Section 1

Over the Water:
The Rocks and the Dialogue of Townscape

'Pass and I met close against the door of Mary Bryant's house [in Gloucester Street]...we crossed over the water, over the mud to [Simeon Lord's] warehouse.'
Evidence of William Howells
at an 1813 court trial

'John Murphy [of] Macquarie Street...directed them over the water...they all three went to Stephen Murphy's [in Gloucester Street] and drank some spirits and some beer...'
Evidence from the inquest on
Callaghan Rierdon May 1816.
This Long & Wished-for Country

The people transported from England and Ireland to Sydney Cove after 1788 first saw the town from the decks of ships in the harbour. What they saw and later experienced there depended very much on who they were. For William Noah, and his convict shipmates, the last seven, dreamlike miles along the ‘wild and uncultivated’ shores of Port Jackson on the ‘death ship’ Hillsborough in 1799 were marked, not by foreboding and dread, as we might expect, but by joy and a sense of deliverance into a ‘long & wished-for country’. ‘Our hearts glad’ wrote Noah ‘to think that we should now be released from our unhappy & miserable situation, in every countenance it was easy to see the Happiness it created’. Those miseries of the voyage had been relentless and appalling - hunger, cold, filth, ugly diseases, the steady toll of deaths. A third of the convicts died, their bodies dumped unceremoniously in the vast, featureless sea. Noah, it seems, had some sense of history. He wanted to record in his journal the horrors and the deaths, by disease and neglect, suffered by the convicts. So, at the end of each day’s entries, he wrote ‘Departed this Life’ with the full names of those who had died, and at the end of the journal he collated lists of the survivors, and the victims, one hundred in all. By recording names, he tried to mitigate the indignity of anonymous death amongst large numbers of convicts who mattered little.

For the convicts of the Hillsborough, sighting Sydney Cove was sheer relief and delight. They first ‘had the pleasure of seeing the natives come off in their canoes infinitely naked’ and then heard the mournful sound of ‘the Boatswain blow his long wishful Call’ across the water. Its moan was also heard across the town, and it was the sign for the customary reception for newcomers to begin. Officially ‘we were now visited by the Gentlemen of the Town and our prison doors were set open & our irons knocked off’. The ‘Gentlemen’ represented government officials, while unofficially, ‘convicts and free people’ who had watched the Hillsborough’s slow progress down the harbour from their homes on the Rocks,
rowed out in their small craft, the 'bum boats' as Noah called them. They too clambered aboard, and 'gave us a hearty welcome to this long & wished-for country & many gave us invitations to their habitations when we should come ashore'. Shouted greetings, introductions, delighted faces, hearty backslapping, hospitality, friends: it was almost as if they had come 'home'.¹ Some of Noah's convict shipmates - the butcher William Hutchinson, the clerk Richard Calcott, sawyer Tim Riordan, John Fitzgerald, Thomas Wood, James MacNeal, later made their homes, worked and lived with their families on the Rocks.

George Suttor, free settler, arrived in 1802 and might as well have been coming into a different place. Unlike Noah and other convicts, he was an outsider, a stranger and there were no welcome parties for him and his family. 'I was shocked' he wrote later 'at the state of Sydney, I mean of the people and their hard features - Iron Gangs and low grog shops and generally with the degraded and vice-worn features of my countrymen and countrywomen'. The town which had been source of happiness and release to Noah seemed to Suttor a mere ragged 'camp mixed with stumps and dead trees'. Its public buildings were old and dirty or small and mean, while the hospitable homes on the Rocks opened to the convict newcomers were merely nasty huts 'thatched, the walls mostly of wattle and plaster, whitewashed within and without, a few were glazed, but most were not'. In short, Suttor saw what he expected to see: 'it much resembled a large jail establishment'. Its unprepossessing appearance, its dangerous and threatening reputation, and the menacing faces of strangers, less well-nourished than his own, constituted small, mean, isolated and insignificant town. Suttor felt alienated and fearful, so the next day fled out to the rolling hills beyond Parramatta, where he remained for the rest of his life.²

¹ William Noah, 'A Voyage to Sydney in New South Wales', manuscript ML R494.

Although they directly contradict one another, the accounts of these men well illustrate the fact that Sydney was literally a different town to different people, as a result of their experiences and background, their standpoints. This study seeks primarily to recall the perspective of the convicts and working people who lived on the Rocks, the mass of mainly obscure people of the lower orders of England and Ireland who formed the bulk of Sydney’s early population and made the Rocks their side of the town. Yet, because of the integral nature and structure of the largely pre-modern society they created, this perspective cannot be grasped without reference to other discourses: primarily that of authority and the attempts to order and control. The early Rocks, and Sydney, may be best understood as a dialogue between people and government, an ebb and flow of orders, responses, negotiations in which both parties knew the rules, and tried to extract as much gain as they could from them. This was most clearly expressed in the emergent townscape.
Little Edifices Quickly Multiplied

Many historians, academic, professional, and amateur, have written about Sydney's history as if it was, rather, a monologue. The voice of government, through reports, orders and rules, which are so accessible through the documentary evidence, is the dominant if not the only voice. Similarly, when reviewing the origins of Sydney's townscape, historians and architects understandably focus on the public buildings and structures - the Governor's house, the houses of the civil and military authorities, the barracks, hospital, storehouses, the flagstaff, the 'first road' out to the observatory on Dawe's Point. In the process of attempting to recover the place so far removed from, and obscured by the modern city, these are the obvious landmarks; their appearance, position and orientation have become familiar and comfortable. Through official records, logical sequences of construction, enlargement, and replacement may be created and equated with the 'growth' of the town, a town, it was true, beset by all kinds of difficulties, but nevertheless the ordered, logical foundation for a great city.  

The plethora of paintings and sketches of early Sydney are a rich and vital source for the recovery of this town. Gordon Bull observes of them that, in the tradition of eighteenth century topographical landscape painting, 'the viewer is presented with an apparently full,  

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ordered and unambiguous landscape’. With their disarmingly straightforward simplicity, these pictures seem to tell the truth about the town. But in the careful, prominent depiction of the public buildings, and later of buildings and other structures denoting commerce, trading and shipping, the pictures draw the eye away from the other town, the shambles, seemingly disorganized and illogical town fashioned by the people. Here the appearance of neatness, permanence and lineal progress was chimerical for Sydney’s early townscape was not full, not entirely ordered, and quite ambiguous.

The available maps of early Sydney tell a similar story, from Lieutenant Bradley’s carefully colour-coded (grey for civil authority, red for military, yellow for convicts) but geographically vague plan of the camp in 1788, to Surveyor Meehan’s 1807 plan showing the leases and grants of the town Figs 10-14, and Appendix 1). Public buildings and sites are invariably shown with accuracy, and together with the embryonic outlines of ‘streets’. These provide sequence and continuity; they allow us, peering and poring, to ‘recognize’ the town. But consider Grime’s 1800 ‘Plan of Sydney’ which marks the position of thirty-seven leases and holdings (Fig. 12). How can this arrangement of lines on paper, representing the holdings, not necessarily the occupancy, of a tiny fraction of Sydney’s people, be a ‘plan’ of the town? It may be seen as a bizarre abstraction of what Sydney was in 1800. By telling us only about the leases, it hides the other 95% of occupancy: the houses, fences, yards, privies, paths.5

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5 William Bradley, ‘Sydney Cove, Port Jackson’, March 1788, in his ‘Journal 1786-92 including a voyage to New South Wales in HMS Sirius and the return in the Waaksaamheydt Transport’, ML Safe 1/14; James Meehan, ‘Plan of the Town of Sydney in New South Wales...’ 1807, original lost, reproduced in Historical Records of New South Wales [hereafter HRNSW], Vol. 6, 1898, opp. 366; Charles Grimes, ‘Plan of Sydney’, 1800, facs. of original reproduced in HRNSW Vol 5 1897, opp. 838; these and other early maps are reproduced in McCormick, First Views.
Fig. 10: William Bradley, ‘Sydney Cove Port Jackson’, March 1788, the first plan of the settlement showing the huts and tents colour-coded according to civil status. The tents of the convict men and women (yellow) are shown near the head of the Cove, at the foot of the Rocks. A bakehouse stands on the shore opposite the hospital, further north. Two wells are also located near the hospital.

Source: ML Safe 1/4, reproduced from Tim McCormick, First Views, Plate 4 p38.
Fig. 11: Francis Fowkes (attrib.), 'Sketch and Description of the Settlement at Sydney Cove Port Jackson in the County of Cumberland taken by a transported Convict on the 16th of April 1788...'. The settlement is bisected by the stream; buildings appear along the rim of the Cove, sawpits are located higher up, at the south end of the Rocks.

Source: Published London R Cribb 1789; reproduced from Tim McCormick, First Views, Plate 3 p37.
Fig. 12: Charles Grimes, 'Plan of Sydney', 1800, showing leases granted. Although none are shown on the Rocks proper, Figs 16 and 17 show that the area was already well-occupied by the convicts' and ex-convicts' houses. The millwright John Baughan's lease near Dawes Point is shown (no 36); in 1796 soldiers broke into and demolished his house here, attacked him, and then marched back down the High Street 'as if something meritorious had been effected'. Butcher Richard Cheers' first High Street lease is also shown (no 28).

Fig. 13: Charles Alexander Lesueur, 'Plan De La Ville de Sydney Capitale des Colonies Anglaises, Aux Terres Australes', 1802. The artist has made the Rocks appear more regular than it was, and with fewer houses. Note however the allotments marked out on the upper levels, but absent on the lower; and the irregular 'main avenue' ascending from High Street. Two gallows are shown on the outskirts of the town (middle and left).
Source: Published in Francis Peron, *Voyage de Decouvertes aux terres Australes... Historique... Atlas*, Paris, 1807.
Fig. 14: James Meehan, 'Plan of the Town of Sydney in New South Wales by Jas. Meehan Assistant Surveyor of Lands by Order of His Excellency Governor Bligh 31 October 1807'. Meehan combines leaseholders (numbered and listed) with permissive occupants, indicated by the black edgings along the streets. There are still very few official leases on the Rocks: Samuel Thorley holds one in the centre on Cambridge Street; a few more are located along Church Hill/Charlotte Place and in Windmill/Prince Street (see Appendix 1).

Source: ML M2 811.17/1807/1.
The pictures and maps, though, are at the same time most informative sources about the other side of the town, for beyond the obvious and striking objects in the foreground lies a subtext, intended only as an insignificant backdrop to the ‘real’ action. In the pictures, a disorderly collection of houses on the steep slopes appears across the stream, opposite the civil precinct, on the Rocks. Since topographical accuracy for this ‘background’ part of the town is unnecessary, even undesirable, the houses are exaggeratedly small, neutrally coloured, they vary wildly in numbers from one artist to another, their positions are obviously inaccurate, and the ‘sequence’ over time here is difficult and contradictory. *Yet they are there*, and it is possible to make out the spreading and shifting of this other side of the town into patterns of its own (Figs 15-19, 31).

