Section IV

Making a Living

'Jean Ezzy, Cambridge Street [requests] a beer licence Being Situated in a populous part of the town Many Laybouring People Desirous of getting Beer have requested me to make this Application...'
- Petition of Jean Ezzy,
  July 9 1820

'They [the overseers] must be strictly enjoined to exert themselves and shew an example of Industry and Exertion to their Men, not walking about with their hands in the Pockets in a State of Intoxication according to the Old School...'
- Francis Greenway to Major Druitt
  14 August 1819, on the improvement of the Government work gangs.

'Your petitioner is 72 years of age and quite enfeebled with an Obstinate Asthma...although [he] cannot procure a Livelihhood by Labour, he is not desirous of spending the remainder of his days in Idleness But would be very willing to perform any work...that his age and strength would permit,'
- Petition of Timothy Ryan,
  7 August 1815.
‘Many Laybouring People’

When Rockswoman Jean Ezzy applied for a beer licence in 1820 for her Cambridge Street house, she wrote that she lived in ‘a populous part of the town’ where there were ‘Many Laybouring People Desirous of getting Beer’. It was they who had ‘requested me to make this application’.¹ Labouring people had always made up a large proportion of the Rocks’ population: but they were by no means an easily defined group. They included assigned convicts working for masters, free servant labourers, convicts and ex-convicts who lived independently and went to work each day for government or private individuals, or both. Some were married and had children, others, who were single, lodged in or near hotels or in skillions. But some who described themselves as labourers, and hence unskilled, owned houses and sometimes land, had assigned servants and lived steadily in one place. Still others describe themselves as ‘labouring plasterer’ or ‘labouring shoemaker’ or ‘itinerant taylor’. They had skills, but no large concerns or property; they worked in a small way for wages or small jobs here and there, rented small houses and/or moved about to where there was work.

One of the most startling responses emerging from the analysis of the 1822/23 Constables’ Notebooks in comparison with the 1828 census is that over half were not even listed in 1828. In five to six years, over 600 people had either died, left the colony, or for some reason failed to register or be registered in the Census (Table 10). (The accuracy of the Census itself as a indicator of the colony’s population therefore also deserves further investigation). These ‘hidden’ or ‘lost’ people also included women who married or remarried and changed their

¹ Jean (or Jane) Ezzy, Petition for a beer licence, 9 July 1820, Wentworth Family Papers, ML A764 p171. A free arrival with a convict husband, Ezzy had been granted land at Mulgrave Place in 1796. By 1820 she was married and aged about 50. She died just over a year later. See Mutch Index, ML; Ryan, Land Grants 1788-1809, p100; Bigge, Report, Appendix, ‘A Return of the Number and Names of Persons (above 21 years of age) residing and settled upon property of their own within the First and Second Districts of the Town of Sydney’, 1819, ML A2131; see also Perrott’s account of her career in A Tolerable Good Success, p85.
names, so becoming ‘invisible’, and their children, if they took the name of a stepfather. The largest proportion of those who vanished were the assigned convicts - 63% of the 162 mostly male assigned convicts were not traceable. As Table 10 shows, just over half the convicts living independently, the Ticket of Leavers, those who were free by servitude, and even those who had come free were also untraced. Only among the young native born, and the old people holding Conditional or Absolute Pardons, did the proportion of those traceable reach over half the total.  

These numbers suggest a community and a colony where mobility was at least as much the norm as staying in one place, especially for the recently arrived and those with no property or family. Many were accustomed to this, though, as mobility among English and Irish people in the search for work and betterment was also commonplace. In Sydney the sea presented the constant possibility of departure, or escape, while the countryside could with equal ease swallow and hide people. Men, women, families moved around constantly to get work, or to escape detection, pulled by the desire to try something else, driven by family crisis, tragedy or breakdown, or by the assignment system, their movements leaving only the barest imprint on written records. It is important to see the fixed and settled Rocks individuals, families and households, those we know something about, against this backdrop of a vast mass of obscure, shifting people who seem to have made up such a large proportion of the Rocks population. When viewed through official documents, the colony seems so fixed and rule-bound, but from the people’s perspective it appears far more fluid and shifting, a place of movement, not stasis. The moving mass of people explains that ongoing dialogue

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2 These and the following figures are drawn from Karskens, Analysis of the District Constables’ Notebooks.

of order and disorder, the rationale for the constantly repeated orders and encouragements to settle, fix, list, number, and count.

What, then, became of those we can ‘see’? Here is paradoxical evidence of movement around stasis. Nearly sixty percent of Rocks people who were traceable were still living on the Rocks in 1828, and nearly forty percent were at the same address. Of the remainder, around 20% were living in other parts of Sydney, and 15.6% had moved to country towns, villages and areas. Again, the patterns are related to civil status, gender and age: as Table 11 shows, those who were convicts, whether assigned or independent, were much more likely to have moved away than those who were native born or held pardons. With regard to the large group of those free by servitude, women were much more likely to have remained on the Rocks than men. Children were most stable in their place of living: nearly 70% were still on the Rocks in 1828. Similarly, 70% of same-name families remained on the Rocks. These are the people among whom there are clear signs of stability and continuity, as we have seen in the discussion of marriage and family life. Conversely, among those who can be counted, it seems that those who were recently arrived, still under sentence, in their 20s and 30s, without families, and possibly male, were most likely to have been unable to remain on the Rocks. It is probable that they shared these characteristics with their ‘vanished’ counterparts.

Invisible people are obviously a problem for the historian. Who can fathom the reasons for success or failure, or the motivations, let alone the personal experience or outlooks of people who are scarcely recorded? These following pages contain a few reassembled parts of life stories, sketchy glimpses which reveal what we can and cannot know directly about the drifting, labouring poor. To explore the cultural dimension, it is necessary to reconstruct the attitudes, values and habits of working people of the Rocks from what local evidence is available, and to draw also from the wider context of historical interpretations of convict workers generally.
The young convict cooper Joseph Armstrong arrived in 1818 and lodged with publican Mark Byfield in 1822. He had a coopering business in Hunter Street and a ticket of leave in 1824, but by 1828 was again a government servant plying his trade at Bathurst. Irishwomen Bridget Lever was a lodger of sorts at Mary Redmond’s ‘house of ill-fame’ in 1822 on the Rocks. She was involved in the alleged murder of Happy Filler in that year, and died herself at the hospital at only 26 in 1826. Michael Bennet lodged with five others like himself in Cumberland Street in 1822; he had a ticket of leave and then his certificate, was acquitted of a charge of robbing Edward Redmond, but was nevertheless at Moreton Bay in 1828. Another Irishwoman Ellen Dinan (Lord Wellington 1819) lived in Gloucester with her little boy Jacob Kinchela, who was born a year after she arrived at the age of 21. His father may have been labourer and one-time constable Thomas Kinchela, who was often in court on charges of assault and robbery. By 1826 she too was living at Mary Redmond’s house, and in that year was arrested for stealing a watch from the ‘quack-doctor’ Walter Boston in Kent Street, who saw to the medical needs of Mary Redmond’s household. She was acquitted but sent to the Female Factory for three months for being ‘a notorious prostitute’. By 1828 she was working as a housekeeper to William Myers at Evan (her child seems to have died) but later that year she returned to the Rocks to marry Patrick Fanning, probably a labourer, who had also arrived in 1819 and had lived on and around the Rocks at least since 1822.4

Robert Noble was the slaughterman who showed such compassion to old John Rogers. He arrived on the Marquis Wellington in 1815, and his wife Ann followed him on the Northampton in the same year. They may have acquired a small house at 97 Cumberland Street from which he would have walked to work at the slaughterhouse on the shores of Cockle Bay. His career was chequered: a Ticket of Leave granted in 1825 was cancelled in

4 District Constables’ Notebooks; Census, 1828. Re Joseph Armstrong, SG 4 September 1823; 29 July 1824. Re Bridget Lever (or Liver), see inquest on Happy Filler and St Mary’s Register. Re Michael Bennet, SG 23 October 1823, 17 June 1824. Re Ellen Dinan, see Robinson, Women of Botany Bay, p318; SG 18 January 1826, St Mary’s Registers, entry for 29 September 1828.
1827; in 1828 he was wanted for absconding, but nevertheless had his certificate of freedom in the same year. He worked as a Parramatta constable for a while, then the couple, still childless, moved to Liverpool. James MacDonald arrived on the *Admiral Gambier* in 1809 and was assigned to Ann Chapman to assist her in running her Passage Boat service. He earned a Ticket of Leave and then worked at Dixon's steam engine, before going to Bringelly. He too became a Parramatta constable in 1822, but was dismissed for drunkenness the same year. By 1828 he was 45, a boatman at Parramatta, single with no family. Peter Macpherson, a married or partnered labourer, seems to have rented a Rocks house from Andrew Coss. He lost his infant daughter in a well there in 1815 and then vanished, but by 1828 was an inmate of Hyde Park Barracks. The convict Irishwoman Martha Dunne (*Admiral Charles* 1813) was 'wife' to tinplate worker William Collins in Cumberland Street in 1823, but the relationship faltered, and she was convicted of a crime and transported. By 1828 he was married to someone else and she was at Port Macquarie. Second-fleeter Richard Cole led a quiet, steady life, but did not manage to rejoin his family or start a new one. He was a well-behaved plasterer and bricklayer who hired himself out to various masters, moving where work was offering, first at Parramatta, later, at 70, bricklaying for Chief Constable William Thorn in Cambridge Street. His plea for a pardon 'to enjoy the comforts once more of a long lost Wife and three Children' was apparently not granted and he died at the hospital in 1828.5

Others, unskilled, were itinerant, like old David Douglass stooping and staggering around the town with his basket of fruit and cakes by day, lodging in Ann Leighton's stable at night. Another was the 'jobbing carrier' whose only abode was his horse and cart, much to the

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5 Re Robert Noble see inquest on John Rogers, 17 September 1817, CSC R6021 4/1819 p605; re James MacDonald, see his petitions for a Ticket of Leave 1818, and for mitigation of sentence 1820 CSC F3187 4/1855 p171 and F3203 4/1861 p35 and other details from CSC Index. Re Peter MacPherson see SG 7 January 1815, 16 December 1826, *Census* 1828. Re Martha Dunne, District Constables' Notebooks and *Census* 1828; Re Richard Cole see entry in Flynn, *Second Fleet*. 
disappointment and disgust of a woman he tried to enlist as ‘housekeeper’ in 1804. Still others were caught in a downward spiral of unemployment, homelessness and disease. Poor James Haslem had been a baker, then a labourer, and by 1819 ‘was in the habit of lying out in the streets’. Eventually he asked the bakers Thomas Wheeler and Sophia Langford to be allowed to sleep in their George Street bakehouse. He sometimes shared space on the oven with his long-time friend William Thompson, who said that in Haslem’s final week he had severe dysentery and was ‘a great Drunkard’. Thompson came to his friend’s aid when he vomited ‘for about two hours’, then lay down beside him to sleep. When he woke up in the night he found Haslem dead in the darkness.6

These stories are presented as a mosaic, as myriad crisscrossing voices, paths, journeys, lives which suggest different interpretations from each perspective, each standpoint. Hence they defy easy generalisation, although it may be observed that such people were likely to have considered themselves subject to the uncertainties, the vagaries of fortune. They were correspondingly unlikely to have felt that they had a great range of moral options from which to choose, to direct their lives. Their lives sketch out not logical, linear progress of cause and effect, nor tales of happiness after perseverance through adversity, but rather tangled webs of allegiance and suspicion, deep compassion and callous indifference, the powerful pull of desire for things, or drink, or escape. Their lives were often shadowed by tragedy, and demonstrate the fragility of relationships, and material, physical and mental well-being. Some could employ the mechanics of deference with success, others were disappointed. Many were granted the ‘indulgences’ of the time, but obviously these had little effect on their behaviour. There was often no fixed, logical correlation between ‘behaviour’ and ‘indulgence’ in the first place; the impression is more of hit-or-miss randomness. What may be observed, too, is the way many turned to a various types of work, involving many different work-relationships -

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6 Re David Douglass see inquest, 14 October 1820, CSC R6021 4/1819 p183; re the carrier, see SG 15 July 1804. Inquest on James Haslem, 4 October 1819, CSC R6021 4/1819 p287-9.
independent trades-person, wage-earner, servant, the partially employed, the itinerant hawker, the prostitute, the married woman. Their outlooks on making a living were as fluid and unfixed as their spatial status.

At the same time, the Rocks was a more long-term home to labouring people who had built a house on land held by permissive occupancy. Joseph Prosser, a 'poor labouring inhabitant', apparently a plasterer, and his wife lived there at least between 1804 and 1822, when the constable listed them in Cumberland Street. William Wakeman and Mary Lett amore, who married in 1811, lived in Cambridge Street with their two children. He was among the Rocks people granted a spirits licence in 1810, but between 1815 and 1818 he was overseer at the hospital from six in the morning to nine at night. His duties were 'to look after the patients, keep them clean, to muster them and lock them up at night'. He received no wages, apart from having his family on the stores. In 1819 he was dismissed for 'drunkenness, incapacity, corruption' and 'drinking the Spirituous cordial medicines'. After that he became a Rocks constable.7

From such ranks of ex-convict labourers and tradesmen came some of the longest established and more comfortably-off Rocks people, who themselves became the masters of convicts. Thomas Bristow, who shared his house with Mary Long/Ward and her sons, and listed himself as a 'labourer', had convicts assigned to him in 1824 and was still living at his house in 1828.8 Andrew Goodwin was a convict labourer who married Ann Peyton, the daughter

7 District Constables' Notebooks; Re the Prossers, SG 1 and 8 April 1804; CSC R6021 4/7079 pp113, 131. Re Wakeman, SG 21 July 1810; St Philip's Register; his petitions, 1817, CSC F3182 4/1853 p349, and 1820, F3033 4/1825B No 767 pp897-900; Wakeman's evidence, 1820, in Bigge, Report, Appendix, BT Box 6 pp2392-2398; and evidence re his dismissal, BT Box 26 pp6194,6229; constable at Sydney, BT Box 21 p3622.

8 District Constables' Notebooks; Census, 1828; Petition, 15 February 1825, CSC R6063 4/1785 p103; Bristow received assigned convicts in 1823 and 1824, see CSC Index.
of Isaac, and later said he expended his 'hard-earned pittance' buying his father-in-law's house in Prince Street. By 1829 he described himself as a carter, and his cantankerous father-in-law was installed in the Benevolent Asylum. In 1842 he was listed as one of the Gipps Ward's property-owning constituents. Samuel Hulbert, although he had some seafaring skills, called himself a labourer when he married Rebecca Selles in 1816. As a settled Rocks householder with a family and a 'most commodious house', he was granted a licence for the Sheer Hulk in Cambridge (now Gloucester) Street in 1817, and when he died in 1829 was listed as a 'dealer'. George Barnett, property-owner, boatman, carter, householder with servants, also described himself as a 'labourer' in 1828. In these ways the skilled and unskilled, the shifting and fixed, were intertwined and had common interests in the Rocks' social fabric. The lines between necessity and decency, subsistence and plenty were crossed. Yet here we have probably moved away somewhat from the 'many laybouring people' Jean Ezzy was hoping to serve in her newly licensed house.

Eighteenth and early nineteenth century labouring people are thus obviously difficult to categorize as an undifferentiated 'proletariat'. They cannot be described as a monolithic group, 'the working class'. In the colony, as in England and Ireland, the simple division of society into rich and poor, property-owners and propertyless, capitalist and worker, wage-worker and self-employed, head and hand work, and even, though to a lesser extent, skilled and unskilled, are inappropriate; they are polarisations of more modern origin. In many ways

9 District Constables' Notebooks; Census, 1828; Mutch Index, ML; SG 1 January 1824; Petitions of Andrew Goodwin July 1824, August 1824, CSC R6061 4/1780 p198-9; 'List of Citizens in Gipps Ward in the City of Sydney', Australian, 9 September 1842.

10 District Constables' Notebooks; Mutch Index, ML; Hulbert, Petition for Mitigation of Sentence, 1817, CSC F3178 4/1851 p177, Memorial for licence renewal, 1819, in Wentworth Family Papers, ML A764 p149. Hulbert received assigned convicts in 1822-23, see CSC Index.

11 District Constables' Notebooks; Census, 1828; Barnett, Memorial, n.d., CSC F3001 4/1821 No 11a; granted a cart licence, Bigge, Report, Appendix BT Box 12 p271; Barnett was granted convict servants in 1823, see CSC Index.
such heuristic devices preclude an understanding of the vast complexity of an older, more organic society, whose intricate and subtly defined ranks graduated almost imperceptibly and had a tendency for 'slipping and sliding into one another'. But rank amongst the higher orders was dependent on birth and manners as well as wealth and profession. Among the lower orders (encompassing everyone else from lower clerks to vagabonds) skills, trade and literacy were very important, but so were the facts of stasis and movement, property-owning, the accumulation of small amounts of capital, gender, ambition and cultural mentalité.

The book Convict Workers stresses the fact that the convicts were workers, inferring that the status 'convict' should not override the status 'worker'. Historians often simply focussed on convictism alone, with the result that the colony inevitably appeared as a prison. But work reflects the sheer normalcy of the colony, as does the existence of families and households. Furthermore, the work of convicts, often carried out on their own terms, had plainly been essential to the establishment of the colony. What was at first foremost in Governors' minds was not punishment, nor even discipline, but survival: how to have houses, mills, wharves and stores erected, how to get roads cut, boats built, bricks made, stone hewn, tools repaired, crops sown, fish caught. Pragmatic lessons were quickly learned. Capable people were clearly happier and more productive working independently, and so any spark of initiative, any display of skills was actively nurtured by Governors. The first official seal of the colony, tellingly, showed 'industry releasing convicts from their fetters': work would redeem them by restoring their independence. The 'mere tradesman', though of low rank at home,
was raised in the colony by his extreme usefulness. Tench had a sort of grudging admiration for the ‘many persons of perverted genius and of mechanical ingenuity’ among the convicts.\(^{14}\)

The manner of social delineation itself was displayed when musters were held. In 1798 the first to be called in were the labouring men, free or otherwise, second, settlers, and third, women. The distinction here is clearly not based on convictism, but on types of work, lease- or grant-holding status, and gender. Even the distinction between head and hand work was not automatic: lists of employment of the non-grantees compiled by King in 1800 showed ‘town clerks, printers’ and ‘writers’ listed indiscriminately with tradesmen, labourers, the blind and insane, the gaol and town gangs and many others. Again, women were listed separately, the largest proportion of them described as those ‘who do no labour’. In another list they were grouped with the children, as though equally dependent; in still another, prepared by King, they appeared as a mere postscript to the ‘real’ work done by men. In the final analysis, though, the divisions were expressed in three parts which disregarded convictism: the civil and military personnel, the settlers and landholders, and the nominally propertyless ‘free people and convicts’, by far the largest segment, seen from above as one group.\(^{15}\)

One of the distinguishing features of the ranked society was the responsibility felt by those in authority to encourage the worthy and avoid rewarding the idle and dissolute, in other words to treat people according to their social and moral worth. Hence their own categorizing

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\(^{14}\) See series of correspondence in HRA; Collins, Account, Vol 1 pp 144, 319; Tench, First Four Years, p295.

\(^{15}\) HRA, Government and General Orders, 2 July 1798, Enclosure in Hunter to Portland 20 August 1798, Vol 2 217; ‘Distribution of Free men and male convicts not holding ground by grant or lease, and supported and supported by the Crown’, September 1800, Enclosure No 1 in Hunter to Portland, 28 September 1800, Vol 2 615-7; ‘General Statement of...New South Wales’ 1801, Enclosure 2 in King to Portland 10 March 1801, Vol 3 70; King to Portland, 1 March 1802, Vol 3 p424. Blumin, in Emergence of the Middle Class, points out that observers of pre-industrial society ‘tended to see division in the upper echelons of society’ but put the middling and unskilled together at the bottom, pp17, 35-38.
devices, within the parameters of order and rank were complex, individualized and personal. They included those who were ‘steady and best behaved’ as opposed to those of ‘more dissolute dispositions’; ‘those who can get a living by their work’ versus ‘those who cannot’; ‘industrious’ versus ‘idle and worthless’. Then there was the taxonomy of skills. Robert Campbell used the simple, well-known ‘mechanics and labourers’, but where more finely honed detail was required, there were carefully calibrated lists, where skills were intricately bound up with disposition, in words suggesting a sliding scale of worth: ‘good, tolerable, willing and able, ordinary, very ordinary, indifferent’. Again, when lists of working people were compiled, they were not divided up into head and hand work but according to function.

It was a system often turned on its head, eroded, made nonsensical by colonial conditions. Yet these are the manifestations of mental categorisation. Through them we can grasp something of the way society was understood.

Women’s skills, on the other hand, tended to be overshadowed by suspicions and expectations of their moral worth and biological ‘tendencies’. Hence the reports on women’s’ work can be quite contradictory. Collins complained that they had ‘grown so idle and insolent’ and were ‘unwilling to do anything but nurse their children’. The work of child-care was equated with ‘idleness’ and Collins never considered who was to care for them if their mothers did not. Tench wrote that they were in ‘total idleness’, yet that some made the pegs to fix the clay tiles on the roofs, and others were picking up shells for lime burning. He also described their ingenuity in ‘shifting and patching’ the worn out clothes, and while he was referring to both sexes, he noted that the ‘superior dexterity of the women was particularly conspicuous’.

These constant reference to idleness might be explained in several ways: foremost was the

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17 Collins, Account, Vol 1 p87, see also p194.

18 Tench, First Four Years, pp71, 166.
way that ‘women’s’ work (spinning, stitching, washing and ironing, housekeeping, childcare and so on) was, in the male gaze, considered menial and unimportant. They were certainly paid far less for it: in 1796 a woman who worked all day at washing clothes was paid only one shilling and sixpence, and her meals; a labourer was paid three shillings for a day’s work.\textsuperscript{19} When they did undertake tasks such as peg-making, shell collecting or constructing the bridge approaches over the Tank Stream, they were invariably described as ‘a few’ or ‘feeble women’,\textsuperscript{20} conveying the sense of inadequacy or ineffectiveness. It is hard to interpret these comments and diatribes as much more than male prejudice against the worth of women’s work, and a belief that women were naturally lazy drones.

Second, the attitudes and behaviour of women towards work, and generally, was similar to those of men. They were noisy, unruly, could be violent, used profane language, cared little for time discipline, probably disliked the strictures and supervision of domestic service. As a result the lower orders were generally viewed in a poor light, but women in particular were seen to be failures, perversions of vague ideas as to what ‘women’ were supposed to be.

There were also larger ambiguities in the way the labouring poor as a whole were seen. Their attitudes and way of life were often described as ‘profligate’ and ‘thoughtless’. They were often considered in disparaging and disdainful ways, and threatened with brutal punishment for idleness and wandering about the colony. On the other hand, as Malcolmson and Christie observe in seventeenth and eighteenth century English society, the poor were regarded as an essential part of society, since their labour sustained the whole. This was obvious in the early years of the colony. George Howe referred to them as ‘those inferior yet not least useful

\textsuperscript{19} Collins, \textit{Account}, Vol 1 p415

\textsuperscript{20} SG 23 October 1803 and see 6 November 1803.
orders of British metropolis’. Their poverty was a natural outcome of their lowly social position, but there were cultural norms which directed that, in exchange for some facade of deference, they be cared for, protected and defended by those in authority. As E. P. Thompson observed, ‘the poor imposed upon the rich some of the duties and functions of paternalism just as much as deference was in turn imposed upon them’.

Hence while Governors raged about the ‘turbulent and refractory set of people’, they were also at pains to regulate supplies so that the poor could afford decent food. The price and quality of bread was the subject of many early orders, and numerous Rocks bakers were fined for not adhering to them. Spirits licences were granted ‘for the accommodation of working people’ (hence the grounds for Jean Ezzy’s appeal). Holt observed that Macquarie lowered the price of beef and pork, which was of ‘great service to the poor’ and ‘hurt no one but them that could bear it’. Some Governors tried to protect small settlers and others from the extortionate prices demanded by dealers in the early years, and were glad when they managed

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21 Such descriptions are common in HRA correspondence, for example, Vol 1 583 ‘restless and idle’, 675 ‘turbulent and refractory’, 683 ‘idle and disorderly’, Vol 2 669 ‘thoughtless and profligate’; a Government and General Order, 30 January 1800, stated that persons who moved between the settlements without passes would be flogged and sent to the gaol gang, King to Portland, 10 March 1801, Vol 3 44. Malcolmson, Life and Labour in England, pp12-17; Christie, Stress and Stability, pp216-17; SG 12 June 1808.


23 HRA, Government and General Order, 6 August 1798, condemning the use of ‘false or improper weights and measures, to the great injury of [labouring people]; and also referring to the liquor licences issued ‘for the accommodation of working people’ in Hunter to Portland 20 August 1798, Vol 2 219; another order regulating bread prices remarked that Sydney bakers ‘Avarice appears to be greater than their Humanity’, and declared firmly that ‘it is the Governor’s Intention To place bread within Reach of those who need it most’; in King to Hobart, 9 November 1802, Vol 3 629. Some Rocks bakers evidently remained among those who practised ‘those starving extortions’; in c1821 eleven of them, including William Prentice, William Davis, Thomas Saunders, William Welsh, Elizabeth Cassidy, George Cribb and Patrick Cullen, were fined for selling light bread or using false weights. See Wentworth Papers, Police Reports and Accounts 1810-1827, ML D1 p223. Holt, Rum Story, p111. The sale of meat had been regulated since at least 1802, see HRA Government and General Order 3 August 1803, in King to Hobart, 7 August 1803, Vol 4 p346.
to ‘make themselves more comfortable and independent of the higher classes’. King felt bound to protect the ‘ignorant and unlearned’ from the ‘artful and litigious’. When the millwright John Baughan was attacked by soldiers, Hunter quickly tried to calm and reassure the people. Clearly, he thought of them not so much as prisoners, but as the lower orders, whose personal liberties had been threatened by the soldiers’ attack and who were thus justifiably alarmed. In 1801 a priority list was drawn up for the ‘Discharge of Deceased person’s debts’. Servants and workman’s wages came at the bottom of the list, but they were to be paid before the book-debts of ‘Merchants and Tradesmen’.

Protecting the poor was also part of George Howe’s stock of rhetoric, and was likely to have been familiar to his readers and listeners. People who threw broken glass onto the roadway were condemned for scattering ‘danger in a poor man’s tracks’, since many people did not wear shoes. The poor needed fairly priced, affordable food, so that when high prices on market day resulted in ‘the further mortification to a number of poor persons who attended’, they deserved sympathy. Sellers who demanded dollars, which poor people did not possess, were frowned upon, while Robert Campbell earned praise for offering to exchange dollars for 5 shillings each. Magistrates met to examine the ‘difficulties of the poorest orders of the community in obtaining wholesome bread at a reasonable price’, and outlined breadmaking rules and prices. Butchers appealed to be allowed to vend meat on Sundays since ‘many of the Poor Inhabitants do not receive their weekly stipends sufficiently early on Saturday to procure their Sabbath days dinner’. Brewers wanted to provide ‘labouring people and...the lower classes’ with ‘plenty of good wholesome beer for their drinking’. In 1826 richer inhabitants were called on to help pay for a Dispensary providing medical advice for the ‘free

24 HRA. Hunter to Portland, 2 March 1798, 1 May 1799, Vol 2 140-46, 352; King to Hobart, 17 September 1803, Vol 4 p391; for Baughan incident, see Hunter to Portland, June 1796, and Enclosure, Vol 1 573ff; Government and General Orders, 15 December 1800, re priority of debts discharged, in King to Portland, 10 March 1801, Vol 3 43; and re written transactions, 13 November 1800, in King to Hobart, 7 August 1803, Vol 4 343.
class of Poorer Inhabitants'.

Being called 'a poor man' or 'a poor widow' (like Mrs Gammon who had a large family and whose Cumberland Street house burnt down in 1814) was not so much an insult, embarrassing, or shameful as a statement of fact calculated to excite sympathy while identifying the person's correct place in the social order. The social stigma attached to being poor, the belief that poverty was caused by fault of character rather than the natural order of things, would become more pronounced and widespread as the century progressed.

Nevertheless, such attitudes were also dependent upon spatial and work status, the poor labourer of settled habitation and steady habits was looked upon more kindly than the itinerant worker, who if nonetheless normally gainfully employed, was in turn seen in a better light than the occasionally employed, the idle, and the roaming vagabond. Peter Cunningham's 1827 description of the 'neatness of dress and personal cleanliness' of most of Sydney's people, and his glimpses into their houses as he strolled past perhaps typified the positive, even rose-tinted view of the settled lower orders:

Among the great majority of the houses, too, even of mean exterior, inside cleanliness and comfort appear most conspicuous; and in passing along one of our back streets, about the dinner-hour, you will almost uniformly observe a clean newly-unfolded cloth spread upon the table, with a shining show of dinner-utensils upon it, all equally

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25 SG 11 November 1804, 23 June 1805 (hazards of broken glass); 5 and 12 October 1806 (market days and currency exchange); 2 June 1810 (Magistrate's rules for breadmaking); 21 July 1810 (the brewers); Howe himself wrote of the benefits of 'malt liquor' as a 'wholesome and agreeable beverage', which was supplied to the labourer at a 'very reasonable rate', 16 December 1804; 29 July 1826 (the dispensary). 'Petition of the Butchers of Sydney' 7 January 1822, CSC R6054 p70.

26 SG 20 August 1814; Jane Gammon's name was also often spelt Gabbage and sometimes Gamage. Another example was the 'poor woman Sarah Armstrong' who 'laboured under severe dysentery' and 'died in the street', 31 August 1806.
inviting. These, together with the pure whitewashed wall, and the articles of comfort and even luxury ranged round it, convey a very agreeable impression to the mind.27 These are not mere romanticisations, and Cunningham followed this immediately by observing that ‘Sobriety, however, by no means ranks among the conspicuous virtues of our general population’. Drinking, self-respect, cleanliness and a degree of comfort were not mutually exclusive, they ran together. There is much evidence, particularly from the Gazette, that Rocks people owned things like tablecloths and comfortable furniture, while the archaeological evidence from even the smallest and crudest houses of the 1810s and 1820s offer all manner of fine, everyday and coarse table and storage ware and utensils.28

Another 1820s observer of Sydney’s lower orders (who were ‘mostly Irish’) noted their clean, well-dressed appearance, on Sundays at least ‘figuring away in shoes, stockings, hats and other luxuries, which few of them were indulged with ere they left their native hovels in Connaught...’. From the earliest years good or fine clothing was brought, sought after and worn by convict labouring people, with the finest reserved for special occasions or night-time revelry - Mann claimed that the ‘European women spare no expense in ornamenting their persons, and in dress, each seems to vie with the other in extravagance’ and described the ‘dashing belles who frequent the Rocks’ as ‘attired in the greatest splendour’. He countered this by adding that their daytime dress was ‘extremely mean attire’, although William Noah, while shaking his head over women’s ‘Whoring and Drinking’ also noted that they ‘go clean and neat much more so than in England’, and that they had ‘very fine hair which they plat Down their Backs’. Even the women who appeared at the hospital, drunk and distressed,

27 Cunningham, Two Years, p36-7.

were noted to be ‘always clean’. Once more, ‘profligate’ moral behaviour was not linked with filthy rags, unkempt hair, unclean bodies. Women in particular expressed self respect and confidence, if not defiance, in their care for personal appearance and love of dress.

So from below, and to the more careful observer, there was much distinction and diversity in rank self-identification within the blanket descriptions ‘labouring people’ or ‘the lower orders’. At the same time, when people expressed who they were, it was largely with a sense of knowing, and accepting, their place in the social order. They employed similar language to the elite in describing their own and others’ livelihood and status and those of others around them, and as Atkinson points out, expected those of higher rank to be genuinely genteel and behave in a manner appropriate to their station. James Kenny, brother of the ill-fated John, described his earnings as ‘the scanty portion derived from his Daily labour’; Andrew Goodwin’s were a ‘hard-earned pittance’. Eliza James Jones, temporary landlady to fugitives James and Jane New, remarked that several workingmen had come to visit New, but that she ‘never saw any respectable person’. Slippery and ill-defined as it was, the word ‘respectable’ was nevertheless used by common people: working men were by definition not respectable. The Rocks tanner and shoemaker James Templeton had two prices for his

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29 Australian, 29 August 1828; Mann, Present Picture, p44; Noah, letter to a sibling, pp71, 75; evidence of Assistant Surgeon Owen, February 1819, in Bigge, Report, Appendix BT Box 6 p2466. Cunningham also observed the fashion-consciousness of Sydney women, Two Years, p36.


31 James Kenny, Memorial, 1810, CSC F3005 4/1821 No 171b; Andrew Goodwin, Petition, 2 August 1824, CSC R6061 4/1780 p198-9; Evidence of Eliza James Jones in papers from trial of John Stephen jun., 1833, Governors’ Despatches, ML A126716 p277.
‘bespoke shoes’: 10 shillings for workingmen, 11/3 for gentlemen; even shoes reflect the two great social orders.\(^{32}\)

Property-holding was the other basic delineator observed and felt among the lower orders, but has we have seen it was not the exclusive preserve of the master craftsman or the dealer. The poor laundress Margaret Roach, accused of stealing clothes from her employer, and unwittingly betrayed by her own child, warned that ‘persons of property in this colony can bring forward Evidence that ought to be viewed with a very zealous eye’. She expressed the gulf between herself and propertied people, and implied that the latter were not entirely what they should be. Conversely, William Hawkins defended his right to a plot of ground in Argyle Street by depicting a rival claimant, John Gleeson, as ‘a labourer and inhabitant of the colony for eight years’ (as opposed to his own twenty-five year residency) and ‘a person of indigent circumstances’ [my emphasis]. Hawkins was evoking, or creating, a gulf between the independent and settled man, capable of building homes, as he did, and the poor and itinerant labourer. To drive home his point he included with his petition an elevation and plan of the house he had built on the land, which he drew himself. Every stone was drawn in (Fig. 51). Yet in 1828 William Hawkins himself was listed as a labourer, a pardoned convict, living with his housekeeper Catherine Riely in Kent Street.\(^{33}\)

Commonality of language reflected a commonly held understanding of the social order. There is no hint of repudiation of rank, or bridling at exploitation or the unfairness of economic and social inequality. Rather these were requests for compassion, indulgence, and fairness, and for adjudication in settling grievances and often to be allowed simply to live and to earn their living in their own way. As we shall see, it was not labouring people who came together and

\(^{32}\) Evidence of James Templeton on leather and shoemaking, 1818, CSC R6047 4/1741 p38-9. ‘Bespoke’ shoes were custom-made shoes.

