

THE SYDNEY ORPHAN SCHOOLS 1800-1830

Barry J. Bridges, M. A.

A thesis submitted to
The University of Sydney
in partial fulfilment of the requirements
for the honours degree of
Master of Education

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The Sydney orphan schools were instituted on the model of the British charity boarding schools of industry to deal with the problems of the physical support and moral protection of the numerous destitute or morally endangered children of early Sydney and its environs, few of whom were genuine orphans. In the period covered in this study these schools constituted the principal educational institutions. The inability of the Colony to finance educational requirements in the usual British manner by private charity led to the establishment of the Orphan Fund fed by the first regular revenue producing impositions in Sydney. Thus education was tied to state support at the outset and a framework of Fund and controlling committee was established into which expanding day-school services for the generality of the poor could be fitted. The orphan schools were significant for the origins of Australian education in that the first experiments in in-school industrial training, teacher training, agricultural education and child welfare regulations occurred in connection with them. They were the first Australian schools to operate on the Lancasterian and National systems. Because of the importance of these institutions in the small community the committees were composed of the Colony's notables with a consequent drawing of orphan affairs into the political conflicts of the time with deleterious effects. The thesis considers the 'orphan' problem and English charity school education preparatory to looking at the orphan establishments, admission policies

and practices, the care and education of the child within the school, apprenticeship and other methods of departure, and the use of the orphan estates. The schools progressed slowly until the early 'twenties and declined later in the decade. The Church and Schools Corporation dissipated the landed heritage and reduced the standard of care in a number of respects. At the same time discipline assimilated increasingly to local convict practice. The schools failed with many of their pupils. They had many characteristics of reformatories such as enclosing walls and fences, constant supervision including that of resident constables, a lack of privacy and a lack of respect for the individual. The environment was one of emotional deprivation. On the whole the thesis rejects the progressivist interpretation of the history of these schools in earlier accounts and presents a less favourable assessment of Archdeacon Scott's contribution.

ACKNOWLEDGEMENTS

The portrait of Rev. J. J. Therry was taken from Eris M. O'Brien, Life and Letters of Archpriest John Joseph Therry, the portrait of James Busby from Eric Ramsden, Busby of Waitangi, the portrait of Rev. Richard Johnson and the picture of the Orphan School in 1813 (p. 78) from Frank Clune, Serenade to Sydney, the sketch of The Orphan's School, Rydalmere by Cedric Emanuel from Historic Buildings of Sydney Sketch book (Adelaide, Rigby, 1973), and the map of the Orphan Grant at Grose Farm from J. A. Tunnicliffe's article ' Grose Farm ' in Hermes. The location maps for the FOS at Parramatta and the MOS were copied from the JRAHS and the map showing the location of the Orphan Grant at Cabramatta from D. D. Mann, The Present State of New South Wales. The Figures all came from enclosures in MOS Letters 1830-2 (NSW 4/329), the Form of Application for Admission from Applications for Admission (NSW 4/330) and the Forms of Indenture from Indentures of Apprenticeship 1822-32 (NSW 4/390, pp. 18, 118). All of the other illustrations were taken from the Mitchell Library picture collection.

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LIST OF ABBREVIATIONS

<u>ADB</u>	<u>Australian Dictionary of Biography</u>
BT	Bonwick Transcripts, Mitchell Library
CSIL	Colonial Secretary's 'In' Letters
CSOL	Colonial Secretary's 'Out' Letters
DL	Dixson Library, Sydney
FOS	Female Orphan School
<u>HRA</u>	<u>Historical Records of Australia</u> (Unless otherwise stated all references are to series I.)
<u>HRNSW</u>	<u>Historical Records of New South Wales</u>
<u>JRAHS</u>	<u>Journal of the Royal Australian Historical Society</u>
NSWA	Archives Office of New South Wales
ML	Mitchell Library, Sydney
MOS	Male Orphan School
SAG	Society of Australian Genealogists
WMS	Wesleyan Missionary Society

Shortened titles for manuscript series at various Archive locations are given in square brackets in the Bibliography. Because of the difficulty experienced in identifying sources under the idiosyncratic descriptions used by earlier writers who have dealt with the orphan schools the original or archivist's descriptions have been followed as closely as possible in this thesis.

CHRONOLOGY

I796			Rev. R. Johnson mentions the intention to open an orphanage
I800			Purchase of Kent's house for orphanage
	Aug.	7	Governor King issues invitations to join Orphan Committee
	Sept.		King draws up first list of imposts for Orphan Fund
			Start made on building an orphanage at Arthur's Hill, Parramatta
I801	Aug.	I6	Official opening of FOS. Mrs Elizabeth More Hume Matron
	Sept.	27	Mrs Mary Robson Matron
I802	? Mar.		Sgt. H. and Mrs Stroud Master and Matron
I803	Winter		Completion of a second building doubling the accommodation
	Aug.	I5	Orphan estate at Cabramatta (I2,300 acres) and Grose Farm, Sydney (500 acres) granted
I804	May	I	Orphan School site transferred to trustees for orphan lands
I805			Lt Braithwaite RN leaves orphans I00 acres but will not proven
I806	June	I6	Orphans cease to draw any government support beyond the Orphan Fund
I807	Mar	7	Rev. T. P. and Mrs Newsham Master and Matron
	Oct.		Mr and Mrs Marchant Master and Matron. Marchant murdered
			Henry and Susannah Perfect Master and Matron
I808			Rev. S. Marsden recruits John and Mary Hosking in England to be Master and Matron

I809	Jan.	29	The Hoskings arrive, also Isaac Lyon to be Master of proposed MOS but is dismissed later in the year
I810	Mar.	31	Police and Female Orphan School Funds separated -- Orphan Fund receives $\frac{1}{4}$ of customs
I813	Sept.	21	Foundation stone laid for new FOS at Arthur's Hill
I816	Dec.		Ladies committee appointed
I817	June	21	Orphan Funds share of customs reduced to $\frac{1}{8}$
I818	June		New FOS completed
	June	25	Governor Macquarie issues a set of regulations
	June	30	New site occupied
I819	Jan.	I	Foundation of MOS. Thomas Bowden Master
	"	"	<u>Rules & Regulations</u> for MOS issued
	"	"	The Hoskings depart from FOS. Thomas and Mary Collacott Master and Matron
	Feb.	27	Orphan Fund to accept responsibility for MOS and charity day schools
I820	Mar.		Local committee for MOS established
	May		Local committee for FOS established
	Aug.	14	Decision to fence Cabramatta estate
	Sept.		Rev. Thomas Reddall arrives to introduce Bell's National System of education
I821			Mrs Susannah Matilda Ward Matron of FOS
	Oct.		Committee informs Governor Macquarie of the need to increase capacity of MOS
I822	Apr.		Governor Brisbane recommends to Colonial Office that the OSs should be under clergymen
	June		Decision to remove MOS to Cabramatta
	Sept.	16	Setting of a diet scale for MOS

I822	Nov.		Termination of Reddall's lessons on National System
I823	May	27	Orphan grants re-arranged and re-granted with addition of 1,000 acres at Kelso near Bathurst
I824	Jan.	I	Edward and Sarah Sweetman Master and Matron of FOS
	"	"	Orphan committees dismissed and Colonial Secretary Goulburn, Dr Henry Grattan Douglass and Rev. Thomas Reddall appointed committee <u>pro tem</u>
	Aug.		Reddall appointed Director General of Public Schools
	Sept.		Contract with James Busby to experiment with cultivation of the vine on orphan estate and to teach the boys
I825	Jan.	I	The Sweetmans go to MOS and Rev. William and Elizabeth Walker become Master and Matron of FOS
	"	6	Walker suspended by Wesleyan District Meeting for refusing to resign from FOS
	"	10	Busby assumes control of OS farm
	Feb	11	MOS and OS Farm establishments divided
	May		Arrival of Archdeacon Scott. General rules for the Female Orphan House Rev. Robert Cartwright Master MOS
	Aug.	24	Busby's comprehensive report on the use of the Orphan Estate
	Nov.		Resignation of temporary committee
	"	30	Walker moves in Supreme Court to test Scott's claim to powers of King's Visitor
I826	Jan.	16	Board of Enquiry into FOS
	"	31	Supreme Court hands down judgment that Scott is not entitled to assume powers of Visitor
	Mar.	23	Scott visits FOS with witnesses. Walker resigns

- 1826 Mar. 30 The Walkers and their servants Richard and Mary Broadbear leave FOS. Rev. J. E. Keane Master FOS
- Apr. 6 The Broadbears sentenced to three months' gaol for breach of a master and servant Act
- " Church and Schools Corporation established
- June 5 Broadbears' conviction quashed by Forbes CJ
- " 8 Mrs Mary Collocott Matron of FOS under Keane
- " 24 Strong attack on Anglican monopoly of orphans made by Father John J. Therry
- 1827 Feb. Trustees of Corporation informed that Secretary of State forbids Government loans for purposes other than clergy stipends
- Mar. 14-16 Broadbear v James Macarthur and others. Archdeacon Scott and Parramatta Party discredited
- " 31 Busby's services terminated. Richard Cartwright superintendent of farming establishment pending its liquidation
- Apr. 1 Rev. James and Mrs Norman acting Master and Matron FOS
- " 18 Rev. C.P.N. and Mrs Elizabeth Wilton Master and Matron FOS. Mrs Wilton goes on leave. Mrs Ann Ellis becomes Assistant Matron some time subsequent to this
- June First sales to dispose of orphan lands
- Dec. 15 Rev. Frederick Wilkinson protests at disposal of orphan lands and Corporation financial mismanagement
- 1828 June All children to be certified medically fit before being apprenticed
- Aug. Mrs Wilton resigns, Mrs Ellis appointed Matron

I828	Aug.		Failure to draw pupils for proposed paying classes in conjunction with the OSs
I829	Jan.	I	Richard Sadleir Master MOS
	"	"	Completion in theory of sale of 10,689 acres of orphan land
	Feb.		Establishment of Punishment Classes
	June	2	Rules for Internal Management

...
 But, hark ! What dulcet Sounds are near,
 Stealing on th' enraptur'd Ear?--
 The swelling Cadence louder grows,
 And, soft'ning, more melodious flows !
 'Tis CHARITY, whose sacred Lay
 Hails the bright Dawn of this distinguish'd Day
 Her Fingers ply the trembling Strings,
 And thus in plaintive strain she sings :

' For ever be the Hands rever'd
 ' That yon blest Sanctuary⁺ rear'd :
 ' That bade the little Wanderers come,
 ' And find a sheltering, happy Home :
 ' That with maternal Fondness chas'd their Tears
 ' And snatch'd from Scenes impure their op'ning Years.
 ' Esto perpetua ! live in Fame,
 ' Honor'd by thy Country's Name !
 ' Live to foster Female Youth,
 ' And form their Minds to Virtue -- Truth;
 ' Whilst Learning, from its ample Stores,
 ' The Treasure on Instruction pours;
 ' And, to th' admiring World displays
 ' A NATION'S Purity -- a People's Praise !

+ The Orphan House

Michael Massey Robinson
 Ode For His Majesty's Birth Day, 1810

INTRODUCTORY

INTRODUCTION

Throughout the period covered by this thesis the Sydney Male and Female Orphan Schools remained the 'principal establishments for the education of the youth of both sexes'.¹ They will be seen to have been instituted on the model of the British charity boarding schools of industry to deal with the problems of the physical support and moral protection of the numerous destitute or morally endangered children of early Sydney and its environs, few of whom were literally orphans. The orphan schools were significant for the origins of almost every aspect of Australian education. The inability of the Colony to finance the education of the poor by the usual British method of private charity led to the establishment of the Orphan Fund fed by the first regular revenue-producing impositions in Sydney. Education was thus tied to State support at the outset and a framework of Fund and controlling committee was established into which expanding day-school services for the generality of the poor could be fitted. The orphan schools were the first Australian schools to

1 Report of the Commissioner of Inquiry, on the state of Agriculture and Trade in the Colony of New South Wales, House of Commons, 13 March 1823, p.70.

operate on the Lancasterian and later the National systems and were hosts to the first experiments in in-school industrial training, apprenticeship, teacher training and agricultural education. Their rules constituted the first child welfare regulations in Australian history. The early years of these institutions are therefore of great significance for the student of the history of Australian education.

This thesis seeks to fill the gap in the knowledge of our educational origins in the fields mentioned by a definitive study of all aspects of the functioning of these institutions in their social context.

While it has been impossible for historians to ignore the orphan schools this is the first real attempt to deal with them in depth. The published references scarcely go beyond the basic details of establishment and overly generous estimates of the schools' success. These estimates will be referred to in the Conclusion when they may be seen against the evidence to be presented here. Thesis writers have been more expansive in their accounts. Those theses touching on the subject of the orphan schools in the course of some wider investigation are characterized in their references by errors on such basic points as the

locations of the schools.

Three theses or essays deal directly with the orphan schools. Beryl M. Bubacz's 1966 Sydney M.Ed. essay 'The Role of the Orphan Schools in Colonial Society' is a short sketch drawn mainly from the published sources. The title is misleading. In the space at her command and within the narrow range of sources consulted Bubacz could do little more than to plot the main features in the establishment and development of the institutions. K.M. Riordan's 1958 New England B.A. Honours thesis 'The Sydney Orphan Schools 1800-1830: A Study' makes no use of the orphan archival records. It is similarly a superficial sketch but not so well presented as that by Bubacz. By an insufficient use of the unpublished sources and opting to attempt to cover too long a time span in the limited time and space available to them both of these students forfeited the chance to make a useful beginning in the study of the orphanages. A work which should have been far more substantial than these is Elizabeth Govan's 1951 Chicago Ph.D. dissertation 'Public and Private Responsibility in Child Welfare in New South Wales, 1788-1887' the earlier chapters of which profess to deal in a rounded way with the history of the orphan

schools in the relevant period and beyond. The regrettable fact is, however, that this is undoubtedly the poorest higher degree thesis which I have ever read. It is superficial in the extreme and one is amazed to find Dr. Govan repeatedly apologizing for failure to discuss important aspects of orphan affairs on the ground of the non-survival of sources where in actuality they exist in abundance and are readily located. As the history of the orphan schools is largely contained in the archival sources of which hardly any use has been made in these three studies this thesis involves a ploughing of what remains virgin soil.

One other thesis ought to be noticed. Ronald J. Burns' 1958 Sydney B.A. Honours thesis 'An Evaluation of Archdeacon Scott and the Work of the Church and Schools Corporation under his Administration' contains much of relevance.² It is an able piece of work within the limitations imposed by its author's range of investigation and it has been influential in the propagation of an approving view of Archdeacon Scott and his work which will be challenged in this thesis. It will be contended that the claims to improvement in the period of control by the Church and Schools

2 For a published summary of this thesis see C. Turney, ed., Pioneers of Australian Education, Sydney 1969.

Corporation put forward by Scott himself, Mr. Justice Burton and various modern writers, notably Burns, require severe modification. Far from being an unmixed blessing the control of Scott and the Corporation was in important respects well nigh disastrous for the well-being of the institutions.

Although the prime purpose is to examine the schools as educational institutions this account has been written from the viewpoint that education must be considered in the broadest sense and that the study of schooling can have very little value if divorced from a concurrent consideration of the society within which and for which it operates. The records of the two institutions allow an unusually good opportunity to see something of contemporary life and the social aspect acquires special significance from the fact that from before their creation until the end of the period the orphanages were held out by the leading clergy and some other respectable residents, including Governor King, as the only means by which an allegedly depraved community might in time be redeemed.

Orphan school affairs are a gauge of the small-town or parochial nature of the colonial society and of relevance for political as well as social history. Service on one of the controlling committees was a

function of local eminence and political conflict at the highest level often centred on the conduct and supervision of these schools. The history of the conflicts surrounding orphan affairs cannot well be understood unless this interrelationship with broader political battles is acknowledged and examined. It is submitted that non-recognition of this fact of the political element in orphan disputes has been principally responsible for some simplistic interpretations of the quarrels involving Archdeacon Scott through a too ready acceptance of his word.

The schools will be found to have experienced a chequered career and not one of a slow but virtually unbroken advancement. Although there was in some respects a strengthening of the identification with English charity school practice from the later years of Macquarie's Government it will also be found that the schools responded to the local environment by progressively approximating more closely to junior penitentiaries and revealing some parallels in their discipline with the increasing severity of the convict system.

The sources are excellent for the eighteen twenties except for the period from January 1824 until April 1826, reasonably adequate for the period of Governor King's administration, but scanty or non-existent

for the period from 1806 to 1818.³ This unevenness in the available information is unavoidably reflected in the narrative. The sources are heavily weighted in the direction of archival material. The researcher is presented with the opportunity for a fascinating adventure in the recovery of the past from tattered, nearly indecipherable or much crossed out requisitions, rough notes and garbled memoranda which collectively constitute a large part of the orphan records.

One is faced with something of a dilemma in knowing how to present so much diverse material for such a lengthy period. Both the chronological and thematic approaches pose certain problems for coherence. It has been judged best to deal with developments chronologically within a thematic framework arranged so that the school establishments may be seen first and then the children followed into, through and out of them, with the story of the Orphan School Farm in the final section. In some parts of the study a somewhat fuller and more circumstantial account has been given than would have

3 The minute books for the period to 1818 have not survived and other records, useful for other times, are unhelpful. At this time while the community was very small and Government House and the Orphan School were close to each other much of the business later done in writing was probably done face to face verbally.

been presented were it intended for publication.

This thesis has been written on the principle that a thesis ought to marshall all the available evidence even at the cost of some loss in readability.

The term 'orphan' was generally used loosely as a referent for any destitute child and this usage has been accepted without comment throughout the thesis except where it has been relevant to the discussion or otherwise judged useful to attempt to distinguish real from nominal orphans.

It is important to notice that the Native Institution founded by Governor Macquarie for Aboriginal children in January 1815 was in effect a third orphan school. From very soon after its foundation only orphan or unwanted, usually half-caste, children were given up to it. The Native Institution was run under similar regulations to the orphan schools under identical external supervision from 1824 and as the Native Institution experienced a chequered career before its final demise early in 1829 the Aboriginal children were transferred to or from the orphan schools or admitted direct to them. However, as the Native Institution dealt with children of a different race who were essentially outside of the colonial community it is not intended to deal with it in this thesis.

Chapter 1

THE ORPHAN PROBLEM

N.S.W. 'little less than an extensive Brothel'

Perhaps no other place on earth was so attuned as New South Wales in its foundation years to the creation of an 'orphan' problem. The convicts, predominant in the population, were people torn from their home, family and marital associations, where they had any, and cast in a situation of sexual imbalance where the immediate physical gratifications of sex, drink and tobacco were important consolations alleviating a somewhat hopeless outlook. Appropriately the landing of the convicts of the First Fleet was celebrated by a famous orgy; a weird fertility rite of thoughtless begetting. The gaolers too were very often isolated from wife and family. The higher their status the easier it was to procure the embrace of a convict woman to solace loneliness and to establish a continuing relationship but the less likely that the woman could aspire to be more than a mistress. Whatever the moralising from above Governor Phillip was about the only free person of consequence who did not join in

the rush to father bastards on convict women.¹

George Bond, writing in 1806, described how the reduction of convict women to a role as sexual conveniences for men had been implicitly acknowledged and systematized. On the arrival of a transport the women were well washed and given a change of clothes.

The commissioned officers then come on board, and as they stand upon deck, select such females as are most agreeable in their person; who generally, upon such occasions, endeavour to set themselves off to the best advantage. In this state some have been known to live for years, and to have borne children. The non-commissioned officers then are permitted to select for themselves; the privates next, and lastly, those convicts, who, having been in the country a considerable time, and having realized some property, are enabled to procure the governor's permission to take to themselves a female convict. The remainder, who are not thus chosen, are brought on shore, and have small huts assigned them; but, through the want of some regular employment are generally

1 See births recorded in John Cobley's volumes forming a collective diary of the early colony, e.g. Sydney Cove 1788, London 1962, Sydney Cove 1789-1790, Sydney 1963. Even the best intentioned of men fell from grace in a situation of sexual deprivation. The Missionary Society Mission to the Friendly Islands established in 1795 collapsed in part because single male missionaries 'went native' for female companionship and the unmarried agriculturalist at the later Church Missionary Society Mission at Wellington, N.S.W., was dismissed for 'degrading' himself with a black girl. Then there is the sadly hilarious case of Lt. Ralph Clark, one of the Marine officers on the First Fleet, who wrote sentimental letters to the newly wed wife he left in England and recorded scandalized and unprintable notes in his diary on the speech and actions of the female convicts during the voyage out. Nevertheless in due course his name appears in the birth register as the father of a convict girl's child.

concerned in every artifice and villainy which is committed.²

It is little wonder that the House of Commons select committee on Transportation in 1812 denounced this practice as 'disgraceful' and as 'an encouragement to general depravity of manners',³ or that in 1811 T.W. Plummer should have stated that the practice of selecting female servants 'as avowed objects of intercourse' rendered the whole colony 'little less than an extensive Brothel'.⁴

Governor Bligh in evidence before the Commons committee in 1812 admitted that the prostitution of assigned women probably did take place and pleaded that it

was impossible to prevent prostitution, and therefore there was no necessity for any regulation respecting it, but what rested in

2 G. Bond, A Brief Account of The Colony of Port-Jackson in New South Wales, Oxford 1806, pp.9-10.

3 Report from the Select Committee on Transportation, House of Commons, 10 July 1812, p.12.

4 HRA, Vol. VII, p.205, T.W. Plummer to Macquarie 4/5/1809.

the moral character of those persons who received them as servants.

He argued, circuitously, that only a moral improvement in the colony could end the prostitution.⁵

The low moral tone of the Colony and the attendant problem of unwanted, uncared-for children were of serious concern for each Governor from Hunter to Macquarie.

Governor Hunter was of opinion that a 'more wicked, abandon'd, and irreligious set of people have never been brought together in any part of the wo'ld',⁶ and he accused the military administrators of the interregnum of having allowed them 'to indulge in licentiousness, drunkenness and every abominable act of dissipation.'⁷ Colonial girls were, he said, possessed of the 'most infamous characters.'⁸

Governor King, an erstwhile beneficiary of the assignment system and bachelor father of two sons, was somewhat more lenient in his estimate. He constantly justified his efforts on behalf of the neglected

5 Report ... on Transportation, p.32, Bligh's evidence.

6 HRA, Vol.II, pp.263-4, Hunter to Portland 1/11/1798.

7 HRA, Vol.II, p.169, Hunter to Portland 25/7/1798.

8 Report ... on Transportation, p.22, Hunter's evidence.

children of New South Wales in his despatches by reference to the abysmal moral state of the Colony and the need to raise it by the manner of bringing up the next generation. But on the other hand he assured Lord Hobart that

the morals of the inhabitants ... are not so generally depraved as may be imagined, nor have I any difficulty in saying that there are some very good characters among them.⁹

This view received some support.¹⁰

At the time of Bligh's arrival two out of every three children born were illegitimate.¹¹ Of 1,808 children nineteen years and under in the Colony in August 1806 908 were illegitimate.¹² A statement concerning the

9 HRNSW, Vol.V, p.324 (also HRA, Vol.1V, p.471), King to Hobart 1/3/1804.

10 E.g. D.D. Mann, The Present State of New South Wales, London 1811, pp.53-4, argues that N.S.W. was as morally sound as any other place. As a former convict Mann is perhaps not a disinterested witness.

11 Report ... on Transportation, p.12.

12 HRNSW, Vol.V1, p.151, Present State of His Majesty's Settlements on the East Coast of New Holland, called New South Wales, 12 August 1806.

women and children at that time showed that only 395 women were married to 1,036 unmarried although there were 'Very few of the unmarried but who cohabit openly with some man'. A mere 125 convict women were married and they had 339 children. The 'national' (illegitimate) children on this count numbered 1,025 (513 males, 512 females).¹³

In 1807 Rev. Samuel Marsden asserted that

to the present time there has scarcely appeared a germ of virtue on which to build a hope of the general character changing for the better.

The 'rising generation of several hundreds of fine children (was) exposed to contamination fatal to body and soul'. They were to be saved by wise political arrangements, good example, and Christian knowledge.¹⁴ (The Marsdens had sent their own daughter to England in 1801, despite the wrench of parting from her, because they considered the Colony an unfit place to rear a child.)¹⁵ Bligh claimed improvement in the situation under his administration. He gave 'great encouragement and preferences' to convicts who married¹⁶ so that in

13 HRNSW, Vol.V1, p.162, A Statement of the Married and Unmarried Women, with the number of their Children in New South Wales, August, 1806.

14 HRNSW, Vol.V1, pp.380-1, Marsden to Cooke 21/11/1807, quoted pp.380, 381 respectively.

15 Hassall Correspondence, Vol.2 (ML A1677⁻²), p.45, Mrs Marsden to Miss Stokes 22/8/1801.

16 Report ... on Transportation, p.31, Bligh's evidence, p.52, Thomas Robson's evidence.

the latter part of his Government the married women were about equal to those living 'in prostitution' and the number of illegitimate births was down to about half the total.¹⁷ Robert Campbell, a Bligh supporter, also professed to see some decline in prostitution for some time up to 1810.¹⁸ Bligh put the proportion of respectable people at about one quarter of the total population;¹⁹ Campbell thought that not many of those of convict origins qualified for this description.²⁰

Governor Macquarie was immediately conscious of the prevailing low standard of morality. One of his first acts was to issue a proclamation stating that

the Governor has seen with great Regret, the Immorality and Vice so prevalent among the Lower Classes of this Colony; and whereas he feels HIMSELF called upon in particular to reprobate and check, as far as lies in his Power the scandalous and pernicious Custom so generally and shamelessly adopted throughout this Territory of Persons of different Sexes Cohabiting and living together, unsanctioned by the legal ties of Matrimony

17 Report ... on Transportation, pp.32-3, Bligh's evidence.

18 Report ... on Transportation, p.71.

19 Report ... on Transportation, p.33.

20 Report ... on Transportation, p.71.

to the utter Subversion of all Decency and Decorum, is compelled to express, in this public Manner, his high Disapprobation of such Immorality, and his firm Resolution to repress, by every Means in his Power, all such disgraceful Connexions.²¹

Undoubtedly there were improvements as the years passed, especially under Macquarie's energetic encouragement of marriage which was permitted to convicts still under sentence and which greatly increased.²² Nevertheless Alexander Riley, speaking of his observations to the end of 1817, told a House of Commons committee that there 'certainly is much disgraceful prostitution in Sydney, but confined to the exterior parts of the town', married women were not so well behaved as could be wished, there were a great many illegitimates, and the children were very much neglected by their parents in the lower orders.²³

Although there was a steady increase in marriage and a corresponding decline in the illegitimacy rate as the colony grew older it has been claimed that a survey of reports on illegitimate births throughout

21 SG, 3 March 1810, Proclamation By His Excellency Lachlan Macquarie 24 January 1810.

22 Report from the Select Committee on the State of the Gaols, &c., House of Commons, 12 July 1819, p.16, Alexander Riley's evidence, p.138, Richard Jones's evidence.

23 Report ... State of the Gaols, pp. 16,23.

the convict period reveals that over the entire period 'concubinage was indulged in for itself alone and convicts and free settlers partook equally of the guilt'.²⁴ The parenthood of illegitimate children even into the 'twenties was difficult to establish for although it was well known in the colony that many of the fathers were prominent settlers they disclaimed responsibility.²⁵ This situation is merely what one would expect considering the background of the average female convict and her disadvantaged position in relation to 'respectable' settlers.