The identification of the Rocks with convicts probably had its origins with earliest camp arrangements. While the Governor’s leaky canvas house was erected on the east side of the Cove, ‘on the west side was placed the main body of convicts’. The east side was officially named ‘Sydney’, while the convicts probably called the craggy west side ‘the rocks’ from this earliest period; officially the area was not even part of the establishment of the town proper.6 In the four years following they built for themselves small one or two roomed hipped-roofed huts from timber posts, wattles, clay and thatch. ‘Little edifices quickly multiplied on the ground allotted them to build on’ Watkin Tench wrote of these convict houses; Collins thought them ‘good hovels’, but a convict woman described them as ‘miserable huts’.7 The

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Fig. 15: William Bradley, 'Sydney Cove, Port Jackson, 1788'. The earliest view of the settlement; the tents and structures on the west side of the Cove are scattered among dense trees, which most likely originally covered the Rocks.

Source: Copy made after 1801, Mitchell Library Safe 1/14;
Reproduced from Tim McCormick, First Views, Plate 5 p39.

Fig. 16: Anon., 'A View of Sydney Cove - Port Jackson March 7th 1792'. Here the 'little edifices quickly multiplied' amongst stumps, dead and dying trees and ragged garden plots. They spread northwards from the rear of the three Government stores built step-wise up Church Hill (centre-right).
Source: British Museum (Natural History), Watling Collection 21.
Reproduced from Tim McCormick, First Views, Plate 19 p53.
Fig. 17: Edward Dayes, ‘Western view of Sydney Cove, 1797’ c1796. Uneven rows of small houses, all facing the water have spread over the Rocks towards, but not yet reaching, the rear of the hospital (right). Thirteen houses already stand on the horizon; they constitute Windmill Row.

Reproduced from Tim McCormick, First Views, Plate 40 p74.

Fig. 18: Edward Dayes, ‘Eastern View of Sydney’ c1796. This view is taken from the top of Church Hill looking northeast. The earliest huts/houses of the upper rows of the Rocks stretch off to the left; one is under construction, and the paling fences are already in evidence around some yards. The growing civil centre, including the first Government House is shown on the opposite side, with views over the harbour beyond.

Source: Petherick Collection National Library of Australia Accn.
Reproduced from Tim McCormick, First Views, Plate 39, p72.
Rocks was ‘over the water’, as the common expression went, from the designated civil centre on the east, where the first pared-down Palladian Governor’s house was gradually joined by the row of relatively substantial houses built for high civil servants.\footnote{For the view over the Cove from the Rocks, see McCormick First Views Plate 21, Thomas Watling (attrib.) ‘West View of Sydney-Cove taken from the Rocks, at the rear of the General Hospital’, 1793-94, compare with Plate 20, a similar view from Dawes Point, 1793-94, and views from the Rocks in 1802, c1803, and 1808, Plates 76, 77, 79, 96 and 97; re first Government House see Irving, ‘Georgian Australian’ p39 and Helen Proudfoot, Anne Bickford, Brian Egloff and Robyn Stocks, Australia’s First Government House, Sydney, Department of Planning and Allen and Unwin, 1991.}

The present-day location of the first Rocks houses was around Grosvenor and Essex Streets, clustered close to the early grog and salt provisions stores, built in stepped formation up the early path up to Church Hill. They were scattered haphazardly, some set in irregular garden patches, amidst dead and dying trees on the slopes rising above Sergeant Majors Row, ‘interspersed at pleasure...amongst the Rocks without any kind of Regularity whatever’.\footnote{John Harris Papers, letter from Sydney, 20 March 1791, ML A1597. He said Sydney was ‘the most miserable place I ever beheld’. The earliest houses on the Rocks appear in Anon., ‘A View of Sydney Cove’, 1792, watercolour, see McCormick, First Views, Plate 19; Fernando Brambila’s ‘Vista de la Colonia Inglesa de Sydney en la Nueva Gales Meridional’ 1793, and Juan Ravenet’s ‘Borador del Reservimiento de los Oficiales en baía Botanica’, 1793, (Plates 15 and 16) show the area around present-day George, Grosvenor and Jamison Streets and Church Hill, including the Lieutenant-Governor’s house and the grog and salt provisions stores.} Elizabeth MacArthur found little in these early huts to please her eye, for by 1790 the Rocks after rain was ‘a sink of evil and already more like a gypsy encampment than a part of a town...the stumps and fallen trees and the boggy tracks wending their way around rock and precipice’. While her description of other part of the settlement were equally gloomy (‘filthy ships’, ‘rude lines of sodden barracks’ the ‘oozy Tank Stream’), notice the early association of the Rocks with moral degeneracy in the minds of the genteel.\footnote{Elizabeth Macarthur cited in Wendy Thorp, ‘Report on the Excavation at Lilyvale’ draft report prepared for CRI, 1994, Section 4.2.}
Rob Jordan has recently discovered that the fabled first theatre of Sydney, with Rocksman John Sparrow among its convict actors, was located in this early Rocks area, behind the stores, from about 1794. It had probably been preceded by a short-lived forerunner set up at the other disorderly part of Sydney, the Brickfields. Governor Hunter ordered its closure in 1798 as a ‘corrupting influence’, since people paid their admission with the meat, flour and spirits, and were as a result ‘unable to pursue their labours with proper energy’. Thieves, observing patrons who entered the theatre, then proceeded to rob their houses. The theatre on the Rocks was nevertheless rebuilt in 1798, and was still located on the Rocks in 1800.\(^{11}\)

The area northwards along the steep rocky headland, above the hospital complex and the various surgeons’ residences, had been the site only for some early saw pits to cut the unreliable timbers. Wells were also noted there on Fowkes’ 1788 map, though archaeological evidence suggests that these were probably small basins, about a metre across and 60cm deep, cut into live rock with various run-off channels feeding rainwater and surface drainage into them (Fig. 29). Deep wells cut through the rock appeared in the 1800s and 1810s. A few perishable huts appeared here and there, but for the main part it was wooded, rocky and wild, a favourite spot for the colony’s artists to climb. From the Rocks they could take an appropriate ‘prospect’ of the real town across the water.\(^{12}\)

By about 1792 four houses stood on the town’s western horizon high above the hospital, undoubtedly commanding the best views over the harbour; by 1796 there were thirteen (Fig.


17). More houses had been built on a similar alignment further south along what became Windmill Row (later Prince Street, now the approach to the Harbour Bridge). It was a streetless part of town; instead, webs of footpaths led from door to door and between the rock ledges and outcrops. By 1796, the artists were also fond of depicting the north-easterly view of the town, taken from the summit of Church Hill (Figs 18, 19, 28). From here, two rows of houses run northwards in a regular fashion along the ridge of the upper Rocks northwards. Below, the early jumble of houses on the slopes has also grown; some artists include them, others choose not to.\textsuperscript{13}

At this early stage, then, two distinctive townscape patterns had already emerged on the Rocks: the houses on the higher levels are regularly spaced and aligned, set on large separate allotments in rows, the upper one leading to a new windmill, completed in 1797. Below, congregated for the main part above and to the south of the hospital precinct, was the hugger-mugger riot of houses and huts set above, below and behind one another; here, regular allotments, gardens and fences are difficult to discern. William Noah wrote about the town to a sibling after his 1799 arrival, and described the Rocks as ‘a great part of the Town’ which was

situated on a large Rock Commanding a Delightful Prospect of the Entrance of the River & at the Top there is a level you may see all the Part thats Cultivated and a

\textsuperscript{13} See Thomas Watling (attrib.), ‘A View of the west side of Sydney Cove taken from Too-bay-ulee, or Bannellongs Point’, 1792-94, in McCormick, \textit{First Views}, Plate 23; this is the first known view of the west side of the cove. The rapid growth of the Rocks is evidenced by a comparison with Edward Dayes’ ‘Western view of Sydney Cove’, c1796 (Plate 40) and with Anon., ‘Sydney’, 1798-99, (Plate 53). The pattern of orderly rows above and more chaotic arrangement of houses below may be discerned by comparing views of the Rocks from the south-east in 1792-94 (Plate 24), and in 1796 (Plate 44); from the top of Church Hill in 1793-95 (Plate 26), in ca1796 (Plates 38 and 39) and in c1800 (Plates 50, 51, 52); and from Dawes Point, and Sergeant Majors Row in 1793-95 (Plates 30 and 32), in 1795-96 (Plates 34, 35, 36, 37), and also in Lesueur’s ‘Plan de la Ville de Sydney Capitale des colonies Anglaises Aux Terre Australes’, 1802, (Plate 62).
Fig. 19: Attrib. Thomas Watling, 'View of the Town of Sydney' c1800; a later view over the town from Church Hill. The Rocks houses (left) appear to be whitewashed and thatched, though some were probably shingled. One resident, perhaps William Fielder, has hung out a sign, probably for a licensed house (far left).

Source: Private Collection. Reproduced from Tim McCormick, First Views, Plate 50 p84.

Fig. 20: Louis de Sainson, 'George Street', 1826. A later picture, taken from modern Grosvenor Street, which shows the walled gaol (centre-left) still in the town's heart in George Street opposite the Hospital wharf. By the 1820s hangings were carried out behind these walls, but people gathered nonetheless in Cambridge Street behind to watch. The fine house opposite (centre-right) was that of shipbuilder and merchant James Underwood. The Main Guard, with sentries, stands on the left. Source: Published 1830, reproduced from S. de Vries-Evans, Historic Sydney as seen by its early artists, Plate 31 p43.
Long way up the River...  

Note the absence of the moral dimension in this convict’s account. To Noah, the Rocks was a focus of the town, characterised by its connection with the waters.

An 1800 aquatint of the town taken from Dawe’s Point, probably based on a sketch by Thomas Watling for Surgeon Thomson, was accompanied by a skeleton sketch which laid out and numbered the features of the growing town, as if pointing them out to a stranger (Figs 21 and 22). The hazy rows of houses high on the Rocks to the right were specifically labelled as ‘convicts’ houses’, unlike the east side of the town where they were identified by street or ‘Row’ names. The view downwards from the nameless rows and clusters of houses on the Rocks encompassed the mean-windowed hospital and its growing number of ancillary buildings spread along Sergeant Major’s Row and up the rising ground at the foot of the Rocks. Opposite the hospital was the small, rather rickety wharf, where small craft loaded with wheat, vegetables, fruit and meat from the farms upriver arrived and unloaded directly onto the market place there. Vendors set up their stalls or sold directly from their boats to the people who gathered from the earliest morning hours. In later years the wharf would draw around it numerous hotels, in readiness for the seamen and others who clambered ashore there. Between the hospital and the old grog stores stood the new gaol, already described as ‘dirty’ and ‘old’ by Sutor in 1802. It replaced the first one, built of logs and burnt down by miscreants without regard for the twenty ironed prisoners inside in 1799. Beside the gaol was

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15 Anon., ‘A View of Sydney Cove, New South Wales’, c1800, thought to be based on a drawing by Thomas Watling, and ‘Explanatory Description of the Publick Buildings &c of the Town of Sydney, Port Jackson; as express’d in the View engraved under the inspection of Mr Thomson late acting Chief Surgeon to the Settlement’, c1800, in McCormick, *First Views*, Plates 54 and 55. See the regular accounts of arrivals at the wharf and prices of fruit and vegetables in *SG* from 1803, for example 10 and 31 August 1806.
Figs 21 and 22: Attrib. Thomas Watling?/Edward Dayes, 'A View of Sydney Cove, New South Wales' and 'Explanatory Description of the Publick Buildings &c of the Town of Sydney, Port Jackson;' c1800. The houses high on the Rocks (right) are specifically labelled 'convict houses'. They overlook the hospital buildings, Robert Campbell’s bungalow house, his ship-building operations and the Government Dockyard.

