

Section III

Family Life

'Your petitioner...has a wife and two children now living in Sydney which upwards of these eight last years past has not had the happiness of enjoying the comfort essential to a marriage state.'

*- Petition of Thomas Crump,
boatbuilder, to be allowed
to return to Sydney from
Newcastle, March 1810.*

Sex

Michael Hayes, the transported Irish rebel who came to live in Harrington Street, described and condemned the colony's women in much the same way as the colonial elite did: in terms of sexual morality and sexual behaviour. They were 'unfortunate wretches' who had 'no shame' over their 'lude acts' which comprised mainly 'being with men without being sanctioned by the bonds of matrimony'. He himself married seventeen year old Elizabeth Baker, the colonial-born daughter of first fleet convict. Her mother, Susannah Huffnell, might well have been one of the women he described in his letter. Elizabeth Baker herself had already had already been married once, to Aaron Davies, and born him a daughter, Frances, in 1804.¹ Yet in other cases, as we shall see, men who wrote such diatribes against female convicts were not necessarily distanced from these women, nor were they invariably speaking from a kind of class/cultural ignorance or unfamiliarity, as Michael Sturma suggested in his pioneering 1978 paper.² Women were viewed by men with an ambivalent mix of expectation and fear, as the founders, yet the corruptors of civil society. These attitudes were shared, to some extent, and under certain circumstances, by men of all ranks.

The 'damned whores' image of women, (and by extension, the immoral, vicious and degraded image of the colony as a whole) has already been rightfully demolished by several other historians in more recent years. Kay Daniels, Portia Robinson, Babette Smith, Deborah Oxley, Marian Aveling (now Quartly), to name a few, have all turned to the reconstruction of real lives, to the words and actions, in the search for the meaning of women's experience in the early colony. Aveling in particular deftly presents the interwoven narratives of women

¹ Michael Hayes, Letter to his sister Mary, 2 November 1802, ML A3586; Mutch Index, ML; Donohoe, Catholics of New South Wales, entries for the Hayes family, Elizabeth Huffnell-Baker and Aaron Davies.

² Michael Sturma, 'Eye of the Beholder: The Stereotype of Women Convicts, 1788-1852', Labour History, 34 May 1978 3-10.



Fig. 48: Anonymous, 'Farewell to Black-eyed Sue and Sweet Poll of Plymouth' 1790s, a satirical and stereotypical view of convict women as lewd, drunken and brutalised.

Source: National Library of Australia. Reproduced from Robert Hughes, The Fatal Shore, p194.

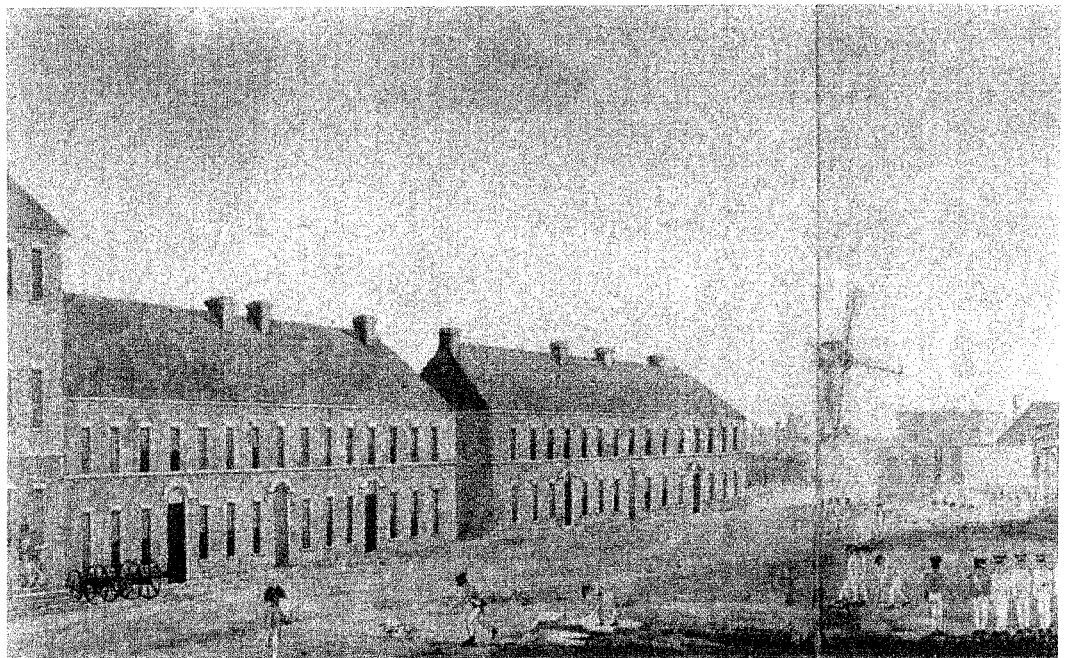


Fig. 49: Detail from Sophia Campbell, 'Sydney Barracks 1817', showing a woman washing for the soldiers and laying out clothes in the parade ground. Laundry work was usually done by women and many Rocks women made their living in this way.

Source: National Library of Australia Accn R7268.

Reproduced from Tim McCormick, First Views, Plate 156 p194.

‘at once trapped and enabled by social contradiction’.³ But for all the words written around the issues of sex, sexual relations, marriage and reproduction, and the ‘obsession with the refractory prostitute’, it is strange how little we know of the sexual behaviour and relationships of Sydney people. What were their standards of proper, moral conduct? What was considered normal, and what was aberrant?

Lawrence Stone has suggested a general relaxation of attitudes towards sex and sexual conduct in England in the period after 1750: mistresses were tolerated, illegitimate children accepted and provided for, often brought up within the ‘legal’ family. He notes, too, a striking increase in the number of pre-nuptial pregnancies amongst the lower orders in the late seventeenth and eighteenth centuries. Combining this with other evidence of ‘sexual promiscuity’ such as popular expressions of admiration for virility (signboards, models, ‘priapic feasts’) popular pornography, obscene popular songs and so on, Stone argues for a parallel relaxation amongst the common people, although noting that what remained of ‘sexual modesty’ was ‘characteristic of the lower middle orders’. The height of one cycle of outlooks and behaviour, however, produced the seeds of the next: another wave of sexual repression had its origins in the 1770s and would shape mores in the nineteenth and early twentieth centuries.⁴

But for the early convict men and women of Sydney, and hence the Rocks, as well as for the tiny elite of the late eighteenth and early nineteenth centuries, sexual activity and heterosexual sex itself were basically considered natural and normal. As Sturma pointed out, this simply reflects cultural attitudes widespread in Britain at the time. Those who described Sydney as

³ Daniels, ‘Prostitution in Tasmania’; Robinson, Women of Botany Bay; Smith, Cargo of Women; Oxley, in Convict Workers, and ‘Packing her (economic) bags’; Aveling, ‘Imagining new South Wales as a Gendered Society’ and ‘Bending the Bars: Convict Women and the State’, p156.

⁴ Stone, Family, Sex and Marriage, p326-396.

a sink of iniquity and so on were more than likely assuming what they expected to find in a convict colony. From the First Fleet onwards, women and men met and formed relationships on board the ships on the voyage out, in households where they lived and worked, in the early neighbourhoods like the Rocks, in hotels and private houses. Convict women often formed relationships with seamen on the transports who 'indulged' them with 'tea and other things'. Men seem to have courted women not so much with words but with things: presents of clothing and food, a pair of earrings. For those who fell pregnant on the voyage, their first experiences in the colony included giving birth and mothering. While they were often abandoned by the seamen who left with their ships, as the surviving 'Petitions for Maintenance in Bastardy' show, some sailors decided to try life on land. Daniel King off the *Lord Melville* (arr 1817) had evidently formed a relationship with a convict from the ship, Susan Tirley. Shortly after arrival they discovered Susan was pregnant and Daniel, instead of sailing away, remained in the colony. Susan was sent to the Female Factory at Parramatta for the birth but their son Daniel lived only two weeks. The couple then applied successfully to be married (January 1818), were granted some land, and seemed to have settled at Parramatta, where at least four children were baptised. Daniel senior established a river passenger and freight service between Sydney and Parramatta in 1821, and these journeyings may have prompted the family to move to a simple two-roomed house in Cambridge (now Gloucester) Street on the Rocks shortly after.⁵

Other shipboard alliances were not permanent, and their terminations were not always straightforward. The convict Mary Poole had a lover on her ship *Indispensable* (arr 1796), a seaman named John Smith. But once assigned to the Master Boat Builder Daniel Paine, she wanted no more of Smith. It appears that John had to be drunk and in the company of another man to try to talk to her. 'What do you want?' she called into the dark when they

⁵ Joseph Arnold, Journal 1815 ML C720; Petitions for Maintenance in Bastardy 5/1153 COD 297B AONSW; Collins, *Account*, Vol 1 p127. Re Daniel King and Susan Tirley see District Constables' Notebooks; Mutch Index, ML; SG 25 August 1821.

appeared at the house. 'I want you' came the growled reply. When she retorted that he was in liquor and told him to go, his mood grew ugly, he forced his way in, demanded the clothes he had given her and threatened to cut them from her back. He pulled the covers about on a bed where a boy was sleeping; the boy protested that 'he was no woman and to let him alone.'⁶

This glimpse suggests that, for all their openness about their sexual activity, men and women nonetheless seem to have been shy and awkward in talking intimately and straightforwardly about it with one another. Men probably bragged and joked with other men, women certainly confided in one another. Drinking made both sexes bold, and actions (gift-giving, pulling the covers about) - denoting amorousness and attraction as well as aggression, anger, hurt and displeasure - spoke instead of words, and had to be carefully watched. When William Howell robbed his master Simeon Lord of some fine Izarre fabric, he took it straight to Mary Bryant's house in Gloucester Street where his lover Ann Dalton was staying. He made her a present of some of it, to make into a gown. George Legg 'gave his woman [his wife, Ann Armsden] two yards of ribband, which she publicly wore'. James New was passionate about his wife Jane: his servant said he 'went to great expence about his wife' providing silk dresses, satin bonnets, stuff shoes and silk stockings.⁷

Convicts, both men and women, had a reputation for profanity, and this was considered especially shocking in women. The Spaniard Alexandro Malaspina thought Sydney women completely lacking in 'habitual modesty'. He said they approached him 'announcing the price

⁶ See R J B Knight and Alan Frost, Journal of Daniel Paine 1794-1797: together with documents illustrating the beginning of Government boat-building and timber-gathering in New South Wales 1795-1805, Sydney, Library of Australian History in association with the National Maritime Museum, Greenwich, England, 1983, pp23ff.

⁷ Papers from trial of James Pass et al, 1813, CCJ Reel 2390 p318 AONSW; Papers from trial of George Legg, 9-12 April 1797, CCJ R2391 p321 AONSW; Papers from trial of John Stephens jun., Governors' Despatches, 1834, ML A1267¹⁶ pp263, 330ff.

at which they sell their favours' with 'a small increase to indulge in other detestable vices apparently frequent in the colony'.⁸ As well as observing that Malaspina seemed rather knowledgeable in this sphere (what, one wonders, were the 'vices' to which he referred?), it is tempting to read the description the other way: the outspoken, disorderly women publicly teasing an embarrassed foreign gentleman hurrying by in a funny hat.

Yet when interrogated in court proceedings about matters of a sexual nature people were surprisingly coy about using plain sexual terms. They referred to the sexual organs as 'private parts' or simply 'part', and sexual intercourse as 'having connection'. Yet, they would unhesitatingly reel off the profanities used by the accused, or a witness, such as 'bugger', 'frig' and sometimes 'screw' and 'fuck' and so on, the court clerk busily inserting dots and dashes or scratching out parts of the offending words.⁹ The bravado seems to have hidden an ultimate uncomfortableness with intimacy, and perhaps also a measure of ignorance.

It is difficult, of course, to assess the level of sexual knowledge among the people. Children, who were not segregated from their parents nor from any aspect of everyday life, probably learnt about sex by watching and hearing rather than through the spoken word. The early Sydney houses were of traditional form which did not allow for much privacy, although there was sometimes divisions made between 'public' and 'private' rooms. Mary Chipp (later Mary Boyle, of the Rocks), a native born girl, at thirteen knew well enough what Henry Seyers intended when he followed her into the brush 'threw her down on the road, pulled her cloaths

⁸ Alexandro Malaspina, 'Loose Notes on the English Colony of Port Jackson', translated in Robert J. King, The Secret History of the Convict Colony: Alexandro Malaspina's Report on the British settlement of New South Wales, Sydney, Allen and Unwin, 1990, p143.

⁹ See for example, Inquest on Lydia Ragin, 9 March 1817, CSC R2232 pp139-60 AONSW; and papers from trial of David Dundas, 18 March 1809, CCJ 5/1150 R2652 p1.

up [and] unbuttoned his breeches'. But it does not necessarily follow that people were well-equipped with detailed knowledge about sex and the sex organs. Stone suggests that English people preferred not to undress for intercourse (women, who wore no underwear, lifted their skirts or shifts, men dropped their pants). In Sydney, although men in particular were not ashamed of their bodies, since they bathed naked at the public wharfs, the scant evidence available suggests sex occurred in the dark, or if in the daytime (say with a prostitute) the clothes stayed on. James Smith told the court in 1821 that he had taken Bridget Haley to Mary Robinson's house in Harrington Street where he 'gave Robinson a dump for the use of a room'. He 'retired into the bedroom with the prisoner Haley...about 5 minutes'. Hardly enough time to undress, but long enough for Bridget to pick his pocket of notes and cash.¹⁰ This kind of evidence also suggests sex that was short, basic and unerotic, more like a business transaction, which after all is what it was.

A rare insight into sexual activity and attitudes is provided by the 1814 trial of James Larra, a Jew who was a wealthy and respected publican and dealer, for the murder of his second wife through 'bizarre and unnatural sexual assaults'. He had married the widow Phoebe Waldron, a well-off Rocks publican and dealer of Windmill Row after her husband John had been transported to Newcastle for receiving stolen rope in 1809 and presumably died thereafter. People said the Larras were a happy and affectionate couple until in 1814, Phoebe, a normally healthy woman, grew ill with dropsy (a watery swelling of internal organs, now known as oedema). She became convinced that her suffering had been caused by her husband

¹⁰ Re bathing see SG 13 November 1803: 'Brooks said he went to the wharf to bathe'; and 6 October 1810, Macquarie's order prohibiting the 'very indecent custom of soldiers, sailors and inhabitants of the Town bathing themselves at all hours of the day at the Government Wharf and also in the Dockyard'. Papers from trial of Henry Seyers, 1809, CCJ 5/1150 R2652 p131 AONSW; and from the trial of Bridget Haley, 7 June 1821, R1975 p480 AONSW. Stone, Family Sex and Marriage, p303ff, 347,349; Stone observes that 'for the very poor sexual privacy was a luxury neither possessed nor could have been desired; among the bulk of population up to the mid-nineteenth century whole families lived, worked and slept in two rooms.' p382.

having used a candle during sexual intercourse. Significantly, the word 'dropsy' could also mean an insatiable vice, pride or lechery, the physical manifestation being a grossly swollen body. Hence, probably, Phoebe's belief as to the source of her disease - his unnatural action had invaded and upset the natural order of her body.¹¹

She kept this fearful conviction to herself for weeks, knowing she would die, and when near death she told a woman confidant, and eventually a doctor, William Redfern. She said that 'every time she had any sexual intimacies she always felt herself to be hurt' and when she tried to talk to her husband about it 'he replied it was of no consequence, it would wear off'. Phoebe thought her own ignorance on 'what was done to Jews' (presumably she referred to circumcision) might explain the difference she felt. Redfern was astonished that a married woman 'could possibly be so far deceived' and concluded that she had 'never had any natural connection with her husband'. When Larra was confronted with this by Redfern he was consumed with shame and eventually admitted that his wife 'after having connection with him...appeared more amorously inclined and he as an old man felt himself incapable of satisfying her, and he had resorted to that expedient...'. Phoebe died in agony, and the rumours surrounding her death led eventually to James' trial.

The theme running through the evidence in this case is one of deep reticence to talk of things sexual, particularly anything abnormal, of secret shame, fear and guilt. James had brushed off and denied the matter; the nurses and doctors begged Phoebe to tell them what was wrong for weeks, and she, 'unquiet in her mind', seems to have been completely alone with her fears and suspicions, and a sense of her own ignorance. But what is also significant from this story is that what James had done, if not proven as criminal, was unacceptable because it was

¹¹ Papers from the trial of James Larra, 6 September 1814, CCJ R2390 p452; see Oxford English Dictionary, and Hans Kurath (ed.), Middle English Dictionary, Ann Arbor, University of Michigan Press, 1963.

considered unnatural. He had to stand a long and exhaustive trial, and even though acquitted, his reputation suffered severely.¹²

Here we may begin to discern a moral code which was not much concerned with legal marriage, illegitimate children, premarital and extramarital sex, separation, divorce, or even prostitution, but with behaviour which was considered offensive in a deeper sense, as anathema to the natural order of things. Incidents of homosexuality seem to have aroused a sense of abhorrence - Rocks man John Hopkins, a married man with children, was probably reported upon by neighbours, and convicted in 1808 of 'a most disgusting and abominable crime'. His death penalty was commuted, but he seems to have vanished completely from the colony thereafter. When a drunken Captain David Dundas approached a soldier on guard duty at the wharf, stroking the front of his trousers and asking for a 'genteel frig' the soldier was so shocked that, calling him 'a scoundrel or a bugger' he threatened to 'put my bayonet in his guts'. Asked in court why he did not arrest Dundas, the soldier replied 'Because he was in the character of a gentleman, and I was much agitated'. In his defence, Dundas appealed to a sense of rank and superiority, to simply circumvent the charge. Appealing to the jury as 'fellow gentlemen', he said that the convict lower orders in general exhibited such a 'looseness of Principle' that their testimony could never hold up against his own. He was acquitted.¹³

Bestiality, as Paula Jane Byrne points out, was also regarded as a terrible and disturbing perversion and people themselves gathered evidence and took offenders to court. The rape of young children was considered repulsive, the convicted offenders, if they did not receive

¹² Flynn, Second Fleet, entry for James Larra.

¹³ SG 31 July 1808; Papers from trial of David Dundas, 18 March 1809, CCJ 5/1150 R2652 p1 AONSW, and Defence of David Dundas CCJ R2392 p289 AONSW. See also Garry Wotherspoon 'A Sodom in the South Pacific: Male homosexuality in Sydney 1788-1809', in Graeme Aplin, A Difficult Infant, 1988, pp91-101.

the death penalty, were publicly lashed, placed in pillories on market days and then transported. Collins claimed in one case that an offender escaped hanging because an execution would serve no educative purpose; the crime was so much reviled that 'no other man would stoop so low'.¹⁴

Although women did arrive with 'economic baggage' -skills, capital, talent, some education - and some became established as dealers, publicans, farmers and so on, economic inequality nevertheless underpinned gender relations. Women in the colony, as in England, were in a vulnerable position because they nevertheless had far fewer skills or opportunities for making a decent living than men, particularly if they had children. The search for a husband to help support them meant that women were rivals, and that sex, like marriage itself, was regarded and used in pragmatic and hard-headed ways. As Aveling and Atkinson have pointed out, women 'saw nothing shameful in using their bodies as well as their brains to survive in Botany Bay'.¹⁵

Judith Simpson, the emancipist publican, householder and landowner who moved to the Rocks in the late 1810s was typical of those who were successful, and her story demonstrates the difficulty of interpreting such women solely as victims *or* agents. She arrived on the *Indispensable* in 1796 and must have fallen pregnant on the voyage. Five months after landing she gave birth to her first son, James Walton; the baptismal records noted the child as the 'reputed' son of James Walton, perhaps a mariner. Judith was then about 22. By about 1800 she had formed a relationship with Captain Anthony Fenn Kemp of the New South Wales Corps. He was probably away in England when their son was born in 1801. She named the child Anthony Fenn Kemp. Such liaisons between convict women and

¹⁴ Byrne, Criminal Law, p106ff; Collins, Account, Vol 1 p66.

¹⁵ Oxley, 'Packing her...bags'; Alan Atkinson and Marian Aveling (eds), Australians 1838, Sydney, Fairfax, Syme & Weldon Associates, 1987, p278.

military and civil officers were very common, and although they may be seen as enforced sexual subjugation, they were also one way a woman could establish some claim to status and a measure of material success. Kemp senior married another woman in 1802 and eventually settled in Van Diemen's Land. Meanwhile, by 1805 Judith formed a relationship with another officer, James Lucas, also of the N.S.W. Corps. Their son was born in January 1806, and though Judith already had a son named James, this child was also named after his father.

Judith Simpson owned land at Windsor which produced wheat by 1809, while in Sydney she occupied land in Chapel Row and was granted a spirits licence there in 1810. She sold it in 1812 and seems to have moved out to Windsor in that year. Her property in Sydney by 1813 included 'houses in Castlereagh and King Streets', and she was granted a beer licence in 1818 for 'Chequers' in Castlereagh Street. At some time in that decade, Judith also bought two properties on the fast developing Rocks, one in Prince Street the other in Cumberland Street. By 1822 she was living in Cumberland Street with her two younger sons, Anthony and James, now 21 and 17 respectively and both tradesmen. She also claimed she owned a 'commodious house in Gloucester Street', though this may refer to the same property.¹⁶ For Judith Simpson the children of her three partners, each named proudly for his father, were not badges of shame or degradation, but the opposite: evidence of her connections with rank and status, which together with her own talents and skills had left her well-off and respected.

¹⁶ See Mutch Index, ML; CSC index, entries for Judith Simpson, Anthony Fenn Kemp, and James Hunt Lucas; Judith Simpson, Memorial 9 July 1809, CSC F3009 4/1822 No 293; District Constables' Notebooks; SG 15 February 1807, 21 July 1810, May 30 1812, 4 July 1818. Her sons were included on 'List of those victualled' 1821 CSC 4/5781, one a carpenter, the other a stonemason. Simpson seems to have wished to hide her original convict status; this has caused some confusion. In 1822 she told the constable she had arrived free on the *Atlas* which arrived in 1802; this could not be true, since her son Anthony Fenn Kemp was born in 1801. In 1828 she said she had arrived free on the *Indispensable*; however she is listed among the convicts aboard that ship, see Robinson, Women of Botany Bay, p286. Hence, Perrott in her account says Simpson was a free arrival, see A Tolerable Good Success: Economic opportunities for women in NSW 1788-1830, Sydney, Hale and Iremonger, 1982, pp88-89.

Portia Robinson would celebrate Simpson's energy and success, as Monica Perrott does, as a 'good mother and good citizen' - more evidence to disprove the charge that Sydney women were sexually depraved. For Robinson there is a distinct division between good women and bad, founding mothers and depraved prostitutes. But in reality, prostitution/promiscuity could grade imperceptibly into the search for a husband or partner, using sex, and does not seem to have prevented women forming relationships, having families, and succeeding in business. The sexual behaviour of 'family women' and 'promiscuous/prostitute women' were thus not mutually exclusive. When Sarah Yeats tried to claim maintenance from William Wade for her child Thomas, he objected vehemently, denying paternity of the child, claiming that she had had several partners, and was therefore a 'prostitute'. Yet he also added that Sarah and her child had in any case settled down with another man, and as I can find no other trace of her, presumably she married and changed her name.¹⁷

In a way this 'grading' of sexual behaviour (encompassing professional prostitution, casual prostitution, promiscuity, casual cohabitation, serial monogamy, monogamous cohabitation, and legal marriage), partly explains the blanket condemnation of all convict women by those few men who wrote about them. It was impossible to make sharp and simple divisions about moral/sexual behaviour, but it was easy to employ the rhetoric about women which, after all, was what people expected to hear about a convict colony, and tied in nicely with women's disorderly behaviour.

Some, like the Reverend Samuel Marsden, really were outsiders with no understanding of either common, accepted sexual mores among the lower orders, nor of the practical economic choices women (and men) faced in the struggle for a decent life. In an uncertain world where

¹⁷ Petition of William Wade, 1811, in Petitions for Maintenance in Bastardy, 5/1153 COD 297B p431 AONSW. The child probably was fathered by Wade, as he is listed as such in the baptismal records, see St Philip's Register of Births, Deaths and Marriages, entry for 30 March 1811, CSC R6024.

a husband or wife might vanish by going away to sea, or become violent, a drunk, or squander the family finances and so on, legal, binding marriage was not a viable option until the couple was fairly certain of a stable relationship.

But for many other male observers, hypocritical rhetoric was really all it was, since many were themselves involved sexually with convict mistresses and sired illegitimate children by them (some include the Judge Advocate David Collins, the Surveyor General Augustus Alt, Surgeons John White, William Balmain, Thomas Arndell and Richard Halley, Captains James Meredith, George Johnston, Lieutenants Phillip King, James Furzer, Ralph Clark, John Poulder and Robert Kellow, the Government Printer George Howe, as well as Governor King and Lieutenant-Governor Paterson, who was said to have fathered 'six fine bastards')¹⁸. At base is an underpinning of familiar sexual double standards, so long lived that perhaps it has no history. The abovementioned William Wade was not a member of the elite, but a convict still under sentence. He lived independently in the town, probably as a labourer, and later became a Rocks constable. His long petition, a classic defence, appealed not to rank, like David Dundas, but to gender:

the extreme hardship which every unscrupulous Prostitute in this Colony could impose...in point of property which she might think convenient...these virtuous Cyprians who are so unreservedly and bountifully indiscriminately bestow their favours upon every humble applicant...in fact Gentlemen none of yourselves are probably safe from such attempts against your property.¹⁹

¹⁸ See Samuel Marsden, *Female Register*, 1806, discussed in Robinson, *Hatch and Brood of Time: A Study of the first generation of native born white Australians 1788-1828*, Melbourne, Oxford University Press, 1985 pp74-75; Monica Perrott, *A Tolerable Good Success*, p41; Grocott, *Convicts, Clergymen and Churches*, p68.

¹⁹ See Samuel Marsden, *Female Register*, 1806, discussed in Robinson, *Hatch and Brood of Time: A Study of the first generation of native born white Australians 1788-1828*, Melbourne, Oxford University Press, 1985 pp74-75; Monica Perrott, *A Tolerable Good Success*, p41; Grocott, *Convicts, Clergymen and Churches*, p68.

