wales relieved some of the pressure in Britain. But there remained the rising crime rate and subsequent increase in prison numbers, and these led to prison discipline taking on more of a military stance, as explained in Chapter Eight. The combination of these social, demographic and economic changes meant that, to some extent, people simply stopped spending large sums of money, building projects were halted, plans were abandoned and decisions deferred. This, of course, led to more unemployment. So many men had lost employment from the change of war to peace that many were starving, and they had the hordes of returning soldiers and sailors to compete with for the scarce jobs.

It was as apparent to many Peninsular War veterans as it is to the modern day historian that they had diminished prospects in a radically altered Britain. Those in the lower ranks had lost their footing on the economic ladder and were forced back into the British army to survive. For the

²⁷ A. G. L. Shaw, *Convicts and the Colonies : A Study of Penal Transportation from Great Britain and Ireland to Australia and Other Parts of the British Empire*, Melbourne : University Press, 1977. p.147.

²⁸ Spiers, *The Army and Society*, p.84.

officers, it was a similar story. Both groups were very often young single men, but when they married upon their return home and children appeared, they were placed under more financial pressure. But at least they were a group with new skills acquired during the wars, and the British Empire needed these skills. Some Peninsular War veterans fitted into the new prison reform system in Britain itself, but there were not enough opportunities for all. The increased militarisation of police and police systems in England extended to other parts of the Empire, and Peninsular War veterans were appointed as Mounted Police or as military commandants of penal stations in the Australian colonies. For Peninsular War veterans, the need to emigrate was evident: Britain had changed in their absence and they could not return to previous occupations, if indeed they had had an occupation before the war.

Robert Hoddle was one of those for whom post-war Britain held few prospects. He was employed during the Peninsular War as a Royal Military Surveyor and Draughtsman, based at Plymouth. There he was employed in, among other things, copying maps of Plymouth and Gibraltar, both strategic locations. The employment of Hoddle, and others like him, as surveyors and copiers of maps, was due entirely to the exigencies of war. In 1817, however, the Royal Military Surveying and Drafting Corps was reduced, and Hoddle wrote in his diary, 'In the year 1817, I bid adieu to military discipline, and began the world de novo'.²⁹ Attempting to exist on half-pay after his marriage and his wife's subsequent pregnancy, Hoddle was forced to live with his wife's family in Surrey, in the south of England. From there, like so many others, he wrote to Lord Bathurst, seeking employment in the colonies.³⁰ It was in New South Wales that he sought employment as a surveyor or draughtsman. When he was offered a post as a schoolmaster

²⁹ B.H. Colville, *Robert Hoddle, Pioneer Surveyor 1794-1881* Melbourne: Research Publications Pty. Ltd., 2004. p.13.

³⁰ *Ibid.* p.15.

there, he refused it, and instead accepted a position as surveyor in the Cape Colony. That colony did not suit him, and he left for New South Wales, despite having no appointment and only a letter of recommendation. Hoddle's first appointment in New South Wales was as Assistant Surveyor to John Oxley, the Surveyor General. The rest of his life was spent in the Australian colonies, surveying roads and town reserves, and measuring grants for settlers. Hoddle is perhaps best known as the man who originally mapped Melbourne, and as Victoria's first Surveyor General.

With a drastically reduced income, some Peninsular War veterans were forced to find somewhere cheap to live. Major (later Lieutenant-Colonel) Snodgrass moved his family to the Isle of Man for five years, before his appointment to New South Wales. Many other army officers did the same, as there was no taxation on the Isle of Man.³¹ A former Commissariat officer, G.T.W.B. Boyes, chose another option. He moved to France without his family, as he could live there more cheaply. It was there in 1823 that Boyes received the letter directing him to proceed to New South Wales to take up a position in the Commissariat. For Boyes this was a dilemma, but it was a general condition that an officer on half pay could, at any future time, be ordered to service. With a great number of men on half pay, a refusal would certainly ensure that he would not receive another offer. Boyes, therefore, had no option and sailed for New South Wales almost immediately, leaving his family in England. It would be another ten years before they joined him in Van Diemen's Land.

It was commonplace that British army officers could not live on their pay, let alone half-pay, as an officer's pay was considered more of an honorarium

³¹ Moira Saunderson, *The Corunna Connection: Lt.-Col. Kenneth Snodgrass*, Raymond Terrace Historical Society, 1988. p.9.

than a salary. Young Lieutenant Ralph Johnson lamented this dilemma to his sister in 1810:

What other people do I cannot say,
But I know I can't live upon my pay.
Ralph live upon his pay! that cannot be,
Because he's got no pay to spend d'you see,
That's pawned to Jews and money-brokers, long since,
Therefore, to talk about his pay, is nonsense.³²

An officer was expected to have private means, but many of those who became officers during the Peninsular War had no such means. Major (later Sir) Thomas Mitchell, Surveyor-General of New South Wales from 1828 until 1855, came from a more humble background than one might expect, and had no private means. Mitchell, and others like him, settled in the Australian colonies because they could not aspire to the heights of British society, despite their British army commission. After the war, these men had no landed estate to which they could return, and some had debts. Mitchell's background, and that of other Peninsular War Veterans who came to the Australian colonies, is discussed in detail in Chapter Two. Mitchell had borrowed to purchase his majority, resulting in financial embarrassment. He, and others, needed a way to make money.

Another British army officer in dire financial straits was James Phillips, a Commissariat officer. In a memorial of 1821, Phillips pleaded with the Government for some relief towards the support of himself and his family on their sea voyage. After ten years of serving the Government, including the Peninsular War, he wrote, he could not obtain further employment to support his family. The only prospect was to emigrate with his family to the colony of New South Wales. Phillips, with four children and another soon to be born, had been granted a free passage but could not afford to provision

³² Ralph Johnson, Letter to his sister Emily in Yorkshire, in *Murray-Prior Papers*, National Library, Canberra.

his family for the long voyage.³³ Money to provision the Phillips family was granted by the British government. On his arrival in New South Wales, his testimonials ensured swift approval for a free land grant.³⁴

The state of health of some Peninsular War veterans was a factor in their decision to emigrate. Three Peninsular War veterans who settled in New South Wales, Major Crummer, Lieutenant-Colonel Shadforth and Lieutenant-Colonel Henry Dumaresq, all suffered debilitating wounds, creating health problems for the rest of their lives and, in Dumaresq's case, shortening his life considerably. Major Crummer's first wound was at the battle of Albuera on 16 May 1811. A musket ball passed through his leg, fracturing a bone on the way, and he suffered severely, enough for a surgeon to recommend his return to England for the recovery of his health.³⁵ Unhappily, Crummer received another gunshot wound in the same leg during the battle at the Pass of Maya in 1813. By 1832, a doctor of the 92nd Regiment, writing from Fermoy, in Ireland, stated that Crummer's 'wound has since remained open and pieces of bone frequently come away'. Crummer, wrote the surgeon, would be 'permanently disabled and unfit to perform efficiently the duties of a Captain of Infantry'.³⁶ Likewise, Lieutenant-Colonel Thomas Shadforth was one of the heroes of Albuera. As with Crummer's wound, Shadforth's knee was so battered by a musket ball that pieces of the bone continued to surface. The wound never healed, requiring daily dressing up to the time of his death.³⁷ Lieutenant-Colonel Henry Dumaresq's tale is similar. He survived thirteen battles of the Peninsular War with minor wounds, but, at the battle of Waterloo, a musket

³³ James Phillips, Petition to the Lords Commissioners of His Majesty's Treasury, in *Treasury Papers*, Public Record Office, London, 1821.

³⁴ Under Secretary Goulburn to Sir Thomas Brisbane, 29 September 1821, Commonwealth of Australia, *Historical Records of Australia*, Volume. X, Series I, Sydney : 1917. p.548.

³⁵ Memorial of Captain Crummer of 28th Regiment, 1833, Crummer Papers, Mitchell Library, Sydney. p.173.

³⁶ Letter from Surgeon of 92nd Regiment, 1832, Ibid. p.189.

³⁷ Major R.W.J. Smith, *Notes on Lt.-Col. Thomas Shadforth*, Middlesex Regimental Museum, 1981.

ball lodged itself in his chest.³⁸ His right shoulder and ribs were broken at the same time. The ball was never removed, causing years of suffering and, finally, his early death at 46. Of course, surgical operations to remove musket balls were dangerous. Death was one outcome, another was gangrene, and it was often recommended that a wounded man leave the ball in situ, rather than risk removal. For those who chose to have a musket ball removed surgically, further problems sometimes resulted. One man who had a musket ball in his ankle joint had it removed, but the ball was jagged and tendonous fibre had grown into it, causing what he termed 'excruciating torture' on its removal.³⁹ Given their wounds, neither Shadforth, Crummer nor Dumaresq was fit enough to continue his army career and each sold his commission to become a settler in New South Wales.

Faced with little alternative, emigration was very much on the minds of Peninsular War veterans. The wife of one wrote of her sadness in leaving Britain:

Tis true we had in a manner bade adieu to the world of our Country and our friends, but in our country we could no longer provide for our children and the world for that cause had lost all its charm.⁴⁰

The decision was not whether to emigrate, but where, and New South Wales was certainly the most popular destination. Without doubt, one of the factors in attracting emigrants to New South Wales was its healthy climate. This was promoted in both medical journals and emigrants' guides: *The Lancet* and *The British Medical Journal* published articles on the beneficial climate, particularly for those suffering from tuberculosis and other chest complaints.⁴¹ It is difficult to judge how widespread the readership of these

³⁸ Walter Allan Wood, *Dawn in the Valley : The Story of Settlement in the Hunter River Valley to 1833*, 1972. p.168.

³⁹ Michael Glover, *The Peninsular War 1807-1814, Classic Military History*, London : Penguin Books, 1974. p.37.

⁴⁰ Letter Mrs. Hawkins (wife of Major Hawkins) to 'my dear Ann', from Bathurst N.S.W., 7 May 1822. National Library, Canberra. MSS 6663.

⁴¹ A. G. L. Shaw, *A History of the Port Phillip District : Victoria before Separation*, Melbourne : University Press, 1996. p.103.

journals was; however, it does seem likely that the benefits of the climate were well known in educated circles. Emigrants' guides for Van Diemen's Land also praised the climate there:

This island has to boast of perhaps the most salubrious and congenial climate of any in the known world, for an European constitution; it has been ascertained by the thermometer to be similar to that of the south of France; the general temperature is about 60° of Fahrenheit, and the extremes from 43° to 80°. The spring commences early in August, the summer in November, the autumn in March, and the winter in May; the winter, therefore, is not of more than three months duration, and the severest part only six weeks.⁴²

Guides to New South Wales stressed similar points: the 'climate of surpassing salubrity', the dry atmosphere and 'the cool and grateful sea-breeze'.⁴³ It is not hard to imagine that the warmth of the Australian colonies would be an inducement to those who had been to Portugal and Spain during the Peninsular War. There, many had enjoyed a warm climate for the first time and had revelled in missing one of England's coldest winters, that of 1810-1811, when ice covered a part of the Thames, nearly blocking the arches of Westminster Bridge.⁴⁴

Besides a salubrious climate, New South Wales had other attractions. One guide reminded readers that in the colony 'the laws, customs, the language and religion of your forefathers are in as full force as your native land...'⁴⁵ New South Wales also had many financial advantages: free grants of land, cheap labour and, as an added bonus, a settler and his family and servants were victualled at government expense for six months.⁴⁶ Among British settlers in general, and Peninsular War veterans in particular, there was a

⁴² Thomas Godwin, *A Descriptive Account of Van Diemen's Land Being Part of the British Colony of New South Wales, Its Fine Climate, Soil and Productions and the Encouragement Given by Government to Free Settlers, Offering Peculiar Inducements and Advantages, Which No Other British or Foreign Colony Presents*, London : 1821. p.2.

⁴³ Rev. H. Carmichael, quoted in Anonymous, *Observations on the Advantages of Emigration to New South Wales*, London : Smith, Elder & Co., 1836. p.7.

⁴⁴ Rory Muir, *Britain and the Defeat of Napoleon, 1807-1815*, New Haven : Yale University Press, 1996. p.147.

⁴⁵ Anonymous, *Observations on the Advantages of Emigration to New South Wales*. p.10.

⁴⁶ W.C. Wentworth, *Statistical, Historical and Political Description of the Colony of New South Wales and Its Dependent Settlements in Van Diemen's Land*, 1819. Reprint 1978. pp.422-23.

decided preference for British colonial ports. This Britishness was perhaps the more appealing after the experience of other European cultures during the Peninsular War.

Apart from the good climate and Britishness, the major explanatory factor in the decision of Peninsular War veterans to settle in New South Wales was the military grant regulations of 1826. Some came directly to settle and others were part of the garrison in New South Wales, who sold out while there to obtain a grant of land. The British government particularly encouraged these men:

His Majesty's Government having deemed it advisable to encourage Officers of the Army, and more especially those on Half Pay, to become Settlers in the Colonies of New South Wales and Van Diemen's Land by holding out to them, in consideration of their Services, advantages superior to those enjoyed by ordinary Settlers.⁴⁷

The despatch went on to list the conditions of these grants: quit rent would be remitted, no free grant would be made to any officer under the rank of Captain, and it was necessary to lodge a deposit. Much to the chagrin of those at whom they were aimed, these regulations were altered in 1831. From then on, everyone was expected to purchase his land, but, as a 'sweetener' for army officers, they were offered a remission of the purchase money on a scale according to the length of their service: those who had served a minimum of twenty years were allowed £300, those who had served a minimum of seven years, £150. If an officer had served for less than seven years it was difficult to obtain land, but just possible, provided the written permission of the General Commander-in-Chief was obtained, either to go on half-pay or to retire for the purpose of settling in the colony.⁴⁸

⁴⁷ Earl Bathurst to Governor Darling, 1 October 1826, Commonwealth of Australia, *Historical Records of Australia*, Volume XII, Series I, Sydney : 1919. p.593.

⁴⁸ Land Regulations, 1831, Commonwealth of Australia, *Historical Records of Australia*, Volume XVI, Series I, Sydney, pp.864-7.

Perhaps the new land regulations in New South Wales were not widely known as young Sydney Horton, an ensign in India, wrote to his mother in 1837, too late for a free grant:

My present notion with regard to New South Wales is that I shall do well to go home with this Regiment, probably with my Lieutenancy, then get what you can give me [in the way of money] apply for a Regiment going to New South Wales, for the purpose of settling, take out whatever is best for the purpose, in the way of stock, good introductory letters to the then Governor, and to squat in a more respectable way as a police magistrate or something of that kind; the Horse Guards give real encouragement to those who leave England to settle.⁴⁹

These same military grant regulations applied to Canada and the Cape of Good Hope. Some Peninsular War veterans did emigrate to Canada, among them Lieutenant Moodie, mentioned earlier. The group of Napoleonic War veterans who settled in Canada stayed around Lake Ontario, where, from the mid-1820s to the mid-1830s, they were granted nearly 65,000 acres of land in Upper Canada.⁵⁰ For several reasons, very few Peninsular War veterans settled in the Cape Colony. One reason was the failure of the Albany settlement in 1820, and the subsequent notion that it was unsuitable for British emigrants. The Albany settlement had military objectives, designed to be of benefit to both Britain and the Cape Colony: the settlers were to be the first line of defence on closely settled land, wedged on 100 acre plots between the two cattle grazing societies of the Boer and the Bantu.⁵¹ Also, there were several notable differences between the Cape Colony and New South Wales: the Cape retained the Dutch legal and administrative systems, whereas those of New South Wales were firmly British; the population was more polyglot in the Cape, with diverse peoples of Dutch and African origin, whereas New South Wales had a population that was more British; and, while

⁴⁹ Sydney Horton, Letter Book, National Library, Canberra. p.40.

⁵⁰ Dunae, *Gentlemen Emigrants: From the British Public Schools to the Canadian Frontier*. p.10.

⁵¹ Leslie Clement Duly, *British Land Policy at the Cape, 1795-1844: A Study of Administrative Procedures in the Empire*, Durham, North Carolina: 1968. p.87.

contemporaries described Sydney as a very English town, Cape Town's architecture was foreign, with buildings in the vernacular Cape Dutch style.⁵²

The British government had other reasons to encourage ex-army officers to settle in New South Wales and Van Diemen's Land. Besides hoping to provide for an increased population and the huge reduction in the army during peacetime, there was probably a strategic factor involved. Military grants were an explicit policy of the Colonial Office, dating from before the American Revolution, but carried on well into the nineteenth century.⁵³ These grants had a long history in North America and experiments of this nature were made there after 1783 and again in 1814. It was thought that the planting of military colonies along exposed frontiers could be a useful defence measure.⁵⁴ Consequently, military grants were given to former army officers and lower ranks along the St. Lawrence Valley, scene of the American attacks during the war of 1812.⁵⁵ Australian historian Geoffrey Bolton has noted the strategic factor in both the Canadian and Cape of Good Hope emigration schemes.⁵⁶

The same strategic factor applied to New South Wales: the colony farthest away from Britain, and one in which the French seemed to be expressing interest. The military grant regulations of October 1826 were preceded in March of that year by a despatch from the British government marked *private*, of which the second sentence reads as follows:

The sailing of two French ships on a voyage of discovery have led to the consideration how far our distant possession in the Australian Seas may be prejudiced by any designs, which the French may entertain of establishing

⁵² Kirsten McKenzie, 'Of Convicts and Capitalists: Honour and Colonial Commerce in the 1830s, Cape Town and Sydney,' *Australian Historical Studies* 118, 2002. p.201.

⁵³ R.J. Riddell, 'A Study in the Land Policy of the Colonial Office 1763-1855', *Canadian Historical Review*, No. 4, 1937. p.393

⁵⁴ CO 43/23, Bathurst to Prevost No.58, 28 January 1814, No.72 12 July 1814, quoted in Riddell, *A Study in the Land Policy of the Colonial Office 1763-1855*. p.393.

⁵⁵ G.C. Bolton, *Britain's Legacy Overseas* London; New York : Oxford University Press, 1973.p.36.

⁵⁶ *Ibid.*

themselves in that quarter, and more especially on that part of the coast of New South Wales which has not as yet received any Colonists from this Country.⁵⁷

The despatch pointed to the stretch of coastline from Melville Island in the north to Western Port in the south, and gave instructions to Darling to 'earnestly direct' his attention to the formation of a colony at Western Port (Albany), besides referring to the proposed establishment of a settlement at Shark's Bay, on the western side of the continent, in the same vein.⁵⁸ The decision of 1826 to establish new penal settlements at Melville Island, Western Port and Shark's Bay can thus be attributed to the fear of French incursion on what Britain considered to be its territory. Also in 1826, Captain James Stirling recommended the establishment of a naval and military station at the Swan River, as the troops and seamen stationed there could 'pour upon any surrounding country, either for the annoyance of an enemy's settlements, or the protection of our own'.⁵⁹ In the same letter to Governor Darling, Stirling noted that Shark's Bay was unsuitable for a settlement. The decision, as we know, was made in favour of a settlement at the Swan River.

A military station was also founded in the same year at Five Islands in the Illawarra district of New South Wales south of Sydney, and Peter Bishop, a Peninsular War veteran, was put in charge.⁶⁰ That land, reasonably close to Sydney, was unoccupied and thought of as defenceless, as the only track to Sydney was via a steep mountain pass.⁶¹ If fears of French settlement seem unfounded in hindsight, they were very real at the time. Governor Darling wrote to Major Lockyer, also a Peninsular War veteran, of his concerns that:

⁵⁷ Earl Bathurst to Governor Darling 1 March 1826, Commonwealth of Australia, *Historical Records of Australia*, Volume XII, Series I, Sydney : 1919. p.195

⁵⁸ Ibid. p.195

⁵⁹ Ibid. p.779

⁶⁰ See Part Two of Chapter Eight, where I expand further on Peninsular War veterans as experienced disciplinarians, and their place on the British penal system.

⁶¹ Wentworth, *Statistical, Historical and Political Description of the Colony of New South Wales and Its Dependent Settlements in Van Diemen's Land*. p.53.

the French Discovery Ships, which are understood to have been preparing for these Seas, may possibly have in view the Establishment of a Settlement on some part of the Coast of this Territory, which has not yet been colonized by us...⁶²

This was not the first time the British had expressed concern about possible French settlement in the Australian colonies. In 1803, the British established a settlement at Risdon Cove on the River Derwent, in Van Diemen's Land, to prevent 'the French gaining a footing on the east side of these islands' as Governor King explained in a despatch to Nepean.⁶³ King also sent confidential instructions to Lieutenant Bowen, commandant of the proposed new settlement, in the event of any French ships attempting to form an establishment: 'You will inform the Commanding Officer of His Majesty's right to the whole of Van Diemen's Land'...⁶⁴

For British purposes, New South Wales was also useful as a sort of headquarters for the eastern part of the Empire, as it was closer than Britain to the Cape of Good Hope, Mauritius, India and Java. One consequence of the Napoleonic wars was that the European and British drive towards empire was directed to the east. Large tracts of South Asia were colonised, and new colonies were acquired from the Cape of Good Hope to Singapore.⁶⁵ It made sense to have a British base closer to these new colonies.

There is certainly evidence also of a deliberate social and economic policy of planting ex-army and navy officers in distant British colonies. Brian Fitzpatrick commented that 'on the surface Government policy during the period from 1815 to 1825 seemed to aim at...turning New South Wales into the nineteenth century equivalent of a plantation colony, whereby large property owners would rely on convict labour'. He commented further that

⁶² Governor Darling to Major Lockyer, 4 November 1826, *Historical Records of Australia*. p.701.

⁶³ Governor King to Sir Evan Nepean, Commonwealth of Australia, *Historical Records of Australia*, Volume IV, Series I, Sydney : 1915. p.249.

⁶⁴ Governor King's Instructions to Lieutenant Bowen, *Ibid.* p.153.

⁶⁵ David Cannadine, *Ornamentalism : How the British Saw Their Empire*, New York: Oxford University Press, 2001. p.12.

in 1828 at least one-third of the men who were specially recommended as settlers were officers of the army and navy.⁶⁶ It appears that the Colonial Office had not only strategic considerations in mind, but also the type of free settler they wanted to encourage and Peninsular War veterans fitted the bill perfectly, as they had already proved their loyalty in war. Without doubt, these sentiments are reflected in the Report of the Select Committee on Emigration in 1827. That committee reported on the difference between *colonisation* and *emigration*, defining the difference as

between planting colonists in a soil prepared to receive them, aided by a small portion of capital to enable them to take root and flourish, and the mere pouring out of an indefinite quantity of emigrants without capital.⁶⁷

Despite their slender means, Peninsular War veterans were men with capital, in so far as their army commission was a commodity. Even those men who had not purchased a commission were still entitled to sell it. These free settlers with capital could then grow fine wool for the British market. The land policy of the 1820s specifically targeted settlers with capital to exclude those with insufficient capital to improve the land. This policy also gave settlers the opportunity to accumulate more capital. From an economic standpoint, the emigration of capitalists during this period was more important than any other capitalist immigration from 1788 to 1851,⁶⁸ and many Peninsular War veterans were among these capitalists.

Peninsular War veterans could also assist in the implementation of colonial law and order, as the British government was aware of internal threats in the Australian colonies. With one well-remembered insurrection by Irish convicts in 1804, and the problem of runaway convicts and bushrangers, the

⁶⁶ Brian Fitzpatrick, (ed.), *Colonial Australia*, Volume One, *Readings in Australian History*, Melbourne : 1965. p.45.

⁶⁷ A.G.L. Shaw, 'British Attitudes to the Colonies, c.1820-1850,' *Journal of British Studies* 9, No. 1, 1969. p.87.

⁶⁸ R. B. Madgwick, *Immigration into Eastern Australia, 1788-1851*, Sydney : University Press, 1969. p.61.

population felt insecure. This insecurity obviously continued, as Wentworth wrote in 1819 of: 'this horrible state of anarchy, a simultaneous feeling of insecurity and dread' that pervaded the colony.⁶⁹ Those regiments of the British army garrisoned in New South Wales and Van Diemen's Land that were sent to protect settlers from the depredations of bushrangers, together with local magistrates, among whom were many Peninsular War veterans, were often the only visible evidence of British law. As more land was settled, settlers in outlying locations were appointed magistrates. An appointment to the high position of magistrate was an honour, and Peninsular War veterans played an important part in the administration of law in New South Wales and Van Diemen's Land. (This role is explored in Chapter Six).

Not only were free land grants given to Peninsular War veterans and others until 1831; they were assigned cheap convict labour to work the land, at least until 1840 when transportation was halted. In the early golden years of the 1820s, convict labour was freely available. In a series of letters published in *The Australian* in 1828, 'Delta' wrote that convicts were an advantage in New South Wales, and not the reverse, as was commonly thought:

They drive our ploughs, build our houses, reap our harvests, fell our trees, herd our cattle, shear our sheep and, for the most part, are the willing and obedient servants of the settlers.⁷⁰

By the 1830s, however, there were fewer convicts and a perceived labour problem. Free immigration, it seemed, could be the answer and there were two New South Wales Legislative Council committees that discussed this matter, in 1835 and in 1838.

One of the many Peninsular War veterans who had assigned convicts to build his house was Major Archibald Innes, owner of Lake Innes house near

⁶⁹ Wentworth, *Statistical, Historical and Political Description of the Colony of New South Wales and Its Dependent Settlements in Van Diemen's Land*. p.133.

⁷⁰ 'Delta', Series of Letters to a Gentleman in London, *The Australian*, 13 August, 1828.

Port Macquarie. Although theoretically it was impossible, it appears that Innes was able to hand-pick some of the labourers required to build his palatial dwelling at Lake Innes: his assigned servants included four brickmakers, a bricklayer/plasterer, a carpenter/joiner, a painter, a glazier, a slater and a well-sinker/pump-borer. This accords with Stephen Foster's argument that patronage and discretion played a part in the allocation of assigned servants during the rule of Governor Ralph Darling (1825-1831).⁷¹ Archibald Innes married Margaret Macleay, the daughter of the Colonial Secretary. The Darlings and the Macleays had known each other before coming to New South Wales and once here, the families continued to socialise together. Thus, Major Innes had easy and direct communication with the Governor. Innes also had many other convicts assigned to him during his successful years: three grooms, two stablemen, a harnessmaker, a horsebreaker, three dairymen, five ploughmen, two gardeners, a carter, two tailors, four shoemakers, three millers and six butchers.⁷² The considerable extent of Innes' land grants is explained in Chapter Two; here it is sufficient to note it. These land grants, combined with the large amount of convict labour, represent substantial assistance from official sources. Graham Connah, in a recent article in *World Archaeology*, has noted that 'men like Innes saw themselves as part of a future Australian aristocracy, their privilege supported by the servitude of others'.⁷³

The timing of the military grant regulations, 1826, coincided with a period of rapid economic expansion in New South Wales as settlers fanned out from Sydney searching for good pastoral land. The 1820s and 1830s also marked a transition in the status of New South Wales from a military and penal society to a free one. This altered status in turn brought a marked increase in free

⁷¹ S. G. Foster, 'Convict Assignment in New South Wales in the 1830s,' *The Push from the Bush*, No. 15, 1983. p.46.

⁷² Graham Connah, 'The Lake Innes Estate: Privilege and Servitude in Nineteenth-Century Australia,' *World Archaeology* 33, No. 1, 2001. p.146.

⁷³ *Ibid.* p.151.

immigration. The same was happening in Van Diemen's Land and, in 1825, when it became independent from Sydney, good employment opportunities opened up in the nascent bureaucracy there. Unfortunately, there are only approximate figures on free immigration to Van Diemen's Land and New South Wales during the 1820s, but what can be identified is the increase in the number of free settlers arriving. In the years from 1821 to 1825, the average number of free arrivals was 650 a year, and this rose to 950 in the period from 1826 to 1830; these arrivals were more or less equally divided between New South Wales and Van Diemen's Land.⁷⁴ Madgwick has noted that the most striking feature of immigration to New South Wales in the five years from 1826 was the number of army officers responding to military grant regulations.⁷⁵ It was also during the 1820s that the economic prospects of these two colonies were recognised by capitalists in England: in 1824 the Australian Agricultural Company was floated in London, followed in 1825 by the Van Diemen's Land Company. These companies were promised what were by any standards, enormous grants of land: one million acres in New South Wales for the former and a half million acres for the latter.⁷⁶

That New South Wales and the other Australian colonies were good places in which to make money was well known. On his appointment to New South Wales, Major Thomas Mitchell wrote to his brother that 'it is a famous country for getting rich'.⁷⁷ The foremost avenue to making money was, of course, land and sheep. The opportunity to possess large, free tracts of land could not fail to attract settlers, particularly ex-army and navy officers who were offered extra inducements. Most came to settle in the Australian colonies permanently, but some were merely birds of passage: they came to

⁷⁴ James Jupp, *The Australian People: An Encyclopedia of the Nation, Its People and Their Origins* Cambridge: University Press, 2001. p.38.

⁷⁵ Madgwick, *Immigration into Eastern Australia*, p.54.

⁷⁶ *Ibid.* p.27.

⁷⁷ Letter Major Thomas Mitchell to his brother 28 February, 1827. Mitchell Papers, Mitchell Library, Sydney. Volume II, CY242.

make their fortune and return to England to live in retirement. The military grant regulations required that a settler was required to reside for only seven years, but was not allowed to sell the land until he had expended capital equal to half its value.⁷⁸ Some settled within the Limits of Location as prescribed in Governor Darling in 1829, but many others commenced a pastoral invasion of the continent and squatted on what was known as 'waste land', both within New South Wales and the Port Phillip district, later the colony of Victoria. Squatters stressed the heroic nature of their discoveries and the usefulness of redeeming 'waste lands'.⁷⁹ Major Thomas Mitchell, the first to pass through the Port Phillip district, was the precursor of many squatters who followed 'the Major's line' soon afterwards. The open plains of the Port Phillip district Mitchell named 'Australia Felix' were ideal for sheep, and the rush was on. During three months in 1838, W.A. Brodribb saw 100,000 sheep pass through his station at Gundagai and cross the Murrumbidgee on their way to this new Eden.⁸⁰ Wool exports were booming and offered the lure of making one's fortune: in 1830, 1,967,309 lbs. of wool were exported from New South Wales and this leapt to 4,210,301 lbs. in 1835 and yet further to 12,959,671 lbs. in 1841.⁸¹

One extra advantage that Peninsular War veterans had as potential emigrants was that they were perhaps more willing to leave their homeland than those who had not travelled beyond the shores of England. They had experience of life abroad and had travelled to the Continent, although that was but a short voyage. The experience of fighting in the war had, for many, been full of expectation and adventure, and diaries and journals kept during those years reflect this. Edward Close's diary, for example, resembles more a

⁷⁸ *Historical Records of Australia*, Volume XII, p.596.

⁷⁹ John C. Weaver, 'Beyond the Fatal Shore: Pastoral Squatting and the Occupation of Australia, 1826 to 1852,' *The American Historical Review*, No. 4 1996. p.983.

⁸⁰ *Ibid.* p.990.

⁸¹ Michael Roe, 1830-50, in *A New History of Australia*, Frank Crowley (ed.), Melbourne, 1977. p.100.

description of a young man's grand tour of Europe, rather than of a war: it is replete with comments on Roman ruins and aqueducts. These men were young, impressionable and eager for life, and often away from their homeland for the first time. Having experienced a couple of short sea voyages was at least some preparation for the long one to New South Wales, and in fact, some Peninsular War veterans had made several sea voyages. Lieutenant-Colonel George Barney, for instance, later a settler in New South Wales and Queensland, made many ocean crossings: from England to Gibraltar in 1810, back to England in 1812, to Jamaica the following year, back to Portsmouth in 1830, and then from England to Sydney in 1835.⁸² Besides making other shorter journeys around the Australian colonies (for example, to Norfolk Island and to Port Curtis) Barney also travelled to England in 1844 and then back to Sydney in 1846. Veterans of the Peninsular War were probably more adventurous than other free settlers and had acquired a larger 'mental map' than their contemporaries. After the final victory at Waterloo in 1815, they may well have missed the certainty of life in the army, felt a lack of excitement and looked forward to another adventure in their lives: settling in a distant colony on the other side of the world.

When Peninsular War veterans returned from that campaign, the Britain they encountered was a profoundly altered place. The Napoleonic Wars had transformed not only Britain and its Empire, but the British army and those who fought in it. In particular, the Peninsular War had given some British army officers increased social mobility during the war itself, but not upon return to Britain. The vast majority of British army officers found themselves reduced to half-pay, and those who married and acquired children soon after their demobilization were under even greater financial pressure. Emigration

⁸² Keith Harold Jobst, *A Pioneer Family of Queensland: Lieutenant Colonel George Barney, Captain John Edward Barney, Mrs Elise Barney, 1835-1865* Brisbane: CopyRight Publishing, 1997. p.17.

emerged as the only solution, as they could not exist in Britain. Peninsular War veterans were a distinct group of emigrants to the Australian colonies. While they were partly economic refugees like many others, and part of the capitalist growth of the 1820s in New South Wales, they also had unique 'push' and 'pull' factors that contributed to their decision to emigrate and settle in the Australian colonies. Military grant regulations were introduced to attract Peninsular War veterans to other British colonies, such as Canada and the Cape of Good Hope, but it was to the Australian colonies and, in particular New South Wales and Van Diemen's Land, that they were chiefly attracted. For the veterans of the Peninsular War, the Australian colonies became a feasible destination at a crucial stage in their lives, and were part of the transformation of convict colonies to free ones. The British Government's general policy of planting ex-army and ex-navy officers in the colonies is evident, yet there were other reasons too. In fact, it was mutually beneficial for the British Government and Peninsular War veterans themselves for them to emigrate to the Australian colonies. The British government could reduce the large half-pay list, veterans could provide colonial law and order, and they were ideal respectable settlers in what had become a strategic location at a vast distance from Britain. Those veterans in poor health had even fewer options than most. For the veterans themselves, they were leaving a Britain with no economic or social opportunities, they would be given large grants of land, and the bonus of cheap convict labour to work that land. New South Wales was rapidly expanding and it had the reputation of a good place to make money. Many Peninsular War veterans and their descendants should be unquestionably grateful to the British government for firstly, their commissions without purchase and, secondly, for the incentives provided by the military grant regulations of 1826, as both bestowed on them a step up the economic and social ladders.

CHAPTER TWO

'They make Ancestry': Veterans as Officers and Gentlemen

Stewart Ryrie, who joined the Commissariat of the British Army during the Peninsular War, came to New South Wales in 1825 with an appointment as Deputy Commissary General in Sydney. Ryrie brought with him the six children of his first marriage (to his cousin Anne Stewart) and his second wife, whom he had recently married. Isabella Ryrie was only a year or two older than her eldest stepchildren, and she had another three children in quick succession in Sydney, making nine children in all. For Stewart Ryrie, these nine children produced 49 grandchildren. After only a few years in Sydney, Ryrie was granted land south of Sydney, at Braidwood, where his adult sons were also granted land, and where he built a house fit for a gentleman that he called Arnprior, after his second wife's birthplace in Scotland. This lovely thirteen-roomed stone house, near the banks of the Shoalhaven River, has a front door flanked on either side by half pillars and a carved thistle above the fanlight.¹ The house still stands, though no longer occupied by the family. Alexander Ryrie, one of Stewart's sons, purchased Micilago,² near Canberra, in 1859 and one branch of the Ryrie family remains there to this day. With the weight of numbers, the Ryrie family had a considerable impact in Australia, with the sons squatting on the Monaro and in the Port Phillip district. William, Donald and James Ryrie were part of the burgeoning Melbourne social scene, and William (known as 'Fiery Ryrie') fought a duel there. In his listing of the social order of Port Phillip society before 1850, de Serville placed the three Ryrie sons in the second category; in other words, they were not 'gentlemen by birth', but were 'gentlemen in

¹ Nesta Griffiths, *Some Southern Homes of New South Wales*, Sydney: Shepherd Press, 1952. p.38.

² original name of property, perhaps to differentiate it from the township of Michelago, see Phoebe Vincent, *My Darling Mick: The Life of Granville Ryrie, 1865-1937*, Canberra: National Library of Australia, 1997. p.4.

society'.³ Obviously anxious about status, the family had listings in Burke's *Colonial Gentry* and Mowle's *A Genealogical History of Pioneer Families of Australia*. In both of these publications, those listed were self-selected. Yet in these publications, there is no reference to the antecedents of the first Stewart Ryrie. All that is known with certainty is that Stewart Ryrie was one of twelve sons, so the background of the family in Scotland remains a mystery. A recent publication on the life of General Sir Granville Ryrie (one of Stewart's grandsons) still contains the same scant family tree,⁴ which is surprising given the recent boom in family history research. It appears that Ryrie consciously founded a new dynasty, to become part of the landed, or colonial, gentry in the Australian colonies. For the Ryrie family, and for some other Peninsular War veterans too, the motto of one genealogical work is pertinent:

Ancestry makes not them,
They make Ancestry.⁵

In this chapter, I investigate the social origins of some Peninsular War veterans who, like Stewart Ryrie, lived the lives of gentlemen in the Australian colonies. Most of these men do not fit the standard image of a British army officer, and I have uncovered what may be unexpected backgrounds in the light of their later lives. The stereotype is an aristocratic man, wealthy enough to purchase his army commission. During the turbulent years of the Peninsular War, however, the system whereby one purchased an army commission was adapted to suit dire circumstances. There were simply not enough officers, and so commissions were given to men who would otherwise not have been so fortunate. Needless to say, an army commission gave the recipient a fairly spectacular career opportunity

³ Paul de Serville, *Port Phillip Gentlemen : And Good Society in Melbourne before the Gold Rushes*, Melbourne: Oxford University Press, 1980. p.194.

⁴ Vincent, *My Darling Mick*, p.ix.

⁵ J. Browne, *Family Notes*, Hobart, 1887, quoted in John Spurway, 'The Growth of Family History in Australia,' *The Push from the Bush* No.27 1989. p.71.

and, in addition, those who subsequently emigrated were given grants of land in the Australian colonies under favourable conditions because they were army officers. It is unlikely that these men would have obtained an army commission at any other time than during the Peninsular War and, for the most part, this was the type of British Army officer who later came to New South Wales, and other Australian colonies, to settle. In effect, then, the Peninsular War gave such men a double opportunity.

As exemplars of the different sorts of men who obtained army commissions during that period, and of the different methods of acquisition of commissions, I discuss the backgrounds of seven British army officers who fought in the various campaigns of the Peninsular War, and who later settled in New South Wales. Also examined is the background of a governor, General Sir Ralph Darling, as an example of someone who similarly obtained a commission without purchase, albeit earlier than the others, at the outbreak of war with France in 1793. Each one of these individuals obtained his British army commission without purchase by various methods: either as a gentleman volunteer, or by coming up from the ranks, or through patronage. As the demand for officers during the Peninsular War greatly exceeded supply, officers had to be drawn from a much wider social base. Yet, regardless of their backgrounds, these veterans thought of themselves as gentlemen, and they confirmed and demonstrated their gentlemanly status in the new British colony.

Two of these exemplars are well known names in colonial history: Ralph Darling of the 51st Regiment, later Governor of New South Wales from 1826 to 1831 and Thomas Mitchell of the 95th Regiment, later Surveyor General of New South Wales from 1828 until his death in 1855. The other five are not so well known: Lieutenant-Colonel Kenneth Snodgrass of the 52nd Regiment, Paymaster Terence Murray and Captain Francis Allman, both of the 48th

Regiment, Major James Crummer of the 28th Regiment, and Major Archibald Innes of the 3rd Regiment who, though not a participant in the Peninsular War, was given an army commission in 1813 and was part of the same cohort. Men who were veterans of the Peninsular War became large landowners, as well as holding military and civil power in New South Wales. It was ownership of land that was the key to power in the Australian colonies, as it was in eighteenth and nineteenth century Britain.

It is important to understand first what was the norm for commissions in the British Army, and how that changed during the Peninsular War. The purchase system began in the seventeenth century and, at that time, those who ruled Britain were well aware of the political significance of armed forces, as the army was used in the service of despotism, both military and monarchical.⁶ Thus, the social composition of the army officer corps was a matter of great concern, as was the matter of standing armies generally. The Mutiny Act, passed in 1689 and renewed annually thereafter, provided the only sanction for the existence of a standing army in peacetime.⁷ Consequently, the core of the British Empire was always sea power and trade, rather than army power. It was important, nonetheless, to have the right kind of men and the ideal army officers were 'men of high social position, holding large possessions and attached to the Protestant succession'.⁸ It was thought that men drawn from the propertied class were unlikely to challenge the *status quo*. Accordingly, both before and after the Peninsular War, though not during it, 90 per cent of British officers were drawn from the propertied or higher professional strata.⁹

⁶ During Oliver Cromwell's reign there were examples of military Despotism, and during the reigns of Charles I and James II, examples of monarchical Despotism.

⁷ C.B. Otley, 'Militarism and the Social Affiliations of the British Army Elite,' in *Armed Forces and Society: Sociological Essays*, J. Van Doorn (ed.), The Hague, N.L. : Mouton, 1968. p.213.

⁸ C.M. Clode, *The Military Forces of the Crown: Their Administration and Government*, London, 1869, Volume 1 p.67 quoted in *Ibid.* p.213.

⁹ *Ibid.* p.214.

One of the first historians of the English in the nineteenth century, Elie Halévy, has given us a colourful description of a typical English army officer:

the English officer was essentially an aristocrat, for whom camp life was but the continuation of the life on his country estate, to which he had been accustomed from infancy. War was a sport like any other, only rougher and more dangerous. When a young man scarcely sixteen years old bought an ensign's commission and joined a regiment, he found a non-commissioned officer, without prospect of promotion to a higher rank, ready to advise him and cover his inexperience. And in this old sergeant who inspired or interpreted his orders, the young officer would recognise the old servant who in days gone by on the family estate taught him to ride or shoot.¹⁰

British army officers, then, were gentlemen of property and that ideal was cemented by the linking of three strategies – nomination, purchase and pay. To begin with, the name of an aspirant to a military commission was placed on a list. Unless one could generate interest, however, one's name might linger indefinitely on that list. The Commander-in-Chief was in charge of the infantry and cavalry of the line, the Master-General of the Ordnance had the patronage for the artillery and engineers, and the Guards and Household Cavalry were under the control of the colonels of those regiments. Most aspirants, then, had to secure a nomination from the Commander-in-Chief. To purchase a commission was an expensive matter, with £400 the absolute minimum for an ensigncy or cornetcy in a less favoured regiment, more in a prestigious regiment, and then one had to purchase each promotion at a minimum cost of £500. That this was a costly business is shown by the example of an infantry officer who, if he purchased each promotion up to the rank of Lieutenant-Colonel, would have had to pay out £7,000; while an officer in a prestigious cavalry regiment would have had to pay out £10,475.¹¹ On top of that, it was very difficult to live on an officer's pay.

¹⁰ Elie Halévy, *A History of the English People in the Nineteenth Century* London: Benn, 1949. p.82.

¹¹ C.B. Otley, 'The Social Origins of British Army Officers,' *Sociological Review* XVIII, July 1970. p.214.

The army was certainly not an ideal career path if one simply wanted to get rich. One also had to have some private means to pay for the uniform, a servant and mess bills. It has been estimated that, during the Peninsular War, an officer needed an annual allowance from his father of somewhere between £50 and £100.¹² The usual British army officer, then, was a gentleman of property who had a private income. A study of the social origins of British Army officers concluded that the army officer corps¹³ was a highly exclusive body and that army officering was markedly hereditary.¹⁴ After purchasing a commission, it was also necessary to purchase each step up the ladder. These were often advertised:

To be sold, a Lieutenant-Colonelcy, a Sub-Lieutenancy, two Lieutenancies of Cavalry, an eligible Cornetcy. Also some Ensigncies at Gibraltar, Canada, and the West Indies, and at Home.¹⁵

During the Napoleonic Wars, it was possible to rise rapidly through the ranks, simply because there were many opportunities for advancement. For instance, the Duke of Wellington's own rise was surely meteoric: from ensign to Lieutenant-Colonel in 6½ years, via five infantry and two cavalry regiments.¹⁶

That was the theory of the purchase system for British army commissions and that is how it worked for almost 200 years until its abolition in 1870. However, the reality of the demands of the Peninsular War made for an anomaly. The military historian, Michael Glover, has undertaken an analysis of all army promotions and first appointments notified in *The London Gazette* for two periods during the Peninsular War, from September 1810 to August 1811, and from March 1812 to February 1813. This showed that in the

¹² Michael Glover, 'Purchase, Patronage and Promotion in the Army at the Time of the Peninsular War,' *Army Quarterly and Defence Journal*, Nos.2-3, 1973. p.214.

¹³ at least until the First World War

¹⁴ Otley, *The Social Origins of British Army Officers*, p.233.

¹⁵ *London Gazette* 19 August 1768, quoted in N. Gow, 'All That Glitters Is Not Gold,' *Army Journal*, No. 247, 1969. p.29.

¹⁶ *Ibid.* p.34.

overwhelming majority of cases, four out of five in fact, purchase played no part in appointments and promotions. It was seniority within the regiment that decided promotion.¹⁷ In the two periods, Glover analysed 3,941 new appointments, of which 1,790 were first commissions as cornet, ensign or second lieutenant, and of these, only 19.5 per cent were by purchase.¹⁸ The vast majority of commissions issued without purchase were to infantry of the line, and of those commissions that were purchased, most were in the Foot Guards and the Cavalry, both of which had social prestige and higher pay. In the less prestigious regiments, only 232 out of 1,368 commissions were purchased.¹⁹ My own work on the lives and backgrounds of Peninsular War veterans who came to the Australia colonies has confirmed Glover's analysis that a great many British army commissions during the Peninsular War were not purchased.

Historians have largely ignored the class dimension of the large numbers of commissions without purchase distributed during the Peninsular War. One contemporary commented that 'it changed the whole order of society'.²⁰ This anomaly introduced a generation of men into the British army who previously would not have been able to obtain a commission. But just who was included in this new category of British army officer and what were the criteria for selection? By definition, they were gentlemen; but was a man made an officer because he was a gentleman or was he made a gentleman by becoming an officer?²¹

¹⁷ Glover, *Purchase, Patronage and Promotion*, p.211.

¹⁸ *Ibid.*, p.212.

¹⁹ *Ibid.*, p.212.

²⁰ George Mackaness, (ed.), *Memoirs of George Suttor F.L.S: Banksian Collector (1774-1859)*, *Australian Historical Monographs*, Sydney : 1948. p.13.

²¹ Glover, *Purchase, Patronage and Promotion*, p.212.

With the demands of war, extra battalions were raised in 1804, creating more than 2,000 new commissions, all of them without purchase.²² The only necessary requirement at this time was an ability to read and write and the Scots, with a better education system than the rest of the British Isles, fitted the bill admirably; which may well explain the reasonably high percentage of Scots among Peninsular War veterans who came to the Australian colonies. This new cohort of officers did not benefit from the provision of education at the new military schools,²³ as it was not until after the Peninsular War that the influence of military schools became apparent.²⁴ Certainly, these new officers were educated and came from families who could afford the necessary annual allowance of between £50 and £100. For men commissioned from the ranks, and who had no such allowance, the Patriotic Fund²⁵ often stepped in to provide the initial sum of about £50 for uniform expenses.²⁶

Kenneth Snodgrass was one young man who obtained a commission, without purchase, in the 90th Regiment in 1803. Snodgrass was born in Paisley, in Scotland, the son of a Presbyterian minister, and his mother, Janet Mackenzie, was well connected.²⁷ Promotion followed quickly, through the 43rd Regiment and into the 52nd Regiment, again without purchase. He was promoted to Captain in 1808, and the following year took part in the retreat to Corunna. Snodgrass remained in the Peninsula, and led a company of 400 Portuguese soldiers to victory in the battle of Vittoria in June 1813. At the battle of Orthes, on the French side of the Pyrenees, in 1814 he received a

²² Michael Glover, 'The Purchase of Commissions: A Reappraisal,' *Journal of the Society for Army Historical Research* LVIII, No. 236, 1980. p.232.

²³ at High Wycombe and Great Marlow (Sandhurst), founded by the Duke of York.

²⁴ Halévy, *A History of the English People in the Nineteenth Century*. p.84.

²⁵ The Patriotic Fund still exists, for the benefit of the dependants of officers and men of the military, naval and air forces.

²⁶ Glover, *Purchase, Patronage and Promotion*, p.215.

²⁷ Moira Saunderson, *The Corunna Connection: Lt.-Col. Kenneth Snodgrass* Raymond Terrace Historical Society, 1988. p.2.

severe head wound. He was then invalided home to Scotland.²⁸ Snodgrass returned to Portugal in 1815, as a full Major attached to the Portuguese army, and he remained there until 1822. Then he languished, like so many others, on half-pay until 1827, when he was appointed Major of Brigade to the British army in New South Wales: a position of honour, just below that of Governor. As part of his duties, Snodgrass was for a time in the charge of the Mounted Police; this is discussed further in part one of Chapter Eight. Snodgrass played a prominent role in society, and was asked to lay the foundation stone of St. Andrew's Cathedral in Sydney in 1833. He was Acting Governor in Van Diemen's Land for some months after Governor Arthur had left the colony, and then returned to New South Wales where he was appointed Acting Governor until the arrival of Lieutenant Colonel Sir George Gipps. Snodgrass then hoped for the position of commandant of the Port Phillip district, but that was given to La Trobe. Meanwhile, he had been granted land on the Williams River, in the Raymond Terrace area of New South Wales, and purchased more. There he built a fine house, which he named Eagleton, set on a knoll overlooking the river. A fine garden was attached to the house, and there were vineyards too. He resided there permanently from 1839, after the sale of his commission.²⁹

One path to a commission without purchase was that of the 'gentleman volunteer'. An example of someone who gained a commission without purchase via this method is Sir Thomas Mitchell, the well-known explorer and surveyor. Mitchell wrote the following in 1801, as a nine year old:

Thomas Mitchell is my name
Scotland is my nation
Grangemouth is my dwelling place
A bonny habitation
My father he is a shoremaster
And he stays at Sea-Lock (another name for Grangemouth)
If they do not move ahead

²⁸ Ibid. p.6.

²⁹ Ibid. p.24.

He swears he'll cut the rope.³⁰

Mitchell's father had charge of the canal, built in 1790 that linked the Firth of Forth with the Clyde River. Reference to cutting the rope meant that Mitchell had to keep the canal clear and, if any boat obstructed the movement of other boats through the canal, the shoremaster had the authority to cut its mooring.³¹ Hence, Mitchell's own background was certainly not gentry, though he was connected to the gentry family of Livingston of Parkshall, in Stirling. That he did live there with his 'uncle' Thomas Livingston for at least two years is certain, but he was not 'brought up' there as he often claimed. Thomas Livingston of Parkshall was probably a half brother of John Mitchell, Thomas's father. Throughout his life, Thomas Mitchell claimed he was heir to Parkshall, although on Thomas Livingston's death, a nephew was declared heir. After Thomas Mitchell's father died, the family was in greatly reduced circumstances and they lived on £10 a year paid by the owners of the Forth and Clyde Navigation Company.³² Mitchell did, however, manage to obtain a very good education, compliments of Thomas Livingston, at the University of Edinburgh, where he was first enrolled at the age of thirteen.

Soon after completing his education, Mitchell wrote to General Sir David Dundas, Commander-in-Chief of the Army

The Memorial of His Excellency humble servant Thomas Mitchell sheweth that your Memorialist, a native of Scotland, aged 19, is a son of respectable parentage, now Dead, [his mother was alive] and has received a liberal and classical education, qualifying him to fulfill the Duties of a Gentleman and a Soldier. That your Memorialist ardently desires to enter into the services of his Country in the Army, but has not the immediate means of purchasing a commission or other expectation of success other than through the well-known liberality of Your Excellency.³³

³⁰ William C. Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855 : Surveyor General of New South Wales 1828-1855*. Sydney : Institution of Surveyors N.S.W. Incorporated, 1985. p.4.

³¹ *Ibid.* p.4.

³² D. W. A. Baker, *The Civilised Surveyor : Thomas Mitchell and Australian Aborigines*. Melbourne : Melbourne University Press, 1997. p2.

³³ Sir Thomas L. Mitchell, Memorial, in Mitchell Papers, Mitchell Library, Sydney, MSS A290 1.21a.

Mitchell was accepted into the army as a *gentleman volunteer*, one who served in the ranks, and messed with the officers, until a vacancy became available. In fact, many first commissions were obtained in this manner during the Peninsular War.³⁴

Mitchell was swiftly given a commission as 2nd Lieutenant, 1st Battalion, 95th Regiment in July 1811. Clad in distinctive dark green jackets and trousers, the men of the 95th Regiment, or Rifle Brigade, were the scourge of the French and their regiment was the subject of many more histories than any other. Before long, Mitchell had a temporary transfer to the Quartermaster-General's Department as a military surveyor, working in forward positions, often alone. He moved between the Quartermaster-General's Department and the 95th Regiment, because he was fighting with the 95th at the battle of Salamanca in 1812, considered by some to be Wellington's most brilliant action: the defeat of 40,000 French in 40 minutes, with French casualties between 14,000 and 15,000 compared with Allied casualties of about 5,000.³⁵ By 1814, Mitchell was with the Quartermaster-General's Department again and spent the next five years making sketches of the battlefields, under the auspices of Sir George Murray. Mitchell returned to England in 1819 and spent the next six years at Sandhurst, finishing his plans of the Peninsula battlefields. This was arduous and specialized work, and Mitchell sought a reward for his superior skill. With the reduction in the Army after peace was declared, Mitchell realized there was very little prospect for promotion, and he sought a colonial appointment. Among the positions he was offered was that of Deputy Surveyor General of New South Wales and this he accepted. He arrived in Sydney in 1827, where he set out about proving that he was a gentleman.

³⁴ Glover, *Purchase, Patronage and Promotion*, p.213.

³⁵ Foster, *Sir Thomas Livingston Mitchell and His World*, p.27.

As evidence of their status as gentlemen, some Peninsular War veterans built themselves fine houses or 'villas', as they were known, and Mitchell became an arbiter of taste by designing *Craigend* at Woolloomooloo. When it was advertised for sale in 1837 *Craigend* was described thus:

All that splendid Roman Villa and spacious Pleasure Grounds on Wolloomooloo Hill called *Craigend* but entirely under the superintendence and for the last ten years the residence of Thomas Livingston Mitchell, Esquire, Surveyor General of New South Wales, whose well known taste in Architecture and Landscape Gardening is only inferior to those rarer and higher qualifications which have already immortalized his name as one of the most intrepid and successful discoverers of the present age.

The advertisement continues:

The scenery and views from Major Mitchell's grounds, as every one knows are grand beyond description, resembling another Naples. *Craigend* is remarkable as being perhaps the only Villa, among the rich specimens of architecture near Sydney, that may be said to be decidedly adapted to the country and climate of New South Wales.³⁶

As James Broadbent, the architectural historian of early colonial houses, has noted, *Craigend* was intended to be 'the superior house of a superior colonist of superior taste'.³⁷ Mitchell was a man to whom status and appearance were of the greatest importance and in New South Wales his achievements in that direction were impressive by any standards. Besides the position as Surveyor-General (with its large salary), his broad acres, his town house and country estate, his other brilliant achievement, in his eyes, was his knighthood. Even though Mitchell did not inherit in Scotland as he might have wished, he became master of more land in New South Wales than that held by the House of Livingston. He named his country estate *Parkshall*, after the Livingston family estates in Scotland.

Sir Thomas Mitchell's *Craigend* on Woolloomooloo Hill was among the grants in that area given by Governor Ralph Darling. Mitchell was overjoyed at obtaining the grant, and wrote to his brother:

³⁶ James Broadbent, *The Australian Colonial House : Architecture and Society in New South Wales 1788-1842*, Sydney : Hordern House in association with the Historic Houses Trust of New South Wales, 1997. p.172

³⁷ *Ibid.* p.172.

I am about to build in the middle of a rocky piece of ground near Sydney containing about ten acres, which has been granted for this purpose. This I can assure you is no joke, for land sells here sometimes as high as £125 an acre.³⁸

Mitchell was fortunate: his grant of ten acres was one of the largest. To ensure that only gentlemen lived at Woolloomooloo, these grants had conditions attached to them: one was that within three years the grantee had to erect a building of a value not less than £1,000;³⁹ another was to ensure that each house was isolated in its own grounds and not visible from the road.⁴⁰ Altogether, there were nine villas built at Wolloomooloo, four of them by veterans of the Peninsular War: Mitchell, Dr Douglass, James Laidley and Samuel Perry.

Another route to a British army commission without purchase was to rise from the ranks, and this was possible if a man had outstanding ability. One who obtained a commission from the ranks was Ralph Darling, who joined the army as a private. In Darling's background, there is nothing to suggest that he would rise from the lowly rank of private in the British Army to become a general, gain a knighthood and govern two British colonies, Mauritius and New South Wales. Darling was the son of a sergeant in the British Army, and as a consequence, the life of his family was far from comfortable. For one thing, if a wife and family did manage to go abroad with the regiment (and that privilege was limited to six wives per 100 men, chosen by lot), there was no provision for married quarters. The whole of Darling senior's family went to the West Indies with the 45th Regiment, where both Ralph Darling and his brother, Henry, joined up as privates. By 1792, Darling was 20 years old and only a private, albeit one with substantial ability, industrious habits and ambition.⁴¹ It was the outbreak of war with France that provided Darling with

³⁸ Barrie Dyster, *Servant & Master : Building and Running the Grand Houses of Sydney 1788-1850*, Sydney : New South Wales University Press, 1989. p.38.

³⁹ Mitchell's yearly income.

⁴⁰ Broadbent, *The Australian Colonial House*, p.164.

⁴¹ Brian H. Fletcher, *Ralph Darling : A Governor Maligned*, Melbourne : Oxford University Press, 1984. p.5.

the opportunity for advancement in the army. Just one year later, in 1793, Ralph Darling obtained a commission without purchase, as did his brother Henry the following year. Their younger brother, William, was granted an ensigncy without purchase in 1801.⁴² Therefore, the likelihood of obtaining a commission without purchase was becoming a possibility; but it was the extreme demands of the Peninsular War that really opened up the system.

Darling held various military positions in the West Indies: customs official in Grenada, adjutant to the 15th Regiment, and military secretary to Sir Ralph Abercromby and to his military successors, and finally to the headquarters staff. For a short time he was stationed in England, but then returned to the West Indies as military secretary to Lieutenant-General Sir Thomas Trigge, the new commander. The West Indies proved extremely lucrative for Darling, as in February 1800, or seven years after his first commission without purchase, he purchased a commission as Major in the 4th West Indian Regiment of Foot. The next year he purchased a Lieutenant-Colonelcy in the 69th regiment at a cost of £9,000.⁴³ So Darling's star was very much on the rise: he had been promoted twice and purchased two commissions, thanks to the exigencies of war. Furthermore, during his period in the West Indies, Darling gained valuable experience, working with a succession of influential men and greatly widening his social networks. Darling fought in the Peninsular War, in command of the 51st Regiment, and took part in the retreat to Corunna, in Portugal.⁴⁴ The death of Sir John Moore there made this one of the better-known episodes in the Peninsula campaign, and the poem *The Burial of Sir John Moore at Corunna*, was taught to English school-children. Older Australians know it well too:

Not a drum was heard, not a funeral note,
As his corse to the rampart we hurried;
Not a soldier discharged his farewell shot

⁴² Ibid. p.7.

⁴³ Ibid. p.10.

⁴⁴ Ibid. p.17.

O'er the grave where our hero we buried.⁴⁵

General Darling was a stickler for etiquette, probably to prove himself a gentleman in New South Wales. In nineteenth-century Britain, etiquette was taken to mean the manners and rules of polite society and referred to certain sorts of behaviour, especially table manners, forms of address, hospitality, distinctions of rank and relations between the sexes. Where the social order was already established as in Britain, it was a matter of maintaining standards; but in a colonial society such as that of New South Wales, a new social order had to be created. As Elizabeth Windschuttle has pointed out, etiquette was used by the socially mobile to maintain standards.⁴⁶ Darling, of course, was not socially mobile in New South Wales: he was the Governor, the ultimate social as well as political authority; but he was a self-made man and, like many such men, more sensitive than most to the rules of etiquette. Etiquette was, after all, the public manifestation of gentility. Darling was also most particular on matters of uniform, and once upbraided a couple of Commissaries who went to Government House for dinner with their coats unbuttoned, in an attempt to keep cool in Sydney's hot and humid summer heat. A couple of days later, Darling issued an order to the effect that when officers of the Commissary Department went to Government House, they should be in full uniform with the coat buttoned and their swords by their sides.⁴⁷

Darling's social standing came not by birth; it was created by his army promotions and by his marriage to Eliza Dumaresq, after which he forged yet more links with important relatives and influential friends. Along with his increased social standing, Darling developed expensive habits and a taste for high living, a way of life he continued when commandant of the island of

⁴⁵ <http://www.cs.rice.edu/~ssiyer/minstrels/poems/115.html> 1/9/2003

⁴⁶ Elizabeth Windschuttle, 'The New Science of Etiquette,' *The Push from the Bush*, No. 7, 1980. p.58.

⁴⁷ Letter Boyes to his wife 7 May, 1826 in G. T. W. B. Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832*, Melbourne : Oxford University Press, 1985. p.249.

Mauritius. In fact, Darling's brother in law, Colonel Henry Dumaresq, wrote that Darling's life in Mauritius 'is the best in the colony and his establishment altogether of the best order'.⁴⁸ Darling continued this lifestyle in New South Wales. Having reached the pinnacle of his career, and with Government House as the centre of social activity in Sydney, Darling sought to protect himself and his family from wealthy emancipists and 'the vulgar and impertinent' by the use of etiquette.⁴⁹ Christiana Brooks, wife of another Peninsular War veteran, viewed Darling as 'a great stickler of all forms of Etiquette of which he is a perfect pattern in his own conduct'.⁵⁰ Another commentator on Sydney society in the 1820s, Amelia Forbes, wife of the chief Justice, Francis Forbes, agreed that:

Society in Sydney at this time was composed almost entirely of the families of the Government officials, the military and naval officers and their wives and some few of the leading colonists. The prejudice against trade, from a social standpoint, was very pronounced and no one engaged in any kind of trade or business was admitted within the circle of the exclusive set.⁵¹

Obviously, one had to be very careful and one's conduct was constantly subject to scrutiny. A wealthy young free settler, Patrick Leslie, John Macarthur's son-in-law, was moved to comment that the 'first people here are so very particular that you cannot get into their circle without first rate introductions and can only keep in it by first rate conduct'.⁵² On Governor Bourke's arrival in the colony, some of the starch and polish disappeared, as Amelia Forbes noted: 'the entertainments at Government House were not nearly so stiff and formal as they had been in the time of Governor Darling'.⁵³

⁴⁸ Fletcher, *Ralph Darling : A Governor Maligned*, p.23.

⁴⁹ Penny A. Russell, *A Wish of Distinction : Colonial Gentility and Femininity*, Melbourne : Melbourne University Press, 1994. p.7.

⁵⁰ Diary of Christiana Brooks, p.19 quoted in Fletcher, *Ralph Darling : A Governor Maligned*. p.217.

⁵¹ A.S. Forbes, 'Sydney Society in Crown Colony Days 1824-1839', in Mitchell Library, Sydney. MSS943/CY2691.

⁵² J. Gordon (ed.), *Advice to a Lady in the Colonies*, Letter from 'Mrs E' to Maria Macarthur, 1812, Melbourne: Greenhouse Publications, 1979. p.6.

⁵³ Forbes, 'Sydney Society in Crown Colony Days 1824-1839'. p.235.

Another method of obtaining an army commission without purchase was the notorious one of patronage. Despite the popular image of the British Army as a sordid institution where rank was either bought or obtained by influence, actually influence played only a very small role in first appointments during the Peninsular War. With a well known patron, it was always possible to obtain a commission in the British Army, but Michael Glover has shown that, during the Peninsular War, the percentage of commissions and promotions given through patronage was not high and in, fact, influence had a smaller role than purchase. Of 1,558 promotions during the two periods from September 1810 to August 1811 and from March 1812 to February 1813, only 115 were obtained by patronage.⁵⁴

Terence Murray, one who obtained his commission through patronage, is less well known to historians than are two of his children: his politician son Terence Aubrey Murray of Yarrowlumla , and his daughter, Anna Maria Bunn, author of *The Guardian*, the first novel published in Australia. At first glance an unlikely candidate to be the recipient of patronage because he was a Catholic, Terence was one of the nine sons of Thomas Murray of County Limerick in Ireland. However, the Murray family were liberal Catholics, and able to move freely between the worlds of Protestantism and Catholicism.⁵⁵ Terence married well too, to Ellen Fitzgerald, who was acquainted with Mrs. Maria Fitzherbert, the Catholic and common law wife of the Prince of Wales, later King George IV, who used her influence to obtain army commissions for three Murray brothers,⁵⁶ including Terence.⁵⁷ Terence Murray's first appointment, a civilian one, as paymaster to a Brigade of Guards for three

⁵⁴ Glover, *The Purchase of Commissions: A Reappraisal*. p.233

⁵⁵ see Chapter Four for more on Irish liberal Catholics.

⁵⁶ G. Wilson, *Murray of Yarrowlumla*. Melbourne: Oxford University Press, 1968. p.3.

⁵⁷ This instance has echoes of the scandal involving Mary Anne Clark, mistress of Frederick, the Duke of York, brother to George IV, who received money for promises of military commissions and promotions, civil appointments and clergy positions. A public scandal ensued and the Duke of York resigned as Commander-in-Chief.

years from 1811, was also quite likely due to Mrs. Fitzherbert's influence.⁵⁸ His army commission as Paymaster to the 48th Regiment dates from 1815.⁵⁹ This latter appointment gave him the military rank of Captain. By then he was no longer a young man: he was 39, a widower with three small children, and his circumstances may have been the reason for the intervention of Mrs. Fitzherbert on his behalf.

Leaving his children in the care of his mother, Murray sailed for New South Wales with his regiment in 1817. He spent seven years there and then followed his regiment to India, the usual posting after New South Wales. When he left for India, the regulations for the encouragement of army officers to become settlers in New South Wales had not yet been promulgated. Murray served for only a year in India, before being invalided back to England. By then, the regulations to attract respectable settlers from the ranks of serving army and navy officers to New South Wales had become well known, and Murray sold his half pay for £1,200⁶⁰ to provide capital. This more than satisfied the minimum capital requirement of £500 for settlement in the colony.⁶¹ Murray returned to New South Wales with his family in 1827 and went to live at Erskine Park, rented from the widow of his former commanding officer, Colonel James Erskine.⁶² As Erskine was a former Lieutenant Governor, a certain social status was attached to living at Erskine Park. During his first year in New South Wales, Murray was granted 2,560 acres of land near Lake George.

Terence Murray did not build himself a villa to prove he was a gentleman, but he did have his portrait painted, which equally signified gentility. Colonial

⁵⁸ Lord Charles FitzRoy to Sir George Murray, 2nd September 1830, Papers of Sir George Murray, National Library, Canberra. mfm G7672

⁵⁹ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications, Canberra, 1996. p.167.

⁶⁰ Commonwealth of Australia, *Historical Records of Australia*, Volume XIII, Sydney: 1920. p.781.

⁶¹ *Ibid.* p.593.

⁶² Wilson, *Murray of Yarralumla*. p.24.

portrait painting was a continuation of the English country house tradition of covering the walls with paintings of one's ancestors; however, in the case of the Australian colonies the purpose was to confirm one's class and position.⁶³ Richard Read Junior, an artist with a large clientele drawn from what an Art Gallery of New South Wales publication has termed the '*nouveau riche*', painted Murray's portrait.⁶⁴

Another to be granted a commission without purchase in the British Army was Archibald Innes in 1812, at the tender age of thirteen. As the sixth of nine sons of an Army Major, Innes had a different background from Darling, Mitchell and Murray. Soldiering was an hereditary occupation in the Innes family: besides Archibald himself, his father, two uncles and two brothers were in the British Army. The other family members were all attached to the 94th Regiment, but Archibald Innes' commission was with the 3rd Regiment. Three members of the Innes family were killed during the Peninsular War, two at the battle of Salamanca and one at Badajos, and Archibald's commission may well have been given to the Innes family as some sort of recompense. Although the Innes's are a branch of the titled family of Innes of Balvenie,⁶⁵ they had no money until George Innes, an uncle of Archibald's, went to India and amassed a fortune trading in liquor. Archibald's father, James Innes, inherited his brother's estate and purchased Thrumster House in Caithness in 1812, and set about becoming a laird. That was the year Archibald was given a commission, so he only spent a short few years at Thrumster House.

Given his young age, it is unlikely that Archibald Innes actually fought in the Peninsular War, although his entry in the *Australian Dictionary of Biography*

⁶³ Art Gallery of New South Wales, *The Artist and the Patron : Aspects of Colonial Art in New South Wales*, Sydney : The Art Gallery of New South Wales, 1988. p.18.

⁶⁴ *Ibid.* p.57.

⁶⁵ Bernard Burke, *Burke's Peerage and Baronetage*. 99th edition, 1949. p.1424.

credits him with service there. As well, Innes's name is not included in a list of officers who served in the Peninsula and does not appear in a list of officers who went to Canada in 1814 with his regiment.⁶⁶ However, he did serve with the occupation forces in France after Waterloo, then completed garrison duty in Ireland for some time and he was part of the cohort of men who were given army commissions during the Peninsular War years. By 1822, Innes was a Captain, and in charge of the guard on the convict ship *Eliza*, which arrived in Sydney in November of that year. Innes quickly gained vital appointments in New South Wales, firstly, as aide-de-camp to the Lieutenant-Governor of New South Wales, next as a magistrate, and then as officer in charge of the penal settlement at Port Macquarie.⁶⁷ On his return from Port Macquarie, Innes was appointed Superintendent of Police at Parramatta and, while stationed there, he married Margaret Macleay, daughter of the Colonial Secretary, Alexander Macleay, the senior civil servant in the colony. As the Macleays and the Darlings (the Governor's family) were already friends, they continued to socialise. Now drawn into the Macleay family circle, Innes was a young man mixing at the top level of Sydney society.