\(^{33}\) Defence of Margaret Roach, 14 April 1821, CCJ R1975 p317 AONSW; William Hawkins, Memorial, February 1825, CSC 4/1824A No 368 p397; Census, 1828.
Fig. 51: William Hawkins' drawing of his house in Harrington Street at the corner of Argyle Street. He sent it to the Colonial Secretary in 1825 with a petition praying to retain the lease to the land on which it stood. A bake house with oven is attached at the rear, while one of the front rooms has a large shop window.

Source: Colonial Secretary's Correspondence, AONSW.
sought to change their standing in society, but the aspiring tradesmen, householders and dealers.

The actual ways and means of getting work, types of work and work practices also reflect the pre-industrial mode. The factory system, which had only made inroads in certain cities of England by the end of the eighteenth century, had had little or no impact on the habits and outlooks of colonial workers or their employers. Change occurred only very slowly, for many people’s work patterns would to an extent remain more traditional than modern right up until the turn of the century.34 As Aplin points out, early Sydney was powered by wind and water, by men and animals. Steam power was introduced in 1815 with Dixon’s steam mill, but this remained exceptional, and people still wheeled their wheat to the mill in wheelbarrows. A survey of the occupations of Rocks people indicate that the biggest employers in the town were the building trades, food, clothing, and personal care supplies and services, and activities involving the transport and storage of goods, and the movement and shelter of people. The Rocks also had a few clerks, the occasional jeweller and watchmaker, constables, watchmen, hospital attendants and nurses, a bellringer, town criers, an aspiring architect, quack doctors and, for a time, the loathed executioner. There were some whose skills were useless for the colony, particularly those involved in the manufacture of the consumer items so much in demand in England. John Massagorra, for example, found no call for his trade

34 See Shirley Fitzgerald, Rising Damp: Sydney 1870-1890, Melbourne, Oxford University Press, 1987, pp9, 65, 143, 225. Nicholas suggests that the ‘factory system’ was imported and established in Sydney from earliest times, citing the government lumber yard as the ‘first and largest factory in Australia’, and pointing to organisational traits such as supervision by overseers (seemingly equated with ‘capitalists’ control of the production process’) and the emphasis on preventing ‘embezzlement and waste’. This infers that similar establishments in England, such as large shipyards, were also ‘factories’, hence stretching the idea of the modern factory system to include workplaces which clearly predate the industrial revolution. Convict Workers, p157.
as a looking-glass maker, and instead became a gaol constable. Buttonmakers became farmers, weavers went labouring.\textsuperscript{35}

Much work was slow and laborious, requiring great physical exertion, and most jobs were manual. Hands scrubbed clothes and stitched cloth, sawed timber, fashioned nails, hauled sacks and rolled barrels, strained at oars, and scraped flesh from the hides. Bodies were thus vulnerable to the kinds of dangers and accidents presented by the harnessing of wind and water, or the brute force of men and animals. Miller and millwright John Davis was permanently crippled by a millstone falling on him. William Collins, labourer to Isaac Nichols, was crushed to death, his head ‘dreadfully fractured’, when a log slipped from the workmen’s grasp and rolled on him. People were hit by the vanes of creaking windmills, or trampled by restive beasts. A boat’s crew member fell overboard and drowned in the Parramatta River near Kissing Point as he was ‘easing himself’ at the edge of the boat.\textsuperscript{36}

Many men and women worked in their own homes, especially blacksmiths, bakers, butchers, shoemakers, laundrywomen, dressmakers and tailors and shopkeepers, and their servants and labourers worked alongside them. Many Rocks people indicated as much by their \textit{Gazette} notices and advertisements. The sounds and smells of workplaces permeated the domestic sphere - the bellows and squeals of beasts marked for slaughter in the rear space of George Cribb’s house in Cambridge Street, the odour of the blood and offal, and the piles of heads

\textsuperscript{35} Graeme Aplin, ‘Models of Urban Change: Sydney 1820-1870’, in \textit{Australian Geographic Studies}, Vol 20 No 2 October 1982, p150. D. R Hainsworth, \textit{Builders and Adventurers: The Traders and the Emergence of the Colony 1788-1821}, Melbourne, Cassell, 1968, pp128-9. Hainsworth comments that the introduction of steam ‘did not render the wind- and water-mills obsolete’, as a number of the latter were also built in the Macquarie period. James Rampling’s servant was sent to Dickson’s mill with wheat in a wheelbarrow in 1823, see CCJ Reel 1981 p322 AONSW. Nicholas, \textit{Convict Workers}, pp143, 149.

\textsuperscript{36} John Davis, Memorial, 5 February 1810, CSC F3003 4/1821 No 83b; SG 9 December 1804; Inquest on Jeremiah Long, 18 September 1812, CSC R6021 4/1819 p393.
and horns are all suggested or confirmed by archaeological evidence. At the Lilyvale site in Cumberland Street, the poor widow Jane Gammon (nee Appleton, later Chandler) and her children lost their house when a spark from blasting at a nearby quarry ignited it in 1814. The archaeologists found the charred floor boards with burnt pine branches still on them. The thuds of hammers, wedges and drills, the chink of gads, picks and chisels, the dull crack and crash of stone blasted out from the quarries were heard in Cumberland and Prince Streets.\textsuperscript{37}

As we have seen, wives ran shops while their tradesman husbands worked on government projects. Druitt said they returned home at midday for a meal and to ‘give directions’.\textsuperscript{38} This running together of home and work was the norm in official records. In the 1822 constable’s notebooks the two were assumed to be the same for servants or labourers. Those who worked away from their place of living were particularly noted. As late as 1828, the delineation between place of work and place of living was still muddled. The columns for ‘Employer or Remarks’ was an amalgam of landladies and landlords, co-occupants, masters and mistresses, employers, gang names and numbers, marital status and places of work. Similarly the occupation columns blended types of employment, skill descriptions, property-holding status, household or institutional status (‘lodger’ or ‘inmate’), with many other descriptions such as ‘infant’ ‘orphan’ ‘pensioner’ and ‘ux’. Once more, these categorisations are clues to mental organization: they indicate a more organic understanding of society, a society not yet conceived in terms of strict spatial separation of home and work, nor the segmentation of occupational status from other kinds. Each person described themselves, or was described, by the words that fitted them best.


\textsuperscript{38} Evidence of Major Druitt, 27 October 1819, Bigge Report, Appendix, BT Box 1 p4.
Much work was still small-scale, done at piecework or daily rates and on a personal, face-to-face manner, often on a short-term or day-to-day basis. Labourers could be hired through personal networks, and also through a ‘labour bazaar’ recalled by Obed West ‘on the Western side of Sydney’ where prospective employers and labourers came together, probably every week. For tradesmen working independently, production was usually small scale, the product sold directly and personally, the earnings often spent immediately. Rocks shoemaker James Templeton bought his leather for soles from a tanner, James Wiltshire, tanned his own upper leather, made and sold shoes at his house in Cumberland Street. He reckoned there were only three or four tanners ‘who tan for sale’ in the town, and knew only two curriers besides Wiltshire. The nailmaker Edward Ryan worked with a partner, and when a certain number of nails were ready, Edward went on foot to Robert Campbell’s house at five o’clock in the evening and sold them for 15 shillings. He gave his partner’s wife Margaret Connelly four shillings and his own wife Mary Ryan five. Mary went immediately ‘into Mr Burk to get a little spirits’, and they all sat down together with some other friends to drink and share a meal.

Women who took in washing and ironing, or made or repaired clothes, also made those journeys around the town, picking up bags of soiled linen, and dropping them off clean and pressed, collecting fabric and returning with garments. Kit Baker, the woman who lost her daughter in a fire, lived close to Mary Bryant’s house, and called there to collect the fabric (stolen from Simeon Lord) to make a gown for Anne Dalton. Some like Elizabeth Nuttell went into other houses to wash and iron. She had worked for the foul-tempered Sarah Ewin for seven years and was paid about two shillings a day, sometimes in kind, such as the ‘gown

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39 West, Memoirs, p.3.

full of wholes'. By contrast James Pass agreed to work for Rocks boat owner Bryan Eagan for 5 shillings a day. Many servants, free and unfree, shared a house with their master or mistress, although some preferred to live independently if they could. Elizabeth Kinsela nursed the children of 'Abbe the jew' but said firmly 'I always sleep in my own house'.

What of the large Government projects, or private individuals who employed large numbers of labourers and artisans? Here, too conditions of employment were based on personal dealings, and in a face-to-face manner. Often it involved taskwork or piecework, and usually some sort of reciprocal agreement or contract between employer and employee. Hence wealthy merchants or publicans would advertise for a certain number of bricks or lengths of timber. Isaac Nichols made a deal to employ J. MacDowell, a carpenter and cabinet maker who was in his debt, 'at a specific rate until the debt was paid'. If the government wanted skilled stonemasonry for a new building, payment was in agreed piece rates given by stonemasons. Hence Rocks stonemason John A’Hearne gave Major Ovens a list which included prices graduated according to the skill and time involved:

<table>
<thead>
<tr>
<th>Work Type</th>
<th>Price Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cutt Stonework</td>
<td>from 18s to 20s per perch</td>
</tr>
<tr>
<td>Rustic groins</td>
<td>from 2s/6d to 3s per piece</td>
</tr>
<tr>
<td>Window stools</td>
<td>from 6s to 7s per piece</td>
</tr>
<tr>
<td>Window heads (rustic)</td>
<td>from 7s to 9s per piece</td>
</tr>
<tr>
<td>Door heads do</td>
<td>from 8s to 9s per piece</td>
</tr>
<tr>
<td>Axed work</td>
<td>from 12s to 13s per perch</td>
</tr>
</tbody>
</table>

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41 Papers from trials of James Pass et al, 15 March 1813, and Elizabeth Nuttall, 18 October 1821, CCJ R2390 p318, R1976 p132 AONSW.


43 For example SG 18 March 1804, Isaac Nichols wanted two labourers to break ten acres of ground; 23 September 1804, Simeon Lord advertised for coopers.

44 'Memorandum of prices of stone-work given by John A’Hearne Stone Mason to Lieutenant Ovens, Engineer', 2 June 1810, CSC R6042 4/1723 p16.
When Macquarie ordered the completion of the handsome and secure new stores begun at the Hospital Wharf in 1809 (Fig. 54), Isaac Nichols was commissioned to assemble the workforce. Here are the payment agreements drawn up:

James Doran himself & two children victualled and to rec. 1/2 gall rum per week provided he cuts 100 feet of stone to be paid in proportion of 1 gall of rum pr 100 feet for all he cuts over.

William Walsh same, though only self victualled. He is to work the whole of the week, all day.

Bary Dennison himself victualled & 20s per week he is to work the whole of the week all day.

Three others to work the prisoners working hours, to 3 o’clock.

Prisoners which work on their own time:

\[
\begin{align*}
& \text{for every 100 feet of fine stone} \\
& \quad \text{1 gall rum}^{45} \\
& \text{for every 150 feet of rough stone} \\
\end{align*}
\]

This is a document of disorderly cohesion: it appears untidy and complicated to modern eyes, but this belies the intricate, individualistic and reciprocal negotiations that had occurred between workers and employer, the underlying cohesion. There are no standard, fixed hours and rates here. Instead, each agreement was tailored to each individual’s position and requirements: Doran’s family was victualled, but not Walsh’s. Some had their work time specified (‘the whole of the week all day’ or ‘prisoner’s hours’), others, free and prisoner alike, were to be paid piece rates after a certain time obligation had been fulfilled. Most were paid in rum, a readily disposable ‘currency’, though Bary Dennison preferred money payment. There were distinctions in the quality of stone cut, rough and fine, and payment adjusted accordingly.

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45 ‘Agreement between Government and free Labourers...employed...for the building of the New Stores’, March 1810 CSC R6042 4/1723 p202-3. Collins’ 1796 list of prices ‘demanded and paid for labour’ also combined task and timed work: five shillings for a carpenter to work for a day, three pounds for a labourer to break up an acre of ground, six shillings to make a coat, and so on; Account, Vol 1 p415.
Deals concerning work could be also made between labouring people themselves, and these were considered binding before the law. When the town’s otherwise unemployed women were ordered to help fill up the bridge built by Isaac Peyton in 1803, Jane Smith and three other women paid Cornelius Henning to do their tasks. When he failed to perform the work, they took him to court and he was given a corporal punishment and ordered to labour on the bridge every afternoon. This emphasis on contract, agreement and reciprocity is not to say that there was no conflict over work, or that the workplace was always harmonious and consensual. But where conflict occurred it was usually because one or another of the parties had failed to fulfil their end of the bargain, and there were means available for resolution.

There were also cooperative stances and actions against authority by labouring people who shared certain traditional habits and outlooks. Such action was evident every time a new shipload of convicts arrived, although, significantly, they were almost as ready to exploit newcomers as to help them. It was less ‘class’ solidarity than cultural commonality, for there were other sides to the ‘hearty welcome’ described by William Noah. Those who clambered on board the newly arrived ships were in a good position both to give and acquire important information: who was there, old friends, or old enemies? What had they brought out with them? Money? Clothes? Food? Who might be useful? Who might be robbed? One of Bigge’s interviewees told him that many of the hapless new arrivals ‘on their first day spent or lost the little money they had brought with them, got drunk and were frequently robbed by their fellow prisoners of all their cloaths’. It is significant, too, that from the earliest times and possibly well into the 1820s the flotilla of small boats circling round the ship reached the convicts before the authorities did.

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46 SG 6 November 1803.

47 Evidence of Major Druitt, 27 October 1819, Bigge, Report, Appendix, BT Box 1, p24.

48 Noah, ‘Voyage to Sydney’; Cunningham described a similar scene twenty-six years later: ‘Numbers of boats soon surround the ship, filled with people anxious to hear news, and traffickers with fruit and other refreshments, besides watermen to land passengers’, Two Years, p30.
The mustering of the convicts on the deck by colonial officials was the link between shipboard (and earlier) connections and behaviour, and a ‘new’ life ashore. It was an opportunity for some to nudge destiny in one or another direction. For men, the key was their skills, while their strength and health was also assessed, and propelled them in certain directions. For women, marital status, marriageability, or status gained through ship-board relationships, were seen as more important than their skills. Convicts were acutely aware of these factors, and manipulated the first muster as best they could. The authorities were also sensible of what happened during the friendly receptions, the fevered exchange of information, the rekindling of old acquaintances every time a ship came in. Major Druitt explained to Commissioner Bigge in 1819 that an order had been passed that year prohibiting any persons whatever from having any communication with the convicts which might have the effect of producing from them a false description of their several trades and callings or unfounded expectations from the benefits they may derive by employment in Sydney.

These orders were not the first attempts to prevent Sydney people from advising newly arrived convicts on their ‘best bet’ in terms of skills, real or feigned, and quickly letting them know of the relative pleasures of life in Sydney when compared with the isolated farms and stockruns. With this useful information, some control could be exerted from behind the ‘cloak’ of the anonymous, unknown convict, standing in the orderly rows on the deck.

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49 Noah, ‘Voyage to Sydney’. Bigge, Report. Appendix, Evidence of Major Druitt, BT Box 1 pp18-9: boys were sent to be apprenticed at the Dockyard; those with ‘bodily infirmities’ went to the town gang. Similarly, the first emancipations, in 1791, were rewards to skilled men who had behaved well, and to a woman ‘on her marrying a superintendent’, HRA Vol 1 270-71. Macquarie informed Bathurst in 1814 that young, healthy women were ‘well-disposed of’, moving quickly from the Factory into marriage, but that old, infirm women ‘come in great numbers’ and were ‘weight on the stores’, HRA, Vol 8 312.

50 Evidence of Major Druitt, 27 October 1819, Bigge Report. Appendix, BT Box 1, p17. The regulations to which he refers were the Port Regulations of March 1819, see HRA Vol 10 71.
The voyage itself was evidently used by some as an opportunity to manoeuvre into more favourable situations. Men like Joseph Holt cultivated shipboard acquaintances, and sought to impress the officers. As Plummer pointed out in 1809

Almost every convict who has behaved decently during the voyage, and can exercise any trade or profession for his own support, [is permitted] to be at large in the Colony without any special control or obligation.51

The women, it was often reported, formed relationships with the ships crew and officers in the hope of recommendation. This seems to have been partly successful, for Surgeon Joseph Arnold was disgusted that the 'women of bad character', those who had 'nothing to recommend them but being kept by the different officers (from Captain to boatswain as their mistresses)', were upon arrival 'sent to respectable households', instead of 'to Parramatta with the rest'.52 The time of the voyage and arrival also seems to have had a marked effect on Rocks people's emerging circles of intimacy and acquaintance in the colony. They worked with, lodged with, and married people from about their own time of arrival, rather than those from different periods.53 The convicts' 'new' life in New South Wales was thus begun, given shape, months before they saw the wild rocky harbour foreshore, or the grim, familiar warning in the bones of the executed murderer Francis Morgan dancing in the winds off Pinchgut.

John Hirst has revealed the convict workers' early preference for task work, and their success in enforcing it, despite repeated and determined efforts to make them work to the clock. Task

51 Holt, Run Story, p36ff; HRA, Plummer to Macquarie, 4 May 1809, Vol 7 204; my emphasis.


53 Karskens, Analysis of the District Constables' Notebooks. Collins wrote of the first fleeters that 'of them it was said the newcomers stood so much in dread that they were never admitted to any share of their confidence', suggesting that there were strong bonds of identification between them.
work, in which workers were given a particular task to complete, left the decision over how quickly or slowly the job would be done with the workers themselves. If done quickly they had the remainder of the day to work for private employers or for themselves and earn more money or goods; or to drink, socialise or wander as they pleased.\(^{54}\) Despite the efforts of authority to impose control through drum-beats, bells and clocks, many labouring people did not work to the clock. Both convict workers and their overseers steadfastly ignored repeated orders to do so, and assembling for work at increasingly 'late hours'. In the early 'twenties overseers took no notice of convicts who straggled in late for work.\(^{55}\)

Rocks people were generally not strictly time-oriented, although they knew the hour of the day and night pretty well from the taptoo beat and from the constable bawling them out at night. Hence, in court evidence, if they gave a particular time at all, they commonly prefaced the hour with 'about', or expressed it as 'between four and five', by the passage of the sun - 'half an hour before sundown', or according their daily routines - 'after breakfast'. They measured the recent past time from events: Elizabeth Cullen recalled buying some fabric 'the day after the men was executed'; Elizabeth Cassidy remembered her lodger was out all night 'one night before the Hunter sailed'. The distant past was marked out, in petitions, for example, by incumbent Governors (hence 'in Governor Macquarie's time'), or by the petitioner's own period of occupancy in the colony, rather than by the dates. Asked their ship

\(^{54}\) John Hirst, Convict Society and its Enemies, p36ff.

\(^{55}\) Graeme Davison, The Unforgiving Minute: How Australia Learned to Tell the Time, Melbourne, Oxford University Press, 1993, Chapter 1. HRA, Government and General Order, 21 July 1796, regarding the fact that the 'superintendents...take it upon themselves to task the working people in such a manner as they think proper', and ordering that workers work set hours, Vol 1 p696; another attempt was made in July 1798, see Vol 2 218. Taskwork was tacitly accepted by 1799, when an order insisted that, if workers started as late as they did, they should at least not be given a breakfast break, and were to work until three o'clock; Vol 2 p585. Bigge, Report, Appendix, BT Box 1 p524.
and year of arrival for the 1822 list, almost all Rocks people could recall the name of the ship, and its master, but the dates given were often incorrect.  

For many Rocks people, work also lacked the regularity, fixedness, the ‘daily grind’ of the modern industrial world. Edward Quinn, constable, and later Deputy Marshall to the Vice Admiralty Court, punctuated his working day by returning home to drink with his wife Sarah and their friends, and by calling at the house of James Chisholm to meet with someone else. Dealers like Garnham Blaxcell were only in attendance at their stores for a few hours a day. Many people moved about in the early years, and much work was seasonal and spasmodic. There was great activity about the wharves when the ships came in, but it slackened off at other times. Hence George Phillips and his son was to be seen waiting about for work at the wharf with their boat, and George Barnett and his son with their cart. How then could idlers be distinguished from workers? Work in the fields and orchards was seasonal, work on a building or a ship lasted until the structure was complete. Again the impression is of movement, of searching and waiting between one job and another. Some interpreted this as ‘restlessness’, a general, unfavourable characteristic of plebeian culture. Hunter complained of the ‘restless and idle dispositions’ of ex-convict men for whom ‘the prospect of a change’ was an ‘allurement’ difficult to resist.

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56 See series of evidence in CCJ trial and other papers, for example, trial of George Legg 9-12 April 1797 R2391 p315; trial of James Pass et al 15 March 1813 R2390 p318; trial of William Gray and Edward Gaines, 1814 R2390 p216; trial of Andrew Frazier, 9 May 1817, COD 440 p145, AONSW. Karskens, Analysis of the District Constables’ Notebooks. The dates of arrival were checked against shipping indexes.

57 Papers from the trial of Mary Turley, 29 March 1814, CCJ R2390 p288 AONSW; see also CSC index, entries for Edward Quin. Re Blaxcell, see SG 28 January 1810 and compare with Blumin’s description of the relaxed habits of the Philadelphia merchants, Emergence of the Middle Class, p21. Papers from trial of Peter Ryan, 8 July 1822, CCJ R1976 p241 AONSW; HRA, Hunter to Portland, 15 August 1796, Vol 1 S83.
Some work was marked out by day, beginning at sunrise and ending at sunset, and often also dependent on the seasons. Other people, like the oysterman George Humphreys set off from Miller’s Point in the black morning hours to collect oysters and catch fish. Still others would wait for the winds, begin their water-journeys up river at sunset, rowing through the night; or left Parramatta for Sydney on the passage boat at three in the morning. Not all servants worked during the daytime. William Howell, after spending the day disposing of goods stolen from his master Simeon Lord the night before, drank half a pint of rum at three o’clock in the afternoon, ‘went to my work’ labouring for Lord, and returned to his Rocks lodgings at seven. William Kaley left his master’s house at three in the afternoon to gamble with Solomon Davis. This evidence qualifies, if not contradicts, the assertion made by Nicholas that ‘Convicts were denied not only the right to impose their own order on work time, but the framework of community and mutuality which made up the context of workplace at home’, as well as the suggestion that the convicts’ work patterns had already been shaped by ideas and compulsions of time-discipline. More research is needed on actual work patterns and habits among Sydney’s people, for these points illustrate, once more, the drawbacks of relying solely on official documentation.

Occasionally convict workers banded together to demand certain working hours. The arrivals of 1791 were told to ‘go cheerfully to their labour’ and their hours of work were changed ‘agreeable to a request they had made.’ Nevertheless, Governors were frequently annoyed by workers’ lax attitudes. Hunter was ‘astonished’ to notice that ‘the gangs were never seen in the afternoon’, and every time it rained they simply abandoned their work for government to go and work for private people instead. The division between government and private

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58 Inquests on David Douglass and Jeremiah Long, CSC R6021 4/1819 pp183, 393. Papers from trial of John Ainslip (also spelt Anslip, Hanslip), 23 March 1797, CCJ R2391 p279 AONSW.

work was blurred by workers who nominally worked for the former while really serving the latter and themselves. An early fisherman sold his catch rather than handing it over for distribution. 'Government' stonemasons sold the stone they cut to private individuals from the quarry behind the windmill on the Rocks in 1804, rather than stockpiling it for Government buildings.\textsuperscript{60} Quite a few of the more substantial early Rocks houses were probably built of this stone. These were extra-legal activities, but they might also be seen as 'normalising' manners of work. People seemed to act more in accordance with usual habits than with the unfamiliar government system.

Even when working, there was little sense that work time was strictly prescribed, completely separate from time for leisure, eating, drinking and sociability. One of the panels of Major James Taylor’s panorama of Sydney in 1821 shows labourers in one of the Rocks quarries, some working, carting, cutting, dressing, carrying stone. In the midst of this activity, others stand about talking, or are sitting down or lying about, resting. Another panel shows the steep slopes down to Cockle Bay and Miller’s Point where similarly dressed men chop wood, hoe a garden or carry a sack, while another man lies on the grass on his stomach, and four more stand and sit in conversation (Figs 52 and 53). Labouring people commonly interrupted work for a break, a visit, a chat, a game, a drink. Crowds quickly gathered at all times of the day to watch street fights between men or women, cockfights, a flogging, a hanging. John Cadman and the rest of the crew of the \textit{Putland} longboat rowed up Parramatta River in the evening, but 'the wind not answering', put in at Kissing Point and retired to Squire’s Public House' for the night.\textsuperscript{61}

\textsuperscript{60} Collins, \textit{Account}, Vol 1 pp44, 155; HRA, Government and General Orders, 21 July 1796, Vol 1 696; 15 May 1798, Vol 2 214; 23 November 1802, Vol 4 328. Drurt also reported that convict workers were still 'constantly in the habit of quitting their work when rain came on' in 1820; Bigge, \textit{Report}, Appendix, BT Box 1 p16.

\textsuperscript{61} Inquest on Jeremiah Long, CSC R6021 4/1819 p393.
Figs 52 and 53: Details from Major Taylor's panorama, 1821 (see Figs 34-36) showing, top, men at the quarry, some of whom are working, while others sit or lie down, or talk. In the bottom detail, some men work, collecting or chopping wood, while others sit yarning together or lie about on the grass.

Source: Published London, Messrs Colnaghi & Co, 1823.
Reproduced from Tim McCormick, First Views, Plates 165, 167 pp203, 205.
Observers unfamiliar with these work patterns and habits often remarked that the convicts and the lower orders generally were lazy shirkers - 'idle people' was a favourite term. This must have been at least partly based on the sight of working people hanging around, waiting for work, or suspending it periodically, chatting, sleeping, looking about them. Working was also closely entwined with drinking. There was practically no sense that the two should not go together. In the case of hard outdoor work, drinking alcohol seems to have been considered essential for getting the job done. Hunter himself begged for supplies. Observing that settlers often 'indulged their people working in the field' and that 'expos'd to the sun in so hott a climate, a little porter, ale or grog on such occasions...really performs miracles of exertion'. ‘Why not then’, he wheedled, ‘send us out some of those things called comforts?’.

Macquarie’s road gang hacking their way over the Blue Mountains in 1814 were supplied with rum and given an extra ration when the work was particularly arduous. Workers were also commonly paid in rum, something which Collins thought 'operated as a benefit and a comfort to them', although he warned against the dangers of intemperance.  

The court and coronial records are full of everyday glimpses of Rocks men and women drinking at all times of the day, before, during and after work. Men like householder Christopher Grogan, butcher Christopher Airey, and George Wright were seen drinking two by two from six in the morning at Christopher Flood's hotel on the corner of York and King Street, sharing the same glass. Thomas Parkes, Master of the Parramatta Boat, called in at Andrew Frazier's hotel between seven and eight in the morning 'called for and drank a glass of liquor', inspected some stockings that a man had come in to sell, and left.

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This does not constitute evidence of a perverted, criminalistic society debased by rum: these people behaved as was normal to them. Hotels and drinking houses were gathering place for working people, places to hear news, see someone, buy goods, or be paid, as well as to join in a song or dance a reel. Shipwright William Chapman was at the Green Man hotel paying his workers, probably on a Saturday night, just before he beat his wife to death for daring to intrude. John Whelan told the court in 1821 that he and two others went to Patrick and Catherine Doyle’s Three Jolly Sailors hotel in Harrington Street, ‘for the purpose of seeing the overseer of the Grass cutters’, presumably over a work-related matter.\(^{63}\)

Drinking together, the ‘circling glass’, also established and reinforced friendships and cemented deals for both men and women, though women were more often seen together in their own homes. People shared the liquor and vessels communally. An anonymous storekeepers book of 1804 presents a record of shared daily drinking patterns and small transactions:

<table>
<thead>
<tr>
<th>Date</th>
<th>Item Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>22 June</td>
<td>John Gibson with Cocker 1 half pt</td>
<td>5 [shillings]</td>
</tr>
<tr>
<td></td>
<td>2 gills with Stephen</td>
<td>5 [shillings]</td>
</tr>
<tr>
<td></td>
<td>1 half pint</td>
<td></td>
</tr>
</tbody>
</table>

Joseph Holt’s first action after landing in 1800 was to visit the house of Maurice Margarot, where the two men and their wives became acquainted over a meal and a ‘wine bottle full of rum’. A few days later he met Judge Advocate Richard Atkins together with George Barrington. Invited to Atkins’ house, he drank with them (the ‘rum bottle, tumblers and

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\(^{63}\) SG 2 June, 3, 14 and 17 October 1825; Papers from trial of John Whelan, 1 August 1821, CCJ R1975 p262 AONSW.

\(^{64}\) ‘Day book of an unknown [Sydney] Shopkeeper’, 1805-06, ML B437; the book in fact originates from Norfolk Island, pers. com. Professor Rob Jordan. See also inquest on Christopher Grogan, 3 August 1820, who died after sharing several drinks with various companions from six o’clock in the morning, see CSC R6021 p263.
spring water' brought to the table) remarking that 'when we finished the half-gallon bottle we were as full of chatter as a hen magpie in May'. He reassured his wife that this would not injure his health because 'the hotter the climate the more spirits could be drank', or so he was told. This was probably a widespread belief.\textsuperscript{65}

Many people were paid in kind: mainly rum, food and clothing, all of which were readily salable to neighbours, in hotels or at the markets. Hence Elizabeth Nuttell gave Sarah Ewin's holey gown to Rockswoman Jane White to sell; she sold it to Rebecca Sivison of Cambridge Street for four shillings. Rebecca wore it to the market and was shocked when a drunk and aggressive Sarah Ewin ordered her to 'Pull off my gown'.\textsuperscript{66} 'Wages' could be more complex and variable than a fixed amount of money each week, and the value of money itself fluctuated, despite official attempts to fix and regulate both. This suggests that many people may have found it difficult to plan for the long-term future. Hence they were described as 'thoughtless', living from one day to the next, rather than adopting the virtues of thrift, careful management, abstinence from their pleasures and the accumulation of savings thought so beneficial by organizations as the 'Society for the Betterment of the Poor'.\textsuperscript{67}

\textsuperscript{65} Holt, Rum Story, pp49-50, 52.

\textsuperscript{66} Papers from trial of Elizabeth Nuttell, 18 October 1821, CCJ R1976 p132 AONSW.

\textsuperscript{67} Re standardisation of currency see \textit{HRA} Vol 3 p39 yet compare with the variations of exchange rates, see references in note 25 above. Re wages, see \textit{HRA} Government and General Orders, 27 November 1795, (fixing the rate for reaping an acre of corn at ten shillings, and warning settlers not to pay more) Vol 1 683; 21 February and 14 April 1797 (rates of wages, and a similar warning for both employers and workers to abide by them) Vol 2 75, 78. Robert Campbell requested to be allowed to pay his workers in spirits in 1803, claiming that 'no concern can sustain the present daily wages of seven shillings and sixpence for the mechanics and four to the common workman', see \textit{HRA}, Robert Campbell, Memorial, 1803, enclosure in King to Hobart, 9 May 1803, Vol 4 p128ff. Rates for agricultural work were fixed by Macquarie in 1810, see \textit{SG} 12 May 1810, and the rate of 2 shillings and sixpence per day for a labourer suggests that, at four shillings a day, they were far better paid in Sydney. See also discussion in Hirst, \textit{Convict Society}, p40. 'Extract from the Reports of the Society for Bettering Conditions and Increasing the Comforts of the Poor', \textit{SG} 5 March 1803.
Convicts apparently soon decided that the extra clothes and rations held out as encouragement for hard or steady work were not the generous indulgence of their masters, but 'rights', or part of a bargain. They demanded these goods when they were not forthcoming, and refused to take them if they were of bad quality. They insisted on certain types of food and would not be fobbed off with substitutes. One of the few times convict workers acted in collective protest was over the distribution of food. When they discovered that rations were to be issued daily, they 'assembled in a rather tumultuous manner' in front of Government House at Parramatta, demanding that provisions be issued on Saturdays, as usual. Weekly provisions left more power in the hands of the receivers: they could more easily bartered for other goods. But their fire diminished when Hunter himself appeared, said he knew the names of their leaders, so reducing the anonymous mob to known individuals. According to Collins, he extracted a promise of 'greater propriety of conduct and implicit obedience' from them, and told them to disperse. This 'first instance of any tumultuous assembly' was blamed on newcomers, although it was more likely to have been an attempt to defend the established habits of the old hands of the colony. As a rare instance of outright, collective resistance, it demonstrates the standoff and bluster tactics, the 'contest for face', and the physical proximity and negotiations typical of encounters between crowds and authority in eighteenth century England.\(^\text{68}\)

The direct, fluid, and overlapping relationship between labour, wages and material goods was also evident in attitudes to perquisites. In England the left-over pieces of cloth, the drippings or bones, the spare coals or scraps of iron taken away by workers were regarded as a legitimate supplement to their income, to which they were traditionally entitled. Peter Linebaugh sees working-class consciousness in London as having been formed in part by working people's defence of their traditional rights to perquisites against savage laws which

redefined perquisites as theft. The gallows at Tyburn in the late eighteenth century stood the apex of the war against working people, capital punishment in the service of capital. Though evidence for these practices in early Sydney is scant, it is likely that convict workers were familiar with them, and many had been transported for taking goods from their places of work in the first place. Customary rights to perquisites were probably expected in the colony. One woman, charged in England with stealing remnants, stoutly claimed that as forewoman ‘I looked on all those bits as my perquisites. I had but eight shillings a day. I did a man’s work’. There is evidence such practices were carried on in Sydney. According to Governor Phillip, when women were given cloth to make up into clothing ‘there are many little abuses in the cutting out and making up of clothing’. Like the factory forewoman, they felt entitled to the offcuts and scraps, and, by their own control over cutting and making, made sure they were available. What was Phillips’s solution? Ready made clothes, and a factory, where the women, no longer working independently at home, would be closely supervised, constantly watched. Both were fruits of the industrial revolution.