In the early 'thirties Marsden could still see plenty of evidence of drunkenness, prostitution and theft which he grouped as the first great evil in the Colony. The second such evil was the number of legitimate and illegitimate children forsaken by one or both of their parents.²⁶ These were the very problems which had exercised the guardians of the

24 Joan E. Cobb, 'The History of the Female Convict Factory at Parramatta', B.A. Honours thesis, University of New England, pp.2-3.

25 Cobb, 'Female Convict Factory', p.15.

26 Marsden Papers (ML C244), pp.175-7, Marsden to Broughton 11/1/1832.

Colony's welfare at the outset of our period and before.

Hope lay with the young

The people grappling with the twin problems of the prevailing moral laxity and the resulting unwanted or destitute children tended to place all their hopes for a change for the better in the rearing of a generation of regenerate young. In 1826, after several decades of clinging to this hope, Archdeacon Scott believed that fulfilment could not be looked for in the current generation of children, 'so inveterate are the vicious habits of the parents, and so pernicious are the horrid examples constantly before the eyes of the Child'.²⁷

It is important to realize that convicts and ex-convicts still determined the mores in New South Wales at this time; the overwhelming majority of parents were or had been convicts. Ken Macnab and Russel Ward concluded as a result of a statistical survey that

the parentage of the first-generation Australians, at least up to 1820, appears to be that at least 80%, and probably about 90% of them, were born of convict and ex-convict parents, on at least one side of the union. This proportion, derived from a division of the children in the first thirty years of the colony according to parentage, is strongly supported by both the statistical records of the period, and the opinions of contemporary observers

27 HRA, Vol.X11, p.312, Report on the Church and School Establishments by Archdeacon Scott 1/5/1826.

over an even longer period.²⁸

For some a special emphasis was to be placed upon the rearing of girls into virtuous young women who would arrest 'the vicious inclinations of young men'.²⁹ The possibility that a sexually unawakened girl may be less subject to the sex drive than a young man hardly justifies the assumption here that girls learn vice rather than inheriting 'vicious inclinations' like their brothers. In any case the Female Orphan School achieved only a doubtful measure of success in rearing girls anxious to curb male lust.

Need to modify picture of immorality

The picture of the Colony's sexual immorality presented by the champions of religion and domestic virtue is undoubtedly too close to the truth, and especially so in terms of their own rather rigid code. However, it is important to note that by modern usage it is to a degree overdrawn: for example, the references to the level of female 'prostitution' encompass de facto marriage within that term.

28 Ken Macnab and Russel Ward, 'The Nature and Nurture of the First Generation of Native-Born Australians', Historical Studies Australia and New Zealand, Vol.10, No.39, November 1962, p.299. Macnab was responsible for this part of the article.

29 Hassall Correspondence, Vo.2., p.136, Marsden to (--) 8/10/1814.

In the first decade of settlement especially it might be that 'a considerable number of children were born without knowing who was their father'³⁰ and these children were indeed the fruit of true prostitution or of promiscuity. But the typical situation was that

a man lived with (a woman) for years, and had a number of children by her, and during that time he provided for them as fathers do for their children.³¹

In the case of the Irish this was reportedly a widespread practice as there was no Catholic priest and they preferred 'concubinage' to marriage by the Anglican chaplains.³² In the eyes of the Catholic Church these were probably in many cases valid marriages. The orphan records disclose a perseveration of this practice of basing stable families on de facto unions. Consequently much of the reported illegitimacy relates to legal and theological technicality and has no sociological reference as implying disavowal of the child or abandonment of the mother and child by the father. Illegitimate children were in most cases provided for by their mother or father and even where the mother was left to provide

30 Report ... on Transportation, p.20, Hunter's evidence.

31 Report ... on Transportation, p.33, Bligh's evidence; Report ... State of the Gaols, pp.16-17, Riley's evidence.

32 Report ... State of the Gaols, p.22, Riley's evidence.

for the child by herself she generally managed to do so. Child murder was rare,³³ as were actions for maintenance although maintenance orders could be obtained from the Governor's Court.³⁴

Destitution

The moral question - so often referred to by the governors, clergy and 'respectable inhabitants' - has tended also to obscure parental poverty and hardship as factors in the orphan problem.

Governor Hunter wrote in 1797 of the 'vast number of women for whom we have very little work' but if their merits were estimated by 'the charming children with which they have fill'd the colony they will deserve our care'.³⁵ Without employment such women could provide for their children only by prostitution or cohabitation. The question of vice cannot be divorced from that of destitution, and blanket moral judgements on such women as prostituted themselves are obviously of doubtful validity, especially considering Marsden's statement in 1800 that the soldier and convict fathers had 'seldom

33 Report ... State of the Gaols, p.17, Riley's evidence.

34 HRA, Series 1V, Vol.1, p.829, Examination of Mr.J.Adv. Wylde - evidence taken by Mr. Commissioner Bigge 1820.

35 HRA, Vol.II, p.24, Hunter to Portland 20/6/1797.

either inclination or ability to provide for their children'.³⁶

The inadequacy of army pay was a problem throughout the whole period under review. Hunter reported that the children of the military had to be fed and clothed at government expense because the pay of a private soldier did not allow him to maintain his children.³⁷ In the eighteen-twenties inability to cope on army pay was still a ground for the admission of soldier's children into the orphan schools.³⁸

The extant records of admissions to the orphan schools from 1818 onwards give a clear indication that, for that period at least, destitution or the difficulties of fathers left to rear children on their own quite definitely outweighed moral danger as the ground for the admission of children with parents - and the overwhelming majority of 'orphans' had at least one parent.

36 Hassall Correspondence, Vol.2, p.8, Marsden to Wilberforce 6/2/1800.

37 HRA, Vol.II, p.24, Hunter to Portland 20/6/1797.

38 See below p. 424.

Chapter 2

THE BRITISH CHARITY SCHOOL TRADITION

The small group of people in New South Wales who took up the burden of the problem of the few orphans and the greater number of destitute or morally endangered children were neither educators by calling nor possessed of much, if any, previous experience with charitable institutions. They naturally tended to adopt so far as practicable the forms and practices for the care of destitute children prevailing in Britain, particularly in England.

British practice based on religion and labour

By the early years of the eighteenth century children 'swarmed like locusts in the streets' of English cities. Those who were foundlings and bastards, penniless orphans, or the victims of the common practice of desertion were subject to the attention of the poor-law officials. The babies were handed over to parish nurses who were described as a class in a parliamentary report of 1716 as being 'void of commiseration and religion'. From the passing of the Poor Law of 1601 children cast upon the streets were, under the doctrine of settlement, legally the responsibility of the parish

in which they were born. As the prime object of parish policy was to avoid expense those who survived nursing were sold into apprenticeship so young - sometimes at only four years of age - that The Ladies Memorial for a Charter for the Foundling Hospital, 1739, described it as 'little better than murdering them'. Only a small proportion of such poor-law children survived into adulthood.¹ Conditions of child labour were inhumane until well into the nineteenth century and suicide was often resorted to as the only means of escape.²

Two distinct approaches were suggested as solutions for the problem of the infant poor who posed the twin threat to order and decency of rebellion and infidelity. One group of reformers saw the answer in the discipline of catechistical instruction prior to apprenticeship and service.³ On the other hand a group of London

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- 1 M.G. Jones, The Charity School Movement: A Study of Eighteenth Century Puritanism in Action, (London) 1964, pp.29-30; J.R. Poynter, Society and Pauperism: English Ideas on Poor Relief, 1795-1834, Melbourne 1969, p.14, also pp.71 fn, 94 for discrimination against illegitimate children.
 - 2 Vernon W.E. Goodin, 'Public Education in New South Wales before 1848', JRAHS, Vol.36, Pts. 3 and 4, 1950, pp.81-2.
 - 3 Jones, The Charity School Movement, pp.4,29,31-2.

reformers, and notably John Locke, with the example before them of Thomas Firmin's 'spinning school in the nature of a workshop', established in 1675, saw the answer as lying in a working school where children could be taught to spin, knit and sew before being apprenticed out at twelve or fourteen.⁴ Sloth and debauchery were the agreed sources of social evil. Their eradication might be advocated either on account of the social benefits of a disciplined poor or the compassionate desire to save the young souls for the glory of God.⁵ The views of both schools of thought were to be reflected in the resultant practice.

The charity schools

The eighteenth century Englishman took for granted as the natural order of things a stratified society in which it was important to know and accept his place. The orphan children of persons some distance up the scale were provided for in a family or boarding school context by bequests, relatives or friends. Only the friendless orphan or otherwise destitute children of

4 Jones, The Charity School Movement, p.31; S.J.Curtis and M.E.A. Boulton, An Introductory History of English Education Since 1800, London 4th edn. 1966, p.4; Poynter, Society and Pauperism, pp.64-5: emphasised in Pitt's Poor Law Bill of 1797.

5 Jones, The Charity School Movement, p.14.

the 'lower orders' needed to fall back on charity for assistance.

There was a great deal of charitable activity throughout Britain during the century. Thousands of schools were endowed for the education of the children of the poor or supported from subscriptions by charitable persons and numerous bursaries were bestowed. The most successful and sustained movement for the education of the poor in the eighteenth century occurred in Wales but before 1750 charity schools had been established in every English county. The educational charities were legally under the supervision of the Crown and usually the endowed schools were administered by trustees according to the terms of the trusts which established them.⁶

The charity schools were for the most part designed to condition children to a life as decent and amenable hewers of wood and drawers of water. They were catechistical schools in that the knowledge and practice of religion formed the backbone of the curriculum, for religion provided the sanctions for social-class discipline. The Rev. William Cowper reflected this outlook when he said that the instruction of the poor children of New South Wales was designed to make them

6 Jones, The Charity School Movement, pp.19,41,71 and 277.

'honest and obedient Subjects, kind and faithful Members of Society, and sincere and pious Christians'.⁷ The religion was accompanied by a literary curriculum confined generally to the 'three Rs' and handcrafts by which 'the children may be inured to labour'. Because the goods produced by the children were sold with the idea of making the school self-supporting there was a constant danger that the vocational side would be stressed to the neglect of the literary.⁸

A school uniform of the plainest and coarsest kind was worn to distinguish the children from children of higher rank in the social scale and to assist in teaching the lessons of poverty, humility and submission. For the same purpose the girls of the Sheffield Girls' Charity School intoned from 1789 the opening hymn of The Poor Girls' Primer:

Make me dutiful and obedient to my benefactors,
and charitable to my enemies. Make me temperate
and chaste, meek and patient, true in all my
dealings and content and industrious in my station.⁹

7 HRA, Series III, Vol.II, p.358, Cowper to Macquarie 8/9/1818.

8 Jones, The Charity School Movement, pp.5,22; Curtis and Boulwood, An Introductory History, pp.4-5.

9 Jones, The Charity School Movement, p.75 and see pp.76-8 for further quotations.

Even solo hymn singing was frowned upon as tending to incite pride in the child who sang sweetly.¹⁰

The Society for Promoting Christian Knowledge, which exercised a dominant position in charity school education in the early years of the eighteenth century, promoted a manual The Christian Schoolmaster, prepared for it by Rev. Dr. James Talbot, which presented the Lockean ideas of the child mind as a blank upon which must be imprinted as soon as possible 'the fundamental duties of our Holy Religion' and the subordination of learning to virtue.¹¹

On Sundays and Holy days the week-day Bible and catechistical instruction was reinforced with visits to church; the pupils accompanied by their teachers occupying pews reserved for them, and in the case of well-run schools, quarterly Sunday evening public examinations at which patrons and subscribers might

10 Jones, The Charity School Movement, p.81.

11 See Jones, The Charity School Movement, Chp.1V. The SPCK influence was one of the casualties of infighting between the religious parties within the Church of England which involved the charity schools because of the promotion within them of Jacobitism. The SPCK, with a membership spanning the parties, wished to avoid the creation of political complications within its ranks by entering into the controversy.

take part in testing the children.¹²

Charity boarding schools

Children without family or friends to care for them out of school hours might be placed in a 'hospital' or charity boarding school. With a growing concern to counter the contaminating influence of parents and relatives undoing the good work of the day charity school and in order to secure better attendance the number of these hospitals was increased.¹³

The charity school movement is particularly significant for the education of girls. Charity schools had to provide for girls as well as boys for they were equally the victims of bereavement of parents and of destitution. Prior to the institution of the charity school movement the schooling of girls at any level of society was rare. As Sir Joshua Fitch said, as late as 1873:

A girl is not expected to serve God in Church and State, and is not invited to the university, or the grammar school, but she may, if poor, be wanted to contribute to the comfort of her betters as an apprentice or servant, and the charity schools are therefore open to her.¹⁴

In the case of the Sydney orphan schools the female

12 Jones, The Charity School Movement, pp.79-80.

13 Jones, The Charity School Movement, pp.47-8.

14 Jones, The Charity School Movement, p.345, quoting The Westminster Review, April, 1873.

'objects of charity' were provided with accommodation long before their male counterparts but a significant difference between the Male and Female Orphan Schools was the marked inferiority of the education opportunities afforded the girls throughout the period. The girl was, indeed, principally a means for contributing to the comfort of her 'betters'.

Instances of harsh discipline in the charity boarding schools were not difficult to find but, while corporal punishment was generally accepted throughout all ranks in society as a necessary part of the upbringing of the young, it appears that the close interest taken by the trustees and the need to win the attendance of pupils from parents who were concerned at the immediate economic disadvantage of children not gainfully employed continued to keep these schools generally more humane than the contemporary public or common schools.¹⁵

The masters and mistresses were, as a body, ill-equipped for their work. The century as a whole was one of intellectual and educational stagnation with the universities sending out to the grammar schools a body of teachers declining in numbers and prestige. As a consequence there was a depressing effect all the way down the educational scale. Charity school masters

15 Jones, The Charity School Movement, p.104.

and mistresses in general performed satisfactorily only when under constant supervision and many were personally unfit to hold their offices. Nevertheless there was no uniformity in this generally depressing picture and in London the charity schools demanded full-time attendance to duties and standards of moral and intellectual fitness which introduced a new and better type of teacher into elementary education.¹⁶

For girls the vocational instruction dominated the curriculum. Reading and religion played an important part in their education but writing was seldom taught and arithmetic even less often. They were prepared for domestic service with plain needlework, knitting, housework and, sometimes, spinning. Boys were commonly sent to sea or otherwise put out as servants or apprentices to artisans. As well as teaching the moral lesson of the duty of the poor to work at useful labour the industrial aspects of the Schools of Industry were designed to produce a small income for the child and so provide encouragement or compensation for the parent which would help to overcome opposition to schooling. However, except in districts suited to their existence Schools of Industry were economic failures.¹⁷

16 Jones, The Charity School Movement, pp.96,102.

17 Jones, The Charity School Movement, p.157.

The apprenticeship system did not work well, for few persons of substance would take charity children from fear of the importunities and inconveniences of the necessitous parents. Consequently they had to be placed with whoever would take them, regardless of suitability as a master. Too often these people were interested only in getting the premium which went with each child, who might then be abandoned or neglected, or they were otherwise unsatisfactory as masters. No premium attached to the child put to service and as the apprentice fees were a heavy drain on finances and quite beyond the capacity of some schools service was the favoured means of disposing of boys and the predominant means for girls.¹⁸

Despite these difficulties, as the charity schools prospered and came to give a better education than some common schools there were bitter complaints against them in general for upsetting the social and economic hierarchy by fitting their products to enter into unfair competition with their 'betters'. Charity school children crowded into the over-supplied manual trades, obtained a footing in commerce because of their ability to write and calculate, and even competed successfully

¹⁸ Jones, The Charity School Movement, pp.49,51,81.

against their 'betters' for positions in domestic service.¹⁹

After-school care afforded the children included the adjudication of master-child disputes, examination of the alleged ill-treatment of children and anniversary services followed by dinners at which old pupils renewed contact annually with their school.²⁰

It will be in the subsequent chapters that the Sydney orphan schools owed a great deal to English practice and that they were Charity Schools of Industry within that tradition both in the broad constitution and aims as outlined here and in certain characteristics to be noticed in the appropriate context.

19 Jones, The Charity School Movement, p.86.

20 Jones, The Charity School Movement, p.51.

THE ORPHAN SCHOOL ESTABLISHMENTS

Chapter 3

THE FOUNDATION AND EARLY YEARS OF THE FEMALE ORPHAN SCHOOL

The first decade of the nineteenth century saw the efforts of the chaplains Revs. Richard Johnson and Samuel Marsden and Governors Hunter and King to provide shelter for the Colony's destitute or morally endangered children come to partial fruition in the establishment of an orphanage for girls and the continuation for boys of a stopgap system of rationing. Until 1809 the orphan school was hampered by the need for a continuing search for suitable persons to conduct it. As in so many other areas of colonial life convicts or people otherwise unsuitable had to be relied upon. Further, the school experienced difficulty from the alleged immorality of the generality of its inmates. A brighter future was heralded by the arrival from England in 1809 to take charge of the institution of John and Mary Hoskings, a couple chosen for their moral and educational fitness by Rev. Samuel Marsden.

The efforts of Rev. Richard Johnson and Governor Hunter.

The first mention of an orphanage occurs in 1796 in a letter from Rev. Richard Johnson to the Society for the Propagation of the Gospel. It was then in contemplation to establish an orphan school as soon as a

building could be erected or to use the temporary church for such a purpose as soon as a permanent church was built. Like most of his contemporaries Johnson saw the hopes of the Colony resting upon its children. The miserable wretches who were their parents were 'lost to all sense of virtue and religion' and he feared that all efforts for their education would be ineffectual while they remained with the parents. Governor Hunter 'much wishes for an institution, but owing to the number of engagements of a public nature, little can be done'.¹

Hunter's hope at that stage was to establish a school along similar lines to that established by Philip Gidley King on Norfolk Island and to support it by fees on victualler's licences. This plan was dashed by Judge-Advocate Dore's demand for one-third of the fees collected.² Thus thwarted Hunter turned to providing for the individual orphan's physical needs by allowing him a full adult ration to encourage colonists to take him under their care in consideration

1 HRNSW, Vol.III, p.184, letter dated 1/12/1796.

2 HRNSW, Vol.III, p.550, Hunter to Portland 14/2/1799.

for securing the difference between this ration and what the child actually consumed.³

Clearly rationing was only a stop-gap device to enable the keeping of body and soul together. Johnson looked for a real solution in the opening of an orphanage maintained by charity. With Governor Hunter's support he began to collect money. Many of the settlers were poor and transients were not of the Colony. A class of people in comfort accepted the promise of a society. Money trickled in but by August 1800 when Johnson was about to return to England, he had on hand subscriptions, fines and goods to the value of £315.6.9 which he handed over to Rev. Samuel Marsden as treasurer of the Orphan Fund newly



REV. RICHARD JOHNSON

3 G.J. Abbott, 'Government Works and Services' in G.J. Abbott and H.B. Hearn, eds, Economic Growth of Australia 1788-1821, Melbourne 1969, p.312, citing John Hunter, Governor Hunter's Remarks on the Causes of the Colonial Expense of the Establishment of New South Wales ..., London 1802, p.70 (no copy in ML); Hassall Correspondence, Vol.2, (ML A1677⁻²), pp. 8,11, Marsden to Wilberforce 6/2/1800.

for securing the difference between this ration and what the child actually consumed.³

Clearly rationing was only a stop-gap device to enable the keeping of body and soul together. Johnson looked for a real solution in the opening of an orphanage maintained by charitable giving and with Hunter's support began to collect money for this purpose. Many of the settlers were poor and the military officers as transients were not concerned with the long-term interests of the Colony. New South Wales lacked that class of people in comfortable circumstances who in England accepted the promotion of public benevolence as a function of their natural leadership of the society. Money trickled in too slowly to make a start but by August 1800 when Johnson was about to return to England he had on hand subscriptions, fines and goods to the value of £315.6.9 which he handed over to Rev. Samuel Marsden as treasurer of the Orphan Fund newly

3 G.J. Abbott, 'Government Works and Services' in G.J. Abbott and N.B. Nairn, eds, Economic Growth of Australia 1788-1821, Melbourne 1969, p.312, citing John Hunter, Governor Hunter's Remarks on the Causes of the Colonial Expense of the Establishment of New South Wales ..., London 1802, p.70 (no copy in ML); Hassall Correspondence, Vol.2, (ML A1677⁻²), pp. 8,11, Marsden to Wilberforce 6/2/1800.

established by Acting Governor King.⁴

Rev. Samuel Marsden's efforts to found an orphanage.

The Rev. Samuel Marsden wrote to his patron William Wilberforce in 1799 that the situation in New South Wales was so bad that the only prospect of usefulness lay in the rising generation. However at present the numerous children were brought up in all the vices of their dissolute parents and many of them had been totally abandoned. Young girls in particular stood in moral peril. He was determined to give his full attention to the erection of a school to accommodate these children as soon as his church was built.⁵

In February 1800 Marsden again wrote to Wilberforce, hoping to have him lobby the Government on behalf of the children.⁶ The Chaplain pointed out that no provision was made by anyone for the education of the orphan children and explained the ration device. He argued that the Colony would reap religious, civil and moral advantages

4 HRNSW, Vol.1V, p.135 (also HRA, Vol.II, p.535), King to Johnson and others 7/8/1800, p.137 (also HRA, Vol.II, p.536) Minutes of Committee 8/8/1800.

5 BT Box 49, Missionary series, pp.75-6, Marsden to Wilberforce -/-/1799.

6 Hassall Correspondence, Vol.2 (ML A1677⁻²), p.8 ff, Marsden to Wilberforce 6/2/1800.

if the children were taken into a proper establishment for care and education and there would eventually be a great saving to the nation. If such children had their food prepared in common one third of the provisions would prove quite adequate. Secondly, they could be brought up to habits of industry. At present they were 'brought up in idleness, and uncleanness, and robbery, and scattered up and down in every part of the settlement'. He had frequently raised the orphan question with Governor Hunter who was of opinion that it was necessary to have someone with local knowledge press the matter in Britain. Marsden was nominating Wilberforce for this role with the Tahiti missionary James Fleet Cover, bearer of the letter, to provide any further information needed.

Wilberforce did later appeal to Secretary of State Viscount Castlereagh on behalf of the Colony's children in a letter which certainly did not understate the evils of the situation⁷ and which may have helped secure Castlereagh's approval of the colonial administration's intervention to provide schooling.⁸

With regard to Marsden's point on the savings inherent in an institution to take care of orphans in

7 HRNSW, Vol.V11, pp.727-8, Wilberforce to Castlereagh 9/11/1805.

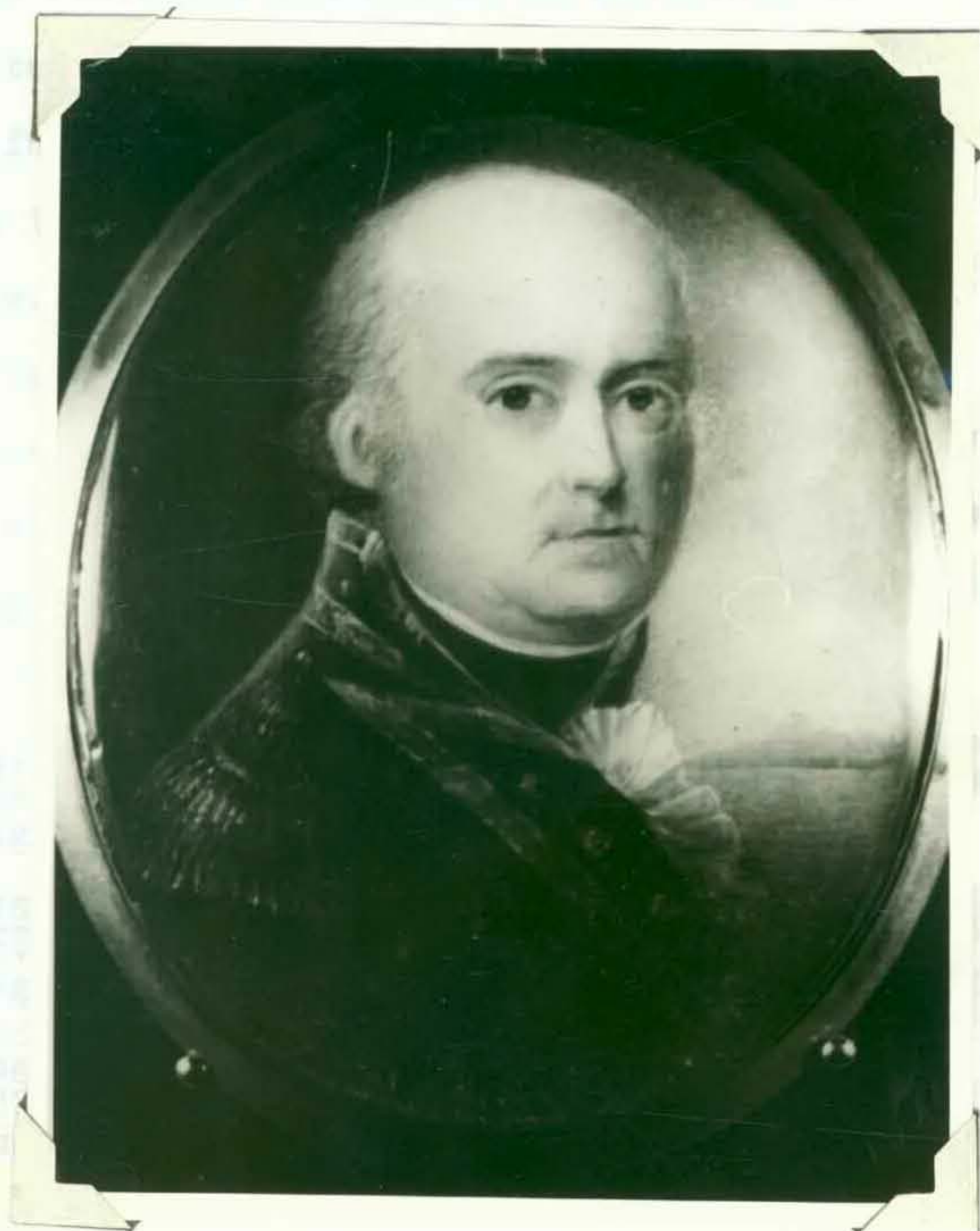
8 See below pp.366-7.

common G.J. Abbott has calculated that if more than 40% of the 958 children returned in the 1800 muster as orphans were receiving the extra half ration this would have cost the Government over £4,000 per annum and he sees this as an explanation for the ready authorization by the Colonial Office of the establishment and funding of an orphanage.⁹ However a return from the end of September 1800 shows a mere 34 children receiving the orphan ration¹⁰ and this was the highest number given in any return while the orphan ration was in operation.

Philip Gidley King's concern for orphans

Meanwhile Lieutenant-Governor King had faced a similar situation on Norfolk Island. He acted resolutely to establish an orphan school there by soliciting subscriptions from his officers and by directing to its permanent maintenance the fines and customs duties he had already set aside for the support of education. Mrs. King presided over the institution opened in 1795.¹¹

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- 9 G.J. Abbott and N.B. Nairn, eds., Economic Growth of Australia 1788-1821, ~~Melbourne 1969~~, p.312.
- 10 HRA, Vol.II, p.680, State of the Settlements at Sydney, Parramatta, &c., in New South Wales, 29/9/1800.
- 11 HRNSW, Vol.III, p.1, Marsden to SPG 2/1/1796; John F. Cleverley, The First Generation: School and Society in Early Australia, Sydney 1971, pp.28, 37-8, 87,89.