During his posting to the penal settlement at Port Macquarie, Archibald Innes was impressed with the area and, as soon as it was opened up to free settlement, he requested a grant of land. Innes' initial grant was the norm, 2,560 acres (1037 hectares), and as well his wife received 1,280 acres (518 hectares) as a marriage portion from Governor Darling.⁶⁸ The gods appear to have been smiling on Archibald Innes during the 1830s: his real estate holdings grew to over 30,000 acres (12,175 hectares) and he also built a store. Privately owned stores in remote locations were important as they enabled

⁶⁶ Clem Sargent, 'The Buffs in Australia - 1822 to 1827,' *Sabretache: the Journal of the Military Historical Society of Australia* XXXXVI, January/March 1995. p.11.

⁶⁷ B.W. Champion, 'Major A.C. Innes, 3rd Regiment of Foot,' *Journal of the Royal Australian Historical Society* XXI, Pt.2 1935. p.105.

⁶⁸ Graham Connah, *The Archaeology of Lake Innes House : Investigating the Visible Evidence 1993-1995*, Canberra : Graham Connah, 1997. p.4.

convict gangs and their guards to be victualled locally, while settlers even further removed from Sydney than the store were supplied with food and clothing.⁶⁹ These stores were surprisingly lucrative for their owners.

Innes built a house that, by the early 1840s, had become one of the most impressive mansions outside Sydney, and he named it Lake Innes House. Did he set out to prove, with the colonial rural estate of Lake Innes, that he could be a laird like his father? To be sure, his status as a younger son had denied Archibald a landed estate in Scotland.⁷⁰ In any event, his attempts were impressive. Innes's niece remembered the house as having twenty-two apartments, a drawing room upholstered in yellow satin damask, a Veronese painting and a wonderful library.⁷¹ This lavish and extravagant lifestyle at Lake Innes House did not last long, as Innes had been in debt for years and he lost even more in the depression of the 1840s; but when his niece visited in 1843 she still found a butler, two footmen, two maids, a Scotch piper and two Spaniards in livery who looked after the carriages and stables.⁷² As a younger son, Archibald Innes enjoyed the sort of status in the colony he could not have expected in Scotland. As Graham Connah has said in his study of Lake Innes House, the social ambitions of Major Archibald Innes 'clearly exceeded both his financial abilities and his common sense'.⁷³ Archibald and Margaret Innes had their portraits painted too, by Maurice Felton, one of the leading artists in the colony.⁷⁴ As Felton, who painted in the late 1830s and early 1840s, usually placed his sitters in a position reflecting their place in society, it may be assumed that he painted the two Innes's as representing the cream of colonial society.

⁶⁹ Christine Wright, 'Rogues and Fools': John Coghill and the Convict System in New South Wales,' *Journal of Australian Colonial History* 3, No.2, October 2001. p.9.

⁷⁰ Innes was the sixth of nine sons, yet it was the fifth son who inherited as his four elder brothers had died, two in the Peninsular War.

⁷¹ Champion, *Major A.C. Innes*. p.107.

⁷² *Ibid.* p.108.

⁷³ Graham Connah, 'The Archaeology of Frustrated Ambition: An Australian Case-Study,' *Historical Archaeology* 32, No. 2, 1998. p.23.

⁷⁴ *Ibid.* p.38.

Regardless of their social origins, these men and others like them, held military and civil power and acquired large landholdings that gave them something akin to aristocratic status. Both Mitchell and Innes were appointed magistrates, a position of high honour and recognition of their status in the community. The magistracy has been defined as 'an office that conferred considerable state-backed authority on economically powerful figures'.⁷⁵ These Peninsular War veterans were certainly that; they were, effectively, the aristocracy of the colony. They were the landed gentry in New South Wales and they and their offspring climbed the social ladder because of their position and landholdings, not because of their social origins. And they owed these good things to their service in the Peninsular War.

The descendants of these veterans were well placed too, with many of them choosing careers in the Army, in politics, and in the public service; in other words, they continued to be what their fathers and grandfathers had been: men of the British Empire. For several generations, the extended Ryrie family distinguished themselves in public life. They included a Lieutenant-Governor of New South Wales (William Stewart), one of the five senior commanders of the Australian Light Horse in World War One, Major-General Sir Granville Ryrie, a member of the both the lower and upper houses of the New South Wales Parliament from 1880 to 1909, the Hon. Alexander Ryrie, and the Dean of Veterinary Science at Sydney University in the 1920s, James Stewart.⁷⁶ Another of Stewart Ryrie's grandsons, Stanley, was an army man too.⁷⁷ Among the descendants of Terence Murray, his son, Terence Aubrey Murray, was a well-known politician, and his grandson, Sir

⁷⁵ D. J. Neal, *The Rule of Law in a Penal Colony: Law and Power in Early New South Wales*, *Studies in Australian History*. Melbourne: Cambridge University Press, 1991. p.118.

⁷⁶ David Denholm, *The Colonial Australians*. Melbourne: Penguin Books Australia, 1979. p.172.

⁷⁷ P.C. Mowle, *Genealogical History of Pioneer Families of Australia*, Sydney: John Sands, 1948. p.123.

Hubert Murray, fought in the Boer War and was then appointed Lieutenant-Governor of Papua.⁷⁸ Many others had sons in the Army, among them Val Blomfields's son Thomas, John Mackenzie's son Hugh, while Thomas Shadforth had two sons, Henry and Thomas, in his old regiment, the 57th. Lieutenant-Colonel Thomas Shadforth was killed in the Crimean War.⁷⁹ Major Elrington had a son, Clement, in the army, as well as five descendants who fought in World War One.⁸⁰ Similarly, the descendants of Captain Edward Close of Maitland in New South Wales served in World War One: Thomas Close Smith, Donald Campbell, Major Cecil Campbell, Commander Henry Treherne R.N. and George Campbell.⁸¹ All five of Commissary Boyes's sons had positions of note in the public service.

Peninsular War veterans surely benefited from a twenty five year sequence of Governors, and Lieutenant-Governors, who were themselves veterans of those wars: Brisbane, Stewart, Darling, Lindsay, Bourke, Snodgrass and Gipps. Another opportunity to move up the social ladder was by marrying a woman with influential connections: Mitchell married a General's daughter, Darling married a Colonel's daughter, Innes married the daughter of the Colonial Secretary and, as noted, Murray married a friend of Mrs. Maria Fitzherbert.

These Peninsular War veterans all received grants of land, Innes claiming top position with over 30,000 acres. Land, of course, was the key to power in eighteenth and nineteenth century Britain. Not only did they obtain free grants of land in the Australian colonies, but they also had cheap convict labour to work the land. Great pastoral enterprises were the road to

⁷⁸ G. Wilson, *Murray of Yarralumla* . p.313.

⁷⁹ see individual entries in Mowle, *Genealogical History of Pioneer Families of Australia*.

⁸⁰ Viv Caldwell, *Elrington Family* ([cited 8 March 2005]); available from <http://www.zip.com.au/~viv/elrington.htm>.

⁸¹ A. P. Elkin, *Morpeth and I*, Library of Australian History Facsimile Series ; No. 24. North Sydney : Library of Australian History, 1979. p.51.

economic success, provided one was not over-stretched, as was Innes. In fact, Peninsular War veterans could well be described as gentleman capitalists.

Cain and Hopkins explain their concept of 'gentlemanly capitalism':

The more an occupation or a source of income allowed for a life-style which was similar to that of the landed classes, the higher the prestige it carried and the greater the power it conferred. Capitalists could become gentlemen if they derived incomes from agricultural or urban property.⁸²

It is evident that grants of land given to Peninsular War veterans in the Australian colonies enabled them to become men of property and to live a life similar to that of the landed classes in Britain.

This tradition of power emanating from land ownership, exported from Britain to the Australian colonies, had to be supplemented: good connections were clung to, bad ones ignored and pedigrees invented. Thomas Mitchell clung to his good connection with the Livingston family; but a pedigree of his family, now in the Mitchell Library, is erroneous. As Don Baker has pointed out, the pedigree was quite likely prepared at Mitchell's request and was designed to 'inherit gentility'.⁸³ Likewise, Archibald Innes provided himself with a bogus coat of arms, which he displayed at his house at Port Macquarie. The motto, in Latin, translates as 'While I live I aspire to the highest'.⁸⁴ The ideas and ambitions of gentlemen such as Thomas Mitchell and Archibald Innes are clearly expressed in their preoccupation with genealogy and heraldry, a means of proving one is a gentleman and, moreover, a gentleman connected to the British landed gentry.

⁸² P.J. Hopkins and A.G. Cain, 'Gentlemanly Capitalism and British Expansion Overseas: The Old Colonial System 1688-1850,' *The Economic History Review* 39, No. 4 1986. p.504-505. See also Chapter Four 'New Imperialism' and 'Gentlemanly Capitalism': did the flag follow trade', in R. Johnson, *British Imperialism*, London, 2003.

⁸³ D. W. A. Baker, 'The Ancestry of Sir Thomas Livingston Mitchell,' *The Scottish Genealogist* XXXII, No. 1 1985. p.5.

⁸⁴ Connah, *The Archaeology of Lake Innes House*. p.22.

For the descendants of several Peninsular War veterans, a way to demonstrate their status in the Australian colonies was by means of an entry in Burke's *A Genealogical and Heraldic History of the Colonial Gentry*. Unlike Burke's *Landed Gentry* for which the ownership of land was the criterion for inclusion, the criterion for *Colonial Gentry* is not easy to determine. It is fair to assume that there was a fair amount of self-selection, as Burke noted in the preface that families had given him information 'freely and courteously' from 'their private papers, traditions and genealogies'.⁸⁵ [my emphasis] David Cannadine believes that most of those included in Burke's *Colonial Gentry* were self-selected.⁸⁶ Geoffrey Bolton, on the other hand, is more guarded, and notes that they were included because they were willing to be included.⁸⁷ *Colonial Gentry*, produced in two volumes between 1891 and 1895 and modelled on the British *Peerage and Landed Gentry*, was begun by Sir Bernard Burke and completed by his sons after his death. The aim was to 'preserve in a convenient and permanent manner the records of the leading families in the Colonies' and to show 'the close bonds of kinship that unite the sister Colonies to one another and to the Mother Country'.⁸⁸ This publication, much-maligned then and since, contained about 563 entries from all over the Empire, including 340 from Australia.⁸⁹ Among them were: Sir James George Lee Steere of Jeyes, Blackwood, Western Australia, whose ancestry could be traced 'without interruption since the conquest'; Fitzwilliam Wentworth of Vaucluse, Sydney, whose family 'is said by genealogists to have derived its designation in Saxon times'; and Richmond Beetham of Christchurch, Canterbury, New Zealand, who claimed descent from King Edward the Elder.⁹⁰ *Colonial Gentry* was condemned by an 1896

⁸⁵ Sir Bernard Burke, *A Genealogical and Heraldic History of the Colonial Gentry* London: E.A. Petherick & Co., 1891.

⁸⁶ David Cannadine, *Ornamentalism : How the British Saw Their Empire* New York: Oxford University Press, 2001. p.36.

⁸⁷ G.C. Bolton, 'The Idea of a Colonial Gentry,' *Historical Studies*, No. 13 1968. p.324.

⁸⁸ Burke, *A Genealogical and Heraldic History of the Colonial Gentry*. p.i.

⁸⁹ Paul de Serville, 'Genealogy and Australian Social History,' *Australia 1888*, No. 2 (1979). p.110.

⁹⁰ Cannadine, *Ornamentalism : How the British Saw Their Empire*. p.36.

review in *The Genealogist*, a quarterly magazine, in which the author pointed out that more than two-thirds of the families in this publication were 'no gentlemen'.⁹¹ Recent publications have also roundly condemned *Colonial Gentry* for the same reasons. In an article in *Push from the Bush*, John Spurway commented that the publication of *Colonial Gentry* 'must be seen as the result of a new imperial attitude, manifest in the last quarter of the nineteenth century, which involved the fostering of native elites in various dominions'.⁹² He goes on to draw a connection with the great Imperial Assemblage at Delhi in 1877, at which newly devised coats-of-arms were presented to Indian rulers. Both these coats-of-arms and entries in *Colonial Gentry* affirmed a sense of belonging to the British Empire. A trenchant critic of *Colonial Gentry*, Paul de Serville argued that at least two-thirds of the entrants in that publication were not even technically gentlemen and he criticised the genealogies as exiguous. Most of the genealogies do not go back more than three generations, and some do not even mention the subject's parents.⁹³

This reckless genealogical tome, then, contains the entries of seven Peninsular War veterans: Edward Close, the Dumaresq brothers, James Laidley, George Meredith, Stewart Ryrie, and Thomas Walker. Of these, only the Dumaresq family can lay claim any pedigree. The Close entry begins with Edward's father; the Laidley entry begins with James Laidley himself and notes that the family surname was originally Laidlaw but was changed; the Meredith entry begins with George's father; the Ryrie entry begins with Stewart Ryrie himself; and, lastly, the Walker entry begins with Thomas Walker's father. This small sample accords with de Serville's criticism that many of the entries do not go beyond one generation.

⁹¹ *The Genealogist, Genealogical, Antiquarian, Topographical and Heraldic Research*, Volume XII, 1896, pp.66-71.

⁹² Spurway, *The Growth of Family History in Australia*. p.61.

⁹³ de Serville, *Genealogy and Australian Social History*. p.110.

There are three Commissariat officers listed in *Burke's Colonial Gentry*: Stewart Ryrie, James Laidley and Thomas Walker. This is most unusual according to Ward, who found only about twenty listings from a total of 410 commissaries in the Peninsular War. Ward argues that one could search *Burke's Colonial Gentry* or *Burke's Landed Gentry* 'almost in vain to find families owning to a commissary'.⁹⁴

Some fifty years, and a couple of generations later, other similar publications appeared: Mowle's *A Genealogical History of Pioneer Families of Australia* and Henderson's *Australian Families: a Genealogical and Biographical Record*.⁹⁵ While not having the same reputation for recklessness as *Burke's Colonial Gentry*, Mowle's work did have the same aim and even used the same words:

The utility of such a work, which would record in a permanent form the descendants of the earliest arrivals in Australia, seemed unquestionable, whilst it would also serve the show *the close bonds of kinship* which exist between the families in Australia and those of *the Mother Country*.⁹⁶ (my emphasis)

This publication, concentrating mainly on New South Wales, was entirely self-selected with those seeking inclusion having to pay a fee.⁹⁷ It has listings for seven Peninsular War veterans and their families: Blomfield, Close, Lamb, Maclean, Shadforth, Ryrie and Murray. There was somewhat of an emphasis on former army officers, with about one-third in that category. As with the *Colonial Gentry* listings, the entries begin with the first man of that name to come to Australia, the pioneer. That there was a prestige attached to families who could trace their origins to a pioneer is evidenced by the publication of these books of reference.

Since people in the Australian colonies were part of a new society where not everyone knew each other, and where one needed to make enquiry about

⁹⁴ S.G.P. Ward, 'The Peninsular Commissary,' *Journal of the Society for Army Historical Research*, 75 1997. p.232.

⁹⁵ The only listing in this work is that for Charles Howard, a commissary.

⁹⁶ Mowle, *Genealogical History*.

⁹⁷ Conversation with Dr Margaret Steven, History, RSSS, Australian National University.

social backgrounds, a frequently asked question was 'Is he a Gentleman?'⁹⁸ This was especially true in colonies with an ex-convict element. The term 'gentleman' was a piece of re-assuring social shorthand in Britain and, as a consequence, in the Australian colonies during the early nineteenth century. Governor Gipps, in a letter to La Trobe in 1841 referring to a magistrate from Parramatta who was now in the Port Phillip district, wrote 'I know nothing of his abilities, but [he] is a Gentleman, which is always something'.⁹⁹ That a man was publicly labelled a gentleman made him acceptable to his equals, and he could be placed in society. Gipps, ever vigilant, wrote of a prospective civil servant 'of his other qualities I know nothing – save that he is a Gentleman', and of Count Strzelecki, 'a man of science, and certainly a gentleman'.¹⁰⁰ It was therefore a useful question when dealing with men in search of office. But what defined a gentleman? Certain prerequisites appear paramount: 'the possession of manners, deportment, appearance, clothes, and tastes'.¹⁰¹ The colonial gentry has been defined thus by David Denholm:

The colonial gentry were the people who dined first and most lavishly at the table of colonial opportunities, which enabled them to apportion more of the opportunities for their children and their children's children, enabled them to use their wealth to exercise economic and therefore political and social power, and encouraged them to consolidate their achievements by intermarriage and by friendship and business systems. The gentry were thus the people who turned themselves into an hereditary ruling elite...¹⁰²

Peninsular War veterans fit neatly into this description of colonial gentry; though, of course, descriptions and definitions can be fluid.

Many Peninsular War veterans confirmed and displayed their status as gentlemen in New South Wales by various means. They, and their sons,

⁹⁸ de Serville, *Port Phillip Gentlemen*. p.48.

⁹⁹ Gipps to La Trobe 15 May 1841, La Trobe Papers, La Trobe Library Melbourne, quoted in *Ibid.* p.48.

¹⁰⁰ *Ibid.* p.48.

¹⁰¹ *Ibid.* p.29.

¹⁰² David Denholm, *The Colonial Australians*. Melbourne: Penguin Books Australia, 1979. p.162.

formed gentlemen's clubs: those masculine institutions, reminiscent of regimental life. Some of the sons of New South Wales veterans went to the newly established Port Phillip district, and there they founded the same institutions as their fathers had in New South Wales. One such was Peter Snodgrass, who was born in Portugal while his father was serving there. Also in Port Phillip, the three young Ryrie brothers, William, James and Donald (sons of Stewart) were members of gentlemen's clubs.

In Sydney, the Beef Steak Club was the first private club for gentlemen, founded in the mid 1830s.¹⁰³ Despite a brief life, this club was a forerunner of sorts to the Australian Club, founded in 1838. George Leslie described the latter club as:

a club formed by all the gentlemen in the country and each member is separately elected by ballot and if an objectionable person is proposed someone blackballs him and many a one is black-balled and consequently not admitted as a member. It is a large home fitted up like a hotel where members can get lodgings at a much cheaper rate than he can get any other where in town and is sure to meet nothing but gentlemen which is a very essential thing in this country where everyone sets himself up for a gentleman.¹⁰⁴

The membership lists of both clubs are peppered with not only Peninsular War veterans, but also many ex-Royal Navy men. Archibald Innes was a member of the prestigious Australian Club, and he was perhaps the most ambitious of them all. None of the other three examined in this chapter were members. Darling's position as Governor and the leader of society left him with no need to join such a club; Murray died as it was being formed, but his two sons became members; and Mitchell was in England on leave at its inception. Among the more prominent members of the Australian Club was

¹⁰³ S. G. Foster, *Colonial Improver, Edward Deas Thomson, 1800-1879*, Melbourne : Melbourne University Press, 1978. p.23.

¹⁰⁴K.G.T. Waller, 'Letters of the Leslie Brothers in Australia 1834-1854', MA Thesis, University of Queensland, 1956. p.79.

Dr James Mitchell, also a Peninsular War veteran. He was a trustee during the 1840s, as well as Vice-President in 1855, 1857, 1859 and 1864.¹⁰⁵

Often, gentlemen were sensitive about questions of honour and if such a question arose, and gentlemen wished to defend their honour, there were a couple of alternatives: a duel or a court of honour. A court of honour was a committee of gentlemen nominated by the parties but, in Port Phillip, gentlemen often resorted to duelling. Why this should be so when duelling was beginning to lose favour in England, suggests a tension in the colony about social standing.¹⁰⁶ Men, particularly army officers or their sons, were quick to detect slights against their honour or rank in society and de Serville has suggested that perhaps men in Port Phillip were touchier than in other colonies, because they were at pains to establish themselves in the new colony. There were seventeen duels fought between 1839 and 1850, mainly among younger men, with the sons of Stewart Ryrie and Kenneth Snodgrass prominent.¹⁰⁷ Peter Snodgrass imagined himself insulted by William Ryrie and, after obtaining pistols, the parties went to level ground near Batman's Hill. When the sign to fire was given, young Snodgrass shot himself in the toe, and Ryrie then fired into the air. In his second duel, Snodgrass challenged Redmond Barry, and Barry also fired into the air.¹⁰⁸

Not all Peninsular War veterans were wholly successful in the colonies, and some suffered during the financial depression of the 1840s too, notably Captain Francis Allman and Major James Crummer. Allman was a son of the late John Allman, Esq. an Irish gentleman of some property, according to his obituary in *The Yass Courier*. Allman was given a commission as an ensign, without purchase, in the 2nd Foot in 1794. He served in Holland and Egypt,

¹⁰⁵ C. E. Smith. *Dr. James Mitchell*, Newcastle History Monographs : No.1. Newcastle: Newcastle Public Library in association with the Newcastle and Hunter District Historical Society, 1966. p.48.

¹⁰⁶ de Serville, *Port Phillip Gentlemen*. p.108.

¹⁰⁷ *Ibid.* p.109.

¹⁰⁸ *Ibid.* p.110.

and joined the newly formed 2/48th as a lieutenant 1803. In the Peninsula from April 1809, Allman fought in the battles of Talavera, Busaco and Albuera, where he was severely wounded, and then taken prisoner by the French.¹⁰⁹ He spent the next five years as a prisoner of war at Verdun, in northern France. In 1818, he and his family arrived in Sydney as part of the garrison regiment, and he was soon appointed commandant of the new penal settlement at Port Macquarie. Allman decided to settle in New South Wales, instead of going to India with his regiment. Consequently, he sold his commission in 1829. Allman's grant of land was in the Hunter Valley, but he was not successful at all as a farmer and was forced to seek civil appointments as police magistrate. These positions kept him going financially until 1843, when he was obviously bankrupt and forced under government legislation to resign his appointment.¹¹⁰ Fortunately, he still had a war pension of £100 a year, but it was a sorry end to his career.

Like Allman, Major James Crummer was born in Ireland and given a commission without purchase, in his case, as an ensign in the 28th Regiment in 1805. Crummer served at Copenhagen in 1807 and was present at fourteen actions in the Peninsula; see appendix two for a full list. He also took part in forming the squares at Quatre Bras and fought in the battle of Waterloo. Afterwards, he went to the Ionian Islands, where he was commandant of Calamos from 1822 to 1827. There, his role was the protection of Greek refugees during the war of independence against the Turks. He came to New South Wales in 1835 with his regiment to garrison the colony, and subsequently held the Commission of the Peace for 21 years.¹¹¹ His wounds, described in Chapter One, hampered his life in New South Wales. These wounds, combined with his increasing age, left him unable to fulfil his duties as police magistrate at Maitland, and he was

¹⁰⁹ Sargent, *The Colonial Garrison*. p.165.

¹¹⁰ Obituary of Captain Allman, *The Yass Courier*, 31 October, 1860.

¹¹¹ Crummer Family Papers, Mitchell Library, Sydney. MSS 821

appointed to Port Macquarie, probably because it was an easier post. He had a small farm at Newcastle, where he had also been police magistrate for a time, and he relied on the income from that farm to help support his large family. In 1846, however, he suffered a large loss over a sheep deal and complained, 'I am destined to be unfortunate in all my dealings in this Colony'.¹¹²

Of those discussed in this chapter, several were younger sons, and thus ever vigilant for opportunities. Francis Allman was the second of five sons, Terence Murray was the fifth of nine sons, Archibald Innes the sixth of nine sons and Stewart Ryrie one of twelve sons. A steady rate of population growth from the 1760s until the mid 1820s,¹¹³ produced several generations of impoverished younger sons and their plight was a vexing problem for many British families. Spared the indignity of possible descent down the social scale were young men who were born in the late eighteenth century and thus of age during the Peninsular War, and who were fortunate enough to obtain an army commission without purchase.

It is evident that, for the Peninsular War, the British Army's purchase system was adapted to suit changing circumstances to provide many army commissions without purchase. The sorts of men who were commissioned in these years were not the same class of men who were officers in the British Army at any other period. In hindsight, surely one unintended consequence of the Peninsular War was the emigration to the Australian colonies of a distinctive class of British army officer. They became gentleman capitalists and led similar lives to the landed class in Britain. These colonial gentlemen were given substantial grants of land and a convict labour force, they built

¹¹² E.J. Lea-Scarlett, entry for James Henry Crummer in D. Pike, (ed.), *Australian Dictionary of Biography*, Vol. 1 Melbourne: 1966. p.264.

¹¹³ W. D. Rubinstein, *Britain's Century : A Political and Social History, 1815-1905, The Arnold History of Britain*. London ; New York: Arnold, 1998. p.263.

large villas, had their portraits painted, frequented gentlemen's clubs, and were appointed to the high office of magistrate. Some of them appear in rash genealogical tomes, such as *Burke's Colonial Gentry*. Though they lacked any aristocratic origins, they often made up for that in their vigilant interpretation of hierarchies and status. Without doubt, these men were more than doubly fortunate: not only did they become army officers without having to pay the usual price, they also were granted land in New South Wales under favourable terms because of their army service, and they became the *quasi aristocracy* – the landed gentry – of New South Wales. But these Peninsular War veterans were also self-made men, with self-made pedigrees and coats of arms.

CHAPTER THREE

'we are in sight of each other': the social networks of veterans

In 1809, Edward Close and Val Blomfield were both commissioned into the 48th, or Northamptonshire, Regiment of the British army. Together, they saw action at five of the major battles of the Peninsular War: Busaco, Albuera, Vittoria, Orthes and Toulouse. Close was also present at the crossing of the Douro and at the battles of Talavera and Nivelle, and Blomfield at Ciudad Rodrigo, Badajoz and Salamanca. Between them, they were in all of the major engagements of that decisive war, and both were awarded the Military General Service Medal: Blomfield with eight clasps and Close with seven. Both arrived in Sydney with the 48th Regiment in 1817, married within a year of each other, and sold their commissions. Captain Francis Allman, another of the 48th's men, joined them in New South Wales the following year, but his experience in the Peninsular War was somewhat different, as we have seen. These three officers from the same regiment all decided to sell out and settle in New South Wales. Deliberately, they chose grants of land in the same place, the Hunter Valley. Blomfield wrote to his sister in 1829:

I am now my own master and intend to keep so, and have very little to do with any person. I have a few intimate friends, two of which are my old brother officers, Close and Captain Allman. The former lives about seven miles from me and the latter two. We are in sight of each other, a large sheet of water, near two miles across, between us; I can see them with my glass almost as well as I were there!¹

In this chapter, I will use the concept of social networks to investigate the lives of Peninsular War veterans in the Australian colonies. The various patterns formed by social bonds will be examined to discover what connections there may be between those patterns and the behaviour of the people within those networks. Networks are communication mechanisms that can be used by their

¹ Letter T.V. Blomfield to his sister, January 1829, Captain T.V. Blomfield, *Memoirs of the Blomfield Family* Armidale, N.S.W.: 1926. p.33.

members to benefit themselves or others, and use of a network may involve the transmission of information, or of patronage, via personal connections. An examination of the social networks of Peninsular veterans illustrates the impact of these men on immigration to New South Wales, on settlement patterns, on marriage patterns, and on the sometimes ambiguous relationship between government and private enterprise. These networks also had some bearing on place naming, as well as on public and social life in the Australian colonies.

The extraordinary influence of the Peninsular network will be highlighted in this chapter, and emphasis is placed on its usefulness throughout the whole British empire, particularly between London, the Cape Colony and New South Wales and, to a lesser extent, Mauritius. At the London end, the Peninsular influence within the Horse Guards was crucial to its operation. The experiences of Peninsular veterans within the Cape Colony and New South Wales will also be compared, to note their similarities; and reference is made particularly to veterans of the 95th Regiment, or Rifle Brigade, and the Commissariat. Also, within the Peninsular network, of particular note are the family networks surrounding the Dumaresq, Rylie and Snodgrass families.

The concept of social networks has been defined as:

a relevant series of linkages existing between individuals, which may form a basis for the mobilisation of people for specific purposes under specific conditions.²

I will follow this definition to appreciate how individuals use roles rather than how roles use individuals. In other words, my concern is with the network of personal relations between individuals and how the social networks of individuals influence their actions. One of the pioneers of social network analysis, John Barnes, explained social networks in this way:

² C. Seymour-Smith, *Macmillan Dictionary of Anthropology*. London: 1986. p.208.

Each person is, as it were, in touch with a number of other people, some of who[m] are directly in touch with each other and some of who[m] are not... I find it convenient to talk of a social field of this kind as a *network*. The image I have is of a set of points, some of which are joined by lines. The points of the image are people, or sometimes groups, and the lines indicate which people interact with each other.³

Characteristically, a network has no clear leader, although there may be central figures, and it has no external boundaries. Most networks, Barnes has argued, are between persons of approximately equal status.⁴

The study of social networks has gained momentum since the 1960s and, since 1978, a journal, *Social Networks*, has been published, dedicated entirely to social network studies. Since the 1990s in particular there has been a proliferation of published work, both English and American. However, my own use of social network theory is selective: my inspiration is derived from the work of an historical branch of this theory, developed at the University of Amsterdam during the 1970s. This branch of network analysis came out of Dutch sociology and anthropology, and its key component is the historical approach it takes, emphasising the processes through which social phenomena come into being.⁵ A particular line of thought within social networks analysis is that personal social networks form a kind of resource that individuals can mobilise to achieve their goals, and to better their material conditions in life. Social networks then can be seen as a form of social capital: they are 'an entity, consisting of all expected future benefits derived not from one's own labour, but from connections with other persons'.⁶ Though I use the term 'social network', Peninsular War veterans would have been unfamiliar with that term. They thought in terms of regimental comrades, connections, patronage, shared political views, or family obligations. Evidence exists that individuals

³ J.A. Barnes, 'Class and Committees in a Norwegian Island Parish,' *Human Relations* VII 1954. p.43.

⁴ J.A. Barnes, 'Class and Committees in a Norwegian Island Parish,' in *Social Networks: A Development Paradigm*, S. Leinhardt (ed.). New York: 1977. p.237.

⁵ Hendrik Derk Flap, *Conflict, Loyalty, and Violence : The Effects of Social Networks on Behaviour*, Frankfurt am Main ; New York: P. Lang, 1988. p.7.

⁶ *Ibid.*p.136.

within the Peninsular network placed considerable emphasis upon these connections.

Whilst social network theory has an interdisciplinary approach, there has been relatively little use of it by historians. Within Australia, Atkinson has written on the networks that sustained William Charles Wentworth as lawyer and politician, and he also used this method of analysis in an article on the Sydney press of the 1830s.⁷ In order to understand Governor Arthur Phillip's exceptional connections, Michael Scorgie and Peter Hudgson uncovered his familial and political networks.⁸ In the United Kingdom, Zoe Laidlaw, in her recent D.Phil dissertation, has mapped networks of personal connections, which linked individuals throughout the British Empire, and has argued for their significance in colonial governance.⁹ Laidlaw's work is one of the few that has made substantial use of the notion of social networks in the discipline of history.

To return to Peninsular veterans themselves, and their networks: it is important to recognise the uniqueness of life in a British army regiment. These regiments were, and probably still are, tight-knit social units and they became the officer's home, a sort of extended family. Residence overseas for lengthy periods, such as during the Peninsula campaign, only intensified the sense of belonging and the regiment became the embodiment of home. The friendships, loyalties, gratitude and respect forged under such difficult circumstances were life long. During the Peninsular War, there were still an enormous number of troops that were garrisoned around the British empire: for instance, the Cape had 6,500 troops in 1810, more than Gibraltar or Malta, a reflection of the

⁷ A. Atkinson, 'A Slice of the Sydney Press', *Push from the Bush*, No.1, 1978.

⁸ Michael Scorgie and Peter Hudgson, 'Arthur Phillip's Familial and Political Networks,' *Journal of the Royal Australian Historical Society* 82, No. 1, 1996.

⁹ Zoe Laidlaw, 'Networks, Patronage and Information in Colonial Governance: Britain, New South Wales and the Cape Colony, 1826-1843' Doctor of Philosophy, Oxford University, 2001.

strategic significance of the recently seized colony.¹⁰ Most infantry regiments spent more than half their service overseas, and it was these lengthy periods that instilled a sense of belonging to the regiment in each soldier.¹¹ The first of the Peninsula regiments in the Australian colonies, the 48th Regiment, arrived in Sydney in 1817, stayed for seven years, and then sailed directly to India, always the next posting after Australia. The movements of the 40th Regiment were:

1808–1814	Iberian Peninsula, Ireland, America
1815–1823	Waterloo, England and Ireland
1823–1825	New South Wales
1826–1829	Tasmania
1829–1846	India and Afghanistan ¹²

The service of the 80th Regiment reflects similar overseas postings:

1807–1809	Seringapatam, India
1813–1817	Quilon, Southern India
1817–1820	England and Scotland, Gibraltar
1822–1828	Malta
1828–1831	Ionian Islands
1831–1836	England, Ireland
1837–1844	New South Wales
1845	India, 1 st Sikh war ¹³

Within a regiment, veterans who experienced a campaign together grew closer, as did Close, Allman and Blomfield of the 48th Regiment. One veteran described his experience thus:

Because such friendships as those I speak of were not formed by interested motives, they were consequently the more sincere and lasting. They left also behind them the bones of forty thousand of their companions who had fallen, either by disease or by the sword, in the tremendous but glorious contest they had been all engaged in – a contest which decided more than the fate of the Peninsula, for the very *existence* of England was the stake played for, or rather fought for, in this terrible game.¹⁴

¹⁰ The Cape was captured by the British in 1806. Alan Lester, *Imperial Networks : Creating Identities in Nineteenth-Century South Africa and Britain*, London ; New York: Routledge, 2001. p.13.

¹¹ Hew Strachan, *The Politics of the British Army*, New York: Clarendon Press, 1997. p.206.

¹² British Government War Office, 40th Regiment: Record of Service, Australian Joint Copying Project, National Library, Canberra.

¹³ C. Day, *Family History in India: History of 80th Regiment of Foot 1793-1817 Extracted by Kerry Edwards from a History of the South Staffordshire Regiment (1705-1923) by James P. Jones*. [cited 11 October 2002]; available from <http://members.ozemail.com.au/~clday/80foot.htm>.

¹⁴ William Grattan, *Adventures with the Connaught Rangers 1809-1814*, C. Oman (ed.), London : 1989. p.331.

Veterans of the Peninsular War had special status, and in at least one regiment after that campaign, if a veteran private returning to Britain from the Peninsula saw that a soldier who was not a veteran was equipped with a better sword, he was able to protest, and the two men could exchange weapons.¹⁵

To have served in the Peninsula campaign was a source of pride, and their regimental uniforms and symbols reflected this. For an army officer, his uniform conveyed not only authority but also his rank, which was clearly defined. In the 48th Regiment, their parade dress was the usual scarlet coat with chest lapels and facings of buff colour, buttoned back with ten slightly convex buttons, set in pairs and showing the regimental number. The faced colour was edged all round in scarlet. All officers wore a gilt gorget plate suspended at the throat and a crimson silk sash around the waist. Captains and subalterns wore a single epaulette on the right shoulder. All officers wore a white buffalo shoulder belt and silver-on-gilt shoulder belt plate: an oblong plate with the number '48' in the centre, with a small double wreath of laurels, above the number a cross bearing PENINSULA. A crown topped this and below the laurel wreath there was another cross with TALavera, a battle in which the regiment had distinguished itself. As well, there was an elaborate shako, or hat.¹⁶ As Linda Colley has pointed out, British army uniforms were spectacular during the Napoleonic wars. Never before or since, have uniforms been so bright, so well tailored and so unpractical. If an officer belonged to an exclusive regiment, and was of a high rank, his uniform would have been even more dazzling than the one just described. In every sense, writes Colley, these

¹⁵ Chelsea Pensioner, who was a sergeant in 15th Hussars, *Jottings from My Sabretache*, London, 1847, p.133 quoted in Scott Hughes Myerly, *British Military Spectacle: From the Napoleonic Wars through the Crimea*, London: Harvard University Press, 1996. p.116.

¹⁶ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications, Canberra, 1996. pp.176-177.

men were 'dressed to kill',¹⁷ and that set them apart from the rest of the population.

In London, the Peninsular network extended well into the corridors of power, and it had many links in the colonies. At the Horse Guards, the administrative wing of the British army, almost every important individual was a Peninsular veteran, and this continued until the Crimean war. Thus the Horse Guards exercised considerable influence over the colonies: it was they who decided where troops were stationed, who was favoured for governorships, and who was not. Men with Peninsula backgrounds were obviously preferred.¹⁸ Laidlaw has suggested that historians have under-estimated the proportion of governors with a military background, in the period from 1820 to 1850.¹⁹

The Peninsular network revolved around Wellington, the most influential figure of all: sometime Commander-in-chief of the British army, Secretary of State for War and the Colonies, and more importantly, Prime Minister. As well, the Master General of the Ordnance had considerable influence in both military and political affairs, and this position was held at various times by Wellington, Sir Hussey Vivian, Sir Henry Hardinge and Sir James Kempt, again all Peninsular War veterans.²⁰ To be personally known to Wellington, or to have had some sort of contact with him in Spain or Portugal, was advantageous. Wellington was involved in the appointment of people in different parts of the empire: Harry Smith as governor at the Cape, D'Urban to command the forces in Canada, W.G. Broughton as the first Anglican bishop of Australia.²¹ Sir Thomas Brisbane was appointed governor of New South Wales on the advice of Wellington, under whom he had served during the Peninsular

¹⁷ Linda Colley, *Britons : Forging the Nation, 1707-1837* New Haven : Yale University Press, 1992. p.186.

¹⁸ See Chapter Six for a list of governors in various colonies who were Peninsular War veterans.

¹⁹ Laidlaw, *'Networks, Patronage and Information'*, p.56.

²⁰ *Ibid.* p.54.

²¹ *Ibid.* p.58.

War.²² As his aide-de-camp in New South Wales, Brisbane brought with him John Ovens, of the 73rd Regiment; Ovens had occupied the same position during the Peninsular War.²³ Conversely, not to be a Peninsula veteran, or known personally to Wellington, was a decided disadvantage. For instance, Lieutenant-General John Wood, who hoped for the post of governor of New South Wales, felt that the reason he was overlooked for this position was his Mediterranean service during the Peninsular war, as well as having no personal connection to Wellington 'whose brilliant services have obtained for his followers the enviable distinctions (withheld from others equally meritorious) of orders, ribbands, stars and titles'.²⁴ Others lied about having been in the Peninsular War to impress their colleagues. One British army officer told tales of his service in Portugal, implying that it had been during the Peninsular War, whereas it was actually in 1826.²⁵ In at least one case, though, membership of the Peninsular network did not over-ride personal animosities. Sir Thomas Mitchell had an intense dislike of Lieutenant-Colonel George Barney and wrote:

Colonel Barney is head of a department called part of mine in the expense, which even exceeds mine in expense. It measures nothing but saves to secure squatters, and exists by the labours of mine, costing £16,552 in salaries, while mine costs but £14,359, and nobody asks questions.²⁶

The influence of the Peninsular network can be glimpsed in many colonial careers, and the career of Ralph Darling is one. Darling, later Governor of New South Wales, was frustrated after the declaration of peace in 1815 and ever anxious for an appointment. He approached Wellington directly, and was told

²² Hazel King, 'Pulling Strings at the Colonial Office,' *Journal of the Royal Australian Historical Society* 61, No. 3, 1975. p.146.

²³ E.W. Dunlop, entry for John Ovens in D. Pike, (ed.), *Australian Dictionary of Biography*, Vol. 2, Melbourne : 1967. p.305.

²⁴ Lt. Gen. John Wood to Lord Glenelg, 6 October 1835, PRO, London, CO 201/251, f.529, quoted in Laidlaw, 'Networks, Patronage and Information', p.49.

²⁵ Foster Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870) : Transcribed from His Holograph Manuscript Given by Descendants to the State Library, Melbourne, 1962*, P.L. Brown (ed.), Geelong, Victoria : Geelong Advertiser, 1986. p.86.

²⁶ Mitchell to Robert Lowe, Sydney, 15 July 1854, Volume 5, part 2, Misc. Letters, 1850-57, Mitchell Papers, Mitchell Library, Sydney, A294.

there was no vacancy and 'that if he wished to be considered when one arose, he should apply to the Duke of York, because Wellington did not know him personally'.²⁷ Nonetheless, Darling had an established reputation at the Horse Guards and could rely on several influential men: The Duke of York, for one. The Duke was a close friend of Earl Bathurst, Secretary of State for War and the Colonies, a good man to know if one sought a colonial appointment. Others in Darling's network were Sir John Macdonald, the Adjutant-General, and General Francis Slater Rebow.²⁸ Many veterans of the Peninsula campaign came together to form the United Service Club. Darling was one of a select group of officers who met in May 1815 to establish a club for army officers, and this club was the outcome. Among its members was the Duke of Wellington, as well as other famous military men.²⁹

The Peninsular network and its influence have been commented on by historians of the Cape, though only Laidlaw has seen the same significance for the Australian colonies. Noël Mostert, in his superb work, *Frontiers: The Epic of South Africa's Creation and the Tragedy of the Xhosa People*, devotes only a couple of pages, in over 1,200, to the benefits derived in the Peninsula by Harry Smith and Sir Benjamin D'Urban. Laidlaw suggests that the Cape historians' awareness of the Peninsular network reflects the military nature of the frontier there, particularly during the 1830s and 1840s.³⁰ But it is also true that the frontier in the Australian colonies – New South Wales, Van Diemen's Land and the Swan River colony in particular – was military in nature, although not perhaps to the same extent.

²⁷ Wellington to Darling 2 May 1815, in Gurwood (ed.) *The Despatches of the Duke of Wellington*, Volume 12, pp.339-40, quoted in Brian H. Fletcher, *Ralph Darling: A Governor Maligned*, Melbourne: Oxford University Press, 1984. p.21.

²⁸ *Ibid.* p.22.

²⁹ *Ibid.* p.23.

³⁰ Laidlaw, 'Networks, Patronage and Information'. p.62.

Henry George Wakelyn Smith, later Sir Harry Smith, governor of the Cape colony, was gazetted an ensign in the 95th Regiment, or Rifle Brigade, in 1805; incidentally, this was also the regiment of Sir Thomas Mitchell (later of New South Wales) and of John Molloy (later of the Swan River colony). Smith's time in Spain and Portugal was a tough one: he just survived the siege of Badajoz, one of the strategic cities located in Spain on the border of Portugal, with the pockets of his uniform filled with stone chips from the famous siege of that town. But he also became something of a hero with his adventures: he married a young Spanish girl at Badajoz, and this tale was re-told in Georgette Heyer's novel, *The Spanish Bride*. Smith's first appointment at the Cape, as Deputy Quartermaster General, came through the Duke of Wellington and, when he arrived in 1828, he found Sir Lowry Cole and Francis Wade, both known to him from the Peninsula, who gave him an hospitable welcome. Second in command of the British military forces, he was given full civil and military powers and, when news of the Xhosa invasion reached Cape Town, Smith galloped away on his epic six-day 600 mile ride to Grahamstown. Following the battle of Aliwal in India, Smith was dubbed 'the hero of Aliwal' and had a triumphant return to his homeland, where he met Queen Victoria and attended a dinner for a hundred Peninsula veterans of the Light Division. *The Times* described them as 'survivors of the most renowned division of the most famous army of England's most famous war'.³¹ In his history of the Cape, Mostert describes Smith as 'one of the most extraordinary personalities of all, dashing, vain, self-glorifying, reckless, somewhat mad...'.³² This sketch may well describe Smith's character, but its defects did not seem to hamper his career. Smith's appointments reflect the imperial dimension of the lives of these men: after the Iberian Peninsula, Smith was in Washington in 1814, New Orleans in 1814/5, Waterloo in 1815, France from 1815 to 1818, Glasgow from

³¹ Joseph H. Lehmann, *Remember You Are an Englishman: A Biography of Sir Harry Smith 1787-1860* London : 1977. p.271.

³² Noël Mostert, *Frontiers : The Epic of South Africa's Creation and the Tragedy of the Xhosa People*, New York : Knopf, 1992. p.658.

1819 to 1825, Nova Scotia in 1826, Jamaica in 1827, Cape of Good Hope from 1828 until 1840, India from 1840 until 1845, the Cape of Good Hope again from 1847 until 1852, and lastly, on the Home Staff in England from 1853 until 1859.³³ Smith's life after 1815 was one of those well nurtured by the Peninsular network. This network could be used as a source of patronage, or of information, or as Laidlaw has argued in her thesis, a means of applying pressure to the government in Britain.³⁴

Among others who took advantage of the Peninsular network were Sir Thomas Mitchell and John Molloy. As he planned the new town of Wagga Wagga, Mitchell named the streets for his comrades in the 95th: Fitzmaurice, Beckwith, Kincaid, Simmons, Shaw, Mackinnon, Gurwood and others. In a letter to his brother, he wrote of 'the band of brothers' who received me with open arms when but a Volunteer'.³⁵ As explained in Chapter Two, Mitchell joined the army as a volunteer in Spain, and it was here that he made his contacts. As with Darling, he had neither the family connections nor private means to secure promotion. After his arrival in New South Wales, Mitchell was to use the Peninsular network many times, and he personally knew many of the civil officials in the colony. Mitchell was also for a time with the Quarter-Master General's Department, where he and Governor Bourke knew each other, and, when Bourke went on his maiden tour of inspection to the Argyle district in 1832, Mitchell accompanied him. Mitchell also knew William Light very well. In a letter to Sir George Murray in London, he wrote of 'Light, the Surveyor General of South Australia, who as an officer attached to Lord Combermere, joined me on the Esla and accompanied me when reconnoitering [sic] that river before the commencement of the campaign of 1813; we met

³³ G.C. Moore-Smith, (ed.), *Autobiography of Sir Harry Smith 1787-1819* London : 1910. Volume 1, Commissions and Appointments, pp.xvi-xvii.

³⁴ Laidlaw, *'Networks, Patronage and Information'*. p.58.

³⁵ Mitchell to his brother, 3 April 1817, from Coimbra, Mitchell Papers, Mitchell Library, Sydney, Volume 1, CY241, A290.

afterwards at Bordeaux.³⁶ On the other side of the world, Mitchell and Light held the same position in neighbouring colonies. Mitchell, a prodigious letter writer, wrote continually to those he knew had influence. As evidence that the Peninsular network was long-lasting, some 35 years after they had served together in that 'band of brothers', the 95th Rifles, Mitchell wrote to his old comrade from that regiment, Major-General Sir Dudley Hill, and asked him to keep an eye on his son. Young Campbell Mitchell was off to join his regiment in Bengal, of which Hill was the commanding officer.³⁷

Because of its unique nature as a rifle brigade, the 95th Regiment had a stronger and more long-lasting network than other regiments. Most kept in touch during their lives either directly or indirectly, as this letter discloses:

Riflemen still remain to dine together sometimes...John Bell cultivates dahlias at Staines, Will Napier misgoverns the Guernseyemen, Johnny Kincaid regulates the secrets of a prison-house, Jonathan Leach writes histories.³⁸

One former 95th officer, Captain John Molloy, 'handsome Jack' to his friends, first met Harry Smith after the battle of Talavera in Spain in 1809, and they remained close friends and correspondents throughout their lives. Smith later went to America where, at New Orleans, the Americans routed the British forces. The captain of the *HMS Brazen*, sent to pick up survivors, was Captain James Stirling. It was Smith who recommended Stirling to John Molloy, and hence was pivotal in Molloy's decision to emigrate to the Swan River colony.³⁹ When Molloy sailed to the Swan River colony in 1829, the *Warrior* stayed at Cape Town for a week or so, and Molloy was able to visit some of his former comrades from the Rifle Brigade, all of whom held high office: General Sir Lowry Cole, Governor; Colonel John Bell, the Colonial Secretary; and his old

³⁶ Mitchell to Sir George Murray, London, 1 September 1838, Papers of Sir George Murray, National Library of Scotland. Adv MSS 46.8.17 f.247.

³⁷ Letter Mitchell to Major-General Sir Dudley Hill, Mitchell Papers, Mitchell Library, Sydney, A293.

³⁸ Moore-Smith, (ed.), *Autobiography of Sir Harry Smith 1787-1819*. Volume 2, p.211.

³⁹ G. Hardwick, *The Irish R.M.: Captain John Molloy of the Vasse*, first published in R.H.W. Reece (ed.), *The Irish in Western Australia* (Studies in Western Australian History, Volume 20) Centre for Western Australian History, Department of History, University of Western Australia, 2000, pp.1-20; this version http://users.highway1.com.au/~gruagach/The_Irish_RM.htm, [cited 16 December 2002].

friend Harry Smith, who was Quartermaster General there. Molloy and Smith went out hunting together as they had done in the Peninsula.⁴⁰ Later on, when living in Western Australia, Molloy was to take great delight in reading of the explorations of that other 95th man, Major Thomas Mitchell, in his *Three Expeditions into the Interior of Eastern Australia*. Georgiana Molloy, his wife, wrote:

Captain Molloy is much pleased with many parts of Australia and has long wished to read Major Mitchell's work. He is an old brother officer of Molloy's, and from all accounts is a most zealous and indefatigable person, an excellent draftsman, and on the Peninsula would be absent for weeks together among the hills with his 'sketch book' without a companion.⁴¹

Molloy also enjoyed reading the published reminiscences of his two fellow officers of the 95th, Jonathan Leach and John Kincaid.⁴²

Men from different regiments often knew each other through having fought in the same battles. For instance, at one period in New South Wales, there were eight men who had been in the Peninsula and had fought alongside each other in the Lines of Torres Vedras, as well as the siege of Badajoz. There were five from the 3rd Regiment: William Stewart, Archibald Innes, Henry Gillman, Charles Cameron and Samuel Wright, and three from the 57th Regiment: Thomas Shadforth, Patrick Logan and Harvey Wellman. These men were able to utilise this network to their advantage on the other side of the world, in New South Wales.

William Light, who acquired a commission in the 4th Dragoons in 1808, and who was later Surveyor-General of South Australia, was another Peninsular War veteran willing to exploit the Peninsular network. Writing to one of the Colonisation Commissioners for South Australia in 1839, he wrote that he

⁴⁰ William J. Lines, *An All Consuming Passion : Origins, Modernity, and the Australian Life of Georgiana Molloy*, Sydney : Allen & Unwin, 1994. pp.91-92.

⁴¹ Letter Georgina Molloy to Captain Mangles, 31 January 1840, quoted in Alexandra Hasluck, *Georgiana Molloy : Portrait with Background*, Fremantle, W.A. : Fremantle Arts Centre Press, 2002. p.243.

⁴² Lines, *An All Consuming Passion*, p.143.

personally knew Wellington himself, as well as the Duke of Richmond, Lord Hill, Lord Lynedoch, Lord Combermere, Lord Greenoch, Lord Edward Somerset, Sir Thomas Bradford, Sir Benjamin D'Urban, Lord Fitzroy Somerset, Sir Charles Dalbiac, Sir Willoughby Gordon, Sir Charles Dickson, Sir Charles and Sir George Napier, and many others.⁴³

Among the fifteen or so officers of the Commissariat who were appointed to New South Wales, there is also evidence of the influence of the Peninsular network. A full list of their names is provided in Chapter Five. As all except Lithgow had served in the Peninsular War, the influence of the Horse Guards is again apparent. William Lithgow and G.W.T.B. Boyes were auditors for their respective colonies of Van Diemen's Land and New South Wales for more than a quarter of a century.⁴⁴ Commissaries were just as much involved in the battles of the war, and their aftermath, as were other officers. Boyes, for instance, rode into Ciudad Rodrigo and witnessed the atrocities committed by the British soldiers after they had successfully laid siege to the city. There was an unwritten privilege to plunder and drink dry a stormed city; but, by all accounts, the behaviour of the lower ranked men here was worse than anywhere else during the Peninsular War. Wellington himself was outraged. Commissaries often accompanied the army on marches, and Boyes did so on the army's advance of 1813 in northern Spain, and was present at the battle of Vittoria. Yet there were some pleasant alternatives: those working in one improvised Commissary office in Spain often laid down their pens after one o'clock and walked to an hotel where, with the shutters closed, 'the cement floor sprinkled with water and gorgeous bunches of flowers placed all about'

⁴³ William Light and David Elder, *William Light's Brief Journal and Australian Diaries*. Adelaide : Wakefield Press, 1984. p.17.

⁴⁴ G. T. W. B. Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832*, P. Chapman (ed.). Melbourne : Oxford University Press, 1985. p.67.

to cool the room, they would take off their clothes and lie on sofas and read novels.⁴⁵

When in New South Wales and later Van Diemen's Land, almost the entire social circle of George Boyes was the Peninsular network. In a letter to his wife in 1824, Boyes described one dinner party:

I dined with Wemyss on Saturday – the party consisted of Mr. Lithgow, Major Bates of the Royal Artillery, just arrived from the Mauritius, Mr. Savage, a merchant, Lieutenant [Edward] Dumaresq of the East India Service, Doctor [James] Mitchell, Mr. D.A.C.G. Howard, Radford...⁴⁶

Of this group, Wemyss, Lithgow, Howard and Radford were commissaries.

As well, in New South Wales, there were William Lukin, the 'inimitable Lukin' of his letters, William Cordeaux, John Clements and Juan D'Arrieta. Bushrangers attacked Clements on Christmas Day in 1826 as he set out to visit William Cordeaux, and wounded him to such a degree that he could not continue his career. Boyes not only dined with, but also paid lengthy visits to members of the Peninsular network: to D'Arrieta⁴⁷ on his estate, Morton Park, near Sydney, for a visit of 47 days;⁴⁸ and to Major Morisset, another Peninsular veteran, at Bathurst, when Morisset was commander there. In Van Diemen's Land from late 1826, Boyes continued to socialise with his Peninsula colleagues, notably Affleck Moodie, who married Elizabeth, a daughter of Stewart Ryrie. Boyes knew Stewart Ryrie well and, in fact, had succeeded him in a position in Sir Robert Kennedy's office in the Peninsula.⁴⁹

The social networks of Stewart Ryrie, forged during his service in the Peninsular War and used in his subsequent life in New South Wales, may well be those of the archetypical Peninsular War veteran. Ryrie, who was born in Caithness, in northern Scotland, in 1777, was first appointed as a Deputy

⁴⁵ A.L.F. Schaumann, *On the Road with Wellington*, ed. and translated A. Ludovici, London : 1924. p.344.

⁴⁶ Letter to Mrs. Boyes from Sydney 6 May 1824, quoted in Boyes, *The Diaries and Letters of G.T.W.B. Boyes*. p.195.

⁴⁷ D'Arrieta was a commissary contractor in Spain, and well known to Boyes.

⁴⁸ Letter to Mrs. Boyes, Sydney 12 April 1824, *The Diaries and Letters of G.T.W.B. Boyes*, p.181.

⁴⁹ Letter to Mrs. Boyes 30 January 1826, *Ibid.* p.246.

Assistant Commissary General. In Chapter Five, I emphasise the efficiency of the Commissariat during the Peninsular War and hence, the efficiency with which most of them carried out their duties. For the ten years between the completion of the war and his appointment to Sydney, Ryrie may well have been on the half-pay list together with many of his comrades. For the next five years, until 1830, Ryrie served in the Commissariat in Sydney and then commuted his army pension into land. By this time, he and Isabella had added another three children to the Ryrie clan, making altogether seven sons and two daughters. Another member of the Peninsular network was in Sydney at the same time, William Stewart, brother of Ryrie's first wife, and his children's uncle. Stewart, another Scot, arrived some months before the Ryries in command of the 3rd Regiment and was there at the dock to welcome the family as the *Triton* arrived. William Stewart was the senior military officer in the colony and, as such, was appointed Lieutenant-Governor for the hiatus between Governors Brisbane and Darling, a period of eighteen days in December 1825. Commissary George Boyes also knew William Stewart well and dined with him in both Sydney and Hobart.

By 1828, three Ryries: William, Donald and Stewart Jnr., resided on a grant of 2,560 acres to their father near Braidwood, in southern New South Wales. These young men had a workforce of eleven convicts, over 550 cattle and over 1,000 sheep. On a nearby grant called Durran Durra another Ryrie, James, was in residence, with 75 cattle and 540 sheep.⁵⁰ In 1830, Stewart and Isabella Ryrie, with the younger children, came to live at Arnprior and built a fine stone house. Located strategically on the main road from Sydney to Braidwood via Bungonia and quite near the Shoalhaven River, Arnprior became a centre of hospitality. William, the eldest son, and his brothers were well known for their knowledge of the Monaro. Nicknamed 'Fiery Ryrie', William advised the Governor of New South Wales in 1839 on the best route and staging posts

⁵⁰ Netta Ellis, *Braidwood, Dear Braidwood*, Canberra : 1989. p.33.

between Melbourne and Sydney, and he also surveyed the Snowy River country.⁵¹

The Ryrie family also had large properties on the Monaro, and a list of squatting runs there for the late 1840s shows Wallace and Ryrie⁵² leasing Coolringdon and Island Lake runs, and Stewart Ryrie Junior leasing Jindabine and Cootalandra runs.⁵³ Financially, the Ryrie family was progressing quickly, as just seventeen years later they held over 92,000 acres on the Monaro, making them the largest group of leaseholders.⁵⁴ In another instance of the mobilisation of the Peninsular network, the younger generation of Ryries inter-married with the younger generation of other early Monaro leaseholders who were also Peninsular War veterans: the Blomfields and the Mackenzies; and this proved fundamental to their financial success. Indeed, many of the early leaseholders on the Monaro were either Peninsular veterans or their off-spring.

Both the Snodgrass and Dumaresq family networks provide rather good examples of the link between the Peninsular network and family social networks. When Lieutenant-Colonel Kenneth Snodgrass arrived in the colony of New South Wales to take up his appointment as Major of Brigade, he brought with him his wife and five children; another child was born in Sydney. That same year, Snodgrass's brother-in-law, Major Benjamin Sullivan, arrived to settle in New South Wales with his wife and four children. A few years later, Snodgrass's mother and sister arrived to create a family network of sixteen people.⁵⁵ Snodgrass, while acting Governor of New South Wales, gave all his sons government appointments: John as his private secretary, Peter as Commissioner for Crown Lands for the district of Port Phillip, and young

⁵¹ Ibid. p.34.

⁵² Ryrie and his brother-in-law, Dr. Francis Wallace, who married Jane Ryrie.

⁵³ Sir W.K. Hancock, *Discovering Monaro*, Cambridge : University Press, 1972. pp.51-53.

⁵⁴ Votes and Proceedings, New South Wales Legislative Assembly 1865-1866, *Crown Lands Lessees, Monaro*, p.256.

⁵⁵ Moira Saunderson, *The Corunna Connection: Lt.-Col. Kenneth Snodgrass*, Raymond Terrace Historical Society N.S.W., 1988. pp.11 and 14.

William as a clerk in the Surveyor-General's office. Snodgrass's brother-in-law, Major Sullivan, was also appointed as a police magistrate.⁵⁶

The Dumaresq family network also provides an example of the occasional close relationship between government and private enterprise. Some contemporaries thought of the close-knit social network of Governor Ralph Darling and his two brothers-in-law as the power base of the colony. One critic was E.S. Hall, editor of the *Monitor*, who roundly criticised Darling for nepotism. In a letter to the Colonial Secretary in 1828, Hall drew attention to those 'persons selected for special favour' by Darling, and named his aide-de-camp, Lieutenant de la Condamine, his three brothers-in-law, Colonel and Captains Dumaresq, his nephew, Ensign Darling and the family surgeon, Dr Andrew Gibson. Hall was concerned with the expense of this favouritism, and indicated the salaries and allowances paid to each, as well as referring to grants of land to these people. Hall may have had a point, as some of the salaries, particularly those of the Dumaresqs, appear unusually large: Colonel Henry Dumaresq's army pay in charge of the Royal Veterans, his salary as secretary to Darling, and salary as clerk to the Councils, plus allowances, amounted to £2,000 per annum; Captain William Dumaresq's army pay as Captain of the Staff Corps, salary as civil engineer, salary as sometime aide-de-camp, and salary as member of the Land Board, amounted to £1,700 per annum; Lieutenant de la Condamine, who was until 'very lately a modest unambitious ensign', had a salary as Military Secretary, salary as Clerk to the Council, salary as private civil secretary to Darling, salary as sometime aide-de-camp, and allowances, amounted to £1,975 per annum; Ensign C.H. Darling's army pay, plus his salary as sometime aid-de-camp, and allowances, amounted to £460 per annum; and Dr Andrew Gibson's pay as Assistant Surgeon of the New South Wales Royal Veterans Companies, and his salary as Assistant Surgeon on the civil establishment, plus allowances, amounted to

⁵⁶ Ibid. p.20.

£444 per annum.⁵⁷ Hall was particularly bitter about Gibson, who he thought should be in Newcastle where the veterans were doing garrison duty, rather than in Sydney in private practice as a surgeon. There is further comment on Gibson's duty as surgeon to the Royal Veteran Companies in Chapter Nine.

The Dumaresq family network exemplifies many things, among them how the Peninsular network influenced settlement patterns in New South Wales. Captain William Dumaresq was the first of the family to establish himself in the New England region of New South Wales in 1835, with the property *Tilbuster*. His brother, Colonel Henry Dumaresq, began farming *Saumarez* the next year. The latter property became the more significant, with the mounted police stationed there almost immediately and then, later on, the Commissioner of Crown Lands made his camp nearby. With the position of government engineer, William Dumaresq was closely associated with making official policy on the siting and planning of rural towns, as discussed in Chapter Six. In about 1838, Dumaresq established a village at *St. Aubins*, his other property near Scone, and as it was in a strategic location, on the main road north, it flourished.⁵⁸ The two Dumaresqs were the brothers-in-law of Governor Ralph Darling, who had married their sister, Eliza. Another brother-in-law of William Dumaresq, Archibald Innes (married to Margaret Macleay, sister of Susan Dumaresq) had spectacular success in the creation of the town of Port Macquarie. Innes was largely responsible for transforming it from a penal settlement into a flourishing town. In the late 1830s Innes purchased stations in the New England area, but they could only be supplied by means of a road passing through Walcha and linking Port Macquarie with the road through Armidale. Such a road was quickly surveyed and built, and Innes established a store on land owned by William Dumaresq that later became the

⁵⁷ E.S. Hall to Macleay, 3 November, 1828, enclosure with despatch Darling to Murray, 2 January, 1829, in Commonwealth of Australia, *Historical Records of Australia*, Volume XIV, Sydney: 1922. pp.592-594.

⁵⁸ Alan Atkinson, 'The Creation of Armidale,' *Armidale and District Historical Society Journal and Proceedings* No.30, 1987. p.6.

town of Armidale.⁵⁹ These stores were crucial to early supply and communications networks. Atkinson suggests that Innes foresaw the development of Armidale as a large rural town with the establishment of his store, and soon afterwards a couple of inns, and argues that, as both Innes and Dumaresq were so closely connected with the government, through the Darlings and the Macleays, 'even when they were making money for themselves they were also acting as officials'.⁶⁰

There are a number of other examples of Peninsular network influence on settlement patterns within New South Wales. The first is the experience of three officers of the 48th Regiment, Allman, Close and Blomfield, recorded in the vignette at the beginning of this chapter. All three settled within sight of each other in the Hunter Valley of New South Wales. Also in the Hunter Valley, near Paterson, was the network surrounding the Ward and Phillips families. William Gordon Ward who was, according to family legend, of the First Regiment of Dragoons, arrived with his family in Sydney in January 1820 with an order for a grant. Further research has proved that he was not in that regiment, and most likely to have been in the Commissariat. While in Portugal during the Peninsular War, he had married at Oporto, and one daughter was born at Cintra. Very soon after they arrived in the colony, his wife Susannah wrote to Governor Macquarie to point out that, as her husband was very ill and affording no support, the family was in a desperate situation, and she sought a land grant. This she received, and it was named Cintra. Ward died a couple of months later, and Macquarie appointed Susannah Ward supervisor and matron of the Female Orphan School at Parramatta, at a salary of £100 per annum.⁶¹ In 1821, it was the sole government position available for a woman and it paid a handsome salary too, the same as the Master of the Male Orphan

⁵⁹ Ibid. p.7.

⁶⁰ Ibid. p.9.

⁶¹ List of names of Persons holding Civil and Military Employments, Commonwealth of Australia, *Historical Records of Australia*, Series I, Volume X, Sydney : 1917. p.581.

School. In 1828, Susannah received a further grant of land at Paterson that she named Clarendon Park, after her great friends John Charles Villiers, 3rd Earl of Clarendon and his wife, Maria, who were in Portugal at the same time as the Wards, from 1808 to 1810. This was a fortuitous connection indeed as Maria Villiers' sister was married to William Wellesley, brother of Arthur, the Duke of Wellington.⁶² Susannah Ward's land grants and government position surely owed a great deal to these very good connections. The Ward's daughter, also named Susannah, married Lieutenant Commander Frederick Bedwell RN, who had also received a land grant in the same locality. Bedwell took part in naval activities during the Peninsular War, including the defence of Cadiz. He first came to New South Wales as a surveyor and, among other things, surveyed the east coast and Torres Strait. But probably the best-known early white settler in the Paterson district of the Hunter Valley of New South Wales was James Phillips, a Commissariat officer, a veteran of the wars in the Peninsula, and of Waterloo. James Phillips knew William Ward, ostensibly from when they were together in the Commissariat, and it seems that the Wards may have encouraged the Phillips family to emigrate to New South Wales. On their arrival, the Phillips family stayed with the Wards⁶³ and the Phillips and the Ward families selected adjoining land on the Paterson River. See appendix three for a map of the Paterson area of the Hunter Valley showing the grants.

In the southern parts of the colony of New South Wales there were similar examples of the effect of the Peninsular network on settlement patterns. In Braidwood in the 1830s, there were four Peninsula veterans: Major William Elrington, Colonel John Mackenzie of the Fourth (or the King's Own) Regiment, Commissary Ryrie and Dr. Henry Douglass. William Sandys Elrington obtained a commission in the British army in a regiment raised for service in the West Indies in 1795, and served in a number of regiments for 29

⁶² Email correspondence from Sue Purdon, descendant of Susannah Ward.

⁶³ Shirley Threlfo, *James Phillips and Bona Vista*, Paterson Historical Society N.S.W., 1999. p.3.

years before becoming a settler on a grant of 2,560 acres in the Braidwood area, just within the Limits of Location. Elrington was in the Peninsula from August 1809 to January 1813. Mackenzie arrived in Sydney in 1832 by the *Clyde*, in command of a detachment of his regiment, and retired from the army two years later to farm sheep on the Monaro. Afterward, he obtained a grant of 901 acres on the Endrick River, between Nowra and Braidwood that had originally been granted to Dr Douglass. Likewise, in the Goulburn area, not far from Braidwood, there were a number of Peninsular veterans at different times: Francis Allman, Andrew Gibson, Lachlan Macalister, Francis Rossi, John Moore and Edmund Lockyer.⁶⁴ As well as the large social network of the Ryrie family on the Monaro, there was a small, though still influential, family group, the Blomfields. This network consisted of Val Blomfield of the 48th Regiment, who had Run No.8, known as Collamatong, his son Arthur who married a daughter of Colonel J.K. Mackenzie, and his brother-in-law, Richard Brooks.⁶⁵

Important family connections within the Peninsular network were a significant asset, particularly older relatives or in-laws. It is notable that three governors, two of New South Wales and one of Van Diemen's Land, had influential military fathers-in-law. Governor Ralph Darling married Eliza, the daughter of Colonel Dumaresq; Governor George Arthur married Elizabeth, daughter of General Sir John Frederick Sigismund Smith; and Sir George Gipps, Governor of New South Wales from 1838 to 1846, married Elizabeth, daughter of Major-General George Ramsay of the Royal Artillery.⁶⁶

A very close connection to a governor, or to a senior colonial official, often paved the way for a colonial appointment, as demonstrated with the

⁶⁴ R.T. Wyatt, *The History of Goulburn*, Municipality of Goulburn : Goulburn, N.S.W. pp.474-479.

⁶⁵ 'Back to Cooma Committee, *'Back to Cooma' Celebrations*, Sydney: 1926. pp.72-73.

⁶⁶ John Gipps, *Every Inch a Governor: Sir George Gipps, Governor of New South Wales 1838-46* Melbourne : 1996. p.20.

Snodgrass family. Another example was Major Frederick Goulburn, a Peninsular veteran, who was appointed Colonial Secretary of New South Wales in 1820, when his brother, Henry, was Under Secretary of State at the Colonial Office.⁶⁷ Likewise, a former Admiralty official, John Deas Thomson, who knew R.W. Hay, Permanent Under-Secretary of State for War and the Colonies, managed to secure good careers for his two sons: John, as naval storekeeper in the Cape Colony; and Edward, as clerk of the Executive and Legislative Council in New South Wales.⁶⁸ Again, it was the Empire that furnished these opportunities and the Peninsular War network that exploited them. Edward Deas Thomson later married Anne Bourke, the Governor's daughter, and with Bourke's influence was appointed Colonial Secretary of New South Wales. It appears Edward was a young man with a keen eye to his future: he was first offered a post in Demerara at a salary of £900 per annum, which he initially accepted, but later changed his mind when offered the position in New South Wales, at a lower salary, £600 per annum,⁶⁹ but with better prospects and a more agreeable climate. Before he left for New South Wales, young Deas Thomson consulted a couple of members of the Peninsular network on conditions there, Colonel Henry Dumaresq and Lieutenant-Colonel Kenneth Snodgrass. Snodgrass was also well known to General Blunt,⁷⁰ Sir Thomas Mitchell's influential father-in-law, who wrote to Mitchell:

Remember us to Colonel and Mrs. Snodgrass... . It has always been to me a source of satisfaction that you had near you a friend of such sterling merit. I never heard his name mentioned by those who knew him but with united esteem and respect.⁷¹

Mitchell was fully alert to the influence of Blunt, as he wrote to his patron, Sir George Murray from Lisbon, 'General Blunt, my future father-in-law, may

⁶⁷ King, *Pulling Strings at the Colonial Office*. p.147.

⁶⁸ Laidlaw, *'Networks, Patronage and Information'*. p.158.

⁶⁹ S. G. Foster, *Colonial Improver, Edward Deas Thomson, 1800-1879*, Melbourne : Melbourne University Press, 1978. p.18.