Another important cultural characteristic of labouring people was their strong preference for town life. The Rocks, visible, and studded with public houses, was an obvious gathering place. Mann observed that banishment from Sydney was a ‘most efficacious’ punishment because ‘they feel an unconquerable repugnance to the idea of separation from their old connections and companions...so truly congenial to their disposition’. Wentworth echoed this in 1819 when he told Bigge that the convicts hated Newcastle because of the ‘very unremitting state of employment’, the lack of liquor, and the isolation from friends.

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69 Linebaugh, The London Hanged.

70 Mary Owen, cited in Robinson, Women of Botany Bay, p68.

71 HRA, Phillip to Nepean, 26 June 1792, Vol 1 357. Lieutenant Ovens’ insistence to Bigge that the supervision at the Government Lumber Yard prevented embezzlement and waste also suggests that the practice of appropriating perquisites had occurred; Ovens cited in Nicholas, Convict Workers, p157.
Newcastle thus represented the opposite of the working habits they preferred: working to their own inclination, drinking, companionship and personal networks.\(^2\)

But there was more at stake than conviviality. When the labouring cooper Peter Ryan, who came out free to work for Joseph Underwood, was arrested for stealing pork from his master, he appealed to the judge for clemency because 'I am quite a stranger to the colony...I have no friends or acquaintances to depend upon'. Personal networks and relationships were essential, they were carried over from the old country or germinated on the decks of the ships. They also extended vertically up the ranks, expressed by complementary acts of deference and patronage. Hence the labourer John Lacey was successful in settling on the Rocks, through his favourable connections with his master Daniel Cubitt, and Rocks constable Arthur Martin. They provided him with glowing affidavits, and he was granted a ticket of leave and was settled in Cumberland Street with a wife and child in 1828. Ryan, though, had forfeited his most important link, that with his master, and was too recent an arrival to have built up any others. So he had no guarantors, no-one to vouch for his character, no-one to retrieve his tools and wages owing, no-one to bring him food and drink in gaol. Like Elizabeth Mandeville, he was dangerously alone. He begged to be allowed to 'serve his time at Sydney, being a cooper by trade' but was sentenced to fourteen years' transportation.\(^3\)

Bigge, observing the teeming people's town, the 'many laybouring people', the 'tumultuous assembly of the chain gang', was disturbed that such a state of affairs had arisen, and

\(^2\) Mann, Present Picture, pp45-6; Evidence of D'Arcy Wentworth, 1820, Bigge Report, Appendix, BT Box 2 p576; See also Hughes, Fatal Shore, p115, convicts referred the Sydney as 'heaven'; and Collins, Account, Vol 1 p173, the ex-convicts 'preferred to work in Sydney'.

\(^3\) Papers from trial of Peter Ryan, 8 July 1822, CCJ R1976 p241 AONSW; John Lacey, Certificate of conduct 1825, and statement of character, November 1825, CSC Special Bundles: Tickets of Leave, R6027 4/1717.2 pp296-8; District Constables' Notebooks, Census, 1828.
badgered his interviewees about the Rocks. Druitt told him that when the 700 odd men who lived at the barracks were allowed out after church on Sunday, they 'run immediately to the part of Town they called the Rocks where every species of Debauchery and villany is practised'. Meehan told him hesitantly that labouring people of the Rocks were there 'upon an occupancy generally' and not according to lease. Wentworth described the 'flash houses' there, which drew in 'thieves and prostitutes'. With every response the Rocks grew correspondingly more sinister in Bigge's mind, and in his official report he described it as 'chiefly inhabited by the most profligate and depraved part of the population'. Another of his conclusions was that the 'accumulation of labourers working in Sydney on St James are its greatest evil that now presses on the population'. Like Phillip, and so many others before and since, he thought that they ought to be sent to the country, which, by altering their working habits, would 'accomplish a change in their moral habits', something the Barracks had failed to do.74

Francis Greenway also objected to the Barracks, but he thought it created listless, poor and unmotivated workers. In 1819 he wrote to the Government Engineer Major Druitt bluntly setting down list of recommendations for the better management of the gangs of labourers and mechanics. He wanted to be informed of the appointment of overseers and foreman, who were to be 'strictly enjoined to exert themselves and Shew and example of Industry and Exertion to their men' and should no longer be observed 'walking about with their hands in their Pockets in a State of Intoxication according to the Old School'. Here are interlinked divergences and convergences between master and worker, government and people. Greenway wanted close, personal care and supervision of work, he wanted the men of higher status to act as example to the lower. His beautiful thumbnail sketch of the nonchalant,  

lounging government overseers reveals exasperation where workers’ drinking habits and their indifference to time were concerned.

But Greenway also objected to the ‘New System’ whereby ‘mechanics’ lived at the new Barracks near Hyde Park, worked a full day, and were supposed to submit to a battery of rules in which their possessions were taken away, their time strictly regimented, attendance at divine worship enforced, and their meals were prepared and provided. In its most benign form, it was supposed to be a place of ‘comfortable lodging and regular diet’, as opposed to the life of many single labouring men looking out for themselves. Greenway did not think the exchange beneficial. He wrote:

One of the principle Reasons of the Deficiency of Work is since the Men have been in the Barracks and made to work all Day with Full Rations they are in consequence become like the gaol gang nor will you or I or all the World according to the present System get them on fast with their work... [my emphasis]75

Here he was distinguishing between the slow, unenthusiastic work of the institutionalized gaol gang, and the mechanics and labourers such as those who lived independently on the Rocks. He wanted to supervise their work, not control their habits or place of living, and so recommended a partial return to the earlier system, with ‘those men who will do their Duty, their work sound and good, be let work for themselves at the usual time’ and ‘those not doing their work be confined to work all day’. This was apparently instigated: Druitt told Bigge that the overseers, ‘best behaved men and men married legally’ were permitted to live independently. Here we come upon the distinction, commonly made in everyday language, between active ‘subject’, the self-supporting worker ‘discontented’ at restraint, and the passive

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75 Francis Greenway to Major Druitt, 14 August 1819, in Bigge, Report, Appendix, BT Box 19 pp2875-8. Collins also noticed, with annoyance, the slow, lackadaisical attitudes to work among the convict gangs, Account, Vol 2 p80.
'object' (as in 'Object of Charity', a category for the very poor), those 'who cannot support themselves by their labour' and were 'glad of' the Barracks.\textsuperscript{76}

Since the beginning of white settlement, convicts had set up independent households, families and businesses, and found their own work, with official or more often tacit permission of authority. This is something very much overlooked in histories of the 'prison' or 'gulag' colony. A way of life independent of authority within 'a tolerable social structure' may seem ironic in a penal colony, but it was a desirable, normal ambition among labouring people of the Rocks, and even convicts behaved in this way. The convict William Noah remarked that it was 'a cruelty to keep a man or woman sent here for Life on the store' and not permit them to settle. An independent life 'would make Life Comfortable & everyone would be looking forward for to help themselves in their Old age'.\textsuperscript{77} Greenway recognized this. Convicts were simply unaccustomed to being dependent prisoners, and their behaviour - their actions, clothing, attitudes to food, even, it seems, the way they stood - reflects this fundamental point. If healthy and capable, they were not disposed to institutionalisation of any kind, whether gaol, asylum, barrack, or hospital.

The failure to internalize the mentalité of subjection, of the prisoner or slave, was often remarked on by elite observers. Collins said that orders had to be republished to remind convicts that 'they were servants of the Crown', while the women had to be 'impressed with the nature of their position in the colony'.\textsuperscript{78} Surely Robert Howe's native-born workers, refusing his overbearing insistence on directing their private moral and religious lives, and

\textsuperscript{76} Bigge, Report, Appendix, evidence of Major Druitt, BT Box 1 p17 and of Thomas Messling, 27 May 1821, BT Box 1 p531.

\textsuperscript{77} Noah, Letter to a sibling, pp74-5.

\textsuperscript{78} Collins, Account, Vol 2 pp80, 97.
Daniel Cubitt, angry at being roused from sleep and refusing to meekly do as he was bidden, were acting from the same inherited stance.

Some of those men who condemned convict workers and society themselves grew to understand the lower orders a little better. Perhaps in a small colony with scarcely any middling ranks they had a rare opportunity to become familiar with labouring people, to learn something beyond the rhetoric about disorder, profligacy and ‘immorality’; something very difficult to do in England. King, who at first was condemnatory of the ‘vice and dissipation’ he immediately observed, in time began to see other dimensions. By 1803 he said he did not want to ‘stamp the whole with the villainy of a part’. While their ‘morals are not very exemplary’, yet they were ‘not so generally depraved as may be imagined’, and there were ‘many industrious and deserving characters among them’.79 Even Richard Johnson, the chaplain who initially described the convicts disgustedly as ‘so blind, so hardened’ to his preaching, after a few years admitted quietly that he had ‘found more pleasure at times’ in ‘visiting the convicts in their Hutts’ than in ‘preaching etc’.80

Can collectively-held ideas and commonplace actions be interpreted as nascent ‘class consciousness’ pursued so doggedly by some labour historians? Can transported labouring people be characterized as a ‘proletariat’, direct ancestors, even the ‘founders’ of the organized labour movements of the twentieth century, with similar outlooks, experiences and beliefs? Some historians are vaguely disappointed that the evidence of resistance to the ruling

79 HRA. King to J King, 3 May 1800, Vol 2 505ff; King to Hobart, 17 September 1803 and 1 March 1804, Vol 4 pp394, 469. Tench concluded that the convicts’ behaviour ‘since our arrival...has been better than could, I think, have been expected of them’, First Four Years, p71.

80 Richard Johnson, Letter to Henry Fricker, 4 October 1791, ML Safe Aj 1, copy C232².
order is so individualistic, so meagre, so ideologically incorrect, and spend a great deal of time trying to explain the absence of something that could not have existed in the first place. As E. P. Thompson succinctly argued in a discussion of the meaning of ‘class’ in the eighteenth century, the problem with reading one period as a kind of ‘primitive’ forerunner to a later ‘mature’ working class, is that this ‘entails reading back into a prior society categories for which that society had no resources and that culture no terms.’

Clearly the people of the Rocks and Sydney cannot be described as ‘industrialized’ or ‘working class’ in the modern sense. Modern work practices, conditions and expectations, and organized resistance were almost entirely absent. Their eighteenth century style of resistance might be better described as ‘less articulate, although often very specific, direct and turbulent’. Rocks people generally thought of their society in terms of the old system of the two great orders and the multitudinous ranks, not the more modern three-class system. Rather than identifying with a monolithic ‘class’ drawn together by a common ‘class struggle’, they considered themselves in terms of their immediate personal networks of family, friends and acquaintances, the vertical ties between masters and servants, patrons and patronized, and the horizontal links among men or women who shared a trade or calling, a time of arrival, or ethnic allegiance.

Atkinson and Hirst document many instances where convict workers defied their masters, insisted on certain work conditions (using their skills for example) demanded their rations or clothing, refused to eat or work until they were provided rations, occasionally burning a hayrick in a blaze of personal protest. Sometimes when commonly aggrieved, they acted

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81 See Introduction, Note 13 for these portrayals and analyses of convicts.
82 Thompson, ‘Eighteenth-century English society’, p152, see also p148.
83 Ibid. p150.
together, but more often as individuals.\textsuperscript{84} We may see these acts as an unmistakable oppositional culture, but working by a great variety of means \textit{within} and with the wider social structure of rank and deference, rather than against it. These were not revolutionary acts, they did not seek to change society. Rather they were acts of negotiation, which recognized power relationships, and took every opportunity to gain advantage by them. They did not seek to overturn or even defy the system of social order of rank and power \textit{itself}, but rather to assert and defend their place in it, and strongly felt rights, 'modest, subaltern, but \textit{rights}\textsuperscript{85} to fairness, and independence of the free labourer. And in many everyday ways, they succeeded.

Cultural commonality - the 'normal' accepted work patterns, the 'naturalness' of rank and of the power relationships between governor and people, masters and servants, acceptance of the rule of law, a measure of fairness and care for the poor - meant that collective or institutionalised action in a modern, organized class sense was unnecessary. This does not infer a harmonious, conflict-free society, for the early Rocks was marked by grievances, violent outbursts, endless squabbles, and the ongoing struggle between authority and people. But underlying consensus facilitated resolution on an individual basis, using mechanisms available. The petitions of Rocks people clearly show that they were also awake to the mechanics of deference, and exploited each obviously well-known piece of rhetoric to obtain what they wanted. Many on the Rocks and in Sydney, through their employment in building or carting or as petty officials, were partly or wholly dependent on the government for their income and food. Rocks people, ex-convicts, some labourers, and tradesmen were adept participants in the process of law, and although the law was often harsher on the propertyless than on the propertied, the people nevertheless used the authority of the courts to seek redress,

\textsuperscript{84} Hirst, \textit{Convict Society}, Chapter 2; Atkinson, 'Four Patterns', loc. cit.

settle grievances, and punish those who had injured them. Perhaps most significantly, many ex-convict Rocks people themselves became agents in the process of transportation when they were assigned convicts, and stood in positions of power over people of their own kind.
Servants and Masters

The convict assignment system, which fostered most of the Rocks’ servant/master relationships, is often described as a lottery, akin to slavery, and inherently brutal and exploitative.\textsuperscript{85} Certainly, it could be so, but then much of working life for people of the lower orders of England and Ireland might be described in the same way. A close study of the system as it worked on the Rocks, in terms of the ways that masters and servants actually behaved towards one another reveals a far more complex, far more human, and often humane, dimension. Here the Rocks does not necessarily reflect the experience of assigned servants on the large estates, nor of the convict shepherd living a solitary existence at the boundaries; but it does speak for the experiences of many convict servants in the thriving towns.

\textbf{TABLE 15. ROCKS SERVANTS AND MASTERS/MISTRESSES 1822/23, BY SEX}

<table>
<thead>
<tr>
<th></th>
<th>MEN</th>
<th>%</th>
<th>WOMEN</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Servants</td>
<td>159</td>
<td>13</td>
<td>24</td>
<td>87</td>
</tr>
<tr>
<td>Masters</td>
<td>95*</td>
<td>93</td>
<td>7</td>
<td>7</td>
</tr>
</tbody>
</table>

* The wives of masters were also de facto mistresses of servants.

\textbf{TABLE 16. ROCKS SERVANTS BY CIVIL STATUS 1822/23}

<table>
<thead>
<tr>
<th>Convict</th>
<th>Ticket of Leave</th>
<th>Pardoned</th>
<th>Free by Servitude</th>
<th>Came Free</th>
<th>Born in Colony</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
<td>152</td>
<td>6</td>
<td>5</td>
<td>6</td>
<td>4</td>
<td>10</td>
</tr>
<tr>
<td>%</td>
<td>83%</td>
<td>3.3%</td>
<td>2.8%</td>
<td>3.8%</td>
<td>2.2%</td>
<td>5.4%</td>
</tr>
</tbody>
</table>

\textsuperscript{85} See for example, Connell and Irving, \textit{Class Structure in Australian History}, p45; Buckley and Wheelwright, \textit{No Paradise for Workers}, p50ff; Hughes, \textit{Fatal Shore}, especially p302ff.
There were 183 servants living on and around the Rocks in 1822/23, making up about fifteen percent of the Rocks population. They included small numbers who were ex-convicts (holding pardons or tickets of leave, or free by servitude, a total of 17), four who had come free (including two who accompanied a ship’s captain from his ship) and ten native born youths, eight of whom were girls (see Tables 15 and 16). The native-born seem not to have much liked working as servants; perhaps they though it too lowly, when much brighter prospects abounded. A hotel advertisement which specified ‘a youth of some little education and destitute of friends’ suggests a less than enjoyable working life.  

But the large majority were assigned convicts still under sentence (83%) and these made up 78% of the total of 222 convicts living on the Rocks; the remainder lived and worked independently. In the Rocks therefore, assigned convict servants were not a numerically large presence, and cannot be characterised as a great enslaved mass ruled by a wealthy few. Of 291 households, 102 had servants, averaging just under two each. This average cloaks the many households with one live-in servant and the few, mainly those of publicans or merchants, which had three, four or more. For example, Robert and Sophia Campbell had four servants, three women and a man. Presumably the women worked indoors with the family, while the man may have worked outdoors around the grounds or at the warehouse and wharf. Publican and dealer Andrew Frazier presided over a household of ten servants in Cambridge Street, eight men including a clerk and a baker, and two women. One of the women was Jane Toomb, an arrival of 1791, and probably old, and the other was Mary Jones, who probably nursed Jane, ‘prolonging her life’ and who became Frazier’s lover. Near the wharf on George Street, Messrs Berry and Wollstonecraft had six servants, four convicts, one with a Ticket of Leave and one who came free, to assist them in their shipping and dealing.

86 Karskens, Analysis of District Constable Notebooks; for discussion see Robinson, Hatch and Brood, pp154-5; SG 8 March 1822.
ventures. They were regarded by at least one of their servants as ‘the two best masters in the colony’.

Another important feature of the Rocks’ servant population is that the large majority were men. There were only 24 female servants on and around the Rocks (compared to 159 men) and of these, eight were young native born women, two held tickets and one was free by servitude. Only thirteen were assigned convicts, while several convict women lived as though they were free with legal or de facto husbands. These low numbers have several explanations. The ratio of female to male convicts was low to start with. Women obviously preferred, if they could, to have their own household or to lodge, and, married or not, took advantage of the fact that this was officially tolerated. Most female servants worked not in the small ex-convict households, but for wealthy merchants and shipowners with large families, and also for publicans with large hotels. Once more, their positions in these household may have been vulnerable. Mary Jones, for example, was sent off to the Factory when her master/lover, Andrew Frazier married someone else. Yet even here that ambiguous position of women both ‘trapped and enabled’ may be observed. It might easily have been otherwise for Mary Jones, and in the end, in just as capricious a manner, she became a rich woman because of her relationship with Frazier.

Lawrence Stone defined the idea of the ‘family’ in sixteenth and seventeenth century England as referring to all the members in the household, including apprentices, resident servants, lodgers, children, all of whom were ‘legally and morally subordinate to the head of the

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88 See Section 3, Note 62.
household'.

Vestiges of this traditional attitude to household relationships may be read in the Rocks households. Servants, convict or not, were treated less as lowly minions separate from the family, expendable and unimportant, than as integrated members of the household, for whom it was responsible. Indeed, it is not immediately obvious that the roles of lodgers, servants, apprentices and children were clearly delineated. Conceivably, all were expected to help out with various household tasks, blended with the work of making a living. Hence, when William Chapman and Ann Mash advertised for a baker in 1805, they specified that, in addition, he 'must make himself useful in a family'.

The overlapping and blurring of the authority of state and household was still more overt when, occasionally, a convict was assigned to members of his of her own family. William Thurston was master responsible for his brother or nephew, Dixon Thurston, at his hotel in Cambridge Street in 1822. Just northwards along the street, Thomas Cribb was assigned to his uncle, butcher and publican George Cribb, who embroiled him in a cattle-stealing case in 1825. Convict John Granger worked for ex-convict Thomas Granger, although they did not share a house, but lived close to one another in Gloucester Street. People also took on members of the same family as servants, such as James MacNeale, a Hillsborough man, and his native-born son John James; they too worked for William Thurston. A few convict husbands, usually tradesmen, were assigned to their wives, who sometimes had other convicts assigned to them as well. The Woodley household in Argyle Street comprised Robert, a baker, assigned to his wife Elizabeth, who came free, another assigned servant, three lodgers and two, later four children. By 1827 they had moved to a stone house in Prince Street, and Robert was convicted of selling spirits without a licence. He was still a convict in 1828, although living independently with his family in Pitt Street. In spite of the much stricter rules about marriage and cohabitation in the 1820s and 1830s, placing a person with his or her own

89 Stone, *Family, Sex and Marriage*, p27.

90 SC 18 August 1805.
family was still seen as desirable, for family bonds and the bonds of authority and control would merge; or at least seem to merge.  

The private assignment system, centred on these households, was most likely seen by convicts as preferable to public labour, which was never very efficient or effective. Of course this was of great advantage to masters, but at the same time convicts may have felt more comfortable and secure in households rather than in shared huts or lodgings. Households provided familiar hierarchies, structure, spaces, and everyday cycles, unlike the unfamiliarity and unconnectedness of public labour, and its association with punishment, gaol-gangs and institutions. More than half of the 1822/23 Rocks servants had arrived in the previous four years. They were the colony’s newcomers, for whom households provided not only shelter and food, but a place from which to find their feet, with the possibility of establishing links of patronage and deference with one’s peers and betters. Other links were probably more personal, for master and mistress in the best of circumstances could act as surrogate parents. When Ann Silk, the servant of stonemason Richard Byrne and Margaret Kelly, married in 1828, her witnesses were Richard Byrne and his daughter Catherine Winch.  

The prospect of a ticket-of-leave, pardon and eventually the certificate of freedom, although evidently not the most consistent or even-handed of systems, at least provided a path of progress in stages and levels, and the patterns of time-of-arrival and subsequent careers, described below, suggest that for many this was successful. While a majority of servants were lately-arrived, 25% had arrived between 1811 and 1818 (most in the latter years), and


92 New South Wales Registrar General, Registration of Marriage of Ann Silk and Claus Lambert Bionsen 10 March 1828. I am indebted to Val Garner for her generosity in allowing me access to her research into the Byrne family.
there were very few servants who had arrived earlier than that (Table 17). Having completed their time or been pardoned, they had moved on, making way for the next arrivals.

**TABLE 17. ROCKS SERVANTS 1822/23 DATE OF ARRIVAL IN COLONY**

<table>
<thead>
<tr>
<th>Period</th>
<th>1788-1800</th>
<th>1801-1810</th>
<th>1811-1818</th>
<th>1819-1823</th>
<th>Unknown</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
<td>6</td>
<td>1</td>
<td>44</td>
<td>90</td>
<td>34</td>
<td>173*</td>
</tr>
<tr>
<td>%</td>
<td>3.5</td>
<td>0.6</td>
<td>25</td>
<td>52</td>
<td>20</td>
<td></td>
</tr>
</tbody>
</table>

* omits those born in the colony.

The power of the household over the movement of servants was also flexible, and the evidence for servant mobility, for better or worse, belies the idea of a servant’s movements being ironclad and fixed. Although most (81%) convict (and other) servants lodged in the household of their master and mistress, a sizeable minority of assigned convicts did not, and often their masters did not live locally (Table 18). They lived as lodgers in other family households (sometimes with a friend of their master), or independently with their own families, or with other assigned servants in group houses.

**TABLE 18. ROCKS SERVANTS LIVING-IN AND LIVING-OUT AND AVERAGE NUMBERS PER HOUSEHOLD 1822/23**

<table>
<thead>
<tr>
<th></th>
<th>Servant No.</th>
<th>No. of Households</th>
<th>Average per Household</th>
</tr>
</thead>
<tbody>
<tr>
<td>Living-in</td>
<td>148</td>
<td>75</td>
<td>1.97</td>
</tr>
<tr>
<td>Living-out</td>
<td>35</td>
<td>27</td>
<td>1.2</td>
</tr>
<tr>
<td>TOTALS:</td>
<td>183</td>
<td>102</td>
<td>1.79</td>
</tr>
</tbody>
</table>

Some servants passed from one family member to another, like William Kaley, who between 1822 and 1823 moved from William Thurston’s household to that of his brother, teacher Daniel Thurston, in Cumberland Street. Other servants had already moved on in the short months which elapsed between the two halves of the constable’s survey. Cornelius Sanderson
was with George Street dealer John Macqueen in May 1822; by August the following year he was with another dealer Charles Pritchett in Cambridge Street. By 1828 he was ploughman to John Browne of Bathurst. A Ticket of Leave servant named George Hopwood was clerk to Joseph Broadbent in Harrington Street, then moved to the Prince Street household of William Deare, and by 1828 was watchmaking for W. J. Robertson in George Street below.

**TABLE 19. OCCUPATIONS/STATUS OF TRACEABLE 1822/23 SERVANTS IN 1828**

<table>
<thead>
<tr>
<th>Occupation/Status</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Servants*</td>
<td>25</td>
</tr>
<tr>
<td>Labourers</td>
<td>6</td>
</tr>
<tr>
<td>Lodgers</td>
<td>4</td>
</tr>
<tr>
<td>Settlers</td>
<td>1</td>
</tr>
<tr>
<td>Householders</td>
<td>8</td>
</tr>
<tr>
<td>Wives</td>
<td>3</td>
</tr>
<tr>
<td>Tradesmen</td>
<td>11</td>
</tr>
<tr>
<td>Dealers</td>
<td>3</td>
</tr>
<tr>
<td>Constables</td>
<td>2</td>
</tr>
<tr>
<td>Prisoners/or in Road Gangs</td>
<td>10</td>
</tr>
</tbody>
</table>

**TOTALS:** 73

**SUMMARY:**

<table>
<thead>
<tr>
<th></th>
<th>Living Independently</th>
<th>Servants (Many no longer convicts)</th>
<th>Prisoners</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
<td>38</td>
<td>25</td>
<td>10</td>
</tr>
<tr>
<td>%</td>
<td>52%</td>
<td>34.3%</td>
<td>13.5%</td>
</tr>
</tbody>
</table>

* Includes skilled rural workers such as fencers, stockmen or ploughmen.

An extension and magnification of this de facto mobility emerges in the comparison of servants' whereabouts in 1822/23 and 1828. Again, the same large proportion - sixty percent - vanish, probably for the same reasons as suggested for labouring people generally. But of those who are traceable, only three out of 73 were still with the same household. One was
with Berry and Wollstonecraft, probably partly because they were good employers, and the other two were old men, perhaps kept on or remaining out of obligation, loyalty or friendship. Arthur Collins had come out on the Irish ship *Marquis Cornwallis* in 1796 and was still with the wealthy Irish publicans and landowners Edward and Winifred Redmond in 1828. William Gafney had come out on the *Three Bees* (1813), the same ship as his master, the teacher and dealer Richard Archbold. By 1828 he was 74 and had moved with the family out to Hunters Hill as their 'house servant'.

The majority of servants, though, had moved on, many were servants to other masters in the towns, or worked as ploughmen, fencers, stockmen or overseers out on rural properties. Quite a number had become people of some means themselves - tradesmen, dealers, householders and their wives - as well as free labourers; these independent ex-servants made up over half the total. They may have done as Mary Jones, Andrew Frazier's assigned servant, planned to do. Only two years after her arrival and assignment, she petitioned for a Ticket of Leave, claiming that she had 'saved all her wages' and was thus able to 'enter into a small way of business for herself'. At this stage, Frazier had no objection, saying she was deserving because of her 'steady, honest and upright behaviour'. Ten male ex-servants had by 1828 been incarcerated at distant penal settlements or sent to Road gangs, their convict status considerably prolonged (Table 19).

If masters and servants are examined spatially and according to civil status, a striking pattern of distribution emerges. The masters who came free, often entrepreneurs or higher civil servants, tended to live not on the Rocks proper but around its perimeter: George Street, Charlotte Place, Prince Street, and the northern end of Cambridge Street, at 'Bunker's Hill'. The pattern is reversed for the streets of the Rocks: there over 73% of masters were

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93 Karskens, Analysis of the District Constables' Notebooks.

94 Mary Jones, Petition, 1822 CSC F3220 4/1866 p16.
themselves ex-convicts, either pardoned or free by servitude, or in two cases holding Tickets of Leave. Taken as a whole, ex-convicts made up nearly sixty percent of the masters to whom more recently arrived convicts were assigned (Table 20).

**TABLE 20. ROCKS MASTERS AND MISTRESSES BY CIVIL STATUS AND STREET 1822/23**

<table>
<thead>
<tr>
<th></th>
<th>Free by Servitude</th>
<th>Ticket of Leave</th>
<th>Pardoned</th>
<th>Came Free</th>
<th>Born in Colony</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group 1: Perimeter Streets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>George Street</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>10</td>
<td>1</td>
<td>17</td>
</tr>
<tr>
<td>Prince Street</td>
<td>4</td>
<td>-</td>
<td>3</td>
<td>7</td>
<td>-</td>
<td>14</td>
</tr>
<tr>
<td>Charlotte Place</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>3</td>
</tr>
<tr>
<td><strong>Sub-Total:</strong></td>
<td><strong>6</strong></td>
<td><strong>1</strong></td>
<td><strong>7</strong></td>
<td><strong>19</strong></td>
<td><strong>1</strong></td>
<td><strong>34</strong></td>
</tr>
<tr>
<td><strong>Percentage:</strong></td>
<td><strong>18%</strong></td>
<td><strong>3%</strong></td>
<td><strong>20%</strong></td>
<td><strong>56%</strong></td>
<td><strong>3%</strong></td>
<td><strong>100%</strong></td>
</tr>
<tr>
<td><strong>Ex-convict masters = 41%</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group 2: Rocks Proper Streets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cambridge Street</td>
<td>3</td>
<td>-</td>
<td>3</td>
<td>4</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>Gloucester Street</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>-</td>
<td>6</td>
</tr>
<tr>
<td>Harrington Street</td>
<td>2</td>
<td>-</td>
<td>3</td>
<td>2</td>
<td>-</td>
<td>7</td>
</tr>
<tr>
<td>Cumberland Street</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>1</td>
<td>-</td>
<td>11</td>
</tr>
<tr>
<td>Argyle Street</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Surry Lane</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>Essex Street</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3</td>
</tr>
<tr>
<td><strong>Sub-Total:</strong></td>
<td><strong>14</strong></td>
<td><strong>2</strong></td>
<td><strong>14</strong></td>
<td><strong>10</strong></td>
<td><strong>1</strong></td>
<td><strong>41</strong></td>
</tr>
<tr>
<td><strong>Percentage:</strong></td>
<td><strong>34.1%</strong></td>
<td><strong>5%</strong></td>
<td><strong>34.1%</strong></td>
<td><strong>24.4%</strong></td>
<td><strong>2.4%</strong></td>
<td><strong>100%</strong></td>
</tr>
<tr>
<td><strong>Ex-convict masters = 73.2%</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS GROUPS 1 AND 2:</strong></td>
<td><strong>20</strong></td>
<td><strong>3</strong></td>
<td><strong>21</strong></td>
<td><strong>29</strong></td>
<td><strong>2</strong></td>
<td><strong>75</strong></td>
</tr>
<tr>
<td><strong>PERCENTAGE:</strong></td>
<td><strong>26.7%</strong></td>
<td><strong>4%</strong></td>
<td><strong>28%</strong></td>
<td><strong>38.7%</strong></td>
<td><strong>2.6%</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

* total includes only masters/mistresses whose servants were living-in

It is thus difficult to sustain the heuristic device of constant, simple opposition and struggle between convicts and authority. The convicts, in a way, *became* authority, and did its work. But ex-convictism, rank and culture had a profound impact on the nature of these master-servant relationships, one which in many ways turned the ideas of discipline, punishment and control on their heads. Our concepts of master/servant relationships have tended to be defined
in terms of opposition, inequality, exploitation, and the cultural and material chasm between servants and masters. This is perfectly accurate for such households as those of the wealthy, the arrogant, the careless and capricious described so well by Barry Dyster in Servant and Master, and compellingly distilled in his account of John Piper's attempted suicide in 1822. Piper stepped off a boat his servants were rowing in the harbour, risking their lives in the 'inevitable search for him'. 'In its sheer selfishness' observes Dyster 'this act revealed, like a lightening flash, an inward truth about masters' relationships with their servants'.

The gap between the social rank of servant and master was large in these households. Collins expressed the disquiet and distaste of the higher orders at the necessity of convict servants when he wrote 'the enemy is within our doors'. Relations could be haughty and summary, servants might be ordered around and expected meekly and quietly to obey. This was the kind of servant the midshipman Campbell MacDougall was expecting when he tried to rouse young Daniel Cubitt in the middle of the night.

But the Rocks ex-convict masters and mistresses demonstrate an entirely different relationship with their servants. They cannot be characterised as strict authoritarians, nor brutal tyrants bent on exercising complete control, nor careless people for whom servants existed merely to attend to their wants. Few were interested in acting as proxy gaolers and many allowed their servants considerable freedom. This is why officials constantly ordered masters to control the movements of their assigned servants. Collins complained that 'the decks of the [newly arrived] ships were often filled with convicts who went with merely the sanction of the master', although masters had been 'ordered to prevent convicts from coming aboard

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96 Collins, Account, Vol 1 p319.
without a pass signed by the Judge-Advocate'. The ex-convict James Hardy Vaux, who lived for a time on the Rocks around 1822, said he permitted his servant 'to work for his own living, allowing me a weekly sum for the indulgence, according to the custom of the colony', suggesting that the practice was widespread. When Hunter tried to collect the names, whereabouts and so on, of female servants, and to enforce a full working day upon them, hardly any masters responded.

The nature of 'authority' and 'control' in the ordinary Rocks households was not what governors officially envisaged, and they must have turned a blind eye to what were common practices. Glimpses of servants in households on the Rocks in the 1810s and 1820s indicate that these were loose or non-existent ideas. William Kaley, assigned servant to Cambridge Street publican William Thurston, said that Solomon Davis (a violent man, and an inveterate gambler) 'gave me the nod' at three in the afternoon, so he left his master's house to play two-up with him in Richard Walker's back skillion nearby. Kaley won over eleven pounds, Davis ran off 'crying constables, thieves, robbers and said he was robbed'. Meanwhile Kaley, a little uneasy, went into Richard Walker's hotel and called for a pint of porter. John Neale, an 1802 arrival with a conditional pardon who had married Harriet Cheers (Richard's daughter) and held a licence to the 'Sapling' in Cambridge Street, told the court in 1820 that his servant John Fulton was called upon by two other men one Sunday. The men, who had stolen money to hide, had 'much engrossed Fulton's time the whole of that and the day following'. There is no evidence that these masters felt any responsibility, or even right, to

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97 Ibid., Vol 1 p399.