PHILIP GIDLEY KING

On his arrival in Sydney to succeed Hunter as Acting Governor, King found

the greater part of the children in this colony so much abandoned to every kind of wretchedness and vice, I perceived the absolute necessity of something being attempted to withdraw them from the vicious examples of their abandoned parents.¹²

He was to reiterate frequently in justification of his concern to provide an orphan asylum that the only hope for the future of colonial society lay in the children,¹³ but even in the older of these there was much evil to eradicate. Several girls between eight and twelve years of age had fallen into prostitution and many others teetered on the brink of it. A general muster revealed a total of 958 children of whom no fewer than 398 were judged by King to be in need of the care of an institution.

12 HRA, Vol.II, p.525, King to Secretaries of The Treasury 7/7/1800. See also HRNSW, Vol.1V, p.84, King to Under Sec. King 3/5/1800.

13 HRNSW, Vol.1V, p.323 (HRA, Vol.III,p.13), King to Portland 10/3/1801, p.499 (HRA, Vol.III, p.244), King to King 21/8/1801, p.717 (HRA, Vol.III p.402), King to Portland 1/3/1802, p.876 (HRA, Vol.III, p.591), King to Hobart 30/10/1802, Vol.V, p.324 (HRA, Vol.1V, p.324, King to Hobart 1/3/1804; HRA, Vol.V, p.269, King to Hobart 13/1/1805.

The children of New South Wales as a whole were, he thought, at once the finest and the most neglected in the world.¹⁴

Purchase of Lt. William Kent's house

King took immediate action waiting neither for prior authority from England nor even for Hunter to relinquish the office of Governor.

Hunter's nephew Lt. William Kent R.N., commander of HMS Buffalo, was about to return to England with his uncle and would be vacating his house, the 'best house in all Sydney, none excepted',¹⁵ which was centrally located on a block bounded on the west by George Street, in the south by Bridge Street as far as the old bridge and in the east by the tidal waters flowing into the mouth of the Tank Stream.¹⁶ King determined to acquire the house and land for an orphanage. This was arranged, conditional upon the Secretary of State's approval, at the valuation of £1,539.17.3 made by J. Bloodsworth, Superintendent of Bricklayers, and J. Anson, carpenter. This did not include the value of the improvements, among which was an orchard upon which some £300 had been spent. Thus, although the cost was high, Kent was making a considerable personal

14 HRNSW, Vol.1V, p.135, (HRA, Vol.II, p.535) King to Johnson and others 7/8/1800, p.658, State of His Majesty's Settlements in New South Wales, 31/12/1801.

15 HRNSW, Vol.1V, p.447, Hassall to Burder 6/8/1801.

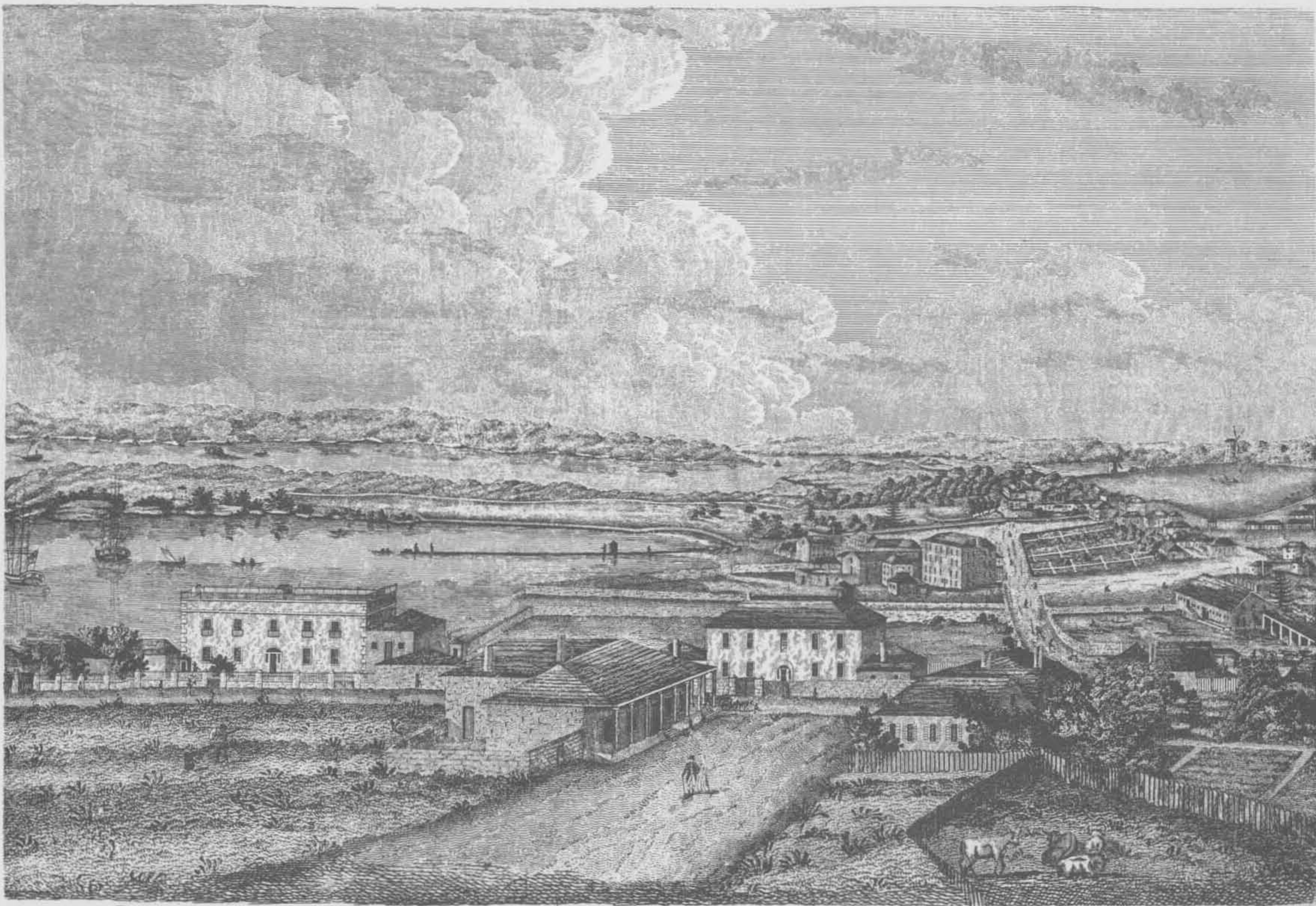
16 HRA, Vol.II, p.742, Note 206.

contribution in furtherance of King's object by accepting the basic valuation. He was poorly rewarded for his generosity. The purchase was approved by the Colonial Office but Kent was able to obtain payment only after he had applied to Sir Joseph Banks late in 1801 to intercede on his behalf, pointing out that King's efforts would go for nought unless the transaction was completed.¹⁷

Elizabeth Bannan has given the credit for the decision to establish an orphan school to Mrs. King rather than to King himself, saying that the plan was not his and that it 'would probably have been abandoned, had it not been for the warm-hearted championship of the new Governor's wife'.¹⁸ Mrs. King always took a great interest in the project and there is perhaps a possibility that this unreferenced assertion is well founded but on the basis of the documentary evidence there is no reason for doubting that it was King himself who answered the prayerful concern of the chaplains.

17 HRNSW, Vol.1V, p.87, King to Kent 23/5/1800, encl. p.88, estimate of value, Kent to King 25/5/1800, p.113, King to Treasury Commissioners 7/7/1800, p.133, King to Portland 9/9/1800, p.202, King to King 28/9/1800, p.424, Portland to King 19/6/1801, p.631, Kent to Banks 6/12/1801.

18 Elizabeth Bannan, 'Events Leading to the Establishment of a Public School System in New South Wales', Schooling, Vol.XIV, Nos. 3 & 4, June 1932, pp.85-6.



View of part of the **RIVER OF SYDNEY**, in New South Wales
 Taken from St. Phillip's Church Yard.
 Dedicated to his Excellency *Patrick Macquarie Esq. Governor of New South Wales. &c. &c. &c.*
 Published June 8. 1817. by A. West Sydney.

Creation of orphan school committee

Having secured Kent's agreement to the sale of his house, King wrote on 7 August 1800 to Rev. Richard Johnson, William Balmain, Rev. Samuel Marsden, John Harris, Mrs King and Mrs. Paterson requesting them to act under the Governor or Lt. Governor for the time being as the committee to manage orphan houses in the Colony.¹⁹ In law the orphans of the colony of New South Wales were under the immediate protection of the Governor who was vested with powers in relation to them similar to those of the Lord Chancellor in England.²⁰ King was, therefore, under a particular obligation to direct his attention to the needs of this least-favoured section of the inhabitants under his Government. Although the practical business of arranging orphan affairs was to be placed in a succession of committees their deliberations always took the form of recommendations to the Governor, but with the establishment of the Clergy and School Lands Corporation in 1826 reference to the Governor became little more than a formality.

19 HRNSW, Vol.1V, pp.135-6 (HRA, Vol.II,pp.534-6), King to Johnson and others 7/8/1800.

20 SG, 28 June 1826.

King's committee was a predominantly lay body similar to those connected with contemporary English charity schools. Its members as leading figures in colonial life were somewhat more important people²¹ although the primitive nature of the colony with the population of a small country town meant that the titles of the officials tended to obscure the parochial nature of their functions. Rev. Richard Johnson left the Colony in October 1800, William Balmain in August 1801, and neither returned.²² In August 1802 William Cox, Paymaster of the New South Wales Corps, John Palmer, Commissary, and the Principal Surgeon of the territory for the time being (currently Thomas Jamison) accepted the invitations to join the committee issued at King's direction.²³ On 17 October 1800 David Dickenson Mann, a convict, was appointed clerk assessor to the committee as well as to the naval officer and the committee for the erection of gaols. He acted as secretary and

21 Clifford Turney, 'The History of Education in New South Wales 1788-1900', Ph.D. thesis, University of Sydney, 1962, 3 Vols., Vol.1, pp.79-80,89.

22 K.J. Cable, 'Johnson, Richard (1753-1827)', ADB, Vol.2, p.19; B.H. Fletcher, 'Balmain, William (1762-1803)', ADB, Vol.1, p.52.

23 HRA, Vol.1V, pp.95-6, Minutes of committee 10/8/1802 and 23/8/1802.

collector of monies and the notices calling meetings were published over his name. In September 1800 the committee resolved to allow him 5s for each day of attendance on the committee and $2\frac{1}{2}\%$ of the sum collected by him.²⁴

Ambitious plans to expand accommodation

Kent's house could not accommodate more than a hundred children. King intended to have an addition built at the back to increase the capacity of the George Street orphanage and immediately enlisted Marsden's aid in contracting for building materials for a new house to hold two hundred on the sixty acre grant known as Arthur's Hill and to-day the site of the Rydalmere Mental Hospital. This land had already been cleared and placed under crop when originally granted to Surgeon Thomas Arndell on 16 July 1792.²⁵ Marsden's efforts on behalf of the orphans appeared about to be rewarded and under his enthusiastic superintendence a start was made on the building estimated to cost £stg.2,000 exclusive of offices.

24 HRA, Vol.1V, p.98, minutes of committee 23/9/1802, p.664, Note 44. For Mann's life see Vivienne Parsons, 'Mann, David Dickenson, (b 1775?)', ADB, Vol.2, pp.201-2.

25 James Jervis, edited by George Mackaness, The Cradle City of Australia : A History of Parramatta 1788-1961, Parramatta 1963 reprint, p.20.

However King had overestimated the finance which would be forthcoming from local sources and the project had soon to be set aside.²⁶ In the event the house, on a different plan, was not to be completed and occupied for another eighteen years.

So pressing was the need to rescue the girls from prostitution that the whole of this intended accommodation was appropriated to the shelter of females and King did not envisage turning his attention to providing for destitute male children until after the completion of the Parramatta house.²⁷ For King and Marsden the physical and moral welfare of the girls were the dominant concerns but the ambitiousness of their scheme in contemporary educational terms can be gauged from the fact that they were hoping to board and educate a large proportion of the colony's children whereas at that time only about one English child in thirty was receiving any organised education.²⁸

26 HRNSW, Vol.1V, pp.133-4 (HRA, Vol.II, p.533), King to Portland 9/9/1800, p.138 (HRA, Vol.II, pp.537-8), minutes of committee 15/9/1800, p.211, R. Hassall to London Missionary Society 29/9/1800, p.232, minutes of committee 11/10/1800, pp.464-5 (HRA, Vol.III, p.123), King to Portland 21/8/1801.

27 HRNSW, Vol.1V, pp.464-5 (HRA, Vol.III, p.123), King to Portland 21/8/1801.

28 S.J. Curtis and M.E.A. Boultonwood, An Introductory History of English Education Since 1800, London 4th ed. 1966, p.1.

Opening of Female Orphan School

By Mid August 1801, a year after the project was set moving, Kent's house was ready for occupation as an orphanage. On Sunday 16 August the official opening was marked by Marsden preaching a special sermon at a well attended morning service. The thirty-one girls already received into the school were in the congregation. In his sermon the Chaplain 'gave a true description of the parents of the children of this colony', exposed the danger of ruin to which the children were exposed on all hands and concluded with an exhortation to them and their teachers to go forward in the knowledge of Christ. The sermon was sent home for publication. After the sermon he conducted visitors to the Orphan House to witness the girls feasting on pork and plum pudding.²⁹

29 HRNSW, Vol.1V, pp.445-6, Hassall to Burder 8/8/1801, p.s. 17/8/1801; Hassall Correspondence, Vol.2, p.45, Mrs. Marsden to Miss Stokes 22/8/1801. On the fate of the sermon see p. 353. The school's motto was Esto Perpetua - 'live in fame': the last words of Paul Sarpi : J.P. McGuanne, 'Early Schools of New South Wales', JRAHS, Vol.2, Part 3, 1906-7, p.73.

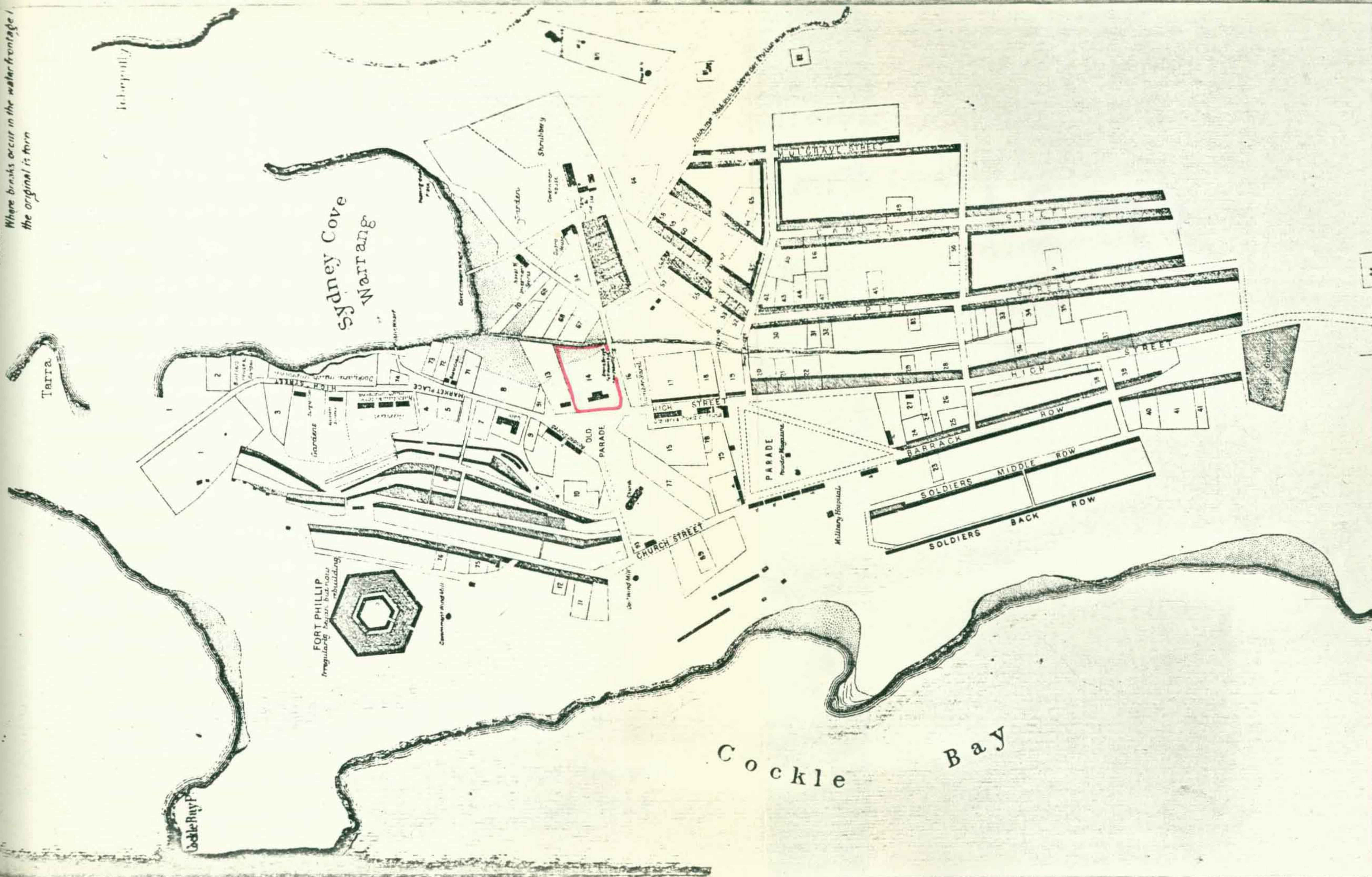
LOCATION OF THE ORPHAN SCHOOL, SYDNEY

NOTE.

Where breaks occur in the water frontage,
the original is shown.



Terra



Marsden wrote to an English friend of spending the evening of 23 August with the orphan girls for the first time. He

made a beginning to instruct them in the principles of christianity; sung a hymn and went to prayer with them. N.S. Wales while I was performing this duty, looked more like a christian country than it had ever done since I first entered it. I hope the foundation is now laid for religion and morality if God only furnish the means to carry it on.³⁰

Religion and morality were to be the principal concerns of the school. Religious education, the foe to vice and crime, would help to save the girls from the greater evils than physical want to which 'their sex and inexperience might hereafter have exposed them'.³¹

For a period from the time of its opening the school itself housed the Sydney church. From 1799 services had been held in the upper chamber of a building near the corner of modern day George and Jamieson Streets. With the Government's acquisition of Kent's house the fittings of the temporary church were removed to the dining room of the new Orphan House and the Sunday services for the town of Sydney were conducted there.³²

30 Hassall Correspondence, Vol.2, p.54, Marsden to Mrs. Stokes 24/8/1800. See also p.12, Marsden to Wilberforce 17/8/1801.

31 SG, 8 May 1803, letter from 'An Inquisitive Observer'.

32 Andrew Houson, 'Old St. Phillip's', J(R)AHS, Vol.1, Pts.3 and 4, 1901-2, p.46.

Staff

Finding suitable staff remained a major problem throughout the period covered by this study. King reported that the institution had been placed under the charge of 'as eligible people for that purpose as could be selected in this colony', with Mesdames King and Paterson, the wives of the Governor and Lieutenant-Governor, providing daily supervision.³³ The choice of words clearly implies 'making do' with the personnel available rather than complete satisfaction with their suitability. This is not surprising when the staffing difficulties of the first decade are considered. Information available on the early Masters and Matrons is scant and they remain at best shadowy figures.

The Orphan School opened under the Matronship of Mrs Elizabeth More Hume, the daughter of a clergyman named Kennedy, and best remembered as the mother of the explorer Hamilton Hume, then an infant. She had come out from Kent with her brother in 1795 as free settlers. In 1797 she married Andrew Hamilton Hume a man who had been twice tried for felonies (malversation and rape), twice acquitted and twice dismissed from public office between 1798 and 1800, earning Governor King's opinion

33 HRNSW, Vol.1V, p.658 (HRA, Vol.III,p.425), State of His Majesty's Settlements in New South Wales, 31/12/1801.

that he was a 'worthless character'.³⁴ Mrs. Hume,
together with two servants, was allowed £40 per annum

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34 J.V. Byrnes, 'Hume, Andrew Hamilton (1752-1849)',
ADB, Vol. 1, p. 553.

MRS ANNA JOSEPHA KING

35 HRA, Vol. 1V, p. 100, minutes of committee 25/10/1802;
Vernon W.E. Goodin, 'Public Education in New South
Wales before 1848', JRAHS, Vol. 36, Pts. 3 and 4,
pp. 206, 208.

36 Byrnes, 'Hume', p. 553.

37 HRA, Vol. 1V, p. 96, minutes of committee 10/8/1802

38 Card Index of 1811 Census (SAG). I was unable to
locate any references to Mary Robson in the other
indexes available.

39 Charles Bateson, The Convict Ships 1787-1868,
Glasgow 2nd. ed. 1969, p. 338.

that he was a 'worthless character'.³⁴ Mrs. Hume, together with two servants, was allowed £40 per annum for conducting the school.³⁵ Her tenure was short. She soon retired from the post because of what she described as 'some unpleasant domestic circumstances and increase of family'.³⁶

Mrs Mary Robson became Matron on 27 September 1801 at £21 per annum, raised from 27 April 1802 to £30 per annum.³⁷ She was possibly another of the ubiquitous convict teachers of early New South Wales. The 1811 census lists two Mary Robsons, both convicts sent out for seven years. The Matron may have been the Mary Robson sentenced at London in June 1800 and transported on the Earl Cornwallis³⁸ which arrived on 12 June, 1801.³⁹ However doubt is cast on this possibility by the presence of a sister who was taken on as Assistant Matron in October 1802, the pair receiving a joint salary

34 J.V. Byrnes, 'Hume, Andrew Hamilton (1762-1849)', ADB, Vol.1, p.563.

35 HRA, Vol.1V, p.100, minutes of committee 25/10/1802; Vernon W.E. Goodin, 'Public Education in New South Wales before 1848', JRAHS, Vol.36, Pts.3 and 4, pp.206,208.

36 Byrnes, 'Hume', p.563.

37 HRA, Vol.1V, p.96, minutes of committee 10/8/1802

38 Card Index of 1811 Census (SAG). I was unable to locate any references to Mary Robson in the other indexes available.

39 Charles Bateson, The Convict Ships 1787-1868, Glasgow 2nd.ed. 1969, p.338.

of £40 per annum and from 1 December 1802 an allowance of 'Tea and Sugar &c'.⁴⁰

Apparently teaching was done on the monitorial system for in mid 1802 three of the older girls : Mary Peat, Mary Cosgrove and Elizabeth Edwards, were listed as teachers and in consequence of their good behaviour were voted an allowance of six guineas per annum from 1 April 1802.⁴¹ This was clearly very much a makeshift arrangement for Elizabeth Edwards could sign for her wages only by making her mark.⁴² It is not surprising that in March 1803 the committee notified Governor King that the want of 'Proper Persons as Teachers' was 'of the utmost importance' and requested him to make such representations to England as he deemed meet.⁴³

40 HRA, Vol.1V, p.100, minutes of committee 25/10/1802.

41 HRA, Vol.1V, p.96, Minutes of committee 10/8/1802. There is no roll of orphans for this period but Mary Peat who is named first both in the resolution and in the receipt for wages, and was therefore presumably considered senior to the other two girls, is identifiable as an orphan: SG, 4 September 1803.

42 HRA, Vol.1V, p.96, wages list included in minutes of committee 10/8/1802.

43 HRNSW, Vol.V, p.75 (HRA, Vol.1V, p.101), letter 24/3/1803; HRA, Vol.1V, p.664, Note 45.

Less than a fortnight before this recommendation, on 11 March, Sergeant H. Stroud and his wife had arrived among free immigrants on the Glatton.⁴⁴ They were offered and accepted the superintendency of the institution. It seems that Mrs. Robson was superseded. In August King reported that the institution was well managed by the Strouds 'who give the greatest satisfaction to myself and the Committee'.⁴⁵ They were to remain in office until 7 March 1807 when they retired upon the marriage of their daughter Elizabeth to John Apsey.⁴⁶

Perhaps the Strouds started off well and deteriorated or perhaps they merely gave satisfaction by comparison with their predecessors. However one influential member of the committee, Rev. Samuel Marsden, clearly was not satisfied with their performance. Marsden, who took a long term interest in the recruitment of suitable teachers for the Colony's children, felt that sometimes people fitted for the task were to be found in New South Wales but were unable to obtain employment.

44 HRA, Vol.1V, p.245, King to Sullivan 9/5/1803; Bateson, The Convict Ships, p.338. Stroud is not listed in the 1811 census.

45 HRA, Vol.1V, p.367, King to Sullivan 7/8/1803.

46 King Papers, Vol.8, Further Papers 1775-1806 (ML A1980-2), p.246, J.Harris to Mrs. King 25/10/1807; HRA, Vol.V1, p.172, Balance Sheet of the Orphan Fund November 1806 to June 1807; Birth Marriage Death card index (SAG), Apsey.

He instanced the case of James Fleet Cover, a schoolmaster turned (London) Missionary Society missionary to Tahiti, who had returned to England.⁴⁷ He saw in William Pascoe Crook, another of the former Society Islands missionaries, an answer to the needs of the Female Orphan School. Crook arrived in Sydney on his second sojourn in November 1803 and was engaged by Marsden to open a school at Parramatta.⁴⁸ Some time between his arrival and May 1805 the chaplain recommended to Governor King that Crook should have control of the orphanage. The latter, who had apparently not been sounded on the proposition, aroused Marsden's hostility by declining to take the post. He later wrote enigmatically that 'I could not do it consistent with my character, comfort or usefulness. - I have many private reasons for refusing to go to the Orphan School'.⁴⁹

In 1813 Crook explained his refusal in more explicit terms when he wrote that

we declined because it seemed impossible as matters then were to rectify the dreadful abuses of that institution; the far greater part of the female orphans when they left the school turning out prostitutes and many, there is just ground to

47 Hassall Correspondence, Vol.2, p.15, Marsden to Wilberforce 17/8/1801.

48 Niel Gunson, 'Crook, William Pascoe (1775-1846)', ADB, Vol.1, p.260.

49 BT Box 49, p.250, Crook to Hardcastle 5/5/1805; Goodin, 'Public Education in New South Wales', p.100.

conclude, were little better in the school.⁵⁰

There is some evidence that the committee was concerned about the reputations of the orphan girls. On 16 November 1805 one H. Simpson was brought up before Marsden, Jamison and Harris sitting in the Orphan House as magistrates, 'relative to a scandalous liberty taken with the character and reputation of one of the Orphans'. Simpson acknowledged the offence 'which when spoken he supposed could not be credited, as the aspersion was in itself no less false than ridiculous'. Nevertheless the magistrates felt it necessary to make an example of Simpson to deter future slander and ordered him to the triangles to receive a hundred lashes, half of which were remitted because his admission must be presumed to indicate contrition.⁵¹ Although such savagery was consistent with the age it may not be too fanciful to see in this instance a desire to sweep a persistent moral problem under the carpet by inhibiting comment.