⁷⁰ Served in the Peninsula under Sir John Moore; 3rd Regiment of Foot, the Buffs.

⁷¹ Letter Blunt to Mitchell, 11 August 1831, Mitchell Papers, Mitchell Library, Sydney, Volume 3, 1830-39, CY A292, p.116.

assist my advancement in society'.⁷² As indeed he did: Blunt made representations to the Colonial Office to allow Mitchell to return to England for twelve months, after his third journey into the interior.⁷³ An influential father-in-law also helped the career of Archibald Innes in New South Wales; his was the Colonial Secretary.

In another instance, one of the famous Napier brothers, Colonel C.J. Napier, sought to have his friend and kinsman, Colonel William Light, appointed Governor of the new colony of South Australia. Napier wrote:

As I wish the colony success, and that others take a different view of it from mine, I advise you to try and get Colonel Light appointed Governor. Whether he would accept it or not, I cannot say, but his great accomplishments, and his character being so generally known, not only for his distinguished services in the Peninsula, under the Duke of Wellington, but also in Spain at the time Sir Robert Wilson was there, would give an éclat to the appointment which might be useful to the colony, and at the same time secure an able man for the work.⁷⁴

But this letter was in vain, as the post was given to Hindmarsh. In their biography of William Light, Dutton and Elder comment on the quick footwork of Hindmarsh in securing the post of Governor. Hindmarsh changed his plans altogether when he got wind of the vacant post of Governor and, in his first three days back in England from Egypt, secured good recommendations from Lord Howick, Lord Auckland and all the Lords of the Admiralty.⁷⁵

A very strong Scots influence was inter-woven within the Peninsular network; Scots were particularly numerous. They came to New South Wales mainly in the early 1820s to colonial commissariat or audit positions, and among them were Thomas Walker, James Laidley, Affleck Moodie, Stewart Ryrie, William Wemyss and William Lithgow. It was under Wemyss that the Scots element

⁷² Mitchell to Murray 20 May 1818, Papers of Sir George Murray, National Library of Scotland, Adv. MSS 46.7.10 ff.112 and 114.

⁷³ S. G. Foster, 'Convict Assignment in New South Wales in the 1830s,' *The Push from the Bush*, No. 15 1983. p.186.

⁷⁴ Napier to Gouger, in E. Hodder, *Founding of South Australia as recorded in the journals of Mr. Robert Gouger*, London, 1898, pp.170-1.

⁷⁵ D. Elder and G. Dutton, *Colonel William Light: Founder of a City*, Melbourne : Melbourne University Press, 1991. p.143.

dominated the commissariat, with ten posts out of twelve being held by this group.⁷⁶ It is not difficult to see that they in particular, because of a lack of opportunity in post-war Scotland, would have been attracted to a position in the Australian colonies where land was abundant and where it was possible to obtain large grants. In an article on the Peninsular Commissary, S.G.P. Ward detailed the post-war lives of some of these commissaries, though he neglected the ones who came to the Australian colonies. Others took holy orders, some went to Ireland, one joined the Spanish Army; but the rest 'continued to slave over their ledgers in the West Indies, Canada, the Ionian Islands, at Gibraltar, the Cape, St. Helena and the other army stations (except India) until death or disease removed them'.⁷⁷

Caithness, in the north of Scotland, produced a particularly influential group. They all came from the town of Wick, or nearby: Alexander Macleay, the Colonial Secretary, was born at Wick, as was Archibald Innes, later of Port Macquarie. Commissary Stewart Ryrie was born at Bower, and Major-General William Stewart was born at Reay. Innes married Margaret Macleay, his sister married George Macleay, and Ryrie married Stewart's sister. The Macleays certainly knew the Inneses, and some of the Macleays: Fanny, Christiana, Margaret and another sister spent the summer of 1817 at Wick. Their uncle, Kenneth Macleay, lived at Keiss Castle, near Wick.⁷⁸ These Scots were all part of the Peninsular network. It is clear, then that these Scots family networks had an effect on public, and social, life in the colony of New South Wales.

Those in the Peninsular network found themselves in many parts of the British Empire, and there were some in Mauritius who were later appointed to

⁷⁶ D. S. Macmillan, *Scotland and Australia 1788-1850; Emigration, Commerce & Investment*, Oxford : Clarendon Press, 1967. pp.106-7.

⁷⁷ S.G.P. Ward, 'The Peninsular Commissary,' *Journal of the Society for Army Historical Research*, No. 75, 1997. p.238.

⁷⁸ F. L. Macleay, *Fanny to William: The Letters of Frances Leonora Macleay 1812-1836*, B. Earnshaw and J. Hughes (ed.), Sydney : Historic Houses Trust of N.S.W., 1993. p.24.

positions in the various Australian colonies. The island of Mauritius, taken from the French in December 1810, was a strategic toehold for the British in the Indian Ocean. Darling expressed interest in an appointment there, and was appointed commandant and later, acting governor. For these appointments, Darling had to thank the Duke of York and probably Earl Bathurst, who had the responsibility for such appointments.⁷⁹ Yet when the position of governor became vacant, it was offered to one with a still more influential network: General Sir Galbraith Lowry Cole, Member of Parliament and son-in-law to the Earl of Malmesbury.⁸⁰ Darling's military secretary at Mauritius was his brother-in-law, Henry Dumaresq, who had served as aide-de-camp to Cole during part of the Peninsula campaign and with whom he had kept in touch. When Darling and his sister returned to England, Dumaresq stayed on at Mauritius as private secretary to Cole.⁸¹ Also in Mauritius was Captain Foster Fyans, aide-de-camp to the Governor of Mauritius in 1825/6, later at Moreton Bay and Norfolk Island, and the first magistrate at Geelong. William Lithgow was in charge of the Commissariat accounts there, and Francis Rossi, was Police Superintendent.⁸² Rossi had several positions in Mauritius: aide-de-camp to the acting governor, Deputy Secretary, and General Superintendent of the convict department but he was also accused of turning a blind eye to the slave trading activities in Mauritius.⁸³ Darling created the position of Police Superintendent for Rossi in New South Wales, at £600 per annum.⁸⁴ Boyle Travers Finniss, a former army officer and later Deputy Surveyor General of South Australia, was the son and grandson of successive police chiefs in Mauritius; and Frederic Holt Robe was firstly secretary to the Governor of

⁷⁹ Fletcher, *Ralph Darling: A Governor Maligned*. p.26.

⁸⁰ Bathurst to Cole 19 July 1822, Sir Lowry Cole, Letters PRO London 30/43/84, in *Ibid.* p.67.

⁸¹ *Ibid.* p.67.

⁸² *Ibid.* p.86.

⁸³ E. Duyker, *Of the Star and the Key: Mauritius, Mauritians and Australia*, Sydney: Australian Mauritian Research Group, 1988. p.29.

⁸⁴ Stephen Tazewell, *Grand Goulburn*, Goulburn: Council of the City of Goulburn, 1991. p.185.

Mauritius in the 1830s, then Acting Governor of South Australia from 1845 to 1848.⁸⁵

First and foremost, the Peninsular network was an imperial one, but the most important points were London, Sydney and Cape Town. By the end of the Napoleonic Wars, the opportunities for colonial positions in Sydney and Cape Town were the ones that were sought after; they were the colonies that were seen as providing opportunities not only for a military or civil position, but also the possibility of a grant of land. Yet by then, when Peninsular veterans were casting their eyes towards possible appointments, and perhaps emigration, they were looking at a vastly different empire. By 1820, the British Empire had absorbed almost a quarter of the world's population, mostly during the Napoleonic wars. Apart from Sydney and Cape Town, the other major settler components of this early nineteenth century British Empire were India, British North America, the West Indies and New Zealand. More work is needed on the network of communications between these colonies, but recently there has been an important study of the network of trade communications between Sydney, India, Batavia, Ceylon and China.⁸⁶

Apart from the Peninsular network, there were other social networks that supported and sustained Peninsular veterans and one of these was the Evangelical network. In Chapter Four, I explain the strength of Evangelicalism, both in the United Kingdom and in the Australian colonies. This evangelical social network provided not only a religious community, but also an entire world for the individuals involved in it. The background of most Peninsular veterans was on the margins of the gentry, and this position created many adherents of evangelicalism.⁸⁷ They called themselves 'serious

⁸⁵ Duyker, *Of the Star and the Key : Mauritius, Mauritians and Australia*. p.19.

⁸⁶ See J. Broadbent, S. Rickard, and M. Steven, *India, China, Australia Trade and Society 1788-1850* Sydney : Historic Houses Trust of New South Wales, 2003, particularly pp. 56 and 57.

⁸⁷ Leonore Davidoff and Catherine Hall, *Family Fortunes : Men and Women of the English Middle Class 1780-1850*, London : Hutchinson, 1987. p.21.

Christians', and sought to stand apart from the rest of society. In New South Wales, the Dumaresq and associated families – Macleay and Innes – were notable for their evangelical fervour, their associated philanthropic work and their desire to keep to themselves. Even when the Darling family returned to England, they spent most of their time with their close friends and relatives.⁸⁸ Also in New South Wales, near Maitland, there was a strong evangelical network among Peninsular veterans and their families, notably the Closes and the Blomfields.

Some within the Peninsular network induced family members to settle in the Australian colonies, and thus they became part of a chain migration. Having some members of one's family together strengthened one's connections with a native place in the United Kingdom, and some perhaps sought to rebuild kinship networks in the colonies. One example of this was the Snodgrass family, and there were others too. Captain Lachlan Macalister, of the 17th Regiment, encouraged a kinsman to come and work on *Strathaird*, at Goulburn, as general superintendent and manager of the estate. His son, Charles Macalister, who arrived as a small child, later wrote his memoirs, in which he recalled their southward journey. He also commented on the chief magistrates of his early days in the Goulburn area: Dr. Gibson, Lachlan Macalister, Captain Rossi and Captain Allman, all Peninsular veterans.⁸⁹ Major William Elrington was another who encouraged an older son, Lieutenant Clement Elrington, to come and settle in the Australian colonies. Major General William Stewart attracted several cousins to New South Wales, including Neil Stewart, in the 1830s.⁹⁰ Terence Murray's cousin, John Murray, a rank and file soldier in the British army who served in the Peninsula in the 50th Regiment, came to

⁸⁸ Brian H. Fletcher, 'Elizabeth Darling: Colonial Benefactress and Governor's Lady,' *Journal of the Royal Australian Historical Society* 67, No. 4 1982. p.316.

⁸⁹ Charles MacAlister, *Old Pioneering Days in the Sunny South*, Facsimile Reprint. Sydney : 1977. p.12.

⁹⁰ Macmillan, *Scotland and Australia 1788-1850*. p.110.

New South Wales and lived in a cottage on Murray's grant of land near Lake George.⁹¹

In the penal settlement of Port Macquarie in New South Wales, when Mrs. Sarah Allman, wife of the commandant, Captain Francis Allman, was delivered of her sixth child, and third son, George Cimitiere Allman, in 1822, she was fortunate that her sister, Mary, was able to be with her during the confinement. Mary was married to Lieutenant William Wilson, who also happened to be at Port Macquarie.⁹² At the same place, Stephen Partridge, superintendent of convicts, had his brother-in-law transferred there as carpenter and sought permission for his mother-in-law to join his family, as his wife had just given birth to a son. Partridge had been a corporal in the 46th Regiment, transferred to the 48th as a private, and subsequently took his discharge.⁹³

Marriages that connected Peninsular veterans resulted in a vast network of kinship. Marriage was very important in extending and consolidating the social networks of these veterans. The network surrounding the Darling and Dumaresq families – Governor Ralph Darling and his wife Eliza (nee Dumaresq), Colonel Henry Dumaresq and his wife Sophy (nee Butler-Danvers), Captain William Dumaresq and his wife Christiana (nee Macleay), Captain Edward Dumaresq, Archibald Innes and his wife Margaret (nee Macleay) – was a large one. It became larger with the marriage of Henry Dumaresq into the Butler-Danvers clan, and that made a cousin of the explorer, Charles Sturt. Another Macleay daughter married an Onslow, thus making a connection with the influential Macarthur-Onslow family. And Susan, the daughter of William and Christiana Dumaresq, married the Hon.

⁹¹ Harry Johnson, *John Murray 1781-1857*, c1990. Privately published, copy in the possession of C. Wright.

⁹² Sargent, *The Colonial Garrison 1817-1824*. p.126.

⁹³ *Ibid.* p.111.

Louis Hope, a brother of the Earl of Hopetoun.⁹⁴ This network largely revolved around Ann Dumaresq, mother of Eliza, William, Henry and Edward. She kept a journal, and the letters she wrote were passed around the family: in this way, each member kept in touch with the doings of the others. This method provided an avenue for discussion of matters of common concern and the exchange of ideas on a variety of issues. Thus, the sense of belonging within this family network was preserved to a remarkable degree.⁹⁵ Two of Governor Darling's nephews also came to the colony during his term of office: Charles Henry, a future Governor of Victoria, who came as an army officer in 1827, and William, who also came as an army officer in 1829.

The Ryrie family social network also connected other Peninsular veterans, and resulted in another vast kinship network. The children of Commissary Stewart Ryrie numbered nine in all, and the significance of this network for settlement patterns on the Monaro has already been noted. The network of kinship revolving around this one family begins with two of Stewart Ryrie's sons who married two sisters: Donald married Jane Salmon, daughter of the Rev. John Salmon, and John married Mary Salmon, whom he met when she was staying with her sister Jane in Cooma. William Ryrie married his step-mother's sister, Marianne Cassels. Stewart Ryrie Junior married Janet, daughter of Lieutenant-Colonel J.K. Mackenzie of the 4th (or King's Own) Regiment. And again, another two sons married sisters: Alexander Ryrie married Charlotte, daughter of Captain A.T. Faunce, of the same regiment, the 4th, and David Ryrie married Ellen, Charlotte's sister. Of the daughters, Elizabeth married Affleck Moodie, a Commissariat colleague of her father's, and Jane married Dr Wallace.⁹⁶ Thus, of the nine children of Stewart Ryrie, four married within the Peninsula network of their father, while others sought to extend and

⁹⁴ David Denholm, *The Colonial Australians*, Melbourne : Penguin Books Australia, 1979. p.175.

⁹⁵ Fletcher, 'Elizabeth Darling: Colonial Benefactress and Governor's Lady.' p.306.

⁹⁶ Ryrie entry in P.C. Mowle, *Genealogical History of Pioneer Families of Australia*, Sydney : John Sands, 1948. pp.121-123.

complement the Ryrie social network. Likewise, the off-spring of Peninsular veterans inter-married with the off-spring of other Peninsular veterans. In the family of Lieutenant-Colonel J. K. Mackenzie of the 4th Regiment, as well as the daughter who married Stewart Ryrie Junior, one daughter married Captain A.T. Faunce of the same regiment as her father, and another daughter married Arthur Blomfield (a son of T.V. Blomfield).⁹⁷ Many of the children born to the younger generation bear the names of members of the Peninsula network.

There is no question that social networks were advantageous, and the geographic location was often crucial. Jane Ryrie wrote along these lines to her brother, James, at Port Phillip in August of 1838: 'Those who you do meet with in town you can derive advantage from, which could not be said of most of those who frequented Arnprior'.⁹⁸ Furthermore, having a close connection, or even better, a family member, in London, was certainly advantageous. Two governors of New South Wales chose family members as their envoy in London, since a close family relationship meant that more than ordinary trust could be placed in them. Governor Darling chose his brother-in-law Henry Dumaesq, who was seen in London walking arm in arm with the man himself, Wellington,⁹⁹ and Governor Bourke chose his son, Richard. When Bourke's two daughters married Dudley Perceval and Edward Deas Thomson, he had access to Tory circles to add to his Whig connections. These connections proved important, as, among other things, Perceval was responsible for passing on important information to Bourke. And in what appears a unique situation, James Stephen invited Mary Jane Perceval, Bourke's daughter, to the Colonial Office to read her father's despatches.¹⁰⁰

⁹⁷ Mackenzie entry in *Ibid.* pp.98-99.

⁹⁸ Jane Ryrie to her brother, James, August 1838, Ryrie family letters, National Library, Canberra, MS 2981.

⁹⁹ Laidlaw, *'Networks, Patronage and Information'*. p.101.

¹⁰⁰ *Ibid.* p.110.

The Peninsular network proved the most advantageous of all social networks for Peninsular veterans. The years spent on the Iberian Peninsula had often been formative ones, and the bonds created amid the ever-present threat of death were life long. The social networks created in the new Australian colonies closely mirrored those in which they had interacted as British army officers during the Peninsular War, and included the chain migration of family members. The Peninsular network played a part in many colonial appointments, and had an impact on the public, and social, life of the colony of New South Wales. The vast kinship networks of the Dumaresq family, through their proximity to government, show a pronounced effect on settlement patterns in the north of New South Wales; while the Ryrie family's social networks reveal a significant impact on the settlement patterns of the Monaro district of New South Wales. Similarly, settlement patterns in the Hunter River and Braidwood areas of New South Wales indicate Peninsular War influence. Within Peninsular networks, the inter-marriage between families is noteworthy, as is the Scots influence. If one was a member of the Peninsular network, then, one's chances in life were vastly enhanced; but to have the bonds strengthened by multiple connections was to multiply the benefit. Because of the strong presence of Peninsular veterans within the Horse Guards of the British army and their influence around the British Empire, the imperial dimension of these networks has been shown to be of the utmost importance. It is obvious that both in British imperial history, and that of the Australian colonies, the influence of the Peninsular network cannot be overlooked.

CHAPTER FOUR

'attached to the Protestant succession': the religious influence of veterans

Ideal British army officers were always 'men of high social position, holding large possessions and attached to the Protestant succession'.¹ As demonstrated in Chapter Two, the first two criteria were not always observed when granting commissions during the Peninsular War. There remained one unassailable part of that trinity, however: British army officers had to be Protestant. A glance at the career of one army officer, Frederick Chidley Irwin, influential in the development of the Swan River colony,² illustrates this point. Given a commission in the British army in 1808, Irwin served in the Peninsula for the entire six years of the war, from 1808 until 1814. Later, he was sent to Canada and Ceylon. He first came to the Australian colonies in command of a detachment of the 13th Regiment to provide military protection for the colony at Swan River, and spent four years in the colony. In 1834, when he was posted back to England, Irwin took the opportunity to make enquiries about sending Evangelical missionaries to the Swan River colony. Irwin, the son of a minister of the Church of Ireland, was himself an Evangelical. He sought assistance from St. John's Chapel, Bedford Row, London, a particularly Evangelical church: the foundation of the Church Missionary Society had been planned at St. John's. There, in 1835 with support from the 'Clapham Sect', Irwin organized a meeting to form the Western Australian Missionary Society,³ and the first

¹ C.M. Clode, *The Military Forces of the Crown: Their Administration and Government*, London, 1869, Volume 1, p.67 quoted in C.B. Otley, 'Militarism and the Social Affiliations of the British army Elite,' in *Armed Forces and Society: Sociological Essays*, J. Van Doorn (ed.), The Hague, N.L.: Mouton, 1968. p.213.

² Later Western Australia.

³ This organization, later the Colonial Church Society, became the equivalent of the Church Missionary Society for Evangelical work in the British colonies.

missionaries of that organization sailed to the Swan River in January 1836.⁴ The next year, Irwin returned to the Australian colonies as commandant of the military forces in the Swan River colony, and twice acted as head of the government, before his retirement to Cheltenham, in England, in 1852. In the Swan River colony, Irwin devoted much of his energy to sponsoring the Church of England, and clashed violently with Bishop Brady, a Catholic bishop, who had founded schools that Protestant children attended, which infuriated Irwin. In response, Irwin created a General Board of Education consisting of prominent Anglicans.⁵ When head of government, Irwin opposed Bishop Brady on numerous issues: a proposed marriage bill, a Catholic cemetery, and the prelate's title of address on official correspondence. Irwin's prominence as an Evangelical in the Australian colonies has led to his reputation as a great Evangelical layman: 'it is doubtful that any other Australian layman has been an equal contributor to Anglican Evangelicalism worldwide'.⁶

This chapter will demonstrate the pervasiveness of Anglicanism and Protestantism generally, in their mainstream and Evangelical forms, in Britain, and in the British army, and will show how that influence was a fundamental part of the impact of Peninsular War veterans on the Australian colonies. The links between Evangelical Protestant Christianity and the growth of the British Empire, exemplified by Frederick Chidley Irwin and his missionary endeavours in the Swan River colony, are highlighted, as are other imperial links. Also shown is the link between Protestantism, British national identity and the British army, and how that link was transferred to the Australian colonies. As British army officers, Peninsular War veterans brought with them the anti-Catholic sentiments prevalent in Britain,

⁴ L.M. Abbott, entry for Frederick Chidley Irwin in Brian Dickey (ed.), *The Australian Dictionary of Evangelical Biography*, Sydney : 1994. p.182.

⁵ D. Mossenson, entry for Frederick Chidley Irwin in D. Pike, (ed.), *Australian Dictionary of Biography*, Volume 2, Melbourne : 1966. pp.5-6.

⁶ Abbott, entry for Irwin in Dickey, (ed.), *The Australian Dictionary of Evangelical Biography*. p.182.

particularly if they were involved in the extremely powerful Evangelical movement, whose defining element was its anti-Catholic attitude.

* * * *

As Evangelical Christianity changed Britain in the decades before and after the Napoleonic Wars, so also was it a major factor in the growth of the Empire. Historians of the British Empire, among them Bayly and Porter, have recognized the role of religion in British imperialism, and the symbiotic connection between the expansion of Christianity after the Napoleonic Wars and the growth of the Empire: the Empire was part of God's work. Bayly has seen the link between Evangelical Protestantism, nationalism and Empire become stronger in these years,⁷ and the role of Frederick Chidley Irwin is evidence of that link.

That Protestantism was central to British national identity tends to be overlooked, the historian Linda Colley has argued. From the Act of Union in 1707 to the battle of Waterloo in 1815, the enemy of Great Britain was always Catholic France.⁸ Throughout the eighteenth and nineteenth centuries, Britain's culture was overwhelmingly Protestant. Colley's influential work on the making of Britain as a nation focuses on the contribution of war and, as a corollary, that of the British army to British national identity. It was Protestantism that was the unifying bond among the British. According to Colley:

Protestantism was the dominant component of British religious life. Protestantism coloured the way that Britons approached and interpreted their material life. Protestantism determined how most Britons viewed their politics. And an uncompromising Protestantism was the foundation on which their state was explicitly and unapologetically based.⁹

⁷ C. A. Bayly, *Imperial Meridian : The British Empire and the World, 1780-1830*. London ; New York: Longman, 1989. p.138.

⁸ Linda Colley, *Britons : Forging the Nation, 1707-1837* New Haven : Yale University Press, 1992. p.18.

⁹ *Ibid.* p.18.

It is worthy of note that 'God Save the King' came to be called the national anthem for the first time during the Napoleonic wars, although it had been sung publicly since 1745. In the words of the original version of this anthem, as in the later one, one can clearly see the relationship between religion and British national identity:

God save our noble King
 God save great George our King
 God save the King.
 Send him victorious
 Happy and glorious,
 Long to reign over us,
 God save the King.¹⁰

The most striking feature of the religious landscape in Britain in this period was the gulf between Protestant and Catholic, argues Colley; yet historians have tended to examine the divisions within the Protestant community in Britain, rather than focus on the absolute centrality of Protestantism.¹¹ Ian Breward has also emphasised what may seem commonplace: that most British subjects were 'resolutely hostile' to Roman Catholicism and, similarly, that Protestants were regarded with deep distrust by Catholics.¹² Anti-Catholicism was rife: Catholics were physically abused, particularly when Britain was at war with Catholic France; for example, anti-Catholic riots broke out in the Scottish Lowlands in 1778. The well-known anti-Catholic Gordon Riots in London, probably the most destructive of all British riots, came just two years later. The treatment meted out to Catholics often consisted of a ducking in a river until they came close to drowning, the same treatment given to witches in earlier centuries.¹³ Protestants stressed the point that William of Orange had defeated James II in 1688, and that the Hanoverian dynasty had succeeded to the British throne in 1714. This new

¹⁰ Ibid.p.43.

¹¹ Ibid.p.18.

¹² Ian Breward, *A History of the Churches in Australasia, The Oxford History of the Christian Church*. Oxford ; New York: Oxford University Press, 2001. p.11.

¹³ Colley, *Britons : Forging the Nation, 1707-1837*. p.23.

dynasty, and its continued success, was conditional on the monarch being attached to the Protestant succession. There were Jacobite invasion scares in 1717, 1719, 1721-22, 1743-44, and 1759, which came to nothing but, nonetheless, were unsettling. If these had succeeded, a Stuart restoration would have replaced the Protestant monarchy with a Roman Catholic dynasty.¹⁴ Colley's work on the importance of Protestantism to British national identity is not without its critics, however, particularly in the past decade. Ditchfield, for example, argues for three categories of national identity, rather than a fixed Protestant one. Ditchfield's categories are: the Protestant image, the Anglican image, and the libertarian image, all sharing a strong anti-Catholic intensity.¹⁵

Yet the deepest religious cultural division in Britain – that between Protestantism and Catholicism – was not always clear-cut, and the case of liberal Irish Catholics is a good illustration: they were able to negotiate the area between Protestantism and Catholicism. A case in point was Maurice O'Connell (1768-1848), who belonged to the distinguished gentry O'Connell clan from County Kerry in Ireland. His kinsman was Daniel O'Connell, commonly known as the Liberator of Ireland for his role in obtaining Catholic emancipation in 1829. Maurice O'Connell first studied for the priesthood in Rome, but then decided on a military career in the British army. Catholics could not hold a commission in the British army, and O'Connell chose to convert to Protestantism: a wise course, as it turned out. He was first posted to the West Indies, where he distinguished himself in a battle against the French at Dominica in 1805, for which he was presented with a sword. As well, the committee of the Patriotic Fund presented him with another sword, and plate, for the same battle. In October 1806, he

¹⁴ L. Colley, 'Britishness and Otherness: An Argument,' *The Journal of British Studies* 31, No.4 1992. p.320.

¹⁵ G.M. Ditchfield, 'Church, Parliament and National Identity, c1770-1830,' in *Parliaments, Nations and Identities in Britain and Ireland 1660-1850*, J. Hoppit (ed.), Manchester: Manchester University Press, 2003. p.65.

transferred to the 73rd Regiment and came with that regiment to Sydney in 1810, where he promptly married Mary, the daughter of Governor Bligh. Governor Macquarie granted him land, but he left in 1814 for Ceylon. O'Connell continued his notable army career, and was appointed Major General in 1830, knighted in 1834, made a Lieutenant General in 1841, and Colonel of the 80th Foot in 1844. He returned to Sydney in 1838 to command the forces in New South Wales, and spent the last ten years of his life there. During that period, he was a nominated member of the partly elected Legislative Council, and for a short time in July and August 1846 he was Lieutenant-Governor of New South Wales.¹⁶

Similarly, Sir Terence Aubrey Murray, son of Captain Terence Murray, paymaster of the 48th Regiment, was born a Catholic in 1810 in Ireland, and appears to have moved between Catholicism and Anglicanism as it suited. He was an outstanding figure in colonial society: a magistrate, a police superintendent, a parliamentarian and Speaker of the House. Murray was first married in 1843 at St James's Anglican Church in Sydney; his second marriage was solemnized in both the Anglican and the Catholic churches; and the two children of his second marriage were baptized in both churches. In his public life, Murray made his first public speech from the steps of St Mary's Cathedral at Sydney in 1835, yet he was buried at St Jude's Anglican Church, Randwick.¹⁷

During the Napoleonic Wars, it was almost impossible for a Catholic to hold a commission in the British army. A young man seeking a commission was obliged, under the Act of 1689, to swear an oath of allegiance to the

¹⁶ Entry for Sir Maurice Charles Philip O'Connell (no author given) in D. Pike, (ed.), *Australian Dictionary of Biography*, Vol. 2, Melbourne: 1967. pp.294-296, and *Dictionary of National Biography*, S. Lee (ed.), London, 1909, pp.836-7.

¹⁷ Maher, Rev. Brian, *Planting the Celtic Cross: Foundations of the Catholic Archdiocese of Canberra and Goulburn*. Canberra, B. Maher, Aranda, A.C.T., 1997. pp.125-6.

Protestant succession, and to make a declaration against transubstantiation.¹⁸ Yet in Ireland it was possible, by an Act of 1793, for Catholics to hold military commissions in the British army while serving there; but that meant that Irish Catholic officers coming to Britain with their regiments must either break the law, convert or resign.¹⁹ This left little choice for an ambitious young man, and many converted, as did Maurice O'Connell.

For Peninsular War veterans, their experiences in Spain and Portugal helped to reinforce ingrained anti-Catholic prejudice. Many of them commented on the dirt and filth of these countries, compared to England, and the only explanation they could find for it was the influence of the Catholic Church and its superstitious practices. Indeed, some British officers saw the Napoleonic invasion of Spain as a blessing to the inhabitants of Spain and Portugal because it dealt a blow to the clerical domination of the Catholic Church.²⁰ As Charles Esdaile has noted, the memoirs and diaries of Peninsular War veterans are 'redolent with a malicious anti-papism'.²¹ Their Protestant philosophy was strengthened by their contact with the Catholic monastic ideal, and by the idea of nuns confined in convents. Captain Thomas Browne's journal described the common sight of many nuns and monks on the roads in Spain, as the French had looted their monasteries and convents. The appearance of the nuns and monks was squalid; but Browne felt no sympathy for the monks, whom he described as 'fat and idle vagabonds'.²²

¹⁸ J.R. Western, 'Roman Catholics Holding Military Commissions in 1798', in *The English Historical Review*, Vol. 70, No.276, 1955, p.431.

¹⁹ *Ibid.* p.428

²⁰ Charles Esdaile, 'The Duke of Wellington and the Command of the Spanish Army, 1812-14,' in *Wellington: Studies in the Military and Political Career of the First Duke of Wellington*, Norman Gash (ed.) Manchester: 1990. p.68.

²¹ *Ibid.* p.68.

²² R.N. Buckley, (ed.), *The Napoleonic War Journals of Captain Thomas Henry Browne 1807-1816*, Publications of the Army Records Society. London : 1987. p.138.

Among the diaries and memoirs of Peninsular War veterans that I have examined, those of Edward Close²³ and Thomas Bunbury²⁴ stand out for their hostile anti-Catholic comments. Close recorded his comments on the Angelus, bells rung at midday and at 6.00 pm in Catholic countries, calling for Catholics to stop and pray. He wrote, 'when the Church bell tolled everyone muttered prayers – but none quitted their occupation. I have seen the maid scouring a kettle or a dish on her knees – muttering Pater Nosters'.²⁵ Bunbury thought that 'the most ridiculous feature in the conduct of the Spaniards was their religious practices' and that, in fact, these amounted to a perversion of religion.²⁶ Bunbury, like others, imagined the repressed sexuality of the nuns, likening it to a bursting flame with uncontrollable energy.²⁷ Esdaile also relates one episode from George Bell's memoirs, wherein Bell described how a group of his friends were drunk and decided to liberate the nuns in one of the convents of Trujillo. Unwilling to be liberated, the nuns drove the soldiers off.²⁸ There are also varied comments on the perceived superstition and idolatry of the inhabitants of Spain and Portugal. These memoirs of Peninsular War veterans both reflected and nourished the intense anti-popish feeling prevalent in Britain in the eighteenth century.²⁹ In fact, this anti-Catholicism reinforced British national identity and promoted national cohesion, doubtless contributing to the demand for Peninsular War publications.

²³ Unpublished diary, Mitchell Library, Sydney.

²⁴ Reminiscences published in 1861.

²⁵ Edward Charles Close, Diary 1808-1821, Mitchell, Library Sydney, MSS 4415.

²⁶ Thomas Bunbury, *Reminiscences of a Veteran : Being Personal and Military Adventures in Portugal, Spain, France, Malta, New South Wales, Norfolk Island, New Zealand, Andaman Island, and India* London : Charles J. Skeet, 1861. p.130.

²⁷ Ibid. .212.

²⁸ G. Bell, *Rough Sketches of an Old Soldier during Fifty Years' Service*, B. Stuart (ed.) 1956, pp.33-4, quoted in Esdaile, *The Duke of Wellington and the Command of the Spanish Army*. p.68.

²⁹ Colin Haydon, 'I Love My King and My Country, but a Roman Catholic I Hate': Anti-Catholicism, Xenophobia and National Identity in Eighteenth Century England,' in *Protestantism and National Identity: Britain and Ireland, c1650 - c1850*, T. Claydon and I. McBride (ed.), Cambridge: Cambridge University Press, 1998. p.40.

General histories of the Peninsular War and the British army also perpetuated this Protestant, anti-Catholic world-view, and the influence and audience for these publications was enormous. Colonel Napier's *History of the War in the Peninsula and the South of France* was published in six volumes between 1828 and 1840, running to 39 editions over the next century.³⁰ In it, Napier portrayed the Spaniards as ruled by 'the despotism springing from the union of a superstitious court and a sanguinary priesthood, a despotism which suppressed knowledge, contracted the public mind, sapped the foundation of a military and civil virtue, and prepared the way for invasion.'³¹ Fortescue, in his well-known history of the British army, noted the general loathing of the British for the Spanish and Portuguese alike and the British preference for the French, the enemy, who were also Catholics.³² The French officers were seen as more gentlemanly than the Spanish and Portuguese, and thus their word could be relied upon. Val Blomfield, of the 48th Regiment, wrote from Spain in 1813 explicitly stating his preference for the French:

A great many of the inhabitants are very uncivil to British officers, instead of receiving us as the deliverers of their country, they treat us as lawless unprincipled ruffians; I had rather we were fighting against them than the French.³³

In all, the Peninsular War was the subject of some three hundred published British personal memoirs and diaries, as well as a flood of travel narratives evoking the Spanish landscape, people, culture and history. Novels of the Peninsular War were also popular and sufficiently numerous to form a sub-genre of nineteenth-century British fiction. Their comments on Spanish customs and religion conveyed not only general information about Spain, but also reiterated and confirmed the national prejudices of the British

³⁰ Brian J. Dendle, 'The Romance of War, or, the Highlanders in Spain: The Peninsular War and the British Novel,' *Anales De Literatura Espanola* No.7 1991. p.50.

³¹ *Ibid.* p.50.

³² Fortescue, *A History of the British army*, Volume 8, pp.404-5, quoted in Buckley, (ed)., *The Napoleonic War Journals of Captain Thomas Henry Browne*. p.39.

³³ Captain T.V. Blomfield, *Memoirs of the Blomfield Family*, Armidale, N.S.W.: 1926.

authors. One novel is remarkable for the extent of its hostility to Catholicism: *Ned Clinton: or, The Commissary*, published in 1825. As a group, these novels played an important part in the portrayal of a Protestant British national identity.³⁴

The British army had a particularly close association with a couple of overtly Protestant organizations in the period under review. One was Freemasonry, established in England during the early eighteenth century; and this organisation has been described as 'the strongest social institution of the eighteenth-century moral world'.³⁵ Freemasonry used the emphasis on family as a model – an individual member was identified as 'brother', the institution was described as a 'fraternity', and Grand Lodges were always known as 'mother grand lodges'³⁶ – to reinforce links within the British Empire. Membership in Freemasonry quickly spread throughout the Empire: there were lodges in Bengal and Gibraltar by 1730, and in Africa, South America and the West Indies soon after.³⁷ But while the early brotherhood welcomed men of various religions, by the early nineteenth century there was a discernible shift towards Protestantism.³⁸ From then on, Freemasonry became more closely identified with the Low Church movement of the Church of England, the section of the Church to which Evangelicals belonged.

Most British infantry regiments had their own Masonic Lodges and, with warrants for travelling lodges, it was the army that broadened the base of freemasonry around the British Empire. As the elements of freemasonry – secret practices, fraternal bonding, feasting, speech making, solidarity and

³⁴ Dendle, *The Romance of War*. p.64.

³⁵ Reinhart Koselleck, *Critique and Crisis : Enlightenment and the Pathogenesis of Modern Society* Oxford: Berg, 1988. p.79.

³⁶ Jessica Harland-Jacobs, 'All in the Family: Freemasonry and the British Empire in the Mid-Nineteenth Century,' *Journal of British Studies* 42, No. 4, 2003. p.452.

³⁷ Alan Atkinson, *The Europeans in Australia : A History*, Melbourne : Oxford University Press, 1997. p.244.

³⁸ Harland-Jacobs, *All in the Family*. p.465.

conviviality³⁹ - mimicked the features of an officer's life, it was appealing to army and navy officers alike. A Masonic Lodge, with its uniforms and decorations, recreated the very masculine world of the officers' mess. Freemasonry provided a sense of belonging to a universal family, as well as community and mutual obligation in distant parts of the British Empire where British army officers had no blood ties. Membership proved useful for William Brooke, who was captured by the French at Albuera. Brooke recounted:

We had been but a few days in the prison when the Grand Master of the French Freemason's Lodge discovered that Captain Allman and I were fellow masons. He waited on me and took me to his own quarters. He introduced me to his lady and her sister, who gave me cake, wine and French liquors. He requested his wife to bring me half a dozen of his shirts and as many pairs of stockings, which he wished to give me as a brother mason.⁴⁰

The other overtly Protestant organisation with links to the British army was the Orange Order, which borrowed much of its terminology from the Masonic Lodge: lodges, masters, oaths, signs, degrees, warrants and brethren. Founded in Ireland in 1795, this organisation gained momentum after the 1798 rebellion, and was associated closely with the maintenance of 'the protestant ascendancy' in Ireland.⁴¹ Its function was the defence of the British nation as Protestant. 'Popery' became an enemy of the King's Sacred Majesty,⁴² and fanatical anti-Catholicism 'gave a kind of moral sanction to the subjugation of Catholics'.⁴³ This organization had particular appeal to those in Ulster, where it flourished, but it also took root overseas: in Montreal in 1825, in Ontario in 1830 and in New South Wales in 1835. These two organizations shared a similar anti-Catholic belief system. The rules of the Orange Society of 1798 read, in part:

³⁹ Dr. Bob James, *Craft, Trade or Mystery* (Chapter 1) [cited 1 April 2001; available from <http://www.takver.com/history/benefit/ctormys-01.htm>.

⁴⁰ Michael Glover, 'The Courtesies of War in Napoleonic Spain,' *History Today* 28 1978. p.471.

⁴¹ Hereward Senior, *Orangeism in Ireland and Britain 1795-1826, Studies in Irish History, Second Series Vol.4*. London: Routledge and Kegan Paul, 1966. p.3.

⁴² Bayly, *Imperial Meridian*. p.177.

⁴³ Senior, *Orangeism in Ireland and Britain 1795-1826*. p.2.

I...do solemnly and sincerely swear of my own free will and accord, that I will, to the utmost of my power, support and defend the present King, George III, and all the heirs of the crown, so long as he or they support the Protestant ascendancy, the constitution, and laws of these kingdoms; and I do further swear that I am not, nor was ever a Roman Catholic or papist.⁴⁴

Despite the fact that Orange Lodges in the British army were illegal,⁴⁵ many British army regiments held Orange warrants, as they did Masonic warrants. During the hearings for a British Parliamentary Select Committee enquiry into Orange Lodges in Ireland in 1835, one interviewee explained that 'There are various warrants under the Orange Institution, which are held by persons attached to the army; and therefore communications are of course held between the persons acting under those warrants and the grand lodge'.⁴⁶ The Select Committee heard evidence of the general effect of Orangeism on the administration of justice in Ireland: the interference of magistrates in certain cases, their refusal to carry out certain acts, and the effect that Orangeism had on the character of magistrates and the conduct of their office. There were rumours of an Orange conspiracy in the 1830s and though, with hindsight, these may have lacked substance, the internal threat posed by an illegal organisation with political influence within the British army was very real.⁴⁷

Evangelicalism was another major influence in this Protestant, anti-Catholic world-view. Those of Evangelical persuasion opposed what they perceived as the rituals and superstition of the Catholic Church, a position encapsulated in Nathaniel Cheever's letter to his sister from Spain:

There is but little ever here to show one that the Sabbath is at all observed as it should be. The influence of the Roman Catholic religion tends most inevitably to its most flagrant desecration – O that the time may soon come when this soul-ruining,

⁴⁴ Rules of the Orange Society, 1798, cited in *Report on the Orange Lodge I*, H.C. 1835 [377], xv, 2, quoted in Senior, *Orangeism in Ireland and Britain 1795-1826*. p.298.

⁴⁵ *Ibid.* p.283.

⁴⁶ British Parliamentary Papers, *First and Second Reports from the Select Committee on Orange Lodges in Ireland with Minutes of Evidence and Appendices*, Volume 5: Civil Disorder, Irish University Press Series, Ireland, 1970, 2053-2060.

⁴⁷ Senior, *Orangeism in Ireland and Britain 1795-1826*. p.283.

degrading system of idolatry superstition and ignorance shall come to an end, here and throughout the world, and the Gospel with all its light and purity and elevating influence be established in its stead.⁴⁸

Here can be seen the close connection between anti-Catholicism and other Evangelical concerns, notably Sabbath observance and missionary zeal to spread the word of the gospel. Anti-Catholicism was certainly 'the essence of Evangelicalism' and it shaped and defined Evangelical identity.⁴⁹

During the eighteenth century, the religious landscape of Britain was transformed. People had new and intense religious experiences, and these formed part of the evolution of Evangelicalism. In Britain and its colonies, Evangelicalism was characterized by: a reliance on the Bible as the only religious authority, a stress on being converted, or re-born, into the new religion, an active and energetic approach to religious duties and good works, and a focus on redemption.⁵⁰ The importance of sermons was emphasized among Evangelicals, along with hymn singing during services, as these practices focused on the individual's commitment. The movement was extraordinarily popular, and it has been estimated that there were somewhere between two and three million Anglican Evangelicals, among a total population in England and Wales of eighteen million. More importantly, one-third of all Anglican clergymen were designated Evangelical.⁵¹ But these figures belie the true influence of Evangelicalism where it mattered most: amongst those who made decisions, the members of Parliament. During the Napoleonic Wars and the years following, there were altogether over 100 Evangelicals in the House of Commons and an

⁴⁸ Nathaniel Cheever to Elizabeth Cheever, 6 February 1837, Cheever MS, American Antiquarian Society, Worcester, MA, quoted in John Wolffe, 'Anti-Catholicism and Evangelical Identity in Britain and the United States, 1830-1860,' in *Evangelicalism: Comparative Studies of Popular Protestantism in North America, the British Isles, and Beyond, 1700-1990*, D. Bebbington M. Noll, G. Rawlyk (eds.). New York : Oxford University Press, 1994. p.179.

⁴⁹ Ibid.p.179. See also W. D. Rubinstein, *Britain's Century : A Political and Social History, 1815-1905, The Arnold History of Britain*. London ; New York : Arnold, 1998. p.305.

⁵⁰ Noll, Bebbington, and Rawlyk, *Evangelicalism : Comparative Studies of Popular Protestantism*. p.6.

⁵¹ Boyd Hilton, *The Age of Atonement : The Influence of Evangelicalism on Social and Economic Thought, 1795-1865*, Oxford : Clarendon Press, 1988. p.26.

equal number in the House of Lords: the Prime Minister, Spencer Perceval, the Chancellor of the Exchequer, Nicholas Vansittart and Henry Bathurst, the Colonial Secretary, were all Evangelical.⁵² Within the Colonial Office, too, there prevailed an Evangelical outlook with a staunch Evangelical, James Stephen, in charge from 1836. The civil service was one of four careers that particularly appealed to lay Evangelicals in the early nineteenth century; the others were commerce, the armed forces and politics. The influence of Evangelicalism on English society was enormous. This has been commented on by various historians, among them David Newsome, who represented it in his book on Victorian public schools, *Godliness and Good Learning*, as 'perhaps the most formative power behind the eminence of eminent Victorians'.⁵³

A particularly influential group was known as the 'Clapham Sect', because a community of like-minded souls met in Holy Trinity Church, on the north side of Clapham Common, in London.⁵⁴ This group was also known as the 'Saints', and they counted among their number the well-known Member of Parliament, William Wilberforce, who combined evangelical fervour and political know-how to mobilise a generation of Englishmen and women in the campaign to abolish slavery within the British Empire. The 'Saints' were the carriers of a new Evangelical imperialism, and were enormously influential. Another lesser-known, but still leading group of Evangelicals, was the Elland Clerical Society,⁵⁵ a group of north country clerics whose major work was to sponsor the education of 'suitable young men of narrow circumstances' to become Evangelical ministers. The Society believed that 'regeneration of the church would come from men uncorrupted by wealth

⁵² Ian Bradley, *The Call to Seriousness: The Evangelical Impact on the Victorians*, London : Cape 1976. p.164.

⁵³ quoted in *Ibid.* p.15.

⁵⁴ Niall Ferguson, *Empire: How Britain Made the Modern World*, Penguin, 2004. p.116.

⁵⁵ Founded in 1767 at Huddersfield, near Leeds.

and high social position'.⁵⁶ One of the main supporters of this group was Wilberforce, who was an intimate friend of the then Prime Minister, William Pitt, the younger. Wilberforce was a north-country man, from Yorkshire, as was Samuel Marsden. Marsden, accepted in 1786 as a protégé of the Society,⁵⁷ would later be a leading figure in early New South Wales.

This is the background that many settlers, among them Peninsular War veterans, brought to the Australian colonies. As Porter has argued, a crucial part of British expansion worldwide was the export of Christianity, in the shape of Anglicanism and of Protestantism generally:

Where possible the Anglican church, when necessary its closest equivalent, was relied on to underpin the Imperial connection, to provide moral leadership, social cohesion, and education on a scale suited to the colony in question. This pattern of church-state relations, framed for British North America between 1784 and 1793, was applied and adapted throughout the colonial Empire until the 1830s.⁵⁸

This pattern of church-state relations was adopted in the Australian colonies, where the most common expression of Protestantism was its Evangelical form.⁵⁹

The Rev. Samuel Marsden, principal chaplain of the colony of New South Wales from 1794, brought with him the fervent Evangelicalism of the Elland Clerical Society by which he was educated. Marsden provides an outstanding example of the link between patriotism and Protestantism in his remark of 1807: 'If the Catholic religion was ever allowed to be celebrated by authority...the colony would be lost to the British empire in less than a year'.⁶⁰ For Marsden, Catholicism was a threat; his ideal colony was a Protestant one, but thanks to the large numbers of Irish convicts, New South

⁵⁶ Hulbert, *History of the Elland Clerical Society*, p.4, quoted in Alexander T. Yarwood, *Samuel Marsden: The Great Survivor*, Melbourne: University Press, 1977. p.8.

⁵⁷ *Ibid.* p.3.

⁵⁸ Andrew Porter, 'Religion, Missionary Enthusiasm, and Empire,' in *The Oxford History of the British Empire: The Nineteenth Century*, A. Porter and A. Low (eds.) Oxford: Oxford University Press, 1999. p.225.

⁵⁹ Stuart Piggin, *Evangelical Christianity in Australia: Spirit, Word and World*, Melbourne: Oxford University Press, 1996. p. vii.

⁶⁰ Patrick James O'Farrell, *The Irish in Australia, 1788 to the Present*, Sydney: University of New South Wales Press, 2000. p.39.

Wales had a substantial Catholic element. In 1812, Marsden felt victorious and wrote that the colony had been cleared of all the Catholic priests 'so that a rising generation could be brought up in the principles of the Protestant religion'.⁶¹ Marsden continued his hostility to Catholic priests, because of the increasing numbers of Irish Catholic convicts arriving in the colony, and the arrival of the first official Catholic chaplains, Fathers Therry and Conolly in 1820.⁶²

When Peninsular War veterans arrived in the Australian colonies, they might well have expected that the Church of England was the Established Church, as in Britain. The Church of England was legally defined as the official religion when Captain Arthur Phillip took an oath at the proclamation of settlement to uphold the Protestant succession, and to reject popery and transubstantiation.⁶³ But there is a continuing debate among historians as to whether establishment was actually achieved. Certainly, the term 'established' was commonly used by governors and officials, and in the Colonial Secretary's annual statistical returns. Ross Border, an Anglican minister and author of a church history, has concluded that it was established. In a case held before the full Court of the High Court of Australia in 1948, Mr. Justice Roper agreed that the Church of England, as it was established in England, was the Established Church in New South Wales.⁶⁴ By contrast, Kelvin Grose has argued that, although 'not established...in either fact or theory', the church at least until 1831 possessed 'status as the Established Church'.⁶⁵ At the time, those in authority saw the

⁶¹ Marsden to Mrs. Stokes, 7 November 1812, George Mackaness, 'Some Private Correspondence of the Marsden Family,' *Journal of the Royal Australian Historical Society* 23, 1937. p.47.

⁶² O'Farrell, *The Irish in Australia, 1788 to the Present*. p.39.

⁶³ Breward, *A History of the Churches in Australasia*. p.10.

⁶⁴ J. Border, *Church and State in Australia, 1788-1872 : A Constitutional Study of the Church of England in Australia*, London: 1962. p.61.

⁶⁵ K.L. Grose, 'The Educational Experiment of the 1820s: a Study of the Origins, Development and demise of the New South Wales Church and School Lands Corporation', PhD, University of Sydney, 1974, pp.76-80 quoted in Brian H. Fletcher, 'The Anglican Ascendancy 1788-1835,' in *Anglicanism in Australia: A History*, Bruce Kay (ed.), Melbourne : Melbourne University Press, 2002. p.16.

Church of England as the established church, as it had a voice in government, replicating the combination of church and state in Britain.

Thomas Hobbes Scott, appointed Archdeacon to New South Wales in 1824 on a salary of £2,000 a year, was the church's voice in government. He was a man with influential connections: son of King George III's chaplain, and brother-in-law of J. T. Bigge who had earlier reported on conditions in New South Wales.⁶⁶ Scott had a seat on the Legislative Council and his position was ranked second to that of the governor. A High Churchman who believed in order and rank, Scott caused a rift between the Church of England and other Protestant churches with his insistence that it be treated as the Established Church in the colony of New South Wales. Scott was unpopular, and so took up residence at Parramatta, away from Sydney. To support Archdeacon Scott's ambitious program for a complete church establishment, of the kind already operating in Canada, a new source of funding was required. One seventh of land in each county was to be a reserve for the church, to be administered by a Church and School Lands Corporation, headed by Scott. The instructions issued by the British government read in part, 'it is necessary that effectual provision should be made for the establishment and support... of the Protestant reformed Religion, as by Law established in England and Ireland...'.⁶⁷ This corporation strengthened the hold of the Church of England over the entire educational system in New South Wales. But the corporation functioned for only a few years, from 1826 until 1829, and was dissolved in 1833. Its ultimate failure was largely due to the inability of the colonial powers to provide the necessary land grants to the corporation.

⁶⁶ John Ritchie, *Punishment and Profit : The Reports of Commissioner John Bigge on the Colonies of New South Wales and Van Diemen's Land, 1822- 1823; Their Origins, Nature and Significance*, Melbourne: Heinemann, 1970.p.58.

⁶⁷ Instructions issued to Governor Darling in 1825, included with his commission, Commonwealth of Australia, *Historical Records of Australia*, Vol. XII, Series I Sydney : 1919. p.117.

Religious life in the Australian colonies was not by any means exactly the same as in Britain. There were differences, and one was that Protestants found they had to live side by side with Catholics, something largely unknown in Britain. There, the major religious groups lived more or less in their own geographic isolation: the Presbyterians in Scotland, the Catholics in Ireland, the Anglicans and Methodists in England and Wales.⁶⁸ Bayly has argued that to overcome these differences in the Australian colonies, Protestants formed a more cohesive unit than they had done in Britain, and that this was the norm in the colonial context. Using the examples of India and Ceylon, Bayly proposes that local communities provided internal cohesion in times of religious stress.⁶⁹ And this is exactly what happened in New South Wales in 1836. There, Protestants, representing the Episcopalians, Baptists, Presbyterians, and Wesleyans, formed themselves into a committee. This was a reflection of the particular anxiety in that colony with its large Irish Catholic population, as well as the introduction of the Church Act by Governor Bourke in that year. Under this Act, financial assistance was made available to all denominations, rather than just the Church of England. Significantly, this Act ended any hopes of the Church of England to achieve establishment status.⁷⁰

The aim of this Protestant committee was to keep alive 'the great interests of Protestant Christianity' and its members objected to Bourke's proposed education system, based on the Irish national schools.⁷¹ This system was, they believed, 'subversive to the fundamental principle of Protestantism'.⁷² Bishop Broughton, the publisher of many anti-Catholic pamphlets, delivered a speech to this Committee on 3 August, 1836.⁷³ Sub-committees were formed

⁶⁸ Piggin, *Evangelical Christianity in Australia: Spirit, Word and World*. p.34.

⁶⁹ Bayly, *Imperial Meridian: The British Empire and the World, 1780-1830*. p.179.

⁷⁰ Patricia Curthoys, 'State Support for Churches 1836-1860,' in *Anglicanism in Australia: A History*, Bruce Kaye (ed.), Melbourne: Melbourne University Press, 2002. p.32.

⁷¹ *The Australian*, 19 July, 1836, p.3.

⁷² *Ibid.*

⁷³ Available at the National Library, Canberra.

in various districts, and the list of their members is peppered with names of Peninsular War veterans: at Liverpool, Colonel Mackenzie; at Campbelltown, William Cordeaux and Val Blomfield; at Goulburn, Dr Andrew Gibson and Francis Rossi; at St. Vincent (Braidwood), James Rynie (son of Stewart); at Bathurst, Major-General Stewart; at Port Macquarie, Stewart's former brother-in-law, Major A. Innes; at Port Stephens, Lieutenant-Colonel Henry Dumaresq; and at St. Aubin (near Scone), Captain William Dumaresq. Other army men who had not been to the Peninsula were also on the list: at Parramatta, Major J.P. Lockyer; at Sutton Forest, Captain Charles Sturt; and there were some relations of Peninsular War veterans - Sir Thomas Mitchell's son, Houston, at Maitland, and Dr James Mitchell's brother-in-law, Robert Scott, at Darlington. The rest of the names are a veritable 'who's who' of clergymen and ex-naval officers.

British army officers who were Peninsular War veterans also brought to the Australian colonies the Protestant stance of the British army, through the introduction of Masonic Lodges and Orange Lodges. Regiments going abroad on service were authorized by warrants, usually from the Grand Lodge of Ireland, to take with them travelling lodges, and it was by this means that the Masonic Lodge in Australia was first established. The first documented public Masonic ceremony was in 1816 for the laying of the cornerstone of a new house being constructed for Captain John Piper, a Mason.⁷⁴ The Lodge of Social and Military Values No. 227, attached to the 46th Regiment, took part. All the office bearers of the lodge were officers or non-commissioned officers of the 46th Regiment. This particular lodge faced a dilemma when Samuel Clayton presented himself for admission. Clayton carried letters of introduction from the Grand Lodge of Ireland as a Past Master of Lodge No. 6 in Dublin, but he was also a convict. As it was so closely linked to the army, the lodge of the 46th had the same standards as the

⁷⁴ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications, Canberra, 1996. p.57.

regimental officers' mess, and would not admit Clayton, as he was a convict. However, Lodge No.218, the travelling lodge of the 48th Regiment, was more tolerant and admitted Clayton, by then an emancipist.⁷⁵

As with Masonic Lodges, some Peninsular War veterans fostered the foundation of Orange Lodges in the Australian colonies. For example, John Morgan, who settled in Van Diemen's Land and became a journalist and writer, founded Hobart's Orange Lodge.⁷⁶ Morgan also wrote and published at least one anti-Catholic pamphlet: *Give us light: being an exposition of the power and influence of the Romish priesthood and their effects upon civil and religious liberty.*⁷⁷

Anglicanism was more respectable than other varieties of Protestantism in New South Wales, and to attend Anglican services was a sign of gentility.⁷⁸ It also furnished a means to distance oneself from the taint of convictism. Sir Thomas Mitchell was Presbyterian, yet he and his family frequently attended services at St. Mark's Church of England at Darling Point. Mitchell's funeral service was held at this church, and he was buried at St. Stephen's Church of England, Camperdown.⁷⁹ Likewise, Commissary Stewart Ryrie's family was Presbyterian, from Caithness in Scotland, yet by 1838 they were attending St. James's Church in King Street on a regular basis. Yet another Scot, Dr James Mitchell, was an active member of the Anglican Holy Trinity Church in Sydney, otherwise known as the Garrison Church, as well as a member of the building committee. When the chancel of this church was completed, Mitchell offered to put in the magnificent east window on behalf of his wife,

⁷⁵ Ibid.p.57.

⁷⁶ Roe, Michael, entry for John Morgan in D. Pike, (ed.), *Australian Dictionary of Biography*. Volume 2, Melbourne, 1967, p.258.

⁷⁷ Printed and published for the author by James Burnet, Hobart Town, 1850.

⁷⁸ Fletcher, 'The Anglican Ascendancy 1788-1835,' in *Anglicanism in Australia: A History*. p.20.

⁷⁹ William C. Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855 : Surveyor General of New South Wales 1828-1855* Sydney: Institution of Surveyors N.S.W. Incorporated, 1985. p.487.

as a memorial to her parents.⁸⁰ This window is regarded as the 'jewel in the crown' of the church.⁸¹

As noted earlier, the Evangelical version of Protestantism was the most prominent one in the Australian colonies. Governor Ralph Darling and his three Dumaresq brothers-in-law, as well as Edward Close, Val Blomfield, Frederick Irwin, Dr H.G. Douglass and William Wemyss were all Evangelical. Some of their wives were too, among these, Margaret Innes (nee Macleay), wife of Major Archibald Innes, and Georgiana Molloy, wife of Captain John Molloy of the Swan River colony. The particularly strong influence of Eliza Darling and the Macleay women is also noteworthy. While this may appear a small number, these were particularly influential people, and I suspect there are probably more.⁸²

Sir Ralph Darling's private opinion was that the Catholic Church was composed 'of the lowest class of Irish Catholics, ignorant in the extreme and in proportion bigoted and under the domination of their Priest'; but Fletcher has argued that these beliefs did not colour his administration.⁸³ Darling's concern for 'moral improvement' certainly reflects his Evangelical beliefs. To encourage marriage among the free and freed elements of society, he allowed young ladies 'of the better classes' to receive land grants of 1,280 acres as marriage portions. Marriage, he thought, 'was of the greatest consequence as tending to the prevention of evils of the most serious nature'.⁸⁴ Darling also interested himself in philanthropic causes, equally an Evangelical principle:

⁸⁰ Charles Smith, *Dr. James Mitchell, Newcastle History Monographs : No.1*. Newcastle: Newcastle Public Library (in association with the Newcastle and Hunter District Historical Society), 1966. p.36.

⁸¹ Robert James Parkinson, *Celebrating and Remembering: A Walk Through Holy Trinity (Garrison) Church, Millers Point* (Sydney: 1999). p.9.

⁸² I have tried to establish the religious affiliations of other Peninsular War veterans, but to no avail, as official records are often silent in these matters.

⁸³ Darling to Bathurst, 6 September 1826, CO201/173, f.73, quoted in Brian H. Fletcher, *Ralph Darling : A Governor Maligned* Melbourne: Oxford University Press, 1984. p.190.

⁸⁴ *Ibid.* p.201.

he supported a proposal to establish a dispensary in Sydney to provide medical treatment for the poor.

Darling's wife, Eliza, came from a staunch Evangelical family in England. They were a very close family and her three Dumaresq brothers all settled in the Australian colonies: Henry and William in New South Wales and Edward in Van Diemen's Land. The Darlings and the families of Dumaresqs in New South Wales made a close-knit family circle, to the exclusion of others. In 1830 Captain William Dumaresq married Christiana Susan Macleay, daughter of the Colonial Secretary, and two years earlier Lieutenant-Colonel Henry Dumaresq had married Sophy Butler-Danvers in London. The Macleays were Evangelical, and it appears Sophy could well have been also: her cousin was Charles Sturt (the explorer), a well-known Evangelical, who ended his days in Cheltenham, one of the well-known abodes of evangelicals.⁸⁵ The younger Dumaresq brother, Edward, who settled in Van Diemen's Land, was also a staunch Anglican of Evangelical persuasion, and he made generous contributions towards the cathedral in Hobart and to the Church of England in Victoria.⁸⁶

Eliza Darling's philanthropic interests were many, and they extended well beyond the normal role of a Governor's wife. She took particular interest in the Female Orphan School and, more importantly, created the Female School of Industry, a voluntary organization to help the children of poor parents. It was the first organization to be devoted to this cause, but it was discriminatory, as it rejected Catholic applicants.⁸⁷ It was criticized by

⁸⁵ Influential Evangelicals tended to congregate in four places: Clapham in London, and the provincial towns of Cheltenham, Bath and Tunbridge Wells. Kathleen Heasman, *Evangelicals in Action: An Appraisal of Their Social Work in the Victorian Era*, London: 1962. p.17.

⁸⁶ R. Page, entry for Edward Dumaresq in D. Pike, (ed.), *Australian Dictionary of Biography*, Volume 1, Melbourne, 1966. p.333.

⁸⁷ Brian H. Fletcher, 'Elizabeth Darling: Colonial Benefactress and Governor's Lady,' *Journal of the Royal Australian Historical Society* 67, No. 4, 1982. p.310.

contemporaries for, among other things, being exclusively Protestant.⁸⁸ The inspiration for the school was believed to have come from a similar one established at Cheltenham by a Mrs. Williams.⁸⁹ Eliza Darling appointed Fanny Macleay as Secretary and Treasurer of the Female School of Industry. The Macleay sisters held the positions of treasurer and secretary for the school's first ten years. Christiana Macleay (later married to William Dumaresq) was treasurer until 1829 and was then replaced by her sister, Kennethina. At most meetings, there was at least one Macleay present, and usually two or three.⁹⁰ The Macleay women continued working for the Female School of Industry until at least 1847, when Annabella Boswell, niece of Margaret Innes (nee Macleay), recorded in her journal that the remaining Macleay sisters were still busy raising money.⁹¹ Margaret and Archibald Innes's daughter, Gordina, brought up in an Evangelical household, continued the tradition when she married the Rev. Thomas O'Reilly, an Evangelical minister.⁹²

The Macleay family had known both the Darling family and the Dumaresq family in England: in fact, it was this connection that helped Alexander Macleay secure his appointment as Colonial Secretary to Darling in New South Wales.⁹³ These three families shared the same Evangelical beliefs, and the Macleays lived near Clapham, in London, the centre of a community of like minded middle and upper class Evangelicals. In New South Wales, the Macleay household held many books by Sarah Trimmer and Hannah More,

⁸⁸ Ibid.p.311.

⁸⁹ *Australian Quarterly Journal of Theology, Literature and Science*, (ed.) Rev. C.P.N. Wilton, Sydney, 1828, p.205, quoted in Fletcher, *Ralph Darling : A Governor Maligned*. p.203.

⁹⁰ Elizabeth Windschuttle, *Taste and Science: The Macleay Women*, Sydney : Historic Houses Trust of New South Wales, 1988. p.82.

⁹¹ Ibid.p.86.

⁹² P. Robertson, *Proclaiming 'Unsearchable Riches': Newcastle and the Minority Evangelical Anglicans 1788-1900*, Sydney : 1996.p.24.

⁹³ Windschuttle, *Taste and Science: The Macleay Women*.p.7.

two leading female English Evangelicals, whose writings were inspirational to many women and encouraged practical philanthropic works.⁹⁴

Captain Edward Close of the 48th Regiment, educated in England with a view to taking Holy Orders,⁹⁵ was Evangelical.⁹⁶ When he settled at Morpeth, in New South Wales, he continued this strong religious focus: he took services in the absence of a clergyman, and opened a Sunday school for children. He also erected a schoolhouse, and this building was used to conduct services, until St. James's was built. His greatest monument in Morpeth is surely St. James's Church, which he had built in redemption of a vow made during the battle of Albuera in the Peninsular War: if spared, he would build a church in thanksgiving to God for his life. Close laid the foundation stone of St. James in 1837 and he had donated the land, and built the church and parsonage at his own cost.⁹⁷ In his history of Morpeth, Elkin has provided a record of the money Close spent on the church, a substantial total of £1,441.⁹⁸ As well, Close's own house later became 'Bishopscourt', the seat of the Anglican Bishop of the Diocese of Newcastle. Close lived in it until 1848, when he sold it to the Bishop, and he and his wife then resided in 'The Cottage'.⁹⁹ The east window in St. James's Church, erected by the inhabitants of the district, is a memorial to Close.

Thomas V. Blomfield was also Evangelical. There was quite a community of Evangelicals around the Maitland and Morpeth area during the 1820s and 1830s. Mrs. Christiana Blomfield, corresponding with her sister-in-law in England, wrote of her struggle against worldly affairs, selfish feelings and evil passions. She saw the religious instruction of her children as paramount

⁹⁴ Ibid. p.74.

⁹⁵ A. P. Elkin, *Morpeth and I*, ed. *Facsimile Series ; No. 24*. North Sydney : Library of Australian History, 1979. p.42.

⁹⁶ see *The Australian Dictionary of Evangelical Biography*.

⁹⁷ Elkin, *Morpeth and I*. p.74.

⁹⁸ Ibid. p.77.

⁹⁹ Ibid. p.52.

and encouraged them in inner spiritual examination.¹⁰⁰ One of her sons was ordained a Church of England minister in the Evangelical tradition.

William Wemyss, Deputy Assistant Commissary General in Sydney from 1821 until 1827, was another Evangelical. He employed young George Lang in the Commissariat in Sydney, and when Lang's brother, the Presbyterian Rev. J.D. Lang, arrived in Sydney in 1822, George Lang paved the way for him to stay with the Wemyss family. The Presbyterians were anxious to erect a Scots church, but there were rival ecclesiastical opinions. Lang sought to create in the colony a Church as close as possible to the Established Church in Scotland, and insisted that the minister of the Scots church should be a licentiate of the Church of Scotland. Wemyss, an influential figure in Sydney society, objected and insisted that the Scots church be open to ministers from among the Scottish dissenters, resulting in a more evangelical ministry.¹⁰¹ Lang's proposed constitution was accepted, and arrangements began for the building of the church. Wemyss then openly opposed Lang in all his endeavours and arranged for one of his evangelical friends, James Elder, to represent the building of the Scots church to Lang's congregation as an ill advised and impracticable undertaking.¹⁰² Wemyss also threatened to use his influence to have Lang's salary stopped and to have him removed from the colony. Wemyss tried everything in his power to subvert Lang, and even told his employees in the Commissariat that, if they attended the Scots church, they would lose their jobs.¹⁰³

Georgiana Molloy, wife of Captain John Molloy of the 95th Regiment and an emigrant to the Swan River colony, had been an enthusiastic Evangelical in

¹⁰⁰ Robertson, *Proclaiming 'Unsearchable Riches': Newcastle and the Minority Evangelical Anglicans 1788-1900*. p.32.

¹⁰¹ D. W. A. Baker, *Days of Wrath : A Life of John Dunmore Lang*, Melbourne : University Press, 1985. p.36.

¹⁰² *Ibid.* p.45.

¹⁰³ *Narrative of the Settlement of the Scots Church*, pp.85-8 quoted in *Ibid.* p.46.

Britain. The foremost influence in her religiosity was that of Robert Story, an assistant minister at Rosneath, in Scotland, the parish adjoining that of Edward Irving.¹⁰⁴ When Robert Story married Georgiana's best friend, she herself went to live with the Storys. There, she led an austere, almost monastic, life in Rosneath, a centre of religious fervour. After she and her husband emigrated to the Swan River Colony, Georgiana's Evangelical beliefs continued and flourished. She found herself repelled by the sinful world she found there: for instance, the military garrison and their wives, who refused to take Captain Molloy's Sunday sermons seriously.¹⁰⁵ Georgiana Molloy's interest in the natural world was a result of her religious belief, as the study of natural history was thought to bring man nearer to God.¹⁰⁶ Women, in particular, were urged to become involved in the study of natural history. The highly influential publication of William Paley, *Natural Theology*, was originally published in 1802 and reprinted almost annually well into the nineteenth century. According to Paley, the examination of plants revealed the ways and means by which they survived, and these must surely be the work of God.¹⁰⁷

Dr Henry Grattan Douglass, surgeon to the 18th Regiment, was a member of the Church of Ireland, and Evangelical. Governor Brisbane reported that the 'Saints' had sent him to Sydney:

An opinion has got abroad that Dr Douglass was forced upon your Lordship by the interest of a certain party in England, vulgarly termed the 'Saints'...¹⁰⁸

Dr Douglass arrived in 1821 with a private letter of recommendation from Earl Bathurst to Governor Macquarie, and was immediately appointed in

¹⁰⁴ Irving was the most powerfully eloquent evangelical preacher of the post-war period, both in Scotland and in London, where his three-hour sermons drew crowds of a thousand people. Irving cut a striking figure: well over six feet tall, with long flowing hair and fashionably dressed. William J. Lines, *An All Consuming Passion: Origins, Modernity, and the Australian Life of Georgiana Molloy*, Sydney: Allen & Unwin, 1994. p31.

¹⁰⁵ Ibid. p.145.

¹⁰⁶ Ibid. p.37.

¹⁰⁷ Ibid. p.36.

¹⁰⁸ Brisbane to Earl Bathurst, 28 September 1825, Commonwealth of Australia, *Historical Records of Australia*, Vol. XI, Series I, Sydney, 1917. p.851.

charge of the hospital at Parramatta and as a magistrate. When Governor Brisbane replaced Macquarie, Douglass became a friend of his. Douglass was frequently consulted by the Colonial Office on the affairs of the colony, and returned to Sydney with the tentative appointment of clerk of the Council at a salary of £800 per annum.¹⁰⁹ All this points to considerable influence in London in the Evangelical circles of power. As Douglass was Evangelical, his philanthropic works in Sydney, discussed in Chapter Three, were numerous. Douglass and his family returned to Sydney in 1848 on the *Earl Grey*, with Douglas acting as surgeon-superintendent on the voyage. This ship was the first vessel to bring female Irish orphans to Australia under Earl Grey's pauper immigration scheme. There was an official enquiry into the selection of the girls on the *Earl Grey*, and Dr Douglass heavily influenced this investigation, so much so that the scheme came to an end in 1850. There is no doubt that the testimony of Dr Douglass to the enquiry played a large part in the decision to wind up the scheme, and in his letter of 1850 to the Committee, Douglass used highly emotive language calculated to appeal to those with anti-Irish, and hence anti-Catholic, prejudice. Douglass warned of the 'contamination and racial depravity' likely to be transmitted by the orphan girls.¹¹⁰

Other Peninsular War veterans were active in Anglican communities and aided in the construction of new churches. In Victoria, Captain Foster Fyans was active in the building of two Church of England churches at Geelong, St. Peters and the Church of Christ.¹¹¹ Edward Dumaresq built a stone church and rectory on his land in Van Diemen's Land, and Dr James Mitchell planned to build an Anglican church on his land at Stockton, near Newcastle.