98 Vaux, Memoirs, p142; compare with order forbidding this, 'once more given' in 1802, see HRA Proclamation 17 April 1802, in King to Hobart 9 November 1802, Vol 3 621.

order and control their servants’ time or activities; these were entirely their own business.\footnote{Papers from trials of William Kaley (or Caley), 30 May 1821, CCJ R1975 p232 AONSW; report on trial of Laurence Fennel, John Fulton, James Sullivan, William Brown and Margaret Brown, SG 2 December 1820.}

Babette Smith’s reconstruction of Susannah Watson’s life as an assigned servant in the house of Daniel Eagan and his young wife Mary Ann in 1829 shows that she was able to meet a man who became her lover, and by whom she became pregnant.\footnote{Smith, \textit{Cargo of Women}, pp51-53.}

At least some of the work servants performed in households was completed more in accordance with their own inclination and at their own pace than under the master’s direct orders and supervision. One of Andrew Frazier’s servants, Randall McAllister, gave evidence about an incident at Frazier’s house, adding that he then ‘retired to pursue his own Business about the Premises’.\footnote{Papers from trial of Andrew Frazier, 9 May 1817, CCJ COD 440 p145 AONSW.} What servants did may also have depended upon their age, skills, intelligence and disposition. A young, more biddable servant might be despatched on messages or to deliver or pick up soiled laundry and suchlike. An old man like Isaac Parker was asked to wheel a load of wheat in a wheelbarrow to Dickson’s steam mill for his master, Gloucester Street baker James Rampling, while old James Wilson was sent out at three in the afternoon to gather oysters.\footnote{Re Isaac Parker, see papers from trial of William Rolfe and Joseph Mead, 27 December 1823, CCJ R1981 p322 AONSW; re James Wilson, see his inquest, 11 December 1820 CSC R6021 4/1819 p729.} A younger skilled male might not be expected to do such tasks. It is likely that a great deal of negotiation, of sorting out what was expected, occurred whenever a new servant joined a household.

Rocks masters and mistresses who had themselves been convicts cared less for imposing authority, morality and order than for making sure their servants did not steal their hard-
earned property. Until the reliability of the newly arrived servant could be gauged, this was a source of distrust, although it must noted that neighbours, lodgers, strangers and other people’s servants fell into the same category of automatic suspicion. Samuel Thorley, early Rocks publican and dealer, took investigative measures into own hands when he suspecting his servant Daniel Brady of robbing him. After someone told Thorley that Brady had ‘carried a quantity of spirits into a neighbouring house’, he pretended that he was going to Parramatta, but hid in his own storehouse instead. There he overheard Brady saying to a woman who came in that ‘he was afraid he should do nothing that day, as he thought that a woman in the neighbourhood was on the lookout’. However, the servant changed his mind, and an hour later he forced the door, ‘made directly for the spirit cask’ where Thorley caught him red-handed. Besides Brady’s confidante, there was another Rocks woman, equally watchful, ‘on the lookout’ for his thieving. Brady was ordered to work for government for three years and sent to the gaol gang in the interim. He received no sympathy from Thorley, for he had breached the rules, and placed himself outside his master’s protection.104

Conflict could also erupt when the servants, if there were more than one, did not get on. They worked alongside one another and often with their masters and mistresses in spaces where functions were integrated. Hence cooking, ironing, mending, eating and so on were done in the same room. In one volatile household, a female servant named Elizabeth Thompson ‘kept the family constantly in hot water’ because of her ‘ungovernable temper’. She refused to allow a male servant, who was preparing breakfast, access to ‘her fire’ where she was ironing, and allegedly threatened him with a hot iron poker and hurled a torrent of anti-Irish abuse. It seems she was defending her workspace against someone who was an interloper and whom she disliked for his Irishness. Nevertheless, her master gave her ‘an excellent character as a valuable servant’, her temper an unfortunate characteristic which he

104 SG 13 November 1803.
was prepared to tolerate. John Walton and Thomas Pope, Joseph Underwood’s assigned servants, were constantly ‘disturbing the peace and harmony of their master’s domicile with their midnight brawls’ and were sent to the treadmill for seven days in 1827. In other households relations were amicable and cooperative. Elizabeth Taylor, who worked for Hugh MacDonald, the Quartermaster, said in 1815 she suspected something was amiss with her ‘fellow servant’ Thomas Cowup. He was surly, refused to ‘get on with the dinner’ as she asked, and distractedly cleaned the knives instead. She said that normally ‘he never refused to do his duty...he made no complaint to me...[He was usually] sober, though given to liquor’. Her observations of his disturbed state of mind were proven: he took his firelock out to the stable and shot himself in the head.

Occasionally convict servants, like everyone else, petitioned the Governor directly about their masters. Convict shoemaker James Cross’ complaint regarding his master, the Harrington Street shoemaker Thomas Ryan, was ironic in that it focused on the kind of behaviour more usually expected of convicts, not masters. He accused Ryan of ‘improper conduct’ since he and his wife, Jane Maxwell,

are so repeatedly in a state of inebriation quarrelling and fighting with everyone, myself having been beat and struck by him several times...which has been the cause of my having a black eye. I have met with and seen so much of their immoral conduct that I consider myself in danger...

He wanted ‘if possible to live with some Person Possessed of more decorum’ or to be allowed a Ticket of Leave. Cross’ allegations were probably well-founded. Thomas Ryan’s lodgers

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105 SG 19 November 1827.
106 SG 18 April 1827.
107 Inquest on Thomas Cowup, 5 May 1815, CSC R6021 4/1819 p45.
108 James Cross, Memorial, 11 December 1822, CSC F3215 4/1864 p103. He arrived on the Atlas in 1819 and should not be confused with the butcher James Cross off the Ocean (1816) who married Rocks widow Elizabeth Rickers.
were Julia Bryan who was living as a prostitute by 1824, and Ellen Flaherty who later made her living running an illegal drinking house for sailors. Ryan himself was probably a prisoner at Port Macquarie by 1828, his wife and children had disappeared. The official response to Cross, though, was curt and unsympathetic. A note on the bottom reads ‘The man on being told he must go to Carter’s Barracks returned to his Master’.

Cross’ sensibilities may have been unusual for the Rocks, hence the authorities’ impatient brushing aside of his complaint. What is intriguing and important to note, then, is that, normally, Rocks masters and servants had a great deal in common. The majority of masters who lived on the Rocks proper were ex-convicts, usually publicans or tradesmen with their own concerns. Cultural mores and assumptions, backgrounds, experiences, outlooks and attitudes were very much shared between the earlier arrived master, and the more recently arrived assigned servant. They were both of the lower orders, and as a result, their relationships were very different from those of masters and servants of the higher and lower order respectively. These masters held no great rank superiority, and were not necessarily ‘morally’ superior. Their distinction from their servants lay in their longer inhabitance and their amassing of property and businesses, not in cultural or moral habits. So we find publican Mark Byfield, who had four government servants, yet was twice sent to gaol for receiving stolen goods. Elizabeth Porter had two government servants at her house in Prince Street, but, she and her defacto husband Bernard Farrell, were described in court as ‘persons of evil name and fame’. William Clarke and Esther (or Elizabeth) Jones, a Harrington Street couple, had a servant, but Esther was an alleged pickpocket and William once defied and menaced constables sent to his house to arrest him.109 The category ‘master’ cannot be simply

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equated with 'respectability' or 'law-abiding', and it cannot be assumed that only the 'respectable' were allowed assigned servants.

The cultural commonality of many Rocks masters and servants explains the absence of strict authoritarian and confrontationist behaviour as well as strong evidence for sympathy, care, and familiarity in both the modern and original sense of the word. Rooms, tables, plates and glasses were often shared by master and servant, and some probably socialized together. George Howe complained in the Gazette in 1803 that masters were partly to blame for thefts because they 'suffer servants to frequent their houses as guests whom they may promiscuously entertain'. There was no sense here of separate ranks or keeping servants at arms' length. Christine Stansell described similar relationships between mistresses and servants in eighteenth century New York households. They had been 'help' rather than 'servants', and the relationship had been 'generally a more casual affair than it was to become in the Victorian era, certainly as toilsome, but less bound up in the rituals of class deference'. Elaborate distinctions had not yet developed, and, as on the Rocks, mistresses could come from the same background as servants. Rocks people who petitioned for assigned servants did put their requests in terms of 'help' needed for a specific task. Ann Chapman, widowed with ten children, desperately needed a man to help run her passage boat service in 1811. William Davis said he was crippled and wanted a carpenter to help finish his Charlotte Place house.

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110 SG 11 September 1803.


113 William Davis, Petitions, October 1810, CSC R6042 4/1725 p330,332; and 1822, CSC R6056 4/1763 p161.
A certain degree of trust could be fostered between masters and servants. Daniel Paine, Master Boat Builder feared that his house would be robbed and left a pistol in the hands of his trusted servant David Lloyd for the defence of his household. Another servant, the newly arrived Mary Poole, waited up by the fire for Paine’s return from visiting Maurice Margarot. But that night, Lloyd used the pistol to fatally wound the drunken seaman who forced his way into the house and menaced Mary Poole. He was tried for murder, convicted of manslaughter, and his master was outraged. Paine tried to have the other seaman involved arrested, argued with the Judge Advocate, cross-examined the witnesses and court on behalf of Lloyd. When he heard the sentence of six hundred lashes brought down it ‘produced so great an emotion in me as to Cause me to Stamp my with my Foot’ and mutter that ‘five hundred of them are for me’. For this he was threatened with a charge of contempt of court by the Governor. The master’s feelings of responsibility and efforts notwithstanding, it was the servant who suffered the flogging. Lloyd, however, recovered, married, became a Rocks householder, carpenter, publican and later a landowner, and on one occasion caught a man trying to rob his house; the would-be thief went to the gallows.\textsuperscript{114}

Some masters would come to the aid of their servants with money or as guarantors. When Solomon Davis threatened to have William Kaley arrested for ‘robbing’ him unless he gave him ten pounds, Kaley

said that on account of my being a prisoner and he a freeman I would, and accordingly I sent for my Master and requested him to pay [Davis] the ten pounds and he gave him an order.\textsuperscript{115}

William Thurston knew that his convict servant might suffer punishment if the authorities believed Davis’ story, so agreed to pay off the latter’s extortionate demand to keep the matter


\textsuperscript{115} Papers from trial of William Kaley (or Caley), 30 May 1821, CCJ R1975 p232 AONSW.
quiet. The words ‘I sent for my Master’ are also telling of the relationship between the two: reliance, trust, protection.

James Rampling, worried that his old servant Isaac Parker was gone too long with the barrowload of wheat, set off himself to look for him. He found that Parker had been waylaid by two thieves who bought him drinks at the Princess Charlotte hotel and then ran off with the flour. James Wilson’s master Mr Edgeworth also came looking for him, calling in at Elizabeth Porter’s ‘and asked if his old man was within’.116

Glimpses of care, sympathy and familiarity between servants and masters are also threaded through accounts of everyday life. Recall the young servant Mary Oakes assisting Mary Harris in her long, fruitless labour, then trying to bury the still-born child, as bidden. Richard Cheers came home one evening to find his wife Margaret Foggarty drunk again, sitting and drinking coffee with their servant Henry King. Perhaps King was trying to sober her a little, knowing her husband’s contempt, knowing they no longer shared a bed. Cheers barked ‘turn her out’, but when she tried to stand, she sank to the floor. Instead, King helped get her to her bed, holding the candle aloft in the dark room while her husband covered her up.117 At another inquest, a farming family of the Field of Mars said that they provided their servant with his favourite food (‘pig pudding’, or black pudding) ‘gratis, independent of his own meat’. When he complained of being unwell, they gave him mixtures of hot milk and ginger, and put warm bricks at his feet as he lay in bed.118

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116 Re Isaac Parker, see papers from trial of William Rolfe and Joseph Mead, 27 December 1823, CCJ R1981 p322 AONSW; re James Wilson, see his inquest, 11 December 1820, CSC R6021 4/1819 p729.

117 Inquest on Margaret Cheers (Foggarty), 23 August 1810, CSC R6021 4/1819 p77.

118 Inquest on Patrick Fanning, 21 July 1820, CSC R6021 4/1819 p199.
Other servants earned the esteem of their masters, and this was expressed in funeral and burial rites. The comfortably-off Rocks thespian watchmaker, John Sparrow, thought a great deal of his servant Francis MacNamara. The servant was bitten by a 'white viper' while out cutting a boat-load of timber in the bush, and went to bed uncomplaining. When Sparrow heard he was ill the following morning he was 'alarmed' and went straight in to see him, only to find him in a twitching stupor. He died at dawn the next morning, and Sparrow buried him 'in a style of decency which argued the worth of the deceased, of whose fidelity too much cannot be said'.

But for all the care, assistance, sympathy, esteem, this was not a colony of fixed or even long-term stable relationships between masters and servants. Servants constantly moved on and out, went to other masters, found employers for their skills, struck out independently. The evidence for care, trust and sympathy denotes not so much lifelong loyalty within the fixed and forever unequal relationship of master and servant, as the commonality of outlook and humanity which made it possible for these relatively short relationships to be nevertheless meaningful as well as useful, and which mitigated against the disconnectedness of migration and mobility.

\[119\] SG 2 and 9 August 1807.
Boats for Pleasure or Burthern

The water - sea, harbour and river - presented another arena of mobility, of constant movement, cyclical journeys which obeyed not the clock or drum beats but the winds, currents and tides. Like the bush and the isolated farms, the sea allowed some to vanish, its dangers and risks were undercurrents of everyday life. It constantly beckoned men and women dreaming of escape, and those uncertain on whether or not to return to their native lands. Those for whom life had become intolerable were also drawn to water, to its lethal certainties.

In the earliest years Sydney people were waterbound, all their buying, selling and visiting trips, much of their moving about between Sydney, the north shore, Parramatta and the outlying and riverside settlements were made by water. So small boats were essential to the colony’s functioning, and were considered a sign of industriousness, energy and progress. During the early food shortages ‘individuals who are in possession of a small boat may frequently furnish their family with fresh fish’. Or, for that matter, oysters to sell in the town, as Rocksman George Humphreys did, or they could collect firewood or building timber, from the north shore. In this way, through everyday journeys, Sydney people became familiar with the multitude of isolated coves and little beaches, and came to recognize every outline and landmark of the harbour and the broad, mangrove-fringed river. Water ran through Rocks life, from the dealer watching from her house out towards the Heads for the sight of an approaching vessel, to the many Rocks watermen straining at their oars day and night as they rowed passengers to and from the ships in moored in the harbour.

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120 HRA, Hunter to Portland, 29 June 1797, Vol 2 29.

121 Inquests on David Douglass, 14 October 1820, and John Culverson, 26 August 1812, CSC R6021 4/1819 pp183 and 135-9.
Boat-building by individuals for themselves, and later for sale had grown rapidly, like the houses of the town, under the noses of the authorities, and with tacit consent until the implications became clear. Like houses, too, boats were the means of evasion, of slipping out of the ambit of regulations. They gave early access to ships so that new convict arrivals could be welcomed, warned, or targeted for robbery. Boats brought the convict or fugitive stowaways out to the ships, and were sometimes used to clear out of the colony. Familiarity with the isolated ‘shores, and the numerous bays and inlets’ meant that goods and people could be hidden. Attempts to control local boats included, once more, numbering and the creation of registers. Hunter announced in 1796 that boat building without permission was ‘a liberty which has crept into the settlement’, surely a perfect description for the gradual, everyday process of subverting order. No more boats were to be built without permission, and those already in use were to be numbered and recorded.

Keeping track of small, portable, concealable boats in this way was always difficult. Water police of different ranks were appointed to impose some order on the waters. Many Rocks men were employed in such duties, notably Daniel Cubitt, former publican and gaoler and then Master of the Row Guard Boat, and Bernard Williams, government Coxswain from about 1808 to 1822. Williams’ responsibilities had swelled from the supervision of twenty two men manning six boats, to 140 men and 36 boats in 1821. He was one of those harbour men who knew the harbour waters intimately. Until that year, he was paid in rum, at the rate of twelve gallons per annum, and allowed a government servant on the stores, as well as the victualling of his family. He finally secured a salary of fifty pounds per annum, towards the end of

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122 Bigge, *Report on the Judicial Establishments*, p70; see for example, the account of an ill-fated escape attempt by Isaac Peyton and others in 1807, *SG* 7 June 1807.

123 *HRA*, Government and General Order 18 July 1796, Vol 1 696. See also King to Hobart, 1 March 1804, Vol 4 491. Similar orders re identifying and numbering boats were issued by Police Superintendent D’Arcy Wentworth in 1823, see *SG* 2 October 1823. For discussion of local boat- and ship-building, see Hainsworth, *Sydney Traders*, p116ff.
1821, but died in 1822, whereupon his neighbour Daniel Cubitt tried to appropriate his house. (Cubitt wrote enthusiastically of the ‘Death of Bernard Williams as a circumstance by which Gov’t can be curtailed something considerable’). The government Row Guard were expected to work long hours, from daylight and ‘until nine o’clock at night’. Their main duties were to ensure that no-one boarded the convict ships, to search all ships leaving the harbour, and to follow them until they cleared the heads.\textsuperscript{124}

A sense of restriction as a result of the regulations and policing measures is absent from the many advertisements and news reports about Rocks people and their boats in the Sydney Gazette and other sources. What is evident instead is the very ordinariness of everyday water traffic, and the fact that a plethora of community networks, social interaction and business partnerships and transactions emerged around the building and use of boats and ships. Most of the men included on an 1811 list of major vessel owners and masters lived either on the Rocks or directly below around the wharf and waterfront. They included Simeon Lord, in partnership with one Williams, possibly Bernard, Samuel Thorley and his partner Jonathon Griffiths, Edward Wills and Thomas Reibey, Isaac Nichols, William Jenkins, John Redman, Garnham Blaxcell and Bryan Eagan.\textsuperscript{125} The Gazette was also peppered with advertisements calling for ‘unencumbered’ men as crews for sealing ventures in Bass Straight.

\textsuperscript{124} Re Cubitt, see Section 3 note 143; re Williams, SG 21 July, 10 November 1810, 24 February, 24 November 1821, 26 April 1822; Memorials, 1810, CSC F3010 4/1822 No 333 and F3168 4/1847 p238; 1821, R6051 4/1750 pp120-2,123-4; Ann Williams, Petitions, 1822, R6055 4/1760 pp59-60 and F3055 4/1832 No 424; Daniel Cubitt, Petition re Williams’ position and house, 26 April 1822, R6055 4/1760 p47. ‘Instructions for the Guidance of the Officers of the Row Guard Boat’, 17 June 1823, CSC R6057 p39. Williams’ knowledge of the harbour was displayed in his evidence case against R. L. Murray for abduction, CSC R6047, 4/1743 pp36-43.

\textsuperscript{125} ‘List of Major Vessel Owners and Masters to pay sureties to Captain Glenholme, Naval Officer’, 28 January 1811, CSC R6002 4/3490D p92-3.
Others simply resumed maritime callings they had followed at home. Peter Cunningham remarked of the watermen who rowed out to the ships that ‘A regular establishment of the [watermen] has long existed here, many of whose members formerly plied that vocation on the Thames’. William Blue, a part-Jamaican black man who lived with Elizabeth Williams at the northern end of the Rocks during the 1800s must have been among the earliest of the Rocks watermen. He had worked as a labourer on a West India ship at Deptford in England and was transported for stealing sugar from it. In Sydney he worked as a waterman at least from 1805, and advertised his services in 1807, boasting a ‘tight, clean boat, active oar and unalterable inclination to serve those who honour him with their commission’. Macquarie took a personal interest in him, installed him and his family in a curious octagonal house on the Domain and made him ‘Watchman of the Heaving Down Place’ in 1811, responsible for ‘the Cove and Government Domain on which he resides’.

Waterside work was open to abuse, and there were constant allegations and counter-accusations of smuggling amongst those appointed to police the harbour. John Nicholson, the Master of the Dockyard in 1823, was enraged when the George Panton, Wharfinger and his own neighbour in Cambridge Street, accused him of involvement in smuggling. Coxswain Bernard Williams, who was granted licence for his house near the wharf, was ‘considered to have profited largely by the great opportuniites...of smuggling spirits...as well as obtaining early information of [ships] cargoes’. William Blue was convicted of smuggling in 1818, gaolled, fined and dismissed. Despite this he continued in the ferrying business from various

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126 Cunningham, Two Years, p30.

127 SG 15 July 1804, 2 August 1807. Letter to Mrs E. M. Swords re her research into the trial of William Blue 1796, ML Doc 3172.

128 John Nicholson to Colonial Secretary, 1823, CSC R6057 p33a-b.

Fig. 54: Samuel Elyard, ‘The Queen’s Wharf’ 1873, showing the four-storeyed stone Commissariat Stores built between 1809 and 1812. The wharf stood on the site of the early Hospital Wharf, where the seamen came ashore and then made their way up the Rocks.

Fig. 55: C. A. Lesueur, 'Vue d'un quartier de Port Jackson' 1802 showing the Government Dockyard with its bell, where William Henry Chapman, Daniel Egan and others served their apprenticeships.

Fig. 56: 'The Old Commodore, Billy Blue', c1840. The baggy pants, cane and bag are telltale signs that this picture owes more to the stage representation of Jim Crow (first danced in Sydney in 1838) than to the reality of the black ferryman Billy Blue. Blue and his wife Elizabeth Williams started out on the Rocks before 1804; by 1840 he would have been in his late nineties.
Source: Reproduced in S. de Vries-Evans, Historic Sydney as seen by its early artists, Plate 120 p151.
waterside homes for the rest of his life, writing at the age of 89 that all he wanted was the 'Peaceable Enjoyment of his...premises and ferrey' at what is now Blue's Point.  

In 1820-21 all but one of the seven licensed watermen in Sydney lived on the Rocks. Long-time watermen included William Sibley, a mariner and Hillsborough survivor, George Atkinson, Charles King, also a fisherman and the father of eight children, George Shirley, dismissed for 'abuse of the officers of the Police Row Guard after hours', but still working in 1828 at the age of 87. There were also George Phillips, whose wife Frances Stanton ran their hotel on the Rocks; William Vaughan, who had his boat confiscated for 'going alongside the Investigator at an improper hour' in 1803; the hard drinking William Williams, who died relatively young in a hovel in Gloucester Street, and Thomas Parkes, another old man of nearly eighty. They tended to live in the lower streets - Harrington and Gloucester Streets, and it seems that watermen kept company with one another. A waterman interviewed after the escape of James and Jane New said there had been much 'talking among the watermen' over James New's indebtedness, that his Shipwright's Arms hotel had been a 'house of no custom' and that his wife had been sent to the factory. The gossip and common knowledge, perhaps exchanged and mused over in the Waterman's Arms in Essex Street, suggest that the bonds of calling extended well into leisure time.  

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131 Bigge, Report, Appendix, 'Licensed Watermen 1820-21', BT Box 12 p279 (includes marginal note re George Shirley); District Constables' Notebooks; Census, 1828.  

132 Re George Phillips, see papers from trial of William Gray and Edward Gaines, 1814, R2390 p220. Re William Vaughan SG 23 October 1803. He still lived in Cumberland Street in 1822, though by 1828 was lodging in George Street. Re William Williams, SG 4 February 1829; Papers from the trial of John Stephen jun., 1833, in Governor's Despatches, ML A1267-16, pp294-297.
Many others - dealers, publicans, government officials - owned small boats simply for their day-to-day movement, and larger vessels for commercial ventures. Ann Chapman established her passage boat service to Parramatta early in the 1800s and was still running it in 1823 when she died.\textsuperscript{133} Edward and Sarah Wills owned ships in partnership first with Samuel Thorley, and then with Thomas and Mary Reibey. Their eighteen foot boat was stolen by escaping convicts in 1807; two armed whale boats sent in pursuit soon brought them back.\textsuperscript{134} Samuel Hulbert worked on John Piper's boat before acquiring a licence and opening the Sheer Hulk hotel. Thomas Allwright advertised the sale of 'a strong boat with sails and in complete repair' from his house, then on the Lower Rocks.\textsuperscript{135} The short-lived William Bowen, who had been first mate on the Lady Nelson, and was one of the Harbour Pilots, had repeated problems with people 'borrowing' his boats in 1803. Chief Constable John Redman, a neighbour of the Wills', owned the Charming Sally and had simply appropriated the gaol yard to have his boat built; when launched it was dubbed the 'Prisoner at Large'. Publican Samuel Thorley part-owned the sloop Hazard, an aptly-named vessel, for Rocks mariner Andrew Lusk lost his life when it was wrecked during a storm at Broken Bay in 1809.\textsuperscript{136}

\textsuperscript{133} SG 10 April 1803, 9 and 30 August 1807, 30 June 1810; Petition, 3 October 1811, CSC R6043 4/1726, p280, and request 'for payment for transporting Government Luggage', 15 March 1823 R6058 4/1770 p168. This last letter must have arrived after she died on March 7; or perhaps it was written under her name, or by her daughter-in-law, Ann, wife of William Henry Chapman; Mutch Index, ML. Collins, Account, Vol 1 p276, notes that a passenger boat service had been established between Sydney and Parramatta in 1793.

\textsuperscript{134} SG 7 October 1804, 28 April, 9 June, 21 July 1805, 25 January, 8 March 1807, 30 April 1809, 21 July 1810.

\textsuperscript{135} Re Samuel Hulbert, Petition, 1817, CSC F3178 p177, and Memorial re licence, 1819, Wentworth Family Papers, ML A764 p149. Re Thomas Allwright, SG 14 April 1803.

\textsuperscript{136} Re William Bowen, King Papers, Vol 1 p28-9; SG 18 September 1803, 29 March 1807, and inquest, 21 July 1810, CSC R6021 4/1819 p27. Bowen was drunk, collapsed in the street, and was carried to his house 'apparently dead, perfectly black in the face'. Re John Redman, SG 11 and 25 September 1803, 14 June 1807, 14 January 1810. His lease on George Street is marked on Meehan's 1807 map of Sydney; entry in Flynn, Second Fleet. Re Samuel Thorley, SG 4 March 1804, 27 October 1805, 26 March 1809; lease 1803, see CSC F3268 p202; and John T Thorley, Samuel Thorley 1769-1821: A Biography, self-published, 1988, p38ff. Re the wreck of the Hazard, see SG 26 March 1809. This storm also claimed the life of another Rocks mariner, Benjamin Pate, master of the Argument, see SG 2 April 1809.
When small boats went missing, or were ‘borrowed’ and then abandoned, whoever found them drifting seized the opportunity for gain. Boats were promptly towed in and advertised, the finder demanding recompense in the shape of ‘costs’ and threatening to sell them if the owner failed to appear. Elizabeth Mulhall thought the seventeen-foot boat she found might help to support herself and her children. The Rocks was also home at times to sea captains of some standing, and mariners who captained smaller vessels on the coastal runs. Andrew Lusk, Benjamin Pate and Bryan Eagan were among the latter. George William Barnard, sea captain and merchant owned a three-storey house near the wharf with ‘the richest of prospects to South Head’ visible from his top storey. By the later 1810s Captains Richard Siddons, Edward Edwards, Joseph Moore and others lived with their families at the southern end of these highest streets, Cumberland and Prince Streets, when they were in port.

Rocks boat owners may have commissioned the building of their boats by men like Henry Simpson who lived near the hospital around present day Globe Street, opposite Ann Chapman. His firm, P. Carroll, Simpson & Co. claimed to ‘have undertaken to build boats of any dimension adapted either to pleasure or burthen’. William Fielder, William Foster, Charles Griffin and Patrick Hawe were other shipwrights or ships’ carpenters who lived on the Rocks

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137 SG 20 August 1809; see also advertisement placed by George Wilson ‘on the Rocks’ 10 July 1808.

138 District Constables’ Notebooks; Census, 1828; SG 21 February 1821. Captain Edward Edwards married the daughter of Grace Boulton, Mary Ann Anthony, in 1804. They sailed away to Calcutta, where the couple produced four children. The family returned to Sydney in 1817 on the Lynx but Mary Ann died on the voyage. Edwards settled his children on the Rocks, either in Cumberland or Prince Street, and seemingly left them in the care of his fourteen-year-old daughter Ann while he went to sea. But by November 1818 he was mentally unstable, and committed suicide in the house by hanging himself from a loft rafter. His daughter Ann married another mariner, George Morgan Wilson, possible also of the Rocks, on 8 December 1823. See inquest, 6 November 1818, R2232 p265 AONSW; and Boulton Family History, Section 2, Note 16.

139 SG 18 September 1803, 23 March 1806, 9 August 1807.
nearby. Charles Griffin became Master at the Dockyard after the well-respected Thomas Moore left to live on his land at Liverpool. One of Griffin’s successors was Daniel Eagan, son of Mary Bryant and Bryan Eagan.\footnote{William Fielder, of Cumberland St see ‘List of persons returned to serve as jurors...’ 1825, CSC ML R6062 4/1782 p110aff; SG 26 May 1810; William Foster arrived Perseus, 1803 was a shipwright of Cumberland Street, see Census, 1828; he had been lodging in Princes St in 1822. Charles Griffin, also known as Griffiths, see King to Bligh, Letters, ML CY178 pp11-12; SG 26 March, 11 October 1809, 10 November 1810; Patrick Hawe arrived on the Tellicherry 1806, SG 24 February 1810; his petition, 12 February 1810, says he had been ‘placed in his original line of carpenter in His Majesty’s Dockyard’ and had worked as a carpenter on the schooner Estramina, CSC F3165 4/1846, p105.} The brothers William and James Jenkins launched their ‘fine copper-fastened 60-ton boat’ the \textit{Brothers} in Cockle Bay in January 1809. This was an occasion for celebration and pride, for the ‘whole of the workmanship [was] performed by apprentices in His Majesty’s Dockyard’ (Fig. 55).\footnote{SG 1 January 1809.} These and later apprentices probably included the sons of Rocks people such as William Henry Chapman and Daniel Eagan. The \textit{Brothers} was a sign of skills successfully passed on, something essential to the establishment of a craft-based industry. Its name celebrated the close connection of kin in the venture, for William and James seem to have done everything together until William was murdered in 1814. James then took his brother’s widow and children into his own home.\footnote{SG 2 June 1805, 1 and 22 February 1807, James Jenkins, Memorial re his brother’s murder, 1822, CSC F3048 4/1830 No 193. See also CSC Index.}

By 1825, of the twenty-three freely-arrived or native-born Rocks men deemed suitable as jurors at the Quarter Sessions, nearly half (10) were associated directly with seafaring, whether by official position or by trade; only seven shipwrights or boatbuilders were listed in all the other streets of Sydney.\footnote{*List of Persons returned to serve as jurors at the General Quarter Sessions of the peace for the District of Sydney’ 1 November 1825, CSC R6062 4/1782 p110aff.}
In a community so much entwined and familiar with water transport, the fear of drowning was the dark possibility underlying every voyage. In 1804 Howe published instructions for the ‘Treatment of Persons Apparently Drowned’ observing sombrely that this accident was one to which ‘many inhabitants of this colony are by their ordinary pursuits exposed’. His own son Robert lost his life in a boating accident in 1829 while still a young man; many Rocks people lost a family member through drowning. While they commonly moved about on water, it seems that most could not swim, so that the capsizing of a boat meant an almost certain, swift death.

The drowning of the emancipist Rocksman George Legg was one such incident, and one which allows us to see the context and reaction to this kind of loss. Legg was a shoemaker who from about 1795 lived with his wife Ann Armsden in a timber and shingle house in what later became Gloucester Street. Despite a conviction for receiving, the couple lived there, ‘happy and comfortable’ until 1807. George was sailing a small boat off Howe’s Point near Sydney Heads when the ‘weather grew boisterous and the boat’s sails jibbed unexpectedly’. The boat capsized and George, who ‘could not swim to save himself’, was dragged down by the two great-coats he wore against the winter cold. Ann Armsden heard the ‘tidings of the melancholy event’ from Aborigines who had witnessed it.

Retrieving and burying George’s body was a protracted process. One of his hands was found in the belly of a shark caught a week later, and a month later Aborigines saw his body among the shoals about twelve feet underwater. Ann Armsden knew what had to be done. She immediately employed men to haul what was left of his body out of the bright, shifting waters. Finally, on July 26, ‘such of the remains of the late George Legg as could be found’ were laid to rest in the still, dark earth of the burial ground. Clearly, great importance was

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144 SG 9 December 1804.

145 SG 3 and 5 February 1829.
attached to the proper burial of all or at least part of the body; when mariner Andrew Lusk drowned at Broken Bay in 1809, his head was severed and brought back to Sydney for burial. That is why William Noah found the Hillsborough deaths all the more disturbing, and sought to record at least the names of the dead in his journal. The permanence of burial and grave marking, and the recording of names were in some sense a means of retrieving people lost in the vast waters.

Ann Armsden married again, to another Rocks tradesman, built a better house, and became, once more, happy and comfortable. Her house in Gloucester Street was excavated in 1994. Intriguingly, lying among the thin deposits from that early period, were the complete vertebrae of a shark.\textsuperscript{146}

\textsuperscript{146} SG 19 June 1803, 14 June, 21 June, 19 July, 26 July, 1807; see also entry for Ann Armsden (or Harmsden) in Flynn, Second Fleet; Godden Mackay Pty Ltd, Grace Karskens et al, 'Report on the Cumberland Street/Gloucester Street Archaeological Investigation', forthcoming.
Seamen and Landspeople

The Rocks, it is often pointed out, was also closely associated with Sydney's early character as a port, and writers are most often referring to the waves of visiting seamen. They had been associated with the Rocks since the earliest times, climbing the footpads from the wharf up to the inviting houses and pubs, but their relationship with Rocks landspeople had always been ambivalent and uneasy, for they regarded one another with great contempt and suspicion. Recall the actions of the seamen who entered Daniel Paine's house to threaten Mary Poole - unlike skulking thieves, they openly invaded private spaces, drunk, arrogant, swaggering, making ugly threats, pushing the servants around, literally, and with words. By the 1810s and 1820s seamen were attacked in the streets by mobs of Rocks people.147

If the sea had contradictory meanings for landspeople, a ship in port, as Greg Dening observes, was also 'ambiguous space' for ships' crews and officers. For landspeople the sea signified, among other things, movement and escape. For seamen it was land, the port, which allowed short release from the 'wooden worlds' of minutely divided, severely limited space on the ships, and the ironclad chain of command that bound them tightly to their masters and captains.148 Temporary relief, too from danger. 'Think, place yourself in a situation', John Franklin exhorted his sister in a letter from Sydney in 1802,

where there are reefs, and breakers over your masthead, no land in sight and one step between you and Tom Jones; would you not be anxious and attentive for your own welfare, and leave all other matters for a future time?149


149 Sir John Franklin, Letter to his sister and brother, 18 October 1802, ML C231.
David Collins found the ‘other matters’ disturbing, with the ‘arrival of a new ship the town [was] beginning to fill with strangers’, and heaved a sigh of relief when the ‘whalers proceeded on their fishery’ and the ‘town was freed from the nuisance of their seamen’. By 1798 they made it ‘a practice at all hours, in direct opposition to the Port Orders, to pass to and from their ships whenever they please’, brazenly insulting the sentinels as they came ashore. Hunter threatened to have them confined, and punished if they were ‘noisy, riotous or insolent’.

