MEMORANDUM TO

Miss Pamela Green,
Rare Books Librarian,
FISHER LIBRARY.

I am enclosing a copy of the thesis entitled "The Position of John Macarthur and his family in New South Wales before 1842" submitted by Mr. A. T. Atkinson for the Honours degree of Master of Arts.

The candidate has successfully completed the requirements for the degree.

[Signature]
H. McCredie
Registrar.

Mr. Shellabear/PS/7504
2nd May, 1972.
THE UNIVERSITY OF SYDNEY

Department of History

The Politics of John Macarthur
and the Family in New South Wales

Thesis for the Degree of Master of Arts

Alan Thomas Atkinson, B.A.

Submitted, October 1971.
The Position of John Macarthur and His Family in New South Wales before 1842.

Search then the ruling passion; there alone
The wild are constant, and the cunning known.

Pope, Moral Essays, I.
Note:

Throughout the work, including the footnotes, John Macarthur the Elder (1767-1834) has generally been simply called Macarthur, the younger members of his family being always distinguished by their Christian names. This is in accordance with the prevailing custom.

I have thought it best to use the form "Macarthur" throughout, although that spelling was only settled by the Camden family in the 1820's, and although their cousins at The Vineyard then began sometimes to distinguish themselves by using the form "McArthur."
Acknowledgements:

I am particularly grateful to Professor J.M. Ward, of Sydney University, who kept the scheme of this work on its proper course. I also gained a good deal from the suggestions of Professor K.J. Cable, and of Dr Hazel King, who was good enough to let me see the proofs of her new biography of Sir Richard Bourke. Mr. A. Wilkes, Archivist at the University of New England, and Judge D.S. Hicks, of the New South Wales District Court, have also given me advice in their respective fields. The different members of the staff at the Fisher Library and the Mitchell Library in Sydney, and the Oxley Memorial Library in Brisbane have been extremely helpful.

I have to thank the President, Sir Norman Cowper, and the Committee of the Australian Club, for permission to see the records of the Club, and the secretary, Major Connor, for his kind cooperation. For help and hospitality I am indebted to Mr Quentin Macarthur-Stanham, of Camden Park, who allowed me to see the restricted part of the Macarthur Papers in the Mitchell Library, and the mementos of his family at Camden Park; to Mr and Mrs Forbes Gordon, of Manar, who showed me the papers of Hugh Gordon of Manar; and to Mr M.L. Taylor, of Terrible Vale, who gave me information about his family.
Abbreviations:

In the footnotes the following abbreviations have been used:

MP  Macarthur Papers, Original Collection.
MP (2) Macarthur Papers, Second Collection.
HRA Historical Records of Australia
      (followed by the series number).
HRNSW Historical Records of New South Wales
       (followed by the series number).
CO Original Correspondence of the Secretary of State, Colonial Office.
ML Mitchell Library.

Unprefixed numbers following the titles of the above and other manuscript collections refer to volume numbers.

Generally references to books in the footnotes are without dates and places of publication. These will be found in the bibliography.
Contents

Introduction............................................................................................................. Page 1

Section I: The Rum Rebellion 1789-1811

1. Formulation of Methods .................................................................................. 11
2. Friends at Home ............................................................................................... 27
3. Idle Turbulency under Governor King ............................................................. 41
4. Parties to the Rebellion ..................................................................................... 60
5. The Measure of Macarthur's Strength ............................................................. 91

Section II: The Macarthurs in the Ascendant 1812-1822

6. Prejudice, Pragmatism and Principle ................................................................. 112
7. Freedom as a Fragmentary Force ..................................................................... 146
8. Constellations and Powers under Governor Brisbane ..................................... 179
9. John Macarthur the Younger ........................................................................... 218
10. Madness at Midsummer .................................................................................. 253

Section III: James Macarthur of Camden 1833-1842

11. The Point of Privilege ...................................................................................... 319
12. Gravity and Gain ............................................................................................ 379

Appendices ............................................................................................................ 434

Bibliography .......................................................................................................... 454
Introduction

John Macarthur arrived in New South Wales on the 28 June 1790, a young man of 22 with his wife and baby son. He died within sight of his great mansion at Camden Park in 1834. This work investigates the position he sought for himself in colonial politics, and the measure of his success, as well as the prejudices, methods and ideas which guided him and the family he established in the new country. In so doing it traces his career, that of his second son John, and part of his third son James's, and reveals the foundations of the power they achieved in New South Wales affairs.

It is argued here that for a period, particularly in the ten years before the death of John Macarthur the Younger in 1831, the family came to hold an extraordinarily proud and powerful position in the Colony, about which and against which factions beat and gathered in envy or respect, for to a great extent it was the attitude and the policies of the Macarthurs themselves that led to the definition of parties. As a necessary corollary I shall analyse in some detail the membership of the so-called Exclusive party, the would-be aristocratic body of opinion which the Macarthurs are generally held to have led. Investigation therefore alternates between analysis and synthesis; analysis of a political pressure group; and synthesis of the web
of political and mercantile connections in England and New South Wales which gave the family their unique influence in the Colony.

Some general introductory points must be made here. Proper presentation of a body of opinion such as that which from time to time sustained the Exclusive party, requires a description of the standing and political attitude of each of the numerous local and family groups who lent their weight more or less to the various causes the party espoused. Social standing, and therefore groupings, depended at the time on several criteria. The relatively insignificant, because unreliable ones, such as personality, fortune, and time of arrival in the Colony, will be dealt with in the body of the essay. Several more important points must be treated in some detail here.

The first concerns the distinctness and importance of the convict and ex-convict class, the "Felonry", which although easily exaggerated, should not be ignored. Early New South Wales had no reputation as a pleasant and cultivated society; Maurice Margarot's brief answer to the question of a House of Commons committee, whether he had noticed in 1810 if the respectable part of the community had appeared to be increasing - "There was very little respectable there"(1) - is an apt description of the settlement for most of this

(1) Report from the Select Committee on Transportation... (House of Commons), 1812, p. 55.
period. Thus, although there were some free settlers who came for the climate and the adventure, and to live in what was said to be the most beautiful country in the world, (1) there were many who had only been dislodged from the Mother Country by their dwindling fortune; who migrated with feelings of regret, and with anxiety lest they sink further in the estimation of the world. To make up for what they had lost, they scored, if they could, a deep line in business, politics and society, between themselves and those who could be seen as distinctly inferior, namely those who had arrived without their liberty.

The age was beginning, in a general way, to recognise Man's individual dignity, and to make great claims for him against ancient laws, customs and inhibitions, and so very often against the force of sheer authority. As for some of the American revolutionaries, so for those who came to be called Exclusives in New South Wales, these new conceptions were explained in terms - paradoxically - of the ancient birthrights of Englishmen, and of personal honour; they were not the basis of popular power, as they have generally come to be considered, and as the Emancipists made them. In leaving the place society had allotted them, those who came free to New South Wales proclaimed their personal dignity with a brave independence and a certain daring that comprehended the whole globe, its infinite peculiarities and limitless chances of wealth. The socially sensitive amongst

(1) For example Admiral Hunter's evidence, ibid. p. 48.
them therefore scorned the more the involuntary exiles, humiliated by the machinery of the law, shut up in chains, and degraded by the harsh details of penal discipline. Certainly they often found it easy enough to combine, and to support executive authority, against opposing factions or the blunt and irrational onslaught of popular opinion. But it may be truly said of most of the free and educated immigrants that their background, or at least their view of themselves, was essentially Whiggish or liberal in the current meaning of those terms, a meaning which will be examined below. When they are described as conservatives or Tories, as they often have been, it must be with keen qualifications.

Until the numerous immigration of the 1840's and of the Gold Rushes, when the great influx of people upset all the old prejudices, one of the chief dividing lines in society was thus the stigma of a convict past, which for some circles was almost as clear and undeniable as that of skin colour has been elsewhere, and was, like skin colour, a family affair. The latter part of the period saw exclusiveness even further refined; in the 1830's a group of families became more than ever eager to show how far they had succeeded in dragging themselves, only a little soiled, from the bog of rum and licentiousness of the earliest years, to stand on a pinnacle of respectability, under the most direct rays of British civilisation.
Forgetting that in my Father's House there are many Mansions, they made their pinnacle unique. In 1835 Patrick Leslie, recently arrived, wrote home to his parents:

The first people here are so very particular that you cannot get into their circle without first rate introductions & can only keep in it by first rate conduct... The smallest error in a man's conduct here (which would scarcely be noticed at home) would send him out of the first immediately.(1)

The lawyer and counsel to the Colonial Office, James Stephen, noticed in 1824 how precedence took on a peculiar urgency in all colonial societies, (2) and certainly the same sort of anxious snobbishness can be seen at work, for example, in Eighteenth Century Charleston, South Carolina, the proudest among numerous communities, where the chief families, by the strictest imitation of genteel English manners, for a time strove to show that they had achieved a circle undeniably of the first water.(3) The essential test was not background, but the existence of rivals.

Patrick Leslie admired the great concern of his friends for distinct respectability, and "the line that is drawn between the different classes of society here, I mean between classes 1 & 2". He considered it "most proper in a country where there are so many different grades."(4)

(1) 6 June 1835; Leslie Papers.
(2) Stephen to Horton, 7 May 1824; CO 323/198 f. 381.
(4) Leslie to his Parents, 2 August 1835; Leslie Papers.
and subtlety of these divisions will be seen to be particularly important in the later period. But the most important one for the purposes of this work is that between the mass of the gentry, and Class 1, the inner circle of the Macarthur family, to which Patrick Leslie himself belonged. This distinction is rather basic to the relationship of the Macarthsurs with the Exclusive party in general.

Any discussion of party politics in New South Wales before the Colony was given a representative constitution in 1842, and even before independent internal government in 1855, must be shallow, and even distorted, without mention of current political changes in Great Britain, whence the main power came; and a proper perspective demands a wider reference than the Colonial Office, although it was there that the final decisions were made. A special aura and influence certainly was to a degree shared by all the rich and "ancient" families, and came merely from their origins being nearly coeval with the settlement itself. But this was never the whole story, and the unique position of the Macarthsurs in particular was given substance by the fact that their power had a far wider scope than day to day affairs and customs, and owned an ultimate source in the remote and ethereal atmosphere of Downing Street, and the Palace of Westminster.

In 1795 Captain Henry Waterhouse wrote from New South Wales to Captain Phillip, lately governor. He congratulated
him on the appointment of his friend Evan Nepean as Secretary of the Admiralty. Phillip's own prospects and his influence in naval circles must thereby have been greatly increased, for his "great intimacy & friendship"(1) with Nepean placed him foremost among the new Secretary's connection. He was thus able, to a certain extent and if he wished, to choose for himself and for his own friends, many of the numerous appointments and privileges which were now within Nepean's patronage. For most of the period under investigation, but particularly in the early part, the system of patronage was of the utmost importance in politics, oiling or clogging even the smallest wheels of the establishment, and affecting every man in public life, however upright, from the chiefs of the great departments of state to the least noble limbs of government.

It was assumed an inevitable part of being powerful that one looked after one's dependents. Certainly, as I have mentioned, notions of individual dignity were gaining strength about this time, but it took more than this to bring the disintegration of the system, for the English mind is always able to distinguish between a man's personal dignity and his power. Although Sir Joseph Banks for example, believed "that all mankind are really equal, notwithstanding the artificial distinctions which custom has placed amongst them",(2) he still quite naturally and without demur accepted

---

(1) 24 October 1795; Banks Papers, 3.
(2) Banks to Caley, 4 September 1798; Banks Papers, 3.
the duties which a host of dependents imposed on him, nor did it make him value human nature less. They in turn accorded him the customary flattery in the customary forms, and if they happened to be in interesting spots, such as New South Wales, they made a point of sending him curious presents. The system was taken for granted, and was rarely objected to in point of morality. But at length, particularly after the end of the French wars, it began gradually to lose ground before a new emphasis on administrative efficiency, and so a new morality, a recognition that turbulent hosts were coming into existence with urgent problems which could only be dealt with *en masse*, and with sure results. Only then did favoured individuals begin to find themselves passed by.

Waterhouse went on to say,

*I hope we shall not be entirely forgot in this Country, being removed from every prospect (for some years) in this country, except thro the mediation of our friends in England.*

The thousand begging letters among official papers of the time, and the answers, show that his anxiety was entirely justified. Officials stationed like Waterhouse, on the other side of the world from the source of favours, unable to exert any direct influence on people in power, depended entirely on their friends to bring them to the Government's notice, and the more powerful the friend the better.

And not only officials, for the ambitions of anyone, particularly in a small settlement like New South Wales, were entirely susceptible to be blasted or bolstered by
those in power. Of this John Macarthur was keenly aware. When giving his eldest son Edward permission to seek a wife, he listed three main criteria: "character, connexion, and education". (1) These were the ingredients of his own success. Money was not so important. It was on connection, combined with their own considerable ability, that the power of his family was based. Their qualities of mind and personality were remarkable; they were capable of finding friends among many at least of the second rank in British Government circles, and thus they secured most powerful backing for their wide ambitions. Their hidden strings gave the family their splendid position in the Colony; at the same time, accusations of backstairs influence caused deep seated and most bitter envy to accumulate around them.

It remains only to explain the bounds of the work. The nexus of the argument resting essentially on the bearing of Macarthur and his sons to the new land, the investigation must begin with his arrival in Governor Phillip's time. It ends during the government of Sir George Gipps (1838-1846), when the first elections for a representative council established new patterns of power basically different from the more subtle and personal ones the Macarthurs had hitherto worked with.

The year 1801, the first of the new century, is the earliest period of lasting significance. It was then that

(1) 3 April 1828; MP, 3.
John Macarthur was sent home to England to answer a charge of trying to create dissension in the Colony. He touched by chance at the island of Amboina, in the East Indies; met its governor, Robert Townshend Farquhar, son of the Prince of Wales's physician; and, by making him his friend for life, secured his first really useful connections at Westminster and Whitehall. With power to drive the ambitions of his "fertile genius", he ensured instead of disgrace, the steady progress of his family towards all kinds of splendour.
Section I: The Rum Rebellion 1789-1811

"liberty, when men act in bodies, is power."

Burke, Reflection on the Revolution in France

Chapter 1: Formulation of Methods

Any study of John Macarthur or of the Exclusive party must begin with some mention of the officers of the New South Wales Corps. Macarthur's fortune was founded as an officer; and the Exclusives in part traced their aristocratic or oligarchic principles back to the officers, the most rigid and influential aristocracy this country has known.

The regiment was raised in 1789 especially for service in New South Wales, and to replace the corps of Marines which had been sent there with Governor Phillip. Its commanding officer, Major Francis Grose, was at the same time appointed Lieutenant-Governor. The first detachment of a little over 100 men, with six officers, including Macarthur, then a lieutenant, arrived with the Second Fleet in June 1790. The rest of the Corps, as it was then constituted, arrived with Major Grose in February 1792.

When Governor Phillip left the Colony in December 1792, Grose automatically assumed the government. When he in turn sailed for home at the end of 1794, his second in command, Captain William Paterson, acted in his place until

(1) Grenville to Phillip, 19 June 1789; HRA i, I p. 122.
Governor Hunter arrived in September 1795.

The initial work having been done by Captain Phillip, the age of Grose and Paterson was one of consolidation and progress for the settlement; and a time of profit for those able to take advantage of the growing population, and the increasing number of merchant ships entering the Port. Macarthur in particular, an energetic and spirited young man in a small sphere, with a good knowledge of farming and commerce, found sundry important tasks accumulating in his hands, and with them a chance of authority.

In February 1793 Grose informed the Secretary of State that he had made Macarthur Inspector of Public Works, and there can be no doubt that a great part of the practical business of government went with the appointment. It may also be assumed that the officers, and certainly Macarthur, a keen man of business, had a considerable say in major decisions. Grose himself admitted how fearful he was of acting in matters of general administrative policy, "being", he said, "unaccustomed to business." Macarthur he knew as "Counsellor."  

In February 1793 Grose also reported that according to instructions recently received, he had granted a number

(1) Grose to Dundas, 16 February 1793; ibid. p. 416.
(2) Grose to Dundas, 3 September 1793; ibid. p. 447.
(3) Sir W. Macarthur, Memoranda; MP, I.
(4) Dundas to Phillip, 14 July 1792; ibid. p. 365.
of civil and military officers 100 acres each, "which, with great spirit, they, at their own expense, are clearing... their exertions are really astonishing." He added that "As I am aware they are at this time the only description of settlers on whom reliance can be placed, I shall encourage their pursuit as much as is in my power."(1) He gave them ten convict servants each, all of whom, in spite of instructions, were fed and clothed at public expense. Before he left the Colony in December 1794, Grose was able to report that 2,962 acres had been cleared during his administration, and that the promising appearance of the settlement was to be "entirely attributed" to the civil and military officers, the ex-convicts being generally still in a state of dependence on the Government.(2)

The relative influence of civil and military is difficult to gauge. In the matter of land grants Grose showed no marked preference for his own officers. Seventeen grants of 100 acres or more were recorded in his time; eight were made to civilians, including one to Thomas Rose, a free immigrant, and nine to military officers, two being to Macarthur.(3) It cannot be proved how other favours, such as convict servants, were distributed. But the military were clearly given greater authority in the administration of the settlement. The magistrates were all

(1) Grose to Dundas, 16 February 1793; ibid. p. 416.
(2) Grose to Dundas, 29 April 1794; ibid. p. 469.
(3) Grose to Dundas, 30 May 1793, 30 April 1794; ibid. pp. 438, 472-3.
chosen from among the officers, and they must have had
more influence with the Acting Governor, their own
commanding officer.

Thus in 1792 began what the officers of the Corps
looked back on afterwards as the Colony's golden age.
Macarthur gives a happy and optimistic account of the state
of his property twenty months later, which shows how
skillfully he had used the time, remarking that from "a
state of desponding poverty & threatening Famine" the
settlement had made progress so great as to be "scarcely
credible."(1)

Governor Hunter changed little in the first months
after his arrival in September 1795. He replaced the
magistrates he found with civilians, but otherwise he showed
complete confidence in the officers of the Corps, and he
sympathised with their efforts to enrich the Colony. He
complained of the onerous duties they had to perform, and
continued to allow them and the civil officials more than
the proper number of publicly maintained servants. He
confirmed Macarthur's appointment as Inspector of Public
Works, believing him to be "extremely well qualified" for
his duties.(2)

---

(1) transcribed by Mrs. Macarthur to her Mother,
22 August 1794; MP, 12.
(2) Hunter to Portland, 25 October 1795; HRA i, I p. 533.
On his part Macarthur seems at first to have treated the Governor with circumspection. His part in the case of John Baughan, which happened a little after his arrival, is evidence at least of how much Hunter found reason to trust him; an overall view of his habits of mind indicates that it also shows his initial hope of preserving the Corps' special relationship with the Government.

Baughan, an ex-convict millwright, had been assaulted in early February 1796, and his house completely broken up by soldiers of the Corps. Although thoroughly intimidated, he was advised by William Balmain, then Principal Surgeon and a magistrate, to take legal action against the soldiers. Letters subsequently passed between Balmain, supported by Commissary Palmer, and the Officers of the Corps, in which Balmain was accused of interfering in the affairs of the regiment, and threatened by the officers as a body. (1)

In this affair Macarthur took the lead, and appears to have been thoroughly backed by his brother officers. It was Macarthur who took to the Governor the apology of the Corps, and their offer of compensation, which, with the petition of the wretched Baughan, caused the Governor to suspend the warrant of arrest. Hunter said later he believed Macarthur's message from the Corps was "of a more moderate nature than they had authorized him to deliver." (2)

---

(1) Hunter to Portland, 25 July 1798; HRA i, II p. 175.
(2) Hunter to Portland, 25 May 1798; ibid. p. 148.
The affair was closed on the 14 February, and at the end of the month Macarthur gave up his civil office. In reporting his resignation Hunter made no accusations, but recommended a civilian inspector in future. He subsequently appointed Richard Atkins, then registrar of the Vice-Admiralty Court.

In July Macarthur began an attempt to discredit his successor, but in August Atkins was appointed to act as Judge-Advocate. By that time, it seems, the Governor had become disenchanted with the military. Macarthur subsequently wrote to the Secretary of State, the Duke of Portland, with complaints about his administration of the Colony, and Hunter laid his first allegations against Macarthur. (1) According to Hunter, Macarthur while Inspector of Public Works had tried to control the departments of the other officials;

scarcely anything short of the full power of the Governor would be consider'd by this person as sufficient for conducting the duties of his office. (2)

Certainly Macarthur had little understanding of power hedged with forebearance and compromise. He had apparently done without such limitations under Grose, and no doubt Paterson as well. After five months experience as governor Hunter seems to have felt confident enough to exert himself,

(1) Macarthur to Portland, 15 September 1796; ibid. p. 89; Hunter to Portland, 14 September 1796; HRA i, I p. 661.
(2) ibid.
and to assume the overall direction. This was not to be tolerated, for in such a small community it would mean Macarthur's complete eclipse; the full and, to him, proper strength of his authority would be lost.

This then, in its starkest form, is the sort of power which, from that period and for the rest of his life, Macarthur tried to win back. Sometimes he sought to gather an aristocratic party under his leadership, but essentially the sort of authority he always inclined towards was that described savagely by Stanley Baldwin as "the prerogative of the harlot throughout the ages": power founded on influence, and a position near to the throne, at least superficially selfish, and as absolute as possible, impeded neither by constitutional limits, publicity nor responsibility, but merely by his own principles of honour. Certainly Macarthur's reputation in New South Wales history rests on his success with his sheep, and the number of his enemies; but the greatness he acquired in his time, and which led to these achievements, and, it will be seen, many others besides, was due as well to his ability, as to the influence he came to exert on powerful men, by whose support he was able, more or less, to force his will on the Colony.

It has been shown that in 1796 jealousy had arisen between the military and some of the civil officials, due apparently to the attempt and failure of Macarthur to
monopolise the friendship of the Governor. But it clearly abated later in Hunter’s time, for the officers were then able to join in a fairly cohesive faction with some civilians, against a party centred on the Governor. The political exile, Margarot, who supported Hunter, said that in 1797 the civil and military officers "entered into a combination-bond" to monopolise

all the necessaries of life which are brought into the colony ... by which they are neither to underbuy or undersell the one from the other.

Robert Campbell, thinking no doubt of his friend Commissary John Palmer, alleged that "principally the military officers" were involved. But Margarot declared it was "All of them to a man"; and that "there was an espirit de corps among them, that although they might jar between one another, if you offended one you offended the whole."(1) That they were prepared to cast their net fairly wide is shown by the fact that Margarot himself was asked to join.

The gathering of the faction can be seen best by looking at a particular case, William Balmain, though there is no way of showing he is really representative. In June 1798 he declared to Hunter, in reference to the case of Baughan, in which he had proclaimed his contempt of Macarthur, "I feel my honour as a gentleman pledged to forget that transaction."(2) By January 1800 he was Macarthur’s trading

---

(1) Report from the Select Committee on Transportation... (op.cit.), pp. 53, 72.
(2) 18 June 1798; HRA i, II p. 173.
partner. Governor King in 1801 numbered him among the leaders of his opposition. And in 1803 Macarthur, in the midst of his campaign against King, attended his funeral in London. (1)

In the trial of Isaac Nichols in 1799 Balmain clearly showed which he had chosen of the "two distinct interests in this colony - that of the public, and that of the private individual." (2) Isaac Nichols was an ex-convict, and definitely the protégé of Hunter, and of his aide-de-camp, Captain George Johnston, whose step-daughter Nichols afterwards married. He was a superintendant of convicts and a conscientious and impartial servant of government. It was probably on account of his impartiality in the dispensing of convict servants that a charge of receiving stolen goods was manufactured against him. On remarkably flimsy evidence, which Macarthur did much to gather, he was convicted before the Criminal Court, by a majority made up of military officers and the Judge-Advocate, Richard Dore. In this case Balmain gave evidence against Nichols.

Macarthur's activities during the reign of Hunter suggest a general pattern which, despite minor variations, he was to adhere to under most of his successors with that

(1) Hunter to Portland, 15 January 1800; ibid. p. 433. King to J. King, 8 November 1801; HRA i, III p. 323. J. Clementson to D. Wentworth, 5 May 1804; D'Arcy Wentworth Correspondence 1785-1808, Wentworth Papers.

(2) Hunter to Portland, 25 May 1798; HRA i, II p. 149.
fierce inflexibility which ruled his character, an aspect so extreme that it seems to lead directly to the final collapse of his mind into madness. First, optimistic and friendly, he tried to rule the Colony by his personal influence with the executive, reasoning that his superiority to anyone else in the Colony in point of competence, honour and respectability, gave him a right to be powerful; or perhaps not reasoning at all, but living absolutely on the principle that

"confidence in oneself is the most likely thing that I know, to produce dismay in the wretched, unprincipled, pusillanimous wretches we have to contend against." (1)

Extraordinary ambition could bind together and make quite compatible this firm conviction of his own righteousness, with an expectation, in this case, that Hunter would take advantage of his position, to grow rich as he and the other officers were doing. (2)

But when this first project failed, as it generally did, Macarthur would then turn swiftly to bitter and unrelenting opposition to the Government. At first - that is, in Hunter's time - no constructive policy can be seen behind such a programme, but as Macarthur's prejudices and plans began to grow substantial, such activities gained a pattern and a definite purpose.

(1) Macarthur to Piper, 4 December 1801; Piper Correspondence, 3.
(2) Hunter to J. King, 1 June 1797, Hunter to Portland, 5 January 1800; HRA i, II pp. 10, 430.
Hence, offended with Hunter's "usurpation" during 1796, Macarthur switched to a campaign to undermine the Governor's authority and to build up a party with which he could besiege the Government House circle. By his influence, he being generally "the master worker of the puppetts he has set in motion",(1) in 1797 a trading combination had formed with political overtones. At least by 1799 it had power great and irresponsible enough to destroy an important and blameless supporter of the Governor.

In November 1799 the Duke of Portland wrote to recall Hunter. He had received not only Macarthur's letter of complaint, but also others from an anonymous source. Moreover Hunter's weaknesses must have been obvious. It is unlikely that Macarthur's allegations had any important influence; while they are rather devastating, their author was unknown. His only friend with any influence in official circles was Grose, by then a brigadier-general.

Certainly, Hunter himself never specifically blamed Macarthur for ruining his career. He showed several times during the next twelve years that he had forgotten the trouble he had caused him. Instead, with great bitterness, he attributed his fall to his place being "wanted for the accomodation of [another]... interest."(2) He apparently

---

(1) King to J. King, 8 November 1801; HRA i, III p. 322.
(2) Hunter to Sir J. Banks, 13 January 1802; Banks Papers, 4. See also Hunter to J. King, 25 September 1800; HRA i, II p. 554.
understood that Phillip had been doing what he could to have his friend Captain King appointed, and perhaps used his influence with Evan Nepean, Secretary of the Admiralty, to have this effected. But it must be admitted that Hunter's percipience in political affairs is not to be relied on.

When Philip Gidley King assumed command of the Colony in September 1800, he was well aware of the difficulties, and "the secret and open opposition I must prepare to meet with."(1) On the one hand, he seems to have done his best to win the confidence of the Corps. Hunter complained that while King was waiting to take command, he "had thrown himself into the arms of that very party or faction" who were his own enemies.(2) Soon after Hunter sailed King publicly praised the performance of the Corps, and presented them with feathers for the soldiers' head-gear as a mark of his favour. He had specially kind words for Paterson and Major Foveaux.(3)

On the other hand his administration was unpopular from the beginning among that group that had been Hunter's opposition. He took strong and immediate steps to control the liquor trade, which was undermining the morale of the inhabitants while making the few traders very rich. Also

---

(1) King to J. King, 28 September 1800; ibid. p. 669.
(2) Hunter to Portland, 10 June 1801; quoted ibid. p. xviii.
(3) King to Portland, 10 March 1801; HRA i, III pp. 15, 74.
he lowered the price of grain, and refused to raise it again, despite "every engine that art, cunning, and impudence could invent." In consequence, he found that "bitter resentment is cherished by those who have large debts to collect from former extortions" of the small ex-convict farmers. Behind all his opposition he saw Macarthur. (1)

But the energy of King's first months, his obvious resolution to treat the Corps with the strictest impartiality, and his refusal to let him be "arbiter of the colony," (2) apparently went close to finally destroying Macarthur's ambitions in this quarter of the globe. He declared that he planned to dispose of all his property in New South Wales, and return to England. (3) It is possible that he was trying, as he tried in 1812, (4) to place himself in a position where any movements might have the tactical advantage of surprise. But in the series of events which ended in November 1801 with his being sent home under arrest, and without his family and capital, it is hard to see any far-seeing policy. Uncharacteristically for this period, he seems to have been caught up almost by accident in a quarrel not of his making, (5) and drawn into trouble by a combination of his own pride and the perhaps overscrupulous wish of the Governor to see the strictest justice done.

(1) King to J. King, 8 November 1801; ibid. pp. 323, 324.
(2) ibid. p. 324.
(3) Macarthur to King, 30 September 1800; HRA i, II p. 538. See also King to J. King, 14 November 1801; HRA i, III p. 345.
(4) Macarthur to his Wife, 16 October 1812; MP, 2.
(5) See Macarthur to Piper, n.d. (late September 1801); Piper Correspondence, 3, p. 460.
The case centred in the beginning on James Marshall, a lieutenant in the Navy, and naval agent on board the Earl Cornwallis, a convict transport which arrived in the middle of 1801. Soon after landing Marshall was found to have kept for his own use some articles of which he had charge, the property of a fellow passenger - an officer of the Corps-drowned off Rio de Janiero. As acting in command of the Corps, Macarthur caused an inquiry to be held, after which Marshall went out of his way to insult him. Macarthur accordingly demanded a duel, and that being impossible to arrange, Marshall publicly struck Captain Edward Abbott, who was to have been Macarthur's second, and attempted also to strike Captain Macarthur.

Marshall was therefore tried for assault by a criminal court which included five officers of the Corps. They decided against him in Abbott's case, and reserved judgement in Macarthur's. Marshall protested about the bias of his judges and Governor King ordered the court to investigate his charges. On their refusal, the Governor, believing Marshall to be guilty but wishing to seem faultlessly impartial, suspended sentence so that the defendant might submit his case to the Secretary of State.

Soon after the trial Macarthur quarrelled with the Governor as to whether or not the latter had given prior approval of his actions in the affair. The argument seems inane and quibbling. The best explanation for it is, that
Macarthur having stated the position he had assumed in his own and the public view as an injured and justified man, his peculiar and rigid sense of honour would not permit any qualification of it. This is not inconsistent with the opinion of King himself, who believed that Macarthur was trying to involve him in the case, for the prestige of the Governor's support was always important to Macarthur.

King had already, by his general policy, caused a muttering among the numbers of officers and others who traded in liquor and lived on the profits of the small farmers in debt to them. By treating Macarthur's inflexibility with equal firmness, he went on to alienate the small number of Macarthur's close friends. These were a group fairly distinct from the former. It is a mark of his stature and his confidence in his own righteousness, that Macarthur, while he would befriend anyone useful, was rarely intimate with men whose characters he could not admire. Thus Captain Abbott and Captain John Piper, who now came out with him almost alone against the Governor, were men of worth and ability, qualities rare in the New South Wales Corps. (1)

As a result of his correspondence with King, Macarthur tried to persuade all the other officers to join in refusing to visit with the Governor. In retaliation King invited all but Macarthur to a loyal dinner at Government House. In

---

(1) see for example, Joseph Holt, Memoirs II, p. 293-9. And see below.
this, which was a real test of allegiance in that small world, Abbott, Piper, Piper's younger brother, and Ensign Minchin, the adjutant, alone adhered to Macarthur, and declined their invitations.

Macarthur, in attempting to persuade Paterson, his commanding officer, to join the boycott, showed small regard for Paterson's dignity and the obligations of friendship. Paterson therefore called him out. In the subsequent encounter on the 14 September, he was wounded by Macarthur so badly that his life was held to be in danger. Macarthur, Piper his second, and Paterson's second, Lieutenant Mackellar, were therefore placed in arrest to await the outcome. The last two were released eight days later, having given sureties that they would keep the peace, but Macarthur's extraordinary pride would not allow him so to injure his own dignity and limit his own freedom.

King therefore took the opportunity of removing him from New South Wales altogether. He was ordered home under arrest, being charged with "having endeavoured to create a dissension between me and Lieut'enant-Colonel Paterson ... whereby His Majesty's service has been much injured,"(1) and because nothing could be done with him in the Colony. King remarked that if he returned, so great was his stake in it already, that he might as well come as governor.(2)

(1) King to Portland, 5 November 1801; HRA i, III p. 285.
(2) King to J. King, 8 November 1801; ibid. p. 325.
Chapter 2: Friends at Home

The Rum Rebellion in 1808, the central issue of this first section of the work, was the event of Macarthur's life in which his daring and ambition are most clearly defined. The danger in which he placed himself by his part in the rising should be clearly understood. Of those who had led the earlier mutiny against Bligh, on board the Bounty in 1789, four, all officers, had been hanged. The Rebellion Macarthur obviously managed set a much more dangerous example. At the most critical stage of a desperate war, he led soldiers in mutiny. In a period full of fear of revolution, he imprisoned the King's Representative and subverted the government, though of one of His Majesty's most remote possessions. Macquarie, with long experience of military discipline, believed Major Johnston, then in command of the Corps, would hang. (1) If he had, it would have been only just that the principal actor in the business, though by that time a civilian, should have suffered the same fate.

That he was not brought to trial at all was partly due to the opinion of the law officers of the Crown that his trial would have to take place in the Colony, when he was already in England; and to the Government being occupied with "Spain & Portugal." (2) But Macarthur, though he was

(1) Mrs. Macquarie's journal, 8 August 1809; Macquarie Papers.
(2) Edw. Macarthur to W.S. Davidson, 30 September 1808; MP, 16.
a good amateur lawyer, could hardly have relied on a legal technicality combining with the Peninsula situation to save his life. It is true that the Rebellion was partly designed to avenge his fragile dignity, and was thus partly an act of pure indignation and daring. But it seems also to have been a calculated affair, particularly on Macarthur's part, and a safe one. In his calculations he depended on his own strength, was confident of his invulnerability at the time, and finally emerged at least alive.

His strength lay in his friends. On the 20 September 1808, when news of Bligh's deposition arrived in London, the Honourable Charles Greville observed to Sir Joseph Banks, the Governor's chief patron,

"I fear the plans against Bligh have been extensively laid & artfully conducted. Certainly prejudice has been more barefaced than in any case I ever saw." (1)

This is only to give Macarthur his due. This chapter attempts to deal with the foundation of this prejudice: the political connections he found for himself on his first return to England, from 1802 to 1804, and the friendships he later relied on to defend his part in the Rebellion.

Macarthur sailed from Port Jackson in November 1801, and arrived in England in December 1802. The length of the voyage, which normally took about eight months, was due

(1) Banks Papers, 6.
to his ship being delayed in the East Indies. Having lost a mast, she stayed for some time at the English settlement at Amboina, where the governor was Robert Farquhar, second son of Sir Walter Farquhar, then physician-in-ordinary to the Prince of Wales. Sir Walter Farquhar was the most important member of a group of families, mainly Stevensons, Farquhars and Hallidays, who had recently become influential in London, and whose wealth was based in the West Indies. They had grown rich, as Macarthur was to do, with the expansion of the Empire, affording it merchants, administrators, and a new layer of aristocracy. They were later connected with the greater, but equally new families of Baring and Bonham-Carter, and so with the liberal Whigs, and with Earl Grey of the Reform Bill. At this time their greatest connection was the Prince of Wales himself.

At the time of Macarthur's visit, Governor Farquhar was in trouble with the East India authorities in Calcutta. Macarthur advised him to be forthright and defiant, instead of meekly bearing censure, and so, it is alleged, saved Farquhar's career as an administrator of independent judgement.\(^{(1)}\) Sir Walter and his family from that time certainly believed themselves under an obligation to him. At the houses of the Farquhar family, and among their friends, Macarthur, and later his own family, could always depend on being kindly received.

\(^{(1)}\) James Macarthur to R. Therry, 24 February 1859; MP, l.
But on his arrival in England Macarthur had more to hope for from the sympathetic patronage of Sir Joseph Banks, President of the Royal Society, who since his voyage with Cook to the Pacific in 1770, had had unrivalled authority in Australasian affairs. There has been some confusion over his relationship with Macarthur. On the one hand, James Macarthur, writing in 1859, declared that his father had always been entirely independent of Banks; that at the famous sale of the King's sheep which took place at Kew a few months before he left England, Macarthur, believing he had been slighted by Banks on his arrival, cut the great man when for the first time he offered his patronage; and that from that period Banks was his enemy. (1) On the other hand, despite at least the categorical evidence of his sons, Macarthur's recent biographer argues that there was never any enmity between the two. (2) Mr. Ellis offers as proof a comment made to Banks by Governor King after Macarthur's return to the Colony. King wrote that Macarthur had spoken highly of Banks' politeness at the sale, and intended to write to him. But this may be dismissed as an example of Macarthur's trying to impress King with the number of his great friends. This he thoroughly succeeded in doing, and it put him in a strong position in the Colony. In direct contradiction to this evidence, we have that of George Caley

(1) ibid.
and Martin Mason, both inhabitants of Botany Bay, who respectively told Banks that Macarthur had called him "an old debauched character", and a "venal & debauched old rascal." (1) Caley's word at least can be relied on, but the situation will be further clarified below.

The progress of Macarthur's falling out with Banks, and the consolidation of his new connection, may be seen by following his activities in London. When he arrived the Treasury was headed by Henry Addington, and the Colonial Office by Lord Hobart. Macarthur devoted his first twelve months to winning the interest of the Government, publicising himself and his wool, and defaming Governor King, "the Tyrant." (2)

The samples of wool Macarthur brought with him were highly praised in commercial circles. In July 1803 he published a booklet on sheep breeding in New South Wales. In October there appeared in the Morning Post two letters in which King's administration was criticised in some detail. These the Governor, when he saw them, attributed to Macarthur. The opinion is justified by Macarthur's letter to Piper, written in November, in which he declared he was "up to the ears in Papers for carrying on the War against our Common Enemy." (3) In the same letter Macarthur wrote with

(1) Caley to Banks, 7 July 1808; Banks Papers, 8. "Extract from Mr. Martin Masons letter to Sir Joseph Banks", n.d.; Bligh Correspondence.
(2) Macarthur to J. Piper, 9 November 1803; Piper Correspondence, 3.
(3) ibid.
satisfaction that he intended leaving England in February. But during that month his prospects changed as Addington's ministry began to falter.

An alliance had been arranged in January between the opposition parties of Charles James Fox and Lord Grenville, and it had gained the influential sympathy of the Prince of Wales, who "had finally dedicated himself to winning all the votes he could for opposition."¹ From the triumph of such a coalition the personal following of the Prince had everything to gain. It is not surprising that Macarthur decided to postpone his departure from England, for his connection with the Farquhars now offered some substantial return. He might also have had hopes from Lord Fitzwilliam, one of the instigators of the alliance and the patron of D'Arcy Wentworth, with whom Macarthur was connected in the colonial trading group.

When Addington fell in May however, it was not this alliance of Whigs that succeeded him, but William Pitt, since the King refused to have Fox in his Cabinet. But Macarthur was by no means a loser. The private secretary of Earl Camden, the new Secretary of State for War and the Colonies, was George Watson, whose mother had been a Stevenson, and who was therefore closely connected with the Farquhar family.

As an additional incentive to his remaining, preparations were made by the Board of Trade during early 1804 for an inquiry into Macarthur's promises for the wool industry in New South Wales. In September 1803 the Board had sought the opinion of Sir Joseph Banks on the subject, and he, being interested in sheep-breeding, gave his approval for such an inquiry, though he does not seem to have been very enthusiastic. (1)

What Macarthur wanted at this stage is fairly clear. There is no doubt, despite some opinions to the contrary, that the main purpose of his solicitations was to get the use, preferably by grant, of a good sized area of land for his own exclusive benefit. (2) His first request had been for permission "to occupy a sufficient track of unoccupied lands to feed his flocks", (3) and this is what he always looked forward to, though his mind remained open as to what would be sufficient. But Lord Hobart's office was apparently unwilling to give large permanent grants which might interfere with the natural expansion of the settlement, and although the Government was interested in his project for the development of the colonial wool industry, they saw it merely as an experiment. (4) Therefore in February 1804 Macarthur

(1) Banks to W.A. Fawcener, n.d. (September 1803); HRNSW V, p. 224 and Mitchell Library MSS Ab 66-7.
(2) John Ritchie, Punishment or Profit, p. 278; Australian Dictionary of Biography, II p. 158.
(3) Macarthur's Memorial to the Administration, 26 July 1803; HRNSW, V p. 175.
(4) S. Cottrel to B. Cooke, 14 July 1804; ibid. p. 399.
suggested as a safer scheme, that he might "dispose of his right in the sheep to a company of respectable persons residing in this country", who might receive the grant instead, with himself as agent on the spot. (1)

The company planned, according to Sir Joseph Banks, was to have

capital of £10,000 for the purpose of encouraging the breed of Sheep which are to become the property of the subscribers, the wool I mean, and the mutton to remain that of Mr Macarthur the manager. (2)

He found himself able to give this plan his entire approval, and in March wrote to Macarthur with generous suggestions. Land should be granted as required, in lots of 100,000 acres, to make up finally a million acres. Such land was to be resumable should it be needed for "tillage or other purpose", the company being compensated with equal grants elsewhere. But Banks assured Macarthur that the best sheep pasture "cannot be wanted for the Plough in less than 4 or 5 Centuries." (3) Banks was a man of the Eighteenth Century, and used to gradual change in human affairs, or none at all.

In May, with the Government on the point of falling, Macarthur submitted a memorial to the Board of Trade. He outlined the plan for a company, but in case Their Lordships should not be prepared to make such a large experiment, he

---

(1) "Proposal for establishing a Company" (2 February 1804); ibid. p. 307.
(2) Banks to F.G. King, 29 August 1804; King Papers, 8.
(3) 31 March 1804; Banks Papers, 4.
suggested instead a grant of 10,000 acres for himself, with the use of 30 convicts for shepherds.\(^1\) That the latter was presented as a less instead of a more ambitious experiment possibly means that Macarthur had hopes it would now be the one preferred.

In July the Board reported their opinion that Macarthur's general aims should be encouraged. But they advised against any large permanent grants, particularly to individuals.\(^2\) This was thoroughly in accordance with Banks's own ideas.

On the 15 August the famous sale of Spanish Merino sheep from the Royal flock was held at Kew. It was on this occasion, according to James Macarthur, that his father had alienated Sir Joseph Banks, and Macarthur himself boasted afterwards that he had "insulted him in the presence of several noblemen."\(^3\) Whatever happened at the sale, and it is difficult to believe he went out of his way to cut such an important connection, Macarthur's behaviour seems to have had little effect on Sir Joseph Banks. At the end of the month he still spoke confidently of his scheme for a company dependent on Macarthur's skill and enterprise.\(^4\)

Yet Macarthur might safely have treated him in an off-hand fashion, for by then he had what he wanted from the Board of Trade, its general approval, and with his friend

---

\(^1\) "Captain Macarthur's Memorial", 4 May 1804; \_HRNSW\_, V p. 370.
\(^2\) 11 July 1804; \_ibid\_. p. 393.
\(^3\) "Extract from Mr Martin Mason's letter to Sir Joseph Banks", n.d.; Bligh Correspondence.
\(^4\) Banks to P.G. King, 29 August 1804; King Papers, 8.
Watson in power, he was able to hope for something rather more to his taste than Banks's scheme, which although it might finally have made him very rich, assured him neither independence nor any real power. The place proposed for him was that of a mere agent, and his reputation at that early period would have made him a small figure among the English merchants who hoped to form the company. Both Dr Ritchie, and Dr Steven in the *Australian Dictionary of Biography*, believe Macarthur preferred the scheme for a company, but if so it is strange that although it was officially approved, he abandoned it when in a position to please himself. (1) Also his personality must be considered. His prospects must have now seemed to him boundless, the Colony's offerings vast, and 10,000 acres merely a beginning. It would have been quite uncharacteristic of him to have submitted his dignity and ambitions to be cramped by a Board of Directors, when willing friends offered a reasonable alternative, with unlimited hopes attached to it.

Sometime during September plans were finalised in the Colonial Office for such a grant. By the end of the month Banks must have heard of Lord Camden's intentions. There can be little doubt that he opposed them, believing that they would make a turbulent character inordinately powerful, and possibly that he had been slighted in his dignity as patron of the Australian settlements.

His opposition had its effect. Before he left England in November Macarthur was granted 5000 acres with the promise of another 5000 when the usefulness of his project was proved. There is no reason to doubt the story of James Macarthur, apart from his inaccuracies elsewhere, that Banks was responsible for half the hoped for 10,000 being withheld for the time being. (1) To substantiate it there exists a memorandum to the Board of Trade, drafted in Banks's hand and still among his papers, obviously written after Macarthur had left for New South Wales, and arguing against "any additional indulgence" to a man who had after all come home under arrest. (2)

Dr Evatt claims there is nothing besides Macarthur's word to show that Lord Camden ever thought of a grant of 10,000 acres at all, and that

"all the established facts tend to negative both the existence of any such promise as Macarthur alleged and the fact that Banks interfered in the way suggested. (3)"

What the relevant "established facts" are, Dr Evatt does not say either at this stage of his argument or elsewhere.

With regard firstly to Sir Joseph Banks, the evidence presented above obviously tends to establish that he must inevitably have interfered, and would have felt it his duty to do so. And secondly, the papers of the Colonial Office

(1) James Macarthur to R. Therry, 24 February 1859; MP, 1.
(2) "Some Circumstances respecting Capt Macarthur", n.d.; Banks Papers, 4.
(3) H.V. Evatt, Rum Rebellion, p. 48.
covering the year 1821 contain a statement of Lord Camden's promise, made out by Macarthur it is true, but certified as correct by George Watson, by then Watson Taylor. It would not have been consistent with Macarthur's methods to have told such an important and deliberate lie to his superiors, which might, if discovered, have ruined all his credit and influence.

Macarthur thus chose to throw over the patronage of Sir Joseph Banks, for such was the inevitable result of his actions, and to attach himself to the perimeter of the Carlton House circle, the Prince of Wales's friends. Insofar as Banks was a particular friend of the King, Macarthur had taken sides in the celebrated conflict between the Sovereign and his heir. Banks must have realised that he had been defied by the dependents of the Prince, his Master's despised son. It would therefore not be surprising if, as Macarthur alleged, "the Kings ears had been completely closed to any favourable mention of his name."(2)

This of course did not mean that the Prince himself cared or even knew anything about Macarthur. His interest in the Antipodes can be gauged by his remark twenty-five years later, when King himself, that he had never even heard of Van Diemen's Land. It is also necessary to note that at this stage dependence on the Prince of Wales, and on the

(1) CO 201/107 ff. 451, (2) "Memorandum by Wm. Macarthur" n.d.; MP, 1.
party he favoured, the Whigs, did not lead necessarily to Macarthur's adopting any distinct political philosophy. Divisions only occasionally depended on such things. It is true that Fox, the venerated leader of the Whig party proper, was sympathetic with the ideals of the French Revolution. But the Prince's support of the Whigs was due to the party being generally in opposition. He thus kept himself involved in politics, and showed his personal resentment of his father's government, which was Pittite, or Tory. His system of satellites simply followed his lead.

Also, while it may be true that Macarthur was taken up in 1803 by clothiers eager to use him in their campaign for a duty on foreign wool, yet links of patronage did not necessarily mean common political ideals. (1) The affairs of a person like Macarthur were of interest to anyone who for any reason at all believed him worthy to receive their patronage, and who, by forwarding his aims could make a point against a rival interest. Thus Macarthur was also helped by Lord Mulgrave, the patron of General Grose, and although nominally a Whig, generally one of Pitt's party. (2)

Nevertheless, it it not too much to say that in attaching himself most thoroughly to the side which to a certain limited extent sympathised with the principles of the Revolution, as opposed to that of William Pitt and

---

(1) John Ritchie, op. cit. p. 277.
(2) Macarthur to J. Piper, 9 November 1803; Piper Correspondence, 3.
George III, Macarthur showed his usual adeptness. His activities at this stage involved indirect and finally direct assaults on authority, which, however selfish his motives, must have been more sympathetically received by the Whiggish parties, with their obsessions about Royal tyranny, than they could be by Banks and the Tories. It will be shown below how similar was the position he was to take up for a time in the small society of New South Wales, to that which the Whigs saw themselves as occupying in English history; and how his policies in the Colony came to be closely assimilated with those of the Whigs in their wider sphere.
Chapter 3: Idle Turbulence under Governor King

In the following two chapters I will try to trace through the era of King and Bligh the formation of those groups and factions in the Colony which combined momentarily under Macarthur to overthrow the legal government in 1808. Obviously most emphasis must be placed on the events in which Macarthur himself took part, but it is useful first to look briefly at the character and strength of the opposition Governor King had to meet with while Macarthur was in England, and so to determine what the personalities and policies of the officers and others were like, and what they were capable of without him. It may thus be possible to understand how much of the Rum Rebellion was the work of Macarthur himself; and also how far it was the work of a faction adumbrating the later Exclusive party.

The period has a striking completeness. The beginning of the Macquarie age in 1810 has been traditionally seen as a dividing line in the Colony's history: on Bligh's departure, the dynasty of naval governors ended, the New South Wales Corps was broken up, much of what they stood for was ended, and with the crossing of the Blue Mountains and similar developments the settlement acquired a new character.

But the twelve months after King took command in September 1800 saw changes almost equally significant.
Firstly, all the important offices of the establishment, except that of Provost Marshal, changed hands. The Principal Surgeon, Balmain, went home on leave and died there, and Alt, the aged Surveyor-General, retired. Both had a series of successors. Samuel Marsden took up the duties of Chaplain in 1800, and Paterson about the same time returned to the command of the Corps. Both these were absent during most of Bligh's time. The Commissary, John Palmer, returned after an absence of four years, and Richard Atkins was appointed Judge-Advocate on the death of Richard Dore. Both still held these powerful positions at the time of the Rebellion.

There were also more fundamental changes. During 1800 the number of people in the mainland settlement who needed no assistance from the public stores, those who were able to supply their own needs, became for the first time greater than the number of convicts, and the superiority quickly increased. The Colony can therefore be said to have entered a new stage, when independent settlers, and free enterprise, however humble, became a central concern of the Government. The official part of the community accordingly began to be more than mere functionaries attached to a gaol, and to take on the features of an aristocracy, or at least of a junto. In Bligh's time family groups amongst them, and a second generation, became evident for the first time.

(1) Returns of inhabitants; HRA i, II.
Also in 1800 Robert Campbell, the first "respectable" merchant with overseas connections, took up residence at Sydney Cove. He became a very important man in King's time and was one of Bligh's leading officials. Around the same time the ex-convict merchant, Simeon Lord, began to lay the foundations of his considerable fortune, and his compeers Kable and Underwood began their sealing expeditions to Bass Strait. Simultaneously also, the house of Enderbys of London, the pioneer whaling firm in the Southern Oceans, became interested in colonial trade through the encouragement of the new governor, a close friend of the Enderby family.\(^{(1)}\) Thus the prospects of the Colony opened out.

All these changes had their effect on colonial politics. It has been seen that Hunter had to deal with a combination of most of the officers of the Corps and a number of civilians, these being pre-eminently the Principal Surgeon, the Judge-Advocate, and James Williamson, the Acting Commissary. In Captain King's time all these three important positions were held by supporters of the Government, and King's active opposition was fairly clearly limited to the officers and their dependents. It is equally important that the Governor was an easy and approachable personality who did all he could to destroy party feeling. From a long association with the Australian settlements he had imbibed

\(^{(1)}\) Enderby and Champion to Lord Liverpool, 1 August 1800; \textit{HRA} i, III p. 1.
their manners and methods of discipline; and he had neither the peevishness of Hunter nor the aloofness of Bligh. Only his firmness was found galling, and this was relaxed in the end, as his health began to fail. He and his wife made many permanent friends in New South Wales, among them several officers of the Corps. It appears on the whole that the opposition to King's government had little real depth, and it became negligible during his last eighteen months, when the number of officers at Headquarters was much decreased, and the most quarrelsome were either absent or appeased. Unfortunately the Secretary of State had decided upon his recall before this loose and happy period.

I have already mentioned the dispute which culminated in Macarthur's exile. It began as an officers' affair, set in motion by Macarthur as the senior officer at Headquarters, and although it ended with him at loggerheads with his commanding officer as well as with the Governor, he was ostensibly defending the honour of the regiment, so that the faction that supported him was entirely military. The only apparent exception was Charles Grimes, the Surveyor-General, and although he adhered to Macarthur there is no evidence that he caused trouble when Macarthur was gone. (1) He was then, and remained, a magistrate and the Governor's superintendent at the Hawkesbury.

(1) C. Grimes to King, 25 September 1801; HRA i, III p. 318.
Not only the Marshall affair, but all the important quarrels after Macquarie left New South Wales, involved the regiment, and it is in accordance with this fact that Lord Hobart gave as his reason for Captain King's recall in 1803, "the unfortunate differences which have so long existed between you and the military officers of the colony."(1)

It thus seems clear that, with Macarthur either absent, or - as he was on his return - the Governor's friend, there was no one who could see further than the honour of the Corps, and lead a united opposition on comprehensive issues. Thus D'Arcy Wentworth, assistant surgeon, although he continually complained about King's treatment of him, was never persuaded to cause trouble. In 1804 Mrs King, who did much to promote a cordial atmosphere during the period, wrote to him that "you have not better Wellwishers for your prosperity than King & myself."(2)

It is clear moreover that some of the officers were always cooperative. As well as Mackellar, Paterson's second in his duel with Macarthur, these included Lieutenant Hobby - most of the time - and Ensign William Moore, who together dutifully made reports to the Government about Macarthur's activities before he sailed, which did Macarthur little credit. Moore, and also Ensign Brabyn, received grants of land at this time, fairly sure signs of the Governor's favour.

(1) Hobart to King, 30 November 1803; HRA i, IV p. 428.
(2) 18 July 1804; D'Arcy Wentworth's Correspondence 1785-1808, Wentworth Papers.
More prominently, Ensign Francis Barrallier showed consistent loyalty. In August 1801 he was appointed to act as Engineer and Artillery Officer, and later became a member of the Governor's household as aide-de-camp. Also the surgeon of the Corps, John Harris, was from the beginning of the reign the Governor's right hand man. Having been made a magistrate in March 1801, in July he was appointed Naval Officer. He was also given responsibility over police in Sydney, and was, said King, "in every respect a valuable assistant to me."(1)

With the remainder there were various quarrels from Macarthur's departure up to the middle of 1803. In March 1802, King wrote that he and Paterson had experienced much vexations and unwarrantable treatment from Ens'n Bayly and the officers who are become the partisans of Capt'n McArthu.(2)

He no doubt had in mind the batch of courts martial which had just been held, two of them on Bayly, and one on Captain Piper arising from his part in Paterson's duel with Macarthur.

Whether King meant to include Ensign Bayly among Macarthur's partisans is doubtful. He was charged in these two cases, firstly with disobeying an order from his commanding officer, and secondly with beating his servant.

(1) King to Hobart, 9 November 1802; HRA i, III p. 650.
(2) King to the Duke of Portland, 1 March 1802; ibid. p. 402.
In the former affair he seems to have been trying to keep alive the officers' dispute with King and Paterson. But he was a second rate character, with none of Macarthur's style. Moreover the courts included Harris as Judge-Advocate, Hobby, Moore, Brabyn, and Barrallier, and Mackellar in the first and Paterson in the second. He was inevitably found guilty both times.

But with much the same court Piper was acquitted of the Governor's charges. The verdict, which King thought "by no means adequate", seems to show that this was regarded even by impartial officers, as a case involving the honour of the Corps. (1) If so, this helps to point out the fault in the position King had taken up. Piper was capable of a viewpoint independent of faction, and his opposition to King at this stage, and to a certain extent later, was a matter of friendship for Macarthur, and pride. He thus represents the best aspect of Macarthur's case. Macarthur, as he often did, had appealed to the dignity of his supporters; King accordingly had overstepped the line Macarthur had drawn, and seemed even to the impartial officers to be treating their claims with insufficient respect. Nevertheless in 1806 the amiable Mrs King was one of the numerous ladies who corresponded with Piper. In 1816 she was writing "by every opportunity as you requested." (2)

(1) ibid. p. 457.
(2) 17 February 1816; Piper Correspondence, 3.
Bayly remained a problem until given a large grant of land in 1805. Minchin also, one of the four who had stood by Macarthur, necessarily stayed at Headquarters, since he was the adjutant; and he continued his insidious opposition until close to the end of King's time, when possibly even he became friendly. (1) Also, during 1802, Captain Johnston and Captain Anthony Fenn Kemp, one of the most unattractive personalities among the officers, (2) returned from England. Both were leaders of the Rebellion against Bligh, and of the two quarrels with King that remain to be mentioned, Kemp was the instigator of the first, in October, and both he and Johnston were deeply involved in the second, which lasted through January and February 1803.

In both these disputes Harris, as Naval Officer, was the main target of his brother officers, because, said King, he had been "active in assisting me to prevent the introduction of spirits." (3) This seems all the more likely from Kemp's particular reputation as a smuggler and dealer in spirits. (4)

The first affair began when Harris reported to the Governor, the complaints of Captain Kemp that officers of the French ships then in the Harbour under the command of the explorer Nicholas Baudin, had been allowed to buy spirits

(1) Lord Castlereagh to King, 13 July 1805; HRA i, V, p. 489.
(3) King to Hobart, 9 May 1803; HRA i, IV p. 163.
(4) Evidence of Francis Oakes, Court-Martial of Lieut.-Col. Johnston, p. 95.
from the Atlas, also lying at anchor, when the officers of the Corps were denied that privilege; and moreover that the Frenchmen had then sold some to colonists. Within two days this was proved false, and Kemp had apologised to Baudin. But the case had its ramifications. The Governor complained to Paterson that since he, Paterson, had known of Kemp's story some time before, he should have reported it. Paterson took offence. Thus, where Macarthur had failed, Kemp finally succeeded in alienating the Colonel from the Governor: from this point Paterson was led to complain that officers of the Corps were improperly employed in civil positions. Harris was therefore removed as Naval Officer and magistrate, and Barrallier as Engineer and Artillery Officer.

In this way the old campaign to corrode as far as possible the Governor's support - the grand object being always to detach the commanding officer - met with considerable, though temporary success. But it was success with little point or purpose. It remained to Macarthur, when he returned greatly strengthened, to adopt the new and much more positive policy of separating the Governor himself, in King's case, from loyalty to his original principles and the trust which had been put in him, and in Captain Bligh's, from the exercise of that supreme authority which had hitherto been assumed invulnerable.
Two courts martial followed the French officers' affair. Harris had heard of Kemp's complaints from Minchin, and the latter alleged he had been wrongly reported. Harris was therefore tried to determine whether he had lied. The court, made up mostly of Governor King's supporters, but including Bayly and John Piper, unanimously acquitted him without even hearing his defence. This can only be explained by assuming that Piper gave an impartial opinion, and that Bayly, who was incapable of impartiality on his own, was not prepared to assert himself against the rest of the court. Minchin was charged with denying Harris's assertions. Whether he attempted to deny his denial or to prove it true, does not appear, but he must have had little chance of success, particularly if, as seems likely, the same court sat at both trials. But there must have been little call for punishment. What the outcome was is not known, but King was disappointed with the sentence.(1)

The second dispute is more obscure, but it is at least possible to see two sides fairly distinctly drawn up. This was a case of sedition. On the 13 January pipes were found at the officers' barracks with verses libelling King, Harris, Atkins, Marsden, the Governor's private secretary, Williamson now deputy-commissary at Parramatta, and others. Hobby, Bayly and Kemp were charged by the Governor with publishing these subversive papers.

(1) King to Sir C. Morgan, 15 November 1802; HRA i, III p. 732.
Paterson was ill and Captain Johnston was acting in command of the Corps. As such he showed more positive sympathy with the other officers than Colonel Paterson had ever done. He had himself a fair reputation as a dealer in spirits.\(^1\) The anonymous letters which had been written against Hunter in 1798 made accusations that rum traders lived in the Governor's household, and, since he was sent home by Paterson in 1800 charged with illegal trading in spirits, it seems reasonable to suppose that this was a reference to Johnston, Hunter's aide-de-camp and seeming friend and supporter. Moreover he showed active sympathy with Kemp's attempts to smuggle spirits in Bligh's time.\(^2\)

It is therefore easy to believe that although they were later cool with each other, Johnston sympathised with Kemp in the sedition affair, and accordingly that he was not entirely the well-meaning and misled figure he is sometimes said to have been.\(^3\) No doubt he was slow and somewhat retiring. But his activities under Hunter, who trusted him thoroughly, show, so far as they are proved, wanton duplicity; and some of his later measures reveal this trait as well as the weakness of character which is generally used to explain them. In this last case he had some part in distributing the libels, and even without the guiding

---

\(^1\) See for example, the evidence of J. Palmer, Court-Martial of Lieut.-Col. Johnston, p. 79.

\(^2\) R. Campbell's information about the American ship Jenny, 31 March 1808; Banks Papers, 22.

\(^3\) For example, Australian Dictionary of Biography II p. 21.
influence of Macarthur and with very little provocation, he was able to address the Governor in defiant and even insulting terms. (1)

Harris was delegated to act as prosecutor and judge advocate in the three courts martial of Hobby, Kemp and Bayly, all charged with disseminating the "infamous papers." But during Kemp's trial Johnston, as president of the court, objected to him being judge advocate. After a long correspondence, and after convening a council of magistrates to advise him, King gave in and appointed Atkins in Harris's place. He had little alternative since Johnston maintained the Governor had no power to suspend Kemp's trial and disperse the court, and there were insufficient officers left to try urgent criminal cases. Kemp was subsequently acquitted.

A broad interpretation of the charges made in the pipes gives some idea of the nature of Governor King's opposition. The authors believed that they had a claim to the Governor's confidence: "On honest men he never placed reliance." (2) They based their claim on their being military officers, and as such, no doubt, certified gentlemen accustomed to command; and like some of the later Exclusives, on their being well established in the Colony. Thus the pipes make King say, "I'd civilians give trust, confide in new faces." (3) It may be significant that the

(1) Johnston to King, 24 February 1803; HRA i, IV pp. 161-3.
(2) King to Hobart, 9 May 1803 (enclosure); ibid. p. 167.
(3) ibid. p. 170.
only soldier confided in by Hunter in the months before King's arrival was Johnston himself.

The shallowness of these complaints is obvious, and they bear a striking contrast with the platform adopted by Macarthur in his battle with Bligh. In King's time it is clear that the opposition to government comes merely from a corporate group, resenting interference in their affairs by an outside authority and jealous of those with influence in the administration. Macarthur, as will be seen, makes it much more: the coalition of several groups united in the hallowed cause of "life, liberty and property", those precious objects for which the noblemen of the Glorious Revolution were supposed to have struggled.

The late Professor Shann, in his *Economic History of Australia*, attempted to explain the Rebellion as due to the "officer-capitalists of Sydney" being alarmed at the appeals of the Hawkesbury settlers in January 1808 for the relaxation of the East India Company charter, which would make it unnecessary for South Sea merchants to hold a licence from the Company; for they, the officers, monopolised licences in the Colony. But no one with any knowledge of public affairs could have imagined that the petition of eight hundred small farmers might have had the smallest impact on the policy of the great Company. More than this, the officers' anonymous and petty complaints of favouritism in 1803 came from the sort of men who take authority for granted.

(1) p. 46.
Much more than a mere petition was necessary to give such querulous individuals the substance of rebels.

Apart from this, the man who profited most under a Company licence was the merchant Robert Campbell, one of Bligh's chief supporters. He had begun business from India in Hunter's time and as early as 1798 he had met with severe competition from the local trading group. (1) By 1806, says his biographer,

Regular shipments and lenient terms, such as those provided by Campbell, had destroyed the economic exclusiveness of the colonial officers. (2)

Insofar as Governor King also depended on him at times for supplies and granted him some privileges, Campbell's might have been one of the civilian faces particularly objected to in the pipes.

A little after the sedition affair Campbell became involved in competition in Bass Strait with the ex-convict merchants, Simeon Lord, Kable and Underwood. A feud over areas of activity, and over the labour of the small number of men prepared to go whaling and sealing, engendered "the most litigious and malicious Complaints of the different Adventurers' Conduct to each other." (3) Lord had begun his career in the Colony as a retailer of spirits and other goods for the officers, being originally the assigned servant of Captain Rowley, and he seems to have maintained

---

(1) Campbell's evidence, Court-Martial of Lieut.-Col. Johnston, p. 68.
(2) M. Steven, Merchant Campbell, p. 143.
(3) King to E. Cooke, 24 October 1805; HRA i, V. p. 571.
his connection with the Corps. He was Piper's agent while the latter was stationed at Norfolk Island, and he was involved in Bayly's court martial in January 1802, when Governor King described him as a "noted dealer, agent and smuggler." (1) In the contest which developed during his time King generally preferred Robert Campbell. It will be seen that Campbell's rivalry with the officer group and with the emancipist merchants, and his friendship with the Commissary, John Palmer, one of Bligh's staunchest supporters, altogether did much to strengthen group loyalty before the Rebellion.