In 1801 the servants employed at the school were only three in number : Ann Sandilon; cook (at eight guineas per annum), Mary Gaunterry, housemaid (six guineas),

50 BT Box 49, p.327, Crook to LMS 18/6/1813.

51 SG, 24 November 1805.

and Thomas McDermott, porter (two guineas).⁵² In addition John Gowen kept the stores, for which the committee voted him ten guineas per annum.⁵³ In the period 1803 to 1806 convict women up to the number of ten are returned as being employed in the Orphan House or in the care of orphans. How many of those shown as working in Sydney were in the institution itself remains unstated.⁵⁴

52 HRA, Vol.1V, p.96, Minutes of Committee 10/8/1802. Gaunterry is named as Ann but puts her mark to the name Mary. Sandilon (Sandilands) was discharged 13/5/1807 : HRA, Vol.V1, p.172, Balance Sheet of the Orphan Fund November 1806 to June 1807.

53 HRA, Vol.1V, pp.99,100, Minutes of Committee 25/10/1802 and 23/2/1802, p.664, Note 45. HRNSW, Vol.V, p.75 dates the latter minutes 24/3/1803.

54 HRA, Vol.1V, p.93, Vol.V, pp.45,185,314,502,618, 664,782, quarterly returns of employment of female convicts:

	Mar.03	June 04	Mar.05	June 05	Sep.05	Dec.05	Aug.06
Syd.	8*	5	4	4	4	4	-
P'tta.	-	5	6	6	6	6	3
Total	8	10	10	10	10	10	3

*all listed under 'Orphan House, Sydney!'

There is from then a total lack of information on the servants until the December quarter of 1818 when there were still only four servants employed.⁵⁵ It seems certain, therefore, that the servant establishment remained at a very moderate, family size throughout the first two decades.

Continued development of orphan property

At its opening the Orphan School was intended to accommodate thirty children with places to be ready soon afterwards for another thirty or forty.⁵⁶ By the end of 1801 there were forty-nine girls, aged seven to fourteen, in the institution.⁵⁷ In April 1802 the committee recommended an addition to the building and Governor King consented immediately.⁵⁸ At this stage, in mid 1802, King received the Duke of Portland's despatch approving the measures he had taken on behalf of the orphans but killing the grandiose idea of providing for hundreds of children by insisting that only destitute children were

55 Gov. & Gen.^l Orders. From Jan^y 16th 1819, to (---), No.3 (ML A339), p.15, Accounts.

56 HRNSW, Vol.1V, p.323 (HRA, Vol.III,p.13), King to Portland 10/3/1801; Hassall Correspondence, Vol.2, p.45, Mrs Marsden to Miss Stokes 22/8/1801.

57 HRNSW, Vol.1V, p.658 (HRA, Vol.III, p.425), State of His Majesty's Settlements in New South Wales, 31/12/1801.

58 HRA, Vol.1V, p.95, Minutes of the Committee 17/4/1802.

to be provided for and that the parents of others in the school should be made to pay for them.⁵⁹ Nevertheless in October it was decided to proceed with the enlargement of the orphanage before the next winter by building another building of equal size to the existing one so as to permit a doubling of the enrolment.⁶⁰ The addition, completed in mid winter, of 1803,⁶¹ raised the value of the property to £3,100 at 31 July 1804⁶² and increased the capacity to a hundred girls⁶³ although the number enrolled increased only from fifty-four early in

59 HRNSW, Vol.1V, p.424 (HRA, Vol.III,p.101), Portland to King 19/6/1801. For Lord Hobart's approval : HRNSW, Vol.1V, p.688 (HRA, Vol.III,p.371), Hobart to King 30/1/1802. On the question of admissions see further Chp.11 below.

60 HRA, Vol.1V, p.99, Minutes of the Committee 25/10/1802, p.228, Present State of His Majesty's Settlement in New South Wales, 1802.

61 HRA, Vol.1V, p.81, King to Hobart 9/5/1803 : building nearing completion.

62 HRA, Vol.V, p.104, Value of Property belonging to the Crown in His Majesty's Settlements on this Eastern Coast of New South Wales, July 31st,1804. This sum may include the value of the intended MOS at the Hawkesbury (see below pp.266-7).

63 HRA, Vol.1V, p.81, King to Hobart 9/5/1803.

1803⁶⁴ to sixty-four in August 1806.⁶⁵

In June 1805 a public notice offered a contract for supplying the stone and building a rough stone wall eighteen inches thick and eight feet in height round part of the Orphan House and to move the existing wall further from the house.⁶⁶ When completed in 1806 the new wall enclosed 858 perches.⁶⁷ Dean William Macquarie Cowper in later years remembered the house as being 'surrounded by a substantial wall, within which was a playground in front and a large vegetable garden in the rear'.⁶⁸ The high stone walls served to shut the children off from the contamination of the depraved society from which they were to be rescued. Mrs Paterson had written as early as October 1800 that 'These Children are to be entirely secluded from the other people'.⁶⁹ The school could hardly have preserved

64 HRNSW, Vol.V, p.75 (HRA, Vol.1V, p.101 and p.664 Note 45 re error in dating original) Committee to King 24/3/1803.

65 HRA, Vol.V, p.765, (Statement of Receipts and Disbursements on Account of the Gaol and Orphan Fund, from 1st day of January to the 12th day of August following (1806)). The enrolment was also 64 in December 1805: HRA, Vol.V, p.762.

66 SG, 23 June 1805.

67 HRA, Vol.V, p.765, Statement of Receipts and Disbursements on Account of the Gaol and Orphan Fund ...

68 William Macquarie Cowper, The Autobiography and Reminiscences of William Macquarie Cowper, Syd.1902, p.89.

69 Mrs Elizabeth Paterson to her uncle 3/10/1800 (ML Ap 36/6).

a reputation throughout the first decade and beyond as little better than a brothel unless the girls were maintaining undesirable contacts with the townspeople.⁷⁰ There is no suggestion in these years of any problem of absconding which might have given rise to the enclosure of the property.

In February 1804 another measure had been adopted for the separation of school and society. It was felt necessary, as it was in later years, to limit the visits of parents or friends and the rule was laid down that visitors should be admitted, by pass, only on the first Sunday of each month. Visitors were

cautioned not to take in Provisions of any kind as nothing but a few Biscuits or a little Fruit will be allowed; and such Parents or Guardians as have Children in the Orphan House, willing to send them fruit during the season, are desired to send it to Mr. Stroud, by whom it will be given to the Children it is designed for at proper times and in proper quantities.⁷¹

Norfolk Island orphans

Governor King maintained his concern for the prosperity of his orphan school on Norfolk Island and

70 Note that this reputation remained long after the raising of the wall. It is possible that the alleged immorality of the girls was confined to lesbian practices whilst they were living in the Orphan School.

71 SG, 19 February 1804.

his desire to remove the children there from their depraved parents. He urged Major Joseph Foveaux, his successor as Commandant, to improve the accommodation and to raise finance by any imposition practicable.⁷² However, Foveaux reported on the 'miserable situation' of his orphan school children and the impossibility of procuring proper attendants for them on the island. King then approved his suggestion to add the monies collected on Norfolk Island to the Sydney Orphan Fund and to send over such children as qualified for admission into the Sydney school. In January 1802 Foveaux intended to send five girls as soon as possible.⁷³ This implied a liquidation of the Norfolk Island Orphan School but clearly five places in the Sydney school could do little for the problem of the island's children. Presumably Foveaux continued to do what he could for the rest although having deprived himself of his orphan fund.⁷⁴ Meanwhile the Sydney school had 46% unused capacity.

72 Letter Book of Captain P.G.King 1797-1806 (ML A2015-photoprints A4040-A4041), pp.170-2, King to Foveaux 19/12/1800.

73 Major Joseph Foveaux-Letter Book to Governor King (ML A1444), p.30, Foveaux to King 12/10/1810 ^{and} 16/1/1802.

74 Cleverley, The First Generation, p.90, comments: 'It is not known whether any governor took up the major's recommendation before Norfolk Island was evacuated in 1808'. In 1807 nine orphans on Norfolk Island and one at Hobart were receiving the orphan ration: HRA, Vol.V1, p.140, General Statement of the Inhabitants of His Majesty's Settlements ... 30/9/1807.

Progress under King

Early in 1803 the committee reported that the children 'appear to have made Considerable Improvements both in their Morals and Education, considering the Situations from whence they have been taken'.⁷⁵ King represented them as 'making a great progress in reading, writing, plain [needle]work and spinning',⁷⁶ and in March 1804 declared the school had 'answered my anxious wish'.⁷⁷

The Orphan School as King left it in August 1806 was by no means a fulfilment of his ambitious aims for the accommodation and education of the Colony's children. A handful of convict women had still to be employed, as in the days of the First Fleet, outside the framework of the orphan institution to care for children, probably infant boys in particular, loosely described as orphans. Yet King cannot be accounted as having failed because he set goals beyond his reach. The Female Orphan School was in itself a considerable achievement and as a State-supported school an establishment then unique in Britain and her empire. It has been said that

75 HRNSW, Vol.V, p.75 (HRA, Vol.1V, p.101), Committee to King 24/3/1803.

76 HRA, Vol.1V, p.81, King to Hobart 9/5/1803.

77 HRA, Vol.V, p.599, King to Sullivan 15/3/1804.

it would have probably compared favourably in its spacious buildings and well-laid out grounds; in its permanent source of finance; in the active and sympathetic administration and supervision extended to it; and in the breadth of its instruction, with any similar institution in the world at that time.⁷⁸

Little known of the Bligh period

With the departure of King the history of the Orphan School enters on a dark age. Bligh did not report directly on its affairs and the committee's minutes of this era did not long survive.⁷⁹ After the Rum Rebellion had displaced Bligh nothing was said in despatches relevant to it until Foveaux assured Viscount Castlereagh in September 1808 that he would endeavour to maintain the school on King's plan although from the want of a suitable director 'unavoidable abuses and irregularities will arise'.⁸⁰

Very little is known of the functioning of the committee in the unhappy period of Bligh's governorship

78 Turney, 'Education in New South Wales 1788-1900', pp.89-90, quoted at p.90.

79 Inventory of Documents and Accounts Relative to the Male and Female Orphan Institutions 1800-1825 (NSWA 7/7491.1) lists item 540 : O.S. Minute Book 25/1/1810 to 16/4/1812 as the only minute book for the period to 1818 then existing. This inventory was prepared in the Colonial Secretary's Office in 1826 or 1827.

80 HRA, Vol.V1, p.642, Foveaux to Castlereagh 6/9/1808.

and the revolutionary administration. The political divisions of the colony certainly impinged upon it and apparently largely destroyed ^{its} usefulness as a body. Doctors Harris and Jamison, both anti-Bligh men, retired from participation in its work⁸¹ and following the rebellion the pro-Bligh members Robert Campbell and Rev. Henry Fulton were sacked from it.⁸² The clerk, David Dickenson Mann, who left the colony early in 1809, singled out Mrs Paterson and Major Edward Abbott as the members 'of the several committees to whom the orphans owed a particular debt of gratitude'.⁸³ The appointment of Rev. William Cowper to the committee on his arrival in August 1809⁸⁴ was a considerable gain in strength. Cowper was indefatigable in his ministry, including the paying of particular attention to the Orphan School, and he scrupulously avoided involvement

81 King Papers, Vol.8, p.246, Harris to Mrs King 25/10/1807.

82 John Farquhar Cleverley, 'The Administration of State-Assisted Elementary Education in Mainland New South Wales, 1789-1855', Ph.D. thesis, University of Sydney, 1967, p.58.

83 Mann, The Present State of New South Wales, p.35. This and other remarks by Mann concerning the orphans were repeated almost verbatim by G.Paterson in The History of New South Wales, from its First Discovery to the Present Time, Newcastle (1811), pp.395-6. The sources do not permit one to trace the changing membership of 'the several committees'.

84 HRNSW, Vol.V11, p.206, G.& G. Order 22/8/1809.

in political or other entanglements which might impair his effectiveness as a pastor.

Continued search for satisfactory Master or Matron

Bligh later asserted that when he assumed the government he 'found the school in a very disorderly state, many of the girls were very loose in their manners'.⁸⁵ It is possible, then, that the departure of the Strouds was expedited by the displeasure of Governor Bligh, compounded as this was by Marsden's dissatisfaction.

John Harris reported to Mrs. King in October that

The Governor then by his own Ipse Dixit put in that honest man of the Gown, (Rev.T.P.) Newsham and his wife, whose crime you know in England, but who robbed Brooks out here was orderd to hard Labor to Castle Hill but which was remitted by the Governor. I say this honest man was the Master of the school preachd in the afternoon on Sundays and took Unwarrantable liberties with the Girls on Mondays, for which he is now orderd 200 Lashes to stand in the Pillory 3 times and to hard Labor to Newcastle. In short the school has lost its good name, and which In some measure I do not regret. Tho in others I am verry sorry.⁸⁶

Newsham was convicted at the Surrey assizes on 14 August 1805 and sentenced to transportation for seven years. His crime is not stated.⁸⁷ He was transported

85 Report from the Select Committee on Transportation, House of Commons, 10 July 1812, p.40, Bligh's evidence.

86 King Papers, Vol.8, p.246, Harris to Mrs King 25/10/1807.

87 Convict Indents Experiment 1804 to Pilot 1817 (NSWA 4/4004, microfilm copy Reel 393), p.235. He is listed simply as Thomas Newsham.

in 1806 aboard the transport Alexander, a vessel in the
convoy in which Bligh and his party travelled out to
New South Wales. Bligh's daughter, Mary Patland, wrote
during the voyage that among the male convicts



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1951, p. 356.

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89 HMNS, Vol. 47, p. 47.

90 Newham is not listed in the HRA indexes, the ML
card indexes to the manuscript collection or the
80 or in the 1811 census.

91 King Papers **MRS ELIZABETH PATERSON** refers to 'A Mr & Mrs Harrie to Mrs King 25/10/1807,
England as I am told for that purpose'.

in 1806 abroad the transport Alexander, a vessel in the convoy in which Bligh and his party travelled out to New South Wales. Bligh's daughter, Mary Putland, wrote during the voyage that among the male convicts

is a clergyman, of the name Newisham, a man of very good family, I am told, his father, who was also a clergyman, died just before we left England; and that his living, worth 900 a year, devolves to this man : his wife is with him, they say a very genteel woman.⁸⁸

Governor Bligh had made him his private secretary.⁸⁹

These scraps of information, which constitute all that is readily discoverable,⁹⁰ are tantalising in creating a desire to know more about this clerical scapegrace. He appears an embarrassing exception to the alleged production of the moral individual by a religious education.

A Mr and Mrs Marchant arrived from England, perhaps for the purpose,⁹¹ and were appointed to take charge of

88 Quoted George Mackaness, The Life of Vice Admiral William Bligh R.N., F.R.S., Sydney 2nd ed. 1951, p.356.

89 HRNSW, Vol.V1, p.341, Harris to King 25/10/1807.

90 Newsham is not listed in the HRA indexes, the ML card indexes to the manuscript collection or the SG or in the 1811 census.

91 King Papers, Vol.8, p.246, Harris to Mrs King 25/10/1807, refers to 'A Mr & Mrs Marchant who came out from England as I am told for that purpose'.

the Orphan School in October 1807. Marchant was so unwell from the time of leaving England that his wife expected his death and wrote home on arrival soliciting the sending out of their son so that he could take care of the land which they had been promised.⁹² The committee interviewed the couple and decided that Marchant was too sick to be able to assist his wife in the school.⁹³ He was murdered soon after arrival. His widow stated in a petition in 1810 that he died 'in the Service',⁹⁴ which seems capable of meaning only that he was still technically Master at the time of his death. Mrs Marchant left the Orphan School but gave many years of service to New South Wales education

92 PRO C01/45 Miscellaneous (Port Jackson) 1807 (ML/ANL Reel 22), p.233, Dorothy Marchant to -- 12/10/1807. The ML guide volume 'List of Colonial Office Records Relative to New South Wales in the PRO 1803-1807', p.682, identifies the addressee of this letter and that in note 93 as J. Chapman.

93 PRO C01/45, p.234, Dorothy Marchant to -- 20/10/1807.

94 CS1L, Memorials 1810 L-Y (NSWA 4/1822) No.318, Memorial of Dorothy Sophia Tull late Marchant 8/1/1810.

before her death.⁹⁵

The Marchants were replaced by Henry and Susannah Perfect who left a private school of their own to take charge.⁹⁶ Henry Perfect was a convict who had been found guilty at the Middlesex Quarter Sessions on 27 October 1804 of some offence not stated in the indent and sentenced to transportation for seven years. He arrived, accompanied by his wife, on the William Pitt on 11 April 1806.⁹⁷

95 Mrs Marchant was the proprietor of a popular girls academy in Sydney from August 1807. On 7 August 1808 she married John Tull, a teacher who had arrived in 1799 and opened a school on the site of the present Parramatta Post Office in 1800. They continued to teach in this school for the rest of their lives. Tull died in 1817, Mrs Tull in 1825. Birth Marriage Death card index (SAG), Marchant; Jervis, Cradle City, p.87, Cleverley, The First Generation, p.126, Alan Barcan, A Short History of Education in New South Wales, Sydney 1965, p.30. Barcan erroneously had Mrs Marchant remarried as Mrs Chapman by the time of her arrival in the colony!

96 Cleverley, The First Generation, p.97.

97 Convict Indents, Reel 393, p.213; Card Index of 1811 Census.

The Perfects failed to satisfy Chaplain Marsden. As early as November 1807 he wrote to the Colonial Office that there was need for a 'steady, prudent man and woman' to take over the school.⁹⁸ Bligh agreed that the Masters and Mistresses recruited within the colony were 'very improper persons', and early in the year he had asked the Secretary of State to send out teachers to take charge of the orphans.⁹⁹

During his visit to England in 1808 Samuel Marsden recruited John and Ann Hosking to be Master and Matron of the Orphan School and Isaac Lyon for the proposed Male Orphan School. The men were allowed £60 per annum and Mrs Hosking £40 per annum by the British Government with rations for both families. They disembarked from the Aeolus in Sydney on 29 January 1809. The Hoskings were a pious Methodist couple much involved in Methodist and evangelical - philanthropical affairs and John Hosking, formerly a teacher at a Voluntary School and a practitioner

98 HRNSW, Vol.V1, p.381, Marsden to Cook 21/11/1807.

99 Report ... on Transportation, p.40, Bligh's evidence; HRNSW, Vol.V1, p.251, Bligh to Windham 7/2/1807.

of the Lancasterian system, was the Colony's first trained teacher.¹⁰⁰

The Hoskings, who stayed at the Orphan School for almost ten years, provided it with satisfactory direction for the first time. However the Hoskings displacement of the Perfects greatly displeased a colonist named Brown who, in a virulent attack on the rebel administration and all its doings, wrote:

The Orphan House - a bawdy house ever since the new master (Hoskins), his wife, and three stout boys (his sons), sent out from England to be its master, and B -- W -- (a notorious street-walking strumpet and a prisoner for life), put in by the cobbler (Hoskins the master) as a teacher, and the former good master and mistress put out. This was the business of The Rev. Samuel Marsden, the horse-shoe maker; I mean King Marsden.¹⁰¹

100 Vivienne Parsons, 'Hosking, John (1806-1882)' ADB, Vol.1, p.554; Papers of Rowland Hassall, Vol.1, 1797-1810 (ML CY A859 - Xerox copy), p.194, Marsden to Hassall 7/6/1808, p.202, Mrs Marsden to Hassall 13/6/1818; HRA, Vol.VII, p.78, Estimate ... 1809; ML mss references catalogued under John Hosking. Note that the name appears variously as Hosking, Hoskings and Hoskins. The salary of the Master of the FOS was raised to £100 in 1811: HRA, Vol.VII, p.356, Estimate ... 1811. On the importance of victualling for schoolmasters and other public servants on inadequate salaries and the common practice of making land grants to teachers for their security see Cleverley, 'The Administration of State-Assisted Elementary Education', pp.74-7.

101 HRNSW, Vol.V11, p.217, T. Brown to Castlereagh 13/10/1809.

B -- W -- was Elizabeth Wynne who served under the Hoskings as the teacher of the school from 1809 to 1811.¹⁰² She had been sentenced to life at the Warwick summer assizes of 1807 and came out on the same ship as the Hoskings.¹⁰³

Brown's intemperate language and transparent animosities make it unwise to pay too much attention to his letter so far as it concerns the Hoskings and Marsden. On his return from England in 1810 Marsden

found the Schoolmaster and Mistress appointed to superintend the Female Orphan House persons of the very best of characters, before my arrival they gave full satisfaction to the Committee. The Committee mentioned their conduct in the most flattering terms which has given me much pleasure.¹⁰⁴

While opinion in general supported this view of the Master and Matron there was also a similar consensus on the low moral tone of the school. W.P. Crook, who was sympathetic to the Hoskings, agreed that the institution was still pretty much of a bawdy house.

102 Goodin, 'Public Education in New South Wales', p.206. I have not located the source of Goodin's information. She is named only in his list of teachers in NSW 1788-1825. SG, 21 July 1810, accounts for June quarter, £4 to a female teacher.

103 Card Index of 1811 Census, Wynne.

104 BT Box 49, p.291, Marsden to Archbishop of Canterbury 2/5/1810.

Mr. and Mrs. Hosking had no expectations of doing good till they had sent out all the elder girls which they have now (1813) pretty well done, and the greater part of these turned out as we expected.¹⁰⁵

Bligh testified that some of the girls turned out well but others extremely ill and when he left the Colony in 1810 he doubted whether 'the generality of the children did turn out so well as might have been expected from the institution'.¹⁰⁶ Alexander Riley, speaking of his observations to the end of 1817, said that the school had rescued numbers of girls from want and vice and those 'fortunately married' had turned out as well on the average as one would expect of young women in England. There were 'many creditable mothers of families in different parts of the territory' who had been reared in the school and in general its products were free from such vices as petty larceny. Nevertheless the fact remained that when girls left they very often turned to prostitution. The position of the school in the centre of town and right opposite the guard house was, he considered, the worst possible.¹⁰⁷

105 BT Box 49, p.327, Crook to LMS 18/6/1813.

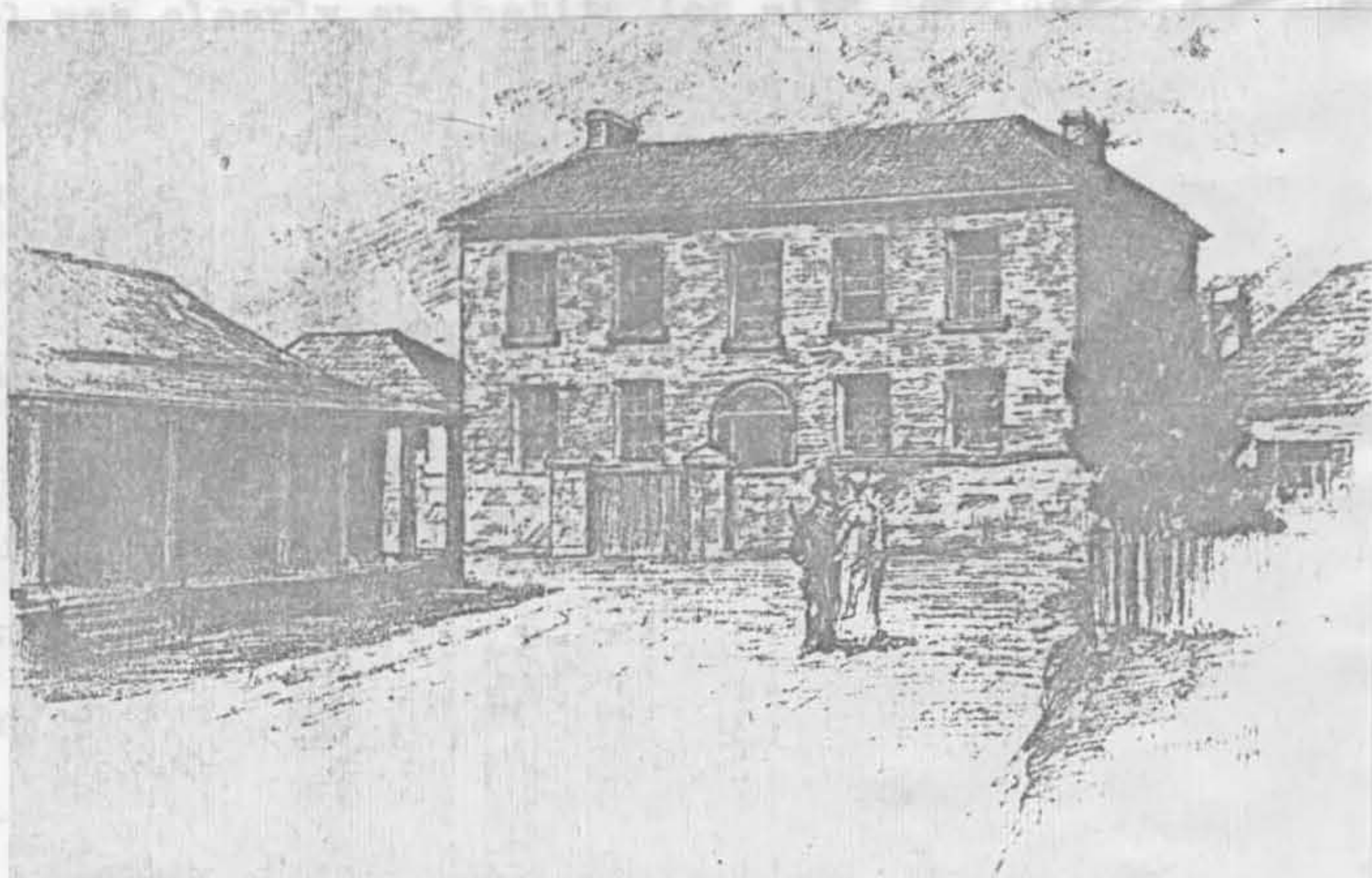
106 Report ... on Transportation, p.40, Bligh's evidence.

107 Report from the Select Committee on the State of the Gaols, &c., House of Commons, 12 July 1819, pp.17,19, Riley's evidence. See also pp. 592-3.

Chapter 4

THE FEMALE ORPHAN SCHOOL IN THE MACQUARIE ERA

When Governor Macquarie arrived the Female Orphan School was already an institution with a long history.



The Orphan School, 1813, formerly the home of Lieutenant William Kent

detailed regulations which remained in force until the middle of the ensuing decade, and to ensure that the education given the orphans would be thoroughly Anglican in its religious content. Mrs Macquarie's energetic involvement in orphan affairs and her tactless and overbearing manner especially in dealing with sluggish committees containing some of her husband's enemies proved a source of friction between the Government and the Female Orphan School committee.