Sarah Yeats, he said, had 'selected me as prey whereon she hath fixed her talons for the purpose of fleecing me'. While Wade now 'resides and cohabits' with another women, Yeats was 'resident with and supported by her paramour'. The petition is eloquent in sexual double standards. It demonstrates that men of higher and lower orders alike, when threatened with unwanted commitments, responded by portraying the women with whom they had shared their homes and their beds as depraved and corrupting, and preying on them in material terms. Meanwhile, they themselves only acted as was 'natural' to a man.

Marriage and Married Relationships

For all the underlying struggles, distrust and inequalities between men and women, most Rocks people preferred nonetheless to be married, or to cohabit as if they were. As we saw in Section II, the majority of households comprised husband and wife, many with children as well as servants and lodgers. While not forgetting the vulnerable position of women, marriage and married relationships were clearly considered by Rocks people to be natural and desirable, despite the risks. The marriage bond, whether economic, family or emotional, was strong enough in at least twenty-three Rocks marriages to draw husbands, wives and children on the long and dangerous voyage to join transported spouses, though it is significant to note that the vast majority of these were wives.

If we are to attempt to understand their society on its own terms, therefore, it is difficult to see marriage itself as a relentlessly oppressive institution, or as some kind of hegemonic plot imposed upon unwilling people from above. As Aveling points out, it is unrealistic to argue that convict women would veer from the usual expectations of marriage and family life normal to women in England and Ireland.²⁰

The nature of married relationships and ideas of what constituted a marriage among common people in the colony of the late eighteenth and early nineteenth centuries were in some ways strikingly different to our own, and certainly contrasted fundamentally with the ideals of the later Victorian middle-class. Let us look first at the English background. Several Australian historians have pointed out that cohabitation was considered normal and quite respectable among the lower orders of England; hence its commonness in the colony.²¹ Why was this so?

²⁰ See Aveling, 'Bending the Bars', p151.

²¹ Sturma, 'Eye of the Beholder'; Robinson, Hatch and Brood, p16ff; Atkinson and Aveling, Australian 1838, p278.

Lawrence Stone has traced the long struggles of the church and then the state to control, standardize and legalize marriage. In the eleventh century and earlier, both marriage and divorce were completely private affairs, but from the thirteenth through to the eighteenth centuries the church began the long campaign against common law marriage, particularly among the poor, and to promote the idea of marriage as an indissoluble union involving a monogamous relationship.²²

But traditional habits and beliefs of secular plebeian forms of marriage proved resilient. As John Gillis argues, it was not until the eighteenth century that the passing of the Hardwicke Acts (1753) gave the established church 'a monopoly on the notarization of marriage'. Parsons could no longer accept common law marriage and the result was a split between people and clergy, the latter now 'identified with Patrician interests'. From the 1750s, particularly in rural areas, there was a resurgence of 'unique rites of notarization and legitimization' among labouring people 'that were functional substitutes for the private betrothal and clandestine marriage now denied them by law'. In mid-nineteenth century London common-law marriage was almost universal amongst large sections of the lower orders.

Eighteenth century common-law marriage and divorce were manifested in myriad local rituals, such as jumping the broom (a 'besom marriage'), the giving of the dow purse (symbolising the wife's right to maintenance), the exchange of rings. The return of the ring was 'the woman's form of self-divorce', its male counterpart was the public 'wife sale'. All of these traditions emphasised 'orderly process, public notarization and the mutual rights of participants' and were thus not the province only of the very poor, the uprooted, or the 'immoral' or socially irresponsible. In rural areas they were deeply entwined with family and local community, although in cities 'public witness seems to have been of less importance'.

²² Stone, Family, Sex and Marriage, pp29-34.

For women there were economic and legal advantages in avoiding church marriages. Besom weddings, for example, meant that a wife kept rights to her name, property and children. Common law arrangements were seen to interfere less with a woman's trade or business, and ensured that women remained legal entities in their own right, while in church marriage 'the husband and wife became one person in law'. In other words, her legal standing was obliterated.

Gillis observes that in England and Wales 'the educated classes, and particularly the clergy, were almost entirely ignorant of the existence' of widespread secular marriage.²³ In Sydney they came face to face with it, and were horrified. Collins recounts tales of the convicts entering hurried marriages for material gains, 'various little comforts and privileges', but on finding these advantages not forthcoming 'actually applied to be restored to their former situations'. He was disgusted and concluded that they were 'ignorant and thoughtless'. George Worgan was still more forthright. Since half of the newly married spouses 'asked the Governor if Chaplains cannot unmarry', they were 'in short...a vile pack of baggages'. Some convicts did not believe that the clergyman Richard Johnston could really marry them at all.²⁴

Sydney was founded in a period when the ideas and forms of marriage were in flux in Britain, making the slow transition from pre-industrial ideas and habits towards more modern practices of official and church intervention and policing. Rather than immorality or brute ignorance, the observations of Collins, Worgan and others suggest a people still unfamiliar with the concept of state/church encouraged and performed marriage, and, if they were not openly hostile to the clergy, trying to readjust and establish for themselves what powers a

²³ John R. Gillis, 'Conjugal Settlements: Resort to Clandestine and Common-Law Marriage in England and Wales 1650-1850' in Bossy (ed.), Disputes and Settlements, pp273-286.

²⁴ Collins, Account, Vol 1 p14; George B. Worgan, Journal of a First Fleet Surgeon, 1788, facsimile edition Sydney, Library Council of New South Wales and Library of Australian History, 1978, p25.

clergyman might have in areas of marriage and divorce. Could he really marry them? Did this have the same import and value as their secular marriages? Could he then also perhaps divorce, just as common law marriages could be ended by appropriate rituals and actions? The successful Cambridge Street publican Elizabeth Mountford was unclear on the legal and binding implications of her marriage to Michael Cassidy in 1808. After he had beaten her severely in 1818 she told a Magistrate that that marriage was null, since 'We were married during the Usurped Government which has since been declared void, thereby he has no power over me'.²⁵ In her mind, church and state ran together, so if the power of one was void, so it was in the other.

Governor Macquarie probably did more than his predecessors in educating the lower orders towards the idea of official marriage, yet the effect was by no means universal. The Sydney Gazette carried his edict more or less commanding the majority of people who were cohabiting to marry; some did, but many took no notice. Grocott points out that 'by 1821 the great majority of children were still illegitimate. Marriage in the Macquarie era was still for a minority.'²⁶ It is clear that many of the Rocks people, young and old, newly arrived and long-time residents, with children or without, were not officially married, and did not consider marriage essential. It was not strongly linked to the attainment of a respectable, comfortable lifestyle, and it could in fact prove a burden and a great disadvantage, particularly for women. The constables themselves took this for granted and in 1822/23 listed them according to their *relationship*, rather than to their official status, so the women were listed as wives, married or not. By contrast, when Bigge had his survey of Sydney householders completed in 1820, this distinction *was* made. Hence Daniel Cubitt was listed as unmarried, even though he and Maria Ann Cook had been together since 1792 and had twelve children (an unnerving

²⁵ Collins wrote of the 'erroneous opinions which were formed of the efficacy of Mr Johnson's nuptial benediction'. Statement of Elizabeth Mumford (Mountford), 5 June 1819, CCJ COD 447 p131 AONSW.

²⁶ SG 24 February, 3 March 1810. Grocott, Convicts, Clergy and Churches, p75.

example of how misleading such seemingly reliable documents can be).²⁷ The absence of official marriage meant that, in event of the disappearance of a husband or wife, through the breakdown of a relationship, desertion and so on, the remaining spouse was free to find another partner, to form a new household. On the whole people continued to consider their sexual lives, partnerships, marriages and separations as part of the private and communal realm, and little to do with governors or clergy, except the occasional appeal for intervention to punish absconding wives or abusive husbands. Like many aspects of their lives, it was a traditional stance with roots that stretched back centuries undeterred by the intrusive attempts of church and state.

We must thus divest ourselves of the idea that all Rocks people lived by the rules laid down for them. One example was the rule that no convicts still under sentence could live together. Among the households listed in the 1822 Constables Notebooks are numerous couples living together who were either still under sentence, or holding Tickets of Leave. Some like William Collins and Martha Dunne of Cumberland Street were almost certainly not officially married, since by 1828, Martha had been banished to Port Macquarie and William had a new wife. Tinman Henry Buckland (TL arrived 1812) and Sarah Smith (TL arrived 1811) of Gloucester (now Cambridge) Street had a more successful, but again unmarried relationship. Nevertheless she listed herself as his 'housekeeper' rather than as a wife in 1828.

This can also be read in the openness of action and testimony concerning cohabiting, and was reflected in the laissez-faire permissiveness of the governors. In the earliest years and during the Macquarie period little actual official interference was attempted, and the formation of family households was considered very beneficial in the new society. People, convicts, did meet, mate, set up households, bring up children and sometimes separate with no official

²⁷ See Bigge, Report, Appendix, BT Box 25, 'Return of Persons Free Above the Age of 21 residing upon their own property in the Town of Sydney December 1820' p5311.

involvement at all, apart from encouragement through indulgences and favours. Even when occasional appeals were made directly to the Governor by desperate husbands and wives complaining of their spouses' bad behaviour, they and the magistrates were reluctant to interfere in what were considered domestic disagreements, and they expected couples to sort out their own problems one way or another.

People were not embarrassed or shy to admit they were not officially married. 'The prisoner [Mary Furney] and myself live as man and wife together', William Flynn, a visitor to the Rocks in 1814, told the court straightforwardly, 'We have lived together about four years'. After a mentally disturbed man, Thomas Robertson, committed suicide in Gloucester Street in 1816, his lover Mary Armstrong, a convict, informed the inquest jury frankly: 'Yes I lived with the deceased and slept with him repeatedly at Jane Getty's house'.²⁸

Others displayed astounding openness and naivety. Even in 1827, a much more strictly policed period, a convict servant named Thomas Ryan persuaded another servant, the recently arrived Caroline Butcher, to abscond and live with him. He installed her in a house on the Rocks, introducing her to the neighbourhood as a free woman. But when the couple had a fight a short time later, he reported her to the authorities, with the result that the scheme was discovered and he was flogged. Caroline was seen as his victim and reinstated with her master, though by 1828 she was at the Factory.²⁹ As it was only his own resort to the law that exposed them, this incident speaks volumes for the continued lack of regulation of private lives in the Rocks, as well as the openness of such relationships within the local community.

²⁸ Papers from trial of Mary Furney, 29 March 1814, CCJ R2390 p288ff AONSW. Inquest on Thomas Robertson, 11 March 1816, CSC R6021 4/1819 p599 AONSW.

²⁹ SG 2 May 1827; Census 1828.

Evidence of traditional sectarian marriage rituals such as those described by Gillis is almost non-existent for the early Rocks, perhaps because most convicts came from urban areas where public notarising through such ceremonies were not considered necessary. It is thus difficult to know whether couples who decided to live together had any ceremonies to mark that commitment. Regarding weddings, the glimpses we have suggest that couples opened their homes to their friends for all-night celebrations, and that the guests dressed in fine, elaborate and colourful clothing, makeup, wigs and accessories like fans, hats and bags. Irish couples seem to have gathered Irish friends together, again at their houses, for celebrations of drinking, singing and dancing which lasted three days.³⁰

The marriage registers suggest that Rocks people who did decide to marry in a church often asked their Rocks neighbours, evidently now friends, to be their witnesses. Sometimes two couples married on the same day, one after the other, and signed the book for each other. The marriage of butcher George Cribb to Fanny Barnett on April 11 1811 at St Phillips was witnessed by his neighbours just to the south in Gloucester Street (then Cambridge Street) Samuel Thorley and Agnes Shields, who, after being partners for 13 years also decided to marry that day. The 1822 weddings of Gloucester Street labourer James Farrell (evidently recently separated from his first partner Mary Ann Kelly) and Jane Williams, together with Gloucester Street publican John Hull and Judith Ann Caffsey (who already had four children) were also held on the same day.³¹ Evidently weddings were not seen as especially focusing on one couple, or on the bride, as they are today. Marriages, like so many other aspects of lifeways, could be shared in common.

Gillis argues that English women preferred common-law marriage because it ensured their continued rights to their own names, property, legal entity and business interests.

³⁰ SG 11 December 1803; 15 May 1803.

³¹ Mutch Index, ML.

Interestingly, there is strong evidence to indicate that this stance continued in Sydney amongst both women who were officially and unofficially married. Most Rocks women continued to use their maiden names, sometimes alternating with their husband's names, married or not, as advertisements, petitions and so on show. When the constables took down the names of householders in 1822, 137, or two thirds, of the wives were listed by their own names, not only convict and ex-convict women, but also those who came free to join a husband, and a few who were born in the colony. This practice seems to have lasted longest amongst Irish women, many of whom were still listed under their own names in the 1828 Census.³²

Rocks women were also quick to defend publicly their right to their own property as distinct from their husbands. Few would have been convinced by Macquarie's assertion that only official marriage guaranteed a wife's right to property. While this may have been true for women who had nothing of their own, in the eyes of others, a husband posed a potential threat to the houses, capital and goods they had built up. Margaret Foggarty took her husband, the successful butcher Richard Cheers, to court in 1803 for selling her house on the Rocks and leaving her with a baby to support. The court ordered him not only to pay maintenance for the child but to compensate her for the house. The couple was reconciled, but their remaining life together, as we shall see, was not happy. The Sydney Gazette was studded with advertisements from husbands refusing to pay debts incurred by runaway wives, but also from wives claiming ownership of houses, land, cattle and so on, and warning people not to buy them from their husbands. Mary Connor of Harrington Street warned people against buying 'cattle or other property' from her husband Patrick Traynor, because 'the whole of [it] belongs to me and my family'. Elizabeth Mountford told the Magistrate that her husband had 'made away with my property and left myself and my four children

³² Karskens, *Analysis of District Constables' Notebooks*.

destitute': no uncertainty here over who owned what.³³ Later she would find an effective way of dealing with him.

The wealthy widow, publican and dealer Sarah Wills who lived near the wharf at the foot of the Rocks, was very careful to maintain her hold over her property, which included a house and warehouse, two farms, a brig and its cargo of elephant oil and stock-in-trade valued at £2,500). When she married the Gazette editor George Howe in 1812, she had a 'Deed of Trust' drawn up to 'vest them for herself and her children', six in number, and it was witnessed by her neighbour, the well-regarded Isaac Nichols. Howe already had a son Robert by his first marriage in England, and five more children from his 'irregular alliance' (as the ADB politely puts it) with Elizabeth Easton in Sydney. His struggling fortunes were reversed by his marriage to Sarah Wills. With an eventual total of thirteen children between them, Sarah had made pragmatic and far-sighted arrangements for herself and the children of her first marriage. Like many other Rocks wives, widows and single women (Elizabeth Mulhall, Elizabeth Mountford, Elizabeth Rafferty, Bridget Nowland and many others) she continued to run her businesses herself in her own name.³⁴

What evidence is there for the idea of female subservience in marriage, of a wife's absorption into her husband's identity? In the early years men, when speaking to other men, referred

³³ Re Margaret Foggarty, SG 2 October 1803; see also advertisement placed by Sarah Reynolds SG 4 September 1808. Re Mary Connor/Traynor SG 19 May 1825. Statement of Elizabeth Mumford (Mountford), 5 June 1819, CCJ COD 447 p131 AONSW. There is evidence that some unmarried partners ensured the woman's right to property by placing the title in her name. Flynn writes of William Prentice and his partner Elizabeth Rickers, of Cumberland Street: 'The couple do not appear to have been married and it may have been to ensure her inheritance that William transferred the title of their home...to Elizabeth in 1813'; Second Fleet, entry for William Prentice. When the freehold titles were investigated and granted in the 1830s, Margaret Kelly/Byrne was the claimant, not her partner Richard Byrne; see Section 1, note 76.

³⁴ ADB, entries for George Howe and Edward Wills; Mutch Index, ML; Clune, Bound for Botany Bay, p121; SG index, entries for Sarah Wills.

to their wives as 'my woman', or 'Nichol's woman', rather than by their names. Women sometimes identified themselves by the man with whom they lived. But I think that this conveyed more a sense of identification through 'belonging' to one person or household, of one's place in society, rather than a sense of 'ownership' of the wife by the husband, and the power relationship suggested by it.³⁵ The bulk of evidence of wives' actions and words reveals that a sense of subjugation was not internalized - they do not seem to have thought of themselves in this way. Rocks marriages were much more a traditional matter of husband and wife forming a partnership for economic purposes as well as for raising children. Their relationships and families strongly resemble those of the lower orders of sixteenth and early seventeenth century England, in which, Stone writes, 'husband, wife and children tended to form a single economic unit, like the crew of a ship, in which the role of the wife was critical'.³⁶

Thus the decision to marry was in most cases a pragmatic one: would the husband be a good and steady provider? Would the wife be able to run a shop or a hotel, be frugal and sensible with the family's money? What would each contribute in terms of property? Aveling cites the fact of numerous occasions on which women changed their minds about which man to marry. This was not a sign of fickleness, but of cool calculation on who would make a better husband, and hence a better life.³⁷

The urgency of economic prospects for the decent support of a family meant that convict and native-born women tended to choose those men who were already settled, had trades, businesses and houses; these men thus also tended to be older, on an average ten years older,

³⁵ See for example HRA; re 'ownership' of wives by husbands, see Stone, Family, Sex and Marriage, p315.

³⁶ Stone, ibid., p139.

³⁷ Aveling, 'Bending the bars' p152; see also discussion in Aveling and Atkinson, Australians 1838 pp100-102.

than their wives, often more. Older women, particularly those who had managed to amass the same kind of economic security in places like the Rocks, also had no trouble finding husbands, if they wanted them, and sometimes their newly arrived husbands were ten or more years younger than they were. Elizabeth Dean was nine years older than James Evans (for whom she had left her first husband) while Mary Fitzgibbon was still the defacto wife of William Merritt, eighteen years younger than she, in 1828. These seem to have been steady and long lasting relationships. Radical age differences between husbands and wives, although they sometimes caused problems, seem not to have raised any eyebrows among the lower orders of Sydney.³⁸

On the Rocks were many couples whose marriages were of this typical 'working partnership' sort. Perhaps most successful were the publican couples like Phoebe and John Waldron (Prince Street), Catherine Brown and Patrick Doyle (Three Jolly Sailors, Harrington Street), Sophia Blundell and Stafford Lett (Punch Bowl, Cambridge, later Gloucester Street), Thomas and Ann Whittaker (Labour in Vain, Harrington Street), Ann Mash and William Chapman (who had a hotel opposite the King's Wharf), Alice Schofield and Stephen Murphy (St Patrick's Inn, Gloucester Street) to name just a few. These couples often combined their hotels with other concerns: they were also dealers, passage boat owners, bakers, butchers, and tradespeople, and they often held small to medium sized farms out on the Cumberland Plain. It should be noted, though, that all of these partnerships were broken by the death of a spouse, in these cases, the husbands.

For women who, as a whole, had far fewer highly paid skills, and who were often left with children to support, marriage was certainly the obvious and best way to economic security.

³⁸ See discussion in Aveling and Atkinson, Australians 1838, p102; Robinson, Women of Botany Bay, p206; David Kent and Norma Townsend 'Deborah Oxley's "Female Convicts": an accurate view of working-class women?', Labour History, No 65 1993 188; Karskens, Analysis of District Constables' Notebooks; SG 8 February 1807.

For those without business or property, the sudden loss of a husband was devastating. If the usual rather narrow avenues of making a living, such as laundering, failed, women could be reduced to relying on the Government stores as 'Objects of Charity', as the dependent poor were termed. Sarah Curran (came free in 1806) mother of four, widowed washerwoman of Harrington Street, was listed as one of these in 1821. Mary Kearns (came free in 1817) and her two children were also listed, but by 1823 she had moved in with the publican and stonemason, Thomas Glover who already had an illegitimate son. The relationship seems to have been successful and by 1828 they had seven children between them and still lived at their Cumberland Street hotel. When Thomas died in 1838 Mary married a whaler, and sailed away with him, leaving her children behind.³⁹

For women married to men who were cripples or otherwise unable to work, the situation could be worse than for widows. Margaret Roach, accused of stealing clothing she was given to wash, sent a petition outlining her pathetic situation, she 'suffered severely from shortness of food and ill health during a confinement of four months...and also from an afflicted mind'. She had 'three infant children absolutely destitute of wearing apparel, her husband being a cripple...three years', and she supported the family herself, and had 'not the means to employ counsell' to defend herself. It was no use: she was sentenced to be transported for five years.

But it was also important for men to have wives, particularly tradesmen who wanted to run hotels, businesses and farms at the same time. Major Druitt told Bigge that the wives of the overseers who worked for the government commonly 'attend to the business in the shop' while their husbands were at work, and hence their private trades did not interfere with their work for government. It was said of Cumberland Street publican James New after his wife Jane was sent to the Female Factory that 'he was not able to carry it [the hotel] on after his

³⁹ 'List of those victualled', 1821 CSC 4/5781 p68; Karskens, Analysis of District Constables' Notebooks; James Pashley, Memorial, 11 July 1840, in Memorials Forwarded by the Commissioner of Claims, 2/1760, No 465 AONSW.

wife was taken from him'. Even in the well-to-do Redmond family, the wife, Winifred Dowling and her daughter Mary served behind the bar of their George Street hotel.⁴⁰ In the case of Irish Catholic blacksmith William Davis and his wife Catherine Styles, it was she who ensured their success, security and prosperity. A normally mild-mannered woman, Catherine was provoked to publicly defend herself when William accused her of bigamy in 1826. She stated in the Gazette that she was married to him in 1809 by a Catholic priest and then recounted her efforts on his behalf. She had applied successfully for his Ticket of Leave, his 'emancipation' and then a free pardon, in the meantime obtaining a hotel licence to support them 'which I retained for 12 years, without intermission and with unblemished character'. She concluded that his accusation was 'an unprecedented hardship' and that she had never had any husband but him. This advertisement probably succeeded in making William appear to be as foolish as he really was; nevertheless the couple were reconciled and remained together.⁴¹

The butcher George Cribb seems to have considered a wife essential, and his story, and that of his wives, are a good case study of the patterns as well as the precarious nature of life on the Rocks. He was likely to have been already married when he arrived as a convict in 1808, but in 1811 wedded Fanny Barnett, another 1808 convict arrival. The couple most likely lived in their L-shaped stone house in Cambridge (now Gloucester) Street at the corner of Cribb's Lane, but, from the evidence that can be pieced together, their lives were probably upended when George learned that his first wife Mary was coming on the *Northampton* to join him. It was evidently decided that Fanny had to leave. The ship arrived in 1815, and its surgeon Joseph Arnold remarked with a kind of shocked voyeurism in his journal that

⁴⁰ Papers from trial of Margaret Roach 14 April 1821, CCJ R1975 p315 AONSW; Bigge, Report, Appendix, evidence of Major Druitt, Box 1 p4; Papers from trial of John Stephens jun., Governors' Despatches, 1834, ML A1267-¹⁶ Cy895 pp274, 294. Papers from trial of William Jackson 7 December 1821 CCJ R1976 p170 AONSW. Jackson took a tumbler from the Redmonds' hotel.

⁴¹ SG 15, 29 March 1826.

several of the women we brought out to join their husbands found them married here and in one case what is very extraordinary a Mrs Cribb came out with us to join her husband...and another Mrs Cribb (wife to the same man) is going home with me in the *Indefatigable*...

It was perhaps not until Fanny had sailed away that George realized that Mary Cribb had not arrived after all. Surgeon Arnold reported to the Governor that she with two others had 'left the ship at Rio de Janeiro and concealed themselves so effectually' that the ship sailed away without them (a minor detail which would have rather spoilt the story in his journal). Perhaps Mary had second thoughts about rejoining George, and found Rio more to her liking.

So George, left without any wife at all, waited a few years more, and in May 1818 married his Gloucester Street neighbour and fellow publican Sophia Lett, nee Blundell. She had been the wife of the well-respected Stafford Lett, had been widowed six months before and left with five children, including newborn twins. George listed himself on the Register as a 'Widower'. She and her children moved into George's house, although she retained the licence to her hotel.

They seem to have prospered steadily through his butchering business, slaughtering beasts at the rear of the house and selling meat from a small shop he built adjacent in 1817. They had two hotels (his and hers), farms, and houses at the rear of their Rocks premises (in Cumberland Street) which they leased to tenants. Cribb was wealthy enough to own horses which he raced, his bay colt Sly Boots winning the Sydney Races in 1819, and another horse Mulberry running in 1821. Yet despite the surface images of emancipists-made-good, there were undercurrents of tension and nefarious activity. George was fined for hawking meat illegally in 1819. In 1823 Charles Throsby lodged a complaint about him with the Colonial Secretary, claiming that Cribb had trespassed on his land and 'used' his bulls. In 1823 both he and his nephew Thomas (also a convict, assigned to his uncle) were implicated in the

serious crime of cattle stealing, and of bribing witnesses. A man named Charles Raven sent to Newcastle for the crime wrote a desperate letter claiming Cribb had conspired to steal the cattle and then framed him. Cribb was involved in a civil suit and appears to have lost his extensive Rocks premises as early as 1824, although he still owned the house where the family lived.

At the same time, their marital relationship had deteriorated. In 1823 he advertised in the Gazette:

The Public are hereby cautioned not to credit my wife Sophia Cribb on my account as I will not be responsible for any Debts she may contract after this notice, having eloped from her home...without any provocation whatsoever...

and further, a reference to his houses:

and I do caution all my tenants who hold Houses from me not to pay any Rents to her from this date otherwise I will compell them to pay the same over again.

When women left their homes, for whatever reason, husbands inevitably tried to retaliate by cutting off financial support. Since Sophia had her own resources, it is difficult to say if this was an effective 'punishment'. She had evidently been the rent collector, and probably ran the shop and hotel as well.