With the arrival of increasing numbers of ships and ‘strangers’ over the years, perhaps this sense of ‘invasion’ declined. All the same, early Sydney was tumultuous, its people volatile and often violent. Why should the drinking, fornicating and fighting of seamen cause such unease? Perhaps because, as Dening shows, seamen were ‘men apart’, set apart by their language, their separate, seamless world of experience and lore, and their ‘brilliant skills’, and they felt subject less to the civil laws of the ports they visited than to the strict hierarchy of their ships, and the rules of the sea. They really were strangers. In subsequent Port regulations, Governors appealed to the Masters and Captains to keep order and discipline. They were to pay bonds to ensure their ships did not carry off debtors and convicts; they were to ‘cry down the credit of their seamen’. Deserters were to be flogged and put to public labour, and women who gave them shelter were threatened with having their heads shaved and sent to hard labour at the coal mines.

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152 Dening, Mr Bligh, p56.

153 See HRA, ‘Regulations to be observed by all masters or commanders of English of foreign merchant vessels...’, Enclosure No 3 in King to Portland, 18 September 1800, Vol 2 546-8; Government and General Orders, 22 September 1804, Vol 5 271.
But it appears from the frequency of these appeals and orders, and the evidence of seamen and others in records such as the Coronal inquests and court transcripts, that some Masters turned a blind eye to their behaviour on land, allowing them freedom to deal with 'other things' absent from their lives at sea. Others found it impossible to impose order or restraint on their men on land. One frustrated Master of a convict ship, whose clearance to leave the harbour was delayed, complained that on the day [for departure] I brought my crew on shore...some of whom thought proper to go into the town, against all the efforts used by the officers and myself to prevent them. I represented this to Mr Campbell [Colonial Secretary] showed him the men walking away - I asked what was I to do? How was I to act?; was in a manner laughed at by him; during that day I was employed in looking after magistrates sending constables after my people.\footnote{155}

But constables were in a strong position to exploit the rules about 'deserters'. Governor King had ordered that constables receive 40 shillings for the apprehension of deserting seamen, to be paid, once more, by the ship's Master. By 1819 this rule had 'degenerated...into a tax for permission to remain in the employ of colonial vessels, or...a subsequent authority to depart for Europe'. The order also, in effect, rewarded those who concealed seamen. Gaolers and constables were able to imprison them and also to charge the Master for the seaman's food while in gaol. If the tax was not paid, they assumed proprietary rights over the seaman's labour, and could 'sell him to a Master of a vessel for that sum to be charged against his

\footnote{154} See \textit{HRA}, 'Regulations to be Observed by the Commanders of English or Foreign Merchant Vessels, Importers and Consignees...', Enclosure No 4 in King to Hobart, 9 October 1802, Vol 3 712-714; Macquarie to Liverpool, 17 November 1812, Enclosure No 24, 'Port Regulations and Orders', 1 October 1810, Vol 7 656ff; and Macquarie to Bathurst, 22 March 1819, Enclosure No 2, Port Regulations, Vol 10 71.

future earnings’. Daniel Cubitt, in his years as Gaoler, was apparently very familiar with this system.\textsuperscript{156}

The dangers of life on land were perhaps as perilous as those of the sea. The arrival of each ship meant more income for Rocks people eager to take the sailors’ money for grog, sex, lodgings, food, or simply by theft. Women, as well as men, evidently went aboard the newly arrived ships to ‘welcome’ the newcomers, ships’ crew as well as convicts. What a gamble that must have been, not only on the nature of the stranger-sailors, but against the odds of being caught by the local authorities. Sarah Wood and four other women were each sent to King’s Town for six months ‘for going on board a vessel before the Admission flag was hoisted’ in 1806. Later, in 1809, she was accused of stealing bills and money from a seaman, and although the charge was not proven, she was nevertheless again banished to King’s Town ‘as a disorderly character’.\textsuperscript{157}

Public houses catering to seamen proliferated around the Hospital Wharf (the Sign of the Harp, the Ordinance Arms, the Green Gate), fanning out up the Rocks (including David Lloyd’s), and houses with names like the Ship Fame, Samuel Hulbert’s Sheer Hulk, and the Doyle’s Three Jolly Sailors, and along George Street. John Stewart, seaman off the Somersetshire told a coronial inquiry in 1811 that he and William Thompson ‘came on shore - was at the Ordinance Arms when he had some beer’ and then ‘went to a house on the Rocks’.\textsuperscript{158} Pubs were also places to meet women, and for women to met them, but what followed at the houses later was not always simply sex for money. Women like Hannah

\textsuperscript{156} Bigge, \textit{ibid}., William Randall to Bigge, 21 December 1819, BT Box 20 pp3384-9. See also the Grand Jury Presentment at the Court of Quarter Sessions, \textit{SG} 18 November 1824.

\textsuperscript{157} \textit{SG} 8 August 1806, 8 January 1809.

\textsuperscript{158} Inquest on William Thompson, seaman off the \textit{Somersetshire}, 17 November 1811, CSC R6021 4/1819 p679-84.
Chappel in 1810 simply said that they were ‘in company’ with sailors, which also included drinking, talking, eating together. Groups of seamen from a particular ship were obviously familiar with the unlicensed houses where they liked to drink together - the houses of Mary Bryant, Catherine Byrne, and Ellen Lindsay were all popular destinations. They invariably drank in pairs or groups, and often said they were celebrating some event - a birthday, a promotion, a last gathering before departure. The seamen who sat alone in a hotel and drank all day was vulnerable, easy pickings for muggers and thieves. Alexander Rosenberg a seaman off the Type (January 1819) was approached in a George Street hotel by two men who promised to take him to ‘a pretty girl’. They led him up the Rocks by Church Hill, past the church to the windmill where they grabbed him by the throat, stripped him of all his clothes and threatened to kill him if he made a noise. A seaman off the Success was lured up to the Rocks with a promise that his ship-mates were drinking at a public house there, but on the way was robbed of money and a silk handkerchief. Thieves commonly used the Rocks’ attractiveness to seamen (a ‘pretty girl’, a drinking party of friends) as lures; their assaults and robberies thus made the Rocks, at the same time, a dangerous place.

159 Inquest on Henry Giddes, seaman off the Porpoise, 6 April 1810, CSC R6021 4/1819 p219.

160 See committal papers, Charles Pickering and Catherine Byrne, 20 May 1816, CCJ COD 405B p571ff. John Lee, a seaman off the Guildford, said ‘about nine o’clock on Sunday Evening he accompanied by five of his shipmates went to the house of Catherine Byrne situate on the Rocks and had about three pints of rum’. One of them ‘wished to have some rum, observing it was his birthday’. Thomas Smith, seaman off the Mermaid cutter ‘went to the house of Mary Eagan [Bryant] to wait for a Ship Mate’, see trial of Catherine Davis, 26 December 1820, CCJ R1975 p1; Court of Petty Sessions hearing on Ellen Flaherty/Lindsay, reported in Australian 3 June 1826. SG 18 September 1808, account of seamen gathered at a public house ‘to take a farewell cup’. They drank wine and spirits, smoked tobacco, but had nothing to eat.

161 Extracts from the records of the Police Office, 20 January 1819, case of Alexander Rosenberg, CSC R6048 4/1743 p208. See also account of the murder of seaman Stephen Boylin (Marcia) in 1804: he came up the Rocks alone to look for ‘an acquaintance’; SG 15 July 1804.

162 Australian. 16 December 1826.
Court records suggest that some Rocks women at least considered seamen easy targets, and that they treated them with contempt and derision. Someone, perhaps Catherine Davis, stole a pair of earrings wrapped in a handkerchief from seaman Thomas Smith as he sat dozing at Mary Bryant’s house, waiting for his shipmates. Hannah Chappel, who earlier entertained sailors at coxswain John Cadman’s house, was probably aware of the mariner’s vanity over his dress, and love of fine clothing. She approached seaman John Fanning at the Labour in Vain, Thomas Whitaker’s pub, offering to sell him a jacket. Fanning agreed, but when he put it on, Hannah picked up his frock and ran off with the money in the pockets. He saw her later, again at Whitakers, and demanded his frock, to which she retorted ‘with very indecent language...he should neither have his frock...nor the money that was in it’. Perhaps it was the forty shilling reward that made her so brazen, for she may have assumed Fanning was unlikely to call a constable, who might well imprison him. But he did, and Hannah was transported for three years.\textsuperscript{163}

Although seamen were supposed to stay on board their ships, by 1822 there were several houses on the Rocks where they had lodgings. Mary Roberts, who had a ticket of leave and a convict husband, provided six sailors with lodgings in her house in George St near the wharf in 1822, while the ex-convicts Isaac Hart and Sarah Squires had eight lodgers at their Gloucester Street house, six of whom appear to be seamen or former seamen.\textsuperscript{164} Mary Bryant, besides running an alehouse, (sometimes licensed, sometimes not) provided food and drink

\textsuperscript{163} Papers from trials of Catherine Davis, 26 December 1820, CCJ R1975 p1 and Hannah Chappel, 20 March 1822, R1976 p90 AONSW. Hannah Chappel endured a spell at Newcastle in 1811 and was sent back there for three years in 1822 for this larceny; see CSC, 29 June 1811, R6003 4/3492 p29. Elizabeth Finlay was another Rocks woman who received clothing stolen from seamen, and sold them to an Irish neighbour, Margaret Downey; see papers from her trial, 2 January 1822, CCJ R1976 p147. She was also found guilty of robbing Richard Hicks in 1818 (COD 445 p31), of keeping a disorderly house in 1825 (R2416 4/8442 p161) AONSW, and of robbing an ‘aged Lascar’ by ‘decoying’ him into her house, SG 25 August 1825.

\textsuperscript{164} District Constables’ Notebooks. One of Mary Roberts’ lodgers, John Lindsay, was in gaol later in 1822, and was supplied with food by Mary Eagan/Bryant, see Note 19.
for seamen confined to the gaol, an arrangement by which they avoided the charges being made to their Masters, but which also suggests that she may have been conniving with the constables. In 1822 she appealed to Governor Brisbane to have the money paid by the sailor-prisoners. Still attached to her petition, filed in the Colonial Secretary’s Correspondence, is an agreement, scrawled on a small bit of unevenly-torn paper:

Mrs Eagan pleas to send Down to the gaol to the undermentioned men

William Walter
John Lindsay
George Parker
John Watson
Henry Tucker

provisions for the time that we are in Goal [sic] and We consent to pay you the charge that is Due to you when we come out

I remain yours
John Lindsay

It conveys eloquently a precarious agreement, between people who instinctively distrusted one another, with good reason, and yet were interdependent.

The broader popular portrayal and image of seamen was curiously bifurcated. On the one hand, the Sydney Gazette, taking its cue from English attitudes, underscored and tamed the otherness of sailors by relating farcical stories about their foolishness, naivety, drunkenness - they were always good for a laugh. Its first issue in March 1803 contained this tale of reversal:

A few days ago two seamen having spent a merry hour on the Rocks, incautiously deposited their little treasure in the hands of a couple of female bankers, as a security for their speedy return. The poor fellows were as good as their word, but soon
perceived that they had nothing left them but to repent of their indiscretion - the
TRUST had fled and the Trustees lay speechless on the floor.\textsuperscript{165}

The \textit{Gazette's} listeners would have enjoyed the ironic juxtaposition of ‘bankers’ and ‘female’,
while the foolishness of the seamen reinforced their own sense of being worldly-wise in the
ways of their town. In another story, sailors were the droll outsiders because, when ‘in a state
of extreme intoxication and helplessness’, they wandered endlessly around the paths and look-
alike houses of the Rocks, unable to tell which were their lodgings.\textsuperscript{166}

But the other common view of sailors, those who were English at least, was just the opposite.
The title ‘British seaman’ was one of honour and respect which recognized skills, dutifulness,
and bravery, and hence their vital role in serving Britain and the Empire. William Noah
hinted at this popular conception when he wrote that, hearing the ‘Boatswain blow his long
wishful call’ when the \textit{Hillsborough} entered Port Jackson, ‘every seaman took to his station
as Britons always do & brought her up’.\textsuperscript{167} William Randall, objecting to the unfairness of
the constable’s reward system in 1819, also queried the ‘propriety of a regulation whereby
a British Seaman...[may] be subjected to labour in common with the most depraved felons’.\textsuperscript{168}
Such associations were degrading to a seaman’s honour and position. A seaman accused of
a crime could fall back on this honourable reputation, as did Dugald MacFarlain when he was
accused of assault and attempted murder in 1819. Cleverly blending the two images,
honourable and foolish, he asked how he could have committed a crime ‘so contrary to the

\textsuperscript{165} \textit{SG} 5 March 1803. See also \textit{SG} 7 October 1804, tale of a ‘rolling Tar traversing Pitt’s
Row’.

\textsuperscript{166} \textit{SG} 2 September 1804. For discussion see Dening, \textit{Mr Bligh}, p56.

\textsuperscript{167} Noah, ‘Voyage to Sydney’, ML R494.

\textsuperscript{168} Randall to Bigge, 21 December 1819, Bigge, \textit{Report}, Appendix, BT Box 20 pp3384-9.
nature and feeling of a British seaman whose honest heart despises any act of meanness, who Gentlemen you well know are the Common dupes of Miscreants..." 169 Those who wanted to exhibit respectability of their calling might have attended and supported the early attempts to establish a floating seaman’s chapel on board the brig Lynx in 1822. The Lynx was donated by the Rocks Master Richard Siddons, in order that the ‘brave and toiling men will come within the blessed possibility, at least, of being saved’. Early services were well attended, but perhaps listeners were more curious than pious. By 1828, the institution was in ‘languid, if not lifeless condition’. Evangelical Christianity did not appeal to seamen; it was incompatible with their outlooks. 170

Sea-going was also among the most difficult, stressful and dangerous of pursuits, and the average life-expectancy for a sailor was only 25. 171 By the 1820s, some seamen had seen Sydney often enough to forsake ‘their own element’ and its perils, and take their chances on land. In this they became still more a part of the Rocks society. The earlier arrivals include publicans John Hull and Joseph Burrell, the carrier William Oldfield, and watermen William Sibley and Daniel King, and increasing numbers appeared in the late 1820s and 1830s. Some, unlike the stereotype of mariners as childlike, foolish spendthrifts, were evidently careful with their wages, saving assiduously, in order to be able to buy land and buildings, marry local women and have children. Since their experience of land-living had often revolved around hotels, it was natural that many should have become publicans, although how successful they were as a whole has yet to be explored. It must have been a relatively comfortable, familiar

169 Papers from trial of Thomas Condon and Dugald MacFarlain, 16 October 1819, CCJ COD 449 p99 AONSW.

170 SG 15 and 22 November 1822, 10 February 1828.

171 Dening, Mr Bligh, pp120-22.
environment, and they probably served other sailors in their pubs, heard news of seafaring and kept in touch with its lore.

A microstudy of a block of land between Cumberland and Gloucester Streets and Essex Lane, revealed a complex network in which mariners such as Edward Brady, Isaac Moore, John Winch Daniel Rogers and Thomas Wills (a ships’ cooper) bought and sold from one another, and lived close by one another. The old Cribb premises became the property of two successive Master Mariners, the second of whom subdivided it in the early ’thirties, and sold houses and land to several other ex-seamen. Most of the latter had also held licences on the Rocks, and had worked together at Thomas Street’s shipyard on Cockle Bay.172 These patterns of interconnected buying and occupation certainly suggest that the strong bonds formed at sea continued to draw them together on land.

Ironically, it was the sea itself that sometimes claimed seamen’s lives when they were in port at Sydney. Although they spent their lives on the water, like landspeople, many could not swim. The effect of drink, or perhaps the loosening sense of relaxation, dulled their judgement and skills, made them careless and stupid, and fear the water less. They slipped from the jolly boats or reeled off the wharves, and their relatively short and simple trips back to the ships were made dangerous by drunken arguments in the small boats crossing the water in darkness. Hannah Chappel saw the scar-faced, hoarse-voiced bewhiskered Henry Giddes from the Porpoise standing on the wharf in the evening with others, after she had been ‘in company’ with him at John Cadman’s house nearby, in April 1810. His companions came back to Cadman’s house, but later they saw Henry Giddes’ putrefying body hauled out of the

harbour. She said he had been ‘much intoxicated’ when he left.\textsuperscript{173} The bodies of the drowned, whether seamen, suicides, or those drowned accidentally, were commonly laid on the wharf, in public view, while an inquest was held. For passers-by, their poor, pale, water-bloated figures must have reminded them of the uneasy ambiguities of seafaring, the treachery of water, and, as the \textit{Gazette} simply put it, ‘the uncertainties of human life’.\textsuperscript{174}

\begin{footnote}
\textsuperscript{173} Inquest on Henry Giddes, 6 April 1810, CSC R6021 4/1819 p219; description of Henry Giddes (or Geddes) SG 30 October 1808. The shell of Coxswain John Cadman’s house still stands below George Street in the modern Rocks. Water was said to lap at its front step, but the house is now separated from the harbour by Circular Quay West. Hannah Chappel would not recognize the interior. See also inquests on Michael Kenwin (\textit{Granada}), 26 September 1821, CSC R6021 4/1819 p379, Henry Lear (\textit{Mariner}), November 1810, p390, William Manners and Francis Antonio (\textit{Tuscan}), 8 August 1820, p446, James Mullens (\textit{Elizabeth}, cutter), 1 November 1813, p481, William Thompson (\textit{Somersetshire}), 17 November 1811, pp679-84.
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\textsuperscript{174} SG 27 November 1813.
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The Constables

Some Rocks men devoted part, and sometimes all of their working time to their positions as constables, and the constabulary was another source of income for permanent higher officers, and, through remuneration in rations and stores, as a kind of ‘backup’ occupation for tradesmen, labourers and those in other minor civil positions. District Constables were paid twenty pounds per annum, in addition to rations from the store; ordinary constables received no money payment, but were rationed together with their wives and up to two children. At least thirty Rocks men served as constables at one time or another from the mid-1800s to the 1820s. By 1822 there were eight constables and their families listed for the Rocks, including the Chief Constable Thomas Dunne, District Constable, William Thorn and seven ordinary constables. They were drawn out and listed separately, rather than in the streets where they lived, underscoring their separation from the rest of the community because of their duties.

The constabulary itself was a deeply polarised group. At the top were widely respected and constantly ‘active’ men like the Chief Constable John Redman (arrived 1790). He was also a well known publican and owner of the Charming Sally, and he lived with his wife Mary and seven children near the gaol in George Street. Although he was accused of ‘oppression, tyranny and exaction’ (1803) and of drunken abuse and brutal violence towards prisoners (1823), when he died in 1837 he was described as ‘a very old and respected colonist, for many years Governor of H.M.Gaol.’ There were some reliable ‘career’ men like the respected Hillsborough Irishman Thomas Dunne of Cumberland Street, and Thomas

175 Bigge, Report, Appendix, Evidence of D’Arcy Wentworth, BT Box 1 p566.

176 See entry in Flynn, Second Fleet.
Colebrook and Alexander Campbell, who were neighbours in Princes Street. Colebrook, a second fleeter, spent twenty-eight years as a constable, all his colonial working life. William Thom, transported as a professional burglar, ironically became another of the Rocks’ active and long-serving District Constables.\(^{177}\)

Below them were the ranks of ordinary constables which had a high turnover and contained men of poor reputation. Some of them were despised in the community. William Wakeman was dismissed from his post of overseer at the hospital for ‘drunkenness, incapacity and corruption’ in 1819. He was soon accepted as a constable, as was Arthur Martin, who was severely flogged in 1808 for receiving gunpowder stolen from Robert Campbell, and whose wife, Caroline Cochrane, kept a disorderly house.\(^{178}\) James Phelan, the man whose nose was been torn off by pigs as he lay drunk in the yard of his Rocks house, had been a constable since 1791.\(^{179}\) The dismissal records indicate that constables were often drunk and neglectful. Constable William Chandler, who lived with Jane Appleton and her six children in Cumberland Street was dismissed in 1821 for ‘gross and manifest neglect and inattention’, allowing two notorious bushrangers to escape from the gaol. He went back to his trade of stonemason. For many others, though, dismissal was a temporary slap on the wrist, and they

\(^{177}\) See entries for Colebrook and Thom in *ibid.;* District Constable’s Notebooks.

\(^{178}\) *SG* 16 December 1824; Re Wakeman, see his petitions, 1817, CSC F3182 4/1853 p349, and 1820, F3033 4/1825B No 767 pp897-900; Wakeman’s evidence, 1820, in Bigge, *Report*, Appendix, BT Box 6 pp2392-2398; and evidence re his dismissal, BT Box 26 pp6194,6229; constable at Sydney, BT Box 21 p3622. Re Arthur Martin and Caroline (or Cornelia) Cochrane, see *SG* 19 June 1808, 25 August, 21 November 1825.

\(^{179}\) *SG* 14 April 1810, 29 December 1810 (appointed constable); see his petition 29 January 1810 CSC F3008 No 258.
were soon reinstated, some even promoted.\footnote{180}

The duties of constables changed little from those of the first watchmen appointed by Phillip in 1789. Their duties appear to be aimed more at preventing public disorder than crime itself, though these were closely linked in the minds of those who framed the orders. Each constable was still supposed to live in the district he patrolled, familiar with the residents and their movements, and keeping the peace among them. Like the constables of England, they walked the streets at night and cried the hour, carrying cutlasses and sprung rattles which could be released as an alarm and a call for help. They could not interfere in ‘riot that ensued from Dancing and revelry’ at pubs before nine o’clock at night, and it appears that some of the populace believed that constables had no power over them before nightfall. A constable who intervened in an assault and rape incident in 1822 was immediately challenged by the soldier involved: ‘You d-d scoundrel, what Business have you with me until after hours?’, as though no crime could be committed before nightfall.\footnote{181}

\footnote{180}See Bench’s Ruling re conduct of William Chandler CSC 9 July 1821, R6051 4/1748 pp353-5; Census, 1828. Other Rocks constables who were dismissed included George Pashley ‘for neglect of duty’, February 1811; he was reappointed in August, see CSC Government and General orders 9 February 1811, and 24 August 1811, R6038 p169ff; Thomas Kinsela ‘for suffering a burglary at Judge Field’s house’, 1819; he was reappointed by 1821, see CSC R6038 SZ1044 p19 and ‘A List of Constables that are now belonging or have belonged to the Police of Sydney September 1820-1823’, CSC R6056 4/1764 p63; Thomas Beddowe (or Beddoon) for ‘incorrigible drunkenness’ in 1826, see SG 8 and 22 March 1826; Alexander Campbell ‘in consequence of impropriety of behaviour towards the Acting Chief Engineer’ in 1822; he was made District Constable two years later, see CSC R6009 4/3506 p65; see also CSC Index.

\footnote{181}See evidence of D’Arcy Wentworth, and Mr Murray (Assistant Superintendent of Police) in Bigge, Report, Appendix, BT Box 2 p564, 615. See also SG 26 May, 23 June 1810, 29 December 1810, 5 January 1811. Papers from trial of Private Michael Mooney, 1822, CCJ R1978 p531 AONSW. He was acquitted.
There is some evidence that the constables considered themselves a group apart, bound by the commonality of their positions. In 1819, when their rations were cut by seven pounds of meat, and the salaries of single constables reduced by ten pence, they presented a petition signed by all forty-two of them. Roughly half could not write their names. They claimed that the ‘rapid increase in population, particularly the extension of the Township of Sydney’ had caused their ‘duty to increase threefold’ and that they shared a burden in that ‘House rent has of late become very oppressive’. A constable in the early 1830s remarked that he ‘was a Public Character in my way as a constable’, someone well known in the community. Certainly, the court records show that most people on the Rocks knew where the constables lived or could be found. Some resided close by one another in the Rocks, suggesting that they perhaps socialised more than with other Rocks neighbours. How could they drink at public houses they might later raid? How could they have personal friendships with neighbours, they might have to arrest for riot, violence, or being ‘pests’?

Yet there is evidence for just such blurring of public and private identities: Robert Howe claimed that unlicensed houses flourished partly because the lower constables themselves frequented them. When Elizabeth Sibley went on one of her periodic drinking sprees, her husband William was incensed and ‘astonished’ to find her ‘concealed in the loft’ of the retired constable, Thomas Colebrook and his wife Elizabeth Wade in Princes Street above.

182 Petition of Constables, 1819, CSC R6055 4/1760 p40.

183 Evidence of Bernard Fitzpatrick, in papers from trial of John Stephens jun., 1833, Governors’ Despatches 1834, ML A1267. 16

184 SG 31 March 1827: ‘But with respect to the inferior constables, we have to remark that numerous instances of their drinking liquor [at] unlicensed houses have come to our knowledge’.

185 William Sibley, Petition, nd c1822, CSC R6056 4/1763 p263.
It seems that they had, in their long residence on the Rocks, formed at least some connections there, and perhaps a sympathetic friendship between the women had grown up. Similarly, when District Constable William Thorn found forged promissory notes in the shoe of Joseph Salter, the latter at once begged him ‘for God’s sake to destroy them’. It seems to be the appeal of a long-time neighbour, perhaps even a friend. Salter had lived at the wharf since at least 1810 and was building a house in Cambridge Street in 1816; Thorn had also lived in Cambridge Street since his arrival in 1790. In this case, Thorn acted as his position dictated, and Salter, once a propertied, respected publican and householder, was sent away to Newcastle.\textsuperscript{186} Alan Atkinson has shown how convicts at a distant penal station seemed to distinguish between the person of their Commandant, whom they bore no malice, and his official position, in which capacity he was attacked.\textsuperscript{187} Perhaps Rocks people made similar distinctions with regard to their constables in the passage of their daily lives.

The tense ambivalence of the position of constables and their networks in the community arose partly because they came its own ranks and shared its values. Yet in many ways their duties were posited against those values and habits: they arrested the drunk and the riotous, broke up the entertaining brawls, interrupted cockfights, reported disorderly houses, searched private houses for convict runaways. They were the eyes of the government, its only means of penetrating the crazy streets and hidden households, they were spies in the community’s midst. Yet, from the evidence about the habits and misdemeanours of the constables themselves, it appears that the values of the law and order, peace and sobriety were not at all internalised; they arrested other people for such offences simply because they were doing their job.

\textsuperscript{186} Papers from trial of Joseph Salter, 17 September 1818, CCJ COD 445 p205 AONSW.

\textsuperscript{187} Atkinson, ‘Four Patterns’, p31.
To property-owners the constables were necessary for the pursuit and detection of thieves, and the location and return of property (though citizens also often did these things themselves). They were not generally regarded with respect or deference, but with contempt and suspicion. Rocks woman Jane Jones successfully took legal action in 1804 against a constable, Joseph Druce, for raiding her house and confiscating her property. Druce was found to have acted illegally in ‘extreme ignorance of his duty’ and was ordered to restore Jones’ property. He was then dismissed from the watch and sent to a road gang. But the ironic, and telling, twist of that incident was that Jane Jones herself was a thief, convicted of pilfering only four months later, and transported to Newcastle the following year. The innocent victim of the abuse of police power, and the petty criminal, the object of legitimate police pursuit, were one and the same.188 Similarly, it was quite possible that the patrons shouting at the cockfights, the drunken revellers dancing at all hours in the pubs or roaring in the streets, the pugilists and spectators at the street battle, could also be those property-owning householders whose persons and possessions constables were supposed to protect.

Macquarie seems to have been acutely aware of the constables’ awkward position: they were rather an embarrassment. In 1820 he laboured long and hard over the correct order of a public procession to mark the ascent of George IV to the throne. Only minor adjustments were needed to make those of higher civil and social rank fit neatly into their proper places as they walked in dignified array down Bridge Street from Government house, up Church Hill to the squat bulk of St Philip’s. First came the military, surrounding the Governor, representing the State; then the Judge and Judge Advocate, representing the Law, and then the four clergy men, for the Church. Higher public servants followed, the ‘gentlemen and merchants’, bespeaking the town’s commercial future, then the surgeons, surveyor, the architect and the clerks, and so on down the minute gradations of rank, unified visually in a

188 SQ 8 and 15 January 1804, 26 May, 30 June 1805, 27 April 1806.
procession. But what about the constables? They were the logical endpieces of the law, its enforcers and upholders, the bottom of the long chain of command, and his Majesty's servants. But how could men of such low character and rank be included in this important and dignified public spectacle? Their social rank conflicted with their civil rank. Macquarie compromised. The Chief Constable, John Redman would walk with the Gaoler at the end of the procession, the reasonably respectable District Constables walking two by two would be last, while the lowly Ordinary Constables were excluded. Instead, they would stand waiting at the church, their position acknowledged, but not as part of the main body.\footnote{Order for procession from Government House Sydney to the Church of St Philip on Sunday 23 July 1820' and amendments by Macquarie, CSC R6049 4/1744 p407-9.}

There was one man who would not even stand at the church, yet he performed an essential function in the course of justice. Thomas Hughes was the hangman and he was feared, loathed and detested by the people, and treated with distaste and distrust by the authorities. Superstitions, barely submerged, were brought speedily to the surface by his presence; he must have been the loneliest man in Sydney. Posted as a constable at Newcastle in 1811 and summoned by Macquarie to be hangman, even his transport caused major problems. The Commandant reported:

...but as the sailors of the \textit{[Governor] Hunter} got some knowledge of his intended profession they would not allow him on board...I thought it better considering the temper they were in to delay his going for one day.\footnote{Campbell to Purcell, 23 January 1811 CSC R6003 p148; Purcell to Campbell 29 January 1811 CSC R6066 p59.}
constable.' But Hughes forfeited whatever good civil and social character he had when he agreed to the job.

Once in Sydney, Hughes found it very difficult to find someone from whom he could rent a house or lodgings. He petitioned for an allotment of his own because 'in consequence of his situation as flogger etc' (notice that he himself avoided using the word 'executioner') 'he cannot get a house to rent from any person and is much distressed for a place of residence for his family'. He did not even deliver the petition to the Secretary's office himself, but sent his wife Mary. The petition was refused, and the outcast Hughes lived first in higgledy-piggledy Essex Street, near the gaol where the hangings and floggings took place, and later in Kent Street. The ambivalent attitude of both authority and people towards surveillance, policing and punishment evident in the separateness of the constables reached its clearest, most extreme expression in the treatment of Thomas Hughes. While people jeered the condemned as they were paraded through the streets, joined in processions to the hanging grounds, and gathered in numbers to watch their last kicking struggles behind the gaol walls, they also shunned and isolated the man in their midst who inflicted the sentence of law.

The arrival of Governor Thomas Brisbane in 1822 seems to have prompted a 'clean sweep' among the constabulary. Rocks men James McCoy and Arthur Martin were summarily dismissed for being 'frequently drunk'; there were dismissals from all the districts. Brisbane acted upon idea that drinking, or perhaps simply drunkenness, was no longer an acceptable part of the constable's working life. Reliable, relatively sober and honest men, like the steady sawyer Thomas Lynch of Cumberland Street, the weaver John Anslip and plasterer William Wybrow, both of Cambridge Street, were reappointed, while the aging Thomas Colebrook (he was by then 73, his youngest child only two) and later Thomas Dunne were given pensions

191 Hughes, petition, 21 February 1824, CSC F3093 No 460 p845; see also CSC R3296 X53 pp44, 60, 75; Census, 1828.
to support them and their families in their old age. The effects of Brisbane’s purge were not very long-lasting. When the Grand Jury reviewed the state of Sydney’s gaol and police in 1828, special mention was made of the great want of ‘respectability’ among the constables ‘which has occasioned several very aggravated assaults [in some cases] when the most unnecessary severity and violence were used to individuals indicted...’

The constables continued, paradoxically, to be divided from, yet an integral part of, the community they policed. The violence of the street mobs often turned against them, and they were assaulted with fists and stones. As Byrne points out, complaints about disorderly houses and riotous behaviour came increasingly from the constables themselves ‘who appeared in the courts as respectable inhabitants’. When young Irishwoman Ellen Lindsay was in court facing a charge of keeping a disorderly house in Gloucester Street, it was District Constable Thomas Dunne who made the complaint, together with the ex-mariner Joseph Burrell, publican of St Patrick’s Inn near Ellen’s house. Dunne claimed that Ellen’s house ‘has been an annoyance to the Police and to the neighbourhood in general’. Yet other publicans Christopher Flood and John Neale came to her aid as guarantors. The ‘neighbourhood’ and ‘the police’ could not be so easily equated. While Burrell was probably personally affected by the noise and rowdiness, and perhaps lost business, it is likely that the Rocks of the 1820s was otherwise fairly tolerant of the goings-on at Ellen Lindsay’s house.

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192 ‘A List of Constables that are now belonging or have belonged to the Police of Sydney September 1820-1823’, CSC R6056 4/1764 p63.

193 SG 23 July 1828.

194 Byrne, Criminal Law, pp163-4, 194-5, 211. See also SG 18 April 1827, abuse of Constable Isaac Chapman; 18 January 1828, attack on constable John Morrow.

195 Case of Ellen Lindsay, 25 January 1825, SQS R2415 4/8440 p231 AONSW.
Publicans and Dealers

Ellen Lindsay, then, does not seem the sort of person likely to become part of the 'respectable' ranks of Rocks people: the steady property-owners, licence holders, the small shopkeepers and comfortable tradesmen. Yet she did, and her story, together with those of other Rocks women, demonstrate the shifting lines between respectable and unrespectable, legal and illegal, the 'house of ill-fame' and the 'public house of good order'.