Source: Published F. Jukes London 1804. Reproduced from Tim McCormick, First Views, Plates 54 and 55.
a public house, run by the gaoler, supplying spirits to householders, prisoners and sailors alike.\textsuperscript{16}

The view down over the cove in 1800 also included several new buildings of another important type: the substantial and impressive homes, together with yards, warehouses and storerooms of merchants, traders, ship-builders and sea captains. At the northern end of the western shore stood the exotic colonnaded bungalow of the merchant Robert Campbell. Stone wharves and warehouses were soon added. The area about Hospital Wharf had already attracted keen-eyed emancipist speculators, publicans and traders like Isaac Nichols, Edward Redmond, Daniel McKay, Edward and Sarah Wills, while at the mouth and about the slopes of the stream, ex-convict traders and shipbuilders Simeon Lord and James Underwood erected large, fashionable houses. In several early views, such houses, and those of the officials, render the convicts’ dwellings impossibly tiny. A remarkable and common feature, though, is that all these houses face, not onto streets, but out over the water from both sides of the cove, and it appears from pictorial and archaeological evidence that this seaward orientation remained common throughout the early decades. Together with the new Naval Dockyard next to the wharf, and the boats and ships under construction, this orientation was striking evidence that here was a maritime town, a port town, with a population whose eyes strained perpetually seawards for the glance of sunlight on a sail.\textsuperscript{17}


\textsuperscript{17} These buildings are depicted in the sequence of pictures in McCormick, First Views, Plates 52, 53, 55, 57, 65, 67 and 69, and many later views. Views of the Naval Dockyard include Charles Lesueur’s ‘Vue d’un quartier de Port-Jackson’, 1802, (Plate 66), and John Lancashire’s ‘View of Sydney Port Jackson, New South Wales taken from y/e Rocks on the Western Side of the Cove’, (Plate 79). The allotments of some the waterside leaseholders are shown on Meehan’s ‘Plan of the Town’, 1807, others give their addresses in advertisements in the Sydney Gazette. For a description and analysis of the ‘emancipists’ stylish designs’, see Irving, ‘Georgian Australia’, p46ff. Wendy Thorp, ‘Report on Lilyvale’, account of the Chandler house in Cumberland Street.
Fig. 23: Attrib. George William Evans, 'Sydney from the West side of the Cove', 1802. This vantage point, from the rear of the first hospital in High Street, was favoured among the early artists for taking the view of the civil side of the town. The picture suggests that both Aboriginal and white people wandered freely into the hospital grounds, and met one another there.


Fig. 24: John W. Lancashire, 'View of Sydney Port Jackson, New South Wales taken from y/e Rocks on the Western Side of the Cove', 1803, showing the paled-in hospital garden, the dockyard, and Isaac Peyton's bridge over the Tank Stream, which later fell down. Lancashire himself was living on the Rocks at this time.

Source: Dixson Galleries DG SV1/60. Reproduced from Tim McCormick, First Views, Plate 79 p113.
By 1803, when the Sydney Gazette first appeared, the Rocks was well-populated, and firmly entrenched in the local mind as a particular, separate neighbourhood. (The upper case ‘R’ for ‘Rocks’ had been in use from at least 1790, although clerks still occasionally used the lower case in the 1820s; the upper case ‘T’ for ‘The’ seems to be a modern affliction). The Gazette made much of the steepness of the Rocks, usually humorously linked with drinking and drunkenness: ‘The Rocks’ the editor George Howe chortled in 1803 ‘would certainly be a choice spot for a TUMBLING Academy’, for sailors commonly fell down the slopes and a party of Scots at a ‘highland Gala’ where the ‘MULL and MUTCHEKIN equally predominated’ afterwards ‘REELED down the Rocks with incredible velocity’.

For all its populousness, the Rocks was not easily accessible, and remained so. There was no direct access to the uppermost rows, only a ‘rank and slippery’ goat-track scrambled up along the palings south of the hospital towards the houses of the lower Rocks. This was rather grandly named in advertisements ‘the main avenue leading onto the Rocks’, and later became Macquarie’s Surry Lane. It now lies below the line of the Cahill expressway. Steep as it was, this ‘avenue’ and its intersections with the Rocks ‘rows’, was the early focus for the establishment of houses and businesses, particularly bakeries and pubs. Before the Rocks was connected to Cockle Bay and Millers Point by the Argyle Cut in the 1850s, the only alternative to it was a long walk by the church to the south; or a footpath snaking around the lonely headland from the end of Sergeant Major’s Row and rising abruptly from Cockle Bay to the windmill on the ridge (Fig. 13).

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18 SG 18 January 1804; see also 12 March 1803, 2 September 1804.

19 SG 5 August, 4 Nov 1804, Lesueur, ‘Plan de la Ville’, 1802. Surry Lane was occasionally called Sussex Lane by 1828, and later became Essex Lane. Surveyor Meehan reported that there was still no ‘regular line of communication with the streets that now form the Rocks’ in 1820. Evidence of James Meehan, in J.T. Bigge, Report of the Commission of Enquiry on the Colony of New South Wales, London, 1822, Appendix, Bonwick Transcripts [hereafter BT] Box 5 pp2237-38. CSC 4/1765 R6056.
Who lived on the Rocks? A mixture, it seems, of artisans, small traders, shopkeepers, and labourers, married and unmarried couples, scores of children, women householders with some property, single men with government posts and small farms in the country, itinerant labourers lodging in skillions and kitchens, licensed publicans, keepers of low drinking houses, prostitutes, thieves and their associates. The great majority were convicts and ex-convicts. Among the earliest few who were granted leases were the steady blacksmith, later publican Thomas Prior, the bakers Thomas and Mary Saunders, and publicans and ship owners Samuel and Agnes Thorley. In the 1790s their many non-leaseholding neighbours included shoemaker George Legg and Ann Armsden, the highwayman-turned-constable William Thorn, and probably the Irish stonemason Richard Byrne and his wife Margaret Kelly.

There were also many on the Rocks whose lives were bound up with the sea: navvies on whose backs the cargoes of arriving ships were unloaded, shipwrights and their apprentices, ship’s carpenters, a few ship’s captains and masters, watermen ferrying people to and from ships, day and night, watchmen for the wharf, Government Coxswains, clerks to the Naval Office, members of the Row Guard, wharfingers, fledgling traders with ships of their own. And the waves of seamen, English, French, Spanish, American, Lascars, Fijians, ‘Asiatic Seamen of the Mahometan faith’; who rowed in ‘jolly’ boats from their ships to the Hospital Wharf, and made their way in groups to the hotels and houses of the Rocks.

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20 This account of the early population of the Rocks is based on the dossiers collated on individuals and families known to have lived in the Rocks, around the Hospital Wharf, and north towards Dawe’s Point, between the 1790s and 1830. The information was collected from a complete reading of the Sydney Gazette between 1803 and 1810, and of Historical Records of Australia between 1788 and 1810, and an index-guided search of these two sources to c1830; the Mutch Index to Births, Deaths and Marriages, ML; the Colonial Secretary’s Correspondence 1788-1825, Coroner’s Inquests c1788-1825, and relevant Court of Criminal Jurisdiction Proceedings, 1788-c1825, the catalogues of Mitchell library, as well as other miscellaneous sources.

21 SG 16 March 1806.
Figs. 25 and 26: John William Lewin, ‘Sydney Cove 1808’, views to the west and east of the Cove. Lewin seems to depict the Rocks houses (top left) more realistically than other artists: they sit higgledy-piggledy on the various rocky tiers and outcrops.  

Source: Mitchell Library ML 60 and ML 50.
By the time Suttor looked around the town in 1802 there were already some substantial houses of stone, weatherboard and shingles on the Rocks, as well as the older thatched wattle and daub huts he described (Fig. 27). The stone for the more substantial houses was often cut in situ, so houses were probably flanked by stepped and benched quarries carved from the Rocks. Stone was roughly hewn, laid in coarse rubble work and plastered, so that the walls had a knobbly texture. The silvery shingled roofs replaced thatch and the pale orange clay roof tiles which had absorbed so much water that they caved in upon the posts and wattles below. Some of the Rocks’ shingled roofs were still in use in the 1880s. 22

Some houses were set apart with a garden at the front bisected by a path, according to the pattern described by observers of Sydney from the early 1800s to the 1820s. Those keen to assert a claim over the land they occupied fenced these gardens in with the pointed palings commonly depicted in the paintings. They had highly practical reasons for doing so: the fences kept out roaming packs of half-wild dogs, goats and pigs. At the house of James Phelan, pigs pushed their way in through a gap in the paling into the yard where he lay sleeping. People passing by saw him and rushed in to assist, but he was so drunk that when they shook him awake he did not realize the animals had torn off his nose. 23 The stout fences were also signs to others that the land had been appropriated, not by deed, grant or lease, but by defacto occupation. They symbolised Sydney’s early spirit of possessive individualism, the race against one another to grab the land.

22 Godden Mackay, Karskens et al ‘Report on Cumberland/Gloucester Street’; series of advertisements offering Rocks houses for sale in SG 1803 to 1810. Evidence of James Meehan in Bigge, Report, Appendix. Isaac Peyton advertised his stone house for sale together with ‘beautiful cut stone’ in 1807. Margaret Quin advertised her Gloucester Street house in 1826 as having ‘a yard with sufficient stone, when quarried, for building another house’; SG 5 July 1807; 8 November 1826.

23 SG 14 April 1810; Phelan was appointed a constable later in 1810, was granted a lease on the Rocks in 1809 and land in 1816, see CSC SZ758 pp151-2, 9/2652 p28 and 9/2731 p234.
Fig. 27: John Eyre, 'View of Sydney from the West Side of the Cove', 1810. This view, facing south from behind the hospital (left), shows the Rocks' rudimentary paths and pointed paling fences, with craggy outcrops of rock in the foreground. The older row-huts, however, are being replaced by larger, more substantial stone houses with shingled roofs; one is under construction in the foreground.

Source: Dixson Library. Published in D. D. Mann, Present Picture of New South Wales, 1811.
Fig. 28: John Eyre, 'View of Part of the River of Sydney in New South Wales Taken from St Phillip's Church Yard', c1812. The lines of Rocks streets - Cumberland, Gloucester, Cambridge and Harrington - are apparent on the left. The house and garden on the lower left may have been that of William and Sarah Fielder, who farmed behind the stores (centre-right) from the 1790s. Absalom West, the publisher of this and other Eyre views, lived in Cambridge Street at the northern end of the Rocks.

Source: A. West, Publisher, in Views of New South Wales, First Series, Sydney, 1813. Reproduced from Tim McCormick, First Views, Plate 122 p158.

Fig. 29: A hand-cut pit with channels and a post hole, dating from the 1790s was located during the 1994 excavation of the Cumberland Street/Gloucester Street site on the Rocks. These 'wells' served to catch and store water in the earliest settlement phase.