Sophia Cribb died in February 1827 at the age of 43. Cribb sold the house in May, and by the following year the family had completely dispersed, for George Cribb evidently had little further interest in his stepchildren. He himself vanishes from the historical record after her death, and nothing was left of this couple's connection with the prosperous and promising little empire on the Rocks, except the name of Cribb's Lane.⁴²

⁴² Mutch Index, ML. SG 30 July 1809; James Byrne, Memorials, 5 May 1834, in Memorials Forwarded by the Commissioner of Claims, CSC Memorials 581 and 582, AONSW. Arnold, Journal, 1815, and his Surgeon's report, *Northampton*, 19 June 1815, CSC R6045 4/1733 p168. SG 22 April 1822, 28 June 1817, 29 November 1817, 4 July 1818, 5, 30 January, 5, 30 June 1819, 18 August 1821, 14 June, 22 November

Most of the stories, like this one, underscore how essential *both* parties were to a successful marriage, and the mutual agreement implicit in it. This was at odds with the idea of women as completely dependent, submissive and submitting to her husbands wishes. Occasionally a woman might turn that idea to her own advantage: Margaret Brown, when accused of passing stolen bills at numerous pubs on the Rocks, said in her own defence that she was merely 'acting under the authority of her husband'. But this was play-acting to the expectations of authority. She was acquitted, though it was remarked that this argument 'did not hold good in all cases'. The reality had little to do with the idea of women 'exchanging the power of the state for the power of a husband' however reassuring that notion was to authorities.⁴³ People married or lived together on their own terms, sometimes foolishly, more often sensibly, and many women went on behaving exactly as they pleased.

For all the differences in underlying ideology, the confluence of official stance and plebeian action was another strong encouragement to marriage. Marriage *was* generally seen as a superior status to being single: it implied the security, fixedness, steadiness, and it was rewarded. Married or cohabiting men and women were regarded as householders, a large step up from drifting, itinerant labourers. Bigge learned from Druitt that the three to four hundred overseers and convicts who were allowed to 'sleep out in the town' rather than under surveillance in the new barracks, were 'the best behaved men and *men married legally*' (my emphasis): note the equation of behaviour and the married state. Married women were considered 'settled' rather than 'loose', and were regarded amongst themselves as mature and

1822, 16 January 1823, 13 March 1823, 3 June 1824, 8 April 1826, 12 January 1827. Australian 27 January 1825, 8 November 1826. Complaints about George Cribb, see CSC fine for hawking 1819, F3303 5/3821.2 p23; complaint by Throsby 1822, R6055 4/1760 pp205-9; by Raven F3242 4/1872 pp92c-e. More details on the Cribbs and their property are available in Karskens, 'Cumberland Street/Gloucester Street Site...Historical Discourse', pp23-27; and in Godden Mackay Pty Ltd, Karskens et al, 'Report on the Cumberland Street/Gloucester Street Archaeological Investigation', forthcoming; Census, 1828.

⁴³ SG 2 December 1820.

worldly. Mothers in particular achieved respect after they bore children. Phoebe Larra was finally able to tell her dreadful secret to Sarah McDonald because 'you have been a married woman and the mother of children'.⁴⁴

When Rocks people approached authority for 'indulgences' they always pointed out that they were married and had children: 'I am a free and married man' was the way publican Samuel Hulbert introduced himself in his petition for land. The petitions hardly ever refer to 'love' or passion, but often to 'comfort'. Thomas Crump, during his sojourn as a prisoner at Newcastle, pleaded for remission, lamenting that he 'for eight years has not had the happiness of enjoying the comfort essential to the married state'. (This was rather ironic, since he had left one wife and two children for the wife to whom he was referring, and was living with a third woman while at Newcastle). A woman off the *Northampton* (1815) wanted to be reunited with her convict husband. Her marriage, she said, was the source of 'comfortable sustenance and injoyment of Life in this transitory world'. These words perhaps best express the ideals and purpose of plebeian marriage.⁴⁵

A spouse, and particularly children, were also strong mitigating factors for those men and women who committed crimes, and had real power to have sentences reduced or commuted. When a man and two women were arrested at a house on the Rocks for robbery in 1804, the man was 'kept in close confinement', while the women 'were humanely permitted to return to their families until called upon'. Here again is evidence of 'a fate infinitely softer' for women, and one easily a cause of resentment between the sexes. Mary Bryant was a householder who had arrived free to join her convict husband Bryan Eagan, and held a beer

⁴⁴ Bigge, Report, Appendix, BT Box 1, evidence of Major Druitt, p23 and D'Arcy Wentworth p576; papers from trial of James Larra.

⁴⁵ Samuel Hulbert, Memorial, 1819, Wentworth Family Papers, ML A764 p149; Thomas Crump, Petition, March 1810, CSC F3164 pp55-6; Sophia Mason, Petition, 1815, CSC Reel 6045 4/1733 p155.

licence in Gloucester Street; she also had five children. When she was convicted of receiving stolen goods in 1813 (from William Howells, Anne Dalton's lover) she was sentenced to seven years transportation, but served only a few months, returning to her home and family.⁴⁶

Andrew Johnston, ex-convict of Cumberland Street who was convicted of stealing in 1827, pleaded that he had a wife, (Elizabeth, born in the colony) and five small children. The court 'taking this into consideration sentenced the man to two years in an iron gang' rather than death or a fourteen-year transportation. So Andrew was despatched to break stone and grub out tree roots on the rugged ridgeline on the new North Road at Wiseman's Ferry, while back on the Rocks his family moved in with their neighbour, and Elizabeth became a washerwoman.⁴⁷

As well as consolidating property and teaming talents, marriage was one of the few remaining means for newly arrived convicts to become established on the Rocks. The analysis of the 1822/23 Constable's Notebooks shows that by that time, when most allotments were officially and unofficially appropriated, the few 1822 convict servants who still lived on the Rocks in 1828 were those who had married established Rocks inhabitants. The printer William Kelly and butcher James Cross both married Rocks widows and soon became propertied and pardoned householders.

⁴⁶ SG 12 August 1804; Malaspina, 'Loose Notes...', p141; Papers from trial of James Pass, Mary Bryant et al, CCJ 1813; CSC, listed among prisoners sent to Newcastle per *Estramina* 1813; granted pass to go to Sydney for one month, 4 October 1813; sentence remitted, return to Sydney, as 'Egan', 16 December 1813, R6003, 4/3492, pp211, 273, 295; petition for mitigation of sentence, 1817, CSC F3175 4/1850 p42; Census, 1828.

⁴⁷ SG 20 July 1827; Census 1828.

But what of love? Did the cool pragmatism and hard-headed material concerns preclude romance, affection, passion? Did Rocks people feel the emotional attachments to one another that our own society regards as essential and fundamental to the married state? It is here necessary to point out that the present popular idea of 'romantic love' is a quite recent invention. Stone sketches out its popularisation via the romantic novels of the eighteenth century, which gave endless variations on the key notions that

there is only one person in the world with whom one can fully unite at all levels; the personality of that person is so idealized that the normal faults and follies of human nature disappear from view; love is often like a thunderbolt and strikes at first sight; love is the most important thing in the world, to which all other considerations, particularly material ones, should be sacrificed; and lastly the giving of full rein to personal emotions is admirable...⁴⁸

Eighteenth and early nineteenth century Rocks marriages were certainly not devoid of affection and deep emotional bonds. But the means of choosing a spouse, and the relationships between husbands and wives bore little resemblance to this romantic view of love, in many ways were precisely opposite to it. What is frequently observed in words and actions of happily married Rocks couples was that pragmatic marriages, and the 'comforts' of companionship, loyalty, affection, consideration, and belonging went hand in hand. The commonly-used word 'comfort' itself meant material as well as emotional security; the two were inextricable. Rocks people for the main part telescoped them, and when material security began to fail, so did marriages, as we saw in the case of George Cribb and Sophia Blundell. Perhaps we may call these bonds 'love', remembering that sentimentality is absent; they were not in love with 'love' itself. Yet the diffidence, disagreeability and distance of pre-industrial plebeian marriages also described by Stone were not typical either.

⁴⁸ Stone, Family, Sex and Marriage, p282.

There were many couples on the Rocks who seem never to have violently disagreed, left one another, publicly scolded one another or come to blows. Hannah Manley and George Barnett, Thomas and Elizabeth Boulton, George Talbot and Ann Armsden, Richard Byrne and Margaret Kelly, George Pashley and Louisa Sturdy and many others, lived amicable and companionable lives until parted by death. Occasionally we see glimpses and gestures of intimacy slipping through in the official records. Ann Collins of Prince Street described her husband Thomas as 'her only friend' as well as her only means of support, in a doomed attempt to save him from the gallows. George Woodford, the husband of Elizabeth Giles, of Cumberland Street, was called out one night in 1818 by his young neighbour, fourteen year old Ann Edwards, to search for his friend, her father Edward. Edward, in his unstable state of mind, had gone wandering around Cockle Bay. Once he was safely back in bed, George considered lying down with his afflicted friend to comfort him, but then 'recollecting his wife was sitting up for him, went home'. Both were considerate and caring, the wife waiting up in the early morning hours, the husband returning to her.⁴⁹

Joseph Holt's memoirs describe the relationship between himself and his wife (always referred to as 'Mrs Holt') as 'loving'. Transported to Norfolk Island in 1804 he wrote that he 'parted my wife once more, to the great displeasure of a loving couple to be separated in a strange country'. On his return, she was 'overpowered with joy' and 'swooned away'. A man whose wife was ill and died during the night said he had heard her cry out in bed, and put his arms around her to comfort her. Stephen Wain openly wept in grief at the inquest on his wife, Elizabeth Mandeville, saying of her that 'as good a woman as never broke bread at home': here again is that convergence of material and emotional. The passion that the Cumberland Street publican James New and his convict wife Jane felt for one another was so great that Jane jumped the high walls of the Female Factory twice to be with him. She

⁴⁹ Ann Collins, Petition, CSC F3173 4/1849 p42; Inquest on Edward Edwards, 5 November 1818, R2232 p265ff AONSW.

wrote him a note in 1827 saying 'I am almost out of my mind at not seeing you'. Eventually James quietly sold up everything and the couple left the colony clandestinely, with Jane disguised as a man. (Jane then had the temerity to write to a Sydney attorney from Hobart and demand her clothes which had been sent back to the Female Factory after her escape, threatening legal action if they were not returned!) The News were exceptional in this though; most couples were more down to earth about the relative importance of their affections and their material lives.⁵⁰

It is difficult to generalise about the nature of married relationships because they were as varied as they are today. Some couples, such as these, were close and affectionate, others distant or only loosely bound, still others were extremely violent. Nevertheless one striking feature was that men and women, after their marriage, continued to maintain independent lives in some senses, and that the idea of what constituted married life was still flexible. Women and men could have their own circles of friends, both male and female; these might overlap, or they might not. It was not necessary that wives and husbands spend their leisure time together, (although they often did) and it was quite acceptable for them to go their separate ways in pursuit of a living or leisure. In some cases they did not even live together all the time, pursuing different paths and coming together occasionally, yet this did not erode their sense of being married.

What is thus absent in Rocks marriages is a strong sense of women being eclipsed socially, legally and psychologically by their husbands, in the way that some surviving records, like petitions and memorials, suggest. Women were not confined by the power of their husbands to the home, their movements at work or at leisure, their circles of friends were not constantly

⁵⁰ Peter O'Shaughnessy (ed), Joseph Holt, A Rum Story: The Adventures of Joseph Holt, Thirteen Years in New South Wales, Sydney, Kangaroo Press, 1988, pp87, 101. Inquest on Mary Jeffries, 1812, CSC R6021 4/1819 p331. Inquest on Elizabeth Mandeville, 31 January 1821, CSC R6021 4/1819 p435. Papers from trial of John Stephens jun., Governors' Despatches, 1834, ML A1267⁻¹⁶ pp25, 330.

watched and controlled. Many wives and mothers from stable households were quite disorderly in their behaviour, fighting, drinking, being 'pests to police' and occasionally making off with the family property, without it much affecting their marriages. Again, the perceived gulf (and the heuristic device built upon it) between 'good family women' and 'loose disorderly women' is difficult to sustain.

Some alliances were casual, pragmatic arrangements which suited both parties and left them with companionship and a roof over their heads. The widow Mary Long (Ward) moved in with Thomas Bristow in Cambridge Street probably after her sons were accepted into the Male Orphan School in George Street below in about 1819. She was still with him in 1822, and in 1828, when she was listed as a washerwoman. It is unclear whether she was wife, friend, housekeeper or lodger; or perhaps something of all four. Yet theirs was one of the stable household relationships on the Rocks.⁵¹

The marital arrangements of Mary Bryant and Bryan Eagan emerged when Mary was tried for receiving stolen goods in 1813. She was a Rocks householder and had some of their five children with her, probably took in lodgers and kept a drinking house. Her house was a well-known meeting place, in this case for a thief, William Howells and his lover, as well as for tradeswomen like the mantua maker Kitty Baker. Bryan Eagan had just returned from a period working at Shoalhaven; he said his usual occupation was 'in the Hawkesbury trade' and that he had 'lived with the prisoner Mary Bryant', using the past tense. Yet he left his chest and its key at her house, and described himself there 'sitting at *my* door'. He said they

⁵¹ Flynn, Second Fleet, entry for Mary Long; District Constables' Notebooks; Census, 1828.

had a disagreement about his trunk, but they were not now 'at variance'. Their marital relationship was cyclical, each partner with their own sphere.⁵²

Still looser was the relationship of Happy Filler and her soldier husband William Filler. He lived at the barracks, she lived at Mary Redman's house on the Rocks. When she died (either of illness, or murdered, the case was never resolved) her friends and acquaintances recounted her drinking during the day with friends, men and women, including her husband, then crossing to William Welsh's hotel in the evening where she danced a reel with Rocksman Thomas Happy. Later as she lay ill in bed upstairs, she was tended by another soldier named Davis, who bathed her legs. When she died someone went to the barracks to tell William; he arrived to see her body already laid out by the women of the household. He had his suspicions about the cause of death, but 'was obliged to go back to barracks'. It seems to have been a marriage of the loosest, most open sort. Yet when a soldier in search of a drink rapped at Mary Redman's locked door that morning, she reproached him saying he 'ought to be ashamed of himself for coming there, as one of the women belonging to the Regiment was dead in the house'. Happy Filler's behaviour, and the nature of her marriage, evidently did not affect this underlying sense of 'belonging'.⁵³

The accounts of Happy Filler dancing, drinking and otherwise keeping company with various men were not unusual. Rocks women Rose Bryan and Elizabeth (or Esther) Jones were both caught picking pockets of strangers as they sat drinking with them in pubs. They were not single or prostitutes but married/partnered women with children. Joseph Salter told the court of an evening he spent with Celia Wright and Elizabeth Remrant, treating them to food and

⁵² Papers from trial of James Pass, Mary Bryant et al CCJ. Compare this distance with Stone's discussion of the remoteness of plebeian family life in the sixteenth and seventeenth century England, *Families, Sex and Marriage*, p81-84.

⁵³ Inquest on Happy Filler 28 December 1822, with papers from trial of Mary Redman, Bridget Lever, Thomas Francis and William Fenning, CCJ, R1979 p93ff, AONSW; see also SG 8 May 1823.

drink at Mary Gotham's house. Celia was a married woman, her husband a blacksmith. When Mary Ward, formerly Mary Boyle (nee Chipp) went to the races with her husband Thomas in 1829 she soon left him, and instead went about the canvas booths drinking with her friend Edward Burton, a ticket-of-leave man. There was evidently nothing improper in this; there is no evidence of these husbands objecting, nor wives being embarrassed or ashamed.⁵⁴ Thomas Curry was resentful of the amount of time his native born wife Charlotte Cubitt spent at Thomas Rushton's household, but there was little he could do about it:

my Wife as gone back and forth...for this 5 or 6 years the same as one of their own family and we have been married this two years and she as still used the house and as come home loaded with tea and sugar and...some clothes to where...⁵⁵

Charlotte's continued friendship with the Rushtons and their servants, and her willingness to run their messages, eat and stay with them, were evidently established in her youth (she was born in 1801), and she did not allow her marriage to interfere with those connections and habits, much to Thomas Curry's dismay.

At the same time there is evidence that husbands and wives had separate spheres and expected each other not to interfere in them. If women's spheres *tended* to be the home, these were their domains, badges of material security, not their prisons. There is no sense of the home being a confining space for women from their own perspective. One man begged his friend not to tell his wife about a stolen horse, fearing 'he should have a noise in the house about it'; the house was her domain and he was loathe to disturb it.⁵⁶ At certain times, for instance at childbirth, or when someone died, men seem to have been banished

⁵⁴ Papers from trials of Rose Bryan, 11 August 1823, CCJ R1980 p122; Elizabeth/Esther Jones, 23 October 1819, COD 449 p79; Joseph Salter 17 September 1818 COD 445 p205; and Richard Crampton, Sydney Quarter Sessions [hereafter SQS] SC T29A 29/177, CP T140, 108, AONSW.

⁵⁵ Defence of Thomas Curry, County Gaol, 8 March 1822, CCJ R1976 p273 AONSW.

⁵⁶ Statement of William Refain, 22 June 1822, CSC R6054 p47.

from the house. But at an everyday level the divisions are by no means so clear-cut. Both husbands and wives worked at their joint businesses, the wife often combining this with childcare, the husband with an outside job or a farm. While husbands and wives could go their separate ways if they wished, the leisure time and spaces of the sexes was also integrated, although not necessarily that of husbands and wives. Both men and women drank and danced in hotels together; they also sang, talked, ate and drank in private homes together. While the work of washing and ironing clothes seems to have been allocated to, or appropriated by, women (Fig. 49), other so-called 'female' tasks: cooking and sewing for example, were not as rigidly gender specific as they later became. Men cooked meals in the households where they worked as servants, and there are orders for men's thimbles in government despatches. Beverly Kingston and Jane Elliot have pointed out that men in this period were often responsible for buying the household provisions. Children were claimed and cared for more by mothers than fathers, yet they also appear in their father's arms in the streets, playing around their feet in the houses, or on boating trips with them.⁵⁷

Not all marriages were happy ones, and some were extremely violent. The sources for discord seem to be mainly that either husband or wife failed in some way and to varying degrees to fulfil their spouses' expectations of them, or conversely succeeded in confirming their fears and suspicions of them. In stormy households and between feuding couples there was much china breaking, window smashing, brick-throwing and shouting. Some reckoned the law still had no place in these disputes: a constable who tried to stop a man throwing his

⁵⁷ See inquest on Thomas Cowup, 5 May 1815, CSC R6021 4/1819 p119; he normally cooked in Hugh MacDonald's household. In 1792, 'Articles to be sent to New South Wales', included '9 groce women's thimbles, 4 1/2 groce men's thimbles', see HRA, enclosure No 2 in King to Phillip 10 January 1792, Vol 1 333. Re men shopping see Beverley Kingston, Basket, Bag and Trolley: A history of shopping in Australia, Melbourne, Oxford University Press, 1994, Chapter 2; and Jane Elliot, 'Was there a convict dandy? Convict consumer interests in Sydney 1788-1815', in Australian Historical Studies, Vol 26 No 104 April 1995 373-392. Papers from trial of Isaac Nichols, 21 March 1809, CCJ R2652 5/1150 p112 AONSW. Inquest on Margaret Cheers/Foggarty, CSC R6021 4/1819 p77; SG 30 October 1803, 26 February 1804.

wife out of the house was told that 'his house is his castle into which no authority but his own could or should be admitted'. Others, such as the belligerent and violent drunkard William Callaghan thought of their wives as property, to be treated as they saw fit; hence when constable George Pashley remonstrated with him for assaulting a woman, asking him if were not ashamed of his behaviour, Callaghan retorted that 'she was his wife and he would do as he liked'.⁵⁸

Neighbours were also reluctant to intervene. William Blue and Elizabeth Williams felt nothing more than annoyance when their sleep was disturbed by their neighbour Margaret MacKnight screaming because her husband was beating her again. (Later the court heard that this wife was of 'unsound intellect and became unruly at the slightest intoxication' so that her husband, Thomas Lynch, 'had' to beat her; this seems to have been accepted as quite understandable). Yet when women themselves asked neighbours to protect them from violent husbands, they were taken in, and sometimes the husbands were reproached.⁵⁹ Violence itself was regarded as something of a matter of course in society generally, although people frequently sought redress by taking one another to court for assaults like a punch in the nose or a sharp push. But where it involved husbands beating wives the question with which courts and the community concerned themselves was whether or not the husband's attack was warranted or excessive.

The widely-held expectation of women as civilising partners had its constant obverse side, the equally widely shared fear that they were naturally morally corrupting and would bring chaos and ruin to a man's 'orderliness' and lay waste to his property. The Sydney Gazette in 1803

⁵⁸ SG 29 April 1804, an account of the death of 'poor old John Justice' who mended 'fractured china' thus 'alleviating the otherwise fatal and irreparable effect of domestic inquietude'; and 5 August 1804. Re Callaghan, Proceedings of the Court of Petty Sessions, 16 January 1813, COD 234 AONSW.

⁵⁹ SG 15 July 1804; inquest on William Wall, 20 February 1821, CSC R6021 4/1819 p720; papers from trial of James Larra, CCJ, 6 September 1814 R2390 p452.

offered these diametrically opposed gems: a story of a settler who leaves his house in the care of his wife but returns to find her drunk, his house and property in disarray, a cautionary tale about the disorderly and untrustworthy nature of women. And, in the same year, one of the 'Christmas wishes' was the hope that 'the fair' would be given 'an increase of Prerogative, a willing submission to their mild dominion, and the unfading Privilege of dispensing domestic happiness'.⁶⁰ Here, conversely, it was women who were *supposed* to bring order and tranquillity through domesticity and security.

These were precisely the terms used by complaining husbands: failure to be a 'civilizing' woman, confirming fear of disorderliness and moral corruption. One problem was that some Rocks men with high expectations married women off the convict ships they did not know very well, had their hopes of 'domestic happiness' dashed and their fears of chaos and financial ruin seemingly confirmed. Accordingly, their complaints were inevitably couched in terms their wives' 'immorality', closely tied to their lack of respect for property. William Sibley, a mariner who had arrived a convict on the *Hillsborough* in 1799, married Elizabeth Male (or Meal), a young woman off the *Broxbournebury* in May 1815. They had had a child two months before, but it appears to have died. William seems to have steadily built up property and possessions, including a house in Prince Street by 1820, and then built Geranium Cottage at 6 Cumberland Street in 1821. Elizabeth said in a petition for a pardon in 1821 that her marriage had been 'happy and comfortable', although she lost another child in early infancy in 1819, and would lose yet another in 1823. After her pardon was granted, her behaviour suddenly changed, and went beyond what William would tolerate. The following year he resorted to a desperate petition to the Governor. His wife had been 'absconding her Home and plundering his house of Valuables and Money' and, despite his forgiving her and taking her back 'had again eloped'. To make matter worse, she was 'glaringly without shame or remorse'. After a month at the Factory she 'conducted herself as became a wife' for a

⁶⁰ SG 2 April and 25 December 1803.

year, but by 1824 had resumed her 'disorderly' habits, continually drunk, destroying her husband's property, smashing his windows, and 'resorting to the most abandoned houses of Sydney'. William claimed that she believed 'the indulgence of emancipation' meant that 'no punishment can be inflicted on her'. Elizabeth, her time served as dutiful wife, now thought herself a truly free woman once more. Perhaps grief and disappointment over the loss of her babies expressed itself in violence and destructive behaviour. It is clear in this case, though, that the 'authority' of husband over wife in marriage, as a general means of control over women was chimerical: she had merely bided her time until she was emancipated. By 1827 William and Elizabeth had separated, he had sold his Rocks houses, and on his returns from the sea he lodged on the Rocks and sought casual sex and companionship from young women like the native-born Charlotte Walker Beeby.⁶¹

The pattern of conflict in the marriage of John and Mary Massagorra was similar. Mary had arrived in 1815 having been sentenced in Warwick the previous year to seven years' transportation. Her husband, a 'looking-glass maker', and four children joined her in 1816. Since there was no call for his trade in Sydney, John became the turnkey at the gaol. Although the couple lived 'on the most amicable terms' at first, once Mary's sentence expired in 1821 she too began to rebel. She had an affair and then ran away with their convict lodger, William Innes. Her husband brought them before the magistrate, William was sent to the country, and Mary back to her home. Shortly afterwards the couple agreed to separate, and Mary lived with her son and daughter in a house in Cumberland Street probably rented from George and Sophia Cribb. John, who was 'in the constant habit of passing the house where his wife lived', no doubt to see what she was up to, observed to his 'abhorrence' that the house was 'frequented by infamous characters'. He said in his memorial to the Governor

⁶¹ District Constables' Notebooks; Mutch Index, ML; St Philip's Register, CSC R6024 entry for 9 May 1815; Petitions of William Sibley, c1822, CSC R6056 4/1763 p263 and 24 January 1824 R6061 p44; petition of Elizabeth Sibley, 1821, CSC F3210 4/1863 p62; SG 15 February 1822; 1 January 1824, 29 August 1828; Australian 29 August 1828.

that he was horrified that his children were exposed to their mother's 'lewd and diabolical practices'. It is a pity we do not know Mary's side of the story, to put her husband's rantings into perspective. Her 'freedom' was not to last. By 1828 there had been a reconciliation, and they were together again, living in a George Street shop, John listed as a 'Dealer in Curiosities'.⁶²

Andrew Frazier's marriage was his undoing. He was a wealthy Scots baker and publican of the Rocks who had risen from an illiterate ex-convict to become one of the most respected and wealthy men in the town. Frazier had had a relationship with his assigned servant, the 'honest, diligent and attentive' Mary Jones for some years, but suddenly became enamoured of, and married Eleanor Hatton, a convict woman of twenty who arrived in 1824. He was forty years older than her, and she had already had an offer of marriage, but chose him instead. Mary Jones was packed off to the Female Factory where she remained for the next few years. But Eleanor Hatton liked to drink, often absconded and drove her husband to distraction, and they went before a magistrate to settle their differences in 1825. William Charles Wentworth, the young arrogant editor of the *Australian*, reported the incident as high farce, stressing Frazier's age and his foolishness in seeking out love and marriage at his time of life, while also including many puns to underscore his lowly status as a baker, despite his wealth:

Her loving spouse, whose furrowed and care-worn cheeks betokened how much he was a stranger to those fond caresses which he vainly sought in the holy bonds of wedlock...he [had] looked about him for one with whom he might divide his pillow and his cakes, and who might cheer his cot and warm him during the winter of his life - he saw Miss Eleanor...and became enraptured...[but she] put an extinguisher on his hopes. He appealed to the worthy Magistrates...His rib had taken all sorts of fine

⁶² District Constables' Notebooks; John Massagorra, Memorials, 1820, CSC F3025 4/1824B p823, 826; 17 October and 18 December 1823, R6059 4/1773 pp119-120c.

things, was fond of vanity, and threatened to extinguish the flower of his profits and the profits of his flour...