In October 1802 the Governor's opposition had succeeded in having Harris removed from his civil office. Barrallier at the same time ceased to be Colonial Engineer and Artillery Officer, but was made aide-de-camp instead, a military position. In May 1803 he was obliged to resign this post and his commission and leave the Colony. We have only King's account of the cause, which he later qualified (not to Barrallier's credit). (2) He alleged that his aide had been tricked by some of the officers into saying, falsely, that the Governor had prevented his wife with violent threats from visiting Mrs Paterson. (3)

---

(1) Lord to Piper, 25 August 1806; Piper Correspondence, 3. King to W. Paterson, 1 January 1802; HRA 1, III p. 459.
(2) King to Sir J. Banks, 21 July 1805; Banks Papers, 7.
(3) King to Sir J. Banks, 14 August 1804; ibid.
King believed that his enemies had "no other intention than to widen the breach between me & Colonel Paterson." (1) Apparently they failed. At least there seems to have been no further disputes, and by June 1804 King and Paterson were reconciled.(2)

During that year the Governor's enemies were dispersed, so that opposition became very thin. In September 1803 Bayly had resigned his commission, and lived henceforth near Parramatta. About January or February 1804 Piper's duty took him to Norfolk Island, where his younger brother had been since 1802; in September he was appointed commandant. In October Paterson and Kemp and two ensigns were despatched to found a settlement at Port Dalrymple, where Paterson was to be lieutenant-governor. The part played by Johnston and Abbott in stamping out the rising of the United Irish in March gave the Governor an opportunity to commend them in General Orders, and this led to an easier relationship. (3) In December Johnston, having taken command of the Corps, wrote to Piper of the kind attentions shown by the Governor to him and the regiment. (4) In the following year he and Abbott received large reward land grants.

When Macarthur returned in June 1805 therefore, he found reason to "entertain hopes of universal Peace once

(1) ibid.
(2) ibid.
(3) 9 March 1804; HRA i, IV p. 572.
(4) 28 December 1804; Piper Correspondence, 3.
more resuming his Reign in this heretofore unhappy place." (1)
But he was to manage it as a Pax Macarthur. The "artful
and unprincipled Sheepmonger" (2) had returned richer and
more hopeful than ever before, with several of the King's
best sheep, a grant of 5000 acres, and promising friendships
with politicians and merchants near to the hub of empire.
And as solid proof of his power he brought Sir Walter
Farquhar's nephew, Walter Stevenson Davidson, then aged
19, with an order for 2000 acres next to his own new
property, which was to be fixed beyond the Nepean in the
area known as the Cowpastures.

Governor King's sudden volte-face, the protestations
he now made that "To my knowledge Mr. McArthur had never
offered me the least private or personal injury", may seem
ridiculous. (3) But he had already adopted a policy of
forgetting grudges wherever he could. And with Macarthur
declaring that the Secretary of State and Sir Joseph Banks
were both his sympathetic friends, it would have been almost
insubordinate to press a point. The Governor did however
make some effort, without avail, to prevent Macarthur taking
land used by the Government's wild cattle as part of his
grant.

(1) Macarthur to Piper, 10 June 1805; ibid.
(2) King to Banks, 14 August 1804; Banks Papers, 7.
(3) Notes by Governor King; King Papers, 8.
Captain King was the first governor, and the last before Brisbane, who left the Colony friendly with Macarthur. In June 1806 Macarthur wrote of his regret that King should be going. This is not surprising. In the previous December, besides grants of more than a thousand acres each made about the same time to Thomas Jamison, Bayly, Abbott, Carnham Blaxcell, Johnston, Harris, and Gregory Blaxland, and as an addition to the large estate at Camden Park, the Governor had given Macarthur 1440 acres at Cabramatta, in grants to his nephew Hannibal, his daughter, and two employees. Several weeks later he had granted 2340 acres to his own children at Evan, to which Bligh later added 790 acres to Mrs King, making a solid large estate. Thus there is some reason for believing Macarthur's story of

an arrangement that was on the point of being made with Govr. King before he was relieved, which would have secured a splendid pasture for both our Families.

Also in 1806 — as soon as news came that the new Governor was not far off, according to Bligh — Macarthur persuaded King to give him a fourteen year lease of a block of land in Sydney reserved for the Crown.

(1) Macarthur to Piper, 23 June 1806; Piper Correspondence, 3.
(2) Mutch Papers, Mitchell Library, 4418.
(3) Macarthur to his Wife, 8 December 1814; MP, 2.
(4) Bligh to Lord Castlereagh, 30 April 1808; HRA i, VI p. 424.
Blaxcell, the Governor's secretary, Harris, Jamison, and some others, received similar leases at the same time. This was not an unprecedented incident, as Dr Evatt seems to imply; (1) Palmer had received a lease of a large part of the Domain in 1802. (2) But unlike Palmer's, these Indian summer leases caused considerable trouble in Governor Bligh's time. Whether or not Macarthur was laying up a casus belli in case it should be needed, it is quite impossible to say.

(1) op.cit. p. 118.
(2) Macquarie to Lord Bathurst, 7 October 1814; HRA i, VIII p. 340.
Chapter 4: Parties to the Rebellion

Captain William Bligh arrived in New South Wales on the 6 August 1806, and took office a week later. Before dealing with the events of his time, I shall make some attempt to define his policy, insofar as it differed from his predecessor's, in order to show what brought his enemies together.

It is relevant first to point out that Bligh was a prouder man: a Fellow of the Royal Society, who wrote to intellectual and well-connected friends in a style more assured and elegant than King was capable of. His principles of action were accordingly more firm and distinct. Unfortunately although they were often admirable in themselves, and might be adhered to with absolute courage, they were conceived in a void, as a set of rules rather than a system of solid morality or political wisdom. Thus Bligh found it possible to take advantage of his position as governor-elect, by accepting grants of land from his predecessor, and as governor, by working them at public expence; measures quite in contrast to the moral ideals of his public policy. His political blunders are set out below.

He owed his appointment to Sir Joseph Banks, his close friend and chief patron, and he shared at least Banks's dislike of large estates in the hands of individual settlers. (1)

(1) Evidence of E. Griffin before the Rebels (Johnston to Lord Castlereagh, 11 April 1808, enclosure); HRA i, VI p. 331.
He was therefore not inclined to give grants on the scale of Governor King, nor indeed many grants at all, for he gave only one that he was not obliged to give. (1) This can have pleased no one. John and Gregory Blaxland in particular, who arrived in the Colony with great hopes, were alienated mainly by this policy. Large landholders similarly found that they received few of those indulgences they thought themselves entitled to and which were necessary for their progress, such as preference in the distributing of stores and convict servants. (2) Macarthur at least concluded that Bligh was ill disposed towards him from the very beginning, but there is not the slightest evidence that this was so. (3)

Another class who saw their ambitions thwarted under Bligh's heavy hand were the ex-convicts, who were daily becoming more important as individuals and as a body, while generally remaining unprincipled. While doing his best in a paternal way for their daily needs, particularly those of the small farmers amongst them, the Governor's attitude towards their social and legal position was as extreme as any Exclusive in the 1820's and 1830's, and must have been particularly resented by the traders and publicans and other ex-convicts of the town of Sydney whom it chiefly affected.

(1) And a total of three, Mutch Papers, Mitchell Library 4418.
Bligh to W. Windham, 7 February 1807; HRA i, VI.
p. 122.
(3) Memoir by James Macarthur; MP, I.
King had believed that by his giving pardons, "the Objects of that Mercy become as free and susceptible of every Right as free Born Britons as any Soul in the Territory."(1) But Bligh maintained that, in a jury system at least, ex-convicts should not be eligible to sit, nor even their children until proved "fit members of society."(2) It must have been noticed that he set himself to establish firmly the "proper dignity" of Government House, believing that the privilege of visiting there was not to be allowed to ex-convicts, and not "to be expected until after generations, when they deserve it."(3) He was also remarkably illiberal with pardons, giving only two in his time. Similarly he gave "very few" tickets of leave, licences which allowed convicts to look after themselves, explaining later, "I did not approve of the system."(4) Thus he kept a tight rein on the lower orders.

But this policy did little to help the Governor's feeling for the upper classes of the settlement. "You can form no Idea", he wrote to the Honourable Charles Greville, "of the Class of Persons here who consider themselves Gentlemen."(5) It is in line with this attitude that he thought the governor's power in the Colony should be absolute.

(1) King to G. Johnston, 18 February 1803; HRA i, IV p. 216.
(2) Bligh to Windham, 19 March 1807; HRA i, VI p. 151.
(3) Bligh to C.F. Greville, 5 November 1807; Banks Papers, 6. Report from the Select Committee on Transportation. (House of Commons), 1812, p. 35.
(4) ibid. p. 47.
(5) Bligh to Greville, 5 November 1807; Banks Papers, 6.
and that, for example, an advisory council of respectable settlers would be impracticable. "I do not think that any person in the colony at this moment should have so much power", he said after his return.(1) Robert Campbell, who became his most influential supporter, agreed with him.(2)

The proud, inflexible and self-sufficient approach, which was the prime cause of all his trouble, is seen behind Bligh's opinion that "A Governor should have judgment and wisdom sufficient to govern himself, and never to ask the opinion of any person upon all cases of right and wrong."(3)

It was particularly unfortunate that his predecessor had been very different, at least in his last years.

The clearest sign of Captain Bligh's firmness was his prohibition of the barter of spirits, a ban which particularly affected the rich settlers. King had merely regulated import, and done what he could to stop illicit distillation. Bligh was determined also to prevent barter, for by this practice the man able to collect large quantities of spirits, by whatever means, acquired a great advantage over, and so could ruin those less fortunate. Prohibition, he wrote, "is absolutely necessary to be done to bring labour to a due value and support the farming interest."(4)

---

(1) Report from the Select Committee... (op.cit.), p. 44.
(2) ibid. p. 70.
(3) ibid. p. 43.
(4) Bligh to Windham, 7 February 1807; HRA i, VI p. 125.
Immediately King had left the Colony, the order was issued by which such barter was made illegal, on the 14 February 1807.

There is some evidence, not only that this regulation was "the first direct cause which led to the deposition of Bligh", (1) but that as soon as the Governor's intentions were revealed, as they must have been some time before, Macarthur began to contemplate mutiny.

Presumably he waited two or three months to see if Bligh would be, like King, amenable to his scheme for the Colony and awed by the strong connections he had established in England. He waited thus with two alternatives. The governor's authority he believed was within his power, and he was resolved to "bend it to our awe Or break it all to pieces." In January 1807, at least his wife had come to believe that Bligh was "violent, rash, tyrannical", and certainly by February Macarthur had experienced the Governor's illiberality with convict servants, and come to understand his inflexible attitude to the barter of spirits. (2) It will be shown in the next chapter that he must have determined before King sailed on the 10 February that Bligh must somehow be removed. From the evidence that follows it seems possible that at this time he accordingly began to lay plans more deep and dangerous than any he had made before against a governor.

(1) HRA i, VI p. xvi.
(2) Mrs Macarthur to Miss Kingdon, 29 January 1807; MP, 12. Bligh to Windham, 7 February 1807; HRA i, VI p. 122.
The clearest point is the fairly reliable evidence given at Colonel Johnston's court martial by Charles Walker, who had left the Colony on the 1 March 1807 in command of Macarthur's brig, the *Elizabeth*. He said that before he sailed he had heard Macarthur complaining of Bligh's preference for the small settlers in the distribution of Government stores, and darkly threatening that if he did not change his policy "he will perhaps get another voyage in his launch again", the launch being a reference to the *Bounty* mutiny.\(^{(1)}\)

In itself this might be considered a mere threat, the kind Macarthur had made against Lieutenant Mackellar in 1801, and was to make against Major Goulburn in 1823. Mackellar was drowned before anything more alarming could happen to him, and Goulburn was forced to submit by constitutional means. But none of Macarthur's threats and hopes were merely idle. Despite different methods his intentions had an enamel hardness, his ideas generally seeming so inevitable for him that it was merely a matter of forcing their reality on other people. Malice is only incidental. An idea once fixed on, there was nothing in Macarthur himself to prevent it becoming action. This, it is true, may not be said with such certainty of him in his old age, but at this period, such was his personality that Walker's story is evidence of a plan.

\(^{(1)}\) *Court-Martial of Lieut.-Col. Johnston*, p. 136.
It was Bligh's opinion that Macarthur must have made at least some vague plans as early as January 1807. On the 28th of that month, the brig Harrington, with William Campbell as master, sailed from the Colony. Her owners in India had apparently failed during her stay, and therefore presumably expected her to return home, but Campbell had gone into partnership with Macarthur to collect merchandise from Malacca and Canton. Therefore, Bligh said, had he been in power on the Harrington's return, he could not have allowed her cargo to be landed. But she did not arrive back until March 1808, when Macarthur himself controlled affairs. If the facts are just as he says, Bligh's point seems a good one. But there is at least one complication in that on his return Campbell seems to have bought the brig, and from Simeon Lord. Since Campbell paid a regular sum we must presume that Lord was in legal possession, and if so, Bligh's argument fails, and proves nothing one way or the other.

Whatever the truth Bligh maintained a superficially easy relationship with Macarthur until July. In that month he dismissed out of hand an appeal by Macarthur from the Civil Court, where he had sued Andrew Thompson, the bailiff at Bligh's farms on the Hawkesbury. Macarthur had acquired one of Thompson's promisory notes, which, as was

---

(1) Bligh to Castlereagh, 30 June 1808; HRA i, VI p. 535.
(2) Macquarie to Lord Bathurst, 28 June 1813 (receipt dated 4 May 1808); HRA i, VII p. 757.
customary, specified payment in grain. But since the
issue of the note, floods had considerably increased the
value of that article. Macarthur demanded the quantity
of grain promised. Thompson would pay only the original
value of the note. As Dr Evatt says in his study of the
Rum Rebellion,

The importance of this...dispute is that the
judgment of Bligh was a distinct setback to
those who had taken advantage of the scarcity
to press unexpectedly onerous demands on the
small settler. Further, the case revealed
Macarthur as the open defender of the harsh
creditor and Bligh as the opponent of the
bartering group who acted through Macarthur.(1)

To underlie his position, Macarthur ceased visiting at
Government House. Mrs Macarthur did her best to prevent
the breach, telling the Governor he was sick, which led to
some embarrassment when Bligh called to see how he was.(2)

In July there also occurred the court martial and
suspension of D'Arcy Wentworth, assistant surgeon. He was
charged with disobedience by Captain Abbott, the officer in
command and magistrate at Parramatta, in that he had refused
to receive two convicts Abbott had sent to the Parramatta
hospital. Wentworth defended himself by explaining that
these and two others had been taken from the hospital by
the Governor several days before, and he therefore could

(1) op.cit. p. 88.
(2) Evidence of E. Griffin before the Rebels (Johnston
to Castlereagh, 11 April 1808); HRA i, VI p. 323.
not receive them back for their original complaints without orders from His Excellency or from the Principal Surgeon. Dr Evatt maintains that Macarthur inspired the trial as an opportunity to defame the Governor. (1) But this is to give the case a more weighty and sinister significance than it can bear. It is true that three times during the proceedings, Wentworth referred angrily to the Governor's taking the four convicts from the hospital without informing him, which he considered insulting. Bligh suspected that Wentworth had been keeping the four when they were no longer sick, so that they might work about his house. He was perhaps right in the case of the two who were not returned, but his action was hasty and rather high handed, and Wentworth had some cause to be offended, as also he had some reason to disobey Captain Abbott. Moreover the only evidence that Macarthur might have been involved is that he was with Abbott when Wentworth's refusal was brought back. Dr Evatt's tendency to think Bligh was never at fault seems here to have led him into error. Although Wentworth was friendly with some of the officers, his personality was too straightforward to join in their more intricate manoeuvres. Though supporting the Rebellion, he was not given the smallest responsibility in Johnston's administration.

(1) op.cit. pp. 91-96.
Four days after his trial and conviction, Wentworth was suspended for using convicts at the hospital for his own purposes. He was not asked to give any explanation, nor even told officially of the charge. Thus he went from intransigency to thorough enmity. Suspension was no trivial matter, since if affected one's whole livelihood.

It was not until October that Macarthur began to sharpen his opposition. In March two stills had arrived for Abbott and himself. These had accordingly been confiscated under the regulations. Harris, whom King had reinstated as Naval Officer in 1804, had permitted Macarthur to take them from the Government Store, and they were not returned despite the Governor's orders. Harris was soon after replaced as Naval Officer by Robert Campbell. In October an opportunity arose for the reshipment of the stills. They were found at the premises of Garnham Blaxcell, Macarthur's trading partner, who stood with deliberate forebearance while they were taken away by Campbell's nephew. (1)

Straightaway Macarthur sued Campbell junior for acting without proper authority. He used the subsequent trial to proclaim the alleged tyrannies of Bligh: his address to the court was a diatribe against the Government's invasion of the property of free Britons. (2)

(1) Evidence of R. Campbell junior before Civil Court, 24 October 1807; HRA i, VI pp. 174-5.
(2) ibid. p. 178.
His appeal was broad and appropriate. Since King's time a growing number of people had acquired an increasingly deep and substantial stake in the Colony. Yet the Governor still retained his traditional extensive authority over their affairs, from which appeal was difficult or impossible. Dr Margaret Steven points out that the Rebellion was partly the result of general anxiety at the Government's becoming more impartial and difficult to influence in Bligh's time. In her opinion, Macarthur and those officials and officers who profited from the barter of spirits saw their authority sinking beneath a more dignified and highly principled administration. (1) But it is also true that in the community, as opposed to the political establishment, the authority of the officers and richer settlers, in their own view at least, was becoming more firmly rooted with time, and their property more sacred with custom and their own increasing age.

Macarthur had little ground for complaint in his case, but he was able to appeal to honest concern, and it was for this reason that his "very breath (was)... sufficient to contaminate a multitude", or at least to cause an undercurrent of sympathy for his argument. (2) When the Governor acted on his firm belief that he was entitled to give orders which contravened British law in the matter of

---

(2) Bligh to Castlereagh, 30 April 1808; HRA i, VI p. 421.
private property, and otherwise treated the affairs of anyone troublesome with aloof disrespect, "every person who had property felt an unpleasant sensation." (1)

Macarthur had an ambition to be the Oliver Cromwell of his country. (2) The idea is not entirely ridiculous. Ideas of organised welfare prevail in this century, making inevitable such interpretations of the Rebellion as Dr Evatt's, but it will be noted below how much Macarthur's aims were approved in his time, and by people quite unconnected with him. The affair must be looked at in context. In the Eighteenth Century, of which period Macarthur was a true product, and for some time into the Nineteenth, the ideal of administration and law in Great Britain was not to cut across human inclination, so much as to guide the relationships of different parties within the state, either with forebearance or with a ruthlessness which generally cut off the offending individual altogether from the body politic. Government was therefore supposed to foster rational liberty, rather than to qualify it.

John Locke, whose opinions on political theory were generally assumed at that time as a matter of course by educated Englishmen, particularly those of secure property, had written that an individual only submitted to the authority

(2) Evidence of E. Griffin before the Rebels (Johnston to Castlereagh, 11 April 1808, enclosure); HRA i, VI p. 131. Macarthur to B. Field, 29 January 1824; MP l.
of government by the force of his own reason, "the better to preserve himself, his liberty and his property."(1) Rebellion therefore could easily be seen, in theory at least, as the last but sometimes the inevitable resort of men of character and substance.

It is not surprising for these reasons, that when enough time had passed for the unsavoury details of 1808 to be glossed over, the Whig opposition in England, who considered themselves the special custodians of Locke's ideas, pointed to Bligh and the basis of his authority as tyranny of the classical type, for they held that in a civil polity the arbitrary disciplining of free men could not be justified.(2) Edmund Burke had said as much of the native people of Bengal under Warren Hastings.

Locke's idea of how liberty is manifest in the lives of individuals was comparatively vague. But with Adam Smith, whose Inquiry into the Nature and Causes of the Wealth of Nations first appeared in 1776, property was made its essential and defining point. In this work, which by Macarthur's time was accepted as the unrivalled oracle on political economy, he taught that no man is ever thoroughly happy with his situation, and "An augmentation of fortune is the means by which the greater part of men purpose and wish to better their condition."(3) The proper task

---

(2) see for example, Edinburgh Review, Vol. 32, (1819), p. 23 et seq.
of the executive therefore, according to Smith, is to allow enterprise to work unhindered and to protect property; so that a government which interfered with the livelihood of its subjects without good reason, subverted the natural order. The abstract nature of the idea gave it an extra force which in our time would not be understood. It is possible that sincere enthusiasm might, for example, have filled the words of Colonel Johnston at his court martial after the Rebellion:

property is too sacred to be taken away without form or process, and merely at the will of a Governor, announced by proclamation in a newspaper. (1)

It was therefore very apt that Macarthur should make it the whole point of his strategy in the two months before the Rebellion to show, both by word and action, how far Bligh was prepared to encroach on the property of the subject. Besides his harangues, he tried to assert his possession of the long leases Governor King had given him in Sydney, knowing that Bligh would claim them for public purposes, as he was bound in duty to do.

"The characteristic essence of property ... is to be unequal", and a system where liberty is so closely connected with property gives few rights to the poor. It was therefore not unnatural that Macarthur was able to persuade himself that the subversion of his own liberty, and the

invasion of the property of his associates was all the
provocation an Englishman needed.

I do not aim to justify Macarthur's Rebellion, which
is not the historian's task, but it is very necessary to
show that his actions, though they arose from selfish
interest, might nevertheless have been quite honestly
backed with substantial argument. His private letters,
both at the time - "I have been deeply engaged all this day
in contending for the liberties of this unhappy Colony" -
and later, show that he at least, firmly believed in the
righteousness, and more, the historic importance of his cause. (1)

Property may be to some extent seen merely as the
external mark of individual dignity and importance. In the
single affair of the stills were implicated two of Governor
King's most confidential assistants, Harris and Blaxcell,
the latter having become King's private secretary in 1804.
Under Bligh these lost their influence and their standing
in the Colony, and in fact Harris complained to Mrs King
about this time that "every person who held the least
appointment under Govr. King" (2) had been replaced. Bligh
made no attempt to check this inevitable cause of discontent,
and in fact his measures fostered it much more than necessary.
Jamison similarly, the Principal Surgeon, who had been a
trusted magistrate under King, was dismissed from the

(1) Macarthur to his Wife, n.d. (January 1808); MP, 2.
(2) 25 October 1807; King Papers, 8.
commission of the peace in October. The only reason given was that he was "not an upright man, and imimical to Government, as likewise connected in improper transactions".\(^{(1)}\)

By publicly degrading him, Bligh only encouraged his opposition.

In November the schooner \textit{Parramatta}, belonging to Macarthur and a London firm, returned from a voyage to Fiji. It had been discovered after she left the Colony in June that a convict had escaped on board. On her return therefore, Campbell, as Naval Officer, demanded payment of the bond which the master of every out-going vessel was required to enter into to prevent the escape of convicts. Macarthur and Blaxcell were bondsmen. The ship being placed under arrest, on the 7 December Macarthur declared he had abandoned her, and told the master and crew to make their arrangements with the Naval Officer.

Here the pace must change, for it is unnecessary to give a detailed account of events from this point up to the arrest of Captain Bligh, except insofar as they show the basis of Macarthur's authority, who was involved with him in his movements towards the climax, and, to some extent, who were his opposition. The more minute details of action are laid out in Dr Evatt's account.

It should be noted first, that although there is some proof that Macarthur was thinking of mutiny at the

\(^{(1)}\) Bligh to Windham, 31 October 1807; \textit{HRA} i, VI p. 150.
beginning of 1807, and might easily have had some definite aims at least by October, it is very doubtful whether anyone shared his confidence so early. Certainly it was in his interest to make the Rebellion seem as spontaneous as possible, and there was nothing to tempt him to discuss plans with anyone much before the event. Moreover it is much more consistent with his personality that he should have kept such ideas to himself.

That Johnston at least knew nothing is shown by the effort he made in October to have Kemp, who had recently arrived from Port Dalrymple, sent back on duty there.\(^{(1)}\) This precludes any idea of any early gathering of forces, particularly as Kemp was a practised agitator, and later took a leading part in the Rebellion. Bligh insisted he remain in Sydney, an order he refused to explain and had reason to regret. Macarthur and Johnston both alleged that before the Rebellion they had nothing to do with each other, "nor was our acquaintance at all intimate."\(^{(2)}\) There is no reason to believe otherwise. On the 17 December the bench of magistrates at Sydney, on which Johnston sat, committed Macarthur to trial for sedition after he had defiantly refused to appear to explain his actions in the case of the Parramatta. Johnston voted with the majority, and we must assume he was not aware of how the case would end.\(^{(3)}\)

\(^{(1)}\) Kemp to Bligh, 9 October 1807 etc.; Banks Papers, 22.  
With the other officers at Headquarters Macarthur similarly seems to have had no connection. Kemp, and perhaps Lawson, were involved at this stage in their own form of subversive activity, the smuggling of spirits. This was apparently done with the express sanction of Major Johnston, who was nevertheless anxious that his name might be kept out of the business. (1) Minchin might also have been involved, and this is perhaps the meaning of Macarthur's comment to Piper about him, in October: "Peter I think is at the old Game, yet he appears to enjoy the confidence of Johnston." (2) The tone of the remark itself shows how remote Macarthur now was from activities at the officers' barracks.

Macarthur was a haughty man, not given to indulge in the course convivialities of an officers' mess. Despite his devious methods of business he was far above the more personal temptations which garrison duty in a remote settlement peopled largely by broken men and depraved women held out to the soldiers and officers of the regiment. His own failings being of a rather more discriminating kind than theirs, and not inconsistent with his idea of a gentleman, he believed the officers of the Corps to be in general an "improper set of men." (3)

(1) R. Campbell's information about the American ship Jenny, 31 March 1808; Banks Papers, 22.
(2) 11 October 1807; Piper Correspondence, 3. For the identity of "Peter", see Abbott to Piper, 17 November 1818; Piper Correspondence, 1.
(3) Macarthur to his Wife, 3 May 1810; MP, 2.
But there were several, such as Abbott and Piper, who were intimate members of his family circle. Until early January 1808 he was living at his property, Elizabeth Farm, near Parramatta, where Abbott was in command of the detachment. The latter was Macarthur's oldest friend in the Corps, and they must have been closely in touch. Abbott and Nicholas Bayly were both involved when Macarthur sent his defiant answer to the Judge-Advocate's summons on the 15 December. Bayly, fearful of the consequences, sent Edward Macarthur to retrieve it, which again shows that no positive and concerted scheme existed even at this stage. (1)

As far as Captain Abbott was concerned, the decision to arrest Bligh was made roughly ten days before the Rebellion. He wrote to King afterwards that he was to be relieved [from the command at Parramatta], by the Governor's direction at my own request, (some days before it had been resolved to arrest him) on the 27th. (2)

By a strange misreading, Dr Evatt interprets this as proving the decision to arrest Bligh was reached "some days before" the event. (3) But Abbott's meaning is clearly that the Governor's direction, which was in fact given on the 11 January, was "some days before" the decision, which gives a somewhat earlier result than Dr Evatt's. (4)

---

(1) Evidence of F. Oakes before the Rebels (Johnston to Castlereagh, 11 April 1808); HRA i, VI p. 350.
(2) 13 February 1808; King Papers, 1.
(3) op. cit. p. 147.
(4) If "some" is interpreted, as seems reasonable, to mean from 3 to 5.
It is possible that this was a firm conclusion drawn from earlier discussions. But all the evidence tends to establish that up to quite a late stage most opposition to the Governor was of the old kind, and that no one besides the "Arch Fiend" thought seriously of mutiny. He however, with even Johnston, Abbott and Bayly unaware, was apparently doing his best to gather together individual grumblings into a grand and honourable cause. Thus he asserted his right to his Sydney lease at the very beginning of January. The idea of single responsibility seems most plausible for another reason. It is clear from the respective parts the Rebels took that only Macarthur was capable of using devious and underhand political tactics with a complete confidence in his own righteous and heroic aims, a confidence so firm that he was able to publish his beliefs with compelling skill. Without him no broad and effective movement could even have begun. Most of his associates understood his methods only to well; Abbott, his only real confidant, alone seems to have properly appreciated the honour involved, and, as will be shown below, he was incapable of the methods. In these circumstances, to achieve both cohesion and spontaneity it clearly would have been wisest for Macarthur to work by himself until a fairly late period.

The Criminal Court which gathered on the 25 January to try Macarthur for his conduct in the Parramatta affair, for defying an official order, and for defaming the Government,
was to have been composed of Atkins the Judge Advocate, Kemp, Minchin, Lawson, Moore, Brabyn, and Thomas Laycock the quartermaster. When the last six had been sworn in and the Judge-Advocate was on the point of taking the oath, Macarthur rose and delivered a speech protesting against Atkins presiding at his trial, since he owed him money and was known to be his enemy. Atkins proclaimed his authority to be slandered and ordered that Macarthur be sent to gaol. This order was forestalled by Kemp, Minchin and Lawson, Kemp adding his opinion that Atkins should be imprisoned instead. (1) The other three members played a completely subordinate and pliant part in this and the following events. Similarly they were given no responsibilities when Johnston took command, nor did they cause any trouble.

On the 26 January the Governor issued an order that the six officers were to appear the following morning at Government House to answer charges of treason laid against them by the Judge-Advocate. In the evening Major Johnston, having declined obeying earlier summonses from the Governor, drove from his house at Annandale to Harris's residence, Ultimo, where Minchin was a guest at dinner with several others. Minchin drove him on to the Sydney barracks where they found Blaxcell, Bayly, Lord and Wentworth, and a number of officers, presumably Kemp, Lawson, Draffin, and Moore;

(1) Bligh to Castlereagh, 30 April 1808; HRA i, VI p. 426.
for it was these four, after Macarthur had been released from prison and Johnston had answered their appeal to snatch from the fire their "Property, Liberty and Life," who marched at the head of the Corps to Government House, being joined there by Ensign Archibald Bell, who had command of the Governor's Guard, and to whom belongs the peculiar glory of overcoming the only resistance, the Governor's daughter. (1) After searching the house for something over an hour, and after Palmer, Campbell and Bligh's other supporters had been placed in house arrest, a party under Minchin at length found the Governor. He was conducted downstairs to the drawing room, where Major Johnston informed him that his authority was at an end.

The new list of magistrates which appeared the following day shows how the different groups had combined to support the measure. From the officers, Kemp, Minchin and Bell were chosen. Lieutenant Lawson was named Johnston's aide, and became a magistrate soon after. Harris, also an officer but distinct from their faction since King's time, Jamison the Principal Surgeon, and Garnham Blaxcell were also included. These last three may be regarded as the disappointed supporters of Governor King, and only Blaxcell can be seen as a particular associate of Macarthur. The other magistrate was John Blaxland, who with his brother

(1) Macarthur and others to Johnston, 26 January 1808; HRA i, VI p. 240.
was among the first to sign the address to Johnston asking him to assume the government.\(^{(1)}\)

It was generally admitted at the time that Macarthur had been "the main-spring of every thing",\(^{(2)}\) but witnesses attributed the management of the affair to different combinations. Bligh spoke of Macarthur being assisted by Bayly, and seducing the officers of the Corps, who

> had at the moment an imaginary expectation that they could hold the Colony in their own hands ... that the whole Executive Authority would rest with themselves, and having no check, they would soon secure wealth." \(^{(3)}\)

What Bayly was doing in the first stages of the business is not clear. Afterwards he was given a position of influence as Johnston's private secretary. But he was not used to being constructive, and by May Macarthur was complaining that "he throws every obstacle in the way of publick business." \(^{(4)}\)

George Suttor, a farmer of moderate means who suffered for his loyalty to Bligh, wrote of "the Triumvirate" of Macarthur, Abbott and Bayly, but he can have had little idea of Abbott's true position.\(^{(5)}\) He was certainly an authoritative and well respected officer, but perhaps for this reason Macarthur found him difficult to manage. While

---

\(^{(1)}\) Macarthur and others to Johnston, 26 January 1808; MF, 1.
\(^{(2)}\) Comment by the Court, \textit{Court-Martial of Lieut.-Col. Johnston}, p. 90.
\(^{(3)}\) Bligh to Castlereagh, 30 April 1808; \textit{HRA} i, VI p. 433.
\(^{(4)}\) Macarthur to Piper, 24 May 1808; \textit{Piper Correspondence}, 1.
\(^{(5)}\) \textit{Memoirs of George Suttor}, p. 50.
believing in its necessity, Abbott had reservations about the management of the Rebellion, and had no sympathy with Macarthur's activities afterwards. Beforehand he had tried to persuade Johnston to send for Paterson, who was the properly commissioned Lieutenant-Governor, immediately Bligh was arrested. But this was overruled at the time, presumably by Macarthur who would have had little influence under his old enemy. (1) On the 27 January Abbott was named Judge-Advocate, but he declined, unwilling no doubt to be so much involved in the underhand measures of an illegal administration. He also objected to the searching of Bligh's papers for evidence to incriminate the Government. (2)

In May Macarthur had to report that his behaviour had been "amongst the worst." (3)

Much more serious than the discontent of individuals was the gathering of a combination to oppose the de facto government during March and April. It has been noted that only Blaxcell among the Rebel magistrates can be seen as having any reason to be personally loyal to Macarthur. In fact as late as May, Kemp, Lawson and Draffin were also giving satisfactory support, but by then they were almost alone. (4)

It is not necessary to analyse in detail the case of Oliver Russell, the ostensible cause of the discontent which

---

(1) E. Abbott to King, 13 February 1808; King Papers, 1.
(3) Macarthur to Piper, 24 May 1808; Piper Correspondence, 1.
(4) ibid.
gathered around Macarthur in the position he assumed in early February as Colonial Secretary and effective head of the Government. But it will be useful to examine the parts of this new opposition, which will thus be seen as a coalition of three. One group was made up of John and Gregory Blaxland, and their business associated, Simeon Lord. All these had been foremost in the Rebellion. The Blaxlands were part owners with Hullett Brothers, London merchants, of the ship Brothers, of which Oliver Russell was master. Macarthur was also involved with the Hulletts, and apparently saw it in his interest to discredit the Blaxlands with their partners; for when John Blaxland tried to have Russell replaced as master of the ship in early March, Macarthur took Russell's side, though remaining officially impartial. The best, but not the only proof of his partisanship, is the speech delivered by Russell, "a plain uneducated Seaman", (1) at the trial of the Blaxlands and Lord for assaulting him later in the month. Its complex legal argument, which covers eight pages of the Historical Records of Australia, can only have been the work of Macarthur. (2) It includes the following piece, which has a buoyancy unquestionably Macarthur's:

"this Magistrate [John Blaxland] ... placing himself at the Head of two Persons, who had not even been admitted into the Sydney Watch, in a daring tempestuous Manner, laid violent hands on the astonished Prosecutor, While Simeon Lord, like the renowned Bobadil, danced round him with a brandished Cane." (3)

(1) Johnston to Castlereagh, 30 April 1808; HRA i, VI p.456.
(2) ibid. pp. 461-9.
(3) ibid. p. 467.
The Blaxlands and Lord were able to make some headway against the de facto government in this affair because they were supported by a majority of magistrates, particularly Harris, in Bligh's view "the Rival of McArthur, having the strongest party on the Bench". (1) Jamison and Minchin; and by Grimes, who had replaced Abbott as Judge-Advocate. There is even some suggestion that they had the sympathy of Blaxcell and Lawson. (2)

All these had enjoyed the confidence of the governor in King's time, even Minchin, whom King in the end had made Engineer and Artillery Officer. It is therefore possible to see a party existing whose main hope was for a reversion to the happy conditions of King's last years, who intended by their part in the Rebellion merely to turn back the clock to a time when the Government was approachable, tolerant and friendly, and also perhaps as easy to influence as King had latterly become. They found on the contrary, what they should have expected, that Macarthur was quite as haughty and self-sufficient as Bligh had been, and devious and selfish as well. (3) Thus they joined with those who particularly resented him using his new power for his own ends against theirs.

To the party of Dr Harris it seems fair to see annexed another; one which had similar aims, and which gave

(1) Bligh to Castlereagh, 30 June 1808; HRA i, VI p. 537.
(2) Protest of John Blaxland, 11 April 1808; ibid. p. 488.
(3) See as evidence of Macarthur's pomp, Settlers at Baulkham Hills to Castlereagh, 22 February 1809; HRA i, VII p. 142.
it, and had given the Rebellion itself, the force of numbers, or at least the support of a discontented crowd. It is necessary to note first a moral self-consciousness on the part of the de facto government which is close to that which was so important to the Exclusive party later on. It seems that Governor King in his time had thought of a community undivided by rigid distinctions of class. His attitude to the legal position of the ex-convicts has already been mentioned. His tolerant and easy treatment of them in society, strongly contrasting with Bligh's, can be best seen in the fact that he himself, Jamison, Grimes, and a number of his other important officials, all freely acknowledged natural children whose mothers seem generally to have been convict women. Macarthur on the other hand, and the chief supporters of the Rebel government, Kemp, Bayly, and Lawson, were, like Bligh's officials, all respectably married. Lawson's wife had been a convict, but then he seems to have been a protégé of Johnston rather than an independently active figure.

This then, is how the faction which now supported Harris may best be distinguished from the leading Rebels. The mass of numbers behind the Rebellion, who were now, very likely, behind Harris, were the ex-convicts of the town. They were most strongly in evidence when, about a week after the Rebellion a meeting was held in Sydney at which a good deal of money was voted to send Macarthur to England as delegate, and to present Major Johnston with a sword.\(^1\)

\(^1\) Bligh to Castlereagh, 30 June 1808; HRA i, VI p. 531.
None was ever given. To what extent and exactly why such people were involved in the original affair, it is difficult to say. The most prominent ones, such as Lord, doubtless resented Bligh's exclusive social attitude, and there was also the long standing rivalry between the Naval Officer, Robert Campbell, and Lord, Kable and Underwood. Many, massed together in Sydney with their unemancipated friends, must have disliked Bligh's tightness with pardons and tickets of leave. But of the nameless members of their class who were the hangers-on, mistresses and retailers to the officers and soldiers of the Corps, it is possible only to say they existed, were apparently numerous, and no doubt felt they had something to gain from the regiment being supreme, and nothing to lose.

To a certain extent, Simeon Lord may be seen as the linch-pin of the new opposition, if such was its true character. He was a man of great influence among the emancipists, as well as being the Blaxlands' partner. He was thus the chief amongst those who in March, said the official despatch, had "contrived to form a combination with several of the better Class, who ought to have held themselves superior to such connexion."(1)

It seems that in this new friction there may be a division fairly similar to that between the later Exclusive and Emancipist parties. Moreover, if the distinction is

(1) Johnston to Castlereagh, 11 April 1808; HRA i, VI p. 219.
valid, it also seems reasonable to interpret the Rebellion as fitting into the classic pattern set by more momentous revolutions. As with those for example, in France and North America twenty and thirty years before, and according to Crane Brinton's interpretation, the first movement was that of an aristocratic group, who by combining their comparatively well organised moral and political influence with the anonymous numbers of a dependent class, caused the downfall of an aloof autocracy which had withheld from all classes the privileges they had come to think themselves entitled to. Having assumed command the leaders found themselves confronted in their turn by the supporting class, in New South Wales Harris's group and the ex-convicts of the town, who were disappointed to see that social exclusiveness remained; and with a political exclusiveness hardly less objectionable than that which they had just helped to destroy. (1)

By the 1 April 1808, the more radical party had triumphed. On that date it was announced that the commission of Macarthur's enemy and Governor King's friend, Colonel Paterson, the Lieutenant Governor of the Territory, had been found, and that he would therefore be sent for straight away so that he might come and take command. (2) There apparently remained, as Abbott said, "but a few indeed" who wanted Johnston's government indefinitely prolonged. (3)

(1) Crane Brinton, The Anatomy of Revolution (New York, 1952), pp. 81, 82 etc.
(2) N. Bayly to Bligh 1 April 1808; HRA i, VI p. 270.
(3) E. Abbott to J. Piper, 22 May 1808; Piper Correspondence, 3.
The suggested pattern is given added substance by the difference in policies as to land grants and pardons, adopted by the different rebel governments. Johnston gave nine grants, all, except for one to a woman of uncertain identity, to his own immediate supporters. Paterson in only twice the time, gave 334, and to all descriptions of people. It is necessary to remember that Macarthur and Johnston must have been anxious that their behaviour after the Rebellion should prove their motives to have been honourable. But even when this is admitted, it is certainly striking when the list of free pardons is examined, to see that although a remarkable number were given between the Rebellion and the end of Paterson's time, 194 as opposed to Bligh's two in approximately the same length of time, only one of these was given by Johnston's regime, and the vast majority were given by Paterson, his total for his twelve months of power being over ten times as great as that of Colonel Foveaux, who administered the Government between July and December 1808.\(^1\)

This perhaps fairly clearly shows who reaped the greatest benefit from the Rebellion in the interval before Macquarie arrived and the deeds of all the de facto governments were revoked. It also indicates that the "party" based on the emancipists would have been justified

\(^1\) Mutch Papers, Mitchell Library, A 4406.
in hoping in May 1808 for the arrival of Paterson. By then they must have realised how little they could hope for from Johnston and Macarthur.

But whatever broad interpretations may be made, the appeal to Paterson, the proper Lieutenant-Governor, must certainly be understood as due to the efforts of the supporting cast of the Rebellion, jealous and resentful of Macarthur, but also fearful after two months of cooperating further in Johnston's dangerously illegal regime.
Chapter 5: The Measure of Macarthur's Strength

Before showing how successful John Macarthur was in ruining Bligh and gaining control of the Colony with impunity to himself, it is necessary to describe the help he received from outside New South Wales, from people more or less unconnected with him and his affairs. It always remains true that Macarthur managed the Rebellion, but his authority coupled with Bligh's unpopularity in the settlement, such as it was, are not enough to explain the Governor's complete impotence in the eighteen months after the Rebellion, and the fact that so very few people even sympathised with his point of view, except as a spontaneous reaction. Certainly New South Wales was not a place worth making much effort about, but it is remarkable, for example, that the several naval officers who visited Sydney after the mutiny cooperated actively with the Rebels, without any apparent fear that they might place their careers in jeopardy. None of these had any personal connection with Macarthur, so that their actions seem to need some explanation.

I shall therefore try to describe the strength of Bligh's enemies, mostly Navy people, before he arrived in New South Wales; for it is only with such a description that the forces behind the Rebellion may be seen in the fullest perspective.

There are two aspects of the difficulties Bligh had with his professional colleagues. In the first place he
had personal enemies, whose antagonism towards him very likely dated from the court martial of the *Bounty* mutineers in 1792.\(^{(1)}\) During or soon after the trial a campaign was launched on behalf of some of the defendants, which very effectively delineated him as an inhuman tyrant, a character history has generally accepted.\(^{(2)}\) The way in which his reputation suffered may be seen from a letter written to a naval officer late in 1792, and now among the Banks Papers, in which the writer remarks that the very high opinion he had once entertained of Bligh as an officer, had now been changed to "one of a very contrary nature."\(^{(3)}\) The extent of the damage done is shown by the coldness with which Bligh was received at the Admiralty on his return from the voyage he was then undertaking, the First Lord, Lord Chatham, declining even to receive him;\(^{(4)}\) and by the fact that as late as 1809, amongst naval people at Plymouth, he was still "the accursed Bligh."\(^{(5)}\)

Unfortunately for Captain Bligh this personal enmity was reinforced by a feud which split naval men and politicians in the first years of the Nineteenth Century, and which was due to an old jealousy between the professional part of the Service and the civil administration, represented by the

---

\(^{(1)}\) HRA i, VI p.xx.
\(^{(3)}\) W. Howell to Captain Phillips, 25 November 1792; Banks Papers, 5.
\(^{(4)}\) Bligh to Sir J. Banks, 30 October 1792; *ibid.*
\(^{(5)}\) Edw. Macarthur to his Mother, 13 February 1809; M.P, 16.
Navy Board and headed by the Comptroller, for most of this period Sir Andrew Snape Hamond. Bligh's professional patron, Admiral Lord St. Vincent, was one of Hamond's chief antagonists, and it is likely that Sir Joseph Banks, friend of both Bligh and Lord St. Vincent, was still persona non grata with the Board since the quarrel in 1772 which had led to his abandoning his plan to go with Cook on his second voyage to the Pacific. (1) Bligh was perhaps more immediately involved in that Sir Andrew Snape Douglass, Hamond's nephew, was closely associated with Heywood, one of the mutineers. (2) It might have been important also, at least after the Rebellion, that Lord Fitzwilliam, patron of D'Arcy Wentworth, had been an ally of the Comptroller, and that Richard Atkins, who joined with the de facto government after the Rebellion, was related to Douglass. (3) None of these connections might have been significant by itself, but together they place Bligh very near the front line in one of the period's widest ranging and most bitter conflicts of interest.

Earl St. Vincent was First Lord of the Admiralty in Henry Addington's government, from 1801 to 1804. In that time he set up an inquiry into the civil administration of

(1) St. Vincent to Banks, 4 July 1803; Letters of Lord St. Vincent. H.C. Cameron, Sir Joseph Banks, p. 49.
(2) G. Mackaness, The Life of Vice-Admiral Bligh I, p. 311.
(3) C. Cookney to D. Wentworth, 14 June 1800; D'Arcy Wentworth Correspondence 1785-1808; Wentworth Papers.
the Navy, which resulted, both then and after the fall of
the Government, in him and his friends being subjected to
very furious attacks in Parliament, and no doubt outside
it. The strife reached a climax in 1805, the most spectacular
casualty being Pitt's friend, Viscount Melville, who was
forced to resign as First Lord, and in July suffered
impeachment.

Similarly, after a period of prosperity under the
aegis of St. Vincent, Bligh found in 1805 that while feelings
had strengthened, the scales had tipped against him again
in Navy circles. After Lord Barham succeeded Melville in
May, his only friend at the Admiralty appears to have been
William Marsden, the Secretary. (1)

That prejudice really existed against him is shown
by the small success Sir Joseph Banks had when he approached
the Admiralty Board on Bligh's behalf in April, on the
matter of his recent appointment to the government of New
South Wales. Banks was, he said, "literally hooted out of
the board Room", and he added, "It is better to trust to
a chapter of accidents than to apply with the certainty of
a rebuke even for the most reasonable requests." (2) Banks's
trouble on this occasion was only the beginning of three

(1) Lord Camden to Lord Darnley, 10 September 1805; Mrs
Bligh to Bligh, 15 February 1808; Bligh Correspondence.
(2) Banks to Bligh, 21 April 1805; Banks Papers, 21.
years of difficulties for Bligh, for while Lord St. Vincent returned to favour after Pitt's death in January 1806, the antipathy towards Bligh survived, sustaining what seems to be a campaign to ruin him, a process in which, to a certain extent, the Rum Rebellion has a part.

This conflict is a good illustration of the complexity of a party lines at that period. Bligh's appointment was afterwards vilified by the Whigs as a Treasury job, although his ill treatment came from a group who were then allied to Pitt's party in Parliament, and Pitt was First Lord of the Treasury. Only insofar as his appointment was solely due to Banks, who certainly had Pittite sympathies, is the allegation based on truth, although at the time not only was Banks generally acknowledged as having supreme authority in Australian affairs and was therefore an independent power, but his connections were more with the King's household than with the political party the King favoured. Later Banks became more closely connected with the party, a fact of the greatest importance for Bligh in his final encounter with Johnston and Macarthur in 1811.

The first issues to concern Bligh after he accepted the post of governor were his authority as a naval officer in New South Wales, and whether his seniority in the Service was to be interrupted by the civil appointment. In September

---

1805 he was able to report gladly that "the whole is taken out of the controul of the Admiralty."(1) He later acknowledged the assistance of Lord Camden the Secretary of State, Edward Cooke the Under Secretary at the Colonial Office, and William Marsden. Without Camden and Cooke, he said,

perhaps the Admiralty would have succeeded in separating the Naval Command from the Government & perhaps rendered my getting my Flag very doubtful. (2)

He left England in February 1806, on board the Lady Sinclair, and accompanied by the Porpoise, commanded by Joseph Short. During the whole voyage he and Short quarrelled about the overall command, since the instructions given to each by the Admiralty were partly contradictory. On his part, Bligh seems as usual to have been excessively concerned about his proper dignity. But Short seems purposely to have provoked him. Banks's opinion of Short after the latter had returned to England was that

it is a matter of study with him how he can most effectually offend & irritate those Superiors with whom he is to act in order to extort from them severities in return for his crime, which he may afterwards complain of as oppressions & cruelties which render him deserving of compassion & recompence. (3)

(1) Bligh to Banks, 17 September 1805; Banks Papers, 21.
(2) Bligh to Banks, 26 October 1805; Banks Papers, 6.
(3) Banks to Bligh, 25 August 1808; ibid.
Although Banks was biassed, an examination of the events of the voyage seem to show this judgement to be essentially fair. Behaviour like this would seem to be only worthwhile when the credit of one's "Superiors" is low; if Captain Short believed Bligh to be powerless against him, events proved him quite correct.

When they reached New South Wales, Bligh took no action against Short. But one of Short's own officers, Joseph Tetley, charged him quite independently on a number of accounts and Short retaliated with charges against Tetley. Bligh commissioned his predecessor, Captain King, and Captain Houston and Lieutenant John Oxley of the Buffalo, to hold two inquiries. They found that Short's witnesses were prejudiced, and that most of Tetley's charges against him were proved. Short was therefore ordered home for court martial. He physically resisted Houston's attempts to take him from the command of the Porpoise but was forced to sail with Tetley, King, Houston and Oxley on the Buffalo in February. It is therefore rather remarkable after these events, and with such witnesses available, that in England Short was honourably acquitted of all charges against him.

In this affair Bligh played no part, besides doing his duty as commodore on the station where the charges were made; though he had sent home complaints of Short's behaviour during the voyage out. Despite this fact, and although
only biassed accounts of Short's court martial survive, those of Banks and Mrs Bligh, his acquittal must almost certainly be seen as wholly due to his being Bligh's known enemy. Lieutenant Tetley's charges might have been doubtful, though three officers, all available as witnesses, had approved them unequivocally. King, Houston and Oxley also could have told of Short's blatant and violent disobedience to his commodore while at Port Jackson. But these three were not called as witnesses, so that there can have been little material evidence given. It is clear also that Elizabeth Bligh was obliged to be interested in the trial simply because her husband's character was made so much part of the issue. She wrote that

When Captn. Short began his defence they listened with every complacency and sat for a long time to hear him defame & belie the Govr. of N.S.Wales, who was no party in the trial, & had nobody to defend him. (1)

When Short was acquitted the court took the unusual step of writing to the Admiralty by their president, Sir Isaac Coffin, setting out the grievances the defendant had suffered at Bligh's hands, and alleging that Tetley had acted on Bligh's instigation, which seems on existing evidence to be quite untrue. (2) Whether the members of the court honestly believed that anything might be expected of Captain Bligh, cannot be known.

---

(1) Mrs Bligh to Banks, 14 January 1808; ibid.
(2) Coffin to the Admiralty, 15 November 1807; Banks Papers, 22.
The part taken by King, Houston and Oxley after the matter had been brought home, will be seen to be significant. In New South Wales they had nothing to say in Short's favour. In England they took a different view; and even more curiously, they coalesced in the affair with Lieutenant-Colonel Foveaux of the New South Wales Corps, home on leave. It seems relevant that Short had found an ally in Captain William Kent, who had lately returned from New South Wales, where he had received land and been made a magistrate by King. He was a nephew of Governor Hunter, with whom he had first come to the Colony. In January 1808 Mrs Bligh wrote that "every assistance was given to Short by Hunter, Kent & Foveaux, who were indefatigable in ... prejudicing the minds" of members of the court before the trial.(1)

The position of Captain King seems to have been rather equivocal. At first Mrs Bligh believed him to be sympathetic with her husband's position, and there is a memorandum among the Banks Papers in King's hand, stating that Bligh would be "able to refute every Calumny contained in Captain Shorts defence."(2) But in February she wrote to Bligh of his "fraud and deceit"; that "Kent went down to Ports[mouth] in the same Chaise with King, and at Hunters lodging with Short planned the business."(3)

(1) Mrs Bligh to Banks, 25 January 1808; Banks Papers, 6.
(2) Mrs Bligh to Bligh, 15 February 1808; Bligh Correspondence. Banks Papers, 6.
(3) Mrs Bligh to Bligh, 15 February 1808; Bligh Correspondence.
The "miracle", as Dr Evatt calls it, of King's apparently joining in the conspiracy against Bligh, is easily accounted for. (1) Firstly, King must have realised on reaching England that Bligh was not a safe man to back in the Service. Secondly, in March Lord Mulgrave, the patron and friend of General Grose, had succeeded as First Lord of the Admiralty. As such, he, and so Grose himself, had King's professional future in their hands. King had already established an easy relationship with the officers of the Corps in New South Wales. He was on good terms with Foveaux. Grose, who still had close connections with the Corps, having made it his business to ruin Bligh, acquiescence must have been easy for King. After all, nothing positive was asked of him. He was certainly persuaded, as were Houston and Oxley, not to give evidence against Short, but there is nothing to show he did anything actively to harm the Governor. (1)

It is interesting to consider when the news of Lord Mulgrave's appointment reached New South Wales. The first ship to leave England after the formation of the new government under the Duke of Portland, the *Young William*, arrived after a remarkably short voyage of two months, on the 7 July 1807. She brought no official notification of the change of government, and as late as October Bligh still addressed his despatches to the old Secretary of State.

(1) Mrs Bligh to Banks, 25 January 1808; Banks Papers, 6.
But she must have brought some information, especially as other letters, written in the Colony a little earlier, were addressed to the new Secretary, Lord Castlereagh. (1)

It is notable that it was not long after the arrival of the Young William that Macarthur demanded redemption of Andrew Thompson's promissory note, his first move against Bligh. His actions over the next six months might well have been partly inspired by the knowledge that as long as Mulgrave remained in office, Bligh could expect no support from his professional superiors. How much he had heard of Bligh's general unpopularity in the Navy must be uncertain.

It is impossible not to agree substantially with Mrs Bligh that Short's friends were united in one cause, "to recall and ruin Bligh." (2) Besides maligning him during the court martial they took advantage of rumours that he was already deposed, which strangely and perhaps significantly, reached a height about the time the Rebellion actually occurred. "I myself look upon it", said Mrs Bligh,

as a report spread by a party among the Navy people, who have made a handle of the artful falsehoods which were made use of in Captn. Short's trial. (3)

---

(1) T. Jamison to Castlereagh, 16 October 1807; HRA i, VI p. 196. D. Wentworth to Castlereagh, 10 October 1807; D'Arcy Wentworth Correspondence 1785-1808, Wentworth Papers.

(2) Mrs Bligh to Banks, probably 10 February 1808; Banks Papers, 6.

(3) Mrs Bligh to Banks, 14 January 1808; ibid.
Bligh's friends realised that a real danger existed, particularly if he tried to oppose the liquor trade. Samuel Marsden had, he said, predicted in 1806 that in opposing the barter Bligh would risk "his Government, Character and all that could be dear to him." (1) The Governor was urged through Mrs Bligh to be "extremely cautious and not to push things to extremities with any one, for you have a great many enemies." (2) This remark is significant, for it implies that there was some definite link between the people Bligh had to deal with in New South Wales, and those who sought to ruin him at home. The observation of Charles Greville quoted earlier, about plans "extensively laid & artfully conducted", which was made as soon as news of the Rebellion reached him, points to the same conclusion. Presumably Macarthur was that link. The great delicacy of Bligh's situation from the moment he took command therefore needs more emphasis than it is generally given. Clearly the Rebellion could not have occurred without a building up of resentment in the Colony, but it would appear that with the combined strength of his enemies in England and New South Wales, the screwing up of that resentment into mutiny was almost inevitable.

Following the rumours, Kent, King and Grose all applied to succeed as governor. Kent's claims were advanced, significantly, by Sir Isaac Coffin, and Grose's by Lord

---

(1) Marsden to Banks, 28 September 1808; Banks Papers 20.
(2) Mrs Bligh to Bligh, 15 February 1808; Bligh Correspondence.
Mulgrave. Fortunately perhaps for Bligh, the War and Colonial Office was headed by Castlereagh, with Cooke as Under Secretary, and neither had any connection with his enemies. (1)

The alliance of Foveaux, and apparently Grose as well, with Bligh's naval enemies, shows that Bligh had been pronounced a decided enemy to the interests of the New South Wales Corps and its friends, as early as the first weeks of 1807; for the latest ship to arrive from New South Wales before the trial of Captain Short was the Buffalo, which had sailed on the 10 February. Foveaux's part in the trial is impossible to explain unless it is assumed that strong complaints about Bligh came with that ship or earlier, and these must have included the verdict of Macarthur that he would have to be replaced. It is a matter for conjecture whether this opinion was phrased so as to cause the rumours of rebellion which reached Mrs Bligh's ears early in 1808.

In January of that year Colonel Foveaux left England to return to duty in New South Wales. In view of the rumours and his actions in Short's case, it is not surprising that when he arrived in July and found Johnston and Macarthur in control, he accepted the situation without a murmur, and paid no attention to Bligh. He immediately took

(1) ibid. Mrs Bligh to Banks, probably 10 February 1808; Banks Papers, 6.
command as Lieutenant-Governor until Paterson could be persuaded to come from Port Dalrymple. After a good deal of doubt, the latter decided to commit himself to the Rebel side of the affair when Macarthur sent Walter Stevenson Davidson, a particularly persuasive envoy, to show him how things really stood. He superseded Foveaux in January 1809.

With Foveaux's arrival, Macarthur retired as Secretary to the Colony. He seems to have had no great respect for Foveaux, and the latter was energetic enough to want to govern on his own. In March 1809 Major Johnston and himself, and his two youngest sons James and William, sailed for home to explain their part in the late tumultuous proceedings.

Numbers of their supporters had arrived before them. The earliest was Edward, Macarthur's eldest son, then aged 20. He had sailed on the Brothers, which arrived in September 1808 carrying the earliest news of the Rebellion. The sympathetic reception he instantly met with is proof of how well Macarthur had prepared his ground.

He first sought, and straightaway secured, an interview with the Duke of Northumberland, with whom Johnston had a long and close connection. It was particularly fortunate that the Duke was an intimate personal friend and political

(1) Macarthur to his Wife, 11 November 1810; MP, 2.
ally of the Prince of Wales, for the connection Macarthur had already established was thus strongly reinforced. Within a week of his arrival Edward also made himself known to Henry Brogden, who was obliged to his father for some money favour, and whose brother James Brogden happened to be a Member of Parliament in the Duke of Northumberland's interest. James Brogden was a most friendly and useful connection over the next ten years, equalled only by George Watson, who now similarly rallied to Edward's side. It was Watson who took care of the final details of Oliver Russell's case, and "brought Captain Russell off with flying Colours." General Grose was also found to be "very attentive."(1) And it is a mark of the weight of support Macarthur had among the Whigs that Edward was within a month kindly received by Hugh Elliot, brother of the Earl of Minto, Governor-General of India and "one of the heavy-weights of the Whig party."(2) Elliot "spoke in the highest terms imaginable" of Macarthur, and set about trying to secure his own appointment as governor, as Macarthur said later, "with a view to forward my Plans."(3)

The Government however, then under the Duke of Portland, was not inclined to be sympathetic. Edward Cooke, Colonial Under Secretary, who in 1805 had been particularly helpful

(1) Edw. Macarthur to his Father, 1 October, 7 October 1808; MP, 16.
(2) Philip Ziegler, Addington, p. 51.
(3) Edw. Macarthur to his Father, 25 October 1808; MP, 16. Macarthur to his Wife, 3 December 1814; MP, 2.
to Bligh, was found to be non-committal. Edward Macarthur concluded that "the Government will ... till the very last support Bligh ... on account of precedent."(1)

But there was more to bargain with than mere precedent. Cooke, and his chief, Lord Castlereagh, seem to have felt distinct sympathy for Bligh; though no doubt the Secretary of State, being responsible for war as well as the colonies, had little time to think of New South Wales. Castlereagh was a Tory rather in the manner of Pitt and George III; he regarded with suspicion the seditious principles of the Foxite Whigs and the ragged morals of the Prince of Wales's friends. Both he and Cooke had been engaged only ten years before with Lord Camden in putting down a most bloody and terrifying revolution in Ireland.(2) It is impossible that they could have sympathised with Macarthur, an upstart revolutionary attached to the fringe of the Carlton House circle.

But Macarthur, sailing from New South Wales, approached the field of final conflict in the best of spirits. From Rio de Janeiro he wrote, "In two months I hope to be in England, and in three months after on my way back!"(3) A pleasant sense of humour shows in his letters home; he knew he was right, and he loved a struggle he had a chance of winning. In October he landed in England to find the enemy melting before him. Castlereagh had just resigned from the Government and fought his famous duel with his

---

(1) Edw. Macarthur to his Father, 7 October 1808; MP, 16.
(2) Thomas Pakenham, The Year of Liberty (Great Britain, 1969)
(3) Macarthur to his Wife, 22 July 1809; MP, 2.
colleague, George Canning. With him went "that Northern Bear Mr. Cook" and all the latter's "arbitrary principles". Macarthur's hopes of a happy outcome rose further, "for certain it is, they had declared themselves adverse to us." (1)

The Duke of Portland's government resigned soon after Castlereagh's departure, and about the time of this arrival, the Duke being on the point of death. The new Prime Minister was Spencer Perceval. His government was largely a continuation of the last, and was thoroughly Pittite, but it was weak enough in the Commons to rely on some Whig support. (2) Macarthur made contact during 1810 with Lord Fitzwilliam, one of the chief Whig noblemen, and D'Arcy Wentworth's patron, and remained optimistic. Hugh Elliot assured him that the Rebellion was generally considered necessary. (3)

Towards the end of 1810 his hopes reached a peak. He wrote to his wife on the 11 November,

Be patient and all will be well, for I have formed a powerful body of Friends in this country who are not only able but willing to give me their support to my endeavours to obtain satisfaction for the past and security for the future - depend upon it, the Colony will soon undergo a radical reform.

(1) Macarthur to his Wife, 28 November 1809; 3 May 1810; ibid.
(2) Denis Gray, Spencer Perceval, The Evangelical Prime Minister, pp. 270-1.
(3) Macarthur to his Wife, 14 February, 20 July 1810; MP, 2.
He even spoke of a seat in Parliament, from which he might promote his plans. (1) His biographer attributes this new, vast, and as it turned out, unwarrantable optimism, merely to a volatile personality. (2) But it is useful to seek further; even as far in fact as the bosom of the Royal Family itself.

Since August the Princess Amelia, the King's favourite child, had been dying. As her case became more certain, the King's unsteady mind rapidly fell apart. A few days before Macarthur wrote his letter it was known that the King was finally and perhaps irrevocably mad. (3) The Prince of Wales began to make plans for his regency, and the Whigs and the Prince's other friends looked forward with some certainty to the fulfilment of their old ambitions, and the power they believed he must in honour give them.

Macarthur, whose finances were not unlimited, might only have hoped to find a seat in Parliament with the help of a patron who was powerful enough to give him one, and who could use him. He clearly hoped to rise as the Whigs rose; he thus looked forward with them, and with less experience of how little the Prince could be trusted.

---

(1) 11 November 1810; ibid.
The Regency Bill became law in February, but there was no immediate change in the Government. In May, when Johnston's court martial was due to begin, Perceval was still in power. Macarthur must have been greatly disappointed. Although the strength of his own connection was formidable, and would no doubt save him from extreme danger, Bligh's friends, including his patron Banks, who "certainly supports their cause with all his Interest", showed an even more impressive front. (1) As well as his own kinsman, the Earl of Darnley, Bligh seems to have had some connection with Lord Arden, Perceval's brother, and Banks was a very close friend of Lord Liverpool, now Secretary for War and the Colonies. (2) Perceval and Liverpool were the two chief figures in the Ministry so that Macarthur had reason to fear that the Rebels' case would not be heard sympathetically. He wrote in April that he was "anxious, deeply anxious", and that anything would be better than the suspense he was then undergoing. (3)

When the trial ended in June, Johnston was merely cashiered. Macarthur however had not only been humiliated and his character carelessly mauled by a sceptical court,

(1) Macarthur to his Wife, 21 April 1811; MP, 2.
(2) Arden to Bligh, 16 November 1811; Bligh Correspondence. H.C. Cameron, Sir Joseph Banks, p. 261.
(3) Macarthur to his Wife, 6 April 1811; MP, 2.
but forbidden to return to New South Wales on pain of facing trial himself. In this way was he completely cast down in all his ambitions. He left it to his nephew Hannibal, who was then returning to the Colony, to tell "what prejudice, what treachery I have had to encounter."(1)

Nor did his prospects improve in the following months. In February 1812 the Prince Regent finally made it known that he intended to make no alterations in the Government, being confident that its attitude towards the pretensions of Napoleon was much firmer than that of the opposition, who seemed to want to compromise with the national enemy. Thus Perceval was to remain Prime Minister and the Whigs gave up all expectation of power. Lord Castlereagh returned to the Cabinet soon afterwards to begin a brilliant period as Foreign Secretary, and in May, on Perceval's assassination, Banks's close friend, Lord Liverpool, became Prime Minister. The only germ of hope lay in the fact that Liverpool was succeeded in the Colonial Office by a more neutral figure, Earl Bathurst. Thus the Regent secured a set of ministers who would not treat with revolutionaries anywhere, and could be trusted to deal with the limitless ambition of upstart individuals in a manner entirely honourable to His Majesty's Government.