She arrived Ellen Flaherty, a young Irish convict who lodged with the allegedly violent and disreputable couple Thomas Ryan and Jane Maxwell in Harrington Street in 1822. Her illegitimate daughter, Martha or Margaret Clarke was born in 1820, and she married labourer William Lindsay at Parramatta in 1822. He had arrived with her on the Elizabeth, was colonially convicted of theft in 1818 and transported. By the following year she lived on the Rocks in Gloucester or Cambridge Street around Surry Lane. Her child Martha fell into a well while at play in February 1823. Ellen's near neighbour publican William Welsh heard her cries and dragged the child out, but she was 'quite dead'.

Two years later, William Lindsay had also left or died, and Ellen, as we saw, was accused by another nearby publican, Burrell of opening her house 'for the reception of prostitutes and disorderly persons of both sexes and keeping females in her home for the purpose of prostitution'. On this occasion she was acquitted, but in 1826 the Australian presented a humorous account of her appearance in court on a summons taken out by George Pashley, another long-time Rocks man. She was again accused of keeping a disorderly house, and of selling liquor without a licence. The constable claimed he saw

twelve people of both sexes congregation in the defendant's house; some of them were

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196 District Constables' Notebooks; Mutch Index, ML; inquest on Martha Flaherty (also called Margaret Clarke), 22 February 1823, R2233 p67 AONSW.
seated, whilst others kept ‘shuffling the brogue’ to the humming drone of bagpipes; there were moreover to be seen glasses of all dimensions, with liquids suited to many tastes, spirits, wine and that refreshing beverage, ginger beer.\footnote{Case of Ellen Lindsay, 25 January 1825, SQS R2415 4/8440 p231 AONSW; \textit{Australian} 3 June 1826.}

The male carousers were seamen, and one of them, Rochester, came to Ellen’s defence by claiming that it was he, upon becoming mate of the brig Minerva, who gave a treat, to which he invited some ship mates and other ‘jolly dogs’ and that he had paid for spirits and wine which were supplied from a neighbouring public house.

The story was backed up by another Rocks man, James Marrington, but the court nevertheless fined Ellen Lindsay 25 pounds. A relationship grew between her and John Rochester, the mariner who drank at her house, and they were married in January 1828. They both chose well. By the time the census was taken, they were licensed publicans in Sussex/Surrey Lane (possibly at her house). She thought herself to be still only 23.

Ellen Rochester was long-lived and became part of the fabric and then the folklore of the Rocks. In his turn-of-the-century reminiscences, J.M. Forde, writing as ‘Old Chum’, recounted that in 1860 ‘Mrs Rochester’, apparently a well-known Rocks identity, moved her hotel to the corner of Cumberland Street and Essex Lane. She first named the Erin-go-bragh (‘Ireland forever’), later renaming it the North Country Lad, ‘in compliment it was said to her long-dead husband’. She had no more children after Martha, but they had adopted a son, J.J. Rochester, who in 1873 was publican of another Erin-go-bragh in Cumberland Street, while his mother had retired and lived nearby. But it seems that even in old age, Ellen could not give up work in the trade, and she soon ‘emerged from her retirement and occupied it until her death in 1876’. She would have been about 76.\footnote{St Mary’s Register, entry for 18 January 1818; \textit{Census}, 1828; J. M. Forde, ‘Old Chum’, ‘Old Sydney, No 23’ in \textit{Truth}, 15 March 1908.}
Portia Robinson used Ellen Flaherty’s case to counter the portrayal of Irish convicts as ‘bad characters’. She states that Flaherty simply ‘worked as a housekeeper until she married John Rochester, a publican in Sussex Lane’, and claims that ‘there is no evidence at all to show that...these women continued their criminal lifestyle in the colony, or that they were “women of bad character” in Botany Bay’.\textsuperscript{199} Even in those terms, Ellen was not ‘good’ at all, but ‘bad’; yet she nevertheless ‘succeeded’. The ‘good/bad character’ dichotomy as an interpretive model simply adopts the view of the colonial elite and prevents an understanding of what Ellen Flaherty’s life signifies about the colony from the perspective of the lower orders. Her actions and fate were shaped not by ‘moral’ choices and behaviour, nor was she the beneficiary of a completely benign and rosy colonial environment. She had drunken and violent landlords, co-lodgers who were prostitutes, a criminal, unskilled first husband, and her only child drowned in a well. Opportunities did open for her, but initially through illegal and ‘immoral’ means. Her success had less to do with upstanding character than with an eventually sound and fortunate marriage, coupled with some capital amassed from the drinking, dancing and fornicating she allowed at her house. For so many others, such alignments of fortune and fate did not occur. While Ellen reached a comfortable and active old age, many of her fellow transportees died young and were forgotten.

Since the 1790s, women and men of the Rocks had been establishing drinking houses and hotels just as Ellen Flaherty did. They also engaged in dealing or trades, and often combined all three, as well as serving occasional stints as minor civil servants, constables, overseers and so on. Sound marriages were often an underlying factor. George Suttor remarked that when he arrived in 1802, the ‘grog sellers’ were most successful, and remained so.\textsuperscript{200} D.D. Mann worried that ‘many of the convicts soon acquired property in this way’ through dealing, and that this bred a ‘lack of subordination and deference’ and ‘controverts the necessary and

\textsuperscript{199} Robinson, \textit{Women of Botany Bay}, p115.

\textsuperscript{200} Suttor, ‘Sketch of Events in New South Wales 1800-1820’ ML C783.
natural distinction of society’. Here was the rub. The commercial activity carried out by military personnel and ex-convicts represented real ‘progress’ towards the highest phase in the course of empire, that of commerce. Commercialisation brought with it towns, fine buildings, material comfort, art and culture, in short, civilization. Hence Paterson wrote enthusiastically in 1809

individuals by their Perseverance, become possessed of property, their desires for comforts and even Luxuries of Life have given rise to another class, and we now have Adventurers in Shipping, Traders, Shop-keepers and Mechanics of every description, who are, in part, as necessary to the colony as the Agriculturalists themselves, each producing a source of exertion to the other.

It is worth examining the use of the word ‘class’ by Paterson and his predecessors. The word had been used by the educated elite since the earliest days, but in vague and ill-defined ways, interchangeable with the older and more commonly used ‘ranks’ on one hand, and with ‘section’ or ‘type’ on the other. In England ‘class’ tended to refer to the newly prospering ranks who emerged with the consumer revolution. The term ‘middle class’ had appeared in writing in England in about 1770, while ‘working class’ only appeared around twenty years later. Hence the Governors and others referred to the ‘lower orders’, more occasionally to the ‘lower classes’ and, when referring specifically to people at work, ‘working people’.

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201 Mann, Present Picture, p70.


203 HRA, Paterson to Castlereagh, 23 March 1809, Vol 7 29.

204 Oxford English Dictionary. Phillip lamented the lack of ‘persons of any class’, using the word to mean educated people who could act as clerks for the stores and so on, and hence distinct from those who were illiterate (HRA Vol 1 86). ‘Class’ was often used as a plural when referring to social divisions, corresponding to the many ranks within the great orders; hence King reported settlers being ‘independent of the higher classes’ (HRA Vol 4 p391); but note that he also referred to ‘crimes which are but too common among the lower order of people’ (HRA Vol 4 565). ‘Class’ was also used to divide ranks into sub-categories for discussion, as King did when he wrote of ‘that class of settler’, and Major Johnston did when he referred to the ‘lowest class of prisoner’; these occur within the ‘middle and lower ranks’ (HRA Vol 4 394, Vol 6 217-20). ‘Class’ was also used to denote artificial divisions in institutions, for example, the three classes within the Female Factory.
Paterson used the word ‘class’ partly to suggest that Sydney, too, had the beginnings, or perhaps the potential for a middle class to match the English one. Yet note that the new ‘class’ was thought to function in the old way, in harmony with the agriculturalist, ‘each...a source of exertion on the other’, each necessary for the proper working of the whole. Thus ‘class’ had more in common with earlier delineation of rank, it fitted the older idea of universality, the ranks functioning in complementary fashion for society’s common interest. As George Howe in one of his more philosophical moods expressed it: ‘Society may be compared with a magnificent structure, which step by step ascends to its most elegant and exalted pinnacle, the symmetry of which is dependent on all its parts.’

In what had been, in the eyes of authority, an unpromising colony, it was no wonder ex-convicts of the Rocks who showed any talent or initiative were encouraged with licences, land and leases; no wonder their less appropriate activities and habits were overlooked. But at the same time, many, like Mann, feared that material improvement and property-holding amongst the lower orders (particularly the illiterate and those of rude manners) unglued the deferential society, was ‘unnatural’, and bred insolence. Hence the desire for material goods was sometimes described as a kind of unhealthy physical craving, and the impulse towards commerce as a highly contagious and destructive ‘itch for dealing’. These had been the nervous concerns of observers of the commercial and consumer revolution in England over the eighteenth century, particularly expressed in the conviction that habits of deference were dying in the towns and cities. They were brought to bear on the small colony where those who profited were not even always of the old middling orders, but of the ‘lowest order’-unlettered watermen, bakers, butchers, carpenters, and so on. How could the responsibility

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205 SG 7 August 1803. For discussion of the longevity of the concept of universality see Joyce, Visions of the people, loc cit and especially Chapter 4.

206 Mann, Present Picture, p69.
of property-owning be properly left in their hands? It seemed to visitors a bizarre aberration of all that was normal and natural.  

The great ambiguity underlying these 'civilizing' activities was that, in permitting and encouraging private independent households, businesses, trades and services, authority negated the very idea of a prison colony. Allowing people to earn their living in their own way, inevitably resulted in the same measure of criminal and social disorder which occurred in English and Irish towns. Some was policeable, petty: the Rocks bakers (including William Prentice, also a butcher, and publicans Thomas Saunders, William Welsh, George Cribb, Elizabeth Cassidy, and even the widely respected William Davis) were regularly fined for selling lightweight bread. Other services, like passage boats, allowed mobility that made the strict control of movement of people and goods difficult. Thieving was possible in a place where people either owned or desired pretty, useful and portable things, where everyone was a potential buyer, and where people liked to be well-dressed. Householders, particularly women, commonly took in lodgers, but they might just as easily rent out rooms to prostitutes on a casual basis, as Mary Robinson in Harrington Street did. A dealer in pharmacy goods like Mr Lawson bought calomel, blue ointment, sugar of lead, blister plaster, opium, blue pills and so on, from crooked clerks like Thomas Haynes at the hospital and sold them to the poorer Rocks dwellers who refused to go into hospital.

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207 For discussion of the traditional philosophic and religious attitudes to consumption, see McKendrick, Birth of a consumer society, p15ff. Walvin summarises the perceived fading of deferential behaviour in the towns and cities in English Urban Life, pp116. Surgeon Arnold made repeated observations in his 1815 journal on the 'preposterous' state of Sydney society, see ML C720.

208 Police Reports and Accounts 1810-1827, Wentworth Papers, ML D1 p223.

209 Mary Anderson, Jane Getty, Mary Redmond and Elizabeth Cassidy were among the many Rocks women who took in lodgers. Wentworth told Bigge that, typically, 'one woman lets out lodgings to several prisoners at 1-2s a week', but assured him that 'there is scarcely one with whom we are not well acquainted', see Bigge, Report, Appendix, BT Box 2 p577. Re Mary Robinson, see papers from trial of Bridget Haley and Mary Robinson, 7 June 1821, CCJ R1975 p480 AONSW. Re Lawson's
But it was the drinking houses, licensed and unlicensed, which fostered most disorder. Wentworth admitted to Bigge that fifty-four public houses in a town the size of Sydney 'may be too great', but that there were so many unlicensed houses that licences were given in order that they could be at least patrolled by the constables. His assistant, Murray, condemned the 'riot that ensued from Dancing and revelry amongst the sailors and free Prostitutes over whom up to 9 o'clock at night the Police have no control'. Licences and rules were facades of order and control, for Rocks pubs were places where gamblers gathered, fugitives were hidden, where the atmosphere was often volatile and the wrong word or song could spark a fight, where prostitutes solicited and the pockets of sleepy slurring drunks were picked. But they were also recognized as essential nuclei for popular pursuits and networks - drinking, dancing, singing, talking, courting, hearing the news, being paid and so on.

Hotels and unlicensed houses were also the common conduits for the shifting of stolen goods and the passing of stolen or forged bills. The shoemaker William Brown and his wife Margaret aroused the suspicions of publicans Coss and Welsh, because they were 'extravagantly passing bills' at their establishments. Thieves William Howells and James Pass agreed to meet at Mary Bryant's house with their stolen booty of fine Izarre fabric, shirts and shifts. Mary agreed to buy the clothes and some of the fabric, and later took them around to her neighbours, Elizabeth Cullen and Sophia Lett, offering them for sale, and bargaining pharmacy on the Rocks, see papers from the trial of Thomas Haynes. Henry Cowper named Lawson's as one of two 'medicine shops' in Sydney, saying 'they are not [large shops] and are only frequented by the poorer classes of the people. They sell only the simpler sorts of medicines and I don't believe that they wd know how to make up a Prescription if it were sent to them'; see Bigge, Report, Appendix, BT Box 6 pp2342.

210 Bigge, Report, Appendix, Evidence of D'Arcy Wentworth and Mr Murray, BT Box 2 pp581, p615.
hard for the best price. She and Mary Redmond were both convicted of receiving stolen goods and sent to Newcastle.211

Robert Howe, in his zealous years, launched several tirades against unlicensed houses, stressing the gulf between legal and illegal, comparing the ‘innocent amusements’ of the former with the latter’s character as ‘nests of depravity’. He threatened to expose illegal spirits sellers ‘however high their character’ as ‘a disgrace to the community of which they are members’, although he never actually did so.212 But as we saw in Ellen Flaherty’s story, the dividing line between licensed and unlicensed, and the unlicensed house and mere hospitality, from the drinker’s point of view, was blurred. And as people like Ellen knew, it was often impossible to detect the difference between unlicensed vending of spirits and domestic conviviality. How could an illegal house be distinguished from a gathering for a celebration or a wake, or people merely drinking companionably, and sending out every so often for more rum?

John Rochester’s defence of Ellen probably reflects the truth, but it could be interpreted either way. Seamen often went to the houses of Rocks women they knew and asked them to fetch rum, usually from licensed publicans, and provide food. Catherine Byrne, partner of small time dealer, baker and thief Charles Pickering, is a good example. Groups of seamen customarily went up to her house from the wharf to drink, but on at least one occasion she ‘said she had no rum in the house but would get some - she went out and bought it’. These were obviously customary and casual arrangements, which took little heed of the rules an licences of officialdom. Irishwoman Mary Redmond, who arrived in 1802 on the same ship as Winifred Dowling and Elizabeth Mulhall, briefly held a beer licence in Chapel Row in

211 Re William and Margaret Brown, SG 2 December 1820; papers from trial of James Pass, Mary Bryant, Mary McDonagh [Redmond] and Anne Dalton, 15 March 1813, CCI R2390 p318 AONSW.

212 SG 15 November 1822.
1810, but during the 1810s and 1820s lived on the Rocks and was repeatedly arrested and sometimes convicted of receiving stolen goods and keeping a disorderly house. Her friend and cohort Mary Bryant was another woman who hovered between the legal and the illegal. Sometimes she held a beer licence, other times she did not, but the drinkers, locals and seamen, went up to her house notwithstanding.213 For them drinking, eating, singing, music and dancing, as well as more nefarious activities, were the same in licensed as unlicensed houses. These were activities which so permeated everyday life that any house would do.

Yet, for all the overlap, the blurring of status, it was these small business people, particularly publicans, who generally became the best-known, longest-settled and most comfortable of the Rocks people. In his detailed account of the Sydney traders, Hainsworth shared something of the Governor’s wonder at the energy of the traders and dealers in the ‘pygmy port’, no matter the distance and initially primitive conditions.214 The Rocks demonstrates that such commercial activities in one form or another penetrated down among almost all ranks; buying and selling was familiar, everyday, reflexive.

By what means had they established themselves? Catherine Styles, long-time Charlotte Place innkeeper and wife of the Irish rebel William Davis, described their motivation in a nutshell when she wrote in 1826 of their venture into the trade: ‘We having no property at that time

213 Committal Papers, Siddons and other vs Charles Pickering and Catherine Byrne, 20 May 1816, CCJ COD 405B p571ff, AONSW. Re Mary Redmond (also Redman, Devoy, McDonagh), SG 21 July 1810 (beer licence), 20 March 1813 (sentenced for theft), 19 June 1823 (disorderly house), 22 January 1827 (house of ill-fame), 23 April 1827 (indicted for receiving stolen goods); papers from trial of James Pass, Mary Bryant, Mary McDonagh and Anne Dalton, 15 March 1813, CCJ R2390 p318. The nature of her household can be observed in the papers from the inquest on Happy Filler, 28 December 1822, with papers from trial of Mary Redmond, Bridget Lever, Thomas Francis and William Fenning, CCJ R1979 p93ff, AONSW. Other women who kept disorderly houses included Caroline Cochrane, partner of one-time constable Arthur Martin, and Ellen Frazier nee Hatton, the wife of Andrew Frazier.

214 Haines, The Sydney Traders.
but what we acquired by our daily labours, made application and obtained a licence to carry on a Public house’. At base was the desire for property and income beyond that of the wage labourer or labouring artisan; their capital, property and possessions were the distinguishing features of these ranks of people. As Paterson observed, they strove for the decencies, the comforts and some of the luxuries of life, and this set them apart. On the Rocks they took up land without leases, more or less as they pleased, built houses and set up businesses. By the time the Gazette appeared in 1803, then, people like the tailor, later the gaoler, John Jaques, were already established selling ‘articles of common consumption’; John and Phoebe Waldron sold second hand black suits, cheap plain and fancy coats clothes from their ridge-top house, while near the wharf below Sarah and Edward Wills were ‘making money very fast’ offering a profusion of fabric, clothing, coffee, tea, handkerchiefs, candles, oil, buttons, earrings, necklaces and lockets. Elizabeth Rafferty’s stock was a jumble of pretty, useful and luxurious things: silver watches, gold rings, sewing pins, mirrors, glass bottles, window glass, rummers for drinking, ‘crewets’, salt cellars, French capers in bottles, string, beautiful fans. When the rubble stone or weatherboard Rocks houses were advertised for sale they were invariably described as ‘well situate for trade or business’.

Underpinning the dealer’s activities, and occasional long-term success, was the fact that their customers were consumers, not just of basic necessities, but comforts and luxury goods, such as good tobacco, different types of tea, smoked hams and cheeses, preserved fruits, pretty, edged or transferred china, silver teaspoons, coloured and patterned fabrics, fine hats, silk handkerchiefs, jewellery. Several writers have observed this plethora of things in early Sydney: James Broadbent concluded

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215 SG 29 March 1826.

216 SG 5 March, 24 April, 1 May 1803; 18 November 1804, 28 April, 16 June, 1 December 1805.
Here was an isolated, provincial community that had never learned self-sufficiency; it was, and would ever be, a consumer society, outrageously irresponsible. For all its degradation and poverty it was also flashy and incautious, a parvenu society...that was vastly opportunistic and minimally cultured.217

This is similar to David Collins’ stance: these were just ‘sweepings of an Indian bazaar’, trinkets by which the foolish, gullible and spendthrift lower orders were seduced away from their money.218 For Broadbent, consumerism among the lower orders has these negative connotations, fostering all that was ‘tawdry and trivial’ and precluding a ‘cultured’ society, by which he presumably means one which was elegant, refined and well-mannered, and which allowed the higher arts to flourish.

Kingston in her exploration of early shops and shopping, also recounts the great variety and extent of imported goods in early Sydney and wonders ‘what could the demand have been... for 242-piece earthenware table sets...edged in blue and green?’.219 The answer is given by archaeological evidence: ordinary Rocks people bought pieces of these sets to eat from and to embellish their homes. They possessed a desire to own such things. That many convicts and ex-convicts were often well dressed, were interested in fashion, fine and brightly coloured

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218 Collins, Account, Vol 1 p168 ‘The avidity with which all descriptions of people grasped at what was to be purchased was extraordinary’; the Experiment brought ‘small articles apparently the sweepings of a Bengal Bazaar’ p378; and he echoed Hunter’s concern that settlers were ‘throwing away their money in purchasing rags and trifles’, Vol 2 p71.

fabric and extravagant headgear, is clear from primary evidence and has been noted by writers like Jane Elliot and, in an oddly oblique way, by Margaret Maynard.220

But the new perspective in which this material dimension places early colonial life has not really been explored. Images of life in early Sydney commonly comprise ‘degradation and poverty’, convicts dressed in rags or rough, plain clothing, eating only government issue salt pork and occupying dirt-floored wattle and daub huts. Living, in other words, ugly lives without comfort or luxury, nor the desire for it; the material picture thus suggests debased people, abject prisoners of the ‘fatal shore’. We must recognise, instead, that the convicts were avid consumers, the ramification being that many identified culturally with the emergent consumerism of eighteenth century England and Ireland. Rocks people were interested in fashion, in things that pleased the eye, and in improving material circumstances; in these they defied the culture and expectations of the elite in whose scheme the lower orders ought to dress, eat and live modestly, frugally and plainly as befitted their ‘condition in life’.221 They were like the artisans of England who insisted on the ‘white bread and cheap ale alongside their rights as free British subjects’. To dismiss the material dimension as ‘tawdry’ and ‘uncultured’ or merely ‘opportunism’ is to miss the point. It is strong evidence that the convicts, first, did not spring from the ‘vile rabble’, the poorest of the English ranks; and


221 See for example, the clothing and food prescribed for the boys at the Orphan School in 1819: ‘The clothing and dress of the children is to be suitable to their condition in life, economical and plain’, and ‘The Diet...shall be plentiful, but only plain wholesome food and no waste therein’; see ‘Rules and Regulations established for the Management of the Male Orphan Institution...from its establishment at Sydney 1 Jun 1819’, CSC R6040 4/400.
second that they had access in the colony to disposable income for consumer goods, hence could be agents in the new modes of self-identification through material possessions.

How were the businesses which thrived on consumer interest run? What was the nature of everyday transactions over goods and services? Let us look at some more life-profiles. Sarah Bird who arrived in 1796 on the Indispensable, must have received one of the earliest licences ‘to retail liquors for the accommodation of the working people’. Her house, the ‘Three Jolly Settlers’ was probably on the Rocks, near the gaol. The licensing system itself was an acknowledgment of the lively traffic in spirits, for by 1796 ‘every little hut’ was ‘a settling house for retailing spirits’. Licences were an attempt to legalize and control this trade. Sarah Bird had been a domestic servant and was transported for stealing from her employer. In about 1798, only two years after her arrival she wrote a letter to her father which is now quite famous, yet it has not really been examined for what it tells us about the woman herself. She wrote that she had done ‘a little trade in the passage here’ selling sugar, tea, tobacco, thread, sniff, needles ‘and everything that I could get anything by’. Once arrived she also sold ‘the worst of my clothes’ observing that ‘wearing apparel brings a good price’, especially black silk. These ‘worst’ clothes included petticoats and a long black silk cloak. Thus Sarah kept the best of her clothes to wear herself, and presumably well-dressed and capable, used her accumulated capital to buy a house. She was granted the licence, and filled the large garden with turkeys, pigeons, pigs ducks, geese, a goat and a yard dog. ‘I have met with a tolerable good success in the public line’ she said, observing that ‘Any person coming from England with a few hundred pounds...are liable to make a fortune’.222

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222 Sarah Bird, Letter to her father, c1798, first published in The True Briton, 10 November 1798, then in HRNSW, Vol 3 509-10; then in Helen Heney (ed.), Dear Fanny: Women’s letters to and from New South Wales 1788-1857, Canberra, Australian National University Press, 1985, pp16-17. Aspects of Sarah Bird’s life are discussed in Robinson, Women of Botany Bay, p211; Perrott, A Tolerable Good Success, p56; and Aveling, ‘Bending the Bars’, p150.
The letter itself is a constant stream in which the significant aspects of Sarah’s experience run together. The exact prices and weights and profits are meticulous listed, the number of livestock, the types of goods provided. This is typical of many letters home, for these matters were of the greatest interest to early convict dealers, but notice that Sarah ran them unbroken into other aspects of her experience. ‘On our passage we buried only women and two children’ she recalled, then told of the healthful climate and fertile ground, continuing on to some reflections about having to ‘pay the forfeit, according to the laws of my country’. Then came a promise to return ‘and be a comfort’ to her father in old age, an assurance that she lived by herself, and not with a man, ‘as the rest of the women did on the passage’. She concluded the letter as an ‘ever dutiful, loving and affectionate daughter until death’. Death, punishment, acceptance, hope, prospects, commodities and prices, duty and affection were not compartmentalised in Sarah Bird’s mind. They form the totality of her experience, and nothing in this letter conveys any sense of the abject, degraded prisoner.

She did not continue to live alone, for she bore two daughters, Sarah in 1801 and Ann in 1803. Her life was not entirely peaceful and prosperous. After Ann’s birth she had evidently decided to separate from her partner, John Morris, a man of ‘desperate character and conduct’. In March 1804 he escaped from gaol and tried to kill her, slashing her throat from ear to ear and crippling her by cutting her arm so deeply it ‘cut the sinews through’. But remarkably, she survived this attack, and in 1813 was living at Parramatta with one of her daughters; she had a beer licence granted in 1815. By 1822 she had returned to the Rocks, and was living with Sarah junior, in Surry Lane. Ann, the younger daughter, was already married to Robert Howe, and living at the Gazette office in George Street. Two years later her sister Sarah caused so much anguish to Robert when she fell pregnant to his younger brother and apprentice George Terry Howe.
The senior Sarah Bird, like other ageing businesswomen, her shipmate Judith Simpson, and
Mary Reibey, told the constable in 1822 that she had come free on the Sydney Cove in 1807.
Denying their original convict status obviously mattered to these women, now comfortably
settled, perhaps more than it mattered to their male counterparts. By 1828 she was living
with her daughter Sarah, her husband George Terry Howe and three grandchildren in
Cambridge Street, and working as a sempstress. She probably did not know her age, but
thought herself old, saying she was 70, though her age was probably closer to 58.223

She had grown old with other women, often single and widowed, who had earned their living
through businesses of various kinds, pubs, bakeries, shops selling everything imaginable,
laundries of various sizes. Elizabeth Mountford’s Duke of Gloucester hotel stood in
Cambridge (now Gloucester) Street; Elizabeth Mack ran a shop selling tea, sugar, rum, soap,
tobacco, as well as shawls and calico at her house behind the hospital in what later became
Harrington Street. Elizabeth Rafferty was among the earliest Irishwomen to arrive.
Convicted in 1795 in Dublin, she arrived on the Britannia in 1797. She must have brought
capital with her, or, like Sarah Bird, dealt on the ship, for by 1803 she was selling ‘a range
of houses near Mr Jamison’s’, Church Hill. These she leased to tenants, and she bought a
‘good stone house’ with views over the harbour to South Head, and up the Parramatta River
from the murderer John Kenny. She also purchased farms at Parramatta and Windsor, while
she herself lived on the Rocks as a dealer until about 1806. Her house and furniture were put
up for sale in that year, and here the comforts and luxuries of those successful in dealing was
evident. Her home was furnished with couches, mirrors, lamps, a bath stove for heating

223 Hening, ibid, p16; SG 11 March 1804; beer licence 1815 CSC R6038 SZ759 p64;
District Constables’ Notebooks; Census 1828. The only free arrivals on the Sydney Cove in 1807 were Mr and Mrs Underwood; see J. S. Cumpton, ‘Shipping Arrivals
and Departures, Sydney 1788-1825’, bound typescript held by AONSW, p61. Re
Judith Simpson, see Section 3 Note 16.
water, and she also owned a ‘handsome gig and a chaise’. By about 1807 or 1808 she had
either moved out to her farm, or left the colony.

Another Irish Rocks dealer whom Rafferty probably knew was Elizabeth Mulhall. She had
the distinction of being the only woman transported for involvement in the 1798 uprising, and
was described by English authorities as ‘an infamous character...a plotter of most of the
murders of informers who were sacrificed in the County of Kilkenny’. Portia Robinson
propels Elizabeth Mulhall into the mould of the convict-woman-made-good. Instead of going
to the gallows, Mulhall arrived at Sydney Cove on the Atlas in 1802 where she allegedly
became the wife of a wealthy ex-convict trader and dealer who, shortly after their
marriage, became insane, leaving his wealth in the hands of his wife. She later
married a another ex-convict, a landowner who was found drowned in his well within
a few years of the marriage. That ‘infamous plotter’ Elizabeth Mulhall, again
inherited a husband’s wealth and lived comfortably in the colony until her death from
natural causes in her late seventies.225

Patrick O’Farrell condenses this tale in his account of the early Irish arrivals: ‘Some
emancipated convicts had utterly reformed: there were remarkable transformations like that
of Elizabeth Mulhall, 25-year old Kilkenny murderess, who became the wife of a successful
ex-convict trader, eventually managing his business’.226

224 SG 10 July 1803, 16 June 1805, 27 April, 10 August 1806, 15 March, 27 June 1807.
The 1806 Muster lists Rafferty with a farm 50 to 100 acres. Her neighbours included
William and James Jenkins, William Blake and John Redman, all of the Rocks or
nearby; ML PRO 72 p9.

225 Robinson, Women of Botany Bay, p89; an article ‘Convict Colleens’ in SMH 17
March 1984 p33-4 repeats the same story.

Neither historian has given sources for this story, and the ‘real’ Elizabeth Mulhall refuses to stay in the role in which they have placed her. The ‘wealthy ex-convict trader’ mentioned as her first husband was Patrick Shannon, a Rocks dealer and ship-owner who, like most others of his sort, had a small farm (thirty acres at Mulgrave Place granted in 1798); he also had a position as a government overseer. Typically, too, he occasionally fell foul of the law. In 1803 he was admonished for hiring out his convict servant, and in 1805 he went before the magistrate on a charge of ‘maltreatment of several persons’ - this may be an early sign of his violent and unstable personality. He was bound over to keep the peace for twelve months and dismissed from his position as overseer. Thereafter, he seems to have borrowed heavily, using his ship and houses as surety, but he lost it all in 1808. The Provost Marshall advertised his schooner _Speedwell_ ‘with rigging complete and other effects’, for auction by virtue of assignment. Also advertised were two houses on the Rocks, their ‘gardens cropped’ and all the contents, the furniture, glass, crockery and even the kitchenware, all the material wealth they had built up, every sign of success.

The same day that his property was advertised, Patrick Shannon was arrested and charged with stealing a roll of thread from Captain Dundas’ sale room at Isaac Nichols’ house. He was already ‘on a heavy bail’ for making violent and unprovoked attacks on people earlier in the month. His friends came to court that day to testify that he was not a thief so much as a lunatic, ‘he having laboured under a mental derangement for some time previous’. They had watched him go mad. Robert Campbell junior said that Patrick had ‘committed many acts of extravagancy’ at Campbell’s warehouse. The tailor John Mollet who lived behind the hospital said that he showed ‘symptoms of undoubted lunacy, and that his conversation was perfectly incoherent’. All agreed that his madness ‘was likely to have proceeded from a depression in his circumstances that had recently taken place’. At the same time, they suggested to the court that allowing him to go free might be dangerous, and asked that he be
confined. Patrick Shannon was acquitted but sent to the asylum, with the strict injunction ‘that every attention should be paid to the proper treatment of the unfortunate man’. 227

What was life on the Rocks like for Elizabeth Mulhall, married to a violent, disturbed man who had risked and lost all their possessions? She was left with two young children, Jane, born shortly after she married Patrick, and Ann, born in 1808. She appears to have either hung onto one of the houses, or somehow acquired another, for she continued to live on the Rocks with her children, and ran a small shop in Cambridge Street, she said, ‘for selling little trifling things’, calico shirts and the like. The small farm produced wheat sent to the Hawkesbury store in 1809. She appealed for a mitigation of sentence in 1810 citing her ‘persevering application to honest industry to support a weak and helpless family’ and her ‘anxiety and sorrowful sensations [over] her husband who is deprived of his mental faculties better than two years’. As in many of these memorials, misfortune and suffering were harnessed to advantage the petitioner.

By 1812 Patrick was dead and in February, Elizabeth married Henry Henry, a labourer, with local steeple-keeper Richard Wade of Prince Street as a witness. Throughout the 1810s, she nevertheless managed her own affairs, gradually becoming more secure. She let the house in Cambridge Street in 1815 and bought land in Cumberland Street above, still calling herself Elizabeth Shannon. Was Henry Henry the second wealthy husband? This seems unlikely. He is an obscure figure: he was issued a spirits licence in 1817, perhaps as a result of his marriage to Elizabeth, but in 1820 was brought before a magistrate for attacking his wife. He broke his promise not to go near the house again, abused a constable and went to gaol for three months, after which he had to find sureties to keep the peace, ‘being a notorious vagrant’. It thus appears that Elizabeth had thrown him out of her home, and in any case had

227 Ryan, Land Grants 1788-1809, p113; SG 7 August 1803, 12 February 1804, 21 July 1805, 10 July 1808, 31 July 1808.
moved away from the Rocks by that time, since she was not on Bigge’s 1820 list of owner-occupiers there.

By 1823 she lived as ‘Elizabeth Mulhall’ in King Street with her two daughters, now 20 and 15, and an ex-convict William Sullivan, listed as his ‘wife’. They kept a boarding house with six convict and ex-convict lodgers. Details on William Sullivan are also sketchy. He seems to have been a constable at various times, but was twice dismissed, once in 1820 ‘for ill-conduct when in charge of women convicts sent to Parramatta’. By 1828 he was either dead, or had left the colony and Elizabeth was living in Goulburn Street at the ragged edge of the town, with her daughter Ann and son-in-law Lawrence Kennedy, a labouring man, and a grandchild named Mary. She and her daughter both worked as laundresses. It is difficult to know what happened to her property and financial security; but it seems unlikely that she died wealthy and comfortable, as Robinson claims. Her three marriages/partnerships seem to have been disastrous rather than materially successful.