Once more the wife attacked the material assets of the husband, things he was likely to care about. Unlike the indulgent and passionate husband James New, Frazier was unwilling to indulge his wife's taste for 'vanity'. His life after this and subsequent exchanges was unhappy. Although briefly reconciled, he and Eleanor continued to quarrel over her behaviour, especially after she began to keep a disorderly house nearby. Like Elizabeth Sibley, she spent time at the Female Factory, where she later met and befriended Jane New, whose mother she had known in England, as well as Mary Jones, Andrew's ex-lover.

By late 1826 Andrew Frazier had had enough. He began to drink, heavily and purposefully, until he died in early January 1827. The *Gazette* noted his passing plainly, reporting the coroner's findings of 'extraordinary abuse of ardent spirits', though concluding respectfully that Frazier had been 'and industrious and honourable Scotchman. We wish we had some more of them'. But the old man had his revenge. A few days later it emerged that he had left the bulk of his fortune to the convict Mary Jones, his faithful servant and lover, serving out the last days of her sentence at the Factory. Again the action was expressed in material terms; he ensured that Eleanor would get nothing of his fortune. Within two weeks Mary Jones had married somebody else, a botanist named William Baxter. As a bizarre postscript, five months later Constable Miller arrested two women engaging in 'outrageously riotous and disorderly conduct' together in the street: they were Mary Baxter and Eleanor Frazier. Mary was suspicious of her new husband's fidelity and had gone to Eleanor's house to 'pour out her griefs'. The two women, evidently friends, shared a meal and 'a cheerful glass' (or several) before 'supporting one another well enough' back to Mary's lodgings at midnight and causing a complete 'uproar' outside the house.⁶³

⁶³ St Philip's Register, CSC R6024 entry for 18 October 1824; *Australian* 5 January, 12, 19 May, 11 August 1825, 17 January 1827; *SG* 12 May 1825, 5, 6 January, 20 June 1827. Andrew Frazier, Memorial, 21 January 1824, CSC R6060 4/1778 p41; Mary Jones, Petition, 1822, CSC F3220 4/1866 p16.

All these husbands wanted their wives back, but expected them to behave as wives should in plebeian marriages: not as completely subservient, decorative and sex objects, but sensible working partners and companions. The facts of adultery and absconding were looked upon realistically, and even forgiven, if a woman would only act as a 'good' wife should.⁶⁴ The appeal by husbands to the authority of governors and to the law was a last resort, when private and communal means had failed. It was usually preceded by the attempt to use economic leverage against wives who left the home. George Cribb, Richard Cheers, William Thorn, John Hull and many others advertised that they would not pay their wives' debts, hoping to force them into returning this way. These notices were also public declarations that relationships had gone awry; there seems to have been no impulse to hide the fact, or keep it as a shameful secret.

Some men did not take these paths but resorted instead to violence to express anger, frustration, hatred of their wives. Paula Jane Byrne observes that 'this violence seems, in part, an extension of domestic arguments. It results from a quarrel gone wrong, or from extreme violence in the haste of the moment. Intoxication plays some role'. But in some cases, the violence was habitual. Shoemaker Patrick Traynor attacked his wife Mary Connor in public at the race course in 1812, striking her violently. She said she was frequently ill-treated and abused by him and 'craved the peace'.⁶⁵ The boatbuilder Thomas Crump and Mary Johnson had been so 'troublesome' when they lived together at Newcastle in 1811 that the Commandant had to separate them. They were reunited back in Sydney in about 1813 (although Thomas had been living with Mary Webb and had two children, as well as another

⁶⁴ Hilary Golder observed similar 'tolerant and realistic' attitudes to adultery in a review of husbands' divorce petitions from the second half of the nineteenth century; see Divorce in 19th Century New South Wales, Sydney, New South Wales University Press, 1985, pp146-47.

⁶⁵ Byrne, Criminal Law, p97; Mary Connor/Traynor cited in Byrne, p89. Patrick Traynor was also brought up on charges of 'violently assaulting' Sarah Quinn of Gloucester Street, see CCJ 12 October 1818 COD 445 p97 AONSW.

two from a earlier relationship) and settled down on the Rocks and produced eight more children. But their relationship continued to be violent. On one occasion Thomas followed Mary to Elizabeth Rickers's house in Cumberland Street (where she was helping out after the birth of a baby) and breaking in, began to beat her over the head with a stick, with 'she and all children crying Murder'. A constable who intervened was also attacked, abused, and had his shirt torn.⁶⁶

William Chapman, a shipwright of Cumberland Street, was incensed that his partner Sarah Allen, who was weak and in poor health, came to the hotel where he was paying his workmen and asked him to come home. In doing so she invaded his sphere, perhaps inadvertently, for onlookers said she was drunk. He was so angry at this intrusion, perhaps also feeling belittled before his workmen, that he punched and kicked her to the ground in fury. But then he returned to her side saying 'Sally, my dear what have I done to you?' 'My dear Chapman' she replied 'I am terribly hurt'. She was trundled away in a wheelbarrow, her shoes full of blood, her broken body jolted over the rough pathways back to their house where she died. At the trial William was resigned, saying only that he 'left his cause in the hands of the Almighty'. The court's decision was lenient. The 'affectionate language' of their last exchange, and her weakly and drunken state mitigated for him, and he was convicted of manslaughter. But it seems he could no longer live on the Rocks after this; in 1828 he was working as a labourer at Pitt Town.⁶⁷ It is worth noting too that the men who attacked and sometimes killed their wives were not necessarily of the lowest and poorest ranks. They were often quite well respected tradesmen and householders with property.

⁶⁶ Mutch index, ML; SG 18 June 1809; see John Campbell to O'Connell, 30 April 1811 and 18 December 1811, CSC R6066 4/1804 p72; 27 December 1811 CSC R6002 4/3491 p138; Papers from Supreme Court committal hearing: Thomas Crump, 24 April 1821, CCJ R1975 p188 AONSW. The couple had separated by 1828, see Census.

⁶⁷ Papers from trial of William Chapman, T21 25/148 AONSW; SG 2 June, 3, 14, 17 October 1825; Australian 6 October 1825; District Constables' Notebooks; Census, 1828.

What are less obvious in the record, perhaps because we have not been looking for them, are similar expectations and fears that women held of men. Men were selected as husbands for their ability and inclination to provide for a wife and family through business, trade, labour or property. A husband was also expected to be the 'protector' of his family: hence Hugh Hector Noble pleaded to be released from gaol in order to return to his 'unprotected family'. At the same time, and parallel to the fear of the disorderly women, there was underlying fear of the brutish, violent man with uncontrollable passions. The wife-beater was berated in the Gazette as defeating domestic tranquillity, and as such was 'the bane of society'. Collins described rape as an 'unmanly attack'.⁶⁸ These were the terms in which women also complained about their husbands: for failing in their duties as good providers, and for brutal and violent behaviour. They did not condemn men in moral terms, in the way that men did women, but as 'unmanly', as brutes, wasters and fools.

Women, like men, publicly advertised to warn people against buying from their husbands, and they too sometimes petitioned the Governor and the magistrates in order to get protection. Ann Maria Cook wrote a barely literate petition to the Governor in 1823 complaining about the behaviour of her husband Daniel Cubitt. She had moved out of their Harrington Street home after 31 years, having borne twelve children to him, and was living in Pitt Street with her daughter and a new son-in-law. She stated that she wanted her 'case taken into consideration under those circumstances by not suffering the said Daniel Cubitt and said daughter [Charlotte] ...general abuse and bad language to the great injury of your memorialist'. But unlike the spells in the Factory meted out to refractory wives, there was

⁶⁸ Petitions of Hugh Hector Innes Noble from gaol, 1 and 18 January 1823, CSC F3235 pp39-41; SG 17 July 1803; Collins, Account, Vol 1 p363. The role of the husband/partner as provider is underscored in the inquest on Hugh Wood. He left the house he shared with Elizabeth Kinsela in 1817 because he was unable to support her. She came home from her work of nursing children one day to find he had returned and hanged himself in her hallway; see CSC R6021 4/1819 pp733-37.

no official action over this petition. The Colonial Secretary wrote mildly on the reverse 'Is an industrious and steady woman - they parted only from disagreement of tempers'.⁶⁹

Other women used the law as a threat against violent husbands. Publican Elizabeth Mountford's petition claimed Michael Cassidy had attacked her repeatedly, left her a cripple, stole her property 'and left me and my five children destitute'. He had been bound over to keep the peace but had ignored the order. In spite of these attacks, Elizabeth withdrew the charges. Shortly afterwards Michael Cassidy was tried for robbery. He had been labouring out at Liverpool and had, with another labourer, fraudulently stolen a chest in Sydney. It seems likely that Elizabeth had used her threat to resort to the court to force him to leave their home and Sydney. When he was convicted and sentenced to transportation to Newcastle, she wrote another petition, 'not in compassion for her husband', as she bluntly stated, but to request that he be sent to Van Diemen's Land (still further away) instead, so that he could work to support his 'unoffending, unhappy and helpless children'. But he did go to Newcastle, and like John Waldron and Thomas Curry, died there shortly afterwards. By 1822 Elizabeth was listed as 'widow Cassidy', free at last.⁷⁰

While women could behave violently towards other women and to men they robbed, there are few instances of them using violence against their husbands, though this may simply reflect the unwillingness of husbands to go to court for this kind of assault. A more common response to irreconcilable differences was separation, if possible by mutual consent. Benjamin Pate advertised in the Gazette that he and his wife Mary Blany had agreed 'to separate from bed and board forever' (the material dimension again) and that she should have their stone house on the Rocks. Some simply shared a house but not a bed. Margaret

⁶⁹ (Maria) Ann Cook, Memorial, 1823, CSC R6051 p256-7; and see note 33.

⁷⁰ Petition of Elizabeth Cassidy (Mountford), 22 September 1819, with papers from trial of Michael Cassidy, CCJ, COD 448 p54; District Constables' Notebooks; Census 1828.

Foggarty and Richard Cheers were still together after the court ordered him to pay maintenance for their child, and they had two more children; but by 1810 she was drinking heavily, and he seems to have been disdainful of her. When she died their servant told the inquest jury that the couple 'had not cohabited together by sleeping in one bed for nearly two years'. (A second wife with whom he had differences also died suddenly). Thomas Allwright and Sophia Langford, bakers with seven children, separated in about 1812. Perhaps she did not want to go with him to Van Diemen's land, or perhaps she had already met Thomas Wheeler, another baker, with whom she was living in 1822. Susannah Harrison, the partner of Isaac Peyton, a rather cantankerous man, and mother of three children, petitioned successfully in 1810 to be allowed to leave as Mary Putland's servant. She promised to return, but was never seen again. Peyton's second wife Ann Bligh simply left him.⁷¹

So it seems that when relationships failed for one reason or another Rocks people acted to resolve the situation, by separation, living alone, or finding a new partner. These arrangements were not hidden away, and once resolved, do not appear to have affected their status. But does this suggest a population which was on the whole promiscuous, or lacking in commitment, or which took the marriage bond lightly? We do have some more objective means of measuring the duration of Rocks marriages which suggest that, overall, more couples stayed together than were parted. Of the 406 people (203 couples) living together as husband and wife in 1822/23, 66% (either one or both partners) could be located in the Census six years later. Of this remainder, 80 couples, or nearly 60% of those located, were still living together. Of those who were no longer together (57 couples), husband and wife

⁷¹ Re Benjamin Pate and Mary Blany, SG 1 January 1809. Re the Cheers, inquest on Margaret Cheers/Foggarty, 23 August 1810, CSC R6021 4/1819 p77; see also inquest on Ann Cheers, 22 March 1823, R2233 p125-9 AONSW. Re Allwrights, SG 14 April 1803, and Leonard R. Dibbs, 'Notes on Extant Records of Thomas Allwright and Sophia Langford, grandparents of Sir G R Dibbs', 1950, ML Ad 95. Susannah Harrison, Petition, February 1810, CSC F3165 4/1846 p104; Ann Bligh SG 7 January 1815, 29 March 1822.

are *known* to have separated in only 13 cases, and some of these were enforced by a partner being sent away to a road gang or a penal colony. The marriages of Rocks people thus seem to have stood a better chance of survival than those, for example, of the overseers counted in Aveling's study. Of forty couples who could be traced from 1819, only fifteen were still together.⁷²

While the causes of separation were unknown in 29 cases, fifteen couples had been separated by the death of a spouse, and it is very likely that death, rather than marital disharmony, ended many other marriages. A brief survey of the 'Report of Baptisms, Marriages and Funerals 1811-1825' gives the impressions that over a third of the deaths were those of people in their 30s and 40s, while about a quarter were over fifty. The average lifespan in the colony was still under 50 by mid century. A husband and wife could not take their life together into old age for granted; children often lost one or both parents, and could not expect to know their grandparents. In many of the cases on the Rocks, the death was the result of a sudden fatal illness. James Church, whose wife Dinah followed him to the colony, developed a severe cough and died one night in his hammock at the dockyard. Daniel Boyle died suddenly in 1824, leaving his wife, the native born Mary Chipp, with two children.⁷³

There is evidence of great grief expressed by some bereaved partner, as we saw in the lamentations of Stephen Wain. Charlotte Coss' family 'deplore[d] the loss of a kind and affectionate mother' when she died in 1829; Alice Flynn was mourned by a huge funeral

⁷² Karskens, *Analysis of District Constables' Notebooks*; Aveling, 'Bending the bars', p153.

⁷³ CSC R6024 p1ff; Atkinson and Aveling, *Australians 1838*, pp82, 113, and Wray Vamplew (ed.), *Australians: Historical Statistics*, Sydney, Fairfax Syme & Weldon Associates, 1987, pp60-61. See also Stone, *Family, Sex and Marriage*, pp45-52. Re James Church, see inquest 10 August 1822, R2233 p309-14, AONSW. A witness asked Church, who was suffering from a severe cough, 'why he did not go to the Hospital', to which Church replied 'that he would rather die than go to the Hospital'; which he did. Re Daniel Boyle, *SG* 15 July 1824.

procession. The husband of Jane Mahar, who died sometime before 1815, had memorial in praise of his wife inscribed on her headstone:

As much esteemed as woman need be
 A Loving Mother a Relief to Poverty
 Farewell my Children my Companion dear
 Weep not for me not drop a silent tear
 But let this lesson in your memory come
 She is gone for us to prepare a home.

Once more, it is the material comforts provided by the wife and mother which were praised, the loss of her companionship and care is bitterly felt, and even in death she was 'preparing a home' for her family.

But while widows of the middle classes in nineteenth century America and Europe rarely remarried, Sydney people, and widows especially, displayed much more traditional pragmatism in their behaviour. As Aries writes of seventeenth century bereavement: 'Someone who lost a husband or wife tried to replace him or her as soon as possible...this does not mean that there is no regret for the deceased.' Stone also claims that remarriage was very common in the sixteenth and seventeenth centuries, but declined in the eighteenth. In Sydney, once more, older customs held fast. Most Rocks widows and widowers seem to have remarried, with less regard to age differences than to economic advantages, and there was no taboo or elaborate etiquette regarding the time which elapsed between death and remarriage. Mary Chipp lost Daniel Boyle in 1824 but married another ex-convict Thomas Ward and had a third son by 1826. Isaac Nichols married again within four months of his first wife's death by self-drowning in 1804. Andrew Coss remarried less than two years after the highly-esteemed Charlotte died.⁷⁴

⁷⁴ Re Charlotte Coss' death see Australian 27 March 1827; Andrew Coss' remarriage, see St Philip's Register, CSC R6024 entry for 14 November 1830; re Alice Flynn, Australian 9 June 1825; Mary Ward, formerly Boyle, listed in Census 1828; re Isaac Nichols, see entry in ADB; Arnold, Journal, transcriptions of epitaphs, entry for 21 June 1815, ML C720; Philippe Aries, The Hour of Our Death, translated by Helen Weaver, London, Penguin, 1987, fp 1977, p326. Stone, Family, Sex and Marriage, p46.

What emerges from this examination of actual marriages is that marriage was one of those areas of everyday Rocks life which remained largely pre-industrial. The habits and outlooks of Rocks people had far more in common with the traditional societies described by Gillis, Stone, Aries and others, than with more modern ideas of respectability relating to sexual behaviour, the roles of husbands and wives, common law marriages, domestic strife, separation, and remarriage which arose and spread slowly with the commercial and industrial revolutions. Pragmatism, not sentimentality, nor fear of social stigma, was the defining characteristic of married life, and concern with material security was still paramount in what was, after all, still 'this transient life'.

Yet the strong evidence of affection, consideration, loyalty and companionship between Rocks couples calls into question the idea asserted by Stone and others that traditional marriages and family life among the lower orders were wholly brutal, nasty and short. Questionable, too, is the idea that affection, and love and companionship are simply 'constructs' which were 'invented', or only emerged with the rise of living standards and the consumer revolution of the eighteenth century. This view must be also questioned when we examine the relationship between parents and children.

‘My Children I love as my life’: Birth, Childhood and Growing Up

The children of Sydney’s convicts were often described in the early years as neglected, their parents too immoral, lazy and drunk to care for them. Some historians have adopted this view uncritically, including, ironically, Miriam Dixson. Her feminist critique argues the oppression and exploitation of female convicts rendered them so debased that it extinguished all maternal instincts; they failed to give their children a ‘stable family life’. Alternately, Portia Robinson argued for the opposite view: the sturdiness and rectitude of the ‘rising generation’ showed that their convict parents (particularly mothers) had brought them up well, had nurtured and cared for them, and that the observations of the elite were merely uninformed prejudice.⁷⁵

This paradox, once more, invites exploration. If so much of life on the Rocks was pre-industrial, perhaps child rearing was also of the older mode. What would this entail? Lawrence Stone claimed that in the pre-industrial centuries children were not cherished, shown affection, well-cared for or mourned when they died. The high rate of infant and child mortality, for example, is interpreted to mean that parents were so accustomed to losing their offspring that they were hardened and unperturbed by child-death, or as McKendrick asserts, they could not bear the ‘emotional attachment to transient life’. Generally, adults did not bother to ‘invest’ time, money or emotional bonds in their children, the family unit was a transient phenomenon because of high mortality rates, and the practice of fostering children out rendered the ‘parent-child relationship still more tenuous’. Hence, by implication, deep affection between parent and child, and the impulse to care for children are not part of basic human instinct, but recent cultural constructs. Stone’s work was an extrapolation of the ideas of Philippe Aries, who argued that pre-modern people had no concept of childhood as

⁷⁵ Miriam Dixson, The Real Matilda, Melbourne, Penguin, 1976, pp100-03, 124-28. Robinson, Hatch and Brood, p11; Women of Botany Bay, Chapter 10.

separate or different from adulthood, and that hence that the notion of childhood itself, similarly, is a relatively modern construct.⁷⁶

These ideas have been strongly refuted, however, by Shulamith Shahar. Her study presented extensive material to the contrary: in spite of poor and often otherwise brutal lives, parents of all ranks strove to care for and nurture their children as best they could, in terms of their own cultural contexts. She argues that the bonds of affection, what we might call 'love', are clearly evident, and makes the fundamental point that 'the continued existence of a society is impossible without the acknowledgment...that...the child has need of nurturing and protection to survive.'⁷⁷

Yet, it is clear that what constituted 'childhood' and appropriate treatment of children was nevertheless quite different in pre-industrial society from what it is today. Instead of what might be termed the modern 'child-centred family', with its accompanying idealized and moralized images of 'childhood', 'motherhood' and, to a lesser extent, 'fatherhood', traditional societies seem to have focused on children less as a separate group, but as integrated and involved in the family/household unit, as well as into wider social activities. Hence, Aries described children at all manner of social events, often with specific ritualistic roles to play. They were found everywhere, from the lowest of drinking houses to the most solemn of religious events, at hangings and in processions.⁷⁸ There is thus little evidence of

⁷⁶ Stone, Family, Sex and Marriage, pp48, 52, 113-135, 295-299; McKendrick et al, Birth of a Consumer Society, p286; Philippe Aries, Centuries of Childhood, Introduction, pp7-9, and loc cit; see also Peter Laslett, The world we have lost, London, Methuen, 1965.

⁷⁷ Shulamith Shahar, Childhood in the Middle Ages, London, Routledge, 1992, Introduction and loc cit; quote p1.

⁷⁸ Aries, Centuries of Childhood, pp72-78, 102-3; compare to descriptions of nineteenth century urban children in England, see James Walvin, A Child's World: A Social History of English Childhood 1800-1914, London, Penguin, 1984, pp94-96.

children considered, or perhaps sentimentalised, as needing to remain ignorant and innocent of the adult world, by being separated from it by customs and institutions.

Another important phenomenon was that in traditional societies, the child was seen less as a unique and irreplaceable individual than as part of the great chain of being. Hence the medieval practice of giving the same name to two siblings in the expectation that one would die; or giving a newborn the same name of a sibling who had died. Stone claims that these practices died out in the early eighteenth century with the rise of individualism and the modern idea that 'names were highly personal and could not be readily transferred from child to child'.⁷⁹

The hard facts of life and death also affected attitudes to children. While the blanket depiction of parents in earlier centuries as callous, cruel and uncaring are clearly incorrect, a certain measure of pragmatism meant that children were considered as mouths to feed, and bodies to clothe at least until they could contribute to family and household themselves. The prospects of, say, the illegitimate newborn among the labouring poor were never good. Children were described and considered as 'encumbrances', the burden and responsibility they entailed was openly acknowledged, although this did not rule out love, affection and care.⁸⁰

Neil McKendrick devoted one of the chapters in The Birth of a Consumer Society to a discussion of the way that in the eighteenth century children first became one of the new 'sales targets' of new practices of consumption, through all manner of toys, books and entertainment. The elements which made this possible were surplus income and 'a preoccupation with the child's future and his or her standing in society', a new view of children. This preoccupation with the improved quality of life for the next generation among

⁷⁹ Stone, Family, Sex and Marriage, p57.

⁸⁰ Shahar, Childhood, Introduction.

the upper and growing middling ranks may be read in the growth of schools, in the proliferation of literature specifically for children, in the exhibitions of curiosities, zoos, puppet shows, circuses, panoramas and so on to which children were taken, and in the boom in manufactured toys and games (board games, jigsaw puzzles, fashion dolls) with which children were increasingly indulged. By the mid-nineteenth century manufacturers were also producing lines of cheap toys specifically for the children of the poor. These 'Bristol toys' - carts, horses, omnibuses, chaises- sold for a penny, but were nevertheless still regarded as a luxury; one manufacturer claimed he could 'tell what's up with the working and poor people by the state of my trade'.⁸¹

Few Australian historians have written about children, and when they do, the studies tend to focus on adults' treatment of them. Jan Kociumbas in her survey of the growth of public intervention in child-rearing in the nineteenth and early twentieth centuries claimed that

The fact [is] that relatively little can be known of actual practice of families in the past, while a great deal can be discerned about the adults who created and transmitted theories about ideal child-raising.

Further, even when we can find out about actual children, these would only be 'the articulate few'.⁸² Such assertions are open to question. While it is certainly easier to research the 'theorizing adults', there *is* also a wealth of information about ordinary children's experiences, and, for this early period at least, it casts doubt on the interpretation of children's lives simply as the victims of an all-powerful hegemonic state or social system.

How, then, were children viewed and treated in the early Rocks? We may start, once more, with Michael Hayes and his family. Hayes and his wife Elizabeth had eight children in quick

⁸¹ McKendrick et al, Birth of a Consumer Society, Chapter 7; Walvin, A Child's World, p96.

⁸² Jan Kociumbas, 'Children and Society in New South Wales and Victoria 1860-1914', Ph.D. thesis, University of Sydney, 1983, pp23, 29-30.

succession between 1805 and about 1820, as well as the child of Elizabeth's first marriage, Francis Davies. Michael in a way recreated his own lost Irish family by naming many of them for his own siblings: Mary, the oldest, a 'promising, fine child' was named for his sister; Richard, for his brother, a learned priest, and Patrick and John for other brothers. The Hayes household in Harrington Street was thus filled with the familiar names of home. Eliza, Ellen, and later the more modish Amelia were possibly Elizabeth's choices.

These children were often in Hayes' letters and in 1812 he told his brother Patrick that he could not leave the colony because of them, writing 'my children I love as my life'. He had ambitions for them - he wanted Mary to return to Ireland to his sister or mother, he wished that bright, studious young Richard could have learnt Latin and Greek from his namesake uncle, and perhaps become a priest like him. But, fantasies aside, for the main part, 'my only object is to acquire a little competency in order to give them an independence'. This was for the main part achieved: the boys were apprenticed out and the girls found husbands.

Yet the words of deep, flashing sentiment stand alongside far more blunt and pragmatic words of a man who was also very down-to-earth. 'My family is very large' he wrote in 1816 'say eight children', as though he had not counted them lately, 'this impedes any progress I endeavour to attain here'. Here, the beloved children are considered, at the same time, 'encumbrances', as they were commonly regarded in traditional society. The Hayes were at one stage well-off dealers, Michael was partly educated and an admirer of education and learning. But, like most other Rocks children, the Hayes children were allowed to roam the town with their friends at will. In 1819 four-year-old John was almost killed when he was trampled by a restive horse while playing with another young child on the pavement in busy George Street, down the slope from the family home. His shoulder was broken, and his stomach and arm crushed by the animal. Reporting the incident Gazette editor George Howe delivered his usual exasperated lecture about the necessity for better protecting children who,

from the 'too frequent carelessness of parents', suffered 'burns and scalds, drowning in wells, kicks from horses'. The worst and commonest kind of 'neglect' was this 'suffering of infants to gad about the street without a guide'. The attitudes of Michael and Elizabeth Hayes towards their children was typical of Rocks people. They encompassed deep love, together with pragmatism and a measure of 'carelessness', paradoxical to modern eyes, and were clearly little affected by more modern notions of childrearing.⁸³

These traditional ambivalent, and seemingly paradoxical, attitudes are also to be found in Governors' despatches. The convicts' 'charming children' (for they were described as 'robust, comely, and well-made') were also heavy burdens on the stores. Yet the duty to provide for them was not denied. 'I cannot see their children in want' Hunter wrote firmly of the soldiers whose pay was insufficient to support their families. The great numbers of children were also something of a surprise to visitors expecting to see a prison colony, and they were the most obvious and insistent evidence of the settlement developing in quite the opposite direction.⁸⁴ As we have seen, the Rocks in 1822/23 was dominated by households made up of families with children, and children constituted just over a third of its population.