(1) Macarthur to his Wife, 4 March 1812; ibid.
The country endorsed the Prince's decision, the election later in the year rather weakening the Whigs in the Lower House. (1) With such an atmosphere it is no wonder that in October, despite his great hopes two years earlier, Macarthur had to admit, "I really am without any plan that my judgment can approve." He complained of the "ill will" the Government had shown towards him; (2) that it in fact spread to all his connection is shown by a remark of Foveaux's a little later, that

it is almost impossible to make a living in England and every day our prospects are becoming worse and I am afraid they will until we have a complete reform in the Government. (3)

The context, and the fact that soldiers must have been badly needed then for the approaching final blow against France, makes it fairly certain that he refers to himself and his friends alone, those who had supported Macarthur's bid to satisfy his ambitions in New South Wales. Now, because of an unfortunate turn of events in British affairs, they found themselves sharing to some extent his "woeful period of trial", and suffering the "deep rooted prejudice" of those in power. (4)

(1) Philip Ziegler, Addington, p. 329.
(2) Macarthur to his Wife, 16 October, 9 December 1812; MP, 2.
(3) Foveaux to J. Piper, 29 June 1813; Piper Correspondence, 3.
(4) Macarthur to his Wife, 26 September, 8 December 1814; MP, 2.
Section II: The Macarthurs in the Ascendant 1812-1832

"so ardent and so zealous an improver"

Sir W. Macarthur, "Memoranda"; Macarthur Papers, 1.

Chapter 6: Prejudice, Pragmatism and Principle

It is the aim of this second section to take a somewhat broader view than was proper or possible in the first set of chapters. So far I have tried only to point out Macarthur's methods of action, and not to draw together any overall scheme, nor show any final pattern by which he might have ordered his speculations and his day to day affairs. He has been seen as a young and energetic figure mainly concerned with his own prestige and dignity, and with the conflict of personalities which his own actions and the conditions of the settlement stirred up about him. Even the historical part he aimed to play required only straightforward action and "unimproved mettle hot and full."

The details of pure activity as they have been described so far may give a clear idea of manner, but they cannot give the historian, nor often the actor himself, much more than vague notions about basic premises, and overall and ultimate direction. In fact it seems likely that it was only when Macarthur's methods and style had been set by the temper and circumstances of his youth, and he had reached middle age, that the pattern of ideas towards which he had in fact been working unassisted since Hunter's time emerged in distinct form; and it may perhaps be assumed
that this happened during his time of exile, when he finally found himself facing insuperable opposition, against which it seemed wisest to distil energy and purify influence into cogent argument.

In 1812 he was 44, certainly old enough for his ambitions to have settled themselves in a straight line, and too old, he said, "to learn the lesson of advancing my interest by making my opinions always conform to the will of the most powerful."(1) But whatever the way his ideas had progressed in the earlier period, more evidence exists from this time to show him speaking explicitly of a broad Plan, by which he aimed to develop and civilise the Colony and enrich himself.

It was similarly about this time that the condition of New South Wales began to be substantial enough to receive his ideas. His Plan, which aimed initially at a place of wealth and power for himself, depended on a community with a spirit of its own; one where the intelligent efforts of enterprising men had combined with the resources of the land to make a new basis of independent power, almost a new sovereignty, but at least a state self-sufficient in wealth and wisdom: a country which such men might guide and control.

This character New South Wales was beginning to acquire during the government of Major-General Lachlan Macarthur to his Wife, 18 November 1812; MP, 2.
Macquarie, who ruled from 1810 to 1821. In that time the shape of the settlement and the forms of enterprise in it took on a diversity which alone could have stimulated a progress towards economic self-sufficiency. The population more than doubled. There was greater specialisation among more numerous officials. The Governor established several new towns on the outskirts of settlement, each with its own local magistracy; and some hesitant attempts were made to multiply the means of industry and commerce. In this time the good parts of the county of Cumberland were fully settled, people spread south, and the erecting of an outpost at Bathurst gave the Colony a hinterland. The expeditions of John Oxley and others by land, and of Lieutenant Phillip King R.N., by sea, similarly did much to broaden the prospects of the country. The firm hold the Governor seemed to have over this activity and change, while it probably hindered real results, nevertheless gave it all a certain point. At the same time a generation born in the new country, including Macarthur's children, was undertaking the chances and the character it offered. In 1821 it is possible to find among the tortuous and fertile tracts of Judge-Advocate Wylde's eloquence the remark that

the numerous Sons of the first Settlers and residents in this Country are just bursting into independent personal settlement in life and character. (1)

(1) Wylde to J.T. Bigge, 16 July 1821; CO 201/108 f. 375.
This and the other developments inevitably meant a very
great change in the character of the Colony itself, and
a new sense of cohesion and direction in the community.

New problems therefore arose, and those who could
foresee like Wylde, the myriad of explosions from
Toongabbie to Bargo Brush, came forward with their suggestions.
Among these was the great social reformer William Wilberforce,
who in 1814 wrote to the Governor:

There is in the political Body just as in
the natural, a certain Vis Medicatrix
Natura, which the Almighty Creator ... has
infused into the System, by which there is
a natural tendency to growth, and thriving,
as well as to mere Existence.

He went on to advise that

the great art of political as well as of
medical Regimen, is to remove the
impediments and counteract the vicious
principles and tendencies which obstruct
the just and natural action of the various
parts of the machine. (1)

The inconsistency of explanation and advice, the crucial
difference between a nation as an organism and as a machine,
as is shown below, contains the great dilemma in which
Macquarie was caught during his governorship. It also
explains to some extent the ambivalent attitude of Macarthur
towards his regime, which will also be pointed out.

Wilberforce's inconsistency was symptomatic of the
times. It had been normal for most people through the
greater part of the Eighteenth Century to see nations as

(1) 15 March 1814; Macquarie Letters 1809-1820,
Macquarie Papers.
machines, every component part having its own eternal
task. Reform was understood to be the means not of
improving the whole, but of restoring details of an ancient
system, corrupted from time to time by the foibles of
individual men. Peace and liberty were to be maintained
by the sort of unhindered regular order a machine affords;
and the part of the executive in such a system was to
enforce such order, and to represent in action and dignity
the wisdom of the whole in one voice, or the resolved wisdom
of the most responsible and enlightened parts. Competition
had no place in such a scheme. Only towards the end of
the century were the basic conceptions about dynamics
introduced by Newton, translated to the socio-political
world; and most effectively by Adam Smith. Smith perceived
that if each of the corporate parts at least of the economic
system was broken up, single particles would be discovered,
individual men bearing each an independent power and living
on his own ambition. He taught that if these atoms were
put in an open unrestricted place, a general ferment of
economic growth and progress would be the inevitable result.

The task of the executive from this time gradually
changed as the intellectual atmosphere moved with him and
his premises came to be widely accepted. According to
his main theme, the government was to allow for economic
development and change by abandoning as a positive
responsibility the protection of established corporations
and industries, and by looking instead to the consumer,
whose needs were to determine what industries should be encouraged to develop, and to the enterprising man who could find or create a demand which would make him rich. (1)

Thus the state was no longer to be kept still and balanced, but sustained and driven by the irrational force of human enterprise and needs. Another important result, and Macarthur was one of many who understood the first but not this, was the party system of government, which put criticism of Ministers at the centre of the Constitution, and condoned individuals combining their strength to destroy the King's Government, a loyalty to the overall system being assumed. The idea was slow coming, and not everywhere appropriate, particularly as it led to new ideas of representation and suffrage. Macquarie certainly, and, as his critics said, "Captns of Men of War and Colonels of Regiments" in general, were unlikely to admit that any state could cope with organised, indiscriminate and unrestrained ambition in the council chamber or at the common hustings. (2)

Macarthur's political and economic opinions are fairly clear, and in the way he attempted to reconcile authoritarianism and liberty in his plans for the Colony, he shows preconceptions common to the time, particularly among romantics. It will be seen below that although his

(1) The Wealth of Nations, p. 785 et seq.
schemes were self-centred, he showed an imagination so broad, and a sensitivity so deep, that they easily extended to embrace the community, for which he seems to have felt a subtle though unselfconscious attachment. It will be noted that he looked forward to a society of men, honourable as he understood the term, each energetic and diligent in his place, with a virtuous but firm ruler possessed of wide authority; and an economy with free and limitless opportunities for the deserving subject, particularly himself. He was not the first to find the different parts of his ideal very hard to reconcile in practice, but although he was mainly disappointed, he deserves some small credit for believing that enough good men could be found to rule and enrich New South Wales; and perhaps also, that he and his respected friends were a fine beginning.

Two chief principles have been seen as guiding his methods of action so far, and these give some clue to his political and economic opinions. The first, which took on special relevance when he was faced with opposition, was his faith in free enterprise. The ideas of Adam Smith and his disciples had become by this period the conventional wisdom of the day; but although most men were prepared to acknowledge them to be true, few held to the general conceptions so thoroughly and so firmly as Macarthur. All his ideas seem to have Adam Smith standing more or less closely behind them. His early choice of sheep breeding
as the project of his life, apparently in 1794, or at least the determination with which he followed the project to fruition, might well have been due to Adam Smith's clear explanation that wool more than any other animal product, was capable of successful development in a new country, since in thinly populated lands,

the price of wool and hides bears always a much greater proportion to that of the whole beast, than in countries where improvement and population being further advanced, there is more demand for butcher's-meat.

It was only for wool and hides that there was any chance of a limitless market being found. And of these two, the former was preferable as production did not expend the livestock, and fleeces were more easily transported over great distances.(1)

In his dealings with the Home Government on his first visit to England, Macarthur had emphasised that his wool had been noticed by manufacturers, so that a demand could easily be created. With that accomplished, all he asked for was freedom to prosper. This might be ensured by permission to occupy a moderate tract of land ... and to be indulged with leave to employ, at my own expense, the number of convicts that may be required to take care of my sheep and cattle. (2)

(2) Macarthur to Lord Camden, September 1804; HRNSW V, p. 467.
Only the last implied any positive interference by the executive, and it is relevant to the later part of this chapter that it was fully complied with by Governor Macquarie. (1)

One of Adam Smith's most important points was that the prosperity of the community as a whole and that of every group in it, were interdependent. There is some evidence that Macarthur thought ideally, even in Hunter's time, of a uniformly prosperous society, for he then urged the Governor to ask for immigrants with capital who might employ the convicts in the development of the country; and he later explained that such masters would set an example of industry and virtue. (2) Ideally the prosperity would extend even to the lowest classes. Adam Smith had written even of the slave that

Gentle usage renders ... him not only more faithful, but more intelligent, and therefore, upon a double account more useful.

But he considered that happy and well paid servants were more profitable than slaves. (3) It is no coincidence that in one of the two copies of The Wealth of Nations dating from Macarthur's time and still at Camden Park, this passage has been marked; for by these canons Macarthur's treatment of his convict labourers was exemplary. Their yearly pay was set by the Government at £10, but he paid £15

(1) Macarthur's evidence before the Commissioner of Inquiry, 1820; MP, 1.
(2) ibid. James Macarthur to R. Therry, 24 February 1859; MP, 1. Macarthur to Duke of Portland, 15 September 1796; HRA i, II p. 93.
(3) The Wealth of Nations, pp. 554, 81.
and sometimes £20; which although not as much as was paid, for example, by William Cox of Clarendon, still represents a considerable margin, and was more than many labourers in England received. He did not use the traditional system of task work and penalty. "The method I adopt, is to feed them well, clothe them comfortably, and give sometimes extra rewards." He was not satisfied that his men worked particularly hard as a result of these indulgences, but in 1820 none had ever run away from his estates, a considerable record. (1) The system, although generous, was apparently regular and well disciplined, for he commented in 1818 that he was afraid his sons James and William, who were both good managers, "have not sufficient hardness of character to manage the people placed under their control." (2)

It is true that Macarthur's trading activities in Hunter's time meet sure condemnation in Adam Smith's treatment of monopoly. He might have excused himself by the argument that the end justified the means: "Money ... makes money. When you have got a little, it is often easy to get more. The great difficulty is to get that little." (3) But however much the idea of a prosperous and uniformly happy country might have appealed to Macarthur's imagination,

---

(1) Evidence taken by J.T. Bigge; Bonwick Transcripts, Box 5, p. 45138, Box 1, p. 39844-5.
(2) Macarthur to W.S. Davidson, 3 September 1818; MP 1.
(3) The Wealth of Nations, pp. 147, 93.
tenderness to those potential members of it who stood in his way seems never to have hindered him in his forthright movement towards the ideal, and his own place in it.

The second leading principle of Macarthur's actions is that which guided him in his periods of optimism, the times when some freedom of action seemed assured him. This was the conviction that it was wiser to use authority than to oppose it. Unlike some of his coadjutors in the Rebellion, such as Nicholas Bayly, he was not so much a factious and intransigent person as a remarkably energetic and ambitious one. This point becomes especially clear from Macquarie's time, and it can only be partly attributed to his suffering so much for his part in the Rebellion.

Such a disposition fitted well with Macarthur's early methods of acquiring influence. While George III had been verging on madness in the period from 1802 to 1810, and the Prince of Wales had seemed on the point of becoming regent, Macarthur attached himself to the Whigs, partly through chance, partly because their comparatively liberal economic policies conformed with his own ideas, but mainly because they looked forward with the Prince, or perhaps by their own efforts, to substantial power. After 1812, when Whig influence became feeble, and Lords Liverpool and Castlereagh were gaining strength by the effort and from the credit of the war, he began to see how he could make contact with the Tory ministry. His
ideals, after all, were incidental to his solid ambitions. The future was everything, and there was little future in blunt opposition. In the same way as he had never opposed the early governors when he could rule them by persuasion, so also he never worked for change as Macquarie's enemies in the Colony did, by sending querulous items of grape-shot for the Whigs in Parliament to fire at the ramparts of the Tory administration.

He made his views known instead through the smoother medium of direct connection with those in power. Fortunately the personal following of the Prince of Wales had not been a particularly doctrinaire group, so that in 1812 when the Prince became Regent and abandoned his promises to the Whigs, Macarthur found that he had several individual links with the Tory government, which although lacking the substance of his Whig connection, could nevertheless bear light weight traffic. The most important were his old friend, George Watson Taylor, formerly Lord Camden's secretary, and James Brogden, who had become one of the Lords of the Treasury, and was afterwards Chairman of Committees in the House of Commons.

The first test of Tory contacts, not a demanding one, was made in 1811, after the court martial of Colonel Johnston. The exercise involved the appointment of Lieutenant John Oxley to the position of colonial Surveyor-General, with its indirect power in the allotment and
measuring of land grants. Oxley had had contacts with the de facto government after the Rebellion, and knew the Macarthur family well. The vital link in this affair was William Hamilton, Under Secretary of the Foreign Office, afterwards renowned for rescuing the Rosetta Stone from the barbarities of the French. His brother, the Reverend Anthony Hamilton, was son-in-law to Sir Walter Farquhar. Anthony Hamilton was persuaded to be "very anxious for Mr. Oxley's success", and Sir Walter, "much interested". So William Hamilton wrote to his friend Robert Peel, then Under Secretary at the Colonial Office, and as Sir Walter Farquhar said, "the leading man."(1) Early in 1812 Oxley received the appointment, but only after he had himself written to Peel, to assure him that "I am not anyways connected either with Mr McArthur or his Family, or with any person at all implicated" in the late Rebellion.(2) About the same time he informed Macarthur that before leaving the Colony he had become engaged to his eldest daughter, Elizabeth.(3)

Oxley however did not come up to the standard of an intimate member of Macarthur's family circle. The engagement was discouraged, and Elizabeth gave him up.

Macarthur's attitude indicates his scale of values, for he

---

(1) Sir. W. Farquhar to (W. Hamilton?), n.d., W. Hamilton to R. Peel, 26 August 1811; CO 201/59 f. 180.
(2) 6 December 1811; ibid. f. 387.
(3) Macarthur to his Wife, 14 May 1812; MP 2.
thus made a powerful enemy who was to cause him much annoyance. But Elizabeth was an invalid, and Oxley was not only badly in debt, but appeared to lack the absolute requisites of a husband, "prudence, economy, and if a man be born without an inheritance, an enterprising spirit."(1)

Macarthur's political and economic opinions had to compete with a variety, such as Wilberforce's, which were applied to the Colony from about this period, and particularly after the end of the war. This was the beginning of a time when educated people showed an unprecedented interest in economic and social theory, and the problems of crime and punishment. The reforming theorist found New South Wales an ideal article under his hand: an anti-Utopia, where society was essentially criminal and politics rebellious; a community presenting excellent material for argument, and having the added advantage that it was possible to suggest anything without being entangled in a tissue of facts, for very few were really known.

The chief problem, one which was never resolved, though it was to have the most direct bearing on the structure of colonial society, was whether New South Wales should be a place of punishment or reform; for though some thought the two purposes compatible, it was generally considered that while suffering was necessary for punishment, it

(1) ibid.
hindered reform. In 1812 Sir Samuel Romilly, who had given much thought to the purpose of penitentiaries, asked in the House of Commons how New South Wales was justified at all. His remarks were based on the assumption that "The rational object of all punishments, short of death, was obviously to reform the offender."(1) No evidence could be given of transported criminals being reformed. Thus the committee which was set up in that year to forestall his demands that transportation be ended altogether, considered the problem from this point of view.

It included several members of the House of Commons well known for their independent views, and of broadly Whiggish and reforming opinions. The chairman was the Honourable George Eden, a Whig, and nephew of Lord Minto (and later Governor-General of India himself), who was perhaps chosen for the chair because his father had published a History of New Holland in 1783. The others included Sir Samuel Romilly, William Wilberforce, Francis Horner, an economist and legal expert and founder of the Whig journal the Edinburgh Review, and the liberal Whig, James Abercromby.(2)

It is not surprising that Whiggish principles are evident in the subsequent report. These, and also perhaps the ideas of men who would not have to cope with the

---

(1) Parliamentary Debates I, xvi, 944; xxii, 966.
(2) ibid. 489. Wilberforce to Macquarie, 30 April 1812; Macquarie Letters 1809-1820, Macquarie Papers.
implications, may be seen in the suggestion that some formal constitutional privileges should be given to free settlers in New South Wales. Trial by jury in criminal cases was recommended, and an advisory council to give the orders of the governor more palatable form, autocracy having inevitably caused "opposition and discontent amongst men unused, in their own country, to see so great a monopoly of power." (1) In these vague terms the Rebellion was partly excused.

The report very likely owed a great deal to Wilberforce, who was not a distinct party figure, but had become one of the most revered men of his time. Its convict policy is close to the opinions Wilberforce later expressed personally to Macquarie, but which the Governor had already adopted from his first arrival. (2) Wilberforce held the popular view that men were more than anything rational, and that if a criminal were left alone without temptations, to think, and preferably with a Bible (if he could read), he would generally turn from his wickedness with humility and shame. Wilberforce had some confidence in the reforming powers of transportation, believing that

the entire change of Circumstances, connections acquaintances &c &c is often favourable to these purposes. (3)

(1) Report from the Select Committee on Transportation... (House of Commons), 1812, p. 8.
(2) Wilberforce to Macquarie, 15 March 1814; Macquarie Letters 1809-1820, Macquarie Papers.
(3) Wilberforce to Macquarie, 30 April 1812; ibid.
With this not completely idealistic faith the committee men blended their liberal ideas of economic progress:

if the prosperity of the Colony be checked by unwholesome restrictions, the exertions and industry of the convicts cannot be advantageously called into action during their servitude, and but little inducement will be held out to them to become settlers after their emancipation. (1)

It will be seen that such a concern for the advance of ex-convicts towards a measure of respectability is not incompatible with Macarthur's ideas. But the report went further and commended Macquarie's practice of admitting reformed ex-convicts to the society of Government House, believing it must encourage honourable ambition, and was very much preferable to the exclusive policy of Governor Bligh. (2) Macarthur would not have gone so far. He had a much better knowledge of the characters Macquarie admitted.

This last recommendation, though few of the others, was approved by the Secretary of State for the Colonies, Lord Bathurst. Macquarie was therefore justified by the opinion of both sides of the House of Commons in what became the most controversial part of his policy; but the Secretary of State advised him to use discretion in the appointment of ex-convicts to civil posts.

(1) Report from the Select Committee... p. 9.
(2) Ibid. p. 13.
The administration of General Macquarie in fact met with little interference from the Government on important points of principle for about the first seven years. Ministers were mostly occupied with the war, Macquarie's character and abilities were very widely respected, and Lord Bathurst generally felt it wisest to leave his governors to themselves. Except that he depended on Treasury finance and had to account for his expenses, Governor Macquarie's rule until late in 1817 was largely autonomous, and he was left to exercise his authority in the way that suited him.

Like Bligh, and in fact as the constitution of the Colony demanded, he made a point of asserting his personal dignity. Bligh's good opinion of himself had been maintained by a proud reliance on principle: the general rules of the Service of which he was a distinguished member, and the manners of society as he knew it. But for Macquarie the exercise of authority had little to do with form. He was used to the completely spontaneous respect which, in the Scottish Isles, had been paid to his lineage, and in India, to his position as an officer and an Englishman. Thus while Bligh's stand had been rather a defensive one, to which idle ceremony was not suited, Macquarie was expansive, and came to take his authority from the Colony itself. The developing community feeling which has been described above was thus lifted into something positive,
as the independent shape of Macquarie's power became fitted
to a corporate pride. For example, although in no way
inclined to luxury, he travelled on expeditions into
remotest parts in a chaise with outriders and men cutting
tracks in front, or in a colonial brig named after Mrs
Macquarie with a good part of his household aboard. In
fact of all the roles expected of him as Governor in Chief,
he seems to fit best that of "Representative of Majesty",
carrying easy though eccentric dignity into the most
unlikely parts of New South Wales. (1)

Macquarie therefore was not of the civil servant
mould. He saw the Colony as a peculiar charge, "a
Penitentiary or Asylum on a Grand Scale", but he had no
progressive ideas about penal discipline. (2) He treated
its humble human material with frankness, and an authority
for which ceremony was not a basis but an ornament; and
he assumed a prerogative which made court sentences almost
irrelevant, telling convicts on arrival that all would
depend on their future behaviour. Thus the convicts came
to regard him as the final point of reference to which
they must look for dispensations of punishment and hope.
Moreover Macquarie asserted his own judgment even against
the orders of the Secretary of State, and he refused to
be found by principles or rules, even his own, so that an

(1) Macquarie to Bathurst, 24 February 1815; HRA i,
VIII p. 393.
(2) Macquarie to Duke of York, 25 July 1817; HRA i,
IX p. 442.
overall view of his administration shows a considerable
looseness. To a charge of inconsistency he answered,

I shall always willing Submit to that
Imputation When the Good of the Service
... is promoted by a Deviation from a
former Opinion. (1)

His subjects were therefore brought to see the full force
of Thomas More's point, that "From the prince, as from a
perpetual well spring, cometh among the people the flood
of all that is good and evil."

Macquarie's rule was almost entirely pragmatic,
his only general principle being that he would not
"suffer any disorderly proceedings", or any public
discussion which might disturb the face of his
administration. (2) In every general despatch home, he
felt it necessary to report that the Colony was not only
prosperous, but "tranquil."

But even order and submission were desirable as
the normal pleasant condition of things, and not as a
point of principle. In Wilberforce's words, Macquarie
believed he must simply "counteract the vicious principles
and tendencies which obstruct the just and natural action
of the various parts of the machine." In his Economic
History of Australia Professor Shann, following the opinion
of Commissioner Bigge, held that on his arrival Macquarie

(1) Macquarie to Lord Liverpool, 17 November 1812;
HRA i, VII p. 596.
(2) Mrs Macquarie to J. Drummond, 12 December 1817;
Macquarie Letters 1809-1820, Macquarie Papers.
set out to impress on the Colony his disapproval of the late Rebellion by making Andrew Thompson, Bligh's bailiff, a magistrate. (1) This is to misunderstand the most substantial part of the Governor's personality. The machine was his, he thought only of loyalty to himself, and as with the convicts, he paid no attention to the previous behaviour of settlers. Thus at this time he also took into his confidence Lieutenant-Colonel Foveaux, who had continued Bligh's imprisonment in 1808; and at his recommendation he sought out the services of D'Arcy Wentworth, who had unequivocally supported the Rebels. Wentworth became the Colony's senior magistrate, with charge of police at Sydney, and was also made Treasurer of the Police Fund, which gave him responsibility for most of the colonial revenue. In Macquarie's view he was the ideal subordinate, for he was competent, straightforward, obedient and humane. This was all he required.

Wentworth had arrived in 1790. He had at first been an assistant surgeon at Norfolk Island, and was now Principal Surgeon. It was rumoured at the time that he had arrived as a convict. This was untrue. But he had come out to escape conviction for highway robbery, and his being patronised by Macquarie encouraged such rumours among the Governor's enemies; as did the fact that, like

several other officials of the period, his private life, though convivial, was not strictly proper. But the convict woman who had been the mother of Wentworth's three sons had died some time before. This was not the case with Captain Piper, who was now Naval Officer and vice-president of a table at Government House, for his Mary Ann had barely begun their large family. Their union was sanctified by special licence in 1814, and they had altogether thirteen sons, which is in full accord with Piper's prodigious style. He was the most charming figure of his time, and as Naval Officer one of the wealthiest; and he provides a rich and characteristic edge to the best aspect of Macquarie's regime. During that period he fixed a battery of small brass cannon in front of his mansion by the Harbour, with which he fired off salutes to his many friends and visitors as they sailed from the settlement; and with nothing to ask, he despatched as gifts eight black swans, pair by pair to the Colonial Office, together with a couple of emus and numerous Cape Barren geese. He was "a good natured man, in whom envy had no share", and except for his stand with Macarthur in 1801, he lived oblivious of quarrels and factions.\(^{(1)}\)

While several of Macquarie's enemies corresponded with him in a regular and confidential way, he never gave the Governor any cause for suspicion. He remained one of

---

Macarthur's closest friends until the early 1820's. And Exclusives made special allowance for his wife. Women, both simple and gentle, adored him. Mrs Macquarie wrote to him in England in 1812, I wish you would come back to us, and keep your ladies in order; they have all gone to sixes and sevens since your departure.(1)

Not only his drawing room, but Macquarie's whole government rested on the pragmatic, flexible and loyal regimen of men like Piper, whom even the incorrigible inhabitants of Norfolk Island, where he had commanded successfully for six years, thought "a perfect gentleman."(2) Except for his secretary, John Thomas Campbell, the Governor chose as his lieutenants men who had come to identify themselves with the Colony, and who had adopted its manners, and the natural subordination which was the ideal of its original constitution. It is consistent with such an outlook that he took particular pleasure in indulging Macarthur's sons with grants of "your Native Soil".(3) And with such a policy it was inevitable that he should have placed some confidence in ex-convicts, whose whole prospects lay in that country; and who, moreover, as one of his enemies said, were "nothing but through him."(4)

(1) 2 December 1812; Piper Correspondence 1.
(3) Macquarie to James and W. Macarthur, 7 August 1819; MP 66.
(4) Dr Townson to Archdeacon Corbett, 19 May 1816; CO 201/88 f. 689.
It has been necessary to describe at some length the atmosphere of Macquarie's time, firstly because Macarthur's attitude to it is significant; secondly because it gave the Colony a character which should be understood in any discussion of later political movements; and lastly because the Governor's supporters, including those described and their families, came to make up a substantial group in colonial politics, having a fairly distinct political attitude, which while not outspoken and generally ignored by historians, had nevertheless some importance in connection with the later Exclusive party.

One of the largest and richest of these families was that of William Cox of Clarendon, near Windsor, a patriarchal but amenable master, who built Macquarie's road over the Blue Mountains during 1814 and 1815. With the family of Richard Brooks, afterwards of Denham Court, and a consistent supporter of the Governor, and that of Alexander Kenneth Mackenzie, a relative of Piper's who came after Macquarie's time, William Cox and his ten sons made up a family network of Pipers, Coxes, Brooks, Blomfields and Mackenzies, interconnected over and over through several generations, and meeting at the great houses of Clarendon, Denham, Hobartville, and Alloway Bank, Piper's home near Bathurst. Centred in the districts west of Sydney, such as Windsor, with its ex-convict small farmers, and Bathurst, where the society was mostly made up of ex-convicts either
independent or managing large properties, these families seem to have carried on Macquarie's traditions of tolerant, easy and natural authority, despite movements in other directions.(1)

Another set of individuals who flourished in his time were the families of Edward and Alexander Riley and of Richard Jones. The firm of Jones and Riley were importers operating throughout the whole East Indies area; and Robert Campbell having been largely ruined by his support of Bligh during the Rebellion, they had become almost the only large scale merchants in Sydney apart from Simeon Lord. They were able to prosper under Macquarie because they made a point of cooperating with his government. The Rileys in particular seem to have understood how important it was in the delicate manoeuvres of trade, to "get on as smoothly as you can" and "if possible avoid coming to absolute broils with *Executive authority*."(2) Nevertheless their rivalry with Lord, and "the dislike which every man who values his reputation must feel" on being associated with convicted men, kept them from forming friendships among that class, though Alexander Riley willingly admitted that many emancipists "conduct themselves with much propriety" and "prove very useful members of the community."(3)

(1) T.M. Perry, *Australia's First Frontier*, p. 89.
(2) A. Riley to E. Riley, 23 March 1816; *Riley Papers*, 3.
It is well to note Alexander's advice to his son in 1833: "Keep clear of Politics, make as many friends as with propriety you can, low and high." (1) It cannot be said that Richard Jones acted on this principle, but some of the other connections of the Riley family, who were generally both rich and respectable, do seem to have done a little in the 1830's to soften party strife, and to provide an alternative centre of opinion to that of the hard-line Exclusives, and also to that of the Macarthur family.

Though most of the community was only too happy to be submissive to him, Governor Macquarie's policies and the rather insensitive way they were imposed, inevitably caused opposition amongst those who had opinions of their own and were inclined to express them. It is impossible to disentangle the different causes, but it is certain that the Reverend Samuel Marsden, the Principal Chaplain, whom the Governor regarded as his chief enemy, objected primarily to the official convict policy. Thus his enmity began in March 1810, when Macquarie, with what seemed to Marsden insufficient regard for his sacred office and reputation, made him a member of the trust for maintaining the turnpike road between Parramatta and Sydney, together with Simeon Lord and Andrew Thompson, both ex-convicts of doubtful character. This honour Marsden immediately refused.

(1) A. Riley to W.E. Riley, 17 July 1833; Riley Papers 5.
Henceforth he devoted much of his great energy to writing a large number of complaining letters about Macquarie to friends with influence at home.

These friends were numerous. He was already patronised by Wilberforce and he had contacts as well with the Clapham circle and Zachary Macaulay, with the Church Missionary Society, the London Missionary Society, and Mrs Fry, all parties whose good works gave them great influence in England. These he was able to persuade that under the present regime the Colony had become a place where discipline was lax, religion quite discounted, and the convict class beyond all hope of redemption or reform. They in turn regarded him with sympathy, as a solitary, saintly figure, who,

has stood like Luther surrounded by a sink of corruption, and threatened by authority, supporting his own cause and his own dignity, and throwing life-blood and animal spirits through a growing interest. (1)

Numbers of convicts might perhaps have laid claim to some of that life-blood for the unusually large quantities they had lost under Marsden's redeeming lash.

Marsden is the true founder of the Exclusive party, for although he had no feeling for social class and was a rather unrefined blacksmith's son, he embodied the feeling towards wickedness which was the rationale of the party.

(1) O. Gregory to Marsden, 1 April 1818; Marsden Papers 1.
The stand he took is very like that which they affected at their most highly organised stage; when they spoke of

The firm purpose with which many families, from an early era in the colony, have fenced themselves around, as within a sort of moral entrenchment,

a barrier, they said, similar to "the precautions wont to be adopted at Constantinople against the plague."(1)

Similarly his methods of dealing with wickedness were ruthlessly copied by the less civilised members of the party.

Opposition to the Governor's authority as such is best seen in the activities of the brothers Ellis and Jeffrey Hart Bent, respectively Judge-Advocate and Judge of the Supreme Court. Ellis Bent had accompanied Macquarie to New South Wales in 1809, and they had become good friends, no doubt depending on each other's advice. Until 1814 their relationship remained friendly, for Bent had little sympathy with Marsden's objections to ex-convicts being placed in positions of trust; even in 1814 his doubts seem to have been based merely on his own observations.(2)

They were shared by all those who knew the Colony and whose opinions survive, including Macarthur, but not of course the Governor himself. Even William Cox sympathised with the objections of new settlers to be either governed or directed by any persons having been Convicts, such as Magistrates, Chief Constables, Superintendents &c. (3)

(2) E. Bent to Lord Bathurst, 14 October 1814; CO 201/75 f. 200.
(3) Evidence taken by J.T. Bigge; Bonwick Transcripts, Box 5, pp. 45190-1.
But Bent's doubts did not prevent him from admitting ex-convict attorneys to the Civil Court when it was clearly necessary.

But in 1815 he took up a position distinctly opposed to the Governor. This was mainly due to the arrival of his brother to be Judge of the new Supreme Court, though Ellis never tried to match Jeffrey's carping personal tone and broad imputations. Jeffrey Bent attacked the whole basis of Macquarie's authority, declaring that

The local circumstances of this Colony have from its first formation, been an excuse for every illegality that Caprice, or Ignorance, could dictate. (1)

He refused to admit ex-convict attorneys to the Supreme Court, so that it sat but never functioned while he was Judge. And he alienated all Macquarie's magistrates but Marsden.

Macquarie regarded him as "the Champion of a Weak and Wicked Faction", and he certainly seems to have been in contact with most of those whom the Governor considered his enemies. (2) Many of these came to be part of the Exclusive faction of the 1820's. They included William Moore the Crown Solicitor, his brother, Commissary Allan and his son, and apparently the Surveyor-General, Oxley, whom Macquarie, while he commended his exploring work, believed to be "Intriguing and discontented." (3) Bent was

(1) J.H. Bent to Lord Bathurst, 1 July 1815; CO 201/79 f. 88.
(2) Macquarie to Bathurst, 20 February 1816; HRA i, IX p. 7.
(3) Macquarie to Bathurst, 1 December 1817; ibid. pp. 500-1.
also largely responsible for a petition which was presented to the House of Commons in March 1817, and which complained in detail about Macquarie's administration.

While accusing all these and Marsden of intrigue, there were a few of his enemies whom the Governor reported merely discontented. These included Bayly, Dr Townson, and John and Gregory Blaxland. He might have added Dr William Bland. Except Bayly, who merely copied the opinions of Marsden and Jeffrey Bent, all wrote to the Colonial Office thorough denunciations of Macquarie's economic policy. But they seem to have been driven solely by their own despair and not by feelings of faction. They all suffered the Governor's disfavour, and all but Bland were men of capital who found it difficult to make any progress under a system not designed for their benefit; where for reasons of state, they were often denied land and good convict labour, and subjected to unpredictable fluctuations in the price and the demand at the Government Store, the chief market. Their position will be dealt with more fully in the next chapter.

Among the number of ex-officers of the New South Wales Corps who had returned to the Colony, only Bayly and

(1) J. Blaxland to Bathurst, 11 January 1815; G. Blaxland to Bathurst, 15 June 1815; CO 201/81 ff. 8, 105. N. Bayly to Sir H. Bunbury, 8 December 1817; Dr Townson to Archdeacon Corbett, 19 March 1816; CO 201/88 ff. 95, 687. Dr Bland to Bathurst, 29 February 1820; CO 201/101 ff. 100.
Archibald Bell opposed the Governor or his policies. Piper, Cox, Lawson, Minchin - who succeeded Wentworth in 1820 - and Brabyn, who seems to have been a member of the Cox circle, had all been officers of long standing, and all apprately fitted well into Macquarie's system of discipline and good order. It would have been surprising if, after the Corps' old associations with the ex-convict class, they had objected to his convict policy. Nor was Macarthur, with the same background, so remarkable as to disagree entirely with the other ex-officers. Piper in particular was among his oldest companions, and it is not surprising that like him, he found the Governor a very agreeable person. In 1818, when he had known Macquarie personally for a year, he pronounced him "humane, liberal, and of most cautious and gentlemanly manners." (1)

Macarthur, unlike Bell for example, had no abstract principles about mixing with ex-convicts. (2) In England he had made a point of visiting the family of the emancipist William Redfern, whose medical skill he believed had saved his daughter's life, and he exerted himself to have Redfern appointed an assistant surgeon. (3) Nevertheless he definitely had strict ideas about respectability, and was horrified that the Governor could associate with men of

(1) Macarthur to W.S. Davidson, 3 September 1818; MP 1.
(2) Evidence of A. Bell before J.T. Bigge; Bonwick Transcripts, Box 5, p. 45218.
(3) Macarthur to his Wife, 16 March 1816; MP 2.
such low origins and notorious character as Lord and Thompson. He also disagreed basically with the Governor's lenient attitude to reform, a disagreement founded, like that of many of the Exclusives, on firm ideas about personal honour and reputation. "I maintain", he wrote,

> it is wise and salutary that men should be deterred from the commission of crime by [the] dread, nay the certainty of perpetual infamy. (1)

But he was not a man to make mere principle the only foundation for wisdom. Moreover he persisted in believing that Macquarie had been misled, and in London was very active in discountenancing among the circle of His friends and acquaintances ... the reports so industriously circulated to the Governors prejudice. (2)

On his return he consented to mix with ex-convicts on public occasions, which was as much as many of Macquarie's supporters, including Sir John Jamison, the Governor's firm friend, were prepared to do. He eventually decided that

> the experiment has not been productive of the good Consequences which the Governor's humanity induced him to anticipate,

a conclusion Macquarie himself had come to two years before him. (3)

---

(1) Macarthur's marginal note in W.C. Wentworth, A Statistical, Historical, and Political Description of the Colony of New South Wales... (1819), the copy at Camden Park, p. 349.

(2) W.C. Wentworth to his Father, 22 March 1817; Letters from W.C. Wentworth, Wentworth Papers.

To Macarthur, Macquarie seemed to possess at least the minimum qualifications for his position: firmness, and a gentleman's manners and respect of property, Macarthur's own being the main point of reference. Macarthur apparently understood that like himself, "Old Lauchlan is not a palliative gentleman, he does things on a grand scale", as his son-in-law said. (1) In August 1816 he wrote to his wife expressing a hope that

it may be my fortune to live some years under his auspices, for from all you tell me, he is the man best calculated to promote my undertaking, and the only man, who has yet governed the Colony with a sufficient elevation of mind and depth of judgment to discover, that his own interest and honour would be improved by my ultimate success. (2)

A year after he finally returned he had been somewhat disillusioned, and in a letter to Walter Davidson expressed doubts like the Blaxlands' about the Governor's economic policy, or lack of it, and his "talents to govern this most singularly constituted colony." But at the same time he made no mention of tyranny - the Governor was humane and liberal - and showed no sympathy for those gentlemen who were establishing the principles of the Exclusive party. As he told Davidson,

(1) J. Bowman to W. Buchanan, 1 September 1820; Buchanan Papers 1, MP (2).
(2) 19 August 1816; MP, 2.
We only visit, or are visited by one Family. The regenerated few are in high Court favour. The illiberals are in fierce opposition. (1)

He did not feel himself involved in the issue, being so remote from the exclusive foibles of men like Marsden that he could afford to be exclusive even towards them. And he never quarrelled with Macquarie's form of authority, though from the time of his return he became more and more convinced of his very limited understanding of the possibilities of free enterprise. Macarthur had his ideals and they were firmly held, but they were very different from Marsden's; and like the Governor he was more than anything a practical man.

(1) 3 September 1818; MP 1.
Chapter 7: Freedom as a Fragmentary Force

Macarthur spent a little less than six years abroad after the end of Lieutenant-Colonel Johnston's court martial. At first he resigned himself to spending the rest of his life in England, for return seemed impossible. He knew that Governor Macquarie before he sailed for New South Wales had been given instructions to bring him before the Colony's Criminal Court which he might feel it his duty to obey; and Macarthur could not contemplate putting his future and that of his family so entirely at the mercy of a single individual.

Nor did circumstances give him any reason to hope for a change. In 1812 he wrote to his wife in New South Wales that he saw from

The information I have collected from your Letters and from our friend Piper ... that many and great changes must take place and numberless prejudices be overcome before I can allow myself to hope that I shall ever be permitted to reside there exempt from danger and persecution. A man of my known principles must be hated and decried in such a colony, and if to those feelings be added those of envy at my prosperous circumstances, what can I expect in a society so constituted.(1)

The meaning of his "principles" is rather vague. His biographer has assumed that he refers to scruples about mixing with ex-convicts, but the conclusions of the last chapter show that he felt his respectability secure enough to make such a small concession to official policy, and on his return he did so.(2) It seems more likely that he

(1) 16 October 1812; MP, 2.
(2) M.H. Ellis, op.cit. p. 413.
feared from the Governor prosecution, and from "the society so constituted", meaning the officials now in power at different levels, not only resentment for his pristine and prosperous way of life, but the eager insolence natural in men promoted so suddenly, men who from their proper places of insignificance had lately seen him riding in pride and fullest authority at the head of affairs. Such insolence could hardly be borne.

Macarthur therefore made plans to bring his wife and daughters to him. For a time he hoped to make his brother's son, Hannibal, who had gone out with him in 1804 and was now in England, his partner and the manager of his concerns in New South Wales. But no final decisions were made. As well as being unwilling, perhaps, to abandon a country where his family had "tasted so much of prosperity and pleasure, and drank [sic] so deeply of adversity and calamity", Macarthur doubted very much whether their New South Wales property would yield enough to let them live in a minimally respectable style in England and at the same time give their sons opportunities suitable to their talents.(1)

He placed much hope in a large investment by the ship Isabella, which sailed for the Colony in 1812.

(1) Macarthur to his Wife, 4 March 1812 (second letter); MP, 2.
Hannibal, aged 24 and newly married to the eldest daughter of the late Governor King, left at the same time, with instructions to manage the merchandise on its arrival. In July 1814 news finally arrived of the small success of this venture. This ended all hope that there would be capital enough, and also that Hannibal had competence enough, for Macarthur and his family to depend on for their future livelihood. He received about the same time his wife's decision - for he had left it to her - that they must remain in New South Wales. (1)

A period of paralysis gave way to one of single minded effort, and to alternate bouts of optimism and thorough despair. For a time he saw the only difficulty to be in getting a passage out, and having failed to persuade the Government to give him one, he declared he would find a private ship. (2) But in 1814 he managed to see at the Colonial Office the Governor's orders for his trial, which clarified his danger. He then allowed himself to believe that Macquarie's convict policy was due to the emancipists being most willing to help in "the advancement of his own interest and Fortune," and told his wife to see whether the Governor might be persuaded by the same means to ask for his instructions to be revoked. (3)

(1) Macarthur to his Wife, 26 July 1814; ibid.
(2) ibid.
(3) Macarthur to his Wife, 8 December 1814; ibid.
But such a change depended finally on the Colonial Office, and as he was forced to realise, all his hopes lay with his own efforts. In pushing his case, and in finally achieving his object he was obliged to go to the source of power itself. Thus although his ultimate success was very much due to affairs in New South Wales, and particularly to the Colony's economic condition, it was ultimately the result of political events in England.

The most vulnerable point of Macquarie's administration was its great cost. Even in 1812, Macarthur had reported that "the present expensive system is much disapproved of."(1) The Governor had never been able, as he had continually promised, to reduce the great burden on the Treasury, nor had he made any very far sighted efforts to do so. He had not advised the arrangement of import and export duties so as to encourage local industry and increase revenue. Colonial whaling in particular had become negligible in his time. Nor were the settlers helped to develop their estates so that they might employ and support the increasing number of convicts, who were therefore massed in the town, came to clog up the administration, and finally led, more than anything else, to the great discredit of his government. Instead of using the Colony's "natural tendency to growth, and thriving", the quality Wilberforce had noticed in communities, the Governor had adopted the course of keeping

(1) Macarthur to his Wife, 9 December 1812; ibid.
all skilled convicts for public works, so that the development of country properties went ahead very slowly.

Very little effort was made to encourage the growing of sheep for wool. And the meat market was regulated by the Government, which selected the settlers who were to supply the public store, the biggest market, and also ordered the price. No stimulus was given to competitive spirit.

The same practice was adopted with grain. The controlled system was supposed to protect the small farmers, for the economy was not complex enough, and wealth too much concentrated, to prevent monopoly. But in fact the uncertain market, the miscalculations of the Government, and the seemingly arbitrary prices fixed by the public store, seems to have acted to discourage the efforts of the small men, and to have increased the number ruined as the mortgagees of Sydney publicans and traders. For these a lack of skill and energy, and the exhaustion of the soil was also to blame. But it is significant that at the same time several of the large graziers gave up their market crops altogether. (1)

When droughts in 1815 and 1816 killed off much of the livestock, it is not surprising that the bigger settlers

---

(1) see W. Bland to Lord Bathurst, 29 February 1820; CO 201/101 f.100. J.T. Bigge, Report of the Commissioner of Inquiry, on the State of Agriculture and Trade in the Colony of New South Wales, pp. 19-22.
became particularly clamorous. Over the next few years their letters to the Colonial Office joined those written against Macquarie's tyranny and his convict system; and justified the attitude of the Whig journal, the Edinburgh Review, which in 1819 commented drily that, on the analogy of surgeons,

An examination on the principles of Adam Smith, and a license [sic] from Mr Ricardo, seem to be almost a necessary preliminary for the appointment of Governors. (1)

As early as Hunter's time Macarthur had urged the Colonial Office to encourage local enterprise, and so to create export industries and make the colonial economy more independent. (2) The success of such a policy would not only have been his own success, but it would have made his property in the Colony more valuable, by causing an influx of men with capital. Such immigration, it has been noted, he had also advised, but on more idealistic grounds.

The decision of 1814, that whatever Macarthur's fate, his family must remain in New South Wales, coincided with the international convention of plenipotentiaries at Vienna and the exile of Napoleon to Elba. The thoughts of public men turned to the disbanding of armies, and the payment of the huge debts accumulated over twenty years of war. At the same time the declarations of the Whigs, who during two generations of opposition had made economy in

(1) Vol. 32, p. 38.
(2) Macarthur to Duke of Portland, 15 September 1796; HRA I, II p. 89.
government one of the central parts of their attack on the administration, were joined by more general appeals for the return to an easy peace, and the ending of emergency taxes, particularly the Property Tax. The Government was therefore faced with huge expenses, reduced revenue, and a more substantial opposition in Parliament. In this critical time Macarthur might have expected a more sympathetic hearing at the Colonial Office. But although his friend James Brogden, a man of influence in the Tory party, tried during 1814 to alter the official attitude, as represented by the Under Secretary, Henry Goulburn, no progress was made against the "deep rooted prejudice against me."(1) With slender hopes for himself, Macarthur began to make preparation to send one or more of his sons to give their mother that support which Hannibal, "blunt, honest and unsophisticated", had been unable to afford.(2)

All his four sons were then in England, except Edward, who was with his regiment in Canada. John, the second son, was a student at Lincoln's Inn. James was finishing a year of training for business at the counting house of an East and West India merchant. William was still at school. Early in 1815 Macarthur took James and William, then aged 17 and 14, on a tour of the Continent, where

---

(1) Macarthur to his Wife, 8 December 1814; MP, 2.
(2) Macarthur to his Wife, 28 December 1814, 4 March 1812, (first letter); ibid.
they were to improve their French, and also learn something of mineralogy and vine and olive growing, knowledge which would be useful to them in the Colony. Besides meeting several of Napoleon's officers - who were "much pleased at the idea of a revolution in N.S.Wales" - they collected olive trees, numerous vine clippings, and other plants suitable for the colonial climate. (1) Macarthur no doubt hoped to show the Government how essential he was personally to the export industries of New South Wales, but failing that, to make it possible for his estates to be developed under the management of his sons alone.

The three returned to England in May 1816. They found that although Whig strength had dwindled with Napoleon's return and the victory of the allies at Waterloo, his final banishment to St. Helena had allowed the party to begin a new session with a strong and united front; and a determination

to enforce a system of economy, to reduce unnecessary and expensive and dangerous establishments, and to bring back the government to the true principles of the constitution. (2)

Appeals against Macquarie's tyranny as well as against the expences of his government, fitted well into such a programme.

(1) James Macarthur, "Journal of a tour in France and Switzerland"; MP, 33.
(2) Lord Grey to Lord Fitzwilliam, 25 February 1816; Fitzwilliam Papers, County Record Office, Northamptonshire.
The Government at once became anxious to concede, where they were able with safety and fair consistency, any point which might otherwise be available to the opposition. When the session ended in June they had suffered two minor defeats in the Lower House, the first for some years.

In May Macarthur wrote,

My Friends here have ... been very active, and they assure me that favourable impressions have at last succeeded to the hostile spirit which has so long obstructed my return to you. (1)

He was advised to declare his intention of publishing evidence of Bligh's peculations in New South Wales, which had not been used at Johnston's court martial. He was assured that

in times like the present, Govt. will be as desirous to avoid the publick discussion of the merits of Mr. Bligh's deposition, as I am to escape its consequences. (2)

At the same time, with the assistance of "my invaluable friend", George Watson Taylor, he addressed a formal appeal to Lord Bathurst in which he argued that his sheep had been "brought to such a state of perfection" that a substantial demand now existed among English manufacturers.

He mentioned his hopes of "the Olive & the Vine", and

(1) Macarthur to his Wife, 22 May 1816; MP, 2.
(2) Macarthur to his Wife, 23 July 1816; ibid.
declared his presence in New South Wales was essential to the success of these projects. (1)

Lord Bathurst's mind had to a certain extent been prepared by persons unconnected with Macarthur. Besides the more irresponsible letters from the Colony, Gregory Blaxland had addressed him a year before, in a balanced yet despairing tone, telling of the complete failure of all his hopes for prosperity in the Colony, because of "the difficulty of extending the market for its produce for sometime to come." (2) And only weeks before, Major Robert Torrens, a well known political economist, had written at length of his confidence that if New South Wales were properly managed and the convicts wisely employed, the colonial establishment might soon become self supporting. He had written a similar letter a year earlier. Unlike then he now received a polite reply, with excuses, to his offer to undertake the government of either colony, and to prove that

When the skill and capital of an old and civilized country are brought to bear upon the unexhausted soil of a new settlement, the result was an instantaneous rise in population, wages and profits. (3)

(1) 1 August 1816; CO 201/82 ff. 282.
(2) 15 June 1815; CO 201/81 ff. 8, 14.
(3) first memorial n.d., second n.d. (13 July 1816), CO 201/81 ff. 3, 201/82 f. 228.
More subtle but closer pressure was coming from within the Government. At the beginning of the year Lushington, Secretary of the Treasury, had suggested that industry might be stimulated and expence reduced in New South Wales if the present system of receiving produce into the public store were replaced by one of open competition.¹ The suggestion was a symptom of the beginning of a more liberal approach to economic problems than hitherto, a gradual conversion of Ministers to something like thorough free trade principles. An important step was made in February, when the Earl of Buckinghamshire, who as Lord Hobart had compromised Macarthur's hopes in 1804, was replaced in the Cabinet by the domineering George Canning, a man dedicated to free enterprise and economic progress. Lord Bathurst must have been influenced by the change, for although a solid conservative - he was said to have been the last man in London to wear a pigtail - his mind was not inflexible, nor closed to arguments which suggested obvious practical improvement, especially when they promised to save expence.²

In August Lord Bathurst decided that Macarthur might be allowed to return home. But an obstacle immediately presented itself. In a series of interviews and letters lasting into October Under Secretary Goulburn made it clear

---

¹ S. Lushington to H. Goulburn, 5 January 1816; CO 201/81 f. 34.
² J. Ritchie, op. cit. p. 22.
that before he could embark, Macarthur was expected to acknowledge the fault of his rebellion against Bligh, "an act", according to Macarthur, "that I had and ever must consider one of the most meritorious in which I had ever been engaged." (1)

His refusal to do this is the best proof of his pride. He threatened again to expose Bligh's behaviour; but it was not until the 18 February 1817 that he could report that

all the obstacles, which have so long obstructed my return to you and my beloved Girls, have been this day removed.

Yet even then there followed a month of "suspense and incertitude". (2) On the 4 March Brogden wrote to the Colonial Office, on behalf of "poor McArthur" to name the ship on which he wished "to send out" his sons and his plants and equipment, and to ask for their free passage. On the 6th Macarthur informed a friend that he also was to be provided for. (3) On the 12th Goulburn ordered a passage for his sons alone, but Macarthur made arrangements for his own passage as well. (4) Whatever the last obstacle was, and the affair must remain mysterious, by the 24 March

---

(1) Edward Macarthur to H. Goulburn, 17 November 1816; CO 201/33 f. 208. Macarthur to his Wife, 1 October 1816; MP, 2.
(2) Macarthur to his Wife, 18 February 1817, 24 March 1817; ibid.
(3) Brogden to Goulburn, 3 March 1817; CO 201/33 f. 33. Macarthur to T.K. Smith, 6 March 1817; MP, 1.
(4) H.G. Baker to Goulburn, 22 March 1817; CO 201/37 f. 160.
it too was overcome, and Macarthur, James and William, sailed by the Lord Eldon early in April.

It is significant that on the 10 March the petition drawn up by Judge Bent against General Macquarie's administration, and complaining of both his political system and the state of the colonial economy, was laid on the table of the House of Commons.\(^1\) Its sponsor was the Honourable Henry Grey Bennet, who had only just begun to interest himself in the internal affairs of New South Wales, but who was to take a leading part in the discussions of the next ten years. He was a member of a great Whig family, his brother Lord Ossulston being known as "Little O" in Devonshire House circles; and his wife was a member of a greater one, the Russells.\(^2\) He was a neighbour and a distant relative of Lord Grey, the head of the party. Bennet was rather more radical than most aristocratic Whigs, for he was interested in, and even visited, gaols, hulks and transport ships. But he was more, or less, than a reformer: his speeches and pamphlets are mostly disconnected criticisms of the Government's extravagance, its inefficiency, or its rigid harshness, interspersed with appeals to old Whig constitutional doctrine. His persistent and unquestioning use of information sent straight from the Colony, particularly that from Samuel Marsden, were

\(^1\) Parliamentary Debates I, xxv, 920.
nevertheless effective, and were enough to encourage the Government to move points of discussion out of his reach. Insofar as Macarthur was able to provide annoying information about Bligh, it is perhaps not entire coincidence that he should be allowed to leave England at this particular time.

On the 23 April, within weeks of his departure, Lord Bathurst wrote to the Home Secretary, Lord Sidmouth, whose department was in charge of convict transportation, to suggest a commission to enquire into the administration of New South Wales, and the general state of the Australian settlements. The Colony was, he said, fast changing its character, and so becoming "less fit for the object of its original institution." (1) Also the post-war depression, unemployment in England, and the resulting increase in crime had led to a great many more convicts being transported, which in turn had created problems of a new kind in New South Wales. Lord Bathurst contemplated a careful investigation followed by deliberate planning. The result, though over sixteen months later, was the appointment of John Thomas Bigge, formerly Chief Justice of Trinidad, and a man who might well have been chosen as much for his intelligence as for his acceptability to H.G. Bennett and the Whigs.

(1) Letters printed with Bigge's Reports by order of the House of Commons, 1825, p. 5.
The circumstances of Bigge's appointment and the details of his Reports have lately been dealt with by Dr Ritchie, in his book *Punishment and Profit*. The work sometimes shows a lack of analysis, resulting in at least one error which should be corrected. The author maintains that in 1817 the Colonial Office used bribery to silence a critic of Macquarie's government; a serious charge. Dr Ritchie tells of Goulburn being advised by Beckett at the Home Office that "this madman" should be given two guineas a week, in case he do "some mischief." (1) The type of mischief Beckett feared was apocalyptically different from what Dr Ritchie assumes, for this critic, who had lost his property in New South Wales, signed himself "Prince of Scotland, and of Great Britain & Ireland, Rex de Juro Divino", and advised in circular letters to the Heads of Departments, that God was working his purpose out, and would utterly destroy all those who kept their rightful king poverty stricken in a garret in Tottenham Court Road. (2)

As Dr Ritchie points out, Bigge came from a Northumberland family. His connections in that county included his friend H.G. Bennet; Sir Matthew White Ridley, who was Member for Newcastle-upon-Tyne and a leading Whig,

(1) p. 25. Beckett to Goulburn, n.d. (February 1817); CO 201/37 f. 55.
(2) J. Burke Hugo to Goulburn, 11 January 1817, J. Burke Hugo to Bathurst, 2 May 1817; CO 201/88 ff. 274, 317. And numerous others about the same place.
and whose family were old banking partners with Bigge's family; and his cousin and brother-in-law, William Ord, Whig member for Morpeth. All these were Whigs of a liberal stamp, and all but Bennet were enterprising merchants, as well as landed gentlemen. It will be seen below that all of them, as well as Sir Matthew Ridley's brother, Ridley Colborne, and other relations, were involved in the formation of the Australian Agricultural Company in 1824.

Bigge's own immediate background was of the same kind. His father, "a warm advocate of civil and religious liberty", and his eldest brother, were strong workers for the Whig cause in Northumberland, and supporters of the Duke of Northumberland and Earl Grey. Through his brother-in-law, Thomas Hobbes Scott, who became secretary to his Commission, Bigge was connected with one of the great ladies of Whig society, Scott's sister Jane Harley, the notorious Countess of Oxford. The link is tenuous, and no personal friendship could have existed between John Thomas Bigge and the woman whose children were called by wits the Harleian Miscellany, because of the diversity of gentlemen supposed to be their fathers.

As well as his own idiosyncrasies, there was thus a definite background of preconceptions which might be

---

expected to have coloured Bigge's Reports; although their vast mass of penetrating detail, and the cold and forthright reasoning, tend to dazzle the reader into believing that all is founded on perfect impartiality, and the conclusions inevitable. Similarly his legal training might also have helped to make him especially, and justifiably, proud of his ability to undertake a mass of sordid and complex detail, which he seems to have done with eagerness, and emerge an aloof and unbiassed judge. It might also have made him wary of Macquarie's all too practical form of government. But less equitable prejudices show in some of his unguarded private remarks about New South Wales, and these too sometimes guided the tenor, and even interfered with the logic of his Reports.

His recommendation that settlers with capital be encouraged to take as many convicts as possible off the hands of the Government was inevitable, given his most important conclusion, that they should still be sent to the main settlement. More open to question was the great admiration he had for Samuel Marsden. He believed Marsden to be an "intrepid and determined" man, and referred with respect to his firm stand against the admission of ex-convicts to the company of virtuous men, "as a principle." Several pages later, attempting impartiality, he calls Macquarie's system "right in the abstract", and excuses Marsden by saying that his objection was to particular
In fact, as might be expected, he had little sympathy with Macquarie and his ideals. He remarked in 1827 that New South Wales had two alternatives, to become a licentious society of emancipated felons, or a community worthy the name & Distinction of a British Colony, and this approach is evident throughout his Reports.

Less excusably, he told Macarthur confidentially,

There is but one excuse to be offered for your Governor, which is his total incapacity, but that Government have of course long known.

The fact that Macquarie was continued at his post long after Sir Thomas Brisbane, the next governor, first offered to succeed him and he had tendered his own resignation, alone proves this to have been untrue. Prejudices perhaps imbibed from H.G. Bennet also led Bigge to go to unnecessary lengths to elicit complaints about the Governor. At one point he implied in a question to Macarthur that ex-convicts were indiscriminately invited to Government House. Macarthur corrected the implication, and afterwards told the Governor that Bigge had asked him for complaints against his administration two or three times.

---

(2) Bigge to James Macarthur, 12 December 1827; MP, 26.
(3) Macarthur to John, 20 February 1820; MP, 3.
(4) Bathurst to Brisbane, 24 November 1815; Papers of Sir T.M. Brisbane.
(5) Evidence taken by J.T. Bigge; Bonwick Transcripts, Box 1, pp. 39839-40. Macquarie to Lord Bathurst, 10 October 1823; CO 201/147 f. 83.
Macarthur seems to have made some effort to show Bigge and his secretary that he had no wish "to meddle with the transactions of government, or to make myself troublesome."(1) On the whole his answers to Bigge's questions about the state of the Colony have a mild and generous tone. For example, he discussed the failings of the convicts with forebearance and some understanding, and he showed his unqualified respect for the general ability and the virtue of their children born in the Colony. It is interesting that he was not alone in believing that that generation had splendid prospects.(2)

But on one point he had strong opinions. He had found on his return in 1817 that in his absence the convict class had become

certainly more difficult to manage; they are less respectful; and now claim many of those indulgences, as a Matter of right, which they used to receive thankfully as the reward of Merit. (3)

In this context he described Macquarie's convict policy, his practice of placing ex-convicts in charge of prisoners and of paying no attention to former records, as "absurd and mischievous", for its general result had been that reform had not been properly encouraged, and that many

(1) Macarthur to John, 20 February 1820; MP, 3.
(2) Evidence taken by J.T. Bigge; MP, 1; see also T.H. Scott to R.W. Horton, 4 September 1823; CO 201/147 f. 348.
(3) Evidence taken by J.T. Bigge; Bonwick Transcripts, Box 1, p. 39837.
emancipists had been elevated to positions of responsibility which they clearly did not deserve, and places in society to which their origins gave them no claim. Thus, inevitably, "democratic feeling has already taken deep root in the Colony" with all its attendant vices. (1) Things had changed, and the respective rights of the different ranks in society were now not only vulnerable to tyranny, but threatened by the insolence of a deluded lower class. He perceived that the ex-convicts were no longer a limited number of more or less unprincipled individuals, to be merely avoided in society; they had become the staple of a popular force, like that which he had seen behind the post-war riots in England, threatening to overcome the traditional shape of virtue and order.

In 1819 a petition was organised by Sir John Jamison to the Prince Regent, asking for trial by jury and the repeal of duties which hindered exports to Great Britain. Signatures were received from 1261 colonists, but Macarthur was not amongst them. He told his son John that his opposition to juries was the reason. (2) This might have been so, but there were several signatories who, like him, were doubtful about juries but wanted the duties lifted. (3)

---

(1) Macarthur's suggestions No. 2 (to Brisbane, December 1821?); MP, 1.
(2) 20 February 1820; MP, 3.
(3) J.T. Bigge, Report of the Commissioner of Inquiry on the Judicial Establishments of New South Wales, and Van Diemen's Land, p. 36.
It seems fair to assume that he refused to sign merely because the appeal had the character of a mass movement, and he had no wish to be mixed up with "Sir John Jamiesons ragbag and bobtail". This seems to be substantiated by his joining in November 1818 with Simeon Lord, Isaac Nichols and a limited number of more or less anonymous small traders of Sydney in a petition against the virtual monopoly of Jones and Riley in the importing trade. (1) This action was the more remarkable firstly in that Macarthur was not engaged in such trade himself; and secondly, in that Jones and Riley were connected with his friend Walter Davidson, who was then trading from Canton.

Thus Macarthur's chief objection to the elevation of ex-convicts does not seem to have been the danger of contamination. This is not the only evidence, though it is the clearest, that his concern for his own social respectability was not a basic part of his character. What he did care about, passionately, was his reputation as a man of honour. The distinction was not made very often then, and historians have not made it often since in relation to Macarthur. Yet it seems essential to his character; and it is fair to say, sets it firmly apart from the ordinary.

(1) "The Memorial of The Mercantile and other Inhabitants...", 19 November 1818; HRA i, X pp. 21-22.
But he certainly was afraid that such elevation encouraged a dangerous popular feeling. It is significant that Bigge's objection to Macquarie's convict policy was that it had "the appearance of a triumph of power over opinion"; that is to say, respectable opinion.\(^\text{(1)}\) This was typical of a modern and liberal Whig, such as Bigge was, and of a man who, when the French Revolution in 1830 came, was to write of "the glorious events that have taken place in Paris since the 23 d July."\(^\text{(2)}\)

But Bigge did not go so far as to put any trust in the weight of numbers. Nor was he much inclined to trust even respectable opinion in New South Wales, where glorious causes were somehow inappropriate, and even the upper class so far below his ideal. Thus he would not depend on the respectable proprietors to the extent of advising a council for New South Wales, and he recommended that in the granting of land, grantees should be obliged to take and eventually support, a specific number of convicts as well. On this point Macarthur disagreed with him. It was his idea that bonuses should be paid for convicts employed, so that the settler would not be forced to develop his estate, but it would be made clearly profitable for him to do so.\(^\text{(3)}\)

\(^\text{(1)}\) Report of the Commissioner of Inquiry into the Colony..., p. 90.
\(^\text{(2)}\) Bigge to James Macarthur, 23 September 1830; MP, 26.
\(^\text{(3)}\) Minutes by Macarthur for a letter to John, 29 January 1825; MP, 66.
This difference shows how the points of view of Bigge and Macarthur are to be distinguished. It arises of course partly from their different positions. But Bigge was rather close to the pattern of the "honest thorough going men of all work" that Macarthur tended to despise. (1) Here he is, the inspector and man of detail, with ideals about popular opinion but more preoccupied with rules and standards and keeping men up to the mark; as opposed to Macarthur, with confidence in traditional hierarchies of power but at the same time an obsessive faith - which will be shown more clearly below - in a thorough system of effort and reward, of energy and profit, as the panacea of all the problems of the state. Bigge, a man of data, tended to discount human will-power; Macarthur counted on it entirely. They represent fairly well the two archetypes of Nineteenth Century English public life.