(Photo: G. Karskens).
Some people cultivated gardens, though these were not primarily decorative, but pragmatic, to ‘support a family’. They carted in soil to enrich the rocky, sandy ground, grew vegetables, and fruit trees, especially peaches, were bowed down with fruit in summer. The better houses had their own wells of good water; these were often left uncovered, a menace to small children and drunks. They kept fowls and pigs, which the more responsible, like the tailor John Mollet, kept in pens. William and Sarah Fielder were among the earliest settlers on land at the back of the stores, possibly as early as 1792. By 1810 they occupied a ‘neat American built house’ surrounded by a flourishing vegetable garden and an orchard of over a hundred orange, lemon and other fruit trees (Fig. 28). Their house had been among the earliest to be licensed, so the Fielders, along with Sarah Bird, must also be among the Rocks’ first publicans.\(^{24}\)

Other people ignored the Governor’s encouragement and orders to cultivate gardens and confine their animals; their houses were probably not paled in, merely trampled ground scattered with human and animal detritus. As archaeologist Wendy Thorp has observed from the excavation of the Lilyvale site in 1989-92, ‘Everywhere scraps and fragments of European life were trodden into the soil; small pieces of broken plates, fragments of glass, ends of smoking pipes and other cast-offs…’, bones and other food remains, no doubt. The streets of the Rocks remained a constant source of complaint well into the 1840s. Cumberland Street was so uneven in 1826 that ‘a carriage can only pass with much peril’ and ‘one false step in the darkness of night is liable to precipitate the unwary passenger down some precipice’. The public spaces of the streets were also rank with the stench of blood and rotting entrails, since butchers in the early years commonly slaughtered beasts there, and left the remains where

\(^{24}\) SG 16 March, 21 June, 10 and 31 August 1806. John Mollet also had a ‘capital well affording an abundant supply in the driest seasons’ and ‘a garden well-cropped’, SG 1 January 1809. The Fielders were among those who settled behind the first stores on the oldest part of the Rocks in about 1790. One of their two sons, William junior, still lived on the Rocks with his family in 1828. See SG 26 May 1810 and Flynn, Second Fleet, entry for William Fielder.
they fell. The practice of leaving the bodies of dead animals about the streets to putrefy was still commonplace in the late 1820s.25

There does appear to be some correlation between the upper/lower Rocks patterns of townscape outlined above, and the kinds of people who lived in the two parts. Those on the upper levels, in Windmill Row and the row that Macquarie later named Cumberland Street, tended in the 1800s to be artisans, tradesmen and householders of some means and relatively steady character and habits. The millwright and miller John Davis who built the first windmill and was later crippled by its millstone, continued to live on Windmill Row in a house and garden which were ‘an aid towards his support’.26 His neighbours included bakers Thomas and Elizabeth Saunders, who owned two houses; a ships’ carpenter Charles Griffin who became the Master Boat Builder in 1809 and Edward Quin, Deputy Marshall to the Vice-Admiralty Court, and his wife Sarah.27 The stonemason Isaac Peyton also lived in Windmill Row for about twenty years, and built several substantial stone houses there. He was forced to sell one of them when the bridge he was contracted to build over the Tank Stream

25 SG 29 July, 11 November 1826; Australian 16 November 1842; Thorp, ‘Report on Lilyvale’; SG 23 February 1803; In May 1828 the Gazette reported that ‘The putrefying carcasses of dogs, pigs &c which, of late, have more than usually been suffered to lie about the streets, create an extremely offensive, not to say dangerous, nuisance’, 23 May 1828.

26 Memorial of John Davis (arrived c1796), 5 February 1810, CSC 4/1821 No 83b.

27 The Saunders held 30 acres at Mulgrave Place in 1796, but lived on the Rocks from at least 1803, SG 17 July 1803. Their two houses near Fort Phillip were taken down in 1815, see Wentworth Papers, ML, A763 p143c, after which they appear to have moved to their land near Prospect. James McKane (arrived 1800) had a workshop at the Dockyard. His house in Prince Street was taken down in 1812; see Wentworth Papers, ML A761 p33 and his petition for mitigation of sentence, 13 February 1810 CSC 4/1847 p144. Charles Griffin arrived in 1802 and was appointed Master Boat Builder 1809, see CSC SZ993 pp172-3 and SG 11 October 1809 and 10 November 1810. Re Edward Quin (arrived 1801) see Index to CSC; his memorial for confirmation of lease on the Rocks, January 1810, CSC 4/1822 No 269, and SG 21 Jan 1810.
promptly fell down. In later years these elevated spots and early stone houses would be favoured by sea captains, landowners, and the few clergy who lived on the Rocks. But there were also some poor huts in these upper areas. Several were removed under Macquarie’s direction from around Fort Phillip, which had been built on the site of the first windmill in 1804. Irish hairdresser Charles Bryan was compensated with spirits worth only L5.50 for his house in 1812.

The houses of women who had managed to amass property and possessions were also found high on the Rocks. Elizabeth Rafferty was an Irish dealer who bought a good house overlooking the water worth over a hundred pounds from a sea Captain, and furnished it luxuriously. Among those on the lower Rocks, Sarah Reynolds resided in a house behind the hospital she bought for herself after she left her husband Edward, and Elizabeth Mack traded in goods and provisions from her house. On the lower parts, too, there were houses occupied by women who stole from their neighbours and pilfered from the store. Mary Long, for example, told Michael Cooney and Dan Gilmore of the goods owned by her opposite neighbour Elizabeth Jones. Then, standing at her front door, she loudly sang "'Hot Bunbury Cakes" as if to the infant in her arms’, distracting the attention of passers-by while they broke into Elizabeth’s house. Couples like Jane Jones and Thomas Shirley, Cornelia

28 Isaac Peyton (arrived 1798) see SG 11 December 1803, 23 November 1806, 8 February 1807, 30 July 1809. Peyton was still living in Prince Street in 1823, see District Constables’ Notebooks, CSC.

29 See Wentworth Family Papers, ML A761 p33.

30 Re Elizabeth Rafferty, see SG 10 April, 10 July, 4 Sept 1803, 16 June 1805, 10 August 1806, 15 March, 21 June 1807; re Sarah Reynolds see SG 4 September, 2 October 1810; re Elizabeth Mack see SG 17 September 1809, 21 July 1810 (beer, ale and porter licence granted). The Account Book of William Hobart Mansell, 1809-1812, lists regular purchases made by Elizabeth Mack (or ‘Smack’), ML A2111.

31 SG 26 May 1805. Mary Long still lived in the Rocks in 1822, see District Constables’ Notebooks, CSC. ‘Hot Bunbury (or Banbury) Cakes’ was apparently a Cockney street-sellers’ cry, still called in Sydney streets in 1829; see Geoffrey Scott, Sydney’s Highways of History, Melbourne, Georgian House, 1958, p232.
Cochrane and Arthur Martin, Frances Gallagher and John Montgomery, used their houses to hide stolen goods. When caught they stood trial together, and were flogged, or transported, or hanged. 32 John Kenny, a baker who married Eleanor Gallacher in 1803, had a neat furnished house, and started a short-lived school with his brother James at no 8 the Rocks. His chance at a comfortable, decent life was destroyed by his ugly, violent temper. Some years later, at Parramatta a 'decent, inoffensive woman' named Mary Smith had the temerity to demand the return of clothing he had stolen from her. He murdered her and tried to burn her body in a ditch. Kenny was hanged at Sydney and his body taken to Parramatta and left to rot in chains near the spot where he killed her. 33

The ex-convict thespian watchmaker John Sparrow lived in another decent house on 'the best part of the Rocks'. He had amongst his possessions bedsteads, feather beds, dining, card and tea tables, mahogany chairs, a bureau, mirrors, pictures, goblets, tumblers and wine glasses. 34 His house, in what became Cambridge Street, was purchased in 1810 by the baker-turned-dealer Andrew Frazier, who began selling foodstuffs and fabric it, and then acquired spirits, bakers and cart licences. Frazier was highly respected in the town, and by 1824 had accumulated 'a large capital as well in property as money'. By then his desire was 'to remain and end his days in the colony' which he did, though not in the happiest of personal circumstances. 35

32 Re Jane Jones and Thomas Shirley, SG 20 May, 30 June 1805, 27 April 1806 (regarding Jones' thefts from Elizabeth Rafferty). Re Arthur Martin (arrived 1792) and Cornelia Cochrane, SG 19 June 1808. Re Frances Gallagher and John Montgomery, SG 26 May, 30 June 1805, re receiving goods stolen from Elizabeth Jones, also of the Rocks.

33 SG 26 March, 2 April, 14 August 1803, 6 October 1805, 18 and 25 January 1807. Kenny had been sent to government labour at Parramatta before 1801 for 'having treated the court with great contempt'; see CSC R6037SZ988 p56.

34 SG 15 January 1803, 2, 23 and 30 August 1807.

35 SG 2 July 1809, 21 July 1810; Memorial, CSIL 4/1837A No 358 p395.
In the yards, women hung or laid out washing to dry, picked vegetables and fruit, killed and plucked fowls for dinner. Children played, alone or in groups, at their own games and those they copied from adults' activities. They liked to wander in the town, especially about the wharf and market place. In the rudimentary streets, on the paths and steps, men and women were about from the earliest hours, going to work, strolling down in the morning sunlight to bathe naked in the sea, making their way down to the boats to go out oystering, fishing or gathering timber, collecting water from the public well, setting off to buy food or provisions, or beginning journeys out to their farms. They exchanged greetings or a few words, and commonly called in at the houses of friends to light a pipe, drink, yarn and gossip.

The night brought other pastimes, other dangers. In some houses families slept, or gathered around a table in one of the front rooms with a few friends, sharing a meal and some grog, talking and singing. In other houses women dressed in the most colourful, flashy, fashionable garments the colony had to offer, drank, and danced and sang throughout the night with their friends and lovers, or with sailors and strangers. The raucous laughter floated down the slope into the darkness, and later the parties risked life and limb staggering down the Rocks in the black morning hours. Thieves made their stealthy way up to bury or secrete their stolen goods - watches, jewellery, money, teaspoons, fabric, clothing - in bundles between the rocks on the uninhabited parts or over on the western side; or they knocked quietly at the door of people who would hide the stuff. As the sun rose they made their way to their lodgings, and slept. At a house on the highest parts at the northern end, the black ferryman William Blue, and his wife were awoken by the shrieks of the feeble-minded woman next door. Her husband had beaten her and locked her out again. A watchman arrived, and the quarrelling turned abruptly to bursts of merriment. In a bloodied pool of water nearby lay the body of
a seaman, a stranger, his forehead gaping with a wound. He was discovered in the morning, but his murderer was not.  

The character of the Rocks as the resort of convicts was consolidated during the 1810s. Before Macquarie managed to coax and bribe the male convicts into his barracks, they were told by their superintendents simply to go away and ‘provide yourselves with lodgings where you can’ just as labourers did in English and Irish towns and cities. Usually they went to the Rocks, it drew them in. By 1813 it was the ‘most populous part of the town’, still crazed by crooked, unlevel streets, its houses spreading northwards, and increasingly crowded together. An exasperated Commissioner Bigge, trying to ascertain how such a place had come about in a convict colony, eventually extracted the truth from a mildly spoken Surveyor Meehan during his inquiry of 1820. The small Rocks houses, said Meehan, were originally built ‘upon and occupancy generally, and have been sold or let as the proprietors chose’. The land was held, as another commentator more forcefully put it, ‘by naked possession’.