In spite of the appearance of health and well-being in the children, it was nevertheless assumed that convicts were bad parents. Hence King's much quoted reports that children were 'abandoned to every kind of wretchedness and vice' by their 'unnatural parents'. This may have been simply rhetoric employed to ensure that the orphanage he had established for

⁸³ Hayes, letters to his brother Richard Hayes, 25 November 1812, 23 December 1816, and to his mother, 4 April 1817 and 31 January 1825 A3586. The eight children mentioned in 1816 probably included Frances Davies, Elizabeth's daughter by her first marriage, of whom Hayes wrote in 1817: 'My eldest daughter is married'; his oldest daughter by Elizabeth, Mary, did not marry until 1824, Mutch Index ML; SG 2 October 1819.

⁸⁴ HRA, Hunter to Portland, 20 June 1797, Vol 2 24; Malaspina, 'Loose notes...', note 4, p150; Mann, Present Picture, p61; for discussion see Kociumbas, 'Children and Society', pp1-2.

them would be approved. He did cite the 'children of both sexes going about the streets in a most neglected manner' and claimed that the confinement of the orphanage was the only means of ensuring 'some change in the manners of the next generation'.⁸⁵ As with elite views on convict marriage, this seems in part the effect of unfamiliarity with the cultural norms of common people. What was considered among them to be acceptable means of childrearing were seen by the elite to be immoral and neglectful. These failings focused mainly on manners and habits, particularly the lack of physical restriction of children to certain spaces.

Critical comment often focused on convict women as 'bad mothers' and the legacy of this is the ongoing historical debate on the same subject. But consideration is scarcely given to what it was like to give birth and bring up a child from the perspective of these women themselves. The first aspect to note was the reported fecundity of women transported to New South Wales. Women who had thought themselves infertile became pregnant, and many conceived on or after the voyage and gave birth soon after they arrived. Better and regular food supplies and clothing, and a better climate were perhaps partly responsible. There was apparently little stigma attached to illegitimacy: they were called 'natural children', and in 1806 outnumbered the legitimate by 1,025 to 807. In 1821 'the great majority of children were still illegitimate'. In the early years, all children were given rations from the Government store if necessary, and by the late 1810s and 1820s, impoverished mothers could, as a last resort, apply to be victualled as 'Objects of Charity'. These factors meant that the prospects for the newborn with unmarried parents in New South Wales were probably considerably better than they would have been in England or Ireland.⁸⁶

⁸⁵ HRA, King to Secretaries of the Treasury, 7 July 1800, and King to Portland, 9 September 1800, Vol 2 524-25, 534; King to Portland, 21 August 1801, and King to John King, 21 August 1801, Vol 3 123, 244.

⁸⁶ Mann, Present Picture, p61; Malaspina, 'Loose Notes...' p151; HRA, Bligh to Windham, 7 February 1807, Vol 6 123; Grocott, Convicts, Clergy and Churches, p75. For discussion of grim conditions for children of the labouring poor in England see Stone, Family, Sex and Marriage.

The arrival of these children created a burden for women and caused them pain and risk. This does not rule out the possibility that children also brought some measure of satisfaction and consolation, that they may have helped bring women who were strangers together. Women insisted on caring for the children in houses themselves, and thus refused to work elsewhere, prompting the early male chroniclers to grumble incessantly, and rather illogically. Tench described the jubilation of women when a ship arrived in the harbour:

women with children in their arms running to and fro with distracted looks, congratulating each other and kissing their infants with the most passionate and extravagant marks of fondness.⁸⁷

These are hardly the actions of women who cared nothing for their children. But, at the same time, women did not define themselves solely as 'mothers'. Giving birth, suckling and caring for children were obviously demanding and important but were not their only functions, and they do not seem to have altered their behaviour much, to fit any ideal notion of 'good mothers'. They often contributed to their families' income, were not confined to the home, had their own circles of friends and many liked to drink, dance and sing.

Mary Long (*Lady Juliana* 1790), the Rocks street caller we met in Section I, is a good example. She was the kind of woman elite men had in mind when they wrote about female convicts. Convicted for a violent robbery at 25, she was reprieved from the gallows, arrived in 1790 and was shortly after sent to Norfolk Island. There she was flogged once for striking and abusing a heavily pregnant woman, and a second time for 'improper language'. Her hair was cut off and she was sent to Cascade. She was so troublesome that she was continually sent back and forth between Sydney and the island.

By 1801 she was back in Sydney, probably with a baby daughter Mary (born about mid-1800) and possibly already living on the Rocks. A son, Thomas, was born to Thomas Petrie in

⁸⁷ Tench, First Four Years, p169.

1804, and he was probably the infant she was 'diverting' with her cries of 'Hot Bunbury Cakes' while her neighbour's house was being robbed in 1805. Perhaps the trial of her cohorts prompted her to move away from the town, for by 1806 she and her children were with James Ward on a rented 50 acre farm at Windsor. The couple never married but had three sons (James born 1806, William born 1809 and John born 1811). Ward was one of those ex-convict small farmers whose earlier attempts at cultivation were beleaguered by drought, flood and debt. Charles Grimes had described him as a 'worthless character'. By 1810 they were doing better, but applications for their own land were unsuccessful. The relationship ended suddenly when James was bitten by a snake in 1812 and died. Mary stood by his body in the paddock, screaming. Neighbours who came running thought she had lost her mind.⁸⁸

Although Robinson claims that Mary Long successfully managed the farm on her own, becoming a 'family farming woman of the bush', by 1814 she and her children were lodgers in the house of a violent couple Dennis McCarthy and Jane Bayley (this is also recounted by Robinson). As a witness in McCarthy's trial for assault, Mary told the jury she had been walking the floor in their house with an ailing child in her arms. In 1818 the local clergy and magistrates were asked to suggest deserving boys for admittance to the new Male Orphan School; they included three of the Ward boys, now aged ten, eight and seven on the list. Other mothers were described as too poor to bring up their sons, but Mary was still reputed to be 'a very bad character and the children been much neglected'. James could 'tell his letters' but not the other two; John was described favourably as 'a fine open countenance youth'. He and William were particularly recommended 'if an objection is made to so many of a family', and it was they who were accepted.

⁸⁸ Flynn, Second Fleet, entries for Mary Long and James Ward; SG 26 May 1805, 21 November 1812, 27 March 1813; James Ward, Petition for Assistance re indebtedness 1801, and report of Charles Grimes, 11 January 1801, CSC R6020 2/8130 pp363-39a; James Ward, Memorials, 30 January 1810 and 5 January 1811, CSC F3010 4/1822 No 325; Mutch Index, ML.

The Orphan School was in George Street and so Mary, following her sons, returned to the Rocks in about 1819, moving in with an ex-convict labouring man Thomas Bristow (*Barwell* 1798) in Cambridge Street as his 'housekeeper'. Her oldest son Thomas became a mariner, and she wanted the same for William, petitioning the Orphan School Committee for him to be apprenticed to the merchant Joseph Underwood 'to be brought up as a mariner' in 1822. Another son, (probably James) also went away to sea, for a time at least, but in this case without her sanction, and she petitioned the Governor with her objection :

One of my sons his (sic) 'prentice on board the vessel *Glory* of Richmond...[another son] went on board to take his leave of his brother...Captain Griffiths Detained him on board and prevailed on him to stop on board and sign articles for six months without my sanction or being cleared out of the Port though he is a native... He [the Captain] has used me verry ill by so doing for I assure you Sir he [her son] was a great help to me when he was here.

The fourth son, John, was eventually apprenticed to the Rocks shoemaker, Thomas Jones, after Thomas Bristow petitioned on his behalf in 1825, saying John was his 'God child'. Evidently he had developed some concern for her son's welfare.⁸⁹

Mary showed continued interest and care for her sons, perhaps coming to rely on them in later life (as 'he was a great help to me' suggests). But it is unlikely that she was transformed by her motherhood into the 'good woman' that 'good mothers' were supposed to be, as the Windsor magistrates' report suggests. The *Gazette* was peppered during the 1820 with reports of a Mary Long or Mary Ward being among the many women the Rocks

⁸⁹ Robinson, *Women of Botany Bay* compare pp169 and 237; *SG* 25 June 1814; 'Return of Male Children in the several districts of the Hawkesbury recommended by the clergy and Magistrates...as Objects of Charity for the intended Male Orphan Institution', 25 July 1818, CSC R6047 4/1740 p253-54; and list of boys accepted, CSC F3307 4/7208 pp3-4; District Constables' Notebooks; Application of Mary Ward to the Male Orphan Institution CSC R6040 4/400 pp50-52 and Mary Long, Petition, CSC 4/1770 p42; Thomas Bristow, Petition, 15 February 1825, CSC R6063 4/1785 p103.

constables regularly arrested and locked up to appear before the Magistrates for drunkenness, riot, being a 'streetwalker'. Perhaps none of them were this Mary Ward; but perhaps they were.

At the same time, her place of living remained steady, for she was still with Thomas Bristow in 1828, not listed as his wife, but working as a laundress at his house. Three of her sons, Thomas, now 25, James 22, and John 18 had returned to the Rocks to live with her. Her household thus comprised her own family and long-time inhabitants, probably old friends. Like many other women, she now went by the name of her defacto husband, Ward, although he was long dead and they had never been married. She estimated herself to be 46, though she must have been closer to sixty.⁹⁰

There are those two striking images of Mary Long with an infant in her arms: one where she cries out to assist in a robbery, the other where she soothes a sick child while drunken, violent argument rages around her. In embodying the two images, she was the kind of convict woman that typically confounded her educated betters, uninhibited where drinking, carousing, sex and a little petty theft were concerned (all of which were less tolerated and increasingly considered 'offences' as the decades passed) yet living independently in the Rocks and producing fine children for whom she obviously cared a great deal, striving to keep them together, living near them, petitioning on their behalf, defending her right to authority over them. The motherhood of Rocks women is strongly evident, but was not the sort that carried with it much sentimentality, nor any sense that mothers must behave in the

⁹⁰ Census, 1828; Flynn, Second Fleet, entry for Mary Long; see SG 23 December 1815 (escaped from Female Factory), 23 December 1820 (escaped from the Female Factory with Mary Anderson, possibly another Rocks widow), July 14 1825 (sentenced to the stocks for being drunk and disorderly), 13 September 1826 ('Mary Ward, free, an old, incorrigible and irreclaimable offender, found drunk and disorderly in the streets'), 25 February 1826 (sentenced to stocks for disorderly conduct), 20 September 1826 (Factory for six weeks), 1 November 1826 (stocks), 4 November 1826 (Factory for six months).

'moral' ways of the elite. The argument over 'good' or 'bad' mothers thus misses the point entirely.

Mary Long/Ward's story, and that of her sons, was typical in other ways. The death of the father during their infancy was still a common enough event in early nineteenth century Sydney. Many children could expect to lose one or both parents, to be fostered out or to be supported by a step-parent. Mary was using the orphanage and Thomas Bristow to act as their father would have: to find them apprenticeships, to make sure they gained 'an independence'. Many fatherless boys were placed at the orphanage for the same reason, and their mothers were not necessarily in dire financial situations.⁹¹ The number of Rocks boys who follow their father's trade and sometimes worked with them also attests to the importance of the father's role. Fathers who left the colony deserting wives and children were considered to be truly failing in their duties, as well as putting unwanted burden on the government stores. Fathers who worked independently to support their families were considered worthy of reward and encouragement. Children, like marriage and houses, were badges of worth. As noted above men were sometimes seen with their children: Isaac Nichols was holding his child in his arms in the George Street while he talked with a neighbour; butcher Richard Cheers was 'up and as usual about the house with...the children' early in the mornings. Fathers took their children on fishing trips on the harbour (despite the risks); fathers searched anxiously and hollered when children were lost in the bush. These are only

⁹¹ See list of boys accepted, which include the sons of Rocks widows such as publican Elizabeth Mountford/Cassidy, the owner of the Parramatta passage boats, Ann Mash/Chapman, and the baker, later nurse, Mary Anderson. See 'List submitted by Thomas Cowper for the Male Orphan School' 13 July 1818, CSC R6047 4/1740 4/1740; and 'List of 117 Boys rec'd into Male Orphan School 1819-24', CSC F3307 4/7208 p1ff.

a few everyday glimpses, but they suggest men who were not necessarily detached, uncaring or indifferent towards their children, nor felt any shame at being seen with them.⁹²

The collective attitude of the people towards children generally was fundamentally similar to the official view: their need and natural right to care was recognised. Hence, blended families on the Rocks were very common (making up around 20% of family groups in 1822/23), and do not seem to have caused any friction. There are numerous instances of husbands and wives taking on the burden of their spouses' children (illegitimate, or by a former husband, wife or partner). In many cases the relationship between step-children and step-parent seem to have developed beyond simply material necessity. Edward Redmond seems to have regarded his stepson John De Riveau as his own. Similarly Samuel Thorley cared for and brought up Thomas Parnell, the son of his wife Agnes by an earlier relationship, with his own children and ensured that he was endowed with a farm just as they were. Thomas Bristow petitioned on behalf of John Ward; William Chandler was prepared to take on his new partner's deaf and disabled son as his apprentice. The case of George Cribb, who vanished after his wife's death leaving at least one of his step-children in an orphanage seems to be atypical: for many the bonds developed in the blended family and household were lasting. This was also a reflection of households and families which were more traditionally open and 'porous', hence easily accommodating and including stepchildren, servants and even lodgers as members. They thus contrast with 'closed off' household of the later nineteenth century, in which the family, its servants kept at an increasing distance, retreated into the private domestic world, sealed off and repelling outsiders.⁹³

⁹² See HRA, Hunter to Portland, 20 June 1797, Vol 2 24; inquest on Margaret Cheers, CSC R6021 4/1819 p77; papers from trial of Isaac Nichols, 21 March 1809, CJC R2652 5/1150 p112 AONSW. SG 30 October 1803, 26 February 1804.

⁹³ See Stone, Family, Sex and Marriage, pp22, 27, 66-75.

Stone characterises the relationships between parents and children among common people in eighteenth century England as capricious and violent, though he could not say whether the reason for this was 'cultural' or 'economic':

Among the mass of the very poor...the common behaviour of many parents towards their children was often unpredictable, sometimes indifferent or cruel...They were in the habit of treating children with rough, even extravagant affection in good times, and with casual indifference and...great brutality, when in drink or in bad times...In a society which was generally horribly cruel to animals, children tended to be treated in a similar manner.⁹⁴

But the children of the Rocks and Sydney do not appear to have been treated brutally. Beatings scarcely appears in the records in the way that other aspects of everyday life do, though some measure of physical punishment may have been taken for granted. On one occasion a mother accused her husband of beating their seven-year-old daughter and causing her death. The court took this accusation seriously enough to order the exhumation of the child's body. A witness, the family's lodger reported that he had seen the father 'take a few twigs out of a broom' and give her 'a few smart smacks on the neck, shoulder and arms' as well as striking her on the side of the head. But he also said the child was 'in habits of intimacy with both the father and mother' and this was the only time he had seen her beaten. It seems that the mother and the court were much concerned over the effect of this one episode, suggesting that the beating of children may not have been routine and acceptable. The doctors told the court that she had died of a brain tumour; the father was acquitted.⁹⁵

The most compelling evidence for the deep collective belief in the infant's right to life and care is found in the reaction to infanticide. The mother of a child found drowned in a cesspit in 1807 was the object of the people's fury and disgust. She died 'in anguish' soon after the

⁹⁴ Stone, Family, Sex and Marriage, p294-5.

⁹⁵ SG 22 January 1804. The family concerned, the Grimshaws, later moved to the Rocks.

birth, but her body was nonetheless dragged up to the hanging grounds 'amid the shouts and revilings of a number of spectators' and buried under the gallows by men from the gaol gang. Although infanticide was apparently a common occurrence in England, particularly among young servant women, in early Sydney, where the difficulties of social stigma and support were not so severe, it was something of a shock. Howe claimed that never before in the colony, where many children were illegitimate but nevertheless supported, cared for and admired, had 'such a crime...disgraced humanity'. He noted that the manners of the young woman 'were not contracted among the very lowest orders'.⁹⁶

Public fury and revulsion on this occasion also explains why the discovery of a stillborn child's body always resulted in an inquest, to make sure that infanticide had not occurred. These particular inquest records are atypical in the sense that they are about births where things went wrong, while normal live births taking place in Rocks houses must have been an everyday occurrence. It is difficult to glean information about the actual processes and practices of childbirth partly because it was women's work, to a large extent hidden and unrecorded. These inquests, then, do allow a rare window onto the event, and they underscore the continuing risks of childbirth for women and babies.

Although a few women delivered their babies at the hospital, and were said to have been charged the considerable sum of between 5 and 20 guineas for a doctor to attend, this was probably unusual, since both the hospital and the doctors themselves were held in low esteem. Most gave birth in their own houses, with the women of the household, and probably also from the neighbourhood, in attendance. Mary Johnson probably helped at the birth of her neighbour Elizabeth Rickers' sixth child, Charlotte, in April 1821. Midwives like Ann Jones,

⁹⁶ SG 14 June 1807; a similar account of public outrage is given in Mann, Present Picture, p12. Compare to the commonness of infanticide in England described in Stone, Family, Sex and Marriage, p297. See also discussion in Byrne, Criminal Law, pp250-58.

who lived in Cambridge Street were called upon by women of the Rocks and other parts of the town. Esther Wells was midwife to the wives of soldiers of the 48th Regiment. It is possible that convict and ex-convict women, in the absence of their own family - mothers, aunts, sisters - came to rely more heavily on their neighbours at times like these than they might have at home. By the 1820s a Dr MacCurdy who lived at 53 Cambridge Street advertised that he would 'attend poor women in labour for 15 shillings', though it is unclear how much his services were sought rather than those of Ann Jones. Certainly doctors took every opportunity to discredit the midwives and their skills.⁹⁷

Women prepared for the arrival by gathering baby clothing and a set of 'child-bed linen' specifically for the birth. A pregnant woman who lost her 'little store' to a thief excited much sympathy. When Ann Mash's hut-mate Ann Flavell stole her dead infant's clothes in 1791 she was tied to a cart and whipped. There were probably also cots or cradles prepared, which were placed by the fireside for warmth, though this sometimes resulted in accidents. Otherwise mothers took their babies into their own beds. Breastfeeding was apparently universal among all ranks at least into the 1830s; wetnurses were only hired when the mother died. Occasionally a brief and unsentimental birth notice appeared in the Gazette, for example 'On Wednesday night Mrs Cupid safely delivered of a fine boy' was the way the birth of John Cubitt was announced in 1803.⁹⁸

Childbirth was an event from which men were excluded. The cries of women in labour made them feel uneasy and useless, and there were still some very old fears attached to the event. Something of this emerges in the evidence given by John Howes, a convict who lodged with

⁹⁷ SG 9 November 1827; Surgeon Bland wrote of the birth of a stillborn child attended by a midwife that 'no proper person was in attendance'; inquest on stillborn male infant, 1 August 1820, CSC R6021 4/1819 p317.

⁹⁸ SG 16 July 1809, 26 May, 22 December, 1805, 8 May 1803, 21 May 1809; Flynn, Second Fleet, entry for Ann Mash; Atkinson and Aveling, Australians 1838, pp76-78; see advertisements for wetnurses in early issues of SG.

Mary Harris in Phillip Street in 1821. He said that after Mary Harris (who was a widow and had a two year old child) was 'brought to bed' at about four o'clock in the afternoon, he went 'backwards and forwards' all over the town for help. He went first 'to Major Antill (he being the visiting member of the Sick Society) in order to be put in the way of getting a doctor'. Antill sent him to the Reverend Hill, who sent a note with him to Dr Bland. Bland was not at home, and his 'young man', presumably an assistant, only accompanied him as far as the hospital, and then gave him another note for Dr Bowman. Off went John Howes to Woolloomooloo where Bowman lived, only to be told to ask Dr Allan 'to go down to the woman'. Allan declined saying he was sick. In the meantime, Ann Jones the midwife from Cambridge Street had arrived to attend Mary Harris, together with Mary's servant Mary Oakes. John Howes said he 'understood' the child was stillborn at half past ten, indicating that he was not present at the birth himself, or even at the house.

Mary Harris kept the baby's body at the house, and the next day Major Antill and his wife called in, presumably on behalf of the 'Sick Society' (probably the Benevolent Society):

They went in and saw the child - they ordered Mary Harris to get it buried that evening - I knocked up a bit of a box and Mary Oakes put it in - I took it down to Woolloomooloo and buried it in the sand. I dug a hole about two feet deep...we made the hole with a stick and with our hands.

But the tide came in and washed away the sand and exposed the little box. The body was found later that night, and an inquest was held the next day.⁹⁹

The indifference of medical gentlemen to Mary Harris' ordeal and her lodger's desperate pleadings casts different light on the doctors' portrayal as humane and caring irrespective of their patients' rank.¹⁰⁰ Clearly the sufferings of an ex-convict woman were of no great

⁹⁹ Inquest on a stillborn infant, 14 February 1821, CSC R6021 4/1819 p280-1.

¹⁰⁰ Hughes lionizes William Redfern in these terms, *Fatal Shore*, p337-38.

import, and the Antills' blunt 'order' to quickly 'get rid' of the body speaks volumes for the relationship between common people and the elite in their philanthropic endeavours. It was the lodger and the servant who sought help, attended, and tried to bury the child quickly, sadly, without ceremony.

Shahar has written that in the middle ages stillbirths and babies who died before they were baptized were feared by the community. It was thought that their unchristian state would mean that they might come back to haunt the living and they were thus quickly buried in unconsecrated ground.¹⁰¹ Something of this distant fear seemed to linger among the people of early Sydney. There was a sense that stillbirths were occasions where nature, or perhaps the natural order, had gone monstrously wrong. A child who had never really lived was ill-omened and had to be disposed of quickly, often at night, with as little as possible said about it. This must have been difficult for the mother who was expecting a live baby and who would normally be surrounded by neighbours coming in to help during the lying-in. For stillborns there were no names, no funerals, no notices in the newspapers, no official graves, no loving epitaphs, and if they were discovered it was by accident.

On another occasion a soldier's wife delivered a baby which had died in utero over a week before, according to the midwife. Soon after the difficult birth, the midwife wrapped the body and placed it in a sulphuric acid box with a hinged lid. The father and two of his fellow soldiers took it up to the old burial ground, now closed, in the darkness of night, burying it next to another child they had lost. This would have been the quick end of the matter, except that some 'evil disposed person' thought the small fresh grave a 'plant' of stolen goods and dug it up; an inquest resulted. Here, there were small, private actions of

¹⁰¹ 'The unbaptized infant cast fear into the hearts of the living, and the stake driven into its heart [when it was buried] was intended to prevent it returning to harm them. Dread...of the return of that dead individual who had never belonged to the community of the living is both ancient and universal, but the specific dread inspired by the unbaptized... was implanted by the church itself.' Shahar, Childhood, p52.

care and grieving: the wrapping, and placing of the body in a proper, though closed, burial ground so that it lay close by another lost child.¹⁰² Other bodies were buried quietly behind walls and in shallow graves, and if and when they were found the finder invariably expressed shock. This is significant, for while the sight of adult dead bodies was still fairly commonplace, the sudden exposure of an infant's body engendered feelings of horror and dread. It was evidence that something had gone terribly wrong, whether infanticide or stillbirth.

There is evidence that labour itself and the woman giving birth was considered to be somehow in a state of physical uncleanness and moral corruption as well. Again, this has roots in traditional societies where women who died in childbirth were also refused burial in consecrated ground. Possibly it was more a male than a female perspective; birth was a female arena. The sounds of a woman in labour certainly made men feel uneasy. On one occasion a man was reluctant to investigate the groans of a badly wounded girl lying outside his house because he thought she was in labour. Men were particularly unwilling to travel on ships where women would be giving birth because of its 'bad' effect. One doctor wrote 'there is no one matter which so soon contaminates the air in a crowded place and a hot climate as the unavoidable consequences of a woman lying in'. They would lack 'the necessary means of cleanliness or fresh air' while other passengers and the 'unoffending babes' would 'experience the effects of foul, contaminated, putrid air'.¹⁰³

¹⁰² Inquest on stillborn male infant, 1 August 1820, CSC R6021 4/1819 p317.

¹⁰³ HRA, Sir John Fitzpatrick to Mr A. Graham, 26 January 1802, enclosure No 2 in Hobart to King, 30 January 1802, Vol.3 372-73. For discussion see Shahar, Childhood, p51. In the Middle Ages, women who died when pregnant or in labour were not permitted to be buried in a church, and there is evidence that the more zealous priests refused to grant them a Christian burial; sometimes they and their unbaptized infants were buried together with stakes driven through their hearts.

The Anglican rite of churching of women after childbirth expressed a kind of moral parallel to the physical fears; they were ceremonies in which women were 'cleansed' spiritually after the presumably corrupting experience. Some Rocks women like Elizabeth Colebrook, Elizabeth Wybrow, Elizabeth Boulton, Alice Murphy, Agnes Thorley and several others attended such ceremonies after giving birth, though many others did not.¹⁰⁴ It is possible that these were also seen by women as ceremonies to celebrate successful birth, to give some sort of thanks for survival and recovery.