Bigge's ideals were taken to their logical conclusion by the more whole hearted conviction of William Charles Wentworth, D'Arcy's eldest son and a student at the Middle Temple, who now made his first appeal to the public notice with a Statistical, Historical, and Political Description of the Colony of New South Wales, published in 1819. The work was written for three purposes: to encourage emigration

(1) Macarthur to John, 20 February 1820; MP, 3. For his attitude to Bigge, see Macarthur to John, 31 January 1824; ibid.
to New South Wales, and to urge the freeing of colonial trade and the institution there of "free government". He meant by the last an extension of power to the people as such by the establishment of a representative assembly. He wanted suffrage to depend entirely on property. Ex-convicts were to be admissible not only as electors, but also as members of his assembly, though they were only to be elected if their moral characters could bear the closest scrutiny.\(^{(1)}\)

Macarthur had seen Wentworth quite often when in London. He was a friend of D'Arcy Wentworth's, and he respected the young man's abilities. Before leaving the Colony in 1816 Wentworth had paid his addresses to his daughter Elizabeth, and in London he found his hopes of marrying her encouraged by her father.\(^{(2)}\) Macarthur seems to have gone out of his way to help him with advice on his career, and with introductions, and Wentworth had become friendly with his son John, who was about his age and who first advised him to write his book. This friendship, it will be seen, had ended by the time it was published;\(^{(3)}\) nevertheless there is more reason than this behind Macarthur's judgment of the political ideas of the work as "highly mischievous."\(^{(4)}\) Wentworth not only condoned Macquarie's convict policy, which was only to be

\(^{(1)}\) p. 355.  
\(^{(2)}\) W.C. Wentworth to his father, 10 April 1817; Letters from W.C. Wentworth, Wentworth Papers.  
\(^{(3)}\) W.C. Wentworth to his Father, 25 May 1818; ibid.  
\(^{(4)}\) Macarthur to John, 20 February 1820; MP, 3.
expected from D'Arcy Wentworth's son, but took what
Macarthur believed to be the essential fault of the
system, the independent and bumptious spirit of the ex-
convicts, and made it the sustaining force of his proposed
constitution. Macarthur considered that New South Wales
was peculiar in that the bulk of the middle class had
criminal recors, a fact which made it impossible to assimilate
the political system of the Colony to the British model.
For Wentworth this point was immaterial. He wrote of
Macquarie that

Before his government the great body of
the people, I mean such as had become
free, scarcely possessed any privilege
but that of suing and being sued in the
courts of civil jurisdiction. (1)

Macquarie had only been able to add numerous informal
privileges. Wentworth considered that the formal restraints
that remained on "the great body of the people", both as
ex-convicts and as disenfranchised British subjects, was
the main reason why an unwise economic policy had been
allowed to impede the progress of the Colony, for he had
implicit faith in the wisdom of the people as expressed
through their representatives. (2)

Macarthur agreed that the economy had been held
back by commercial restrictions. But whether or not this
was due to the constitution, it had certainly resulted
in a situation where not only the mass of the people but

(1) p. 347.
(2) pp. 326, 341.
"a great majority even of the most respectable characters?" had a livelihood which depended substantially on government policy. An assembly, he believed, must be "formed of independent men, chosen [by an] independent Electorate". (1) In the Colony's present state, it would be slavish, capricious and pointless.

More essentially, Macarthur could see no virtue in public discussions, in which victory so often depended on numbers or on chance. His appeal in the 1808 Rebellion had ideally been not to opinions about government which might be combined to oppose those of Bligh, but to ancient doctrine, to native feelings of independence, and to the conviction of his associates that the Governor had interfered to an unbearable extent with their livelihood and property; even more basically, that he had overstepped the bounds which an ancient constitution gave to executive power, and disturbed the balance of society. Macarthur, a man of considerable spirit himself, saw humanity summed up in the dignity of the individual, and he considered that dignity to be distinguished by independence of power and property, and elevated by intelligence and certain standards of virtue.

Wentworth's plan, as he saw it, would make an honourable individual relatively powerless to benefit himself and his

community, and so was similar to

the pernicious and democratizing operation of [Macquarie's] general regulations, which place the good and the bad servant, the honest man and the thief, upon the same footing. (1)

Macarthur's faith in individual enterprise has been noted in various places above. It is evident in its most attractive form in the plans he laid out for the Colony about this time. That these represent a true part of his personality is shown by the fact that they agree in principle with the organisation of his own affairs and the treatment of his servants. That they represent a basic part is shown by their overall consistency, and also by his activities and plans during the time of Brisbane and Darling.

His suggestions for the management of convicts, in analogy with his ideas about assignment, proposed a system of effort and reward. The convicts were not only to be disciplined, but allowed by their masters to provide for their own subsistence and extra comforts. As a corollary,

I can imagine no means by which these important objects can be obtained, but by confiding extensive powers to intelligent and honorable men ...[s]ubjected to the inspection and control of a vigilant government prompt to correct abuses and ever ready to distinguish and reward merit. (2)

(1) Macarthur to Bigge, 7 February 1821; MP, I.
(2) ibid.
Power and example were therefore to descend from a virtuous executive down to the convicts, whose hopes, and not only their muscle-power, were made an integral part of the system. Masters were not only to be entrusted with the power to "excite the well disposed prisoners to merit reward", but they might also cut the meat ration or the pay of their less worthy servants for as much as a week at a time. Such punishment could be immediate and so the more effective. Also, it seems, it would have none of the hardening effects of the lash. To prevent "harsh and selfish" masters taking too much advantage of the system, the value of rations withheld was to be paid to the Government. (1)

This plan has the advantage over previous systems in that more attention was to be paid to reform and the honest endeavours of the individual servant. The practice in Macquarie's time was rather insensitive and cumbersome, since the centre point was the Governor's own discretion. Macarthur's scheme looked more to the discretion of the convict himself, or rather his exercise of will, the hierarchy above him being, in theory, merely a machine to register and encourage his efforts. This is why well intentioned masters were so necessary. Like any system whose results depend essentially on freedom, its success would have been uncertain.

(1) Macarthur's suggestions, No. 1 (to Brisbane, December 1821?), Macarthur to Bigge, 7 February 1821; MP, 1. See Appendix.
but Macarthur expressed a hope that "a few ... might in time be completely reformed."(1) Whatever result it might have had, the scheme in its emphasis on the individuality of the convict, is significantly different from most others planned and adopted at the time, by the fact that it is entirely humane, and civilised in the best sense of the word.

These ideas are completely in keeping with Macarthur's personality. He probably overestimated the forcefulness of hope and the impact of disappointment, great though they might have been in a convict. Uncommonly aware of his own individuality, he tended to believe that other men were like himself; and his own ambitions, fitting the vastness of the country, had no limit. While working with great plans, obstacles became for him utterly evil, and he could experience depths of despair no doubt more abysmal by far than those of the normal convict. His exile especially had been punctuated by period of hypochondriac depression. Egocentric, but not overdramatic, in 1816 he had written, "Oh why, my beloved wife, is so sensitive a being exposed to such a severity of trial!" In the same letter he expressed a hope "that the end of a stormy life may yet be passed in security, happiness, and peace."(2) But towards the end his moods became even more sudden and extreme, and

(1) Macarthur to Bigge, 7 February 1821; MP, 1.
(2) 28 July 1816; MP, 2.
before his death depression destroyed even his sanity.

The same principles as he would have applied to convict discipline, he hoped to see extended to the economy as a whole. He was perhaps equally disgusted with Wentworth's pernicious doctrines, as with his "delusive statements respecting the profits of breeding fine woolled sheep." (1) Wentworth had declared that sheep breeding in New South Wales was very likely the safest and most profitable form of investment in the whole world.

Any person ... who has the means of embarking in this speculation, could not fail with common attention to realize a large fortune in a few years.

He need not, said Wentworth, even "be acquainted with the management of sheep." (2) This was somewhat to discount the skillful and constant attention which every available member of the Macarthur family had given the Elizabeth Farm flocks for the previous twenty-five years. Macarthur himself believed that only "men of character, who have some skill and capital" should be encouraged to come out; that "needy adventurers" would fail in such a demanding business, "swell the mass of discontent", and "become most furious democrats." (3)

(1) Macarthur to John, 20 February 1820; MP, 3.
(2) pp. 415, 416.
(3) Macarthur's suggestions (No.2); MP, 1.
To encourage the application of skill and intelligence, he suggested a system of prizes. This, "the plan I had so long and so anxiously been seeking to commence", was begun by Lieutenant-Governor Sorell in Van Diemen's Land in 1820, apparently at Macarthur's suggestion. Not blind to his own interest, Macarthur offered himself as the source of quality merino stock, and suggested that he supply rams for the Government to distribute by auction, in return for 50,000 acres which he was to use for their breeding, and which was to be gradually granted to him in portions as the rams were received. The land was to be given at the rate of about a quarter of the value of the sheep, and with the sales money, which would have been considerable, the Government was to establish prizes for the improvement of stock, and set up schools. It will be shown below that the idea of schools was by no means an idle addition. (1)

Though Macarthur naturally looked for great profits for himself, it should be remembered that his flocks were the best and largest in the country, and therefore the obvious source of good rams. Moreover, the spirit of idealism on which his whole scheme was founded can be seen by his saying privately a little later:

(1) Macarthur to John, 20 February 1820; MP, 3.
See appendix for full text.
I care not what price Government take ... [the rams] at. Let them fix it themselves, and let me have the honor and satisfaction of seeing the universal spread [of the Spanish Merino breed] ... which I have so long, and so anxiously laboured to establish, and I shall be satisfied. (1)

Macarthur's schemes all had a paternal and well disciplined form, but they were generous, humane and optimistic. While he seems to have had no sympathy with, or indeed any understanding of movements that would reform the structure of society and politics, he placed all the hope he could in the improvement of the existing system, and the reform of individuals.

His realisation that the present governor was not the man to promote his system in a thorough and positive way, and his subsequent efforts to influence Bigge, the most hopeful agent of improvement, led to enmity with Macquarie, as such disappointment had caused estrangement with so many previous governors. Macarthur believed that it was his refusing to sign Sir John Jamison's petition, which Macquarie had patronised, that had caused offence.

In 1820 he went so far as to say that

my advancement has always been, and continues to be, a fearful object at Govt. House and to the creatures who surround it. (2)

(1) Macarthur to John, 18 February 1824; ibid.
(2) Macarthur to John, 20 February 1820; ibid.
At the end of the following year, Macquarie placed him and Hannibal seventh and eighth on a list of thirteen "dissatisfied" colonists. (1)

But Macarthur's faith in the power of a competent and strong governor to do limitless good did not waver. Looking forward to Macquarie's successor, he wrote,

Good God! What labors has the new Governor ... to perform ... He must have unlimited authority, with power to cleanse out the Augean Stables. (2)

His solution, as usual, rested on his supreme confidence in the energies and reason of the single Man.

(1) "Factions and dissatisfied in N.S.Wales on 30 Novr. 1821"; Macquarie's Memoranda, Macquarie Papers.

(2) Macarthur to John, 20 February 1820; MP, 3.
Chapter 8: Constellations and Powers under Governor Brisbane

Macquarie's successor, into whose hands he resigned the government in December 1821, was Major-General Sir Thomas Brisbane, a distinguished soldier, and one of the numerous field officers whom the conclusion of the war had left idle. He was a friend of the Duke of Wellington with whom he had served in Spain, and who, with the Commander-in-Chief the Duke of York, had recommended him to be notice of Earl Bathurst.

Sir Thomas Brisbane was also known as a man of imagination and breadth of mind, and a creditable amateur astronomer. He was a Fellow of the Royal Society, his recommendation from its aged president being Banks's last interference in Australian affairs. In 1823 the University of Oxford gave him a doctorate. The Australian Dictionary of Biography in fact suggests that he applied for the post in New South Wales in order to study the skies of the Southern Hemisphere. (1)

But it seems at least equally likely that like Major Torrens, Brisbane wished to test his ideas about Political Economy. These, which he took from "the immortal Adam Smith", were certainly strongly and keenly held, and, "proceeding on pure principles", he applied them immediately to the problems he found on his arrival in the Colony. He was thus able to boast with justice that he had anticipated

(1) Volume 1, p. 154.
all Bigge's suggestions about distributing convict labour and granting land in a way to encourage enterprise, before the Reports had even reached him. (1)

Sir Thomas Brisbane knew of Macarthur through his son Edward, who had served under him in the Peninsula. He seems to have had great respect for Macarthur's ability, and for his contribution to the Colony's wealth. He decided very soon after arriving that he should be made a magistrate, and in 1824 named him first in a list of ten possible members of the new Legislative Council. He also approved of a plan put forward by Macarthur, apparently in the first weeks of his administration, for a committee of seven, including, and no doubt guided by Macarthur himself, who were to "deliberate and consult together" on everything connected with convicts and their reform, and make reports to the Governor. (2)

Brisbane's inauguration must therefore have been a very hopeful period for Macarthur. The Governor had an immense admiration and enthusiasm for the country, and he understood very well Macarthur's ambitions. More than this, their opinions on economic matters were closely similar. The new governor condemned the policies of his predecessor, in that "he never called out the energies of the Country."

(1) Brisbane to M. Bruce, 28 March 1822, Brisbane to (Bruce?), 31 March 1823, 13 December 1822; Papers of Sir T.M. Brisbane.
(2) A memorandum presented to Sir Thomas Brisbane; MP, 1.
Like Macarthur, he believed that

the labour of every Individual can be so far converted to useful account, as not only to maintain himself, but at least two others.

Like Macarthur also, he believed that convicts would be most effectively reformed if the system of individual enterprise were extended to them; and having a great dislike for corporal punishment, he hoped to bring about a time when the only really retributive penalty would be imprisonment.\(^{(1)}\)

Some parts of his scheme were notably successful, being suited to the boom period of immigration and investment which followed the first great success of colonial fine wool in the London market in 1818; the first advertising of the country's resources, by books, pamphlets and official notices, about 1819; and the general condition of England, after the war, where economic and social disturbances had basically upset the old way of life, and had made men of capital look abroad more than ever for safe opportunities. After only eighteen months, Brisbane was able to show with positive proof that "an exulting triumph of Political economy" had succeeded in "rendering labour productive, diminishing crime, [and] advancing morality", and, so he said, had saved the Treasury £100,000 a year.\(^{(2)}\)

---

\(^{(1)}\) Brisbane to Bruce, 28 March 1822, Brisbane to (Bruce?), 13 December 1822; Papers of Sir T.M. Brisbane.

\(^{(2)}\) Brisbane to Miss Bruce, 12 August 1823, Brisbane to (Bruce?), 31 March 1823; ibid.
Not only in particular points, but in the essential parts of his system, were Brisbane's premises similar to Macarthur's, for he aimed to make independent energy and responsibility combine to drive the whole. Thus he declared,

the great leading principle ... is to render labour of every kind productive, & to couple improvement of moral condition, with moral amendment,

the corollary being the "principle ... to compel all establishments to maintain itself." (1)

But the grossly inept way the two points are expressed reveal his limitations: he had in fact no skill with the details of human intercourse and business. Certainly he was widely read, had broad ideals, and the perfect and habitual manners of a gentleman; in the same way as he admired the systems of the stars, and astronomy, "that sublime study", his imagination could clearly visualise a coherent economic system, each part not only working smoothly in its place, but driving itself forward. He hoped ideally that in time

The Machine will be brought into a proper state when there will be little else left for me to do, so that I may retire & bid the Colonists adieu. (2)

But behind this hope of detachment there must have been an awareness of his own incompetence. In suggesting at

(1) Brisbane to (Bruce?), 31 March 1823, 13 December 1822; ibid.
(2) Brisbane to (Bruce?), 31 March 1823; ibid.
another time that someone else compare the merits of his regime with Macquarie's, he explained that he was not "a theoretical person", meaning he could not manage facts towards a clear conclusion; ideas had for him a life of their own. (1) The vague idea he had of his limitations would have been made clearer had he seen how the mistakes of syntax, spelling and logic he made in his despatches were scornfully pointed out at the Colonial Office by the new Under Secretary, Robert Wilmot Horton, who was not above copying such blunders as "protemporary" for "pro tempore" into his own minutes, and underlining them for fun. (2)

With such a basic failing, his administration quickly developed serious faults. Unwilling himself to think about and deal with the implications of the promises he made from time to time to individuals - promises which from existing evidence seem to have been sincerely given - he was often forced afterwards to change his mind. His declaration that

\[
\text{frequently ... a very different construction has been put on my expressions, from what I intended to convey,} \\
\]

(1) Brisbane to (Bruce?), 13 December 1822; ibid.
(2) Horton's minute, Brisbane to Bathurst, 1 November 1824; CO 201/150 f.260.
is not convincing. But from this belief, and from his own inclinations, he decided that

The Governor of this Colony should never have Personal intercourse with Settlers on business but every thing should proceed by representation. (1)

With such an approach, he quickly became remote from the business of administration, and established a practice of delegating a good part of his responsibilities.

In this way he was something like Macarthur, who would have set up a responsible group of honourable men as a governing class beneath the executive. Certainly his system was partly based on the same liking for individual initiative. Nor was Brisbane without determination himself. He had after all been a successful commander in the field, and imposed his economic ideas on the Colony against distinct opposition. But he was quite unable, through a respect for his officials which was inordinately strengthened by his own shortcomings, to fill the role of Macarthur's "vigilant government prompt to correct abuses." He did nothing, for example, when he discovered that Macarthur's son-in-law, James Bowman, the Principal Surgeon, was acting as agent to a London trading house, though he knew that it interfered perhaps to a serious extent with his official duties. (2) The inevitable conclusion drawn at the time was that the Governor was "a man ... of the very best

(1) Brisbane to Bruce, 31 December 1823; Papers of Sir T.M. Brisbane.
(2) ibid.
intentions", but "disinclined to business" and "singularly deficient in that energy of mind which was requisite to carry his purposes into action."(1)

Sir Thomas Brisbane's period of government therefore saw the sudden growth of departmental responsibility; even to the point where he could answer Macarthur's disappointment in a matter of land with:

Why I confess I see the affair as you do... but what can I do? The officers whom I think myself bound to consult think differently and they are responsible.(2)

The main beneficiary of these new methods of business was Major Frederick Goulburn, who had arrived some months before the Governor in order to take up the new office of Colonial Secretary. His appointment was no doubt due to his brother, the former Under Secretary at the Colonial Office, who had moved from that department soon afterwards. It was an unfortunate coincidence that Major Goulburn, an able man who knew his ability, had "a compelling itch for power", and was quite unwilling to recognise the limits of his authority.(3) Since his office was new and his ideas similar to the Governor's, he easily played on Brisbane's uncertainty. He soon became very powerful, being perhaps

(1) J.D. Lang, Historical Account of New South Wales I, p. 149.
(2) Minute for a letter, Macarthur to John, 29 January 1823; MP, 66.
largely responsible for the Government's successes; and was to answer in a "strain of irony, or levity" when in 1824 the Governor finally became anxious for his prerogative. (1)

Sir Thomas Brisbane said that at that instant he took action, "The Moment I found his conduct get obnoxious to the community, and outrageous to myself." (2) But Major Goulburn seems to have been unpopular almost from the beginning. It is significant that complaints about him should have been so numerous when the Government had adopted a policy of opening opportunities and encouraging ambition. And the surviving evidence makes it impossible to acquit the Secretary of prejudice towards numerous settlers in the multiplicity of matters he took upon himself.

The good intentions of the Governor were frustrated particularly in the case of the Macarthurs. Major Goulburn's special antipathy towards them might have come from his brother, if Henry Goulburn had been responsible for the strength and persistence of the opposition Macarthur had met with in London, which seems at least possible. Or it might have come from a common and well founded idea that Macarthur wished to impose his ideas on the Government. The first disappointment that Macarthur suffered under Brisbane was the failure of his committee on convicts, which

(1) Brisbane to Goulburn, 21 April 1824; Papers of Sir T.M. Brisbane.
(2) Brisbane to Bruce 20 May 1825; ibid.
he attributed partly to its not suitng Goulburn "that my opinions should have any weight with the Governor."(1)

Thus while Sir Thomas Brisbane's impartial and generous manners were acknowledged by most of the Colony, it was noted on all sides that the Secretary, a new arrival in a subordinate position, showed a tendency to control and hinder the interests even of those used to deference. Major Goulburn seems to have been friendly with some prominent men of Emancipist sympathies, such as William Lawson and D'ArCY Wentworth, and also with Captain Piper. But most of the rich and ancient settlers would not know him.(2) As usual this made no difference to Piper's other friendships; the only exception is his old link with Macarthur, which now ended, for Macarthur's worst antipathies left no room for compromise.

One of Goulburn's few other friends, and equally unpopular, was Henry Grattan Douglass, a naval surgeon who had arrived in 1821, and whom Macquarie had appointed to the bench at Parramatta in Marsden's place. He became Brisbane's trusted confidant, which alone was enough to make him the object of particular jealousy. Macarthur blamed him equally with Goulburn for the failure of his committee.

With popular assistants and a deferential Secretary, Brisbane's government might have been as brilliant as he

(1) A Memorandum presented to Sir Thomas Brisbane; MP, l. (2) Sydney Gazette 4 February 1826. Goulburn to Piper, 3 August 1822; Piper Correspondence, l. W. Lawson to J. Sloper, 5 August 1823; Old Ironbark (ed. W. Beard).
hoped it would be, for his failings might not have greatly mattered. But despite a general atmosphere of hopeful prosperity, it was characterised by more petty bitterness and sordid strife than any other of our period. The main force of antipathy came from certain gentlemen who made up what may be called the Exclusive party, though the main issues did not arise from feelings of exclusiveness. It has been seen that Macquarie kept men of independent views and hankering ambition from the magistracy; he also refused to permit their organisation, for example, into an Agricultural Society. (1) Sir Thomas Brisbane on the other hand, was prepared to show the fullest confidence in the initiative of intelligent men. Full of expectations, the class of rich free immigrants, who certainly had some able men amongst them, thus assumed what they saw as their rightful place in colonial affairs. Thus the Governor, by encouraging their independence, indirectly sanctioned the development of a corporate feeling of pride amongst them, and a powerful and active antipathy to the faults of his own administration.

Under Macquarie, despite the efforts of Jeffrey Bent, this group had at first remained disparate and ineffectively opposed to a government and economy that kept them powerless. Some were like John Macarthur and the Rileys and Coxes, and had neither the time nor the inclination to object

(1) Evidence of A. Bell taken by J.T. Bigge; Bonwick Transcripts, Box 5, p. 45217.
actively to the Governor's convict policy, and were only too pleased with the social tranquillity it was his whole aim to preserve. But the Bents were superseded in 1816, and thereafter feelings of exclusiveness took on a quite different tone. The new Judge of the Supreme Court, Barron Field, replaced Jeffrey Bent's strident appeals against ex-convicts, tyranny, and the subversion of his dignity, with a mere cheerful and convivial snobbishness; and Bent's loud dogma with an ability to realise, if he felt like it, that most questions have two sides.(1) A gentleman interested in politics chiefly as a game, having some intellectual leanings, and with a genuine interest in the country, Field was well suited to the task of giving the Exclusives their final character, that of a more or less enlightened aristocratic group.

Judge Field was seen by leading ex-convicts as their greatest enemy in Macquarie's last years. Yet he showed in dealing with their claims little more than a pride in his legal skill, and an amused condescension. In 1818 he made it possible for the first time for unpardoned convicts to sue in the colonial courts, by ruling that the only bar could be proof of conviction, that this could only be obtained from England, and that trials could not be delayed so long. In 1820 however the English case of Bullock v. Dodds led him to realise that the Governor's pardon, which had hitherto been thought enough to restore all legal rights,

(1) Field to J. Dowling, 30 July 1827; Dowling Family Papers.
could not remove technical bars without being confirmed under the Great Seal of England. He took advantage of this ruling to declare that the Supreme Court could decide in which cases to stay action while proof of conviction was obtained, a doctrine which as the ex-convicts quickly saw, put them largely at his mercy. It was applied at this point to two cases involving Edward Bager, an attorney and leading emancipist, who in the first instance sued Field himself before the Judge-Advocate in the Governor's Court.

Bager afterwards declared to the Secretary of State that this was the beginning of the Exclusive-Emancipist struggle; that

the Judges, particularly Mr. Justice Field, ... gathered round them a few other Gentlemen, particularly the members and connections of a certain family ... and formed a party hostile to the Emancipists and their hitherto undisputed, undoubted, rights and privileges.

Barron Field however had written a little before him, with a detailed analysis and criticism of the suggestions Bigge had made to restore their rights, saying that these would provide only a partial remedy, and suggesting a method which would deal with every flaw in the emancipists' legal position. (1)

The identity of the hostile gentlemen gathered around the judges may be discovered from one of the long letters Field wrote to Marsden after he returned to England in 1824.

(1) Eager to Bathurst, 3 April 1823; Field to Bathurst, 15 January 1823; CO 201/146 ff.364, 416.
In it he said how he wished he could give a dinner and invite,

Scott & you & Mrs Marsden & Mrs McArthur & her daughters & Sons, and Mr & Mrs Hannibal, the Kings, Chas McA, & Oxley, the Cordeauxs, Wm. Moore, Cunningham, P. Hill, Jones, Berry and Andrew Allan, Thos. Walker, & ... Col. Molle & the Bells. I shall never forget the friendship of these. (1)

These might be regarded as making up the Exclusive party in his time. Except that none had been convicts, they are not a particularly homogenous group. Some of them were officials and townspeople. Walker, Allan and Cordeaux were, or had been, of the commissariat staff. Moore was Crown Solicitor and Cordeaux's brother-in-law. Patrick Hill was an assistant surgeon on the establishment. Richard Jones and Alexander Berry were Sydney merchants. Molle had been Lieutenant-Governor from 1814 to 1817, and Bell was a major in the 46th Regiment, and one of the few of Macquarie's officials for whom Bigge had had unqualified admiration. Oxley was Surveyor-General.

Many of these, such as Allan, Moore, Molle and Oxley had known Jeffrey Bent, and had been alienated or in open opposition during a good part of Macquarie's government, and so of course had Marsden himself. This was not the case with the remainder. These, except for Scott, lately Secretary to the Bigge Commission, were all "the members and

(1) 13 March 1827; Marsden Papers, 1.
connections of a certain family", of which the central figure was Hannibal Macarthur, now settled at The Vineyard, near Parramatta. Lieutenant Charles Macarthur was his younger brother; Phillip King, the son of the late Governor, and already distinguished as a cartographer and navigator of the first rank, was the brother of his wife, Maria; and Allan Cunningham, the explorer and botanist, was also a member of the circle, having accompanied Oxley and King on expeditions of discovery. These provided the well established main part of the Exclusive group. In fact Eager said that there were only two members of it besides the judges who were outside the family. He presumably meant Marsden and Oxley.

Macarthur himself is conspicuously absent from Field's list of friends. The Judge had no pleasant memories of the man he called "your Great Adversary." (1)

The real cause of the quarrel between Macarthur and Field is uncertain, but Macarthur's arrogance was hardly fitted to Field's convivial circle, and perhaps he was annoyed that a man could be as superior as Field, and at the same time so cheerfully and busily independent of him. His first complaints about the Judge were made privately to his son John, at the very time Field and Wylde, according to Eager, were gathering the Exclusive party about them. He then declared that "the law Department is a compleat Pest", justifying the remark by the principle that "It is a most

(1) Field to Marsden, 23 June 1824; ibid.
improper thing to allow Judges fees", and that the judges had thus become not the pillars of the Colony, but the caterpillars.(1) It is significant that it was on exactly these grounds that Eager was then challenging Field in the Governor's Court. It is further confirmation of his independent position that Macarthur was then involved in a case before Field, in which his solicitor was George Crossley, Eager's chief protagonist for ex-convict rights.(2)

His fees as a judge seem to have been a delicate point with Field. It was perhaps his knowledge of Macarthur's opinion that led him to join with the Judge Advocate in 1822 to oppose Macarthur's nomination for the magistracy. This they effectively did with a letter to the Governor saying that he was a notorious rebel, and on bad terms with every other magistrate in the Colony. Macarthur was intensely disappointed. Field became a particular object of his revenge, a part the Judge bore with mild sarcasm.(3)

It has been suggested in a previous chapter that many of the older settlers, and certainly most of the ex-officers of the Corps, were inclined to treat Macquarie's convict policy with forebearance. Even the Blaxlands, who objected so strongly to his economic measures, were to show in the next twenty years that they were far from keen

---

(1) 20 February 1820; MP, 3. This was not his joke.
(2) Crossley to Macarthur, 17 January 1821 and table of fees; MP, 9.
(3) Macarthur to Field, 29 January 1824; MP, 1.
exclusives. This group, for similar reasons, characteristically showed no strong objections to Macquarie's form of authority, which was very like that which governors had always assumed. The Macarthurs and the Kings for their part had very old associations with New South Wales. Governor King's tolerant social attitude has already been noticed. It is therefore appropriate that Hannibal Macarthur was able to resist joining in opposition to Macquarie, though as magistrate at Parramatta with Marsden, he had every opportunity. In 1814 his uncle had advised him to look to the Governor for all favours, for there were few to be had at the Colonial Office. This advice Hannibal followed with fair success. For example, when Marsden resigned from the bench in 1818 on the excuse that Judge Advocate Wylde had interfered with sentences he and Hannibal had imposed, the latter stuck to his place. In 1815 he received 800, and in 1819, 1060 acres from Macquarie, and was only called "discontented" at the very end of the administration. Nor had Phillip King, in his brief dealings with the Governor, given any trouble or received anything but kindness, though this might also be said of Oxley in his capacity as an explorer.

But although Hannibal Macarthur and his family, the most substantial part of Field's circle, had been peaceful and submissive during most of Macquarie's period, they and

---

(1) Macarthur to his Wife, 30 June 1814; MP, 2.
(2) "factions and dissatisfied in N.S.Wales on 30 Novr. 1821"; Macquarie's Memoranda, Macquarie Papers.
their friends conceived a strong and active antipathy to the methods of administration adopted in Sir Thomas Brisbane's time, an antipathy which led even the Judge and Judge-Advocate, both men of passing integrity, into blatant abuse of their power. This is especially significant in that Brisbane's government was quite unassociated with emancipists or the emancipist cause, at least until its very last months.

The issue seems to have been merely personal. This is partly shown by the fact that while all except Field continued to visit and dine with the Governor, the members of this group, and sometimes the other settlers of their class, maintained a continual attack on those Brisbane trusted most, chiefly Major Goulburn and Dr Douglass. (1) Thus for the first time there were public feuds in which the head of the Government was not really involved. Because of Brisbane's detachment a system of parties arose in the Colony sustained by private feelings alone. Their development and character throughout his time may be seen from the more important quarrels in which they were involved.

Most of these were centred at Parramatta. The new lists of magistrates which were published in December 1821 and May 1822 gave six to that district. These were Dr Douglass, Marsden, Hannibal Macarthur, George Thomas Palmer

(1) Field to Marsden, 23 June 1824; Marsden Papers, 1. Brisbane to Butterworth, 21 April 1824, Papers of Sir T.M. Brisbane.
of Pemberton Grange and his father, the old commissary, and John Blaxland, who had established himself at Newington on the Parramatta River. It was with these last five that Douglass clashed in the middle of 1822 in the affair of the unfortunate Ann Rumsby, his assigned servant.

This handsome girl had been in the Colony no more than three months when, in July - a new Helen beneath Austral skies - her singular charms thrust her from obscurity willy nilly into the undelightful glare of public quarrels. The origins of her case are as obscure as her own, but it may be safely said that although they reveal strong feelings among the Exclusive families, they emphasise equally well the vagueness of party lines, an important feature of Brisbane's time. Dr Currey has described the issue as a careful conspiracy, and attributed the trouble to John Macarthur's enmity for Brisbane after he had failed to make him a magistrate. Hannibal, who was Macarthur's only connection on the Parramatta bench, is thus assumed to have been the instrument of his uncle's revenge and Douglass mainly the representative of the Government. But while Macarthur admitted that after his disappointment "the Governor and myself were estranged for several months", and while he believed that Douglass was also partly responsible, he knew that it was the Judges, close friends of Douglass's opponents, who had really caused the Governor to change his mind. It is also true that on his proposed convict

(2) A memorandum presented to Sir Thomas Brisbane; MP, l.
committee, besides other respected and experienced farmers, Macarthur had suggested Hannibal, Marsden and Oxley. Nevertheless, not only is there no evidence whatever of his interest in Ann Rumsby's case, but Hannibal's friendship with Field had caused a distinct rift at that time between Macarthur and his nephew. He afterwards told Hannibal how he disapproved of the part he had taken and of his excuses, and was not surprised that the New South Wales agent in London "did not violate truth by advocating your absurdities." (1) Moreover, the man chiefly responsible for the affair reaching its final dimensions, and for most of the bitter and persistent enmity against Douglass which followed, was Samuel Marsden, whom Macarthur, in spite of his committee plans, still regarded as "that ever intriguing Priest." (2)

The scandal was first set afloat by the sure touch of James Hall, who had been surgeon-superintendent on Ann's transport ship. Hall's relationship with Marsden and the other magistrates is obscure, but it seems that Ann was the only person involved in the quarrel whom he could have known well, for unlike many other visiting naval surgeons, he does not seem to have been received among Hannibal's friends at Vineyard Cottage. Also, the spirit with which he carried on a campaign directed mainly against Ann's master makes it difficult to believe the Dictionary of

(1) Macarthur to John, 24 January 1824; MP, 3.
(2) ibid.
Biography's suggestion that he was "merely a tool cleverly used by those opposed to Brisbane."(1) Whatever his motives, if in fact he was the sort of man who needed them, it might well have been he who was trying to use the corporate jealousy of the older magistrates, perhaps to have Ann removed from Douglass's household. What Ann herself wanted it is impossible to decide.

On the 31 July Hall told Marsden that the girl had complained to him that Douglass had made an attempt on her virtue. Marsden acted immediately, advising Douglass, without giving any reasons, that Ann should be put in the Female Factory, an institution for women convicts at Parramatta. He need only have been spurred on by an understanding of Ann's attractions, by his own remarkable lack of faith in the principles of others, and by an inevitable suspicion of a new, capable, and rather arrogant young man, who had previously been given all his civil responsibilities in Parramatta and now had a place with him on the bench. Marsden's attitude to Macquarie has shown how unwilling he was to forgive slights to his dignity.

Now, within two days, he arranged for Ann's marriage to another convict, a step which seems to have conflicted with Hall's purpose, for he protested strongly.(2)

It is impossible to see any system in the case in its first stages. Certainly Douglass was already the object of prejudice, particularly Marsden's. But its

(1) Volume I, p. 503.
(2) Hall to Marsden, 14 August 1822; HRA i, X p. 764.
vagueness is proved by his showing no indication that he felt even Marsden to be his enemy. On the 13 August, when he first heard Hall's charges, he asked Marsden to act as sole witness to a confrontation with his accuser. On the same day he commissioned Hannibal Macarthur to interview Ann, which he did, finding nothing to substantiate Hall's story. When Hall demanded his charges be investigated before the Parramatta bench Hannibal acted as Douglass's friend, a part bearing clear responsibilities in the disputes of the upper classes at that period, and requiring a proper feeling of trust. It was Hannibal who went to discover the charges before the hearing, when Douglass, by then very angry, felt he could not meet Hall without compromising his dignity as a gentleman. If Marsden and the other magistrates had in fact laid a conspiracy it had an intricacy and a depth quite out of proportion to any hatred they could have felt for Douglass and certainly for Brisbane, and also quite beyond the cunning at least of Hannibal Macarthur.

But the concentrated prejudice of the Parramatta bench was another matter. Certainly Hall felt enough confidence to bring his charges before it, although there were some obvious flaws in his case. Douglass showed himself too proud to answer their request for him to appear, and the five forthwith declared to the Governor that they could no longer sit with a man who had treated them "with
disrespect and contempt.\(^{(1)}\)

I have always assumed in this work that while the Colony's leading figures were generally men of mediocre principles and more or less susceptible to jealousy and greed, few were so shameless that they could on an instant drop all show of honour between themselves, and join in concerted lies and selfish intrigue. In this case, as I have partly shown, it seems misleading to think of the bench as working in any sinister or prearranged way. It is more logical to see Marsden, certainly a man of great energy and considerable standing in the Colony, dominating the other magistrates, who were ready to disregard forms of law and believe the worst of Douglass. Moreover there is no evidence that Marsden and Hannibal Macarthur had so much association with the other three that they could have combined in any conspiracy with them. John Blaxland showed in Darling's time that his political ideas and his friends were very different from theirs. In the case of the Palmers, the division of the Rum Rebellion had lately been strengthened by conflict with the King family. Certainly the five sent their ultimatum together to the Governor and were together immediately removed from the bench. But then the Palmers showed their independence by making their peace with Douglass, and were eventually reinstated.\(^{(2)}\)

\(^{(1)}\) "Proceedings of the Bench of Magistrates", 16 August 1822; HRA i, X p. 751.

\(^{(2)}\) John Palmer to Mrs King, 15 July 1819, etc.; King Papers, 9. H. Macarthur to P.P. King, 18 April 1823; King Papers, 1.
It is significant also, that both judges and six
other magistrates straightaway signed a statement approving
the actions of the five, although their treatment of
Douglass, and incidently of poor Ann, was certainly irregular
if not quite illegal. These eight represented a good cross
section of justices of the peace, and included Edward Riley,
Charles Throsby, Major Antill, a thorough supporter of
Macquarie and a brother-in-law of William Redfern, and the
Judge-Advocate, who had a few months earlier antagonised
the whole magistracy with an effort to remove small civil
cases from their jurisdiction to the Governor’s Court. (1)

It would seem that far from being, as Dr Currey
calls them, an "influential and relentless faction", such
diverse individuals could only have been united by feeling
against Dr Douglass and Major Goulburn. (2) Moreover union
on that meagre point was the only form of political activity
with an aspect of continuity about it in Brisbane’s time.

Thus it appears that the detached position of the
Governor not only allowed parties to spring up independently
of him, but also caused a multiplicity of groups with one
common prejudice, but no sort of meaningful unity. Under
Macquarie the personality of the Governor had been a most
important issue, and loyalty to his principles and methods
a most significant test, though there were numbers like the

(1) Address of magistrates to Sir. T. Brisbane, 25
March 1822; HRA i, X p.636.
(2) Currey, op.cit. p. 135.
Macarthurs and Rileys who asked only for peace, prosperity and good order. It will be seen that in the time of General Darling, Brisbane's successor, order itself became the issue, so that the Governor became a rallying point for those opposed to what seemed the sedition and insolence of the public press, and once again alignment became fairly clear and meaningful. But during the government of Sir Thomas Brisbane, in the first place divisions were formed entirely on personal feeling, and this meant no really deep or permanent groupings could form. And in the second place, although Goulburn provided a substitute to the Governor as a source of preference and privilege, his peculiar personality meant that no substantial party would attach itself to him. Thus there was no broad line, as there always had been, between the favoured on the one hand and the indignant and powerless on the other; and in the same way perhaps as the lack of an established church in the United States has led to an infinite number of sects, so the force of prejudice and individual feeling in Brisbane's New South Wales worked unguided by this essential point of distinction, splitting everyone into either passive or bitter little groups of friends.

It is only necessary to assume a clambering and positive party feeling if Douglass can be shown to have been either blameless or inert, but he seems to have been neither. As to his blamelessness, he certainly had an energetic mind and some progressive and liberal opinions, and did much for
the intellectual life of the Colony, but it seems wrong to assume, as Professor Manning Clark has done, that he was an enlightened man of the people, confronted by a crusty oligarchy. (1) Simply treating all men equally, which seems to have been the sum of Douglass's policy, and which Professor Clark makes the test, is in itself a quite negative course. His opponents therefore need not have combined on abstract principle.

As senior magistrate at Parramatta, as he now became, Douglass showed a decidedly insensitive and autocratic personality, thus coming to seem the obvious ally of Major Goulburn, whom Brisbane described as his "bosom friend." (2) His treatment of men he convicted will be noted below. It mattered more to the upper classes that he enforced a rigid police system on Parramatta, so that the proudest local settlers, on visiting the town whose affairs they had controlled in some cases from the first settlement, found that they were called upon by convict constables to give their name. (3) It is perhaps too easy to forget how strongly the older and richer settlers must have felt about their relationship with such a town as Parramatta, or in fact with the whole Colony, for these places now had traditions which they had seen initiated, and sets of customs which gave them real prestige among the people. They were the ancient, and there can be no doubt, the accepted rulers.

(2) Brisbane to Bruce, 30 January 1824; Papers of Sir T.M. Brisbane.
(3) H. Macarthur to P.P. King, 18 April 1823; King Papers, 1.
As Chief Justice Forbes afterwards wrote,

Dr. Douglass had usurped and exercised a
galling supremacy over those, who by
their standing property and connections
in the Colony, were his superiors. (1)

This, which even Brisbane admitted to be "a very improper
course", could not be forgiven in anyone, and in a young,
upstart friend of Major Goulburn it brought the end of all
forebearance. (2)

The immediate result of Ann Rumsby's case was that
on the 30 August 1822, a new list of magistrates was issued
from which the names of the five at Parramatta were omitted. (3)

Also dismissed from the bench at this time was Sir John
Jamison, a most important figure in the political affairs
of this period, and an individual whose opinions and
activities show more clearly than any other the true state
of the different parties, and at the same time the
significance amongst them of the Macarthur family.

Sir John Jamison was the son of the late Principal
Surgeon, Thomas Jamison, and had come to the Colony to take
up his father's property in 1814. He regarded himself as
and old settler and for much of the time his political
behaviour was like that of Hannibal Macarthur's circle. By
the end of Macquarie's time he had become the Governor's
friend, and a magistrate, and had set up a fine estate at
Regentville, near Penrith, cultivated "on the most improved

(1) Forbes to R.W. Horton, 24 March 1825; CO 201/165
f. 417.
(2) Sir T. Brisbane's observations on a letter in the
Morning Chronicle, n.d. (23 May 1825); HRA i,
XI, p. 611.
(3) Sydney Gazette.
European & American principles."(1) In view of his later constitutional ideas and his part in Emancipist politics in the 1830's, it is significant that he then wrote of Macquarie,

no Man I believe would have been more ready to encourage and reward my exertions than him, if I could have stifled my principles, and condescended to receive at my Table & in my friendship & confidence some very objectionable characters who had come out to this Colony as convicts. (2)

His principles were thus basically similar to Macarthur's, though not so strict, and like Macarthur he disapproved of "the very impolitick levelling measures" of Macquarie's government.(3)

But Jamison was one of those whom Macarthur would never admit he agreed with. The quarrel was a long-standing one. In 1809 Thomas Jamison had become involved with Macarthur and Blaxcell in a trading venture to the South Seas for sandalwood. The cargo was collected by a vessel of which William Campbell, previously of the Harrington, was master. When Thomas Jamison died in 1811, his son, then in London, came to believe that Blaxcell and Macarthur had withheld some of the profits. Correspondence between him and Macarthur culminated with Macarthur demanding a duel, which Jamison refused. In 1817 Blaxcell

(1) Jamison to H. Goulburn, 16 July 1819; CO 301/95 f. 577.
(2) ibid.
(3) Jamison to H. Goulburn, 12 December 1817; CO 201/88 f. 362.
died, and in the same year Jamison asked for his money again. (1) In 1818 William Campbell, who had also had some interest in the venture, brought an action in the Supreme Court against Macarthur in which some of the facts of Jamison’s case were tried. This suit was dismissed by both the Supreme Court and the colonial Court of Appeal, and Campbell having taken it to the Privy Council, his failure was determined there in 1824.

In July 1822 Sir John Jamison became the first president of the new Agricultural Society of New South Wales. Macarthur was not a subscriber. With such old feelings of enmity against Jamison and his hatred of Field, a leading member, this is not surprising. Nevertheless his aloof attitude to the society, and what he considered its intrigues, is yet another proof of his peculiar position in colonial politics.

To a certain extent the ideals of the Society were identical with Macarthur’s own, for it set itself to encourage experiment and enterprise, and to give prizes for a wide diversity of rural merit, from the finest olive trees and the best wine to the most deserving shepherd. But the Society was also the means of consolidating the ground the Exclusives had won under Brisbane; its structure gives a clear indication that although the Exclusive-Emancipist issue was not an important one in the politics of Brisbane’s time, a certain basic dislike among upper

(1) Jamison to Macarthur, 26 November 1817; MP, 9.
class people of mixing with those who had been convicts was a constant fact of colonial social life. At £5 per annum, the subscription fee kept out most farmers of the middling class; but more reliable was the rule which required nomination by five members and then approval by ballot by three quarters of a general meeting. With these restrictions, no ex-convicts, however prosperous, were members. It is interesting that the qualifications for visitors to meetings, who had to be either non-resident in the Colony or commissioned officers before being even proposed to the chair, were like those adopted fifteen years later for the Australian Club. (1) Thus the Society, although fairly numerous, was a close and friendly organisation of intelligent if rather snobbish gentlemen, for whom the "hospitable Knight of Regentville" was a popular and very suitable president.

But he was not president for very long. Several months before the Society's formation the Government had introduced currency reforms which affected the profits of country settlers, and of which Jamison, along with a great many others, strongly disapproved. Thus, he said, he earned the disfavour at least of Major Goulburn, and this feeling, again according to him, was increased by his offering his opinion of the new land regulations, with which he also heartily disagreed. Finally, he wrote a

---

(1) "Prospectus, List of Subscribers, and Rules and Regulations, of the Agricultural Society....", 1822, Mitchell Library.
letter as President of the Agricultural Society, to Governor Brisbane, casting what the Secretary informed him were factious aspersions on the late Governor's economic policies. Jamison immediately resigned the presidency to Barron Field. He said afterwards that he had been offended by the Secretary's reply, but he also seems to have been thinking of going abroad.\(^{(1)}\)

At about the same time he wrote to Goulburn objecting to the interference of the Government in a decision he had made as a magistrate. The garbled terms of his letter were interpreted as an offer of resignation from the magistracy, which was accepted before he could protest.\(^{(2)}\)

Sir John Jamison was involved in an obscure way in Ann Rumsby's case, for he was with Hall when Ann came, allegedly, to complain about her master, though he did not stay to hear her. But in the Emu Plains scandal, which began very soon after his disgrace, he was a prominent figure. On the 15 September 1822 Hall wrote to him as late magistrate in the Emu Plains area, telling of his horror that a group of convict women had been moved by Douglass from the Female Factory to huts near the male convict farm at Emu Plains, for the express purpose, he said, of forced prostitution. He asked for facts to clarify the case, though he had no official interest in it.

\(^{(1)}\) Sydney Gazette, 6 September, 1822.

\(^{(2)}\) Jamison to Lord Bathurst, 2 September 1822; CO 201/107 f. 365.
These Jamison gave in a long account of general promiscuity, the pivotal point of which were the instructions the Secretary had given to the women's superintendent, and which Jamison seems to have taken seriously. Goulburn, whose sense of humour left much to be desired, had told the man,

in a laughing manner, to take care that not more than seven men were to be allowed to f-k any woman in an hour. (1)

This was the keystone of the scandal, the sort of remark that needed no "influential and relentless faction" to build up, but merely an eager readiness to believe the worst, and it shows at least a careless cynicism. Moreover the normal way of life of the convict population was scandalous, and at Emu Plains only the most unusually strict discipline could have made it otherwise. An official enquiry reported that the charges were "altogether unfounded in truth", but the evidence collected shows that despite general exaggeration, almost the only charge fully disproved was that the women had been forced. (2) This was noted at the Colonial Office, and while the testimony of people like Captain King, who said that strong rumours certainly did exist, were treated with indulgence, the Governor's standing suffered. (3) Brisbane afterwards

---

(1) Hall to Jamison, 15 September 1822; Jamison to Hall, 20 September 1822; Sir Thomas Brisbane's Letter Books, 1.

(2) Report of commission on allegations about women at Emu Plains, 7 September 1825; HRA i, XI pp. 817, 818-831.

(3) P.P. King to Horton, 27 November 1824; CO 201/156 f. 112.
protested that the experiment of sending prostitutes to work in the open air had in fact been remarkably successful in that most had very soon after been made honest women. Their bridegrooms appear to have been superintendents or convicts at Emu Plains.

There is no evidence whatever that Macarthur ever showed any interest in such scandals. His relationship with the Government was affected only by causes peculiar to himself, and these were generally matters of property. Late in 1822, due to the efforts and the influence of his son John at the Colonial Office - which are dealt with in the following chapter - he was informed that Earl Bathurst had decided that Lord Camden's promise to him in 1804 should be fulfilled with an extra grant of 5000 acres at Camden Park. Sir Thomas Brisbane was at first willing to allocate the land exactly as Macarthur required. But he immediately qualified his promises, and two months of argument followed about the location. Eventually Macarthur wrote to John stating his particular wishes.

In the months that followed the burden of Macarthur's letters to John changed from impatience with the Governor to a mounting resentment towards the Secretary, in whom he believed he had at last found a tyrant equal to Bligh. Hannibal wrote to Captain King in April 1823 that

(1) Brisbane to Bruce, 20 May 1825; Papers of Sir T.M. Brisbane.
(2) Minutes for a letter, Macarthur to John, 29 January 1823; MP, 66.
My Friend over the Water [the Parramatta River] finds all his honorable display of readiness to adopt their [the Government's] maxims in vain and having totally failed in carrying his own points with them, after conceding so much and making so great a sacrifice of conscience and Friendship now finds himself so far from securing the desired Influence that he must be overpowered with his own sad and disappointed reflections.

He wrote also of "the approaching contest of power." (1)

Soon after, Macarthur himself began to speak of a similar apocalypse. By August he had discovered that the Secretary had forwarded Campbell's appeal to the Privy Council without notifying him, as he believed to be normal, and so prevented him from lodging a reply in time to prevent its progress; and also that Goulburn had issued orders for a general muster of all inhabitants, in which, apparently,

I, your Mother, and sisters are ... to attend amongst a throng of wrethcs to present ourselves to the Magistrate. Damn him, he had better take care, or he will soon see more of me than will be agreeable to him ... One of us must go, he has power and I have right - it is a fearful struggle. (2)

But Macarthur had power as well: with the authority John was acquiring at the Colonial Office, it was inevitable that it should be Goulburn who succumbed. In January 1824 orders came from Lord Bathurst that Macarthur's choice of land was to be exactly complied with. Goulburn tried to suppress this despatch on its arrival; and it seems to have been chiefly for this reason that Sir Thomas Brisbane

(1) 18 April 1823; King Papers, 1.
(2) Macarthur to John, 22 August 1823; MP, 3.
complained about him for the first time, saying that Goulburn had prevented Bathurst's first orders from being executed, though he had earlier given the Secretary's excuses as his own. (1) In March Brisbane began attempting to by-pass Goulburn's office, and appointed a private secretary, his Brigade Major, Captain Ovens.

Ovens was a friend of the Elizabeth Farm family, and at times a supporter of Macarthur, and it is possible that Macarthur now began to exercise some positive influence at Government House. (2) Brisbane was afterwards said to have thrown himself into the arms of the Emancipists in his last months, but it has already been shown that this would have made little difference to Macarthur's position. (3) Certainly Surveyor-General Oxley made it his business to be cooperative. It was he who told James Macarthur that Bathurst's order had arrived, when Brisbane from ignorance denied it. Moreover Sir John Jamison informed the Secretary of State in June that "the McArthurs ... now rule the well meaning but Imbecile Head of power", that even Goulburn would be preferable, and that "Mr McArthur and his family connexion with those in power here, and in England" were universally loathed. He now believed that this party, which presumably did not include Hannibal,

(1) James Macarthur to John, 21 February 1824; CO 201/156 f. 268. Brisbane to Bathurst, 29 November 1823, 1 May 1824; HRA i, XI pp. 180, 254.
(2) James Macarthur to John, 21 February 1824; CO 201/156 f. 270. Mrs Macarthur to James, n.d. (June 1824); MP, 10.
(3) for example, T.H. Scott to James Macarthur, 22 July 1833; MP, 59.
hated him because Macarthur owed him money, and also for his integrity and his position in the Colony; and that they had been responsible for his dismissal two years before.(1)

During Brisbane's period Macarthur had certainly been working towards real authority. His name seems to have taken on a kind of lustre. In 1819, after his first triumph in the London wool markets, Edward Abbott had written to Piper:

The Colony will be indebted to our friend for his foresight and abilities, and his name in the History of N.S.W. will be handed down, to posterity when probably the names of the even Founders of the Colony will be but faintly recollected. (2)

Such enthusiasm was by no means general, but there was a widespread acknowledgement of Macarthur's contribution to the colonial wealth. Further triumphs followed. In August 1821 some of his wool brought the remarkable price of 10s. 4d. a pound, and in the following year it was fine enough to win the gold medal of the Royal Society of Arts. His standing must also have increased by his keeping clear of party quarrels. Moreover, besides the respect of Governor Brisbane, he had earned the entire approval of Commissioner Bigge, who gave it as his opinion, a very influential one, that Macarthur was "the only person in the Colony whose conduct he could recommend a Gentleman, emigrating, to imitate."(3)

(1) Jamison to Horton, 29 June 1824; CO 201/156 f. 71.
(2) 22 July 1819; Piper Correspondence, 3.
(3) John Macarthur to his father, n.d. (23 August 1821) MP, 15.
He accordingly began to press his opinions with even more confidence, and to look for proper and effective ways of carrying them into action. It has been seen that early in Brisbane's time he had planned a committee on convicts made up of men he believed thought like himself. Probably he did not intend it to be permanent. But at the beginning of 1824 he was thinking of another, again with seven members, which would be responsible for considering the complaints made by settlers from time to time, and recommending those it thought worthwhile to the new agent for New South Wales in London. (1)

At the same time as he felt his own reputation increasing, he was suffering from the weakness of the Governor and the prejudice of the Secretary. Accordingly he began in a very tentative way to give up his ideal system of autocracy. In October 1823 he wrote that he had been forced to conclude that a legislative council was the only solution for New South Wales; that

the majority of mankind are so silly ... and power without control such a debaucher of the possessor that I am convinced we shall do no good until such a control be created. (2)

It should be pointed out that "silly" had then the more limited sense of "helpless and simple."

---

(1) Macarthur to John, 31 January 1824; MP, 3.
(2) Macarthur to John, 19 October 1823; ibid.
His reaction in the following April, when he heard that a council was planned, is therefore significant, for he then wrote: "I am thunderstruck ... a most unwise measure." (1) This probably shows not only how shallow his previous opinion had been, but also how his position in the Colony had changed so as to make a council seat unnecessary for him. The sudden difference of opinion may also be evidence that his mind was starting to become unsteady.

At the same time as the Governor was informed of the plan for a nominated council, he was asked for the names of some prominent settlers and merchants who might sit and deliberate with a few of the chief officials. The list of ten which Brisbane sent shows that Macarthur's influence was not unlimited, for it included Edward Riley, whom Macarthur thought "an ass", and also Sir John Jamison, though his name was later withdrawn. (2) Nevertheless Macarthur himself was placed at the head of the list, and the Governor also included William Cox, the merchant William Walker, Charles Throsby, and John Campbell of Prospect, all men whom Macarthur seems to have thought well of, particularly the last two. (3)

(1) Macarthur to John, 17 April 1823; ibid.
(2) Brisbane to Bathurst, 1 November 1824, 18 November 1825; HRA i, XI pp. 406, 903. Macarthur to John, 24 January 1824; MP, 3.
(3) ibid. Throsby to Macarthur, 22 September 1821, J. Campbell to Macarthur, 5 July 1824; MP, 4.
Thus Macarthur at last found circumstances and official policy reflecting his ideas. His own affairs were progressing smoothly, others were finally following his example, John was becoming respected and remarkably influential in London, and so a system was forming which above all other advantages fitted his personality and his ideal. His letters about this period take on a mild and faintly triumphant tone; at the same time it seems to have become easier for him to come to terms with erstwhile enemies who by their friendship would strengthen his position further. In 1825 he was reconciled with his nephew, and, also after at least twenty years, with Marsden. And he began to think of positive and splendid plans for the Colony, as, with "a giddy summit of prosperity", feelings of hope were buoyed up by the gathering competition of the new class of rich settlers coming in, the sort of competition he had looked forward to for a long time.\(^1\)

But combination was also necessary against the new and very real force of public opinion, which in 1824 brought a free press, and the first editions of the Australian and the unofficial Gazette. This was an uninvited rival, perhaps rather incomprehensible to a man of 57 who had worked all his life towards a scheme in which it had no place. Yet it could not be ignored, since it more or less permeated the country and upset his plans for it in a

\(^1\) J. Oxley to P.P. King, 20 April 1823; King Papers, 1.
profound and violent way. As he had forecast in 1820, this phenomenon had changed markedly from the insolence of individuals. Under Darling it was to become an important force, especially opposed to the prestige of great individuals like Macarthur. It will be seen that the conflict began in Sir Thomas Brisbane's time, and there is some reason to believe that Brisbane began to respond to it at the very period of Macarthur's greatest influence over him.(1) This accords with Barron Field's opinion after he left the Colony early in 1824, for he then remarked to Marsden that Brisbane might have bent to "the levelling wishes of the majority of your people ... if it had not been for Goulburn."

But he added,

unless Macarthur had got hold of him ...
& then he would have played a worse game still, the game of one. I think there is a game at cards called solitary. (2)

---

(1) Sydney Gazette, 23 January 1827.
(2) 13-20 May 1825; Marsden Papers, 1.
Chapter 9: John Macarthur the Younger

John Macarthur the Younger was born in New South Wales in 1794. He was Macarthur's second son to survive infancy. In 1801 he went to England with his father and elder brother and sister, Edward and Elizabeth; but he did not return with them in 1805, and he never found time to see the Colony, or his mother, again. Nevertheless, despite such a small acquaintance with his home - he did not know his youngest sister - the interests of his family always remained the chief objects of John's great energy and ability. By his planning, his activity and his political skill during the years before his death in 1831, he gave them their extra dimension of power, and made their position in the Colony celebrated and unique. Certainly their activities and plans could not help but be topics of speculation, when everyone in the Colony knew that through John the family generally heard of important decisions in the Colonial Office as soon as, or earlier than, the Governor himself. (1)

Enough has been written in previous chapters to show how misleading is the opinion of the Dictionary of Biography:

Ultimately it was to the persistence and loyalty of his wife and sons that Macarthur owed the greater part of that reputation derived from his practical achievements with Australian wool. (2)

(1) John Macarthur to his Father, 29 November 1824, John to James, 20 November 1825; MP, 15.
(2) Volume II, p. 159.
He certainly depended a very great deal on the wisdom and ability of his wife, yet ultimately the real inspiration and planning must have come from himself. But also rather inadequate, and perhaps inconsistent, is the statement in the same place that his home life was characterised chiefly by "deference, affection and encouragement."(1)

It seems in fact that the strictly paternal kind of authority most normal at the time was rather qualified in Macarthur's family, which was held together not only by the great veneration all had for their father, but by the respect of every member for the other's ability and judgment. It thus provided the real and human model for the ideal society for which Macarthur built his plans for the Colony.

It is significant that the issue of equality only began to be an important one amongst the brothers when Macarthur himself died: equality has no point in the presence of an active and powerful executive.(2) But neither in such a state is the subject obliged to be always thinking of corporate ideals; in this system the individual was to be free from the pressure of dogma, of mobs, groups, autocrats and friends, to use his ability and intelligence as fully as possible, personal ambition within a certain framework being the only sure means of forwarding the common good. The best example in this context is the case of

(1) ibid. p. 158.
(2) William Macarthur to Edward, 4 July 1840; MP, 39.
Elizabeth's engagement to Oxley, when Macarthur, although he thoroughly disapproved of the match, promised the two should have an annuity of £100 to add to Oxley's salary, if his daughter, an invalid and only twenty, should disagree with him and keep to her plan.(1)

Each member of the family tended to have a particular part to play in the collective interest. Elizabeth supervised with some skill the extensive gardens and orchards at Parramatta, and sent orders to John for new plants which she considered might be useful. Gardening was at that time becoming the chief past-time of many educated people. William, who was afterwards a noted horticulturalist and botanist, and the patron of such expeditions of discovery as Leichhardt's, established the gardens at Camden. The country's first camellias, whose rich and perfect flowers especially appealed to John, were grown there by William.(2) He was also responsible for the foreign grasses the family introduced into their estates, for the Vineyards, and for the details of livestock management. For a long time he sorted all the wool sent to England, there being no wool sorters in the Colony skilled enough to meet the standards the family set themselves.(3) James seems to have managed the book-keeping and the details of negotiations with officials, merchants and others.

(1) Macarthur to his Wife, 14 May 1812; MP, 2.
(2) John Macarthur to his Sister, Elizabeth, 30 May 1821; MP, 15.
(3) William Macarthur to Edward, 4 July 1840; MP, 39.
Nevertheless, Macarthur seems to have considered the independent careers of his two eldest sons to be at least equally important with that of the family as a whole. In his old age he transferred most of his hopes particularly to his son John.

John's part in the family scheme was that of agent in London. He was particularly well suited to such a role. His character was remarkable and his intellect one of great range and force. His letters reveal a precise and organised mind, a good stock of diverse knowledge, and like his father, an extreme confidence and will to succeed.

In 1809 Macarthur wrote of him to his wife:

He is a fine youth, and I trust to God will be fortunate, but when I contemplate him, and observe the two prominent parts of his character, which he derives from a person you well know he makes me shudder for his safety on the voyage of Life ... His person and manners are extremely prepossessing. The latter are as soft and winning as can be wished, but under this softness I can perceive an indescribable fierceness of independence, and an obstinacy to pursue what he has once determined on, which neither reason nor dread of future consequences are likely to operate upon him to relax. (1)

Thus in the view Macarthur took of his family his second son had a special place, for he saw in him the best and worst parts of himself. With his eldest son Edward, who similarly spent most of his life away from New South Wales,

(1) 28 Nov. - 11 December 1809; MP, 2.
he had less in common. Edward, like his brothers, was a man of unusual determination and ambition, who realised early that he was one of a family who were different from other people; that in his army career, "I shall during the greater part of my advancement, find myself a solitary Traveller." (1) John similarly was disappointed that at the University of Glasgow he was not expected to work as hard as he wanted to. (2) But as he grew older Edward showed a love of civilised ease not precisely fitted to his family's austere model. It is revealing to compare Edward's letters, in which he could omit what he had set out to say, with John's concise and pointed ones; (3) and the best of Edward's friends, the Marquis of Cholmondeley, whom he first knew as Lord Malpas, a young man who read Shakespeare extraordinarily well, with John's most friendly and useful patron, Lord Chancellor Lyndhurst. Cholmondeley was a mere aristocrat, of whom a contemporary said,

If all Englishmen were like Lord Cholmondeley, they would be religious and delightful men, but the French would soon come and take London. (4)

(1) Edward Macarthur to his Father, n.d. (February 1810?); MP, 16.
(2) Edward Macarthur to Elizabeth, 18 February 1810; ibid.
(3) Edw. Macarthur to his Father, 20 July 1831; ibid.
Lord Lyndhurst, on the other hand, was the son of an artist, who by "his power of labour", "his political courage, versatile ability and masculine eloquence", as well as by his charming and handsome presence, had raised himself to the head of his profession, to be Lord Chancellor, an office many believed John would one day attain.\(^1\)

John was at school at Grove Hall Academy near London until he was 15, and then spent two years at Glasgow University. He was then admitted to Cambridge, and a little later to Lincoln's Inn, so that he graduated in 1817 and was called to the bar the following year. There seems to be no truth in the story that Robert Wilmot Horton, the Under Secretary at the Colonial Office, knew him at College, for Horton was at Oxford.\(^2\) Nor can they have been at school together, as M.H. Ellis says, for Horton, being ten years older, went up to University within two months of John's arrival in England, and from Eton.\(^3\)

By the time he was admitted Master of Arts in 1823, John Macarthur had already spent some years trying to establish himself as a barrister. Because he had no substantial set of connections in legal circles he had not been very successful, but by then he had reason to believe that this inevitable period was ending, for his reputation

---

\(^1\) ibid. VIII, p. 293.
\(^2\) B. Field to S. Marsden, 28 June 1824; Marsden Papers, 1.
was already gathering weight in the political world. He had had a link with the Colonial Office at least since the middle of 1819, in his friend Edward Barnard, an old inmate of the Office and now first assistant clerk. (1) At that time he hoped Barnard might be appointed agent for New South Wales, which would mean his leaving the Office to become the official representative of the colonists in London. John no doubt assumed that he might be persuaded to see how closely the interests of the Macarthur family and New South Wales depended on each other.

In June 1821 he confidently reported that the post would be created and given to Barnard. (2) By August of the following year, after Bigge's suggestion that such a person was needed, the appointment was made.

The selection of Barnard did not meet with the general approval of the colonists, for he was seen, with some reason, as biassed in the Macarthur interest. Dissatisfaction had reached such a peak in 1824, and particularly among the Agricultural Society, that moves were made to have him replaced. This feeling was also due to the attitude he was supposed to have taken to Ann Rumsby's case. It was on this issue that the disagreement between Hannibal Macarthur and his uncle, caused by Hannibal's friendship with Marsden and Field, became an open breach.