Chapter 4

THE FEMALE ORPHAN SCHOOL IN THE MACQUARIE ERA

When Governor Macquarie arrived the Female Orphan School was clearly an institution with considerable scope for improvement. He acted to resolve the problem of the site deficiencies by deciding to re-house the school, although it was three years before the project was actually commenced. He left the moral and educational problems to the Hoskings who, according to the surviving testimony, were making worthwhile progress on those fronts. Macquarie took a negligible interest in orphan affairs apart from the building of the new school until its completion in mid 1818 when he moved to establish the Male Orphan School in the old buildings, to imprint his mark upon both institutions by detailed regulations which remained in force until the middle of the ensuing decade, and to ensure that the education given the orphans would be thoroughly Anglican in its religious content. Mrs Macquarie's energetic involvement in orphan affairs and her tactless and overbearing manner especially in dealing with sluggish committees containing some of her husband's enemies proved a source of friction between the Government and the Female Orphan School committee.

New school at Arthur's Hill

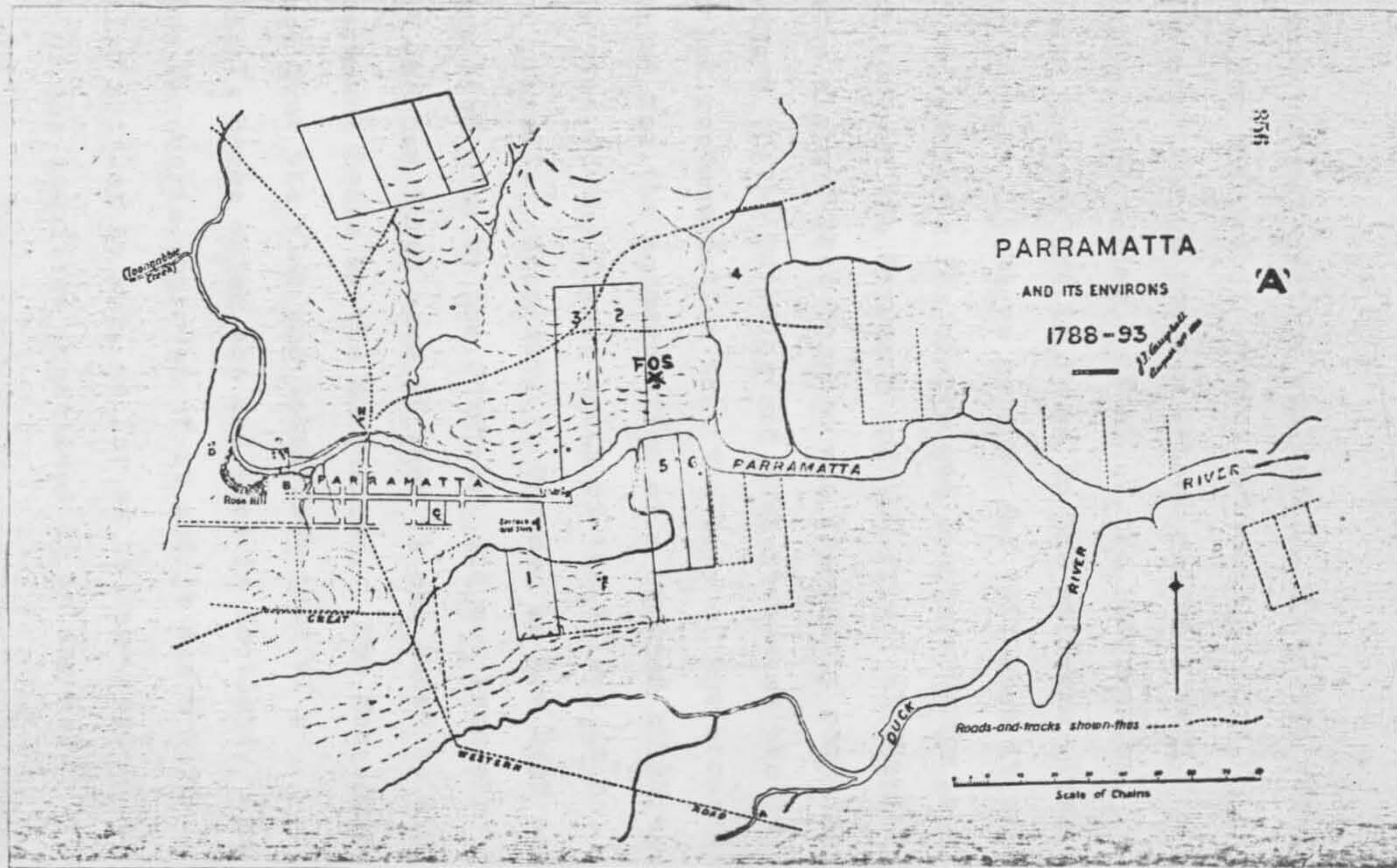
The situation of the Orphan School on a confined block, in the heart of the ever-growing, increasingly busy town and in the midst of its convict population was obviously less than desirable. Marsden claimed to have made representations to both Governors Hunter and King against the town site and it seems that he was the moving force behind King's decision in 1800 to build at Arthur's Hill. When Governor Macquarie decided, very early in his term of office, to move the institution to the Rydalmere site Marsden fully approved and undertook the task of supervising the erection of the new building.¹

In June 1810 a notice appeared in the Sydney Gazette over Marsden's signature announcing the decision to build at Arthur's Hill and calling for tenders from persons willing to contract to complete the building.² Nothing more was to be heard of the proposal for more than three years. Possibly the requirement that the successful tenderer was to enter into a bond to complete the work

1 BT Box 8, Bigge Appendix, p.3396, Marsden's evidence 27/12/1820; BT Box 26, Bigge, p.5747, Macquarie to Bigge 18/1/1821.

2 SG, 7 June 1810.

LOCATION OF FEMALE ORPHAN SCHOOL, ARTHUR'S HILL.



frightened off prospective builders. Macquarie would not consider the use of convict artisans.

The erection of the new school proved a very troublesome undertaking. Much of the information concerning the project is found in the evidence given to Commissioner J.T. Bigge in 1820 and 1821 when it was one of the subjects for charge and counter-charge in the quarrel between the Governor and the Principal Chaplain. Macquarie claimed that Marsden was frequently consulted with regard to the building and that it was at his particular recommendation that the body of the house was calculated for the accommodation of a hundred children 'with a view to the future wants of the Colony at no distant period'.³ According to Marsden he had been sent the completed plan by the Governor, did not know who drew it and had first seen it when it was shown to him at Government House by the Macquaries. Mrs Macquarie observed that the plan was taken from that of a Gentleman's house which she had seen in Scotland. As Governor Macquarie approved of it and it was a very fine plan neither he nor, as far as he knew, any other member of the committee questioned it in any way.⁴

3 BT Box 26, p.5746, Macquarie to Bigge 18/1/1821.

4 BT Box 8, p.3394, Marsden's evidence; Box 20, p.3481, Marsden to Bigge (? incomplete).

At first good progress was made with the construction. Macquarie made a special journey to Parramatta to lay the foundation stone on Friday 24 September 1813.⁵ On 19 July 1814 when he journeyed to Parramatta to inspect the improvements being made in and around that town he noted that the brick work was nearly finished.⁶ Early in October Marsden informed a correspondent that he was 'now putting the roof upon a Female Orphan House at Parramatta, which will contain about 200 girls'.⁷ Despite this good start it took until mid 1818 to complete the building.

Macquarie had declined to regard the new school as a public project for which he would supply convict artisans.⁸ The work had to be given to such free tradesmen as could be procured. The two principal workmen were discharged soldiers of the 73rd Regiment

5 Macquarie's Memoranda (ML A772), p.63.

6 Macquarie's Memoranda, p.82.

7 Hassall Correspondence, Vol.2 (ML A1667⁻²), p.136, Marsden to [---] 8/1/1814. Note the conflict with Macquarie on the capacity of the house. It never held 200 girls within our period but was overcrowded with about 150 pupils.

8 BT Box 8, p.3396, Marsden's evidence 27/12/1820.

who Marsden 'found it difficult to fix ... in their application to their work, or to induce them to abandon their habits of intoxication'. The other workmen were emancipists of similar habits.⁹ Marsden claimed that the task of supervising these generally drunken and worthless characters occupied a great deal of his time for the four years that the school was building.¹⁰

Most of the work was paid for by measurement, the calculations being performed by Francis Greenway and Richard Rouse for the Government and a nominee for the workmen.¹¹ The Governor contended that Marsden's trouble

was greatly increased by his paying the workmen in Property instead of Sterling money. These transactions led to endless disputes and frequently protracted the work which was a long time in Progress.¹²

9 BT Box 28, Bigge, pp.7071-2, Bigge to Bathurst 7/2/1823.

10 BT Box 20, Bigge, p.3482, Marsden to Bigge (?-incomplete).

11 BT Box 8, p.3395, Marsden's evidence 27/12/1820. See e.g. CS1L Bundle 11, No.1-65, 1817 (NSWA 4/1737), p.318, James Smith and Richard Rouse to Lt. Watts 7/6/1817.

12 BT Box 26, p.5747, Macquarie to Bigge 18/1/1821.

The Rev. William Cowper testified that there had been some instances in which men complained of their agreement not having been fulfilled by Marsden but he could not say whether the workmen were ever paid in property for the committee had not enquired into the manner of payment of the sums which had always been expressed in money terms.¹³ One of the workmen presented a memorial to Bigge complaining of the terms on which his account had at last been settled, and of the frequent delays he had experienced in obtaining payment.¹⁴ It was hinted to Bigge that there had been some arrangement between Marsden and merchants and others upon whom he drew his cheques to refuse payment in sterling and to compel the workmen to take payment in property at prices involving a reduction in the real value of the wages.¹⁵

Marsden responded in hurt tones to Macquarie's allegation which was part of a general accusation of worldliness.¹⁶ The clergyman asked

13 BT Box 8, pp.335-6, 338, Cowper's evidence 23/1/1821.

14 BT Box 28, pp.7070-1, Bigge to Bathurst 7/2/1823.

15 BT Box 26, pp. 6093-4, Marsden to Bigge 1/2/1821.

16 Marsden Papers (ML C244), p.506, Bigge to Marsden 20/1/1821.

What reward have I received for all my toil and anxiety and labour and expences, excepting a severe & unmerited censure covertly implied in the term Property and I conceive intended to wound my feelings and excite a suspicion of my conduct in Superintending the Building of the Orphan House (?)¹⁷

In a private letter accompanying the official correspondence containing his defence Marsden accused the Macquaries of deliberately slandering him and asked Bigge to enquire into the facts for

if it is once settled, it may prevent me much future vexation, and in some measure restrain the wanton and unmerited attacks that are made upon my Public Character.¹⁸

Marsden vigorously defended his conduct in this as in other respects as the long-term Treasurer of the Orphan Fund. His actions were, he asserted, characterized by sacrifice rather than self-interest¹⁹ or dishonest or dishonourable acts.²⁰ He presented in his defence a statement which he had requested Rev. William Cowper to provide²¹ and pointed out that his accounts had been

17 BT Box 20, p.3482, Marsden to Bigge (incomplete).

18 BT Box 26, p.6092 ff, Marsden to Bigge 1/2/1821, quoted at p.6096. The original of this letter is in Marsden Papers, Vol.2, Letters and Reports of Rev. S. Marsden 1810-1837, (ML A1993), pp.50-3:

19 BT Box 20, p.3481 ff, Marsden to Bigge (incomplete).

20 BT Box 26, p.6033, Marsden to Bigge 30/1/1821.

21 BT Box 20, p.3483, Marsden to Bigge (incomplete), Box 25, pp. 5522-3, Statement of the principal Tradesmen's Accounts for Work done at the New Orphan House at Parramatta ..., 26/1/1821.

passed by the Lieutenant Governor, Judge Advocate and Cowper each quarter and had been published after going to the Governor for confirmation.²² He solemnly averred that there was no arrangement with merchants and that he drew on John Piper, the Naval Officer.²³ Although they had families to support the workmen were all drunkards and their tearful wives were wont to apply to him to prevent the dissipation of their wages in the public houses.²⁴ Labourers in New South Wales commonly received part of their pay in goods²⁵ but he was able to show that apart from food, tobacco and clothing valued at £228.6.11 the balance of the £2426.4.3 for the erection of the Female Orphan School had been paid in cash.²⁶

22 BT Box 26, pp.6033-4, Marsden to Bigge 30/1/1821.

23 BT Box 26, p.6094, Marsden to Bigge 1/2/1821.

24 BT Box 26, p.6036, Marsden to Bigge 30/1/1821.

25 BT Box 28, p.7071, Bigge to Bathurst 7/2/1823.

26 BT Box 26, p.6035, Marsden to Bigge 30/1/1821, Box 25, pp. 5522-3, Cowper's Statement

Commissioner Bigge concluded that Marsden had undertaken the supervision of the work from a concern to advance the welfare of the orphans, that there was nothing untoward in his handling of the finances in relation to the project, and that 'his exertions, though occasionally retarded, were upon the whole successful'.²⁷ Apart from the difficulties with workmen want of funds was a cause of delay.²⁸

Finally in June 1818 the Orphan House, a substantial structure still in existence as part of the Rydalmere Mental Hospital,²⁹ was completed at a total cost of £5753.3.5³⁰ and the school took up residence in it on the last day of the month.³¹

27 BT Box 28, p.7070 ff, Bigge to Bathurst 7/2/1823, quoted at p.7074.

28 Report of the Commissioner of Inquiry, on the state of Agriculture and Trade in the Colony of New South Wales, House of Commons, 13 March 1823, p.71.

29 James Jervis, ed. George Mackaness, The Cradle City of Australia : A History of Parramatta 1788-1961, Parramatta 1963 reprint, p.109, picture opposite p.67.

30 BT Box 12, p.320, Cost of Public Buildings &c 1810-1820.

31 SG, 27 June 1818, G. & G. Order 27/6/1818.

Additions and continued development after occupation

When the orphanage moved to a great deal of construction work remained to be done. There was felt to be a need

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34 Box 26, p.5746, p.5746, p.5746

35 The clerk with the committee which arrived at

this is discussed below.

36 POS Minutes, p.19.



THE FEMALE ORPHAN SCHOOL
ARTHUR'S HILL

Additions and continued development after occupation

When the orphans moved in a great deal of construction work remained to be done. There was felt to be a need for 'offices, Outhouses, and buildings such as Stables, Bakehouses, Lodges, Sheds, Inclosures and other Improvements',³² one of the most pressing of which was a fence to keep the children from getting onto the public road some distance to the front of the house or into the Parramatta River to its rear.³³ Mrs Macquarie took in hand the question of developing the grounds³⁴ and Macquarie directed the sending of government men to the school to implement her plans.³⁵

On 30 October 1818 Samuel Marsden, John Palmer and Hannibal Macarthur were requested by the committee to act as a sub-committee to consider and report on the question of necessary subsidiary buildings.³⁶ At the November meeting of the committee Francis Greenway presented a draft plan for improvements and was asked

32 FOS Minutes (NSWA 4/403), p.19, 30/10/1818.

33 FOS Minutes, p.14, 14/10/1818, letter from Patronesses 13/10/1818; Report ... Agriculture and Trade, p.71.

34 BT Box 26, p.5746, Macquarie to Bigge 18/1/1821.

35 The clash with the committee which arose out of this is discussed below.

36 FOS Minutes, p.19.

to finish his plan and draw up estimates.³⁷ A notice in the Sydney Gazette of 30 January 1819 invited tradesmen to tender for the alterations and additions according to the plan and specifications to be seen in Greenway's Sydney office. Apparently there was no response for a similar notice appeared more than eighteen months later, in the issue for 22 July 1820.

The contract for the additions was won by William Watkins who was placed on a £500 bond to complete the work by August 1822. However after receiving the third instalment of his payment³⁸ Watkins did little work on the building and in November 1822 the committee resolved to call for an estimate of the cost of completion from a Mr. Smith of Parramatta and to set Watkins and his surety on their bond forthwith.³⁹ Greenway, considering himself Watkins' surveyor, submitted a letter on the builder's behalf. The committee, which had considered the architect its surveyor, decided to pay him and dispense with his services.⁴⁰ The fact that Greenway had recently been adjudged unfit to receive an orphan girl as an

37 FOS Minutes, p.23, 30/11/1818.

38 SG, 8 March 1822, Orphan accounts, payment to Wm. Watkins of £384.

39 FOS Minutes, p.92, 13/11/1822. SG, 7 June 1822 : notice calling a special meeting to discuss the building. No meeting is recorded in the minute book.

40 FOS Minutes, p.93, 11/12/1822.

apprentice⁴¹ very likely indicates support of Watkins out of antagonism to the committee. The surety, George Williams, was subsequently found liable for the full £500 of the bond, plus costs of more than £100. On his memorializing the committee praying for time and pleading mitigation he was forgiven £150 of the bond and permitted to pay in quarterly instalments.⁴² Smith reported the completion of the additional buildings, which cost £1273.16.11,⁴³ in April 1823.⁴⁴

Work contracted in connection with the orphan schools provides a valuable study in Miniature of the state of the building industry in New South Wales at that time. The constant problems and delays in getting work done explains the various committees' desire to exact bonds: the fate of a surety, such as George Williams, at the mercy of unreliable and unprincipled tradesmen suggests why so many of the calls for building tenders went unanswered.

In his review of his governorship Lachlan Macquarie described the Female Orphan School as he left it as

41 FOS Minutes, p.88, 14/8/1822.

42 FOS Minutes, p.108, 12/11/1823.

43 FOS Minutes, p.106, 14/8/1823.

44 SG, 17 April 1823.

A Large Handsome Brick Built House of 3 Stories High, with Wings and all the necessary Out offices for the accomodation (sic) and residence of 100 Female Orphans and for the Master and Matron of the Institution, having an extensive Garden and Orchard, and a Grazing Park or Paddock for Cattle attached thereto, the whole of the Premises being enclosed with a strong fence.⁴⁵

Commissioner Bigge was less complimentary. He noted that, before the improvements, 'the principal building, as well as the offices, ... were both inconvenient and ill constructed'.⁴⁶ Problems encountered throughout the 'twenties, when the buildings were still new and should have been sound, tended to justify this estimate of the workmanship. Some of the quite frequent minor structural alterations effected throughout the 'twenties⁴⁷ support the charge of inconvenience. Originally some of the rooms, such as the school, committee and master's rooms, were 'very fine spacious rooms' but more convenient when

46 Report ... Agriculture and Trade, p.71.

47 E.g. Proceedings of Committees No.1 (NSWA 4/292), pp.58-9, 17/8/1826; Minute Book 1828-29 (NSWA 7/2703), p.160, 22/10/1828. Some of the other changes are mentioned elsewhere in the body of the thesis.

divided to provide a greater number of chambers.⁴⁸ Some additions and alterations were made for the purpose of ensuring that the convict male servants could be kept as much as possible away from the girls. For example, in 1821 it was decided to build a hut in the grounds for the gardener and the three other male convicts hitherto lodged in the house were to move in with him so as to obviate the need for them to pass through the wash house where girls were employed in order to get to their quarters.⁴⁹

Bigge also noted that the estate upon which the house stood had been fenced and divided and some attempt made to clear it of timber but that persons experienced in agriculture in local conditions were of the opinion that it would not repay the expense incurred in an attempt to cultivate it.⁵⁰ There is no indication of any

48 FOS Letters 1825-9 (NSWA 4/326), Keane to (Scott?) 25/9/1826, Keane to Scott 14/8/1826. One defect in design might have proved fatal to the whole complex. The chimneys did not carry sparks clear of the shingle roofing. One morning in November 1827 the roof caught fire causing trifling damage. The result might however have been serious had the fire taken hold at night or had a strong wind been blowing: FOS Letters 1825-9, Wilton to Scott 27/11/1827.

49 FOS Minutes, p.70, 9/5/1821.

50 Report ... Agriculture and Trade, p.71.

agricultural activity beyond the keeping of a garden. The land was used principally to run a few milch cows.

In 1825 there were further important additions to the establishment with the construction of a log house to contain a stable, cowshed and kitchen and dormitory for the menservants ; the flagging of the verandah; and the installation of a water-borne sewage system.⁵¹

The constant changes and improvements increased the orphanage's capacity significantly. In August 1829 the enrolment was 152. Surgeon Anderson then gave it as his opinion that not more than another ten girls could be accommodated with due regard to health and comfort -⁵² although on the evidence to be presented the school was already overcrowded and the standards of health and comfort poor.

Development of supervisory committees under Macquarie

It seems that from the arrival of Governor Macquarie until mid 1818 there was very little change in orphan affairs. The records for this period have been lost but later statements and the accounts show that while the new school was building the school property, staff and

51 Architects & Mechanics 1825-8 (NSWA 4/346), pp.7-17, estimates and specifications 22/7/1825, pp.31-3, Aird to Scott 6/7/1825.

52 FOS Letters 1825-9, Anderson to Scott 17/8/1829. See also Anderson to Cowper 12/12/1829.



enrolment remained much as they had been while the character and competence of the Hoskings gave the direction of the institution a stability it had lacked before their arrival. Mrs Macquarie and Rev. William Cowper, the chaplain for Sydney, took a day-to-day interest in the supervision of the school. It seems that the Governor was content to leave the general management of the concern to the committee at its monthly deliberations.⁵³

There is no record of changes in the committee between King's departure and Macquarie's arrival nor of the constitution of the committee at the latter date. The revolutionaries had removed Bligh supporters and put in their own men. Macquarie wasted no time in reversing some changes which had clearly been politically motivated. In January 1810 Robert Campbell and John Palmer, two Bligh supporters who had fallen foul of the rebel administration, were named to resume as members⁵⁴ with Campbell restored to the Treasurership vice

53 CSOL, Colonial Letter Book From Jan^y 1818 to July 1818 (NSWA 4/3498), pp.54-6, Campbell to Marsden 16/2/1818, shows that Macquarie had little knowledge of orphan affairs at that date.

54 SG, 14 January 1810.

Alexander Riley who had been put in by the military.⁵⁵

Macquarie periodically strengthened the committee by the addition of new members from among the Colony's notables. In May 1810 Lieutenant Governor O'Connell, Rev. Samuel Marsden (returned from his visit to England) and Rev. William Cowper were added.⁵⁶ (There is no indication of either Palmer or Cowper having left the committee after their initial appointment.⁵⁷) In December 1816 Lieutenant Governor Molle, Judge Advocate Wylde and Hannibal Macarthur were named for the committee⁵⁸ which at that time consisted only of these three new members and Marsden and Cowper.⁵⁹

From the time of the completion of the new Female Orphan School Macquarie appears to have taken a much deeper personal interest in orphan affairs. He then gave thought to such small but necessary details as ordering the attendance of all the government boats on the morning of 30 June 1818 to receive and transport the master, matron and children with their necessary

55 See below p. 373.

56 SG, 19 May 1810.

57 Cf. Margaret Steven, 'Palmer, John (1760-1833)', ADB, Vol.2, p.311: 'From August 1803 to January 1824 he had been a member of the committee of the Female Orphan Institution'.

58 SG, 21 December 1816.

59 CS1L, Bundle 10, No 86-103, 1816 (NSWA 4/1736), p.43, list of committees 21/2/1816.

luggage⁶⁰ and requested Samuel Marsden to have the rooms aired in readiness.⁶¹ He ordered a survey of the need for a male orphanage and established the Male Orphan School.⁶² The opening of both the new Female Orphan School and the Male Orphan School in the old George Street site were made the occasion for the issue by him of detailed sets of rules which regulated orphan affairs in a formal manner for the first time.⁶³

Under the new regulations the committee was to meet quarterly at the Female Orphan School on the first Wednesdays of January, April, July and October. In November 1818 it was given the additional task of administering at these meetings the affairs of the public charity schools, which were also financed out of the

60 SG, 27 June 1818, G. & G. Order 27/6/1818; Macquarie's Diary 1816-18 (ML A773), p.168, 30/6/1818.

61 CSOL, Colonial Letter Book From Jan.^y 1818 to July 1818 (NSWA 4/3498), p.288, Campbell to Marsden 26/6/1818; CS1L, Bundle 12, No. 70-97, 1818, p.119, Marsden to Campbell 27/6/1818.

62 See below

63 FOS Regulations 25/7/1818 : CS1L, Bundle 12, No 1-69, 1818, FOS Minutes, pp.1-12; Rules & Regulations for the Management of the Male Orphan Institution; commencing from its Establishment at Sydney, on the First of January, 1819, Sydney 1819.

Orphan Fund.⁶⁴ With the opening of the Male Orphan School in January 1819 the committee was appointed to serve also as the committee of that school meeting there on the second Wednesday of the same months.⁶⁵ This



64 FOS Minutes, pp. 21-2, 30/11/1818. See the minutes subsequently and MOS Minutes (NSWA 4/400) where charity is sometimes dealt with.

GOVERNOR LACHLAN MACQUARIE

65 Rules & Regulations, p. 2.

66 Clifford Turney, 'The History of Education in New South Wales 1788-1900', Ph.D. thesis, University of Sydney, 1962, 3 vols, Vol. I, p. 181.

Orphan Fund.⁶⁴ With the opening of the Male Orphan School in January 1819 the committee was appointed to serve also as the committee of that school meeting there on the second Wednesday of the same months.⁶⁵ This somewhat inconvenient arrangement of a two-in-one committee was a consequence of the inspectorial nature of the committee as guardian of the regulations, discerner of neglect and defect on the part of the staff and examiner of the children⁶⁶: functions which could only be carried out at the particular school.

The instructions to the committee on its functions are stated in general terms in the regulations of the Female Orphan School but they are quite specific as given in the fifteenth section of the Rules & Regulations of the Male Orphan School:

The Members of the Committee are requested individually to visit the Institution, each taking his Duty Month about, in regular Rotation, for the purpose of seeing and examining the Children as to their Health, Comfort, and Instruction, and ascertaining whether the Rules and Regulations of the Institution are strictly enforced; and

64 FOS Minutes, pp.21-2, 30/11/1818. See the minutes subsequently and MOS Minutes (NSWA 4/400) where charity school business was sometimes dealt with.

65 Rules & Regulations, p.2.

66 Clifford Turney, 'The History of Education in New South Wales 1788-1900', Ph.D.thesis, University of Sydney, 1962, 3 vols, Vol.I, p.181

pointing out to the Master any Neglect or Defect there may appear to them to exist in the Feeding, Clothing, and Instruction of the Children, or in the general Management of the Institution.

All proceedings as recorded in the minutes were reported to the Governor as Patron.

At the time of the opening of the Male Orphan School the committee consisted of the Lieutenant Governor, the Judge Advocate, the Judge of the Supreme Court, the Secretary to the Government, the Principal Chaplain, the Senior Assistant Chaplain for the time being, John Palmer and Hannibal Macarthur. J.T. Campbell (Secretary to the Government) was secretary and Rev. Samuel Marsden (Principal Chaplain) treasurer. The regulations did not provide for any presiding officer but the chair was occupied by the member currently most senior in the colonial hierarchy and he came to be referred to loosely as 'the president'.⁶⁷ It may be assumed that in not providing for a presidential member Macquarie was anxious not to obscure his own position as leader in orphan affairs, especially as this strengthened the hand of his wife who made supervision of the Female Orphan School her principal public activity.⁶⁸

67 E.g. MOS Minutes, 30/3/1820 (no pagination).

68 It is true that committee in its earlier days had not, so far as we know, provided for a president or chairman. However Macquarie had made Lt. Governor Molle president of a similar committee for the Native Institution.