The early Rocks, then: a town built, arranged and occupied by convicts and ex-convicts of widely differing fortunes and ambitions - artisans, traders, labourers - who lived close by one another. The upper levels expressed something of a stake in the colony, the chance of a decent, comfortable life grasped; the lower levels were, in part, a ‘foreign country’ of streetless disorder, of hidden connections and networks, familiar only those who were of it. The Rocks was a place where people got on with their business largely unhindered, making their lives as they could, honestly or dishonestly, many thirsting for success in trade, all

36 See for example inquest on Edward Ryan, 13 September 1813, CSC R6021 4/1819 p621ff; SG 15 May, 11 December 1803; 17 June, 15 July, 12 August 1804.


38 Bigge, Report, Appendix, Evidence of James Meehan 1820.
looking out for themselves, watching one another. Bigge’s question is worth repeating: how, in a convict prison-colony, supposedly regulated, patrolled, and guarded, had this kind of neighbourhood taken root and thrived?
The Preindustrial Town

Mark Girouard, in *Cities and People*, outlines the shapes of European medieval towns and cities. They had at their centres the buildings housing civil and ecclesiastical authorities, and the great houses of nobles and wealthy merchants. Meanwhile, the artisans, shopkeepers, labourers were found ‘where they could afford to live, and where the nature of their work suggested’ on the periphery, often in neighbourhoods according to trade or type of business. In the early years of medieval cities, too, ‘freestanding houses were the norm’. Separate buildings, each on its own little plot, was the usual arrangement in any new settlement.  

These were precisely the outlines inscribed on the shores of Sydney Cove. Initially, an embryonic civil centre was established on the east side of the Tank stream, with the tiny elite settled about the focus of Government house, while the convict lower orders occupied the next band. They were housed first in tents, and then in their small huts, a few southward on the east side, but most on the Rocks. Beyond the last straggling rows on both sides of the Cove lay the ‘skirts’ of the town, the wilderness on the east, the Governor’s domain, haunt of thieves. Correspondingly, on the west were the steep slopes to deserted Cockle Bay, where victims were often lured to be assaulted, raped or robbed, where thieves hid stolen goods, where runaways concealed themselves between the rocks. Those who were mentally disturbed, and those who wanted to end their lives also found their way to Cockle Bay.

The lineaments of this townscape, arranged like concentric circles, reflected the rank ordering of society. At a broad level, the elite, those of wealth and power clustered at the core, while the various ranks of the lower orders, the convicts, settled in the next encircling band, most notably on the Rocks. There, in the manner then natural to the formation of towns, and

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39 Girouard, *Cities and People*, Chapters 1-4, pp.35ff., 69ff. See also Blumin, *Emergence of the Middle Class*, p20ff for eighteenth century American cities; and Graeme Aplin, ‘Models of Urban Change’.
society itself, they were left much to their own devices, to establish their own part of town. Beyond them lay the badlands, visited and used by outcasts and outlaws, those on the ragged edges of society.

By the 1800s the face of the town had changed somewhat, its spatial ordering reprioritized by the rise of trade, commerce and shipping. The traders jostled for the best positions on the shoreline and at the wharf, their new houses, warehouses, and shipyards overlapping the older civil core. The shopkeepers and artisans jockeyed for the next-best locations - the Lower Rocks, for example, around the hospital and the nearby wharf, and also Lower Pitt Street. They sold a great array of foodstuffs, fabrics, hardware, furnishings, utensils, as well as purely frivolous items from the front rooms of their houses. In Sydney, then, the impulse towards profit through trade, retailing, shipbuilding, sealing ventures, early house-based manufacturing industries, and so on, meant that its townscape was one of struggle and at times desperate competition, between individuals for those sites which were ‘undeniably situate for trade’, or as Rocks baker William O’Neal put it ‘in one of the first trading neighbourhoods in the colony’\footnote{Sydney Gazette advertisements for the sale of houses commonly include this phrase; see also Hainsworth, The Sydney Traders.}

While rank was the broad delineator of the town as a whole, the early Rocks reflected the lack of real separation between the ranks within lower orders, from well-off dealer and skilled artisan to unskilled labourer. This, too, was typical of the preindustrial towns and cities of Europe and America, and also reflects the undifferentiated way in which the lower orders were considered generally in civil society.\footnote{Discussed in Blumin, Emergence of the Middle Class, Chapter 2.} Unlike the later upper and middle class desire for spatial separations from the working classes, expressed in the suburb, the self-proclaimed respectable and propertied ranks of the Rocks had little or no aversion to living in a
neighbourhood with ex-convicts of indifferent character, poor convict labourers and servants, or houses where sailors came in pursuit of their pleasures.
The Governors’ Town 1788-1809

There are widely differing interpretations of Sydney’s townscape. The architectural historian Max Freeland saw early Sydney as a vision thwarted, the tragedy of Phillip’s fine town plan cast aside by expediency, and the ‘self-interest and avarice that were to plague the colony’.

Jim Sait writes of the early town plan as exhibiting a rather sinister hidden agenda. The convicts were segregated by a kind of banishment to the Rocks, where their docility and oppression was ensured by the menacing guns of Fort Phillip to the north and the soldiers’ barracks to the south.

Helen Proudfoot sees the eighteenth century quest for order, permanence and fixedness successfully imposed on the ‘savage shore’, even from the first arrangement of the rude camp. Although opposed, each of these interpretations nevertheless describes Sydney as the Governors’ town, a town shaped by authority.

Paul Carter’s The Road to Botany Bay, is significant in that it alerts us to the other ‘reality’, the convicts’ conception and interpretation of the colony’s spaces, the vast ‘underside’ of history which goes unacknowledged in these and other accounts of the early settlement. The imaginings of convicts were mostly spatially conceived; they provided escape routes, destinations, other places, which made the idea of escape possible.

Carter suggests the possibility of returning to Botany Bay reflectively, and by interpreting the accounts of the First Fleet journalists spatially, we can recover from the Enlightenment logic of cause and effect something of what that logic suppressed...the dimension of the convict’s existence.

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42 Freeland, Architecture in Australia, pp20-21.

which imprisonment and transportation were specifically designed to exclude: his occupation of a historical space.\footnote{Paul Carter, \textit{The Road to Botany Bay: An Essay in Spatial History}, London, Faber and Faber, 1987 pp295-296ff.}

He argues that story-telling, tales of gold finds, the mythical country of leisure and plenty on the other side of the mountains, the non-existent, yet conceptually real road to Botany Bay, and so on, were potent and effective means employed by convicts to confound, confuse, challenge or ignore authority. They open for us the world conceived by the convicts. But the convicts’ world was not merely one of stories and fantasy, their efforts were not largely devoted to destabilizing the ‘myth’ of spatial logic with which their gaolers imprisoned and the historians dehumanized them. The exploration of townscape reveals action. They built houses, bakeries, huts and fences, they dug wells and privies, their feet shaped paths marking their ways of going about their town. They made love, bore children, eagerly sought one another’s company, formed friendships, pursued their own habits at work and leisure. They bought and sold goods, and they created a whole material world, partly overlapping and dependent on officialdom. This world not only extended well beyond the realms of imagination, but of authority and oppression.

Carter also recruits the concept of Panopticon, Bentham’s new prison in which inmates were arranged around a central all-seeing ‘eye’ which observed them constantly, thus enforcing punishment and reform without resort to whips, chains, stocks or pillories. ‘In a sense’ he observes, ‘Phillip was showing [in his account] that Botany Bay, too was a place where nothing was invisible, where no-one could escape’.\footnote{Ibid., p306.} Foucault uses the panopticon as an analogy for the immense political power extracted from the process, ascendent in the early nineteenth century, of dividing and fixing bodies into separate spaces, of watching people constantly and of keeping meticulous records about them. These are the origins of ‘modern’
means of imposing order and ensuring docility, and this concept of division lies at the roots of modern institutions.\(^{46}\)

In Sydney there were repeated orders to muster, to count people, to record their names, hence to fix them permanently on the pages. Attempts were made to number and record houses and boats. The town was repeatedly divided into quarters and patrolled regularly by constables who were ordered to collect information about the householders and reported it to their superiors. All of these certainly *suggest* the germ of a modern bureaucracy, as described by Foucault.\(^{47}\) But this was not a one-way process, the sinister and inescapable bearing down of an all-seeing government on the people. For every attempt to order, muster, count and fix, there were contrary movements, evasions, aliases, constant shiftings, orders obeyed for a few days, then ignored or forgotten. Sydney’s material and social development emerged by means of a constant, contrapositional dialogue between authority and people.

For example, little came of the grand town plan Phillip devised for the straggling group of tents, half-built huts and newly beaten-out tracks, only five months after the first landing. He was most concerned about public health; his selection of the site of Sydney Cove had been based not only on the run of fresh water there, but on its dry ‘healthy’ aspect, compared with the spongy swamps of Botany Bay.\(^{48}\) The imagined town had avenues 200 feet wide ‘for the free circulation of air’, its allotments would be a considerable 60 feet by 150 feet deep, and their owners bound by covenant not to erect more than one house on each (Fig.30). He cited the ground south of the civil precinct as most suitable for this type of occupation because it

\(^{46}\) Foucault, *Discipline and Punish*. Chapter 3.

\(^{47}\) For example, see Phillip’s 1789 orders to divide and patrol the town, HRA, Phillip to Sydney, 1 February 1790, and Enclosure No 1, Vol I 134ff.

\(^{48}\) F.M.L. Thompson observed that for ‘Englishmen, the towns in the past had been the graves of mankind’, because the close aggregation of people meant disease and death; *Rise of Respectable Society*, p178. HRA, Phillip to Sydney, 15 May 1788, Vol I 17-18.
Fig. 30: William Dawes/Captain Hunter, ‘Sketch of Sydney Cove, Port Jackson, In the County of Cumberland, New South Wales July 1788’. Phillip’s ‘vision’ for the town, superimposing the lines of grand and regular avenues over the struggling tents and huts. The latter, however, proved resilient, and this plan did not eventuate.

was level and would allow for uniformity, while the Rocks area might be suitable for well-sinking, to provide water for the future barracks on the western side. Hence there was no mention of any sort of settlement there. The hospital was thus deliberately set ‘clear of the town’ on the west side of the Cove.\footnote{HRA, Phillip to Sydney, 9 July 1788, Vol 1 46; see also ‘Sketch of Sydney Cove, Port Jackson in the County of Cumberland, New South Wales, July 1788’, in Arthur Phillip, The Voyage of Governor Phillip to Botany Bay, London, 1789, p123.}

Sydney, however, had a life of its own. Phillip’s plan showed dots and dashes representing ‘temporary’ buildings, following the line of the stream, and contrary to the imagined avenues. These obstinate marks were difficult to erase, and the momentum of their existence prevailed. The plan was devised to avoid the disorderly growth of an unwatchable, inaccessible town, of precisely the sort which emerged on the Rocks. The hospital, instead of remaining ‘clear of the town’ became a kind of diseased heart, as houses clustered around and above it to be close to the wharf and marketplace. Subsequent Governors also made attempts to shape the town, but the result was a compromise between these efforts and the town that simply grew.