The naming of a newborn child is another area where traditional practices and attitudes are strongly evident. In a majority of cases a firstborn boy was named for his father, a girl for her mother, and subsequent babies were given the names of grandparents, aunts or uncles. Names, then, bespoke the importance of origins, of family ties and the child's place in it and hence in the world. Names among common people were thus not much varied, and at least until the 1820s paid little heed to fashion. There were dozens of Sarahs, Anns, Janes, Marys and Elizabeths, Johns, James, Williams, Thomas's and Georges on the Rocks. The modern notion that names could go in and out of fashion was not widely held. Names were less individual markers than signs on constancy and perpetuity, the sign of a family's survival from past to future.

From the mid 1820s the children of merchants or of the more successful among the native born might occasionally have more elaborate and fanciful names, sometimes two each, such as the children of William Henry Chapman and Ann Chanhells. A daughter born to Andrew and Ann Goodwin in 1838 was named Australia Jubilee. Other people of means named their children for friends they admired, or patrons they wished to flatter. Robert Howe, after his religious conversion, named his children for 'the strongest influences in his life': Robert Mansfield, Alfred Australia, Ann Wesley and Mary McLeay commemorated his religious

¹⁰⁴ St Philip's Register, CSC R6024, entries for churching of women 1811-1813.

inspirers, his country, his patron. Yet he also sought to perpetuate his own name in the older manner. His first, illegitimate, son by Elizabeth Lee was born in 1819 and named Robert; a second son by his wife Ann Bird was also named Robert (or Robertus).¹⁰⁵

Although Stone claims that the traditional naming practices (same-naming, and naming one child after another who died) had disappeared in England in the early eighteenth century, we find similar habits quite common in late eighteenth and early nineteenth century Sydney and on the Rocks. James Wilbow, a Rocks constable named two sons by different partners after himself. A variation of this practice of same-naming was Judith Simpson's calling her three sons after their different fathers. She thus had two sons named James: James Walton and James Lucas. Clearly in this case it was more important that their parentage be recognized than their names be different, individualised.¹⁰⁶

It was also common for a new baby to be named for a sibling who had died. Maria Cubitt, born to Daniel Cubitt and Maria Ann Cook in 1799 was named not only for her mother, but for an older sister born in 1793. George Allwright was born two months after his fourteen year old brother George was drowned at Campbells Island in 1811; perhaps his parents felt their older son had in some measure been restored to them. Jane Morley (b1809) was named for a sister who had died in infancy in a fire eight years before. Daniel King and Susan Tirley named their second son Daniel like the first, short-lived baby. In the case of the Hayes family, this practice appears to have spanned the generations. Elizabeth and Michael Hayes lost their youngest child Amelia at some time between 1822 and 1828. Their daughter Mary married publican Francis Girrard in 1824 and bore a daughter in August 1825, naming her Amelia Ann, in remembrance of her infant sister. Michael Hayes died in September 1825

¹⁰⁵ District Constables' Notebooks; Census 1828; Mutch Index, ML; ADB, entry for Robert Howe.

¹⁰⁶ Stone, Family, Sex and Marriage, p57, 257; Flynn, Second Fleet, entry for James Wilbow.

(this may have been related to his child's death) and his grandchild Amelia was not listed with her parents in the 1828 Census. Perhaps she too had died, or perhaps the 'Emmaline' Kelly, a child of four living with Elizabeth Hayes and her new husband William Kelly in Essex Lane in 1828 was really the granddaughter, Amelia, given from daughter to mother as a kind of consolation for her loss.¹⁰⁷

The idea that names were properly transferable along the chain of being from parents to children and from child to child suggests the fundamental belief that human life was cyclical as well as transient, and that grief, loss and mourning might well turn to restoration, joy and celebration; or the reverse. These practices seem to have been more resilient and survived much longer than historians have thought, and it is possible that in a colonial society, with its severed relationships and lack of old, extensive family networks, there was a need to hold fast longer in an attempt to reassure and reassert the survival of families.

Women whose relationships and places of living were steady, tended to bear their babies at roughly two yearly intervals, suggesting that breastfeeding acted as a partly effective contraceptive.¹⁰⁸ Maria Ann Cook, for example, bore twelve babies between 1793 and 1813 and lost four of them. They arrived roughly every two years and often less, (1793, 1795, 1797, 1799, 1800, 1801, 1803, c1806 1809, 1811, 1812 and 1813). It has been possible to chart the births in another large family, that of Elizabeth Boulton (nee Sandlands), wife of free arrival Thomas Boulton junior, a stonemason of Cumberland Street. Elizabeth spent

¹⁰⁷ See entries under these families' names in Mutch Index, ML; Flynn, Second Fleet, entries for Daniel Cubitt and Joseph Morley; re the Allwrights, SG 5 and 12 January 1811, and Dibbs, 'Notes on Extant records of Thomas Allwright...' ML Ad 95. Re the Hayes, District Constables' Notebooks, St Mary's Registers 1820-1840s, entries for baptisms of 'Emelia' Hayes, 9 March 1821, and Amelia Ann Girrard, born 14 August 1825. There are no records of the deaths of either child, although Michael Hayes omitted Amelia from the account of his children in his letter of January 1825, suggesting she had died. The birth of 'Emmaline Kelly' occurred well before the marriage of Elizabeth Hayes and William Kelly. Elizabeth also bore a son to William in 1827, (see Mutch index) but he was not listed in 1828, so presumably she lost him too.

¹⁰⁸ For discussion see Atkinson and Aveling, Australians 1838, p106.

nearly ten of her twenty-four fertile years in pregnancy and giving birth, and practically all of it in breastfeeding and caring for small children. Between the ages of 16 and 40, she bore thirteen children (between 1807 and 1830), and all but one (Elizabeth b. and d. 1811) survived, which appears to be a remarkably low mortality rate. (Another daughter was named Elizabeth Emma in 1826).

The spaces between the births and conceiving again were between one and eighteen months, except for one space of 40 months in the late 1820s. It would seem from the chart that the babies took less milk around 14 to 18 months, and as a result, Elizabeth conceived again. Another interesting pattern is that all were conceived in the second half of the year, and hence born during the autumn and winter. This suggests a life, a household, marked out and measured by the yearly rhythms and cycles of conception and birth. The babies thus also escaped the deadly summer intestinal diseases such as dysentery which were common in Sydney and which killed adults as well as children.¹⁰⁹

What is perhaps also significant is the closeness of the births of Elizabeth and Ann. Elizabeth died at eight months, only a month before Ann was born. Although more research is needed, it is possible that babies born very close together were in a more dangerous position than those spaced further apart. Two Cubitt babies born in consecutive years also died in early infancy. Perhaps their mothers suffered physically and were unable to feed them so well. Possibly the apparently already loose supervision even of small children was still more lax. Mothers heavy in pregnancy, busy with work could not watch and be everywhere. The latter end of pregnancy may also have been a dangerous period for toddlers. Ellis Colebrook, the eighteen-month-old son of Thomas Colebrook and Betty Wade fell into the families' well and drowned in December 1820, just before his sister Eleanor was born in February 1821.¹¹⁰

¹⁰⁹ Names and birth and death dates compiled from entries in the Mutch Index, ML.

¹¹⁰ Inquest on Ellis Colebrook an infant, 20 December 1820, CSC R6021 4/1819 p88; Mutch Index ML.

**TABLE 14. CONCEPTION AND BIRTH PROFILE : ELIZABETH BOULTON
1806-1830**

Year	MONTH												Child	EB's Age	Period Between Birth and Conception
	J	F	M	A	M	J	J	A	S	O	N	D			
1806														16	
1807	*								6				Henry	17	15 mths
1808														18	
1809	*								22				Susannah	19	9 mths
1810							*							20	
1811			15	*							†	6	Elizabeth(d) Ann	21	0 mths
1812		*								11			George	22	2 mths
1813										*				23	11 mths
1814						3							Thomas	24	15 mths
1815										*				25	
1816						15							John	26	14 mths
1817									*					27	
1818					18								Edward	28	15 mths
1819									*					29	
1820					16								Maria	30	18 mths
1821												*		31	
1822							15						William	32	17 mths
1823														33	
1824	*								7				Charles	34	14 mths
1825												*		35	
1826								12					Elizabeth Emma	36	40 mths
1827														37	
1828														38	
1829												*		39	
1830								31					Caroline	40	

Source: Mutch Index, Mitchell Library

* denotes estimated conception date
† denotes death

How were children and childhood perceived? Were their lives and development considered in terms of phases, with appropriate clothes and treatment? Babies and small children up to about the age of seven were regarded as 'infants'. Often no recognition was given to the sex or name of infant children, who were referred to as 'it' or as 'little creatures' and identified by their parents' names rather than their own. Boys and girls were also dressed alike in 'frocks' or smocks, it appears from pictorial and other evidence until they were about seven, when boys were put in breeches or trousers and girls in dresses (Fig. 50). Infants were considered innocent and helpless and their need for nurturing and protection was recognized, parents obviously took delight in them, and were devastated when they lost them. When William O'Neal's infant daughter drowned in the family's well, he was said to have lost 'a remarkably fine and promising child, the admiration of neighbours, and the delight of her inconsolable parents'.¹¹¹ But infants were not considered important members of society; they had not yet grown enough or done enough for the wider community to know them by their names or even by their sex. In the 1828 Census the names of the children are occasionally spelt without a capital letter to indicate this lower status, lined up in order of birth below the father and mother. Young children who died were often described as having been 'fine' and 'promising', underscoring that their bright *potential* as adults had been lost.

As Shahar argues, this cannot be interpreted to mean that there was no 'concept' of childhood. On the contrary, the 'junior orders', as George Howe called them, were, like the other orders and ranks, recognised as having their own integral place in society. But like the children of earlier societies, and unlike our own, Rocks children were not separated from the activities of adults, their time was not strictly regimented by schooling, their games and

¹¹¹ See pictures reproduced in Cedric Flower, Clothes in Australia - A Pictorial History, Sydney, Kangaroo Press, 1984, pp 17, 27, 32; Rocksman John Hopkins lost his son, John, when 'the skirt of its frock' became 'entangled with the spout of a tea-kettle' and the child was scalded, SG 19 June 1808 and Mutch Index; SG 24 July 1808 mentions 'children's round-about and shifts' in a list of stolen clothing; re O'Neal child, SG 23 March 1806.

roamings were not constantly supervised by adults. Children were innocent, but they had to learn about life and about how their society functioned. Most of the modest houses of the Rocks had only one or two rooms, so children's and adults' lives were not separated. Children witnessed everything which occurred: sex, illness, violence, death, birth, as well as working, cooking, sewing, hospitality, eating, drinking, ironing, singing and dancing, and so on. Recall the words of the constable who intervened to stop Thomas Crump beating Mary Johnson, 'she and all children crying murder': the Prentice and Crump children were present and witnesses.¹¹² In some homes they grew up in close contact with the convicts assigned to their parents as servants, sharing the table and the limited number of rooms. There seems to have been no concern that this might be deleterious.

Parents seem to have enjoyed their children's company. They were taken in boats on fishing, visiting and timber-gathering trips, despite the dangers of water to people who could not swim. Some were taken to the races with their parents, like the seven year old son of Samuel and Agnes Thorley who wandered onto the track as the horses came thundering down and was badly injured, though he survived. They played amidst the increasingly busy traffic on George Street and around the wharf. In a community with few moral qualms about drinking, they were to be found in pubs and drinking houses, or sent to fetch wine or beer for their parents. George Howe once admonished a publican for being rude to a child sent to fetch wine for her ailing sister. A constable at a trial for pickpocketing said that his child had read a money bill for him in a hotel. One of George Howe's 'correspondents' (probably himself) observed that on Sunday evenings he saw 'on every avenue...a juvenile multitude, variously amusing themselves...winning dumps from one another' in gambling games, a sure sign of their inheriting the 'vices' of their parents: gaming and not observing the Sabbath. 'If parents wish to see their children prosper', he warned on another occasion 'let them admonish them

¹¹² Papers from Supreme Court committal hearing: Thomas Crump, 24 April 1821 R1975 p188 AONSW.

against the *innocent* amusement of *Chuck farthing* - because [it] *resembles* gaming, and *Gaming*...rank[s] highly in the catalogue of *Vices* which disgrace mankind.' 'Chuck-farthing' seems to be yet another means by which children learnt and rehearsed for life as an adult.¹¹³

Children witnessed bloody floggings; they joined the grim processions to the hanging grounds, heard the last speeches of the condemned, confessional or defiant, saw them suspended. Curious children were among the crowd which jostled into the old hospital to see a criminal's body dissected. Observing and mimicking the rituals of visiting Muslims in their 'celebration...in honour of the renowned *Hassaen*' in 1806, the children 'succeeded so well in imitating their manners as to give much offence, and frequently to require their instantaneous banishment'. When Elizabeth Farrell heard that her friend's body had been washed up on the rocks in the Domain, she took her twelve-year-old son and 'O'Hara's boy', the son of her neighbour, down with her to see if it was him. Thomas Wall witnessed his father beating and stabbing his mother, then took refuge with her in a neighbour's house. Next morning he was sent back into the house, and so was first to see that his father had hanged himself.¹¹⁴

There are also constant glimpses of children, some quite young, three or four like John Hayes, roaming and playing in groups about the town out of sight of their parents. These were the

¹¹³ Inquest on Joshua and Elizabeth Howells, Timothy May and Michael Mileham, 1815, CSC R6021 4/1819 p323. This family drowned while on a Sunday afternoon boat trip to Birchgrove; re Thorley child, SG 20 October 1810; re children sent to hotels, SG 16 March 1806. Sarah Quin sent a boy 'to Mrs [Catherine] Davis for some rum', papers from trial of Mary Turley, 1814, CCJ R2390 p288 AONSW; Evidence of Constable William Hubbard, trial of Rose Bryan, 11 August 1822, CJC R1980 p122 AONSW; SG 6 July 1806; 21 August 1808.

¹¹⁴ Collins, Account, Vol 1 p408. SG 30 March 1806. Inquest on James Wilson 11 December 1820, CSC R6021 4/1819 p729. Inquest on William Wall, CSC R6021 4/1819 p720.

children of whom visitors wrote 'nothing is more common than children in the Streets' ¹¹⁵ and for whom Governors predicted moral ruin. Some of the games they played were dangerous by modern standards. They liked the excitement and action of the wharf in particular; gangs of roaming boys wounded one another in stone fights. At Brickfield Hill children amused themselves by igniting and burning out tree stumps in the middle of the road; others let off noisy squibs. Another of their pastimes was to sit in a road way and 'blind' themselves by pouring sand into their eyes. The Gazette reported lamentable incidents of children badly burnt and dying days or weeks later, children falling into the water and drowning by the wharf. A child was run over and killed by the Governor's carriage while playing at 'blindman'. ¹¹⁶

Children, as they always seem to do, also devised some of their own games in imitation of what they saw adults doing. Hence they played at 'flogging' one another, and at farming, two hoeing and one 'directing' (had they been watching government gangs at work?), and inflicting dangerous cuts on one another with hoes. In 1808 a boy was found hanged in an outhouse at the Hawkesbury, a mirror set before him. The Gazette, reporting matter-of-factly, made no comment on the impact that watching hangings had obviously had on this child. People did not seem surprised or worried, then, that innocence of infancy turned into the often brutal and dangerous actions and games of older children. A child teased by another about his having lost an eye promptly attacked his tormenter and put out *his* eye. On Guy Fawkes day, a 'little multitude' of boys aged between three and seven formed a 'cavalcade' for whom

¹¹⁵ Malaspina, 'Loose Notes..', p150.

¹¹⁶ SG 20 May 1804, report of a child tossed by a bullock near the lower end of the Parade ground in George Street; report of boys of eight or nine wounding one another in stone fights; 1 July 1804, report of two children who nearly drowned when they fell off the wharf; 10 September 1809, account of a three-year-old child who died three weeks after being burnt at a tree stump set alight by a group of young children. Inquest on Thomas Cowup, 5 May 1815: a witness, hearing a gunshot, thought 'Mr [Francis] Greenaway's children were firing off squibs' CSC R6021 4/1819 p45. HRA, Macquarie to Goulburn, 15 December 1817, Vol 9 733-7.

the effigy was such an 'object of disgust' that a 'hundred willing hands' soon tore it limb from limb to 'expiate his offence'. There were deep resonances in these actions and rituals; the children learned the ways of their world through them.¹¹⁷

Children probably also played with toys like marbles and dolls, and used what they found around them to create and play games of imagination. Like adults, they enjoyed bonfires, fireworks and illuminations put on for official celebrations. A 'Galanta Show' arrived for their amusement in 1804. But while modern commercially manufactured toys of considerable variety ('Drums and trumpets, harps and fiddles/Mystic cards for solving riddles/coaches, curricles and horses/Infant dolls for infant nurses...' and so on for eight more lines) *were* available from dealers like Sergeant James Packer from at least 1804 and earlier, there is little or no evidence that Rocks parents bought such things for their children. The archaeological evidence from Rocks sites yields a plethora of children's toys from the latter half of the century, but they are practically non-existent in the early period. There is no mention of store-bought toys given to children in the written records. Parents sought to ensure that their children were well-fed and clothed and that they would be able to make a living as adults, to be successful in terms of their own and their parents' rank. But they seem not to have been familiar the new ideas about children as consumer objects, indulging them with toys and games, educational or entertaining. Those diversions were still left to children themselves, or shared with adults.¹¹⁸

¹¹⁷ For discussion see Shahar, *Childhood*, p103ff, and Walvin, *A Child's World* p95ff. Robert Hughes, *Fatal Shore*, pp348, 427; *SG* 30 October 1803, 3 July 1808, 1 July 1804; re Guy Fawkes day, 11 November 1804, the 'first Australian Fete of Guy Fawkes day'. In the following year the children's celebrations included the collection of 'a contribution of alms...in the name of the culprit, for the purpose of sending him out of this world with *eclat*'. The money, however, seems to have been spent on liquor, as the participants were observed to have been drunk in the afternoon; *SG* 10 November 1805.

¹¹⁸ *SG* 10 June 1804; 27 May 1804; Godden Mackay, Pty Ltd, Karskens et al, 'Report on the Cumberland Street/Gloucester Street Archaeological Investigation', forthcoming 1995; pers. com. Graham Wilson, Martin Carney, consultant archaeologists.

In considering the needless, often fatal accidents suffered by children during the middle ages, Shahar observes

Medieval people were not, apparently, endowed with imagination about factors which might cause accidents and did not learn from experience; they were, on one hand governed by their instincts and were relatively fatalistic on the other.

The passive resignation to fate, the apparent reliance on ‘the hope that God, through his saint, would protect them and their children’ is perhaps the most troubling and difficult aspect for modern historians to understand.¹¹⁹ Similar ‘lack of imagination’, or failure to foresee danger, is evident on the early Rocks. While babies and very young infants, the most vulnerable, were restricted to the house and garden or yard, these was not always safe havens. Children were left alone near open fires and were burnt when they were accidentally pushed in or their clothes caught fire or became entangled with a kettle spout. Babies were sometimes fatally scalded when pots of boiling water or food upturned onto their cribs. These children suffered slow and painful deaths. Elizabeth Allwright died at four when she fell into a earthenware vessel filled with ashes and lye in her yard. Her father and mother did not even miss her until about an hour later. The drowning of small children in their own family’s wells on the Rocks was also a fairly common occurrence. The baker William O’Neal, constable Thomas Colebrook, Irishwoman Eleanor Flaherty and several others lost children in wells, evidently customarily left uncovered. On each occasion, Howe lamented and raged and beseeched people to cover their wells, but with little effect.¹²⁰

We cannot, as Shahar points out, assess the parenting skills or emotional bonds of people from such accidents alone: that would be like judging today’s attitudes from the accident and

¹¹⁹ Shahar, Childhood, p143.

¹²⁰ Ibid., p139ff; inquest on Elizabeth Allwright, 16 October 1810, CSC R6021 4/1819; re household accidents SG 3 June, 1 July, 23 September 1804, 14 July 1805, 1 December 1805, 22 May, 19 June 1808; inquest on Ellis Colebrook an infant, 20 December 1820, CSC R6021 4/1819 p88; inquest on Martha Flaherty, 22 February 1823, R2233 p67 AONSW; SG 23 March 1806, 26 March 1803, 3 June 1804.

emergency ward of a children's hospital, or the number of children who drown in backyard swimming pools. Yet among the early Rocks community that sense of fatalism she describes, the resigned outlook that people cannot change the course of life, mingled with that same careless pragmatism (not to bother with a heavy, cumbersome well-cover, for example) as well as the absence of impulse to control children's time and play, to restrict them, is clearly evident. The now familiar idea of intervention, of the ever increasing control of children's environments for their protection and benefit seems to be a hallmark of the rise of modernity.

Does this evidence indicate that Rocks parents cared little for their children, that the emotional bonds between parents and children were weak or non-existent? The reaction to the loss or death of a child, and the treatment of disabled and orphaned children suggests dimensions of emotional involvement. This is the evidence that governors and visitors (and historians) did not consider. If children generally were not valued or cared for, why was an 'orphan, insane and helpless' girl taken in by friends and cared for over six years? Why did the carpenter Curtis Brand decide to help a young blind boy named Joseph Love by leaving him a house and garden on the Rocks? (Love grew up, married, had a family and sheltered his large family of Goodwin in-laws in this house). Why did single or widowed mothers of the Rocks who made the decision to place their sons in the Orphan School then often try to get them back when their positions improved? Jane Chandler wrote to ask that her son William be apprenticed to her husband - 'owing to the extreme deafness and other infirmities of the child, she was anxious to have him in her own care'. Rebecca Myers placed two of her children in the orphanages after she arrived in 1822 while she lived with Charles Bradborn as his wife in Gloucester Street. By 1828 she had married him and was established in business as a dealer and had them all back with her.¹²¹

¹²¹ SG 5 October 1806. Re Joseph Love and the Goodwin family of Prince Street see Flynn, Second Fleet, entry for Elizabeth Sulley; SG 16 December 1826; District Constables' Notebooks; Census 1828. Re Jane Appleton/Gammage/Chandler, see her request to the board of the Male Orphan School, Minutes of Meetings, November 1822, CSC R6040 4/400 p52. Re Rebecca Myers see District Constables' Notebooks, and Census 1828.

While George Howe admonished parents for their laxity, he significantly also claimed that they were too fond of their children, 'a mistaken indulgence', and one reason that children were not sent to school regularly or at all. There were other reasons for this, as we shall see, but concern and affection, or parents simply missing their children, was also evident when in 1804 parents and friends had to be ordered not to visit their children at the orphanage whenever they wished to. They were told to visit only once a month, and not to bring in provisions for them, nothing 'but a few biscuits or a little fruit'.¹²² Clearly, people disliked being separated from their children, sought to maintain close contact with them, and worried about whether they had enough to eat. People thought of the orphanage in the same way they considered the gaol.

Similarly, many children who were really orphaned were kept out of the orphanage if at all possible. A little girl found wandering the streets was taken in by a Rocks woman in 1810, while in many other households orphans and adoptees are listed. One of the strongest pieces of evidence of the growth of the Rocks as a human community despite the tensions, the aggressive and suspicious behaviour, was that children who were orphaned and had no older brothers or sister to care for them, were very often taken in and cared for by other Rocks families. This appears to have been strongest amongst the Irish. Two of the children of Margaret and Patrick Downey of Gloucester Street by 1828 had been taken in by their neighbours Elizabeth Porter and James and Sarah Byrne; there is no trace of the parents. Eliza Finlay, the nine-year-old daughter of Elizabeth Finlay was taken in by George and Charlotte Johnson, lodging-house keepers in George Street in 1822, after her mother was sent to Newcastle for theft. By 1828 she was known as Eliza Johnson.¹²³

¹²² SG 8 May 1803; 19 February 1804.

¹²³ SG 4 August 1810; District Constables' Notebooks; Census 1828; Papers from trials of Elizabeth Finlay, 17 October 1818 (theft), CJC COD 445 p31; 2 January 1822 (receiving stolen goods), R1976 p147; also Sydney Quarter Sessions November 1825 (keeping a disorderly house) R2416 4/8442 p161, AONSW.

When children were lost, search parties were immediately sent out, calling aloud to the 'little straggler' then coming together with the 'afflicted parents' and 'joined their lamentations'. When children were found people were overjoyed with relief. There were scenes of frantic efforts to revive children who drowned; terrible, sad scenes of women waiting at the wharves to carry the small, wet, still bodies back to the houses. Occasionally the grief of parents when a child died shows through the official coroner's inquest. 'The parents seem very unhappy for the loss of the child' said the butcher John Allpress quietly of Thomas and Elizabeth Colebrook. He had been passing in Prince Street, and pulled their boy out of the well after he heard the mother's hoarse cry of panic 'Where's my child?' when she realised, too late, Ellis was missing. George Howe wrote of the grief of a mother, a mantua maker of the Rocks named Katherine (or Kit) Baker whose eleven-year-old daughter died a week after she was 'violently burnt' when her clothes caught fire as she was boiling a tea kettle. The mother remained by the child's side day and night, and refused to embark on the ship she had a passage on, even though she had sold her house and possessions for the voyage.¹²⁴

Many Rocks families endured the loss of one or more of their children through accident or disease. Sometimes, like Katherine Baker, they were forced to watch their children die slowly in agony. From our own perspective, with our hospitals, painkillers, tranquillizers, anaesthetics and so on, the raw exposure to so much pain and horror when so little could be done is difficult to imagine. How could people endure such things and remain human, and carry on their normal lives? Some did succumb to despair, but others drew on the traditional stance combining stoicism, passivity, the resignation to fate as a necessary defence for survival. It did not signify that they were offhand or indifferent to their loss; it did not mean that children did not matter.

¹²⁴ Inquest on Ellis Colebrook an infant, 20 December 1820, CSC R6021 4/1819 p88; inquest on Joshua and Elizabeth Howells, Timothy May and Michael Mileham, 1815, CSC R6021 4/1819 p323. SG 30 October 1803 (search for lost child), 2 February 1806 (attempts to revive a drowned child); re Katherine (or Kit) Baker, SG 21 April, 12, 19, and 26 May 1810.

There are indications, too, that children's lives, short as they were, were worth memorializing, their loss involved mourning. When Maria Ann Cook petitioned the Governor she stated that she was the mother of twelve children. She had thus included, remembered, the four who had died in early infancy along with those who lived.¹²⁵ If children died in accidents or through unusual diseases their passing was noted in the Gazette. In the early years the language was often plain and matter-of-fact, although it dwelt on 'shocking spectacle' and the doleful nature of such events. Later, there were signs new attitudes - when Robert and Ann Howe lost their first son in 1824, Robert wrote:

Death: This morning Robertus Mansfield Howe infant son of the Government Printer.