Nevertheless, the ‘Kilkenny murderess’, like Sarah Bird and many others, did indeed make good on the Rocks for some time and through her own efforts. These women’s stories, and the comfortable, even luxurious life which some were able to achieve, do run utterly counter both to the traditional view of convict women, and to the general picture of the colony and its convicts as wholly impoverished. But their stories also illustrate that dealing, investment, and marriage were not simple, clear-cut, one-way paths to respectability, wealth, and happy

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228 SG 22 July 1815, 22 May 1819, 28 June, 16 August 1822; Mutch Index, ML; District Constables’ Notebooks; Census 1828; Elizabeth Mulhall, Petition for mitigation of sentence February 1810, CSC F3166 4/1847 p158. Cases involving Henry Henry discussed in Byrne, Criminal Law, p88, and concerning Elizabeth Mulhall/Shannon’s shop, p218. Re Henry Henry, SG 19 April 1817, 21 October 1820. He seems to have been a Rocks man with local, apparently nefarious, connections, for, with Richard Walker and Mary Redmond/McDonagh, he came before a Magistrate only a month after his marriage to Elizabeth on a charge of receiving stolen slops, see proceedings of the Court of Petty Sessions, 14 March 1812, COD 234 AONSW. Re William Sullivan, see SG 20 May 1820, 27 May 1826.
lives in the colony, but exceedingly risky ventures, with the constant potential for the downward slide.

Although the businesswomen of the Rocks went about their dealings and seem to have been treated in much the same way as their male counterparts, there were nevertheless many more male than female dealers, publicans and other shopkeepers in the neighbourhood. As Deborah Oxley and others have shown, the women convicts were not unskilled, but they lacked skills considered ‘useful’ by the male elite, and hence missed out on the indulgences. This meant that they had to rely more on capital they managed to bring with them, or on the capital they could accumulate with a husband, as in the well-known story of Mary Reibey. 229 Later marriages between native born or free by servitude women and more recently arrived convict tradesmen were made with a shrewd eye to setting up businesses combining husband’s skills and wife’s status and property. Sarah Gill of Cambridge Street followed this path rather more successfully than Elizabeth Mulhall. An ex-convict, she lived on her own property between about 1809 and 1820. In the latter year she married John Wells, a convict wheelwright and blacksmith who arrived in 1818; after they married he was assigned to her. They were keen to establish a business, moved down to George Street and by 1828 had a large wheelwright and blacksmith’s shop, employing five other wheelwrights and a blacksmith, mostly ex-convicts. 230

Almost all the long-term male inhabitants had followed common patterns of business or trade establishment and growth, although with varying degrees of success. The key to their advancement often lay in their skills. It was the man who had some useful trade who was

229 Oxley, ‘Packing her...bags”; ADB, entry for Mary Reibey.

230 Gill arrived on the Brittania in 1798; Wells arrived on the Morley in 1818. Sarah Gill appeared on Bigge’s ‘Return of...Persons...residing...upon property of their own’, 1820, listed as unmarried ML A2131 p91; re her marriage see CSC R6007 4/3502 p408; petition of John Wells to settle in Van Diemen’s Land, 26 February 1822, CSC F3229 4/1868 p39; Census, 1828.
able to claim the plots of land and build the houses and fences as signs of defacto ownership. A lease might then be granted, and a better house built on it. Some simply continued to work at their trades from these houses, or worked in the quarries, public buildings and dockyards nearby. Others, more ambitious and better financed, purchased goods from the ships or larger dealers, acquired licences and opened their houses to the public trade. Of the fifty licences granted by Macquarie in 1810, twenty went to Rocks people (see Table 21). One of them, the brewer and lithographer, Absalom West, immediately erected an ‘extensive dwelling house and Premises, with Malt house, Brewery, Outhouses, Kitchens etc’, on land at the northern end of Cambridge Street.231 By using their houses as security, such people were able to borrow more money to buy boats and ships, build more houses, and acquire land and stock.

Among the names on one of the earliest petitions by settlers to buy direct off ships were the names of watchmaker John Sparrow and the butcher Richard Cheers (or ‘little Dicky Cheers’). They wanted to buy rum and other spirits, sugar, butter, beef and pork, as well as glass, Irish linen and shoes, nominally for their private use, their farms and in their ‘useful vocations’, but they are likely to have become temporary dealers in these commodities themselves.232 These small entrepreneurs and steady tradesmen were regarded favourably by governors as useful and industrious and most also received grants of farms and licences. Some who were neighbours on the Rocks also held adjoining farms out on the Cumberland Plain.233 Their

231 SG 21 July 1810; 16 January, 6 February 1813. West’s hotel was named the Blue Lion.


233 For example, Elizabeth Rafferty, see note 29 above; neighbours George Cribb and Richard Byrne owned adjoining farms in the Campbelltown/Minto district; pers. com. Valerie Garner, family historian. Thomas and Mary Saunders and Patrick and Margaret Downey were Rocks people who were feuding neighbours at Prospect; papers from trial of Thomas Saunders junior, 17 November 1822, CCJ R1976 p170. Samuel Thorley bought Elizabeth Giles’ farm on the Hawkesbury, and later the neighbouring farm of the gaoler Daniel Mackay, who in turn had bought it from his Sydney neighbour Edward Wills; see Thorley, Samuel Thorley, p71.
ownership of property, both in the town and the country, was an unmistakable badge of worth, no matter what their habits, education, or moral behaviour, and it was the pursuit and defence of property that frequently brought them to court, fuelled disagreement between neighbours, filled the newspaper with warning advertisements, and shaped parts of the Rocks into a mosaic of leases stoutly defended by pointed paling fences.

TABLE 21. LIST OF BEER LICENCES GRANTED TO ROCKS PEOPLE, 21 JULY 1810

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS GIVEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edward Redmond *</td>
<td>Rocks</td>
</tr>
<tr>
<td>Thomas Boulton *</td>
<td>Church Row, Rocks</td>
</tr>
<tr>
<td>Elizabeth Mack *</td>
<td>Back of the Hospital</td>
</tr>
<tr>
<td>David Lloyd</td>
<td>Back of the Hospital 1</td>
</tr>
<tr>
<td>Catherine Johnston</td>
<td>Bell’s Row Rocks</td>
</tr>
<tr>
<td>James Vandercom</td>
<td>Windmill Row, Rocks</td>
</tr>
<tr>
<td>George Phillips *</td>
<td>Church Row, Rocks</td>
</tr>
<tr>
<td>James Grady</td>
<td>Church Row, Rocks</td>
</tr>
<tr>
<td>William Wakeman *</td>
<td>Rocks</td>
</tr>
<tr>
<td>Edward Quinn *</td>
<td>Rocks</td>
</tr>
<tr>
<td>Absalom West</td>
<td>Dawe’s Point</td>
</tr>
<tr>
<td>William Wale *</td>
<td>Church Row</td>
</tr>
<tr>
<td>James O’Niel</td>
<td>Rocks</td>
</tr>
<tr>
<td>William Davis *</td>
<td>near the Market Place</td>
</tr>
<tr>
<td>Elizabeth Giles *</td>
<td>Rocks</td>
</tr>
<tr>
<td>Thomas Allwright *</td>
<td>Church Row</td>
</tr>
<tr>
<td>Sarah Wood</td>
<td>Rocks</td>
</tr>
<tr>
<td>Joseph Salter *</td>
<td>Hospital Wharf</td>
</tr>
<tr>
<td>Andrew Frazier *</td>
<td>Rocks 1</td>
</tr>
<tr>
<td>Phoebe Waldron *</td>
<td>Windmill Row</td>
</tr>
<tr>
<td>Bryan Eagan *</td>
<td>Rocks 2</td>
</tr>
</tbody>
</table>

* Indicates a long-term Rocks resident.
1 Lloyd’s and Frazier’s houses were in Cambridge Street in 1810.
2 The Eagan/Bryant household was in Gloucester Street

Source: Sydney Gazette, 21 July 1810.

Although their life patterns were common, the fortunes of Rocks dealers and publicans were mixed. Andrew Frazier, in terms of business at least, was one of the most prudent and successful. He was Scot from the east coast town of Montrose, halfway between Aberdeen and Dundee, a town, like Sydney, on a harbour’s edge. He started as a convict baker at Farm
Cove probably soon after his arrival on the Glatton in 1803; by 1808 he was leasing John Palmer’s house, windmill, and bakehouse there for a year at a cost of six hundred pounds. By 1809 Frazier had bought a good house on the Rocks in what became Cambridge Street at the corner of the main path ascending to the west, later Surry Lane/Essex Lane. The house had belonged to the well-off emancipist watchmaker John Sparrow, and had two ‘tenements’ which could be let separately, and ‘excellent’ bakehouse, stock enclosures, a ‘capital cultivated garden’ and two wells. He continued to bake and sell bread as well as dealing in foodstuffs (‘good salt butter, best green Hyson, black and Pekoe tea, sugar’) gunpowder, calico and other bits and pieces. He was among the rush of occupiers that were officially granted leases on the Rocks by Foveaux in December 1809, and it, like all the others, was ratified. A licence to sell beer, ale and porter was granted in 1810 and held thereafter until his death, and he named his house the Governor King, in a gesture of deference to his pardoner and patron. His hotel became one of the permanent Rocks landmarks by which people found their way about and explained locations to one another: ‘opposite Andrew Frazier’s’ they said, or ‘near Mr Frazier’s house’. The lane opposite became known as ‘Frazier’s Lane’.

Frazier also made money from supplying ships with biscuits, government horses with bran, and the Male Orphan School with bread. Like his counterparts, he was occasionally in court, either trying to claim money from others or defend himself against claims on him. By 1822 he presided over a household of ten servants, comprising eight assigned convicts and two ex-convicts, as well as three lodgers, Mary Greene and her son James, and free man William Wilson, who was most likely his clerk. He also owned 150 acres of land, 100 granted and 50 purchased and in 1824 he petitioned for more on the grounds that he ‘by dint of labour, honesty and sobriety has accumulated a large capital as well in money as property’. He had also decided by then ‘to remain and end his days in this colony’ and said he wanted to invest
in agriculture. Brisbane granted him 600 acres. He acquired a stone mill on the South Head Road in 1826 and was a founding shareholder of the Bank of New South Wales.

By the 1820s he was regarded as a highly respectable free man. When he died in 1827, the *Gazette* described him as ‘an old and industrious inhabitant’ and as ‘this wealthy baker who from the humblest circumstances in life, had by industry, honesty and continued sobriety for years risen to independence’. The auction of his buildings (he owned fourteen houses, cottages and tenements on the Rocks), land and bank shares alone raised over three thousand pounds.\(^{234}\) It is important, though, to consider these triumphs in the light of Frazier’s rather less successful private life, and his despairing death.

Michael Hayes, the Irish dealer, had a more stable marriage and family life, but as a debtor and a failed dealer, he was dealt with less generously after his death than Frazier. O’Farrell portrays him as another Irish success story, typical of the Irish rebels, the ‘heroes who took the quiet path’ to conformism in the colony, determined to ‘make amends’ for the distress they had caused their families in Ireland.\(^{235}\) As in the case of Mulhall and Frazier, the totality of his experience - his Irishness, his views on women, and on his own children, and the circumstances of his death - qualifies and deepens the tale.

Hayes was the son of a small property dealer in Wexford and was transported for life for his part in the 1798 rebellion, arriving in Sydney on the *Friendship* in 1800. His first letters home at that early stage conveying considerable optimism. Although he, like the elite, thought the colony crude and morally depraved, he nevertheless saw its potential. He wrote

\(^{234}\) SG 13 April 1806, 2 July 1809, 21 July 1810, 4 January, 25 April 1827; *Australian*, 3 May 1822, 30 May 1827; town allotment lease 1809 CSC F3268 9/2731 p232; petition, 25 July 1824, F3088 4/1837A No 358 p395; for his commercial activities and court cases, see CSC Index, and ML manuscript catalogues; District Constable’s Notebooks.

to his sister Mary in 1802, ‘However, fortune seems to favour me some little now, and should my situation mend and so remain in this colony I will not be deficient in thinking of you and some of the children’. Did Mary wonder at the strangeness of it? Here was her brother, a life-sentenced convict, a self-confessed disgrace to the family, transported to the ends of the earth only two years before, magnanimously promising her financial help. He requested that they send him ‘Small Firkins of the best Salt Butter’, a ‘great dainty’ in the colony, of which he was intending to make ‘a present to the Governor’.

Things did go well for Hayes in that first decade. He began several trading ventures, became a dealer, selling goods from a house in the ‘avenue leading on the Rocks’ before 1805, and acted as an agent for the merchants George Bass and Charles Bishop. He seemed to consider his arrest, conviction and transportation to Norfolk Island for illegal distilling at another house on Farm Cove in 1805 merely as an inconvenient interruption to his business dealings. He appealed for permission to remain in Sydney ‘until I can extricate myself from the difficulty attached to me at present’ that is, to sell his stock and collect his debts. After carrying on similar trading activities with the settlers on Norfolk Island, he returned to Sydney in 1808, was pardoned, established a shop and a boot factory in Pitt Street and was granted a licence in 1810. It was probably at this time that he moved his growing family to a more central position in George Street, near the Hospital Wharf, the house that Mary Reibey would later occupy.236

In spite of his flying start, Michael Hayes, like so many of the early successful dealers, began to lose money in the fragile and difficult economic circumstances of the 1810s. His speculation failed to pay off, the *George Bass* was lost in 1812, and his hotel licence seems

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236 Hayes, Letter to his sister Mary 2 November 1802, ML A3586; ADB, entry for Michael Hayes; re his conviction for distilling, see King Papers Vol 8 pp316-7, 305-6 ML A19801. SG 28 August 1803, 5 July 1804, 29 September, 13 October 1805, 23 March 1806, 29 October, 5 November 1809, 20 and 27 July 1811.
to have lapsed. He continued to write to his brothers with elaborate schemes for importing various items, and begged them to come out to join him, although they never did. In 1816 he wrote baldly of ‘My little affairs in the Colony, my circumstances is very much reduced partly instigated by bad debts, and some speculation in Purchasing Wares etc’. The family moved up to the Rocks, where Michael had begun, to the less desirable Harrington Street near the gaol, where he was finally imprisoned for debt in 1823.\textsuperscript{237}

Hayes’ rise to success encapsulates the ways and means of doing business in commercialized, yet pre-industrial, Sydney. His career was based on individual dealings and activities, often on a personal level with associates and customers. He called on family members in Ireland for supplies and support. He operated from his home, or in ‘warehouses’ closely adjoining. The small multi-faceted, overlapping operations were often completely integrated with domestic and family life. And he was deeply involved in, and dependent on, signs of deference and rank: a gift of butter for the governor; the paternalistic granting of liberty, licences, and land upon those deemed loyal and useful.

Such habits and stances, typical of the early Sydney traders, paralleled old ways of pre-industrial England and Ireland, harnessed to new ventures in commerce and consumption carried on so energetically in Sydney. Many dealers and others managed to establish themselves through personal patronage networks, from George Williams who borrowed from Broughton and Campbell to set up his business, to the mariner William Sibley, who borrowed money to buy a boat from the landowning grazier Gregory Blaxland.\textsuperscript{238}

\textsuperscript{237} ADB: Hayes, Letter to his brother Richard, 23 December 1816, ML A3586; District Constables’ Notebooks; Elizabeth Hayes, Memorial, 1823, CSC F3065 4/1834B No 130B pp801-4.

\textsuperscript{238} George Williams to Campbell 24 June 1815, CSC R6045 4/1733 p149; Re Sibley see ‘Statement of capital advanced by John Blaxland’ CSC R6043 4/1727 p198.
In the very early years transactions were evidently mainly personal, involving verbal agreements, with the result was that the courts were soon clogged with endless unprovable cases of debt and fraud. King, trying to regulate the rapidly growing commercial sector, ordered such agreements to be made in writing, and to be witnessed by a non-convict.\textsuperscript{239}\ The extent to which this immediately affected the old-style ways of doing business is unclear. Shopkeepers with concerns of any size probably kept at least rudimentary records of their daily transactions. When Mary Ross was tried for fraud in 1809 the 'shopkeepers came forward with their books to prove respectively the amount of which they had been defrauded'.\textsuperscript{240}

But very few such account books survive overall, and none from the Rocks. One rare extant example, misnamed 'Day book of an Unknown Sydney Shopkeeper' actually originates from Norfolk Island, and dates from 1805-06. It nevertheless provides some insight into the world of the small dealers and their customers. On Monday January 3 1805 this shopkeeper had thirty customers, twenty of whom bought alcohol. They were listed familiarly by name, the women as 'Mrs' or as a someone's 'woman', others called on a customer's behalf - 'Mrs Jones pr William'. They bought small items piecemeal - thread, a few yards of ribbon, a pound of pork. Rum and gin was sold by the glass or pint, sometimes downed in the shop, shared by friends from a single glass, and sometimes taken away. They paid in bills and copper coins and frequently settled one another's accounts, presumably to pay off debts. Sometimes they simply borrowed: '18 July 1805 William Hambley borrowed 50 nails'. The debits and credits, the buying and selling, the proxy payments were not separated into different columns, according to the logic of external order, but listed one after the other, reflecting the order of every day. Neither were the other events of the day excluded. 'Bought Hyson tea from D’Wentworth' scribbled the storekeeper, then 'Hambly and Duncombe at

\textsuperscript{239} HRA, Government and General Order, 13 November 1800, Vol 3 34.

\textsuperscript{240} SG 28 May 1809.
work'; a few days later 'Died William alias Jery Thompson', and, another event of note: '26 September 1806 - Arrived the Estramina', a ship from Sydney.\textsuperscript{241}

It is likely that Rocks shopkeepers kept similar books, rough, fairly loose records which combined accounts with a sort of daily journal. It was not yet the norm to separate business from the rest of life.\textsuperscript{242} The Rocks' local shopping was also carried out in a similar fashion, small trips made on foot, one or two small purchases, perhaps used or consumed immediately. Sarah Quin and her visiting friend Mary Turley spent a morning together drinking rum, sending out repeatedly for more when they ran out. Eventually Sarah went down to 'little Dicky Cheers' for a six pound leg of lamb for their dinner.\textsuperscript{243} Shoppers and drinkers paid no particular heed to set opening and closing hours, demanding food and drink at practically any time of the day or night. This relaxed attitude drove governors and the public storekeepers to distraction, as people appeared at the store whenever they pleased wanting service. 'For the fourth time' barked a General Order of 1801 'the inhabitants are informed that no application for any article...from the public stores will be received on any other days but Mondays'.\textsuperscript{244}

The account book of the merchant William Hobart Mansell dating from 1809 to 1812 is an example of a substantial concern with more orderly bookkeeping practices. Here, each customer's transactions were recorded in a clerk's neat hand, on a single page. Among them were many Rocks dealers and publicans, including Andrew Frazier, Thomas Allwright, John

\textsuperscript{241} 'Day Book of an unknown [Norfolk Island] Shopkeeper', B437.

\textsuperscript{242} Similarly, Blumin observes of pre-industrial American shopkeepers that 'While merchants kept neat and orderly books, artisans kept cruder books which almost invariably mixed business with personal transactions'; \textit{Emergence of the Middle Class}, p41.

\textsuperscript{243} Papers from trial of Mary Turley 29 March 1814, CCJ R2390 p288.

\textsuperscript{244} \textit{HRA}, Government and General Order, 1801, Vol 3 259.
Waldron, Samuel Thorley, William Jenkins, Charles Pickering, George Williams, Daniel Cubitt, Sophia Lett and Elizabeth Mack. Elliot, in her analysis of Mansell’s book, remarks that the last two ‘were big businesswomen by colonial standards’.245

Most came in regularly: Elizabeth Mack, who lived behind the hospital, appeared every five to seven days, buying large quantities of rum (23 gallons on one occasion), a chest of tea, ten quire of writing paper, basic Commodities like sugar, tea, soap, calico and tobacco, as well as some shawls. She paid in small bills or cash, while larger dealers like Andrew Frazier paid his account every week in promissory notes from other dealers or debtors (Joseph Underwood, and Thomas Hobby). In three months he bought £1,068 worth of goods, mostly foodstuffs, as well a chaise harness, suggesting that he was already wealthy enough to own a horse and vehicle. Some paid their debts in kind: Edward Wills bought large quantities of fabric, thread, shoes (four dozens pairs), hats and combs, tobacco and wine, for his wharf-side store, and paid not only in promissory notes but ‘by a wash hand bason and bottle’, as well as colonial currency, coppers and sterling. Mansell also sold in smaller quantities. Baker and boat owner Thomas Allwright seemed to buy goods for his family’s use - a box of candles, a ‘fine hat’ (costing two pounds ten), ten yards of print, a few pounds of tea, rum, brandy and porter and ‘two tumblers’ to serve it in or drink it from. Part of his payment was in blue cloth.

This orderly account book thus records the complex personal networks of buying and selling, the regular trips to the store, the fact that Mansell sold all manner of goods both in bulk and piecemeal, and the uneven, uncertain and complex nature of colonial specie. For dealers, the type of payment, and its value was by no means straightforward or fixed. Specie came from many different sources - colonial currency, sterling, dollars, copper coins, dumps, and the

245 William Hobart Mansell, Account Book, 1809-1812, ML MS A1410. This document is also analysed and discussed in Elliot, ‘Was there a convict dandy?’, pp376-378.
exchange rate could be variable and negotiable, and dependent on the context. Benjamin Herring allowed ‘4s in the £1 for customers paying in gold silver or government bills’. Each note of hand had to be regarded with suspicion, and publicans, who acted as money changers, would personally bring notes back to the buyer if they were uneasy about their validity. Edward Wills, tired of being defrauded by skilful forgers, began to issue his notes of hand on standard printed forms in 1806. Yet there is evidence of a strong urge to pay off debts among Rocks people. Even thieves and receivers would take their stolen loot, or the money that they had exchanged it for, straight to publicans or others whom they owed money.

Buying and selling, the movement of goods and money from hand to hand, was an integral part of everyday life. Everyone was a potential buyer or seller. In 1795 a man approached George Legg in the street asking whether he would buy black and yellow flowered satin, ribbon and waistcoat pieces. Later he came into Legg’s house, and Legg asked his wife Ann Armsden to measure the cloth. Asked where he got the goods, the man snapped ‘What does

246 SG 8 October 1809; this occurred despite official attempts to fix the values, for example HRA Government and General Order 19 November 1800, Vol 3 39. Benjamin Herring moved his shop from Pitt Street to the Rocks in November 1809; he sold goods such as foodstuffs and tobacco, ‘soap, leather, kangaroo skins, seal skins, and white leather for making insoles and lining’, SG 19 November 1809.

247 Papers from trial of Mary Turley, 29 March 1814, CCJ R2390 p288, AONSW. Catherine Davis (Styles) came back to Sarah Quin’s house with a note of hand she suspected as a fake.

248 SG 18 May 1806.

249 For example, Lawrence Lewis, who robbed his master Sergeant Laycock, went straight to Mary Mills’ house on the Rocks to pay her the money he owed her, SG 27 November 1808. William Gray, who robbed Edward Powell of a quantity of rum, told Rocks publican Francis Stanton ‘he owed Betty Cassidy [the publican Elizabeth Mountford] some money and would go and get the jar to get some spirits to pay her.’ On this occasion, though, Gray and his accomplice drank so much of the rum themselves during the day there was not enough left to pay his debt to Cassidy; Papers from trial of William Gray and Edward Gaines, 1814, CCJ R2390 p220.
it signify if you will purchase it?" But Legg, fingering the satin, seeing the bright colours, chose to ignore the man's surly reply, and agreed to buy. During the next three weeks he in turn tried to sell the goods around the Rocks. He was arrested, tried, and sentenced to transportation for seven years for receiving stolen goods.\textsuperscript{250}

The court records are biased because they give us only those instances where the goods were stolen. Yet they also show that people were accustomed to these little haggling deals and negotiations. They were so common that to tell stolen from legitimate goods was difficult. Twenty-two years later, the Rocks scene was very different, but the action was the same. A man walked into Andrew Frazier's hotel in Cambridge Street, opposite where the early Legg house had stood, and offered to sell him stockings, a striped cotton shirt and a pair of women's boots. We can see Frazier, in the early morning light, hemming and hawing, holding the hose up to his own legs to see if it would fit, wondering what use he might make of the boots. He reached behind his counter, and paid the man sixteen shillings in copper coins for the goods. Later he too was arrested for receiving stolen goods.\textsuperscript{251}

As Paula Jane Byrne observes, goods did not only represent wealth, they were wealth. Property was not distanced from their money value, they had direct worth, they could be used instead of money.\textsuperscript{252} People regarded their possessions as disposable wealth, which is one of the reasons their material goods tended to be small and transportable, and kept in chests. Hence women who wanted to drink and had no cash sold their clothes, jewellery, cookware or tableware. Sophia Walbourn took the sheets from her son's house to sell so that she could

\textsuperscript{250} Papers from the trial of George Legg, 9 April 1797, CCJ R2391 p315.

\textsuperscript{251} Papers from the trial of Andrew Frazier, 9 May 1817, CCJ COD 440 p145. He was acquitted.

\textsuperscript{252} Byrne, Criminal law, p86.
drink throughout the night before she threw herself off the rocks at Miller’s Point early one morning in November 1816.\textsuperscript{253}

Dealers were quick to buy space in the \textit{Gazette}, when it appeared, to advertise their goods. Advertising in England was already sophisticated, and included strategies we normally associate with our own century: the ‘specials’ or discounts, for example, and the association with ‘famous’ people, then royal or vice-royal patronage. Regular ‘puffs’ in newspapers built up publicity, and the notions of ‘quality’, ‘eliteness’ and ‘fashion’ were quite familiar.

Such elaborate tricks were not part of the repertoire of the middling shopkeepers of early Sydney, but nevertheless they regularly advertised their goods, using enticing or reassuring words such as ‘finest’, ‘best’ ‘English’ ‘good’ and ‘fashionable’ for the luxurious goods, and stressing cheapness or fairness in price for the more basic and useful commodities. Since the supply was tied to the arrival of ships, dealers often included the ship name as a provenance for their goods, thus associating their wares with the excitement of the vessels’ arrival. Significantly, they mostly listed their goods haphazardly, with combs and hams and silver cruets sets arranged as indiscriminately in print as they were in the stores.\textsuperscript{254} Even as late as 1825, Peter Cunningham observed that ‘Here, as in small English country towns, merchandise of every description can generally be bought at the self same shop’ the colony not warranting (or wanting?) specialized shops.\textsuperscript{255} There was little impulse to categorize, separate goods from one another, saleroom from living room, shops from houses.

\textsuperscript{253} Inquest on Sophia Walbourn, 3 November 1816, CSC R6021 4/1819 p693.

\textsuperscript{254} McKendrick, \textit{Birth of a Consumer Society}, p71ff; compare with the many dealers’ advertisements in \textit{SG} 1803-c1830.

\textsuperscript{255} Cunningham, \textit{Two Years}, p33.
What can be gleaned about the appearance and interiors of shops reinforces this. In the early years, people with goods to sell, whether it was glue or onion seed, or locks and bolts, invariably advertised that they could be bought ‘at the house of’ the vendor. As Kingston points out ‘The early shops...were usually really the front rooms of private houses, which was typical of small shops in eighteenth century England’.\(^{256}\) The robbery of William and Ann Chapman in 1806 illustrates the complete integration of domestic and retail space. One of their children, who slept in the front room of their High Street house, awoke to see ‘the door of the shop gradually open...a man’s arm introduced and the [cotton] print carried off’.\(^{257}\) The front room was both shop and bedroom, some stock at least was set right near the door. The focal point of the larger, more permanent shop or hotel was probably the counter where goods were placed, weighed, and money received, changed, counted out. Larger shops such as that of Edward and Sarah Wills had a till. Some, like publicans Samuel Thorley and Andrew Frazier, had storerooms and ‘warehouses’ on their properties, the stonemason Isaac Peyton used his yard space to sell stone and ironwork, while the merchants had impressive warehouses adjoining their residences.\(^{258}\)

These early shops, therefore were indistinguishable from houses: they had no large doors nor large plate or multipaned window to show off the wares and entice people. People who went shopping were entering other people’s houses, passing through their front gates, walking up their garden paths. The many 1800s advertisements for the sale of Rocks houses invariably stressed their suitability for trade and commerce. For those on the way up, such as Thomas

\(^{256}\) Kingston, Basket, Bag and Trolley, p10.

\(^{257}\) SG 22 June 1806.

\(^{258}\) SG 13 November 1803 (Thorley), 3 February 1825 (Frazier; his warehouse was in Gloucester [now Cambridge] Street, indicating that his leased extended from one street downhill to the next); 18 May 1806 (Wills; the wattle-and-daub walls of their shop were so slight, however, that thieves cut holes through them and stole the till); 5 July 1807 (Peyton).
and Mary Reibey and Michael and Elizabeth Hayes, the Rocks was a starting point. The Reibeys advertised their house on the Rocks in 1803, a weatherboard and shingled four-roomed house 54 feet (21.6 m) long, with a loft, oven and bakehouse with all utensils for baking, and a garden. They were building their new house on the opposite side of town near the dry store. It was all of stone twenty feet high, with attics, granaries and out-offices. The Gazette remarked on the uniform setback of the houses here, unlike the streets the Reibeys had left behind on the Rocks.259 Later, D.D. Mann, observing the elegant gabled and verandah’d shops of Isaac Nichols, Mary Reibey and Edward and Sarah Wills and others, clustered around the wharf and the new Commissariat building, wrote that Sydney’s shops were ‘particularly respectable and decorated with much taste’.260 But even these large and well-known businesses, were scarcely distinguishable from residences, apart from signage. They had the central arched and fanlit doorways, flanking windows and bellcast verandas of elegant townhouses, which was what they also were. Wills actually advertised a ‘neat shop bow window’, saying he had no use for it.261

Taste in shops and houses among the lower orders of the early Rocks reflects that same traditional preference for plainness, neatness and usefulness described by Blumin for the pre-industrial cities of America, rather than grandeur, ostentation and display.262 House/shops were described as ‘neat’ ‘commodious’ (and even ‘small but commodious’ which perhaps signified that the owner thought it suited its purpose perfectly). There was also great emphasis on the usefulness of the features: storerooms, detached or attached kitchens, were selling points, as were fruit trees, vegetable garden, fences, and wells. The advertisements scarcely refer to the appearance of a building or garden for its own sake. Buildings were

259 SG 17 July, 23 October 1803.

260 SG 17 July, 23 October 1803.

261 SG 1 December 1810.

262 See Blumin, Emergence of the Middle Class, p41.
plain and unembellished, designed, built and extended organically, for pragmatic purposes, not for display. The idea that gardens could be wholly ornamental showpieces was as yet entirely absent; their attractiveness lay in their usefulness.  

By the late 1810s and 1820s there were some purpose-built shops on the Rocks, such as the one erected by butcher and short-term publican George Cribb in about 1812, a tiny one-roomed structure wedged between his house and a new hotel he built in Cambridge Street, and backing directly onto the yard where he slaughtered his meat (see Fig. 60). The large window which the shop still had when it was demolished in 1907 may have been original, a sign of more modern attitudes to taste and retailing. William Hawkins’ 1825 stone house/shop at the corner of Argyle and Harrington Street (Fig. 51) also boasted one of these windows, so it is not unlikely. Such a window marked the building out visually as a shop, and allowed customers to view goods before they entered. Yet in the early 1830s, when Cribb and his family were long gone, a property developer was busy erecting a row of tiny conjoined cottages and a freestanding shop, ‘very handsome...with rooms and out-offices’, on the Cumberland Street frontage of Cribb’s former premises (see Fig 57). Significantly, this

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263 See for example SG 12 May 1810, sale of William O’Neal, formerly Samuel Thorley’s, Cambridge Street house/hotel of three rooms and a kitchen: ‘The apartments are spacious and well-laid out for the conveniency of trade, being in one of the first trading neighbourhoods in the colony; premises amply watered, allotment highly valuable to those who wish to cultivate, the command of prospect down the harbour truly gratifying’. See also SG 23 March 1806; Henry Simpson’s house, ‘a neat commodious weatherboard shingled and glazed dwelling house’ with ‘neat furniture’; 21 January 1810 William Kelly’s house ‘a commodious Leasehold dwelling house and well-acustomed Bakehouse substantially built of brick and stone’; 25 June 1809 George Guy’s ‘capital house of Trade on the Rocks eligible and most agreeably situated...the building weatherborded and stone-nogged throughout...with a capital well and every other necessary convenience’; there are numerous other examples.

264 Karskens, ‘Cumberland Street/Gloucester Street Site...Discourse’ p25; photograph p41.

265 William Hawkins, Petition and accompanying sketch, February 1825, CSC 4/1842A No 368 p397.
Fig. 57: J. B Henderson, ‘Cumberland Street looking South’ c1855. The streetscape includes, on the left, 1840s corner pubs, a row of ‘spec-built’ two roomed cottages and a shop, sold off in 1834. The right side shows the cropped-roof plain-faced houses of the 1810s and 1820s perched on rocky outcrops; compare to Fig. 40, where the rock has been cut back to form a wider, more regular roadway.

Fig. 58: George Roberts, 'On Church Hill' 1845, showing Ann Bushby's Dove and Olive Branch. The building probably dates from the 1820s; note the signage and large multi-paned windows, which distinguish the house as a hotel. A woman at the doorway, perhaps Ann Bushby, seems to be coaxing a sulky-looking man to come back inside.

Source: Mitchell Library PX 52 f5.

Fig. 59: George Roberts, 'The Punchbowl, Gloucester Street' 1845. This is one of the clearest depictions of what the Rocks looked like in the early period; in terms of scale, shape and detail, little seems to have changed since the 1810s and 1820s, and people move about in the same way. The Lett's Punchbowl was a long, low, whitewashed building with small windows and two doors. Andrew and Charlotte Coss ran it from the early 1820s, and Andrew continued well into the 1840s.

Source: Mitchell Library PX 52 f3.
shop looked just like a cottage, with front door, small windows on either side.\textsuperscript{266} Old habits were a long time passing. Although now purpose built, some shops still followed the older form, built to look like houses. They also assumed the integration of shopkeeping and family life, something that would continue on the Rocks well into the twentieth century.