(1) Macarthur to John, 20 February 1820; MP, 8.
(2) John Macarthur to his Father, 1 June 1821; MP, 15.
Macarthur guessed that the Society planned a petition to Lord Bathurst for a new Agent, and, so he said, was able to exert enough influence to counter the move. (1)

In fact Barnard's enemies had little to complain about. Brisbane's despatch describing Ann's case was endorsed at the Office with underlinings and marginal notes which show that someone who was important enough to take such liberties with official documents, strongly disagreed with the Governor's charges against Hall and the magistrates. (2)

Presumably this was Wilmot Horton, in whose time minutes were made an important means of communication in the Office. A similar approach is shown in the underlining and series of exclamation marks on a despatch from the Governor about Dr Douglass's abilities, though otherwise these were never questioned. (3)

It therefore seems reasonable to assume that if the stories of Hannibal and Marsden and the other members of the Agricultural Society were treated with caution at the Office, it must have been at least what they deserved; and that if Barnard was biased against them, his bias must certainly have been balanced at the real seat of power.

(1) Sir J. Jamison to R.W. Horton, 29 June 1824; CO 201/156 f. 71.
Macarthur to John, 24 January 1824; MP, 3.
(2) Brisbane to Lord Bathurst, 6 September 1822; CO 201/109 f. 213.
(3) Brisbane to Bathurst, 21 February 1824; CO 201/150 f. 58.
When Judge Field returned to England in 1824 he informed Marsden that "The Colonial Agent is more your friend and less Mr. McArthur's partizan, than you imagine."(1) It seems in fact that neither John nor Barnard clearly recognised the division between Elizabeth Farm and the Vineyard. It will be seen that John's sympathy with Exclusivism as a cause might have given him a rather different viewpoint from his father's, while Barnard probably had no concern with such disagreements. Field at this stage boasted of his plans for what he called a "Committee of Colonists", made up of himself and Barnard, Captain King and Richard Jones, both then in England, and T. H. Scott, lately Bigge's secretary, who while in the Colony had become a very close friend of John Macarthur's family, and was now named first Archdeacon of New South Wales.(2) Besides being Exclusive and anti-Goulburn, the point of the "committee" seems rather vague. Field hoped to secure for King a grant which Brisbane had promised him, and to have Hannibal restored to the magistracy, but he had nothing else positive in view. Moreover, as in New South Wales, events show that faction lines were rarely as clear as such eager politicians as Field liked to assume. It is safe to say the committee had no substance in fact.

(1) 31 August 1824; Marsden Papers, 1.
(2) Field to Marsden, 28 June 1824; ibid.
Barnard and Scott seem to have been particular friends. It was they who supported John in his applications for the 5000 acres which Lord Camden had promised his father in 1804. (1) John's first letters to the Office in 1821 on this subject were met by Under Secretary Goulburn with the answer, even though Bigge himself supported the appeal, that he must wait until the Commissioner's first Report was submitted. (2) In December 1821 Goulburn left the Office, and as soon as the Report came out in July, orders were sent to Sir Thomas Brisbane to grant the land. (3)

The new Under Secretary was Robert Wilmot, soon afterwards Wilmot Horton, a comparatively young man with a ready interest in gathering facts about his world wide responsibilities, and a keen imagination, though perhaps without Goulburn's high administrative skill. When he had been in office seven months George Watson Taylor found an opportunity of recommending the interests of the Macarthur family to him, although John had already made a good impression by taking to the Office a particularly fine map of the Colony sent to him by Oxley. (4) John's standing was presumably also helped by the appointment in 1824 of the Reverend Anthony Hamilton, Sir Walter Farquhar's son-in-law, as chairman of the new Ecclesiastical Board, which was

(1) John Macarthur to James, 21 September 1821; MP, 15.
(2) H. Goulburn to John Macarthur, 10 October 1821; MP, 66.
(3) Bathurst to Brisbane, 10 July 1822; HRA i, X p. 655
(4) G.W. Taylor to John Macarthur, 3 June 1822, John to James, 24 March 1822; MP, 15.
to look after the affairs of the Established Church in the colonies.

As early as the middle of 1823 John had been accepted by Horton as one, like Bigge and T. H. Scott, who could be called upon to give expert advice on New South Wales, just as James Stephen was used as a semi-official adviser on legal matters. (1) John's contribution seems to have been a comparatively small one, but substantial nevertheless. This is shown by his letters home, and by the fact that he gave written opinions at least on a project to grow flax in New South Wales, on Scott's ideas for schools in the Colony, on legal appointments (he was responsible for Saxe Bannister being chosen Attorney-General in 1824), and on convict policy. (2) Since so much evidence survives of his influence, and since his rooms at Lincoln's Inn were within a mile of Downing Street, it may be assumed that he was a fairly constant adviser on the Colony's affairs.

He used his position especially to forward the ideas of the Exclusives as members of a class. He had written in 1821 that he intended to do all he could "to make the settlement prosperous, & the society more respectable", but from this innocuous position, partly from an increasing enmity for William Charles Wentworth, which is dealt with below, he came to view the great issue in the Colony as one of serious class conflict. (3) Of a combative turn of mind,

(1) John Macarthur to Horton, 26 July 1823; CO 201/147 f. 37.
(3) John Macarthur to James, 30 April 1821; MP, 15.
in the centre of the storm and yet unaffected himself, he gave the opinions and methods of his father an extreme and uncompromising shape, and conducted on behalf of his family a campaign which was cold, consistent, determined, and reasonably successful. Thus he strongly urged that no more "genteel convicts" should be sent out to "increase the nest of republicans, & the immorality of the Taverns", but instead men used to manual labour and without political ideas. This, like most of his suggestions, fitted Bigge's approach, and so was approved by the Home Office, the department responsible for convicts. He also successfully pressed his father's plan to increase the capitalist class by encouraging the migration of officers of the Indian army to the Colony. Similarly, in 1825 he did his best to have the power of masters and magistrates increased, to enable them to deal more easily and more severely with refractory convicts. In this, which was apparently his own idea, he was successful insofar as Lord Bathurst wrote soon after to suggest the establishment of Courts of Petty Sessions in the Colony. But the Legislative Council did not act until 1830.

There is a pamphlet by one Thomas Kent printed in 1824 and now among the Colonial Office records, which gives

(1) John Macarthur to Horton, 18 July 1825; Co 201/167 p. 302. R. Peel to Horton, 8 February 1826; CO 201/175 f. 236.
(2) John Macarthur to his Father, 14 November 1824; MP, 15.
(3) John Macarthur to his Father, 12 June 1825; MP, 15.
(4) Bathurst to R. Darling, 11 September 1825; HRA, i, XII p. 59.
some indication of how far John's point of view had become that of Wilmot Horton. It sets out an argument for the superiority of Van Diemen's Land over New South Wales for agriculture and investment. Besides remarking in the margin against the author's, "Thus standing the facts, Sir", "They are all false", and casting scorn on his assuming an "Esq" on the title page, the Under Secretary, for only Horton could have been responsible, has made several notations, generally sarcastic, which not only conform with John Macarthur's ideas, but actively support his father's claims - which the author does not clearly concede - to be the man responsible for the fine wool industry in New South Wales.\(^{(1)}\)

John Macarthur seems to have given even more attention to advancing the interests of his family than he did those of the capitalist class in general. For this purpose in 1824 he began to use a code in sending home confidential information received from the Colonial Office. Fortunately the meaning has mostly been written in on surviving letters by his brother James, for the key has since been lost. From the decoded passages and other remarks it seems that John was trying in 1824 and 1825, the hey-day of his power at the Office, to have Edward placed in an official position in the Colony. There is

\(^{(1)}\) Kent, letter to Barron Field, n.d.; CO 201/156 f. 123 et seq.
some evidence that he hoped to have him succeed Major Goulburn as Secretary.\(^{(1)}\) If this had come to pass, with Scott as Archdeacon, Oxley as Surveyor, Bowman as Principal Surgeon, and Bannister as Attorney-General, and with Forbes, the Chief Justice, friendly as he was then supposed to be, the power of the family would have been absolute.\(^{(2)}\) Horton however was unwilling to go even so far as having Bowman and Macarthur together in the Legislative Council, and there is no evidence that Edward was even considered as Secretary.\(^{(3)}\)

John and Edward then tried to have a militia raised in New South Wales, of which the latter might be Adjutant-General, or Inspecting Field Officer.\(^{(4)}\) Presumably their father was sympathetic, though he doubted whether Edward could be satisfied with colonial society, and he remarked that New South Wales was not really ready for a militia.\(^{(5)}\) This was also the opinion of the Colonial Office. The plan shows to some extent how the approach of John and Edward differed from that of the family in New South Wales. Neither men could have had any real attachment to the country, and even less to the community.

\(^{(1)}\) John Macarthur to James, 14 November 1824; John Macarthur to his Father, 29 November, 27 December 1824; MP, 15.

\(^{(2)}\) Macarthur to John, 17 April 1824; MP, 3.

\(^{(3)}\) Horton's minute, Brisbane to Bathurst, 1 November 1824; CO 201/150 f. 260.

\(^{(4)}\) Edward Macarthur to Horton, 4 July 1825; CO 201/167 f. 286. John to his Father, 12 June 1825; MP, 15.

\(^{(5)}\) Macarthur to John, 16 May 1827, 5 February 1826; MP, 3.
of which their family was a part, and they both sometimes
gave a severe and rigid turn to the problems their father,
James and William had to deal with. Thus John saw only
a struggle in the cause of stable progress and respectability,
not being acquainted with the subtle harmony that does seem
to have existed in the community; both believed that all
would be well if the class structure were given a certain
and formal shape by the raising of a militia whose ranks
would correspond with those of society.

John's plans, compared with his father's, seem cold
and hollow. They have an unrealistic and futile shape.
His highest aim was to become governor himself, a post
to which, he wrote in 1825, he thought he must have "strong
claims" if a civil governor were appointed, "as I am sure
there must, before five years elapse". (1) How he would
have served his native country can only be guessed. He
certainly would have brought the most rigid preconceptions.
But he was wrong, and soon after that five year period he
was dead. According to the Dictionary of National Biography
and the Alumni Cantabrigiensis, he was at his death Chief
Justice-elect, but there is no evidence that such an
appointment was even considered. (2)

(1) John Macarthur to his Father, 20 November 1825;
MP, 15.
(2) Dictionary of National Biography XXXIV (London, 1893),
p. 402. J.A. Venn, Alumni Cantabrigiensis II,
John's ambitions were encouraged by the great strides he was making in wider political circles. His success was the more significant in that he had only his abilities to make him a useful and worthy friend. In August 1822 he wrote of dining with Lord Dacre, son of Lord Morpeth a prominent Whig politician, but "an intimate friend of Canning"; and he sent seeds as a present to his mother from the garden of the Earl of Carnarvon, who asked for some Australian plants in return. A little later he dined, apparently alone, with the Persian ambassador and the directors of the East India Company. (1) He formed no rigid party connections, but few of his friends seem to have belonged to the old country aristocracy, and he seems to a certain extent to have given up the associations his father had made. That is to say, he certainly had little to do with the traditional part of the Whig party, which Lord Minto and Hugh Elliot had represented. But he still maintained close connections with those who had given his father his entree to the party. The Carlton House circle itself had ceased to exist by 1815. (2) Not having been formed on party principles, some, and in fact most of those who might have been considered members of it, such as the

(1) John Macarthur to his Mother, 18 August 1822; MP, 15. The Hon. V. Gibbs, op. cit. III, p. 37.
Farquhars, George Watson Taylor, and James Brogden, had become by inclination supporters of the Tory party, just as the Prince Regent, now the King, had done himself. Others, such as Walter Stevenson Davidson, were Whiggish. But they retained their original common quality: an appearance of having only recently arrived in positions of substantial wealth and influence, and generally by means of their own initiative and business sense. John Macarthur's friends were generally from among the active and liberal thinkers, "the intelligent and curious", of both the great parties, but he particularly inclined towards the liberal Tories.

This group was led by George Canning and William Huskisson. The latter was at that time President of the Board of Trade. Canning had succeeded Lord Castlereagh, by then Marquis of Londonderry, as Foreign Secretary in 1822, and had gathered around him a small but impressive following, many of them promising young men like Horton and John Macarthur, drawn by the pride and brilliance of their leader.

It is thus possible to get a rough but valuable idea of John's political opinions. Like Canning, like his own father, and like most of his educated contemporaries,

(1) Edw. Macarthur to his Father, 16 November 1831; MP, 17.
(2) John Macarthur to Elizabeth, 30 May 1821, John to his Father, 20 November 1825; MP, 15.
he held with liberal economic principles. Canning was a leading exponent of such ideas, although Huskisson was chiefly responsible for initiating the financial reforms of the 1820's. John's position is indicated by his attending with several progressive Members of Parliament, the lectures given by the political economist McCulloch in 1825, on "the impolicy of the Monopoly or Mercantile System."(1)

Canning showed a similar bias against traditional dogma in his support of the emancipation of Roman Catholics. This was a most important issue during the 1820's, when some hoped to give to Catholics the normal civil rights they had been denied since the time of the Stuarts, a move which others believed would put the Catholics, supported by the world wide aims of their theology, in a position to endanger the Established Church. Like his family John had no particularly strong sectarian feelings, but rather a confidence in social harmony based on an enlightened tolerance about such things. His attitude to the Catholic question seems to have been similar to that of an old man he met at a friend's house, "who laughed much at the idea of any body in this age being afraid of the Pope."(2)

(1) John Macarthur to his Mother, 12 April 1825; ibid.
(2) ibid.
Canning's habits of mind might also have reflected John's, as they certainly did those of Macarthur the Elder, in that his personality had led him into ideas about authority which only subtle and friendly minds could reconcile with his liberal opinions. Like Macarthur, Canning set himself such high standards and possessed so orderly and rapid a mind that he could not easily understand or condone weaknesses in others. This encouraged authoritarian tendencies ... He did not enjoy criticism or questioning of his judgement. (1)

It was perhaps this part of his personality that led Canning to oppose constitutional reform, the second great issue of the 1820's, for he believed that emancipation of Catholics and similar improvements were not to be achieved by the weight of public opinion as opposed to the intelligence of the rulers; rather they "would be carried by dextrous manipulation within the old framework."(2) This was exactly the point of view of Macarthur and of John, who placed all their faith in such manipulation.

This is the most significant point. Power was to be exercised by individuals with the tried methods of character, intelligence and connection, and not by the weight of blunt and oppressive masses, which had no part in Canning's scheme of things. The younger John Macarthur's attitude to the press was similarly a rather negative one,

(1) P.J.V. Rolo, George Canning, pp. 50-54.
(2) ibid. p. 60.
though sharpened by his consciousness of his family's social position, and the dangers the "convict journals" posed to it. His political activities in England will further define his position, and also relate it to the state of affairs in New South Wales.

At the general election in 1826 John Macarthur was approached by Ministers several times with offers of help to get him into Parliament, but only with some expense and risk, which he could not afford. Nevertheless he took an active part helping friends in two constituencies.

The Tory party had by then split on the emancipation issue, and John took the part of those who wanted Catholics admitted to the normal privileges of suffrage and the opportunities of high civil office. At Cambridge University, as in some other places, the two wings of the party put up opposing candidates. John managed the campaign there for his friend Sir John Copley, the Attorney-General, afterwards Lord Lyndhurst, and was partly responsible for his success. His anti-Catholic Tory opponent was the late Colonial Under Secretary, Henry Goulburn. It is therefore possible to see here, as before, how divisions at Home could reflect, and perhaps strengthen, factions in New South Wales. In this case I mean the issue of Dr Douglass. Douglass was not only supported by

(1) John Macarthur to his Father, 20 November 1825, 18 July 1826; MP, 15.
"the Goulburns", but patronised by the two powerful Anglo-Irish families of Lord Gengall and Lord Beresford, whose stand was no doubt anti-Catholic as well, particularly as Lady Glengall was a sister, and the later Lady Beresford a niece, of the great Earl of Clare, the Irish Lord Chancellor who had been responsible for Irish acquiescence in the Union of 1801, and was "the most vehement opposer of the Catholic pretensions to share in the privileges of the Constitution."(1) The Beresfords themselves apparently came forward for "No Popery" in the election at Berwick.(2) It was perhaps Douglass's background which caused Horton's lack of sympathy for him; and since Lord Beresford had been one of the Duke of Wellington's most celebrated generals in the Peninsular War, it is not surprising that Sir Thomas Brisbane treated Douglass particularly well, in spite of Horton.

After seeing Copley win at Cambridge University, John Macarthur went on to help his father's friend, Thomas Potter Macqueen, in Bedfordshire. Here the chief rivals were the great Whig house of Russell, Macqueen's opponent being Lord Tavistock, the Duke of Bedford's heir.

Conflict with the Duke of Bedford's family was significant in that the Duke was a leading English wool

---

(1) ibid. Sir T. Brisbane to M. Bruce, 30 January 1824; Papers of Sir T.M. Brisbane. The Hon. V. Gibbs, op.cit. III, p. 256.
(2) W.R. Brock, Lord Liverpool and Liberal Toryism, p. 273.
grower, and one of those who were particularly anxious at that time to hinder the import of wool and maintain the price level of home grown fleece, which had been sinking rapidly since 1819. John had inevitably formed connections with men whose interests coincided with those of his own family: merchants of sea ports interested in overseas trade, the opening of overseas markets, the development of secure overseas resources, and in general, measures which would be promoted by the relaxation of the mercantile system and the adoption of free trade principles. These were the merchants of London and Liverpool, and to a lesser extent of Newcastle, as distinct from those of new inland towns, such as Manchester and Leeds; the magnates who, particularly in London, had a secure influence in the political world and would gain nothing from the enfranchisement of the new centres of industry and population which Parliamentary reform would bring; and the City men who had little contact with the old country families like the Russells, suffering from Huskisson’s corn law and banking reforms. (1) This was the group with which John Macarthur had the closest affinity.

Dr Ritchie, in a special appendix to his recent book, discusses the influence on Bigge’s Reports of people interested in the wool industry. (2) Since his argument

(2) op.cit. pp.
is supposed to measure the weight of interest in New South Wales wool and so the influence in England of colonial wool growers, it is necessary to describe it here, although it seems impossible to agree with his conclusions.

Dr Ritchie first distinguished two groups, the English wool growers such as the Duke of Bedford, and the manufacturers. The first he shows to have been more powerful in about 1819, powerful enough in fact to have a duty imposed on colonial wool when that on foreign wool was increased in 1819, in opposition to the manufacturers who naturally wanted a cheap and plentiful supply. Dr Ritchie then argues that the manufacturers cannot have influenced Bigge's suggestions that Colonial wool be encouraged, because they were less powerful than the wool growers. Therefore, he says, they cannot have been interested in the colonial industry. He does not consider that Bigge might have had sympathies with the weaker group, though there can be little doubt that this was so. It has already been mentioned how many of the Commissioner's friends and relations, mostly merchants of London and Newcastle, were involved in the planning of the Australian Agricultural Company, which began, at the latest, six months after his final Report. (1) This was a project specially designed to encourage the New South Wales fine wool industry. In fact, as far as there were distinct groups among the

(1) William Macarthur to John, 16 January 1824; MP, 39.
founders of the Company it is possible to point to Bigge's connections, which included his cousin William Ord, his friends H.G. Bennet and Sir Matthew White Ridley, and the latter's brothers and relations, Ridley Colborne, John Smith, the first governor of the Company, and his son John Abel Smith, as constituting a more influential circle, and probably a more broadly based one, that John Macarthur's own, which seems to have been limited to Sir Thomas and Sir Robert Farquhar, Simon Halliday, James Brogden, and George Norman, a family friend and prominent London businessman. (1)

Dr Ritchie also contends that the colonial wool industry was so insignificant in 1819 that the manufacturers cannot have been "impressed" with it, and by "impressed" he seems to mean, they were not inclined to rely on it. Thus he says,

Between 1819 and 1824 ... merchants' and manufacturers' primary concern was for the removal of the import duty upon foreign wool ... It is arguable that, if [they] ... had been impressed with New South Wales wool, and if they had been eager to obtain supplies, the removal of the import duty on foreign wool would have been prejudicial to their interests, since it would place foreign wool on an equal tariff footing with colonial. The only conclusion one can draw is that the merchants' and manufacturers' interests lay in German and Spanish wool. (2)

---

(1) Papers relating to the Australian Agricultural Company; CO 280/2 ff. 1 et seq., 15. John Macarthur to his Father, 12 June 1825; MP, 15. p. 280.

(2)
It is clearly impossible to suggest that in 1819 New South Wales was in a position to compete in point of quantity with Saxony and Spain, so that it is hard to see any value in the argument. Moreover, although there could not be wide demand while colonial import was so meagre and foreign supplies secure, the manufacturers must have been impressed with the fine quality of colonial wool in 1819, and the long term potential of the industry. The unusually high price of Macarthur's fleeces in 1818 and 1819 in particular, must have been noticed by most people interested in the industry. In fact Dr Ritchie has already shown that the English wool growers were concerned enough to have a duty imposed on imports from the colonies, and there are numerous letters in the Colonial Office files which show that the New South Wales wool industry was fairly widely recognised as a good and promising investment.\(^{(1)}\)

The extent to which the Antipodes were in the public eye as a future source of fine wool can also be seen by the amount of eager speculation which followed the encouragement of Bigge's Report on colonial agriculture. Besides numerous emigrants taking sheep out, four ambitious companies were planned within the following two years with the aim of improving the quality and quantity of colonial

\(^{(1)}\) for example, T. Henty to Sir C. Burrell, 6 July 1821; CO 201/106 f. 175. T. Nowlay to Bathurst, n.d.; CO 201/111 f. 511.
fine wool. These were the Australian Companies of Edinburgh and of Liverpool, both of which soon failed, and Van Diemen's Land Company, and the Australian Company of London, which became the Australian Agricultural Company. (1)

The Australian Agricultural Company was a large and impressive project, which had as its professed aims not only the development of fine wool, but the import into the Colony of respectable agriculturalists, such as Quakers and German farmers, who were to be employed on its estates, and who were to help lift the moral tone of the community. It aimed also to make large experiments in other industries, such as vine and olive growing. An initial capital of one million pounds sterling was planned and an initial grant in New South Wales of a million acres. The directors of the Company represented the Bank of England, the East India Company, and other great London business houses; but the moving spirit, at least at first, appears to have been John Macarthur the Younger. (2)

It seems that like the other three, the Company had its whole origin in England. Certainly there is no evidence that the elder Macarthur knew any details of the project before it was well on its way to being established.

(1) J. Marsh to Horton, 3 April 1824; CO 201/156 f. 327. Spottiswood to Horton, 2 June 1824; CO 201/157 f. 105. J. Gladstone to Horton, 12 April 1825; CO 201/166 f. 426.

(2) Papers relating to the A.A. Company; CO 280/2 ff. 1-10.
He certainly knew that it was planned in January 1824, six months before its formation, but the vague idea he had of how it was to work is shown by the fact that as late as May he despatched a letter to his son noting that breeding stock must soon be increased, at which John commented, "My father's observations ... seem almost to have been written in anticipation" of the plan of the directors to buy most of their sheep in the Colony. Yet it was the Company's methods of acquiring stock which were to affect the family most closely. (1)

The same lack of coordination is shown by the fact that none of the family in New South Wales seem to have known before October that they were to make up a local committee of management. (2) More significant is that the Company equally emphasised Spanish and Saxon Merino sheep, perhaps even favouring the latter, whose wool was then the most profitable in the London market. (3) Yet Macarthur's great dream was to make the Spanish breed he had so carefully developed universal in the Colony. (4) John seems

(1) William Macarthur to John, 16 January 1824; MP, 39.
John Macarthur to James, 14 November 1824; MP, 15.
(2) Directors to Committee of Management, 5 July 1824; MP (2), Australian Agricultural Company Papers A4315.
John Macarthur to his Mother, 12 April 1825; MP, 15.
(3) Proposals, J. Smith to Bathurst, 30 April 1824,
Minutes of Meeting of Directors, 8 April 1825;
CO 280/2 ff. 18, 66. John Macarthur to his father,
19 March 1827; MP, 15.
(4) Macarthur to John, 28 February 1820, 18 February 1824; MP, 3.
at least on one occasion to have understood his father's feelings on this point, but they were not recognised in the Company's official policy.\footnote{1} Thus while the local committee declared in their despatches home that they were willing to receive sheep of all breeds, Saxon, French and Spanish, Macarthur wrote privately to John of the superiority of the Spanish, conjecturing, wrongly, that the Company's Saxons would be unsuitable in colonial conditions.\footnote{2}

This last issue also points to a divergency, which was to become a serious rift, between the real interest of the Company, and its main purpose as far as John himself was concerned - the final object of so much of his activity in London - namely the influence and glory of his family. "My view of the scheme generally", he wrote,

\begin{quote}
 is that it is to advance that great plan which was founded by my father - to make the growth and export of Merino wool so large & important as to attract the public attention, as an object of the highest national importance. Whenever the supply becomes sufficiently large, not only the woollen manufacturers but the Govt. must acknowledge my fathers services, & confer upon him some mark of public distinction. \footnote{3}
\end{quote}

Fortunately the other directors, although they saw the scheme rather differently, seem to have had the greatest respect for Macarthur, and it was agreed in the beginning

\begin{flushleft}
\footnote{1} John Macarthur to Horton, 9 April 1825; CO 280/2 f. 70. \\
\footnote{2} Committee of Management to Directors, 2 May 1826; MP (2), Australian Agricultural Company Papers A4320. Macarthur to John, 12 September 1826, MP, 3. \\
\footnote{3} John Macarthur to James, 11 June 1825; MP, 15.
\end{flushleft}
that, while he need not be a member of the local committee, he should be given an overall authority in the Company's affairs in New South Wales. (1) The whole intention in John's view was that my father might advise and direct all the important movements of the Company, leaving the more minute & laborious duties of attendance & details to the younger branches of his own domestic circle & one or two confidential friends. (2)

The committee as planned was to include James and Hannibal, Dr Bowman, Archdeacon Scott and Captain King, but ultimately all the work devolved upon the first three.

It was unfortunate that just as public opinion, or at least the opinions expressed in the press, were becoming such an important force in the Colony, the methods of wielding power by private influence as they had been first tried by Macarthur himself, should be perfected in such a huge, public, and yet such a remote way by his son. It seems very clear that John Macarthur the Younger, conversing eagerly in the Commons lobbies and over port with other directors in Bloomsbury and Piccadilly, could have had no idea of how his scheme would be received by that distant community, and less of how it would really affect his family's position in New South Wales.

(1) Directors to Committee of Management, 5 July 1824; MP, 15.
(2) John Macarthur to his Mother, 12 April 1825; MP, 15.
It is not surprising that his family reacted with less than the whole hearted enthusiasm he expected. It was they who had to bear the resentment of the local settlers, who believed that the Company would on the one hand increase by its demands the price of sheep sold in the Colony, to the detriment of the private buyer, and on the other show preference for the stock of members of the committee and their friends. Suspicions about the committee's integrity were inevitable, and it will be seen in the following chapter that they did the family considerable harm.

But they seem to have been groundless. There is nothing to show that the Macarthurs took dishonest advantage of the Company although they no doubt looked forward, as John certainly did, to the increased market it would provide. On the contrary, all responsibility for the selection of stock was given to, and taken by, the full time agent and manager sent from England, Robert Dawson. The Company records show that Macarthur made more than £8,000 from Company sales before the end of 1827, but it seems that he adopted a practice of refusing to sell it stock without Dawson's prior inspection and approval, although Dawson at times urged that this was unnecessary. (1) There is good evidence that Dawson was right when he reported to the

directors that "Mr Macarthur has shown an uncommon degree of backwardness in selling us anything". He added that

if he takes it into his head that anyone at home imagines he wishes to profit unfairly by the Company, he would sooner drown his sheep than sell us one ... He is a very peculiar man. (1)

It seems wiser to trust such statements as these than the very different ones Dawson made after the committee had dismissed him in 1828. Yet the Australian Dictionary of Biography in its treatment of Dawson, relies on the latter, and concluded that the Macarthurs from 1826 "proceeded to foist upon the company, at high prices, old and diseased sheep." The sheep Dawson refered to at that time were a flock of old ewes, almost past bearing, that he bought for reasons which he had himself explained to James Macarthur.(2) It is safe to say that the statement of the case in the Dictionary is completely unfounded on fact.

Whereas Macarthur had a regard for his reputation in England, James, whose leadership of the committee now gave him his first prominent part in the family's affairs, seems to have been concerned more about local opinion. In this he differed crucially not only from his father but from John. Neither would have gone as far as to say, as he did in 1826, that "Publick opinion here it is true is not of very great importance, but yet it has its weight."(3)

(1) Dawson to J.S. Brickwood, April 1827; ibid.
(3) James's note, Macarthur to John, 16 October 1826; MP, 3.
To meet it he took some precautions at his father's sheep sale in 1826 to prevent the Company from competing with private buyers. (1) The real position can be judged from his long letter to John some months after the sale, telling of how widespread the suspicion of the committee had become, and exclaiming finally:

My Father will have ewes to dispose of again this Spring. I am convinced Mr. D[awson] will inquire for them. What are the Committee to do? (2)

Both James and his father were rather unwilling to assume the authority available to them in the Company's affairs. John was disappointed that they thus limited their votes and their stake in the Company's future. (3) Similarly they left to Dawson decisions which they might at least have influenced, such as the final selection of the Company's grant. Unfortunately this choice was a bad one.

In the same article as the one quoted above, the Dictionary of Biography alleges that pressure was "obviously applied" on Dawson by the committee in his choice of the land, because it was decided on without other places being inspected. (4) The reasons the committee might have had for using such pressure are not explained. But the Company papers show clearly that Dawson's course, though unwise,

(1) Dawson to Directors, 9 May 1827; MP (2), A.A. Company Papers A4318.
(2) 28 May 1827; MP, 35.
(3) John Macarthur to James, 11 June 1825; MP, 15.
(4) Volume I, p. 299.
was inevitable, because he had brought with him considerable livestock which had to be moved to a permanent home as quickly as possible, and seventy servants and labourers, who could not be allowed to remain long scattered about such a town as Sydney. (1)

The main reason for the Macarturhs' lack of enthusiasm seems to have been that they were too much occupied with their own property, which had by this time become a very large and prosperous one. Camden in particular, where James and William spent most of their time, was so remote that it would often have been impossible for James to attend personally to Company business without giving up two days work; and it should be remembered that committee members were not paid. In their very first despatch to the directors the committee apologised that they had been able to give so little time to Company business. (2) It was perhaps for this reason that after initial enthusiasm, they became unwilling to take on the responsibilities of a coal mining venture at Newcastle, a project first thought of by some of the directors interested in the East Indies who wanted a steamship trade between India and Australia. (3)

(1) Directors to Committee of Management, 2 May 1825; MP (2), A.A. Company Papers A4316.
(2) 1 November 1824; MP (2), A.A. Company Papers A4320.
(3) John Macarthur to Horton, 9 April 1825; CO 280/2 f. 70. Committee of Management to Directors, 26 May 1827; MP (2), A.A. Company Papers A4320.
In May 1827 Macarthur wrote to John that

with respect to the Committee something
must be done. Your brother is harrassed
to death and [h]is attention so occupied
that our own affairs are neglected. (1)

By this time every settler was battling against a
severe depression. At the same time Macarthur asked that
all his shares be sold since he felt he could not keep
paying instalments. It is true that at this time his
mind was becoming erratic and unsteady, but like the evidence
adduced earlier, this extreme move shows how far the Company
was from being, as it is generally held to have been, a plan
of his own that "Macarthur had cherished since 1804". (2)

Even his biographer M.H. Ellis supported this idea, although
it seems to be based largely, if not completely on myth. (3)

James persuaded his father to keep some shares, but he and
William gave up most of theirs. In April 1828 James
sailed for England to explain why the Company had made so
little progress and why Dawson had been dismissed, and
to suggest how the responsibility for its affairs might
be taken from his family. (4) By 1831 John himself had
given up his shares and his directorship.

(1) 28 May 1827; MP, 3.
(2) Australian Dictionary of Biography I, p. 158.
(3) Ellis, op.cit. p. 492.
(4) James Macarthur to John, 28 May 1827; MP, 35.
Macarthur to John 23 May 1827; MP, 3. James
Macarthur to Directors, 27 June 1829; MP (2),
A.A. Company Papers A4317.
But it is true that the very size of this great venture appealed to Macarthur. During 1826, although unwell and aging rapidly, he made plans to go to Asia to look for cheap labour to make up for the scarcity of convicts, which was hindering the Company's progress. This idea was soon abandoned in favour of going to South America for asses, which he believed might be used on the Company estates and throughout the Colony; a scheme at which Governor Darling, and no doubt many others, raised an amused eyebrow. (1) The same sudden and extraordinary enthusiasm is shown in his taking over the management of the Port Stephens establishment when Dawson was dismissed. There, by "the most extraordinary diligence", by being active, as he soon afterwards came to be in his own affairs, up to twenty hours a day, he reorganised the settlement, and saved the Company, according to the Sydney Gazette, at least £6,000. (2) He wrote expansively from Port Stephens of his plan for offering bonuses to encourage effort among the Company's servants, and gave up his own salary for the purpose. (3) Within months he had returned, worn out, leaving the estate to Dr Bowman.

Meanwhile the standing of the Company at home had suffered from disputes with the Colonial Office, particularly

(1) Darling to R.W. Hay, 2 September 1826; HRA i, XII p. 523.
(2) 2, 4 July. Macarthur to John, 10 April 1830; MP, 3.
(3) Macarthur to J. Bowman, 19 April 1828; MP (2), A.A. Company Papers A4321.
over their coal mines monopoly. Their influence had at first been secure. They seem to have been well supported by Wilmot Horton, and they were careful to impress Governors Brisbane and Darling and as many Cabinet Ministers as possible with their worthy aims and prospects. (1) But the Permanent Under Secretary, Robert Hay, who was appointed in 1825 and took over dealings with the Company from Horton, seems to have been less sympathetic. Perhaps, being a more solid Tory he was wary of a corporation headed by such a prominent Whig as John Smith. (2) It was inevitable also that there should have been some conflict as the great project changed from a fabric inspired by Bigge to an anxious monopoly; becoming all the more anxious as prices of wool plummetted and other enterprises began to falter in the face of "the most horrible revolutions ... in the Mercantile Affairs of this Kingdom", the depression of 1825-27. (3)

John's influence appears to have sunk with the Company's. In the middle of 1826 he quarrelled with James Stephen, legal counsel to the Colonial Office, by this period almost a full time member of the department, and a highly respected one. John alleged the cause to be his,

(1) John Macarthur to his Father, 12 June 1825; MP, 15.
(3) A. Riley to E. Riley, 23 October 1826; Riley Papers, 5.
John's, opposition to the Act of Indemnity passed by the colonial Council in 1825, the circumstances of which will be dealt with in the following chapter.¹ The Act was opposed by the enemies of Dr Douglass's enemies, who maintained it was illegal and passed expressly for his protection. It is relevant here that Douglass was connected with the "Saints", the humanitarian group with which the Stephen family also had close links, and which since the death of Wilberforce, its founder, had been led by Sir Thomas Fowell Buxton, by this time a firm patron of Douglass.² This John understood, and might well have believed that Stephen was therefore prejudiced against his family and the Parramatta party. But it seems rather more likely that Stephen disapproved of the pretensions of the Australian Company.

It appears that John's opinion, for these various reasons, might have come to hold less weight at the Office. In 1827 he wrote to Horton protesting that the bill to provide for a new constitution in New South Wales had been introduced into the Commons with several sections he had not been told about, and to which he very much objected in that they held out hopes of a representative assembly. This, he said, would encourage Wentworth and his followers in the

---

¹ John Macarthur to his Father, 18 July 1826; MP, 15.
² B. Field to S. Marsden, 28 June 1824; Marsden Papers, 1.
Colony to keep up their agitations, for an assembly was their great desideratum.\(^1\) These sections were not altered and in the light of his protest there is something disingenuous about the remark John subsequently made to his father, that the Act would be "a death blow to the radical party.\(^2\)

To an extent this shifting in John's position is symptomatic of changes in administrative method at Whitehall. At the beginning of the decade a self-consciousness had already crept into dealings which might be described as jobs.\(^3\) In the face of the increasing attacks of the Whigs on this point the Tory government naturally became defensive about appointments by favour and undeserved privileges, even while it was forced to continue making promises to allies and dependents. In this way a new kind of morality began to assert itself, resulting partly in the great Reform Bill in 1832. In the Colonial Office, particularly with James Stephen in a position of influence, there could never be really blatant examples of partiality again.

Simultaneously the structure of the Colony itself was changing so as to make authority based on English

\(^1\) 4 June 1827; CO 201/138 p. 522.
\(^2\) 22 July 1828; MP, 15.
\(^3\) for example, G.W. Taylor to John Macarthur, 20 April 1831; ibid.
connections unsuitable there. Its society had a more independent character than hitherto. The now numerous officials and magistrates and those with informal places of prestige consequently began to depend much less than they had on influence at the Colonial Office. They recognised that it was often easier, equally or more effective, and also more satisfying to look for authority from their standing in the community. Even Macarthur wrote to John in 1827 that henceforth he was "determined to take no active part but quietly to take my chance with others." He added, "I beg you not to interfere in any change that may be made."(1) James was more emphatic in opposing all his brother's aspirations for the family, with his plea about the same time, that whatever John might be able to do in the future for the good of the Colony, "let me beg of you not to make us conspicuous objects."(2)

There remained his own career, and by this time, to his father's great satisfaction, John's prospects as an equity lawyer were secure. In April 1827 Canning at last became Prime Minister, Sir John Copley was made Lord Chancellor, and John secured for himself the post of Commissioner in Bankruptcy, a small but most significant step.

Canning's administration was only the first in a rapid series, the result of a period of great uncertainty

(1) 28 May 1827; MP, 3.
(2) 17 May 1827; MP, 35.
and unrest both inside and outside the House of Commons. The Prime Minister himself soon died and was succeeded by Viscount Goderich, whose government quickly fell to the more solidly Tory one of the Duke of Wellington. With this change Horton left the Colonial Office, which thus came to be ruled by men John Macarthur hardly knew, or else disliked. He became not much more than an ordinary outsider, and complained he heard nothing of colonial affairs. Simultaneously his health began to fail. Although he was only 36 he seems to have been worn out by continuous and determined labour. (1)

Finally in November 1830 Earl Grey was asked by the new King to become head of the first Whig Cabinet for twenty years, the electorate having endorsed his pledge to carry out those reforms of the Lower House which John believed to be both dangerous and unnecessary. With Lord Grey's succession Lyndhurst ceased to be Lord Chancellor; and John was too clearly identified with the Tories to expect any favours from his successor or any other members of the new government. It was at this unpromising point, in April 1831, that he died.

(1) T.H. Scott to J. Bowman, 26 April (1831); MP, 59.
Chapter 10:  Madness at Midsummer

The years 1823 to 1825 were a pivotal time in that part of New South Wales history with which this enquiry is concerned. The changes which had been foreseen in Macquarie's period, and which meant an essentially new character for the Colony, now took a certain and formal shape; for Bigge's Reports had not only published details of the country's economic potential, but also facilitated the reorganisation of its courts and constitution. The New South Wales Act, passed by the British Parliament in July 1823, provided for a new Supreme Court, dispensing at last with the ancient post of Judge-Advocate; and also for a Legislative Council, which was to be a real though not a decisive check on the authority of the governor. During 1824 these changes materialised when Francis Forbes, first Chief Justice of New South Wales, arrived to take up his post; and when a provisional council was appointed. This gave way in the following year to a Legislature made up of four of the leading officials sitting with three principal colonists, namely Macarthur, Robert Campbell the merchant, and Charles Throsby. All seven were nominated from the Colonial Office. About the same time an Attorney-General, a Solicitor-General and a Treasurer arrived. And the old establishment of chaplains took on the character of a civil estate of clergy with the appointment of an archdeacon, the Venerable Thomas Hobbes Scott, who reached the Colony in 1825.
The notions encouraged by the policies of Governor Macquarie himself, about the independent identity of the community, as represented by the growing mass of ex-convicts and native born, also came to the surface about this time. But Macquarie would not have owned them: they took a dialectic and furious shape, quite opposed to the sort of tranquillity he had prized, and the result more than anything of the numerous independent newspapers which were published from 1824. The first such paper and the most important here was the Australian. It was at least partly inspired by William Charles Wentworth, a man well suited to give direction to the force of popular ideas based not only on political theories, but on a feeling of identity with the country. Early in 1826 a petition was presented to the new governor, Lieutenant-General Darling, praying for a representative assembly; although Wentworth may not have written it, it sets out well the point of his campaign for a "free" constitution, by explaining that although the loyalty of those colonists who had connections with, and memories of England, might be counted on under any constitution, the Governor should be aware that

there exists nevertheless in the Territory a race of Men, already arrived at an adult state, who, scattered in the distant and silent woods of their Country, unknown, unfelt and unheard of as a political body, are yet determined to be the Fathers of the succeeding generation and the inheritors of our Lands. (1)

(1) Address to Governor Darling, January 1826; HRA i, XII p. 145.
The people here described, although anonymous and, most of them, politically passive, must not be forgotten in any discussion of colonial politics, for they gave the firm basis to all ideas about separate Australian interests. Compared with other parts of the community they were not an intellectually progressive or civilising force; nor, very often, were the ideas that centred on them. But they were a strong and stable host, and the essence of their country's independence.

Wentworth's return to New South Wales made an immediate impact on the political life of the Colony, and on the position of the Macarthur family. He was a man of proud and often generous ideals, whose political opinions had been formed in England in the turbulent and stimulating few years after Waterloo. This was a period, for some, of sinister riots and incipient anarchy, and for others, of cruel oppression, best illustrated by the massacre of Peterloo, when soldiers with drawn sabres rode into an innocent crowd. In such periods extreme opinions are encouraged by events. Wentworth's natural liking for what he saw as the ancient and inviolable form of English liberty, or more basically his aversion to the use of power by rigid groups, particularly irresponsible ones, must have been strengthened by the strife he saw between the old entrenched Tory establishment and its unhappy subjects; and by the activities of his family's keen and generous
patron, Earl Fitzwilliam, a leading Whig, who was dismissed from his Lord Lieutenancy in 1819 for seeming to encourage discontent after Peterloo. (1)

What Wentworth would have done had he ever met with real oppression himself can only be guessed. But he was apparently a man of ready courage, and his hopes of being a champion of liberty, and his important successes, sprung from a strong and fundamental love of great achievements. For example in 1817 he asked to be allowed to explore the continent from coast to coast; (2) in 1840 he demanded as his right the possession of the whole South Island of New Zealand. (3) There survived a mass of grandiloquent and of jogging verse, speeches, articles, petitions and pamphlets, in which he castigated powerful individuals and sought the heroic position he saw himself fit for. These also show a generally liberal personality and - the "master passion" of his life - an attachment to the country he aimed to make his stage, and to its free population as the conscious and active spirit of the body politic. (4)

In the book he published in 1819, he had cast scorn on the exclusive faction in New South Wales, which he represented as trying to set up an oligarchy in the Colony. (5)

(1) W.C. Wentworth to his Father, 24 November 1819; Letters from W.C. Wentworth, Wentworth Papers.
(2) W.C. Wentworth to Lord Bathurst, 22 April 1817; CO 201/88 f. 692.
(3) Sir G. Gipps to Lord J. Russell, 16 August 1840; HRA i, XX p. 760.
(5) op.cit. p. 346.
With this view of his personality it seems unnecessary to assume any very lowly flaw in his character to explain his boldness, or to agree with Professor Manning Clark that he hated them because they excluded him from their society. (1) Professor Clark bases his interpretation on Bigge's evidence, and on Wentworth's literary attacks on Macarthur in 1811. (2) But firstly Bigge's opinion, a rather equivocal one and referring only to D'Arcy Wentworth, must be seen as founded on not much more than Judge-Advocate Wylde's impression that Wentworth senior was treated in society "very much the same" as ex-convicts. Certainly Dr Harris also told Bigge that he avoided D'Arcy Wentworth's company, but Harris cannot be considered part of any distinct exclusive circle. (3) William Wentworth's lampoons seem even less reliable evidence, firstly because he made impudent remarks in the same anonymous way about Macquarie and Alexander Riley, his father's friends; and secondly because, as I have shown, he was perfectly acceptable to the Macarthur family as late as 1818. (4) We must assume that their standards were good enough for most gentlemen in the Colony, and certainly - in spite of Harris and Wylde - the younger Wentworth lived on equal and

(1) op. cit. II, p. 43.
(2) D'Arcy Wentworth Papers (ML MSS A 4073), Item 24.
(3) Evidence of Wylde and of Harris before Commissioner Bigge; Bonwick Transcripts, Box 7 p. 2894, Box 1 pp. 39894.
friendly terms with Riley, a respectable Sydney merchant, Edward Lord, a particularly proud Tasmanian settler, and Lieutenant Smith, one of the officers serving with regiments in New South Wales whose exclusive ideas so much annoyed Macquarie. (1) This evidence shows how misleading it is to assume that social divisions, except those inevitable ones based on manners and education, were at all clear in Macquarie's time. It also seems to prove that Wentworth had no cause to be very bitter, though he might well have resented the excuses his father's enemies used for avoiding him. In the same way it seems fair to attribute his angry gestures and talk of blood in 1819, when Marsden and Judge Bent spread the tale that his father had been a convict, not, as Professor Clark does, to wild and deep resentment, but rather to a passionate wish to fit the heroic mould of a devoted and honourable son. (2) It is not only more satisfying, but it seems more consistent to believe that this and many other actions like it had a more profound and perhaps a nobler motive than petty snobbishness.

In London Wentworth and John Macarthur the Younger seem to have seen a good deal of each other, though there can have been little in common between John, determined,
responsible, and old for his years, and William Wentworth, an extravagant young man in every way, full of naive, unsettled and fervent schemes. In 1819 Wentworth ran out of money, and, mortified to find that even Lord Fitzwilliam was not forthcoming, he wrote with typical forwardness to John Macarthur who was little better off. Here he was equally unsuccessful, and his want of delicacy seems to have caused a quarrel, which was immediately reported to their respective fathers.\(^1\) With little affinity between them the breach became permanent. Soon after Wentworth decided he no longer wanted to marry Elizabeth Macarthur.\(^2\) Also, more gradually, he found himself taking up a position opposed not only to the Exclusives, with whom the Macarthurs were to combine by Darling's time, but also to the peculiar eminence the family was assuming in colonial affairs through John's exertions. How far any of these movements in Wentworth's mind caused any one of the others can only be guessed, but it can safely be said, firstly, that his ideas both before and after his return to New South Wales were based largely on sentiment as distinct from logic; and secondly, that these ideas led to very definite feelings about the pretensions of the Macarthur family and the Exclusive

\(^1\) W.C. Wentworth to John Macarthur, 29 July 1818, to his Father, 10 November 1818; Letters from W.C. Wentworth, Wentworth Papers.

\(^2\) W.C. Wentworth to his Father, 13 April 1819; ibid.
party proper, who, he convinced himself, aimed to force a formal and foreign authority on the intrinsic strength of his native country.

Being so much based on emotion, his ideas often seem inconsistent. Most of all it is hard to reconcile his keenness for the progress of British civilisation in New South Wales, with his antipathy towards the most enlightened and enterprising people in the community. For example in 1819, while advocating a representative constitution and full emancipation for ex-convicts, measures which would have made the emancipist class the real rulers of the country, he could remark that ex-convicts must generally be men of "but little character", that they should not be trusted as clerks in public offices, and that with its present population, "immorality and vice" were already "making the most alarming progress and extension" throughout the Colony. (1) He avoided the fair conclusion that, as Macarthur said, no free government could long remain free where there was a general lack of "private and publick virt[ue]". (2)

Similarly, on his return to the Colony, in spite of the ideas he was to express in the Australian about the colonial aristocracy, he immediately became a member of the Agricultural Society. (3) This fact is also fair evidence,

---

(1) op.cit. pp. 387, 363, 332.
(2) Marginal note in the copy of Wentworth's book at Camden Park, p. 337.
(3) Australian, 14 October 1824.
Despite Professor Clark, that he might even then have been admitted to the more scrupulous drawing rooms of Botany Bay had he wished it.

His public position was therefore an equivocal one. The official stand of the Australian shows an idea of society exactly similar, it would seem, to that of most of the intelligent upper class settlers, and certainly that of the Macarthur:

the happiness of a people, and the stability of its government are most observable, when the various orders of society insensibly blend together, and the extremes of wealth and poverty are connected by imperceptible gradations. (1)

Nor are his uncompromising attacks on the Australian Agricultural Company really inconsistent with this view, in that he represented it with truth as monopolistic and exclusive. James Macarthur himself privately regretted the fact that the Company was "founded upon a monopoly and with interested views" and so, despite the great incidental benefits, essentially opposed to the interests of the settlers, including those of his own family. (2)

Most of the practical implications of Wentworth's ideas are more relevant to the following chapters, but it should be noted here how they led to an emphasis on the importance of the community's middle class. It was his opinion, as the Australian said, that

(1) Australian, 3 March 1825.
(2) James Macarthur to John, 28 May 1827; MP, 35.
a people have arrived at the lowest pitch of degradation and debasement, when there exist but two ranks in society, the rich and the poor; between whom there is no connecting link. (1)

In Australia, he believed, this link must be the emancipist class. Thus his programme of reform may be seen, in its social aspect, as directed against the rigid exclusion of ex-convicts from respectable society, and politically as a campaign for a political system on pure British lines, in which ex-convicts would share as fully as anyone else. The first part of the programme was in a way incidental to the second; but it may be seen as essential because from the social attitude of many of the richer settlers Wentworth was able to argue that they were incorrigibly conservative in a political sense and wished to keep the ex-convicts in permanent subjection. This was only partly true, and it will be seen in the following chapter that it was certainly false of the Macarthurs, though they have borne more blame for such views, both then and since, than any other members of the so-called Exclusive party. In 1819 Macarthur read in Wentworth’s book the charge that the Exclusives wanted to make criminal conviction “an hereditary deformity.” His comment in the margin fairly indicates not only Wentworth’s real position, but his own: “false—[and the] young man knows it to be so.” (2)

(1) Australian, 3 March 1825.
(2) The copy at Camden Park, p. 348.
The contradictions in Wentworth's attitude put him in a peculiar position. Since he made it clear that his real object was to break down rigid distinctions among the free part of the community, not only did he antagonise many of the rich settlers by insisting that such barriers were a prevailing evil, and that they were responsible, but he also met with the scorn of some of the hard-core ex-convicts, who had no wish to be assimilated, or to admit any "such absurd test of citizenship, as to dine and drink tea with the Emigrants in private society." He certainly had a following, but it seems that apart from the two great rallying points of representation and trial by jury, it was bound together by the vague ties of good fellowship, feeling for the country, and a small concern for respectability and official authority. It is not surprising therefore that such people as the Blaxlands, Chief Justice Forbes and Sir John Jamison, who all more or less agreed with him in principle but who had a greater concern for order, seem to have had little to do with him in society.

The first issue of the Australian was dated the 14 October 1824. The very first leader emphasised that the paper would fight to uphold the interests of the people at large as opposed to individual influence and at the

(1) Sydney Gazette, 21 November 1825.
same time "frustrate the designs of tyranny, and restrain the arm of oppression." No particular names were mentioned in this first canvass. Macarthur for his part seems to have looked forward to cooperation, as he always did at the beginning of any relationship, being very sure of his own good intentions. For the second issue he sent the editor a letter he had received from a ship's captain advising how settlers might prevent losses by spontaneous combustion in wool on its way to England. (1)

But on the 26 October news of the enabling Act for the incorporation of the Australian Agricultural Company, and details of its local committee, arrived in the Colony. The editor remarked,

disastrous indeed, will be its products if the first blossoms of the tree afford any indication of the fruit which is to follow. (2)

From this period the Australian represented the scheme as a blatant conspiracy, a sinister though obvious "family compact", destructive of the interests not only of the Colony, but of the proprietors. The villains were thus the committee of management and John Macarthur the Younger, who, it was alleged with some truth, would make the London directors, "a mere vehicle to the promotion of his purposes, and those of his family." (3)

(1) Australian, 21October 1824.
(2) ibid., 25 November 1824.
(3) ibid.
Macarthur was on the whole more kindly treated by other papers. Though he regarded this as nothing to be proud of - rather the opposite - he does seem to have been concerned about the Australian's slandering of his character. At the beginning of 1826, according to Governor Darling, (1) he made an arrangement with the editor of the Sydney Gazette, and wrote in that paper against the Australian; his contributions have not been identified with certainty. The Gazette had previously been rather equivocal about him. It had been, and remained a politically progressive paper, upholding the interests of the Emancipist class, and during 1825 it published a series of letters signed "Philo Umbrae", directed against Samuel Marsden. But although the paper had abused Macarthur, opposition to Marsden did not necessarily involve attack on him, and in September Philo Umbrae lamented a "recent but unaccountable coalition", by which he meant apparently that of Macarthur and Marsden. (2)

From January 1826 the Gazette became his zealous supporter, defending him against the Australian, describing his activities in detail, and praising his "vigour ... his flow of animal spirits ... his active and never unemployed mind." "Few men", it said, "and we think there are none, have done so much to advance the interests of a young Colony." (3) These comments are not Macarthur's work, for

(1) Darling to R.W. Hay, 1 May 1826; HRA i, XII p. 254.
(2) 3 September 1825.
(3) 3 May, 26 August 1826.
he was incapable of such direct self-flattery, and moreover such praise continued after he had broken with the editor, attempted to sue him rather unaccountably for libel, and declared, as the Gazette meekly reported, that it must be a great mortification to any honorable mind to undergo the degradation of our fulsome adulation. (1)

At that stage the committee of the Agricultural Company tried to arrange for the directors to send out a gentleman "of loyal & constitutional principles", who might edit a respectable paper and support the Company. The sum of £1500 was subscribed by settlers who were concerned that the Australian should be the only intelligent journal in the Colony. (2) The scheme quickly fell through with the beginning of the depression.

Wentworth gave up his share in the Australian to his partner Robert Wardell, also a barrister, in the middle of 1825. (3) It is perhaps for this reason, and because Wardell was Hannibal Macarthur's counsel, that the paper took up the cause of Hannibal and Marsden against Dr Douglass when in August 1825 the Parramatta Grand Jury, with Hannibal as foreman, indicted Douglass for ordering an irregular punishment while magistrate at Parramatta. (4) Nevertheless the fact the paper could take such a line shows the ambiguity of its position.

---

(1) 13 May 1826.
(2) John Macarthur to R.W. Horton, 11 July 1826; CO 201/179 f. 213.
(3) Wentworth to Lord Bathurst, 15 December 1826; CO 201/179 f. 516.
(4) Forbes to Horton, 30 October 1825; CO 201/166 f. 415. Australian, 28 July, 29 September 1825.
The indictment of Douglass followed the setting up by Lord Bathurst's orders of a court of enquiry, made up of Governor Brisbane, the Archdeacon, and Chief Justice Forbes. Its purpose was to investigate a charge of flogging to extort confession made against Douglass by Marsden in a letter to William Wilberforce which, perhaps intentionally, had reached the Colonial Office. But the court did not follow up the charge, and the reasons are strange. Marsden at first denied making such an accusation, but then he remembered his letter to Wilberforce, and declared that he believed Douglass had had a man beaten merely "on suspicion of a Robbery", and that he was ready to produce Proof of "The alleged Fact of Dr. Douglass having directed a Convict to be flogged with a view of extorting Confession from him, according to Lord Bathurst's instructions. (1) It seems most unreasonable to assume from these statements that Marsden meant to prove not a flogging to extort confession before sentence, but only one to force the giving up of stolen goods. Yet this is how Chief Justice Forbes explained the affair to Horton, and it was, according to Brisbane, the conclusion of the whole court. (2) Even if this was the truth, it is strange that when Marsden made his declaration, the court brought up not this objection, but the new and

(1) Marsden to the Court of Inquiry, 28, 30 July 1825; HRA i, XI pp. 800, 801.
(2) Forbes to R.W. Horton, 30 October 1825; CO 201/166 f. 406.
quite trivial though very effective one, that the charge could not be heard unless he produced a copy of the letter to Wilberforce. This Marsden was unable to do.

As Hannibal Macarthur's efforts while foreman of the Grand Jury were to show, the records of the Parramatta bench showed Douglass to be guilty only of the lesser offence. This perhaps the court did not know, if in fact it was trying to protect him. Punishments to force discovery by convicts seem to have been imposed at Parramatta before the five magistrates had been dismissed in 1822, particularly by Marsden, but with nothing like the frequency used thereafter. Hannibal Macarthur for example ordered such a flogging on one man, or perhaps two, in 1815 and had since sat with other magistrates in imposing three imprisonments after sentence for the same purpose.(1) Douglass had used these methods forty times in one year alone, namely 1823. There is therefore some excuse, though no legal justification, for Hannibal Macarthur's using his position as foreman of the Grand Jury to find evidence for the lesser charge against Douglass after the court had refused to hear Marsden's accusations, though unfortunately he thereby incriminated himself. There can be little excuse for his taking advantage of the fact that, in James Stephen's words, "The disregard of truth pervades

---

(1) "Papers relating to the Conduct of Magistrates in New South Wales...", CO 201/169 ff. 541 et seq.
the Convict Population to an extent unknown in any other human society", and busily finding witnesses to prove that Douglass was also a profligate and a drunkard, witnesses who did his case little credit. (1)

Hannibal insisted thereafter that he was innocent of imposing any irregular punishments at all. (2) He and his friends protested strongly against an Act of Indemnity which was subsequently passed by the provisional Council, with Scott and Bowman dissenting, which aimed to protect magistrates against charges of punishment to force discovery. (3) It is difficult not to agree with the Archdeacon, who had already dissented from part of the verdict of the court to enquiry, that the Act was designed to protect Douglass, for the number of suits it prevented against other magistrates must have been almost negligible. Despite Dr Currey's implications in his biography of Sir Francis Forbes, the practice was far from universal, and was hardly known in areas less crude and wild than Parramatta; which is to say, it was hardly known anywhere else in the Colony. (4)

In this affair there was little point in blaming the unfortunate Sir Thomas Brisbane, who was on the point of leaving the Colony. Archdeacon Scott always had

(2) Forbes to Horton, 30 October 1825; CO 201/166 f. 415.
reservations about the proceedings. All the resentment therefore fell on Forbes, who, by his own account, dominated the Council, and who no doubt directed the court of enquiry. (1) He was certainly a man of great ability and a very good lawyer. Why he should have taken such a distinct and, it seems, unjustifiable stand so soon after his arrival cannot be explained. Nor does his biographer explain it, because he assumes throughout his work that Forbes was generally impartial. Nevertheless from that period, amongst both branches of the Macarthur family and their friends Forbes was a person to be shunned, an artful and an "unprincipled, immoral man." (2) On the one hand the Chief Justice took up associations with such people as the Blaxland family and Sir John Jamison, who similarly had little to do with the Macarthurs and whose political views, like those he then professed, were more progressive than those of most of the upper class settlers; or in the words of John Macarthur the Younger, more "theoretical." (3) On the other hand Macarthur, in the face of such a powerful and seemingly dangerous enemy, showed some sympathy for his nephew and Marsden, and about this time Scott brought about their reconciliation. (4)

(1) Forbes to R.W. Horton, 24 March 1825; CO 201/166 f. 207.
(2) Macarthur to John, 12 September 1826; MP, 3.
(3) John Macarthur to his Father, 8 December 1822; MP, 15.
(4) Sir T. Brisbane to Lord Bathurst, 28 September 1825; HRA i, XI p. 851.
Forbes soon after conceived an antipathy quite as violent as Wentworth's to the Australian Agricultural Company, and on similar grounds. In 1826 he wrote to Horton that the selection of the managing committee had been most unwise. He went on to imply that the committee themselves were responsible for the generally increased price of stock caused by the Company's demands, and that they selected the stock the Company bought. In 1827 he accused them, again to Horton, of carrying on a system of fraud, and of dividing "between eleven and twelve thousand pounds" of the Company's money between them.(1)

It may be significant that a little before writing his first letter the Chief Justice, whose two schoolboy sons were shareholders in the Company, had come into conflict with the committee over the way in which instalments were to be paid. Forbes and most of the other colonial proprietors objected to paying a 3 per cent premium to cover exchange rates, but their opinion was overruled on the advice of Bannister, the Attorney-General.(2)

Thus in the first years of General Darling's regime, just as at the end of Macquarie's time, Macarthur was brought to conclude that he could expect little sympathy in

---

(1) Forbes to Horton, 16 September 1826, 23 March 1827; CO 201/178 f. 495, 201/188 f. 73.
(2) Committee of Management to Directors, 15 September 1826; MP (2), Australian Agricultural Company Papers, A 4320. List of Shareholders in the Company, 1825; CO 280/2 f. 119.
his affairs from the colonial judges. Even the puisne judge, John Stephen, was not only James Stephen's uncle, but, he believed, completely under the influence of Forbes. (1)

Macarthur contemplated taking action against the press for libel several times, but believing he would never be heard impartially, he gave it up. On the first occasion - just as in 1801 he had tried to justify his part in Marshall's case by claiming the Governor's approval - he tried to persuade General Darling to order the trial of Howe, editor of the Gazette, for slandering a member of the Legislative Council. Like King, and with equal justification, the General refused. (2)

But Macarthur's continual differences with legal men was also partly the result of a different approach to legal principles. He had sympathised with Macquarie because, like most people who had spent their lives in the settlement, he often considered the end of government to be more important than the means. Autocracy, he believed, was only tyranny when it interfered with such a solid thing as property. He could not sincerely support the idea that a point of law should be upheld even when it gave victory to men of doubtful principle or disruptive political ideas. This attitude may be seen as a refinement of his habits as a young man, when his character had not been so

(1) Macarthur to John, 16 May 1827; MP, 3.
(2) Macarthur to John, 12 September 1826; ibid.
Darling to R.W. Hay, 1 May 1826; HRA i, XII pp. 253-4.
exposed and he had used the courts as mere instruments to his private ends. It will be shown however, that it did not lead him to advocate the passing of convenient laws which would mean permanent injustice to whole classes of people.

In 1828 Macarthur was himself called before the bench, for the first time since the Rebellion. He had taken the part of a small neighbour, Howell, against one of more substance, John Raine, who objected to Howell's dam across the Parramatta River. In January violence occurred on the dam itself. At a scene, as Dr Currey says, of wild shovelling and counter-shovelling, Raine wielded a gun, while Macarthur brought his own men to Howell's assistance, and driving amongst the fast-gathering, delighted crowd in his carriage, spurred on the filling in party to more vigorous efforts. (1)

Raine subsequently took out a criminal information against Macarthur on the charge of inciting a riot. When the case was brought before the Supreme Court Forbes declared that he found both sides equally to blame, and dismissed Raine's argument, but, with a singular lack of logic, ordered Macarthur to pay costs. Macarthur thereupon decided to impeach him on the grounds of malice. The affair went no further than James Stephen. But even he

thought the judgment "very startling", and Judge Stephen's son told Macarthur it could not have been upheld on appeal. (1)

As well as being on bad terms with the judges, Macarthur could expect little cooperation from the only two able barristers in the Colony, Wentworth and Wardell, and in Raine's case he took the opportunity of insulting Wentworth in court. The latter's legal skill had already been a cause of annoyance, for towards the end of 1825 Wentworth had revived William Campbell's appeal. The case was consequently brought twice more before the Privy Council before it was finally dismissed in 1827. (2)

Wentworth took similar advantage of a quarrel early in 1826, in which William Walker, one of the keenest supporters of his campaign for representation, clashed with Archdeacon Scott and his friends, James Macarthur, Bowman and Lachlan MacAlister. Walker was supposed to be the author of the Philo Umbrae letters against Marsden, and as well as being of unsound political principles, he was a Methodist, at a time when almost every upper class Protestant, however broadminded, disliked Methodists; when, for example, one Thomas Atkinson, thought to be about to sail for New Holland with his employer's money, might be described to the Colonial Under Secretary as having "something

(1) James Stephen's minute, 4 October 1823, Forbes to Colonial Under Secretary, 20 May 1823; CO 201/197 f. 452. S. Stephen to Macarthur, 19 May 1828; MP, 110.

(2) Wentworth to W. Campbell, 4 January (1826); Legal Letter Book of W.C. Wentworth.
of the downcast look of a Methodist" and "a little of the Methodist shuffle or twang thro' the Nose." (1)

William Walker was Master of the Female Orphan School at Parramatta, where Scott exercised the duties of King's Visitor. In March Walker resigned after quarrelling with the Archdeacon. He took with him two servants, the Broadbears, man and wife, whom Scott thereupon had summoned for illegally leaving their employment. The Broadbears were found guilty by a unanimous decision of the Parramatta bench, and imprisoned. But on their taking the case to the Supreme Court, this decision was reversed by Judge Stephen, and they were awarded damages against three of the seven magistrates, namely James Macarthur, Bowman and MacAlister. Wentworth, who conducted their case, held the original judgment to have been malicious in that these three had come specially to the bench for the case. (2) This was true. The reason was, as Macarthur told John, that they had seen the Orphan School and knew of "the scandalous state the children were left in", the Broadbears constituting almost the whole permanent staff of that institution. (3) The outcome of the case increased party resentment, for not only do some magistrates - including Macarthur himself - seem to have felt that being corrected

---

(1) Eyre to H. Goulburn, 30 July 1816; CO 201/82 ff. 230.
(2) "Report of the Proceedings ..." May 1827; HRA i, XIII p. 324.
(3) Macarthur to John, 16 May 1827; MP, 3.
by the Supreme Court lessened their dignity, but the award of damages appeared once again to be the result of undisguised prejudice. This is understandable. Certainly Scott's three friends were responsible for the severity of the punishment imposed. But it is easy to see them as wholly irresponsible for the imprisonment, which is what the Broadbears had appealed against, for that had been the result of an application of law in which the four regular magistrates, all quite unconnected with Scott, had concurred. Thus the Broadbears would have been imprisoned if the three had never come to the bench, or even, having come, they had voted against it. It therefore would have been fair if it had seemed to the magistrates that a misinterpretation of the law had not only been overruled by the higher court, but punished in a singularly arbitrary way. Macarthur wrote that subsequently James and William, and "many of the most respectable Magistrates" decided "not to act against persons who are free, until directed to do so by Govt.", because they believed their decisions might easily be reversed, perhaps from prejudice alone, and themselves subjected to prosecution and damages. (1)

The result of his actions seems to have left a strong impact on James Macarthur's conscience. Wentworth had said in court that the packing of the bench by him

(1) ibid. James Macarthur to John, 17 May 1827; MF, 35.
and his two friends was "an act which would and ought to stick to them through life a plain and wilful dereliction of their Oaths." James soon afterwards wrote to his brother John, who as a lawyer also considered it inexcusable, in an attempt to justify his part in "these perhaps imprudent but otherwise perfectly pure transactions."(1) His later methods show that whatever his father's ideas, he might have learnt a valuable lesson.