Phillip did what he could to keep the town small, discouraging its growth, by dispersing settlement, in the hope of avoiding urban disorder and perhaps even reforming souls through good honest agrarian work. When it became apparent that Sydney could not be the centre of such an agricultural society, Parramatta was founded instead, receiving the healthy, able-bodied convicts off the transports, while the frail and sick remained in Sydney.\footnote{HRA, Phillip to Grenville, 17 July 1790 Vol 1 196-198; Phillip to Sydney, 10 July 1788 Vol 1 65; 30 October 1788, Vol 1 97; David Collins, Account of the English Colony Vol 1 pp125, 212.} Tench wrote cheerfully in 1790 ‘Except building, sawing and brickmaking, nothing of consequence is carried on here. The number of convicts diminishes everyday’.\footnote{Tench, First Four Years, p192.} For a short time it was thought, or hoped, that Sydney, with its already wayward buildings and paths, its lack of
fertile ground, might wither and die in the face of the more orderly, appropriately rural centre of Parramatta.

But the convicts preferred town life, and so a place like the Rocks grew quickly, tenaciously, as did Sydney as a whole. Phillip lamented that very few of the ex-convicts 'are desirous of becoming settlers in this country' because on the isolated farms they were 'so entirely cut off from the gratification in which most of them have always placed their happiness'.

52 Sydney, limited, ramshackle and rough as it was, became the place to acquire longed-for 'articles', to escape the poor, dreary, lonely and often dangerous life on the distant farms, to live close by friends and others of like mind, to share the excitement when the ships arrived. Sydney, in short, turned the entire idea of an agricultural, reforming, penal colony, ordered and planned from above, on its head.

By 1796, Governor Hunter felt the town had run out of control. Sydney's people, he wrote, were of 'very disorderly conduct and frequent disgraceful breaches of the peace', and the town itself a 'mere sink of every species of infamy'.

53 Earlier orders concerning division of the town into districts were repeated, with a register of each dwelling and its inhabitants compiled. Watchmen were charged with the apprehension of 'all night-walkers, all disorderly and suspicious persons' and with 'informing themselves of all strangers who come to reside within their divisions'. They were also to call out the hour of the night while on patrol, prevent people from going to the Hawkesbury or Parramatta without permission, and from loitering idly when they should be at work. The Sabbath was to be treated with reverence, and they were to stop people from 'idly strolling about during divine service'.

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52 HRA, Phillip to Nepean, 15 April 1790, Vol 1 p171; Phillip to Dundas, 19 March 1792, Vol 1 338-339.

53 HRA, Hunter to Portland, 12 November 1796, Vol 1 676; Government and General Orders, 9 November 1796, Vol 1 701.
If these orders are read in the obverse, they suggest the common behaviour of the townspeople - a shifting population, moving constantly between the towns and settlements, unheeding of regular working hours, fond of gaming, fighting and drink, and uninterested in formal religion. Over the first three decades, these same orders, concerning the control and modification of the behaviour and movement of people were repeated time and time again. The mere fact of their repetition suggests that they were only partly effective. Collins, as Judge Advocate, concluded also that the convicts simply 'had not been accustomed to live in situations where their conduct was to be regulated by written orders'; in short, they were not used to being governed. They pleaded that 'they had never before heard' of the orders they had breached, and they lacked the understanding of orders as permanent, 'many of them seeming to think it issued merely for the purpose of the moment'.

House numbering was first ordered in 1789 and repeated in 1796, 1803 and in 1811. In 1803 the Sydney Gazette smirked, in spite of official censorship:

However numerous the houses in town may be yet one moral certainty exists: that they are no longer numberless. On Wednesday the artist perfected the laborious toil and now regrets he did not figure away in water instead of oil. He found it no easy task to reduce the Rocks to ORDER, though no single avenue went unexplored.

But how much use was numbering when many Rocks houses were not located one after the other in a logical fashion, but, as this report suggests, one up, one down, here and there on perches and odd angles on the rocky slopes? And when more dwellings appeared in between, or spread further north, as they soon did, the numbers were rendered nonsensical and had to

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54 Collins, Vol 2 p44; see also p47: the convicts are not 'thinking beings'. King, reissuing orders in 1800, felt bound to point out that 'As this is a repetition of several Orders that have formerly been given to the same effect, and have been as often disregarded as observed, it is to be understood...that after an Order is once issued it is to be constantly obeyed until revoked by the same authority that gives it'. HRA, King to Portland, 10 March 1801, Vol 3 44-45.

55 SQ 16 October 1803.
be started all over again. Similarly, any register of addresses compiled was hopelessly out of date even before it was finished. Ships brought constant waves of new faces, convicts and seamen. Numbers of labourers drifted between the towns, lodging in the skillions and bakeries of the householders. Women and men won and lost one another’s affection, and consequently moved in and out of one another’s houses regularly. Many of the rapid succession of births and deaths went unreported. The early attempts to order the town were thus cyclical, they had to be repeated time and time again. In reality, Sydney could not be fitted into the model of linear, inevitable progress inherent in the rhetoric of the course of empire, though there were progressions of other kinds.56

In the face of the poverty of public buildings, the Governors, ironically, cited the private houses of the traders and the convicts as evidence of material progress and good order. King drew this picture of domestic bliss in 1804:

Among the convicts victualled by the Crown, there are but few and those are of the worst description, who have not comfortable little dwellings at the places they are stationed, many have the convenience of small ovens, or iron pots they bake under; and not a few have their wives and their families of children, whom they maintain by their labour when their government work is finished, with the help of small pieces of ground around their dwellings.57


57 HRA, King to Hobart, 1 March 1804 Vol 4 468. There is much evidence for the crudeness and impermanence of public buildings in the sequence of official correspondence 1788-1805 in HRA, for example Phillip to Grenville, 17 July 1790, Vol 1 194; Hunter to Portland, 12 November 1796, Vol 1 675, and Bligh to Windham, 25 January 1807, ‘Statement of Government Buildings in Sydney, August 13th 1806’, Vol 6 98.
The extensive houses of the emancipist traders were built in audaciously sophisticated neo-classical and palladian styles on sites which were not only most useful for trade, but highly visible in the town. They made the crop-roofed, blank-faced houses built by government for civil servants look crude and old-fashioned. They too were adopted as signals of the colony’s success, and so they were, although they represented the kind of development which had not been foreseen or planned. Bligh wrote of the towns’ houses as ‘the pride of their inhabitants; poor as they are yet they are neat, and the Town altogether is become what has not been seen before in this country’.  

But the role of the convicts’ houses town on the Rocks was ambiguous. They sheltered and protected, they allowed men and women to rebuild their lives, to have families, and support themselves, thereby taking themselves off government stores, and out of government hands. Herein lay the loosening of controls. Townscape, while being a boon and a reward to the industrious, could also be the refuge for a menacing population, and houses were hidden spaces where authority might be undermined. Compare these orders, proclaimed in the same issue of the *Sydney Gazette* in 1806. In the first, houses are a means of control, for in case of ‘fire or commotion’, people were to stay in their houses when they heard the drums beat to arms or the ‘Alarum bells’. But in the second, houses were sources of disorder, for it warned against ‘Unlawful Meetings’ held in them, a reiteration of the 1802 regulation declaring it illegal for groups of twelve people or more to meet.  

While Bligh was initially impressed by the private houses of Sydney, he soon became annoyed with what they represented about the balance of control over the town. He considered that the leases which had been given to individuals like John Macarthur, Garnham Blaxcell and many others, had the potential to ‘confine government in any arrangement it may

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58 *HRA*, Bligh to Windham, 30 September 1807, Vol 6 137.

59 *SG* 18 May 1806; *HRA*, King’s Proclamation, 2 April 1802, Vol 3 618-619.
think proper to make for its use and ornament of the town'. 60 They challenged the rightful ascendancy of Governor over subject in shaping the town. Bligh had evidently learnt nothing from his experience on the Bounty; once again he employed ‘bad language’ and the dialogue over townscape broke down. He planned to ‘clear two large spaces: one around Government House, the other around St Philip’s church’, and so he revoked the leases and warned holders that ‘whatever they erect will be at their own risk’. 61 This caused great unease in the town, for although it was focused on those of rank and wealth, Bligh by extension threatened all leaseholders, and also those who had built on ground according to the unwritten rules of permissive occupancy. Sarah Wills wrote to her mother from her house near the wharf at the foot of the Rocks:

He [Bligh] had not been here long when he took shameful advantage of those that lay in his power. From some he took good houses and gave them bad ones. From others he took houses and turned them into the street without compensation. Some he stopped building, others he made make improvements against their inclination, in his endeavour to crush every person as much as possible. 62

Her words bespoke the anxiety of Sydney’s householders, large and small. John Macarthur made a public, symbolic attempt to erect a fence on his lease near St Philip’s, in defiance of Bligh’s orders. He recounted:

Thinking it necessary this should be decided, I immediately fixed one of the posts myself. The superintendent then alighted from his horse, pulled down the post,

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60 HRA, Bligh to Windham, 31 October 1807, Vol 6 156.


62 Sarah Wills, Letter to her mother, cited in Frank Clune, Bound for Botany Bay, Narrative of a Voyage in 1798 Aboard the Death Ship Hillsborough, Sydney, Angus and Robertson, 1964, p103.
declared that he did it by the order of the Governor, and added, in a very emphatic tone, 'When the axe is laid to the root, the tree must fall'  

As Atkinson points out, this piece of drama was probably observed by the assembled townspeople. 'Macarthur thus demonstrated, in a most public way, the power which the Governor had assumed [or reclaimed?], even over the property of the rich'. Bligh was deposed two weeks later, and the leading townspeople, no doubt including Sarah and Edward Wills, met at the church to give thanks for their 'deliverance', and agreed to 'reward' the officers with gifts. 

The leases were reissued the following year by Acting-Governor Foveaux, and the number of new leases swelled to a great rush at the close of 1809, just before the arrival of Lachlan Macquarie. At least thirty-six of these leases, most for fourteen years, were made out for various parts of the Rocks, to people who had occupied and built on land for some years (see Appendix 2, compare to Appendix 1). They were a last-minute official ratification of the townscape which had been allowed to grow unhindered since the beginning. The 'Rum Rebellion' may well be interpreted as a 'vindication of private property rights', or even those of mere de facto occupancy. It marked, or simply recognized, the shifting of possession 'from the hands of government to those of merchants, tradesmen and the mass of common householders'.

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64 Ibid. pp86-7.
65 List of All Grants and Leases of Town Allotments Registered in the Colonial Secretary's Office, CSC Fiche [hereafter F] 3268 9/2731.
Macquarie’s Town 1810-22

Upon his arrival, Macquarie, nominally at least, cancelled all the leases and the pardons given during the interregnum, demanding that each recipient submit a memorial as to why they should be regranted. His office was inundated with hundreds of petitions, phrased in the most flattering and deferential terms, and invariably claiming the good character, industriousness, sobriety, and familial responsibilities, in short the moral standing of anxious petitioners. Irish stonemason Richard Byrne’s was typical, referring meekly to his ‘small allotment situate on the Rocks’, his usefulness and ‘hard work’ on Norfolk Island, and ‘good conduct since he came to Sydney’. He pointed out the ‘vast expense’ he had gone to in building his house, ‘and likewise being possessed of a large family most humbly solicits sanction [for] the said grant’. 67

These extravagant shows of deference were precisely what Macquarie wanted. He had no intention of resuming peoples’ houses and allotments, he was far too canny to attempt what Bligh had done with such dangerous results. But he wanted it to appear, on paper at least, that the people were there by the favour, or ‘indulgence’ of the Governor as representative of the King. It must be remembered also, that while Richard Byrne’s self-assessment was fairly accurate, the memorials on the whole contain possibly the largest collection of half-truths, carefully selected and stitched ‘facts’, and straightforward lies in the State Archives. 68 Macquarie was probably well aware of that, too.