¹⁰⁹ Ibid. p.960.

¹¹⁰ Letter H.G.Douglass, M.D., to the Colonial Secretary 29 April, 1850, in Trevor McClaughlin, *Barefoot and Pregnant? Irish Famine Ophans in Australia*, Melbourne : 1991. pp.150-154.

¹¹¹ Foster Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870) : Transcribed from His Holograph Manuscript Given by Descendants to the State Library, Melbourne, Geelong Vic. : Geelong Advertiser, 1986. p.172.*

The foundation stone for this church was laid in 1845 and the church was to be called St. Andrew's. The church was never built, and the foundation stone was rediscovered in 1890, during the erection of another church on the same site.

The strength of Anglicanism and Protestantism generally throughout the British Empire, in Britain, and in the British army, is clear. Both Anglicanism and Protestantism, with their associated anti-popish sentiments, were at the core of British national identity, and it was in the British army that all three elements coalesced. Peninsular War veterans were 'throne and altar men': in other words, their national and religious identities were closely linked. A fundamental part of their national identity was being Protestant and, if they happened to be Evangelical also, their anti-Catholicism was particularly intense: this is reflected in the passionate anti-papism of the memoirs and diaries of the Peninsular War. When Peninsular War veterans came to the Australian colonies, they were some of the leading identities in colonial life - for example, governors and military commanders - and their conduct was influential. In New South Wales, the Darling, Dumaresq and Macleay families were notable as Evangelicals, as was Frederick Irwin in the Swan River colony. The example, too, of some of their wives in spreading Evangelical zeal is significant. Peninsular War veterans brought with them to the Australian colonies the overt Protestantism of the British army, with organisations such as the Masonic Lodge and the Orange Lodge, and they were prominent in the building of Anglican churches. In response to the introduction of the Church Act in 1836, these British army officers united with other Protestants in a more cohesive form of Protestantism than had previously been found in New South Wales, and that had echoes in other colonial contexts. Peninsular War veterans pledged allegiance to the

Protestant succession and were also influential in the export of Anglicanism, Protestantism and anti-Catholicism to the British Empire.

CHAPTER FIVE

'an art which owes its perfection to war':
skills of Peninsular War veterans

Military skills acquired during the Peninsular War may not, at first appearance, seem to fit the life of a settler in a British colony. Indeed, Susanna Moodie did not think so. She wrote that British army officers were

a class perfectly unfitted by their previous habits and education for contending with the stern realities of emigrant life. The hand that has long held the sword, and been accustomed to receive implicit obedience from those under its control, is seldom adapted to wield the spade and guide the plough, or try its strength against the stubborn trees of the forest.¹

While that might have been the case in Canada, about which Susanna Moodie wrote, it was a different story in the Australian colonies. The crucial difference was that in the earliest Australian colonies, it was mostly cheap convict labour that wielded the spade and guided the plough. Veterans of the Peninsular War were freed to carry out other duties: exploring, surveying, map making, building roads, town planning, engineering, treating the sick, and generally taking control of the colonial bureaucracy. Thomas Mitchell had many skills when he arrived in New South Wales, those of a surveyor, geologist, geographer, explorer, naturalist, botanist and anthropologist; though it was his expertise as a surveyor that qualified him for appointment in 1827 as Deputy Surveyor General in New South Wales. Mitchell acknowledged this in a letter to his patron, Sir George Murray, and commented that it was his long experience 'in an art which owes its perfection to War' that qualified him for his new appointment.²

Mitchell and other British army officers had proved themselves resilient under adversity, and had developed the ability to 'rough it' in the Australian

¹ Susanna Moodie, *Roughing It in the Bush*, or, Life in Canada, London: Virago, 1986. p.xix.

² Mitchell to Murray, 13 April 1831, T.L. Mitchell, Mitchell Papers, National Library of Scotland, Edinburgh. MSS 46.8.16, f.11.

environment, similar in some respects to that of the Iberian Peninsula. Both officers and men alike had learned the art of adapting themselves to new and unexpected conditions and tasks.

In this chapter, I aim to show what skills Peninsular War veterans put to use in the Australian colonies and how and why these skills were derived from their previous experience in Spain and Portugal. Of the variety of skills imported by Peninsular War veterans, more than half were directly involved with British colonisation of Australia. These technical skills mainly related to land and mapping: exploring, surveying, map making, draughting, town planning, engineering, building fortifications and road-making. Among other things, maps were an aid in managing a population, especially one where a great number were convicts or ex-convicts. The veterans also brought with them modern professional skills acquired in the British army and the newly organised Commissariat. Others brought medical skills and experience gained on the battlefields as part of the new British army Medical Department, and became leaders in colonial surgery and medicine. While it is true that the skills acquired by these men could have been acquired elsewhere in the British army, the battles fought in Spain and Portugal occupied the vast majority of the British army from 1808 until 1814, and it was the skills learnt there, and not elsewhere, that proved crucial to the expansion of the British Empire.

The absolute centrality of the new science of survey and mapping will be explained, alongside its development in other parts of the world. The British government's aim was to survey and map the Nineteen Counties of New South Wales, or what was known as the settled areas. From a study of the military and subsequent careers of two men, Thomas Mitchell and William Light, appointed Surveyors General of New South Wales and South Australia respectively, the importance of their technical skills is apparent.

Both saw service in the Peninsular War and had gained experience there in topographical reconnaissance. A later appointment as Surveyor General of New South Wales, George Barney, also a Peninsular War veteran, was a brilliant engineer, but had no surveying experience. I will also explore other aspects of the nascent bureaucracy in New South Wales and other colonies: town planning and the making of new roads and bridges, where again, it was Peninsular War veterans who led the way. The particular commercial skills that former Peninsula commissaries brought to the Commissariat and Audit Offices in New South Wales and Van Diemen's Land will be examined, together with the salary economies of employing these men. Likewise, a glimpse of the careers of Doctors Gibson, Mitchell and Douglass will elucidate the significant contribution of these medical men to colonial society.

* * * *

The British Government's ignorance of its own country at the end of the eighteenth century is astonishing, for had the French landed, as they might have done in 1797, there were no dependable maps of any counties other than Sussex and Kent.³ In this day and age, we take scientific mapping as a given, but in the early nineteenth century, it was in its infancy. Certainly, there had been maps before then, for instance, Christopher Saxton's *Survey of the English counties*, published in 1579, and John Speed's *Atlas*, published in 1611.⁴ Early maps were often inaccurate, but they did provide a basis for later scientific surveying, following the introduction of the theodolite and chronometer. What gave the impetus for the need for a Geometrical Survey, at public expense, was the 1745 Jacobite rebellion in Scotland. Following this rebellion, a military man proposed the idea of a survey and the Highlands, the area of perceived threat, were surveyed and mapped. At the same time

³ Richard Glover, *Peninsular Preparation: The Reform of the British Army 1795-1809*, Cambridge: Cambridge University Press, 1963. p.20.

⁴ Colonel Sir Charles Close, *The Early Years of the Ordnance Survey*, 2nd ed. reprint, 1969. p.36.

the Lowlands were also surveyed and mapped.⁵ Sadly, this map was considered a 'magnificent military sketch' rather than an accurate map.⁶ Once again, the prospect of war emphasised the need for full scale mapping of the British Isles and, when the war with France began in 1793, the process was hastened.

The British Ordnance Survey was begun a few years earlier, in 1791, and the object was the production of a one-inch map of the whole of the United Kingdom.⁷ At that time, surveying was suddenly big business in England: canals were being dug, common lands enclosed, and farmers were having their fields measured for the first time.⁸ By the mid nineteenth century, the entire British Isles had been surveyed trigonometrically and mapped, on both a one inch and a six inch scale.⁹ Much the same thing happened elsewhere: Napoleon recognised the importance of mapping France and the cadastral¹⁰ mapping of that country commenced in 1807.¹¹ Where maps of Spain and Portugal were concerned, the situation was worse than that for Britain. Before Wellington marched into Spain, he wrote to the British minister in Seville, asking for any topographical or geographical information about Spain. He also requested two copies of Lopez' map, used by both sides during the war and reasonably accurate for Spain, though not so for Portugal.¹² It was only because of the exigencies of the war that a British map of the Peninsula was produced by 1810, under the auspices of Sir George

⁵ Captain W. F.R.S. Mudge and Isaac Dalby, 'An Account of the Operations Carried on for Accomplishing a Trigonometrical Survey of England and Wales; Begun under the Direction of the Royal Society, and Continued by Order of the Honourable Board of Ordnance,' *Edinburgh Review*, January 1805. p.372.

⁶ *Ibid.* p.372

⁷ Close, *The Early Years of the Ordnance Survey*. p.34.

⁸ Simon Winchester, *The Map That Changed the World : The Tale of William Smith and the Birth of a Science*, London: Viking, 2001. p.58.

⁹ Jillian Oppenheimer, 'Survey and Settlement: New South Wales 1825-1836,' *The Push from the Bush* 21, 1985. p.29.

¹⁰ From cadaster, an official register showing details of ownership, boundaries, and value of real property in a district, made for taxation purposes. *Collins English Dictionary*, fourth ed. Glasgow: 1998.

¹¹ Denis Wood and John Fels, *The Power of Maps*, London: Routledge, 1993. p.11.

¹² Michael Glover, *Wellington's Army in the Peninsula, 1808-1814*, Newton Abbot U.K.: David & Charles, 1977. p.133.

Murray, who sent out sketching officers. One of Murray's officers was Thomas Mitchell, whose contribution to the surveying and mapping of the Australian colonies is discussed in this chapter.

A map is not only a device for finding one's way to an unfamiliar place or a representation of a tract of land; it is also a scientific abstraction of reality.¹³ It represents, in a certain manner, what is already there. Maps had the effect of shaping the imagination of early settlers in the Australian colonies, as they enabled the land to be viewed in the way the British wanted it: in a series of lines delineating land grants of one, two, three or four square miles, and in knowable portions: parishes, counties, and the like. Maps are therefore a crucial part of colonisation, as they not only define boundaries, but *create* them. Ownership of land can be also be created by maps.¹⁴

The symbol of British ownership of the Australian colonies was the surveyor, as the surveyor had the power to draw maps. Those who had the means to control, grant, sell, and survey it, were those in authority. By measuring out the bush, it became possible, for the first time, for someone to buy and own it. For millennia, the Aborigines, to whom the concept of private property was unknown, occupied Australia, and then came the British surveyors with their measuring chain¹⁵, to transform the bush into property. Consequently, as a part of the colonisation process in the Australian colonies, parcels of land had to be measured and mapped, towns had to be planned, county divisions made, lines of road laid down. In other words, the land would be 'magically transported from wilderness to property by the act of measurement and mapping'.¹⁶

¹³ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, London; New York: Verso, 1991. p.173.

¹⁴ The fictional Doone Valley (named after Lorna Doone, published in 1869) recently turned up on an Ordnance Survey map of Exmoor.

¹⁵ The chain was 22 yards long, divided into 100 links and was the most commonly used measuring instrument. See Oppenheimer, *Survey and Settlement: New South Wales 1825-1836*. p.52.

¹⁶ Andro Linklater, *Measuring America*, London: 2002. p.175.

Changes to land administration in New South Wales were outlined by Earl Bathurst to Governor Brisbane in 1825: the need to map the colony; the establishment of a commission to make a general valuation of the land and to make reservations of land for public purposes; and, thirdly, the establishment of a body to control lands, to be known as the Clergy and School Estates, and to comprise one-seventh of the land in each county.¹⁷ This was not an isolated piece of policy, but rather the extension of a survey review that had begun in Britain. The need for an accurate survey and mapping of the colony was for defence planning, to raise government revenue from the land, to advance scientific and statistical knowledge, and to enable efficient control of the population. The first three were explicit, the last implicit: maps were partly about surveillance and control of the population. Brisbane did nothing about these regulations, and it was not until after Governor Darling's arrival, in December of that year, that greater emphasis was placed on efficient surveying and mapping.

In Ireland, the British government outlined similar needs for mapping:

An accurate map...was required for the purpose of making a valuation which would form the basis of the fiscal arrangements and other improvements *which the social evils and anomalies of Ireland urgently demand*¹⁸ [my emphasis]

During the Ordnance Survey project in Ireland, the men in the field were instructed to take note of the following features of Irish life:

Habits of the people. Note the general style of cottages...Food, fuel, dress, longevity, usual number in a family early marriages...What are their amusements and recreations?... What local customs prevail?... Driving the cattle through fire, and through water? Peculiar games?...¹⁹

In other words, surveillance is called for, to seek evidence of the personal lives of the Irish and their perceived superstitious practices. Also with this

¹⁷ Bathurst to Brisbane, 1 January 1825 in Commonwealth of Australia, *Historical Records of Australia*, Volume XI, Series I, Sydney: 1917. pp.434-444.

¹⁸ Report from the Select Committee on Ordnance Survey (Scotland) 1851 (519) X, p.359 quoted in Oppenheimer, *Survey and Settlement: New South Wales 1825-1836*. p.28.

¹⁹ J.H. Andrews, *A Paper Landscape*, Oxford, 1975, p.148 quoted in Mary Hamer, 'Putting Ireland on the Map,' *Textual Practice* 3, No. 2, 1989. p.191

project, Irish place names were anglicized, and the end result was an Ordnance Survey map of Ireland that created an English-speaking place, a colonizer's view of Ireland.

In New South Wales too, the land and its mapping had high priority, both for the British government and for the bureaucracy of the colony. To carry out this work, the British government needed men of experience and skill, as more emphasis was now being placed on administrative efficiency. Those who had the necessary skills were Peninsular War veterans, men who had done topographical reconnaissance and surveying during the war, and William Light and Thomas Mitchell were two such men. Both are well-known names as explorers in the Australian colonies, but Mitchell is also well known for his surveying and map making abilities, both of which he acquired on the Iberian Peninsula. Those who worked with Spanish guerillas gained valuable experience in reconnaissance. William Light spent some time with Spanish units, both regular and irregular. From October 1812, for instance, he was with Julian Sanchez²⁰ for some months, and then again the following year. Also in 1813, Light spent some time with Pablo Morillo.²¹ Light was chosen to serve with Spanish units, both regular and irregular, not only for his fluency in Spanish, but also for his 'great spirit of adventure'.²² Light, of course, used this experience to advantage when engaged in exploring, mapping, survey and town planning tasks in South Australia. Another well-known Australian explorer, Charles Sturt was also a former British army officer, serving in the 39th Regiment from October 1813.

²⁰ Major General Don Julian Sanchez was a retired regular soldier who recruited guerrillas. These guerrillas later went into the Spanish army. George Hennell and Michael Glover, *A Gentleman Volunteer: The Letters of George Hennell from the Peninsular War, 1812-1813*, London: Heinemann, 1979. p.160.

²¹ Lieutenant in Spanish army 1809. Commanded Galician division 1813. Ibid. p.159.

²² Light kept his diary in Spanish. For a record of Light's services in the Peninsular War, possibly compiled by Sir Benjamin D'Urban, see Appendix in M.P. Mayo, *The Life and Letters of Col. William Light*, Adelaide: F.W. Preece, 1937, p.197.

Sturt did not serve in the Peninsular War, rather he went to Canada with his regiment and returned four weeks after Waterloo.²³

William Light's war service began in the Royal navy. Afterwards, in 1808, he obtained a commission, with purchase, in the 4th Dragoons of the British army. The following year, the regiment embarked for Portugal. Light served in both Portugal and Spain until April 1811, when he was appointed liaison and intelligence officer with the Spanish cavalry.²⁴ His duties involved providing accurate information about enemy movements, with accurate sketches. General Beresford's Chief-of-staff, Sir Benjamin D'Urban, said that Light was 'peculiarly fitted' for this sort of work.²⁵ Wellington relied heavily on exploring officers such as Light; he was attempting to cover two routes into Portugal from invasion by two or three French armies, so intelligence and communication was paramount.²⁶ Light had an added advantage in that he spoke Spanish and even kept his diary in that language, and so he was attached to various Spanish units, regular and guerilla. A great deal of his time was spent exploring the countryside, sketching, mapping and sending in reports. During the early months of 1813, he explored and prepared maps of roads of possible use by Wellington in his advance to the Ebro. Wellington used this knowledge of northern Spain to his advantage at the battle of Vittoria, where the French were completely routed.²⁷ Light is well-known for a spectacular incident on 19 March 1814, recorded in Napier's *History*. Napier wrote that Light

rode forward as if he would force his way through the French skirmishers, but when in the wood dropt his reins and leaned back as if badly wounded; his horse appeared to canter wildly along the front of the enemy's light troops, and they thinking him mortally hurt ceased their fire and took no further notice. He thus passed unobserved through the wood to the other side of the hill, where there were

²³ Clem Sargent, 'Sturt's Military Service,' *Sabretache: the Journal of the Military Historical Society of Australia*, No.31, 1990. p.30

²⁴ William Light and David Elder, *William Light's Brief Journal and Australian Diaries*, Adelaide: Wakefield Press, 1984. p.14.

²⁵ *Ibid.* p.14.

²⁶ Mark Urban, *The Man Who Broke Napoleon's Codes*, New York: Harper Collins, 2001. p.100.

²⁷ Mayo, *The Life and Letters of Col. William Light*. p.27.

no skirmishers, and ascending to the open summit above put spurs to his horse and galloped along the French main line, counting their regiments as he passed. Reaching the spot where Lord Wellington stood, he told him there were but five battalions on the hill.²⁸

In 1836, William Light was appointed Surveyor General of the British colony of South Australia with a salary of £400 a year,²⁹ a recognition that Light possessed the skills, the topographical expertise and experience required for this position. These skills were to serve him well, as South Australia was probably the least explored of the Australian colonies and a good deal of exploration was left to Light. According to his *Australian Dictionary of Biography* entry, Light's instructions from the Colonisation Commission set the impossible task of minutely examining 1,500 miles of coast, selecting the site for the new town and surveying that site, as well as dividing an area of 150 square miles of country into sections.³⁰ All this they expected to be completed within two months. Light drew on his experience in a similar climate in Spain when choosing the location for the site of Adelaide. With the prospect of hot dry summers, he believed that the Mount Lofty ranges would help to bring rain to the area.³¹ Light made several expeditions of exploration and survey before resigning in July 1838. David Elder has attributed Light's resignation to the inadequacy of his staff and equipment, and to the likelihood of his being unable to complete the task set by the Commission. As Light immediately formed Light, Finnis & Co., Land Agents and Surveyors, with a former assistant and most of the staff from his department,³² he may also have had an eye to profits from the business enterprise larger than the amount of his salary. There is no question that business was brisk at the new firm, whose office was at Light's residence. Despite spending only three

²⁸ Light and Elder, *William Light's Brief Journal and Australian Diaries*. p.15.

²⁹ *Ibid.* p.24.

³⁰ D.Elder, entry for William Light in D. Pike, (ed)., *Australian Dictionary of Biography*, Volume 2, Melbourne : 1967. pp.116-118.

³¹ Light and Elder, *William Light's Brief Journal and Australian Diaries*. p.29.

³² *Ibid.* p.43.

years in South Australia before his early death in 1839, Light was known then, and still is, as 'the founder of Adelaide'.

Thomas Mitchell was perhaps not as daring or dashing a young officer in the Peninsular War as was William Light; but, nonetheless, the two did similar reconnaissance and survey work. Mitchell and Light knew each other and Light joined Mitchell, on at least one occasion, when reconnoitring; (see Chapter Three). Mitchell spent some time with the Quartermaster-General's Department as a military surveyor, working in forward positions, often alone. He moved between the 95th Regiment and the Quartermaster-General's Department. Possessed of very good sketching skills and mathematical knowledge, Mitchell was the ideal surveyor. There is no evidence of any other training for a military surveyor during the Peninsular War, other than a manual issued in 1810, *Instructions for the Officers in the Department of the Quartermaster-General*.³³ The Survey Section, attached to the Quartermaster-General's Department, was a vital part of the British army, and it was here that Mitchell learned the skills required for his later exploration and surveying expeditions in the Australian colonies. In this section, he had to quickly survey and sketch features of importance that could determine future operations, and he had to take note of elevations and their heights, of roads and bridges, waterways and their depths, etc.³⁴ The Iberian Peninsula was where Mitchell gained his capacity for physical endurance: he could go for three days without food, wet through the whole time, in a bitterly cold wind. In his published journal, Mitchell's assistant surveyor, Granville Stapylton, commented on Mitchell's remarkable physical endurance.³⁵

³³ William C. Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855 : Surveyor General of New South Wales 1828-1855*, Sydney: Institution of Surveyors N.S.W. Incorporated, 1985. p.20.

³⁴ For example, among Mitchell's papers there are notes from the Iberian Peninsula on roads practicable for artillery, and where rivers can be forded.

³⁵ Alan E.J. Andrews, (ed.), *Stapylton with Major Mitchell's Australia Felix Expedition, 1836*, Hobart: 1986. p.140.

Mitchell remained in Spain and Portugal for five years from 1814 as a solitary surveyor in the field, to prepare the plans of the principal battlefields of the war. Remarkably, he was just twenty-two years of age when he began, and he completed this task alone. Young as he was, Mitchell was by now a well skilled surveyor and draughtsman: Sir George Murray, under whose instructions he undertook this assignment, would not otherwise have entrusted him with a work of such magnitude.³⁶ On his return to England in 1819, Mitchell worked further on these maps until his departure for Sydney in 1827. The fruit of many years' work, the maps of the battlefields were surely Mitchell's *magnum opus*, and the magnificent plans were finally published in 1841 as *Maps and Plans showing the Principal Movements, Battles, and Sieges, in which the British army was engaged during the War from 1808 to 1814, in the Spanish Peninsula and the South of France*. Now extremely rare, this work still provides the most accurate description of the terrain of the battlefields.³⁷ It has been described as more like a piece of furniture than a book, measuring 865mm by 700mm, and containing some fifty maps and plans of the actions in which the British, Portuguese and Spanish armies engaged on the Iberian Peninsula.³⁸ The maps reveal Mitchell's skills as a surveyor, draughtsman and lithographic artist. Mitchell also published a book on surveying. His *Outline of a System of Surveying for geographical and military purposes comprising The Principles on which The Surface of the Earth may be Represented on plans* was published in London in 1827. It was favourably reviewed, and recommended for all military men (see Chapter Seven).

In Australia, Mitchell is probably better known as an explorer than a surveyor. He led four major expeditions into the interior, and is best

³⁶ Foster, Sir Thomas Livingston Mitchell and His World, 1792-1855. p.40.

³⁷ Rory Muir, *Salamanca, 1812*, New Haven, CT: Yale University Press, 2001. p.71.

³⁸ T.C. Sargent, 'Thomas Livingston Mitchell and Wyld's Atlas of the Peninsular War, 1808-1814,' *Cartography* 13, No. 4, 1984 .p.253.

remembered for his 1836 Australian Felix expedition where he explored large areas of Victoria, and for his charting of the Murray-Darling system. It was on the 1836 expedition that Mitchell named many geographical features in memory of his fellow soldiers in the Peninsular War: this is discussed in detail in Chapter Six. Squatters followed Mitchell's line to the new Port Phillip district and grazed their sheep where they could. New country was needed for the quickly expanding wool export industry: from just over one million pounds exported in 1830, there were twelve million pounds of wool exported by 1841.³⁹ An important point about Mitchell's explorations is that he surveyed at the same time, thereby saving the cost of another expedition. Every evening, as his men were making camp, he rode away towards a hill or mountain, sometimes five or six miles distant, and took angles for the trigonometrical survey of the colony. He remained there as long as light permitted, then rode back to the camp and wrote the daily journal.⁴⁰ As his biographer, W.C. Foster, points out, the skills Mitchell had acquired during his years in Spain and Portugal were to be drawn upon time and time again in the planning and the day to day activities of each of his four inland expeditions. During his exploration journeys, Mitchell even set his camp in the same layout that he had been used to in the Peninsular War.⁴¹

When the Colonial Office recognised the need for a proper survey, Mitchell was appointed Deputy Surveyor General in 1827, under the ailing John Oxley. Oxley died the following year and Mitchell became Surveyor General, a post he held until 1855. The next Surveyor General, George Barney, was also a Peninsular War veteran, so for thirty-odd years these two men ran the Surveyor General's Department in New South Wales. South Australia had William Light as its Surveyor General, Victoria had Robert

³⁹ Michael Roe, 1830-50, in *A New History of Australia*, Frank Crowley (ed.) Melbourne: 1977. p.100.

⁴⁰ Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855*. p.217.

⁴¹ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications, Canberra, 1996. p.8.

Hoddle (see Chapter One) and the Cape had Major Michell. In New South Wales, the Deputy Surveyor General, one who acted occasionally as Surveyor General, was Captain Samuel Perry, also a Peninsular War veteran. During Mitchell's term as Surveyor General, the basic exploration of New South Wales was completed, the Department of Lands was created, a trigonometric network was introduced to New South Wales, and he began a cadastral survey of Sydney and its environs. Mitchell produced the first large-scale printed geological map, *Geological Sketch of Wellington Valley*, and his trigonometrical survey was the basis of the first true topographical map of Australia, the 1834 *Map of Nineteen Counties*. While Mitchell was untiring in his efforts in his department, his other interests often intruded. An 1855 Royal Commission appointed to enquire into the Survey Department condemned the methods and results of Mitchell's surveying and his administration; but, as Don Baker has pointed out, this was an unfair summation.⁴² Mitchell had complained time and again about the lack of surveying instruments, and most people failed to realise the difference between surveying in England, on occupied land with villages, farms and roads, and surveying and mapping vast areas of largely unexplored and unsettled country. In an analogy with William Light's treatment in South Australia, the Commissioners failed to allow for the inadequate and often primitive means at Mitchell's disposal and the magnitude of the tasks given to him. In my view, Mitchell's greatest cartographic achievements were his maps of the Peninsular War battlefields and his 1834 *Map of the Nineteen Counties of New South Wales*.⁴³ I am not the first to make this assessment: over the years, many others have praised both, and the War Office used his Peninsula maps for over eighty years.

⁴² D.W.A. Baker, entry for T.L. Mitchell in D. Pike, (ed.), *Australian Dictionary of Biography*. Vol. 2, Melbourne, 1967. pp.238-242.

⁴³ I feel a particular affinity with this latter map, as I have lived within the Nineteen Counties all my life. Born in the County of Cumberland, I now live in the County of St. Vincent, close to Kurradacbidgee on the Shoalhaven River, which place Mitchell used as one of his main observations of latitude.

After Mitchell's death in 1855, George Barney was appointed Surveyor General of New South Wales. Barney was born at Wolverhampton, near Birmingham, the son of the eminent painter, Joseph Barney. The four Barney sons were all in the British army, and two were artists of some note: Joseph Barney Junior and William Barney. George Barney served in the Peninsular War from 1810 at Gibraltar, where he took part in the planning and construction of fortifications. From December 1811 to January 1812, he was a member of the team of engineers who played a part in the successful defence of Tarifa⁴⁴ in Spain, during the siege by the French.⁴⁵ Barney then served in the West Indies until 1830, in Jamaica as Resident Engineer, and in Grenada, where he held the position of Commanding Royal Engineer. Back in England, Barney was employed at Chatham, and later at Portsmouth, working on improvements to the fortifications.⁴⁶ When Governor Bourke in New South Wales requested a civil engineer to be sent to the colony, George Barney was appointed both to command the Royal Engineers and be Colonial Engineer; thus his duties were a mixture of both military and civil. Lieutenant-Colonel Barney was replaced as head of the Royal Engineers Department in Sydney in 1843, though retained as Colonial Engineer by Governor Gipps. For the first time, the decision was made to create two positions: one in charge of the Royal Engineers, and the other in charge of civil works. Barney concentrated on colonial works such as roads and bridges, and water supply and drainage for Sydney. Among other things, he supervised the construction of the Darlinghurst Gaol, before returning to England in 1844.⁴⁷ Unhappy in England, and anxious to return to Sydney, Barney went on half-pay, sold his commission and returned to Australia with the position of Lieutenant Governor Designate of North Australia, with

⁴⁴ Tarifa is in a strategic location on the southern-most tip of Spain, on the Straits of Gibraltar.

⁴⁵ K. Jobst, *A Pioneer Family of Queensland: Lieutenant Colonel George Barney, Captain John Edward Barney, Mrs Elise Barney, 1835-1865*, Brisbane: CopyRight Publishing, 1997. p.15.

⁴⁶ *Ibid.* pp.15-16.

⁴⁷ *Ibid.* p.25

orders to establish a convict colony in North Australia.⁴⁸ His next appointment was as Chief Commissioner of Crown Lands from 1849 until 1855, and then Surveyor General from 1855 to 1859. George Barney was a competent engineer, and his engineering expertise was vital in the new colony. There are many other monuments to his ability in this field, apart from the well-known sea wall at Circular Quay: military fortifications at Middle, South, Bradleys and Georges Heads, Dawes Point Battery and Fort Denison.⁴⁹ However, Barney was a poor successor to Mitchell as Surveyor General: evidence given before a Select Committee on the Management of the Survey Department in 1858 revealed that Barney had never been out in the field.⁵⁰ He had no experience as a surveyor and had never carried out a trigonometrical survey.

Another lesser-known, though still important, staff member of the office of the Surveyor General was Captain Samuel Augustus Perry, Deputy Surveyor General of New South Wales from 1830 (when Mitchell moved to the senior position on Oxley's death) until 1853. Born in Wales, Perry was appointed an ensign in the Royal Staff Corps in 1809 and served in the Peninsular War under Sir George Murray, Mitchell's patron. Perry fought in the battles at Badajoz, Nivelle and Nive. The latter two are in the Pyrenees, and while in that area, he had some dealings with guerillas. In August 1813, Perry was ordered to carry a despatch to the guerilla General Longa⁵¹ who was in the Pyrenees, near Maya Pass. Perry's commanding officer had told him they were without any communication, and needed to know the location of the French. Needless to say Longa knew it, and gave the reply immediately.⁵²

⁴⁸ Ibid. p.31.

⁴⁹ Ibid. p.36.

⁵⁰ Evidence of Deputy Surveyor General Thompson, Select Committee on the Management of the Survey Department 1858, *New South Wales Legislative Assembly Votes and Proceedings*, 1858-1859. p.161.

⁵¹ Major General Francisco Longa, a former gunsmith. Gazetted a colonel in the Spanish army 1812; Major General 1813. Hennell and Glover, *A Gentleman Volunteer: The Letters of George Hennell from the Peninsular War, 1812-1813*. p.159.

⁵² S.A. Perry, *Journal 1831-1853*, Mitchell Library, Sydney. pp.31-35.

Prior to his appointment in New South Wales, Perry was professor of topographical drawing at the Royal Military College, a position he held until 1823. From there, he went to Dominica as private secretary and then aide-de-camp to the governor, before returning to England because of ill health, where he lived on half pay. By 1828 Secretary of State for War and the Colonies, Sir George Murray, appointed Perry as Deputy Surveyor General in New South Wales at a salary of £500 per annum with allowances.⁵³ Perry arrived in Sydney in 1829, but, unfortunately for him, he was friendly with William Dumaresq, Governor Darling's brother-in-law, and was thus seen by Mitchell as a friend of the Darling coterie.⁵⁴ Earlier, Governor Darling had attempted to have Dumaresq appointed his Surveyor General; this failed, and created tension between Darling and Mitchell. Dumaresq, like Perry and Mitchell, had served under Sir George Murray in the Quartermaster-General's Department during the war, but there the parallels ended. Mitchell even went as far as adopting John Thompson, the chief draughtsman, as unofficial deputy Surveyor General, rather than the hapless Perry. Nonetheless, Perry surveyed and produced maps for the North Shore, where he sought land for suitable whaling establishments, and for the Hawkesbury River area, St. Leonards, Rushcutter's Bay and Windsor.⁵⁵

The responsibility for planning many of the towns in New South Wales also fell to Perry, as well as to Thomas Mitchell and William Dumaresq. In South Australia, William Light did the planning and in Brisbane, George Barney. Colonel William Dumaresq, a man with influence as a near relative of Darling, was the chairman of a Board of Enquiry set up in 1829 to provide planning regulations. By this time, there had been a few towns planned, but

⁵³ B. Dowd, entry for Samuel August Perry in D. Pike, (ed.), *Australian Dictionary of Biography*. Volume 2, Melbourne, 1967. pp.324-325.

⁵⁴ See Chapter Three for a discussion of the Darling/Dumaresq social networks.

⁵⁵ Surveyor General's Maps and Plans (State Records, [cited 1 April 2002]); available from <http://www.records.nsw.gov.au/ASP/surveyor.asp>.

Governor Darling set out to regularise planning regulations. One of the controversies during the board's hearings was the dispute about 'the Spanish solution' or 'the Indian solution'. Both Darling and Dumaresq had been in India where the streets were wide; but Mitchell's knowledge of heat and dust had been acquired in service in Spain. The argument for 'the Indian solution' was to admit the free flow of air to alleviate the prevailing high temperatures, whereas Mitchell maintained that 'a narrow street in a country subject to hot winds, dust, and a scorching sun, is rather desirable than otherwise'.⁵⁶ Because of his influence, it is not surprising that Dumaresq's Indian model prevailed. Undeterred, Mitchell continued to plan towns, and Maitland and Goulburn were probably his most elaborate efforts in town planning.

Mitchell was keen to create public spaces, and at Maitland he had a vision for an elaborate area, dominated by the Anglican church on a hilltop, as the high point of several vistas.⁵⁷ With too many irons in the fire, Mitchell's enthusiasm for town planning waned and his deputy, Perry, showed little of Mitchell's flair. On the other hand, William Light's plan of Adelaide was unique. Light's instructions were to create public space, and provide wide streets, as had been adopted in New South Wales, and his plan has been admired ever since. As the Adelaide historian, Hugh Stretton, has written:

We live in a famously planned town. William Light designed it in one hot Christmas week of 1836; generations later his planning is still blessed, and used as he intended. From a city neighbourhood we step into his versatile parklands to play various sports and games...⁵⁸

George Barney's village plan for the penal colony of Moreton Bay, completed in 1839, may not have been as attractive as Light's. However, only three

⁵⁶ T.L. Mitchell, Report on the Progress in Roads and Public Works in New South Wales, 1855, pp.86-7 quoted in D.N. Jeans, 'Town Planning in New South Wales 1829-1842,' *Australian Planning Institute Journal*, October 1965. p.192.

⁵⁷ Alan Atkinson, 'Time and Space in 1838,' *Push from the Bush*, No. 9, 1981. p.9.

⁵⁸ Light and Elder, *William Light's Brief Journal and Australian Diaries*. p.52.

years later, the town was thrown open for free settlement and Barney's town planing became the basis of planning for the new town of Brisbane.⁵⁹

Military men were also the road-makers in the Australian colonies, and the names of Lieutenant Jonathan Warner and Lieutenant Percy Simpson, both Peninsular War veterans, appear in this field. Warner's appointment and short career in road making was undistinguished, before he obtained a land grant and settled at what is known as Warner's Bay, on Lake Macquarie in New South Wales. Simpson's influence on road making, however, was more pronounced. He arrived in New South Wales in 1822, and was first appointed as commandant of the convict agricultural station at Wellington Valley. This was abandoned after a couple of years, though in that time, 300 acres had been cultivated and 40 buildings erected. His next appointment was as assistant surveyor of the Great North Road, built to link Sydney with the expanding Hunter Valley. Simpson was a capable and efficient administrator of public works, with experience gained on the Island of Paxos,⁶⁰ as well as experience in the new techniques of road making. He was in charge of up to 700 convicts, and built the road's most difficult sections, including the steep descent from the ridgeline to the Hawkesbury River at Wiseman's Ferry.⁶¹ A new technology of road making, recently adopted in England, appeared in New South Wales very quickly. A mere five years after John Loudon MacAdam wrote *Remarks on the Present System of Road Making*, Simpson was using the new system on the Great North Road, as he explained to Governor Darling:

⁵⁹ Jobst, *A Pioneer Family of Queensland*. p.48.

⁶⁰ D.A. Roberts, 'a Sort of Inland Norfolk Island? Isolation, Coercion and Resistance on the Wellington Valley Convict Station 1823-26,' *Journal of Australian Colonial History* 2, No. 1, 2000. p.58.

⁶¹ S. Lavelle, Dr. G. Karskens, and RTA Technology, Conservation Plan for the Great North Road. Stage 1. [cited 2 February 2004]; available from www.convictrail.org/project.htm.

The improved system of road making in England has been by Your Memorialist adopted and carried out successfully in this district [Wiseman's Ferry] which has gained the unanimous approbation of all who pass on it.⁶²

The 'Great Roads' of New South Wales were thus built according to MacAdam's recommendations.

Major George Druitt, of the 48th, the first of the Peninsular regiments to arrive in the Australian colonies, was appointed Acting Chief Engineer and Inspector of Public Works soon after his arrival.⁶³ His duties included, among other things, supervision of convict gangs constructing roads and bridges. Later appointed Chief Civil and Military Engineer, he remained in that position until early in 1822, just before Governor Macquarie left. During that time, nine new roads were completed with a collective length of 80 miles, and a total of 187 bridges.⁶⁴ Druitt, however, left the position in disgrace and Governor Brisbane wrote in a despatch, 'Major Druitt's whole conduct in the Engineer Department is highly disgraceful to his character as a British Officer'.⁶⁵ Apparently, Druitt had used government convicts on his private property and put his cattle on crown pastures, all without permission. Colonel William Dumaesq was then temporarily appointed as Civil Engineer and Inspector of Roads and Bridges from May 1826 until his retirement in 1828. In this position, Dumaesq was responsible for the design of all buildings in the penal colony of Moreton Bay.⁶⁶ But, again, it was the indefatigable Thomas Mitchell who did the lion's share of road building, as well as supervising bridge construction in New South Wales. The three major roads emanating from Sydney: the Great North Road, the Great South Road

⁶² Memorial of Lieutenant Percy Simpson to Darling, October 1829, AONSW CSIL Box 29/8072, quoted in Grace Karskens, 'as Good as Any in England': The Background to the Construction of the Great North Road,' *Journal of the Royal Australian Historical Society* No. 68, 1982. p.200.

⁶³ Commonwealth of Australia, *Historical Records of Australia*, vol. X, Series, I Sydney : 1917. p.543.

⁶⁴ *Ibid.* p.544.

⁶⁵ *Ibid.* p.627.

⁶⁶ Department of Public Works Queensland Government, *History of the Commissariat Store*, Brisbane: 2001. p.6.

and the Great West Road are part of the network of 'Great Roads' radiating from Sydney, and were named after the 'Great Roads' of England. These roads played an important role in opening up large areas for free settlement. What we know today as the Hume Highway, linking the great cities of Sydney and Melbourne, is still substantially on the line of Thomas Mitchell's Great South Road.

Besides the surveyors and engineers, there were other Peninsular War veterans with extensive professional and administrative skills. The first Peninsular War veteran to head the colonial administration in New South Wales was Sir Thomas Brisbane, a governor from 1821, and the last veteran was Sir George Gipps, who governed until 1846. In Chapter Six, I remark on the importance of Peninsular War veterans who were appointed to the position of Governor in various parts of the British Empire, so I shall limit my comments here to the specific administrative skills of Sir Ralph Darling, the next incumbent after Brisbane. Darling had gained extensive bureaucratic expertise in the military positions in the West Indies: customs official in Grenada, adjutant to the 15th Regiment and military secretary to Sir Ralph Abercromby, to his military successors, and finally to the headquarters staff. Back in London for a short time, he was Temporary Assistant Quartermaster-General, an appointment that gave him more experience and introduced him to another aspect of military life. In 1804, Darling returned to take command of his regiment, the 69th, which was then ordered to India. Unable to complete his posting, Darling was invalided back to England, where he recovered his health. In some ways, this was a lucky move for Darling, since there were plenty of opportunities in London for experienced and talented officers.⁶⁷ In 1806, Darling was appointed Principal Assistant Adjutant-General at the Horse Guards. It was the Adjutant-General's Department, under the Duke of York, that largely assisted in the Duke's reform of army

⁶⁷ Brian H. Fletcher, *Ralph Darling : A Governor Maligned*, Melbourne : Oxford University Press, 1984. p.15.

administration. Darling's duties involved the discipline, arming and clothing of the army, both at home and abroad and, with the increase in numbers in the army from 42,668 men in 1793 at the beginning of the war to 291,867 in 1808, those duties were arduous.⁶⁸ As well, from 1810 until 1817, Darling worked for the recruiting department. After a posting to Mauritius, where he was in charge of the military and acting governor for a couple of years, Darling was sent to New South Wales also in 1824 to reform colonial administration, much as he had done in the Horse Guards and recruiting department. By the time he reached Sydney, he knew what he wanted to do: 'I shall begin and reorganise the whole'.⁶⁹ In 1825 Darling reorganised the Commissariat, which was responsible for the provision and issuing of goods for the troops, convicts and colonists in Sydney and other places. Darling then oversaw a revamping of the entire civil service as well as its growth to accommodate the needs and demands of new free settlers.

Peninsular War veterans also dominated the economic management of both New South Wales and Van Diemen's Land during the 1820s and 1830s in the Commissariat and Audit Office. The Colonial Office favoured service officers to fill administrative posts in various parts of the empire, not only because of their experience in England and abroad, but because they were economical: they could be had for the difference between their half pay and full pay.⁷⁰ Of those who served in the commissariat of the British army during the Peninsular War, there were fifteen men who later came to these two Australian colonies to fill positions. They were: W. Wemyss, A. Moodie, S. Ryrie, G. Boyes, J. Radford, P. Roberts, G. Hull, J. Goodsir, H. Bowerman, W. Fletcher, J. Clements, C. Howard, J. Laidley, W. Hayward and G. Maddox. The appointment of these experienced and competent commissaries reflected

⁶⁸ Ibid. p.16.

⁶⁹ Ibid. p.89.

⁷⁰ C. Horsfell to Goderich 4 January 1833, CO 384/33, quoted in O. MacDonagh, *A Pattern of Government Growth 1800-60*, London, 1961, p. 92. MacDonagh provided the example of a naval lieutenant, but the position applied equally to army officers on half-pay.

the growing needs of the colonies of New South Wales and Van Diemen's Land, and the demand for reliable staff.

In Sydney, Wemyss was senior by rank and experience, followed by Ryrie, Boyes (for a short time) and Clements. As new centres developed outside Sydney, each had its commissary store and staff, and by 1817, commissary stores had been established at Parramatta, Windsor, Liverpool, Newcastle and Bathurst in New South Wales, and at Hobart and Port Dalrymple (Launceston) in Van Diemen's Land.⁷¹ Radford was posted to Parramatta, Howarth to Bathurst, and later Bowerman went to Port Macquarie. In Van Diemen's Land, Moodie, Boyes, Roberts and Fletcher were at Hobart, and Hull at Port Dalrymple.⁷² The majority of these commissaries held the rank of Deputy Assistant Commissary General, equal in rank to a Lieutenant, though Moodie and Lithgow held the rank of Assistant Commissary, equal to a Captain, and Wemyss held the rank of Deputy Commissary General, equal to that of Lieutenant-Colonel.⁷³ When Wemyss retired from office in 1827, the *Sydney Gazette* loudly praised his conduct in the Commissariat.⁷⁴ A number of these men settled in the colonies and became leading members of society: Laidley, Moodie, Boyes, Hull, Fletcher, Cordeaux, Ryrie and Lithgow.

It was on the Iberian Peninsula that these men had learned to be men of business. In fact, it was during the war that the Commissariat was thoroughly re-organised and, consequently, became a fully efficient body, capable of organising the food for the British army, and transporting it to the troops. Wellington, in acknowledgment of their contribution, wrote: 'Much of the success of this army has been owing to its being well supplied with

⁷¹ T.C. Sargent, 'The British Garrison in Australia 1788-1841: The Commissariat,' *Sabretache: the Journal of the Military Historical Society of Australia*, Volume XLI, June 2000. p.19.

⁷² *Ibid.* p.18.

⁷³ *Ibid.* p.17.

⁷⁴ *Sydney Gazette*, 25 May 1827, p.2.

provisions'.⁷⁵ In the words of one Commissary-General, a Commissariat officer needed the skills to purchase, negotiate and transact business 'with persons of every nation and character' and to be able to 'call into action the most varied attainments and powers of mind...'⁷⁶ The vast distances in Spain and Portugal made the movement of troops and supplies very difficult indeed. The northern and southern gateways from Portugal into Spain were the strategic towns of Ciudad Rodrigo and Badajoz, 174 miles apart, and both these fortified towns were intensely fought over between 1810 and 1812. Each man was entitled to a daily ration of one pound each of meat and biscuit (or one and a half pound of bread or rice) and one pint of wine or one-third of a pint of spirits.⁷⁷ The *daily* demands of the entire British army in the Peninsula during 1813 ran to 100,000 lbs. of biscuit, 200,000 lbs. of forage corn (for the horses) and 300 head of cattle (on the hoof).⁷⁸ The Royal Commissariat Corps was the section of the British army charged with organising the provision of food. Wellington drew food from Britain, but also from Ireland, the United States and the southern shores of the Mediterranean.⁷⁹ The British Commissariat played a vital part in winning the war as the British army had reliable lines of supply, with food, munitions and other goods landed in Portuguese ports from English naval vessels and then transported by a vast network of transport systems to inland depots.⁸⁰ In contrast, the French foraged for food as they moved and this proved part of their undoing: in Spain and Portugal the countryside was poor, and food shortages common. In other parts of Europe, however, where farmland and crops were good, the speed of the Napoleonic army was astonishing.

⁷⁵ Glover, *Wellington's Army in the Peninsula, 1808-1814*. p.114.

⁷⁶ Commissary-General Sir Randolph Routh 'Observations on Commissariat Field Service', London 1845, p.67 quoted in G. T. W. B. Boyes, *The Diaries and Letters of G.T.W.B. Boyes*. Volume 1. 1820-1832 P. Chapman (ed.), Melbourne: Oxford University Press, 1985. p.42

⁷⁷ Michael Glover, *The Peninsular War 1807-1814*, Classic Military History, London: Penguin Books, 1974. p.29.

⁷⁸ S.G.P. Ward, *Wellington's Headquarters*, London, 1957, p.82 quoted in *Ibid.* p.29.

⁷⁹ *Ibid.* p.29.

⁸⁰ Judith Keene, 'Surviving the Peninsular War in Australia: Juan De Arrieta,' *Journal of the Royal Australian Historical Society* 85, No. 1,1999. p.37.

The Commissariat was a sub-department of the British Government controlled by the Commissary General in London. Its role in both war and peacetime amounted to the same thing: the supply of stores and provisions. It is true that there is a general perception that Commissariat officials in the British army were fond of making money on the side, and their positions aided them. Recently, though, there has been a revision of this general view with the work of military historian, S.G.P. Ward, on the Peninsula Commissary. While this practice was commonplace in the late eighteenth century, by the 1850s it was non-existent.⁸¹ Old habits died hard though, and Ward points to at least one instance of a senior commissary during the retreat to Corunna boasting 'I have just done a good day's work, I've just put £50 in my pocket'.⁸² On the whole, Ward allows that there were some rogues, and some commissaries who made money on the side, but that most of them were honest men and 'that among their number there were men of great ability, enterprise and business acumen'.⁸³ Boyes was surely one of these men. In his diaries, his anxiety about being on half-pay is evident. He was forced to live cheaply in France, before he was appointed to New South Wales on full pay once more.

Sir Robert Kennedy was the Commissary General under the direction of Wellington during the Peninsular War, and one official who served during the Peninsular campaign in Kennedy's office was Stewart Ryrrie. Another Commissariat officer, William Lithgow, had been in Mauritius with Governor Darling, where he was in charge of the accounts branch of the Commissariat. His career had begun in Heligoland, a small island off the coast of Germany that was seized by the British during the Napoleonic Wars. Soon after his arrival in Sydney in 1824, he introduced a more efficient

⁸¹ S.G.P. Ward, 'The Peninsular Commissary,' *Journal of the Society for Army Historical Research*, 75, 1997. p.234.

⁸² *Ibid.* p.235.

⁸³ *Ibid.* p.239.

system in the commissariat. Both Governors Brisbane and Darling were impressed with Lithgow's capabilities and Darling appointed him to the Board of General Purposes.⁸⁴ On his resignation as Assistant Commissary-General, Lithgow was appointed Auditor-General. Lithgow, after whom the New South Wales town of Lithgow was named, was a man of influence: he ranked just below the Colonial Secretary, the most important civil servant in the colony. In the same way, G.W.T.B. Boyes proved influential in colonial Van Diemen's Land where he was Colonial Auditor from 1826 until 1853, and Colonial Secretary from 1842 to 1843.⁸⁵

Another important element of the colonial bureaucracy in New South Wales was the position of Commissioner of Crown Lands, and William Cordeaux, a Peninsular War veteran, was appointed to this position in July 1825. The role of Commissioners of Crown Lands is discussed in more detail in Chapter Six. Cordeaux, who seems to have done very well: was also a Deputy Assistant Commissary General, and continued to hold this position, as well as that of Joint Commissioner for the Survey and Valuation of the Colony, at a salary of £365 per annum.⁸⁶

It was during the Napoleonic wars that British military medicine made major advances. Professor Richard Blanco has argued that it was during this period that British military medicine emerged as a formal body of knowledge.⁸⁷ They learned some valuable lessons: the West Indian campaigns of the 1790s cost Britain the lives of 20,000 soldiers and twice that number who were invalided, and the expedition to Egypt in 1801 where British surgeons were faced with the problem of ophthalmia for the first

⁸⁴ A. Horton, entry for William Lithgow in D. Pike (ed.), *Australian Dictionary of Biography*, Vol. 1, Melbourne, 1966, pp.119-120.

⁸⁵ Boyes, *The Diaries and Letters of G.T.W.B. Boyes*. Volume 1. 1820-1832.

⁸⁶ Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855*. p.124.

⁸⁷ Richard L. Blanco, 'The Development of British Military Medicine, 1793-1814,' *Military Affairs* 38, No. 1 1974.

time.⁸⁸ But the most disastrous expedition in military medicine was the one in 1809 to Holland. Here, the epidemic of Walcheren⁸⁹ fever among the troops incapacitated nearly half the entire force of 40,000 troops. It had repercussions too, because the debilitated troops who were later sent to fight in Spain were the first to succumb to disease during the rigorous campaigns of the Peninsular War.⁹⁰ During the Peninsular War, Wellington, more than any other British general of the era, grasped not only the importance but also the strategic implications of having healthy troops in his army.⁹¹ Thus, as a result of the British army's global campaigning, the Medical Department of the British army was efficient and up to date, and there was seldom a shortage of surgeons or medicine in the later campaigns in the Peninsula.⁹² But, of course, after the end of the war, there was much less call for the services of these surgeons. Those medicos who came to New South Wales were among the most influential of men, and played an important part in the establishment of a medical culture. They were Dr Andrew Gibson, Dr Henry Grattan Douglass and Dr James Mitchell. Each arrived in the 1820s, at about the same time as other Peninsular War veterans, although Dr. Mitchell, as assistant surgeon of the 48th Regiment, had visited Sydney twice, in 1817 and again in 1820, before his final arrival in 1821. Dr Douglass arrived in 1821 also, and Dr Gibson in 1826. As Proust points out, these ex-army doctors who had prosperous private practices in what was the nerve centre of the Australian colonies, Sydney, were in the forefront of the establishment of the New South Wales Medical Board and other important institutions.⁹³

⁸⁸ Ibid. p.7.

⁸⁹ A combination of malaria and varying degrees of typhus, typhoid and dysentery. Robert Feifel, 'What Happened at Walcheren: The Primary Sources', *Bulletin of History of Medicine*, 42, 1968, pp.62-72, quoted in Ibid. p.8.

⁹⁰ Ibid. p.8.

⁹¹ Ibid. p.9.

⁹² Ibid. p.9.

⁹³ A.J. Proust, (ed.), *A Social and Cultural History of Medicine in New South Wales: The Southern Tablelands and Cooma Monaro*, Canberra: 1999. p.289.

Dr Andrew Gibson first studied medicine at the University of Glasgow, then joined the British army during the Peninsular War. The fact that he returned to his medical studies in London from 1818 to 1819, would seem to indicate that his medical training had been incomplete when he joined the army.⁹⁴ However, when he was appointed an assistant surgeon at the Military Hospital in Sydney 1826, Gibson displayed extraordinary skill by successfully ligating an aneurysm of the femoral artery in the right leg of Captain Archibald Innes, of the 3rd Regiment in 1827. Proust concluded, in error, that Innes died 43 days later as a result of the operation.⁹⁵ Innes survived to lead the eventful career discussed in Chapter Two. Although Dr Gibson had great skill, Dr Douglass and Dr Mitchell were better qualified.

Dr Henry Douglass, born in Ireland, was first apprenticed as a surgeon in the British army in 1809 and, in 1811, was appointed assistant surgeon in 18th Regiment. In this regiment, he saw service in the Peninsula and in the West Indies. After retiring on half-pay, he obtained his membership of the Royal College of Surgeons in England in 1815 and, a few years later, was admitted as a licentiate of the King's and Queen's College of Physicians of Ireland. Soon after, he obtained his degree of doctor of medicine from Trinity College, Dublin.⁹⁶ As pointed out in Chapter Four, Douglass was almost certainly sent to New South Wales by 'the Saints', and arrived highly recommended. He was immediately appointed by Governor Macquarie to be in charge of the hospital and Female Factory at Parramatta, and he also had a substantial private practice.⁹⁷ Unfortunately, Douglass was involved in the maelstrom of colonial politics and fell foul of Governor Darling, with the result that Douglass was forced to leave the colony for England. After he left, his grant

⁹⁴ Ibid. p.35.

⁹⁵ Ibid. p.44.

⁹⁶ N.J.B. Plomley, 'Some Notes of the Life of Doctor Henry Gratton Douglass,' *The Medical Journal of Australia*, 22, 1961. p.802.

⁹⁷ K. Noad, entry for Dr H.G. Douglass in D. Pike, (ed.), *Australian Dictionary of Biography*, Volume 1, Melbourne : 1966. pp.314-316

of land of 2,000 acres on the Shoalhaven River near Nerriga (between Braidwood and Nowra) was taken away from him and given to Colonel Mackenzie, another Peninsular War veteran. Douglass spent the next twenty years practising medicine, with some distinction, in France, and returned to Sydney in 1848 as surgeon-superintendent on an emigrant ship, the *Earl Grey*. His experiences on this voyage are discussed in Chapter Four. Douglass' contribution to the practice of medicine in New South Wales is certainly more evident during the latter period of his life, on his return from France. He was appointed honorary physician at the Sydney Infirmary, a position he held for eight years and was elected a member of the Medical Board of New South Wales. His other great medical and philanthropic interests were the Benevolent Society, where he was honorary medical officer for some years, and the Society for the Relief of Destitute Children.⁹⁸

Likewise, Dr James Mitchell had very good medical qualifications. He joined the Army Medical Corps in 1810 and, in 1813, qualified as a licentiate of the Royal College of Surgeons at Edinburgh. He saw service in the Peninsular War, as well as America and the Netherlands, and, during the battle of Waterloo, was stationed at the British military hospital in Brussels.⁹⁹ He remained in the army as a military surgeon after 1815 and, in 1817, made the first of his three voyages to New South Wales as assistant surgeon to the 48th Regiment.¹⁰⁰ For the next few years he remained with the 48th Regiment and must have, at this stage, decided to settle in New South Wales as, in 1823 he went onto half-pay with the Army, and transferred to the Colonial Medical Department as an assistant surgeon. While Mitchell always claimed he was Superintendent of the General Hospital in Sydney from 1825 to 1837, he was not officially appointed surgeon until 1 January, 1829. Nonetheless, the

⁹⁸ K. Macarthur Brown, 'Doctor Douglass and Medical Sociology,' *The Medical Journal of Australia* No. 21, 1943. p.462.

⁹⁹ E. Guilford, entry for Dr James Mitchell in D. Pike, (ed.), *Australian Dictionary of Biography*. Volume 2, Melbourne : 1967. pp.235-238.

¹⁰⁰ Sargent, *The Colonial Garrison 1817-1824*. p.166.

knowledge of medicine he acquired during the Peninsular War and his other military postings served him very well for his position at the General Hospital, as well as for his substantial private practice, run from his house in Cumberland Place. As well, Mitchell was for many years President of the Medical Board of New South Wales.¹⁰¹ Reminiscent of Dr Douglass' life, Mitchell also fell foul of colonial politics. Mitchell was suspended from the Colonial Medical Department in 1837 after a long dispute with Dr Thompson, in charge of the Colonial Medical Department, for refusing to attend a flogging. Mitchell spent the next few years attempting to clear his name until, finally, in 1841, Governor Gipps recommended that Mitchell be reinstated for one day and then allowed to resign, an action later approved by the Colonial Office.¹⁰² In a comparable way to other Peninsular War veterans, Dr Mitchell obtained grants of land, both in the County of Camden and in the Hunter Valley; but, unlike most others, his business interests did not lie only in the land. Mitchell had many other business ventures: a salt works, a tweed factory, and a very successful smelting works on his Burwood estate. Still single when he made his third landfall in 1821, he married in Sydney in 1833, and his only son was David Scott Mitchell, benefactor of the Mitchell Library in Sydney.¹⁰³

Peninsular War veterans had skills that were vital in the British Empire, and in the Australian colonies. Of particular importance was the need for survey and mapping, and here Thomas Mitchell, William Light and Samuel Perry were at a distinct advantage, having recently acquired experience when no official training was available. Mitchell's successor as Surveyor-General in New South Wales, George Barney, had no surveying experience at all, but

¹⁰¹ Obituary Hon. James Mitchell M.L.C., *Sydney Morning Herald*, 3 February, 1869, p.4.

¹⁰² D.W.A. Baker, entry for T.L. Mitchell in Pike, (ed.), *Australian Dictionary of Biography*. Volume 2, Melbourne : 1967. pp.238-242.

¹⁰³ See Charles Smith, *Dr. James Mitchell*, Newcastle History Monographs : No.1. Newcastle: Newcastle Public Library (in association with the Newcastle and Hunter District Historical Society), 1966.

was, on the other hand, a proficient engineer and builder. Peninsular War veterans were fortunate that the Australian colonies were calling for men with certain skills during the 1820s and 1830s: they were there at the creation of the re-organised civil service under Governor Darling, and were among the few who had the necessary technical, bureaucratic and management skills. Those employed in the Commissariat and the Audit Office in New South Wales and Van Diemen's Land had acquired their business skills in the newly organised Commissariat in Spain and Portugal. The Colonial Office favoured these half-pay officers for colonial appointments, not least because they could be had for less money than civilians. The doctors among their number were among the first in private medical practice, drawing on the skills learnt in the newly modernised Medical Department of the British army. All of these men highlight the military character of the civil service in the Australian colonies particularly during the 1820s, and show how skills acquired during the exigencies of the Peninsular War were fundamental to the British colonisation of Australia.

CHAPTER SIX

'with all the authority of Eastern despots':
veterans as men of authority

The office of justice of the peace, or magistrate, was well known in England. Originally established in the fourteenth century to keep 'the king's peace', by the nineteenth century it had wide-ranging powers: court duties, supervision of the police, maintaining the roads, bridges and gaols, setting the price of bread, administering the poor laws, and the master and servant laws, and other local government functions.¹ Magistrates were the virtual rulers of the countryside, especially as a magistrate was rarely dismissed from office. Those who occupied the position of magistrate in England were large landowners, appointed because of their local influence and power, and with the leisure to fulfil their duties. However, magistrates in New South Wales did not have the leisure their counterparts in England enjoyed, as they often held military and civil posts simultaneously, as well as establishing livestock on their grants of land. Consequently, the criticisms of the power of the magistracy in New South Wales were many. The *Atlas*, founded by Robert Lowe with the support of the Pastoral Association,² fulminated:

In this colony the Commission of the peace is filled with persons in every respect unfitted to perform the duties of Magistrate. Among the number military officers... In some parts of the interior they rule *with all the authority of Eastern despots* and this they do with impunity, in consequence of the immense obstacles which distance from the metropolis throws in the way of redress.³

E.S. Hall, editor of the *Sydney Monitor* and bête noire of Governor Darling, also complained about the power of magistrates. Magistrates and civil officers 'formed a strong chain of political power', he said. They were wealthy, interested and greedy men

¹ D. J. Neal, *The Rule of Law in a Penal Colony: Law and Power in Early New South Wales*, *Studies in Australian History*, Melbourne: Cambridge University Press, 1991. p.117.

² Geoffrey Dutton, *The Squatters* Melbourne: Penguin Books, 1989. p.10.

³ *The Atlas* 22 March 1845, quoted in J.K. McLaughlin, 'The Magistracy in New South Wales 1788-1850' *Master of Laws*, University of Sydney, 1973. p.412.

who are on terms of friendship with the members of our close Council who are the makers of those laws by which the poor of this Country are now being every day sacrificed to the rich.⁴

Peninsular War veterans were uniquely positioned to take advantage of opportunities because their recently acquired skills and attitudes were relevant to the new British Empire, one that was in the first instance dominated by military structures, especially in New South Wales. This chapter will demonstrate that Peninsular War veterans were a major component of the ruling class in New South Wales and other Australian colonies, were at the heart of colonial political power, and considerably reinforced the military character of colonial administration. Had they remained in Britain, Peninsular War veterans would likely have lapsed back into provincial or urban obscurity, but in the Australian colonies they emerged as community leaders of note with historical significance, as they occupied most of the positions of authority: as Governors, magistrates, in garrison regiments and law courts, as Crown Lands Commissioners, politicians and leading businessmen.

The Duke of Wellington is the supreme example of the transformation of a military hero into a successful political leader. The Peninsular War veterans who came to the Australian colonies, and who became men of power and authority, were Wellington's men, and thought of themselves as such. They were appointed as governors in settler colonies, and governed both New South Wales and the Cape Colony for about twenty-five years. In the Australian colonies, the appointment of magistrates was in the gift of these governors, reflecting an overlap between military and colonial patronage. In the 1820s and 1830s, military men in the Australian colonies were at the peak of their influence and authority both as governors and magistrates, and this in turn encouraged the militarisation of colonial structures, particularly the

⁴ E.S. Hall to Sir George Murray, 2 May 1829, Commonwealth of Australia, *Historical Records of Australia*, Volume XV, Sydney: 1922. pp. 64-5.

magistracy. Governors Darling and Bourke, for instance, pointedly chose military men as magistrates in New South Wales, and Darling chose military men when he combined the roles of commandant of penal stations and magistrate. Other roles of authority, such as naming of geographical features and census taking, will be examined to illustrate how these men acted as transmitters of British colonial power and authority.

* * * *

Naming of geographical locations represents a significant aspect of colonisation and, in the Australian colonies, it was mainly Peninsular War veterans who did the naming, simply because they were the explorers who tamed the bush and gave it European names. Men like Sir Thomas Mitchell and Captain William Light, with Euro-centric naming, expressed the subordination of colonised places to Britain and the British Empire. In commemoration of a battle at Barrosa near Cadiz in the south of Spain in 1811, William Light named the Lynedoch Valley and the Barrosa Range after his friend, Lord Lynedoch and the battle he had won. Both the township of Lyndoch and the Barossa Valley remain in South Australia, with slightly corrupted versions of the original names.⁵ William Light and Thomas Mitchell had the task of preparing the land for colonisation; with maps and names, the land could be located by others, and settled. Even at the time, there was criticism of this type of naming. *Blackwood's Magazine*, in a review of the publication of Mitchell's second and third expedition journals, found fault:

A discoverer may certainly be granted some allowance in distributing his new-found realm among his friends; but we wish that the custom were altogether laid aside of giving the names of insignificant officials, however high their stations, and in some instances, of officials equally insignificant in station and person. We do not make the remark especially with reference to this able man, but to all; and the future masters of these great provinces of British discovery will have to reform their maps, or to bear

⁵ T.C. Sargent, 'Barrosa,' *Sabretache: the Journal of the Military Historical Society of Australia* Volume XXIII, No.4, 1982. p.3.

the stigma of offering their countries to be burdened with the names of individuals wholly trifling in their own generation, and forgotten by every other.⁶

Sir Thomas Mitchell was one of Wellington's exploring officers during the Peninsular War, and his later naming of geographical features in the Australian colonies is a roll call of influential friends, patrons and Peninsular War colleagues, as well as a commemoration of Wellington's campaign in the Peninsula. On 22 July 1836 Mitchell named Mt. Arapiles in Victoria: 'I ascended this hill on the anniversary of the battle of Salamanca, and hence the name'.⁷ Mt. Arapiles was named after the Arapiles, two stony features on the battlefield of Salamanca; although Mt. Arapiles rises 700 feet, whereas the Greater and Lesser Arapiles rise only 150 feet above the Salamanca plain.⁸ From there, Mitchell peppered the landscape with the names of those who had fought in the Peninsular War. The Stokes River was named after Lieutenant James Marshall Stokes of the 95th Regiment (Mitchell's regiment) who was killed in the storming of Badajoz in April 1812.⁹ On 18 August 1836 Mitchell named a hill Fort O'Hare in memory of his commanding officer, who also fell at Badajoz while leading the forlorn hope.¹⁰ From Fort O'Hare, Mitchell's party crossed a river, which he named the Crawford. This was a mis-spelling of the name of Major General Robert Crauford, Commander of the Light Division until his death at the siege of Ciudad Rodrigo in 1812. Near the Stokes River lie a range of hills that Mitchell named the Rifle Range, after his own Regiment, the 95th Foot or Rifle Brigade.¹¹ On the southwest end of the Rifle Range, Mitchell called a hill Mount Kincaid after his 'old and esteemed friend of peninsular recollection'.¹² John Kincaid was the author of *Adventures in the Rifle Brigade* and *Random Shots of a Rifleman*, both valuable

⁶ *Blackwood's Magazine*, January 1839, p. 127.

⁷ T.L. Mitchell, *Three Expeditions into the Interior of Eastern Australia*, London: 1839. Volume II, p.179 quoted in T.C. Sargent, *Some Peninsular Names in Australia Felix*, Melbourne: The Military Historical Society of Australia, 1968. p.4.

⁸ Sargent, *Some Peninsular Names in Australia Felix* .p.5.

⁹ *Ibid.*p.5.

¹⁰ The first group of a storming party; the odds are against them.

¹¹ Sargent, *Some Peninsular Names in Australia Felix*.p.8.

¹² *Ibid.*p.9.

accounts of the life of an officer of the 95th Regiment. On 28 August 1836, Mitchell found a river, which he named the Fitzroy. Sargent notes that it is believed, though not definitely proven, that this river was named for Lord Fitzroy Somerset, who served as Wellington's Military secretary throughout most of the Peninsular War, and who married Wellington's niece.¹³ Mount Napier, also named on 28 August, was named for either the whole Napier family or one of its famous members. Rather than other better-known members of the Napier family, such as Sir George Napier (later Governor of the Cape), Sargent has proposed that Mount Napier was named after a brother, William Napier. William Napier was the historian of the Peninsular War and the first volumes of that history were in the hands of most veterans from 1828 onwards.¹⁴ Other features are Mount Surgeon, Mount Pierrepont, Mount Bainbrigge and Mount Stavely, named after two Staff Corps officers and two officers of the Quartermaster General's Department in Portugal and Spain, all of whom were engaged on reconnaissance, mapping and sketching of routes and battlefields.¹⁵ There are others; but a final example is Mount Cole, named by Mitchell on 22 September 1836 after Lieutenant-General Sir Galbraith Lowry Cole,¹⁶ commander of the 4th Division at the battle of the Pyrenees in 1813, for which Mitchell was awarded the Military General Service Medal bar, proof of his participation.¹⁷

Just as naming was crucial to the British settlement of the Australian colonies, so was census taking. As part of their administrative duties, magistrates were also census takers, thus Peninsular War veterans were some of the key figures involved in the colonisation process. Census taking was part of the British government's creation of a technique of social control, and classification, in the Australian colonies. Australians in the nineteenth

¹³ *Ibid.* p.11.

¹⁴ *Ibid.* p.16.

¹⁵ *Ibid.* p.18.

¹⁶ At one time engaged to Kitty Pakenham, who later became Wellington's wife, and later Governor of the Cape.

¹⁷ *Ibid.* p.28.

century were among the most counted people in the world: before 1911, a total of fifty-five censuses had been held by the six colonies.¹⁸ The first census in New South Wales, taken in 1828, created categories unknown in Britain: CF, came free; BC, born in the colony; FS, free by servitude; GS, government servant; and TL, ticket of leave. And, of course, it was only Europeans who were counted, not Aborigines. As Rob Watts has noted in an article on the Port Phillip census, 'colonial censuses did not count people, rather they first constituted and then counted certain *categories* of people'.¹⁹ Similar work on the census in British India has shown that the Indian census was not just used for data gathering, but new categories of identity were also created.²⁰ The British government used census taking as an instrument in the colonisation process by not counting aborigines as residents, and by measuring the spread of white settlement on land now identified by European names and classified into counties. Thus, it can be seen that the colonial census worked in tandem with the process of surveying and mapping that was discussed in Chapter Five. As John Weaver has pointed out, the purpose of census collecting was social control and revenue collection.²¹ Among the instructions issued to magistrates was this one:

You will report the names of all parties who may occupy lands without a license, representing according to the Best Information to be obtained of the situation in life, habits, and Characters of those persons and those with them..²²

After 1815, many Peninsular War veterans were appointed as governor in settler colonies, and this position was often combined with that of

¹⁸ J. Camm, *The Early Nineteenth Century Colonial Censuses of Australia*, Historical Statistics Monograph No. 8, Bundoora, 1988, p.1.