This issue centred on the Macarthur's and their immediate friends, and was caused by feelings for which - wilfully or not - they were responsible; it showed the strength of feeling in certain quarters against the position they held in the Colony. But it was also seen, at least by some magistrates, as a prime specimen of a ruthless and insidious campaign to undermine their authority in the Colony, and so to destroy all good order, by questioning their principles and stirring up discontent among the convict and ex-convict classes.(2) The judges had a very powerful place in public affairs, partly through the authority which the constitution gave to the Chief Justice to decide on the validity of local laws, and partly because they were the final arbiters in most of the main disputes of a small community. The little support they seemed to

(1) ibid. "Report of the Proceedings..." (May 1827); HRA 1, XIII p. 350.
(2) Mrs Macarthur to Edward, 25 March 1827; MP, 10.
give to the magistrates was therefore seen by those gentlemen as something like a public scandal. (1)

But it was the attacks of the press which provided the more constant and serious danger. Edward Wollstonecraft, a well established Sydney merchant, fairly explained the point of view of the magistrates about them when he said,

In this Colony, at the present day, Crime and Violence are indirectly fostered and protected, and a success in either is applauded and encouraged. The detection, therefore, of Vice and Turbulence is viewed as an illegal encroachment upon the Liberty of the Subject, as an unauthorised Attack upon the Rights of Free Men. (1)
The Magistrates, consequently, as the Ministers of such Detection and Punishment, are looked upon as mere Tyrants, and are invariably held up to the Public as objects of Scorn and Hatred. (2)

By 1830 the more sensitive members of the Sydney bench began to avoid their duty, being unwilling to be presented in such an unfavourable light, and to have their principles and their judgments misrepresented by the eagerly disrespectful press. In the opinion of James Macarthur, "our radicals would break down morals and order to establish liberty. God defend us from such liberty." (3)

(2) Wollstonecraft to A. Macleay, 29 September 1830; HRA i, XV pp. 763-4.
(3) F. N. Rossi to Darling, 3 September 1830; ibid. p. 759. James Macarthur to John, 6 June 1827; MP, 35.
In many ways the period of General Darling was one of crisis. Mainly because of the very severe depression, it had a tenseness about it, and an atmosphere of urgency and often despair. (1) In the first three years four men in public life attempted suicide. (2) Three succeeded, one being Charles Throsby, the Member of Council. The gloom and bitterness were pervasive; in harrassed letters to his brother John, James Macarthur told also of the fearful state of Colonial politics and society, and of "the dread abyss which seems to open before me when I think of futurity." (3)

The quarrels which have been described so far were therefore more than merely personal. They show two different sides in an exaggerated conflict over the proper social and political structure of the Colony. But, as is usual in such crucial periods, the firmness of the opposing fronts is no proof of unanimity behind the lines. For no one of the party which may now be fairly called Exclusive is this point more relevant than for Macarthur. For although his family occupied a central place in the strife, although also the attacks on the Exclusives were often mainly attacks on them, and although they were the chief rallying point for many of those who thought their property or reputation

---

(1) Macarthur to John, 27 May 1827; MP, 3.
(2) Edward Riley, George Mills, Throsby, Piper.
(3) 17 May 1827; MP, 35.
were threatened, yet for Macarthur himself the quarrel had no permanent or very profound meaning. His great conflicts with individuals such as Wentworth and Forbes, despite their bitterness, were mainly personal. Nevertheless, because of them and because of the conditions of Darling's time, the originality of his mind was disguised and stifled just when he had the power to be useful. These points will be explained below.

The peculiar position Macarthur occupied can partly be seen by looking at his relationship with less influential newspapers than the Australian. It has been noted that the Gazette maintained a thoroughly pro-Macarthur attitude while it continued to be regarded as one of the "convict journals." Certainly no one could accuse its editor of intellectual precision, and his support of Macarthur was partly due to his simply being a Legislative Councillor, for the Gazette still posed sometimes as the official journal; thus it has the best of both worlds. Nevertheless it is significant that the paper could rationalise its stand by describing his coalition with Marsden late in 1825 as "a false step", an "almost fatal error."(1) Similarly, although there was "no person whose movements attract so much public attention" as Macarthur's, and although his pride was well known, yet the Monitor, founded in 1826, was so uncertain of his attitude to the aims of

(1) 26 August 1826.
the Emancipist party, that it suggested he might be persuaded to take with him on the trip to England he was planning that year, the popular demands for a representative assembly and trial by jury: The paper attempted some persuasion itself:

Is Mr. MacArthur indeed of such a stoic temperament as to be indifferent alike to the applause or hatred of mankind ... Let Mr. MacArthur try the people of this land. If his honour will permit, let him humour the people by assisting them to obtain immediately what must come in a few years - namely Trial by Jury; and Taxation by Representation! - Let him become in his old age the friend of the people. (1)

The only response came from the Gazette, which protested, rather feebly, that the Monitor had no right to suggest that Macarthur had ever been disliked by the people. (2)

But though the Gazette's opinion is not very convincing, it does seem necessary to qualify the early impression of Governor Darling, that the general feeling against Macarthur and his family was "violent in the extreme."(3) Wentworth's claims to represent public opinion are rather misleading. It would perhaps be going too far in the other direction to compare the attacks on the family with "half-a-dozen grasshoppers under a fern" - in the words of Edmund Burke - making "the field ring with their importunate chink, whilst thousands of great cattle ... chew the cud and are silent." But as in Revolutionary

(1) Monitor, 2 June 1826.
(2) June 1826.
(3) Darling to R.W. Hay, 10 December 1825; HRA i, XII p. 83.
France, which Burke was describing, radical propaganda like Wentworth's was enough to distort the real shape of public opinion. Colonel Henry Dumaresq, the Governor's rather more astute brother-in-law, wrote home to his mother in 1825 that

The spirit of Party, which the Journals will induce you to think runs so high here, is not at all equal to the inflated accounts you will read, in either, and both the News Papers. (1)

This comment might not have been so valid during the following three years when party feeling did become severe, but it remained substantially true.

The urgency of feeling about the press reached a pitch when the Chief Justice began to show the "theoretical views respecting public liberty" which John Macarthur the Younger had noticed while Forbes was still in England. (2)

This happened early in 1827, when the Governor and Council tried to impose a restrictive stamp duty on newspapers, a duty which would very likely have destroyed the independent journals. The New South Wales Act of 1823 had given the Chief Justice the virtual power of veto over proposed Acts of Council which he considered contrary to British law. It was by this means that Forbes was able to prevent the passage of the Newspaper Bill. He had little choice because it was technically illegal, but he was not above

(1) 25 November 1825; Letters of Colonel Henry Dumaresq.
(2) John Macarthur to his Father, 8 December 1822; MP, 15.
encouraging opposition to General Darling, and he seems to have seen the newspaper question more as a personal conflict than as an issue of principle or law. (1) Thus although he sometimes professed to agree that restrictions were necessary and although he realised that his legal objection was on a point so fine that it was beyond most laymen, including the Secretary of State, yet he felt it necessary to tell Horton that Macarthur had voted for the Bill "from private motives", that Robert Campbell's opinion "carries no weight in society", and that Throsby had approved it because he had just managed a grossly corrupt transaction with the Government. (2)

In fact Robert Campbell was the most popular Member of Council. In 1826 he was described by the Australian as entirely fitted for the position, being "Independent in mind, unconnected with party, and bearing a high character for integrity." (3) Campbell had expressed doubts about the Bill, but acquiesced when he was made to believe that Forbes approved of it. (4) This attitude seems consistent with much of his career. It has been seen how he avoided the faction of officers and merchants in the time of King and Bligh; the opinion he expressed in 1812, that the settlement was not ready for a Council, shows the same

(1) Andrew Allan to Sir T. Brisbane, 14 December 1828; Papers of Sir Thomas Makdougall Brisbane.
(2) Forbes to R.W. Horton, 5 September 1827; CO 201/188 f. 201.
(3) 12 January 1826.
(4) Forbes to Horton, 5 September 1827; CO 201/188 f. 201.
wariness of self interested combinations. But at that time he had also said, against the general opinion, that juries might be introduced with benefit. (1) His thinking in general seems to have favoured the idea of a community free in an intellectual way, but he laid no very strong emphasis on free enterprise. This outlook will be seen as characteristic of his family.

In Macarthur's case, Forbes was very likely right. There is no proof that he was against freedom of the colonial press on principle, and the evidence that does exist points rather clearly in the other direction. Thus although he was an active supporter of the 1827 Bill, in January 1830, perhaps because he either considered the period less urgent or had become used to the taunts of the papers, he joined with Forbes, Blaxland and the Auditor-General in voting against the main part of an Act passed for the same purpose. (2) In February 1830 in a generally hostile article, the Monitor said that both Macarthur and his son John, while they opposed representation and trial by jury, had for some time held nevertheless, "and still we believe hold, that the Colony is ripe for a free press, or at least pretty nearly so." (3) There is no reason to doubt that this was substantially true, in

(1) Report from the Select Committee on Transportation (House of Commons), 1812, p. 70.
(2) 27 January 1830, VSP 1824-1837, Part 1 p. 72.
Australian, 22 January 1830.
(3) 13 February 1830.
spite of their complaints about the editors who up to that time had taken advantage of such liberty. They had, before the first Newspaper Bill, been planning a journal of their own.

The first sign of collective activity against "the state of the Press ... and the designs of the Emancipated convicts", was an address to Lord Bathurst signed by fifty-eight colonists who felt themselves threatened by an overthrow of morality and order. This was the outcome of a clash, the first between the two parties as such, over the farewelling of Sir Thomas Brisbane. Besides Wentworth, the opposition had been chiefly supported by his father, Wardell, William Lawson, Gregory Blaxland, and several prominent ex-convicts, such as Redfern, Dr Bland and Simeon Lord. (1) As an alternative to their hopes of a representative assembly, the address suggested an Executive Council (composed of all the officers of Government) with all the powers of an Upper House, and the increase of the Legislative Council - which was thus to be the Lower House - "to at least Fifteen members, to be selected by His Majesty, from the most respectable Landholders & Merchants in the Colony." (2)

Of the fifty-eight signatories, eighteen were those of rich and well established settlers and merchants.

(1) "Names of the Persons who voted the address...", (November 1825); CO 201/179 f. 282.
(2) John Macarthur to R.W. Horton, 11 July 1826, Address to Lord Bathurst, December 1825; CO 201/179 ff. 233, 220.
and their sons, including William Cox, Archibald Bell, Richard Jones, Throsby, the sons of Marsden and Sir John Jamison, and numerous Macarthurs. There were eight who might be considered new men of capital, such as Edward Aspinall and Jemmett Browne, who came from the Liverpool wool importing house of Aspinall and Browne, and Thomas McVitie and Alexander Brodie Spark, both Sydney merchants. Half a dozen signatures were those of men who, while distinct from the Macarthurs, had been named among Judge Field's Exclusive list of friends. These were former officials who had been part of the opposition to Macquarie, such as Cordeaux, Andrew Allan and William Moore. From the part they played then it would seem that they probably joined this campaign for its social appeal rather than to uphold the cause of peace and order.

The country settlers who had been discontented under Macquarie had either died since, or, as in the case of the Blaxlands and Bland, sympathised with the popular aims. Since some were certainly more than mere agitators, being men of property, and, in John Blaxland's case, of official standing, this perhaps shows that their politics in Macquarie's time had nothing to do with exclusive feeling, and that they now acted on principle.

Macarthur's name headed the list of signatories. There followed four members of his family and six of their
immediate friends, Oxley, MacAlister, Dr Matthew Anderson, two Huons de Kerilleau and James Atkinson of Oldbury.
In addition there were two employees of the Company, Dawson and Cudbert Harington, and thirteen of the thirty-six colonial shareholders, including of course many names already mentioned. It seems therefore that the Macarthurs had an important place in this affair. Similarly the finished petition was sent to John to be forwarded to the Colonial Office, and in the same way he and two other directors of the Company were entrusted with the money which was sent about the same time to be used to found a respectable newspaper. (1)

The same kind of situation may be seen in the setting up of the Bank of Australia in 1826, whose purpose was to cater for the increase in private capital, and to provide an alternative to the Bank of New South Wales which was often run on rather dubious principles, and which had recently elected Dr. Douglass to its board. All the first directors were associated with the Exclusive cause, though one, Richard Jones, had a foot in both camps for he soon after became chairman of the New South Wales Bank. Macarthur seems to have been the virtual founder of the new concern, and his family was always closely connected with it. James became its agent on his visit to England

(1) John Macarthur to R. W. Horton, 11 July 1826; CO 201/179 f. 218.
in 1828, and established an agreement with the Farquhar family bank, Herries, Farquhar and Co. (1) Hannibal was afterwards its managing director.

But although the Macarthur's were foremost in organising almost every Exclusive scheme in Darling's time, their methods of leadership were such as to prevent them being really connected with their followers. It has been seen that the committee of the Australian Agricultural Company met with opposition from most of the colonial subscribers for the way subscriptions should be paid. Similarly there was objection to the way in which Macarthur tried to control the form of the Bank of Australia. (2)

Also it seems that Macarthur did not really want the sort of constitution the petitioners asked for. In April 1828 he suggested to the Governor a plan which is in one way more broadly based in that it provided for a Legislative Council of twenty-one members. But the scheme is a clear example of Macarthur's own brand of exclusivism, for it was to have an Executive Council with five officials, including the Principal Surgeon, who was his son-in-law, and four "proprietors of Land", one of whom would doubtless be Macarthur himself. Nor were these to be barred from

(1) Sydney Gazette, 28, 31 March 1828. Charles Macarthur to P.P. King, 22 August 1826; King Papers, 1. James Macarthur to his Father, 12 March 1829; MP, 35.

(2) Sydney Gazette, 31 March 1828.
the Legislature, as in the other plan, for Executive Councillors were to be Legislative Councillors as well. (1)

But both schemes were similar in that they made no attempt to interferewith the power of the Executive, but rather provided for cooperation between it and the Legislature in dealing with what the petitioners called, "the worst passions of the lower orders", inflamed as they were by the public press into both "a spirit of animosity towards the upper classes; and contempt for all legitimate authority." (2)

In Lieutenant-General Darling the worried members of the upper classes found much of the sympathy they asked for. The Governor was a keen and able administrator, and within certain limits a tolerant and generous politician. The men he confided in were also competent. His brother-in-law, Colonel Henry Dumaresq, who was for a time his private secretary and clerk to the Executive Council, was a most astute and vigorous person, and the new Colonial Secretary, Alexander Macleay, had a long and creditable record as a civil servant. The state of the Colony called for such people, for it was growing quickly. In 1825 Colonel Dumaresq wrote that "there never were People who worked harder in their vocations than our whole Party." (3)

(1) Darling to W. Huskisson, 7 April 1828; HRA i, XIV pp. 120-121.
(2) Address to Lord Bathurst, December 1825; CO 201/179 f. 220.
(3) H. Dumaresq to his Father, 28 May 1826; Letters of Colonel Henry Dumaresq.
It seems to have been normal for some of them to give twelve hours a day to public business. Brisbane's system was also considerably tightened up, for the Governor kept all this new activity under his own eye.

General Darling's succession meant at once a more thorough and a more dignified administration than any that had gone before. So much is this so that it would perhaps be fair to see the subsequent final extinction of the old amateur system, which had grown from the Colony's first simple needs, as being one of the most important changes of all for the 1823 to 1825 period. The misfortunes of Captain Piper during this time may therefore be taken as representative of the change of atmosphere. Before the new Governor's entourage had left England, according to Barron Field,

We thought it right to explain Mrs. Piper's situation to them, and to recommend her to notice; but Mrs. McLeay did not stomach it. (1)

A similar lack of forebearance was shown towards Piper himself. Darling ordered an enquiry into the conduct of the Naval Office in 1827, and found a deficiency of £12,000, the result of Piper's by now too careless and lenient methods.

Entangled under this burden of debt, in Macarthur's words, the Naval Officer

(1) Field to Marsden, 2 March 1825; Marsden Papers, 1.
proceeded to Sea in his magnificent Boat accompanied by his band of Music. When a few miles distant from the Land he called for a favorite tune and threw himself out of the Boat into the Sea. (1)

He was rescued in time, and although the Colony was suffering a severe depression, £5000 was raised by friends to liquidate his debts, and he retired to Bathurst.

Macarthur had no sympathy. When they were young men, Piper had been a greatly loved friend, but their whole style of life and action had since changed. (2) Piper had remained little more than a princely sign of the country's abundance, while Macarthur had moved forward with vigour, firm ideas, and honour clear as ice, to give it the shape and the standards, and also the hopes of civilised order.

Moreover since those first primitive years Piper had been associated with Goulburn, and now, worse still perhaps, he was a man ruined by his own fault. Macarthur declared over the wreck of his fortune that "a more unprincipled cold blooded sensualist does not live." (3)

It was inevitable that Governor Darling's new methods should have met with opposition. It did not help that his administration had no very appealing exterior. Darling himself was not an endearing person. John warned his father in 1824 that although he was "well inclined", he

---

(1) Macarthur to John, 28 May 1827; MP, 3.
(2) see Macarthur to Piper, second undated letter (September 1801); Piper Correspondence, 3.
(3) Macarthur to John, 28 May 1827; MP, 3.
was a man of "limited capacity" and his manners were "cold and repulsive." (1) The General considered that being efficient and effective had nothing to do with being popular. (2) Also his circle of assistants was uncommonly close and exclusive. Colonel Dumaresq was clerk to the Executive Council. Another brother-in-law, William Dumaresq, a captain in the Navy, was Civil Engineer, and for a short time Colonial Treasurer, and in 1830 became the son-in-law of the Colonial Secretary. In such a system it was taken as a matter of course that on the marriage of two of Macleay's numerous other daughters, to Archibald Clunes Innes and Captain Arthur Onslow, the bridegrooms should become respectively Major of Brigade and Keeper of the Bonded Store. (3)

Those left out naturally objected. Chief Justice Forbes in particular complained that "I am as little in the secret of the views of the local government, as in those of Downing Street." He also noticed a constant "parade of authority." (4) This might have added to the stifled and depressing atmosphere of the times, and it certainly made General Darling particularly unpopular with those looking impatiently for a freer form of government.

(1) John Macarthur to his Father, 29 November 1824, 12 June 1825; MP, 15.
(2) Darling to R.W. Hay, 15 February 1828; HRA i, XIII p. 785.
(3) G.G. Mills to Mrs John Blaxland, 3 May 1827; Blaxland Papers, C196.
(4) Forbes to R.W. Horton, 15 May 1827, 23 March 1827; CO 201/188 ff. 112, 68.
In 1827 Darling faced not only Forbes's opposition over the Newspaper Bill, but impeachment by Wentworth for alleged cruelty to two convicted soldiers, Sudds and Thompson. By 1828 Darling had been forced from a position of tolerance and optimism, back to his bare prejudices, to the conclusion that

The Wentworths and others filling higher stations, are Americans in Heart, and, if the local Government ... be left to contend against them single handed, radicalism will triumph. (1)

But even those who wanted no part in government came to resent his methods. His practice of keeping tight control over every department of state slowed down the administration and fostered the general impression that the Governor responded as little to the country as its people did to him. Thus William Macarthur in the end wrote that

Few if any persons regret Genl. Darlings departure, on the contrary every one appears to rejoice in it ... he was certainly a weak & most ineffective ruler. (2)

But although the General's government was "probably the most unpopular of all administrations, whilst the territory ... remained a crown colony", this is not the whole story. (3) In the first place it was not until the end of 1826 that the press began their attacks on him, and

(1) Darling to Sir G. Murray, 5 November 1828; HRA i, XIV p. 445.
(2) W. Macarthur to Edward, 5 June 1832, MP, 39.
(3) HRA i, XIII p. V.
until March 1827 the Governor was on easy terms with both judges. In fact, despite the petitions, the first year of his government was remarkably free of party feeling. During that time Colonel Dumaresq was a very close friend of Wardell's, and he always remained on good terms with the Blaxlands, his brother being at one stage engaged to one. (1) Also in the first few months Douglass, although he was by then closely associated with Wentworth, was courting one of Macleay's daughters, though it is safe to say that he was put off by more than her celebrated freckles. (2) Darling soon came to regard him as "a busy, meddlying, intriguing, mischievous fellow", and suspended him from his official duties in 1828. (3)

In the second place, partly because of the fears of disorder and sedition, the Government retained the support of a relatively wide cross-section of the population. This is seen by the signatures to a spontaneous address of loyalty from land owners and merchants, made to the General in 1829 after Wentworth declared his intention to impeach him. There were 139 names, including those of colonists who had never been associated together before. Thus there were an amalgam of Rebellion families, such as

(1) Mrs Macarthur to Edward, 25 March 1827; MP, 10. H. Dumaresq to his Mother, 26 March 1827; Letters of Colonel Henry Dumaresq.

(2) G.G. Mills to Mrs John Blaxland, 3 May 1827; Blaxland Papers, C196.

Macarthur's, Lawsons and Jamisons, with old friends of Bligh, including Suttors, Palmers, Campbells and Marsdens, and a numerous collection of Macquarie families from the western districts, such as Coxes, Mackenzies, and Brookes. (1) The feeling of the lower classes can be seen from two addresses of congratulation on the Governor's escape from assassination at the hands of a madman in December 1829. These were signed, according to Darling, by "all classes" in Sydney, and virtually every householder in Parramatta. (2)

The list of names attached to the address of loyalty from the landowners and merchants shows that despite the Governor's political prejudices, the real issue of his time was not one of principle but of peace and order. As usual the position of Sir John Jamison is a good indication of the state of the parties. Just as his son had signed the address which was a reaction to Wentworth's in 1826, so in 1829 Jamison himself proved his loyalty. Moreover he was on particularly good terms with General Darling, the Governor once being accused of acting under his influence. (3) Yet in 1827 he chaired a meeting in which he took up the campaign he had begun in 1819 for trial by jury, and added to it the popular demand for representative

---

(1) Address of Landed Proprietors & Merchants, (July 1829); HRA i, XV p. 71.
(2) Addresses of congratulation, December 1829 and January 1830; HRA i, XV pp. 332, 3.
Darling to R.W. Hay, 13 January 1830; ibid. p. 333.
(3) Darling to H. Twiss, 4 July 1829; HRA i, XV p. 51.
government. On this occasion, besides being associated with Wentworth and numerous emancipists, he was particularly supported by William Cox, Archibald Bell and William Lawson, who both in 1826 and 1829 had by their signatures shown their disapproval of Wentworth's activities. (1) John MacHenry, George Druitt and Alexander Macleod were others who joined in organising Jamison's meeting but who signed against Wentworth in 1829. Nor did the Government fail to appreciate the difference. Gregory Blaxland, who took the petitions for a constitution home to England, was, like Jamison, looked on with favour, and was described by Colonel Dumaresq in 1828 as "an active, intelligent, and useful member of Society." (2)

Neither Gregory nor John Blaxland signed the last address to Darling, although the latter, according to the Monitor, "was importuned by every emissary of the local Government to sign it but steadfastly refused." (3) Jamison could not claim the same rigid adherence to the popular cause, and this was remarked on more than once. In 1830 he drew up fresh petitions for representation and trial by jury and organised a meeting to approve them. But during the proceedings he had to suffer Wentworth's oblique references to "addresses" and his enquiries why freedom

---

(1) Sydney Gazette, 27 January 1827.
(2) H. Dumaresq (to R.W. Hay?), 9 August 1828; CO 201/197 f. 344.
(3) Monitor, 24 October 1832.
of the press was not asked for when it was so much endangered. (1) Nor was Jamison well supported at the meeting, for the group of "wealthy old Colonists", as the Monitor called them, those "whom the people look up to" and who had already shown their approval of popular institutions, are not evident at this meeting. (2) Nevertheless a tradition had been established, which was to be revived during the following decade, by which the well established rich settlers took the lead in liberal and patriotic activity.

No member of Macarthur's family ever showed themselves at any of these meetings, though it was rumoured that they were to be at the one in 1827. (3) James, whom the next chapter will show to have been the most adventurous in such matters, was in England during 1830. Moreover it is very doubtful whether at this stage any member of the family would have agreed with the aims of the petitions. But there is one more point to be made about John Macarthur which shows that like his comppeers he was concerned with the progress of the country, though his ideas were much more profound, which gives also a final consistency to his thinking, and which makes a polished and even a noble scheme of all his ideas for the Colony.

(1) *Australian*, 10 February 1830.
(2) *Monitor*, 2 June 1826.
(3) *Sydney Gazette*, 22 January 1827.
This was his interest in education. It is impossible to know with any sort of certain detail what his thoughts were on this subject, but by looking at one plan which he definitely influenced, and another which he at the very least knew all about, and finally a school which he himself founded, it is possible to get a clear enough indication.

The first is the scheme of William Charles Wentworth as outlined in the book he published in 1819. Macarthur said when he read the book that Wentworth had used ideas which he himself had given him, but had mutilated them a good deal. (1) Wentworth's suggestion was for an agricultural school in the Colony. It was to be set up by the Government with a view to its becoming self-sufficient, and was intended as a place where boys of all classes could learn the sciences of botany and agriculture, and particularly how to look after olive trees and grape vines. He suggested the institution be near Camden, so that Macarthur might be able to contribute his experience and skill, for the book was written before Wentworth's quarrel with John. Students were not only to devote themselves to profits and the increase of the live-stock, and so ensure the school's independence, but each on leaving was to be given a set fraction of the increase to provide for their own independence. (2) The last idea, that of holding out a prize and making ambition the mainspring of the whole project, is absolutely in line with Macarthur's thinking.

---

(1) Macarthur to John, 20 February 1820; MP, 3.
(2) op. cit. pp. 279-287.
That the scheme was basically his is proved by the fact that in the late 1820's he did set about preparing for an agricultural school at Camden, though he failed to continue with it because of the depression.\(^1\) He would hardly have considered such a plan if it had originated with Wentworth.

Agricultural schools were an entirely new idea in the Western world. The only one then existing was that founded by Phillipe Emanuel de Fellenberg, a Swiss nobleman, on his estate near Berne in 1804. This institution had at first been purely agricultural, but by 1811 it had become a complex of several schools which respectively taught destitute peasant children, the sons of European nobles, and teachers, and all according to the radically new principles of education, by which farming skills were taught in combination with more abstract ideas.\(^2\)

The scheme of de Fellenberg was based on the theories of the great Swiss educationalist, Pestalozzi, and he in turn gained his original inspiration from his countryman, Rousseau. Rousseau's contribution to some of the central parts of European thought was unrivalled during the Eighteenth Century, and is closely linked with the ideals of the great revolutions of the period. It should be noted here that Macarthur very likely read

\(^1\) Macarthur to J.D. Lang, 17 November 1831; MP, 1.
\(^2\) Hugh M. Pollard, Pioneers of Popular Education, pp. 42-63.
Rousseau. At least, the journal which James kept during their visit to Switzerland in 1815 shows that he already knew some of his work well, and his education had been closely watched by his father. (1)

Rousseau taught that contemporary civilisation had lost touch with nature; he believed that the spontaneous energy of the individual mind was the centre point of humanity and that it was stifled by the thinking and the manners of the time. Unlike Adam Smith, who saw energy as the means to prosperity, Rousseau saw it as an end in itself; he is therefore an important forerunner of the Romantic movement. His ideas on education were profound and complicated, and of the utmost significance. He maintained that a child's mind should be allowed to develop in close contact with nature and with real objects; he taught that progress should be made, not by means of mere discipline, which was then the accepted rule, but by stimulating curiosity in the things a child was most naturally interested in, and from there moving forward by the force of inquiry alone. As Pestalozzi said later, education should be a development of the individual according to the law of his own nature. (2) The corollary was that dogma was to give way to reason, and at least at

(1) MP, 33.
first, the study of literature and ideas was to be combined with full experience of the natural world.

Rousseau also believed that good and just government was closely linked with a system of education based on freedom and the resulting integrity of character. It was left to Pestalozzi to develop the very radical principle that on this reasoning the state had a duty to educate even the most lowly and destitute of its subjects, so as to give them an interest in principles of justice and personal freedom. The contribution of de Fellenberg was to make instruction about the cultivation of nature the main basis for the citizen's moral, spiritual and intellectual growth. He found as a result that the people on his estate developed strong loyalty to each other through mutual interest, and also that an agricultural establishment run on such principles made remarkable progress in every way. As a result his school quickly became famous throughout Europe. (1)

It seems almost certain that Macarthur's plan for the school at Camden was founded directly on de Fellenberg's ideas as he understood them, although the lack of properly trained teachers in New South Wales would have prevented any thorough imitation. The argument which supports this point is simply that the idea of agricultural schools was

(1) Pollard, op. cit. p. 52.
otherwise entirely new; and that Macarthur must have been planning such a school for the Colony before he left England early in 1817, since his plans were behind the scheme Wentworth described in 1818, or in other words at a time when he, James and William, had just ended five months' residence in the western part of Switzerland, where they had rented a chateau less than forty miles from de Fellenberg's famous school. (1) It is true that James makes no mention of the school in his journal. But he only recorded in it their movements before and after those five months, and it is impossible not to believe that on an expedition which was mainly made to investigate agricultural methods, this school escaped Macarthur's notice.

The second set of ideas which Macarthur had some part in were those of Archdeacon Scott, whose principles on education were similar to the ones I have just described. Scott's ideas might not have been original, but they were certainly striking. The Dictionary of Biography says that he was a Tory, but this is misleading to say the least. (2) Besides his Whig background, which has been noted above, he had an explicit dislike of Tory principles. (3) His position on this point may be seen from his opinion of the Reform Act passed by the Whig government in 1832 to reform the House of Commons. Scott was a wholehearted

(1) James Macarthur, "Journal of a tour in France and Switzerland"; MP, 33.
(3) Scott to James Macarthur, 2 July 1841; MP, 59.
reformer, and although he did not think the act went far enough, he delighted in it as the first step in "breaking down oligarchy & the monster of corruption", and ending a system where for a hundred years "no one who had not wealth, power & powerful friends had any chance of justice."(1) He firmly believed that all classes of people should have some immediate part to play in the constitution, though exactly what he meant it is hard to say. Thus in September 1831, when the new law had passed the Commons and was about to be rejected by the Lords, he spoke of the people rebelling, and was scornful about the Upper House: "if the King & people pass the Bill & act on it what will a few score of [needy?] rips with red robes & tinsel coronets do?"(2) It is safe to say that such prejudices are different from any the Tory party has ever espoused.

Scott is called a Tory in the Dictionary because he was opposed to Wentworth, and was a close and much respected friend of all the Macarthur family. He disagreed with Wentworth because he, Scott, considered that the Emancipist party equated freedom with immorality and disorder. Like Pestalozzi, he believed that good government must depend on the moral and intellectual character of all classes in the community, and he thought that because of

(1) Scott to James Macarthur, 11 April 1831, to W. Macarthur, 10 July 1831; ibid.
(2) Scott to James Macarthur, 13 September 1831; ibid.
deficient methods of education, the common people both in England and in New South Wales were then too ignorant of the principles of organised freedom to play their proper part in public affairs. (1) The conventional system of education, he maintained, had erred in that "instead of teaching things, it has taught only words." Confident that he lived at a time when "the human mind is ... taking a fresh start", he made ambitious plans to guide it along proper lines, such as that which he devised for teaching the children of his parish in Northumberland.

He aimed to impress on them, he said,

in as familiar language as possible
the nature & elements of Government,
the interest they ought to feel in
having a share in supporting a good one
& one which gives them protection from
oppression & speedy justice for injuries sustained. (2)

Whether or not Scott looked forward to anything like manhood suffrage is not clear from his letters. It was unusual at that time for anyone to form a clear opinion about such a thoroughly radical idea. But it seems likely that he considered at least household suffrage, from the fact that James Macarthur, who much admired him and followed his thinking on several other points, seems to have assumed in 1837 that something like that system might eventually be used in New South Wales. This will be shown below.

(1) Scott to James Macarthur, 10 March 1837; ibid.
(2) Scott to John Macarthur the Younger, 27 March 1822, to James, 11 April 1831; ibid.
In 1823, before his appointment as Archdeacon, Scott submitted to the Colonial Office a sketch of his thoughts on education in New South Wales, which he said he "had drawn up" while in the Colony as Bigge's secretary from 1819 to 1821. \(^{(1)}\) Scott differed from Macarthur in some important parts of his political views; it is very unlikely for example that Macarthur could have held with the common people taking any sort of active part in politics. But it is impossible to believe that Macarthur did not influence or was not affected himself by the plans Scott made in New South Wales. He already had his own plans, and Scott's connection with his family was formed on a basis of perfect mutual respect before he left the Colony. Moreover Scott's ideas were very similar to those which, as I have shown, Macarthur must surely have seen in action in Switzerland.

Scott envisaged a system of universal primary education, with parents paying according to their means, in kind if necessary. The primary schools might be supplied with cattle and sheep of good quality, so that the boys could learn agriculture. Macarthur was suggested as a source of good rams. A number of secondary academies were to be set up with a central one shaped with a view to its eventually becoming a university.

\(^{(1)}\) Scott to R.W. Horton, 4 September 1823; CO 201/147 f/343.
Overall government control was assumed. In fact at another time Scott said that "one system of general education shd be laid down for the whole state & rigidly adhered to." (1) This implied the partial control of denominational schools. In fact it is significant that although Scott went into much detail in discussing curricula, buildings and facilities, he never particularly mentioned the teaching of religion. It was no doubt assumed as part of his scheme, but Scott is to be distinguished from most Anglicans then involved in education, particularly Broughton his successor, by the fact that although he thought of religion as an inevitable part of education, he did not consider the Established Church as the only possible basis for learning. Thus he wrote that he promoted Anglican education while in the Colony only because he happened to be Archdeacon. (2)

The sum of these ideas can be seen in Scott's plan for "One good Grammar School in the Colony for Boarders" which would cater for all classes and be endowed by the state through the recently founded Church and School Corporation. (3) But he found this scheme impossible because the upper class colonists refused to have their sons at school with those of the "humble or immoral."

---

(1) Scott to James Macarthur, 10 March 1837; MP, 59.
(2) ibid.
(3) Scott to Darling, 1 September 1829; HRA i, XV p. 220.
Archdeacon Broughton used the available money for a respectable academy, the result being the King's School at Parramatta. Macarthur, for his part, took an interest in the Parramatta school, and offered to give up part of Elizabeth Farm for it, but the offer was not taken up. (1)

The school Macarthur himself founded was, as far as it went, consistent with the principles outlined above. (2) This was the Sydney Public Free Grammar School, which was set up in September 1825. Its first Master was Dr Laurence Halloran, who, although an ex-convict of turbulent character and especially skilled in forgery, was nevertheless generally acknowledged as a cultivated man and teacher of great ability. (3) It is presumably for this reason that Macarthur was prepared to make him the mainspring of his Grammar School, though to do so involved relieving him of his debts. Thus Macarthur raised 1600 Spanish dollars, or about £400, "principally among his family and friends ... with the exception of a trifling sum." A board of management was organised, consisting of himself, James, William, Hannibal and Oxley, and twelve others. These twelve, it should be noted, included Dr Bland, George Mills, Simeon Lord, John Tawell, and several others who were decidedly beyond the circle of persons most Exclusives would deal with except for monetary gain. (4)

(1) Archdeacon Broughton to Darling, 4 February 1830; HRA i, XV p. 367.
(2) Sydney Gazette, 29 September, 1 December 1825, 13 May 1826.
(4) Sydney Gazette, 31 October 1825, 18 March 1826.
The Grammar School seems to have been based on experiments then being made in the United States and Europe, in "public free education". These schemes were non-denominational, though religious teaching was well provided for. They were endowed by the state and by public subscription, and so were directed especially at the children of parents unable to pay fees. How far Macarthur intended to follow these principles it is difficult to say. Soon after the school was founded he chaired a committee to enquire into "the best Mode of furthering the Objects of the Institution with Government", though with no immediate results apart from the interest of Mrs Darling. But he does not seem to have contemplated a generally free system, for subscriptions were encouraged by the prospect of being able to nominate a boy for education free of charge for as long as the school lasted. This is in accordance with James Macarthur's opinion, expressed a few years later, that no system of education should be completely free, except for the poverty stricken, for otherwise parents would lose interest.

But the details of Macarthur's ideas were not given time to reveal themselves. Some of the other members of the board seem to have been less inclined to trust Halloran

(2) Sydney Gazette, 31 October 1825, 1 April 1826.
than he was, and after several months there were violent quarrels, which were not improved by the vigorous part taken by Macarthur. (1) Simultaneously the depression began and the school almost failed. Although it was soon revived on the same general principles, renamed the Sydney College, and the present Grammar School buildings erected for it, Macarthur gave it no more attention.

Macarthur also made an effort to interest the minds of aboriginals in the idea of progress. While acting as superintendent of the Australian Agricultural Company's estate at Port Stephens he had sixty natives under his protection. He clothed them and encouraged them to go to church weekly by giving them regular rations of flour and withholding it when they lapsed. (2) He also fenced off a paddock and built a hut for the tribe at Camden, and took great pains to persuade them to grow grain, but with no success. (3) Nevertheless he managed to organise them and win their confidence, which according to the theories of Pestalozzi and de Fellenberg, should be the teacher's first aims; at a ball at Government House in 1828,

the Honourable John M'Arthur was attended by his body-guard of aboriginal natives, whose uniform consists of scarlet shirts, blue trousers, and yellow handkerchiefs. This guard of honour was armed with long spears. (4)

(1) Sydney Gazette, 22 April 1826.
(2) Ibid. 14 May 1828.
(3) Evidence of R. Scott before the L.C. Committee on the Aborigines Question, Evidence p. 13; V & P 1838, Part II.
(4) Sydney Gazette, 25 April 1828.
I have spent so long on the subject of education because there is nothing which shows better how closely Macarthur was in touch with contemporary ideas, or at least how sensitive he was to the intellectual feeling of the time. For, as he was unusually interested in both agriculture and education, it seems very likely that he understood how they were connected by the latest methods of teaching; and this connection is probably the most powerful and essential element in contemporary thought, involving as it does a conception upon which a mass of other theories are founded.

Also there is no subject which can prove more clearly that all his most important activities and aspirations were entirely consistent with each other. Even the way he managed his estate and made himself rich shows not only an imaginative approach to the various possibilities of the land, which was fairly common, but also an awareness of the special contribution an agricultural life could make to an harmonious and rich society. Thus the methods of organisation which he developed in his own concerns - the result of the strange generosity of his character as much as his passion for progress and feeling for the individual man - these he would have extended to every human institution he could. They show an assumption that power and progress are fundamentally linked; and that in every system of authority the superior member had a clear
duty towards the other. It is this basic assumption which shows the force and originality of his mind. It has already been seen to some extent how it involved the first, whether government, master or teacher, preparing the field for advancement as much as necessary, and holding out the prize, or at least making it available, while the second was expected to exert himself for it by developing his special talents and the wholeness of his character to the utmost. The overall gain was to be general prosperity, and the greater humanity and self-respect of both parties.

The key word in such a system, one often used by different members of the Macarthur family, was "stimulus"; it points to a relationship where power is very real, but has nothing to do with sheer force. The further implications of these ideas will be dealt with in the final chapter; but it has already been seen how both Captain Bligh and Major Goulburn failed, as far as Macarthur was concerned, to fit the pattern.

For all his activity, ambition and genius, Macarthur achieved little. This was partly due to circumstances. But often his obsessive kind of vigour not only strengthened his ideas but killed their effect, by causing resentment in such people as Wentworth towards such an exclusive use of power as his manner demanded. It is true that he was rich, that he had succeeded with his wool, that he was often consulted by Governor Darling, at least after the
first year of his government, and that he was an active and useful member of the Legislative Council. But the best part of his mind never really saw the light, and it is impossible not to escape a general impression of brilliance stifled, nor to argue with the opinion of the Australian in 1826, that beside all his chances and hopes, Macarthur's views counted for nothing in New South Wales. (1)

In the few places where his ambitions were small he was abundantly successful. The goodness of his home life was widely recognised, and even the Monitor, while disagreeing with his political principles, had to admit that the conduct of all his family

is ... exemplary, for true English manners, absence of pomp and shew, [and] kindness and liberality to servants and dependents, (for whoever heard of the M'Arthur family in our Courts of Justice wrangling with the poor?). (2)

This means of peace seems to have been a source of real satisfaction to him, for he was one of those who being used to bitterness, draw exquisite pleasure from loyalty and affection. When he appeared in Sydney with his aboriginals, or as the Gazette said, "attended by his sable protectors", then "we scarcely know the day when he looked so cheerful." (3)

(1) 13 May 1826.
(2) 22 December 1832.
(3) Sydney Gazette, 25 April 1828.
But for the last six years of his life, that is during most of Darling's time and for the first year or so of General Bourke's administration, his mind became very erratic. (1) On the one hand he enjoyed periods of great activity and keenness, when besides all his other work he rescued the Company's affairs at Port Stephens, completely remodelled the house at Elizabeth Farm, and finally began planning and building the mansion at Camden Park. On the other he suffered fits of absolute sadness and despair. In September 1831 he heard the news of John's death, which destroyed the greatest of all his hopes. It was, he said, "the heaviest [loss] I have ever sustained", and even six months later, as he told Edward, he would often when alone "undergo a bitterness of grief which no language can describe." (2)

In August 1832 he was pronounced insane. Apart from a short lucid period at the end of 1833, for the rest of his life he believed that his wife was unfaithful, that Dr Bowman meant to poison him, and that James and William had fled to the Blue Mountains. Thus was he reduced to his essential worst, to the mere individual, and the man besieged.

In this condition he was taken to Camden, where there were things to interest him. So that it was there, on the 11 April 1834, that he died, in the original cramped homestead but within reach of the sure and charming symmetry of his new house.
Section III: James Macarthur of Camden 1833-1842

"An habitation giddy and unsure
Hath he that buildeth on the vulgar heart."
Shakespeare, King Henry IV, II.

Chapter II: The Point of Privilege

John Macarthur died in the first stages of a period of amazing prosperity. Largely through his own work, the country was now well known as an excellent place to make a fortune. Between the years 1830 and 1834 its wool exports more than doubled, and by 1842 they were four times again.\(^{(1)}\)

In the year of his death the immediate prospects of the industry were put on a sure footing by the local ordinance called the Forbes Act, which gave certainty to the common idea that interest rates on loans would be limited in the Colony by nothing but the borrower's prudence. The passing of this law is usually held to mark the inception of the pastoral age, for it was the means of encouraging outside investment on a large scale.\(^{(2)}\) At the same time as money and rich men were coming in, the Home Government began to make efforts to provide a sufficient work force by aiding the labourers and craftsmen, who had always been discouraged by the high cost of passage. Thus between 1834 and 1842 migrants coming to New South Wales increased the population by about a half. In the same

---

(1) Report from the L.C. Committee on Immigration; V & P 1841, p. 431.
(2) Peter Burroughs, Britain and Australia, p. 138.
period the number of trading banks in the mainland Colony rose from two to seven, while all the creek beds from Cunningham's Gap to Port Phillip were given over to foreign beasts. (1)

These changes meant that while the colonial community was gaining in substance and complexity and becoming more self-sufficient in an economic and political way, it was losing its character as a peculiar and remote society from the rapid influx of Englishmen. Perhaps a good indication of this is the fact that an invitation to balls at Government House became no longer the comprehensive and final mark of gentility. In 1836 there were so many settlers in Sydney who qualified as genteel by their capital and connections, that, according to the private secretary to the Governor, Sir Richard Bourke, "all the Botany Bay Gentlemen & Ladies cannot be compressed into one room. Unless it be a la mode de Black Hole of Calcutta. (2) The indigenous part of the community, those who had grown up during the rule of Macquarie and who could not aspire to this gorgeous throng, found themselves very much submerged. The independent interests of the Colony and its relation to the Mother Country therefore became an important and complicated issue, often giving substance to the Emancipist

(2) G.K. Holden to the younger R. Bourke, 1 May 1836; Bourke Papers, 11.
cause, and extra meaning to the appeals of Wentworth on behalf of the class below the immigrant capitalists, and of John Blaxland, who always had before him—perhaps more than Wentworth—the political identity of his country.

The system of finance which followed the changes in the economy involved close cooperation between local individuals and the source of capital, namely Great Britain. Thus many of the new settlers maintained contact with people in England for whom they acted either as partners or agents. The first private absentee landowner seems to have been Macarthur's friend, Thomas Potter Macqueen. (1)

The consent of the Secretary of State for his holding 10,000 acres in absentia, which was given in 1823, is perhaps as significant in its way as the Forbes Act, for it shows that from that time capitalists were no longer viewed simply as the masters of convicts.

Great Britain was not only the source of capital, but also the market of produce. London, and to a much lesser extent Liverpool, were the places of sale, and Australian wool was generally managed there according to some arrangement the hopeful adventurer made with commercial houses, or with friends he left behind him. Those who had made their capital in the Colony, like the Macarthurs, similarly had to have an agent whom they could trust with

---

the handling of their consignments of wool. At least this was the case with the richest ones, who had enough security to keep their affairs going between yearly remittances from their agent. Poorer graziers had to sell their wool for an immediate return to a dealer in the Colony. (1)

At the beginning of the 1820's one of the most important London business houses involved in East Indian trade was that of Bell and Wilkinson. They were linked in New South Wales with the firm of Jones and Riley. It seems the two houses might also have been connected by marriage, for Edward Riley's wife was a Wilkinson.

During the 1820's Alexander Riley, who left the Colony in 1817, became a partner in the London house, and also Bell was replaced by Stuart Donaldson, so that the firm became Donaldson, Wilkinson and Co. During this period its Australian clients included Samuel Marsden, with whom the Rileys had been friendly in Macquarie's time; Richard Jones, who in 1825, after spending some time in England, went into partnership at Sydney with Edward Riley and William Walker; and Simeon Lord, the Rileys' old competitor. (2)

Both Donaldson and Wilkinson were involved in the formation of the Van Diemen's Land Company in 1830, a venture

---

(1) Barnard, op. cit. p. 133, 136.
(2) "Names of all Persons who consign Wool to D.W. & Co." (1833); Riley Papers, 5.
which John Macarthur the Younger at first considered a
dangerous rival to his Agricultural Company. (1) Nevertheless
the London house was the agent and its partners were the
particular friends of Hannibal Macarthur's family, and of
Captain King. They were also on close terms with Walter
Davidson. (2) When John died in 1831 part of the
management of the Elizabeth Farm and Camden wool was taken
over by Edward Macarthur, but in cooperation with Donaldson
and Wilkinson. Thus although the firm was only the fifth
largest importer of wool from the colonies, it nevertheless
held a special position as the agent of the older settlers. (3)

Because of their old associations and personal links
with New South Wales the partners took a keen interest in
the affairs and prospects of the Colony. Donaldson seems
to have been particularly active in this way. In 1828 he
submitted to the Colonial Office, by the medium of his
friend Colonel Dumaresq, his ideas on how people of moderate
means might set themselves up independently in New South
Wales. He suggested that since they could not afford to
be graziers, they should be encouraged to lay the foundations
of tobacco, flax and hemp growing industries. (4)

The house also looked after the personal interests
of their colonial friends. Thus they appealed to the

(1) Sydney Gazette, 12 January 1826. John Macarthur
to R.W. Horton, 9 April 1825; CO 280/2 f. 70.
(2) A. Riley's memorandum, 7 August 1829; Riley
Papers, 3.
(3) Australian, 8 September 1835.
(4) "Some observations on the Cultivating of Tobacco
in the Australian Colonies" (December 1828);
CO 201/197 f. 355.
Colonial Office on behalf of both Richard Jones and Hannibal Macarthur when they wanted more land; and Wilkinson exerted himself for Charles Macarthur in 1826, after Charles had quarrelled with the captain of the ship he had chartered for New South Wales, and so found himself left behind at Portsmouth. (1)

The position of Donaldson and Wilkinson provides a good example of how the difficulties of carrying on large scale business in such an isolated place as New South Wales could lead to cooperation and hence to personal links between people who might otherwise have been inclined to keep apart. It is thus the first sign of combination among members of a single class, the richer settlers, simply because they belonged to that class and so had common business habits. Such links were rather casual at this time, but in the 1840's while much the same people were involved - though with important additions - it became one of the forces of colonial politics, as common business habits became common business interests.

In about 1828 Sir John Jamison became a client, and Donaldson was henceforth involved in his activities for constitutional reform. (2) The committee chosen in the Colony in 1830 to draw up the petitions for representation and trial by jury, having noted Donaldson's "exertions in

---


(2) A. Riley's memorandum, 7 August 1829; Riley Papers, 3.
promoting the general interests of the Colony", invited
him to be "Agent for the Colony" in furthering their
appeals.\(^{(1)}\) The offer was accepted and Donaldson
cooperated with the Members of Parliament chosen to present
the petitions to the two Houses.\(^{(2)}\) These were the Marquis
of Sligo, who had money invested in New South Wales, in
the Lords, and Thomas Potter Macqueen and Sir James
Mackintosh in the Commons.

Within two years the committee were planning a new
appeal. Early in 1833 Alexander Riley was approached at
the London counting house by Thomas Street, a colonist who
had been introduced to the firm by Richard Jones. He
discussed with Riley the need of the settlers for "an
accredited Agent, or a respectable Firm in London to protect
their interests." Riley suggested Donaldson again, and
presumably as a result of Street's negotiations, the petition
which was then being prepared in the Colony was, like the
last one, looked after by Donaldson until it could be
presented to the House of Commons.\(^{(3)}\)

The purpose of this second petition, which was
agreed on at a public meeting in Sydney in January 1833,
was to ask for a representative assembly, trial by jury
having then been granted in an acceptable form. This was
the first and only occasion on which James Macarthur tried

\(^{(1)}\) Australian, 21 May 1830.
\(^{(2)}\) A. Riley to Sir J. Jamison, 2 May 1833; Riley
Papers, 3.
\(^{(3)}\) ibid. A. Riley to T. Street, 12 March 1833;
ibid.
to take part in a popular appeal for constitutional reform, and the outcome clearly shows how different were the political ideals of his family and friends from those of Jamison, Wentworth and the Emancipists. Jamison and Wentworth showed during this meeting - unlike in 1830 - that they were now closely allied, and together they had complete control over the proceedings. Petitions to the King and Parliament were presented by them and approved more or less by acclamation. There were only two discordant voices, those of James Macarthur and another gentleman called Chambers. The meeting was not inclined to put up with dissent and when Chambers suggested that the question of representation needed to be carefully considered he was ridiculed and shouted down.

James Macarthur made the same kind of objection. The petitions had not been published before the meeting and thus, he said, had not been considered by the colonists as such. He suggested that there should be some means whereby "all parties might be enabled to give a deliberate opinion on a subject of such deep importance." He himself doubted whether the Colony was ready for representation and he certainly did not think that such tumultuous meeting could properly consider so difficult a topic. It seems from James Macarthur's activities in the following three years that he might not have made up his mind on the subject, so that on this occasion he might have honestly believed he could give the meeting a more rational tone by expressing
his doubts. Having met with the shouts of the crowd and the slighting remarks of Wentworth, he finally rose indignantly to say that while he would no longer oppose the petitions,

as a native of the Colony - as one glorying in the name of an Australian - it was painful to him to be taunted as an enemy to liberty.

This at least was greeted with cheers. (1)

The presentation of the petition to the House of Commons was entrusted to Henry Lytton Bulwer, a liberal member. In September 1834, as soon as Bulwer received it he wrote to Jamison suggesting that a permanent campaign be set on foot in London, that the colonists must get a certain number of public men, acting together and devoting [a] great part of their time and influence to Colonial objects.

Otherwise, he said, the colonies would be ignored in Parliamentary circles, as they always had been. (2)

The petition committee therefore called a meeting. As was customary on such occasions, the Sheriff, Thomas Macquoid, was requested to act as chairman. The requisition, according to the Australian, was signed by many large landed proprietors, and ... persons of great influence in the Colony from their great wealth and respectability. (3)

(1) Sydney Herald, 31 January 1833.
(2) Australian, 24 March 1835.
(3) ibid. 28 April 1835.
Nevertheless, Macquoid refused to be involved on this occasion, no doubt because he had been insulted by Wentworth at the last such meeting. (1) Macquoid was a special friend of Walter Davidson, and so had become a member of the Macarthur circle, and his refusal marks the open renunciation by that group of the popular movement for reform, and its public meeting methods. The issue was not entirely one of opposing views, for it also involved personality. There was in fact no means of the two parties negotiating. Even without James's unpleasant experience, few of his friends would ever have been prepared to face one of Wentworth's crowds. Nor was it possible for them to treat with Jamison from a more retired position. In the first place they were used to a position of command themselves. And in the second place Jamison had been persona non grata with the Macarthur family for twenty-five years. Their attitude to him may be seen from the fact that when Hugh Gordon, a young Scotsman and a friend of the Vineyard circle, arrived in 1836 with an introduction to Jamison, they advised him not to deliver it personally but to put it in the post, for "no one of character wd associate with him, he is detested by Rich & Poor, Great & small." (2) Such advice might have been essentially true, for by this time Jamison, by his moving from faction to faction and gaining prestige from each, does seem to have shown an ignorance of essential

(1) ibid. 29 May 1835.
(2) H. Gordon to James Gordon, 19 July 1836; Gordon Papers.
party interests. He was yet to take his place among the Exclusives again.

Nevertheless the meeting was extremely successful. Bulwer's suggestions were duly considered, and a body set up called the Patriotic Association, which was to be the means of financing the campaign. The plan met with a wide and keen response. Strongly supporting it at the meeting were several rich and well established families, such as the Lawsons, Coxes and Blaxlands. The three sons of Judge Stephen, one of whom was now part owner of the Australian, also took a leading part. As on all these occasions emancipist families were well represented, among them the three sons of Isaac Nichols, Colonel Johnston's old friend. (1)

But recent immigrants also took part, particularly Thomas Potter Macqueen, who had just arrived in the Colony, and who gave £25. In fact it seems fair to say that the main thing the members had in common was that only a few had ever been in a position to be offended by Wentworth, for they were either old supporters of Jamison, or else new settlers. From the list of local committees planned throughout the Colony, it appears that the aims of the Association were particularly well received in the Hunter River district. (2) Most of the settlers there were rich men and new arrivals, but unlike others of their kind elsewhere in the Colony, they never seem to have been much

---

(1) Australian, 2 June 1835.
(2) ibid, 12 June 1835.
involved with ex-convicts as a political force, being remote from the main rendezvous of that class. It will be seen that in general they were the kind of people who were particularly severe masters, but Wentworth was in no way concerned with the treatment of convicts as such. Since the Association was the most respectable body then promoting the interests of the Colony, it is perhaps not surprising that so many Hunter River settlers joined. The committees in that district were to include such prominent figures as George Wyndham, Robert Lethbridge of Okehampton, and Charles Boydell.

Several well known Sydney merchants were also subscribers to the Association, including Alexander Brodie Spark, Jacob Montefiore, who took an active part, William Dawes and Richard Jones. Many members joined some time after the first meeting, but by July it could be fairly claimed by the Association's managing committee that it represented "a body of intelligent and wealthy Colonists."(1) Since subscription cost a pound, membership was certainly out of the sphere of any but the keenest members of the lower middle classes, the skilled craftsmen, the middling shopkeepers, and the prosperous small farmers of New South Wales.

It seems to have been considered important that the Association be guided by "men of talent, education and

(1) ibid. 26 June, 3, 22 July 1835.
experience." (1) It is for this reason that it needs to be described at such length here, for its character ensured it a good deal of initial support from men who were generally considered Exclusives. To maintain this tone, Wentworth, despite some objections, ruled that only those willing to subscribe £5 might be chosen members of the directing committee. His reason was that "in this country ignorance and poverty ... [go] together." (2) The ideas of the committee on the new constitution show the same concern. They reached no agreement, but it seems to have been part of the plan in the beginning that the franchise was to be limited to "the intelligence & respectability" of the community. (3)

But while there was nothing very radical about the committee's ideas, they did not aim at an aristocracy. According to these first tentative ideas, a yearly salary of £50 was to be the minimum qualification for an elector, so that the whole of the middle classes would have been included. This is consistent with their idea that not only should members of the legislature

(1) Wentworth's speech, ibid. 2 June 1835.
(2) ibid.
(3) Memoranda, Australian Patriotic Association, August 1835, ML MSS C250.
represent the general views of the Community, but, as far as possible, the feelings of its different classes also, in order to be acquainted with which it is indispensable that they should be either taken from all classes or what would be better that they should be selected principally from that class which is intermediate between the two which form the two extremes of its society. (1)

The aims of the Association had two aspects. One was the hope of a representative assembly. The papers reported Sir John Jamison as saying at the very beginning that it would work for the end of "the closed Council", and there could have been no doubt what he meant. (2) The need for such a change was widely admitted. According to Governor Bourke, both the political parties which he believed existed in the community wanted an elected assembly, "representing the intelligence and wealth of the Colony"; and even the conservative journal, the Herald, founded in 1831, said - with some exaggeration - that there were "not two men in the Colony" opposed to the setting up of a House of Assembly. (3) The second aim was not quite compatible with the first. Ideally, in the words of Francis Stephen, "the Association was not a body authorized or qualified to decide upon questions of abstract law", but rather "to represent grievances, and to take into consideration the policy or impolicy of the measures of Government." (4)

(1) ibid.
(2) Australian, 2 June, 1835.
(3) Bourke to Lord Glenelg, 26 December 1835; HRA i, XVIII p. 247. Sydney Herald, 31 January 1833.
(4) Australian, 9 October 1835.
Thus in the first place the subscribers to the Association gave their assent to the reforms which Jamison and Wentworth had been publicly working towards for some years. A prominent part of their program had been the extension of the franchise indiscriminately to ex-convicts, and of this all the members of the Association must have been aware. This is in accordance with the opinion of the Herald a year earlier, that "The term Emancipist, will never again rise to be of sufficient importance to become the watchword of party." (1) As it turned out, this opinion was rather premature.

In the second place, the members of the Association seem to have considered themselves as a body quite independent of the Government, dedicated to the interests of the Colony as distinct from those of the empire; it was presumably this which attracted those gentlemen who had not been associated with Jamison and Wentworth before. Such a policy was inevitable when Wentworth took such a prominent part in the Association's meetings, for much of his popularity depended on a general opposition to constituted authority, particularly as represented by the British Government and those of its officials who made no effort to identify themselves with what Wentworth saw as the interests of the country. This point of view is

(1) Sydney Herald, 31 July 1834.
evident in the idea discussed by the committee, that people in the employment of the Government be excluded from the planned franchise, an idea which was carried through in a vague way to the constitution finally proposed by the committee in December. (1)

The same element of independence, or even antipathy to the Government, may be seen in the history of numbers of the Hunter River settlers involved in the Association, in particular John Bingle, Sempill, McIntyre, John Larnach and others. But unlike Wentworth's, their antagonism was to the Governor himself. It is therefore necessary, before dealing with them and the other events of the period, to say something of General Bourke's personality and the more important parts of his policy.

Sir Richard Bourke was by far the most enlightened and able governor the Colony had seen. This must be emphasised because it is his failings which are mainly relevant here, and dwelling on these would otherwise give a distorted view. As for his personality, according to a friend, "He had that rare gift - beauty of manner: the proportions of his mind were right"; he was one of those who "wished well to everything that was good - and, what is far more rare - wished that others might get well out of evil things." (2)

(2) A. Helps to Lord Monteagle, 17 September 1855; Bourke Papers, 9.
Bourke was also a man of action, eager to bring "Well out of evil things" by his own measures. He found New South Wales in what he considered a sluggish and rigid condition. On arriving he wrote,

The Settlers have not quite lost sight of the Institutions of their Mother Country; but I assure you a longer continuance of estrangement from their use will destroy all desire for them, and render these People fit subjects for a Turkish Government.

He had clear ideas of what he aimed to do. He considered that "Every thing here wants opening out", and thus set himself to gain the first and fundamental point, namely to establish his government on the confidence of the people, which was not only a great good in itself, but the only means of effective improvement. (1)

This policy had two results. In the first place, by his general methods and also by his lengthy tours throughout the country he came into closer contact with the people at large than any governor since Macquarie, and that at a time when the settlement had become much more complicated and dispersed. (2)

On the other hand he failed to win the confidence of many of those who, by their standing in society, might have been his personal friends. Certainly this could have been partly due to his wife being fatally ill when he

---

(1) Sir R. Bourke to T. Spring Rice, 23 March 1832; Bourke Papers, 9.
(2) Hazel King, Richard Bourke, p. 183.
arrived. This meant that in the important first few months of his term, although no reasons were given, he did not entertain those who considered they had right of access to Government House society. (1) Moreover his family was a very closely knit one, and perhaps as a result of his wife's death, which affected him very much, he did not try to make many friends in the Colony. In 1836 he still called New South Wales, "this land of Strangers." After he returned home he seems to have maintained contact only with the Macarthurns and with Roger Therry, Commissioner of the Court of Requests. (2)

But the most important reason for his isolation was the way he worked out his plans for the Colony. This particularly antagonised his officials, including the Secretary, Alexander Macleay, and the Treasurer, Campbell Riddell. Most of them were of less progressive ideas, and resented the fact that he did not consider their opinions as having any real weight, a common reaction among subordinates who find themselves under a new chief with determination and fresh ideas.

Within a few months of the Governor's arrival, the older Macarthur had complained that he and the other Legislative Councillors "are mere cyphers". But he soon

(1) Macarthur to Edward, 23 February 1832; MP, 3.
H. Dumaresq to Mrs Darling, 20 September 1832; Letters of Colonel Henry Dumaresq.

(2) Sir R. Bourke to Lord Monteagle, 17 June 1836;
Bourke Papers, 9. For example, R. Therry to Sir R. Bourke, 27 February 1840 etc.; Bourke Papers, 11. Edward Macarthur to Sir R. Bourke, 9 July 1838; CO 201/281 f. 190.
understood Bourke's qualities, and decided that although there had never been "a Governor capable of discovering, appreciating and drawing forth the resources of the Colony", yet this might well be the man. Before his mind lost its bearings he became convinced "that on most material points our opinions are similar." (1) His sons generally shared this point of view, but they also came to understand the inflexible character of Sir Richard Bourke's plans.

The main issues of General Bourke's time were the direct result of that rapid expansion which has already been mentioned. These were the problems of extending the benefits of government to the new and more distant regions of the Colony, and of keeping in proper social and economic balance the different parts of the population. One result was the first Squatting Act in 1836, which set up a system of mounted police in the border areas. Another was a new and widespread concern for immigration, which will be dealt with in the following chapter.

The Hunter River settlers represent a special aspect of the issue of discipline in the remote parts of the country. It is significant that they knew it as the problem of insubordination, for they were mainly interested in the control of their own convict servants. This concern seems to have been the main cause of their general opposition

(1) Macarthur to Edward, 3 March, 11 April, 5 June 1832; MP, 3.
to the Governor, for many of them argued that his policies encouraged a lax discipline. One of the keenest of this party was James Mudie, father-in-law and partner of John Larnach, an early supporter of the Patriotic Association. He eventually published a book whose purpose was to expose the "ludicrous and affected philanthropy" of Sir Richard Bourke's administration. Mudie was a particularly severe and unpopular master and in 1833 the convicts on his estate at Castle Forbes rebelled and tried to kill Larnach. He seems to have been an extreme example of a general type in the Hunter River district, an area which had been settled during the 1820's mainly by retired military and naval officers of middling rank, men of small ability unfit for the complete control settlers were given over their assigned convicts. Sir Richard Bourke on the other hand was an able field officer with generous and progressive views, and had little sympathy with limited and unimaginative minds. It is not surprising that those who could not keep up with him became alarmed, nor that they began to cry out about insubordination. The same cause and effect may be seen in this century, when the much more rapid progress of all kinds has led to proportionately urgent demands for law and order, things which anyone can understand.