67 See series of memorials to Macquarie 1810 CSC, microfiche copies ML. Richard Byrne, Memorial, 1810, CSC F3002 4/1821 no 49.

68 This observation is based on the comparison of what petitioners claim to be and the often contrary profiles which emerge from the reconstructions of their lives in the colony.
Fig. 31: John Eyre, ‘View of Part of Sydney, the Capital of New South Wales. Taken from Bene Long’s Point’ 1812. The picture is dominated by ships, while the new Commissariat Stores, dockyards, and the wharves, houses and stores of merchants and shipbuilders line the western side of the Cove. The Rocks, clustered on the heights behind, form the backdrop. The artist depicts some impressive two-storey houses there, and Fort Phillip sits on the ridgeline above.

Source: A. West, Publisher, in Views of New South Wales, First Series, Sydney, 1813, ML.
Macquarie imposed a veneer of order and deference in other ways. In October 1810 he officially renamed all the streets and squares of Sydney and subsequently had a few of them 'made' and straightened. Instead of the local and common-usage names like 'Back Row' 'High Street' 'Church Street' 'Windmill Row' 'Sergeant Major's Row' and 'the Rocks', Macquarie bestowed a grand English name with regal or vice-regal connotations upon each crooked row of houses, each dusty expanse and each precipitous footpad. Hence the main street became George Street, and, in descending order from the highest ridge of the Rocks, he proclaimed Prince Street (Windmill Row), Cumberland Street (Church Row), Cambridge Street, Gloucester Street, and Harrington Street. For the series of cross paths scrambling westwards up the Rocks from George Street he listed Middlesex Lane (now Essex Street) and Surry Lane. Further north three succeeding paths became Essex, Suffolk and Cornwall Lanes, names which were never used in these contexts. Argyle Street was the most northerly cross-path, leading through the 'termination of Cambridge Street...to Prince Street'. It was a steep track with only four houses in 1822. Macquarie ordered that 'Posts and Fingerboards are accordingly to be immediately put up, and the streets are henceforth to be known and called only by the new Names now given them'.

Macquarie knew the importance of naming places and spaces in the quest for ordering them through knowing them. His names for Rocks streets were eventually adopted and still stand as his legacy. But the effect was by no means immediate, nor straightforward. People went on saying they simply lived 'on the Rocks', with no particular street name, for another two decades. When they did use the new names they often mistook them and interchanged them, as if they really did not matter very much; hence Cumberland Street was often given as Prince Street and so on. The fact that many people's allotments reached from one street to the next behind meant that they were often listed in both streets, and cared little for uniform

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69 SQ 6 and 27 October 1810.
addresses. The address of the cooper Edward Ewins in 1824 was still simply ‘Back Windmill, Church Hill’.\textsuperscript{70}

The wild and disorderly nature of both natural landscape and the configuration of houses played havoc with ideals of orderly succession. While the rocky level ledges of ‘Cambridge’, ‘Gloucester’ and ‘Harrington’ Streets were discernible at the less-inhabited northern end around Argyle Street, they converged in a hopeless muddle in the area further south. Successive surveyors, like Meehan in 1807 and Harper in 1823 were stumped, marking the ‘streets’ with apologetic lines of dots that refused to join up, and petered out. Or they left the spaces between the houses tactfully unnamed for the reader to puzzle over (see Figs 14, 33). The most dreadful mix-up (especially for historians) concerned Cambridge and Gloucester Streets. While Cambridge Street was originally the one below Cumberland, and remained known as such until the early 1830s, Cambridge and Gloucester Streets became intertwined, and difficult to separate at the southern end. The granting of freehold titles and new surveys in the 1830s finally solved the confusion by reversing the street names to their present arrangement, with Cambridge the lower and Gloucester the higher.

The surveyors also abandoned the official names of the lanes, marking down instead those used by the people: Cribb’s Lane, Frazier’s Lane, Long’s Lane (for adjacent publicans and property owners) or, later, Brown Bear Lane and Maori Lane, and Globe Street for pubs and those who frequented them. The name Surry Lane was used at least until 1822; by 1828 some residents said they lived in ‘Sussex Lane’ and later it became simply Essex Lane. ‘Middlesex Lane’ was already known as Essex Street in 1823.\textsuperscript{71} It is clear, then, that naming

\textsuperscript{70} Colonial Secretary to Edward Ewins, 22 July 1824, CSC R6013 4/3512 p43.

\textsuperscript{71} District Constables Notebooks, CSC AONSW; Census 1828; see also the detailed series of later nineteenth century maps prepared by the Metropolitan Board of Water Sewerage and Drainage (1850s, 1860s an 1880s) and those by Percy Dove, copies held in collection of the Sydney Cove Authority. Incidental references are common in trial papers, for example, of James Bryan and Thomas Kinsela in April 1821 for stealing from a convict named Henry Wells of Frazier’s Lane - this lane was named for Andrew Frazier; CCJ R1975 p215 AONSW.
and knowing places is not only imposed from above, but also rises up, shifting and changing
with the generations, from below. The name ‘the Rocks’, given and used by the people,
would itself later resist all efforts to expunge it, to subsume it into the larger city.

Macquarie, in the early years of his governorship, was skilled in the dialogue between
authority and people, and in the interplay between gestures of patronage and deference. It
was because of these actions that the ageing ex-convicts could write such things as ‘when I
lost Macquarie I lost a friend’.

When he wanted to widen and regularize the upper streets
of the Rocks, and increase the curtilage of Fort Phillip, he did not simply issue orders for the
defacto owners to leave, as Bligh might have done. Instead he commissioned ‘architects and
builders’ Nathaniel Lucas and John A’Hearne, - themselves Rocks leaseholders - to survey
the houses which Meehan pointed out to them, and provide a valuation. At least fifteen
owners were paid between five and ninety pounds for their houses, without a murmur of
opposition. Many, including Robert Shreives, Charles Bryan, William Welsh, Nathaniel
Lloyd, Robert Fopp and William Wale took up leases on other parts of the Rocks.

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72 John Pendergrass, Memorial, 18 January 1825 in CSC R6063 4/1785 p41.

73 See CSC R6004 4/3493 p499; and Wentworth Family Papers - Treasury Orders etc
1812-25, ML A763 pp33, 137-151.
Legitimising Occupancy 1822-1830s

Macquarie’s tacit recognition of the defacto rights of permissive occupants in the fast-growing town left a legacy of endless confusion and increasing litigation. Much of it concerned boundaries, which were often vague and ill-defined, frequently challenged, and a great source of bad feelings between neighbours. King had foreseen the problems arising from non-legal, unrecorded land ownership, often transferred by verbal agreement, as early as 1802. But it was not until 1822 that Brisbane, in an effort to sort out the confusion, commissioned a survey of the towns with a view to officially defining and leasing allotments (Fig 33). By September 1823 Sydney had still not ‘been reduced to order’, although a circular was issued to a number of settlers later that year giving them permission to take up whatever leases were not yet occupied. The Rocks land, however, had already been appropriated, by one means or another, and none of the grantees appear to have taken up leases there.

The legitimization of occupation was not really effected until Darling decided to begin the long process of granting freehold titles in 1829. There followed more than two decades of slow painstaking surveys and investigations to untangle the rights of claimants to the land (Fig. 32). One such claimant was Irish ex-convict Margaret Kelly, of Cumberland Street. She was the wife of stonemason Richard Byrne and had brought up a family of six children in their four-roomed timber and shingle house in Cumberland Street. The Byrnes’ house and land was the subject of a freehold title enquiry in 1834. Three neighbours from Cumberland Street, including the shoemaker James Templeton who was also a long-time Rocks resident, gave sworn evidence that Margaret Kelly had lived on the site since about 1807. A note in the inquiry said she had ‘no writings or documents to support claim of possession of 20

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74 HRA, Proclamation, 9 April 1802, in King to Hobart, 9 November 1802, Vol 3 620.

75 HRA, Brisbane to Bathurst, 3 September 1823, Vol 11 121; Circular letter ‘granting bearer any vacant allotment of their choosing, the survey of Sydney being complete’ and list of grantees, 1823 CSC R6012 4/3510 pp580-1.
years’. Writing, paper, documents were now ascendant, and Margaret Kelly, possessing none, and relying on the spoken words of her neighbours, was someone from an earlier age, colliding with modernity. The title was granted to her nevertheless.\(^{76}\)

The contrast between these memorials and those submitted to the newly arrived Macquarie in 1810 illustrates other fundamental changes in the relationship between government and people on the Rocks, and in attitudes to space and the ownership of land. The earlier memorials were personal statements (true, half-true, or untrue) of the moral worth of the claimant, submitted deferentially for Macquarie’s personal consideration and decision. The descriptions of the allotments had been extremely vague (‘a small portion on the Rocks’). Nominally at least, people occupied land at vice-regal pleasure. But by the 1830s, when many of the Rocks claims were ratified, the claims had nothing at all to do with the moral character of the person. They relied instead on individual right through length of occupancy, or proof of ownership via evidence of purchase. Claimants had their memorials drawn up by lawyers in official, impersonal legal language, the location and measurement of the allotments were precise, and the matter was decided not by a Governor, but by a court of law. The old patriarchal government was gone, and a modern bureaucratic one stood in its place.

\(^{76}\) See series of Memorials forwarded by the Commissioner of Claims 1832-42 (2/1777-93, 2/1839-1842A on R1234-1235, R1201-1208) and Reports of the Commissioner of Claims c1835-55 (2/1752-75 on R1209-1226) CSC AONSW; Memorial of Margaret Byrne 20 March 1834 No 211, 2/1783, R1201.
Fig. 32: Robert Russell, 'Section No 62, Town of Sydney, Parish of Saint Philip', 1835. One of the section surveys prepared in the 1830s for the granting of freehold titles. Here the surveyor makes order from earlier rather disorderly building and allotment lines.  
Source: AONSW AO Map No. 5435(b).
Townscape, Public Culture and the Panopticon Within

The public welcome for Macquarie in 1810 included visual displays, as a few of the wealthy inhabitants illuminated their homes in his honour. One of them was Garnham Blaxcell, free arrival, civil servant and landowner, who had bought a substantial stone house from Isaac Peyton on the Rocks heights in Windmill Row. The doors and windows were lit with a portrait of the King, a ship encircled with ears of wheat ‘jointly emblematic of Commerce and Agriculture’ (though Blaxcell was largely only interested in the first) and other symbols of ‘Loyalty and Unanimity’, while the verandah was ablaze with arches and festoons of lights. Besides establishing Blaxcell’s wealth and position in the colony, the house shining out over the town that night was a visual statement written in the symbolic language of empire, a seemingly ‘unanimous’ public and popular display to impress both Macquarie and the townspeople. Yet, as with the petitions, deferential language did not necessarily represent sentiment. The gesture would also have, perhaps purposely, diverted attention away from Blaxcell’s actively pro-Johnston stand during the 1808 rebellion.  