On 18 September 1819 the committees were augmented by the appointment of Sir John Jamison, Rev. Richard Hill, Captain H.C. Antill, John Piper, John Oxley, John Harris and Frederick Garling.⁶⁹ In 1821 the committee of the Female Orphan School was the Lieutenant Governor, the Judge Advocate, the Judge of the Supreme Court, J.T. Campbell, Rev. S. Marsden, Rev. W. Cowper (the last three also presumably ex-officio), J. Palmer, H. Macarthur, Sir John Jamison, Rev. R. Hill, F. Garling, J. Harris, H.C. Antill, J. Piper, J. Oxley, W. Minchin and G. Palmer.⁷⁰ Hill had become the secretary of both the orphan schools and the Native Institution on 13 April 1820⁷¹ and in July of that year £50 per annum was voted to pay William Smith, Master of the Sydney Public School, to serve as clerk and assist Hill with the heavy load of paperwork.⁷²

Ladies' committee

After King's appointment of Mesdames King and Paterson to the original committee no women were appointed

69 SG, 18 September 1819.

70 BT Box 8, pp.3513-4, Hill's evidence 22/1/1821.

71 BT Box 8, p.3512, Hill's evidence.

72 MOS Minutes, 12/7/1820.

to the committee although an interest in the progress of the female orphanage remained a social obligation of the various Governors' wives and the wives of members of the committee. There were, after all, certain aspects of the care of girls which, according to the mores of the time, male committee members could not decently enquire into. In December 1816 Macquarie gave formal recognition of the role of the ladies in orphan supervision by appointing a ladies' committee consisting of Mrs Macquarie as Patroness and Mesdames Molle, Wylde and H. Macarthur as Vice Patronesses.⁷³ After the school moved to Parramatta Mesdames Marsden, J. and G.T. Palmer are mentioned in conjunction with Mrs Macquarie as being diligent in visitation.⁷⁴

It is somewhat surprising that until Mrs Marsden's involvement the clergy wives had been neither allotted a formal role in connection with the Female Orphan School nor taken an active informal interest in it. Of course while the school was in Sydney and she lived in Parramatta Mrs Marsden was geographically ill-placed to do much and there was no other clergy wife until the arrival of the

73 SG, 21 December 1816. See also FOS Regulations. Mrs Macarthur was the eldest daughter of Governor King.

74 BT Box 8, pp.3512, Hill's evidence.

Cowpers in 1809. Mrs Cowper is mentioned only for having taken some interest in the disposal of the orphans in the earlier years of the decade.⁷⁵

The ladies' committee inspected the school before each quarterly meeting of the committee and reported to it, together with the submission of any suggestions which they wished to make.⁷⁶ Bigge reported that they 'appeared to take an active interest in the affairs of the school and greatly contributed to its welfare'.⁷⁷

Local committees

Early in 1820, when ill-health was forcing a decline in her personal attention, Mrs Macquarie recommended the establishment of local committees to exercise the powers of the general committee between quarterly meetings.⁷⁸ This suggestion was adopted. At its March meeting for the Male Orphan School Cowper, Antill and Minchin were appointed an acting local committee plus the 'President' of the general committee when convenient.⁷⁹ In May the members resident in Parramatta:

75 Report from the Select Committee on the State of Gaols, &c., House of Commons, 12 July 1819, p.86, Riley's evidence.

76 FOS Minutes generally.

77 Report ... Agriculture and Trade, p.72.

78 BT Box 26, p.5745, Macquarie to Bigge 18/1/1821.

79 MOS Minutes, 30/3/1820; BT Box 8, p.3516, Hill's evidence 22/1/1821

Marsden, Hannibal Macarthur, John Palmer and his son George, were named as the local committee for the Female Orphan School.⁸⁰ They were joined in August by John Barrie.⁸¹



BT Box 5, p.3516, Hill's evidence.
 BT Box 6, p.3513, Hill's evidence.
 BT Box 8, pp.3516-7, Hill's evidence, Box 26, p.5745, Macquarie to Bigge 18/1/1821.

FOG Minutes **MRS ELIZABETH MARSDEN** It is assumed that the MGS local committee operated in much the same manner.

Marsden, Hannibal Macarthur, John Palmer and his son George, were named as the local committee for the Female Orphan School.⁸⁰ They were joined in August by John Harris.⁸¹ At some stage before the beginning of 1821, Rev. Richard Hill joined the Sydney group.⁸² By 1821 the concerns of the orphan farm at Cabramatta were in the hands of a local committee consisting of the two Palmers, Macarthur and Harris.⁸³

The local committees provided a much improved supervision of the running of the schools and of their accounts.⁸⁴ They were required to meet weekly and appoint a daily visitor in weekly rotation.⁸⁵ It seems that only with their institution did the committee provide the sort of management envisaged by Macquarie in his regulations - and this was shortlived for they soon collapsed.

80 FOS Minutes, p.44, 8/5/1820.

81 FOS Minutes, p.49, 12/8/1820.

82 BT Box 8, p.3512, Hill's evidence.

83 BT Box 8, p.3513, Hill's evidence.

84 BT Box 8, pp.3516-7, Hill's evidence, Box 26, p.5745, Macquarie to Bigge 18/1/1821.

85 FOS Minutes, p.44, 8/5/1820. It is assumed that the MOS local committee operated in much the same manner.

Despite this plethora of committees the effective supervision of orphan affairs was left in the hands of the few individuals who took a conscientious interest. Probably, as Marsden suggested to Bigge, too many men were appointed to the committee and they had too little authority.⁸⁶ Even the quarterly meetings were poorly attended : the minutes reveal frequent adjournment of important business because of so few members being present. In the decade of Macquarie's administration only Lieutenant Governors O'Connell and Molle, while in the Colony, and Revs. Samuel Marsden and William Cowper took a regular interest.⁸⁷ Foremost amongst these was Cowper who was constant in his attention to both schools in George Street until ill-health forced his resignation, and that of his wife, from official connection with the work late in 1821.⁸⁸

86 BT Box 27, pp.6367-8, Marsden to Bigge 15/3/1821.

87 BT Box 8, pp.3351-2, 3367, Cowper's evidence, p.3392, Marsden's evidence, p.3512, Hill's evidence, Box 26, p.5746, Macquarie to Bigge 18/1/1821.

88 CS1L, Bundle 15, No. 50-81, 1821 (NSWA 4/1749), p.117, Cowper to Hill 10/11/1821.

Mrs Macquarie alienated committee

Marsden attributed the inactivity of the committee in part to its being placed under 'a certain Lady' who knew

very little what ought to be done with the Children, The Female Orphan Institution should not be like a Boarding School for Young Ladies who have Some Prospects in Life but like an House of Industry.⁸⁹

This was but part of her general liberal outlook on social questions which was anathema to the Principal Chaplain. The liberality of her attitude towards ex-convicts was such that he detected in it the seeds of the Governor's own ideas in this direction.⁹⁰ Marsden's personal attitude to Mrs. Macquarie's role in orphan management is, of course, complicated by the fact that the feud between him and Macquarie originating in the clash over the latter's emancipist policy had some to involve orphan affairs, among other things, in the dispute concerning the building of the new school and Marsden's handling of the finances in that instance and generally.⁹¹ Typically the latter presented himself

89 BT Box 27, pp. 6366-7, Marsden to Bigge 15/3/1821.

90 John Ritchie, Punishment and Profit : The Reports of Commissioner John Bigge on the Colonies of New South Wales and Van Diemen's Land, 1822-1823; their origins, nature and significance, Melbourne 1970, p.123.

91 See below Chap.10 for discussion of Marsden's service as treasurer.

as something of a martyr:

It has been purely for the Good of the Children, and from a line of Public Duty, that I have continued in the Committee to the present time. I have met with many unmerited Risks from those in Authority, when I ought to have met with their countenance & support. Both profane and Sacred History hath taught us that it is very dangerous to offend a Lady in Power.⁹²

Moderns no doubt will sympathize with Mrs Macquarie's more enlightened viewpoint and particularly with her championship of the orphan girls' right to receive more from the school than merely conditioning to be moral and amenable drudges for their 'betters'. It is to her credit, too, that she took her role as Patroness very seriously. However she negated much of her prospective influence for good by adopting in her dealings with the committee and staff that same peremptory and overbearing manner which caused her husband so much of his trouble. The overall pattern of her relations with the committee is one of early attempts to defer to her wishes giving way to increasing resistance under provocation and culminating in a virtual breakdown in relations.

In June 1820 Elizabeth Macquarie directed a long letter to Lieutenant-Governor Erskine as 'President'.

⁹² BT Box 27, p.6368, Marsden to Bigge 15/3/1821.

The 'early habits of my Life and the attention I have bestowed on the management of landed Property' had, she said, emboldened her to communicate her thoughts on the

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The committee meeting at which the letter was read was attended by five members. They resolved that in consideration of its importance a copy should be sent to each member and **MRS ELIZABETH MACQUARIE** called to

The 'early habits of my Life and the attention I have bestowed on the management of landed Property' had, she said, emboldered her to communicate her thoughts on the development of the orphan estate at Cabramatta which she felt could defray all orphan expenses if properly managed. She made quite detailed recommendations. The committee's administration of the estate had been very poor and was to continue so - indeed this was to be one of Governor Brisbane's reasons for dismissing it in January 1824 - but in considering Mrs Macquarie's letter the committee ignored her useful suggestions in order to focus on a subsidiary part wherein she had written:

So long as I shall remain Patroness of the Institution I shall take on myself as heretofore to direct the improvement of the Land at Arthur's Hill where the Orphans at present reside.

If the local Committee will have the goodness to take charge of the workmen and see they perform their Several undertakings, and Settle their Accounts it will be relieving me of Part of the Duty to which I feel myself incompetent insomuch that I have been under the necessity of delegating Mr. Rouse and Serg. Whalan to make such adjustments for me.⁹³

The committee meeting at which the letter was read was attended by five members. They resolved that in consideration of its importance a copy should be sent to each member and a special meeting called to

93 BT Box 22, pp.4391-6, Mrs Macquarie to Erskine 13/6/1820, quoted at p.4395.

consider it.⁹⁴ At this meeting almost a month later the committee firmly rebuffed Mrs Macquarie's high-handed overriding of its authority. It referred her to its resolution of 8 May 1820 establishing the local committee at Parramatta and further resolved

that all improvements of every kind to be made, or making at Arthur's Hill, Parramatta, be approved of by the Local Committee, and that the conduct of the Same in every way be subject to the Controul and Superintendence of the Local Committee.

The treasurer was not to make any payments without authorization by the local or the general committee.⁹⁵

Early in 1821 Mrs Macquarie made representations concerning the sleeping arrangements for the girls and when the committee, after an inspection, declined to agree with her view she circularized her letter and demanded individual replies from the members of the committee. It passed a resolution affirming its view of itself as a collective deliberating body and refused to forward individual replies.⁹⁶ Things had reached the pass where any suggestion from Mrs Macquarie drew resistance, regardless of its merit, as a means of

94 FOS Minutes, p.48, 14/7/1820.

95 FOS Minutes, p.49, 12/8/1820, (Extracts BT Box 23, p.4780).

96 FOS Minutes, p.66, 9/5/1821.

combatting her attitude that the committee existed merely to do her bidding.

In April 1821 Macquarie, wrongly believing that the workmen were to be discharged before completing his wife's plans for the school grounds, had the committee informed of his desire that her wishes be met.⁹⁷ This, coming in the midst of the clash over accommodation, was the last straw. The committee assured the Governor that it had never interfered with the men placed at the school to do the work nor intended to.

At the same time, the Committee conceiving that, by the very nature of their office, all the concerns of this Public Institution are committed to their sole (gratuitous) management, and that this office is entrusted to them by the Patron and Patroness, who by such commission have parted with such management, think it incumbent upon them, in vindication of their trustworthiness, and in justice to their honorary office, to declare, that, although they shall always think it no less their duty than their pleasure to attend to any suggestion or recommendation from the Patroness, they cannot forego their right to controul the above-mentioned, as well as every other matter relating to the concerns of the Institution.⁹⁸

97 FOS Minutes, p.65, Antill to Hill 24/4/1821.

98 FOS Minutes, p.66, 9/5/1821.

John and Ann Hosking

The Hoskings remained in charge of the Female Orphan School until 1 January 1819 from which date they resigned⁹⁹ possibly because of a quarrel with Marsden arising out of Hosking being co-signatory to a letter in a Methodist publication which Marsden considered defamed him.¹⁰⁰ They sailed for England in the Surry on 25 July.¹⁰¹

The Rev. William Cowper, who was much about the institution while it was housed in Sydney, told Commissioner Bigge in 1821 that 'it w^d be Difficult to meet with Two more fit Persons for the situation than they were'. Mrs Hosking was a very attentive and kind woman¹⁰² who won Macquarie's approbation by her regular submission to Mrs Macquarie's suggestions concerning the health and general conduct of the children.¹⁰³ She appears to have been the more

99 FOS Minutes, p.17, 30/10/1818, Hosking to Committee 30/10/1818.

100 BT Box 26, pp.6115-6, Marsden's Observations on Mr. Eagar's Evidence; Vivienne Parsons, 'Hosking, John (1806-1882)', ADB, Vol.1, p.555. Hosking may not have felt able to stay on as he owed his position to Marsden, who did not fail to point this out.

101 Macquarie's Journal 1818-1822 (ML A774), p.59, 25/7/1819.

102 BT Box 8, p.3353, Cowper's evidence 23/1/1821.

103 BT Box 26, p.5746, Macquarie to Bigge 18/1/1821.

important figure in the running of the orphanage and the approval of the way in which she performed her duties was given tangible expression in the award of a £5 donation quarterly from September 1811.¹⁰⁴ Cowper observed that towards the end of his incumbency Hosking had not been as attentive to his duty as he ought to have been and agreed that he had made considerable profit by trading.¹⁰⁵ Moreover, by 1818 he had a farming interest consisting of four hundred acres of land of which virtually all of the eighty-two acres of cleared land was in production and he owned two stock horses, seventy-five head of cattle and twenty hogs.¹⁰⁶

Incumbency of Thomas and Mary Collicott

With the resignation of the Hoskings it was resolved to advertize locally for applicants to replace them.¹⁰⁷ Thomas and Mary Collicott of Sydney were

104 See SG, 26 October 1811 : Orphan accounts for September quarter and subsequent accounts published quarterly.

105 BT Box 8, p.3353.

106 Bigge's Appendix N.S.W. Returns 1819-20 (ML A2131), An Abstract of Land and Stock, belonging to Civil and Military Officers serving in New South Wales, accounted for at the General Muster, taken by His Excellency Gov^r Macquarie and Deputy Commissary General Allan, commencing the 28th Sep^r, & Closing 11th Nov^r 1818.

107 FOS Minutes, p.17, 30/10/1818.

appointed a month later.¹⁰⁸

The Collicotts were soon made uncomfortable in their new positions by the manner in which Mrs Macquarie interested herself in the affairs of the institution. In August 1819 she addressed two letters to Lieutenant-Governor Erskine containing a series of complaints against the Collicotts which she wished to have taken up by the committee. The second letter contained a series of questions to be directed to the Master and Matron which, in effect, subjected them to a third-degree investigation.¹⁰⁹ Mrs Macquarie was much dissatisfied with the appearance of the younger children and believed that they were not properly fed. She wanted the setting of a ration, the replacement of a cook, and the employment of a John and Margaret Matthews¹¹⁰ as gardener and cook as a means of keeping some check on the Matron.

Before taking up the orphan appointment Mary Collicott had been acting as governess to a girl named

108 FOS Minutes, p.21, 30/11/1818. I have been unable to locate any information concerning their antecedents.

109 FOS Minutes, pp.28-32, letters dated 13/8/1819 and 14/8/1819.

110 John Matthews was convicted at the Middlesex sessions of March 1792 and sentenced to 14 years transportation. He was shipped on the Ganges : Card index of 1811 census (SAG).

Wood, the daughter of an apparently widowed friend who had no home for the girl. Mrs Collicott had applied for permission for Miss Wood to accompany them to the school and, in Mrs Macquarie's absence, Secretary Campbell had said that he could see no objection. The girl took up residence and according to Mrs Collicott was no expense to the institution but of value to her in doing all that she could to help in the house. However Mrs Macquarie wanted the girl out: 'I by no means approve of a boarding School for young Ladies being combined with an Orphan School'.¹¹¹

In addition, the Patroness requested that the Collicotts should be forbidden to receive the gentlemen in the habit of visiting them; that Collicott, who possessed a 'great many Pigs' should be ordered to dispose of them immediately; and that the practice should be terminated of allowing the girls to go out and spend the evening in Parramatta. The girls should be permitted out of the grounds only with the signed permission of a member of the ladies' committee, two of whom lived so close as to make this practicable.

¹¹¹ This is ironic when read in conjunction with Marsden's remark about Mrs Macquarie's attitude, p. 109.

If the Collicotts were not feeding the children properly or were allowing the children to wander unsupervised they certainly needed correction. On the other hand the exclusion of the visitors and the girl Wood, without any allegation against them of undesirable behaviour, were instances of the petty tyranny to which teachers and other minor public servants were then subjected and which made theirs such unhonoured callings. The fact that the outrageous suggestion of setting convict servants to spy on the heads of the institution could be made and entertained indicates above all else the abysmal status of the contemporary teacher.

The Collicotts were examined as Mrs Macquarie desired and the Matthews employed as she suggested. The cook, a woman in needy circumstances with four children dependent on her, was dismissed with six months' wages, her eldest child was taken into the Orphan School and 7/6^d per week was allowed her for the support of her other three children.¹¹²

Later in the year Thomas Collicott was placed even more firmly in the ranks of untrusted servility

112 FOS Minutes, pp.33-5, Minutes 25/8/1819.

with instructions not to purchase any articles of any kind without the prior sanction of the Lady Patroness or one of the local committee, not to charge travelling expenses on the plea of school business and not to be absent from the school for a night without the written approval of the local committee.¹¹³ In July 1820 the ladies asked that the local committee be empowered to prescribe the number of dogs which he might keep.¹¹⁴ Even if these restrictions do indicate some excesses on the Master's part one would expect that his behaviour and interests might have been modified by a less remote and formal approach.

The insolence and general conduct of the Matthews couple so tried the patience of Mrs Collicott that on 1 April 1820 she lodged a written complaint with the committee. After investigating the committee dismissed the Matthews when it found the charges 'generally well founded' and

That great misconduct in many other particular instances was chargable (sic) against them - and having especially also ascertained that Matthews was not qualified even by his own acknowledgement as a Gardener, and that both parties professed the Roman Catholic Religion.

113 FOS Minutes, p.38, 1/9/1819.

114 FOS Minutes, p.47, 4/7/1820. There is no indication that the committee took any action on this request.

A counter charge by Matthews and his wife 'that certain speculations had been made by the Master of the School out of the Childrens Mess' was investigated and found to be 'without the least foundation'.¹¹⁵

The termination of the Matthews affair must have been very satisfying to the Collicotts. It may have gained from, and almost certainly contributed to, the committee's growing unwillingness at this time to heed Mrs Macquarie's demands.

As the months went by Mrs Collicott's standing as Matron rose: the minutes record that the 'general appearance of the girls was highly satisfactory to the Committee',¹¹⁶ or that the ladies 'found the Children healthy, and in every respect satisfactory'.¹¹⁷ At the August 1820 meeting the committee decided to pay her a £30 gratuity as a mark of satisfaction with her conduct in the time that she had held the Matronship, with John Palmer, chairman of the local committee, to inform her that a like reward was not to be expected in future 'unless upon a like impression ... as to particular, meritorious and personal services in the

115 FOS Minutes, p.40, 5/4/1820.

116 FOS Minutes, p.53, 18/10/1820.

117 FOS Minutes, p.54, 3/1/1821.

duties belonging to the Station'.¹¹⁸ At the end of the year she was again voted a gratuity.¹¹⁹

During 1820 Mrs Collicott's health declined and on 19 December Collicott memorialized Governor Macquarie to the effect that it was necessary for him and his wife to resign their situations as soon as successors were appointed in the hope that the change of climate involved in removal to Port Dalrymple would prove beneficial. He asked for free passage in a government vessel and 'the indulgence of settlers' and was ordered five hundred acres and victualling from the government store for the family and three convict labourers for six months.¹²⁰

A return, probably for August 1820, shows a total subordinate staff for the school and farm of three female servants, including as teacher-servants on £12 per annum Charity Evans and Susan Humphreys who had both been reared in the orphanage, and thirteen male staff: eleven of whom were convicts, one an ex-convict and only the overseer, Edward Gray, freely come from

118 FOS Minutes, p.50, 14/8/1820.

119 FOS Minutes, p.56, 3/1/1821.

120 CSIL, Bundle 14, No. 83-116 Part I, 1820 (NSWA 4/1746), p.124 Memorial of Thomas Collicott to Governor Macquarie 19/12/1820, p.125, Macquarie's minute 22/2/1821.

England. Gray received £50 per annum but no ration, John Forester, overseer of the staff at the orphan house, £20 per annum and all the other men the convict wage of £10 per annum plus rations. The female servant received £7 per annum plus rations.¹²¹ In January 1821 the staff was the same. Eleven of the male convicts were employed at Arthur's Hill in fencing, cultivating the land and fetching wood and water. Six of them had been employed on the improvement of the grounds directed by Mrs Macquarie.¹²² The significant thing about the servant situation was that only one female convict servant and Evans and Humphreys served sixty-eight children. This was a far higher pupil/servant ratio than obtained later in the decade.

Appointment of Mrs S.M. Ward as Matron

Upon receipt of the Collicotts' request to be relieved an advertisement was published inviting 'such married Persons as are duly qualified to undertake so important a Charge' to submit written offers of service.¹²³ It seems that no really satisfactory offer was received.

121 BT Box 24, p.4915, List of Persons employed at the Female Orphan Farm, House &c.

122 BT Box 8, pp.3517-8, Hill's evidence 22/1/1821.

123 SG, 9 December 1820.

Isaac Wood applied on behalf of himself and his wife but was passed over in favour of Mrs Susannah Matilda Ward, who tendered her services through the secretary, Rev. Richard Hill. This appointment was most unusual for her period in the office of Matron was the only time after the appointment of the Strouds in 1803 when there was not also a Master. Instead Mrs Ward was allowed the whole of the joint salary on the understanding that she was to engage and pay for whatever assistance she required.¹²⁴

As with most of her predecessors Mrs Ward's background is obscure. Bigge described her as 'a person of respectability, the wife of a convict who resided in the house, and who assisted also in its management'.¹²⁵ This reference to a convict husband is strange for it seems that it can hardly have been correct. Vernon Goodin identifies her as having arrived in 1820 the widow of an army officer¹²⁶ and Edward Sweetman, her successor as head of the establishment, wrote of her in

124 FOS Minutes, p.56, 3/1/1821.

125 Report ... Agriculture and Trade, p.72.

126 Vernon W.E. Goodin, 'Public Education in New South Wales before 1848', JRAHS, Vol.36, Pts. 3 and 4, 1950, p.165. Goodin does not give his authority.

December 1823 as an unprotected female with a helpless family.¹²⁷

Mrs Ward's period in the school was a reasonably eventful one with the introduction of the Anglican National system of education by Rev. Thomas Reddall and the controversy between Mrs Macquarie and the medical advisers on the one hand and the committee on the other over the adequacy of the sleeping accommodation, yet she remains a shadowy figure in the background known only from the reports of her 'indefatigable exertions' and expressions of approval of her performance,¹²⁸ although on one occasion her salary was withheld, causing her to appeal to Governor Brisbane for his intervention,¹²⁹ and Reddall reported the school in 'a deplorable condition and the children 'rude, intractable and disobedient'.¹³⁰

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- 127 CSIL, Bundle 21, Oct.-Dec. and Undated, 1823 (NSWA 4/1773), No.114, Sweetman to Goulburn 16/12/1823, private.
- 128 FOS Minutes, p.71, 7/8/1821, Ladies to Committee 6/8/1821, p.81, 14/11/1821, Ladies to Committee 13/10/1821, p.90, 14/8/1822.
- 129 CSIL, Bundle 17, No.1-7, 1822 (NSWA 4/1756), p.3, Ward to Brisbane 9/2/1822.
- 130 Reddall to Goulburn 7/8/1822, cited by John Farquhar Cleverley. 'The Administration of State-Assisted Elementary Education in Mainland New South Wales, 1789-1855', Ph.D. thesis, University of Sydney, 1967, p.142. Neither I nor staff of the Archives Office could locate this letter.

On his departure Lachlan Macquarie left the Female Orphan School in far better shape than any other governor within our period except possibly Governor Darling. There is not the slightest doubt that when one considers orphan affairs in general there had been a great improvement under his patronage and that the decade following his departure was one of overall decline.

Chapter 5

THE FEMALE ORPHAN SCHOOL UNDER SWEETMAN AND WALKER

1824-1826

During the unhappy term of Sir Thomas Brisbane as Governor orphan affairs suffered from the muddle and sloppy administration which characterized his government. Once more political conflict impinged on orphan administration. Brisbane sacked the ineffective committee and unwittingly created an administrative vacuum by appointing a caretaker committee which proved a nonentity. The Governor was hampered by the imposed difficulties of a policy for the Anglicanization of colonial education which had been hindered to some extent by the old committee and which was not pushed with sufficient vigour by Rev. Thomas Reddall the man chosen to effect it and whom he was bound to support and, secondly, of the imposition on the Female Orphan School of an ailing and incompetent couple through patronage extended by the Secretary of State. They reduced the Female Orphan School to a disgraceful state of neglect and disorganization and were then removed to the Male Orphan School to do the same there. The attempt to restore the ruined Female Orphan School by appointing a Wesleyan missionary William Walker as Master and the

arrival of Archdeacon Thomas Hobbes Scott determined to purge the schools of non-Anglican influences produced an explosive situation. Both Master and Archdeacon were determined combatants and were firmly committed as leaders in the opposing factions in the strife which brought about the disgrace of Governor Brisbane and Colonial Secretary Goulburn. The bitter conflict between Walker and Scott was damaging to the orphanage but the actual state of affairs there is obscured by the obvious desire of Walker's opponents to discredit him. This chapter advances the story to Walker's departure from the school.

Supercession of Mrs Ward

In March 1821 Rev. Samuel Marsden advised Commissioner Bigge of his belief that the orphan schools should be under the charge of clergymen and suggested that Rev. Richard Hill might go to the Female Orphan School and Rev. Thomas Reddall to the Male Orphan School.¹ In April 1822 Governor Brisbane took up this theme when he devoted a two-paragraph despatch to the subject of the offices of Matron and Master of the orphan schools. He held that there were

no institutions in this Colony of more gratifying promise than the two Orphan Schools ... retarded only in their advance to maturity from the want of a competent Matron and Master.

1 BT Box 27, Bigge Appendix, p.6365, Marsden to Bigge 15/3/1821.

He pointed to the flourishing state of the Orphan Fund to show that the salaries could be increased

so as to afford ample incitement to many a regular bred married Clergyman to devote the remainder of his days to instilling, into the minds of the Youth of both Sexes, those principles of Religion and Virtue, which, ensuring the future happiness of this young Colony, would render her at the same time one of the ornaments of the Parent State.