¹⁹ Rob Watts, 'Making Numbers Count: The Birth of the Census and Racial Government in Victoria, 1835-1840,' *Australian Historical Studies*, No. 121, 2003. p.38.

²⁰ Arjun Appadurai, 'Number in the Colonial Imagination,' in *Orientalism and the Postcolonial Predicament: Perspectives on South Asia*, Carol Breckenbridge and Peter Van de Veer (eds.) Philadelphia USA: 1993. p.316.

²¹ John C. Weaver, 'Beyond the Fatal Shore: Pastoral Squatting and the Occupation of Australia, 1826 to 1852,' *The American Historical Review*, No. 4, 1996. p.996.

²² Foster Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870) : Transcribed from His Holograph Manuscript Given by Descendants to the State Library Melbourne 1962*, P.L.Brown (ed.), Geelong, Victoria, 1986. p.240.

commander-in-chief of the colony's military, thus military responsibilities and civil administration were one and the same.²³ For this reason, there were fewer naval governors than military. There was a line of Peninsular War veterans who were successive governors of both New South Wales and the Cape Colony, as there was in other locations. Sir John Colborne, was Lieutenant-Governor Upper Canada from 1828 until 1836, later Governor-General of Canada. Prior to his appointment in Canada, Colborne (Baron Seaton), of whom it was said that he was 'a little like the Duke of Wellington in face'²⁴ had been Lieutenant-Governor of Guernsey from 1821 until 1828. After Canada, Colborne was appointed Governor of the Ionian Islands from 1843 until 1849, and then Commander of the Forces in Ireland from 1855 until 1863.²⁵ And in India, following the 1st Afghan war and approaching hostilities in the Punjab, Henry Hardinge (who commanded a Portuguese brigade in the Peninsula) was Governor-General from 1844 until 1847.²⁶ Previous to Hardinge, Lord William Bentinck (who commanded a brigade at Corunna in Spain) had been appointed Governor-General in 1833.

Mark Francis argues that the thirty years from 1820 to 1850 were the decisive years for British governors in settler colonies: before then, the populations were too small to pose a challenge to the authority of governors and, after 1850, self-government became the norm and the power of governors was diminished.²⁷ This thirty-year period neatly coincided with a search for appointments, colonial or other, by many of the commanding officers of the Peninsular War. The fact that so many governors were veterans of the Peninsular War has evaded many historians. Francis claimed many colonial governors were not from a military background, citing as his source the work

²³ Hew Strachan, *The Politics of the British Army*, New York: Clarendon Press, 1997. p.76.

²⁴ Diary of Jane Ellice quoted in Mark Francis, *Governors and Settlers : Images of Authority in the British Colonies, 1820-60*, Cambridge Commonwealth Series. Basingstoke: Macmillan, 1992. p.113.

²⁵ Ibid. p.260.

²⁶ Michael Glover, *The Peninsular War 1807-1814, Classic Military History* London: Penguin Books, 1974.p.342, p.348.

²⁷ Francis, *Governors and Settlers : Images of Authority in the British Colonies, 1820-60*. p.1.

John Cell did on colonial governors for this period.²⁸ Yet if one examines the governors in the various colonies with an eye to their background, the opposite is true.

Laidlaw stressed this point in her recent doctoral thesis and documented the governors in the various colonies who were Peninsular War veterans, though she omits Brisbane in New South Wales.²⁹ As a brigadier-general, Brisbane was involved in the latter battles of the Peninsular war, from Vittoria to Toulouse, and then commanded a division in the army of occupation in France. Nonetheless, Laidlaw recorded the governors of other colonies: Sir Colin Campbell (Tobago, Nova Scotia, Ceylon), Sir James Lyon (Windward Islands), Sir James Smyth (Bahamas, British Guinea), Sir Alexander Woodford (Malta, Corfu, Gibraltar), Sir William Nicolay (Dominica, St. Kitts, Nevis and Antigua, Mauritius), Sir William Gomm (Jamaica, Mauritius, India), Sir Howard Douglas (New Brunswick, Ionian Islands), Sir James Kempt (Nova Scotia, Lower Canada), Sir John Keane (Jamaica, Bombay) and Sir Frederick Adam (Malta, Ionian Islands, Madras).³⁰ All these men were Peninsular War veterans. There were, of course, governors who were not military men, and their backgrounds were variously: Poor Law Commissioners, Oxford dons, explorers, magistrates and Members of Parliament.³¹

Others of note who were Peninsular War veterans and governors in various parts of the British Empire were: George Ramsay, (ninth Earl of Dalhousie) who was Lieutenant-Governor of Nova Scotia from 1816 until 1820, and Governor-General of Canada from 1820 until 1828.³² Similarly, John Sherbrooke was Governor of Nova Scotia from 1811 to 1816 and Governor-

²⁸ Francis, *Governors and Settlers : Images of Authority in the British Colonies, 1820-60*, p.2.

²⁹ Zoe Laidlaw, 'Networks, Patronage and Information in Colonial Governance: Britain, New South Wales and the Cape Colony, 1826-1843', Doctor of Philosophy, Oxford, 2001. p.57.

³⁰ Ibid.p.57.

³¹ Francis, *Governors and Settlers : Images of Authority in the British Colonies, 1820-60*. p.2.

³² Francis, *Governors and Settlers : Images of Authority in the British Colonies, 1820-60*. p.262.

General of Canada from 1816 until 1818.³³ Matthew Whitworth-Aylmer, (fifth Baron Aylmer) was Governor of Canada from 1831 to 1835.³⁴ The ability with which these men were able to move between colonies says much for their administrative abilities, and their ability to wield authority.

The Cape Colony had a succession of Peninsular War veterans as Governors, beginning with Sir Richard Bourke's arrival in 1826, and concluding with Sir Harry Smith's departure in 1852, a period of twenty-six years. Between Bourke and Smith at the Cape, there was Sir Galbraith Lowry Cole from 1828 to 1833 (Wellington said that 'Cole gives the best dinners going'),³⁵ Sir Benjamin D'Urban (who gave his name to Durban) from 1834 to 1838, Sir George Napier from 1838 to 1844 and Sir Peregrine Maitland from 1844 to 1847. Cole was also Governor of Mauritius from 1823 to 1828, where Sir Ralph Darling had been Acting Governor before his appointment to New South Wales. In Ireland, Lord Henry Paget was Lord Lieutenant from 1828 until 1829, and again from 1830 until 1833.³⁶

Likewise, in New South Wales, there was a succession of Governors and Lieutenant Governors who were Peninsular War veterans: Brisbane, Stewart, Darling, Lindsay, Bourke, Snodgrass and Gipps. The era of Peninsular War veterans as Governors began with Sir Thomas Brisbane, who arrived in Sydney in November 1821, and who was appointed to the position on Wellington's advice.³⁷ Sir George Gipps, who departed in July 1846, was the last. Thus Peninsular War veterans governed New South Wales for twenty-five years. The situation was similar in some of the other Australian colonies. In the Swan River colony, the evangelical Frederick Irwin, as senior

³³ Glover, *The Peninsular War 1807-1814*. p.354.

³⁴ Francis, *Governors and Settlers : Images of Authority in the British Colonies, 1820-60*. pp.260-263.

³⁵ Glover, *The Peninsular War 1807-1814*. p.345.

³⁶ *Ibid.* p.352.

³⁷ J.D. Heydon, entry for Sir Thomas Brisbane in D. Pike (ed.), *Australian Dictionary of Biography*, Volume 1, 1966, p.151.

military officer in the Swan River settlement, was twice acting governor: from September 1832 to September 1833, and from the death of Governor Clark in February 1847 until the new Governor, Captain FitzGerald, arrived in August 1848.³⁸ In South Australia, Lieutenant-Colonel George Gawler, who had been in the Peninsular War and at Waterloo, was Governor from 1838 to 1841. Gawler's successor was Sir George Grey, the son of a Peninsular War hero who had been killed at Badajoz. As already noted, some Governors moved between colonies: Sir Richard Bourke was Lieutenant Governor of the Eastern District of the Cape of Good Hope from 1826 until 1828, and Governor of New South Wales from 1831 until 1837.

Government House in any British colony was the embodiment of the authority of the governor. By 1837, New South Wales was so prosperous that the British government was prepared to put up £25,000 for a new government house. A London architect was commissioned, and visitors to the new Government House were left in no doubt 'that this was a community in which British sovereignty, and all it stood for, must be taken very seriously'.³⁹ The architecture of the building gave the same message, with tower, battlements, parapets and turrets. On approach to the house, a great archway topped by the royal coat of arms confronted visitors. Once inside the building, visitors found a great central hall, to the left of which was the waiting room, one of five rooms devoted to business. Two other offices were provided for the aide-de-camp and the governor's private secretary, the latter being responsible for bringing gentlemen into the presence of the governor.⁴⁰

³⁸ D. Mossenson, entry for Frederick Chidley Irwin in D. Pike, (ed.), *Australian Dictionary of Biography*, Vol. 2 Melbourne: 1967. p.5.

³⁹ Alan Atkinson and Marian Aveling, *Australians 1838*, Sydney: Fairfax Syme & Weldon, 1987. p.325.

⁴⁰ *Ibid.* p.325.

Next to the governor, the most powerful position in the colony of New South Wales was that of magistrate. There were two sorts of magistrates: honorary magistrates, drawn from the ranks of substantial landholders in their respective districts, and salaried or stipendiary magistrates, usually referred to as police magistrates. In New South Wales magistrates were given the same powers as those in England and, in addition, they had duties in the administration of the convict system: assignment to private masters, the granting of tickets-of-leave, and discipline. In fact, Neal suggests that the whole burden of administering New South Wales and the convict system fell entirely on magistrates.⁴¹ Their duties were a mix of law, politics and administration. In the 1820s and 1830s, most of the vacancies for magistrates went to military men, and in particular to those who had fought in the Peninsular War. This of course was the period when Peninsular War veterans were thick on the ground, ever on the look out for a well paid civil position, and it was Peninsular War veterans who did the appointing.

During the 1820s and 1830s, Governors Darling and Bourke appointed many military men as magistrates, a fact often commented on. Mr. Justice Therry observed:

General Darling and Sir R. Bourke had opportunities of making very good selections from the many experienced military officers who were scattered in detachments over the colony. These advantages subsequent Governors did not possess.⁴²

The military officers appointed by both Darling and Bourke were of course mostly Peninsular War veterans, and this comment of Therry's shows that they were considered good magistrates. One appointment of Darling's was that of Samuel North, a fellow Peninsular War veteran and serving army officer, as police magistrate for Maitland. North had originally been appointed to a position in the Customs department, but the Colonial Office

⁴¹ Neale, *The Rule of Law in a Penal Colony*. p.122.

⁴² Minutes of Evidence taken before the Select Committee on the State of the Magistracy 1858, J.M. Bennett and A.C. Castles, (eds.) *A Source Book of Australian Legal History: Source Materials from the Eighteenth to the Twentieth Centuries*, Sydney, 1979. p.99.

revoked the appointment.⁴³ Thus, North's appointment to the police magistracy was seen as a consolation prize, and an instance of patronage. As the governor held the sole power of appointment and dismissal to the magistracy, it was sometimes used as patronage. Not surprisingly, there was much press speculation about who would be appointed or who would be dropped, because with prestige came power.⁴⁴

Peninsular War veterans may have been good magistrates, but not everyone agreed with Therry, and James Mudie⁴⁵ was one. He complained that in 1837 there were more than 60 police magistrates in New South Wales who were nearly all, 'and most improperly so', officers of garrison regiments. He continued:

Worse than all: as they are appointed by the governor, and their magisterial posts are, to most military men, of great pecuniary importance, of which the governor can at pleasure deprive them without his being even expected than he should assign a reason, they are of course the paid and ready instruments and tools of any system which for the time being may have the ascendancy at government house....they receive, as military men, their cue from the head of the government and commander of the forces...⁴⁶

Mudie also made the point that military men were often birds of passage, on their way to their next posting in India: no sooner did they acquire some knowledge of the intricacies of the convict system, than they were replaced.

In New South Wales, the peculiar nature of a penal colony presented problems for magistrates. According to the Legislative Council's report in 1828, the magistrates had great difficulty in distinguishing between convict and free and in determining punishment accordingly:

The magistrates were here placed in circumstances of much risk and hardship to which no parallel existed in England, because of the great multitudes of crimes and

⁴³ Atkinson and Aveling, *Australia 1838*. p.44.

⁴⁴ D.J. Neal, *The Rule of Law in a Penal Colony*. p.119.

⁴⁵ Mudie had a particular grievance against Governor Bourke, as he had limited the power of magistrates to deal with convicts.

⁴⁶ James Mudie, *The Felony of New South Wales : Being a Faithful Picture of the Real Romance of Life in Botany Bay, with Anecdotes of Botany Bay Society and a Plan of Sydney*, W. Stone (ed.), 1964. Originally published 1837. p.127.

misdemeanours brought under their cognizance through the vicious character of the population. Their summary jurisdiction being applicable to one part of the community and to none besides became in its administration a subject of much perplexity. In discriminating between the persons who were amenable to that jurisdiction and those who were within the ordinary jurisdiction of the law, the most careful and experienced judgment was liable to err. Cut off from the possibility of mutual consultation in consequence of the thinly peopled state of the country, few of them enjoyed the advantage of being able to rectify their own first impressions by reference to the opinions of others.⁴⁷

The Rev. Samuel Marsden described the position and authority of magistrates as sacred.⁴⁸ Magistrates, then, were men with sacrosanct political power and authority. The case of Frederick Roper,⁴⁹ assistant police magistrate at Brighton, some twenty-five kilometres northwest of Hobart Town, is illustrative of the extent of power and authority right down to the local level. One winter evening in 1837, Roper had arranged a meeting at Mrs. Burnip's public house, where he proceeded to get well and truly drunk. Roper attempted, unsuccessfully, to chase the publican's young daughter, and then took revenge on Mrs. Burnip and harassed her for a year. In the end, she had to leave the district to escape him, so strong were the tentacles of his power.⁵⁰ Roper was eventually dismissed. The dismissal of a police magistrate, as he received a salary, was somewhat easier than the dismissal of an honorary magistrate, but not a course often taken. Major Benjamin Sullivan, Peninsular War veteran and brother-in-law of Snodgrass, was the police magistrate at Butterwick in the lower Hunter River in New South Wales. Sullivan handed down excessively severe, and sometimes illegal, sentences on convicts, yet Governor Gipps did not dismiss him, though he was the subject of many complaints, but instead gave him a severe reprimand.⁵¹

⁴⁷ C.H. Currey, *Chapters on the Legal History of New South Wales*, PhD thesis, University of Sydney 1929, quoted in Paula Byrne, *Criminal Law and Colonial Subject: New South Wales, 1810-1830, Studies in Australian History*. Cambridge: University Press, 1993. p.170.

⁴⁸ Marsden to Macquarie, 9 April 1814, A. Yarwood, *Samuel Marsden: The Great Survivor*, Melbourne, University Press, 1977, p.158.

⁴⁹ not a Peninsular War veteran.

⁵⁰ Atkinson and Aveling, *Australians 1838*. p.389.

⁵¹ *Ibid.* p.389.

Of the Peninsular War veterans listed in Appendix One, the following were honorary magistrates. In New South Wales there were: Collet Barker, Peter Bishop, James Butler, Edward Close, William Cordeaux, James Crummer, George D'Arcy, H.G. Douglass, George Druitt, William Dumaresq, W.S. Elrington, John Fitzgerald, Archibald Innes, William Lithgow, Lachlan Macalister, J.T. Morissett, Thomas Mitchell, Samuel Perry, Kenneth Snodgrass, Robert Wauch, William Wemyss and Samuel Wright. In Van Diemen's Land there were G.T.W.B. Boyes, Thomas Bell, Charles Cameron and Thomas Walker, and in the Swan River settlement, John Morgan and Richard Meares.

To be a Justice of the Peace was considered a decisive test of belonging to the rank of a gentleman;⁵² it acknowledged respectability. Hence, many aspired to this high office, and were proud of their appointments; one such man was Major James Crummer. When he listed his military service, he also noted his appointment as a Justice of the Peace. He wrote that his military service began in 1807 and continued until 1827, and also: 'Arrived in this colony [New South Wales] in October 1835 and held the Commission of Peace from 1st November 1835 to the present period, 1856'.⁵³ Crummer's descendants maintain that he was a Justice of the Peace in Ireland in the early 1830s,⁵⁴ but there is no mention of this in Crummer's papers. Most Peninsular War veterans in New South Wales (excepting perhaps Crummer and William Dumaresq) would not have had any claim to this office in the United Kingdom, but in New South Wales, their appointment to the office was recognition of their status as both landholders and military officers. At the local level, magistrates were the symbolic representation of law and

⁵² Minutes of Evidence taken before the Select Committee on the State of the Magistracy 1858, Bennett and Castles, *A Source Book of Australian Legal History*. p.99

⁵³ Crummer Family Papers, Mitchell Library, Sydney. MSS 821

⁵⁴ Email Robert Crummer to Christine Wright 20 January, 2004.

authority, and thus were very touchy about any questioning of their authority. When Governor Gipps had occasion to rebuke John Coghill, a magistrate on the Braidwood bench in New South Wales, on a convict matter what wounded Coghill most was that the 'bare assertion of a convict' took precedence over his character 'as a magistrate of old standing in this colony'.⁵⁵

The office of magistrate was different in the Swan River colony and in Port Phillip. By the time Port Phillip was settled, there was more debate about the magistracy: should it be an honorary office staffed by gentlemen, or a salaried office of the government? Darren Palmer has argued that, in the Port Phillip district, stipendiary magistrates, rather than honorary magistrates, played a more important part in the exercise of power and authority.⁵⁶ It appears that this was the situation in the Swan River colony also. There, Captain John Molloy, formerly of the 95th Regiment, was the salaried magistrate at Augusta in 1830 when supplies of food at the settlement ran low. Molloy ordered the settlers on to half rations of bread. He lamented: 'I have been placed in circumstances which my former life supplies no example to guide me'.⁵⁷ Also in the Swan River colony at York, Richard Meares, besides being resident magistrate, was also registrar, statistician, collector of land fees and dog taxes, organiser of road repairs and bridge building.⁵⁸

In New South Wales during the 1820s and the 1830s, there were difficulties in getting honorary magistrates to attend to their numerous duties, and this led

⁵⁵ John Coghill to Governor Gipps 1839, Coghill Papers, Mitchell Library, Item 78 quoted in Christine Wright, 'Rogues and Fools: John Coghill and the Convict System in New South Wales', Bachelor of Arts (Honours), Australian National University, 1998. p.51.

⁵⁶ Darren Palmer, 'Magistrates, Police and Power in Port Phillip,' in *A Nation of Rogues? Crime, Law and Punishment in Colonial Australia*, David Philips and Susanne Davies (eds.) Melbourne: Melbourne University Press, 1994. p.74.

⁵⁷ Resident Magistrate WAA307 quoted in Alexandra Hasluck, *Georgiana Molloy: Portrait with Background*, Fremantle, W.A.: Fremantle Arts Centre Press, 2002. p.104.

⁵⁸ J.E. Deacon, entry for Richard Goldsmith Meares in D. Pike, (ed), *Australian Dictionary of Biography*. Volume, 2, Melbourne, 1967. p.219.

to the creation of the post of stipendiary magistrate. The numbers of police magistrates were never great: in 1834, only 29 out of 238 magistrates in New South Wales were salaried.⁵⁹ Police magistrates in country areas, though not numerous, may have enjoyed greater public esteem than did the unpaid country magistrates. James Crummer, on his retirement as police magistrate at Newcastle, was presented with a portrait of Mrs. Crummer and, on leaving Maitland, received a purse of £163.⁶⁰ The appointment of stipendiary, or police magistrates as they were known, also allowed for more control by government. For example, William Lonsdale's instructions on his appointment as first police magistrate for the Port Phillip district included the following passage:

I am, however, to desire that on the last day of every month you prepare a Report, in which you are to narrate every important transaction occurring in that month, with which you may think it is advisable this Government should be made acquainted. This Report is to be marked *confidential* and addressed to the Governor himself.⁶¹

Lonsdale was to be the eyes and ears of the Governor in the Port Phillip district, remote from Sydney. Lonsdale was not a Peninsular War veteran – he entered the British army in 1819 - but was part of the same cohort.

As well as honorary and salaried magistrates, serving army officers were employed in the dual roles of commandant of a penal settlement, and as a magistrate. By deploying serving army officers in this way, Governor Darling was accused of trying to militarise the magistracy.⁶² Major James Morriset was appointed both commandant of the penal settlement at Newcastle, and a magistrate for the Newcastle area.⁶³ Major James Crummer, still serving as a member of the 28th Regiment, the garrison

⁵⁹ Neal, *The Rule of Law in a Penal Colony*. p.125.

⁶⁰ Letter from J.H. Crummer Newcastle 28 April 1849, and testimonial from citizens of Maitland in Crummer Family Papers, Mitchell Library, Sydney.

⁶¹ William Hunter to William Lonsdale, 12 September 1836, in M.Cannon and Victoria Public Record Office, *Historical Records of Victoria. Foundation Series* Melbourne: Victorian Government Printing Office, Volume 1, *Beginning of Permanent Government*, p.46.

⁶² H. Golder and I. Pike, *High and Responsible Office: A History of the New south Wales Magistracy*, Melbourne : Oxford University Press, 1991. p.45.

⁶³ J.W. Turner, (ed.), *Newcastle as a Convict Settlement: The Evidence before J.T. Bigge in 1819-1821* Newcastle: The Council of the City of Newcastle, 1973. p.49.

regiment in New South Wales from 1835 until 1842, was appointed assistant police magistrate at Newcastle, and Commander of the Iron Gang at the same place. Within the same year, he was removed from Newcastle to take charge of the Iron Gangs in Sydney, and to fulfil the duty of Police Magistrate at the Hyde Park Bench. The normal rate of pay for serving officers as magistrate was five shillings per day for special duties, but Crummer's pay was higher – 9/6d. a day 'with a cottage and garden and allowance for forage for one horse'⁶⁴ probably because he had two official positions. William Lonsdale's salary as police magistrate for Port Phillip was £250 while he was on half-pay, but when he sold his commission it was raised to £300.⁶⁵ Another pluralist was Lieutenant James Butler, again a Peninsular War veteran, a magistrate who was stationed in the Illawarra region with soldiers of the 39th Regiment. A letter in the *Australian* complained that Butler was scarcely more than twenty years old, had little experience of colonial conditions and had no knowledge of the law.⁶⁶ The latter statement is doubtless correct, as none of the magistrates had much prior knowledge of the law; but the statement regarding Butler's age is not accurate. Butler's commission in the British army dated from 1807, when he was probably 15, thus in 1829 when he was appointed to the Illawarra,⁶⁷ he was surely a man of 37 or so. The reference to Butler's age brings to mind James Mudie's exaggerated reference to police magistrates as 'mere boys'.⁶⁸ Certainly, some Peninsular War veterans were boys when they joined the army: James Crummer was twelve, and promoted to Lieutenant at fifteen, and Archibald Innes thirteen when granted a commission; but by the time they arrived in the Australian colonies, they were boys no longer.

⁶⁴ Letter James Crummer to Military Secretary's Office, Sydney, 17 December 1835 in Crummer Family Papers. Volume 4. Mitchell Library, Sydney.

⁶⁵ B.R. Penny, entry for W. Lonsdale in D. Pike, (ed.), *Australian Dictionary of Biography*, Volume 2, Melbourne, 1967, p.126.

⁶⁶ Golder and Pike, *High and Responsible Office*. p.45.

⁶⁷ Colonial Secretary's correspondence, SRNSW 4/2025 29/190 quoted in Lorraine Neate, *Alexander Harris: A Mystery No More*, Sydney: 2000. p.54

⁶⁸ Mudie, *The Felony of New South Wales : Being a Faithful Picture of the Real Romance of Life in Botany Bay, with Anecdotes of Botany Bay Society and a Plan of Sydney*. p.126.

Peninsular War veterans who were appointed police, or stipendiary, magistrates in New South Wales were Francis Allman (Illawarra, Goulburn, Campbelltown and Berrima), Archibald Innes (Parramatta and Port Macquarie), James Crummer (Newcastle, Maitland, Port Macquarie and Hyde Park), James Morisset (Bathurst) and Samuel Wright (Newcastle). Captain Samuel Wright remained on full pay whilst police magistrate at Newcastle.⁶⁹ The first two, Allman and Innes, had also been honorary magistrates, but later sought paid employment when their finances were at a low ebb. In Van Diemen's Land there were John Morgan and Charles Schaw; in the Swan River settlement, John Molloy and Richard Meares; at Moreton Bay, George Barney; and in the Port Phillip district, Foster Fyans. In the Swan River area, Richard Meares was appointed a Justice of the Peace in 1839, and then held the salaried position of government resident from 1849 until 1859.⁷⁰ Fyans wrote in his memoirs of the circumstances of his appointment as police magistrate to the Port Phillip district. As his regiment was about to leave for Madras, he sold his commission and made a loss of £500, but he was determined not to go to India. He wrote: 'It is no easy matter for a tolerably old soldier to know what to do with himself after spending so many years in the army, left on his own resources'.⁷¹ Happily, his wait for employment was not long. He received the offer of the position of police magistrate at Geelong at £250 per annum from Governor Richard Bourke, a fellow Irishman. Bourke asked him: 'Are you willing to go to a place almost unknown, where you will have no society, and about 700 miles away from all your friends'?'⁷² Fyans jumped at the offer, and spent the remainder of his days at Geelong.

⁶⁹ Captain Wright in New South Wales,

http://members.trump.net.au/ahvem/Family/Wright/Capt_Wright_in_NSW.html 22 September, 2003.

⁷⁰ J.E. Deacon, entry for Richard Goldsmith Meares in Pike, *Australian Dictionary of Biography*. p.219.

⁷¹ Foster Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870)*. p.195.

⁷² *Ibid.* p.196.

Fyans was also Commissioner for Crown Lands. The Crown Lands Occupation Bill, more commonly known as the 'Squatting Bill' was passed in 1836. Under the terms of this bill, Commissioners (who were also magistrates) were appointed to act as representatives of the Crown in order to retain some control over Crown land. Control of such land had been eroded by squatters, who squatted on Crown land both within, and without, the Limits of Location. Governor Bourke, drawing on his experience at the Cape of Good Hope, sought to protect Crown lands from encroachment. Bourke's biographer, Hazel King, has drawn attention to the similarity between the system introduced into New South Wales, and the one at the Cape. In both places land that was unsurveyed was being occupied, and the annual licence fee in New South Wales was based on a similar scheme at the Cape.⁷³ As well as issuing licences and settling ever-present boundary disputes among the squatters, Crown Lands Commissioners were also the visible representatives of the law. Robert Lowe lampooned the power of these Commissioners:

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

The Commissioner fined me because I forgot
To report 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 cost to defray.⁷⁴

Another function of the Commissioners was to prepare a census and check licences, something of a policing role. Commissioners could also refuse

⁷³ Hazel King, *Richard Bourke*, Melbourne: Oxford University Press, 1971. p.182.

⁷⁴ Random verses from *Songs of the Squatters, The Atlas*, 1845 quoted in Dutton, *The Squatters*. p.10.

licence renewals and this led to squatters describing the Commissioners as judge and jury.

It was these treacherous legal swamps that Foster Fyans attempted to traverse. Fyans recalled that he was forced to accept the appointment of Commissioner in 1839: 'I kicked hard against it,' he wrote.⁷⁵ He was right to resist, as the appointment was a source of frustration:

For almost the first time I had the sad experience to find in my colonial service that I had no friends. I was now entering on a distinct duty to any of my former appointments, with little or nothing to guide me.⁷⁶

Fyans has attracted criticism for his time as Crown Lands Commissioner. Geoffrey Dutton calls him 'the irascible and generally detested Foster Fyans',⁷⁷ and de Serville comments that Fyans was the most unpopular of Crown Lands Commissioners in the Port Phillip district.⁷⁸ But Margaret Kiddle is more even-handed, and elaborates on the difficulties of the job: 'natural boundaries [of the squatting runs] were vague and human nature deceitful.'⁷⁹ Kiddle also notes the military bearing and presence Fyans brought to the role of Crown Lands Commissioner. A.G.L. Shaw, while noting the general criticism of Fyans, believes much of it goes too far. Already 50 when appointed, Fyans himself acknowledged that it was a job for a younger man. The amount of work he undertook would certainly have tested even that younger man: on his first tour in 1840 Fyans visited 41 stations, and on his second tour in 1841 he visited 88,⁸⁰ as well as attempting to resolve boundary disputes along the way. In 1849, the Chief

⁷⁵ Ibid. p.237.

⁷⁶ Ibid. p.237.

⁷⁷ Dutton, *The Squatters*.p.10.

⁷⁸ Paul de Serville, *Port Phillip Gentlemen : And Good Society in Melbourne before the Gold Rushes* Melbourne : Oxford University Press, 1980. p.78.

⁷⁹ Margaret Loch Kiddle, *Men of Yesterday: A Social History of the Western District of Victoria, 1834-1890* , Melbourne: University Press, 1962. p.49.

⁸⁰ Fyans, *Memoirs Recorded at Geelong, Victoria, Australia*. pp.241-242.

Commissioner for Crown Lands was George Barney, another Peninsular War veteran, and he held the position for six years.⁸¹

The power and authority of the Commissioners was absolute, and this was reflected in their appearance. The following description of a Crown Lands Commissioner in the Port Phillip district, given by the squatter Edward Curr, could well be that of Foster Fyans, although he is nameless:

The cortege turned out to be that of the Commissioner of Crown Lands, who led the way on a magnificent chestnut horse, followed by his orderly, a sergeant, three troopers and a man in charge of the cart. The Commissioner's horse was accoutred much in the manner of the charger of a cavalry officer, and his dark green costume, fixed spurs, Hessian boots, blue cap with braided band etc. were decidedly military in their effect....⁸²

Edward Curr also commented on other functions of a Crown Lands Commissioner, other than combined judicial and military ones: he renewed licences for public houses and set the rates for refreshment and fodder at these places, as well as sometimes carrying newspapers to outlying stations. Indeed, as Curr observed, 'they did not eat the bread of idleness'.⁸³

These other roles aside, the main role of the British army was to garrison the Australian colonies. The garrison formed the core of the colonial establishment, and was dominated by Peninsular War veterans. Altogether, there were nine regiments that had served on the Iberian Peninsula and later garrisoned the Australian colonies:

- 48th Foot Northamptonshire Regiment, from 1817 to 1824
- 3rd Foot, The East Kent Regiment (The Buffs), from 1823 to 1827
- 40th Foot Second Somersetshire Regiment, from 1824 to 1828
- 57th Foot West Middlesex Regiment, from 1825 to 1831
- 39th Foot Dorsetshire Regiment, from 1827 to 1832
- 4th Foot Lancaster Regiment (King's Own), from 1832 to 1837

⁸¹ K. Jobst, *A Pioneer Family of Queensland : Lieutenant Colonial George Barney, Captain John Edward Barney, Mrs Elise Barney, 1835-1865*, Brisbane : CopyRight Publishing, 1997. p.32.

⁸² Edward M. Curr, *Recollections of Squatting in Victoria, Then Called the Port Phillip District (from 1841 to 1851)* Melbourne: 1965. pp.66-67.

⁸³ *Ibid.* p.69.

50th West Kent Regiment (Queen's Own), from 1834 to 1841
28th The North Gloucestershire Regiment, from 1835 to 1842
51st Second Yorkshire, West Riding or The King's Own Light Infantry
Regiment, from 1838 to 1846.⁸⁴

Three other British regiments served in the Australian colonies at the same time, but they had not taken part in the Peninsular War: 1st/63rd Foot West Suffolk from 1829 to 1833, 1st/17th Foot Leicestershire from 1830 to 1836 and 1st/80th Foot Staffordshire Volunteers from 1827 to 1836.⁸⁵

The majority of Peninsular War veterans came to the Australian colonies with garrison regiments, then later sold their commissions to obtain the capital necessary to fulfil the requirements for a grant of land, and became settlers. Four Sydney examples are: Lieutenant Edward Close of the 48th Regiment and the 3rd Regiment, who arrived in 1817, married in 1821 and sold out in 1822; Captain William Neilley of the 40th Regiment and 63rd Regiment, who arrived in 1824 with his new wife, sold out in 1834; Lieutenant Val Blomfield of the 48th Regiment, arrived in 1817, married in 1820, sold out in 1824; and Captain Samuel Wright of the 3rd Regiment, who arrived in 1825, sold out in 1827. Both Close and Neilley were eager to remain in New South Wales and exchanged into another regiment, as their regiment was posted to India, always the next posting after New South Wales.⁸⁶ In order to stay, Captain Wright did not exchange, but sold out instead. Others exchanged too, either unfit for service in India, or about to sell out, or, for other ranks, anticipating their discharge. India was an unpopular destination after the healthy climate of New South Wales. There, cholera claimed many British army lives: in 1828, the 3rd Regiment lost 200

⁸⁴ Peninsular War veterans were still serving in garrison regiments until at least 1846. Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications, Canberra, 1996. p.151.

⁸⁵ B. Chapman, and C. Sargent, *Australia's Red Coat Regiments*. Available from: <http://freepages.history.rootsweb.com/%7Egarter1/> [cited 17/9/2003].

⁸⁶ The postings were Home – New South Wales – India – Home.

men and several officers from a total strength of 900.⁸⁷ Similarly, Lieutenant-Colonel James Erskine of the 48th Regiment, in New South Wales from 1817 until 1823, died of cholera in 1825 just four days after arriving in India. The Sydney suburbs of Erskineville and Erskine Park are named after him.

The duties undertaken as part of a garrison regiment varied with rank and location. In the garrison towns of Sydney, Parramatta, Windsor and Hobart, the regimental commander was in charge. One of the commanders – and it was normally the one based in Sydney as he was the chief military officer in the colony – filled the role of Lieutenant Governor in the hiatus between governors. During the period under review, three Peninsular War veterans acted as Lieutenant Governor for a short time: Colonel William Stewart in 1825, Colonel Patrick Lindesay in 1831 and Lieutenant-Colonel Kenneth Snodgrass in 1837. Other duties of a garrison regiment were to act as escorts aboard convict transports on the voyage to New South Wales, and as part of detachments to various outposts. For instance, the officers and other ranks of the 3rd Regiment of Foot, The Buffs, were dispersed almost immediately on arrival in Sydney: Parramatta, Liverpool, Newcastle, Emu Plains, Windsor, Bathurst, Cox's River, Botany Bay Head and South Head, with the largest detachment going to Port Dalrymple in Van Diemen's Land.⁸⁸ By June 1824, there were four companies of the 3rd Regiment in Van Diemen's Land, a total of 230 men. In the north of Van Diemen's Land, there were troops at Launceston, George Town, and Macquarie Harbour. There was also a small party at the South Esk ferry crossing, and from Hobart parties were detached to New Norfolk, Ross and Jericho.⁸⁹ During Lieutenant Wright's command at Macquarie Harbour, fourteen convicts escaped, of whom the most well known was Matthew Brady. Brady and his gang of bushrangers evaded

⁸⁷ C. Sargent, 'The Buffs in Australia - 1822 to 1827,' *Sabretache: the Journal of the Military Historical Society of Australia* XXXXVI, January/March 1995. p.13.

⁸⁸ *Ibid.* p.5.

⁸⁹ T. Lempriere, *The Penal Settlements of Early Van Diemen's Land*, Launceston, 1954, p.13, quoted in *Ibid.* p.7.

capture from June 1824 until October 1825,⁹⁰ and their pursuit provided ample employment for various detachments of the Buffs, including Captain Archibald Innes who was notably active therein. It appears that the escapees took advantage of the changeover in guard from the 48th to the 3rd Regiment. The various companies of the 48th regiment had a prodigious reputation for seeking out runaways, due perhaps to the large number of Peninsular War veterans in that Regiment: 250 to the 3rd Regiment's 96.⁹¹ They were, after all, veterans of many battles in the difficult terrain of Spain and Portugal and thus brought with them an ability to contend with rough conditions.

As well as replacing the 48th Regiment in Van Diemen's Land, the 3rd Regiment replaced the 48th at Port Macquarie in New South Wales. From there, a party under the control of Captain Maurice Barlow formed a settlement on the Coburg Peninsula, in what is now the Northern Territory. A suitable site could not be found on the mainland, so the western end of Melville Island was chosen. A fort, named Fort Dundas, was constructed there to gain a British foothold in the far north of the continent, and also to provide a victualling base for ships passing through Torres Strait on the route to India. In the event, the settlement was abandoned in early 1829 and some personnel were transferred to a new settlement, Fort Wellington, in Raffles Bay. This too would later be abandoned.⁹² The Buffs were not involved in the establishment of penal stations; that fell to the officers of the 40th Regiment, who followed the Buffs to New South Wales. The Moreton Bay settlement was established by Lieutenant Henry Miller of the 40th Regiment in September 1824 and, in June 1825, Captain Turton, of the same regiment, re-opened the penal station of Norfolk Island.⁹³ Peninsular War

⁹⁰ Ibid. p.7.

⁹¹ M.H. Ellis, 'British Military Regiments in Australia,' *Journal of the Royal Australian Historical Society* XXXVII, No. VI (1951). p.328.

⁹² Sargent, *The Buffs in Australia - 1822 to 1827*. p.9.

⁹³ Ibid. p.10.

veterans were also commandants of other penal outposts, and this is discussed further in part two of Chapter Eight.

Officers of the garrison in New South Wales were also required to sit on Courts Martial, and on the Criminal Court until 1839. There were two tiers in the criminal system until 1824: in the first tier, the magistrate's benches heard all convict offences and minor offences of free persons; in the second, the Court of Criminal Jurisdiction heard all other cases.⁹⁴ The Court of Criminal Jurisdiction consisted of six naval or military officers and the Judge Advocate, and thus resembled a military court martial in composition. This of course aroused much disquiet among the growing free population of the colony, the emancipists, who sought trial by jury. The campaign for trial by jury became emblematic of the power struggles between 'exclusives' and emancipists, yet the British government consistently refused the demand for trial by jury, citing 'the penal nature of the colony and the composition of the population'.⁹⁵

Peninsular War veterans were also well represented in the various legislative councils of the Australian colonies, though more often nominee members, rather than elected. In New South Wales the members of the first nominated legislative council included William Stewart and Edward Close. In later years, there was also William Lithgow 1833-1852 (nominee), George Barney 1851-1856 (nominee), William Dumaresq (elected), Kenneth Snodgrass 1848-1850 (elected), and Dr James Mitchell 1856-69 (elected). In Van Diemen's Land, there was G.T.W.B. Boyes, from 1840 for several years and in Victoria, Joseph Anderson from 1852 to 1856. These men often brought useful

⁹⁴ Byrne, *Criminal Law and Colonial Subject : New South Wales, 1810-1830*. p.12.

⁹⁵ J. Bennett, 'The Establishment of Jury Trial in New South Wales', *Sydney University Law Review*, 3 1961, p.483 quoted in Neal, *The Rule of Law in a Penal Colony*. p.54.

experience to their legislative roles, as was the case with George Barney, who served as a member of select committees investigating technical matters.⁹⁶

As leading businessmen, some Peninsular War veterans were involved in the formation of joint stock companies in Sydney during the latter 1830s. From 1836, there was a flurry of interest in joint stock companies, and this led the editor of the *Sydney Herald* to comment: 'there seems to be a mania for the promotion of companies at present'.⁹⁷ Joint stock companies were unincorporated and were partnerships in law, but had some of the advantages of a company. The disadvantage, however, was unlimited liability, so a shareholder was liable for a company's debts.⁹⁸ Obviously, those who were attracted to investing in these companies were men of wealth, because of the risk involved in such ventures. Among the more well known companies floated during these years were The Australian Gaslight Co., the Hunter River Steam Navigation Co. and the Sydney Banking Co. Dr James Mitchell was a director of all of these, and sometime chairman of the Australian Gaslight Company, as was George Barney. The Australian Gaslight Co. was formed in 1836, when provisional directors were elected to investigate the feasibility of introducing gaslight to Sydney. After a few problems, the company progressed and was able to mark Queen Victoria's birthday in 1841 by illuminating Sydney streets with gaslight for the first time.⁹⁹

Wellington's men formed a major component of the ruling class in New South Wales and other Australian colonies by virtue of their positions and authority. Peninsular War veterans were the marked choice for the role of governor of various British colonies: they governed New South Wales for

⁹⁶ K. Jobst, *A Pioneer Family of Queensland 1835-1865*. p.33.

⁹⁷ *Sydney Herald*, 11 February 1836, quoted in G.J. Abbott, 'The Formation of Joint-Stock Companies in Sydney During the Second Half of the 1830s,' *Push from the Bush*, No. 14, 1983. p.6.

⁹⁸ *Ibid.* p.4.

⁹⁹ *Ibid.* p.9.

twenty-five years and the Cape for twenty-six years, and at least one was appointed on Wellington's advice. Their power and authority extended from the high offices of Governor and magistrate to that of Commissioner of Crown Lands. As magistrates, some moved between the two positions of honorary and stipendiary magistrate, usually as former military officers in need of paid employment. Besides that, Peninsular War veterans garrisoned the colony, upheld British law in the Criminal Court, and were some of the leading politicians and businessmen. The 1820s and 1830s were the peak period of the authority of military men in New South Wales and it was in this period, in particular in the terms of Governors Darling and Bourke who chose military men as magistrates, that there was a militarisation of colonial political and legal structures. Darling's appointment of magistrates stands out as an example, as does his habit of combining the roles of commandant of penal stations and magistrate. The Peninsular War was at the core of military and colonial patronage, and Mitchell's naming of places reflects this patronage. In the Australian colonies, then, Peninsular War veterans were the embodiment of the power and authority of the British Empire, the strongest military power in the world.

CHAPTER SEVEN

'in the midst of the Goths': the literary and artistic legacy of veterans

G.T.W.B. Boyes, to his contemporaries 'Alphabet' Boyes, was a Commissariat officer during the Peninsular War who later served in New South Wales and Van Diemen's Land. He was both a well-educated man and an intellectual snob. His closest friend was a fellow Commissariat officer, whom he described to his wife as a great acquisition 'in the midst of the Goths'.¹ With finely developed sensibilities in art and literature, unlike many others during those years, Boyes considered himself culturally superior to his fellow colonists: the 'Goths' as he called them in letters home to his wife. His wife would remain in England for nine years before eventually joining him. During that time, he had only a few cultured friends, mostly fellow colonial officials, with whom he socialised. Bernard Smith has argued that Boyes cultivated the arts 'not as a means towards a better understanding of an unfamiliar part of the world but as a manifestation of taste, culture and sensibility'.² Forced to live in what he considered a vulgar world obsessed with commercialism and political intrigue, Boyes found an outlet in his diary and in long letters to his wife. In one letter, he wrote 'Bye, the bye, do you wear a bustle? This article of female attire excited considerable surprise and speculation among the Goths and Vandals of Van Diemen's Land....'³ Yet, despite the vulgarity of colonial society, Boyes found his prospects improving in the Australian colonies and diminishing further in England. Having planned to make his fortune and return to England, Boyes had a change of heart and decided to stay in Van Diemen's Land. As more

¹ Letter Boyes to his wife from Sydney 8 May 1825, G. T. W. B. Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832*, Melbourne: Oxford University Press, 1985. p.228.

² Bernard Smith, *European Vision and the South Pacific*, Melbourne: Oxford University Press, 1989. p.290.

³ Wilfrid Hudspeth, *Hudspeth Memorial Volume : An Introduction to the Diaries of the Rev. Robert Knopwood, A.M. And G.T.W.B. Boyes*, Hobart: Committee of the W.H. Hudspeth Memorial, 1954. p.110.

educated men, in the form of Peninsular War veterans, chose to settle in the Australian colonies, life slowly became more congenial for George Boyes.

Boyes, and other Peninsular War veterans, made a significant contribution to the scientific and cultural life of the Australian colonies. Sir Thomas Mitchell stands out in this field with his scientific, literary and artistic work, besides making a particular contribution to landscape painting. Sir Thomas Brisbane, the first Peninsular War veteran appointed Governor of New South Wales, made a substantial contribution to astronomy. Others wrote diaries, letters and journals, not only of their service in Spain and Portugal, but also of their experience of settling and farming in New South Wales and the other colonies. Their writings are important culturally, as well as for what they say about the formative years of the various colonies, and for what they contribute to the large body of British writing on the Peninsular War. The art of Peninsular War veterans is also of significance: these were no mere amateurs. In the development of colonial art, these men are significant, not least because they learnt to paint and draw on the Iberian Peninsula. Small biographies of several men will be provided to illustrate the meaning to these men of the Peninsular War, and the landscape of Portugal and Spain. To counter a common misconception that they were taught their skills in the Royal Military Academy, or elsewhere in the British army, I will also outline their education.

Of all the Peninsular War veterans, Sir Thomas Mitchell was the greatest all-rounder of his day: surveyor and mapmaker, inventor, author of military textbooks and texts on wine-growing, translator, and an artist and writer of ability. Mitchell's skills as a surveyor and mapmaker were discussed in Chapter Five. As far as his writing skills are concerned, *The Oxford Companion to Australian Literature* has called him the best literary stylist of the

Australian explorers.⁴ Although he lived in reduced circumstances after the death of his father, Mitchell nevertheless obtained a very good education at the University of Edinburgh, where he was first enrolled at the age of thirteen. Scottish universities then required no qualifications for entry other than the ability to pay fees, and a wealthy relative paid for Mitchell.⁵ Mitchell's published exploration journals are: *Three Expeditions into the Interior of Eastern Australia* (1838) and *Journal of an Expedition into the Interior of Tropical Australia* (1848). The former, in three volumes, was very favourably reviewed in *Blackwood's Magazine* and *The Athenaeum*,⁶ and the latter received five good reviews, the most complimentary being in the *Literary Gazette*.⁷ Mitchell also wrote poetry and published an English translation of the Portuguese epic, *The Lusiads*. Written in verse by Luis Camoens (1524-1580), *The Lusiads* records the courage and enterprise of Portuguese explorers, woven into the history of Portugal. Obviously calling to mind his own exploration adventures and the subsequent publication of his journals, Mitchell's translation was published in London in 1854 as *The Lusiad of Luis de Camoens, closely translated from the Portuguese by Lieutenant-Colonel Sir T. Livingston Mitchell*. As Mitchell completed the translation in three months, during a voyage around the Horn from Sydney, this work may have been hampered by those circumstances. Nonetheless, it provides proof of his intellectual ability, as do his other publications.

Mitchell's surveying guide was published in London shortly before he embarked for Australia: *Outline of a System of Surveying for geographical and military purposes comprising The Principles on which The Surface of the Earth may be Represented on plans*, based on his many years' experience surveying in the

⁴ W. H. Wilde, B. G. Andrews and Joy W. Hooton, *The Oxford Companion to Australian Literature* Melbourne : Oxford University Press, 1994. p.537.

⁵ D. W. A. Baker, *The Civilised Surveyor : Thomas Mitchell and Australian Aborigines*, Melbourne : University Press, 1997. p.3.

⁶ *Blackwood's Magazine*, November, 1838. p.694.

⁷ William C. Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855 : Surveyor General of New South Wales 1828-1855*, Sydney : Institution of Surveyors N.S.W. Incorporated, 1985. p.420.

mountains of Spain and Portugal. One section of this book details the construction of field sketches according to the principles of surveying, and it is this section that promoted an interest in landscape painting among surveyors. It has been argued that the link between surveying and the practice of landscape painting during the second quarter of the nineteenth century was a particularly close one, for the most part where land was being opened up for settlement.⁸ Mitchell's other publications were: 'Additional Information Illustrative of the Natural History of the Australian Bone-Caves and Osseous Breccia', published in the *Edinburgh New Philosophical Journal* in 1830; *Manual and Platoon Exercises*, published in 1825, 1830 and 1842; *Notes on the Cultivation of the Vine and the Olive and the Methods of Making Wine and Oil in the Southern Parts of Spain*, published in Sydney in 1849, which described the various kinds of Spanish wines, methods of pressing and the cultivation of the soil, as well as notes on the production of figs, raisins, almonds, lemons, grapes, cherries, olives and sugar-cane⁹; a school text book, *The Australian Geography with the Shores of the Pacific and Those of the Indian Ocean*, published in Sydney in 1850, and *Report upon the progress made in Roads and in the construction of Public Works in New South Wales from the year 1827 to June 1855 by Colonel Sir T.L. Mitchell*, published in Sydney in 1856.

Sir Thomas Mitchell is perhaps less well known for his artistic endeavours, a by-product of his scientific work. At this time, it was common for scientists to do their own illustrations, and such was the case with Mitchell.¹⁰ The purpose was to convey topographical, geological and botanical information. One of his works is in the Art Gallery of South Australia: *Tombs of a Tribe* (c.1835: pencil, watercolour) and another is in the Ballarat Fine Art Gallery: *Large Cavern at Wellington Valley, New South Wales* (c.1836: sepia wash on

⁸ Smith, *European Vision and the South Pacific*. p.281.

⁹ Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855*. p.446.

¹⁰ Geoffrey Serle, *From Deserts the Prophets Come: The Creative Spirit in Australia 1788-1972* Melbourne: Heinemann, 1973. p.9.

paper).¹¹ Both were published as lithographs in the journals of his explorations. As Ann Moyal has pointed out, the history of science in Australia is both visual and verbal, with Mitchell contributing through his art as well as his journals. Science and exploration went hand in hand, and some of the earliest recordings of fauna, flora, rocks and climate are found in the journals of explorers.¹² Mitchell's art was representative of the great interest in the new fauna, flora and geology of the Australian colonies and the resultant eagerness to portray natural curiosities, especially geological curiosities. It would be wrong, however, to dismiss Mitchell as just a man of science conveying information by his art. Bernard Smith has seen a 'man of sensibility', and gives the example of Mitchell's *Flood coming down the Macquarie* that not only conveys geological information, but also combines the romantic and the topographical. Mitchell presented it as a moonlight scene by a waterfall.¹³

The Australian colonies were founded in the midst of a great age of scientific advancement. Darwin's theory of evolution was developed, and the sciences of astronomy and geography made remarkable headway. These advances relied on information sent back to Britain from various parts of the world. In all of this, Australia played a central role.¹⁴ The number of botanical and zoological specimens sent back to Britain, for example, was immense. There were many participants in this natural history collecting and information gathering, including Captain Patrick Logan. Before an inland journey of exploration in 1827, Logan received a request from the Colonial Secretary, Alexander Macleay, for specific information on geography and geology to be transmitted to the Secretary of State for the Colonies.¹⁵ Sir Thomas Mitchell

¹¹ Art Gallery of New South Wales, Patricia McDonald, and Barry Pearce, *The Artist and the Patron: Aspects of Colonial Art in New South Wales*, Sydney, 1988. p142-143.

¹² Ann Moyal, *A Bright & Savage Land: Scientists in Colonial Australia*, Sydney: Collins, 1986. p.49.

¹³ Smith, *European Vision and the South Pacific*. p.280.

¹⁴ Moyal, *A Bright & Savage Land: Scientists in Colonial Australia*. p.3.

¹⁵ Charles Bateson, *Patrick Logan; Tyrant of Brisbane Town*. Sydney: Ure Smith, 1966. p.92.

was one of the better-known transmitters of new scientific information to Britain. The science of palaeontology generated intense public interest at this time, and many of the discoveries proved that Australia was different from other countries and continents. When Mitchell discovered a large cache of fossil bones in the Breccia Caves of Wellington, New South Wales, he sent specimens to London's Hunterian Museum. There, Richard Owen and William Clift examined the bones and identified both living and extinct species of wombats, koalas and kangaroos. That collection, together with bones collected by George Ranken in the same area, contained bones of the Diprotodon, one of the most remarkable of the post-tertiary marsupials of this continent.¹⁶ Richard Owen, who was Professor of Comparative Anatomy at the Hunterian Museum, recognised Mitchell's outstanding knowledge in his 1877 publication, *Researches on the Fossil Remains of the Extinct Mammals of Australia*. News of these finds reached the geologist Lyell, whose writing in turn influenced Charles Darwin and helped to reinforce his own observations. Thus, the early evidence provided by Mitchell and others left its imprint on 'the first important stirrings of Darwin's evolutionary thought'.¹⁷

Mitchell was an unofficial botanist, one of an international network created by Sir Joseph Banks,¹⁸ sending seeds to the Royal Gardens at Kew in London. It was during this period that Kew Gardens became the headquarters of an imperial botanical exchange, and under Banks's supervision, collectors sent in thousands of exotic bulbs, seeds and plants. Mitchell also sent seeds to the Horticultural Society in London, to Oxford Botanical Gardens, and to the Royal Botanical Garden, Dublin,¹⁹ and aided in the dispatch of Australian products to the Great Exhibition of 1851 in London. He was Vice-President of

¹⁶ Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855*. p.191.

¹⁷ Moyal, *A Bright & Savage Land : Scientists in Colonial Australia*. p.154.

¹⁸ Patricia Fara, *Sex, Botany and Empire: The Story of Carl Linnaeus and Joseph Banks*, Cambridge, U.K.: 2003. p.137.

¹⁹ Mitchell Papers, Mitchell Library, Sydney, Volume 4, part 2, 1840-49, pp. 466, 471, 474 and 483.

the Australasian Botanic and Horticultural Society, founded in 1848. The object of this organisation was the study and discussion of new plants, and it held exhibitions in the Botanic Gardens in Sydney. Mitchell's contribution to scientific knowledge in general was recognised both in Sydney and in London. When in London, Mitchell regularly attended the lectures of both the Geological Society and the Royal Geographical Society. He was widely respected in Sydney for his extensive knowledge of plant life gained during his exploration journeys, and in both places for his close circle of friends among the eminent scientists in England. While in London in 1839, within the space of a heady few weeks, he was knighted at St. James's Palace, presented with a testimonial and a piece of plate in recognition of his journeys to Australia Felix, and awarded the honorary degree of Doctor of Civil Law by the University of Oxford.²⁰

Mitchell was also an inventor. Based on his observations of a boomerang moving through the air, Mitchell invented the boomerang propeller for steamships, and believed that this propeller would be free of lateral resistance to seawater. While in England in 1848, he heard Professor Cowper of King's College conclude his lecture on *Paddle Wheels and Propellers*, at the Royal Institution, with the comment that the current propellers needed to be made free of lateral resistance, since great speed could be achieved by these means.²¹ Mitchell's concept was explained by the *Mechanics Magazine* of December 1848:

This invention consists in the application of a screw constructed on the principle of the Boomerang, and placed in a suitable axial position, to the propelling of vessels. On observing the motion of the boomerang in the air, whirling round a hollow centre of gravity it occurred to Lieutenant-Colonel Sir T.L. Mitchell, that its centre of motion would be found to be on a right line which would divide the boomerang into three portions in such manner as that the eccentric portions should equal the central one, and this Lieutenant-Colonel Mitchell subsequently proved to be the case.²²

²⁰ Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855*. p.315.

²¹ *Ibid.* p.449.

²² *Ibid.*

A successful trial on the steamship *Keera* was held on 29 May 1852, and Mitchell determined to return to England to press his claims for the superiority of the boomerang propeller. There the trials proved mostly successful, with a few exceptions. On 29 September *The Times* favourably announced the arrival of the screw-steamer *Lady Eglinton*, with the boomerang propeller. Mitchell was overjoyed, even more so when it was announced that the Queen had given permission for a trial of the propeller on her yacht, *Fairy*. He was, however, forced to make adjustments for the propeller's attachment to the *Fairy* and the resultant speed was less than expected. Nonetheless, Mitchell was satisfied that he had proved the boomerang's superiority to other screws in use. Unfortunately, he faced the opposition of powerful economic forces and, in the end, the firm manufacturing samples of his boomerang propellers was unwilling to make any more, as they believed the boomerang had little or no advantage over the common screw. Sadly, it all came to nothing.

Despite being a man with many cultural interests and acquaintances in those fields, Mitchell did not overlook his time on the Iberian Peninsula, the people he met there, and the connections he made. There, he cultivated the patronage of key figures, notably Sir George Murray, whom he called upon many times, particularly in the lean financial years between the completion of his Peninsula plans, described in Chapter Five, and his appointment to New South Wales.

Close behind Mitchell, in terms of significance and impact, comes 'Alphabet' Boyes, another writer and artist of note among Peninsular War veterans. Like many other officers on half-pay, Boyes had great difficulty making ends meet after peace was declared in 1815; so he moved to France, where it was

considerably cheaper to live, and where he began his diary.²³ Had events turned out differently, the diary might not have amounted to anything at all, but ten days after commencing it, Boyes was ordered to New South Wales, and it was during the long sea voyage that his diary writing flourished. The diaries were donated to the Royal Society of Tasmania in 1844, but it was 140 years before they were published, one reason being the gossip, scandal and caustic comments they contained on many well-known public officials and governors. The first volume contains many descriptions of colonial people and social occasions, in both New South Wales and Van Diemen's Land. Recording a fancy dress party, Boyes provides a wonderful image of the participants:

There were Scottish Chiefs, and Hungarian Brothers, and, by way of experiment, a few had attempted the disguise of *Gentlemen*, in which it is clear they failed, since they were invariably known at a glance.

Of one of the young men of Hobart Town, he wrote:

One of the W-----s dined with us – a conceited, empty-headed young man – all shining in silk stock, with silk lining to his coat, satin waistcoat, and oily hair, together with a liberal sprinkling of gold pins and chains.²⁴

Tasmania was a close-knit community and, as late as the 1950s, the Royal Society of Tasmania believed that publication of the diaries would only be possible when the names of individuals were deleted who had descendants still living in Tasmania.²⁵ Yet the diary had been recognised as unrivalled social commentary of Van Diemen's Land²⁶ and there were several earlier attempts at transcriptions. W.H. Hudspeth probably provided the most useful transcription in the 1940s.²⁷ In a paper to the Royal Society of Tasmania, he called Boyes 'The Samuel Pepys of Van Diemen's Land', as his

²³ Boyes began his diary in 1823. Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832.* p.13.

²⁴ Hudspeth, *Hudspeth Memorial Volume.* p.111.

²⁵ Robert Crossland, 'The Boyes Diaries,' *Papers and Proceedings of the Tasmanian Historical Research Association*, No. 3, 1954. p.46.

²⁶ P. Bolger, *Hobart Town*, Canberra, 1973, p.202.

²⁷ Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832.* p.649.

diaries paint an extraordinarily vivid picture of colonial life, and contain rare insights into the personalities and characters of Van Diemen's Land and its visitors in the early years.²⁸ Boyes referred to Thomas Archer, for instance, as 'a full and ample representative of the Landed Interests'.²⁹ Of the sisters of James Hobbs,³⁰ he wrote:

Hull and Fletcher dined with me. At 9½ we went to the Ball and left it at 11. Hull went off to Newtown that night – He told me that both Hobbs' Sisters were – viz. Charity Collins and Mrs. Gunning were women of no characters but bad ones. Mrs. G. lived with her present husband a long time before he married her...³¹

However, this portrayal of Boyes as a colonial Pepys has been questioned by the author of Boyes's entry in the *Australian Dictionary of Biography*, Margriet Roe, who thought his 'extreme and often misleading bias severely limits the historical value of the diaries'.³² This was written, of course, before Peter Chapman's superbly edited and annotated 1985 edition of Boyes's diaries and letters,³³ in which he not only questions Roe's assumptions on the lack of literary merit of Boyes's work, but also points out the many errors in that entry.³⁴ Chapman's work on Boyes's diaries has proved, once and for all, that these diaries are important not only for their contribution to the early history of Tasmania, but also because their author was indeed a colonial Pepys. *The Oxford Companion to Australian Literature* agrees.³⁵

²⁸ Hudspeth, *Hudspeth Memorial Volume*. p.98.

²⁹ Diary, Van Diemen's Land, 2 January, 1829, Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832*. p.303. Archer was a large man, and others made allusion to his size. See G.T. Stilwell, entry for Thomas Archer in D. Pike (ed.), *Australian Dictionary of Biography*, Volume 1, Melbourne, 1966, pp. 25-26.

³⁰ He circumnavigated Van Diemen's Land in 1824.

³¹ Diary Van Diemen's Land, 23 April, 1830, Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832*. p.316.

³² Margriet Roe, entry for G.T.W.B. Boyes, in D. Pike, (ed.), *Australian Dictionary of Biography*, Volume 1, Melbourne: 1966. p.143.

³³ This volume covers Boyes's life from his birth in England in 1786, until 1832. Volume 2, yet to be published, will cover the rest of his life until his death in 1853.

³⁴ Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832*. p.22f.

³⁵ Wilde, Andrews, and Hooton, *The Oxford Companion to Australian Literature*. p.110.

Born in 1787, Boyes had an erratic education. His mother died just after his birth and his father appears to have taken little interest in the education of his second son. Consequently, Boyes moved continually, from relative to relative, and from boarding-school to boarding-school. In fact, in seven years he attended almost as many schools.³⁶ In later life Boyes developed a voracious appetite for reading, and read Gibbon, Macaulay, Voltaire, Milton, Byron, Shakespeare, and many others. While in France in 1822 and 1823, Boyes became proficient in French; in Spain during the Peninsular War he had achieved a literary fluency in Spanish that enabled him to read and critically annotate Don Antonio de Solis's *Historia de la conquista de Mexico*.³⁷

Boyes also has a reputation as a minor, but notable, watercolour artist.³⁸ The origins of his artistic talent lay in his early youth spent in the Hampshire landscape, but it was his time on the sunny Iberian Peninsula, with its brilliant light, that was Boyes' foremost aesthetic experience. In particular, it was the mountains of Spain and Portugal that captured Boyes' imagination, reflecting the influence of Romanticism in his art. For him, some of the landscape in Van Diemen's Land was evocative of Peninsula landscape.³⁹

Those artists whose work influenced that of Boyes were J.C. Schetsky (1778-1874), later Marine Painter to the King and friend of J.M.W. Turner; William Shayer (1788-1879) a noted English water-colour painter who lived in Hampshire; and the French Claude Lorrain (1600-1682), in fashion during the early nineteenth century as part of the Romantic revival.⁴⁰ When back in England, after the Peninsular War, Boyes continued his sketching and painting and sought out J.M.W. Turner as a teacher of watercolour technique.

³⁶ Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832*. p.3.

³⁷ Letter 16 January 1823 p.96, *Ibid.* p.6.

³⁸ *Ibid.* p.7.

³⁹ Diary Van Diemen's Land 11 May, 1831, *Ibid.* p.432.

⁴⁰ *Ibid.* pp.8-9

Consequently, it was with the eye of a mature artist that Boyes approached Van Diemen's Land and New South Wales. Other early colonial painters had been trained in the soft light of Britain, but Peninsular War veterans such as Boyes had worked in similar light, and a similar landscape, to that of Australia. This important element in a significant body of work depicting early colonial society has generally not been recognized.⁴¹ The landscape of Sydney itself Boyes found less interesting, but he was entranced by the country on the banks of the Nepean River, where he stayed with Juan D'Arrieta who, during the Peninsular War, was a translator and liaison between the British Commissariat and the Spanish. After transferring to Van Diemen's Land, Boyes was overjoyed by the arrival of a painter with a European reputation for landscapes: John Glover, a President of the Society of Painters in Watercolours. Glover had heard of the reputation of the countryside of Van Diemen's Land, and set about creating a series of famous landscapes. Bernard Smith's was the first study of art in Australia to point to the relationship between art in the colonies and the European movements from which that art drew substantially.⁴² Smith has argued that both John Glover and Boyes promoted the spread of Romanticism in art to the Australian colonies after 1820.⁴³

Thus it was Van Diemen's Land and not the larger colony, New South Wales, which led the way in colonial art. Boyes was one of five well-known amateur artists working there, and critics have recognised his work as being of distinction.⁴⁴ As well, Boyes helped organise Van Diemen's Land's first art exhibition in January 1845. Most of the surviving artwork of G.W.T.B.

⁴¹ J. Keene, 'Reliving the Peninsular War in Australia', in A. Berkeley, (ed), *New Lights on the Peninsular War: International Congress on the Iberian Peninsula, 1780-1840*, British Historical Society of Portugal, 1991.p.320.

⁴² B. Smith, *Place Taste and Tradition: a Study of Australian Art since 1788*, Sydney : Ure Smith, 1945.

⁴³ Bernard Smith and Terry Smith, *Australian Painting, 1788-1990*, 3rd ed. Melbourne : Oxford University Press, 1991. pp.26 and 37.

⁴⁴ *Ibid.*p.41

'Alphabet' Boyes is located there, both in public and private collections, but mostly public.⁴⁵ It includes sketches of Spain and Portugal, the area around Southwick in Hampshire, France, Sydney and St. Helena (including Napoleon's tomb); but the majority of items are landscapes of Tasmania, and it is for these works that he is best known. There are also two works, a pencil sketch and a pen and ink and watercolour drawing, held by the Dixson Gallery of the Mitchell Library in Sydney.⁴⁶

Other Peninsular War veterans were also some of Australia's most artistic early settlers, as they were in Canada. A curator of the Royal Ontario Museum has noted that most of the artists working in Canada in the early nineteenth century were army officers.⁴⁷ This Canadian curator, however, makes the incorrect assumption that these early artists in Canada were graduates of the Royal Military Academy. This institution was for members of the Ordnance Corps only, and it taught skills of a practical nature: how to build fortifications, the construction of artillery, chemistry and mathematics in its various forms (geometry, algebra, trigonometry, etc.). Some drawing was taught there, but it was a very small part of the curriculum, as was French, fencing and dancing.⁴⁸ The main training for officers was at the Royal Military College at High Wycombe, now known as Sandhurst, founded in 1801. During the Peninsular War, however, the Royal Military College only accepted officers of some experience, not raw beginners, with the aim of qualifying them for employment in the Quarter-Master General's and Adjutant-General's Departments. Thus, during the Peninsular War, there was no military training, artistic training, or education for newly commissioned officers, other than for the Ordnance Corps. For everyone

⁴⁵ For a list of the extant work of Boyes, and other Peninsular War veterans, see appendix four.

⁴⁶ Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832.* p.xxi.

⁴⁷ F. St.G. Spendlove, *The Face of Early Canada*, Toronto, 1958, p.26, quoted in Richard Glover, *Peninsular Preparation : The Reform of the British Army, 1795-1809* Cambridge : University Press, 1963. p.189.

⁴⁸ *Ibid.* pp.212-213.

else, military knowledge was gained within a regiment, usually by reading manuals.⁴⁹

Of the Peninsular War veteran artists discussed here, Colonel George Barney was the only one who received any training at the Royal Military Academy. Barney entered the Academy on 1 October 1805 as a gentleman cadet where his father, Joseph Barney, was Drawing Master for 27 years, as well as an eminent painter himself.⁵⁰ Barney senior was a sometime exhibitor at the Royal Academy and Flower Painter to the Prince Regent, later King George IV.⁵¹ Two sons, Joseph Barney junior and William Barney were also artists of some note. Joseph Barney junior exhibited his work from 1815 to 1851 and was Fruit and Flower Painter to Queen Victoria in 1838, while William Barney was both an artist and engraver, working in mezzotint.⁵² Not surprisingly, given the family artistic talents, Barney did have some repute in Sydney as an artist, and his sketch *Camp at Port Curtis 1847* is in the Dixon Gallery of the Mitchell Library in Sydney.⁵³ A summary of Barney's army career around the British Empire was given in Chapter Five.

Major James Taylor, who arrived in Sydney in 1817 with the 48th Regiment, was in the colony for only six years, but still made a contribution to the art of early colonial Sydney. His panorama, usually referred to as Major Taylor's Panorama of Sydney, consists of four watercolours that together present a 360-degree view of Sydney. This was published in 1823 by the eminent English engravers, R. Havell and Sons.⁵⁴ Colonial images are useful in themselves as historic documents, but there are some flaws in this panorama,

⁴⁹ Ibid. p.192.

⁵⁰ Keith Harold Jobst, *A Pioneer Family of Queensland : Lieutenant Colonel George Barney, Captain John Edward Barney, Mrs Elise Barney, 1835-1865*, Brisbane : CopyRight Publishing, 1997. p.3.

⁵¹ Ibid. p.7.

⁵² Ibid. p.9.

⁵³ Alan McCulloch, *Encyclopedia of Australian Art*, Melbourne, 1968. p.66.

⁵⁴ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications : Canberra, 1996. p.99.

as Taylor took some liberties to show as much as possible of the upper reaches of the harbour. Despite this, however, the panorama gives a comprehensive view and is full of detail.⁵⁵ Likewise of historical interest is Taylor's watercolour sketch of Erskine Park, the residence of Colonel James Erskine, the commanding officer of the 48th Regiment, Taylor's regiment.⁵⁶ Other prints of Taylor's drawings were produced in England and in France.

Another Peninsular War veteran with a notable reputation for his art was Colonel William Light, of the 4th Dragoons, a prestigious regiment. Light was born at Penang, in Malaya, and educated privately in England with £1,200 provided by his father for that purpose.⁵⁷ During his education, Light showed early signs of aptitude for languages and for sketching, and he developed a love of reading. Light first joined the navy in 1799 and was unfortunate enough to be in France when Napoleon, after the resumption of fighting between Britain and France in 1803, ordered the detention of every male Briton, aged between eighteen and sixty.⁵⁸ By then, Light was a civilian and was detained as a gentleman, rather than an officer. He was held at Verdun, in northern France, from where he made an audacious escape early one cold January morning in 1804.⁵⁹

Of all the veterans discussed in this chapter, Light is the only one with a wider artistic reputation than in Australia. He is mentioned in *A Dictionary of British Landscape Painters: from the 16th century to the early 20th century*,⁶⁰ and he published two books of sketches in London, *Sicilian Scenery* in 1823 and *Views of Pompeii, drawn on stone by J.D. Harding after the Drawings of William Light* in

⁵⁵ C. Flower, *The Antipodes Observed: Artists of Australia 1788-1850*, Melbourne, 1975. p.78.

⁵⁶ Sargent, *The Colonial Garrison 1817-1824*. p.129.

⁵⁷ D. Elder and G. Dutton, *Colonel William Light: Founder of a City*, Melbourne : University Press, 1991. p.28.