This sweet little infant was only 16 months old...All admired him for his beauty and he was too lovely to remain long among us - he is gone to 'fairer world on high'...¹²⁶

Howe, in so many ways out of his time in early Sydney, was voicing something new: the sentimentalization of children, and death, and the idea that children who died were at least spared 'the evils to come', their innate innocence saved from worldly corruption by death. These were attitudes which would characterise the Victorian years.

In contrast to the alleged carelessness, described by Aries, with which the bodies of dead children were treated in pre-industrial society, in late eighteenth and early nineteenth century Sydney many children, even tiny babies a few weeks old, *were* given funerals, their names and ages written down in the church registers.¹²⁷ Unlike the stillborn, they were buried in

¹²⁵ (Maria) Ann Cook, Memorial, 1823, CSC R6051 p256-7.

¹²⁶ SG 26 February 1824. When Sydney children died in a whooping cough epidemic in 1828, Howe wrote 'It is painful to exercise patience amidst such bereavements, but parents and relatives should congratulate themselves on the melancholy reflection that their little ones... are taken from the evil to come'. The epidemic broke out after the arrival of the *Morley*, in March 1828.

¹²⁷ 'The bodies of the poor and of the young children of the rich who were treated like the poor, were sewn into shrouds made of cheap sacking and thrown into big, common graves.' Aries, Hour of our death, p207; St Philip's Register, CSC 6024.

graves or tombs at the burial ground. In at least some cases their names and a few lines, or even a laboriously rhymed poem, were engraved for them on headstones. Occasionally the Gazette reprinted an epitaph for a child (accompanied by some sarcastic comments regarding its worth at poetry), in this case one who died of snakebite in 1805,

it was the subtle surpent's bite he cride
 then like a Rose but cut he drup'd and died
 in life his Fathers glorey
 and his mothers pride.

The images and sentiments here, as on many such epitaphs, concern the tragedy of the accident, the awful, inevitable descent to death, the extent of the parents' loss. This particular stone was put on display for people to see before it was erected over the grave; people enjoyed reading or hearing a person's life and death artfully compressed into a neatly rhyming poem. Perhaps this also suggests that so much effort for a child was something of a novelty. But the young surgeon Joseph Arnold also transcribed such epitaphs at the burial ground, this one for two month old Jane Morley who died in a fire:

My parents loss is my Eternal gain
 Here I rest Free From Worldly pain
 The Fire Snached my Life away
 As I was at my harmless Play.

Something of the sense of unfairness of such a death for an innocent child is conveyed; 'worldly pain' was probably meant quite literally. Arnold thought this and other epitaphs 'curious' and 'remarkable', their quaintness resting upon the spelling and grammar, the way that the circumstances of death were included, the gloomy funereal tone. These were old mannerisms and ways, old outlooks still being expressed in the new colony, while they became antiquated in the old country. They are also further compelling evidence for the sense of loss and grief experienced by bereaved parents, and of the need to memorialise the

child not only in the names of other living children, but also in cold stone that marked their resting place in death.

The Rising Generation: education, youth and coming of age

But more of the Rocks' children survived the dangers of childhood to learn trades and skills, to meet and marry and, relatively quickly, produce children of their own. By 1822/23, 399 of the Rocks' 458 children had been born in the colony (the remainder had arrived with their parents) although only 37 (less than 3% of the total population, 4.5% of adults) of adults were native born.

The lives of children were considered in terms of roughly seven-year spans: the first seven years were infancy,¹²⁸ the second, between seven and about fourteen, constituted childhood, and the third, between about fourteen and twenty-one, was youth. This latter stage was the bridge between childhood and adult life, and was the period when children learned the work skills necessary for later life. They were also expected at this stage to begin to support themselves, hence to commence the slow process towards separation and independence from their parents. In the modern concept of 'teenage' years, adolescents are considered a clearly distinct, separate group with their own tastes and needs, although still dependent and not expected to work. By contrast the lives of youths in early Sydney were streamed along the same lines as their parents. As Demos wrote of traditional society in Plymouth colony: 'Here was no "awkward age" - but rather the steady lengthening of a young person's shadow, and the whole instinctive process through which one generation yielded imperceptibly to its successor'.¹²⁹

¹²⁸ Seven-year-old Mary Grimshaw was referred to as an 'infant', SG 22 January 1804.

¹²⁹ John Demos, A Little Commonwealth: Family Life in Plymouth Colony, New York, Oxford University Press, 1970, p150.

The contradictions inherent in their earlier upbringing - the innocent, helpless, yet worldly-wise and sometimes quite brutal child - were greatly magnified once children reached adolescence, the age of physical and sexual maturity. On one hand, they were regarded and treated as foolish and in need of firm control by fathers and mothers, or masters and mistresses, in order to ensure that they would fulfil their duty to learn a trade. Hence if a boy ran away advertisements were immediately placed for his return, cautioning people not to shelter or employ him, much the same response as when convict servants absconded. Most of these were young, thirteen or fourteen, but some parents still portrayed their older offspring in this way. 'He is a young foolish boy' claimed William Blue after his nineteen-year-old son William was 'seduced away' from him by neighbouring shipowners. 'He has fallen sacrifice to the imbecility of youth' pleaded a mother when her nineteen-year-old son was charged with theft and sentenced to four years' transportation.¹³⁰

On the other hand, these attitudes sit oddly with the responsibilities and experiences many adolescents already had. As in their childhood, they were not sheltered from the ways of the world. The person who comforted and cared for the deranged Captain Edward Edwards, listened to his crazed ramblings about devils and rats, cared for his two young children and awoke one morning to find him hanged from a loft rafter, was his fourteen year old daughter, Ann. When Sophia Walbourn committed suicide by throwing herself off the rocks at Miller's Point, a thirteen-year-old girl raised the alarm and called for a boat, while several frightened men stood by, helpless and bewildered. When George Allwright drowned at thirteen off a boat at Campbell's Island, the Gazette described him as a 'little boy', yet many such 'little boys' were allowed to face the rigours and dangers of seafaring life. Another seafaring boy

¹³⁰ SG 4 August 1805, absconding of thirteen-year old Thomas Silk; 2 August 1807, Ann Harris 'charged with seducing Thomas Jones from the care of his family' and sent to the Factory; 6 December 1808, absconding of Thomas Ikin. William Blue, Petition, 28 October 1823, ML Ab31; Mary Giddes, Petition for her son William Brady, 10 May 1823, CSC F3232 4/1869 p74.

witnessed the drowning of the Rocks mariner Andrew Lusk in a terrible storm at Broken Bay, and was himself washed overboard and rescued by Aborigines.¹³¹

In this context, Robert Howe's tirades against unlicensed drinking houses on the Rocks and their bad effect on youth seem ridiculous. He claimed that 'the youth of both sexes are attracted to these dens of destruction by the vivid excitation of animal spirits, which music and dancing and unrestrained mirth produces'.¹³² While this indicates that the rising generation were as fond of drinking, dancing and laughing as their parents, Howe's assertion that young people were corruptible and ought to be protected from such 'vices' was entirely foreign to the outlooks of the lower orders.

Yet the lack of clear distinction between child and adult did created unresolved difficulties with regard to sexual maturity, particularly for girls. There was confusion over whether a sexually mature girl of fifteen was a 'child' or a 'woman'. Charlotte Betts (possibly Byfield) who was kept by John and Mary Seabrook for the purposes of prostitution and was obviously exploited by them, was described as a 'mere child'. Yet other Rocks girls of sixteen and seventeen were marrying, setting up their own households and having babies. Occasionally, as in the cases of Martha and Sophia Lett, Mary Pawley, and Elizabeth Martin, girls were married at fifteen with their parents or guardians' permission. Hence when Elizabeth Ikin's sister Emma Crook appeared to run away to sea with her lover Captain Howard at fifteen, there was an endless, passionate confusion of claims and counter-claims from her mother and her alleged abductor as to whether she was a child, and hence abducted, or a sexually mature,

¹³¹ Inquest on Edward Edwards, 6 November 1818, R2232 p265 AONSW; Inquest on Sophia Walbourn, 3 November 1816, CSC R6021 4/1819 p693; SG 5 and 12 January 1811 (George Allwright), and 26 March 1809, (drowning of Andrew Lusk); Robinson, Hatch and Brood, pp14, 220ff.

¹³² SG 31 March 1827.

if rather immoral woman who had chosen to accompany her lover. Her mother, who was distraught at her leaving, was accused of having allowed and encouraged Emma to attract the affections of Howard, and Robert Howe printed a condemnatory editorial on the immorality and venality of such behaviour. Yet, as we have seen, the sexual practices of women had pragmatic economic rationale, so that attracting a man of some rank and income was seen as a positive thing. Would these attitudes have been passed on to daughters when they became sexually aware?¹³³

Sexual relations between youths of the same rank do not seem to have caused these difficulties, and if a pregnancy occurred, the couple often married, either before or after the birth (see Appendix 5). Some native-born women who were unmarried bore children, and this seems to have had little effect on their status or livelihood. Maria Ikin, the daughter of Obadiah and Sarah Ikin of Cumberland Street, bore a child to Lieutenant Richard Leyne in 1812. Leyne left the colony in 1813, never to return, and Maria bore another child seven months after his departure; this child died in infancy. She had been left her mother's house in Cumberland Street in the same year and held a licence for an ale-house there from at least 1820. In 1817 she formed a relationship with Ensign Charles Bullivant, and the couple produced three children before they eventually decided to marry in 1823. Harriet and Louisa Calcott, of Gloucester, and later Harrington Street, also bore children out of wedlock: Louisa had a daughter by Ensign Frederick Bedwell in 1820, and Harriet had daughters by Ensign Edward King (1819), Lieutenant Robert Stirling (1824) and Alexander Scott (1830). Like

¹³³ SG 31 March 1827; Papers re the abduction of Emma Crook, CSC, R6048 4/1743 p31ff, and see also Howe's retelling of the incident, SG 20 May 1820; Atkinson and Aveling argue that 'Native-born women behaved much like their convict mothers.', Australians 1838, p102.

Maria Ikin, they were fortunate in each acquiring a house, and eventually the title to land in Harrington Street which had been leased to their father.¹³⁴

A rare case where extra-marital pregnancy caused great embarrassment was that of George Terry Howe, Robert Howe's half-brother. He was nineteen when he 'became enamoured' of Sarah Bird, the native born sister of Robert's wife Ann, and four years his senior. When she fell pregnant in 1824, Robert was mortified, although he himself had fathered an illegitimate child in 1819, for whom he cared deeply. He had since set himself up as a stern and self-righteous preacher of the new morality in the colony, and here was his own brother and apprentice, and his wife's sister flouting its precepts under his own roof. He quickly applied for a marriage by special licence for the pair, sending his permission as George's master, saying the matter was 'of a delicate complexion' and that 'it is my wish to be seen in it as little as possible'. The couple were married, settled in Cambridge Street and produced six children in quick succession.¹³⁵ Robert Howe's sense of shame over such an incident was a sign of things to come; such shame was not common amongst the people around him.

In the area of apprenticeships the responsibilities of the master properly involved 'moral' care and educational training as well as learning a trade. In short, the master took the place of the parent, and the child lived in his household and was considered part of the family, in much the same way as had occurred in pre-industrial societies. Some boys followed the trade of their fathers and thus were trained by them, but if not, parents went to considerable trouble

¹³⁴ Graham Thorn and Margaret Miller, 'The Ikin Family', unpublished typescript, courtesy Bob Bullivant; Mutch index, ML. See Section 2, note 9.

¹³⁵ Mutch index, ML; Robert Howe to Colonial Secretary, Application for Marriage by Special Licence, 10 September 1824 R6028 p85-90; a family tree showing the relationships of the Howes and the Birds is sketched out on the reverse; ADB entries for Robert and George Terry Howe; Census, 1828.

to arrange apprenticeships, often to a master in the same street in the Rocks, or nearby. The master was also usually of the same rank and civil status as the father.¹³⁶ Girls, if they did not remain in their own households, learning skills from their mothers, sometimes went into service in the big houses in Prince or George Street. Again, they were not far from home, and in the case of Isabella Holden, her parents continued to list her in their own household. Even though she had moved to Prince Street as servant to James and Elizabeth Norris, she was still theirs. Girls who married often remained within walking distance of their parents' home, such as Honor Chanhells, whose Cumberland Street house stood at the rear of her parents' house in Cambridge (now Gloucester) Street. Others who established their own households and families on the Rocks include Mary and Susan Pawley, Mary Hayes, Sarah and Elizabeth Prentice, Frances Phillips, Catherine Byrne, and many others. The Calcott sisters, Harriet and Louisa, continued to live with their father Richard after the arrival of their children, and later lived in adjoining cottages in Harrington Street on the family property (see Fig. 41). Native-born women who married, such as Catherine Byrne and Mary Ann Dalton, sometimes kept their maiden names, as their mothers had done. When husbands went to sea, or were convicted and sent away, young wives sometimes returned to their parents' home with their children.¹³⁷

¹³⁶ Karskens, *Analysis of the District Constables' Notebooks*; *Census*, 1828. Re boys' local apprenticeships, examples include Thomas Colebrook junior, apprenticed to carpenter C. Smedley of Prince Street; Thomas Dunn junior, apprenticed to tanner William Pawley, formerly of the Rocks, by 1828 of Castlereagh Street; James Greene, apprenticed to shoemaker Samuel Evans of Prince Street; Owen Lynch, apprenticed to carpenter George Pashley junior, Harrington Street; John Ward, apprenticed to shoemaker Thomas Jones, Rocks; Robert Whitaker apprenticed to carpenter Michael Gannon, Harrington Street; William Prentice, apprenticed to butcher James Thompson, neighbour and step-father's former employer.

¹³⁷ For example, Susan Pawley married mariner Joseph Burrell, but was listed with her mother Hannah Pawley in 1828 while Joseph was away at sea. Catherine Byrne, who married mariner John Winch had also remained at her parents' home in 1828 while John was away at sea. Later they moved into one of the small two-roomed cottages built on the Cribb land in 1834, a few doors down Cumberland Street from her family, see Karskens, 'Cumberland Street/Gloucester Street Site...Discourse', pp36, 54.

Besides ensuring that youths were equipped with skills for later life, many propertied Rocks parents were also keen to endow them materially, if they could, with land and houses, or with licences or Government positions. By the time he died, Samuel Thorley, the early Rocks publican, shipowner and landowner, had achieved this ideal. In his simply phrased, dignified will, beginning 'I, Samuel Thorley of sound mind and memory but at present afflicted with bodily pain', he left a farm each to his wife, four surviving children as well as one for his stepson.¹³⁸

Conversely, formal schooling was not considered very useful for making a living, and many people did not care to send their children to school. They seemed to prefer to keep their younger children at home, while the primary learning places of the youths were the dockyard, the lumberyard, the workshops, and the forges, ovens and so on at the private houses where they learnt their skills and trades. Harrington Street publican Ann Whitaker flatly refused to send her boys to school in 1823, saying she needed them at home to help at the hotel. The younger, Robert, was however apprenticed to carpenter Michael Gannon, also of Harrington Street, by 1828. Admittedly, opportunities for schooling were very limited in the early years, this perhaps as much the result of lack of demand as lack of teachers. The Rocks had numerous shortlived 'schools' opened and closed at different times in various houses (there

¹³⁸ Samuel Thorley, Will, 1821, in Thorley Papers, Parnell and Copes Trust, ML A5399. Edward Redmond also left his children well-endowed, see Lang, Home Was Here, p172ff. Richard Byrne in his old age successfully applied for a publican's licence in 1832; by the following year the hotel, the Ship and Mermaid, was run by his daughter and son-in-law; see Karskens, 'Cumberland Street/Gloucester Street Site...Discourse', p36, and Australian 6 April 1832, 12 July 1833. George Talbot and Ann Armsden seem to have had the prospects of his son George in mind when they sold their house in Cambridge (now Gloucester) Street in 1822 and moved to the new areas at Darling Harbour around Miller Point. By 1838 George Talbot junior was a ship and anchor smith there, and operated six lever wool presses. He continued to live in the area for several decades. See Karskens, 'Cumberland Street/Gloucester Street Site...Discourse', p30, and Fitzgerald and Keating, Millers Point, pp29, 31, 57.

were no purpose-built schools) by people like the brothers John and James Kenny, who promised to teach children 'Reading Writing Vulgar and Decimal Arithmetic mensuration and book-keeping according to the Italian mode' in 1805. Robert Shrieves advertised a school at his house in 1807 designed to fit in with the work patterns of youths 'of both sexes'. It was expressly for apprentices, was conducted between 5 and 7 in the evening 'in useful and necessary branches of Reading, Writing and Arithmetic', again practical subjects with practical use. Teacher Daniel Thurston and his wife Jane kept a small boarding school with only four children, along with their own two, in Cumberland Street in 1823. This was perhaps as much a place for these children to live as a school. By 1828 Daniel Thurston was teaching school at Richmond, but had left his own children in the care of his brother, Rocks publican William Thurston.¹³⁹

Sunday and day schools were opened during the Macquarie period but were little and irregularly attended. Thomas Bowden reported in 1820 that his school was taught 'on the Lancastrian plan' using only Bibles and testaments, but that children were not in regular attendance 'owing to inattention on the part of the parents'. The Reverend William Cowper confessed that it was 'not very flattering...to observe that the whole under tuition in Sydney does not appear to be more than in the year 1813', and he blamed this on 'the very great importation of immorality in the late years'. It seems more likely that parents and children were apparently not accustomed to, and not much interested in the idea of regular, routinised timetabled attendance, or in an education limited to the scriptures. Even as late as 1827 the roll-book of St Philip's Infant School, which many Rocks children attended, shows rather chaotic (by modern standards) arrangement. Pupils of all ages, some as young as eighteen months (one wonders how, and what *they* were taught), enrolled at various times during the

¹³⁹ See SG 8 May 1803, 6 October 1805, 16, 30 August 1807; William Cape to Colonial Secretary re the Sydney Academy, 24 September 1823, CSC R6059 4/1772 p139. Karskens, Analysis of District Constables' Notebooks.

year. Many attended very irregularly and very little according to their own and their parents' inclination.¹⁴⁰

By the 1820s there were also some rather elaborately named schools in Prince Street, such as John Dunmore Lang's 'Caledonian Academy', opened in 1826, which offered Latin and Greek as well as writing and arithmetic. Captain John Beveridge's 'Mercantile and Naval Academy' offered to take 'young gentlemen' as both boarders and day-scholars and teach them geography, geometry, Navigation and nautical astronomy as well as the more rudimentary subjects. Mrs Thompkins offered a school for the 'education of young ladies'. These were designed to appeal to 'respectable' inhabitants, the small but growing 'middle' class of merchants, sea captains, wealthy business and professional people who were adopting new ideas on the worth and conduct of education for children. Nevertheless, it seems that these were also shortlived establishments.

The schools established by the educated and eloquent convict Richard Archbold were more successful, and encapsulated something of the growth of a new, more modern attitude to both education and children. He started in 1814, while still a recently arrived convict, at No 7 Gloucester Street, with a day school as well as 'an evening academy for the improvement of those at a more advanced age', teaching reading, writing and arithmetic as well as book-keeping. In the following year he moved to Cambridge Street, and his program for education had become more ambitious. He observed that 'a total ignorance of the heavenly bodies, of

¹⁴⁰ Brian Fletcher, 'Religion and Education', in James Broadbent and Joy Hughes (eds.), The Age of Macquarie, Melbourne, Melbourne University Press and Historic Houses Trust of New South Wales, 1992, pp82-87; Bigge, Report, Appendix, Evidence of Thomas Bowden, 1821, BT Box 8 pp3329-32; Evidence of William Cowper, 1820, BT Box 20 p3528; St Philip's Infants School Register, 1827-1831, ML A3099. Re John Dunmore Lang's school, SG June 14, July 18 1826; Beveridge's and Thompkins' schools, SG 14 June, 1 and 18 July 1827. Eden Hewitt had also opened an evening school in Prince Street in 1816, SG 28 December 1816.

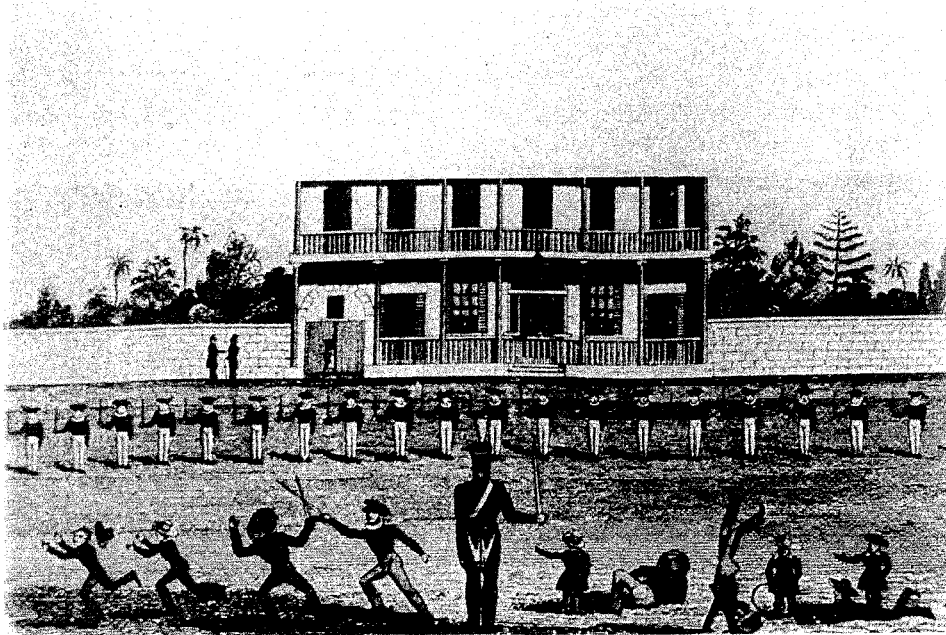


Fig. 50: Engraving of a Sydney boys' school, 1838. The picture contrasts the uniform orderliness of the pupils with the games played in the street by the children in the foreground - handstands, hoops, chasings, sword-fights. The smallest still wear the smocks in which both girls and boys seem to have been dressed until the age of seven.

Source: J. Macle hose, The Picture of Sydney and Strangers' Guide to N.S.W.
 Reproduced from Cedric Flower, Clothes in Australia, A Pictorial History, p32.

the actions and vicissitudes of the earth, seems to pervade the colonial Generation' and in the absence of globes, offered to use his own drawings and designs to 'render pupils competent to look with intelligence and useful calculation on Maps: and without *shapeless wonder* on the Starry Heavens'. The substitution of scientific order, knowledge, usefulness for the ignorant 'shapeless wonder' of the rising generation: what more eloquent juxtaposition of old and new outlooks can be found?

In subsequent years his boarding school was also advertised as being 'in a pleasant healthy situation, where *they will have no Access to the Streets*' (my emphasis). In 1825 he moved his family away from the town altogether, probably to Hunter's Hill, saying he was 'convinced that a daily school, open to the promiscuous attendance of children' (like St Philip's) and 'having access to the streets' was 'inimical to [their] morals and at variance with every other improvement'. He was speaking also in relation to his own four (later five) children. This concern over the child in contact with and free to roam 'the street' (a metaphor for all the aspects of the urban adult world to which children were exposed) was new (Fig. 50). Archbold represented the coming change, a complete reversal in attitudes to children: his school would confine their bodies and open their minds. In this scheme, children ought not be part of the adult world, but separated and sheltered from it. Such beliefs would characterise the later Victorian middle classes and lead to their obsession with the lives of city worker's children.¹⁴¹

As they reached adulthood, these children of transported convicts continued to arouse considerable interest in observers. They were generally celebrated as 'remarkable for

¹⁴¹ SG 25 June 1814, 15 April 1815, 13 July 1816, 31 July 1819, 29 December 1825. Archbold married illiterate native-born Rocks woman Mary Pawley, daughter of publican Hannah Pawley. Besides their school, they at various times ran the Rising Sun Hotel, a tobacco shop, a store, and a brewery in Charlotte Place, before becoming landowners at Hunters Hill.

sedateness of character, sobriety of conduct, diligence in business, [a] delicate sense of honesty for which they have been so eminently conspicuous'. Emancipists proclaimed their children the strongest evidence for their own worth, claiming in their 1821 petition that there was 'not a more sober, industrious and Loyal race of Youth in any part of Your Majesty's Empire'. As Robinson points out, these favourable characteristics were considered evidence of the 'triumph of natural morality over the degradation of convict parentage, convict society'.¹⁴²

That the convicts and ex-convicts of the Rocks were concerned for their children's welfare, particularly in the material sense, is clear. But as we have seen, mothers and fathers who were steady and comfortable members of the lower orders and brought up large families could also drink to excess, become violent, insult or beat their wives and neighbours, enjoyed gaming and carousing, and occasionally landed in court, and so on. 'Vice' and 'family life' were not necessarily mutually exclusive. Further, it is also evident that Rocks children inherited many of their parents' outlooks and habits, not just those that might be labelled 'good'. In this sense it is difficult to sustain Robinson's argument that their parents' experience and the 'invisible cultural baggage' of moral codes, fears, hopes, likes and dislikes, priorities and prejudices did not shape the mentalité of the children;¹⁴³ it is obvious that they did. The values and priorities of the rising generation were shaped by the similar parameters as those of their parents: economic urgency, hard-headed and pragmatic decisions ensuring, as a priority, material well-being. Children born into the culture of the lower orders learned the ways and the shape of that culture from their parents and the society around them, no part of which was hidden from them. Further, their fates were as varied as their parents': not all

¹⁴² SG 20 January 1825; HRA, 'The Humble Petition of the Emancipated Colonists of the Territory of New South Wales and its Dependencies', enclosure in Macquarie to Bathurst, 22 October 1821, Vol 10, 551; Robinson, Hatch and Brood, p6.