(1) The Felony of New South Wales, p. vii.
(2) T.M. Perry, Australia's First Frontier, pp. 73-4.
Nor is it surprising that so many Hunter River settlers joined the Patriotic Association, for there were some things about it as shallow and straightforward as themselves. Sir John Jamison, in particular, was a course and blunt man; though unlike them, he was always on good terms with the Governor. Thus, although some magistrates were unwilling to have young convicts flogged in case it hardened their feelings of resentment and ruined all hope of reform, Jamison considered that "well-timed severity of the first punishment 'breaks down' the sufferer", and was therefore to be encouraged. In much the same spirit he advised that to prevent convict servants from running away, "a moderate system of passport" should be devised, which he meant apparently to apply to "the lower classes of society." (1) Not surprisingly, the publication of these ideas in the press was quickly answered by a letter in which the writer informed his fellow countrymen that Sir John Jamison had recommended to the Local Government to compel you free born Australians, to carry a passport in your Native Land !!!
A passport in your Native Land !!! (2)

It is unnecessary to make any comment on the latter scheme, but the attitude of men like Jamison to corporal punishment needs to be placed in some perspective. The practice was largely taken for granted at the time by men in authority, but there were many who disliked using it.

---

(2) Letter from J.W. Fulton, Australian, 25 August 1835.
Sir Thomas Brisbane's policy has already been mentioned; in 1839 Terence Murray, a southern magistrate, whose nobility of character was certainly unusual, could say that he disapproved of it altogether "as cruel, inefficacious and brutalising."(1) James Macarthur's opinion seems to have been that it should be used only as a final resort. He was, he said, "averse to a system entirely of severity; I think it must fail", and commented in a more theoretical way that it was very much a matter of doubt whether "the deterring influences of punishment" did anything to prevent crime.(2)

The opposition from the Hunter River had several manifestations which show that it was not entirely a matter of law and order. Some of it came from the Dumaresq brothers, who had big estates in the area; and who, there is every reason to believe, were competent masters and intelligent men. They provide the best example for this period of old favourites discontented under the new regime.

Soon after his arrival the Governor was obliged to interfere in a dispute between two Hunter River settlers, Sempill and John Bingle, and eventually to censure Bingle. There was an old and most important law in the Colony that magistrates could not try their own servants, and Bourke

---

(1) Evidence before the L.C. Committee on Police and Gaols, 1839; V & P 1839, II p. 302.
considered that Bingle had in effect done this by taking advantage of the visit of another magistrate to have his convict servant tried in his own house. A number of his neighbours supported Bingle, though it is possible he misled them. Prominent among them were Henry and William Dumaresq, and no doubt Bourke was referring to these when he said that Bingle was probably under the guidance of "Persons of more talent and worse meaning than himself."(1)

His suspicion of the Dumaresqs was the result of a conflict with them about the same time on a money matter. This was the case of the Maitland bridge. The bridge had been erected by settlers in Darling's time under an agreement with the Government that they might collect tolls for a period of years to pay the cost of building. When Bourke arrived he decided that a toll bridge was very inconvenient in the middle of Maitland. Moreover the original arrangement had been illegal, so that the quarrel over what compensation was due to the present owners, the Dumaresqs, for giving up the tolls, added to the feeling in some areas that Bourke aimed to discredit his predecessor. Thus the Governor's opponents often came to be called "the Darling faction", an apt description for those who were particularly keen on law and order.

(1) "Letter to the... Secretary of State ... from John Bingle, Esq.", 15 August 1832; CO 201/227 f. 102 et seq. Bourke to Lord Goderich, 24 August 1832; HRA i, XVI p. 722.
Political feeling in the Hunter River district finally gave rise in 1833 to an appeal to the Home Government by means of an address known at the time as the Hole and Corner Petition because of the furtive way it was passed around among the settlers for signing. Its whole point, ostensibly, was to ask for the repeal of a Legislative Council Act passed in September 1832. This Act qualified one of General Darling's which set out the jurisdiction of magistrates, and its purpose was to limit the power of benches where one or two magistrates sat alone. The petition was intended to convince the Secretary of State that by the power of justices being thus reduced the lives and peace of mind of the settlers had been put in jeopardy.

The Macarthur's took no part in the Hunter River agitations. The only member of the family involved in the Maitland bridge affair was Dr Bowman, who, according to the Council's report on the case, had been forced to pay a toll when he thought himself exempt. (1) They never expressed any opinion about the problem of insubordination. It is doubtful whether it ever occurred to them as important.

Their policy, in James's words, was that

Of course it is the interest of the assignee to make his convict servant as comfortable as possible. The principle on which we have conducted our establishment is, where a man behaves well, to make him forget, if possible, that he is a convict.

Ilia
reasons weYe
keeping 'lith tho ideas of his
father:

The system of forcing labour on a
private establishment I conceive would
not be a very profitable one; at all
events, it would be an exceedingly
disagreeable one. (1)

As for the magistracy law, the attitude of James
and William may be judged from the fact that their father
had voted in Council for Bourke's Act, as in fact all the
other members had done. Moreover, in 1830 when Darling's
Act was passed, although the vote had also been unanimous,
Macarthur and Hannibal had tried to have a connected Act,
which set out magistrates' powers of punishment, rejected
by the Council. (2) The most important point of this
ordinance was that convicts who escaped from their masters
were to have the length of time they stayed away added to
their sentences. If Macarthur objected to such punishment,
which was directed not at the act of running away but at
the skill and luck with which it was done, it is at least
consistent with his admiration of the man who could look
after himself.

It is useful in gathering some idea of the point
at issue between Wentworth and the Macarthurs, to consider
the attitude of Wentworth to this punishment law. In 1839
he suggested to a Legislative Council committee that the
addition to the sentence should be increased to double the

---
(1) His evidence, Report from the Select Committee on
Transportation (House of Commons) 1837, I pp.163-4.
(2) V & P 1824 - 1837, Part I p. 83.
period of absence. (1) From this and other evidence it would seem that, like Jamison, Wentworth's concern for the economic progress of the country and the form of free political institutions on the British model did not lead to any really consistent interest in the legal rights or the dignity of the convict as an individual. The same interest in law and order as opposed to justice may be seen in his suggestion before the same committee for a general system whereby all the convicts on any establishment where a crime was committed and the culprit not discovered, might be deprived of their chances of freedom for periods of years according to the seriousness of the crime. This he thought would ensure that criminals were given up. (2) In some ways Wentworth's social ideas were wholly progressive, but it seems safe to say that his political ideas were only superficially so. The above points are not the only indications that he generally saw the introduction of the Parliamentary system as an end in itself, rather than the means of ensuring a society run on principles of personal freedom and private justice. His stand is too complicated to be considered properly here, but these habits of mind will be seen to be linked to his ideas about the ending of transportation.

The Hole and Corner Petition was answered soon after by an anonymous pamphlet whose author called himself an

(1) His evidence before L.C. Committee on Police and Gaols, 1839; V & P 1839, II p. 89.
(2) ibid. p. 94.
"Unpaid Magistrate." (1) While it was devastating to the argument of the petitioners, this publication was very much a Pyrrhic victory for the Government.

It seems to have been generally known that the author was Roger Therry, the Commissioner of the Court of Requests. (2) Therry was not a popular man among many of the magistrates. According to Governor Bourke’s son

His conduct in the Ct. of Requests was sometimes a little overbearing, indeed his manner altogether had something of that nature apparent in it, & not likely to be acceptable to the great unpaid, who like to be looked up to with the same respect by all men as by their constables. (3)

He now made his position much worse. As Commissioner, Therry received £800 a year, so that he could by no means boast the independent position of an unpaid magistrate. Worse than this, it was known that he was a close friend of the Governor. It is not surprising that his affecting independence when he had every reason to be the advocate of the Government seems to have injured his reputation even with those not involved in the issue, such as James Macarthur. In fact it seems that most of the text of the pamphlet came from Bourke himself, and also that the cost of printing was borne by him, but since these facts were never mentioned even by the Governor’s worst enemies, it may be assumed they were never known. (4)

(1) "Observations on the "Hole and Corner Petition" in A Letter to The Right Honorable Edward G. Stanley ...", 1834; Bourke Papers, 14.
(2) Civil Officers to Lord Glenelg, 25 January 1836; CO 201/257 f.217.
(3) R. Bourke to Sir R. Bourke, 29 March 1836; Bourke Papers, 12.
(4) Sir R. Bourke to Lord Montagle, 15 December 1834; Bourke Papers, 9; R. Therry to Bourke, 24 September 1834; Bourke Papers, 11.
It is hard to understand why Sir Richard Bourke went to such lengths to meet his attackers, but he must have considered it necessary to maintain the reputation of his government; perhaps he did not know exactly how Therry had described himself until it was too late. He seems to have been rather uneasy about the affair, and while he told his friend, Thomas Spring Rice, a practical politician, most of what he had done, he misled his son Richard, who was then in London, by saying that he could not have composed a more satisfactory answer to the petition himself.\(^1\)

Even the rumour that the Governor had known about the publication and allowed it, according to some of the officials opposed to him, "materially impaired the respect entertained for His Excellency Himself."\(^2\) It certainly gave them some sort of moral justification for their stand. It was also the ultimate cause of Sir Richard Bourke's resignation. In July 1835, soon after the pamphlet appeared, Therry offered himself for election by the magistrates to the post of Chairman of Quarter Sessions, which was due to fall vacant at the end of the year.\(^3\) A number of justices immediately took alarm and began to look about for an alternative. Twenty-one of them wrote to the

\(^1\) Sir R. Bourke to his Son, 30 July, 14 December 1834; Bourke Papers, 6. Sir R. Bourke to Lord Monteagle, 15 December 1834, Bourke Papers, 9.


\(^3\) Australian, 28 July 1835.
Governor asking him to appoint some extra magistrates with legal qualifications, so that they might have a choice. Among the twenty-one were Richard Jones and ten other members of the Patriotic Association, and James Mudie. Bourke answered that there was no need for more magistrates. (1)

"In this dilemma", according to Robert Scott of Glendon,

the Magistrates ... resolved that each Bench should vote for an Individual from among their own Body & thereby shew their disapproval of Mr Therry. (2)

But at the last moment a better solution presented itself. Robert Scott discovered from Riddell the Colonial Treasurer that he, Riddell, had wanted the chairmanship himself, but had been forbidden to stand by the Governor. Scott and Richard Jones therefore decided to nominate Riddell. They said afterwards that they made a particular point of not telling him until the time of his election, so as to bear the responsibility themselves; in this they were not completely successful, but although Riddell heard he did nothing to stop them. Their only object, they said, was to prevent Therry from being elected, and they hoped that if Riddell won, the Governor might relent and let him hold the post, or else appoint in his place someone more acceptable than Therry. (3)

---

(1) Magistrates to Sir R. Bourke, 31 July 1835;
A. Macleay to Magistrates, 11 August 1835;
Australian, 14 August 1835.

(2) R. Scott to C.D. Riddell, 11 December 1835;
CO 201/251 f. 334.

(3) ibid. R. Jones to C.D. Riddell, 5 December 1835;
CO 201/251 f. 335.
The news that Riddell was nominated at Sydney reached the country benches a short time before the elections. According to James Macarthur he heard at Campbelltown "a few hours before", and immediately nominated him as a candidate at that bench. He explained later that he considered Riddell the better man. There can be no doubt that Therry's integrity was suspect among the magistrates, and this is no doubt what James Macarthur meant when he said that by providing an alternative to Therry he aimed to ensure to the Courts of Quarter Sessions their "proper weight and dignity", and so "strengthen the hands of Government." (1) But this is only a partial explanation. It seems that like the other justices, James Macarthur believed Therry to be the Government candidate, and was keen to preserve the independence of the magistracy. This seems to be proved by his pointed comment to an ally during the election, that Riddell had lost at Campbelltown because officials among the magistrates there had voted for Therry. (2)

Ultimately Riddell was elected. At first the Governor merely maintained that the posts of Treasurer and Chairman could not be held by the same person, and ordered that Riddell resign the chairmanship, though he seems to have had some vague hope that Riddell, one of his main

(1) James Macarthur to C.D. Riddell, 14 December 1835; CO 201/251 ff. 332-333.
(2) James Macarthur to W.E. Riley, n.d. (November 1835); Papers on Education etc., ML MSS A357.
opponents, might give up the other position instead. (1) But Sir Richard Bourke also alleged that Riddell must have known long before his election that he was nominated, and should have withdrawn his name. (2) Although, if Scott and Jones can be believed, this is an exaggeration, Riddell was plainly guilty at least of disrespect for the Governor's orders, and Bourke soon decided that this was an occasion on which he could afford to be autocratic, and a fair cause for asking the Home Government for Riddell's dismissal. He therefore informed the Secretary of State that Riddell was suspended from the Executive Council and that if he were reinstated he, the Governor, must in honour refuse to sit with him. (3) But the gentlemen in the Colonial Office could hardly have understood how seriously Bourke's administration had been affected by the long standing difference between him and the Treasurer, which seems to have dated as far back as the Maitland bridge affair when Riddell took the part of the Dumaresqs. (4) Moreover the Secretary of State, Lord Glenelg, was a friend of Riddell's family. (5) Thus Glenelg returned the answer that while he entirely respected the Governor's motives, the case hardly warranted Riddell's dismissal. As a result Sir Richard Bourke sent home his resignation. (6)

(1) Sir R. Bourke to his Son, Richard, 7 November 1835; Bourke Papers, 6. A. Macleay to Riddell, 1 December 1835; HRA i, XVIII p. 222.
(2) ibid.
(3) Bourke to Glenelg, 2 December 1835; HRA i, XVIII p. 224.
(4) Riddell to H. and W. Dumaresq, 28 November 1832; CO 201/236 f. 152.
(5) Riddell to C. Grant (Lord Glenelg) 10 August 1835; CO 201/251 f. 318.
(6) Glenelg to Bourke, 11 August 1836, Bourke to Glenelg, 30 January 1837; HRA i XVIII pp. 483-4, 661.
The part James Macarthur played in these events seems to have made no difference to his personal feelings for the Governor. Their relationship is not a very straight-forward one. On the one hand James and William had a good deal of admiration for Bourke's plans, and, as I have said, they were on the most friendly terms with the members of the Governor's family who were with him in New South Wales. (1) Similarly Edward was in close contact with those in London; in 1835 he and the younger Richard Bourke shared a horse so that they might both get a good view of a military parade in Hyde Park, Bourke sitting on the rump. (2) Edward's horses were apparently as passive as himself.

On the other hand the Governor was suspicious of the family's political principles. (3) He was a keen supporter of the Whig party, and like some of the Whigs in England, he saw political life as a continual struggle against Toryism and all it seems to represent, namely oligarchy, political corruption and small concern for civil liberties. In New South Wales he found the traditional enemy in all-powerful upper class and a closed Council whose members often showed themselves to be self-interested, politically conservative, and too careless about public

(1) see for example, James Macarthur to William, 2 January 1837; MP, 35.
(2) Edward Macarthur to his Sister, Elizabeth, 10 July 1835; MP, 18.
(3) Sir R. Bourke to T. Spring Rice, 12 March 1834; Bourke Papers, 9.
opinion. It may therefore be said that he tended to be doctrinaire in his view of progress, and that he applied firm principles to the problems of the colony.

James Macarthur, for his part, based the main part of his ideas on expediency; as a result, although he was an astute observer of men, he could not always decide what action the facts warranted. But in the 1830's his thinking had clearly changed from that which had prompted his worried letters to John in Darling's first years. This development was mainly due to his spending two years abroad from 1828 to 1830, years of political crisis in England and revolution on the Continent. His views had become broader as a result, and he realised that

In England the same evils which we are so apt to attribute solely to the colony exist in an almost equal degree.

Such a discovery, he said, was enough

to make me much more reasonable in my expectations in future. I shall now sit down peaceably & contentedly amongst our sheep folds and under the shade of our own fig trees, looking more to the advantages around us & less to the evils.

At the same time he concluded that all their political efforts henceforth must be made in the Colony and not with

the aid of acquaintance & connexions who have too many troubles of their own in this Country, to think of the complaints of poor Australians. (1)

(1) James Macarthur to his Father, 11 July, 24 June 1829; MP, 35.
These ideas were behind him when he appeared at the public meeting in Sydney in 1833. But he was still not persuaded to think as Bourke did, that the expression of public opinion in any peaceful form was inevitably a good thing. Politics for him was a matter of reaching decisions and acting, and he knew of only two ways in which public questions might be resolved: by unthinking crowds, and by careful individuals who based their authority on personal links strengthened by discussion. Between these two he saw no point in compromising, for he realised that the force of the first must inevitably undermine the integrity of the second. And the integrity of individuals and of their ideas was the centre point of his thinking, as it had been that of his father's. Having discovered on this occasion that such assemblies could contribute little or nothing to constructive plans for the best and safest form of constitution, he afterwards kept clear of them. But he soon found other ways of exercising his sense of public duty and showing his interest in the forward movement of the country.

By the end of 1835 the Patriotic Association, founded in July of that year, seemed to be on the point of falling apart. This was hardly surprising. As the Australian said, such a society, made up of Whig, Tory, and Radical, Protestant, Catholic, Jew and Independent, can scarcely be supposed in its infancy to act with perfect unanimity. (1)

(1) Australian, 4 December 1835.
At the meeting in November even Jamison and Wentworth stayed away, and the proceedings were dominated by one Hipkiss, an inn-keeper, who had previously opposed Wentworth's idea that the directing committee should be chosen only from among the £5 subscribers. It seems that temporarily management had fallen into rather radical hands. Subscribers simultaneously dropped away, and the Gazette noticed that the list no longer included the majority of influential names, at whose particular instigation the Association was principally founded. Meanwhile the committee had entrusted to Wentworth the task of drawing up two alternative draft bills, which were to be sent off to Lytton Bulwer for him to support as the kind of legislative systems the Association was prepared to accept for New South Wales. These were despatched early in January. One provided for a nominated and an elected house, and the other for a single mixed council. The franchise was not specified since the committee had not been able to agree, but Wentworth sent advice that that used in England since the Reform Act was not to be a criterion, because property was so much easier to acquire and rents so much higher in the Colony. Both systems, especially the bicameral one, seem to have been derived from the Canadian Constitutional Act of 1791, the

(1) Sydney Gazette, 24 November 1835.
(2) Ibid.
(3) Sydney Gazette, 2 January, 1836.
latest statute to set up a colonial legislature on the British model. But there was one significant difference in that the provision in the Canadian Act against men who had been felons being candidates for election, was omitted in the Association's bills. (1)

Although membership had already started to fall, it was this last point, in James Macarthur's opinion, and other proceedings of the persons who took a leading part in that body, and made it entirely subservient to their own views, [which] opened the eyes of many colonists. (2)

Nevertheless Jamison and Wentworth still had the support of such leading settlers as the Blaxlands and Lawsons, numerous members of the Cox family and their relations, and in fact the substance of the old Emancipist party.

Another development at this time was the end of the Association's link with Donaldson and Wilkinson. Wentworth, presumably because he thought of the Association as designed for a special political purpose rather than to represent general grievances, objected to Stuart Donaldson, as being useless, and he seems to have been dropped, in spite of Jamison. (3) Nevertheless by March 1836 Donaldson had apparently given up his agency of his own free will. Donaldson's political opinions, some said, were "rather wildish", but he was no radical. (4) In May 1835 his son,

(1) ibid. See section xxiii of the Canadian Act.
(2) New South Wales; Its Present State and Future Prospects, pp. 266-7.
(3) Australian, 11 August 1835.
Stuart Alexander Donaldson, arrived in the Colony to enter Richard Jones's business with the prospect of being a partner. Since he prided himself on being a Tory, with little feeling for "the utter beastliness of the mass of the people", the younger Donaldson took an early opportunity of warning his father against further advocating the views of "the worst portion of one of the worst populations in the world", namely the Emancipist party, and it seems to have been on this advise that the older man ended his agency. (1)

Richard Jones also left the Association about this time, and began to take an active part in opposing its aims. Jones represents an important part of the upper classes, because of his conservative political views. He was prepared to subscribe generously to a campaign aimed partly at a representative system of government which after all was hardly a radical idea; but he was an old and solidly established member of colonial society with a rigid and keen adherence to traditional ideas about Church and State. It thus seems fair to say that he was conservative but not strongly authoritarian, a typical enough stand for an old merchant, and like many such people he was respected for his keenness even by those friends whose imagination gave them more flexible minds.

(1) S.A. Donaldson to his Father, 18 May 1836, 18 April 1836; Donaldson Papers, ML MSS A728. S. Donaldson to S.A. Donaldson, 31 March, 30 August 1836; Donaldson Papers, ML MSS A727-2.
Jones was distinguished in Sir Richard Bourke's time, at least among the more intelligent upper class colonists, in that he actively opposed the whole basis of Bourke's program of reform. It seems that he objected particularly to what he saw as the Governor's small concern about religion, a topic which will be dealt with in the next chapter, and Bourke's sensitive view of public opinion. In a letter to the elder Donaldson in 1834 he referred to Bourke as a disciple of "Carlile's school", a reference to a contemporary English radical famous for his writings in favour of freedom of expression and against religious dogma. (1)

The point on which Jones was most active was the question of juries. The quarrel on this point was a complex one, so much so that there is reason to believe that a lot of the time the different parties were wrong in their idea of what the other side wanted.

The first local Jury Act, which was passed by the Council in October 1829, applied only to juries in civil cases. It was the outcome of a good deal of discussion about how ex-convicts were to be qualified to serve. It would appear that Macarthur and Archdeacon Scott argued for the admission only of those who had been freed by pardon, thus excluding emancipists whose behaviour had forced them to serve their whole term, more properly called

---

(1) R. Jones to Donaldson and Lambert, 14 February 1834; ibid.
expirees. But they apparently agreed to give up this point, and trust to the discretion of the returning officers for the selection of trustworthy panels of jurors. (1) The only class that was specifically and permanently disqualified were those criminals who had been convicted twice. These regulations remained without substantial amendment for the whole of the period under inquiry.

The Act did not affect criminal juries, which were still practically all made up of military officers from regiments serving in the Colony, according to the ancient system. But on his arrival Sir Richard Bourke determined to end a practice so much at variance with English principles of jurisprudence. Despite the opposition of the Council he was able to force through a law in May 1833 which gave criminals the choice between a jury of civilians or one of officers, the former to be chosen as in civil cases.

The opposition to this Act came from six of the seven unofficial Members of Council, the exception being John Blaxland. Their argument was that the moral state of the population made it dangerous to trust a jury of civilians chosen with reasonable care. But having lost this point they and their friends began to press more particularly for greater caution in the selection of juries.

In the first place, the question of whether expirées were qualified to serve had not been completely settled, at least to the satisfaction of many of the magistrates, though they generally avoided the issue by simply not placing them on the lists.¹ The validity of Colonial laws depended on their conformity with British principles and the issue was often a very delicate one. In 1834 the Council formally asked the opinion of the judges on this point, and it was given in favour of the expirées.² At the same time Hannibal Macarthur and Richard Jones wrote privately to Donaldson and Wilkinson, asking them to secure the opinion of the law officers of the Crown, and sending money for the fee.³ This shows how strongly they believed that the maintenance of order depended on the composition of the juries, and how much they were concerned that issues in which their friends and members of their families might be involved as litigants or jurors should have a certain minimum standard of respectability. The answer presumably confirmed that of the local judges.

The next stage in this campaign was merged with the reaction of Jones and others to Wentworth's proposed constitutions, at the beginning of 1836. The time was then approaching when the New South Wales Act of 1828 was

¹ Notes by F. Forbes on the petitions, March 1837; CO 201/266 f. 474 et seq. James Macarthur to Sir G. Grey (his Statement), 9 February 1837; CO 201/267 f. 513 et seq.
² Judges to Colonial Secretary, 8 August 1834; V & P 1824-1837, Part II p. 127.
³ R. Bourke the younger to his Father, 1 September 1834; Bourke Papers, 12.
due to expire. Since it was generally admitted that the present Council was inadequate, each party hoped the new legislation might establish a system of power more suited to its tastes. The Patriotic Association having made two proposals, their rivals naturally sought a way to express their own views on the subject.

The result was two petitions, one to the King and one to the House of Commons, which were discussed at a number of meetings convened by Richard Jones during April and May 1834. A local committee was set up under his chairmanship. It included among others Robert Scott, Robert Campbell the Member of Council, George Macleay son of the Colonial Secretary, and James and Hannibal Macarthur. (1) A London committee was also planned, which apparently consisted of Walter Davidson, J. Studholme Brownrigg of the Australian Agricultural Company, and John William Buckle, a wool importer. (2) A network of organisers was also laid out. The support they received throughout the Colony was fairly substantial. The petitions eventually received 427 signatures, the great majority, if not all, from men of consequence. Almost a quarter came from settlers in the Hunter River district. (3)

The petitions were not nearly as constructive as the recent appeals by the Patriotic Association, though by presenting mainly grievances and suggesting no

---

(1) Australian, 22 April 1836.  
(2) James Macarthur to William, 18 December 1836; MP, 35.  
(3) Bound with New South Wales: Its Present State and Future Prospects.
comprehensive solutions, they perhaps conformed with one of the original aims of that body. Soon after they were drawn up, Jamison organised another public meeting to support a counter-petition opposed to what were considered the arguments of the petitioners.\(^1\) He received the support of thousands, which is significant for it shows him to have called forth a mass response, though needless to say a good number hardly understood the issue. This was a gathering to the call of single-minded leaders, as distinct from a merger of varying opinions combined by little more than concern lest Wentworth's ideas should be taken as completely representative of the Colony. But not even this concern was clear on the face of the petitions, which is perhaps why at least seven men found it possible to sign them while actively helping Jamison.\(^2\) Some of the seven had a record for being oblivious to faction. These included William Cox, and two sons-in-law of Richard Brooks. One of the latter was Alexander Riley's son William, a friend of James Macarthur's, who had returned to the Colony in 1833 with the advice of his father to "Keep clear of Politics, make as many friends as you can, low and high."\(^3\) He heeded only the last direction, and took an active part in both campaigns.\(^4\)

\(^1\) Australian, 15 April 1836.
\(^2\) Ibid, and 12 April 1836.
\(^3\) A. Riley to W.B. Riley, 17 July 1833; Riley Papers, 5.
\(^4\) James Macarthur to W.B. Riley, 27 April 1836; Papers on Education etc., ML MSs A 357.
The characteristic note of the petitions, apart from a general concern for morality, is their ambiguity. This may be seen in the several measures which they suggested for the consideration of His Majesty and the Commons for the counteracting of the "lamentable depravity of manners" that prevailed among the people. (1) In the first place, they asked that the possibility of ending transportation should be seriously investigated, along with the best means of encouraging the sort of migrants who would raise the moral character of the people. These points will be dealt with in the next chapter. They also urged caution in the granting of civil liberties, such as representative government, and a special consideration of the rights of the different classes of ex-convicts. Nowhere do the petitions clearly ask for the exclusion of ex-convicts as such from ordinary civil privileges, though, like the social attitude of many of the Exclusives, their tone gave some excuse for their opponents' opinion that they did, and that the petitioners wished "to divide the Colonists into castes." (2) Thus they expressed an objection to "individuals having undergone sentence of transportation for their crimes and other ignominious punishments, as well as persons of bad repute and low standing in society" being "placed as Jurors upon the same footing with Magistrates and men of unblemished reputation."

(1) Petition of Members of Council etc., HRA i, XVIII p. 393.
(2) Petition of Free Inhabitants etc.; HRA i, XVIII p. 402.
This seems to be a reference merely to the choosing of jurors on a minimal standard of property alone, which was apparently done in some places, at least in the first years of the jury system. The older Macarthur had objected to it in 1832, and it was certainly very like what he had believed to be the worst part of Macquarie’s convict policy, namely the placing of “the honest man and thief, upon the same footing.”(1) Yet this part of the petitions must have been easily misunderstood, and no doubt misled numbers of their supporters as well as their enemies.

There is similar ambiguity in the statement that "persons, who have undergone punishment for their crimes, and of bad repute" should not be admitted as jurors. More reliable as evidence of the committee’s real intentions is the suggestion at the end of each petition that it was necessary to decide in formulating any new constitution, whether convicts who had served their whole terms without being pardoned, and those with conditional pardons alone, should be automatically admitted to the legal rights which it was assumed were conferred by a full pardon. The same sort of concern for proof of moral character, as distinct from any more definite sort of qualification may be seen behind the suggestion that whenever representative

---

institutions should be granted, "property ought not to form the sole standard for the regulation of the elective and representative franchises."

But despite the fact that many of the petitioners, and three members of the committee, Jones the chairman, Spark the treasurer, and Robert Campbell tertius, had been members of the Patriotic Association, the petitions expressed the opinion that "it is still questionable, whether the Colony is prepared to enjoy the free institutions of Great Britain." The petitioners only asked that the "hold upon the public confidence" possessed by the present Council might be strengthened by its being enlarged and its proceedings made public. This last point, which was specially urged, shows that although they were conservative, the petitioners were not afraid of popular opinion. But they did fear the influence of the Governor, and alleged that his presence at Council meetings hindered freedom of discussion.

How much the petitions represent the views of the mass of their supporters it is impossible to know clearly. James Macarthur for one asked at a meeting late in May that the decision against a representative legislature be changed. He emphasised that the petitions were not the work of a faction, and, no doubt wishing that this should be clear to everyone, he moved that they commit themselves to having the Council put "upon a more popular basis."
meeting, chaired by his cousin Hannibal, rejected the idea. (1)

As for the petitioners at large, the fact that seven who signed them were active in supporting the address which Jamison drew up to refute them show how little the text of petitions can have really mattered. Nevertheless, several of the main organisers of the petitioners, such as Richard Jones and the younger Donaldson, who acted as liason officer with his father’s firm, were certainly conservative, and proud of it. Hannibal Macarthur was very likely the same. Some of this kind were no doubt able to justify themselves by logical argument. They might well have maintained for example, as many English politicians were to do, that while transportation continued, and a good part of the population were convicts, a representative system could never work in any promising way, for, as Colonel Dumaresq said, free institutions were impossible in countries “in which there are Conditions of People, whose Rights are unequal and dissimilar.” (2) But no doubt more basic was the feeling, one which was supposed to be characteristic of Tories at the time, that popular opinion did not matter much in public affairs, a notion that could not help but be strengthened by the fact that in New South

(1) Australian, 3 June 1836.
(2) H. Dumaresq, "Reflections suggested by the Address...", 6 November 1827; CO 201/187 f. 432.
Wales a good part of the population had been criminals. Moreover, in the Colony the prospect of people of lowly origin climbing into power and influence, as they had done already, must have been much more alarming than it could be elsewhere; as Francis Bacon says, "envy is as the sunbeams, that beat hotter upon a bank, or steep rising ground, than upon a flat." Combined with this resentment was a simple dislike of meeting ex-convicts in society, a feeling, in Hannibal Macarthur's words, that "the branded Felon can never be the Peer of the unconvicted Man."(1) Such prejudices no doubt made some of the petitioners wary when it came to the point, of asking for the kind of legislature whose members would have to go to such people for support.

It was arranged that the petitions should be taken to England by James Macarthur. He was apparently about to go for private reasons.(2) The main one seems to have been to see Edward about the family estate; another might well have been to find a wife. He is said to have almost married in the Colony a little before he undertook the voyage. From the obscure remarks of different members of the Bourke family, the lady was most likely the sister of his friend, Plunkett the Attorney-General. In England he was more successful.(3)

(1) H.H. Macarthur to R. Darling, 27 September 1830; HRA i, XV p. 791.
(2) Sydney Gazette, 2 June 1836.
(3) Sir R. Bourke to his Son, Richard, 21 July 1836; Bourke Papers, 6. G.K. Holden to the younger R. Bourke, 1 May 1836; Bourke Papers, 11.
James Macarthur therefore did not go specifically to represent the petitioners' views, although he had himself signed and was active in canvassing for signatures. He impressed upon Jones and the rest of the committee that he would not act as their "agent or Delegate."

I shall most cheerfully cooperate with the London Committee & render every assistance in my power. Beyond this I cannot pledge myself. (1)

He no doubt realised that on some material points he differed from men like Jones and Hannibal. But it would seem that as a general principle, he did not believe a man should submit his own thinking to be cramped, whether by a crowd, an electorate, or such a group as the Sydney committee.

While in England he made every use of his independence, although he could not escape the fact that he was seen as the representative of the other petitioners, and therefore had a certain duty to justify their opinions.

The first point on which he showed a distinctive attitude was the question of whether the petitions were in any way directed against the administration of Sir Richard Bourke. James Macarthur did all he could to clarify his position. During 1836 and 1837 the Governor was anonymously attacked in the London press, apparently by Mudie and an ally called Slade, who were then in England.

While James Macarthur noted in one paper, apparently with satisfaction, "a complete exposé of Therry", he also kept

(1) James Macarthur to R. Jones, 26 April 1836; Papers on Education etc., ML MSS A357.
up a close connection with the younger Richard Bourke, and advised him how to meet "those blackguards Slade & Mudie's attacks on the Governor & his family," attacks which were certainly coarse and vicious. He also wrote to the Colonial Under Secretary when they were published, to say that:

There are no terms in which I can too strongly disclaim the existence of any connexion whatever, between the Petitioners, and the Articles, reflecting upon the character and conduct of Sir Richard Bourke. (2)

This statement is not completely in keeping with the tone of the petitions. With regard to one apparent slight upon the Governor, James Macarthur hastened to explain. The petitions asked that the Governor might appoint and dismiss magistrates only with "the approval of the Executive Council." This is a fairly clear reference to Bourke's recent removal of four Hunter River settlers from the bench for misconduct, along with some higher officials whom he believed could not be useful in the magistracy. According to James Macarthur, all the petitioners really wanted was that the Governor should consult the Executive Council on such matters. (3)

Similarly, although "the fearful increase of crime that has of late years taken place in this Colony"

---

(1) James Macarthur to William, 18 December 1836; 7 June 1837: MP, 35.
(2) James Macarthur to Sir G. Grey, 2 January 1837; CO 201/267 f. 503.
(3) James Macarthur to W. Grant, 15 December 1836; CO 201/258 f. 373.
a clear reflection of the Hole and Corner argument—was mentioned in one of the petitions, James Macarthur made it the main point of his own case that

the evils they describe, have arisen, in a great degree, out of the very nature and constitution of Society, in New South Wales,

and so had existed since the very beginning. (1)

The course he took with regard to Sir Richard Bourke was no doubt largely due to personal friendship. But it also arose from a wish to keep his campaign clear of any hint of faction, and to "divest it of every trace of personality." (2) In the same way he would not take advantage of party feeling in England, preferring the strength of unanimity to the uncertain advantage of party interest. He wrote home to William, when the relative strength of parties became uncertain, "We are quite sure of fair play from a Conservative administration. Our obvious course is therefore to conciliate the Whigs." (3) Like his father, he believed that power was to be used rather than played with.

James Macarthur's opinions on the problems mentioned in the petitions as he explained them in London, are not always entirely clear, nor consistent. His judgment on matters of fact did not vary, but the conclusions he came

(1) James Macarthur to Sir G. Grey, 2 January 1837; CO 201/267 f. 505.
(2) James Macarthur to William, 9 December 1836; MP, 35.
(3) ibid.
to at different times about the decisions needed show a 
mind willing to test any line of argument reasonably based 
on the facts as he saw them. Years later, in a letter 
to the children of the school at Camden, he was to advise 
among other things that they guard against, "a self 
sufficient, arrogant, and contentious spirit."(1) 
Presumably he understood very well how his father had failed. 
He now showed an extreme wariness of holding up abstract 
ideas or opinions which would not bear compromise. Thus 
while he had his convictions and could offer definite 
opinions when pressed, the general tone of all his statements 
in London is mild, matter-of-fact and conversational, and 
reveals him as different from Wentworth as it was possible 
to be.

It is clear that he had a thorough dislike of any 
constitutions which would show on its face that New South 
Wales was inferior to other British communities, and in 
particular one which would so far deny the spirit of British 
law as to set up permanent legal barriers among the population. 
But he made no effort to avoid the fact that there existed 
a class, the expatriates, whom the law had already declared 
morally inferior, and yet who had every chance in the Colony 
of acquiring enough property to admit them, under a normal 
constitution, to full civil rights. He therefore suggested

(1) James Macarthur to the Children of the National 
School, Camden, 16 April 1855; MP, 24.
that as a class expirees should be excluded from the franchise and the jury list. But this proposition was only the starting point for a system in which no one was to be hopelessly deprived of such privileges. For he proposed that although convicts who served their whole term should not automatically be admitted to full citizenship, yet the principle of "rehabilitation" might be used, whereby such people might still, after a period of good conduct, apply successfully to have all their rights restored. (1)

These ideas may be compared with those put forward about the same time by Sir Francis Forbes, who was then in England. The Chief Justice was known by the Emancipist party as the "friend of freedom", a title which he had perhaps deserved, but which he certainly failed to live up to in London. Forbes suggested as a solution to the problem of ex-convict rights, a system more extremely exclusive than that of the petitioners, for he advised that not only expirees should be permanently excluded from full citizenship, but that an intermediate class of less deserving pardoned convicts might be provided for in the same way. (2) The late A.C.V. Melbourne has suggested a kind of deal between Forbes and James Macarthur, since the two saw each other in England, whereby Forbes became

(1) His evidence, Report from the Select Committee on Transportation (House of Commons) 1837, I p. 224.
(2) Notes by Forbes on the petitions, March 1837; CO 201/266 f. 503.
exclusive and James gave up an alleged opposition to the idea of an elected council. But James Macarthur's exclusive principles seem to be crucially different from Forbes's, and moreover are completely in keeping with his family's faith in moral and material progress, and in what they saw as its mainspring, the element of hope. He was therefore more wary than Forbes of bringing about that most primitive and deadening of all social evils, a class permanently set apart by law; an evil which the present condition of South Africa shows to be quite incompatible with the moving spirit of humanity.

The solution was therefore to give those in authority the power to choose, to bring forward the deserving and hold the others back until they changed. He had no doubt that the jury system was the best for New South Wales, and that a representative type of government should immediately be introduced, though he thought the Colony would be unready for such an unrestricted system as that proposed by the Emancipists for perhaps another seven years. But he was very keen indeed that these institutions would maintain the same high character that they traditionally had in England.

While he was abroad James Macarthur published a book which was meant to explain the opinions of the

(1) Early Constitutional Development in Australia, p. 234.
(2) His evidence, Report from the Select Committee on Transportation (House of Commons) 1837, II p. 12. New South Wales; Its Present State and Future Prospects, p. 139.
petitioners, and to present evidence which supported their case in the form of statistics and similar data. This book, called *New South Wales: Its Present State and Future Prospects*, was written in conjunction with one Edward Edwards, a journalist. Edwards seems to have done a good deal of the work of writing and putting the different parts together; but since James Macarthur supervised him closely the different arguments used and opinions expressed may be fairly accepted as his own. (1)

In this book he outlined a constitution in which his ideas on expatriates were enlarged so as to apply to the whole community. With regard to juries, he stated that they

should be so constituted as to prevent even a surmise of any implication, which operates almost as prejudicially to the institution as injustice itself. (2)

It was not intended, as he said elsewhere, "to exclude respectable men of any class", but he urged that greater power should be given to magistrates as returning officers, so that they might use more discrimination. (3)

From this point James Macarthur went on to propose a legislative system founded on the same principles, and in fact whose members were to be chosen by those qualified as

---


(2) op.cit. p. 80.

(3) James Macarthur to Sir G. Grey, 2 January 1837; CO 201/267 f. 502.
jurors. There was to one house having thirty or thirty-five members, with half or one third elected. Candidates for election should be qualified by being either magistrates, or by holding an equivalent "standing in society." (1)

Property qualifications for jurors at that time were only such as to exclude the labouring classes. As far as social class was concerned the electorate which James Macarthur proposed was therefore perhaps an unusually broad one for the time. From this point he was able to argue against the claim of the Emancipists that the petitioners were ultra-Tories. "Nothing", he said, "can be more fallacious", and he explained that in fact the system he had outlined was essentially the same as the kind which such radical politicians as William Cobbett and Horne Tooke wanted for England, namely one, in Cobbett's words, where "every innocent man in the community is entitled to vote at elections." (2) James Macarthur's argument here is a little obscure, and it is not clear whether he would have dispensed with formal property qualifications altogether. But nowhere in the book are they pressed as particularly important, and since at the same time he was asking for the end of transportation and other measures which would lead to the moral regeneration of New South Wales, it seems that he was considering a scheme which at this time was certainly not conservative.

(1) op.cit. pp. 133-136.
(2) op.cit. p. 134.
In doing so he apparently forgot the gentlemen whose views he professed to be representing, and it is not surprising that there was dissatisfaction among London people connected with the Colony, about "the course I have taken with regard to the Petns." But James Macarthur then reverted to his position of independence, and declared that he had satisfied his own judgment, and that "To please the Ultras of N.S.Wales I never expected." (1)

Nevertheless when it came to proposing and drawing up a constitution in detail for the approval of the Secretary of State, he was more cautious. It might also be said that he was more sensible, for there was obviously no way of ensuring that only gentlemen of proper "standing in society" would offer themselves for election to his council. Since the great objective was to create a legislature which would command universal respect, some means more effective than property qualifications had to be found to keep the wrong people out of it without giving the Government any improper influence over elections.

He therefore suggested a temporary system of double election. The Colony was to be divided into districts, each with a municipal council. These local bodies were to be elected by the people, and were to act not only as police authorities, but as electoral colleges with the power of choosing members for the legislative council.

(1) James Macarthur to William, 4 October 1837 (first letter); MP, 35.
Such a system, he believed, would prevent undesirable people becoming members and would get rid of "the difficulties of the Emancipist question." By this he seems to have meant the problem of keeping ex-convicts out of the Council, while at the same time not legislating against them. Like the proposals of the Patriotic Association, his bill had no such provision, but it did exclude both licensed publicans, who were notorious as the mortgagees of the lower classes, and expirees, from both the municipal and legislative councils. (1)

His suggestions for the franchise show how wary he was of laws which would discriminate in any rigid way against certain classes. In general, electors were to be qualified by the occupation of a tenement worth £10 per annum, which practically meant household suffrage and thus a more broadly based electorate than that existing in England. The bill was drawn up in conjunction with Charles Buller, the Member of Parliament who now represented the Emancipists, and the London committee. (2) From one of these came the suggestion that the sum be raised to £30 for expirees, but James Macarthur argued that if there were such explicit discrimination against that class,

its natural effect will be to separate them from the other Colonists & to form them into a discontented & dangerous faction.

(1) MP, 109.
(2) C. Buller to Committee of Australian Patriotic Association, 21 April 1838; Papers on Education etc., ML MSS A 357.
Such concern might have justified his objection to a law against ex-convicts as members of council, but in this context it seems rather exaggerated, and not quite consistent with the advice he gave at another time, when he was discussing how juries might be selected. He was then asked whether expirees might not agitate against their civil rights being denied them when they had not reformed, and had answered that

\[
\text{if such a law for the general good of the community were necessary, I should not think their feelings a reason for withholding it. (1)}
\]

It therefore seems fair to say that James Macarthur did not in fact fear that the expirees would be dangerous as a faction, and they certainly cannot have been a very influential group. But, having set minimal property qualifications, he did object to a constitution which was anything less than perfect in ensuring a chance of common civil rights to all who deserved them. Typically however, he steered clear of abstract principles, and tried to found his ideas on the firmer basis of fact. The general scheme fits his father's ideal of a powerful, efficient and sensitive government catering for and so encouraging the worthwhile ambitions of all its subjects.

(1) His evidence, Report from the Select Committee on Transportation, (House of Commons) 1837, I p. 274.
But having worked out this elaborate system, he came to the conclusion that it would never work. It was, he thought, altogether too complex and cumbersome, particularly for the present state of the Colony. It was therefore only left to him to suggest that the existing legislature be continued for the time being, though with the number of councillors increased so as "to include Men of all parties", and the debates opened to the public. (1) Nevertheless he assured the Under Secretary at the Colonial Office that

I shall cheerfully acquiesce in whatever course may eventually be determined upon, & endeavour by every means in my power to promote the successful working of the new act in the Colony. (2)

This advice was given in April 1838. A little later James was married by his friend Scott to Emily Stone, daughter of a banker of Lombard Street. She was a close connection of the Norman family and so of the circle of city merchants who had been John's good friends. As one of them told James, "a Stone is a good foundation to build a permanent edifice upon." (3)

Meanwhile the Government had given up the idea of a new constitution for the Colony for the time being. Doubt

(1) James Macarthur to Lord Glenelg, 10 April 1838; CO 201/282 ff. 304-5.
(2) James Macarthur to Sir G. Grey, 10 April 1838; CO 201/282 f. 307.
(3) C. Coles to James Macarthur, 12 May 1838; MP, 26.
and disagreement had become evident not only among the colonists. Several ministers had expressed their opinion that New South Wales was not prepared for a representative system. Moreover the state of the House of Commons was uncertain, colonial affairs were becoming an anxious topic, and "the government was not inclined to allow itself to be rushed into the adoption of any plan which might endanger its existence."(1) Therefore it was decided to continue the old system exactly as it was. The new Governor, Sir George Gipps, was advised to open the Council to the public, but representation of the people had to wait until the passing of the first Australian Constitutions Act in July 1842.

(1) A.C.V. Melbourne, op.cit. p. 240.
Chapter 12: Gravity and Gain

The final issue of the last chapter has been the question of morality, or rather the relationship of morality and freedom. The quarrel between the Exclusives and the Emancipists has therefore become one of some difficulty and importance. The general inferiority of the people of New South Wales in manners and virtue to any other British community was not denied by either party. But the Emancipists held that "the private morals & the public morals of the different individuals of a state are two distinctly different things." (1) They argued that freedom in its traditional English form was an absolute right, which might only be denied to Englishmen under extraordinary conditions. (2) But while some of them thought in such quasi-Whiggish terms, yet, particularly in the case of people like Dr Bland, their view was rather close to that of the radical for it led directly to the principle that the mere fact of being a man in the community gave one rights of the most important kind, character notwithstanding. (3) The view of the Exclusives, as far as they considered the matter one of principle, was entirely different. They held the more pragmatic opinion that actions within the system of authority were not the expression of liberty but the means of maintaining

(1) Memoranda, Australian Patriotic Association, August 1835, ML MSS C250.
(2) for example, Wentworth's speech, Sydney Herald, 31 January 1833.
(3) New South Wales; Its Present State and Future Prospects, p. 272.
it. Like most men who are actually entrusted with that task, they were concerned with the instruments of their power. In looking for the most effective means of using their authority, some of the Exclusives like many others in their position went so far as to forget the proper end of government. Nevertheless it is hard to deny the force of Macarthur's argument against representation in 1819, namely that no system of liberty could survive where there was a general lack of public and private virtue. (1) The opinion of James Macarthur in 1827, the period when Wentworth's ideas were most furiously expressed, has already been noted: "our radicals would break down morals in order to establish liberty. God defend us from such liberty." (2)

It is impossible in any study of early New South Wales society, to escape the importance of the question of morality. The settlement having been founded for men whom the Government had proclaimed stripped of their character, it was inevitable that disputes about integrity, or lack of it, should become part of almost every public quarrel in the Colony, and that social divisions should similarly have a rigid and vindictive edge. This meant that the stress which was generally given at the time to a man's position as an individual in society took on a peculiar

(1) His marginal note in the copy of Wentworth's book at Camden Park, p. 337.
(2) James Macarthur to John, 6 June 1827; MP, 35.
tone in New South Wales from the great issue as to whether he could fully maintain his position in the structure, with all its traditional obligations, when he lacked habits of decency and virtue. Rarely have the long term implications of the new kind of politics been so clear, for in most other countries democrats never had to go to the extent of emphasising that a man might be morally worthless and yet still have political rights.

It was noted in the tenth chapter that many radical social thinkers at that time, particularly those interested in education, thought of the useful citizen as a moral being. Rousseau for example saw education as the means of confirming the innate goodness of men's characters and making it socially effective, and thus as the best solution for the prevailing corruption and selfishness of governments. In so doing he represents the first stage in a rapidly growing emphasis on morality throughout the Western world. "By the beginning of the nineteenth century", according to an historian of the Victorian age, "virtue was advancing on a broad invincible front."(1) This process was a kind of reaction to the looser habits of the ancient regimes, but eventually it embraced a reaction as well to Rousseau himself in the opinion that man as the product of nature was inevitably wicked, and that only a devotion to evangelical religion and middle-class respectability could save him.

But it would seem that this last development was more immediately the effect of social conditions in the older countries than a part of a new set of theories. Perhaps for this reason it had a deeper and wider acceptance among ordinary people than the purer principles of Rousseau. In England during the first part of the Nineteenth Century anyone who considered the state of the poorer classes could see that misery on the one hand, and energy and initiative on the other, were two of the clearest facts of life. Thus they could conclude like Wentworth that "ignorance and poverty went together", and that in his native state man was comparatively worthless. Few but the best thinkers could keep up Rousseau's belief in the primitive nobility of mankind during that century, and by the end of it the ideas of Darwin had quite confirmed the common bias.

The movement of thought was not quite the same in Australia. Certainly there was a great enthusiasm for material progress, so much so that in 1840 the Australian said, "There is, perhaps, on the wide earth no place where the god Mammon has so firmly fixed his throne" as in New South Wales. This is not surprising when by that time so many of the colonists had come simply to make money. The longing for mere gain found its best expression in the early squatting movement, in which stock were simply driven

---

(1) Australian, 2 June 1835.
(2) 1 February 1840.
over the surface of the country, and squatters organised their stations for rapid profit alone, with something like the confidence of those who thought that "the world is but an oyster which they are anxious to open in order to get at the fat juicy interior."(1)

This attitude may also be seen in Sir John Jamison's first presidential address to the Agricultural Society in 1822, in which he had remarked, "There is no Eden in nature; all is from the industry of man."(2) But such a view was by no means universal in New South Wales. It may be compared with that of James Macarthur, expressed in his book about the Colony:

There, nature of herself, produces absolutely nothing in the vegetable kingdom for the food of man; but, to honest and persevering labor, nowhere does she yield a more grateful return. (3)

Certainly both judgments emphasise that action and work are all-important, but there is a significant difference between the two. It is meaningful that James Macarthur assumes a kind of mutual response between the character of the country and the industry of the settler; his descriptions of the land in the same book show moreover that he was quite aware of an "Eden in nature."(4) In this perhaps he was typical of those who had grown up in the country and had

---

(1) Sir W. Denison to E.D. Thomson, about 1848, quoted M. Roe, Quest for Authority in Eastern Australia, p. 56.
(2) "Prospectus, List of Subscribers, and Rules and Regulations, of the Agricultural of New South Wales..." (Sydney 1822), p. 4.
(3) op.cit. pp. 185-6.
(4) ibid. p. 185.
some affection for it. The difference between such a view and that which Jamison seems to have had is the difference between a distilling of wealth from the land and a sudden invasion of its nature. Perhaps the distinction is a very theoretical one, but it is of the greatest importance insofar as it clearly reflects one between power as a means of drawing out and enlarging the spirit of human freedom, and power as a bold expression of freedom and energy. It may therefore reveal a far reaching difference of personality and of general outlook. Also of course it is possible to see in the distinction something of the dividing line between the old and new kinds of authority. Previously men ruled by habit, and the fact of being in a powerful place was the beginning and not the end of one's career. Action was therefore generally a matter of duty. Now they were to rule because they used their energy and won the right to do so. The Macarthurs were remarkable in that they combined the new methods of achieving power with an outlook very like the old one.

The sort of relationship which James Macarthur implies is obviously more relevant to a new country, where the land still has some resilience, than to an old one. Thus the harsh approach of Sir John Jamison and the squatters is perhaps in a way less fitting in New South Wales than it might have been in England. Similarly, acquired manners and acquired piety, or in short, formal respectability, seem for a while to have been less a part of morality in the
Colony than they were at Home. In New South Wales it appears that until about 1840 there remained a distinct feeling in some circles that goodness of character was a quality linked with the country as such, rather than with forms of civilisation.

This feeling, in which perhaps can be seen the lingering influence of Rousseau, was confined to the native born, but amongst them it seems to have been very strong. Their distinct character, which apparently arose from "a sort of feeling and desire to show that they were a better race" than their convict parents, was noticed by numerous people. (1) I have already mentioned how Macarthur in his evidence before Commissioner Bigge, spoke with unqualified admiration of how almost without exception this group combined feelings of pride and independence with steadiness and sober habits. In 1823 Archdeacon Scott said, with characteristic enthusiasm, that

of all the youths I have ever met with in any country in which I have ever travelled, not excepting Great Britain & Ireland, [the native born of New South Wales] possess the clearest & most intelligent minds, the most undaunted courage, & when treated with mildness are the most tractable. They are conscious of their freedom, & tho' having daily the most horrid examples before their eyes are rarely if ever infected by them. They are extremely [sober?], moral & have very proper ideas of their religious duties. (2)

(1) Evidence of James Macarthur, Report from the Select Committee on Transportation (House of Commons), 1837, I pp. 176-7.
(2) Scott to R.W. Horton, 4 September 1823; CO 201/147 f. 348.
Bigge, in more discreet terms, gave the same sort of account, and told of how "very rare" were marriages between young men born in the Colony and convict women, due chiefly to a sense of pride in the native-born youths, approaching to contempt for the vices and depravity of the convicts, even when manifested in the persons of their own parents. (1)

These descriptions are so keen, that the phenomenon must surely have been very striking.

But it could hardly last. As late as 1841 the Governor, Sir George Gipps, remarked that in general throughout the community,

> The fear ... of being suspected of the taint of Conviction operates as a wholesome restraint upon those who are free of it. (2)

But the native class had by that time lost a good deal of its first significance. According to James Macarthur, about about 1826 when censuses ceased to distinguish them from other groups, and they became too numerous to be select, then they began to lose their self-conscious principles and "pride of character."(3)

James Macarthur gave this opinion and a description of the class to a House of Commons committee in 1837. They straightaway asked him, "Are you native-born yourself?"

The question was a pointed one, for in some significant ways

---

(2) "Report on the General State of the Colony", 14 September 1841; HRA i, XX p. 510.
(3) His evidence, Report from the Select Committee on Transportation (House of Commons) 1837, I p. 177.
he was a good example of his type. But being in rather
a different position from that of most of his generation
his reaction against wickedness particularly showed itself
in a strong sense of duty, and an ambition to wipe the
"plague spot" of convictism from the national character. (1)

His sense of duty is best illustrated in a letter
to John in 1827:

This is my Native land. I have ever
cherished a strong attachment for it.
I have hoped to be of some benefit in
my day. I have striven, as I ever will
to realise these expectations, by
attending as in my power to the duties
of the station in which it has pleased
an all wise providence to place me. (2)

To a certain extent he shared these feelings with his
younger brother William, to whom he was very much attached
and with whom he spent all his life. But William's
personality was of a sudden and buoyant kind. Like James
he had a strong sense of the community as a corporate body
which should have pure origins and pure aims. But he
combined a lack of any strong ambition with something of
that "fierceness of independence" which his father had
noticed in John. As a boy, according to Macarthur, William
had been a "good tempered thoughtless Fellow, very like
Edward in Character, altho' of a more lively temper." (3) As
a young man he was "universally beloved & well spoken of"

---

(1) James Macarthur to J.D. Lang, 29 July 1833; CO 201/235 f. 480.
(2) 17 May 1827; MP, 35.
(3) Macarthur to W.S. Davidson, 3 September 1818; MP, 1.
and his liveliness became an energetic but unpretentious interest in horticulture, exploration, and improvement of the solid but gradual kind. (1) James was described by his father at the same time as a "grave and thoughtful" boy, and his sense of duty was subsequently of a more steady sort.

Thus James combined a wish to be useful with a certain moral earnestness. The first seems to have been always dominant, and he was a man of common sense rather than a puritan. The issue is summed up in an incident at Epsom races in 1829, where he saw people getting past the gatekeeper without paying. He almost acted. "But", as he told William, "prudence gave me a pull by the hair & whispered what business is it of yours Mr. Jim." (2)

A good deal of James Macarthur's time during the 1830's was devoted to finding effective ways of raising the moral character of the people. There were three main solutions, namely education, the ending of assignment and of transportation, and the migration to the Colony of as many good and useful people, especially families, as it was possible to secure in England and find places for in New South Wales.

Transportation was the old and continuing evil. There were two parts to the problem. Perhaps the more urgent was the question of the management of convicts in

---

(1) Macarthur to John, 10 April 1830; MP, 3.
(2) 5 June 1829; MP, 35.
the Colony. In James Macarthur's opinion, as expressed in his book, there had been

a radical fault from the very outset in the want of sufficient number of settlers of respectability, and of fit persons to form a body of superintendence and police. (1)

If it had not been necessary to give responsibility for discipline and administration to ex-convicts and their kind, then, he said, transportation could scarcely have failed to be productive of consequences alike beneficial to the individuals and to the community at large. (2)

But, as was shown in the last chapter, James Macarthur tended actively to suppress his prejudices and principles, and almost to make a point of considering facts during discussion and coming to conclusions on the spot. Thus in 1857 when he was faced by the Commons committee with the actual question of whether assignment might now be made an effective punishment, since settlers were generally respectable, he answered that

it would be possible but exceedingly difficult; I doubt whether it would be practicable; there is a great difference I conceive, between its possibility and practicability. (3)

But at another time, when following up a different train of reasoning, he arrived at what was very likely his real belief, that transportation itself was the whole evil, in that it had caused

(1) New South Wales; Its Present State and Future Prospects, p. 32.
(3) His evidence, Report from the Select Committee on Transportation (House of Commons) 1837, I p. 277.
the original preponderance of the criminal population, and the constant infusion into the society of new and increasing causes of corruption. (1)

Such wavering shows a lack of precise thinking, and in this he was very unlike his father, perhaps purposely so. He was a very civilised man, and would no doubt have agreed with his brother John, that "the debauching of the mind" by lazy thinking is "much more poisonous and destructive" than "the enjoyment of wine and women." (2)

But the way he presented his ideas was not the most effective for a politician.

It seems that James Macarthur aimed first at the end of assignment, and as quickly as practicable the end of transportation. Professor Manning Clark has said that his expression of these ideas in his book "was both dignified and quaint", in that he tried unsuccessfully to combine them with "the material well-being of his family and his class". The book therefore "uncovered .... a division" in his mind. (3) Except for the fact that James, if he had been normal would perhaps have been thinking of his own interest, it seems hard to justify such a view, which particularly as it is an uncharitable one, needs some proof. As with Wentworth, Professor Clark seems to have found a flaw which on the evidence produced, need not exist.

(1) New South Wales; Its Present State and Future Prospects, p. 63.
(2) John Macarthur to John Whitaker, 21 October 1813; ML MSS Am 43-2/4.
(3) op.cit. II p. 323.
The petitions had asked for the same changes, but once again there is no way of telling how many of their supporters would have agreed on this point. James himself said in 1837 that "many persons in the colony" would greatly object to the end of assignment; Mudie for one wished for transportation to continue. (1) The convicts still made up a good part of the labour force so that the steady advance of the country and of individual settlers depended greatly on them.

James Macarthur suggested in the first place that assignment was not an effective means of punishment because it was in the interests of the settlers to treat their convicts well, a rather theoretical argument since by no means all settlers showed so much wisdom. (2) But he also argued that the sudden adoption of such a measure would undoubtedly operate as a serious check for a time, to the progress of the colony; yet as checks in vegetation invigorate the plant — causing the sap to descend, and the roots to strike deeper into the soil — so, when the first difficulties incidental to the change have passed away, the growth of the colony, springing from purer elements, would be more rapid, more vigorous, and infinitely more secure. (3)

But there were others not prepared to make any immediate sacrifices; and it should be remembered that the end of

(1) James Macarthur's evidence, Report from the Select Committee on Transportation (House of Commons) 1837, I p. 173. J. Mudie to J. D. Lang, 1 July 1833; CO 201/235 f. 469.

(2) His evidence, Report from the Select Committee on Transportation (House of Commons) 1837, I pp. 163-4.

transportation would have affected the Macarthurs less than most because they could better afford to pay free labour. Wentworth and the Patriotic Association in particular made the continuing of transportation part of their program when it became doubtful, and Wentworth scoffed at what he called the hypocrisy of the petitioners, whose wealth depended on the labour of their "white slaves."(1)

James Macarthur assumed when he offered these opinions that the scarcity of workers would eventually be made up by free labour, and one of the most important points in the petitions was the importance given to immigration as "the most obvious and powerful means of rescuing the colony from its present state of moral debasement."(2) In fact he had hoped that the organisation set up throughout the Colony to support the petitions might also be used to encourage settlers to take a greater interest in immigration.(3) His own family had been concerned with the subject for some time, as a means of adding to both the capitalist and the labouring classes. It has been noted that Macarthur asked for more rich men as early as the time of Governor Hunter, and it seems that by about 1825 he was also planning to bring out working class people, presumably to replace some of his convicts.(4)

(1) Australian, 15 April 1836.
(2) NARA i, XVIII p. 393.
(3) James Macarthur to C.H. Jenkins, 20 June 1836; Papers on Education etc., ML MSS A357.
(4) Macarthur to J.D. Lang, 17 November 1831; MP, 1.
While in England in 1828 James Macarthur urged the Colonial Office to use grants of land as "a bounty upon emigration." He argued that it should be made as easy as possible for new settlers to acquire land. This was to be done not only by efficient surveying, but also by keeping the quit rent levied on grants as low as possible and making it easy to pay, on the principle that the Government should give up short term profits and look only for certain prosperity in the long run. He suggested also that land sold by the Government should be made over on credit, and for an annual payment of five per cent interest.(1)

These ideas were not kindly received by the Colonial Office, where it was held to be foolish to give away land for less than it would fetch and improbable that the rate of quit rent would effect immigration. Hence not only was the comparatively high rent kept for the time being, but in 1831 the system of grants was ended altogether. From this date land was sold at the minimum price of five shillings an acre. The set of rules on which this new system was based were called the Ripon Regulations, from the fact that Lord Goderich, afterwards Earl of Ripon, was then Secretary of State.

These regulations resulted in a petition to the King being drawn up in the Colony, protesting that they

---

(1) James Macarthur to H. Twiss, 10 January 1829; CO 201/207 f. 208.
would discourage immigration. This address also appealed against the way payment for purchased land was enforced, on the same reasoning, and also against a Government Order of August which had demanded the paying up of arrears due on such sales.\(^{(1)}\) The petition and the meetings to approve it were organised mainly by James Macarthur and Wentworth. James Macarthur's motives are fairly clear. Ostensibly the chief purpose of the petition was to "prevent emigration from being severely checked, if not utterly destroyed", and it was therefore in keeping with his argument of nearly three years before.\(^{(2)}\) There is no need to assume he had any personal interest to serve. His family had reached a position where they could hardly expect more land grants; no one could object to five shillings as a minimum price for good land; and as he explained at the first meeting, "He had paid for the land held by him, and had no debts to government."\(^{(3)}\)

Wentworth was not in the same position. At least he made no effort to clear himself from insinuations made by other speakers. Moreover, after the first meeting was adjourned the order about arrears was rescinded, and when they met again Wentworth moved that the petition be abandoned, giving as his reason that "It is impossible not to admit that this was the most pressing object adverted to at the

---

\(^{(1)}\) Sydney Gazette, 26 November 1831.

\(^{(2)}\) Ibid.

\(^{(3)}\) James Macarthur's evidence, Report from the Select Committee on Transportation (House of Commons) 1837, I p. 172. Sydney Gazette, 3 December 1831.
last meeting." At which another speaker fairly retorted, "Will giving an extension of time to a few gentlemen be an inducement to emigrants to come out here?"(1)

But Wentworth's motion was made on behalf of the organising committee, of which James Macarthur was a member. For his part, he assured the meeting that "The Committee pledge themselves not to abandon the petition", though, he said, it would obviously have to be redrafted. He argued that time should be given to Governor Bourke, who had arrived only some weeks before, to form an opinion on the issue, since no change could be hoped for without his concurrence. Ultimately however the petition was abandoned, for not only did the new system have no visible effect on immigration, but it was soon discovered that the Secretary of State meant to use the money from landsales to encourage labourers to come to the Colony.(2)

Like the Macarthurs, Sir Richard Bourke hoped for the end of transportation and its replacement by free labour, as a means of effecting a "speedier improvement in morals."(3) During his first years the system of aided migration which followed the Ripon Regulations showed itself to be in some ways unsatisfactory because the Government had not developed administrative machinery which would ensure the good character and usefulness of the

---

(1) Sydney Gazette, 21 January 1832.
(2) ibid. James Macarthur's evidence, Report from the Select Committee on Transportation (House of Commons) 1837, I pp. 170-2.
(3) Sir Richard Bourke to Lord Monteagle, 19 February 1835; Bourke Papers, 9.
migrants. In October 1835 Governor Bourke therefore suggested the scheme which was to be known as the Bounty System. According to this plan private settlers were to find the labourers they wanted in England, and the Government guaranteed to pay most of the cost of passage if they came up to certain predetermined standards of skill, health and age.

The chief fault of this system was that few settlers could afford to employ an agent in England to select good workmen for them. The choice of people was therefore largely taken over by English shipowners. (1) But the Macarthurs were an important exception, for during the 1830's Edward became extremely keen on the subject of immigration. He conceived that it was "an Object, on which all Persons are agreed depends the Salvation of the Colony", and he gave it a good deal of thought and energy. By 1839 he could boast that he had supervised the embarkation of 238 people. (2) Many of these apparently qualified under the Bounty System, but Edward had definite principles of his own. The main purpose he said, was to

form the Nucleus of rural communities sufficiently numerous to repel the Influence of bad Example from without. (3)

With this end in view he came to an arrangement with the migrants by which they would eventually pay for their passage.