⁵⁸ *Ibid.* p.35.

⁵⁹ see David Elder, 'William Light's Escape from France, 1804,' *South Australiana* 111, No. 1, 1964.

⁶⁰ H.Grant. Leigh-on-Sea, U.K., 1970.

1828. Harding was well known in the art world.⁶¹ Light favoured romantic, ruinous scenes and, ever the soldier, in his *Sicilian Scenery* he included a redoubt perched above the pass between Messina and Taormina, and the remains of Norman fortification at Alicata.⁶² Light honed his skills as an artist while serving in the British Navy for a few years. In the Navy, he was able to observe John Serres⁶³ at work, and it may have been that influence which explains Light's extraordinary ability to sketch terrain. As mentioned earlier, Light became one of Wellington's exploring officers during the Peninsular War, working ahead of the troops sketching the countryside and sending back intelligence.

There was a good market for colonial art in London, both as works of art and to convey information about places. Some of Light's sketches of early South Australia were published as lithographs,⁶⁴ and the newly formed South Australian Company in London bought some of Light's watercolours to promote the potential of South Australia.⁶⁵ David Elder, that indefatigable student of the life of Colonel William Light, published the *Art of William Light* in 1987, and this publication includes a wide selection of his work, with 64 coloured plates. There are sketches of India, Spain, Portugal, Italy, and Egypt, as well as many of early South Australia. In 1962, Light's extraordinary and well-known self-portrait, showing evidence of his tuberculosis, was included in the Antipodean Vision Exhibition, shown in Australia and the Tate Gallery in London.⁶⁶ Colonel William Light deserves to be remembered for many extraordinary accomplishments, and his art is prominent among the list. Light is one of five veterans who have entries in

⁶¹ David Elder, *Art of William Light*, Adelaide: 1987. p.13.

⁶² Elder and Dutton, *Colonel William Light: Founder of a City*. p.79.

⁶³ Serres was Marine Draughtsman to the Admiralty, and a fine marine painter. Ibid.p.33.

⁶⁴ Alison Carroll, *Graven Images in the Promised Land*, Adelaide: Art Gallery of South Australia, 1981. p.13. See also C. Flower, *The Antipodes Observed: Artists of Australia 1788-1850*, Melbourne, 1975, pp.98-99.

⁶⁵ Tim Bonyhady, *Images in Opposition : Australian Landscape Painting 1801-1890* Melbourne: Oxford University Press, 1985. p.97.

⁶⁶ Elder and Dutton, *Colonel William Light: Founder of a City*. p.9.

the *Encyclopedia of Australian Art*, for which the listing criteria included purchase of an artist's work for an Australian public collection, and reference in an existing book on Australian art history, or in a state gallery catalogue.⁶⁷ The others are: 'Alphabet' Boyes, Sir Thomas Mitchell, Colonel Barney and Major Taylor. While I do not propose that Peninsular War veterans led the way in pictorial art, they did make a significant contribution in an impressive field.

Light's diaries have also played a role in the history of colonial South Australia, as Light sought to explain and defend his actions over the siting of the city of Adelaide. He also set out his reasons for preferring Gulf of St.Vincent as a safe harbour over Spencer Gulf, and the problems he faced with the Colonisation Commissioners. Light wrote:

The reasons that led to fix Adelaide where it is I do not expect to be generally understood or calmly judged of at present. My enemies, however, by disrupting their validity in every particular, have done me the good service of fixing the whole responsibility upon me. I am perfectly willing to bear it; and I leave it to posterity, and not to them, to decide whether I am entitled to praise or to blame.⁶⁸

These precious diaries of Light's early years in South Australia are all that remain of a collection of diaries, letters, drawing and maps lost in a fire at Light's house in 1839. First published that same year, they were re-printed in 1911 by the Royal Geographical Society of Australasia, and then again in 1984, with an introduction and notes by David Elder.

Furthermore, Light kept a personal diary during the Peninsular War, and these diaries were used for a new edition of Light's biography, *Colonel William Light: founder of a city*, by Geoffrey Dutton and David Elder, published in 1991. The war diaries extant are those from 1809 to the end of 1812, January 1813 to April 1813, April 1813 to April 1814, and August 1815.

⁶⁷ McCulloch, *Encyclopedia of Australian Art*. p.7.

⁶⁸ Thomas Gill, (ed.), *A Biographical Sketch of Colonial William Light, the Founder of Adelaide and the First Surveyor-General of the Province of South Australia*, Adelaide : The Royal Geographical Society of Australasia, South Australian Branch, 1911, frontispiece.

The original diaries are in Adelaide, at the Mortlock Library and in the City of Adelaide Civic Collection.⁶⁹

John Morgan, another Peninsular War veteran, became a public servant, journalist and publicist in the Australian colonies. Recognising the need to emigrate – he was on half-pay like so many others – he wrote a guide advocating emigration to Canada.⁷⁰ His plans to emigrate there came to nothing, and eventually he was appointed as store-keeper in the original establishment at Swan River. After a few years in this position, besides being a magistrate, justice of the peace, and barracks master, he took up the offer of the police magistracy at Richmond, Van Diemen's Land, in 1834. However, he resigned after three years, following a dispute about a deficit in his accounts at Perth, and thereafter was rejected for many government positions. Morgan turned once again to writing, and became foundation editor of the *Hobart Town Advertiser* (1839), worked briefly on the *Tasmanian*, began the *Tasmanian Weekly Dispatch* (1839–41), edited the *Morning Advertiser* (1841) and launched a commercial exchange and an immigration agency. For some years in the late 1840s, he edited the *Britannia and Trades' Advocate*,⁷¹ and later edited a gardening manual written specifically for the climate of Tasmania. Morgan was an influential journalist with firm ideas: he was an advocate of colonial self-government, was an opponent of transportation, and urged reform of the British legal system and the treatment of criminals. Beyond Tasmania, however, Morgan is best known for his book, *The Life and Adventures of William Buckley*, published in Hobart in 1852.⁷² The book tells the tale of William Buckley, a former soldier sentenced to transportation, who escaped and lived for 32 years with the Aborigines of the Watourong

⁶⁹ Elder and Dutton, *Colonel William Light: Founder of a City*. p.294. These diaries have not been examined by me.

⁷⁰ published in London in 1824.

⁷¹ M. Roe, entry for J. Morgan, in D. Pike, (ed.), *Australian Dictionary of Biography*, Volume 2, Melbourne, 1967. p.258.

⁷² Re-printed by the ANU Press, Canberra in 1980, and re-printed again privately in 1996.

tribe in the Port Phillip district. Buckley has been the subject of legend, and referred to as 'the wild white man'; but a careful investigation of the book has shown that this account is a fairly accurate one.⁷³

Peninsular War veterans were men of the British Empire, and they recorded their role in that war as part of Britain's victory against the French. When they came to the Australian colonies, they also recorded their role in the colonisation of this continent. The Peninsular War was the subject of some 300 published British personal memoirs and diaries, as well as a flood of travel narratives evoking the Spanish landscape, people, culture and history. Then there was the enormously popular six-volume history of the war by William Napier, *History of the war in the Peninsula and in the south of France, from the year 1807 to the year 1814*. Published between 1828 and 1840, this history ran to 39 editions over the next century. Novels of the Peninsular War were also popular and sufficiently numerous to form a sub-genre of nineteenth-century British fiction. Their comments on Spanish customs and religion conveyed not only general information about Spain, but also the national prejudices of their British authors. Dr Charles Esdaile has commented that this Anglo-centric view of the Peninsular War is prevalent in most British histories of that war,⁷⁴ and it is manifest in the marked prejudice against the Spanish allies. Not surprisingly, I have found the same views expressed in the memoirs of the Peninsular War veterans who came to the Australian colonies.⁷⁵

Both the Iberian Peninsula itself, and the war fought there between 1808 and 1814, provided the motivation for many literary and artistic endeavours by British Army officers. They inspired hundreds of diaries, journals and

⁷³ M. Tipping, entry for William Buckley in D. Pike, (ed.), *Australian Dictionary of Biography*, Volume 1, Melbourne, 1966. p.175

⁷⁴ Charles Esdaile, 'War and Politics in Spain, 1808-1814,' *The Historical Journal* 31, No. 2 1988. p.296.

⁷⁵ This point is elaborated on in Chapter Four.

recollections, and among these were the works of many Peninsular War veterans who later settled in the Australian colonies. During wartime generally, many a man will keep a diary, or later recount his experiences, although he may never have done so before. Indeed, a review of English diaries has noted that, if a count of diary keepers were taken, soldiers would probably head the list.⁷⁶ Those who fought in the Peninsular War took part in events that deeply affected not only themselves, and their nation as a whole, but also the rest of Europe. It was often the defining episode in their lives. Of those who later settled in the Australian colonies, six made a contribution to the large body of work on that war. The original Peninsular War diaries of Colonel William Light and Captain Edward Close are now housed in libraries in Adelaide and Sydney respectively. Those whose reminiscences were published include Lieutenant-Colonel Joseph Anderson, Captain Foster Fyans, Captain Val Blomfield, and Captain Jack Molloy.

The reminiscences of Captain John Molloy, *The Peninsula and Waterloo: Memories of an Old Rifleman*, were recorded and published in 1897 by his son-in-law, Edmund Du Cane. In the introduction, Du Cane outlined his reason for publication: there had been 'a remarkable revival of curiosity in the events of the time of Napoleon', and he noted the 'romance and interest in the wars of those times'.⁷⁷ In another publication around the same time, *The Life of a Regimental officer During the Great War 1793-1815, the edited correspondence of Colonel Samuel Rice*, the editor clearly explained his purpose:

The period of English history covered by the contents of this book is one of very considerable interest, for within that period Great Britain rose to be a mighty power, saving Europe from destruction, and gathering to herself the commerce of the world...
It was an age of heroic deeds by heroic men.⁷⁸

⁷⁶ Arthur Ponsonby, *English Diaries : A Review of English Diaries from the Sixteenth to the Twentieth Century with an Introduction on Diary Writing*, London : Methuen, 1923. p.21.

⁷⁷ Edmund Du Cane, 'The Peninsular and Waterloo Memories of an Old Rifleman,' *The Cornhill Magazine* 1897. p.750.

⁷⁸ Lieut.-Col. A.F. Mockler-Ferryman, *The Life of a Regimental Officer During the Great War 1793 - 1815. Compiled from the Correspondence of Colonel Samuel Rice, C.B., K.H., 51st Light Infantry, and from Other Sources*, London : William Blackwood and Sons, 1913, p.v.

Molloy's reminiscences, recorded in later years, consist mainly of anecdotes. For instance, Molloy recalls fraternisation between English and French officers and the exchange of food,⁷⁹ as well as some plundering by the British soldiers. He recounts the reasonably well-known story of the capture of a French military chest at Vittoria, in northern Spain, containing over five million dollars. The soldiers seized the lot.⁸⁰ His reminiscences also detail the extensive social networks of the 95th Regiment,⁸¹ or Rifle Brigade: Molloy continued to correspond with Sir Harry Smith, later Governor at the Cape of Good Hope, for many years.⁸² In the distant outpost of Western Australia, Molloy also read the recently published *Three Expeditions into the Interior of Eastern Australia* by another former member of his regiment, Thomas Mitchell.⁸³ It is probable that some Peninsular War veterans were encouraged to write autobiographies, or memoirs, because others had done the same thing. In any case, it afforded them the opportunity to record personal participation in important events in British history; but their memoirs may perhaps also contain embellishments that crept in from other men's accounts. For instance, it is known that Molloy read Jonathan Leach's *Rough Notes of the Life of an Old Soldier* and John Kincaid's *Adventures in the Rifle Brigade*.⁸⁴ Both Leach and Kincaid belonged to the famous Rifle Brigade, as did Molloy.

Joseph Anderson's *Recollections of a Peninsular Veteran*, with an introduction by his grandson, Acland Anderson (Captain, late 3rd Dragoon Guards) was published in London in 1913. The Peninsular War occupied only eight of Anderson's 43 years in the Army; he also served in Sicily, Egypt, Barbados, St. Vincent, Dominica, Jamaica, New South Wales, Norfolk Island and then India, before returning to England for two years' leave. Subsequently, he

⁷⁹ see also Fraternisation in the Peninsular War, *History Today*, Volume 12, No.5 May 1962.

⁸⁰ Du Cane, *The Peninsular and Waterloo Memories of an Old Rifleman*. p.755.

⁸¹ See Chapter Three.

⁸² Du Cane, *The Peninsular and Waterloo Memories of an Old Rifleman*. p.756.

⁸³ William J. Lines, *An All Consuming Passion : Origins, Modernity, and the Australian Life of Georgiana Molloy*, Sydney : Allen & Unwin, 1994. p.276.

⁸⁴ *Ibid.* p143

served again in both Australia and India and, when he finally retired from the Army in 1848, he decided to settle in Victoria. Nevertheless the title does express the significance and status that the Peninsular War enjoyed in popular memory until at least the First World War: it was known as the Great War until then. In his recollections, Anderson provides a lively account of his experiences on the Iberian Peninsula in the battles of Talavera, Busaco, Fuentes D'Onoro and the famous Lines of Torres Vedras. Anderson's reminiscences are also notable for what they say about various aspects of colonial society. Lieutenant-Colonel Joseph Anderson was, among other things, one of the commandants of the penal settlement at Norfolk Island. It is not known what education Anderson had, but he joined the army at fifteen. Eight chapters of Anderson's reminiscences contain his memories of his arrival in New South Wales, his life at Norfolk Island, securing a sheep and cattle station in the Port Phillip district, selecting land for a house near Melbourne, and his decision to retire from the army and settle in Australia. The chapters devoted to his five years on Norfolk Island are important historically as, of the five Peninsular War veterans who were commandants at that penal station, only Anderson's memoirs have been published.

Also on Norfolk Island was Captain Foster Fyans, though as captain of the guard, not commandant. The commandant at the time was Morisset, who is discussed in part two of Chapter Eight. Fyans left a manuscript of his memoirs for publication, but it was not published until 1986. The memoirs are notable for their insight into the early years of the Port Phillip district, where Fyans was appointed in 1837 as the first magistrate in Geelong, and later Commissioner for Crown Lands for the Portland Bay pastoral district. Fyans received the education of a gentleman in his native Ireland. He was educated in the classical manner, privately by two clergymen in Dublin, and was preparing to be admitted to Trinity College, Dublin, but changed his mind and decided to join the army during the Peninsular War. He was given

a commission without purchase.⁸⁵ Roughly three-quarters of Fyans' memoirs are devoted to his time in Australia, from his arrival in Sydney in 1833 until his death in 1870. Fyans spent about eighteen months on Norfolk Island, and was then appointed commandant of the penal settlement at Moreton Bay for a further two years. These appointments offered him the opportunity to comment on and compare the two penal settlements, as well as recording how Ben Cross, his servant from Norfolk Island who stayed with him faithfully for many years, finally absconded to Adelaide with many of Fyans' belongings. Fyans also contributes to the story of John Knatchbull⁸⁶ on Norfolk Island, the instigator of a planned mutiny, which was suppressed by Fyans.⁸⁷ Appointed to the Port Phillip district in 1837, Fyans was a major figure in early Geelong, as his positions as Commissioner of Crown Lands and magistrate made him virtually the law in that area. Fyans' memoirs unfortunately contribute very little to knowledge of the Peninsular War. They begin with a march from Basingstoke, Hampshire to Hulsea Barracks, Portsmouth, when Fyans was a new recruit; but thereafter they consist chiefly of a series of anecdotes. Fyans does, however, record an interesting case of a soldier in New South Wales who, when referring to his service in Portugal, falsely implied that he had served in the Peninsular War. After all, to be a Peninsula man was a great source of pride among soldiers; but, according to Fyans, the man served in Portugal much later, in 1826.⁸⁸ This instance of pretending to be a Peninsular War veteran was not unheard of, and is a reminder of the fervent British nationalistic attitude toward the Peninsular War.

⁸⁵ PRO WO 17/188 quoted in Foster Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870) : Transcribed from His Holograph Manuscript Given by Descendants to the State Library, Melbourne, 1962*, P.J. Brown (ed.), Geelong Vic. : Geelong Advertiser, 1986 .p.7.

⁸⁶ The son of a peer, Knatchbull was in the Navy until 1818. Then he was sentenced to transportation for stealing, convicted again in New South Wales, and sent to Norfolk Island. After his release, he was convicted of the murder of Mrs. Ellen Jamieson, and subsequently hanged in 1844.

⁸⁷ Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870)*. pp.89-90, 93, 110, 121-2, 127-8, 131, 133, 151-2. See also Roderick's 1963 publication *John Knatchbull*.

⁸⁸ *Ibid.* p.86.

Lieutenant Thomas V. Blomfield (known as Val) of the 48th Regiment wrote a series of letters to his family from New South Wales, dating from 1820 to about 1845 and these are included in a publication, *Memoirs of the Blomfield Family*, published by the family.⁸⁹ The letters were never intended for publication; nonetheless, they give a clear impression of a young army officer's life in the colony: his marriage, his decision to take advantage of the 1822 regulations that allowed captains who had served twelve years to sell out, whether they had purchased or not, and his subsequent farming enterprises in the Hunter Valley, together with comments on convict labour and aboriginal unrest west of the Blue Mountains. The letters themselves are not unique, but are important for their contribution to knowledge of the subsequent lives of Peninsular War army officers, and the networks that bound them together, and to the early history of the Hunter River district in particular and of New South Wales in general.

Val Blomfield's published letters to his family include seven letters written from the Peninsula. These letters capture the immediacy of the battles, and his feelings thereon, and thus are the better for having been written on the spot, rather than as memoirs later in life. One dated 24 September 1811 to his brother-in-law in England concludes:

This is the headquarters of our army, about three leagues from Ciudad Rodrigo, where the whole French army are now at and about 50 or 60 thousand strong. I suppose they are coming on. They had better mind what they are about, or they will get a thrashing. I cannot say any more now, as I am in haste to great ready. Farewell, I hope I shall not get the leaden fever.⁹⁰

Blomfield wrote to his father on 6 May 1812 after the fall of Badajoz, on the conduct of his fellow British soldiers:

Then the town was given up to plunder for 24 hours, and such a scene I never before saw. Every door that was fastened was immediately opened by firing into the keyhole... The soldiers very soon got drunk and things were carried to a pretty pitch, committing rapes, murder and plunder – in fact every sort of devastation was going on. They even shot one

⁸⁹ Armidale, New South Wales, 1926.

⁹⁰ Captain T.V. Blomfield, *Memoirs of the Blomfield Family*. Armidale, N.S.W., 1926. p.9.

another, and it was impossible for any officer to interfere. It was four or five days before we could get the men into any kind of order at all.⁹¹

Edward Close, an only child, was born in India and sent to England for his education. Close kept a diary from 1809, when he first embarked with his regiment for Portugal until 1814, on his return to barracks in England.⁹² Close's diary resembles a travel journal, with comments on the landscape, the inhabitants, aqueducts and Moorish towns. It could almost be the account of a young gentleman's grand tour, and Close was just nineteen when he went to the Iberian Peninsula. But there is a darker side: his diary also records the horrors of war, including a description of the battle of Talavera in 1809. After the battle, Close lay down to sleep alongside Lieutenant Duke and another soldier. In the morning, he and Duke awoke to find they had been sleeping with a corpse almost touching them. Although the diary concludes with Close's return to England in 1814, there are a few extra notations: for 1817 when he sailed from Cork with his regiment for New South Wales; for 1821 when he was promised his first grant of land; and for 1849 when he received his General Service Medal for Peninsular War service.

Captain Collet Barker, of 39th Regiment, also kept two journals: one at Raffles Bay for about a year from September 1828, and the other at King George's Sound from 1830 to 1831. These journals have now been meticulously edited and annotated by John Mulvaney and Neville Green, and were published in 1992. *The Oxford Companion to Australian Literature* has commented on the value of these journals for their consideration of relations between Aborigines and white settlers.⁹³ They are also important for what they say about the British settlement at Port Essington on the Cobourg Peninsula, at

⁹¹ Ibid.p.12.

⁹² Edward Charles Close, *Diary 1808-1821*, Mitchell Library, Sydney. MSS 4415

⁹³ Wilde, Andrews, and Hooton, *The Oxford Companion to Australian Literature*. p.77.

that time the most remote outpost in Australia. The King George's Sound journal records the last days of the Albany settlement before it was proclaimed part of the Swan River settlement. Both journals reveal the tensions of a remote military outpost, as well as recording Barker's interest in ethnography, in the form of mythology, linguistics, material culture, kinship, burial customs and place and personal names.⁹⁴ Barker understood the Aboriginal taboo against mentioning the name of a deceased person, and ordered those at the settlement to observe this taboo, rare indeed for a military establishment. Both journals are also noteworthy because they give a detailed early record of the environmental consequences of the introduction of domestic animals and their feral descendants. Perhaps Barker intended to publish the journals; after all, journal publication was certainly in vogue. Sadly, though, not long after he wrote them and before any publication, he was killed, speared by hostile Aborigines at the mouth of the Murray River.

As to Barker's education, the editors of his journals could but guess where he was educated. Since Barker's family were Nonconformist, and given that his two sisters were thought to have been educated in London, they speculated that Barker also completed his education at a small boarding school in London.⁹⁵ Barker was commissioned in the British Army in 1806 as an ensign, with purchase, when he was 22, older than most of his contemporaries. During the Peninsular War, the average age for commissions was between sixteen and eighteen years. Barker's first posting with his regiment was to Sicily for garrison duty from 1807 until 1811 and thence to the Iberian Peninsula until 1814, when the war ended. His regiment then went directly to Canada, returning too late for the battle of Waterloo in 1815, and then became part of the army of occupation in France. From

⁹⁴ Collet Barker, *Commandant of Solitude: The Journals of Captain Collet Barker, 1828-1831*, *The Miegunyah Press Series*; No. 8. D. Mulvaney and N. Green (eds.), Melbourne: University Press at the Miegunyah Press, 1992. p.35.

⁹⁵ *Ibid.* p.11.

France, the 39th Regiment was posted to garrison duty in Ireland from 1818 until 1825, when the regiment was ordered to New South Wales. However, Barker remained in England on administrative duties until 1828. Very soon after his arrival in New South Wales, Barker was appointed commandant at Raffles Bay.⁹⁶

As Sydney developed, Peninsular War veterans were among the founders and supporters of societies to encourage cultural life and scientific discussion. In this field, Sir Thomas Mitchell was again prominent. In 1835, Mitchell became foundation President of the Sydney Mechanics' School of Arts, whose object was 'the diffusion of scientific and other useful knowledge as extensively as possible throughout the colony of New South Wales'.⁹⁷ A later President was Major George Barney, mentioned earlier. For many years, this institution was the only library for most people in Sydney. It was very successful: by 1838 it had its own lecture room, museum and library of over 1,700 volumes, and had 600 members.⁹⁸ As New South Wales was a convict colony, the importance of the moral value of disseminating knowledge was emphasised.

As in other cultural matters, Van Diemen's Land had led the way with the establishment of the first Mechanics' Institute in 1827. The first of these Institutes was established in Edinburgh in 1821, and London in 1823.⁹⁹ John Morgan, mentioned earlier, was secretary of the Hobart Mechanics' Institute, and also secretary of the Hobart School of Arts.¹⁰⁰ Hobart also had its own library, known as the Hobart Town Book Society, and 'Alphabet' Boyes was

⁹⁶ Ibid.p.22.

⁹⁷ Alan Atkinson and Marian Aveling, *Australians 1838*, Sydney : Fairfax Syme & Weldon, 1987. p.257.

⁹⁸ Ibid. p.258.

⁹⁹ Serle, *From Deserts the Prophets Come : The Creative Spirit in Australia 1788-1972*. p.23.

¹⁰⁰ M. Roe, entry for J. Morgan in D.Pike, (ed.), *Australian Dictionary of Biography*. Volume 2, Melbourne, 1967. p.258.

a member of the committee of management. This library was founded in 1826 and, just four years later, contained more than 1,200 volumes.¹⁰¹

The Australian Subscription Library, founded in Sydney at the same time, had both Sir Thomas Mitchell and his namesake, Dr. James Mitchell, on the committee. Membership of this library was exclusive, restricted to the 'most respectable of gentlemen'.¹⁰² It had lofty aims: the first order for periodicals and books sent to London included the great quarterlies of the time, *The Edinburgh Review*, *The Quarterly Review* and *The British Review*, as well as standard works of history, theology, biography, science and travel.¹⁰³ Dr James Mitchell, Peninsular War veteran and later colonial surgeon in New South Wales, was an original member of The Australian Subscription Library, and of its successor. As well, he managed the library's affairs for some years.¹⁰⁴ Dr Mitchell, a member of the New South Wales Medical Board since 1844, became its President in 1852 and in this capacity, *ex officio* Trustee of the Australian Museum, and remained so until his death.¹⁰⁵ Dr Mitchell was also involved in the founding of Sydney University, as was Dr H.G. Douglass.

Dr Douglass, who saw service as an assistant surgeon with the 18th Regiment in the Peninsular War, was a member of the Sydney University Senate and a member of the medical faculty committee. In Sydney in 1821 Dr Douglass, a member of the Royal Irish Academy, also became honorary secretary and treasurer of the newly formed Philosophical Society of Australasia, the first

¹⁰¹ Boyes, *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832.* p.474.

¹⁰² Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855.* p.190.

¹⁰³ Alexander Brodie Spark, *The Respectable Sydney Merchant, A.B. Spark of Tempe*, G. Abbott and G. Little (eds.), Sydney: University Press, 1976. p.37.

¹⁰⁴ H.C.L. Anderson, *David Scott Mitchell, Some Reminiscences*, quoted in Charles Smith, *Dr. James Mitchell, Newcastle History Monographs: No.1.* Newcastle: Newcastle Public Library (in association with the Newcastle and Hunter District Historical Society), 1966. p.35.

¹⁰⁵ *Ibid.* p.35.

scientific society in the colony.¹⁰⁶ Douglass, unfortunately, became involved in the maelstrom of colonial politics, and was forced to leave the colony in 1828. On his return twenty years later, Douglass sought to resuscitate the Philosophical Society and this he did in conjunction with Charles Nicholson. The new organisation was known as the Australian Philosophical Society, with the same object as the earlier organisation: the encouragement of scientific research and discussion. The Australian Society, founded on 19 January 1850, had similar aims to the above society: 'the encouragement of Arts, Science, Commerce and Agriculture in Australia'.¹⁰⁷ Sir Thomas Mitchell was a leading member, and delivered various lectures, among which were an address on *The External Structure and Undeveloped Resources of the County of Cumberland* and another on his invention, the Boomerang Propeller.

In London, there was much interest in the new southern skies, and the work of the Philosophical Society of Australasia contributed greatly to knowledge of astronomy in the southern hemisphere, with a series of astronomical observations published in the *Memoirs of the Royal Astronomical Society* and the *Transactions of the Royal Society of London*.¹⁰⁸ Sir Thomas Brisbane, Peninsular War veteran and newly appointed governor, arrived in Sydney in 1821, and continued his great interest in astronomy. He became President of the Philosophical Society, and built an observatory at Parramatta (where Government House was located), and under his leadership many original observations were made. This observatory was the first to rediscover Encke's comet in 1822, and discover a new comet in 1824.¹⁰⁹ When he returned to

¹⁰⁶ N.J.B. M.Sc. Plomley, 'Some Notes of the Life of Doctor Henry Grattan Douglass,' *The Medical Journal of Australia* 22, 1961. p.803.

¹⁰⁷ Foster, *Sir Thomas Livingston Mitchell and His World, 1792-1855*. p.446.

¹⁰⁸ K. M. Brown, 'Doctor Douglass and Medical Sociology,' *The Medical Journal of Australia* No.21, 1943. p.457.

¹⁰⁹ *Ibid.* p.458.

Scotland, Brisbane left his astronomical instruments and 349 volumes of his scientific library to the colony of New South Wales.¹¹⁰

Peninsular War veterans contributed significant aspects of British culture to the Australian colonies and played an important role in their cultural and scientific lives. Both Sir Thomas Brisbane and Sir Thomas Mitchell stand out for their significant contributions to scientific endeavours. These veterans and others were active in the foundation of societies to encourage cultural life and stimulate scientific discussion; one society made a noteworthy contribution to astronomy. 'Alphabet' Boyes and Colonel Light are notable for their artistic and literary legacy. Boyes, something of a colonial Pepys, is recognized both for his published diaries and for his artistic work, particularly in the revival of Romanticism in art. The writings and drawings of Peninsular War veterans are important culturally, as well as being historical documents in themselves; yet the impact of both the terrain and the strong sunlight of the Iberian Peninsula on their drawing and painting have largely been ignored. William Light's art, in particular, is very fine and is known in Britain as well as nationally. Among them, Peninsular War veterans contributed a significant body of artistic and literary work depicting early colonial society and their role in the creation of that society, and these men are among the better-known chroniclers of colonial society. Lieutenant-Colonel Joseph Anderson's memoirs are an important source of colonial history, as they are the only published account of a military commandant of the penal settlement on Norfolk Island. The published and unpublished literary works of Peninsular War veterans also contribute to the large body of British writing on the Peninsular war itself. Thus, Peninsular War veterans were some of colonial Australia's most educated and cultivated men, and

¹¹⁰ J.D. Heydon, entry for Sir Thomas Brisbane in D. Pike (ed.), *Australian Dictionary of Biography*, Volume 1, Melbourne, 1966, p.154.

this is reflected in their literature, and as well as in their artistic and scientific work.

CHAPTER EIGHT

Part one: 'there are a thousand blacks there'
Veterans as Mounted Police

In New South Wales, Peninsular War veterans were often the frontiersmen of the British Empire. In later life, when they wrote their memoirs – and these made a major contribution to how Britons at home perceived the Empire¹ – they recorded their exploits on the frontier in terms of their contribution to the creation of Empire. In various ways, their frontier activities did indeed serve to advance settlement. In this chapter, Peninsular War veterans are examined in two roles on the New South Wales frontier: part one examines their role as mounted police, and part two that of military commandants of penal settlements. The latter section will show how this military side of the New South Wales Mounted Police tied in with increasing militarisation of prison and police systems in England, and other parts of the Empire.

Before delving into these roles, however, the concept of frontier needs brief comment. For instance, the word 'frontier' in terms of the history of frontier violence against Aboriginals in the Australian colonies was largely unrecognised until the 1970s. Since the 1980s, however, this frontier history has become increasingly politicized, erupting in the recent 'history wars'. While there has been much recent scholarship on frontier wars, including Attwood and Foster, *Frontier Conflict: The Australian experience*² and John Connor's *The Australian Frontier Wars 1788–1838*,³ these do not interrogate the concept of *frontier*, or provide a definition.⁴ Inga Clendinnen, who sees

¹ Niall Ferguson, *Empire: How Britain Made the Modern World*, Penguin, 2004. p.17.

² B. Attwood, and S. Foster, (eds.), *Frontier Conflict: The Australian Experience*, Canberra: National Museum of Australia, 2003.

³ John Connor, *The Australian Frontier Wars, 1788-1838*, Sydney: University of New South Wales Press, 2002.

⁴ Henry Reynolds in *The Other Side of the Frontier* did not address the notion of frontier. Some earlier historians have done so, drawing inspiration from the work of Frederick Jackson Turner on the American frontier: John Greenway, *The Last Frontier: A Study of Cultural Imperatives in the Last*

varying experiences in different places, prefers to use 'contact zone' rather than frontier.⁵ So also does Mary Louise Pratt, whose concept of a contact zone is a place where 'people geographically and culturally separate come into contact with each other and establish ongoing relations, usually involving conditions of coercion, radical inequality, and intractable conflict'.⁶ Similarly, when Ann McGrath published her work on the Northern Territory Aborigines of the 20th century, she too reflected on the notion of the frontier there. The frontier in the Northern Territory, she argued, was not as clear cut as in other regions, because the Aborigines moved freely to and fro between the worlds of station and bush.⁷ As well, Ann McGrath has challenged the concept of the frontier as merely a place of conflict. For other groups, the frontier meant something different: missionaries, for instance, saw it in an entirely different way.⁸

For the frontier in New South Wales, a definition usefully refers to the role of settlement: 'the edge of the settled area of a country'.⁹ Settlement meant dispossession of the original inhabitants, and the frontier was the boundary between black and white, as settlement slowly radiated from Sydney, northwards, westwards, and to the Port Phillip district in the south. This was not a continuous movement, but a series of movements, and almost every one of these phases was begun before the previous one was complete.¹⁰ As Perry has argued, the frontier in New South Wales during the 1820s was

Frontiers of America and Australia, 1972; Harry Cranbrook Allen and Frederick Jackson Turner, *Bush and Backwoods: A Comparison of the Frontier in Australia and the United States*, 1959; and Frederick Alexander, *Moving Frontiers, an American Theme and Its Application to Australian History*, 1947.

⁵ Inga Clendinnen, *True Stories, Boyer Lectures, 1999*. Sydney: ABC Books, 1999. p.32.

⁶ Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation* London; New York: Routledge, 1992. p.6.

⁷ Ann McGrath, *Born in the Cattle: Aborigines in Cattle Country*, Sydney: Allen & Unwin, 1987. p.23.

⁸ Humanitarians and missionaries saw 'these regions as a progressively advancing zone in which a utopian order of Christian civilization could be continually extended...'. See Alan Lester, 'Otherness' and the Frontiers of Empire: The Eastern Cape Colony, 1806-1850,' *Journal of Historical Geography* 24, No. 1 1998. p.4.

⁹ Collins, *English Dictionary*, Fourth Australian edition, Glasgow: Harper Collins, 1998. p.616.

¹⁰ T. M. Perry, *Australia's First Frontier: The Spread of Settlement in New South Wales 1788-1829* Melbourne: University Press in association with A.N.U., 1963. p.121.

not a homogeneous entity: there were regional differentiations in land use. In 1829, for example, there were three major frontiers in existence: the 'big man's' sheep frontier in County Westmoreland (west of Sydney), the 'small man's' cattle frontier in County Argyle (south-west of Sydney), and the immigrant's mixed-farming frontier in the Hunter Valley (north-west).¹¹ Each was in an entirely different district, and represented different economic interests. By 1838, the frontier line had progressed much further, and Governor Gipps pointed out that:

I should not perhaps very much err, if I were to say that nearly half the Cattle and sheep of the Colony are thus depastured beyond what are called the Limits of Location; and any attempt to reduce the number of these Licences would be considered fatal to the prosperity of the Colony.¹²

The frontier was a strategic boundary, a defensive line, and the front line of colonial order. The military saw it as the shifting boundary of British civilization that had to be defended.

* * * *

Peninsular War veterans dealt with Aborigines on a range of levels in their various roles as explorers, magistrates and as Mounted Police; but this first section will focus only on their duties as Mounted Police, carrying out punitive expeditions against Aborigines on the frontier. This is a highly contested part of Australian history, and I do not intend to deal generally with the 'history wars' on this topic, other than to examine the various interpretations of what happened at Waterloo Creek in 1838. My focus will be on the role of Peninsular War veterans in the Mounted Police from 1824 to 1838 on various frontiers in New South Wales, and the impact of that role. The origins and the military composition of that force are emphasised. The examples of areas where frontier violence occurred that I shall use illustrate

¹¹ Ibid. p.123.

¹² Gipps to Lord Glenelg, 25 April, 1838, Commonwealth of Australia, *Historical Records of Australia*, Volume XIX, Sydney, 1923. p.397.

the progress of settlement away from Sydney over a fourteen year period: northwards towards Bathurst and then the Hunter Valley in the period from 1824, and then in 1838 to the northern frontier at Waterloo Creek, and the southern frontier in the Port Phillip district. 1838 was a pivotal year: there were some major 'collisions' in the first half of the year between the British army and Aborigines, and the British army ceased fighting on the frontier in New South Wales altogether in the latter half. The 'collisions' between Aborigines and the British army show that the British soldiers reacted to violent confrontations in the way they had always done, drawing on their experience on another frontier, on another continent. It was these soldiers, in their role as members of the New South Wales Mounted Police, who had to choose a course of action as crises arose.

In New South Wales, the Mounted Police force was created in 1825. It consisted entirely of soldiers, and it was first organised by a Peninsular War veteran, Colonel William Stewart of the 3rd Regiment, known as the Buffs. The life of the New South Wales Mounted Police was relatively short, from 1825 to 1850, and the four Commandants during this time were Captain John Forbes of the 39th Regiment, Captain Thomas Williams of the 4th, Brevet Major James Nunn of the 80th, and Captain Jeffrey Nicholson of the 96th Regiment.¹³ During the first half of its existence, the British army controlled the force, and thereafter its upkeep fell to the colonial authorities. The day-to-day control of mounted police was divided between the military and civil powers, and this led to problems associated with mixing the two. In Britain, the provision of military power to civil authorities had always been a traditional military function, during the Luddite riots for instance,¹⁴ and the New South Wales Mounted Police was a continuation of this practice. The commanding officers of the regiments selected men from among volunteers

¹³ David Murphy, *New South Wales Mounted Police 1825-1850*. NLA MS 3221.

¹⁴ E. Spiers, *The Army and Society, 1815-1914*, London; New York : Longman, 1980. p.76.

and these men placed themselves at the disposal of local magistrates.¹⁵ One trooper, Samuel Caldwell of the 17th Regiment, has left this ill-spelt account of his entry to the mounted police in 1830:

The day after our arrival, a Captain Forbus¹⁶ in cavelry uniform came on Bord, and he came to seek Soldier Volantees, and as we stood before him all drown up in line, he opened to us his Mission he told us he wanted valunteers to join the mounted police...¹⁷

Neither the officers nor the rank and file of the Mounted Police wished to be subordinate to civil authority. Likewise, the magistrates were unsure of the boundaries of their authority over the Mounted Police;¹⁸ and therein lay the seeds of future discontent on both sides.

The New South Wales Mounted Police was the first unit of mounted infantry in the Australian colonies and, significantly, was the model for the famous Light Horsemen, or mounted infantry, who rode to fame in the First World War.¹⁹ Consisting of officers, sergeants and rank and file of the Buffs, one half was initially deployed in the Bathurst area, and the other half in the Hunter region. Though on deployment to the Mounted Police, these men remained on the strength of their regiment. All the garrison regiments in New South Wales were infantry regiments, so horses had to be supplied to the mounted police by settlers. The Mounted Police responded to attacks by Aborigines and threats from bushrangers: they reinforced civil power. Mobility gave them success in areas beyond the official limits of settlement, where there was no magistrate.

¹⁵ D. J. Neal, *The Rule of Law in a Penal Colony: Law and Power in Early New South Wales*, *Studies in Australian History*. Melbourne: Cambridge University Press, 1991. p.151.

¹⁶ Captain John Forbes, of the 39th Regiment, Commandant of the Mounted Police.

¹⁷ David Murphy, 'The Colonial Lilywhites: The 17th (Leicestershire) Regiment in New South Wales and Van Diemen's Land 1830 to 1836,' *Sabretache: the Journal of the Military Historical Society of Australia* Volume XXXIII 1992. p.26.

¹⁸ New South Wales Legislative Council Votes and Proceedings 1839, Report of the Committee on Police and Gaols, p.35, quoted in Neal, *The Rule of Law in a Penal Colony*. p.151.

¹⁹ Connor, *The Australian Frontier Wars, 1788-1838*. p.62.

From what began as a 46 man temporary force in 1825, the mounted police grew to 144 in 1839,²⁰ when it became a permanent force. In 1830, when Caldwell volunteered, the Mounted Police were broken up into four divisions: the first at Bathurst, the second at Goulburn, the third at Wallis Plains (Maitland) in the Hunter Valley, and the fourth based in Sydney.²¹ In 1834, reflecting an increased demand for mounted police, there was another augmentation of twenty privates to act as dismounted troopers; their duties were to take charge of the Barracks, thereby ensuring Mounted Police were always available for service.²² In 1836, the strength of the Mounted Police in the Bathurst division was 29, in the Hunter River division, 28 and in the Goulburn division 29, providing a total of 86 outside Sydney.²³ The Mounted Police wore a military uniform – blue jacket with red facings, yellow ball buttons and shoulder brasses, black trousers with red stripes, white and scarlet girdle and Wellington boots²⁴ – and retained their military pay and status.

Two members of the Mounted Police were John Lee and Lewis Moore from the 48th Regiment. Both joined the Mounted Police as privates in 1825, with Lee promoted to Sergeant and Moore to Sergeant Major. They both served for an extended time: Moore for fourteen years, and Lee for nineteen.²⁵ Although they remained on the strength of the 48th Regiment when it left for India, they transferred to the 40th Regiment, and to successive garrison

²⁰ H. King, 'Police Organisation and Administration in the Middle District of New South Wales 1825-1851', MA Thesis, Appendix M, quoted in Neal, *The Rule of Law in a Penal Colony*. p.151.

²¹ Roger Milliss, *Waterloo Creek: The Australia Day Massacre of 1838, George Gipps and the British Conquest of New South Wales*, Sydney: University of New South Wales Press, 1994. p.16.

²² New South Wales Mounted Police, Order Books 1828-1838. NLA MS 3221.

²³ *Ibid.*, NLA MS 3221.

²⁴ David Murphy, 'New South Wales Mounted Police Samuel Caldwell, Regimental Number 686. The Story of a Trooper of the Old Corps,' *Sabretache: the Journal of the Military Historical Society of Australia* Volume XXX, 1989. p.32.

²⁵ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications : Canberra, 1996. p.144.

regiments, in order to remain in the Mounted Police.²⁶ These two soldiers of the British army have since achieved some notoriety among historians for their part in hostile campaigns against Aborigines. At the time, though, their services were highly praised.²⁷

The first example of New South Wales Mounted Police activities is in the early to mid-1820s, when the northern frontier was Bathurst, and beyond to the Hunter Valley. Major James Morisset, a Peninsular War veteran, was appointed commandant at Bathurst in 1824 and attempted, with his small garrison, to stop Wiradjuri attacks on properties around that area. William Lawson Jnr. dared not graze his animals beyond the frontier line, and he believed that the Wiradjuri 'may now be called at war with the Europeans'.²⁸ In one attack in May 1824 the Wiradjuri killed seven stockmen in a series of attacks that shocked the settlers in outlying areas. Revenge killings were probably inevitable, and the workmates of one of the victims – John Johnston, William Clark, John Nicholson, Henry Castles and John Crear – asked for, and received, muskets and headed into the bush. They returned later that same evening claiming they had not seen any Aborigines. However, after the discovery of three bodies, the men admitted having killed Aborigines. Ultimately, they were charged with assault on an Aboriginal woman, which terminated in her death. At their trial in the Supreme Court of New South Wales, the Attorney General remarked that 'no difference existed between individuals, whether black or white, but that the same laws, now in force, equally extended to each'.²⁹ Despite this admonition, the five men were found not guilty.

²⁶ They received extra pay: a Sergeant received an extra 1s. a day, and a Sergeant Major an extra 1s.6d. per day, on top of the their pay and allowances as soldiers. See Murphy, 'The Colonial Lilywhites' p.31.

²⁷ Notice on retirement of Moore, *Sydney Gazette*, 10 August, 1839. p.2.

²⁸ Connor, *The Australian Frontier Wars, 1788-1838*. p.57.

²⁹ R. v. Johnston, Clarke, Nicholson, Castles and Crear, Supreme Court of New South Wales, 6 August 1824, *Decisions of the Superior Courts of New South Wales 1788-1899*, Division of Law, Macquarie University, http://law.mq.edu.au/scnsw/html/r_v_johnson_and_others_1824.html 8 November, 2004.

The following month after the Wiradjuri attacks, Morisset sent out Sergeant John Baker, also a Peninsular War veteran, and some soldiers of the 40th Regiment, to find a Wiradjuri camp and arrest certain men for raiding settlers' cattle and huts.³⁰ The expedition was a failure, but that failure showed that something more than the army was needed and, as a consequence, the Mounted Police was formed. Yet their deployment to the Hunter Valley led to an escalation in frontier violence, as the new mobility of the soldiers was used to pursue and attack raiding parties of Aboriginals. The initial impact of men on horseback should not be underestimated: Aboriginals were intimidated at the sight of a man on horseback, and it gave the soldiers not only a decided advantage, but also greater vision. In response to the increased violence, Governor Brisbane proclaimed martial law in the country west of the Blue Mountains 'in order to restore tranquillity'. Brisbane declared:

Martial Law to be in force in all the country westward of Mount York, and All soldiers are hereby ordered to assist and obey their lawful Superiors in suppressing the Violences aforesaid...and being always mindful that the Shedding of Blood is only just, where all other Means of Defence or of Peace are exhausted.³¹

As John Connor has noted, soldiers who shot British subjects could be charged with murder, unless their action had been sanctioned by a magistrate or by the declaration of martial law. This declaration of martial law, he argued, was made to prevent soldiers or settlers who killed Wiradjuri from being charged with murder.³² Four months later, Brisbane perceived the immediate problem to have been solved and, as tranquillity had been restored, he revoked martial law.³³

³⁰ Connor, *The Australian Frontier Wars, 1788-1838*. p.53.

³¹ Proclamation of Martial Law, Governor Brisbane, 14 August, 1824, Commonwealth of Australia, *Historical Records of Australia*, Volume XI, Series I Sydney, 1917. p.411.

³² Connor, *The Australian Frontier Wars, 1788-1838*. p.58.

³³ Proclamation by Governor Brisbane, 31 December 1824, in *Historical Records of Australia*. Volume XI, pp.431-432.

The northern frontier remained relatively peaceful until late 1825. In June 1826, after the Wiradjuri had murdered two stockmen at Dr Bowman's station, Lieutenant Nathaniel Lowe of the 40th Regiment and the entire Hunter Valley Mounted Police detachment were sent to the frontier. As luck would have it, by the time the Mounted Police arrived, the Aboriginal raiders had left. Lieutenant Lowe then returned to Wallis Plains (Maitland) almost immediately, but left Sergeant Lewis Moore, mentioned earlier, and four privates on the frontier.³⁴ An Aborigine named 'Jackey Jackey' was arrested, brought down to Wallis Plains and held on suspicion of being the killer of Dr Bowman's stockmen. Lieutenant Lowe, however, ordered his men to shoot 'Jackey Jackey' and this they did. Lowe developed a fearsome reputation for his campaign of terror on the Upper Hunter: for instance, another three Aboriginal men were shot, apparently while trying to escape.³⁵ Sergeant Lewis Moore and Private John Lee, also mentioned earlier, were two of the three troopers involved in this atrocity.

Governor Darling ordered an enquiry into the murder of 'Jackey Jackey' and recalled Lieutenant Lowe. There were some in the Upper Hunter area who approved of Lowe's behaviour and who sought to obstruct justice; but finally Darling collected enough evidence to put Lowe on trial for murder. The subsequent court case drew press and public attention because it brought the British army into disrepute: for the first time in the forty-year history of the colony of New South Wales, a British army officer was being tried for the murder of an Aborigine.³⁶ Lowe's defence was that 'Jackey Jackey' was shot while attempting to escape. Dr Wardell, counsel for Lowe in conjunction with W.C. Wentworth, brought the status of an Aborigine into question:

Is he an alien enemy? He is not, because his tribe is not in hostilities with the British Sovereign. Is he an alien friend? He is not, because his tribe may be, and in fact is in a state of public hostility with individual subjects of the British Sovereign, and because no

³⁴ Connor, *The Australian Frontier Wars, 1788-1838*. p.64.

³⁵ Milliss, *Waterloo Creek : The Australia Day Massacre of 1838*, p.57.

³⁶ *Ibid.* p.66.

friendly alliance has ever been entered into. He is not a subject of the British King, because his tribe has not been reduced under his Majesty's subjection...³⁷

William Salisbury, in giving his evidence, stated that he lived at Wallis's Plains and remembered a 'blackfellow' being brought into custody. Mr Lowe was present, Salisbury claimed, and Lee was one of the soldiers who killed 'Jackey Jackey' in a hollow behind 'government house'. Other people gave similar evidence. William Constantine also remembered the incident. He recalled seeing Lieutenant Lowe and Sergeant Moore standing together talking, and recounted that he went to his hut and on his return, saw 'Jackey Jackey' lying dead between two saplings, and he was bruised on his face and head. Others gave similar evidence; in fact, the case seemed clear. The Chief Justice, in his summing up of the case, reminded the military jury that the defendant was a military man, as they themselves were. This jury retired for only about five minutes before returning a verdict of Not Guilty. This verdict was greeted with applause, and Lowe's friends congratulated him on the favourable termination of the court case. A second burst of applause was given as he triumphantly left the Court.³⁸ This case, however, created ripples further afield and appears to have disturbed the British army so much that the Duke of Wellington, then Commander-in-Chief, requested a report on the case. Apparently, Wellington had already notified the King of the circumstances of this case, and he then requested a report from the Chief Justice.³⁹ It does appear that Lowe got away with murder: that there was a general cover-up in the Wallis Plains district, and that his fellow military men on the jury believed his account.

The second example of Mounted Police activities is again on the northern frontier, though, by 1838, it had moved northward to the Gwydir River,

³⁷ R. v. Lowe, Supreme Court of New South Wales, 18 May 1827, *Decisions of the Superior Courts of New South Wales 1788-1899*, Division of Law, Macquarie University, http://www.law.mq.edu.au/scnswCases1827-28/html/r_v+lowe_1827.htm 8 November, 2004.

³⁸ Ibid.

³⁹ Chief Justice of New South Wales, Letterbook 1828-1835. Archives Office NSW 4/6651, p.158.

almost to what is now the border between Queensland and New South Wales. From 1836 pastoralists had reached this area, in which the town of Moree now stands, and violence between them and the Kamilaroi had become commonplace. The New South Wales Mounted Police first came to this frontier in 1837, when Lieutenant George Cobban of the 50th Regiment, in charge of the Hunter River division of the Mounted Police, was ordered to look for the Kamilaroi who killed Frederick Harrington at Charles Purcell's station.⁴⁰ Cobban enlisted as an ensign in the British army in 1833, and his first taste of foreign service came with the posting of the 50th Regiment to New South Wales in January 1835.⁴¹ The excursion to the outlying northern stations was probably his first in this area: it took him north-west from Cassilis, along the dray track supplying the distant runs past Coolah and Binnaway, and beside the southern fringes of the Warrumbungles, which he would have crossed beyond Coonabarabran. By the time Cobban found himself about 400 kilometres from Jerry's Plains (the Hunter River), probably near Walgett or Collarenebri, he admitted defeat and returned, though keen to go again off in pursuit of the Kamilaroi.⁴² Logistically, Cobban's trip was important, as it showed that the Mounted Police could quickly reach the frontier, and stay there for some time.

Meanwhile, acting on a report made by the Commissioner of Crown Lands in the Liverpool Plains district, Lieutenant-Colonel Kenneth Snodgrass, a Peninsular War veteran and interim governor in the lull between Governors Bourke and Gipps, decided that a large detachment of Mounted Police should be sent north to investigate the Commissioner's claims of atrocities committed by the Kamilaroi, but more particularly to search for Harrington's

⁴⁰ Connor, *The Australian Frontier Wars, 1788-1838*. .107.

⁴¹ Milliss, *Waterloo Creek : The Australia Day Massacre of 1838*, p.50.

⁴² *Ibid.* p.151.

killers. Snodgrass sent for Major James Nunn of the 80th Regiment, commandant of the Mounted Police,⁴³ and gave him the following orders:

You must lose no time in proceeding; you are to act according to your own judgment, and use your utmost exertion to suppress these outrages. There are a thousand Blacks there and if they are not stopped, we may have them presently within the boundaries.⁴⁴

Thus, Nunn got together a detachment consisting of himself, one subaltern (Lieutenant Cobban), two Sergeants (including the trusty Sergeant Lewis Moore) and twenty troopers. However, the number was more likely to be around thirty, as Sergeant (formerly Private) John Lee and several other mounted police joined the party as it passed through what is now Scone.⁴⁵

What happened on this journey is the subject of debate. Roger Millis calls it 'The Australia Day massacre of 1838'. Lyndall Ryan judges that it was not a legitimate police action but 'an act of mass revenge by the mounted police in retaliation for the wounding of one of their comrades'.⁴⁶ The first edition of the *Oxford Companion to Australian History* tells us that these were 'atrocious retaliatory measures' against the group of Aborigines that Nunn's party encountered at Snodgrass Swamp (Waterloo Creek) on 26 January 1838.⁴⁷ John Connor has surmised that Aborigines were certainly killed by Nunn's expedition, but that the tally of the dead was forty or fifty, rather than about 300.⁴⁸ Keith Windschuttle has claimed that the purpose of the expedition was basically the apprehension of the murderers of Frederick Harrington.⁴⁹ After

⁴³ Nunn joined the British army in 1804 and served in Sicily, Malta, Genoa and Corsica during the Napoleonic Wars. He came from a military family: his father and two brothers were also in the Army.

⁴⁴ These are the words recalled by Major Nunn in his deposition to the enquiry of 1839 regarding the events that took place in 1838 at Waterloo Creek. Commonwealth of Australia, *Historical Records of Australia*, Volume XIX, Sydney, 1923. p.250.

⁴⁵ Millis, *Waterloo Creek: The Australia Day Massacre of 1838*, p.166.

⁴⁶ Lyndall Ryan, 'Waterloo Creek, Northern New South Wales, 1838', in Attwood, *Frontier Conflict: The Australian Experience*. p.42.

⁴⁷ Graeme Davison et al., *The Oxford Companion to Australian History*, Melbourne: Oxford University Press, 1998. p.674.

⁴⁸ Connor, *The Australian Frontier Wars, 1788-1838*. p.111.

⁴⁹ The myths of frontier massacres in Australian history, Part I: the invention of massacre stories, Keith Windschuttle, *Quadrant*, October 2000,

<http://www.sydneyle.com/Massacres%20Part%20One.htm>

13 September, 2004, p.10.

a careful reading of all these accounts, I believe Connor's is the most balanced. The principal primary source to be consulted is the enquiry held in June 1839, some eighteen months after the event, even though Governor Gipps had decided in April 1838 that an inquest should be held into any violent and sudden death, be the victim a white man or an Aborigine.⁵⁰ This enquiry, however, took evidence from only eight men: four officers, two Mounted Police troopers (including Sergeant John Lee) and two pastoralists from the district, although there were thirty-odd members of the expedition.

The only contemporary individual who mentioned a figure of 300 deaths was the Rev. Lancelot Threlkeld, who in any case heard of the incident at third hand: he was informed by John Cobb, who heard it from public boasts made by the expedition leader, Major Nunn.⁵¹ Significantly, the Waterloo Creek entry in the 2001 edition of *The Oxford Companion to Australian History* has been completely re-written by Bain Attwood: 'Milliss's claims regarding Waterloo Creek [300 deaths], however, are not supported by the patchy historical record, and we might never know what happened there.'⁵²

To return to Nunn's expedition, he passed by the Australian Agricultural Company's property on the Peel River and arrived on 4 January 1838 at a station just south of the Namoi River. There, the horses and men rested while Nunn sent Sergeant James McNally on a reconnaissance mission. McNally returned with news of a large number of Aborigines nearby on the Namoi. Nunn made the decision to confront the Kamilaroi in their camp, and ordered the men to use their swords rather than firearms. Nunn and his men initially captured fifteen men but let thirteen of them go, with two remaining in custody as murder suspects. Both of these men attempted to escape, and

⁵⁰ Gipps to Lord Glenelg, 27 April, 1838, *Historical Records of Australia*. Volume XIX. p.397.

⁵¹ <http://www.sydneyline.com/Massacres%20Part%20One.htm> pp.5-6. Accessed 13 September, 2004.

⁵² Bain Attwood 'Waterloo Creek massacre', Davison et al., *The Oxford Companion to Australian History*. Oxford Reference Online. Oxford University Press. Australian National University.

<http://www.oxfordreference.com/views/ENTRY/.html?subview=Main&entry=t127.e1538>
Accessed 25 November, 2004.

one was shot and killed in the attempt. Nunn's journey then took him Cobb's station from where reports had been received of outrages committed by the Aborigines. Everything there was in great confusion when Nunn arrived, as the shepherds and people were afraid to leave the vicinity of their huts and, consequently, all the sheep needed to be moved to new pasture but there was not a man who would do it. Two white men had recently been murdered at this station, and the Aborigines had taken 28 sheep and various other articles. In their search for the culprits, the Mounted Police came across a group of Aborigines who promised to lead them to those responsible. About noon on the second day, they encountered another group of Aborigines and Corporal Hannan was speared in the leg; and it was after this act that the Mounted Police opened fire. Nunn recalled seeing about five bodies.⁵³ Sergeant John Lee, however, estimated forty or fifty were killed and commented that Major Nunn was not with the men who fired. Lee stressed that it was the spearing of Hannan that set off the devastating chain of events: 'I do not think a shot would have been fired but for that circumstance', he said.⁵⁴

One of the reasons for the long delay before an enquiry was held into this affair was that the New South Wales Executive Council warned Gipps that, if he charged any members of the Mounted Police, they would all resign their police duties and return to their Regiment, in effect leaving the frontier defenceless.⁵⁵ The decision made after the enquiry was not to pursue charges. Gipps justified the actions of Major Nunn, in that Nunn was a military man since he was:

acting under Military orders, and that he knew there was still assembled before him a large body of People, whose aggressions he had been sent 300 miles to repel, it may not be deemed extraordinary that he should have considered it his duty to disperse them, or

⁵³ Deposition of Major J.W. Nunn at enquiry, Court House, Merton, 4 April, 1839, Australia, *Historical Records of Australia*. Volume XIX, pp.250-251.

⁵⁴ Deposition of Sergeant John Lee at enquiry, Court House, Merton, 4 April, 1839, Ibid. p.251.

⁵⁵ Gipps to Lord Glenelg, 27 April, 1838, Australia, *Historical Records of Australia*. Volume XIX, p.399.

that he should have thought, if he had failed to do so, that the object of his expedition would not have been accomplished.⁵⁶

The last example of Mounted Police activities is that of the Port Phillip district, as this was the last major British army deployment to the frontier. By 1838, British pastoralists were encroaching on the land of the Warthaurong, west of Geelong, and the Woiworung, north of Melbourne, and the most common form of Aboriginal frontier warfare was raids on sheep.⁵⁷ For the white settlers, the position was desperate, and four pastoral runs on the Ovens River had to be abandoned because of repeated Aboriginal attacks.⁵⁸ After this, the Port Phillip district settlers demanded military assistance from Governor Gipps, which he refused, though he did order the Mounted Police to the Ovens River, and they also investigated the creation of military outposts along the Melbourne Road. Major James Nunn supervised the construction of these barracks on the Murray, Ovens and Goulburn Rivers. Nonetheless, frontier warfare continued in this area for many years beyond 1838, and George Faithfull wrote that his station on the Ovens was 'in a perpetual state of alarm' for years on end.⁵⁹ The same violence continued in other areas of the Port Phillip district, such as Port Fairy. There, settlers, in a petition to the government, listed their losses over a two month period in 1842: ten settlers killed or wounded; eight huts or stations attacked; 3,600 sheep, 176 cattle and ten horses killed or driven away.⁶⁰

In 1838, the British government decided to withdraw the British army from frontier warfare. Their policy on the matter is evident in the following:

The Settlers must not be led to depend on a Military Force for internal protection. It is the desire of H.M. Govt. to encourage the establishment of local Corps in the different Colonies and to induce the Colonists to provide as much as possible for their own

⁵⁶ Gipps to Lord Glenelg, 22 July, 1839, Australia, *Historical Records of Australia*. Volume XIX. pp.244-245.

⁵⁷ Connor, *The Australian Frontier Wars, 1788-1838*.p.114.

⁵⁸ *Ibid.*p.117.

⁵⁹ *Ibid.*p.119.

⁶⁰ Petition of Port Fairy Settlers to Superintendent, Port Phillip, in *British Parliamentary Papers, Aborigines (Australian colonies)*, Vol.34, No.627, 1844.

defence. In cases where it is unfortunately necessary to adopt active measures for restraining the aggressions of the Natives, military aid though indispensable in support of the Civil Force, the latter ought to be the principal means on which reliance is habitually to be placed for internal security. I cannot too strongly deprecate the habitual employment of the Military on such a Service.⁶¹

Similarly, Governor Gipps outlined the government's inability to provide protection for the graziers:

it is quite out of the power of this Government to give to the proprietors of their Flocks the protection they desire; even if we were restrained by no sense of humanity towards the Blacks, the resources of the Government would be quite insufficient to keep Military parties always in advance of persons, who are migrating in search of pasturage, advancing often 50 miles in a single season, and in the case of Port Phillip have stretched to a distance beyond our former limits of between three and four hundred miles in the last three years.⁶²

John Connor has noted that the way the British army fought on the frontier after 1838 changed in several ways.⁶³ However, while he sees some major changes, my own view is that there was one – the British army ceased fighting on the frontier in the latter half of 1838 – and the other events were a corollary of that. Fighting on the frontier was then left to the settlers, who turned out to be more violent than the British army.

One consequence of the withdrawal of the British army from the frontier was the altered status of the Mounted Police. The Secretary at War, Viscount Howick, wrote to Lord Glenelg, who in turn wrote to Sir George Gipps, outlining new instructions for the employment of soldiers as mounted police. In future, soldiers transferred to the mounted police would no longer be considered part of their respective regiments: rather, they would be supernumeraries and would receive no military pay. As soon as soldiers were appointed to the mounted police, they were to be considered as having

⁶¹ Lord Glenelg to Governor Stirling, 7 March 1837 Colonial Office Public Records Office, Correspondence, Western Australia. AJCP Reel 300 PRO CO18/15 pp.372-373.

⁶² Gipps to Lord Glenelg, 21 July, 1838, *Historical Records of Australia*. Volume XIX, p.509. For Gipps' struggle with the squatters, see K. Buckley, Gipps and the Graziers of New South Wales, 1841-46, *Historical Studies, Selected Articles*, J.J. Eastwood and F.B. Smith (eds.), Melbourne, 1967, pp.57-102.

⁶³ Connor, *The Australian Frontier Wars, 1788-1838*. p.119.

been discharged from the army. This came about following Lieutenant Colonel Breton's evidence before the select committee of the House of Commons on Transportation. He stated that:

the best men of each Regiment are selected for this service; that they continue to be so employed until the regiment embarks for India, being a period of four or five years; that, by that time, the soldier becomes his own Master, his duty when he rejoins the Regiment is irksome to him, and he is no longer amenable to discipline...⁶⁴

These new regulations meant that the regiments would not be weakened by the withdrawal of a considerable number of men from their ranks to serve in the Mounted Police. What had been an expedient measure in New South Wales to use soldiers as mounted police had become untenable from the British army's perspective.

Another consequence was the creation of a small force of Border Police to operate permanently on the frontier beyond the Limits of Location in September 1838. That the Border Police retained the same military discipline of the mounted police is evident from the Standing Orders issued by Sir George Gipps to the Border Police of the Port Phillip district:

Every individual employed in the Border Police is expected to pay implicit obedience to the commands of the Commission in the same way as Troopers or Mounted Police or Soldiers in any Regiment of the Line are bound to obey the orders of their Commanding Officer.⁶⁵

Yet the most significant consequence of the British army's withdrawal was that settlers and stockmen were now left to protect their own property, and the violence towards Aborigines increased as settlers set up vigilante parties solely to attack Aborigines, in the same way as the men at Myall Creek station had done. Arguably the best known example of frontier violence between the British and Aborigines in New South Wales occurred at Myall Creek station, near the Gwydir River in the north of the state, in June 1838, before the British army left the frontier. The incident is an example of what

⁶⁴ Viscount Howick to Lord Glenelg, War Office, 11 July, 1838, in *Historical Records of Australia*. Volume XIX, p.585.

⁶⁵ Foster Fyans, Collection Relating to Captain Foster Fyans and the Border Police of the Port Phillip District. NLA MS 895.

settlers could get up to. A group of twelve stockmen came together with the specific aim of killing Aborigines: some were ticket of leave men and some were assigned convicts, yet all were armed, and the assigned men were not under supervision on the properties of their respective masters. This group also contained one master of assigned convicts, John Fleming and, with him in charge, the group set off into the bush, moving from station to station, until they finally located a group of Aborigines at Henry Dangar's Myall Creek station. There, about thirty men, women and children were tied to a long rope normally used for tethering horses at night. About fifteen minutes later, the massacre commenced. All were killed, except for one young woman, for whom they had another fate. Although these men later claimed they did not know it was against the law to kill Aborigines, that was surely a lie, as they had tried to remove evidence of the killings. They decapitated the bodies and then burnt them, removed the charred bones, and swept the area clean.⁶⁶ The perpetrators of this crime were pursued and captured by the mounted police, under the leadership of a stipendiary magistrate.⁶⁷ Eleven of them stood trial in the Supreme Court on 15 November 1838 for murder, but the jury returned a verdict of Not Guilty, after only a quarter of hour's deliberation.⁶⁸ The Crown was dissatisfied with the verdict, however, and another trial was held on 26 November 1838; this time seven men were charged with murder. When the jury returned with their verdict, the foreman delivered a verdict of Not Guilty as the names were called out. Apparently the excitement of the moment had upset the foreman, who called Not Guilty by mistake: the jury had in fact found the seven men Guilty of murder, but Not Guilty on other counts. These seven men were hanged.⁶⁹ Three men were tried again for murder a couple of months later, on 14

⁶⁶ Connor, *The Australian Frontier Wars, 1788-1838*. p.102.

⁶⁷ Neal, *The Rule of Law in a Penal Colony*. p. 150

⁶⁸ Supreme Court of New South Wales, *R V Kilmeister* (1838 [cited 28 December 2004]); available from http://www.law.mq.edu.au/scnsw/Cases1838-39/html/r_v_kilmeister_no_1_1838.htm.

⁶⁹ Supreme Court of New South Wales, *R V Kilmeister (No.2)* (1838 [cited 28 December 2004]); available from http://www.law.mq.edu.au/scnsw/Cases1838-39/html/r_v_kilmeister_no_2_1838.htm.

February 1839, but the case lapsed as a material witness, an Aborigine named Davey, was deemed unable to be instructed as a competent witness.⁷⁰ This may have been an excuse to drop the prosecutions because of the public hostility at the execution of the seven Myall Creek murderers.

Conflict between black and white continued for almost another century as settlers,⁷¹ stockmen and civil police carried on the 'frontier wars', and rather more violently than the British army had done. It was the settlers, rather than the British army, who did most of the fighting on the New South Wales frontier. Settlers made up the majority of those on the frontier, though as Mark McKenna has shown, sealers on the far south coast of New South Wales were also responsible for many atrocities against Aborigines.⁷²

There were different visions of frontier, depending on one's geographic location. If one was at the heart of the Empire, there was greater concern for the protection of Aboriginal people, particularly during the period of the anti-slavery campaign begun in the previous century, and largely run by people of evangelical religious persuasion. In 1823, William Wilberforce and other like-minded individuals formed the Anti-Slavery Society, and that campaign persisted for the next ten years until the Slavery Abolition Act was passed. But humanitarian impulses from London had little influence on what actually happened on the frontier: that was the responsibility of those there, the Mounted Police.

The impact of the Mounted Police in New South Wales was a mixed one: for contemporaries, it was positive as they were assisting settlers in keeping Aboriginal attacks on sheep and outlying stations to a minimum. That no

⁷⁰ Supreme Court of New South Wales, *R V Lamb, Toulouse and Palliser* (1839 [cited]); available from http://www.law.mq.edu.au/scnsw/Cases1838-39/html/r_v_lamb__1839.htm.

⁷¹ Many of the settlers were, of course ex-soldiers.

⁷² Mark McKenna, *Looking for Blackfellas' Point : An Australian History of Place*, Sydney : University of New South Wales Press, 2002. p.34.

charge was laid against Major James Nunn of the 80th Regiment for the incident at Waterloo Creek, and that a military jury dismissed the charge of murder against Lieutenant Nathaniel Lowe of the 40th Regiment, is indicative of the acceptance of violence against Aborigines by the Mounted Police and by some of the population. These people cheered Lieutenant Lowe as a brave man as he left the court. Yet these actions represent only the colonial vision of frontier. For the British army headquarters in London, the impact of the Mounted Police was negative. That the dismissal of the charge against Lowe troubled both the Duke of Wellington and the King indicates that the British army viewed the happenings in New South Wales with alarm because they brought the British army, and those who were part of it, into disrepute. Some of the British army – those in the Mounted Police – had sided with settlers, rather than uphold authority, and although the Mounted Police pursued and captured the Myall Creek murderers, overall their discipline and obedience were questionable. While the British government wanted settlers to occupy the land in New South Wales to make it a part of the British Empire, the conditions under which this happened became untenable for the army, at any rate. Consequently, the British Government resolved to withdraw the army from the frontier in New South Wales.

CHAPTER EIGHT

Part two: 'to pave the way for the free settler'

Military commandants of penal stations

This section will examine the role of Peninsular War veterans as military commandants of penal settlements, and why they were appointed to these positions. The mass unemployment and economic depression of the era following the Napoleonic wars brought radicalism, with the Peterloo riots, and an increase in crime to Britain. It was the combination of these two that led to a tougher stance on prison discipline from about the 1820s onwards. A particularly harsh method of discipline, the treadmill, was first introduced in this period.¹ This tougher stance on prison discipline began to take on more of a military nature, as veterans of the Napoleonic wars were appointed by the British government to a number of key positions within the penal system both in Britain and in New South Wales. After all, these officers were experienced disciplinarians and such skills were valuable to the British Empire.

Discipline in the British army is first examined in a general sense, and then the punishment of ordinary soldiers in the Australian colonies will also be explored, including the controversial cases of Joseph Sudds and Patrick Thompson of the 57th Regiment. An outline of the history of penal stations will follow, emphasising their military nature and the involvement of Peninsular War veterans. Then the punishment of convicts in penal settlements is examined, with a focus on two commandants: Captain Patrick Logan of the 57th Regiment, and Lieutenant-Colonel James Morisset of the 80th Regiment, both of whom had reputations as being brutal: Logan at

¹ Michael Ignatieff, *A Just Measure of Pain : The Penitentiary in the Industrial Revolution, 1750-1850*, New York: Columbia University Press, 1980. p.177. Interestingly, the first treadmill in New South Wales was introduced only a few years after, in 1822. See *Sydney Gazette* 24 April, 1823.