This may be interpreted, once more, as a small instance of the negotiations, sometimes aggressive, occasionally violent, other times smooth and complementary, between people and authority. It is temptingly simple to polarise the latter dichotomy, to see only the constant struggle of one against the other. But that does not tell the whole story either, for governor and governed, higher and lower orders, wealthy and poor did not inhabit entirely separate worlds in early Sydney. The early townscape also signifies a society also bound by certain shared beliefs, underlying cultural commonalities that broached the ranks and bound them together.  

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77 SG 30 July 1809, 21 January 1810; Australian Dictionary of Biography [hereafter ADB], entry for Garnham Blaxcell.

Much culture was public culture. The streets (perhaps that is too refined a word for the rough undrained spaces between the houses) were the stages for vengeful blows, made in public, between feuding military officers, military personnel and townsfolk, and street fights between plebeian men and women; all drew enthusiastic audiences. Certain spaces were given over to the public punishment and humiliation of transgressors; hence the stocks and pillory where the bloody floggings took place stood in front of the early stores, where the people commonly gathered. When Macquarie moved the markets northwards to Market street, the stocks went with them, and the drunk and riotous were exposed there on the busy market days.⁷⁹

Since printed orders were not readily disseminated among a populace whose culture was still in large part orally based, Macquarie also appointed a town crier to take his orders into the streets themselves ‘in order that none may pretend ignorance of them’⁸⁰. Old John Pendergrass, of Gloucester Street, held the position of town crier and bellman, and his cries were joined by the rolling beat of the tattoo drums to summon people to work, and mark the end of each day, bells tolling (mostly in vain) to draw to them to church and ‘announce our days of festival...celebrated in a manner consonant to national customs’; and the boatswain’s horn, echoing across the town from the harbour, announcing the arrival of every ship. Public

⁷⁹ Stocks, pillories and floggings are commonly mentioned in HRA and SG; for example SG 9 Oct 1803, 1 Jan 1804, 5 April 1807. Collins noted in 1788 that runaways were tied up ‘in front of the provision store and punished (for example’s sake) in the presence of all the convicts’; Account of the English Colony, Vol 1 p47. Obed West recalled of Sydney on the 1810s: ‘At the south end of the Market was a large wooden pillory made to accommodate two persons at a time, and in the Market Place were four stocks, one fronting George Street, another York Street and two about the middle of the square...the stocks were placed on a frame raised about eight feet above the surrounding space...’ Edward West Marriot (ed.), Memoirs of Obed West: A Portrait of Early Sydney, Bowral, Barcom Press 1988 p30, fp Sydney Morning Herald [hereafter SMH] 1882.

⁸⁰ SG 26 May 1810.
clocks set in towers and gables divided the days, the constables bawling out the hour divided the nights.\(^{81}\)

Although Phillip originally placed the hospital ‘outside’ the town for health’s sake, its dangers and sights proved no deterrent to the people who in subsequent years built houses and coveted sites alongside and behind it, since it stood opposite other important gathering places, the wharf and marketplace. The first hospital itself was ramshackle and dirty, and admittance to it was avoided if at all possible. Similarly the gaol, noisy, filthy, crowded with murderers, thieves, drunks and debtors, whose food and drink was brought in for them by friends and family, stood in Sergeant Major’s Row only metres south of the hospital, a constant, visible warning of sure detection and punishment, set in the midst of the earlier dwellings (Fig. 20).

Death was banished to the south periphery of the town. The gallows stood near the scrubby end of present-day Elizabeth and Castlereagh Streets, near what later became Hyde Park (Fig. 13). This allowed the condemned to be publicly carted through the streets, across the whole town, and to amass a mob of spectators.\(^{82}\) On the opposite side of the town’s southern fringe lay the burial ground, the early destination of the town’s main avenue. Again, funeral processions, the white robed all-female entourage which accompanied old Mary Jones, or the solemn files of soldiers, arms reversed in honour of one of their number, moved slowly from the house of the deceased through the town, the rank and status of the dead person announced

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\(^{81}\) John Pendergrass, Memorial, 18 January 1825, CSC R6063 4/1785 p41. HRA has numerous references to the drums and bells; Noah, ‘A Voyage’; SG 16 August 1807, 29 December 1810. In 1833 a waterman recalled the time of day by referring to ‘Reveille’s beat in the morning’, see Papers on the trial of John Stephen junior, Governors’ Despatches, 1834, ML A1267-18.

\(^{82}\) See Lesueur, ‘Plan de la Ville’, 1802, and accounts of executions in the Sydney Gazette, for example 26 March, 17 April 1803, 26 February, 26 August 1804, 2 November 1806.
visually by the meticulous arrangement of the participants. But the burial ground itself was bleak, unkempt and rank. Visiting Surgeon Joseph Arnold observed that although ‘some of the stones are well-cut, and there are many respectable-looking altar tombs’, the ground there was ‘of hardest clay’. Hence, ‘in wet weather the place is very offensive from the stench arising from the bodies, some of which apparently are not far underground’. The paling fence was carried off for firewood, and roaming pigs and cattle scavenged among the graves. Lying on the outskirts, it also became the haunt of thieves who used tombs to hide stolen goods, and did not hesitate to dig up the fresh grave of an infant to see if it was someone else’s ‘plant’.

Shared spaces created their own opposing dynamics. Not all the people possessed the appropriate mentalité for private property-holding and enclosure: respect, observance, avoidance of trespass. Herein lay one of the tensions between old assumptions and new pursuits. Property holders like Ann Mash/Chapman grew annoyed by the way that sawyers and others simply brought their boats onto her premises near the wharf and made use of her sawpits there. She advertised to prohibit this, claiming she would insist on payment. Isaac Nichols also objected to the way people blithely used his yard as a through way to the wharf. Stones which fell from his wharfside building, were promptly ‘taken away by diverse Boatmen and others for ballast’, and people commonly tied their boats to the rails, posts and rings of his buildings. Although people found their way around by the position of houses, their sense of physical exclusion from private property, and the concept of invisible boundaries and closed-off areas, was not yet deeply embedded in their outlooks and

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84 Joseph Arnold, Journal, entry for 21 June 1815, ML C720 p381; *SG* 9 October 1808, 19 November 1809; Inquest on a still-born child, 1 August 1820 CSC R6021 4/1819 p317.

85 *SG* 27 November 1813; 23 June 1805, 1 June 1806, 28 June 1807.
behaviour. Hence the paling fences were also necessary as insistent visual reminders to deter wanderers and casual borrowers as well as thieves. The authorities had the same problems of people wandering in and out of public buildings and grounds, whenever they pleased and for their own, often nefarious, purposes. Over the years high stone walls and iron palisades rose around the gaol, dockyard, orphanage, burial grounds and the Governor’s Domain.86

There is another important level of public culture evident in the meaning of townscape. Official attempts at creating a Panopticon were intermittent and only partly effective. But people were watched, all the same, by one another. They watched each other constantly, sharp-eyed and suspicious, for gestures of anger, friendship, sexual attraction, a show of superiority or deference, they noted the manner of dress, which announced rank, taste and aspirations. They searched the faces of suspected murderers for evidence of guilt, the sick for signs of death, the bereaved for their emotional and mental state, strangers for their intentions. They knew who associated with low characters, who was respectable in their connections, who was industrious, who was idle. They looked out for likely thieves, for opportunities to thieve, for anything that might be turned to advantage. In this ‘face-to-face’ society, although perennially awash with new arrivals, the difference between friend, acquaintance, and stranger was immediately known. In this sense there was no such thing as the anonymity which characterised big cities of the later period.

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86 See Wentworth Family Papers, Treasury Orders etc., 1812-1825, A763 p3, Francis Cox’s account for erecting a palisade around the County Gaol 1812; Bigge, Report. Appendix, evidence of Major Druitt 1819: ‘I found the Dock Yard...open to depredation and in consequence I caused a high stone wall to surround it 9 feet high’, Box 1 p8; and re burial grounds p16; evidence of D’Arcy Wentworth and Mr Murray on trespassers onto the Governor’s Domain Box 2 pp601, 629; both reported that people had torn down part of the stone wall around the Domain to gain access. SG 23 June 1805, calling tenders for a ‘rough stone wall around the Orphan House 18 inches thick and 8 feet high’.
But to know a stranger from a friend, or a thief from an honest householder, one had to know whether he or she was at their proper business, near their own house, or in their own neighbourhood. Useful observations could only be made if the delineation and details of the townscape were thoroughly familiar. For John Macarthur’s confrontationist action of striking a post into the ground to be meaningful as public drama, the audience of townspeople had to know that the lease on that particular spot near St Philip’s was his. In the smaller performance of Mary Long, shrilling ‘Hot Bunbury Cakes’ to her child in the street while her cohorts robbed the house opposite, was the knowledge that she had to divert the attention of those passing by, to turn their normally watching eyes away from Elizabeth Jones’ house towards her own. When Lieutenant Kent presented a defence of the well-known Isaac Nichols during the latter’s trial for receiving stolen tobacco, he based his argument on the common knowledge about the foreshores of Sydney Cove and the watchful habits of the people:

At five o’clock in the morning at such a season of the year at this place it is daylight. The dockyard is between the houses of Nichols’ and Mr Moore’s [the Master Shipwright] and the fence of the dockyard runs into the water over rocks on that side of Sydney Cove...so that there is no way of passing from Nichol’s house to the two rocks where the tobacco was found but on the main road, by the hospital and other private and public buildings, along which many people must have been passing and repassing. I therefore say it was utterly impossible for a person of Nichol’s respectable appearance...to carry so bulky an article as a basket of brazil tobacco along the road without being particularly observed.\(^\text{87}\)

The movement of such a person as Isaac Nichols in daylight along Sergeant Major’s Row could not have gone unnoticed in this town; therefore it could not have occurred.

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\(^{87}\) HRA, Papers from the trial of Isaac Nichols, Observations of Lieutenant Kent, February 1799, Vol 2, 337.
This sense of place pervades the written evidence of this period, it was integral to conversations, instructions, court hearings and coronial evidence. The imposed logic of external ordering - north, south, east, west, left, right, sequences of numbers, precisely measured distances - played no role in this shared, intimate knowledge of townscape. Instead, the place was marked out in the minds of people by real things, familiar, prosaic objects and spaces. They spoke to one another of houses, palings, wells, rows, yards, corners, particular rocks or trees, public spaces and buildings, in spatial relationships such as ‘along’, ‘near’, ‘beside’, ‘below’, and ‘opposite’. Such directions were vague and unlocatable to an outsider, but understood instantly by the listener or audience of the town. This common knowledge of townscape, by providing the essential context, made sense of the people’s careful and constant observation of one another.\(^8^8\)

\(^8^8\) For example, the 1813 court evidence of the thief William Howells is typical. He recounted of his movement from Simeon Lord’s warehouse ‘across the water...by Barney Williams...up the Rocks by Mr [Daniel] Cubitt’s, near the watchhouse by George Phillips’; he and his accomplice arranged to meet ‘at the back of one Woods house at the back of the Rocks entirely’ where they divided up the loot as day was breaking. David Garrioch noted the same phenomena in the close-bound neighbourhoods of Paris in the eighteenth century, see Neighbourhood and community in Paris 1740-1790, Cambridge, Cambridge University Press, 1986 p27ff.