Under the influence of these feelings, I submit the entreaty that those appointments may be filled for the future by married Clergymen of Your Lordship's selection.²

Clearly in the Governor's eyes at least Mrs Ward was a stopgap, temporary incumbent as Matron to be replaced on the arrival of someone considered more suitable for the position. There is throughout her stay an air of impermanence about her tenure. Bigge wrote in September 1822 that he had 'every reason to believe' that the Matronship 'is now vacant or is likely to become so',³ and the September 1823 committee meeting authorized Marsden to hold out to a Mr and Mrs Hopkins in Van Diemen's Land the prospect of a vacancy in the control of the institution.⁴ It seems that the

2 HRA, Vol.X, p.629, Brisbane to Bathurst 5/4/1822.

3 BT Box 28, p.6708, Bigge to Robert Wilmot M.P.8/9/1822.

4 FOS Minutes (NSWA 4/403), p.102, 12/2/1823.

prospective vacancy could only have been expected as a result from action from above. Susannah Ward herself certainly had no desire to relinquish the Matronship and on the reports was doing her best to give satisfaction. She was eventually ejected on 1 January 1824 after a two year stay in order to make way for Edward and Sarah Sweetman,⁵ the recipients of English patronage and arguably the worst disaster to befall the orphan schools.

Edward and Sarah Sweetman

First mention of the Sweetman couple occurs in a reply by Bigge to Robert Wilmot M.P. who had sent testimonials from several persons in an attempt to enlist the Commissioner's influence in obtaining them positions in the Colony. Bigge thought of the Matronship as a post that Sarah Sweetman might be competent to fill with the assistance of her husband.

I should not however do justice to the views that you entertain, in referring this subject to my consideration if I did not take this opportunity of stating to you, that the Duty of Schoolmistress of the Female Orphan School is if well Discharged, of Infinite Importance to the moral Interests of the Colony, that it requires both Strength of Mind & Constitution, as well as an acquaintance with those branches of Education & employment that qualify young Females for Domestic service in the Country.⁶

5 CSIL, Bundle 24, Jan.-Mar., 1824 (NSWA 4/1778), No. 75, Mrs Ward to (Goulburn) 9/2/1824 (date pencilled on).

6 BT Box 28, pp. 6708-9, Bigge to Wilmot 8/9/1822.

The Sweetmans, although lacking all of the necessary qualifications, received appointments to the orphan schools in England and arrived in Sydney at the end of 1823. Their careers here constitute one of the more scandalous examples of the evils of a system of patronage which, at the public expense, littered the Colonies of New South Wales and Van Diemen's Land with English placehunters found niches they were unfit to fill.

On the arrival of the Sweetman family it was quartered in the Female Orphan School on the instructions of Colonial Secretary Goulburn. Sweetman observed at their first meeting that Mrs Ward was obviously hurt by her dismissal. Soon he was writing to complain that both the servants and the orphans were encouraged to treat him, his wife and his daughters with insolence and contempt. The servants, the orphans and the Ward children eavesdropped on conversations between the Sweetmans and when Sweetman remonstrated with the Matron she took not the slightest notice. He felt it intolerable that he and his family should be insulted by those over whom they were soon to be placed and suggested taking lodgings until then from a sense of gentlemanly delicacy at Mrs Ward's natural feelings of resentment and her unprotected state and his reluctance

'to take up the Gauntlet or enter into any altercation with such a Woman as Mrs W --'.⁷

Mrs Ward retired to a cottage on the North Shore⁸ with the assurances of the colonial Government that it would do all it could to assist her and her family and

consoled by the reflection that I have anxiously discharged all the arduous duties of my late situation under circumstances peculiarly disadvantageous ⁹

Committees sacked

Sir Thomas Brisbane made the change of control at the Female Orphan School on 1 January 1824 the occasion for making a clean sweep by discharging the committees, largely common in personnel, for the two orphan schools and the Native Institution. On that day a Government and General Order appeared in the Sydney Gazette thanking the committee members for having devoted a large part of their valuable time to the superintendence of the schools from disinterested motives and announcing that with the arrival of Mr and Mrs Sweetman from England with appointments he was now able to relieve them of the 'irksomeness' of their past duties. Colonial Secretary Goulburn, Dr Henry Grattan Douglass and Rev. Thomas Reddall

7 CSIL, Bundle 21, Oct.-Dec. and Undated, 1823 (NSWA 4/1773), No.114, Sweetman to Goulburn 16/12/1823, Private.

8 CSIL, Bundle 24, Jan.-Mar., 1824 (NSWA 4/1778), No.94, Mrs Ward to Goulburn 24/2/1824.

9 CSIL, Bundle 24, July-Oct., 1824 (NSWA 4/1780), No.276, Mrs Ward to Brisbane 11/9/1824.

would henceforth constitute the committee, for the time being, of each of the institutions with Sweetman as secretary.

This dismissal had come without warning. The stunned Female Orphan School committee met for a last time and entered in their last set of minutes the resolution

that this Meeting will not affect to say that they obey the above sudden and unexpected order without reluctance and sorrow for they never found any Irksomeness in the task of benefitting the rising generation of this Colony....¹⁰

The Rev. Samuel Marsden wrote later to a friend that being turned out of a superintendence he had exercised for twenty-three years was 'very painful at the time'.¹¹ John Harris, another of King's original committee still a member, obviously took his removal very much to heart. It will be seen that in his role as Police Magistrate at Parramatta he was in the years following obstructive of the smooth functioning of the institution which he

10 FOS Minutes, p.112, 15/1/1824.

11 BT Box 53, Missionary series, p.1621, Marsden to Bickersteth 9/4/1826. Marsden was to resume his association with the direction of orphan affairs with the creation of the Clergy and School Lands Corporation in 1826. Marsden and his family were associated with the Female Orphan School for a very lengthy period. His daughter and son-in-law were Matron and Master 1851-1863 and his grandson Master from 1863: James Jervis, ed. George Mackaness, The Cradle City of Australia: A History of Parramatta 1788-1961, Parramatta 1963 reprint, p.109.

had laboured so long to advance.¹²

An anonymous attack on Brisbane's administration published in the London Morning Chronicle of 21 August 1824 gave as its main charge of misgovernment



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¹² See below pp. 252, 235.

¹³ Quoted HRA, Vol. XI, p. 614. J.F. Cleverley describes the incident of the convicts' children as the 'prelude' to Brisbane's dismissal of the committee. 'The Administration of State-Assisted Elementary Education in Mainland New South Wales, 1789-1855', Ph.D. thesis, University of Sydney 1967, p. 147.

¹⁴ HRA, Vol. XI, p. 614 Brisbane to Bathurst 23/5/1825.

¹⁵ BT Box 53, p. 1401, Walker to Watson 13/3/1824.

had laboured so long to advance.¹²

An anonymous attack on Brisbane's administration published in the London Morning Chronicle of 21 August 1824 gave as its tenth charge of misgovernment

The sudden and insulting dismissal of the Orphan School and Native Institution Committees for venturing to remonstrate against taking convicts' children into the Orphan School who were not orphans, and for whom the Institutions were never designed.¹³

Brisbane replied that 'there was not the shadow of personality in the measure'. The removal of the two judges from the Colony with the creation of the Supreme Court posed a threat to the tenuous hold of the committees on life and required their remodelling so he killed them off at once.¹⁴

There is no reason whatever to doubt the Governor's explanation. As early as March 1824 Rev. William Walker had reported in a private communication that Brisbane had told him that he had merely put the dying committees out of their misery.¹⁵ The minute books show that from

12 See below pp. 262, 635.

13 Quoted HRA, Vol. XI, p. 614. J.F. Cleverley describes the incident of the convicts' children as the 'prelude' to Brisbane's dismissal of the committee: 'The Administration of State-Assisted Elementary Education in Mainland New South Wales, 1789-1855', Ph.D. thesis, University of Sydney 1967, p. 147.

14 HRA, Vol. XI, p. 614 Brisbane to Bathurst 23/5/1825.

15 BT Box 53, p. 1401, Walker to Watson 13/3/1824.

before Brisbane's arrival the committee meetings had often been very poorly attended and on a number of occasions had failed for want of a quorum.¹⁶ The incident concerning the convicts' children occurred fully six months before the dismissal and there is no good reason for attaching any special importance to it.

Given the need to reconstruct the committee it seems natural and logical that Brisbane should drop men who had been long tried without giving orphan business the necessary amount of attention and in particular had failed to develop the orphan lands to the point where they made the financial contribution to orphan support envisaged when they were granted almost a quarter of a century earlier. In a sense the longest serving members had the least justification for resenting their dismissal. Moreover the current political factionalism may, as in Bligh's time, have been impinging on the committee. There is a hint of political conflict in George Thomas Palmer's resignation from the three committees in August 1822 because of the 'apprehension that some of my future Acts as a Member of the various committees ... may unintentionally give offence to

16 See FOS Minutes and MOS Minutes (NSWA 4/400) generally and in particular FOS Minutes, p.46, 5/7/1820, p.48, 14/7/1820; MOS Minutes 22/11/1822, 9/1/1822, 10/4/1822.

Your Excellency's Government'.¹⁷ Palmer had, along with other magistrates, just been dismissed from the Commission of the Peace for refusal to associate with Dr Douglass on the bench.¹⁸

It has been plausibly contended that Brisbane's action is to be seen as preparation for carrying out Bigge's recommendations that government-supported schools should be under the general superintendence of a Church of England clergyman and that he should endeavour to further the adoption of the National System throughout the colony.¹⁹ The committees stood in the way of such superintendence and they had hindered Rev. Thomas Reddall who was sent out in 1820 to introduce the National System and had begun with the orphan schools.²⁰ It is significant that the new committee was explicitly 'for the time being' and that in August 1824 Bigge's recommendation was implemented with the appointment of

17 CSIL, Bundle 18, July-Sept., 1822 (NSWA 4/1761), No.143, Palmer to Brisbane 31/8/1822.

18 Margaret Steven, 'Palmer, George Thomas (1784-1854)', ADB, Vol.2, p.308.

19 Clifford Turney, 'The History of Education in New South Wales 1788-1900', Ph.D.thesis, University of Sydney, 1962, 3 vols., Vol.I, p.331; Report of the Commissioner of Inquiry, on the state of Agriculture and Trade in the Colony of New South Wales, House of Commons, 13 March 1823, p.75.

20 See below Chp.13.

Reddall as 'Director General of all the Public Schools of the Colony under Government'.²¹

In appointing his small committee of public servants Brisbane may well have felt that he was solving at once the problems of inactive members providing inefficient supervision on the plea of the honorary nature of the position, obstruction of Reddall and the influence of factionalism (as involved in the vendetta of the Palmers and Marsden against Douglass, who was serving as medical officer to the Female Orphan School). In fact this committee was to prove an absolute nullity. It has left no minutes; no other evidence of having functioned as a body. The orphan schools were left very much to their own devices just at the time that the Sweetman's were about to be let loose to ruin each in turn and that Thomas Bowden at the Male Orphan School took increasingly to drink. In 1824-6 both schools reached their lowest ebb and 'suffered exceedingly'.²²

Incumbency of the Sweetmans

As the Sweetmans were not supervised and no orphan records were kept during their time in office

21 SG, 9 August 1824; HRA, Vol.XI, p.380, Brisbane to Bathurst 4/10/1824.

22 BT Box 53, p.1621, Marsden to Bickersteth 9/4/1826.

theirs is a dark period in both senses. Both were in poor health at the time of their arrival and neither was to survive long. Sarah died at the age of thirty-eight and was buried on 6 July 1825 and Edward followed her to the grave on 1 September, aged forty-eight.²³ The facts that they had sought employment in the warmer climate of New South Wales and that they suffered prolonged illness together suggests that they were victims of tuberculosis. At the end of 1824 they were transferred to the Male Orphan School at Cabramatta allegedly in the interest of their health.²⁴

In March 1825 Edward Sweetman sent in his (and presumably his wife's) resignation from the end of April on the ground of their ill health. While at the Female Orphan School 'our state of health was such as to incapacitate us from the performance of the arduous duties it involved' and since removing to the Male Orphan School his health had been so indifferent as to prevent his giving 'that attention to its Interest, which if neglected any longer, must be attended perhaps with

23 Vernon, W.E. Goodin, 'Public Education in New South Wales before 1848', JRAHS, Vol.36, Pts.3 and 4, 1950, pp.165,206,207.

24 HRA, Vol.XI, pp.863-4, Brisbane to Bathurst 3/10/1825.

serious consequences'. He frankly confessed that he lacked the background to handle the job satisfactorily and asked to be considered 'for any situation more in concert with his former occupation in England'.²⁵

The Sweetmans' successors at both schools, as well as the Medical attendant at the Male Orphan School, reported on 'the dreadful state of disease and filth in which they found them on taking charge'. However Archdeacon Scott's reference to 'the neglect and plunder of the Masters of both Institutions',²⁶ indicates that he gave Thomas Bowden a share of the blame for the state of the male orphanage.

It seems that the hope that the Sweetmans would do less damage at the Male Orphan School was the real reason for their removal from the Female Orphan School. When Governor Brisbane gave the health reason, the traditional let-out from untenable or intolerable situations, the couple had already resigned and died

25 CSIL, Bundle 27, Jan.-Mar., 1825 (NSWA 4/1785), No.167, E. Sweetman to Committee 22/3/1825 (copy). He had already tried for the position of coroner at Liverpool as an addition to the Mastership: No.43, Sweetman to Brisbane 19/1/1825.

26 Letter Book of Archdeacon Thomas Hobbes Scott No.1 (ML A850), p.128, Scott to Brisbane 7/11/1825. Scott had called for reports from both Masters on 2 July 1825 : Letter Book, pp.42-4.

and there was no point in making an issue of their unfitness for office with Lord Bathurst who had exercised patronage on their behalf. Brisbane gave Archdeacon Scott to understand that Sweetman was removed because of his fondness for inflicting cruel and humiliating punishments on the girls.²⁷ Sweetman's successor, Rev. William Walker, claimed that he had attempted to prostitute the girls. Their physical neglect was appalling. When the Walkers arrived the children had not had their clothes washed for three weeks or a month and they were subject to diseases and bestial habits which it took years to bring under control. The girls were in rags and again a very considerable period was to elapse before it was possible to dress all the girls decently so as to permit resumption as a school at public worship on Sundays. Sweetman and the clergy had been equally regardless of their moral instruction.²⁸ This was confirmed by the Parramatta Grand Jury at an inspection at the beginning of March 1825. It also found girls who had been in the institution for two years whose formal education had not progressed so far even as recognition of the letters of the alphabet.²⁹

27 Scott's Letter Book No.1, p.130, Scott to Brisbane 7/11/1825. See also BT Box 53, p.1574, Scott to (Bishop of London) 9/1/1826.

28 BT Box 53, pp.1470-1, Walker to Watson 7/2/1825. The attempts to solve these problems are discussed in various places below.

29 SG, 3 March 1825.

Application for Matronship by Mrs Charity Nott

Reddall, and perhaps Goulburn and Brisbane, decided well before the end of 1824 that the Sweetmans had to be removed from the Female Orphan School. Some time in the second half of the year Reddall approached Mrs Charity Nott to see if she would take charge of the school, telling her that he knew of no one else in the colony so well qualified for the position.

Mrs Nott was formerly Charity Evans, one of the two grown orphan girls mentioned in the 1820 staff return as a teacher-servant. Charity was born in the colony, apparently the daughter of a soldier, and reared in the school. She completed her apprenticeship within the institution, rather than being put out to service as was then the general rule, and taught there for nearly nine years. This gave her the distinction of being the first Australian-born teacher. During Mrs Ward's custodianship the domestic concerns had been principally under her direction and she had 'also Taught D^r Bell's System of Education, without the Aid of the Matron'. Judging from her extant letter, Reddall's confidence in her, and the obvious success of later efforts to prevent the orphan girls being educated above their station she was probably the best-educated product of the Female Orphan School in our period.

In 1823 Charity left the school to marry T.E. Nott, a 'writing master' of George Street, Parramatta. When Reddall made his approach she had lost her baby and was free to devote the whole of her time to the affairs of the Female Orphan School. The Notts forwarded an application for the positions of Master and Matron, strongly supported by Reddall and endorsed also by Dr Macleod. This application was ordered to be amended but was never returned to the Notts for that purpose. In November 1824 Mrs Nott again petitioned for the post of Matron, mentioning that she had leave to mention Mrs Hannibal Macarthur and the two Mrs Palmer as referees.³⁰ It seems that despite the support of Reddall and the members of the former ladies' committee named the Notts' application was never seriously considered by the Governor. The Female Orphan School was given to Rev. William Walker, a Wesleyan missionary who was a friend of the Governor and important among his supporters in the struggle with the Botany Bay Tories.

Rev. William Walker

The advent of Rev. William Walker placed the Female Orphan School squarely in the midst of the Colony's political and religious in-fighting. Historians of

30 Last three paragraphs: CSIL, Bundle 22, No.54-89, 1824 (NSWA 4/1775), Petition of Mrs Ch.Nott November 1824.

the important conflict concerning his Mastership have presented him in a generally quite unsatisfactory manner because they have looked at him very largely through the eyes of his antagonist, Archdeacon Thomas Hobbes Scott. In order to see the situation in perspective it is necessary to outline his earlier career in New South Wales to learn something of William Walker the man and to note evidence suggesting that the real causes of conflict were in existence at the time he assumed control of the Female Orphan School.

William Walker, Wesleyan Missionary to the Aborigines and currently Master of the Native Institution at Blacktown, was only twenty-four at the time of his appointment to the orphan school. Nothing is known of his life prior to July 1819 when he was accepted as a candidate for the Wesleyan ministry. He later began to train for the Gambia mission but his health would not permit him to go to West Africa and on 30 August 1820 he was appointed as Missionary to the Aborigines of New South Wales in answer to pleas from within the Colony for such an appointment. Walker arrived from England in September 1821 to begin work as the first missionary of any denomination committed to working with the

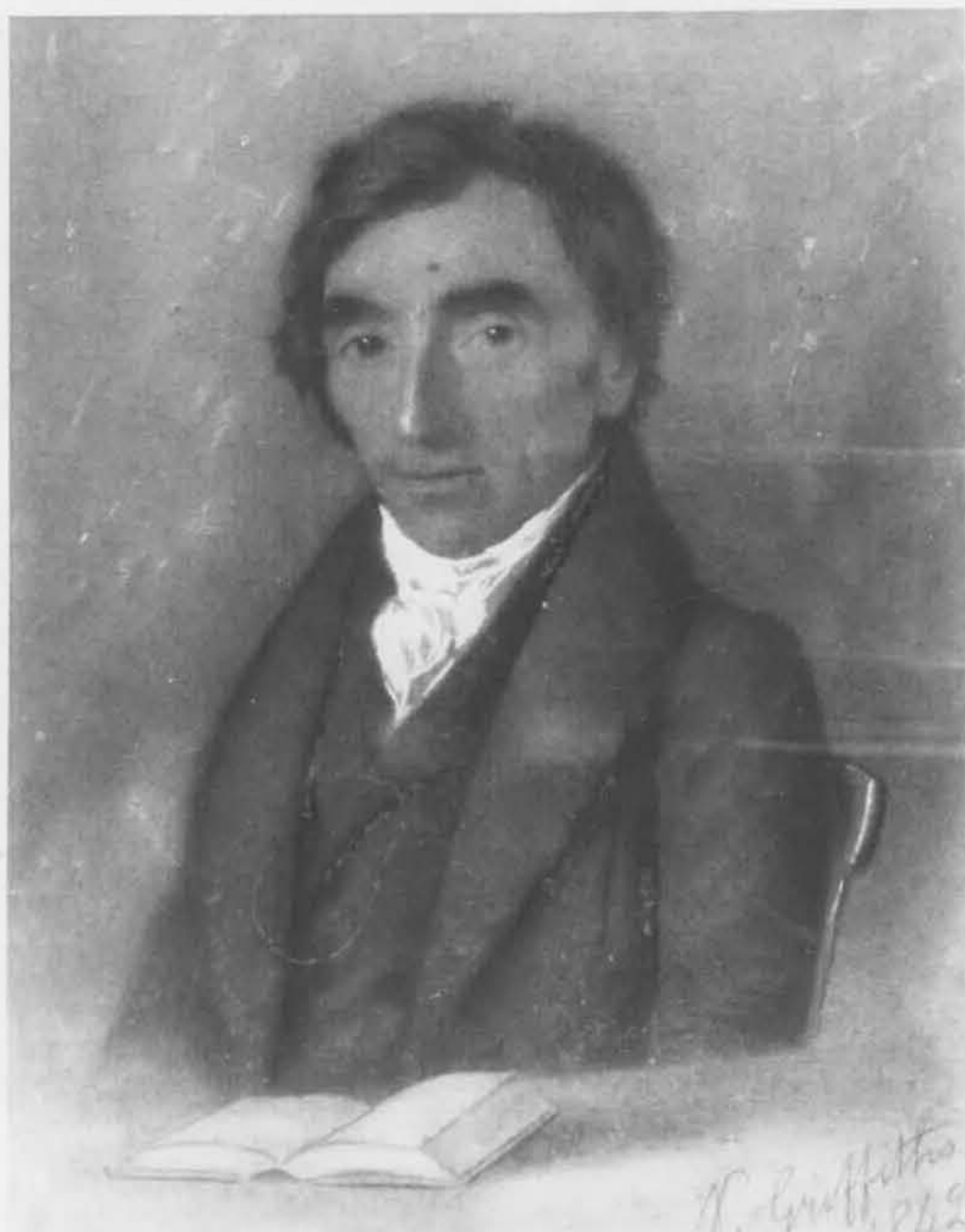
Aborigines as his sole function.³¹

According to historians of the Wesleyan Church Walker was a clever and lively man who was a powerful preacher possessing abilities far above the average.³² He stood well in the estimation of Rev. Richard Watson, the Wesleyan Missionary Society's London secretary, whom he regarded as his best friend.³³ Governor Brisbane considered him the 'best educated man in the colony' and Rev. Joseph Orton, a distinguished missionary and later Superintendent of the Wesleyan Society in New South Wales and Van Diemen's Land, rated him 'most certainly a clever man ... injudiciously managed by those who were placed over him'. Obituary notices affirm the value of his many manuscript writings which were unfortunately destroyed at his request upon his death.

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- 31 For this and succeeding paragraphs on Walker's background see S.G. Cloughton, 'Walker, William (1800-1855)', ADB, Vol.2, pp.566-7. I am here summarising my own manuscript account of Walker's Aboriginal mission which had the benefit of a reading by Rev. Mr. Cloughton at a preliminary stage.
- 32 James Colwell, The Illustrated History of Methodism Australia : 1812 to 1855, Sydney 1904, p.172; G.G. Findlay and W.W. Holdsworth, The History of the Wesleyan Methodist Missionary Society, London 1921, 5 Vols, Vol.III, p.149.
- 33 See generally 'Letters of William Walker', Methodist Missionary Society London, and especially Walker to Watson 19/11/1825. I am indebted to Rev.S.G. Cloughton for access to these documents through the roll of microfilm copies in his possession.

Despite these qualities of mind Walker lacked discretion, perseverance and a clear conception of the problems facing him or a settled plan for approaching them.

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were converted and baptised. This promising beginning

was blighted when the young men sickened and died and

other Aborigines would not follow the example of the first converts.

Later in life Walker converted a few other Aborigines.