Moreton Bay and Morisset at Newcastle and on Norfolk Island. The military side of penal settlements and their punishments will be emphasized by placing the discipline of convicts at these places firmly within the context of discipline in Britain, and in the British army?²

* * * *

In Britain, after the end of the Napoleonic Wars, a new type of prison officer emerged, a more professional one. The earlier prison staff had been composed mostly of petty tradesmen. But the new regime of tighter prison discipline required a new type of man with an aptitude for the exercise of authority, and it was among the large number of half-pay army officers that he was to be found. As Ignatieff has pointed out:

In the 1820s and 1830s they took positions in the Metropolitan Police, the prison, the prison inspectorate, the poor law administration, and later the rural constabulary, bringing with them the habits of command that they had learned in the forces. This infusion of trained disciplinarians provided the personnel necessary for the centralization and rationalization of the machinery of public order in the 1830s.³

Peninsular War veterans headed the list of those chosen for the new disciplinary roles in prisons and other places. Typical of these were George Chesterton, the governor of Coldbath Fields prison in London and a veteran of the Peninsula campaign, and Colonel Rowan, the newly appointed police commissioner who used the regimental drill manual used by Sir John Moore in the Peninsula as the basis for his disciplinary program.⁴ Together with this change in the social composition of prison officers, a language of discipline began to emerge that was increasingly military in derivation. For instance, in 1837, a former army officer, William J. Williams, argued that the government of prisons:

² My discussion takes no account of punishments of convicts in iron gangs, or on private assignment.

³ Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750-1850*. p.189.

⁴ S.H. Palmer, *Police and Protest in England and Ireland, 1780-1850: the origins of the modern police forces*, PhD thesis, Harvard University, 1973, p.621, quoted in *Ibid.* p.189.

Should be made as analogous as possible to that of a battalion; with the same graduated responsibility among the officers, the same inflexible regularity extended even to trivialities, the same promptitude in punishments, the same nice divisions of time.⁵

Alongside this new type of prison officer, increasing crime rates and overcrowded prisons accompanied this new militarisation. Two London prisons, Westminster Bridewell⁶ and Coldbath Fields, almost doubled their capacity in the period from 1825 to 1832.⁷ This militarisation of prisons is also apparent in New South Wales, where John Maclean, a Peninsular War veteran formerly of the 43rd Regiment, was appointed Principal Superintendent of Convicts. He held this position from 1837 until 1851, when he returned to England.⁸ Other Peninsular War veterans were also appointed as military commandants of penal settlements.

Yet British military discipline was out of touch with much of the rest of the world. By this time, the British army was the only one to retain flogging as a disciplinary measure; it had been abolished in the French army during the Revolution, in the American army at the beginning of the war of 1812, and also in the Prussian army.⁹ There were calls by reformers to restrict flogging or discontinue it altogether, but they were outnumbered in a Parliament dominated by ex-army and navy men. In March 1826, for instance, a clause prohibiting military flogging in the United Kingdom was rejected by 99 votes to 52.¹⁰ The prevalent argument was that flogging was a familiar punishment in other walks of life, including schools. Moreover, an 1834 Royal Commission to enquire into the system of military punishments in the Army

⁵ British Parliamentary Papers 1837, XXXII, 2nd Report, Northern and Eastern District, p.4, quoted in *Ibid.* p.191.

⁶ Named after St. Bride's Well, a 16th century house of correction in London.

⁷ Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750-1850*, p.185.

⁸ Entry for Maclean in P.C. Mowle, *Genealogical History of Pioneer Families of Australia*, Fourth edition, Sydney: John Sands, 1948. p.100.

⁹ J. R. Dinwiddy, 'The Early Nineteenth-Century Campaign against Flogging in the Army,' *The English Historical Review* 97, No. 383, 1982. p.319.

¹⁰ Cobbett's (later Hansard's) *Parliamentary Debates*, N.S. x. 766-76, 1031-9, xiv. 1292-1305. quoted in *Ibid.* p.315.

essentially defended the practice.¹¹ The army, after all, was the ultimate safeguard against popular disorder and insurrection, and discipline was paramount.

In New South Wales, soldiers were subject to the same disciplinary code as their counterparts in Britain. They belonged to the same working class culture as most convicts, with whom they had much in common. The lives of soldiers, like those of convicts, were also highly regimented and closely scrutinised; but did punishments differ for the two groups? Sergeant John Evans, in his evidence to Commissioner Bigge at the Newcastle penal station, was of the view that soldiers were given more lashes than convicts.¹² The surviving evidence of the punishment of soldiers in the Australia colonies demonstrates the severity of military punishments. Rank and file in the 17th Regiment received the largest number of lashes. James Haughey received two sentences of 400 lashes each in 1830, the first for desertion and losing his necessaries,¹³ the second for stealing; Patrick Cleary received 500 lashes for abuse; David Melville received 400 lashes for being drunk at Parramatta, and Joseph Heywood received 300 lashes for stealing.¹⁴ Likewise, a couple of soldiers of the 80th Regiment were certainly given a large number of lashes. They were punished for 'most mutinous conduct' on 31 March 1838, and for this one received 200, and the other 100 lashes.¹⁵ As well, a group of five rank and file of the 48th Regiment were charged with being 'absent without leave, with the intention of deserting, taking arms and ammunition and

¹¹ Royal Commission on Military Punishments, *British Parliamentary Papers* 1836, (59) xxii, quoted in Peter Burroughs, 'Crime and Punishment in the British army, 1815-1870,' *The English Historical Review* 100, No. 396, 1985. p.563.

¹² Evidence of Sergeant John Evans, Superintendent of Government Works, 18 January, 1819, in J.W. Turner, (ed.), *Newcastle as a Convict Settlement: The Evidence before J.T. Bigge in 1819-1821* Newcastle: The Council of the City of Newcastle, 1973. p.85.

¹³ A soldier's necessaries were his arms, accoutrements, or clothing. These were often pawned when soldiers attempted to raise funds for drink or desertion.

¹⁴ David Murphy, 'The Colonial Lilywhites: The 17th (Leicestershire) Regiment in New South Wales and Van Diemen's Land 1830 to 1836,' *Sabretache: the Journal of the Military Historical Society of Australia* Volume XXXIII, 1992. p.25.

¹⁵ A. D. W. Best, *The Journal of Ensign Best, 1837-1843*, M. Taylor (ed.), Wellington, N.Z. : R.E. Owen Government Printer, 1966. p.170.

losing regimental necessaries and ammunition'; they were found guilty and sentenced to 300 lashes each, the maximum sentence.¹⁶ Only one of them received the full punishment as he was perceived to be the ringleader; two received 150 lashes, one 25 lashes, and one man's sentence was remitted, possibly for giving information. These British army floggings were a continuation of what was normal during the Napoleonic wars. In Portugal, for instance, one private received 300 lashes on suspicion of killing a pig, while four were hanged following an outbreak of plundering.¹⁷

Meanwhile, in New South Wales, some soldiers became dissatisfied with army life and its discipline, and even committed crimes to become convicts, whose lives they perceived to be easier than theirs. As a popular song put it,

They feed you and they clothe you,
Better than a working man or a soldier,
There's a lot of jolly living over here.¹⁸

In January 1829, Major Morisset, then Superintendent of Police, wrote to Governor Darling informing him that a soldier of the 57th Regiment was charged with stealing from a shop. 'From the manner in which the theft was committed', wrote Morisset, 'it was evident that obtaining the goods was not his principal object'. Rather, the soldier 'wished to get away from his Regiment'.¹⁹ In November 1826, two soldiers of the 57th Regiment, Joseph Sudds and Patrick Thompson, were convicted of theft and sentenced to penal settlement for seven years.²⁰ The two soldiers readily confessed that it had been 'their fixed determination to commit some species of theft by which

¹⁶ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications, Canberra, 1996. p.34.

¹⁷ A. Brett-James, *The British Soldier in the Napoleonic Wars, 1793-1815*, London, 1970, p.46, quoted in Brian H. Fletcher, *Ralph Darling: A Governor Maligned*, Melbourne: Oxford University Press, 1984. p.246.

¹⁸ Peter Stanley and Lindsay C. Cox, *The Remote Garrison: The British army in Australia 1788-1870* Sydney: Kangaroo Press, 1986. p.48.

¹⁹ Morisset to Governor Darling, Sydney, 22 January, 1829, in Commonwealth of Australia, *Historical Records of Australia*, Vol. XIV, Series I, Sydney: 1922. p.621.

²⁰ There was evidence of similar cases. See Fletcher, *Ralph Darling: A Governor Maligned*. p.245.

they would be transported, to be rid of their regiment'.²¹ The soldiers were taken to the parade ground, where a suit of yellow cloth was put on each of them, an order was read by Brigade Major Gillman, and a set of irons was put on each. They were then drummed out of the regiment to the tune of the Rogue's March. As Thompson was later to recount:

We were not drummed out in the usual way, which is to put a rope about the neck, cut off the facings and place a piece of paper on the back, with a description of the offence which the party may have committed; instead of this we had the chains on and the yellow clothing.²²

Governor Darling was particularly outraged by the offences committed by Sudds and Thompson, and perhaps sought to make an example of them. He cancelled their prison sentences, and instead was going to send them off to work in iron gangs for the same period. There has been some debate as to whether this action of Darling's was illegal, and it seems it was. While the Governor was authorised to recall a prisoner from a penal settlement and impose an alternative punishment, Darling exercised this power prior to the offenders' going to a penal settlement.²³ Just a few days later, Sudds, who had been ill for a fortnight, died. The death attracted public attention, and Governor Darling subsequently came under intense criticism from his political opponents.

Next, I shall give a brief account of several penal stations. Newcastle was the first penal settlement on the mainland, and the model for later ones. In 1804, there had been a rebellion of Irish convicts at Castle Hill and, in the aftermath, those rebels were considered too dangerous to remain in Sydney. At this time, the British government also sought to develop the coal resources of the colony, so Governor King decided to re-settle the Hunter River. An earlier attempt to establish settlement with a small party of

²¹ Ibid. p.245.

²² Examination of Patrick Thompson, a convict on board the Phoenix Hulk, taken 23rd April, 1827, in Australia, *Historical Records of Australia*, Volume XIV, p.861.

²³ Fletcher, *Ralph Darling : A Governor Maligned*. p.247.

convicts had failed. Thus, one warm April day in 1804, Lieutenant C.A. Menzies, with a few soldiers, a couple of civil officials and 22 convicts established the penal settlement at the mouth of the Hunter River,²⁴ and so it remained until 1823, when it was abandoned as a penal settlement in favour of Port Macquarie. In the meantime, convicts worked in the coalmines, burned lime, cut timber and constructed a breakwater: all hard, physical labour. It is important to bear in mind that the majority of these were convicts who had committed a second offence, either on the way to the colony or after their arrival. Often, after serving their sentence in Newcastle, they were returned to Sydney as ordinary convicts. Among the commandants at Newcastle, there was only one Peninsular War veteran, Brevet Major Morisset, appointed in 1819. A unique aspect of Newcastle as a penal out-station was that martial law was in force until 1822, or almost to the end of its usefulness as a penal settlement.²⁵ This underlines the military nature of these settlements and hence of their punishment.

After the life of the penal settlement at Newcastle had ended, military authority lingered on, causing considerable tension over the rights of free settlers and the authority of the civil magistrate, who was also a military man. Captain Henry Gillman, later a military commandant at the penal settlement at Port Macquarie, seemed unsure as to whether military or civil law prevailed. Gillman was the defendant in a case in the Supreme Court in Sydney in October 1824, in which Vicars Jacob attempted to prosecute Gillman for misuse of a search warrant and for attempting to initiate a duel.²⁶ But beyond this dispute was a conflict over the rights of free settlers in an

²⁴ Turner, *Newcastle as a Convict Settlement: The Evidence before J.T. Bigge in 1819-1821*. p.9.

²⁵ John Windross and J. P. Ralston, *Historical Records of Newcastle, 1797-1897, Facsimile Series; No.13*. North Sydney: Library of Australian History, 1978. p.15.

²⁶ Decisions of the Superior Courts of New South Wales, 1788-1899, Division of Law Macquarie University, http://law.mq.edu.au/scnsw/html/r_v_gillman_1824.html, accessed 8 November 2004.

area that had previously been run by the military as a penal settlement. *The Australian* had the answer:

So long as those settlements continued mere receptacles for persons convicted of offences in the Colonial Courts, and therefore deserving to be subjected to a rigorous system of discipline, this unnatural combination of the civil and military functions might have been requisite and in such places may be requisite still. But, the instant a settlement loses its penal complexion, the instant it becomes inhabited by a free population, that instant the military authorities should become subject to the civil power, and not superior to it, as is obviously the case at Newcastle.²⁷

As Newcastle became unsuitable as a penal settlement because of its proximity to encroaching free settlement and its problems, a penal settlement at Port Macquarie was begun in 1821. The forward party sent to commence the Port Macquarie penal settlement was larger than the initial party for Newcastle: Captain Francis Allman, of the 48th Regiment, headed a party of men of his regiment and 60 convicts. Allman planted sugar cane at the new settlement, and a Negro convict named James Williams, a native of Antigua, who had experience with growing sugar cane, was in charge of it. Eventually, the climate proved to be less than ideal, but the settlement did produce good sugar crops for some years.²⁸ There was no doubt that these penal settlements were military operations, and the commandant had power over both the military and civil officers. One who had some doubts about this situation was William Parker, appointed Superintendent of Agriculture at Port Macquarie. Everybody else understood implicitly that the commandant had supreme command, and Parker was soon made aware of this.²⁹ The dual role of penal settlements is clear: they were to avoid settlement and, at the same time, open the country for free settlement:

You perceive if the Australian Agricultural Company selected their Lands in the neighbourhood of the Hastings, there is an end of Port Macquarie as a penal Settlement. I have always considered it would be necessary to abandon that for such purpose, as soon as the tide of free settlers extended that far, in the Same way I acted in regard to Newcastle; and I consider it always the preferable mode to form a penal settlement, in the

²⁷ *The Australian*, 28 October 1824. p.2.

²⁸ Ian W. Symonds, *Port Macquarie: The Era of the Military Commandants 1821-1832* (n.d.). p.9. Unpublished copy obtained from Port Macquarie Historical Society.

²⁹ *Ibid.* p.17.

first instance, in order to pave the way for the free settler, who could never venture so far among savage tribes until Government has preceded them...³⁰

When the penal settlement closed at Port Macquarie in 1832, there were echoes of the earlier problems at Newcastle. At Port Macquarie, the military was reluctant to hand over command to a civilian, after eleven years and three months of military rule. When Benjamin Sullivan, the new Resident Magistrate, arrived in Port Macquarie to a hostile reception, he fired off the following dispatch to Governor Bourke:

The retiring Commandant and senior officers met me at the wharf. After having been introduced to all of them, Captain Smyth informed me that as no information had been previously given him of my appointment, he was not prepared to see me. He asked to see my instructions, which I immediately showed him. He said that he was sorry he could not accommodate me at Government House, as Captain Clark of the 4th Regiment occupied half of it.³¹

The twelve military commandants who ruled Port Macquarie were as follows

<p>Captain Francis Allman, 48th Regiment, March 1821 to April 1824 Captain John Rolland, 3rd Regiment, April 1824 to November 1824 Lieut. G.R. Carmac, 3rd Regiment, November 1824 to December 1824 Captain Henry Gillman, 3rd Regiment, January 1825 to February 1826 Captain Samuel Wright, 3rd Regiment, February 1826 to Nov. 1826 Captain Archibald Innes, 3rd Regiment, November 1826 to April 1827 Lieut. Thomas Owen, 3rd Regiment, April 1827 to October 1827 Captain F.C. Crotty, 39th Regiment, October 1827 to June 1828 Lieut. Thomas Meyrick, 39th Regiment, June 1828 to August 1828 Captain Philip Aubin, 57th Regiment, August 1828 to October 1828 Captain Robert Hunt, 57th Regiment, October 1828 to November 1828 Captain Henry Smyth, 39th Regiment, November 1828 to June 1832³²</p>

³⁰ Governor Brisbane to Under Secretary Horton, 24 March 1825, Commonwealth of Australia, *Historical Records of Australia*, Volume. XI, Series I Sydney : 1917. p.555.

³¹ Sullivan to Governor Bourke, 20 July, 1832, in Iain McLachlan, *Place of Banishment: Port Macquarie 1818-1832*, Sydney : Hale and Iremonger, 1988. p.224.

³² *Ibid.* p.227.

Of these twelve, ten were Peninsular War veterans.³³ The two who were not – Captain John Rolland and Lieutenant G.R.Carmac, there for short periods in 1824 – were part of the same cohort.

As the tide of settlement was progressing northward, Governor Brisbane decided to open another, farther north than Port Macquarie, so remote that its prisoners might give up all hope of escape. This was the penal settlement at Moreton Bay, and the first commandant was Lieutenant Henry Miller, from September 1824 to August 1825. Miller was Anglo-Irish, and had joined the 40th Regiment of the British army in 1799. He was present at many of the brutal battles of the Peninsular War, and was severely wounded. After the fall of Napoleon, Miller went to America, and was back in Europe again for the battle of Waterloo. He was given the Waterloo medal and the Peninsula medal with clasps for Busaco, Badajoz and Ciudad Rodrigo.³⁴ The next couple of commandants were also Peninsular War veterans: Captain Peter Bishop of the 40th Regiment (from August 1825 to March 1826) and Captain Patrick Logan of the 57th Regiment (March 1826 to October 1830). Like Miller, Bishop also served both in the Peninsular War and at Waterloo, while Logan fought in the latter battles of the Peninsular War: Vittoria, the Pyrenees, Nivelle, Nive, Orthes and Toulouse. Logan then sailed for America, arriving back in Europe too late for Waterloo, and was part of the army of occupation of France. Captain James Clunie came next at Moreton Bay (from October 1830 to November 1835) and it seems unlikely that he served in the Peninsular War, as he was appointed to an ensigncy in the 17th Regiment in 1813 and served in the American war.³⁵ From November 1835 until July 1837, Captain Foster Fyans of the 4th Regiment was commandant, and his impressions of his time at Moreton Bay are contained in his

³³ L.S. Challis, *Peninsula Roll*.

³⁴ Dr. F.W.S. Cumberae-Stewart, 'The Founders of Brisbane: Captain Henry Miller,' *Hue and Cry*, No. 28, 1992. pp.2–3.

³⁵ J.G. Steele, *The Commandants of the Moreton Bay Settlement* [cited 24 September 2003]; available from <http://www.home.gil.com.au/~tmacey/history/commanders.html>.

memoirs.³⁶ The last three commandants, Major Sydney Cotton of 28th Regiment (from July 1837 to May 1839), Lieutenant George Gravatt of 28th Regiment (May 1839 to July 1839) and Lieutenant Owen Gorman of 58th Regiment (July 1839 to May 1842) did not serve in the Peninsula. In May 1842, the penal colony was abandoned and the district opened to free settlers.

On Norfolk Island, as at Newcastle, it was intended that martial law should operate. The original penal settlement was abandoned in 1814; but, by 1825, orders were given by the British government to resume possession of the island. In a dispatch to Under Secretary Horton in March 1825, Governor Brisbane wrote, *inter alia*:

However extensive the numbers may be who are sent to penal Settlements, I consider, I am fully persuaded, that, by a judicious application of their labors, they can, in some employment or other, be made to earn their own livelihood, and if it were not too repugnant to the Laws of England, I should consider it very fitting to have Norfolk Island completely under Martial Law...³⁷

Brisbane was unsuccessful in his attempt to have martial law declared at Norfolk Island; in practice, though, commandants certainly did have sweeping powers. Interestingly, the same dispatch also records the hierarchy of the penal settlements:

Port Macquarie for first grave offences, Moreton Bay, for runaways from the former, and Norfolk Island, as the *ne plus ultra* of Convict degradation.³⁸

The second settlement of Norfolk Island operated from 1825, when Captain Richard Turton of the 40th Regiment, arrived with the first party of convicts and soldiers. A full list of commandants follows:

Captain Richard Turton	June 1825 to March 1826
Captain Vance Donaldson	March 1826 to August 1827
Captain Thomas Wright	August 1827 to November 1828
Captain Robert Hunt	November 1828 to February 1829

³⁶ Foster Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870) : Transcribed from His Holograph Manuscript Given by Descendants to the State Library, Melbourne, 1962, Geelong, Victoria : Geelong Advertiser, 1986.*

³⁷ Sir Thomas Brisbane to Under Secretary Horton, 24 March 1825, *Historical Records of Australia*, Series I, Volume XI, p.553.

³⁸ *Ibid.* p.553.

Captain Joseph Wakefield	February to May 1829
Brevet Major James Morisset	May 1829 to April 1834
Major Joseph Anderson	March 1834 to April 1839
Major Thomas Bunbury	April to September 1839
Major Thomas Ryan	September 1839 to March 1840
Captain Alexander Maconochie R.N.	March 1840 to February 1844
Major Joseph Childs	February 1844 to August 1846
John Price	August 1846 to January 1853
Major H.B. Deering	January to November 1853
J.H. Day	November 1853 to June 1856 ³⁹

Of these, Day, the last commandant, supervised the transfer of the remainder of the convicts from Norfolk Island to Van Diemen's Land and the settlement of New Norfolk.

The first long-term, and also the most notorious, of the commandants on Norfolk Island was Morisset. Officially appointed as Military Commandant,⁴⁰ Morisset was 49 when appointed, and had spent the past 30 years as a soldier. He was of slender build, elegantly dressed by one of the more fashionable London military tailors, although his face marred this elegant image. According to Captain Fyans:

The Commandant, a gruff old gentleman with a strange face, on one side considerably longer than the other, with a stationary eye as if sealed on his forehead: his mouth was large, running diagonal to his eye, filled with a mass of useless bones; I liked the old gentleman, he was friendly and affable, and thought time might wear off his face affliction, which was most revolting: the one side I could only compare to a large yellow over-ripe melon.⁴¹

Besides being physically disfigured, Morisset was in poor health, as he suffered continual pain from another head wound. He became ill on Norfolk Island early in 1833, and from then on until he received official leave of absence, almost a year, his second in command, Captain Fyans, was acting

³⁹ M.G. Britts, *The Commandants: The Tyrants Who Ruled Norfolk Island*, Brisbane : 1980.

⁴⁰ Earl Bathurst to Governor Darling, 24 September, 1826 Commonwealth of Australia, *Historical Records of Australia*, Volume. XII, Series I Sydney: 1919. p.585.

⁴¹ Fyans *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870)*, p.92.

commandant.⁴² Fyans commented that Morisset had 'degenerated to imbecility'.⁴³ Morisset then went back to the mainland, sold his army commission and invested the proceeds, unwisely as it turned out, in the Bank of Australia. He was appointed police magistrate at Bathurst in 1838, and remained in that position until his death in 1852, although for the previous ten years his ill health and age hampered his conduct of the Bathurst bench.⁴⁴

Both Morisset and Captain Patrick Logan have been immortalised as tyrants by the convict poet, Frank McNamara: Morisset in *A Convict's Tour to Hell* and Logan in *The Convict's Lament on the Unfortunate death of Patrick Logan*, more commonly known as *Moreton Bay*. But is this description of McNamara's a just one? What of the punishment under Morisset at Newcastle and Norfolk Island, and Logan at Moreton Bay? Morisset first gained a name for cruelty at the Newcastle penal station.⁴⁵ However, Commissioner Bigge's report on the Newcastle penal settlement finds an altogether different man, a much more humane one. Indeed, Bigge found that Captain Wallis of the 46th Regiment, Morisset's predecessor, appears more brutal than Morisset as he inflicted severe punishment on convicts and, during the period of his command, the overseers were allowed to strike the convicts with sticks; this was not allowed in Morisset's time.⁴⁶ Morisset was appointed to Newcastle in 1819 and the number of prisoners punished that year amounted to 91, about a third of them for attempting to escape. A surviving list of prisoners punished at Newcastle from 1818 to 1821 shows that Morisset inflicted no greater number of lashes all told than did his predecessor.⁴⁷ Sergeant John Evans confirmed this pattern in his evidence to

⁴² Britts, *The Commandants: The Tyrants Who Ruled Norfolk Island*. p.100.

⁴³ Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870)*, p.109.

⁴⁴ V. Parsons, entry for Morisset in D. Pike, (ed.), *Australian Dictionary of Biography*, Volume 2, Melbourne : 1967. p.261.

⁴⁵ Windross and Ralston, *Historical Records of Newcastle, 1797-1897*. p.9.

⁴⁶ J.T. Bigge, 'Settlement of Hunter's River' in Turner, (ed.), *Newcastle as a Convict Settlement: The Evidence before J.T. Bigge in 1819-1821*. p.289.

⁴⁷ List of prisoners punished at Newcastle from 14 July, 1818 to 1 January, 1821 in *Ibid.* p.232-251.

Bigge.⁴⁸ Bigge concluded his report on the Newcastle penal settlement by commenting on the 'great attention' paid by Major Morriset to 'every part of his difficult and disagreeable duty':

his vigilance and constant superintendence of the works, his attention to the complaints of the convicts, his patient investigation of them, and his efforts to maintain discipline, are equally conspicuous and successful: although aware of the necessity of inflicting severe punishments, he has always accompanied them with admonitions, calculated to impress upon the minds of other convicts his reluctance to resort to severity, except upon occasions where it was obviously required; these occasions have entirely arisen from the imperfect security against escape that the situation of the place afforded, weakened as it was by the connivance of the constables, and the daily increasing knowledge of the country that separates Hunter's River from the settled districts of New South Wales.⁴⁹

So far as Morisset's time in Norfolk Island is concerned, who can be relied on as a witness? Captain Mason of the 4th Regiment was there for a time, and did not mention Morisset's cruelty in his journal.⁵⁰ Ensign Best was on Norfolk Island in 1837 and 1838, when Major Anderson was commandant. This was only a few years after the supposedly cruel command of Morisset, and yet there is no mention whatsoever of Morisset in Best's lengthy account of his time on Norfolk Island.⁵¹ As noted earlier, Captain Foster Fyans of the 4th Regiment was acting commandant on Norfolk Island in Morisset's time. The most telling remarks about Morisset are not in Fyans' memoirs, but contained in the evidence he gave to a later Committee on Penal Discipline:

Colonel Morisset was a great disciplinarian... I must say that, for about a year and a half, I never saw anything equal to the beautiful discipline of that place. There was not as many punishments as people imagine and, perhaps the same fellows punished, over and over again, when other men were always well-behaved quite different characters.⁵²

The only convict to leave an account of life under Morisset on Norfolk Island was Laurence Frayne.⁵³ An Irishman, convicted of theft in Dublin, he arrived in Sydney in 1826, and was then reconvicted for repeatedly absconding, and sent to Moreton Bay. There, he kept trying to escape: nothing could keep

⁴⁸ Evidence of Sergeant John Evans, Superintendent of Government Works, *Ibid.* p.84.

⁴⁹ J.T. Bigge, 'Settlement of Hunter's River' in *Ibid.* p.293.

⁵⁰ Captain George Mason, *The Journal of Captain Mason of the 4th (or King's Own) Regiment*, Lancaster Museum, U.K., c1981.

⁵¹ Best, *The Journal of Ensign Best, 1837-1843*.

⁵² Evidence of Foster Fyans to Committee on Penal Discipline, 8 July 1857, reprinted in Fyans, *Memoirs Recorded at Geelong, Victoria, Australia by Captain Foster Fyans (1790-1870)*, p.162.

⁵³ Robert Hughes, *The Fatal Shore*, London: Collins Harvill, 1987, p.461.

him tethered. He was sent to Sydney in 1830, reconvicted by the Supreme Court, sentenced to death, had his sentence commuted and was put on a hulk, awaiting transportation to Norfolk Island. Once more, he tried to escape from the hulk, was caught and given 50 lashes; then he cursed the overseer and received 150 more.⁵⁴ On Norfolk, Frayne was brought before Morisset on numerous occasions, and he insulted Morisset on each of them. Frayne resisted the discipline on Norfolk Island in a most determined manner, and he certainly called Morisset a tyrant. Perhaps he had reason to do so, as he was flogged repeatedly. His last flogging was for breaking into Morisset's residence and sleeping with two female assigned convicts there. He had told these two women that :

they might expect me to pay them a visit at all Hazard, and I would put up with the consequences if it was 300.⁵⁵

Prisoners at some penal settlements were allowed to keep gardens. Major Morisset, for instance, allowed prisoners to have their own gardens in the penal settlements at Newcastle and Norfolk Island. When he took command of the Newcastle penal settlement, allowing prisoners to cultivate their own gardens and to keep pigs and poultry was official policy, and he was instructed to encourage it.⁵⁶ Likewise, convicts at the penal settlement at Port Macquarie were allowed the same indulgences.⁵⁷ The situation on Norfolk Island was similar as prisoners were allowed gardens, but so also were the rank and file of the garrison regiment. The latter practice led to discontent, and the possibility of liaisons between prisoners and soldiers. The custom of allowing soldiers' gardens, and huts to store produce and tools, dated from before Anderson's service as commandant. On their arrival on Norfolk Island in 1839 the new garrison, the 50th Regiment, purchased the huts and gardens

⁵⁴ Ibid. p.461.

⁵⁵ Laurence Frayne, NSW Colonial Secretary's papers, Volume 1 (re NSW 1799-1830) MS 681/1, Mitchell Library, Sydney, quoted in Ibid. p.465.

⁵⁶ Instructions for Administration of Settlement, in Turner, (ed.), *Newcastle as a Convict Settlement: The Evidence before J.T. Bigge in 1819-1821*. p.180.

⁵⁷ Messrs. Morisset and Busby to Colonial Secretary Macleay, 22 August 1828, in Commonwealth of Australia, *Historical Records of Australia*. Volume XIV, Sydney, 1922, p.496.

of the departing regiment, the 80th, despite an order issued in 1835 that this was not to be done: that the gardens should pass to the next garrison regiment without payment.⁵⁸ Major Bunbury, the new commandant and tougher disciplinarian of the two, ordered the removal of the huts around the gardens. As both convicts and soldiers kept gardens, Bunbury considered there were opportunities for fraternisation between the two groups. As word got out of Bunbury's order, a large number of soldiers assembled to resist its implementation. Bunbury attempted to compromise by suggesting that a government garden be established, with the men paying for vegetables. The soldiers, facing Bunbury on a verandah, were fully armed. They claimed they had bought the garden plots, and tools and stock, from the departing troops and insisted on what they saw as their right to keep the gardens. In the end, the huts and gardens remained. A few months later, Major Ryan, the next commandant, arrived with 180 men of the 50th Regiment and, with the advent of this new broom, the huts and gardens were destroyed. Upon their return to Sydney, eight soldiers were sentenced to be transported to Van Diemen's Land for their part in the mutiny.⁵⁹

There are no records of any gardens at the penal settlement of Moreton Bay, where there remains a frightening portrait of the military commandant there, Captain Patrick Logan. He was an ogre, according to the convicts, a grotesque monster, according to his subordinates, and was known generally as the infamous Beast of Brisbane. Logan was reasonably young when appointed as commandant of Moreton Bay: just 35, with several years' experience in command of a company in the army. A portrait survives, which depicts Logan as stern and austere, with the air of a disciplinarian: very much the military man. The numbers of convicts in the period of

⁵⁸ Sir George Gipps to Marquess of Normanby, 14 September, 1839, in Commonwealth of Australia, *Historical Records of Australia*, Volume XX, Sydney, 1924. pp.352-354.

⁵⁹ Peter Stanley, 'a Mere Point of Military Etiquette': The Norfolk Island Mutiny of 1839,' *The Push from the Bush* No.7, 1980. p.8.

Logan's command were larger than at any other time. Logan was above all a soldier, a man of action, and revelled in his new role: he drew his own plans for the erection of a hospital and gaol and set about building them. Though occupied with the construction of these and other buildings, and with the increasing population of convicts, Logan nonetheless took up the case of some convicts. One was his overseer, Owen, whose wife died on the passage out from England, and whose two children were being detained in Sydney. Logan at once granted Owen leave to proceed to Sydney, and then forwarded to Macleay Owen's petition for a ticket-of-leave. This action of Logan's enabled Owen to get a job at Carter's barracks in Sydney and to look after his children.⁶⁰ In another instance, Logan questioned the legality of the sentences of a number of prisoners, and he appears to have acted on his own initiative in this. The case was referred to law officers, who upheld Logan's stand and reported that all but one of the men had been illegally sentenced. Logan was instructed to send the men to Sydney.⁶¹ Both of these cases illustrate that there could at times be another side to Logan, a more compassionate one.

At the same time, Logan himself ordered prisoners to work in irons when the court had not so sentenced them. Colonial Secretary Macleay had reminded Logan that care must be taken 'that prisoners be actually subjected to the punishment ordered for them, no discretion being left with the Commandant in such cases'.⁶² Under Logan, the number of absconders also grew. It is true that the convict population increased dramatically in this period, but the absconders were proportionately more numerous in this period than any other. The punishments they incurred were savage: Logan's minimum sentence for absconding was 50 lashes, but others received 100 lashes and

⁶⁰ Charles Bateson, *Patrick Logan; Tyrant of Brisbane Town*, Sydney: Ure Smith, 1966. p.74.

⁶¹ *Ibid.* p.75.

⁶² *Ibid.* p.82.

there are instances of three who received 150 lashes and one of 200 lashes.⁶³ Unfortunately, there is no official record extant of the punishments Logan imposed at Moreton Bay, other than the journal of Peter Spicer, Superintendent of Convicts, for the period from 11 February to 16 October 1828. This journal shows that, between these dates, Logan bestowed 72 sentences of 25 lashes, 97 of 50 lashes, 17 of 100 lashes, three of 150 lashes, ten of 200 lashes and one of 300 lashes.⁶⁴ With only eight months of records of punishments at Moreton Bay, it is difficult to judge whether Logan continued this pattern, but it seems likely he did.

Logan's flogging record at Moreton Bay contrasts unfavourably with that of the other commandant accused of brutality, Morisset. At Newcastle, the largest number of lashes ordered by Morisset was 100 lashes for absconding into the bush. Those who were given 100 lashes were absconding for the second, or even third, time. Lesser penalties of 25 lashes were given for gambling, smuggling rum on shore, disobedience of the Commandant's orders, refusing to work, and fighting.⁶⁵

In this brief study of commandants of penal stations in New South Wales, the military nature of these settlements has been made clear. The influence and experience of the military officers who commanded them, as well as their occasional reluctance to relinquish military power, is also evident. As the penal settlements functioned during the 1820s and 1830s when penal discipline in the British Empire was particularly militaristic in nature, the punishment in these places should be placed in the context of punishments in the British army generally, where flogging was the accepted method of discipline. As commandant of the penal stations at Newcastle and Norfolk

⁶³ Ibid. p.104

⁶⁴ Spicer's Journal, 1828, Oxley Memorial Library, Brisbane, quoted in Ibid. p.106.

⁶⁵ List of prisoners punished at Newcastle from 14 July, 1818 to 1 January, 1821 Turner, (ed)., *Newcastle as a Convict Settlement: The Evidence before J.T. Bigge in 1819-1821*. pp.232-251.

Island, Morisset has been labelled a tyrant, yet his predecessor at Newcastle was allegedly worse. Logan, on the other hand, perhaps deserves the title of the Beast of Brisbane, as his punishments were heavier, and more in line with those in the British army generally. As experienced disciplinarians, Peninsular War veterans were indeed highly suitable to be military commandants.

* * * *

In New South Wales, the employment of Peninsular War veterans in positions such as the Mounted Police, and as military commandants of penal settlements, can be seen as an ineluctable consequence of the new British penal ideology developed during the 1820s and 1830s. The Mounted Police, by responding to attacks on settlers by Aborigines, opened up the bush for settlement but, in the process, their efforts became an embarrassment. Apart from their primary purpose of punishing secondary offenders, penal settlements served a dual role: they were a crucial element in the militarisation of British penal discipline, and they paved the way for free settlers to occupy the land.

CHAPTER NINE

'very useful settlers': men of other ranks

The British Government encouraged not only officers, but also men of other ranks to settle in the Australian colonies, most particularly soldiers from the Royal Veteran Companies, formed in Britain in 1825 for service in New South Wales. Indeed, the Horse Guards suggested that, after serving for a time, these men could become 'very useful settlers'.¹ One such soldier was Thomas Budd, who had many years of active service during the Peninsular War, with the 2/31st Regiment. Budd saw action at many of the battles of the Peninsular War: Talavera, Albuera, Vittoria, Pyrenees, Nivelles, Nive, Orthes, and Toulouse. At war's end in 1815, Budd transferred to the 8th Regiment briefly, then to the 46th.² After the end of the war, Budd sailed for New South Wales with his regiment, and his new Spanish wife Hozepha [sic]. The regiment's stay in New South Wales was brief and it left in 1817 bound for Madras, though Budd and others sailed on to England. His next posting was to the East Indies, until 1826, and thence briefly to India.³ In 1827, Budd enlisted with the New South Wales Royal Veteran Companies for service in the Australian colonies, and sailed on the convict ship *Marquis of Hastings*. On arrival, Budd was appointed as a mounted policeman in the Hunter River area, and then as special constable and pound-keeper for the Paterson Plains district. In 1830, he was granted a veterans' allotment of 100 acres on the banks of the north arm of the Wollombi Creek, which he named Tallivera [sic] Grove, after a Peninsular War battle. Budd was given an assigned convict to help him clear the sloping, thickly wooded land, and in 1833 he was appointed the local schoolteacher in the developing village of

¹ Sir Herbet Taylor, Horse Guards, to Under Secretary Hay, 31 July 1826, Commonwealth of Australia, *Historical Records of Australia*, Volume XII, Series I, Sydney: 1919. p.480-481.

² Thomas Budd Statement of Service, WO 97/603.

³ Lt.-Col. Lovegrove, letter to Lt. Col. Sargent, 4 May 1995, including copy of article Lovegrove wrote for *The Pioneer Gazette*; no further information given.

Wollombi.⁴ He died that same year; but his family managed to hold onto the land, at least until the late 1840s. Budd's grave is still visible, just off the Old North Road.⁵ Families such as the Budds were among the first settlers in Wollombi and they helped to form the nucleus of a community there, as did veterans in other locations in New South Wales.

In this chapter I shall examine the experiences of the rank and file of the British Army as settlers, as there are significant differences between these men and the officers examined earlier. Those who enlisted in the Royal Veteran Companies were targeted as potential settlers, and so their wives and families came with them. This was not a normal occurrence: the usual allowance for a regiment embarking on foreign service was six wives per 100 men.⁶ The Royal Veteran Companies were given grants of land in varying sizes, in small groups, in different parts of New South Wales and Van Diemen's Land. There were also some members of the Royal Staff Corps in both these colonies who were disbanded at the same time, and under the same conditions. Thus, the Royal Veteran Companies and the Royal Staff Corps provide a coherent group. For a list of these men and their land grants, see appendix five. Firstly, it will be necessary to explain the origins, and demise, of an earlier New South Wales Veteran Company, as the two groups are easily confused. The duties in the colonies of the men of the later Royal Veteran Companies and Royal Staff Corps as mounted police, special constables and convict overseers will then be considered, along with the reasons for disbandment of these corps, and the generous conditions given to these men. Some insight will be provided into the lives of the men who had veterans' allotments, to see how they were dispersed in different parts of the

⁴ R.H. Montague, "The Royal Veterans in Australia," *Journal of the Royal Australian Historical Society* 68, No. 3 (1982), p.244.

⁵ Cessnock Council, the local government body responsible for that area, has recently researched the history of Thomas Budd and his grave.

⁶ Adjutant-General's Office Great Britain, *General Regulations and Orders for the Army to 1 January 1816*, London; reprint, facsimile 1970. p.370.

colonies, what grants of land were given to them, and why the system of veterans' allotments worked better in some localities than it did in others. Many did not stay on their allotments, abandoning them and running public houses instead. Ultimately, the scheme to settle them in the Australian colonies was a failure. On an individual level, though, the destiny of some men, and their families, was enhanced by enlistment in the 1825 Royal Veteran Companies for service in New South Wales, in particular some former framework knitters from the northern counties of England.⁷ Small biographies of a few soldiers will be provided to illustrate this and other points.

* * * *

The Veteran Companies of the British Army contained aged and wounded men from the rank and file who were unfit for general soldiering. The rank and file of the British Army usually enlisted for an unlimited period, but a man could obtain a pension if he had completed at least twenty-one years' service, or was medically unfit. Those who were incapacitated in battle were discharged, either as in-pensioners or as out-pensioners. The former were admitted to Chelsea Royal Hospital⁸ and were known familiarly, and still are, as Chelsea pensioners; whereas out-pensioners returned to their families. Of these, men who were fit for garrison duty could transfer to a Veteran Company.

In 1810, a few years after the beginning of the Peninsular War, there were ten battalions⁹ of Veterans serving in Britain and Ireland.¹⁰ In that same year, a Veteran Company was raised in New South Wales, although for different reasons. Governor Macquarie had a large number of old soldiers of the 102nd

⁷ Framework knitters produced hosiery goods for both domestic and foreign markets.

⁸ A home for invalid and retired soldiers since the late 17th century.

⁹ A battalion consists of 35 officers and 1,000 rank and file.

¹⁰ Montague, 'The Royal Veterans in Australia'. p.238.

Regiment, formerly the New South Wales Corps, who wanted to remain in New South Wales, and his solution was to form them into a Veteran Company for service in the colony. Most of these soldiers had served for between 20 and 30 years, and had families in the colony; Macquarie therefore considered that, if sent home, 'very few of them would be found fit for service in a Cold Climate'.¹¹ This Veteran Company was to consist of one hundred rank and file, under the command of an officer of the 73rd Regiment. Formal approval was received in New South Wales the following year.¹² By 1817, however, Macquarie sought to disband the Veteran Company, as the men were getting too old to perform even garrison duties. He suggested that the officers be placed on half-pay and the non-commissioned officers and soldiers be pensioned in the colony, with the option of becoming settlers if they so desired.¹³ Why the company was not disbanded immediately, as Macquarie recommended, is not clear. Three years later, a return of the strength of the army in the colony showed a total of 255 persons victualled with the Veteran Company, of whom nearly half were women and children.¹⁴ When Brisbane became Governor of New South Wales, he too sought to have this Veteran Company disbanded immediately as 'there is not one man of them that I consider fit for any service...'.¹⁵ Over the intervening years, the company slowly disappeared through natural wastage. There are a couple of well-known men of this company who are still remembered today: Lieutenant William Lawson, who found fame as an explorer and lived to a great age in his home at Windsor on the outskirts of Sydney, 'Veterans' Hall'; and Lieutenant Archibald Bell, whose eldest son discovered a route across the Blue Mountains that still recalls his name, the Bell Line of Road.¹⁶

¹¹ Despatch Governor Macquarie to Viscount Castlereagh, Sydney, 30 April, 1810, Commonwealth of Australia, *Historical Records of Australia*, Volume VII, Series I, Sydney: 1916. p.258.

¹² *Ibid.* p.363.

¹³ Despatch Governor Macquarie to Earl Bathurst, 16 May, 1817, Commonwealth of Australia, *Historical Records of Australia*, Volume IX Series I, Sydney: 1917. p.405.

¹⁴ A Statement of the Army in New South Wales and its Dependencies together with the Commissariat Staff, *Ibid.* p.287.

¹⁵ Despatch Sir Thomas Brisbane to Major-General Sir Herbert Taylor, 26 January, 1822, *Ibid.* p.610.

¹⁶ Montague, 'The Royal Veterans in Australia'. p.239.

Robert Cooper was a soldier from Governor Macquarie's Veteran Company. Born in 1760 at Chesterfield, near Derby, he enlisted in the 56th Regiment in 1793, with which he served in the West Indies. Later, he transferred to the 6th Royal Warwickshire Fusiliers, then to the 9th Regiment. After returning to England, he was discharged in 1797, and went almost immediately into the Independent Company of Invalids, where he remained until Christmas Day 1802. After the breakdown of the peace treaty signed in Amiens, Cooper was once more in the army, this time with the 2nd Royal Garrison battalion at Pendennis Castle, near Falmouth in Cornwall, before transferring to a company guarding Plymouth Citadel. These two fortifications were part of the defence of the coast of England. Cooper remained around the south coast of England for a few years, later guarding French prisoners, who had been captured at the Battle of Trafalgar, on a prison ship anchored in Plymouth Sound. In 1806, Cooper transferred to the 73rd Regiment, bound for New South Wales. The Cooper family arrived in Sydney in February 1810, just as Governor Macquarie was forming the New South Wales Veteran Company. Cooper joined this Veteran Company, though at 52 slightly older than the average recruit. His duties in New South Wales differed markedly from those of the later Royal Veteran Companies: he was stationed for a time at Parramatta, then at Windsor, and was then employed by the Church and School Corporation as sexton at St. Matthew's Church, Windsor. Cooper also worked at the Male Orphan School farm, and was sexton at St Luke's Church, Liverpool. He was 71 years of age when he was granted 100 acres of land at Wollombi, and he took possession of it in 1831. Cooper kept the land for the minimum time of seven years, and sold it in 1838.¹⁷

¹⁷ I am indebted to Ralph Hawkins, 2 Lockerbie Road, Thornleigh NSW 2120 for information on his ancestor, Robert Cooper.

As noted earlier, the main focus of this chapter is the three Royal Veteran Companies that were raised in Britain in 1825 for service in New South Wales. Typically, these soldiers were born in the 1790s, and most had been in the Peninsular War, or at Waterloo. The ideal recruit into a Veteran Company was a man of good character, either an out-pensioner or already serving with a Veteran Company, and preferably from a cavalry unit. It was necessary to pass a medical examination, as the men were to have no serious body infirmity, and ideally they should be less than 50 years old.¹⁸ Those going to New South Wales were offered incentives such as: higher pay, to serve a term not exceeding two years, and the possibility of settling in the colony with a free grant of land.¹⁹ There was no shortage of recruits; but, when they reported to the old Chatham army depot, the staff had difficulty in enforcing discipline from the outset. Many of the soldiers regarded the Veteran Companies as a sort of army re-union, with the bonus of good pay.²⁰

In addition to the three Royal Veteran Companies, a company of the Royal Staff Corps arrived in New South Wales in 1825 to supply skilled tradesmen. The Royal Staff Corps was formed in 1799, and four companies of young and fit men were recruited as carpenters, bricklayers, stonemasons, sawyers, blacksmiths, shipwrights, miners, and the like.²¹ The officers of this Corps were unlike those of the Royal Veteran Companies; these were mounted, paid as cavalry, and formed part of the Quarter Master General's Department. As well, commissions to the Corps could not be purchased. Officers of the infantry and cavalry were eligible to enter, but first had to undergo training at the Royal Military College at Great Marlow, later Sandhurst. Battle honours for this Corps included the Peninsula and

¹⁸ Gwenda Webb, 'The Royal Veterans in Van Diemen's Land,' *Tasmanian Ancestry* 16, 1995. p.17.

¹⁹ Commonwealth of Australia, *Historical Records of Australia*, Volume XIII, Series I, Sydney: 1920. p.240.

²⁰ Montague, 'The Royal Veterans in Australia'. p.240.

²¹ Professor John Passmore, 'The Royal Staff Corps Settlers in Australia 1829,' *Descent* 7, No. 1. My copy of this article is in typescript form, with different pagination.

Waterloo. It was decided in 1825 to send a company to New South Wales to assist with public works, and the cost was to be met from the revenue of that colony. The No.3 Company of the Staff Corps arrived in two separate groups: the first in December 1825 under Captain William Dumaresq in the *Catherine Stewart Forbes*, the second aboard the *Chapman*.²²

The British government had specific aims for the three Royal Veteran Companies and, as it turned out, for the Royal Staff Corps also. For one thing, their usefulness as potential settlers was realised. They also posed a potential threat in Britain, as there is evidence that Peninsular War veterans were active in radical protests and in the organisation of striking weavers.²³ In 1826, the Horse Guards suggested to Hay²⁴ that these men could prove 'very useful settlers', and that a certain proportion should be discharged after two years and replaced by men from England. The men discharged could serve in the militia or as special constables and would provide:

a progressive increase in the number of Settlers of a good and useful description in the class of Artisans and labourers which would keep par with the higher class of Settlers and assist in keeping the degraded class in check.²⁵

The rotation system never eventuated, as the three companies were disbanded after a couple of years; but the suggestion of these men's usefulness as settlers was not overlooked.

The mention of the possibility of the men from the Royal Veteran Companies serving in the militia is significant, as two people had already suggested the raising of a colonial militia. The first was Governor Macquarie in 1819, when he sent detailed proposals to England on the establishment of a horse and foot militia, to be based on the laws, rules and regulations of the militia in

²² Ibid.

²³ E. Spiers, *Army and Society 1815-1914*, New York; London : Longman, 1980. p.84.

²⁴ Permanent Under Secretary of State for War and the Colonies.

²⁵ Sir Herbert Taylor, Horse Guards, to Under Secretary Hay, 31 July, 1826, Australia, *Historical Records of Australia*. p.480-481.

England.²⁶ A few years later, in 1825, the Colonial Office asked Edward Macarthur,²⁷ a Peninsular War veteran, for an opinion on the security of New South Wales. Macarthur's suggestion was the same as Macquarie's: an auxiliary military force modelled on the yeomanry and militia in England, which had been used to suppress protest and disorder. Neither Macquarie's nor Macarthur's suggestion was taken up by the British Government.

So far as the men are concerned, one reason for enlistment in the Royal Veteran Companies was likely to be the following 'indulgences', to be offered to those wishing to settle in New South Wales:

Each man will be allowed from 40 to 100 acres of land, according to the quality of the soil or the situation in which he may be required to settle, on his entering into a bond that he will reside on and cultivate his land for a period of seven years on pain of forfeiture.

He will be furnished with the necessary implements of husbandry.

If married, he will receive a cow from the Government Herds on taking possession of his land, and a second cow at any time within three years, when he shall have cleared and stumped ten acres.

Each man will be allowed the usual ration (spirits excepted) for himself and his family for twelve months from the date of his discharge, to be issued at or in the neighbourhood of his farm; the ration to be forfeited, if he or his family absent himself or themselves from the farm.

A log hut will be put up for the accommodation of such men as are married.

It is intended that these men should be located in different parts of the colony in small bodies of about six in number, as soon as eligible situations have been determined on; and it is desirable that the individuals should be of different trades, as being more likely to prove generally useful to the colony and to afford them an opportunity of providing comfortably for themselves and families.²⁸

The rations referred to were the usual British Army ones: for men, one pound of bread and, on overseas stations, one pound of fresh or salt meat a day, with lesser quantities for women and children. Often the quantities were reduced to allow for the purchase of tea, sugar and vegetables. The Secretary for War, however, thought that these indulgences were too liberal, and that they would be the undoing of the scheme. Supplying all the wants

²⁶ Despatch Governor Macquarie to Earl Bathurst, 19 July 1819, Commonwealth of Australia, *Historical Records of Australia*, Volume X, Series I, Sydney : 1917. p.186-187.

²⁷ Son of John Macarthur.

²⁸ Darling to Somerset, 20 January 1829, Commonwealth of Australia, *Historical Records of Australia*, Volume XIV, Series I, Sydney : 1922. p.613-614.

of settlers without extracting any work from them had encouraged idleness in other places, such as Upper Canada and on the coast of Africa: as the Secretary put it, 'the inducement to exertion is taken away'.²⁹ That advice proved correct, though Governor Darling did not heed it.

Some men, forced by economic circumstances into the British Army during the Peninsular War, then found they had no occupation when they were discharged, and this was particularly so for framework knitters from the north of England. Lynn Shepherd, Charles Bennett, and William Hunt, all faced a precarious economic existence in England, and this forced them into the army. Machines were replacing domestic knitters, and thousands found themselves unemployed. Lynn Shepherd was born in the village of Arnold, on the outskirts of Nottingham in 1795. During the latter part of the Peninsular War, in the early months of 1811, followers of Ned Ludd, known as Luddites, were active in the Nottingham area. Luddism, which reached its climax between late 1811 and early 1812, involved workmen smashing stocking frames as a protest against new pay rates, truck payments and other devices.³⁰ At the beginning of their protests, on the night of 11 March 1811, Luddites marched to the village of Arnold, where the Shepherds lived, and broke 63 frames belonging to a hosier associated with the new oppressive conditions being forced on framework knitters.³¹ Other Luddites broke into factories in the neighbouring counties of Yorkshire and Lancashire, Leicestershire and Derbyshire and destroyed machines. Consequently, although there is no firm evidence, it seems likely that Lynn Shepherd's decision to enlist in the British Army on 13 February 1812 was a direct result of the desperate economic conditions in Arnold. A few weeks later Lord Byron, in a speech to the House of Lords, commented on the violence in

²⁹ Letter L. Sullivan Esq. to Major-General Lord Fitzroy Somerset, 19 August, 1829, Parliament Great Britain, House of Commons, 'Papers Relating to the New South Wales Veteran Companies', 1832. p.15.

³⁰ Clive Emsley, *British Society and the French Wars, 1793-1815*, London : Macmillan, 1979. p.157.

³¹ C. Weir, *As Poor as a Stockinger*, quoted in Helen Jamieson, *The Shepherd Book: The Story of Lynn and Elizabeth Shepherd and Their Descendants in Australia* (n.d.). p.4.

Nottingham, where, he said, 'not twelve hours elapsed without some fresh act of violence'. Of the people themselves, he said 'They were not ashamed to beg, but there was none to relieve them, their own means of subsistence were cut off, all other employment preoccupied, and their excesses, however to be deplored and condemned, can hardly be subject to surprise'.³²

After enlistment, Shepherd did not serve in the Peninsula, but in Ireland and Belgium, although he was at Quatre Bras, south of Brussels, on 15 June 1815, where he was wounded. After he was discharged from the army in 1816, with two years' additional service credited for the Waterloo campaign, he returned to live in Arnold and resumed his former work as a framework knitter. Over the next few years, he married and children began to appear. Given his increasing family, combined with the economic distress of framework knitters, Shepherd appears to have been forced back into the army. He enlisted in the 4th Royal Veteran Battalion, destined for Canada. However, the plans for this battalion changed, and Shepherd was again discharged in 1821. He tried again, and in 1825 enlisted in the Royal Veteran Companies bound for New South Wales.³³ After all, Shepherd met the criteria: he was of good character, had already served with a Veteran Company, and could ride a horse. On 5 May 1826, the Shepherd family – Lynn, his wife Elizabeth and children, Mary Ann and Charles – sailed from England on the *Orpheus* for New South Wales.

Charles Bennett was born in 1794 at Derby and worked as a hosier before enlisting as a private in the 50th Regiment for service in the Peninsular War. He was wounded in the Battle of Bayonne, and returned to Derby after discharge to resume his occupation of hosier; then married and had children.

³² The National Archives Learning Curve, Education on the Internet and Teaching History Online, Lord Byron, Speech in the House of Lords, 27 February, 1812.
<http://www.spartacus.schoolnet.co.uk/PRluddities.htm> 23 March, 2004.

³³ Jamieson, *The Shepherd Book: The Story of Lynn and Elizabeth Shepherd and Their Descendants in Australia*. pp.3-6.

William Hunt, another former Nottingham framework knitter, also enlisted in the British Army in similar circumstances. The continuing lack of opportunity for framework knitters after their discharge from the army forced all three men to enlist in the British Army again, this time in the Royal Veteran Companies. As will be seen later, at least one of William Hunt's letters to his family in Nottingham, written from Hobart Town, was published in *The Nottingham Review*.

Aboard the *Orpheus* in 1826 was the main detachment of the Royal Veteran Companies to New South Wales: 213 men, women and children, including Lynn Shepherd and his family.³⁴ As well, the *John Barry* had arrived in Hobart Town on 26 August 1826, with Captain John D'Arcy, Lieutenants Robert Travers and Stephen Collins, three sergeants, three corporals, 50 privates, 45 women and 42 children. Reinforcements for this group arrived in small numbers until the end of 1827, making a total of 63 rank and file.³⁵ In April 1827, a further 30 men, 14 women and 13 children sailed on the *Marquis of Hastings*, including Thomas Budd and his family.³⁶ Later that year, the *Hooghly* left England in November with another 24 men, 12 women and 22 children bound for New South Wales. However, on the voyage out, it appears that discipline among the men of the Royal Veteran Companies was taken lightly, and their duties of guarding convicts on convict transports were not performed satisfactorily.³⁷

On their arrival, Company No. 1 was stationed in Sydney, and Company No. 2 in Newcastle, while Company No. 3, aboard the *John Barry*, went to Van Diemen's Land. Lynn Shepherd was transferred with No.1 Company to Moreton Bay, where the commandant at that time was Captain Patrick

³⁴ *Sydney Gazette and New South Wales Advertiser*, 16 September, 1826.

³⁵ Webb, 'The Royal Veterans in Van Diemen's Land'. p.17.

³⁶ Montague, 'The Royal Veterans in Australia'. p.244.

³⁷ All except the *Orpheus* were convict transports. Ibid. p.240.

Logan. When Archdeacon Scott visited the nascent settlement in June 1827, he baptised four children, including a daughter of Logan's, and a son of Shepherd's. Shepherd's stay at Moreton Bay was brief, and before long, he was transferred to the Newcastle penal settlement.

It was during these years, from 1827 to 1829, that Governor Darling became increasingly concerned at the lack of effectiveness of the Royal Veteran Companies and proposed to disband them altogether. In 1827, Darling complained of a sergeant major, a man who had served for years in the 16th Dragoons, who was placed in a situation of trust and promptly committed a fraud. Another man, who had been a sergeant for 28 years and a pay sergeant for much of that time, was installed as a storekeeper, but he began to steal the stores.³⁸

Yet there had been problems with the Royal Veteran Companies almost from the outset. In a long despatch on the subject to Under Secretary Hay, Darling recounted the misconduct of the men on board ship. Captain Robison had reported several men on arrival, as the conduct of some of them had been 'highly insubordinate and mutinous' on the passage out.³⁹ Darling certainly formed a poor opinion of these men. Many of them were of bad character, and some had been formerly flogged, as the back of one showed evidence of a cat o' nine tails. Their duties were to supervise convicts working in road building parties, and those who could ride were appointed as mounted police, whose task it was to protect settlers in outlying districts from aborigines, bushrangers and escaped convicts. As convict overseers, however, Darling reported that they were absolutely useless: the two he had sent to Western Port as overseers would do nothing; the four he sent as mounted police into the interior lost their carbines, pistols and sabres on the

³⁸ Governor Darling to Under Secretary Hay, 3 November 1827, Australia, *Historical Records of Australia*. p.591.

³⁹ Darling to Hay, 8 February, 1827, *Ibid.* p.86.

first day; and others who were mounted police at Bathurst had become drunken and disorderly. There was no alternative but to transfer them to garrison duty, and put other men in their place. Overseers could be appointed from within the ranks of convicts, and the mounted police would be selected from the garrison regiment, as had been done previously.⁴⁰

Darling also proposed that a few good men from the garrison regiments be transferred into the Royal Veteran Companies, and the most useless of the veterans could then be discharged to make way for them. One of these men from the garrison regiments was Thomas Spicer. Spicer was born in the West Riding of Yorkshire and enlisted in the 1st Life Guards, as his father and grandfather had done before him. After service in the Peninsula and at Waterloo, he transferred to the 3rd Regiment, the 'Buffs', because he wanted to come to New South Wales, and only regiments of the line went there, not cavalry regiments such as the Life Guards. After some time in Ireland, Spicer arrived with the Buffs in 1823, and was discharged from the army in 1824. Immediately on discharge, however, he joined the Royal New South Wales Veteran Companies and was promoted to sergeant. When those companies were disbanded, Spicer was offered a grant of 100 acres of land at White Rock, near Bathurst. He certainly made a success of his farm, as after five years he had 50 of his 100 acres under cultivation, and had three assigned convicts, and the following year leased a further 660 acres.⁴¹ In areas such as this, Spicer and other successful small settlers found a sort of midpoint between the landed gentry and convicts, and thus were an important part of a growing community.

Some blame can be laid at the feet of the officers for the failure of the men of the Royal Veteran Companies and the Royal Staff Corps to act in the duties for which they had been recruited. Their neglect of duty was commented on

⁴⁰ Ibid.p.87.

⁴¹ Anon., 'Thomas Spicer of the 1st Life Guards and the Buffs', *Hue and Cry* No.32, 1992. pp.5-7.

as early as 1827, before they were disbanded. An officer of the Horse Guards remarked that it appeared extraordinary to him that:

these Men should so early have manifested a spirit of Insubordination, and habits, so disorderly and irregular; and it is impossible that Captain Robison and other Officers should have attempted to establish any System of Discipline, have daily exerted themselves, or have paid the necessary Attention to the Men under their Charge.⁴²

The officers, however, were busy in their civil positions and were not attending to their duties with the Royal Veteran Companies. In New South Wales, Lieutenant Warner was Assistant Surveyor of Roads and Bridges in 1827 at a salary of £91.5.0, and Andrew Gibson was Assistant Surgeon in 1827 and 1828 at a salary of £136.17.6 a year. Similarly, in Van Diemen's Land, Captain D'Arcy was a police magistrate at a salary of £127.15.0 in 1827, and £136.17.6. for the years 1828 and 1829.⁴³ But it was Lieutenant Colonel Henry Dumaresq who came in for the strongest criticism. The *Australian* noted that Dumaresq, 'who never yet, we are assured, did a day's duty with his company, has been absent from the colony for year and a half past...'.⁴⁴ Added to that were the comments of Captain Robison of the Royal Veteran Companies, who said that Dumaresq:

never did one hour's duty with his company nor once interfered with them. He held the Military situation of Aide de Camp and the Civil appointments of Private Secretary and Clerk to the Executive Council, worth seven hundreds a year, besides having received, whilst on the full pay of these Companies, a free grant of upwards of three thousands of the best acres of Land in the Colony, with leave to purchase ten thousand more adjoining at 1 dollar an acre and is at this moment one of the largest Stock and Land Proprietors in New South Wales.⁴⁵

Robison was not an impartial observer, however, and became an enemy of Governor Darling. Despite this, Robison was correct as to Dumaresq's appointments: his salary as Private Secretary to the Governor was £300 per annum and his pay as Clerk of the Legislative Council amounted to £290 for

⁴² Sir Herbert Taylor, Horse Guards, to Under Secretary Hay, 2 July 1827, Australia, *Historical Records of Australia*. p.449.

⁴³ Return of Officers of New South Wales Royal Veteran Company who have held civil colonial appointments. Great Britain, 'Papers Relating to the New South Wales Veteran Companies'.

⁴⁴ *The Australian*, 16 January, 1829.

⁴⁵ Capt. Robison to Lord Fitzroy Somerset, Sydney, Australia, *Historical Records of Australia*. p.199.

just four months.⁴⁶ Robison also pointed out the other civil appointments of Lieutenant Samuel North, and that of Assistant Surgeon Gibson who was the only medical officer for the Royal Veteran Companies. Gibson was in Sydney as the house and family surgeon of Governor Darling, and had never been outside Sydney since he came to New South Wales.⁴⁷

While his brother, Henry, was supposedly in charge of Royal Veteran Company No.2, Captain William Dumaresq was the officer in charge of the Royal Staff Corps in New South Wales and Van Diemen's Land. The Dumaresq brothers had many strings to their bow, one of which was the so-called 'family bridge' at Maitland. The story of the bridge is a long and tedious one, but here it is relevant to point out that William Dumaresq appointed Joseph Daly, a man he knew well from the Royal Staff Corps, as tollman on the bridge, another example of the Peninsular network. Daly was later superintendent of Dumaresq's property at Tilbuster.⁴⁸ A tollman was necessary to collect the toll imposed by the Dumaresqs, who hoped by this method to recover the cost of purchasing the bridge. The inhabitants of Maitland, and others wishing to cross the 'family bridge', refused to pay the toll demanded by the Dumaresqs as they considered it illegal, and this led to many farcical events. On 8 November 1831, for instance, John Blaxland came to the bridge with two bullock teams. As he had done on previous occasions, Blaxland forced the tollgate open with one team, and then passed through with the other team and his assigned servants. On the same day John Plaistowe, an attorney, also attempted to cross the 'family bridge' without payment. Mrs Daly stopped him and clutched at his coat, which tore and, at this point, Daly intervened, seized Plaistowe and held him. The upshot of this was an action in the Supreme Court by John Plaistowe against the tollman Daly for compensation in damages for assault, battery, and false

⁴⁶ Great Britain, 'Papers Relating to the New South Wales Veteran Companies'.

⁴⁷ Australia, *Historical Records of Australia*. p.199.

⁴⁸ Walter Allan Wood, *Dawn in the Valley: The Story of Settlement in the Hunter River Valley to 1833*, 1972. p.277.

imprisonment. Plaistowe was awarded damages of one farthing. The tollgate was finally removed in January 1832.⁴⁹

Governor Darling managed to convince the British government of the futility of continuing with the Royal Veteran Companies, and it was left to his discretion whether he reduce the companies, disband some of them, or disband all three. One condition was that, if the Royal Veteran Companies were disbanded, as many men of the rank and file as possible should be allowed to settle, while the officers also were to have the option of remaining in New South Wales.⁵⁰ Darling then immediately disbanded the three Royal Veteran Companies, under certain conditions: one of these was locating the men in the country districts on land grants to be given to them; another was allowing those men who were tradesmen to be discharged immediately as they were more likely to find work in the towns.⁵¹ It has been suggested that locating the men in different areas assisted the spread of settlement by providing a ready labour supply for larger landowners.⁵² So far as the officers are concerned, Lieutenants Sweeney and Travers wished to go home, and Assistant Surgeon Andrew Gibson wished to remain, as did Lieutenant North.

Lieutenant Samuel North had been in the militia before joining the army in 1813, and then served in Bermuda and North America until the termination of the Napoleonic wars, when he was placed on half-pay. He was subsequently appointed to full pay in the 27th Enniskillen Regiment, and served with it until the formation of the Royal Veteran Companies for service in New South Wales. By this time, North was 37 years of age and was

⁴⁹ Ibid. pp.261-262.

⁵⁰ Letter Major-General Lord Fitzroy Somerset to Darling, Horse Guards, 16 May, 1828 in Great Britain, 'Papers Relating to the New South Wales Veteran Companies'. p.11.

⁵¹ Letter Darling to Somerset, 20 January 1829, in Ibid. p.11.

⁵² Conversation with Margaret Steven, RSSS, Australian National University, Canberra.

married with five children, and he saw his family's future in the colony.⁵³ North complained about having to go back on half-pay on the disbandment of the Royal Veteran Companies, but his salary for his civil positions was substantial: in 1827 and 1828 he was Keeper of Bonded Stores at £400 per annum, and in 1829 he was Keeper of Police at £300 per annum.⁵⁴

Meanwhile, the duties of the Royal Staff Corps included carrying out urgent public works, and supervising the work of convicts; but the latter proposition proved a failure. Darling wrote to Huskisson: 'But the officers assure me it is impossible to prevent an intimate association between them [the soldiers and the convicts], and Idleness with its usual consequences result from it'.⁵⁵ Consequently, Darling discontinued their duties as overseers. In the same despatch, Darling recommended disbanding the Royal Staff Corps, and pointed out that the discontinuance of the Royal Veteran Companies and the Royal Staff Corps would save about £12,000 a year. Royal Staff Corps companies served in both New South Wales and Van Diemen's Land. In the latter colony, most of the Royal Staff Corps had been stationed at Oatlands and were responsible for building much of that township; most of these men stayed where they were.

The Royal Staff Corps men were discharged with the Royal Veteran Companies on the same conditions. Those who were given grants of land are listed in my database of veterans: Charles Clayton, who had 100 acres at Dapto; Joseph Daly 100 acres at west Maitland; Richard Gill, 100 acres at South Creek; John McGeorge, 100 acres at Argyle; Samuel Mason, 80 acres in the Parish of Nelson; John Passmore, 100 acres at Argyle; Robert Parks who had a town allotment at Parramatta; Stephen Robinson, 40 acres at Wallis

⁵³ Memorial of Lieutenant Samuel North to Governor Darling, Great Britain, Papers Relating to the New South Wales Veteran Companies. p.13.

⁵⁴ Return of Officers of New South Wales Royal Veteran Companies who have held civil colonial appointments, in *Ibid.* p.15.

⁵⁵ Darling to Right Hon. W. Huskisson, 7 March 1828, Australia, *Historical Records of Australia.* p.23.

Plains; John Robins, 100 acres at Dapto; and John Ward, 40 acres in the parish of St. John. However, as with the Royal Veterans, most of the Royal Staff Corps men did not stay on their allotments. Only three were still on their land in 1847: John McGeorge, John Passmore and John Robins.⁵⁶

After the Royal Veteran Companies were disbanded, about 100 rank and file of the No. 1 and 2 companies, were settled in small groups in New South Wales: at Botany, Bong Bong (near Bowral), West Maitland, Goulburn Plains, and Wollombi. A few were given grants elsewhere at Kurrajong, and at Dapto, near Wollongong. A few were given town allotments of a couple of acres in Parramatta and Liverpool. But by far the largest settlement of veterans was at Oakhampton, or West Maitland, where seventeen men were given grants.⁵⁷ It has not been an easy task to locate and identify veterans who were given grants of land, as surnames differ and sometimes first names differ: for example, was it William or John Pragnall who had one of the veterans' allotments in West Maitland? As well, some men obtained veterans' allotments but failed to take them up, or left them in the economic depression of the 1840s. Sometimes men did make a success of their farms themselves; or else the next generation did, if they managed to hold on to the land.

Altogether, there were eight grants of land at Wollombi given to men of the Royal Veteran Companies, as well as a couple to the earlier group. Those who received allotments in this location were: Thomas Budd, James Black, James Deville, John Hamburgh, John Wells, William Close, Patrick McIntyre and Nathaniel Nixon. Each of them received 100 acres of good, well-watered, fertile land, and this most likely is the reason that five out of the eight were still on their land in 1847.

⁵⁶ New South Wales Parliament, Votes and Proceedings of the Legislative Council, 1847, p.613.

⁵⁷ This area is still known as Veteran's Flats. See appendix six for a map showing the allotments at Oakhampton.