---

(1) R.B. Madgwick, Immigration into Eastern Australia, 1788-1851, pp. 157 et seq.
(2) Edw. Macarthur to H. Labouchere, 15 July 1839; CO 201/293 f.85.
(3) Edw. Macarthur to Sir G. Grey, 27 November 1836; CO 201/258 f. 203.
and it seems he made no particular effort to keep them within the limits set by the Government. (1)

The most important requisite, besides of course ability to work, was good character. For this reason families were preferred, for the family was a stable unit bound together by moral obligations. Thus Edward made no objection to large families of children, though they clearly would have been unprofitable in the short run. (2)

As William explained, "middle-aged men with large families are less likely to be restless and desirous of change." They were thus to be preferred not only with reference to the interest of proprietors, but also as regards the morals and good conduct of the labourers themselves. (3)

The Macarthur's came to a clear agreement with their immigrants. No extravagant wages were promised, but the new man, with his family, was to have a comfortable trip out, a good cottage, and the chance of having the cost of his passage remitted by a few years' labour. He might then look forward to receiving a flock of sheep on credit and the easy lease of a farm. (4) Again in the words of William, who had more to do with the results of the system than anyone else,

(2) Evidence of R. Towns before the L.C. Committee on Immigration, 1837; V & P 1824-1837 Part II, p. 646.
(3) His evidence before the L.C. Committee on Immigration, 1838; Minutes of Evidence p. 17, V & P 1838, II.
(4) Edw. Macarthur to J. West, 17 September 1836; MP, 22.
The certainty of being enabled, by steady and deserving conduct, to establish themselves and families at the expiration of a few years in comfort and independence, should be the inducement to emigrate, and not the expectation of great immediate advantage. (1)

The word "certainty" is the most important one here. The Macarthur's offered themselves as masters who could be trusted to repay the man who made an honest effort. Not only was their property and their future secure, but they made a point of providing good homes, sufficient schools, and weekly church services in an effort to ensure the kind of life which would encourage, improve and satisfy their employees.

Such a scheme was suited only to the long settled parts of the Colony. In the border areas and the squatting districts, the structure of estate management was in general totally different. Particularly in the squatting districts, there were no permanent establishments, for although after 1836 squatters were given licences to use the land these gave them no security of tenure, which meant that few made any lasting improvement to their runs. The business of grazing also involved a good deal of moving about, particularly in the case of cattle, and some seasonal unemployment. The normal employee was therefore a single man, with neither family ties nor ambitions of a steady long-term kind. To his master he was a means of

(1) His evidence before the L.C. Committee on Immigration, 1835; V & P 1824-1837, Part II p. 320.
productivity and little else. As one squatter said when talking about the problem of getting stockmen, "I speak of the men I employ merely as fitted for labour. I have no moral tie upon them. I consider them as a roaming class." (1)

The problem of finding labour was the natural result of the great influx of capitalists. By the middle of the 1830's the question of how the labour force was to be maintained and increased to keep up with demand became one of the utmost importance, particularly for those settlers who still had to establish themselves properly. For such men a great outlay might be wasted if workmen were not available to make it productive as soon as possible.

There were two sources of labour, convicts and free men. The supply of the first, the prisoners, quickly became insufficient in this time. In 1838 the Commissioner for the Assignment of Convicts reported that he had from 10,000 to 12,000 applications for servants which he was unable to meet. (2) The convict system therefore became something of an anomaly, or at least a peculiarity in an economy that was now forced to find more promising sources of labour.

This was not only because of the relatively small number of convicts, but because the scarcity caused a

(1) Evidence of W.H. Dutton before the L.C. Committee on Immigration, 1838; Minutes of Evidence, p. 44, V & P 1838, Part II.
(2) Evidence of G.M. Slade before the L.C. Committee on Immigration, 1838; Minutes of Evidence, p. 30, ibid.
laxness of discipline, which in turn meant that even those employed lost some of their usefulness. James Macarthur explained in 1837 that it had gradually become necessary for him and his brother to give up their old practice of paying attention to the reform of each man, and of sending back to the Government all those who would not improve. They could no longer arrange tasks according to the deserts or even the competence of particular servants. (1) This sort of system had always been difficult on remote stations, and these it seems particularly felt the growing difficulty of effectively punishing their servants, for most forms of punishment required the man to be away from his work.

Thus assignment was losing any effectiveness it had as a penal discipline at the same time as it was becoming less useful as a source of labour for the settlers. Also, at least in the opinion of James Macarthur, the presence of convict labourers was discouraging free ones from coming out. (2)

Whether this was true or not, the number of labourers immigrating was certainly not enough to make up for the scarcity of convicts. In June 1838 Sir George Gipps wrote that "Capital is I believe flowing into the Country faster than, for want of laborers, it can long continue to be advantageously employed." (3)

(1) His evidence, Report from the Select Committee on Transportation, (House of Commons) 1837, I pp. 164-5.
(2) Ibid. II p. 10.
(3) Gipps to Glenelg, 2 June 1838; HRA i, XIX p. 431.
One result was economic difficulties for the settler, and ultimately for the Colony, though the severe depression of the early 1840's had several causes. Another result was the end in some places of the stable, methods of agriculture and grazing which were the heart of the Macarthur system. For with the obvious lack of labour workmen began to demand wages which by custom, and according to their masters, were beyond all reasonable limits. In the remote parts the problem was particularly urgent because few new immigrants of the labouring class liked to go so far from Sydney. In those districts then, the stockman began to copy his master and think only of how he could gain most quickly from the new expansion. As a corollary, in the words of a settler from the Cassilis district, "a good character is here of no consequence, as the master is compelled to employ the first comer, without reference to conduct or character."(1)

Thus different parts of the working class began to assume an independent character rather like that bumptious democratic feeling which Macarthur had noticed amongst the ex-convicts in 1820, an attitude which seemed opposed to good order and the moral ties which, in any system of the traditional type, bound master and man.

Thus it happens ... that labourers who absent themselves from their employment are to be found banqueting on Foreign luxuries.

(1) Evidence of E. Hamilton before the L.C. Committee on Immigration, 1841; V & P 1841, p. 467.
said Edward Macarthur, and

altho' ... individuals ... are undoubtedly at liberty to spend their earnings according to their own pleasure, such incidents indicate nevertheless an unsound state of society.

One of the unfortunate results, he said, was a new Masters and Servants Act, passed by the Council in 1840, which increased the powers of employers. (1)

Such a radical fault could only be corrected by the interference of the Government. The structure of any economy, as Edward urged the Secretary of State, Lord Stanley in 1841, needs a "broad basis on which the social pyramid should rest." The Government had a duty to see that neither its "positive or negative measures" disturbed the system; but more than that it should take active steps to maintain it. (2) Such a thesis was derived from his father's ideal of the active executive, but it is perhaps more thorough going and in this Edward was in keeping with his time. During the 1830's colonial policy had become a fashionable subject for statists and economic theorists, and the discussions as to how the Government should manage the different parts of the Empire meant the end of doubt in that department at least that statesmen had a positive duty to interfere not only to maintain peace in the traditional way, but to launch long term plans.

(2) E. Macarthur to Lord Stanley, 3 September 1841; CO 201/315 ff. 55-6.
A most important step in this process of greater intervention was the beginning of aided emigration early in the decade to New South Wales, and in the 1820's to some other places.

But the implications of this new role, or rather these new duties, and exactly what general principles were to be used had not been well worked out by 1840. It seems fair to say that the Colonial Office was then going through an impressionable stage. There was a kind of reaction against any sort of interest bias; in fact so broad were the problems that now had to be solved that the main virtue looked for in courses of action seems to have been that they should favour no one in particular, and sometimes that they should ignore all interested evidence. As a result theories were adopted which were so idealistic that they occasionally had little to do with the real interests of any party at all, and so defeated their own ends. (1)

The most broadly based and important of these, the Wakefield system, will be mentioned again below.

In the abstract the Macarthur family seems to have approved such broad and comprehensive changes. In 1831 John had forecast without any apparent regret, the approaching end of the old aristocracy in England. (2) Soon after Edward similarly wrote, in a tone like Archdeacon Scott's, of "Great changes ... in Society, and in the minds of men." He added that he was "in no degree doubtful of

(1) Peter Burroughs, Britain and Australia 1831-1855, passim.

(2) John Macarthur to his Father, 6 January 1831; MP, 15.
a result, that will be of ultimate benefit to the mass of the people." (1) But applying these promising principles to reality was a different matter, and in general the Macarthurseem to have been against any forcing of fact to fit mere ideas. On this ground, a fairly narrow one, and if such labels can be made useful, they may be called a conservative family.

The same sort of interference by government, disinterested and permeating to all reaches of the community, may be seen in the new attitude to education. Characteristically Sir Richard Bourke was one of those who would have introduced a general system whereby all classes and denominations would receive some basic instruction.

Thus in the first place he objected to the preference shown in government subsidies to Church of England schools. He was a man of progressive and liberal ideas and an Irishman, and he was thus well aware of the dangers of linking any single Church too closely with the state. In general feeling in the Colony was similarly against an established religion. As the Governor said,

The inclination of these Colonists, which keeps pace with the Spirit of the Age, is decidedly adverse to such an Institution. (2)

His proposal that henceforth the three major denominations, the Anglican, Presbyterian and Catholic, should receive

---

(1) Edward Macarthur to his Mother, 5 May 1834; MP, 18.
(2) Bourke to Lord Stanley, 30 September 1833; HRA i, XVII p. 227.
regular assistance in their schools and parochial work according to numbers, was therefore well enough received.

Not so kindly treated was the project for a state system of education, which the Governor aimed to introduce to make up for the scarce facilities provided by the churches. This scheme, known as the Irish National system, conformed with Sir Richard Bourke's opinion that

the general Education of the People
... shd not be exclusively placed in
the hands of the Clergy. Education is
the business of the State. (1)

It had been working for some years in Ireland, where it had been designed to meet the difficulty of teaching children of different denominations, and to combine sectarian teaching with universal education. Clergy of the different churches came at regular times to the Irish schools to instruct children of their own communion, and religion was also provided for by the daily reading of certified extracts from the Bible, without comment or interpretation.

Bourke announced that he meant to bring in the Irish system, in June 1836. But the tendency of his thinking was already well known; and the Secretary of State Archdeacon Broughton had been informed of his intentions some three years before. (2) During a visit to

(1) Bourke to his Son, Richard, 7 November 1835; Bourke Papers, 6.
(2) Bourke to Lord Stanley, 30 September 1833; HRA i, XVII p. 231, 232.
England from 1834 to 1836 Broughton therefore made enquiries about the working of the system. (1) The information he gained confirmed his fear that it fitted Bourke's general plan to give the Colony "a scheme for disjoining religion from education", in that it set apart the business of religious instruction from the ordinary curriculum. More than this, the Irish system, in Broughton's view, was in its effect biassed in the Catholic interest, for the extracts to be read to the children from the Bible were only those approved by the Catholic priesthood for teaching to its people. To Broughton this tendency was anathema, for he was uncommonly fearful of anything which might appear as a Roman attack on the Anglican faith. In this case, he said, Protestant children would be made accustomed with the idea that only part of the Bible was allowed then. Such an idea was subversive of the true religion of the English churchman, and of the salutary dread and abhorrence of such a principle which ought to be uppermost in every Protestant mind. (2)

Broughton returned as first Bishop of Australia in 1836 and immediately threw his whole weight against Sir Richard Bourke's plans. His campaign was formidable not only because he was respected by all parties, but also because he had some knowledge of what the Irish system

(1) Broughton to R.W. Hay, 26 January 1835; CO 201/250 f. 135.
(2) Broughton to the Bishop of London, 30 September 1833; CO 201/235 f. 437. Broughton to Lord Glenelg, 22 May 1835; CO 201/250 f. 149.
really was, which few others in the Colony possessed. His point of view was thus readily accepted.

James Macarthur was one of those who seems to have changed from support of the plan to opposition after the Bishop's return.\(^{(1)}\) His main ground for disapproval of the Irish system was derived from Broughton's, for he argued that it did not "base education upon religion."\(^{(2)}\)

It is difficult to say precisely what James Macarthur meant by the basing of education upon religion. It is certain that unlike the Bishop, he did not maintain that the only really valid kind of education was that founded on Anglican teaching. Thus he held that

*the characteristic attribute of education, rightly conducted, [is] to implant religious and moral principles, [and] to instil and nourish the disposition towards good, instead of merely keeping down the outward manifestations of evil;*

but he went on to add that it should also aim

*to animate the hopes of men, and to excite their sympathies, instead of awakening their fears and appealing to their selfishness. \(^{(3)}\)*

This might be done, in William's words, by providing a system which would teach "all those principles on which Christians of every denomination agree."\(^{(4)}\)

\(^{(1)}\) Sir R. Bourke to his Son, Richard, 28 July 1836; Bourke Papers, 6.

\(^{(2)}\) New South Wales; Its Present State and Future Prospects, p. 229.


\(^{(4)}\) His evidence, Report of the Sub-Committee of the General Committee of Protestants, p. 125; MP, 84.
The overall result of such teaching, it seems, would be just that kind of religion which Broughton abhorred, one based on mere spiritual goodness divorced from the great truths of Christianity, as the Bishop saw them, namely the principles of the Anglican Church. But the Macarthurs considered dogma having as no part in education, and they looked for a system which would not merely teach, but "nourish", "animate" and "excite". As for the truths of the Anglican Church, James and William were keen churchmen, but they seem to have thought that truth was to be derived from and not impressed on human minds. The idea at least of William about sectarian differences shows perhaps better than anything how the family's love for strong authority might be distinct from any kind of totalitarian thinking, or ideas about absolute truth. William thought of the Almighty rather as the perfect model of a powerful and impartial master. In 1844 he explained that

I conceive the differences of opinion which exist in the Christian world, to be one of the means which Divine Providence has adopted to stimulate men's minds upon the subject of religion. (1)

It seems possible to see from this remark an important implication of his father's ideas about authority. Macarthur's principles were so firmly maintained and his personality was such a strong one, that it seems fair to study the thinking of his sons as more or less emanating from

(1) ibid. p. 126.
them. Whether he would have emphasised it or not, one
more quality may thus be added to the ruler of Macarthur's
ideal, besides his strength and his efficiency and his
care for the deserving subject, and this was his ability
to respond with perfect impartiality to the whole range of
ideas and prejudices seeking his attention.

At the time William expressed these opinions, in
1844, he and James had changed their minds again about the
Irish system. Presumably they had found after all that
it allowed proper religious teaching. At least William
believed from what he knew of it that it would be "very
desirable to introduce it here." He explained that when
Bourke had first made his proposals very few people had
understood them, and he added that those who objected to
them were generally not the ones who would have been
involved in the system, which aimed mainly to give education
to the poorer classes. (1)

Nevertheless in 1836 he and James had been among
those who signed a petition to the Governor and Council
objecting to the scheme. This petition, for which Richard
Jones seems to have been largely responsible, used the
argument that the Irish system was devised for a population
mainly Roman Catholic, which once again seems based on
Broughton's point of view. Therefore, said the petitioners,
it was inappropriate to New South Wales where although

(1) ibid. pp. 125-6.
there was a diverse population, as in Ireland, most of
the people were Protestants. (1)

There was also a second argument, one which James
Macarthur more or less repeated in his book, namely that
no such general system should be imposed on the people
without their obvious approval. The petition said that the
question should be deferred until the Council was placed
upon "a more efficient and popular basis." James himself
argued that such measures affecting the daily life of the
people should be carefully shaped to meet their wishes,
"and should as little as possible offend even their
prejudices." (2) Despite his original and his later
approval, he now believed not only that the methods of the
Irish system were wrong, but that it was not generally liked. (3)
The latter point was strengthened by the fact that it had
not been designed with that population in view.

Some time later James Macarthur expressly stated
his principles on this subject. He repeated that in any
such reform, "the opinions & even the prejudices of all
men should be treated with deference", and added that

every effort should be made to diffuse
the blessings of pure Christianity &
sound education throughout the Community;
 taking care that the Sectarian views, of
even the majority, should not be allowed
to wound the conscientious scruples of
the minority. (4)

(1) Petition to the Governor and Legislative Council,
September 1836; Riley Papers, 6.
(2) op. cit. p. 231.
(3) His evidence, Report from the Select Committee on
Transportation (House of Commons) 1837, I p. 176.
(4) James Macarthur to H. Oxley, 20 October 1856;
MP, 24.
Thus he considered government as having no sort of identity at all as an intellectual and moral force, except of course insofar as it was to be impeccably efficient and scrupulous and insofar as Christianity was assumed to be society's only religious foundation. Instead it was to respond to the entire diversity of views in the community. This attitude assumes a population made up of numerous parts, each moving according to its own opinions, prejudices, and lawful aims, and each thereby achieving an object of absolute value.

To ensure such a response on the part of the executive, James Macarthur believed that as far as possible it should be the parts as such that were represented in the Government. Thus at the same time he wrote that the "essential principle of our constitution ... is Representation of Interests & not of mere numerical proportions", which he said was "the English in contradistinction to the American principle."

He objected to what he called "Ultra-democracy", the system which relied on the simple feelings of the masses. Somehow, he believed, it should be not the emotions of the people but their real needs which were represented. It seems fair to say that he would not have agreed entirely with Edward when he wrote of colonial politics in 1832, and gave his opinion that by "proper interference" at the Colonial Office,
and a little previous arrangement & understanding amongst men of substance and character, there will be little to apprehend from the wordy. (1)

He held the same principle, namely that government was a practical business, which ought to be discussed by those capable of discussing it, but he also believed that as far as possible there should be some means of communication between the different parts of the community, so that not only "men of substance and character", but all respectable people, by which he meant those whose opinions were worth respect, should be heard on subjects which touched their interest.

These feelings are shown in his work as a member of the old Legislative Council. In 1839 a vacancy occurred in the Council, and although Sir George Gipps was rather unwilling to nominate him, because he was considered as the leader of a faction, James Macarthur was chosen for lack of any alternative, and took his seat on the 2 June 1840. (2) He immediately became a leading member.

But he himself had apparently accepted nomination unwillingly, and his activities show that he doubted very much how useful the Council could be as it was then constituted. (3) Nevertheless he made a great effort to render it as worthy of respect and confidence as possible.

(1) Edw. Macarthur to James, 6 May 1832; MP, 18.
(2) Gipps to Lord Glenelg, 3 April 1839; HRA i, 100 p. 82.
(3) William Macarthur to Edward, 4 July 1840; MP, 39.
His usual method was to move resolutions on matters which he believed would otherwise be ignored, his usual aim, it seems, being to stimulate discussion. In this he was generally successful. In July 1840 for example he presented a petition from numerous settlers asking for the introduction of labourers from India, and he moved that the matter be referred to a committee. But after three hours' debate, he withdrew the motion. (1)

Similarly in August 1842 he presented a petition from stockholders in the Bathurst district. This address was the outcome of a case involving one William Lee, a settler and squatter in the area. Lee's stockmen had moved his station on the Bogan into a region from which squatters were prohibited, and there had clashed with aborigines. As a result Lee's squatting licence was cancelled by the Commissioner of Crown Lands in the district. James Macarthur argued that Lee should have been given a chance to explain himself, and suggested that the authority possessed by the commissioners in squatting areas should be limited by independent bodies of magistrates, who might be appealed to in cases like that of William Lee. He moved for a committee to look into the question, but "after considerable discussion", the motion was withdrawn. (2)

(1) V & P 1840, p. 17.  
The same technique is particularly obvious in August 1840 when the Governor attempted to pass a bill setting up municipal councils throughout the Colony. James Macarthur moved numerous resolutions, some of which were rather meaningless, mainly because he wanted the matter properly aired, and "to afford an opportunity of discussing the propriety of proceeding by resolutions." He took particular pains with the several different aspects of the business. The councils were to be elected on a broad franchise, and thus he considered

They were, in fact, laying the foundation of what hereafter would become the free institutions and government of the Colony ... therefore they could not be too cautious.

He suggested that the proposals be sent home for explicit approval and that meanwhile a census might be held and data collected which would show the wisdom of such a reform. It was not that he disagreed with the change, for he was a strong supporter of the idea of local institutions looking after their own interests. He had suggested municipal councils as part of his 1837 bill, and he was to adhere to the idea into the 1840's after most others had given it up. But he quoted Lord Burghley: "Let us wait a while, that we may make an end the sooner."(1)

(1) Australian, 8 August 1840. James Macarthur to Statham and Forster, 9 August 1844; MP, 31.
For the same reasons, he argued that it was necessary to "agitate" the question out of doors, to test the opinion of the people. After all, both parties in the Colony had said in 1836 that the Council in its present state had no hold on the popular feeling. "How could they pass that bill in the teeth of such a declaration", he said in Council, and without giving it that consideration necessary upon all important public questions to bring them to a sound conclusion? (1)

The Municipal Corporations Bill also revived momentarily the Emancipist issue. According to the proposed law pardoned convicts and those expirees who had been free seven years were eligible for election to the local councils. James Macarthur presented a petition against the relevant clause signed by 434 people, and declared that "in its principles he entirely concurred". It was to prevent discussion on this issue, and the "revival of ... agitating and exciting feelings", that the Governor decided to drop the measure for the time being. (2)

Part of the object of the councils was to raise funds by local taxation to maintain police and roads. There was some objection in the Colony to such taxation, particularly for the purposes of police. In this issue James Macarthur showed the depth of his feeling for principles of

(1) ibid.
(2) Australian, 20 August 1840. V. & P 1840 (19 August 1840).
constitutional liberty. It has been seen that he usually avoided abstract principles, and he was certainly not given to fiery declamations, but on this point he declared in Council, in the strongest language, that he would rather suffer his right hand to be consumed in fire, nay, that he would sacrifice his very life, rather than recognise the competency of the Legislative Council, as it was then constituted, to impose any direct and comprehensive measure of taxation upon the free inhabitants of this colony. (1)

For this stand James Macarthur has received little credit. The late Dr Melbourne's interpretation is that he and the other "exclusive" and unofficial members who supported him, "for reasons which concerned their own interests, were beginning to identify themselves with the popular opposition."(2) What particular interests they were serving is not explained, or at least it is not shown why these interests should have so outweighed the advantages of law and order, and the added power which the magistrate class would presumably have got from membership of the councils, particularly in the country areas.

Dr Michael Roe thinks that James Macarthur acted in this way from a wish to emulate the great Hampden. This was because of Hampden's "country-squire background", for Dr Roe seems to assume that a good deal of what the richer

---

(1) Australian, 16 July 1840.
(2) A.C.V. Melbourne, Early Constitutional Development in Australia, p. 185.
people in the Colony did come from a basic and overwhelming desire to copy the English gentry. He represents this as a desperate venture, opposed to common sense and to a certain coeval love of democracy which is part of the Australian way of life. (1)

Such an approach is a common one. It has received the fullest treatment by Professor Manning Clark, who considered that James Macarthur's political life was based mainly on an antipathy to

the men with dirty collars, the publicans, the loud-mouthed, the course and the vulgar who were clamouring to take over the government of New South Wales. (2)

The main point in such a thesis is that it explains most of the political activity of the times in terms of sentiment, or more exactly as depending on the disgust of one class for another. The resentment of the lower class for the upper, where it can be shown to exist, is not so essential for it is commonly treated as fair and only natural. In the same way Dr Melbourne tends to assume that the aspirations of men like Wentworth were on the whole completely worthy, while those of his opponents were almost without exception based on self interest.

In several ways the thesis is unsatisfactory. It involves ignoring intellectual issues in favour of more simple and unpleasant ones, and it shows a positive lack of

(1) M. Roe, op. cit. p. 44.
(2) C.M.H. Clark, op. cit. II p. 324.
sympathy with many of the most enlightened members of the colonial community. This in turn leads to some loose exposition. There can be no doubt that James Macarthur thought loud mouthed people could be of little use in rational discussions on important affairs. This is not a point worth contesting. But Professor Clark nowhere shows that publicans had the slightest ambition in any sense to take over the government of New South Wales. Much less does he show that James Macarthur was foolish enough to believe they did. According to the political ideas of the time they and their kind could never under any system have been more than a very small influence in national affairs. As for dirty collars, it has never been proved that they constitute a force in early Australian politics. On the contrary it seems very likely that most settlers rather took them for granted. William for example, especially in the months when he was spending all his daylight hours sorting wool, must have developed a kind of immunity to such things.\(^{(1)}\)

Thus the thesis leads to a basic misunderstanding of the period. In the first place few settlers could afford to be overscrupulous about the superficial habits of the people they dealt with. In the second place such an emphasis on snobbishness ignores the fact that the class structure of society was one of the most certain facts of

\(^{(1)}\) William Macarthur to Edward, 4 July 1840; MP, 39.
life. It also means forgetting that the constitution of New South Wales was originally an authoritarian one, and although I have not fully developed this point, it has been noted above that firm and tolerant authority was more typical of the community than any other political method in the early period. To imagine that such a power structure was intrinsically evil seems hardly warranted, in that it leads to a wholesale condemnation of the upper class, and thus to a point of view which surely makes for a bad beginning in any balanced study of the period.

This is not to deny that late in the 1830's the upper classes took up a new stand in colonial politics. The immigration of the decade had not only increased their numbers, but added to their dignity. Many of the new capitalists, most of whom became squatters, could boast proud and wealthy backgrounds. In 1840 Governor Gipps in a description of the squatters, reported that

Young men of good family and connexions in England, Officers of the Army and Navy, Graduates of Oxford and Cambridge are ... in no small number amongst them. (1)

Thus at the same time as the upper classes began to feel their interests as a class threatened by economic pressures, their ranks were becoming more diverse and interesting. One result was the successful formation of a social club in Sydney in 1838, called the Australian Club, designed

(1) Gipps to Lord J. Russell, 19 December 1840; HRA i, XXI p. 130.
specially for the most respectable members of the colonial community. Its founder was the younger Stuart Donaldson, who by then had virtually the sole management of what had been the investments and affairs of Richard Jones. The core of the Club's membership were Donaldson's particular friends and the old clients of his father's firm, and it is not unlikely that Donaldson hoped to increase his custom among the graziers by means of the new connections the Club would bring him. It was therefore a direct manifestation of the squatting expansion. In 1839 Donaldson was able to report that it was "doing very well; all the aristocracy of the country are in it." (1) This seems to have been a fairly accurate comment. Certainly Sir John Jamison was an original member, and so was Wentworth's brother, so that membership cut across party lines. But Wentworth himself did not join until some years after its foundation. And there were numerous rich settlers who might be expected to have been included, but who did not seek, or were not offered membership in the first few years, most prominent among these were families from the Western districts, including the Lawsons. Neither were any of Robert Campbell's family members, which is another proof of the way they maintained a tradition begun at the Rebellion of staying aloof from upper class affairs. Thus it would seem that some subtle divisions remained.

(1) S.A. Donaldson to his Father, 14 April 1839; Donaldson Papers, ML MSS A728.
Despite the growth of the upper class, the Macarthur family easily held their position as the foremost combination of wealth and intelligence that the country could afford. The Camden branch were somewhat aloof, not very numerous, and most of them were approaching middle age, but Hannibal's home seems to have been the particularly happy centre of a small and self-contained society. Hannibal had several daughters who were at that time charming and very handsome girls. They and their brothers, and several young settlers from Aberdeenshire, friends of Walter Davidson and the Farquhars made up a party which was both gay and enterprising. In the opinion of one of them Hugh Gordon, who married Mary Macarthur, "of all the families I know the Vineyard is the best. They are quite distinct." (1) Different members of "the happy society of delightful Vineyard" made up a fair proportion of the pioneers of the period, particularly in the north. (2) Patrick and George Leslie, for example, with some friends, were among the first settlers on the Darling Downs. They both married daughters of the family, and so did Captain John Wickham, who had done valuable exploring work around the northern coast of the Continent, and later became the first police magistrate at Brisbane.

With this greater refinement of the upper class went an increasing identification, with the interests of the

---

(1) H. Gordon to James Gordon, 23 September 1836; Gordon Papers.
(2) W. Leslie of Warthill to Hugh Gordon, 18 July 1840; Gordon Papers.
Colony as distinct from those of the Mother Country, partly as a reaction against the theorists who were then seeking and often securing the ear of the Secretary of State. In this activity Edward Macarthur took an uncommonly vigorous part, and began to write letters to the Colonial Office on behalf of the colonists in a tone very different from the courtly phrases he had been accustomed to use.

Some of the problems of the time were purely constitutional ones, such as that of the municipal councils. In these the older and richer settlers were mainly involved, because they were especially concerned with local administration in the well settled areas where the councils would have been centred, and because they were to an extent the natural leaders of the people, particularly in cases where the constitutional issue, however important, was rather a fine one. A similar conflict arose from the decision at Whitehall that the cost of police and gaols, facilities largely for British criminals, should be borne by the colonial revenue. This caused a long agitation in the Colony, and a letter from Edward to the Secretary of State. (1)

Some issues, while they involved the relationship of the Colony with the Imperial Government and were thus matters of general principle, nevertheless touched most closely the interests of the rich settlers as a class. But

once again it was the older settlers who took the lead at this stage, perhaps because they lived closer to Sydney, and because they already knew each other well and easily organised themselves. An issue which comes under this heading is that which arose from the Home Government's practice of using colonial land sales money for other purposes than immigration, despite its virtual promise that such money would be used wholly for the Colony's good, and especially for sending out labourers.

This was noticed by a Council committee in 1838 but it was in the following years that it became a cause of serious complaint.\(^{(1)}\) The main culprit was supposed, with some justification, to be the Colonial Land and Emigration Board, a commission set up in 1840 by the Secretary of State, Lord John Russell, as an auxiliary and advisory body connected with the Colonial Office. In March 1840 Edward felt obliged to write to the commissioners in polite terms accusing them of "having diverted from their legitimate object some two or three hundred thousand Pounds of Colonial Monies."\(^{(2)}\)

The fact that so much colonial money remained in the Treasury for general purposes was partly the result of the suspending of government emigration. At the same period, that is in 1840, transportation to the Colony finally ended.

\(^{(1)}\) "Report from the Committee on Immigration ...", *V & P 1839, II.*
\(^{(2)}\) 18 March 1846; CO 201/315 f. 73.
Although, according to Edward, "the measure was, being received alone, deemed by some as politic," its effect combined with the partial ending of immigration was a shortage of labour more serious than ever. Edward was induced to write to Lord Stanley, the Secretary of State in 1841, to protest that

Between the Colonial Office, the Treasury, and the Colonial Land and Emigration Board, each deciding according to some special law of its own, and each repudiating every other measure but its own,

New South Wales was being ruined. (1) There were several meetings in London of merchants interested in the Colony to draw the attention of the Secretary of State to the shortage of labour. All the City men it was possible to interest seem to have given their support to one or more appeals, but John Abel Smith and J. Studholme Brownrigg, both connected with the Australian Agricultural Company, took leading parts. (2) In March 1841 several business houses combined to plan "The establishment of a powerful association ... to supply New South Wales with labour." Among them were those of Walter Davidson, and of Stuart Donaldson, now called Donaldson and Lambert. (3) This was perhaps a response to a similar project discussed in the Colony in the previous July, in which nine gentlemen were involved, including Richard Jones, and James, William and Hannibal Macarthur. (4)

---

(2) J. Abel Smith to Lord Normanby, 7 March 1839; CO 201/293 f. 498 J.S. Brownrigg to Lord J. Russell, 20 April 1841; CO 201/314 f. 15.
(3) Address to Lord J. Russell, March 1841; CO 201/315 f. 403.
(4) Australian, 11 July 1840. See also 12 December 1840.
One of the other four behind this "Immigration Association" was the older William Lawson, an inveterate supporter of the Emancipist Party, and one of the largest graziers in the Colony, so that this is an example of the ending of party divisions in a common cause. But while the Macarthurs may be seen here as standing their ground, elsewhere combination could only come from their partly giving up their old aims. So serious was the problem of labour in 1841 that James and William, in spite of Edward's protests, were persuaded to join an appeal for the revival of transportation, so that convicts might be used for public works and so release perhaps a few free men for private employment. (1)

The conflict which most clearly involved the interests of the upper class alone was that which is generally held to mark the formal end of the old party division. In 1840, on the advice of the Land and Emigration Board, Lord John Russell decided that New South Wales should be divided into three. (2) The Board was very much influenced in all its thinking by the theories of Edward Gibbon Wakefield, according to which the best colony was one where the people were concentrated as much as possible, it being assumed that most would be farmers with limited areas of cultivated

(2) Russell to Gipps, 31 May 1840; HRA i, XX p. 641.
ground. Ignoring the fact that New South Wales was a pastoral country, they advised the Secretary of State that firm boundaries should be drawn around the Colony, and that settlement be tightly controlled.

The Board reasoned that the area at present governed from Sydney was peculiarly large, and therefore other provinces should be set up under separate administrations. The northern and southern boundaries of the old colony were therefore to be the lines which then divided the settled counties from the squatting districts. This was a rather arbitrary division, since those lines had originally been drawn mainly for the convenience of the colonial surveyors; according to Edward,

the best reason that could now be assigned for giving a character of permanency to limits which are thus rendered the boundaries of the "Middle or Sydney District", is, that the more recent the Map of Australia, the more glowing the tints of the London topographer by which those limits are defined. (1)

By the objections in the House of Commons from Sir Robert Peel, who apparently acted on the instigation of Edward Macarthur, the full scheme was indefinitely postponed. (2) But as a first step Lord John Russell had already ordered that in the southern district a system of land sales according to a fixed price of one pound an acre should begin, a course in keeping with Wakefield's principles. Governor

---

(1) Memorandum, E. Macarthur to Lord J. Russell, 8 August 1840; CO 201/305 f. 121.
(2) Sir R. Peel to E. Macarthur, 28 August, 1840; CO 201/315 f. 77.
Gipps increased his standing in the Colony by protesting strongly against an order which would have had a chaotic effect on settlement in the south. (1)

The news that a permanent division of the Colony had been contemplated brought an instant reaction amongst those who would have been most affected. Virtually every grazier of any substance living within the settled counties had squatting runs beyond the limits, and the older settlers in particular, who had generally spread through the counties of Camden and Argyle, had their stations in the southern districts. They argued that the setting up of a new system of land sales in that area would endanger their interests there, and that a new government to administer the whole southern region would make them subject to two masters and lead to the end of a land sales fund for immigration to the old colony, for virtually all the land was already sold within the settled counties.

A public meeting was called in Sydney in January 1841 to discuss the issue. The main speaker was James Macarthur, who pointed out that Wakefield's scheme "was merely theoretical, and could never be found to answer in practice", particularly in such a colony, that "New South Wales is by nature a pastoral country", and that "in order to render this natural advantage in the highest degree available", the livestock of the settlers must be allowed to expand over

(1) Russell to Gipps, 31 May 1840, Gipps's memorandum, 19 December 1840; HRA i, XX pp. 643, 122.
the country without hindrance to the greatest extent needed. Subsequently a committee was appointed consisting of himself and William, Dr Bowman, Captain King, Sir John Jamison and eleven others, who were given the task of drawing up resolutions which would support and explain three petitions to be sent to the Queen and the two Houses of Parliament. (1)

These resolutions were moved and accepted at a second meeting early in February. Despite the fact that the occasion was a great success, and saw combined, according to the *Australian*, all the "wealth, influence, and respectability of the Colony", its purpose was a little vague. (2) The measure which it was meant to oppose had already been withdrawn, so that it was perhaps really a show of strength on the part of the richer settlers, who were concerned that a body in England which could in no way be called to account should show such small regard for their property and their ambitions. Thus the part played by Charles Campbell, a son of the old merchant Robert Campbell, presents a close analogy with his father's position during the Rum Rebellion. He and another Robert Campbell, presumably his brother, were the only large landholders who objected to the course taken by the meetings. Charles Campbell argued that the matter should be dealt with in a more formal way, by the Legislative Council, and that the

(1) *Australian*, 9 January 1841.
(2) ibid. 6 February 1841.
resolutions would appear to the Home Government as "the meddling endeavours of a set of persons who were jealous of the acknowledged prerogative of the Crown." But James Macarthur answered that it was by such meetings, wisely used, that the colonists would

prove their capability to receive and duly appreciate those institutions of free and representative government which were so necessary for their welfare. (1)

It was at this meeting that James Macarthur made the famous announcement which is generally held to mark the end of the strife between Emancipist and Exclusive. In his speech he left for a while the subject at hand, and went out of his way to state clearly that

With regard to what was usually termed the Emancipist question, his firm opinion was that the more advisable course would be to allow it totally to die away, so that in future years it might be forgotten that such a stain had ever rested on the colony.

This statement, which was greeted with cheers, is little more than a repetition of the opinions he had expressed in 1837, when he had tried to draw up a constitution for the Colony which would permanently dispose of "the Emancipist question." But it is significant that he now made it publicly. Presumably James Macarthur now knew that it would no longer be dangerous to commit himself in such a way; that the jury question was settled, and that everything that could ensure the character of the new legislature

(1) ibid.
would be done without him. For between the first and second meetings Sir George Gipps had written home about a constitution proposed by the Colonial Office, arguing strongly against any ex-convicts being allowed to sit in the new Council. (1) Whether James Macarthur knew of this despatch or not, as a Member of Council with direct access to the Governor, he must almost certainly have known Gipps's feelings on the bills suggested by the Home Government. Had he and the other members of the upper class been more in the confidence of Sir Richard Bourke, they might similarly have discovered that he too disapproved of ex-convicts in Council. (2) A good deal of strife might thereby have been avoided, for the Governor's opinion on such matters always held more weight than any body of colonists could hope for.

James Macarthur went on to say,

he was well aware that these opinions would be regarded as new to him; but they were such opinions as he had always held — opinions which were recorded under his hand in Downing-street itself, although he had been content to bear the odium of holding opposite ones until a proper time should arrive, when he might clear himself from the charge.

This statement has generally been interpreted as a mere political manoeuvre. Dr Melbourne for example, although he saw the Colonial Office papers, does not seem to have believed it. (3) The Australian Dictionary of Biography.

(1) Gipps to Lord J. Russell, 13 January 1841; HRA i, XX pp. 186-7.
(2) Sir R. Bourke to his Son, Richard, 26 December 1835; Bourke Papers, 6.
(3) op. cit. pp. 259-60.
in its treatment of him, says that

Macarthur announced that he no longer opposed the constitutional aspirations of those emancipists whose industry had won them wealth and respectability. (1)

In view of what James actually said, this latter interpretation not only misrepresents his statement, but implies once again that he was lying about his previous opinions.

It is best to consider first whether this announcement was an epoch making one, a question which depends on how important the Emancipist issue was beforehand. I believe that there are several clear facts which together sum up the business. In the first place a good part of the richer and more scrupulous colonists generally liked to avoid ex-convicts in society. They and probably many others also had a strong desire to keep ex-convicts of all kinds out of places bearing dignity or responsibility, and particularly out of any legislature which might be established in the Colony. But in the second place they were generally not inclined to oppose the admission of any ex-convict who showed he had risen above the criminal class, to the full measure of civil privileges at the same time as every one else. At least there is nothing to show that the majority were so opposed, and the support given by many so-called Exclusives to the Patriotic Association at least

(1) Vol. II p. 152.
shows that the matter hardly worried them. James Macarthur's statement therefore, as far as the realities of party politics go, marked no epoch but merely cleared up misunderstandings.

Similarly, as I have shown, it does not seem right to believe that in making this statement James Macarthur was being in any way inconsistent or disingenuous. In fact, as it has been fairly well implied above, he was incapable of such dishonesty. The interpretation of Dr Melbourne and of the Dictionary therefore seems based on a misunderstanding of his character and of the lofty principles of his family. This is unfortunate, not only for the sake of their fame, but because it leads directly to a mistaken view of the general moral standards of the leading colonists, an important aspect of the times.

But it must be admitted that the Macarthurs made for themselves a very vulnerable position in this regard. It seems fair to say that James Macarthur, despite the fact that he was not an expert politician, had the main ingredients of political greatness, namely the highest standards of integrity combined with statesmanlike vision. Unfortunately the first is not a quality that is much understood or appreciated from far off, and like his father he valued it too highly, or took it too much for granted, to push it forward for short term ends. Thus his efforts to free the Colony from a reputation which would have hindered its best hopes, and to ensure that it was ruled by perfectly honest and respected men, whilst they can have done nothing
but good, injured his own standing among the people.
The fact that he acted thus while knowing the consequences,
itself shows devotion of the most worthy kind.
Appendices:

A. Macarthur's Ideas on Convict Management.


C. Macarthur's Ideas on the Colony's Social and Economic Future.
Appendix A.
Macarthur's Ideas on Convict Management.

i. Macarthur to J.T. Bigge, 7 February 1821 (Macarthur Papers, 1):

I am of opinion that no occupation except agriculture is to be found, at this period, in New South Wales for any considerable number of convicts, which would make a return to defray the cost of their provisions; even taking it for granted, that the most economical mode of feeding them were to be adopted. By agricultural labour, I conceive, it would not be difficult to make every man, who has strength to work, produce more than would be requisite for his own subsistence; and such convicts as have been brought up to that employment could certainly, with the assistance of cattle, cultivate land enough to furnish bread for ten times their own number.

From every observation I have been enabled to make upon the character & conduct of convicts, both during the time of their servitude and when they are restored to freedom, I am confirmed in an opinion, that the labors which are connected with the tillage of the earth, and the rearing and care of sheep and cattle, are best calculated to lead to the correction of vicious habits. When men are engaged in rural occupations, their days are chiefly spent in solitude, they have more time for reflection and self examination, and they are less tempted to the perpetration
of crimes than when herded together in Towns, amidst a mass of disorders and vices.

I should certainly recommend the cultivation of Indian Corn as the most beneficial employment of the generality of the convicts: because every man and woman, however ignorant of labor, may be easily instructed in the whole process of its culture, and preparation for food. It is a grain much better adapted to our climate than Wheat, it is exceedingly nutritious, it is not liable to casualties in unfavourable seasons, and it is, in fact, the only corn the lower class of settlers use in their families during more eight months in the year.

After the cultivation of the soil to a sufficient extent to supply Bread and corn for the consumption of the Colony, articles for exportation have the next claim to attention. There is much speculation entertained here upon this subject, Tobacco, Bark, Hemp, Flax, Oil, and if a settlement were established to the Northward, Sugar, Coffee, and Cotton, are spoken of as articles that might make a profitable return to the Colonists. But these are only speculations, and, I confess, I cannot divest myself of apprehensions, that no cultivation of any article for exportation, requiring skill, attention, and assiduous labor, can be carried on with any prospect of success unless the Convicts be first in some measure reformed, and effectually restrained from the indulgence of their present idle habits.
The only thing we have yet produced to export advantageously is Sheep's wool. That article has been so much improved in a few flocks, that the best quality is acknowledged to be as fine as the Saxon, and superior to the Spanish wool. Upon this head, Sir, I presume you are perfectly informed, and, I trust satisfied of the excellent quality of the wool; and that the increase of our most improved sheep would provide employment and food for a great many convicts, and also afford the Proprietors a sufficient means to support their families respectably.

I feel much hesitation in offering any suggestions respecting the regulating, and rewarding the convicts for their services; because no arrangement, however wise, can, in my opinion, effect any material change for the better, whilst the practice is persevered in of indiscriminately granting Lands to convicts, and whilst the most vicious and enterprising are permitted to roam through the country, tempting our servants by their ill example to neglect their Master's business, and seducing them to commit depredations upon any property within their reach.

If a large body of respectable Persons could be induced to settle in the Colony much good might be accomplished. Provided the new Settlers were of a description to entrust with authority to punish disorders, to compel their servants to perform a due quantity of work, to determine the amount of their rewards, and to make the
quality, and in some measure the quantity of their food
depend upon the servants industry and good behaviour. The
convicts would then discover that honesty and diligence,
vice and idleness, were differently estimated; and that
nothing but desert could establish a claim to a master's
indulgence. I am sensible that such an authority as I
have described, would sometimes be misused by harsh and
selfish men, in defiance of every check that humanity and
wisdom could devise; and that such abuses of power might
often escape detection. But that portion of evil, or a
greater must, I fear, be submitted to, for experience has
proved, and I am assured, Sir, that you must have remarked,
the pernicious and demoralizing operation of general
regulations, which place the good and the bad servant, the
honest man and the thief, upon the same footing, and
authorise him not only to claim, but to insist upon the
same indulgence.

If this Colony is to be continued a receptacle for
Convicts, and if it be required that they shall be retained
in proper subjection, that they shall be compelled to
procure by their labor their own Subsistence, and be
restrained from vicious practices, I can imagine no means
by which these important objects can be attained, but by
confiding extensive powers to intelligent and honorable
men. Subjected to the inspection and control of a vigilant
government, prompt to correct abuses, and ever ready to distinguish and reward merit.

Under such a system, there would be some rational ground of hope, that a few of the unfortunate men, sent hither for their crimes might in time be completely reformed, and that most of them would be restrained from the Commission of gross vices.

ii. Macarthur's suggestions No. 1 (for Governor Brisbane, December 1821?) (Macarthur Papers, 1):

The following suggestions are respectfully submitted as a basis for the establishment of a system of Regulations for the correction of the Evils which arise from idle and disorderly servants being authorised to demand the same allowance of provisions and the same amount of wages that the most industrious and deserving man can claim.

That seven pounds of Beef or mutton or four pounds of Salted Pork, and Eight pounds of wheaten or twelve pounds of maize meal be considered as the established full weekly ration of every Convict Servant, that seven pounds per annum be the amount of wages to be paid in clothing and other necessaries.

That every Settler to whom the Services of Convicts may be assigned, shall be authorised to stop for neglect idleness or disorderly conduct, his servants allowance of animal food and his wages for any number of days, not exceeding seven.
That the master be obliged to suspend a Board in a conspicuous place near to the spot where the weekly rations are issued, on which must be written the name of any Servant put under stoppages, the Number of days to which the Sentence may extend, and the cause of its being inflicted.

That on the 1st day of every month the Master do make a return to the nearest Magistrate of the amount of wages and provisions stopped, and a copy of the notices that may have been written on the board.

That such returns be transmitted every quarter to the office of the Police Magistrate, to whom the Master shall pay the amount of all the stoppages he may have made.

That the money arising from such payments shall be applied to the support of a rural Police, to be established in every District for the detection of petty thefts, the discovery and conviction of receivers of stolen property or for any other publick purpose connected with the prevention of crimes. It is presumed that the formation of such an establishment would be productive of great publick utility, and in a little time become a powerful engine for the reformation of the Prisoners.

By giving the master the power, that is proposed, of inflicting immediate punishment for all minor offences the happiest results might be expected, and when it should be felt by the Convicts that their employers had power to make distinctions between an industrious and an idle servant,
an orderly and a disorderly one it would excite the well disposed prisoners to merit reward, and in a great degree deter the idle and vicious from encurring punishment.

It is to be observed that the Master would have no temptation to subject his servants to undeserved stoppages, but the Contrary, as the amount of all stoppages must be paid to the Police Magistrate in money. Thus, a fund might be created sufficient to defray the expense of maintaining the proposed rural Police, the whole amount of which would be levied upon the idle and vicious convicts, and that in a manner which would be most severely felt and dreaded, for it has been sagaciously remarked "That a thief's most vulnerable part is his Belly."
Appendix B.


Macarthur to his Son, John, 28 February 1820 (Macarthur Papers, 3):

The business of the Merino bred Rams is as follows. About a year ago, I took a favourable moment, when I thought his Excellency disposed to be a little friendly, to recommend, that he would adopt some measures to patronise the increase of fine woolled Sheep, and I endeavoured to excite him to decided steps by hopes that he might procure the favourable opinion and interest of the commercial and manufacturing gentlemen at home to oppose to that of his inveterate foes, the Saints. I, however, could no further succeed than to prevail upon him to write to Lt. Governor Sorell to enquire if such an attempt would be acceptable to the Settlers on Van Dieman's Land.

The Lieut Governor, it would appear, caught at the proposal with eagerness, and wrote me a very handsome letter of thanks ... for having made it. To this letter I replied in polite terms, accompanied with some general suggestions calculated to keep alive the feeling that had been raised, and stating that the young Rams were ready to be delivered whenever the Govr. should be pleased to call for them. This produced another letter from Lt Govr. Sorrell ... and a few days after a notification from His
Excellency, that he had received information that the Settlers at Van Dieman's Land were desirous to be supplied with my Rams, he should therefore be glad to see me as early as possible to fix a price upon them, and to arrange some plan for their conveyance to the Derwent. I had heard that the Settlers at Van Dieman's Land were willing to give £20 a head for such as might be delivered in good health, but as I had been obliged to use great exertion in my approaches before I could prevail upon the Govr. to write about them, and being fully sensible that my advancement has always been, and continues to be, a fearful object at Govt. House and to the creatures who surround it, I told him that I should be satisfied to receive five guineas pr. head for the Sheep, and to take land at 5s/pr. acre in payment. To the price of the Sheep he made no objection (how could he when he knew the Settlers expected to pay 20 Guineas) but said he thought I valued the land too low. I replied that he must know it was the current price at which thousands of acres had been selling for some time past. It availed nothing, and I clearly saw, that I must content to take land at 7/6 an acre or give up the plan I had so long and so anxiously been seeking to commence. You will observe this is the first land in New South Wales that Government have ever received any thing for. When I had closed the agreement for the purchase of
the Rams, I cautiously suggested to him, for fear of giving umbrage, or increasing jealousy, that they might on their arrival at the Derwent be disposed of to great advantage by publick auction, if Govt. would give a little credit (our Settlers never have money) and consent to take provisions in payment, which might be done without any increase of expense to the Crown, as the Provisions so received would remove the necessity of making purchases to the same extent, and that, as Government only gave land for the Sheep, the whole of the proceed (except about 400£ for freight and food on the Passage) would be applicable, to the creation of a fund to be distributed in Prizes amongst the most enterprizing settlers who should endeavour to improve their flocks. That it would also be agreeable to Lt. Govr. Sorell, who much wished for funds to appropriate in that way. This proposal was well received, and I was directed to write to Colonel Sorell and acquaint him with the arrangement. I know not whether Col. Sorell borrowed the idea of Prizes from me (for it has been long spoken of by me as a method which ought to be adopted to encourage the breeding of fine woolled Sheep) but whether it originated with him, or me, matters not, it cannot fail to prove beneficial...

The Commissioner had been always acquainted with my intentions, and as soon as I had completed the bargain with the Govr. I waited upon the Commissioner and told him the particulars. He was no much satisfied with what
had been done and with my plan for raising funds to encourage
the settlers to proceed, that I thought it a good time to
enter upon a discussion that I had before touched upon,
the necessity of adopting some plan for making the breed
of Merino Sheep universal throughout the Colony. I
signified my willingness to undertake the management and to
reserve the whole of the Male Sheep of my flocks to
distribute amongst the proprietors of Sheep, taking land in
exchange at any fair price that might be determined upon.
The only condition I insisted upon was, that Govt. should
give me the exclusive use of 50,000 Acres to pasture my
Flocks upon, for the following reasons. That mine is the
only Flock in the Colony from which pure Merino Rams can be
obtained, that to give the Merino Race every advantage of
constitution and size it is necessary they should enjoy a
large range of Pasturage, and be secured against all hazard
of intermixture with the coarse woollen Flocks, which would
be sent to graze in the vicinity of mine (with a view of
exchanging for bribing the Shepherds or mixing with my Rams,
and consequently mixing their coarse woolled Rams with my
fine woolled Ewes, to the certain destruction of the whole
undertaking) the moment it should be known that my sheep
were sent to the common Forest to Pasture. That it was
well known the sole cause of my flocks having remained pure
so long, was their having been strictly confined to my own
enclosed grounds, which of course I could continue to do
upon a limited scale, but not to an extent to supply a hundredth part of the growing demands of the Colony for Merino Rams.

That such an establishment would secure an abundant supply of fine woollen Rams, which Govt. might distribute at pleasure without a shilling of cost, or any care, or any other equivalent than the grant of a certain proportion of such lands, in exchange for the Rams they might require, as they now bestowed gratis, and with no other object than the production of corn and cattle, for which they are obliged to pay by Bills on the English Treasury, there being no inducement to the Settler to grow either Corn or Cattle beyond what he wanted for his own support, unless Govt. were the purchasers of the surplus. That by stocking the country with fine woollen Sheep, a most valuable export would be obtained, the returns of which would increase the demand for labor, and gradually prepare the Colonists to depend upon their own exertions, and in time enable them altogether to provide for their own expenditure. That by granting me an exclusive Pasturage to the extent I asked compleat security would be had for the Merino Race of Sheep being preserved pure, for their being increased, and improved to the greatest degree of which they are capable, and for their offspring being diffused throughout all the present coarse woollen Sheep in the Colony. That a compleat check would be given to fraudulent speculators, who
frequently sell coarse bred Sheep, shewing a little cross
of the Merino, the offspring of which is still coarse,
and the ignorant Farmer, who purchases is disheartened (sic)
from prosecuting a business in which he finds, "he has no
luck", such is the almost universal excuse for ignorance
or neglect. That if Government took Provisions in exchange
for the Rams, they would sell at a high Price, and the
Provisions be applied to the supply of the Govts dependants.
That the more wealthy Farmer would pay money with which
Govt. might give premiums, or apply it to discharge the
expense of any object of publick utility, say the expense
of a seminary for the Education of Youth.
Appendix C.

Macarthur's Ideas on the Colony's Social and Economic Future.

i. Macarthur's Suggestions No. 2 (for Governor Brisbane, December 1821?) (Macarthur Papers, 1):

If His Majesty's Govt. propose to retain this Colony, as a dependency of Great Britain, there is no time to be lost in establishing a body of really respectable Settlers, Men of real Capital, not needy adventurers. They should have Estates of at least 10,000 Acres, with reserves contiguous of equal extent. Such a body of Proprietors would in a few years become wealthy; and, with the support of Govt., powerful as an Aristocracy. The democratic multitude would look upon their large possessions with Envy, and upon the Proprietors with hatred. As this democratic feeling has already taken deep root in the Colony, in consequence of the absurd and mischievous policy pursued by Gov Macquarie, and as there is already a strong combination amongst that class of persons, it cannot be too soon opposed with vigour. If forty or fifty proprietors, such as I have described, were settled in the country, they would soon discover that there could be no secure enjoyment of their Estates but from the protection of Govt. As the population increased, the aristocratic body should be augmented; and as fine woolled Sheep will increase in a few years with surprising rapidity, the new Settlers, with capital, would find no difficulty to Stock their Estates. They would maintain a large body of domestic Servants and
labourers; and from their numerous Flocks supply Great Britain so abundantly with wool of the finest quality that the price must considerably diminish. This point once attained, what nation could export a yard of fine cloth at the price the English Manufacturers could produce it, aided as he would be by cheap wool, machinery, capital, and skill. In return for the wool exported from hence, British manufactures to an immense amount would be consumed in the Colony, and as the carcase of the Sheep will be of no value off the Estate on which it is produced, the Proprietors would be desirous to take as many convicts as possible. These men would produce bread for themselves, and their surplus labor would be directed to clearing, firing, and draining, so that every year the Estates would become capable of supporting more Sheep, and the proprietor in circumstances to provide for more labourers to carry on his improvements. Surely these are points entitled to the most serious attention of Govt. They present the double advantage of giving Great Britain the most extensive monopoly that any nation ever enjoyed, and that upon the most unexceptionable principles, namely supplying other people cheaper than they could be supplied elsewhere, and there is a certainty of an increasing demand for the labour of any number of Convicts or Paupers Great Britain and Ireland may send forth.
Effectual means must be adopted to compel the grantees of large Estates to fulfil the conditions, if it be made a Job of it will disappoint Govt., and embarrass the Colony. Adventurers without capital retard all improvement and as they sink deeper into poverty and distress, swell the mass of discontent, become most furious democrats and attribute the misery into which they are plunged, not to their own idleness or want of discretion, but to the errors of Government, and the oppressions of the wealthy. At a moment of more leisure I will endeavour to suggest some plan to provide against the progress of this Evil.

ii. Macarthur's Suggestions No. 3 (for Governor Brisbane?), 19 December 1821 (Macarthur Papers, 1):

The whole of the Settlers in the Colony with the exception of a few who direct their attention to rearing fine woolled Sheep and Horses, produce nothing upon their estates for sale but provisions. Government are the principle purchasers of these provisions, both grain and meat and almost all the funds of the individuals who buy and consume the remainder are derived from the pay of the Civil and Military establishments, or from the miscellaneous expenditure of the Crown. The demands of Government have of late so much exceeded the internal supply that they have been constrained to have recourse to the purchase of
imported provisions, for which unusually high prices have been paid. This extended market has excited many of the Settlers to increase their live stock, and others to enlarge their cultivation of grain. By these means the demand for labourers has been so augmented that Government have been urgently solicited to distribute most of the prisoners, whom they at present retain and feed. But that request has only been complied with to a limited extent, and the demand for provisions has rather increased than diminished; because the number of prisoners who have arrived within the present year has been greater than the number distributed into the service of private Cultivators. The universal cry now is, "Give us servants", and in their eagerness to secure as large a share as possible of the advantages of a brisk demand, almost all seem to have forgotten that an unqualified compliance with what is asked, by increasing the number of productive, and reducing that of nonproductive labourers, would multiply the sources of supply, and at the same moment lessen the demands of Government. There would be, as there repeatedly has been, loud complaints, We have no encouragement, Our Crops rot, or are destroyed in our Barns, and we are left to encounter every evil without relief. In fact, an opinion generally prevails that it is an incumbent duty upon Government to provide a constant market for the whole produce of the colony, and to ensure the Settlers against all the consequences of their own want of foresight.
Constituted and regulated as this society is at the present period, it seems that unless Government continue to maintain a due proportion of persons to the supply of food produced on the Colony, a clamorous and distressing competition to sell to Government must inevitably ensue, and a great quantity of provisions must be left unsold on the hands of the Settlers, for which there can be no purchasers. From a similar cause, the same result has been felt more than once before to the great injury of the Colony, and to the ruin of many individuals.

There does not appear to be any remedy for these evils, but that of influencing the cultivators to employ a certain proportion of their servants in the production of articles for exportation; and by not giving Grants of Land to any but men of character, who have some skill and capital, and who are actuated by the laudable desire to create a permanent and respectable provision for themselves and families. It might then be hoped that the habit of entirely relying upon Government for support may be changed, and the community in time be taught to depend for the supply of their wants on their own exertions and resources, instead of continuing a pernicious and increasing encumbrance to Great Britain; As yet there is only one export deserving notice established, which is fine wool. The best quality is certainly equal in fineness of Staple, and perhaps superior in elasticity and strength to any in the world.
But, altho' much has been said and written on the subject, the undertaking is still in an insignificant and languishing state, and is attended to only by a few proprietors; not many of whom proceed with much spirit, or adopt those means of improvement that are within their reach. Most of the flocks in the Colony bear wool too coarse to export, and their careless or ignorant owners will not take the trouble, nor incur any expense to produce a favourable change. Should His Majesty's Government consider it advisable to direct any portion of its fostering care towards this hitherto neglected mine of wealth and future prosperity, it would not be difficult to devise methods by which the most respectable class of Proprietors might be excited to more strenuous exertions to increase their flocks and to improve the Wool to the utmost degree of fineness; and even some of the most uninformed and careless might be led into the adoption of arrangements calculated to promote their own and the publick welfare.

John MacArthur.
Bibliography:

Primary Sources (Manuscript)

Leslie Papers, in the Oxley Memorial Library, Brisbane
Gordon Papers, at Manar, New South Wales
Sydney Grammar School Papers, in the School Archives, Sydney
In the Mitchell Library, Sydney:
Australian Club Papers
Memoranda, Australian Patriotic Association (C250)
Banks Papers
Blaxland Papers
Bligh Papers
Original Letters of William Bligh
Bligh Correspondence
Bonwick Transcripts (Evidence taken by J.T. Bigge)
Bourke Papers
Sir Thomas Brisbane's Letter Book
Papers of Sir Thomas Makdougall Brisbane (Microfilm)
Colonial Office, Original Correspondence of the Secretary
    of State (Microfilm)
Donaldson Papers
Dowling Family Papers
Letters of Colonel Henry Dumaresq
Papers on Education etc. (A357)
Hassall Papers
King Papers
Letters of Admiral P.P. King
Lawson Papers
**Macarthur Papers, Original Collection**

<table>
<thead>
<tr>
<th>Name</th>
<th>Volumes</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Macarthur</td>
<td>1-9</td>
</tr>
<tr>
<td>Mrs John Macarthur</td>
<td>10-13</td>
</tr>
<tr>
<td>John Macarthur the Younger</td>
<td>15</td>
</tr>
<tr>
<td>Sir Edward Macarthur</td>
<td>16-23</td>
</tr>
<tr>
<td>James Macarthur</td>
<td>24-36</td>
</tr>
<tr>
<td>Sir William Macarthur</td>
<td>37-42</td>
</tr>
<tr>
<td>Archdeacon Scott</td>
<td>59</td>
</tr>
<tr>
<td>W.S. Davidson</td>
<td>62</td>
</tr>
<tr>
<td>Sir H. Watson &amp; Lady Parker</td>
<td>63</td>
</tr>
<tr>
<td>Mrs James Macarthur</td>
<td>64</td>
</tr>
<tr>
<td>Land</td>
<td>66</td>
</tr>
<tr>
<td>Livestock</td>
<td>67</td>
</tr>
<tr>
<td>Wool</td>
<td>68-69</td>
</tr>
<tr>
<td>Wool &amp; Sheep</td>
<td>71</td>
</tr>
<tr>
<td>Education</td>
<td>84-85</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>109</td>
</tr>
<tr>
<td>Legal Papers</td>
<td>110</td>
</tr>
</tbody>
</table>

**Macarthur Papers, Second Collection**

<table>
<thead>
<tr>
<th>Name</th>
<th>Part</th>
</tr>
</thead>
<tbody>
<tr>
<td>W.S. Macleay</td>
<td>V.</td>
</tr>
<tr>
<td>James Bowman (including Buchanan Papers)</td>
<td>VI.</td>
</tr>
<tr>
<td>Australian Agricultural Company</td>
<td>VIII.</td>
</tr>
</tbody>
</table>

**Macquarie Papers**

**Marsden Papers**

**Piper Correspondence**

**Riley Papers**

**T.H. Scott's Letter Books**
Primary Sources (Printed)

The Hon. H.G. Bennet, Letter to Viscount Sidmouth
(London 1819)

John Dunmore Lang, An historical and statistical account of New South Wales, both as a penal Settlement and as a British Colony (London 1834)

James Macarthur & Edward Edwards, New South Wales; Its Present State and Future Prospects (London 1837)

James Mudie, The Felony of New South Wales (London 1837)


William Charles Wentworth, A Statistical, Historical, and Political Description of The Colony of New South Wales, and Its dependent Settlements in Van Diemen's Land (London 1819)

Secondary Sources


C.J. Bartlett, Castlereagh (London 1966)

W. Beard (ed.), Old Ironbark: some unpublished correspondence 1817-1824, from and to William Lawson, Explorer and Pioneer of Veteran Hall (Sydney 1967)

W.R. Brock, Lord Liverpool and Liberal Toryism (London 1967)

Peter Burroughs, Britain and Australia, 1831-1855 (Oxford 1967)
S.J. Butlin, *Foundations of the Australian Monetary System* (Sydney 1968)

H.C. Cameron, *Sir Joseph Banks* (Sydney 1952)

H.B. Carter, *His Majesty's Spanish Flock* (Sydney 1964)


E.P. Cubberley, *The History of Education* (London 1920)


Sir Francis Forbes (Sydney 1968)

J.E.B. Currey (ed.) *Reflections on the Colony of New South Wales* by George Caley (Melbourne 1966)


M.H. Ellis, *Lachlan Macquarie* (Sydney 1952)

John Macarthur (Sydney 1955)

H.V. Evatt, *Rum Rebellion* (Sydney 1965)

Brian Fitzpatrick, *British Imperialism in Australia* (Melbourne 1939)

*The British Empire in Australia* (Melbourne 1969)

Jesse Gregson, *The Australian Agricultural Company 1824-1875* (Sydney 1907)


S.M. Johnstone, *The History of The King's School, Parramatta* (Sydney 1932)
Jill Ker, "The Macarthur Family and the Pastoral Industry"
Journal of the Royal Australian Historical Society,

Hazel King, Richard Bourke (Oxford 1971)

Michael Lewis, A Social History of the Navy 1793-1815
(London 1960)

George Mackaness, The Life of Vice-Admiral Bligh (Sydney 1931)
(ed.), Memoirs of George Sutor F.L.S., Banksian Collector, 1774-1859 (Sydney 1948)

R.B. Madgwick, Immigration into Eastern Australia 1788-1851
(Sydney 1969)


A.C.V. Melbourne (ed. R.B. Joyce), Early Constitutional Development in Australia (Queensland 1963)


H.S. Montgomerie, William Bligh of the "Bounty" (London 1937)

T.M. Perry, Australia's First Frontier (Melbourne 1963)

Hugh M. Pollard, Pioneers of Popular Education (London 1956)

D.M. Rawson, Factions in New South Wales Politics 1820-1840
(M.A. thesis, Melbourne 1951)

John Ritchie, Punishment and Profit (London 1970)


S.H. Roberts, The Squatting Age in Australia, 1835-1847
(Melbourne 1964)

Michael Roe, Quest for Authority in Eastern Australia
(Melbourne 1965)
P.J.V. Rolo, *George Canning* (London 1965)

Edward Shann, *An Economic History of Australia* (Cambridge 1930)

D.B. Smith (ed.), *Letters of Admiral of the Fleet The Earl of St. Vincent* (two volumes, London 1922 & 1927)


Clifford Turney (ed.), *Pioneers of Australian Education* (Sydney 1969)


Philip Ziegler, *Addington* (London 1965)