Similarly, many hotels in the early years were not purpose built structures, but dwelling houses, usually of more substantial construction, marked out only by sign at the front (see for example, Fig. 58). Bigge remarked that both licensed and delicensed houses displayed such signs, making it still more difficult for drinkers to know the difference.\textsuperscript{267} Andrew and Charlotte Coss' Punchbowl hotel in Gloucester Street, which had been built by Stafford Lett and Sophia Blundell before 1813\textsuperscript{268} is shown in an 1850s drawing (Figure 59). It was a long, low plainfaced whitewashed rubblestone house with a shingled gabled roof. A central doorway opens directly onto the street space; another door at the south end, and the odd number of shuttered multipaned windows (five) suggest that an early addition was made to an original house. Simple square chimneys at the south end and to the rear of the house suggest the taproom and kitchen respectively. Like shops, hotels were marked out by signs, the licensee's name painted in black on the facade, the name of the house depicted in pictures and hung from a pole at the front. Hence Coss' Punchbowl had a bowl with two ladies. One writer has recounted that the Whitaker's Labour in Vain in Harrington Street had a 'crude' sign depicting a 'negro in a tub of water with a sailor trying to scrub him white'\textsuperscript{269} This wry, rather fatalistic humour would have appealed to early nineteenth century patrons. Like the voices of the street sellers, the fishmongers and bakers, the hotel signs are reminders of a

\textsuperscript{266} \textit{Australian} 17 January 1834.

\textsuperscript{267} Bigge, \textit{Report on the Judicial Establishments}, p68.

\textsuperscript{268} SQ Index, entries for Sophia and Stafford Lett, who held the licence from 1813, and Andrew and Charlotte Coss, who held it from the early 1820s to the 1840s.

partly literate population who perceived their world not so much through written words as through vision and symbols, and the sound of voices.

We have few detailed description of the interiors of the early Rocks hotels, although there are glimpses and suggestions. Obed West provided a remembered account of a country pub of the 1810s which rings true for early hotels generally. He said they were ‘very rough and ready’,

A typical one consisted of one large fairly large sized room with a skillion at each end and a window in each about large enough to put your head through. There was no glass, only shutters. The room had a big open fireplace on the side opposite the doorway, and two long tables across the room at each end...made of hardwood flooring boards...with hardwood forms for customers to set against the walls...the end of the table had a large knife chained to it, with a blade roughly forged... All the public houses in those times had these knives...They were for cutting tobacco. This was the tap room where the beer was served in tin quart pots. It was also the dining room and at night time the sleeping apartment...The grog was not kept in this room but in the landlord’s bedroom, and brought out from there as required...The culinary arrangements were of the roughest description: a large pot was put on the fire, hanging from a pendant, and the beef, cabbage and potatoes in their jackets on, were all boiled together...²⁷⁰

Most records suggest or confirm the long tables and forms described by West; incidents, for example, where women sat themselves close by men they intended to rob. There are some references to hotels having individual chairs. The hapless Christopher Grogan, having shared drinks with various friends at Christopher Flood’s York Street hotel, fell asleep in a chair, never to awaken.²⁷¹ In pubs like Welsh’s the space left by the furniture ranged around the

²⁷⁰ West, Memoirs, p7.

²⁷¹ Inquest on Christopher Grogan, 3 August 1820, CSC R6021 4/1819 p263.
walls was used for dancing, and patrons sleepy with fatigue and grog could then doze leaning against the wall.\textsuperscript{272}

The long tables were set with a variety of glassware, including tumblers and wine glasses. Alexander Harris recalled that pints of rum were commonly served in tumblers, but then poured into wine glasses and drunk neat. Other patrons called for rum mixed with hot water and sugar.\textsuperscript{273} Glasses, often shared, also including thick-based rummers and ‘firing glasses’ which made a loud report when slammed down on the table. The hand blown, rather delicate tumblers were relatively valuable: Winifred Redmond went to court over a man who walked out her hotel with one of her tumblers. Bottles, of which there were only two sorts, (black, and square case, or gin, bottles) were often reused and held a variety of liquids. They seem to have been used more to convey grog from shop or pub to house, where it may well have been drunk from teacups. Bulk spirits were stored by publicans in kegs and earthenware pans.\textsuperscript{274}

\textsuperscript{272} See inquest on Happy Filler, 28 December 1822, with papers from trial of Mary Redmond et al CCJ R1979 p93 AONSW; Happy Filler went to Welsh’s hotel ‘and joined some people that were there dancing’.

\textsuperscript{273} See description of the glasses on the table at Ellen Flaherty’s house, Australian 3 June 1826; Alexander Harris, Settlers and Convicts, p49; Inquest on Christopher Grogan, 3 August 1820, CSC R6021 4/1819 p263.

\textsuperscript{274} A. W. Johnson, ‘28-32 Harrington Street, The Rocks, Report on the Artefacts 1987-1990’ report prepared for the Sydney Cove Authority, 1991, Section 2.1.2; papers from trial of William Jackson, 7 December 1821, CCJ R1976 p170 AONSW; pers. com. Martin Carney, consultant archaeologist. Pre-1830 glassware, especially tumblers and decanters, were retrieved from the Cumberland/Gloucester Street dig, 1994. ‘Inquest on James Johnson’ 1799 R2232 p15 AONSW; these papers seem to consist of parts of two inquests mistakenly combined. In the second fragment, a man is asked into a house to drink ‘glass of grog’ which was ‘poured into a teacup’. Papers from trial of William Gray and Edward Gaines, 1814, CCJ R2390 p220, have reference to the kegs and pans.
Bread and cheese, or bread and cold meat were the foods most commonly ordered and served, usually as supper. In one court hearing, a man described a suspect who after midnight 'rushed by him into the house and asked for some bread and cheese' to which he retorted 'that it was no public house'. Large cooking pots such as described by West were found on the 1994 Cumberland Street excavation. Suspended over the fireplace, these would have provided more substantial stewed meals. The small-windowed rooms were probably dim even in daytime, and lit by candles, 'small black oil lamps', and firelight at night. The air would have been thick with smoke from the clay pipes commonly lit as soon as men and women entered, the houses of good custom warmed with the crush of bodies.

Patrons also sang together as a matter of course, and the songs might either cheer or enrage their companions. Singing was common whenever people came together: in an early murder case, a man acting guiltily was asked 'why he did not sing as well as the rest' as they sat drinking together. Alexander Harris gave an account of his visit to the old Sheer Hulk, originally Samuel Hulbert's hotel, but unlicensed by the later 1820s, and run as a sly grog shop by a man he named 'D--'. The story is heavily laden with stereotypical 'lowlife' figures and action, and told with the intention of sending shivers up the spine of his respectable reader. Harris, whoever he was, nevertheless vividly conveys something of the atmosphere of the old pubs, the singing, smoking, gambling and drinking:

The noise of the carousel we began to hear when we were within about a hundred yard of the Sheer Hulk...Full a score of voices were singing each its own song in its own tune and its own tune. Now there was a bellowing volley of men's voices, then sounds such as the voices of women can make only from the stimulus of intoxicating drink...

On entering

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275 SG 5 March 1829.

276 'Inquest on James Johnson', 1799, R2232 p15 AONSW.
we stood in an atmosphere of tobacco smoke within a large, low dilapidated half-lit room, with benches affixed to the walls all around except where there was a door or chimney; in front of these benches were long narrow greasy dark tables covered with glasses and pipes.²⁷⁷

He described the patrons as mostly convicts who had bribed constables and watchmen to be allowed out of barracks. They included ‘several of the noted Sydney gamblers’, men who ‘one day had a couple of hundred pounds and the next no dinner’. They were busily relieving hapless sailors of ‘the proceeds of a sealing voyage’ through a card game of ‘All Fours’. Harris then introduces the poor, sallow face, incessant cough and broken voice of the dying prostitute, who sits on the form beside him and tells him her sad story. Daybreak peering through the shutters ‘seemed the signal for the dissolution of the assemblage’ who then ‘staggered away to any doghole where they could find a temporary lurking place’. At other licensed hotels, though, publicans were serving their first customers, men and women arriving after the river journey from Parramatta, or stopping in for their morning gill of rum before work.

Soon after the period Harris was recalling new kinds of hotels were appearing on the Rocks. Further north along the street from where he sat taking in, or inventing, the convict ambience, a modern corner-hugging, purpose-built hotel was erected in 1830. The new St Patrick’s Inn reared up impressively, overlooking the roof of the old St Patrick’s below (Fig. 60, compare to Fig. 57). It was erected on the site of, and partly incorporating, George Cribb’s house, by an ex-convict publican couple, James and Sarah Byrne. The Byrnes bought the house from Cribb after Sophia died, and unlike their Rocks predecessors, put in a building application to the government surveyor. The new hotel stood directly along the corner alignment, two storeys of smooth rendered rubblework with a splayed hipped roof and magnificent corner set six panelled double doors.

²⁷⁷ Harris, Settlers and Convicts, pp47-51.
The new St Patrick's Inn was described lavishly in the 1840s as 'much frequented and well-known' with 'modern-sized airy rooms', as distinct from the pokey rooms and fuggy air of the older pubs. It boasted a 'conspicuous, spacious bar, with shelves fitted up' and a 'sitting parlour' with a 'handsome, ornamental mantel-piece'. This parlour may have been for female patrons, who perhaps expected or wanted to drink separately from men. There were bedrooms for the family upstairs, and another 'expressly fitted up for a quiet, respectable lodger'. The detached earlier kitchen had servants' rooms above, connected to the taproom and another kitchen by a stone-flagged path.

There was much in this advertisement that identified with modernizing Sydney. Although it incorporated part of the old c1810 Cribb house, the new St Patrick's, unlike its forerunner, was purpose-built, and immediately recognizable as an hotel. The emphasis was on the taste in decor, on respectability, quietness, comfort and gentility. Servants now lodged separately from the family, and each room had its own purpose. All of these ran counter to the habits of earlier years, when room functions and people were integrated, and lodgers were not usually respectable or quiet, and publicans gave little thought to comfort, decor or fresh air.

But in the final paragraphs, an important strand of continuity remained. 'In no part of Sydney' it declared 'is the view from this surpassed' and went on to describe a panorama of harbour landmarks. The building was thus considered a suitable 'residence for a merchant or extensive ship-owner', now assumed to be a man rather than a woman, since 'nothing could possibly be more desirable, for he could see everything going on or landing at the wharf, the new sheds, or cove, without stirring from his room.' The early connection between the Rocks and the water, both visual and economic, remained unbroken. A view over the water was still significant and sought after in the 1840s. It was still considered.

278 Karskens, 'Cumberland Street/Gloucester Street Site...Discourse', pp49-52; Australian 17 February 1844, see also 14 August 1847.
Fig. 60: ‘Corner of Gloucester Street & Cumberland Lane’ 1900. This impressive corner hotel was the new St Patrick’s Inn built by James and Sarah Byrne on the site of George Cribb’s earlier house. Cribb’s 1817 shop and hotel (the Turks Head, later the Bird in Hand) with their large shop windows adjoin to the left. These buildings survived until the post-Plague demolition in 1907.

Source: Government Printing Office Collection, AONSW.
desirable and appropriate for merchants and shipowners to reside close to their places of businesses, and for a man to keep an eye on what was happening in the place without 'stirring from his room'. That immediacy, and the resultant partial integration of people from different ranks (can we yet call them classes?) was not completely severed on the Rocks until after the 1870s.
The Meaning of Respectability

By the late 1810s and early 1820s, there were signs that successful Rocks emancipists, mostly dealers and publicans with property, were seeking, albeit sporadically, to mark themselves off as a distinct and superior group from the old lower orders. An auctioneer named Bodenham, trying to whip up interest in a commercial waterfront subdivision in 1829, put the emergence of the most successful in a nutshell. Potential buyers included

a numerous and Industrious Class of Individuals who get their living by dealing in Lime, Coals, Firewood, Cedar, Shingles and Scantling of all kinds, many of whom have risen to great wealth and respectability from such humble beginnings...279

For some, their business concerns, wealth and property had all expanded well beyond the old smallness and immediacy of the pre-modern mode. The wealthiest most likely never lumped coal, cut cedar, nor split shingles with their own hands any more.280 It is important to explore and redefine the meaning of their ‘respectability’, for the word in early nineteenth century Sydney lacked many of the connotations we now associate with it.

The emancipist presence had been expressed in 1819 in lengthy petitions concerning trade restrictions and conditions, and trial by jury. These were signed by over a thousand ‘men of Wealth, Rank or Intelligence’, and presented to the Prince Regent. Among the signatures on these petitions were those of the most successful and long-established of Rocks men.281 They

279 SG 20 October 1829.

280 Compare with Blumin, Emergence of the Middle Class, pp64, 141; Chapter 3.

281 See HRA, Memorial of the Mercantile and Other Inhabitants of This Colony, 19 November 1818, enclosure No 1 in Macquarie to Bathurst, 1 March 1819, Vol 10 pp21-22; the signatures include those of John Laurie, Andrew Frazier, William Davis, Edward Redmond, Patrick Cullen, George Cribb, William Ikin, James Larra, Isaac Nichols and Mary Reibey. The Humble Petition of the Gentlemen, Clergy, Settlers, Merchants, Land-holders and other free Inhabitants...in a general meeting duly assembled, To His Royal Highness the Prince Regent in Council, Enclosure in Macquarie to Bathurst 22 March 1819, Vol 10 p55-65; This petition also appears, with
appear together on the lists, as though the petition was carried from house to house to be signed.

It was very likely the same men signed another petition presented in 1821 praying for the continued rights of emancipists to their property. This common threat had brought the emancipists together to the best attended meeting the colony had seen. Their first resolution linked the patronage of Macquarie with their distinct social status, no longer to be ranked with common labourers or 'mere tradesmen', and even employed the modern terminology - 'middle class':

That by the humane and benevolent policy of his Excellency...the Emancipated Colonists of the Territory have been encouraged and protected, have created and acquired and are now possessed of the larger moiety of the property of the colony, and

are become the middle class of society therein. [my emphasis]

Their firm sense of self-worth, and of agency (suggested in the words 'created and acquired') was, once more, plainly based on their ownership of property. The use of the words 'middle class' by these propertied ex-convicts of the lower orders denotes a new sense of social distinction. But what exactly did they mean by it?

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282 HRA. The Humble Petition of the Emancipated Colonists of the Territory of New South Wales and its Dependencies to the King, Enclosure in Macquarie to Bathurst, 22 October 1821, Vol 10 549-556.

283 SG 27 January 1821.
Was their claim to a superior, respectable status substantiated in everyday life? Did these propertied Rocks people make other efforts to distinguish themselves from the lower orders of their neighbourhood? Their actual behaviour and manners reveal that theirs were not the distinctive codes of ‘genteel’ moral and cultural behaviour adopted and refashioned by the emergent middle class in England. Ideas of internalised self-control and self-improvement, fervent evangelical protestantism, the romantic view of nature, the separation of work and home and the shunning of alcohol all remained absent from the cultural outlooks of the long-settled, property-owning emancipists of the Rocks. They defined their respectability, not by such indicators of inner morality, but by outward signs: the settled, independent lifestyles, skills, material assets, and public gestures. It had been so from the earliest times: Collins reflected perceptively in 1791 that

The people with whom we had to deal were not in general actuated by that nice sense of feeling which draws its truest satisfaction from self-approbation; they looked for something more substantial, something more obvious to the external senses.284

There had been early signs of an emerging consciousness among successful emancipists. The former highwayman Edward Wills advertised for ‘a woman of undeniable character’ as a servant to a ‘Genteel Family’ in 1810. The fact that some years earlier he was fined for assault and for buying stolen silver, and that he and Sarah were careless enough to pass on forged notes as payment on several occasions were immaterial. Their money, goods, house, warehouse allowed them to consider and assert themselves as ‘genteel’.

By 1810 too, the Wills were helping to create more refined social events as the hospitable hosts of two balls during an inaugural race week, as well as ‘An Ordinary for the Subscribers and their friends each day of the races’ with ‘dinner on the table at five’. The balls were a great success, attended by the Governor and his wife, the higher civil and military officers,

284 Collins, Account, Vol 1 p144.
and ‘all the beauty and fashion of the colony’ who gathered in the Wills’ ballroom, which was suitably decorated with transparencies on a loyal theme. The full band of the 73rd Regiment playing country dances and melodious airs, every face evidently suffused ‘with a universal glow of satisfaction - the celebration of the first liberal amusement instituted in the colony’. The dinners were equally satisfying evenings, filled with ‘mirth and good humour’. The race subscribers drank loyal toasts and heard a song performed by one of the stewards, no doubt in a showy tenor, which celebrated the transposing of horseracing to New South Wales. The subscribers were ‘sons of the Turf’, Macquarie was ‘Our Patron - Our Chief - Our Protector’ and the song included the stanza ‘No Longer a waste/As in rude ages past/Shall our turf be forsaken by Beauty and Taste’. It must have seemed to them that the colony had arrived.285

The emancipists also began to commemorate events. If Edward Wills had lived longer he would surely have attended the dinner held in 1813 to commemorate the landing of Governor Macquarie only three years earlier. It was attended by ‘nearly 150 gentlemen of the first respectability’. Stewards at this gathering included wealthy emancipist merchants and dealers Samuel Terry, Simeon Lord, Henry Kable and James Larra. Isaac Nichols, the emancipist dealer, shipowner, landowner, and civil servant, gave an inaugural Anniversary dinner in 1817 celebrating the arrival of the First Fleet; or, rather, celebrating the progress the dinners had made since then. There were forty guests, including his opposite neighbour, the irreproachable Edward Redmond, and probably other less virtuous but just as successful Rocks emancipists. Once again there was a specially composed song, to the tune of ‘Rule Britannia’ which began ‘Rise! AUSTRALIA! with peace and plenty crowned’ and further claimed that ‘Here Peace shall flourish, none conspire/ With human blood thy soil to lave’

285 SG 19 June, 17 and 24 July, 14 August, 2 October 1803, 19 May, 13 and 20 October 1810.
(‘lave’ to rhyme with ‘brave’, of course).  Whatever the reality of their social and personal dealings, the emancipists clearly considered themselves a truly peaceable, confident and loyal group.

They also demonstrated wealth by subscribing to growing numbers of good causes. These were public gestures, since their names and the amount donated were published in the Gazette, those of highest rank, or those who were most generous, heading the lists. Although not a religious man himself, Andrew Frazier was among the subscribers to various benevolent and religious institutions - the Sydney Dispensary, the Bible Society, the Bethel Union, the Catholic chapel, the Scots church, the Waterloo Relief Fund. In 1813 he and other successful emancipists contributed to fund for a road to Botany Bay, a real road of earth and stones this time, not one created in the spatial imagination of lowly convicts. In 1826 he sent the considerable sum of five hundred pounds to his birthplace, Montrose in Scotland, for charitable purposes. He was also on the committee to erect a monument to Macquarie, another form of commemoration favoured by emancipists. The well-known and successful Rocks publicans Andrew and Charlotte Coss similarly subscribed to a fund for a memorial to Governor Richard Bourke in 1838. Coss was one of the few Rocks emancipists to live long enough to witness the establishment of the Sydney Corporation in 1842, after the end of transportation.

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286 See Lang, Home was Here, p127; SG 16 and 30 January, 27 February 1813, 1 February 1817.

287 SG 3 April 1813, 3 February 1816, 17 May 1817, May 12, 1 December 1821, 3 May, 11 October, 22 November, 20 December 1822, 5 February 1824, 10 May 1826. Other subscribers to the road to Botany Bay included wealthy publicans and dealers of George Street and the Rocks: Garnham Blaxcell, Isaac Nichols, William Gaudry, Mary Reibey, Sarah Wills/Howe, Richard Calcott, George Dowling, Robert Campbell and John Laurie; compare with Carter, Road to Botany Bay.

288 Australian 2 January 1838, see also 30 June 1835, 16 August 1836 (subscribed to Patriotic Fund) SG 11 October 1822 (Catholic Chapel) 13 January 1821 (Benevolent Society). ‘List of Citizens In Gipps Ward’, Australian 9 September 1842.
Their houses built, their children grown into adults, farms increasing and flourishing, their wealth stable, it must have been galling for emancipists to find themselves, in 1825, excluded from the lists of men deemed 'suitable' to sit on colonial juries, even for the quarter-sessions. The lists included instead the free arrivals like Thomas Boulton and Henry Hancey of Cumberland Street, along with the sons of ex-convicts like Daniel Eagan (son of Bryan and Mary), John Lynch (son of Thomas and Margaret), and William Henry Chapman, (the son of Ann Mash and William Chapman).289 The emancipists were still only considered fit to sit on lowly coronial juries, presiding over pathetic bodies laid out in the hotels. The eventually successful struggle for inclusion in the jury system may also be read as a cultural struggle for those with the means and aspirations for respectability as well as citizenship.290

But what is so striking in the behaviour and attitudes of the successful Rocks emancipists was how little their personal behaviour and attitudes were altered by their security and wealth, and their consciousness of distinct social status. Some of the most respected and wealthy were, after all, illiterate. Most had little time for formal religion. Many, as we have seen throughout this study, maintained the older ideas and customs on the whole spectrum of everyday life, work and business, drinking and socializing, morality, and in personal, social and family relationships. Their many petitions, scrawled in their own hand or written wordily on their behalf, invariably cited the standard and traditional virtues of industriousness, evidenced by material wealth, a settled and independent life, the possession of a family, sobriety, and peaceable and law abiding behaviour. But these attributes, the last in particular, cannot be equated with the later and modern middle class definitions. They must be seen in the rather more loose eighteenth-century understanding of these words. Hence 'sobriety' did not denote someone who avoided alcohol, but someone who did not allow it to debilitate

289 'List of Persons returned to serve as jurors at the General Quarter Sessions of the Peace for the District of Sydney', 1 November 1825, CSC R6062 4/1782 p110a.

290 See discussion in SG 18 November 1824, 18 January 1828; and in David Neal, The Rule of Law in a Penal Colony, Melbourne, Cambridge University Press, Chapter 7.
them. 'Industriousness' had less to do with conscientious, regular, disciplined, obedient workers than with the ability and willingness to make one's own living independently, in whatever fashion; and so on.

While it is true that Rocks people created a stable neighbourhood, one where businesses were carried on, children brought up, and people could live in relative peace, there is little evidence to show that the publicans and dealers strove to avoid violent outbursts and unseemly shows of temper for the sake of reputation and social standing. Property-owning, and even a highly respected character, were no guarantee against violent behaviour (albeit occasional), and no assurance of constant law-abiding honesty, let alone modern notions of gentility. Few of the publicans, for example, held characters which were beyond reproach. The avoidance of crime and violence entirely certainly marked a person out. Mary Lang was proudly able to state in her biography of her forebear, the Catholic publican Edward Redmond, that he was one of only ten percent who never came before a magistrate for any reason; an exceptional man indeed. Thomas Prior, the first fleet shoemaker who was granted a lease on Church Hill and remained there for the rest of his life, was another, as was the one-time publican of the Sheer Hulk, Samuel Hulbert.\(^{291}\)

Many other quite respected men and women, though, had occasional lapses (a violent outburst, an incident of receiving) while still others were clearly unworried by 'riot', illegality or 'immorality'. When Macquarie unleashed one of his periodic purges in 1820 (probably to impress Bigge more than anything), his memorandum forbade the magistrates to reissue licences to Thomas Whitaker, Mark Byfield, Samuel Hulbert, James and Alice Flynn, Patrick Callaghan, and William Welsh, on the grounds that their houses were 'either of bad Fame, or

\(^{291}\) Lang, Home Was Here, p12ff; Redmond was once reprimanded by a magistrate for being in possession of arrack 'not duly imported', see Court of Petty Sessions, 27 February 1813, COD 234 AONUS; re Prior see Petition, 26 February 1824 CSC R6061 p200; re Hulbert, see Petition for renewal of licence, 1819 Wentworth Family Papers, A764 p149.
injuriously situated as to the morals and sobriety of the Troops in Garrison and Convicts...’.
All were well-known, long-settled family people, probably fairly well-off, the sort who signed the petitions. All had their licences restored in subsequent years.

The reconstruction of Rocks lives reveals how blurred the lines were between the respectable and the illegal. To illustrate: George Cribb, for a time a wealthy property owner, was involved in rum smuggling, cattle stealing and other shady activities. John Hull was a licensed publican and property owner, but was fined for allowing card games and gambling, and was twice summoned for selling spirits without a licence in 1827. He leased one of his houses to a group of prostitutes, and himself assisted in the escape of a convict hiding there. On another occasion he hurled drunken abuse at a soldier. Mark Byfield, butcher and publican of the Shipwrights Arms was twice convicted of receiving and went to gaol in 1827. Elizabeth Porter and her partner Bernard Farrell were also steady long-time Rocks people, leaseholders who held a licence at one time; yet in one court case they were described flatly as ‘persons of evil name and fame and of dishonest conversation and common receivers of stolen goods’. Joseph Morley was well-known as a drunkard; he assaulted a constable in 1826. Publican and householder Richard Calcott was brought before the court of Petty Sessions for ‘assaulting and beating a corporal’ in 1812. The usually law-abiding citizen, Andrew Coss, was forced to make a humiliating public apology after he abused Mary Archbold (nee Pawley), calling her ‘a whore and a vagabond’, and threw a stone at her in the street. Similarly, the normally honest and mild-mannered Andrew Frazier was for some

292 Macquarie, ‘Memoranda: List of Names of Publicans at Sydney who are not to receive Spirits, wine or Beer Licences...’ 1820, Wentworth Family Papers, ML A764.

293 Re Cribb, see Section 3, note 41; re Hull, SG 11 August 1825, 26 April 1826, 2 July 1827; papers from trial of John Hull, 1824, CCJ R1981 p289 AONSW.

294 Re Byfield, see trial papers, 1823, CCJ R1980 p234, and 1827 SC T25 CP T135, AONSW, and SG 26 November, 3 December 1827; Re Farrell and Porter, see trial papers, February 1817, CCJ COD 439 p363 AONSW.

295 Re Morley, see entry in Flynn, Second Fleet. Re Calcott, see Court of Petty Sessions, 22 February 1812, COD 234 AONSW. Re Coss, see papers from trial, 4 January 1822, CCJ R1976 p311 AONSW; SG 8 March 1822.
reason incensed by the words of a convict named J. R. Jex and violently horsewhipped him out of his house in 1817. On another occasion Frazier was charged with buying stolen goods (the stockings, shirt and boots) and tried to bribe the clerk of the court. The clerk demanded one hundred pounds, hinting that otherwise 'it would be a fourteen year business'. Frazier was taken aback by this large sum, but said he would rather pay it than be brought before the Criminal Court and risk a guilty verdict, so he meekly wrote out promissory notes.  

Appearing before a magistrate or a court, for whatever reason, however, did not seem to involve shame or ostracism from the community. On the contrary, neighbours and friends with means always came to the assistance of one of their number as character witnesses, or as guarantors of bail or recognizance. When the convict baker Robert Woodley was arrested for selling spirits illegally, Rocks publicans and residents (including Richard Campbell and Andrew Coss) came forward for him, as others did for Ellen Flaherty. Elizabeth Porter and Bernard Farrell (who like Frazier bribed the court clerk on occasions) were vouched for by Patrick Cullen, William Welsh and Edward O'Hara. In any case the propriety of good reputation seem to have been more leniently treated by the law. Nothing more was heard on Frazier's receiving and bribery cases after the owner of the stolen good withdrew from prosecution convinced of Frazier's innocence, partly 'from the well-known respectability of his character'. A rape charge against William Davis was immediately dismissed because 'the goodness of his character as well as the infamy of the prosecutrix' meant that he was 'incapable of such a crime'. And if found guilty of minor crimes and misdemeanours, the

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296 Papers from trials of Andrew Frazier, 9 May and 27 October 1817, CCJ COD 440 pp145, 133 AONSW. The man, J. R. Jex, died at the Lunatic Asylum a year later, see Monthly Return on Patients in the Lunatic Asylum at Castle Hill, Wentworth Family Papers, ML A762.

297 Australian 24 January 1827; reference to Farrell's bribery of the Court Clerk, in papers from trial of Andrew Frazier, ibid.

298 Statement of Francis Lake, 24 April 1817, CCJ COD 440 p139 AONSW.
sentence upon property owners was now more likely to be a bloodless fine than corporeal punishment or a spell in gaol; the poor, though, still paid with their bodies.\textsuperscript{299}

Moreover, the individual’s involvement in some criminal activity at one time or another did not always preclude a ‘respectable’ lifestyle. Mary Bryant swindled the Government storekeeper in 1803, but somehow escaped punishment, and was granted a beer, ale and porter licence in 1810. In 1813 she was transported to Newcastle for receiving stolen goods. Her sentence was soon remitted and she returned to her house and family on the Rocks from Newcastle after serving only three months of a seven year spell. By 1819 she was among the independent property-owning householders of the Rocks, holding a beer licence in 1821.\textsuperscript{300} The stories of constable Arthur Martin and his wife Caroline Cochrane are similar. He was flogged for theft in 1808 after Caroline turned King’s evidence, but was granted the lease to the land he occupied on the Rocks in 1809. He was dismissed as the Gaol Gang overseer in 1815, and from the constabulary in 1822. In 1818 he sold Edward Ewin his house in Harrington Street, but then threw him off the property, claiming that he still held the lease to the ground. In 1825 Caroline was convicted and sent to the Female Factory for twelve months for keeping a disorderly house ‘open for the reception of loose characters at unseasonable hours, and with encouraging fiddling and dancing therein’. Yet the couple remained together, brought up five children, of whom the sons all became tradesmen, and by

\textsuperscript{299} Papers from trial of William Davis, 1809, CCJ R2652 p129 AONSW. See for example SG 25 August 1825: cases of a ‘respectable tradesman at Sydney’ who illegally bought coal issued to the garrison; and James Callaghan, known by police as ‘a common mendicant, and depraved character’, caught stealing a pig. The Bench was reluctant to charge the tradesman at all, and he was given a ‘mitigated penalty’ of a ten shilling fine, which was ‘immediately paid’; Callaghan was sentenced to gaol for two months.

\textsuperscript{300} SG 2 and 9 October 1803, 21 July 1810; papers from trial of James Pass, Mary Bryant et al, 15 March 1815, CCJ R2390 p318 AONSW; sentence remitted 13 December 1813, CSC R6003 p295; beer licence granted, see list in Wentworth Family Papers, ML A765 p64; Bigge, \textit{Report}, Appendix, ‘Return of...Persons...residing and settled upon property of their own within the First and Second Districts of the Town of Sydney’, c1820 ML A2131 p91.
1828 Arthur listed himself as ‘farmer’, still in Harrington Street with three of their sons, a daughter-in-law and a grandchild.301

Ironically, the most obvious sign that successful Rocks emancipists remained distinct from modern respectability, lay in the very standards and habits of material life by which they defined and asserted themselves. To people such as Commissioner Bigge, this was the most striking evidence of the great gulf between these people and the respectability and status of the British middle class. Bigge observed:

there are very few persons of the free classes who, however respectable in character, are not still suffering from the effect of early or later embarrassment. *Their habitations possess little of the comfort or convenience that distinguish the houses of the middle classes in England;* and it is chiefly amongst those who have been connected with the superintendence of the labour of convicts and the sale of spirits that the *traces of wealth* are yet to be distinguished.302

Although the Rocks emancipists dressed303 and ate very well, and were possessed of considerable wealth, their houses could in no way compare with the fashionable villas of England, and the way of life that these entailed. The solid, unembellished, rubble-stone Rocks houses were shaped and used in pre-industrial ways. Innocent of architectural

301 SG 19 June 1808; 25 August, 21 November 1825 discharged as Overseer of Gaol Gang, 1815, CSC R6038 SZ759 p47; refusing to allow Ewin on his property, R6047 4/1741 pp300-2; dismissed as constable 1822 R6056 4/1764 p66; he later became a bailiff acting for the Court of Requests; ‘Return of Persons’ c1820, ibid. p90; *Census*, 1828.


pretensions, and usually comprising one to four rooms and skillions, they lacked the drawing rooms and servants' quarters and even hallways which signalled the emerging genteel concerns for privacy and the segmentation of spaces and functions. Although they possessed a great range of useful, comfortable and beautiful things, these could not compare with the sheer extent, complexity and luxury of the array of 'comforts and conveniences', with which the English middle class was surrounding itself. The absence of the 'correct' material culture (forks, for example, or matched sets of plates) was of course a metaphor for the lack of appropriately refined manners, mentalité, and moral codes which material things both enabled and signified.

The emancipists who gathered in 1821 to defend their common interest used the phrase 'middle class of society' mainly for its modern connotations of respectability and property-ownership to convey their sense of distinction from the unpropertied mass of the lower orders. And yet, in stressing their worth and usefulness to society as a whole, they remained within the older mentalité of the universality and unity of the 'magnificent structure', the social body. They had succeeded on their own terms, the terms of the old social order of rank, and the culture of the lower orders, so well-preserved in Sydney town. But, although mouthing a little of the language of the coming social order, they could scarcely be identified with the consciousness, material resources, and culture of the emergent English middle class.

What was new was the general absence of women from the public profile of successful emancipists. The 1823 victory over the threats to emancipists' property might also be read sideways, so to speak, as very much a men's campaign. For all their successful business dealings, their public advertisements, their farms, pubs, shops, laundries and eating houses, women were not an overt presence in the emancipist self-image. They did not organize

504 See McKendrick, Birth of a Consumer Society, loc cit; Stone, Family, Sex and Marriage, p169-251.
anniversary dinners and slap each other on the back in a self-satisfied way while toasting their successes. They were not reported to have attended the emancipists' meeting of 1821, although their property and status were as much at risk. Whether or not they signed the petition is unclear, although among the signatures of Rocks people on the earlier trial by jury petition, are the names M.(Mary) Reibey, A.(Alice) Flynn and A.(Ann) Whitaker.\textsuperscript{305} Just three emancipist businesswomen among the scores of men, their gender hidden by the use of an initial. The new ideas about identity and organization which were gradually appearing among male emancipists of the middling orders seem to have been accompanied by a fading of the opportunities for, and acceptance of, women in commerce and business, which had been a feature of the early years. As Aveling argues, ‘freed women were locked more tightly into marriage, and bond women into more restrictive forms of penal discipline’.\textsuperscript{306} Consequently they were largely absent from these embryonic stirrings of public life.


\textsuperscript{306} Aveling, ‘Imagining New South Wales’, p11; see also Aveling and Atkinson, Australians 1838, p248: women made up only 5% of publicans in Sydney by the 1830s.