¹⁴³ Robinson, Hatch and Brood, p11 and loc. cit.

were 'comely lasses' and 'stout lads', not all were sober, industrious and law-abiding. And in many cases, and in spite of their parents' best efforts, their lives were tossed about by the vagaries of economic conditions and the unreliable 'transience of life' in the same way that those of their parents' had been. As we saw in the stories of Elizabeth Hayes nee Baker and Elizabeth Johnston nee Ellard, they too had to deal with suffering and loss, anger, frustration, poverty and ill-health. What is rather distinctive is a certain independence of character. Their petitions largely (though not always) lack the tone of exaggerated, even cringing, deference which marks many of the petitions of the older generation.

Consider the early adulthood of three of the eight surviving Cubitt children, Charlotte, Daniel and John. Their father Daniel had been a butcher, carter, dealer, publican, property-owner, the Gaoler at Sydney, town crier and later Master of the Row Guard, and the family seems to have been fairly well-off. But Daniel had also been convicted of defamation for his 'slandorous imputation, malicious and highly ungrateful sentiments' towards the surgeon John Harris; like the convicts generally, he lacked meek and deferential manners. His wife Maria Ann left him in 1823 because of his abusive behaviour. He was in dispute with neighbour Ann Bradley in 1810 over property boundaries. During his term as Gaoler he was described as acting 'with an over officious zeal to show himself assiduous'.¹⁴⁴

¹⁴⁴ Flynn, Second Fleet, entry for Daniel Cubitt; SG 20 November, 4 December 1803, 10 and 17 November 1805, 17 July 1808, February 1809 (hotel licence), 14 February 1809, 19 April 1817 (hotel licence), 10 March 1821; Cubitt's death was reported in the Australian 19 February 1831. See also CSC, R6042 4/1723 p17 (work as Town Crier); F3001 4/1821 No 32 (dispute with Ann Bradley); R6002 4/3490C p61 (appointment as gaoler); R6049 4/1744 p170 (appointment as Master of the Row Guard Boat); R6051 4/1749 pp256-7 (Maria Ann Cook's complaint); and Index, 1788-1825. Further data is indexed in the ML manuscripts catalogue. James Hardy Vaux, Memoirs of James Hardy Vaux, Written by Himself, London, W. Clowes, 1819, p278. Vaux was listed as living on the Rocks in 1822 with Francis Sharkey.

His son, Daniel junior, at twenty worked alongside him on the Row Guard, patrolling the harbour, searching for stowaways, deserting seamen and smuggled goods. But this does not mean that Daniel junior was a paragon of deferential, law-abiding citizenry. There were occasional complaints about their non-attendance at the Docksyd, and Daniel junior was demoted to Coxswain after 'insolence' towards a ships' officer in 1822. John Campbell MacDougall, the midshipman off the *Dauntless*, claimed that he had returned to the wharf in the early hours one morning, and 'went into the Dockyard...in order to be put on board' his ship. He found Daniel junior asleep in the 'skin sheets', who, on being roused and ordered to row MacDougall out to his ship, simply refused and rolled over. Another man was fetched and remonstrated with him, but Daniel, angry at having been woken, still refused, saying that he was the Master of the boat and would not go out. MacDougall was incensed by this defiance 'and showed him *he* was an officer' (a superior one) 'and produced his uniform which was under his great coat'. This had no effect on Daniel apart from evincing a torrent of abuse at the officer, shouting 'among other terms [that] he did not have any more use for [me] than for the fifth wheel of a coach'. 'Mr Cubitt' added MacDougall 'was intoxicated at the time'. Daniel was thereafter not 'considered a fit person to be continued any longer in the service of the Government Row Guard Boat'. Brisbane ordered that he be made coxswain instead and placed on the round-the-clock harbour watch with other Rocksmen Thomas Beddoon and George Day. He resigned this position in 1823, claiming to be in poor health (at 23!) and recommending his brother John in his place.¹⁴⁵

John Cubitt, born in 1803, was apprenticed to George Howe as a printer at the Gazette office near the wharf in George Street. When Howe died in 1821, his son Robert made John a

¹⁴⁵ John Nicholson to Goulburn, 12 March 1822, CSC R6053 4/1756 p118; and 6 May 1822 p125; Wentworth to Goulburn, 6 April 1822, Evidence of Thomas Dunne, 6 April 1822, and evidence of John Campbell MacDougall Esq., 6 April 1822, CSC R6054 4/1759 pp40-43a; Daniel Cubitt jun. to Nicholson, 29 May 1823 CSC R6058 4/1771 p308.

journeyman at 75 pounds a year, even though three years of his apprenticeship remained unexpired. Robert Howe, after his conversion to Wesleyan Methodism in 1820, insisted that his workers also observe his newly adopted moral and social codes. He made John, who was 18, promise to amend his 'rather indecorous behaviour' in return for the position of overseer 'with a view to stimulating him to a sober and industrious life'. But a few months later John's request for a five pound advance was refused, and in response he failed to attend 'his hour's usual and important duty of overseership' on Sunday, presumably at the Prince Street chapel, and then threatened to stop work. Howe immediately fired him, and upon receiving the letter, John rushed into the Gazette office and began a rampage of destruction, running 'to the frames and cases in which the types are bedded and overturned them with the celerity of a demon'. He was restrained, arrested, forgiven and reinstated, but eight months later, together with an old, almost blind workmate George Scott, he deserted the office.

Out of work again, John knew precisely what would win his job back. He sent an elegantly worded, deferential letter to Howe expressing sorrow for his actions and deep gratitude for Howe's intercession on his behalf, thus acknowledging his master's power over him. It worked. Howe was convinced of Cubitt's penitence and immediately wrote to the Clerk of the Peace saying he would drop the charges, since Cubitt would otherwise be 'forever deprived of his livelihood at his profession and is reduced to the most abject and servile dependence on his father for support' and adding, in the Christian spirit of the father of the prodigal son, that

should time assure me that Reformation be wrought in the unhappy youth that it is my intention...to receive him once more with favour, to save him from penury and starvation.

But although John needed a job, he did not see obedience, piousness and loyalty as part of his duties. In 1823 it appears he again left to sail to India and in 1825 he defected

permanently to join W.C. Wentworth's rival newspaper the Australian. Robert Howe must have considered this the ultimate betrayal.¹⁴⁶

Their sister Charlotte had borne a son in May 1820 at about 17. She married the father, an ex-convict gardener Thomas Curry who was ten years older than her, in October the same year. (Interestingly, their witnesses were her brother John, and Elizabeth Lee, the mother of Robert Howe's illegitimate son). We have seen that Thomas was unhappy at her independent ways, for she continued to stay over at the house of her friends the Rushtons rather than with him. In 1822 he was convicted of stealing a gold watch from old Thomas Rushton, and sentenced to hang. Charlotte presented a deferential petition 'on bended knees' for his remission, 'equally as a Husband...and a Father to his two infant babes'. This, together with his father-in-law's public position, won him a reprieve and he was shipped to Newcastle instead. But Charlotte refused to go with him. Obviously she did not consider her wifely duties extended that far, even when Thomas fell ill and a Newcastle doctor specifically asked that she and the child be sent for. He died there, alone, in 1824.

By 1822 she and young Thomas were again living with her parents in Harrington Street. Her second son George was born in February that year but lived only eight weeks. Her mother left her father the following year, and her mother's petition for protection claimed that she had been abused by both Daniel and Charlotte, and that Charlotte 'habits herself in prostitution'. Perhaps Maria Ann meant that Charlotte was promiscuous; or perhaps that she did earn her living through prostitution. By 1825 Charlotte had lost both her children - her

¹⁴⁶ SG 24 November 1821, 5 July 1822, 30 April 1827; Australian 6 January 1825. Case papers, John Cubitt, November 1822, including Cubitt's memorial and Robert Howe's letter to William Freeman, Clerk of the Peace, CJC R1976 p295ff AONSW; Daniel Cubitt jun. to Nicholson, 29 May 1823 CSC R6058 4/1771 p308. By 1828 he was living with his father. He died on 5 November 1836, aged about thirty-six, Australian 8 November 1836.

first-born died in October. She was by then angry and violent, and was twice arrested in April for hurling abuse and stones at George Morris' Australia hotel in a drunken rage, shattering his windows and sending the patrons ducking for cover. Her guarantors were her brother-in-law William Potter and a baker named James Warman, but not her father. A month after the death of her son, she applied to marry one Charles Wood, but by 1828 was living with a Rocks nailer named Thomas Dodd in Harrington Street.¹⁴⁷

These stories of the native born must qualify the rather flat and stereotypical images of the sober, industrious, successful and law abiding rising generation. All three Cubitts strongly displayed the stance of the convict generation, the stance of their parents. Their actions revealed the same disdain for authority, whether of rank superior, master, or husband; the sometimes violent, often abusive behaviour; and the lack of meekness and deferential gestures, except when they thought they might be advantaged by it, for example in the petitions which were used so cleverly.

There was clearly something in Robert Howe's manner, probably his insistence on interfering in their private moral lives, which drove his workers to abscond: his native-born step-brother Horatio Spencer Wills also fled his authority. Wills was apprenticed to Robert after his mother Sarah Wills' death in 1823, but they quarrelled, and he absconded three times. On the one occasion he was taken to court he was defended by his master's sharp-tongued

¹⁴⁷ Mutch Index, ML; District Constable's Notebooks; SG 7 April, 29 May 1825. Case papers, Charlotte Curry, May 1825, SQS R2415 4/8440 p327. Charlotte Curry, Petition on behalf of Thomas Curry, 1822, CSC R6056 4/1763 p155; Curry's sentence commuted to transportation, CSC R6070 4/1265; Charlotte permitted to go with her husband, CSC R6009 4/3505 p230; Thomas in hospital at Newcastle, request that Charlotte be sent to join him, John Robertson, Commandant, to Goulburn, 28 March 1824, CSC R6068 4/1815 pp361-2; Maria Ann Cook, petition c1825, CSC R6051 4/1749 pp256-7; Charlotte Curry application to marry Charles Wood at Sydney, 7 November 1825, CSC R6064 4/1788 p97. Census, 1828. Compare to account given in Robinson, Hatch and Brood, pp 164-5.

adversary William Charles Wentworth, which must have been galling for Howe. Yet, despite all this, it was the native-born, such as these, whom Robert Howe himself portrayed as so law-abiding, the embodiment of the young colony's promise.¹⁴⁸

It is also important to note that not all young women fitted the idealised version of innocence, inexperience, beauty and gentleness which Wentworth himself celebrated in the execrable lines: 'Thy blue ey'd daughters with flaxen hair/And taper ankle, do they bloom less fair/Than those of Europe?'. But looks were one thing, behaviour quite another. In real life, as we have seen, many, like Charlotte Cubitt, experienced a great deal at a young age, and their behaviour cannot be described as refined, polite, or milk-and-water meekness. Sixteen year old Mary Kearns wanted some fancy hats so badly that she tried to defraud the dealer Simeon Lord. Her brother informed on her, her father refused to pay for the hats, and she was sent to the Factory for six months. Wentworth, reporting the doings of the Sydney 'Fancy', chronicled a fight at Brickfield Hill between two women, one a 'towny' (possibly an ex-convict) and the other 'of currency worth'. Some of the native born at least had inherited their parents liking of fighting. Mary Chipp (b1795) was the subject of an attempted rape at 13, was taken to court for savagely attacking another girl (Elizabeth Jones) at 22, lost a husband suddenly in 1824, and in 1829 enraged a publican at the races by throwing a glass of beer in another patron's face, for which she was severely beaten and thrown out of the tent. Her sister Sarah married Mark Byfield, a Rocks publican who was convicted in 1827 for receiving stolen meat and sent to gaol. Sarah herself was accused of receiving stolen combs, but was acquitted. She was supporting herself and her two children as a dressmaker in 1828, and went to court in 1829 with a complaint that she had been knocked down in the street by two men. But the constables she went to with her mouth cut and bloody and her

¹⁴⁸ ADB entry for Horatio Spencer Howe Wills.

'hair hanging about her shoulders' said she had been 'much in liquor' (she had been visiting her sister) and the case was dismissed.¹⁴⁹

Certain old prejudices also lived on in the native born: the simmering distrust and dislike between Irish and English were occasionally forcefully expressed by young men who had never seen Ireland or England. Young Thomas Saunders, son of one-time Rocks bakers and Prospect small-farmers, called his neighbour Margaret Downey an 'Irish bitch' before he violently knocked her down at his mother's bidding. Daniel Cubitt junior exploded in rage when an Irish constable told him to go home late one night.¹⁵⁰

The views of the native-born on the constabulary were said to be negative, for like their parents, they held constables in low esteem. A native-born police force proposed in 1824 by Governor Brisbane failed. Robert Howe noticed that their 'hatred of police matters and all connected with them' had been 'imbibed' from their 'parents and guardians, even in infancy'. He also pointed out, correctly, that the 'native youth almost invariably aspires to a profession, however humble; he is rightly led to believe that a trade...will carry him through life'. This value placed on skills was something they also 'imbibed' from their parents. Robinson claims

¹⁴⁹ W. C. Wentworth, 'Australasia: A Poem' 1823, cited in Robinson, Hatch and Brood, p145. Re Mary Kearns, see trial papers, 19 September 1812, CJC R2390 p225 AONSW. Re Mary Chipp/Boyle/Ward, see papers from trial of Henry Seyers, June 1809, CJC R2652 p131 AONSW, and SG 11 June 1809; papers from trial of Mary Chipp and Solomon Davis, 23 June 1818, COD 443 p129 AONSW; papers from trial of Richard Crampton, SQS SC T29A 29/177, CP T140, 108 AONSW; SG 15 July 1824. Re Sarah Chip/Byfield, SG 26 November 1827, 3 December 1827, 5 March 1829; Karskens, Analysis of District Constable's Notebooks. Another example is Charlotte Walker Beeby, a native-born woman who married young, lived on the Rocks, and had no qualms over spending the night with William Sibley and stealing his money, Mutch Index, ML and Australian 29 August 1828.

¹⁵⁰ Papers from trial of Thomas Saunders junior, 17 February 1822, CJC R1822 p170 AONSW. Statement of Thomas Dunne, 6 April 1822, CSC R6054 4/1759 pp40-43a.

the dislike for police-work is incorrect, citing the fact that some native born (though she does not say how many) were themselves working in the constabulary in 1828, and that they were sometimes involved in chasing bushrangers. But respect for the law cannot be equated with serving as a constable. This fails to recognize the deep ambiguity in the position in the community of constables, whose job it was to interfere in many common pleasures and pastimes. Further, the traditionally low status of the ordinary constable, as we shall see in Section IV, meant that generally men of indifferent character took the job on as a last resort, and they were not much liked or respected. This dislike had more to do with traditional outlooks than with the convictism of the parents.¹⁵¹

With regard to their reputed 'respect for the law' and the implication of sober orderliness, as opposed to riotous disorderliness, the data about the native born suggests that drinking and disorder, and occasionally violent behaviour were not shunned. While the native-born were apparently rarely tried for *criminal* offences, further research into the actual numbers and proportions of those who came before magistrates for misdemeanours as well as before the criminal courts might throw more light on their actual, rather than their reputed, behaviour.¹⁵²

Continuity is also evident in the trades taken up by boys. Often they followed the same trades as their fathers, and sometimes they worked with them. Owen and James Lynch both became carpenters like their father Thomas. George Phillips and his son George worked together as carters, and George Barnett and George junior as watermen. Thomas Crump, after

¹⁵¹ SG 20 January 1825; Robinson, Hatch and Brood, pp15, 275ff.

¹⁵² Robinson, Hatch and Brood, pp16, 150-51, 190, 277-8; Hughes, Fatal Shore, pp356-7, 637, cites the small proportions of those criminally convicted who were native-born, from Sir William Burton's, 'State of Society and the State of Crime in New South Wales, During Six Years Residence in that Colony', in Colonial Magazine and Commercial-Maritime Journal, Vol 1, January to April 1840 421-40, Vol 2 34-54.

he separated from Mary Johnston, went up to Wiseman's Ferry to live and work at boat-building with Thomas, the eldest son of his first marriage. James MacNeale a bucklemaker, worked with his coachbuilder son John James in 1828; earlier, they had been employed together as servants to publican William Thurston. As we have seen, boys who had lost fathers were placed in the orphanage mainly so that they would be found good apprenticeships, and there is evidence that even in adolescence, these boys, like the men from whom they had learnt, identified themselves according to their trades. An 1820 petition from the orphan school boys complaining of starvation, overwork and exploitation was signed by each boy with his trade listed, hence 'J.Chapman carpenter'. Here, too, we see the youths, not as innocent, poor, unprotected, inarticulate orphans, but already quite well-aware of unfair treatment, and prepared to complain officially. Again this was the result of their upbringing, and their knowledge of the ways of the world.¹⁵³

Such feistiness was also apparent in words and actions of William Henry Chapman, the son of Ann Mash and William Chapman. He had been apprenticed in 1817 for seven years in the Government Dockyard as a shipwright, but after five seems to have considered himself competent. Having reached the age of 21, he applied to be released from his indentures and allowed to sail with the Reverend Lawry on a mission to Tongatabu (Tonga). This was refused, but his indentures were given up to him in June that year, even though Richard Tress at the dockyard had judged him not yet fully competent 'in the various branches of shipbuilding'. Whether or not he actually sailed is unclear, but in January 1823 he married Ann Chanhells, the twenty year old daughter of a Gloucester Street blacksmith. He already listed himself as a 'shipwright'. In 1825 he was among the Rocks men considered eligible for jury duty, and was listed as a shipwright of Cambridge Street. Later he and his growing

¹⁵³ Census, 1828; evidence of George Phillips and George Barnett junior at trial of Peter Ryan, 8 July 1822, CCJ R1976 p241 AONSW; Petition from Orphan boys 1820 CSC R6040 4/400 p45.

family moved to the newly opened areas of Darling Harbour at Millers Point, where they built a house and established a shipyard and wharf. By the 1830s they had prospered and moved away from the sea, the wharves and the ships, the source of their wealth, settling into the newly fashionable area around the race course on the other side of the town in 1832. They subdivided their Darling Harbour land in 1837 and sold the wharf in 1839; the wharf alone brought them 6,200 pounds. They later became shipowners and pastoralists of the Darling Downs; William was invited to an inaugural Mayoral dinner in 1842.¹⁵⁴

The younger Chapmans were thus capable and ambitious; their success was the kind of story considered typical of the rising generation. It is clear also that William Henry considered the end of the third seven-year span of his life, his twenty-first year, to mark his coming of age, apprenticed or not. It was the proper time for courting, for starting a family, for setting up in one's own trade. There are many examples of this consciousness of coming of age among the young men with ambitions and prospects, although the actual ages differ. William Thorn junior, son the Chief Constable and long-time Rocks resident, was 25 when he requested a land grant. He too became Chief Constable, at Parramatta. Daniel Eagan, the son of Mary Bryant and Bryan Eagan, born in 1802, described himself at nineteen in 1821 as

free-born of the colony, has served his apprenticeship in His Majesty's Dockyard as shipwright and boat builder, being anxious to possess a place for the performance of his avocation as well as that of erecting a dwelling house for himself.

¹⁵⁴ Mutch Index, ML; William Henry Chapman, Memorial 29 April 1822 CSC 4/1760 p52-6; re his indentures, see CSC R6008 4/3504A p491 (February 1822), and R6009 4/3505 p388 (June 1822; statement of Richard Tress re his competence, 24 May 1822 CSC R6053 4/1756 p127; on 1825 jury list CSC R6062 4/1782 p111ff. Australian 23 January 1829, 17 February 1834, 7 November 1834, 19 September, 31 October 1839, 23 December 1842; Mackaness Papers, re land purchased on the Racecourse, 1832, ML A317 p91; re land on the Darling Downs, NSW Commissioner of Crown Lands, Letter Book, 1843-48, ML A1764² p341-2. See also Robinson, Hatch and Brood. She states William Henry was the son of Henry Chapman on p134, but (as she also states on p220) William Chapman and Ann Mash were his parents, for whom see Flynn, Second Fleet.

Three years later he had saved enough 'by the profits of his trade' to 'enter upon a farm', and by 1825, at 23 had been appointed Master of the Dockyard, and applied for land at Broken Bay or Brisbane Water. In contrast to the petitions forwarded by the Cubitt children in their times of trouble, all these petitions expressed self-confidence, they were quite straightforward, with not a shred of the elaborate deferential phrases of the first convict generation. Eagan became a wealthy shipowner and trader and was later elected an alderman in the inaugural Sydney Corporation.¹⁵⁵

William Welsh junior, the son of Gloucester Street publicans William and Eleanor Welsh, hankered to be independent. In 1824, he claimed to have 'attained the age of manhood, is now desirous of settling himself apart from his parents' and wanted his own allotment on which to build a house. But he was told there was no vacant land available in Sydney. A year after his father died in 1825, he advertised publicly that, at 21, he had now come of age and was taking over the management of his father's estate, at the same time releasing Thomas Dunne and John Cullen 'the friends of my later Father and Mother' from 'all further interference'. He became a publican, like his father, and in the 1830s moved to Bunker's Hill.¹⁵⁶

¹⁵⁵ William Thorn junior, Petition, 1820, CSC F3032, No 738 p809-12; Census 1828; Daniel Eagan, Petitions, 29 April 1821, 2 November 1824, and 18 November 1825, CSC F3087 4/1837A No 308, and F3130 4/1841B No 256; on 1825 jury list, CSC R6062 4/1782 p111ff; Shirley Fitzgerald, Sydney 1842-1992, Sydney, Hale and Iremonger, 1992, pp20, 48. See also Robinson, Hatch and Brood, p218; and Atkinson and Aveling's account in Australians 1838, pp3, 5-9, 185.

¹⁵⁶ William Welsh, Memorial, 1 April 1824, CSC F3115 4/1840A No 1021 pp89-96; on 1825 jury list, CSC R6062 4/1782 p111ff. SG 29 July 1826; Australian, 7 May 1828, 16 May 1834, 6 June 1837. The Welshs were friends and business partners of Richard and Mary Archbold, acting as sponsors at the baptisms of one another's children, see St Mary's Registers. William and Richard rented a Government windmill together in 1825 (Australian 10 May 1825), and William took care of Richard's property dealings in Charlotte Place in 1826 (SG 29 July 1826).

For young native born women who had less formal apprenticeships in the female trades and callings, coming of age was probably less firmly tied to actual age than to the age when they married. Although wider research is needed in this field, on the Rocks the marriage age of the native born women seems to have been very young by the standards of the day. In England both young men and women waited until they were in their mid to late twenties to marry, so as to ensure that they could support a household and a family independent of their parents. Studies of the American colonies show a similar high marital age for men, but a lower one for women (between about 19 and 20), and the latter pattern seems to have been exaggerated in Sydney. Many native born girls, whether of the Rocks or settling there after marriage, were married at sixteen, seventeen and eighteen. The Lett daughters, Martha and Sophia, were both married at fifteen. The Cubitt daughters all married ex-convicts at early ages - Charlotte at 19, Hannah at 17, Elizabeth at 18 and Caroline at 16 (See Appendix 5).

So it was that Maria Hughes nee Henry, at nineteen, was married, had a seven-month old-baby, a household at the north end of Cumberland Street and a recently-arrived convict husband assigned to her. This apparent early marriage age was not traditional, but a function of the colonial urban life created by their parents, the imbalance in the sex ratio, the constant arrival of strangers, the government system of indulgences which provided land, jobs and licences. Children were not tethered to their parents economically until the parents died, and it is likely that those who stayed in or returned to their parent's households did so out of choice. Early marriage also bespeaks a distinctive outlook of optimism - the belief that it was possible, in this town, to leave one's parents and support oneself and a family decently relatively early in life.¹⁵⁷

¹⁵⁷ Stone states that the average marriage age in England was high in the sixteenth century, and still higher in the seventeenth and eighteenth centuries, rising from 27 to 28 for men and 25 to 27 for women; see Stone, Family, Sex and Marriage, p42. Peter Laslett, arguing from research into Canterbury marriages in the seventeenth century, shows brides' ages a little lower, at 24, though still high for grooms, at nearly 28. See The World we have lost, p81ff. In the American colonies, the average age at marriage was also 'higher than has usually been imagined'. Demos shows that in Plymouth in the seventeenth century, the mean age for men fell from 27 to 24.6 but

Despite these obvious impulses to be free and independent, the bonds of family and local community also held fast. It was common for adolescent and adult children to live with their parents until they were married, and even to return to their parents when apprenticeships were completed, or marriages ended through separation or death. In some cases households comprised three generations, though this was more exceptional. There is some evidence to show that the Rocks children preferred to live in the urban environment where they grew up, close by their parents, or they moved to the adjacent neighbourhoods of Millers Point or Bunker's Hill, which were opening up in the 1820s. Some sons and daughters of long-time Rocks residents intermarried, like the Martins and the Traynors, Pashleys and the Kearns, the Prentices and the Cranes (see Appendix 5), although daughters were also likely to marry skilled, moneyed or educated ex-convicts with prospects in life, often older than they were. Neither age nor convict status mattered so much; again this was the same pragmatism as their mothers had exercised in choosing their partners.¹⁵⁸

What is strongly suggested in all these aspects is cultural continuity between the first and second generations. This evidence, a fraction of that available, does not by any means detract from the achievements of the rising generation, the families, households, businesses and trades they, many following the example of parents, established so successfully. But it does add the human and the cultural dimension, suggesting that a modern ideology of strict sobriety, orderliness, adherence to the work ethic, obedience and so on, had not been integral to that success any more than it had been in their parents' lives. Despite their advantages, too, the

for women it rose from 20.6 to 22.3; see Demos, A Little Commonwealth, pp51, 193. Greven, writing of colonial Andover, also shows that the mean age for women at marriage in the first generation was lower than that of England (about 19) but that it rose to 22 in the second generation; see Philip J Greven Jr., Four generations: Population, Land, and Family in Colonial Andover Massachusetts, Ithaca, Cornell University Press, 1970, pp31-37.

¹⁵⁸ Robinson, Hatch and Brood, Chapter 6; Atkinson and Aveling, Australians 1838, p102.

rising generation still encountered the ambivalences and struggles inherent in the ranked and gendered social structure, and they dealt with the struggles of growing up, and the pain of personal disappointment and loss, with much the same mentalité and stances as their parents.