On the other hand, the land given to veterans at Botany was swampy. In 1830, a road was marked out and Robert Hoddle surveyed some of the swamp for allotments. It was divided into seven allotments, five of which varied between 53 and 56 acres, one was 68 acres and one was 100 acres. This was unusual, as most of the veterans' allotments in any one locality were of equal size. Those at Botany were granted to J.B. Curran, Samuel Foster, Andrew Lowden, Thomas McConnell, James Pegg, Roderick Ross and William Vernon. Only two of the seven allotments were still in the same families in 1847, those of Curran and Ross. After Curran's death, his son held the allotment. All the other allotments were either cancelled or forfeited.⁵⁸ Whether it was because of the state of land, or from other causes, it is difficult to say. The land, however, is still known as Veterans' Swamp, and is bounded by Stephen Road and Denison Street.⁵⁹ The other veterans granted land at Botany probably stayed in Sydney, as did James Pegg, who had been granted the largest allotment at Botany, 100 acres. Pegg, born in Staffordshire in 1796, came to Sydney with his family in 1826, and immediately joined the Royal Staff Corps as a private in the 3rd Company, where he remained until 1829. Whether Pegg was in the army before this is unknown. But, instead of taking up his allotment Pegg remained in Sydney, like many other discharged soldiers. There he had work as a painter, and his wife was Deputy Matron at the Female Factory,⁶⁰ a more reliable source of income than chancing life on an allotment. Pegg's allotment at Botany was cancelled because of his non-residence, and given to someone else.⁶¹

⁵⁸ New South Wales Parliament, Votes and Proceedings of the Legislative Council, 1847. p.613.

⁵⁹ F. Larcombe, *The History of Botany, 1788-1963*, 1963. p.9.

⁶⁰ Pegg married a second time when his first wife died and then a third time, possibly bigamously. A descendant has speculated that Pegg may have become a Mormon, as he and his family went to Salt Lake City in Utah, where he died. See http://www.geocities.com/regina_craig.jpegg.html

⁶¹ New South Parliament, Votes and Proceedings of the Legislative Council, 1847 p.613.

John Wilkinson managed to keep his small farm at Maitland for at least eight years, but he later ran a public house. He had served in the Peninsula with the Life Guards, and then enlisted with the Royal Veteran Companies. His first appointment was to the new settlement at Bathurst, where his youngest son, Alexander, was born. On the disbanding of the Royal Veteran Companies, Wilkinson applied for a grant of land, but there was some delay. During that time, he worked for Dr Wardell at Petersham, then took up his land at Oakhampton in early 1831. He worked on his farm until 1839, and then obtained the licence of a hotel in Maitland, which he named the *Waterloo Inn*. Wilkinson was probably still the licensee when he died in 1855. His son, Alexander Wilkinson, became one of Maitland's most prominent citizens: alderman of the local council, director of several building societies, the officer commanding the local company of Volunteer Rifles, master of the Masonic Lodge, and chairman of the local Temperance Society.⁶²

Joseph James was given his veteran's allotment later than the other men, in 1839. James was born in 1797 at Taunton in Somerset, and served in the Peninsula and at Waterloo with the 40th Regiment. His hand was injured by an accident with a fowling piece and, as he was then unable to use a musket properly, he was discharged from the army in 1820. James was probably an out-pensioner and thus met the criteria for recruitment into a Veteran Company. He enlisted in Royal Veteran No. 2 Company at Chatham in 1826, and came to Australia as part of the detachment aboard the *Orpheus*. When the Company was later disbanded, James was given 60 acres of land at Kurrajong, which he sold the next year for £330,⁶³ despite the regulation that these grants could not be sold before seven years. James then became the licensee of the *Welcome Inn*, about which a traveller commented:

At nine miles from the Nepean, having been one hour and fifty minutes in performing that distance, we reached the Welcome Inn, kept by a jolly old soldier named James,

⁶² Montague, 'The Royal Veterans in Australia'. p.245.

⁶³ I am grateful to Robert Wilson, rmw@island.net, for information on his ancestor, Joseph James.

who rejoices in a Waterloo medal, a pretty daughter, and what was more to our purpose, some excellent bottled ale.⁶⁴

Lynn Shepherd, the former framework knitter from Arnold in Nottingham whom we met earlier, was discharged from the Royal Veteran Companies in 1829 and granted 80 acres at Bong Bong, one of eight grants in that locality; his was No.2.⁶⁵ The Shepherd family managed reasonably well on their land for a few years, but 1832 proved to be a bad year. The number of people to provide for had increased; in fact, in the six years they had been in the colony, the family had almost doubled in size. The subsequent strain on the family finances forced Shepherd to mortgage his land to William Hutchinson, an ex-convict but by now wealthy landowner, for £32/5/-, repayable in six months. That same year, the services of their assigned convict, James Marsh, had been withdrawn as Shepherd had loaned Marsh to someone else, contrary to regulations. Shepherd sought employment off the farm and applied for a position with the mounted police. Not surprisingly, with his previous experience, he was successful, and in November 1835 he was appointed to the police station at Lumley, near Bungonia. The Shepherd family therefore moved to Bungonia, leaving an older son on the farm at Bong Bong. By 1838, however, it is likely that Shepherd was running an inn at Liverpool named the *Blue Bell*, as he was arrested there and charged with robbery in May of that year. The victim was William Canovan, who identified Shepherd as the person who stole his clothing and money. The trial took place on 5 November 1838 with a military jury, and Shepherd was found guilty and sentenced to death, later commuted to life imprisonment on Norfolk Island. There, Alexander Maconochie, the enlightened commandant, petitioned for Shepherd's release and, in 1840, this was approved. In 1841, in a petition to Governor Gipps, Shepherd stated that William Lees had confessed to the crime for which he

⁶⁴ G.C. Mundy, *Our Antipodes, or, Residence and Rambles in the Australian colonies, with a glimpse of the goldfields*, London, 1852, quoted in

<http://freepages.history.rootsweb.com/~garter1/jamesjose.htm> 1 April, 2004.

⁶⁵ See appendix seven for a map showing the location of the Bong Bong allotments.

had been sent to Norfolk Island, and he sought restitution of his land grant at Bong Bong, and his army pension. Both were restored to him, but he died just a few years later.⁶⁶

Among the other veterans who obtained land at Bong Bong were Christopher Rhall, and the brothers, William and Thomas Wood. Rhall came to New South Wales on the *Hooghly* in 1827, with his wife and two daughters. Rhall was given grant No.7 at Bong Bong, 80 acres, which he named Longford Farm, after the Irish country in which he was born. Rhall took up the land in 1829, but in 1832 was murdered.⁶⁷ Patrick Kelly, who had been drinking heavily with Rhall one evening, was charged with his murder. The jury, however, found Kelly not guilty. At one stage, Mary Rhall petitioned the Governor for permission to leave the farm, as she wished to move to Sydney with her family. Whatever the answer to her petition, she was still at Longford Farm in 1835⁶⁸ and Peter John Rhall, their son, was listed as the owner in 1847.

William and Thomas Wood were given grants Nos. 5 and 6 respectively at Bong Bong, each of 80 acres. William was a Peninsular War veteran, having served in the well-known 95th Regiment, or Rifle Brigade, in Captain Jonathan Leach's Company. Following the end of the war, Wood was continuously on recruiting duties in England until discharged from the army as an out-pensioner in 1818. Some years later, in 1825, William Wood enlisted in the Royal Staff Corps and sailed to New South Wales in the *Catherine Stewart Forbes*, but soon after appears on the rolls of the Royal Veteran Companies, with his brother Thomas.⁶⁹ Both were sent as convict

⁶⁶ Helen Jamieson, *The Shepherd Book: The Story of Lynn and Elizabeth Shepherd and Their Descendants in Australia*. pp.15-24.

⁶⁷ Fotheringham Fraser was another veteran who was murdered. He was working on the Berry estate, on the Shoalhaven, as a shepherd.

⁶⁸ Information from the files of the Berrima Historical Society.

⁶⁹ J.M. Bow, for the Wood family, *In My Name: A Genealogical History of William Wood, from Waterloo to Rifle Farm and Beyond*, 2004.

overseers to the penal settlement at King George's Sound in Western Australia: William in overall charge of the convicts, and Thomas as overseer. They served there from 1826 until December 1828, and then returned to Sydney on the *Governor Phillip*.⁷⁰ After the Royal Veteran Companies were disbanded, they were given grants at Bong Bong. Proud of his service with the famous Rifle Brigade, William Wood named his farm Rifle Farm, and remained there until at least 1847.

Simultaneously, Royal Veteran Companies Nos.1 and 2 were disbanded with Company No. 3 in Van Diemen's Land. After their arrival there on the *John Barry*, the veterans were sent to various parts of the island. Some went to George Town, while others were based at Swansea, Brighton, the Clyde and the Huon settlements.⁷¹ In these areas, the veterans supervised convicts building roads, bridges and public buildings, while others were mounted police, performing the same duties as their counterparts in New South Wales. Eleven men remained in Hobart Town, among them William Hunt, who described his work in a letter home, published in *The Nottingham Review*:

My station is over a gang of convicts consisting of 40 to 80, all in chains with heavy irons around each leg. I fetch them from the prison barracks at half-past five in the morning and they work until nine o'clock. Then out at ten till one for dinner, then again half-past two until six at night, in winter from seven in the morning until five in the evening when I take them back into the barracks where they remain till I fetch them out in the morning. I have to overlook them with a stick in my hand and to see them work and I am obliged to be very severe with them. The work my gang do is making the town streets and levelling them and gravelling them and I have the honour to say I have completed the first street in Hobart Town and I believe there are nineteen more wanting completing...⁷²

When the No. 3 Company of the Royal Veteran Companies was disbanded in Van Diemen's Land, 43 men chose to remain, out of 63. Many chose to settle in areas in which they had served and with which they were familiar, as was the case with some in New South Wales. The places settled by the veterans in

⁷⁰ J. Sweetman, *The Military Establishment and Penal Settlement at King George Sound*, Perth: Hesperian Press, 1989. p.5.

⁷¹ Webb, 'The Royal Veterans in Van Diemen's Land'. p.17.

⁷² Letter from William Hunt published in *The Nottingham Review*, 24 August, 1827, in *Ibid.* p.18.

Van Diemen's Land were George Town, the Brighton district, the eastern shore of the Derwent and the East Coast. In Hobart, Veterans' Row was created for nineteen veterans in 'neat little brick cottages',⁷³ while another six veterans were granted land at Spring Bay on the River Tamar. These latter grants varied between 66 and 73 acres. In this area, William Holliday was the longest survivor: he remained living on his original grant for 15 years.⁷⁴ Misfortune befell some of the other settlers at Spring Bay: Patrick Cunningham's wife, Jane, was killed by Aborigines in 1831, and Rowley was drowned in the river.⁷⁵ As for the inhabitants of Veterans' Row in Hobart, there were only five of the nineteen left by 1842: William Skerrow (though he was murdered in 1846), William Cleary, Simon Carson, James Paton and William McKay.⁷⁶ The longest survivor of the veterans in Van Diemen's Land was Benjamin Shires, who died in 1879.

Others from this company settled in the north of Van Diemen's Land, among them Joseph Bilson, John Orchard, Augustus Walsh, Samuel Johnson, Charles Bennett and Alexander Fullerton. Bennett received a grant of land in the town of Launceston, in the group of veterans' allotments in Wellington, Canning and Bathurst Streets. Alexander Fullerton was born in 1783 at Campbelltown, in Argyle, Scotland, and was a weaver before he enlisted as a private in the 91st Regiment. On discharge from the Royal Veteran Company, Fullerton also received an allotment in Launceston: No. 5 Veterans' Row.

The details of Fullerton's marriage are worthy of note, as they reveal something of the marriage habits of these men and women. In 1828 at Launceston, Alexander Fullerton married Eleanor, the wife of William Hunt, who had died that same year. Hunt, whom we met earlier, was a former

⁷³ *Ibid.*, p.18.

⁷⁴ *Ibid.*, p.19.

⁷⁵ *Ibid.*, p.19.

⁷⁶ *Ibid.*, p.20.

hosier from Nottingham.⁷⁷ Following Fullerton's death in 1841, Eleanor married another veteran, John Thompson.⁷⁸ This appears to be a continuation of what was normal practice during the Peninsular War, particularly for wives who went to Spain and Portugal with the army. Because there was a limit of six wives per company for overseas service, if a married soldier died, his widow, with no support in a foreign land, would remarry within the regiment. Sargent provides evidence that this military social custom also continued in New South Wales among the men of the 48th Regiment.⁷⁹

Reflecting official concern at the number of veterans who had either not taken up their grants, or abandoned them, a question was raised in the New South Wales Parliament in 1847. In response, a return was provided of all orders for grants of land made to discharged soldiers in the years 1829, 1830 and 1831, and the status of these grants at that date. From a total of 103 grants of land, there were only 27 families still on their land.⁸⁰ By then, some of the men had died, and the land was in the name of widows or sons. Most grants were cancelled for non-residence or other causes, and many others were not even taken up. Some were taken up for a time, but later abandoned for other more lucrative occupations. But the figures speak for themselves: the scheme was a failure. Certainly one of the reasons was the quality of the land. Those at Wollombi who received 100 acres of good, fertile land were more likely to stay there, while the majority of those given swampy land at Botany did not take up their land at all, or else forfeited it through non-residence.

⁷⁷ Ibid.p.18.

⁷⁸ <http://freepages.history.rootsweb.com/~garter1/fullertoalex.htm> 19 March, 2004.

⁷⁹ Clem Sargent, *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*, PCS Publications, Canberra, 1996. p.32.

⁸⁰ Parliament, Votes and Proceedings of the Legislative Council. pp.612-614.

Some former Royal Staff Corps men ran public houses: a lucrative venture, and certainly more profitable than attempting to clear land and run a farm. John Ward operated *The Coach and Horses* in Parramatta, John Passmore *The Harrow Inn* outside Goulburn,⁸¹ Joseph Daly the *Shamrock Inn*, and George Turner the *Angel Inn*, both at West Maitland. Men of the Royal Veteran Companies also had inns: William Heath had the *Rising Sun Hotel* at Windsor, John Wilkinson the *Waterloo Inn* in West Maitland,⁸² Joseph James the *Welcome Inn*, William Cleary the *Sir Thomas Brisbane* in Hobart, William Lee the *Adam and Eve*, the *Waggon and Horses* and the *Harvest Home*, all in Hobart, James Burnip the *Blacksmith's Arms* and the *Castle Inn* at Pontville; Thomas Hughes the *Ross Hotel* at Campbell Town and the *Victoria Hotel* in the Oatlands district; and Augustus Walsh the *Gardiner's Lodge* at Launceston.⁸³

It is evident that the scheme to settle men of other ranks from the 1825 Royal Veteran Companies, and Royal Staff Corps, in New South Wales was a failure. The Peninsular War had provided most of the men for the scheme that turned out to be Australia's first unsuccessful soldier settlement scheme. A fair amount of the blame can be laid at the feet of Governor Darling, especially as his brothers-in-law were the officers in charge, and he kept them busy with other duties. Darling was warned that similar schemes in other parts of the empire had failed, but he thought that conditions in New South Wales warranted extra concessions. This scheme failed on two levels: the men failed to do the duties for which they had been recruited, and most failed to take up their land, or forfeited it through non-residence. Others failed to make a success of farming the land and abandoned it, sometimes in favour of running an inn. However, while the scheme itself did not succeed,

⁸¹ Passmore, 'The Royal Staff Corps Settlers in Australia 1829'.

⁸² Montague, 'The Royal Veterans in Australia', p.245.

⁸³ Webb, 'The Royal Veterans in Van Diemen's Land', p.20.

there were some individual successes. Some veterans were successful and they, or their families, retained the land, certainly those who later became licensees of inns had financial success. Some of the men did become good and useful settlers and aided in the development of townships in New South Wales such as Wollombi and Maitland. In these areas, and others, they formed a third class between the landed gentry and convicts. But not all led successful and blameless lives in the Australian colonies, and the murders of three veterans, Fraser, Rhall and Skerrow, point to the existence of a criminal underworld. The stories of Shepherd, Bennett, Hunt and Fullerton tell of the economic desperation of framework knitters and handloom weavers in Britain, who were forced into the British Army. Had they remained in Britain, their lives would have been those of the poverty-stricken, left to the vagaries of the Poor Law. But their financial prospects, and those of their families, were much improved by enlisting with the Royal Veteran Companies for service in New South Wales, and then settling there or in Van Diemen's Land. There are still folk memories of these men: at Botany, they are recalled as being the unlucky recipients of land at Veterans' Swamps; at Maitland, as living at Veterans' Flats; and in Hobart and in Launceston as inhabiting the neat little brick cottages in Veterans' Row.

CONCLUSION

Peninsular War veterans had a physical presence in the Australian colonies for over 60 years: the first wave came with the 48th Regiment in 1817, and the last surviving Peninsular War veteran in the Australian colonies was George Hull, a Commissariat officer, who died in Hobart in 1879. After he resigned from the Commissariat, Hull spent most of his life in Van Diemen's Land on the land grant he named 'Tolosa' in fond memory of the northern Spanish town where he had spent some time during the war. However, it was the early years – the 1820s and 1830s – that were the years of critical importance to him and to Peninsular War veterans in general. In that period they set themselves up: they consolidated their military and civil positions, they used their Peninsular networks, and they obtained large grants of land. This was also the period of large scale expansion of the early Australian colonies: New South Wales, Van Diemen's Land, South Australia and, to a lesser extent, the Swan River colony. New South Wales and Van Diemen's Land were becoming increasingly attractive to free settlers, and it was in these two colonies that the impact of Peninsular War veterans was most marked. In New South Wales, by the end of the 1830s, the transition from penal colony to free society was completed. The year 1839, for instance, marked the end of military juries in New South Wales and the introduction of trial by jury.

The British government had a general policy of planting ex-army and ex-navy officers in the colonies; but following the end of the Napoleonic wars, the government most particularly encouraged Peninsular War veterans to settle in the colonies. Their settlement in the Australian colonies was an attractive proposition to both the government and the veterans themselves. The government was anxious to cut the cost of the numbers on the half-pay list, the need for colonial law and order was evident, and the veterans would

be good and respectable settlers in what had become a strategic location. For the veterans, the military grant regulations held the promise of a large land grant as well as the status that accompanied being a landowner, something unavailable to them in Britain. Among other things, that status led to many Peninsular War veterans being appointed magistrates in the Australian colonies.

It was the Peninsular War that offered an opportunity to become British army officers to men of limited means, who otherwise could not have obtained their first commission. It provided these men with upward mobility within the army; but at war's end, that counted for little in Britain. Many officers were placed on the half-pay list, and they competed with each other for the few civil positions available. The only solution for many was to emigrate to a suitable British colony where the sale of their army commission ensured the capital necessary to obtain a military land grant. This thesis confirms the finding of an earlier study that the majority of British army commissions during the Peninsular War were obtained without purchase. It was this class of middling gentry officers who found their future in the Australian colonies. In effect the Peninsular War had given them a double opportunity, making them first officers and then settlers.

Peninsular War veterans aided in the emergence of the 'second' British Empire, with changes to the British army under Wellington and Britain's subsequent emergence as what some historians have seen as a military state. Peninsular War veterans, whether in garrison fragments, or as free settlers who had sold their commissions, fitted neatly into the military structures of early New South Wales and Van Diemen's Land. These veterans, in their own transition from military to civil life, assisted these colonies in the same transition. This thesis firmly places Peninsular War veterans at the centre of the colonial power structures: they held the majority of the military and civil

positions and were a major component of the ruling élite in New South Wales and other Australian colonies. These colonies required men with military skills, and Peninsular War veterans were uniquely situated to take advantage of such opportunities.

The influence and strength of the social networks of Peninsular War veterans has proved to be of major significance. These were networks of knowledge, patronage and power. Veterans used these networks to gain important footholds in the Australian colonies as a direct result of their experiences in the Peninsular War. This happened to an extent in Britain itself, but the expanded Empire provided many more opportunities. Many families of Peninsular War veterans had outstanding financial success in the Australian colonies: the Ryrie family is one example, aided by its multiple connections with the families of other veterans. Their many descendants continued to benefit from the opportunities provided by the Empire. Stewart Ryrie and George Hull, for instance, each left about 50 grandchildren in Australia.

It is clear that this Peninsular network should not be overlooked either in British imperial history or in Australian history. An influential settler in New South Wales as well as a former British army officer, John Macarthur proposed to Commissioner Bigge in 1821 the concept of 'really respectable settlers' for New South Wales. Macarthur's son, Edward, was also a Peninsular War veteran, one of only a handful from New South Wales. Consequently, the elder Macarthur probably had direct knowledge of this group of potential emigrants. Certainly, the British Government's military grants encouraged Peninsular War veterans to settle in the Australian colonies, but it was the veterans' social networks that helped to make that concept a reality. As a result, the social, political and familial connections of Peninsular War veterans, and the dynamics of such connections, had a

profound impact on the Australian colonies at a time of large scale expansion.

When one examines the many positions they occupied, and the significance of the skills they brought with them, it becomes apparent how fundamentally important Peninsular War veterans were to the entire economy and society of the Australian colonies in general, and to New South Wales, Van Diemen's Land and South Australia in particular. The ideas of leadership, responsibility and public service learned on the Iberian Peninsula fitted these men superbly for their later lives in the Australian colonies. They left an indelible mark on the nature of migration processes around the British Empire, on patterns of settlement in New South Wales, and on the colonial administration of justice. In their roles as Mounted Police and as commandants of penal stations, Peninsular War veterans helped to pave the way for free settlers to occupy the land. They were crucial to the management of the economic and financial systems of the Australian colonies. It was also they who had the latest experience in surveying, mapping, town planning, and road making. They reinforced the military character of colonial administration. As well, the contribution of veterans to other facets of life in the Australian colonies was considerable. They brought a strong Protestant influence to the colonies, and their artistic and literary legacy is substantial.

As a group, Peninsular War veterans played a key role in the emergence of the new British Empire; they fitted John Macarthur's ideal of 'really respectable settlers'; and they made an immense impact on the Australian colonies at a significant period of colonial development.

APPENDIX ONE
Peninsular War Veterans – Officers

Name	Regiment	Date Arrival	Where	Commission	Death
Allman, Francis	48th	April 1818	Sydney		1860 Yass NSW
Anderson, Joseph	78th 24th 50th	1834	Sydney	sold 6,000	1877 Melb.
Arnold, Thomas	Commissariat	1831	Sydney		*
Baldry, William	Commissariat	1832	Sydney		*
Balfour, William	40th	1825, 1826	Sydney, VDL		1838 London
Barker, Collett	39th	Feb.1828	Sydney		1831 South Aust.
Barney, George	Royal Engineers	1835, 1846	Sydney	sold 1846	1862 Sydney
Bayly, Benjamin	21st	1824	VDL	1840	1850 Maria Island
Bell, Thomas	48th	1817	Sydney		1866 England
Bishop, Peter	5th 40th	1824	Sydney		Ireland
Blomfield, Thomas V.	48th	1817	Sydney	sold 1825	1857 Sydney
Bourke, Richard	2nd QM General 64th	1831	Sydney	General 1851	1855 Ireland
Boyd, Edward	Royal Staff Corps	1829	VDL		1871 Tasmania
Boyes, G.T.W.B.	Commissariat	1824	Sydney	DACG 1813	1853 Tasmania
Brisbane, Sir Thomas	38th 69th	Nov. 1821	Sydney	General 1841	1860 Edinburgh
Bunbury, Thomas	90th, 80th	1837	Sydney		England
Butler, James	40th Ens.07 Lt.09	1824	Sydney		1840 Tasmania
Cameron, Charles	92nd 3rd	1821			1827 en route Madras
Childs, Joseph	Royal Marines	1843	Norfolk Island		1870 Cornwall UK
Cimitiere, Gilbert	48th Cp04 BMaj11	Sept.1817	Sydney	GM Albuera	1842 Jersey UK
Close, Edward Charles	48th	Aug.1817	Sydney		1856 Morpeth NSW
Cordeaux, William	Commissariat	Jan.1818	Sydney		1839 Sydney
Crummer, James Henry	28th	1835	Sydney	sold 1840	1867 Port Macquarie
D'Arcy, George	39th Cap03BMaj13	Sept.1826	Sydney	sold 1828	1849 Sydney

Name	Regiment	Date Arrival	Where	Commission	Death
Darling, Ralph	45th 51st	1824	Sydney	General 1841	1858 England
D'Arrieta, Juan	Comm. Contractor	Apr.1821	Sydney		1838 Sydney
Douglass, H.G.	18th Asst. Surgeon	1825, 1848	Sydney		1865 Sydney
Druitt, Major George	58th 48th	Nov.1817	Sydney	sold 1822	1842 Sydney
Dumaresq, Henry	9th	Oct.1825	Sydney		1838 NSW
Dumaresq, William	Royal Staff Corps	1824	Sydney		1868 Sydney
Elrington, William S.	6th, 11th, 4th	1827	Sydney		1860 England
Erskine, James	48th	Aug.1817	Sydney		1825 London
Fitzgerald, John	39th	1826	Sydney		1841 India
Fletcher, William	Commissariat	Jan.1824	VDL		1872 VDL
Fyans, Foster	67th 20th 4th	1833	Sydney	sold, loss 500	1870 Vic.
Gawler, George	52 nd	1838	South Aust.		1869 Eng.
Gibson, Andrew	Asst. Surg. NSWRVC	1825		sold	Goulburn NSW
Gillman, Henry	27th, 3rd	1822	Sydney	in army 1832	1832 England
Gipps, George Sir	2nd Eng. 1809	1838	Sydney	Major 1837	1847 England
Goulburn, Frederick	23 rd & 13th Dragoons, 104 th Reg.	Dec.1820	Sydney		1837 Ireland
Hayward, William	Commissariat DACG12	1831	Sydney		*
Hibbert, George	40th Ens.1813	1823	Sydney		*
Howard, Charles	40th, Commissariat	1823	Sydney	retired 1841	1852 Melbourne
Howe, William	1 st Royal Scots	1816	Sydney		1855 Sydney
Hull, George	Commissariat	1819	VDL		1879 Hobart
Innes, Archibald Clunes	3rd	1822	Sydney	sold 1829	1857 NSW
Irwin, Frederick Chidley	13th	1829	Swan River		1860 Cheltenham UK
Irwin, William	28th		Sydney		1840 Sydney
Laidley, James	Commissariat	1827	Sydney		1835 Sydney
Light, William	Navy, 4th Dragoons	1836	South Aust.		1839 SA

Name	Regiment	Date Arrival	Where	Commission	Death
Lindesay, Patrick	39th	1827	Sydney		1839 Edinburgh
Lithgow, William	Commissariat	1827	Sydney		1864 Sydney
Lockyer, Edmund	19th, 57th	1825	Sydney	sold 1827	1860 Sydney
Logan, Patrick	57th	1825	Sydney		1830 Qld.
Mackenzie, John Kenneth	4th (or King's Own)	1832	Sydney	sold out 1834	1857
Maclaine, Peter	65th		VDL		1840 Hobart
Maclean, John	43rd	1837	Sydney		England
Maddox, George Thomas	Commissariat		Hobart		1832 Hobart
McAlister, Lachlan	48th	1817	Sydney	sold 1822	1855 NSW
Meares, Richard G.	Roy.Fus., Life Guards	1829	W.A.		1862 W.A.
Meredith, George	Royal Marines	1821	Hobart		1856 Tas.
Miller, Henry	40th	1823	Sydney		1866 Hobart
Mitchell, James	48th Asst. Surgeon	1821	Sydney	1822	1869 Sydney
Mitchell, Sir Thomas L.	95th	1827	Sydney		1855 Sydney
Molle, George James	94th	1814	Sydney		1823 (dep 1817)
Molloy, John	95th (Rifles)	1830	WA		1867 W.A.
Moodie, Affleck	Commissariat	1821	VDL		1838 Hobart
Moore, Samuel	28th	1835	Sydney	sold 1839	1866 Sydney
Morgan, John	Royal Marines	1828	Swan River		1866 Hobart
Morisset, James Thomas	48th	1817	Sydney		1852 NSW
Murray, Robert William	2nd Manx, 7th, 1st, Commissariat	1821	Hobart		1850 England
Murray, Terence	48th	1817	Sydney	disch.1827	1839 NSW
Neilley, William	40th, 63rd	1826	Sydney	sold 1833	1864 Tasmania
North, Samuel	27 th , NSW RV Co.	1825			1864 Sydney
O'Connell, Maurice	73rd	1809	Sydney		1848 Sydney
Ovens, John	73rd 74th	1810	Sydney		1825 NSW
Palmer, John	Commissariat	1791	Sydney		1833 Sydney
Perry, Samuel Augustus	Royal Staff Corps	1829	Sydney		1854 Sydney
Phelps, James Henry	51st, 4th	1831	Sydney	sold 1838	1841 Sydney
Rawlings, Edward	4th				1849 Tasmania
Ryan, Thomas	104th 50th	1835	VDL		1846 India
Ryrie, Stewart	Commissariat	Nov.1825	Sydney		1852 NSW

Name	Regiment	Date Arrival	Where	Commission	Death
Schaw, Charles	60th 85th 21st	1833	VDL	sold out 1835	1874 England
Shadforth, Thomas	47th 57th	1826	Sydney		1862 Sydney
Sheaffe, William	50th	1834	Sydney	sold 1841	1860 Dapto NSW
Simpson, Percy	Royal Cors. Rangers	1822	Sydney	sold £700 1832	1877 Sydney
Snodgrass, Kenneth	90th 52nd	1828	Sydney		1853 NSW
Spotswood, John	98th	1828	VDL	1859 Hobart	1859 Hobart
Stewart, William	101st 3rd	1825	Sydney		1854 NSW
Vaux, H.E.	Commissariat		Norfolk Island		1834 Norfolk Island
Victor, James Conway	Royal Engineers	1842	Hobart		1864 Edinburgh
Walker, Thomas	Commissariat	1818	Sydney		1861 VDL
Wauch, Robert Andrew	48th	1836	Sydney	1/2 pay 1817	1866 NSW
Wemyss, William	Commissariat	1821	Sydney		1862 Edinburgh
Wild, John	48th	1817	Sydney	sold 1822	1834 NSW
'Williams, William	11th Light Dragoons 40th	1826	VDL		1834 India
Wilson, William	71st, 48th, 63rd	1818	Sydney	in army 1835	1835 Madras
Wright, Samuel	3rd	1822	VDL	sold 1827	1852 NSW

*These four men probably returned to Britain. Sources: A card index of Peninsular War veterans donated to me by Dr. Judith Keene, Sydney University; private papers and edited journals of the veterans; obituaries in newspapers. Information then checked against the Challis Index, approximately 9,200 names in alphabetical order compiled by Captain L.S. Challis and presented to the Royal United Services Institute in 1949. National Library, Canberra. Mfm G7310.

APPENDIX TWO

Sacred to the memory of
MAJOR JAMES HENRY CRUMMER

Late of 28th Regiment of Foot with which Corps he fought during the eventful years 1807-1815. In this colony he served as Police Magistrate at Newcastle, Maitland and Port Macquarie from 1836 to 1864.

Died 29th December, 1867

Aged 76 years.

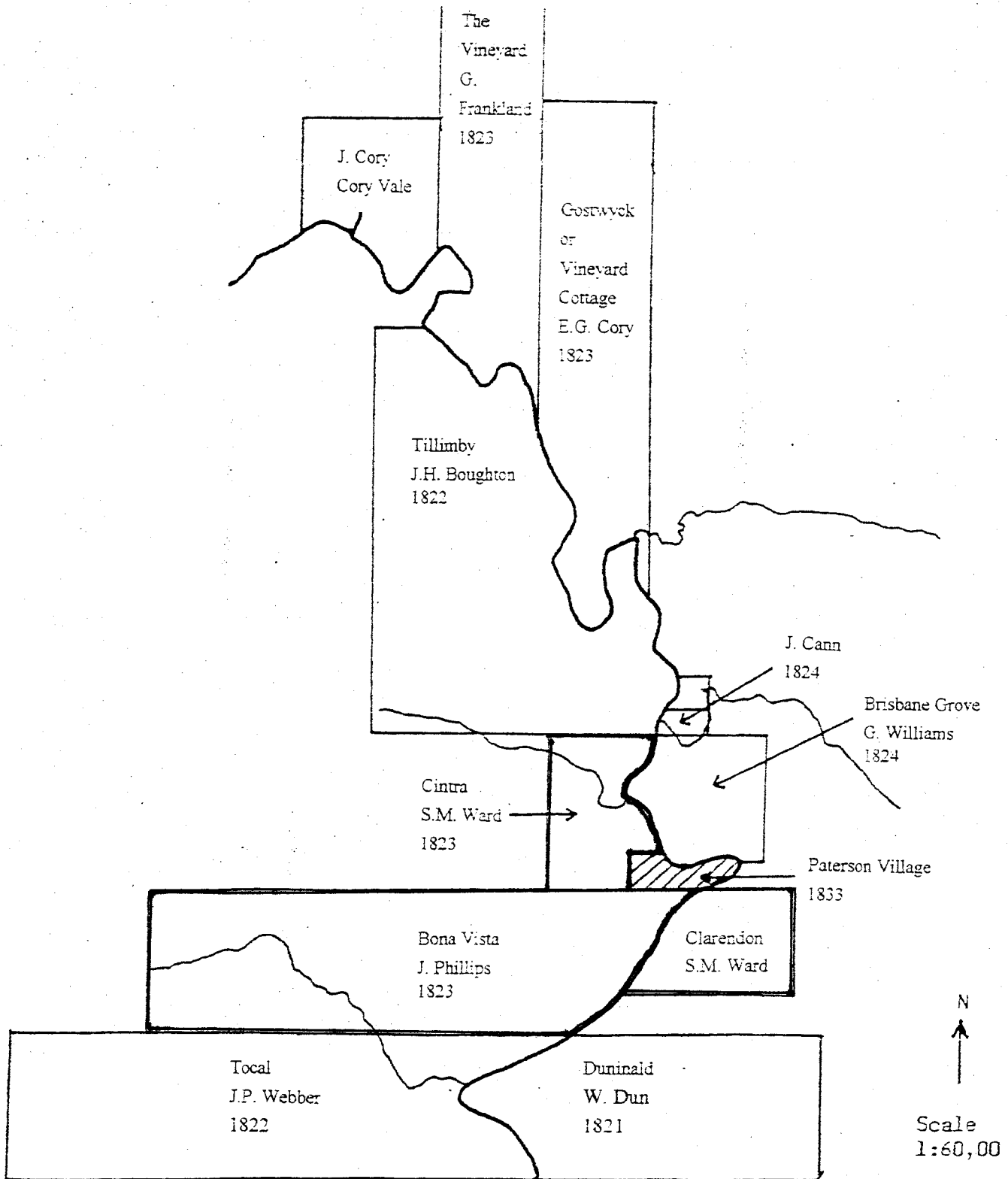
Copenhagen, Busaco, Badajos (first siege), Campo Mayor, Albuera, Vittoria, Puerto-de-Maya, Pyrenees, Nivelles, Bayonne, St. Palais, Orthes, Lamego, Toulouse, Quatre Bras, Waterloo.

Grave of Major James Henry Crummer at Port Macquarie, New South Wales.

Source: Friends of Kooloonbung Creek Nature Park, *Transcriptions of Headstones in Port Macquarie Historic Cemetery*, 1997.

APPENDIX THREE

Map of land grants of the Phillips and Ward families in the Paterson River area of the Hunter Valley of New South Wales



Source: S. Threlfo, *James Phillips and Bona Vista, Paterson River*, Paterson Historical Society Inc., 1999, appendix 6.

APPENDIX FOUR

CATALOGUE OF THE ART OF PENINSULAR WAR VETERANS HELD IN AUSTRALIA

Boyes, G.T.W.B. Commissariat

1808	England	<i>Pont Newydd, Vale of Conway</i>	water-colour 26 x 17	TM
1812	Portugal	<i>Cintra</i>	water-colour 34.7 x 52.3	Allport Library
1814	Portugal	<i>Entrance to the Alba de Tormes from the Posada</i>	water-colour 38 x 27	TM
1815	Portugal	<i>From the Pasada window at Galizes, Estrella Mountains</i>	water-colour 27 x 18.5	TM
1820	England	<i>Southwick</i>	water-colour 21.5 x 15	TM
1822	England	<i>Near Southwick, Hampshire (Boyes' home)</i>	pencil and sepia wash on paper (sketch-book)	VDLFM
1822	England	<i>The Lane above Southwick, Hampshire</i>	water-colour sketch book	VDLFM
1822	England	<i>Thistlewaite's farm near Southwick</i>	water-colour	VDLFM
1822	Scotland	<i>Ben Lomond from Luss</i>	water-colour 22.5 x 14	TM
1822	France	<i>St. Pierre, Caen</i>	unfinished water-colour 27 x 17.5	TM
1823	France	<i>Coutances</i>	water-colour 22 x 33	TM
1823	England	<i>St. Mawes Castle, Cornwall</i>	water-colour 18.5x7.5	TM
1823	Australia	<i>Pedra Branca, Eddystone, Tasman's Head</i>	water-colour	Allport Library
1823	Australia	<i>From Mt. Nelson, looking over Hobart up to the Derwent</i>	pencil sketch, two pages of sketch book 33 x 25	TM
1824	Australia	<i>On the Grounds of D'Arrietta, Esq, Morton Park</i>	south of Sydney water-colour 26 x 18	TM
1824	Australia	<i>Rocks on the Banks of the Nepean</i>	Nepean River, near Sydney water-colour 26 x 18	TM
1824	Australia	<i>Elizabeth Point, Captain Piper's</i>	Point Piper, Sydney Ink 32.8 x 47	Dixson Gallery
1824	Australia	<i>Sydney, 1824</i>	pen and ink and water-colour 19 x 29	Dixson Gallery
1830	Australia	<i>Austin's Ferry near Hobart</i>	water-colour	Allport Library
1831	Australia	<i>Old Mill, Cascades</i>	Hobart pencil 22.5 x 14	TM
1831	Australia	<i>Waterfall, Humphrey's Rivulet, a little above Hull's place at Tolosa</i>	Hobart water-colour 22 x 10.5	TM
1832	Australia	<i>Looking down the River above New Norfolk</i>	Tasmania water-colour 22 x 10.5	TM
1832	Australia	<i>The Retreat</i>	near Hobart water-colour	Wayn

1832	at sea	<i>Iceberg</i>	water-colour (on reverse of Jamestown St. Helena)	Wayn
1832	St.Helena	<i>Jamestown, St. Helena</i>	water-colour	Wayn
1832	St.Helena	<i>Napoleon's Tomb</i>	water-colour	Allport Library
1841/2	Australia	<i>Mt. Wellington from Newtown</i>	Hobart water-colour 31.5 x 23	TM

Location Key:

Allport Library	Allport Library and Museum of Fine Arts, Hobart, Tasmania
Dixson Gallery	Dixson Gallery, Mitchell Library, Sydney
TM	Tasmanian Museum and Art Gallery, Hobart, Tasmania
VDLFM	Van Diemen's Land Folk Memorial Museum, Tasmania
Wayn	Mrs. L.B. Wayn, a descendant of Boyes

Source: Boyes, G. T. W. B. *The Diaries and Letters of G.T.W.B. Boyes. Volume 1. 1820-1832.* Edited by Peter Chapman. Melbourne: Oxford University Press, 1985.

Barney, George Royal Engineers

1847	<i>Camp at Port Curtis 1847</i>	DGML
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Location Key:

DGML	Dixson Gallery, Mitchell Library, Sydney
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Source: McCulloch, Alan. *Encyclopedia of Australian Art.* Melbourne, 1968.

Light, William 4th Dragoons

1805	India	<i>Coast near Bombay?</i>	Water-colour 13.5 x 36.4	ATH
1807	St.Helena		Pencil and wash sketch 29.7 x 42.2	ATH
1811	Portugal	<i>Scene near Covilha</i>	water-colour 25.2x 35	ATH
1811	Portugal/Spain	<i>Mountain village</i>	water-colour 22.9 x 29.2	ATH
1812	Spain	<i>San Ilde Fonso Palace</i>	pencil 25.5 x 73	ATH
1813	Spain	<i>The attack of Tolosa by the Portuguese under Sir Thomas Bradford</i>	water-colour 25.2 X 35.2	ATH
1814	England	<i>Portrait of William Light</i> (possibly self-portrait)	oil 83.8 x 61.8	AGSA
1815	France	<i>Vernon on the Seine</i>	pencil 28 x 90	ATH
1818	Scotland	<i>Distant View of Stirling</i>	pencil and wash 28 x 63	ATH
1818	Scotland	<i>Stirling</i>	pencil and wash 27.5 x 85.8	ATH
1818	Italy	<i>Trinita Dei Monte at the top of the Spanish Steps, Rome</i>	water-colour 18 x 25.5	ATH

1825	Italy	<i>Pesto</i> pencil 27 x 39	ATH
1825	Italy	<i>Castle of Ischia, Bay of Naples</i> pencil 26 x 52	ATH
1825	Italy	<i>Atrano</i> pencil 30 x 44	ATH
1826	Italy/Switzerland	<i>untitled</i> pencil 15.4 x 38.5	ATH
1826	Switzerland	<i>Chillon</i> pencil 31.7 x 71.5	ATH
1826	Switzerland	<i>Mountain Glacier</i> (possibly Rosenloui) water-colour 19 x 29.2	ATH
1827	Portugal	<i>Cape St. Vincent</i> aboard the <i>Gulnare</i> water-colour 17 x 25.7	ATH
1827	Mediterranean	<i>Gulnare, Light's yacht</i> water-colour 13.9 x 20.9	Mortlock
1827	Gibraltar	<i>Gibraltar</i> water-colour 17.5 x 28.5	ATH
1829	Italy	<i>Punta Real, Genoa</i> water-colour 14 x 21.6	ATH
1829	Italy	<i>Inside of the cottage at Baldo</i> Sardinia water-colour 18.4 x 23.5	Mortlock
1829	Italy	<i>Tempio</i> near Baldo, Sardinia water-colour 19 x 24.1	Mortlock
1829	Italy	<i>San Simplicius, Terranova</i> (now known as Olbia, on the east coast of Sardinia) water-colour 18.4 x 24.1	Mortlock
1829	Italy	<i>Capraia</i> small island between Corsica and Italy water-colour 27.2 x 38.2	Mayo
1830?	Unknown	<i>Untitled, fortress and mountains</i> water-colour 9.5 x 29.8	Mortlock
1830	Greece	<i>Pass of Thermopylae</i> water-colour 25.4 x 39.8	Mayo
1830	Greece	<i>Napoli Di Romania</i> (now Nauplia) water-colour 17.1x24	ATH
1830	Egypt	<i>Ship launch, Alexandria</i> water-colour 26 x 35.5	Mortlock
1830	Egypt	<i>Tounoob, Nile</i> water-colour 11.4 x 15.9	Mayo
1831	Egypt	<i>Cairo</i> water-colour 21.6 x 29.2	Mortlock
1831	Egypt	<i>Minaret at Boulai, near Cairo</i> water-colour 19 x 12	Mortlock
1831	Egypt	<i>Benehassen</i> water-colour 20.9 x 28.5	Mayo
1831	Egypt	<i>The Mountains above the tombs of the Kings and plains of Gournan taken from Luxor</i> water-colour 19.8 x 35.2	ATH
1831	Egypt	<i>Carnack, ruins of the Great Temple</i> water-colour 19.8 x 35.2	ATH
1831	Egypt	<i>Island of Philae</i> pencil and wash 17.7 x 37.6	Mayo
1831?	France	<i>The French fleet at Toulon</i> water-colour 14.8 x 23.6	ATH
1832	France	<i>Untitled</i> fishing boat on beach water-colour 16.5x21.6	ATH
1834	Egypt	<i>The Steamship Nile</i> water-colour 23 x 35	ATH

1834	Syria	<i>Untitled</i> scene in Syria water-colour 23.2 x 33.7	Mackinnon
1834	Lebanon	<i>Consul's Janissary at Tripoli</i> water-colour 20.9 x 12.7	Mortlock
1836	Australia	<i>Mr. Beare's tent, Nepean Bay, Kangaroo Island</i> water-colour 21.6 x 31.1	Mortlock
1836	Australia	<i>Rapid Bay</i> water-colour 16.8 x 43.8	AGSA
1836	Australia	<i>Rapid Valley, South Australia</i> water-colour 21.6 x 32	Mortlock
1836	Australia	<i>View at Yankalillah</i> water-colour 20.9 x 31.1	AGSA
1836	Australia	<i>The East Coast of Gulf St. Vincent</i> water-colour	PRO
1837	Australia	<i>Landing Place, Glenelg</i> water-colour 29.8 x 68.5	AGSA
1837	Australia	<i>Glenelg Bay</i> water-colour 19 x 29.8	Morphett
1837	Australia	<i>The Commencement of Colonization in South Australia</i> water-colour 20.3 x 71.1	AGSA
1837	Australia	<i>View of the South Australian Company's Fishing Station and Cape Rosetta, Encounter Bay</i> water-colour 20.6 x 31.1	AGSA
1837	Australia	<i>Distant View of the Landing Place and Iron Stores at Port Adelaide, with the South Australian Company's Storeship Sir Charles McCarthy at Anchor</i> water-colour 21.1 x 31.8	AGSA
1839	Australia	<i>Bank of South Australia, North Terrace, Adelaide</i> water-colour 20.4 x 31.6	AGSA
1839	Australia	<i>Messrs. Fisher and Handcock's Station near the Gawler Range</i> water-colour 20.6 x 31.1	AGSA
1839	Australia	<i>Mr. McLaren's party, January 11th 1839, about 14 miles north of the Para Pass</i> water-colour 20.6 x 27.2	AGSA
1839	Australia	<i>The Para, about Twenty-five Miles North of Adelaide</i> water-colour 21.3 x 32	AGSA
1839	Australia	<i>The Buckinghamshire in Holdfast Bay</i> water-colour 22.6 x 33.6	AGSA
1839	Australia	<i>self-portrait</i> oils	AGSA

Location Key:

AGSA	Art Gallery of South Australia
ATH	Adelaide Town Hall
Mayo	Mayo family
Mortlock	Mortlock Library of South Australiana, Adelaide
Mackinnon	Mr. and Mrs. R. Mackinnon
Morphett	Mr. J.C. Morphett
PRO	Public Record Office, now the National Archives, London

Source: Elder, David. *Art of William Light*. Adelaide, 1987.

Mitchell, Sir Thomas Livingstone 95th Regiment

1835	Australia	<i>Tombs of a Tribe</i> pencil, water	AGSA
1836	Australia	<i>Large Cavern at Wellington Valley, New South Wales</i> sepia wash on paper	BFAG

Location Key:

AGSA	Art Gallery of South Australia
BFAG	Ballarat Fine Art Gallery, Victoria

Source: McDonald, P. and Pearce, B. *The Artist and the Patron : Aspects of Colonial Art in New South Wales*. The Art Gallery of New South Wales, Sydney, 1988.

Taylor, James 48th Regiment

1824	<i>Panorama of Sydney</i> water-colour	NLA
undated	<i>Erskine Park</i> home of Colonel James Erskine, Sydney watercolour	ML

Location Key:

ML	Mitchell Library, Sydney
NLA	National Library of Australia, Canberra

Source: Sargent, Clem. *The Colonial Garrison 1817-1824: The 48th Foot, the Northamptonshire Regiment, in the Colony of New South Wales*. PCS Publications, Canberra, 1996.

APPENDIX FIVE

Peninsular War Veterans – Other Ranks

Name	Date Order Land	Location	Status in 1847	Amount of land
Agnew, Lake	1831	cancelled	cancelled	100 acres
Aikenhead, Robert	1829	No.22 Maitland	cancelled	40 acres
Balcot, John	1829	No. 5 Maitland	cancelled	40 acres
Bennett, Charles		Vet.Row Launceston		
Bilson, Joseph		Vet.Row Launceston		
Black, James	1829	No.6 Wollombi	cancelled	100 acres
Blore, John		West Maitland		
Blundon, Benjamin	1829	No.1 Dapto	cancelled	100 acres
Boskell, James		Spring Bay, River Tamar		70 acres
Brown, Felix	1831	No. 2 Goulburn Plains	A. Gibson	100 acres
Brown, John	1831	Parramatta	cancelled	1r 35p
Browning, Richard	1829	No.18 Maitland	cancelled	36 acres
Budd, Thomas	1829	No.7 Wollombi	Thomas Budd	100 acres
Burnett, John	1829	No.2 Dapto	cancelled	100 acres
Burns, William		Veterans Row, Hobart		
Cadby, George	1831	Parish of Gordon	cancelled	100 acres
Cameron, James	1830	No. 11 Kurrajong	cancelled	100 acres
Carson, Simon		Veterans Row, Hobart		
Caswell, James		West Maitland		
Chaloner, John	1829	No. 21 Maitland	cancelled	33 acres
Chater, William	1829	No. 8 Bong Bong	William Chater	80 acres
Clayton, Charles	1829	No. 9 Dapto	cancelled	100 acres
Cleary, William		Veterans Row, Hobart		
Close, William	1829	No. 5 Wollombi	cancelled	100 acres
Compton, James		Veterans Row, Hobart		
Cornish, James	1829	No. 25 Maitland	cancelled	45 acres
Coulston, Samuel		Veterans Row, Hobart		
Critchley, William	1829	No. 19 Maitland	cancelled	40 acres
Cunningham, Pat		Spring Bay, River Tamar		66 acres
Curran, J.B. (1)	1831	No. 7 Botany	cancelled	53 acres
Curran, J.B. (2)	1831	No. 1 Botany	J.W. Curran	56 acres

Name	Date Order Land	Location	Status in 1847	Amount of land
Daly, Joseph	1829	No. 30 Maitland	cancelled	40 acres
Dawes, William	1830	No.5 Kurrajong	cancelled	100 acres
Deville, James	1829	No. 3 Wollombi	cancelled	100 acres
Dixon, Thomas	1829	Maitland	cancelled	1/2 acres
Duffy, John	1830	No.4 Kurrajong	cancelled	100 acres
Duffy, Patrick	1830	South Colah	P.Duffy	100 acres
Ecklin, Christopher	1829	No. 3 Dapto	cancelled	100 acres
Elliot, John	1830	Kurrajong	cancelled	100 acres
Fitzpatrick, Patrick	1831	Queen Charlotte's Ponds	cancelled	100 acres
Floger/Floyer, W.	1830	No. 6 Bathurst	cancelled	100 acres
Foster, Samuel	1830	No. 2 Botany	cancelled	56 acres
Francis, William	1830	No.1 Kurrajong	cancelled	100 acres
Frith, Robert	1830	No 9 O'Connell Plains	R. Frith	100 acres
Fullerton, Alexander		Vet. Row Launceston		
Gill, Richard	1829	South Creek	cancelled	100 acres
Gillzan, John	1829	No. 1 Bong Bong	cancelled	80 acres
Godfrey, Thomas	1830	No. 3 Maitland	cancelled	100 acres
Goldsmith, George	1831	No. 5 Wollombi	widow	80 acres
Grills, John	1829	No. 2 Maitland	cancelled	40 acres
Grimes, Edward	1830	No. 9 Kurrajong	cancelled	100 acres
Hall, William	1829	No. 4 Maitland	W. Hall	40 acres
Hamburgh, John	1829	No. 4 Wollombi	cancelled	100 acres
Hannan, John	1829	No. 6 Maitland	J. Hannan	40 acres
Harley, Thomas	1831	No. 7 Goulburn Plains	A. Gibson	100 acres
Hart, Henry	1841	Banks Town	resumed	100 acres
Heath, William	1830	No.2 Kurrajong	cancelled	100 acres
Hepburn, John		Veterans Row, Hobart		
Holdsworth, J.	1830	No.12 O'Connell Plains	J. Holdsworth	100 acres
Holliday, William		Spring Bay, River Tamar		67 acres
Holmes, Samuel	1829	Bong Bong	cancelled	80 acres
Homer, Thomas		Veterans Row, Hobart		
Howard, Matthew		Veterans Row, Hobart		
Hunt, William		Veterans Row, Hobart		
Hunter, Thomas	1830	No.10 O'Connell Plains	cancelled	100 acres
Ives, James	1830	Kurrajong	cancelled	100 acres

Name	Date Order Land	Location	Status in 1847	Amount of land
James, Henry	1831	No. 4 Maitland	H. James	35 acres
James, Joseph	1839	Kurrajong		
Jervis, William		Veterans Row, Hobart		
Johnson, Samuel		Vet. Row Launceston		
Johnson, William	1829	Town Parramatta	cancelled	allotment
Kelly, James		Spring Bay, River Tamar		68 acres
Kerrigan, James		Spring Bay, River Tamar		73 acres
King, Thomas	1830	No.3 Kurrajong	cancelled	100 acres
Kingabby, John	1830	No. 8 Bathurst	cancelled	100 acres
Kirby, Thomas	1830	No.10 Kurrajong	cancelled	100 acres
Kirkwood, John		Veterans Row, Hobart		
Kirsons, William		Veterans Row, Hobart		
Layman, George		Spring Bay, River Tamar		
Lee, William		Glenorchy		
Leonard, Thomas		Veterans Row, Hobart		
Lowden, Andrew	1830	No.3 Botany	cancelled	56 acres
Lynch, John	1831	Sugar Loaf Creek	J. Lynch	100 acres
Macintyre, Patrick	1829	No. 8 Wollombi	cancelled	100 acres
Mallen, Richard	1829	No. 5 Dapto	cancelled	100 acres
Maskill, William	1830	No.3 Bathurst	cancelled	100 acres
Mason, Samuel	1829	Parish of Nelson	S. Mason	80 acres
McCarthy, Morris	1829	Parramatta	cancelled	52 p.
McConnell, T.	1830	No.5 Botany	cancelled	53 acres
McCoy, Daniel	1829	No. 6 Dapto	cancelled	100 acres
McGarr, Enos	1829	Bong Bong	P. McGarr	80 acres
McGeorge, John	1829	Argyle	J. McGeorge	100 acres
McKay, William		Veterans Row, Hobart		
McKelly, John	1829	No. 7 Dapto	J. McKelly	100 acres
Meaney, Stephen		Glenorchy		
Mitchell, James	1829	No.4 Dapto	J. Mitchell	100 acres
Murphy, Samuel	1831	No.2 Holdsworthy	S. Murphy	100 acres
Murray, John	1830	No. 3 O'Connell Plains	J. Ireland	100 acres
Murrell, Francis	1829	Town Parramatta	M. Anderson	allotment
Nash, John		Glenorchy		
Nixon, Nathaniel	1829	No.2 Wollombi	cancelled	100 acres

Name	Date Order Land	Location	Status in 1847	Amount of land
Nixon, Thomas		West Maitland		
O'Brien, Thomas	1829	No. 8 Dapto	F. O'Brien	100 acres
Orchard, John		Vet. Row Launceston		
Page, William		Veterans Row, Hobart		
Parks, Robert	1829	Town Parramatta	C. Mason	allotment
Passmore, John	1829	Argyle	J. Passmore	100 acres
Paton, James		Veterans Row, Hobart		
Pegg, James	1830	No. 7 Botany	cancelled	100 acres
Percival, George	1830	No. 7 Bathurst	cancelled	100 acres
Prignall, William	1829	No. 1 Maitland	cancelled	40 acres
Reed, Peter,	1829	Wallis Plains	cancelled	40 acres
Rhall, Christopher	1829	Bong Bong	P.J. Rhall	80 acres
Robins, John	1829	No. 10 Dapto	J. Robins	100 acres
Robinson, Stephen	1829	Wallis Plains	cancelled	40 acres
Rodwell, Thomas	1830	No. 6 Kurrajong	cancelled	100 acres
Romney, William	1829	No. 74 Newcastle	cancelled	allotment
Ross, Hugh	1829	Town Liverpool	cancelled	2 acres 2r 32p
Ross, Roderick	1830	No. 8 Botany	R. Ross	53 acres
Rowley, James		Spring Bay, River Tamar		66 acres
Shepherd, Lynn	1829	Bong Bong	L. Shepherd	80 acres
Shires, Benjamin		Veterans Row, Hobart		
Skerrow, William		Veterans Row, Hobart		
Smith, John	1829	No. 6 Botany	cancelled	53 acres
Spicer, Thomas	1829	Parish of Kelso	T. Spicer	100 acres
Sugden, William	1831	No. 6 Goulburn Plains	A. Gibson	100 acres
Taylor, William	1830	No. 12 Kurrajong	cancelled	100 acres
Teece, Richard	1831	No. 3 Goulburn Plains	A. Gibson	100 acres
Thompson, James	1829	Parish of Kelso	J. Thompson Jr	100 acres
Thompson, John	1829	No. 16 Maitland	J. Thompson	35 acres
Turley, William	1829	No. 8 Maitland	cancelled	40 acres
Turner, George		West Maitland		
Vernon, William	1830	No. 4 Botany	cancelled	68 acres
Walsh, Augustus		Vet. Row Launceston		
Ward, John	1829	Parish of St. John	cancelled	40 acres
Wells, John	1829	No. 1 Wollombi	cancelled	100 acres
Wharmby, C.	1831	No. 6 Goulburn Plains	A. Gibson	100 acres
Whittaker, S.	1830	No. 4 Bathurst	cancelled	100 acres

Name	Date Order Land	Location	Status in 1847	Amount of land
Wild, Henry	1831	Field of Mars	H. Wild	100 acres
Wilkinson, John		West Maitland		
Wood, Thomas	1829	No. 6 Bong Bong	W. Bowman	80 acres
Wood, William	1829	No. 5 Bong Bong	W. Wood	80 acres
Wright, Gilbert	1830	No. 2 Bathurst	Wentworth	100 acres
Wright, Thomas		Goulburn Plains		
Wychellow, W.	1831	No. 1 Goulburn Plains	A. Gibson	100 acres

Sources:

R.H. Montague, 'The Royal Veterans in Australia', *Journal of the Royal Australian Historical Society*, 68, No. 3, (1982) pp.238-246.

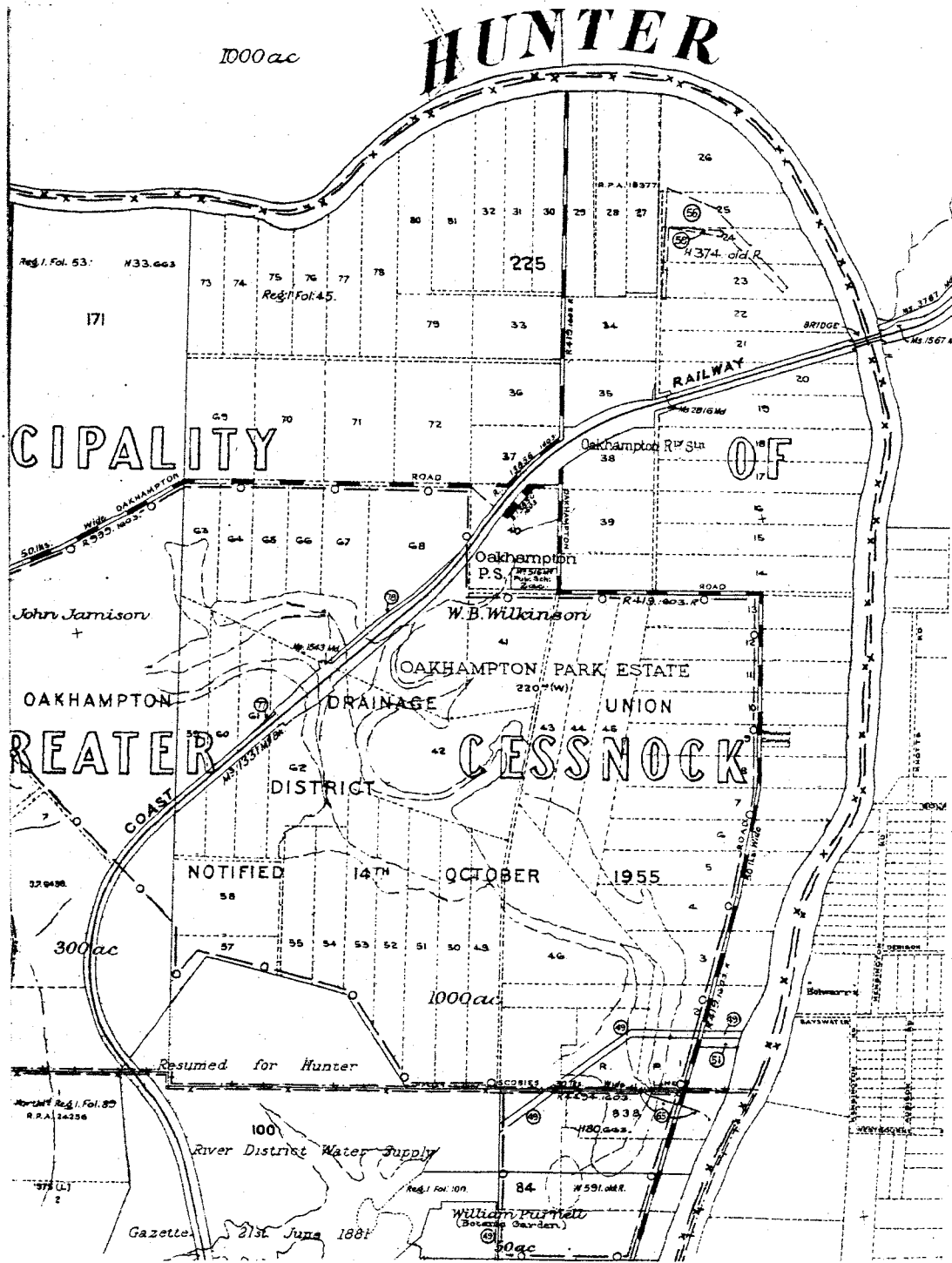
Professor John Passmore, 'The Royal Staff Corps Settlers in Australia 1829', *Descent*, Volume 7, No. 1, pp.3-15.

G. Webb, 'The Royal Veterans in Van Diemen's Land', *Tasmanian Ancestry*, 16 (1995) pp.17-24.

The information contained in these articles was checked against: Grants of Land to Discharged Soldiers in the years 1829, 1830 and 1831, *Votes and Proceedings Legislative Council of New South Wales (1847)*.

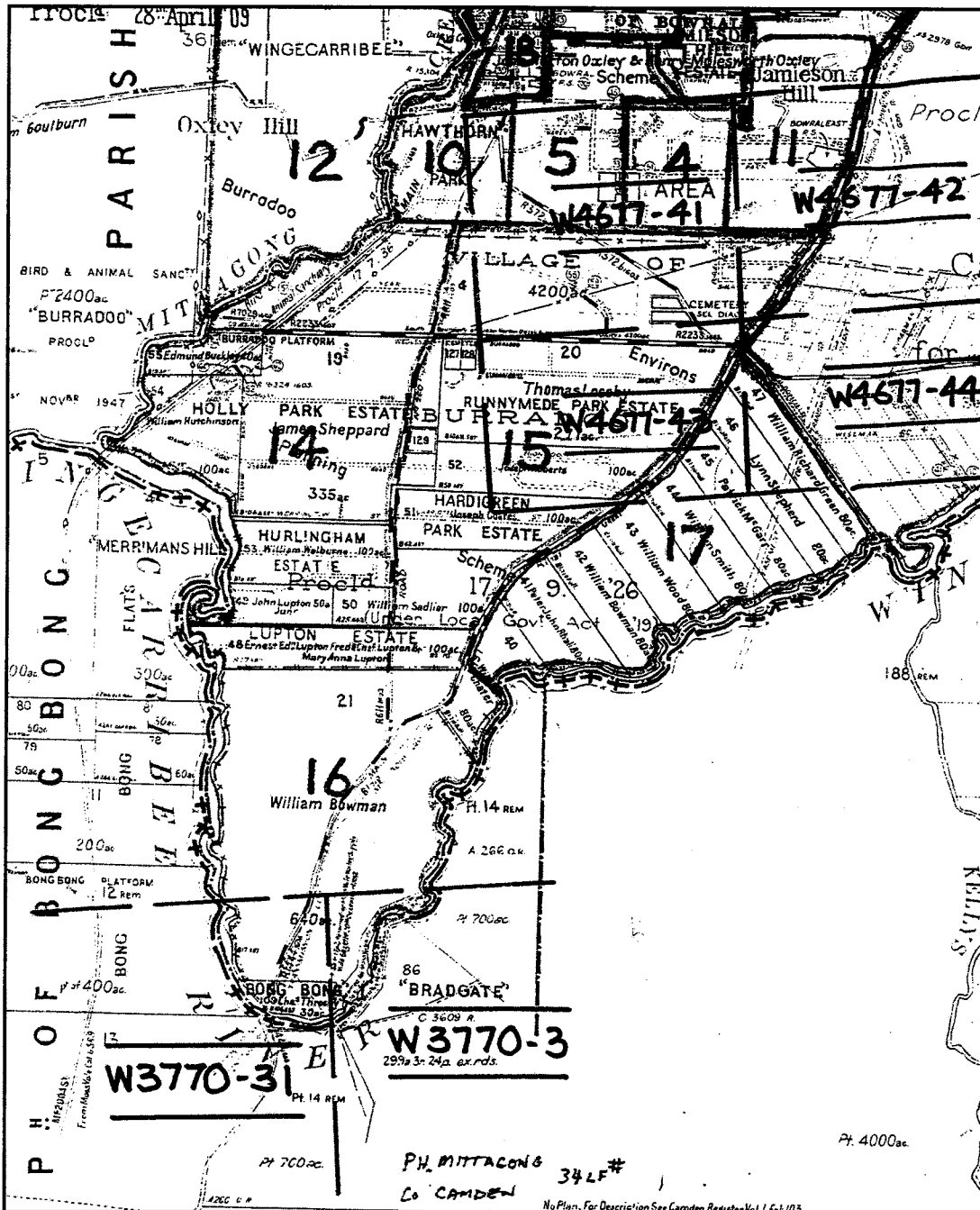
Note: Dr. A. Gibson purchased all the veterans' allotments of 100 acres on the Goulburn Plains N.S.W.

APPENDIX SIX
 Parish of Maitland, County Northumberland, 1956



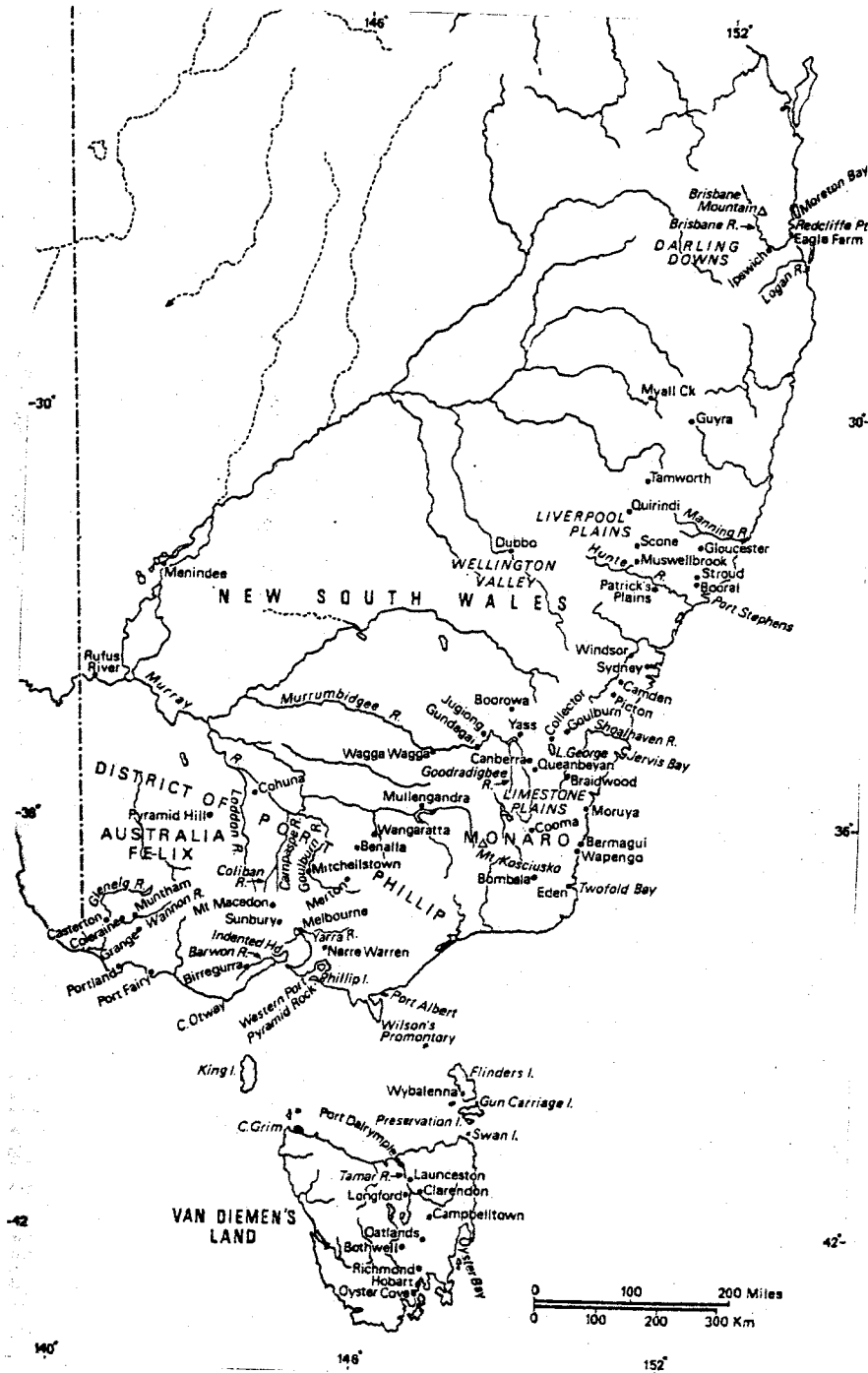
APPENDIX SEVEN

Parish of Mittagong, County Camden



APPENDIX EIGHT

The Main Settlements of New South Wales and Van Diemen's Land



Source: C.M.H. Clark, *A History of Australia, Vol. III The Beginning of an Australian Civilization 1824-1851*, Melbourne, University Press, 1973. p.151.

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