These modest successes in the principal missionary

function of proselytising the heathen can be seen in

Walker's Missionary Journal, 1833-1834, pp. 1-100, 101-102, 103-104, 105-106, 107-108, 109-110, 111-112, 113-114, 115-116, 117-118, 119-120, 121-122, 123-124, 125-126, 127-128, 129-130, 131-132, 133-134, 135-136, 137-138, 139-140, 141-142, 143-144, 145-146, 147-148, 149-150, 151-152, 153-154, 155-156, 157-158, 159-160, 161-162, 163-164, 165-166, 167-168, 169-170, 171-172, 173-174, 175-176, 177-178, 179-180, 181-182, 183-184, 185-186, 187-188, 189-190, 191-192, 193-194, 195-196, 197-198, 199-200, 201-202, 203-204, 205-206, 207-208, 209-210, 211-212, 213-214, 215-216, 217-218, 219-220, 221-222, 223-224, 225-226, 227-228, 229-230, 231-232, 233-234, 235-236, 237-238, 239-240, 241-242, 243-244, 245-246, 247-248, 249-250, 251-252, 253-254, 255-256, 257-258, 259-260, 261-262, 263-264, 265-266, 267-268, 269-270, 271-272, 273-274, 275-276, 277-278, 279-280, 281-282, 283-284, 285-286, 287-288, 289-290, 291-292, 293-294, 295-296, 297-298, 299-300, 301-302, 303-304, 305-306, 307-308, 309-310, 311-312, 313-314, 315-316, 317-318, 319-320, 321-322, 323-324, 325-326, 327-328, 329-330, 331-332, 333-334, 335-336, 337-338, 339-340, 341-342, 343-344, 345-346, 347-348, 349-350, 351-352, 353-354, 355-356, 357-358, 359-360, 361-362, 363-364, 365-366, 367-368, 369-370, 371-372, 373-374, 375-376, 377-378, 379-380, 381-382, 383-384, 385-386, 387-388, 389-390, 391-392, 393-394, 395-396, 397-398, 399-400, 401-402, 403-404, 405-406, 407-408, 409-410, 411-412, 413-414, 415-416, 417-418, 419-420, 421-422, 423-424, 425-426, 427-428, 429-430, 431-432, 433-434, 435-436, 437-438, 439-440, 441-442, 443-444, 445-446, 447-448, 449-450, 451-452, 453-454, 455-456, 457-458, 459-460, 461-462, 463-464, 465-466, 467-468, 469-470, 471-472, 473-474, 475-476, 477-478, 479-480, 481-482, 483-484, 485-486, 487-488, 489-490, 491-492, 493-494, 495-496, 497-498, 499-500, 501-502, 503-504, 505-506, 507-508, 509-510, 511-512, 513-514, 515-516, 517-518, 519-520, 521-522, 523-524, 525-526, 527-528, 529-530, 531-532, 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755-756, 757-758, 759-760, 761-762, 763-764, 765-766, 767-768, 769-770, 771-772, 773-774, 775-776, 777-778, 779-780, 781-782, 783-784, 785-786, 787-788, 789-790, 791-792, 793-794, 795-796, 797-798, 799-800, 801-802, 803-804, 805-806, 807-808, 809-810, 811-812, 813-814, 815-816, 817-818, 819-820, 821-822, 823-824, 825-826, 827-828, 829-830, 831-832, 833-834, 835-836, 837-838, 839-840, 841-842, 843-844, 845-846, 847-848, 849-850, 851-852, 853-854, 855-856, 857-858, 859-860, 861-862, 863-864, 865-866, 867-868, 869-870, 871-872, 873-874, 875-876, 877-878, 879-880, 881-882, 883-884, 885-886, 887-888, 889-890, 891-892, 893-894, 895-896, 897-898, 899-900, 901-902, 903-904, 905-906, 907-908, 909-910, 911-912, 913-914, 915-916, 917-918, 919-920, 921-922, 923-924, 925-926, 927-928, 929-930, 931-932, 933-934, 935-936, 937-938, 939-940, 941-942, 943-944, 945-946, 947-948, 949-950, 951-952, 953-954, 955-956, 957-958, 959-960, 961-962, 963-964, 965-966, 967-968, 969-970, 971-972, 973-974, 975-976, 977-978, 979-980, 981-982, 983-984, 985-986, 987-988, 989-990, 991-992, 993-994, 995-996, 997-998, 999-1000, 1001-1002, 1003-1004, 1005-1006, 1007-1008, 1009-1010, 1011-1012, 1013-1014, 1015-1016, 1017-1018, 1019-1020, 1021-1022, 1023-1024, 1025-1026, 1027-1028, 1029-1030, 1031-1032, 1033-1034, 1035-1036, 1037-1038, 1039-1040, 1041-1042, 1043-1044, 1045-1046, 1047-1048, 1049-1050, 1051-1052, 1053-1054, 1055-1056, 1057-1058, 1059-1060, 1061-1062, 1063-1064, 1065-1066, 1067-1068, 1069-1070, 1071-1072, 1073-1074, 1075-1076, 1077-1078, 1079-1080, 1081-1082, 1083-1084, 1085-1086, 1087-1088, 1089-1090, 1091-1092, 1093-1094, 1095-1096, 1097-1098, 1099-1100, 1101-1102, 1103-1104, 1105-1106, 1107-1108, 1109-1110, 1111-1112, 1113-1114, 1115-1116, 1117-1118, 1119-1120, 1121-1122, 1123-1124, 1125-1126, 1127-1128, 1129-1130, 1131-1132, 1133-1134, 1135-1136, 1137-1138, 1139-1140, 1141-1142, 1143-1144, 1145-1146, 1147-1148, 1149-1150, 1151-1152, 1153-1154, 1155-1156, 1157-1158, 1159-1160, 1161-1162, 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1345-1346, 1347-1348, 1349-1350, 1351-1352, 1353-1354, 1355-1356, 1357-1358, 1359-1360, 1361-1362, 1363-1364, 1365-1366, 1367-1368, 1369-1370, 1371-1372, 1373-1374, 1375-1376, 1377-1378, 1379-1380, 1381-1382, 1383-1384, 1385-1386, 1387-1388, 1389-1390, 1391-1392, 1393-1394, 1395-1396, 1397-1398, 1399-1400, 1401-1402, 1403-1404, 1405-1406, 1407-1408, 1409-1410, 1411-1412, 1413-1414, 1415-1416, 1417-1418, 1419-1420, 1421-1422, 1423-1424, 1425-1426, 1427-1428, 1429-1430, 1431-1432, 1433-1434, 1435-1436, 1437-1438, 1439-1440, 1441-1442, 1443-1444, 1445-1446, 1447-1448, 1449-1450, 1451-1452, 1453-1454, 1455-1456, 1457-1458, 1459-1460, 1461-1462, 1463-1464, 1465-1466, 1467-1468, 1469-1470, 1471-1472, 1473-1474, 1475-1476, 1477-1478, 1479-1480, 1481-1482, 1483-1484, 1485-1486, 1487-1488, 1489-1490, 1491-1492, 1493-1494, 1495-1496, 1497-1498, 1499-1500, 1501-1502, 1503-1504, 1505-1506, 1507-1508, 1509-1510, 1511-1512, 1513-1514, 1515-1516, 1517-1518, 1519-1520, 1521-1522, 1523-1524, 1525-1526, 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1891-1892, 1893-1894, 1895-1896, 1897-1898, 1899-1900, 1901-1902, 1903-1904, 1905-1906, 1907-1908, 1909-1910, 1911-1912, 1913-1914, 1915-1916, 1917-1918, 1919-1920, 1921-1922, 1923-1924, 1925-1926, 1927-1928, 1929-1930, 1931-1932, 1933-1934, 1935-1936, 1937-1938, 1939-1940, 1941-1942, 1943-1944, 1945-1946, 1947-1948, 1949-1950, 1951-1952, 1953-1954, 1955-1956, 1957-1958, 1959-1960, 1961-1962, 1963-1964, 1965-1966, 1967-1968, 1969-1970, 1971-1972, 1973-1974, 1975-1976, 1977-1978, 1979-1980, 1981-1982, 1983-1984, 1985-1986, 1987-1988, 1989-1990, 1991-1992, 1993-1994, 1995-1996, 1997-1998, 1999-2000, 2001-2002, 2003-2004, 2005-2006, 2007-2008, 2009-2010, 2011-2012, 2013-2014, 2015-2016, 2017-2018, 2019-2020, 2021-2022, 2023-2024, 2025-2026, 2027-2028, 2029-2030, 2031-2032, 2033-2034, 2035-2036, 2037-2038, 2039-2040, 2041-2042, 2043-2044, 2045-2046, 2047-2048, 2049-2050, 2051-2052, 2053-2054, 2055-2056, 2057-2058, 2059-2060, 2061-2062, 2063-2064, 2065-2066, 2067-2068, 2069-2070, 2071-2072, 2073-2074, 2075-2076, 2077-2078, 2079-2080, 2081-2082, 2083-2084, 2085-2086, 2087-2088, 2089-2090, 2091-2092, 2093-2094, 2095-2096, 2097-2098, 2099-2100, 2101-2102, 2103-2104, 2105-2106, 2107-2108, 2109-2110, 2111-2112, 2113-2114, 2115-2116, 2117-2118, 2119-2120, 2121-2122, 2123-2124, 2125-2126, 2127-2128, 2129-2130, 2131-2132, 2133-2134, 2135-2136, 2137-2138, 2139-2140, 2141-2142, 2143-2144, 2145-2146, 2147-2148, 2149-2150, 2151-2152, 2153-2154, 2155-2156, 2157-2158, 2159-2160, 2161-2162, 2163-2164, 2165-2166, 2167-2168, 2169-2170, 2171-2172, 2173-2174, 2175-2176, 2177-2178, 2179-2180, 2181-2182, 2183-2184, 2185-2186, 2187-2188, 2189-2190, 2191-2192, 2193-2194, 2195-2196, 2197-2198, 2199-2200, 2201-2202, 2203-2204, 2205-2206, 2207-2208, 2209-2210, 2211-2212, 2213-2214, 2215-2216, 2217-2218, 2219-2220, 2221-2222, 2223-2224, 2225-2226, 2227-2228, 2229-2230, 2231-2232, 2233-2234, 2235-2236, 2237-2238, 2239-2240, 2241-2242, 2243-2244, 2245-2246, 2247-2248, 2249-2250, 2251-2252, 2253-2254, 2255-2256, 2257-2258, 2259-2260, 2261-2262, 2263-2264, 2265-2266, 2267-2268, 2269-2270, 2271-2272, 2273-2274, 2275-2276, 2277-2278, 2279-2280, 2281-2282, 2283-2284, 2285-2286, 2287-2288, 2289-2290, 2291-2292, 2293-2294, 2295-2296, 2297-2298, 2299-2300, 2301-2302, 2303-2304, 2305-2306, 2307-2308, 2309-2310, 2311-2312, 2313-2314, 2315-2316, 2317-2318, 2319-2320, 2321-2322, 2323-2324, 2325-2326, 2327-2328, 2329-2330, 2331-2332, 2333-2334, 2335-2336, 2337-2338, 2339-2340, 2341-2342, 2343-2344, 2345-2346, 2347-2348, 2349-2350, 2351-2352, 2353-2354, 2355-2356, 2357-2358, 2359-2360, 2361-2362, 2363-2364, 2365-2366, 2367-2368, 2369-2370, 2371-2372, 2373-2374, 2375-2376, 2377-2378, 2379-2380, 2381-2382, 2383-2384, 2385-2386,

Despite these qualities of mind Walker lacked discretion, perseverance and a clear conception of the problems facing him or a settled plan for approaching them. This is not surprising for he was personally inexperienced and was attempting the first mission to a people, already spoken of as hopeless, who were to defeat all missionary effort for decades to come. His whole Aboriginal mission was in effect a series of probes for a location and procedure which would promise results. He alternated between undue optimism with each new beginning and near despair but it says something for his tenacity of purpose that although he would not persevere with any one scheme he stuck to his mission until dismissed although he disliked the Aborigines' appearance and never overcame his revulsion for their habits.

For a time Walker conducted a mission house at Parramatta where he tutored a small group of Aboriginal youths whom he named after prominent Wesleyan divines. Two of these, including the son of the renowned Bennelong, were converted and baptized. This promising beginning was blighted when the young men sickened and died and other Aborigines would not then come near the house. Later in life Walker converted a few other Aborigines. These modest successes in the principal missionary function of proselytising the heathen can be seen in

their proper light only when it is realized that Walker alone among missionaries in Eastern Australia in the first half of the nineteenth century appears to have made a convert.³⁴

On 14 May 1823 Walker married Elizabeth Cordelia Hassall, daughter of the former Friendly Islands missionary Rowland Hassall. Elizabeth's sister Mary had earlier married Rev. Walter Lawry, another Wesleyan missionary, who had offended Rev. Samuel Marsden by opening a Sunday School in Parramatta and had been disciplined by his society for offending the chaplain. Her brother Thomas, an Anglican clergyman, was both curate and son-in-law of Marsden. In a most ungallant apology for the momentous step of marriage Walker reported that medical opinion had ruled out his transfer to Africa or a sea voyage to England to obtain the wife who was necessary to his preserving an inviolable character. Eliza's connections fitted her for the role and she was approved by Walker's colleagues.³⁵ By late 1824

34 I make this claim for Walker after investigating each mission up to 1855. Other than Walker only Assistant Protector of Aborigines Edward Stone Parker appears to have made genuine converts in this period. Walker's conversions were independently attested.

35 Letters of William Walker, Walker to Secretaries, Wesleyan Missionary Society 15/5/1823; BT Box 52, Missionary series, p.1283, Rev. N. Turner to Secs WMS 23/6/1823, Wesleyan Methodist Missionary Society, Instructions Book, Vol.I, From Jan. 17, 1821, to (1826) (DL MS Q2), p.55, Sub-Committee on Finance, 2/10/1823, approves marriage.

the Walkers were parents.³⁶

William Walker's Wesleyan missionary colleagues in New South Wales and the governing General Committee in London showed little interest in his work³⁷ and they and the missionaries in India all depressed him with their pessimism concerning the wisdom of attempting to do anything for Aborigines.³⁸ He worried continually about the expenditure of public money without visible results and came to despair of any success short of continued effort over a great length of time.³⁹ The colonists took little interest in his work and the contribution of £500 in three years from his own pocket in order to maintain four blacks and a young colonial-born assistant, John Harper,⁴⁰ was the only substantial donation and one

36 CSIL, Bundle 27, Jan.-Mar., 1825 (NSWA 4/1785), letter 73, F. Walker to Sweetman 29/1/1825.

37 Letters of William Walker, Walker to Secretaries, WMS 2/6/1823 and 17/11/1823.

38 Letters of William Walker, Walker to Watson 19/11/1825, Walker to Morley 2/10/1825. See generally Walker's letters and his recapitulation of letters received in this collection and in BT.

39 BT Box 53, Missionary, pp.1370-2, Walker to Secs. WMS 26/1/1824.

40 BT Box 53, p.1690, Walker to Watson 4/9/1826.

which constituted a sizeable proportion of his budget.⁴¹

Blacktown

The Wesleyan missionaries became convinced that the only plan which offered any hope of success was a seminary for maintaining a number of select youths -but this involved a duplication of the Government's Native Institution at Blacktown⁴² with which Walker would have to compete for the already too few pupils offering. The Missionary to the Aborigines was urged by his brethren to resolve this problem of duplication by offering himself for the Mastership of the Native Institution. He later claimed to have consistently objected to doing so⁴³ but he twice attempted to obtain the position. This brought him into conflict with the Anglican supremacy. Marsden was determined to prevent his appointment.

41 For example in 1824 Walker's personal contribution was $\frac{1}{3}$ of his expenditure : Letters of William Walker, Walker to Watson 7/2/1825.

42 Wesleyan Missionary Society, London, General Committee Minute Book 1822-29, p.90, 8/10/1823.

43 Letters of William Walker, Walker to Secs. WMS 27/1/1825.

When Sir Thomas Brisbane became Governor he appointed Marsden to the committee for the Native Institution⁴⁴ which he dominated for the rest of its existence. Early in 1823 Rev. Richard Hill Sent to the secretaries of the Church Missionary Society

extracts from the Minutes of the Committee of the Native Institution in order that you may perceive how far the Institution is become identified with the C.M.S.⁴⁵

Walker noticed that with the renewal of Marsden's long dormant interest in native affairs the Anglican chaplains Cartwright and Cowper, whom he had been instructed to consult and had found encouraging, cooled and seemed to become hostile to his efforts.⁴⁶

Both of Walker's offers to fill the Mastership of the Native Institution were turned down by the Marsden-dominated committee. The appointment was offered to him on the first occasion but the offer was later withdrawn on the grounds that he was single and a Wesleyan. On the second occasion he had his 'inviolable character' as a married man, leaving his Wesleyan affiliation as

44 Rev. Samuel Marsden, An Answer to Certain Calumnies in the Late Governor Macquarie's Pamphlet, and the Third Edition of Mr. Wentworth's Account of Australia, London 1826, p.70.

45 Church Missionary Society Records, London, (ML FM4/1492), CN/02, Letters of C.C. Secretary to Home Secretaries, Part (b) Hill to Secs. CMS 18/2/1823.

46 BT Box 5I, pp. IO7I-3 , Walker to Watson 9/I/1822

the objection to him.⁴⁷

When Brisbane abolished the committees for the orphan schools and Native Institution the way was clear for him to appoint Walker to the vacant Mastership of the Native Institution at Blacktown on a one year trial. If after one year the results did not meet the expectations of the committee the black children were to be placed in the orphan schools. Walker then believed that should this happen the Aborigines would be disregarded for the children would not remain in those schools.⁴⁸

In August 1824 the Walkers had only seven children : two boys and five girls, two of whom were half castes, but he was making some progress with them. The Wesleyan missionary William Horton reported after a visit that

They read tolerably well and repeated portions of the Scripture and hymns which they had committed to memory - Their needle-work was executed very neatly.⁴⁹

However, contrary to Walker's hopes, the proximity of other Aborigines made the children very unsettled and by October all of the girls had escaped into the bush.⁵⁰

47 Church Missionary Society Records, Hill to Secs. CMS 18/2/1823; BT Box 53, p.1372, Walker to Secs. WMS 26/1/1824.

48 BT Box 53, p.1401, Walker to Watson 13/3/1824; Letters of William Walker, Walker to Secs. WMS 17/2/1824.

49 BT Box 52, p.1361, Rev.W.Horton's Journal 30/8/1824.

50 Rev.Daniel Tyerman and George Bennet, Journal of Voyages and Travels, London 1831, 2 vols, Vol.II, p.160, (9/10/1824).

In this month the missionary's intention of regarding the Blacktown experience as another failure and again adopting a new approach to his mission is indicated by reports that he was having Harper inspect Wellington Valley and considering an inspection of Moreton Bay for their suitability as mission sites.⁵¹ At this stage he saw the Blacktown settlement as nothing more than a means for wasting considerable sums of public money and his own. Late in October he offered the Colonial Secretary his and his wife's services for the Female Orphan School until someone proper could be found to take charge. The offer was 'highly approved' and the appointment provisionally confirmed by Governor Brisbane.⁵² Later their emoluments were set at the same as the Sweetmans had received.⁵³

51 SG, 21 October 1824.

52 Letters of William Walker, Walker to Secs. WMS 27/1/1825; CSIL, Bundle 27, Jan.-Mar., 1825, No 110, Sweetman to Committee 17/2/1825 (copy). The Colonial Government instructed Dr. Douglass in England to seek the appointment of a clergyman to superintend the orphan schools. In February 1825 Douglass recommended Rev.E. Groves but Lord Bathurst declined to sanction the idea of sending out a clergyman for the purpose: HRA, Vol.XI, p.523, Horton to Brisbane 13/2/1825, enclosing Douglass to Horton 10/2/1825.

53 CSIL, Bundle 27, April-June, 1825 (NSWA 4/1786), No.26, Goulburn and Reddall to Brisbane 5/4/1825, No.27, Walker to Committee 4/4/1825.

The Orphan School 'experiment'

Despite the apparently complete failure of the Walkers at Blacktown Governor Brisbane insisted that he was pleased with their efforts. He informed Lord Bathurst that:

Such success had attended the measures they had adopted to effect the civilization of these children, that I felt convinced they were particularly adapted to engage in an enlarged sphere of Tuition. I was anxious also to try the experiment of the white and black Natives of this Colony imbibing their earliest intellectual and religious ideas under a common roof.⁵⁴

Whether this idea was not rather that of the Colonial Secretary, Major Goulburn, might be brought into question. P. Cunningham, writing in the mid-'twenties, says that the Major 'when he had the direction of colonial affairs' saw the disadvantages of allowing the children, who had progressed favourably until the age of puberty, to be under native influence and return to native ways when freed from thralldom. It was his solution to substitute white persons and the whites' ideas as the predominant influence by breaking up the Institution and quartering the native children in the two orphan schools.⁵⁵

54 HRA, Vol.XI, p.864, Brisbane to Bathurst 3/10/1825.

55 P.Cunningham, Two Years in New South Wales, London 3rd edn. 1828, 2 vols, Vol.II, p.45; Supreme Court Papers (NSWA 1161), 68A, Memo. by Rev.William Cowper for Mr Justice Burton 1838.

It is more than a possibility that this theorizing was motivated primarily by the pressing need for someone to assume the responsibility for conducting the Female Orphan School and to justify the selection of the Wesleyan Walker to the Colonial Office and the virtual abandonment of his missionary function to the Wesleyans.

The Walkers moved into the Female Orphan School with the few Aboriginal girls then in their care at the beginning of January 1825.⁵⁶

Walker suspended by Wesleyans

The move had very serious consequences for William Walker. He emerged from the annual District Meeting of his society, held 3 to 6 January, under suspension for having left Blacktown for the Female Orphan School without the direction or even the sanction of the missionaries by a resolution of the District Meeting, thus breaching discipline, and for having at the meeting refused to make himself amenable to discipline.⁵⁷

There is an important conflict in accounts of the part played by the Superintendent of the District, Rev. George Erskine. Walker was vehement in his assertion that the move was made with the knowledge and consent of Erskine; that Erskine had approved saying 'I see no

56 BT 53, pp 1470-2, Walker to Watson 7/2/1825.

57 Letters of William Walker, Minutes of the New South Wales District Meeting held at Sydney by Adjournment, on the 3rd, 4th, 5th, & 6th Jan.^y 1825.

objection against you taking it, if Govt. will allow you to take the Black children'. When Walker had replied that he would not give up the blacks on any account but was assured that the Government would keep as many natives as he could procure Erskine had said, 'Then I see no objection at all'.⁵⁸ Erskine labelled this version a 'silly plea', alleging that Walker had been counselled by him and by the other brethren not to take the orphanage, but had refused to be guided.

Walker was heard in explanation by the Meeting and in consideration of his youth given the opportunity of placing himself in the hands of the Meeting which at the same time insisted that he resign the Mastership of the Female Orphan School, although he might stay until 31 March so that time would be allowed to find a replacement. When he refused he was suspended and offered his passage home to England to argue his case on appeal to the General Committee, provided he left by the first suitable means.⁵⁹ Walker rejected this as a foolish waste of public money⁶⁰ and was then deprived, by a condition of the offer, of all assistance from the Society's funds.⁶¹

58 Letters of William Walker, Walker to Secs. WMS 27/1/1825. See also Walker to Morley 19/12/1825.

59 Last paragraph and a half : Letters of William Walker, Erskine to Secs. WMS 19/1/1825.

60 Letters of William Walker, Walker to Secs. WMS 27/1/1825.

61 Letters of William Walker, minutes.

The Meeting was inclined to characterize Walker's suspension as a withdrawal from the work on his part⁶² and in explanation and justification of its proceedings painted a picture of him as a very difficult but not altogether unpromising young man who had been allowed 'unusual forbearance, kindness and faithfulness'.

He was often addressed by his senior brethren in a strain that disclosed the utmost fidelity and affection. But to the great grief of all his colleagues in the District he never shewed any permanent amendment. Trifling, precipitancy, worldliness, and want of stability and perseverance of the object of his Mission, were subjects of continual complaint.⁶³

The committee of Wesleyans appointed to assist his mission had passed a resolution 'animadverting (sic) on the aberrations of his conduct' which he received in such a manner that the committee had to be dissolved to protect him from further proceedings.⁶⁴ The minutes assert that more could be alleged against him. Erskine in a letter particularized one further charge : his 'improper trifling and unbecoming freedom with females' which added to his general lowering of the dignity of his office.⁶⁵ Marriage had not, after all, preserved William Walker's character for it seems he had taken up

63 Letters of William Walker, minutes.

64 Letters of William Walker, minutes.

65 Letters of William Walker, Erskine to Secs.
WMS 19/1/1825.

the licentious practice of bestowing brotherly kisses on such women as his wife's sisters.⁶⁶

Walker believed that it was an honour to the Wesleyan Missionary Society that the Government had had to fall back on a Wesleyan to help it out of its predicament with the orphan school⁶⁷ but his brethren considered that he had lowered himself by accepting.⁶⁸ Walker represented himself as having been led into error by accepting Erskine's guidance. He had 'attempted to get honourably out of the dilemma, by wishing to assist Bro Leigh in his Parramatta duties'.⁶⁹ As he was sticking to his post at the Female Orphan School he was unduly optimistic in hoping for acceptance of this proposal. In May 1825 he was 'severely rebuked' for preaching for Leigh when the latter was ill.⁷⁰

Governor Brisbane came to Walker's aid and asked to see Erskine so that he might express his sorrow if any

66 Letters of William Walker, Walker to Watson 19/11/1825.

67 Letters of William Walker, Walker to Secs. WMS 27/1/1825.

68 BT Box 53, p.1472, Walker to Watson 7/2/1825.

69 Letters of William Walker, Walker to Morley 19/12/1825.

70 Letters of William Walker, Walker to Morley 19/12/1825, Claughton, 'Walker'.

of the Society's government or arrangements had been interfered with and to ask that Walker be allowed to stay until the General Committee's pleasure was ascertained. Erskine avoided the interview⁷¹ although it was afterwards claimed that Erskine and Rev. Benjamin Carvosso later saw the Governor and explained the situation to his satisfaction.⁷² Walker tendered his resignation from the Mastership of the Female Orphan School but Brisbane in a personal reply expressed satisfaction with the good he had done and declined to accept it.⁷³

Included in the resolution suspending the young missionary was a request that by 1 February he hand over all mission property and £stg.40, the cost price of a mare purchased for his use in the mission but which he was alleged to have used as a brood mare.⁷⁴ This request led to a protracted correspondence in which an intransigent Walker did not show to the best advantage and cannot have helped his cause. He returned unopened the copy of the resolutions forwarded to him and reaffirmed the stand that he had taken in 1823 of refusing to make himself answerable to anyone other than the General

71 Letters of William Walker, Walker to Secs. WMS 27/1/1825.

72 Hassall Correspondence, Vol.3 (ML A1677-³), pp.1611-3
Horton to Hassall 22/11/1825.

73 Letters of William Walker, Walker to Morley 19/12/1825.

74 Letters of William Walker, minutes.

Committee for property or accounts. He had also neglected to pay the local treasurer two sums dating back to 1823. Eventually he handed over the furniture but steadfastly refused to pay the money⁷⁵ although his monetary contributions to the Society greatly outweighed any alleged indebtedness. This behaviour in connection with accounting for his stewardship was to be repeated when he left the orphanage.

Progress of Aboriginal girls at Female Orphan School

Walker avowed a determination to give up the orphan school the moment reason or experience showed that his mission to the blacks could not be carried on successfully there. By late January he was confident that the Aboriginal children were where the most good could be done for them,⁷⁶ they were happy and showed no disposition to run away into the bush and he felt able to claim that the bulk of the colonists shared his optimism that raising them with white children would have the happiest result.⁷⁷

Colonial Secretary Goulburn felt that Walker would achieve a success which would prove the Wesleyan

75 Letters of William Walker, Walker to Carvosso 11/1/1825, William Horton, District Treasurer and Accountant - Financial. Letter to Secs. WMS 7/2/1825, District Despatch No.44, 20/9/1826, including copies of correspondence from 6/4/1826.

76 Letters of William Walker, Walker to Secs. WMS 27/1/1825.

77 BT Box 53, pp.1471-2, Walker to Watson 7/2/1825.

missionaries wrong before they could receive a decision from England on their suspension of him. Walker certainly hoped for this and the hope was encouraged when Rev. Samuel Leigh, who had voted in favour of the suspension, visited the school and was led by what he saw to confess: 'You are likely to be more useful than ever you were. You never had such a field open before you'.⁷⁸

In November Walker declared that although the results of his mission were not flattering he had destroyed the feeling which had generally prevailed that nothing could be done for the blacks. At that time the Walkers had nine young Aborigines, to whom they had imparted domestic habits and the girls were capable of discharging any domestic duty. Seven could read the scriptures and some of them 'manifest a regard for God'.⁷⁹

78 BT Box 53, pp.1471-2, Leigh quoted at p.1472.

79 Letters of William Walker, Walker to Secs.
WMS 19/11/1825.

Hiring of Richard and Mary Broadbear

Shortly after taking office Walker reported to Colonial Secretary Goulburn that there was not a single domestic appointed to the Female Orphan School and that his wife could not handle so many children (well over a hundred) without a woman to assist her. He knew a married couple who were fit for the job and whom he believed he could engage. Goulburn agreed to allow a ration for a couple but refused to make any order for wages. The couple concerned were two elderly, recently freed, ex-convicts Richard and Mary Broadbear, who were living on their small farm a few miles from Parramatta. Walker sent for Broadbear and asked him what terms he required for him and his wife to come to the orphanage. They demanded £40 per annum but when Walker made it clear that he would have to find their wages out of his own pocket and could only afford £25 per annum they agreed to work for him;

observing that they would not serve under the Government of any one else in that Institution for that Sum, and expressly stipulating that they would remain at the Institution no longer than (Walker) did.⁸⁰

80 HRA, Vol.XIII, Report of proceedings Broadbear v James Macarthur and others, p.330, Walker's evidence, p.345, Scott's evidence, pp.354-5, Report of the Proceedings on the complaint of the Venerable The Archdeacon against Richard Broadbear and Wife.

Broadbear performed general labour about the school.⁸¹ Mrs Broadbear, who was the person really needed, served as housekeeper and nurse. About six weeks after she commenced duty Goulburn and Reddall called and were shown the improvements which had been effected in curing the girls' sore heads and the clothes for the children which Mrs Broadbear had made. Goulburn said 'Mr Walker shan't be out of Pocket by them' and the Government subsequently paid the Broadbears salary at £25 per annum for the first quarter and £30 per annum thereafter.⁸²

In June 1825 the staff had increased to Mr and Mrs Broadbear, seven male servants, a laundress, a female cook and two teachers, formerly girls of the school : a total of thirteen.⁸³

Lack of effective supervision

In December 1824 Lord Bathurst wrote to inform Governor Brisbane that Rev. Thomas Hobbes Scott had been nominated to a new archdeaconry in the colony of New South Wales and that it would be one of his first duties to

81 HRA, Vol.XIII, pp.323-4, Statement of the Reverend Archdeacon Scott 19/3/1827.

82 HRA, Vol.XIII, p.327, Walker's evidence.

83 FOS Cash Vouchers (NSWA 4/7493), Servants Wages 31/6/1825. Teachers were listed as servants. See HRA, Vol.XIII, p.353, for list of servants 31/12/1825.

exercise on His Majesty's behalf the power of Visitor of all schools maintained by the public revenue.⁸⁴ The arrival of Scott in May 1825 left Reddall as Director-General and the committee for the orphan institutions in a position which was at best abmiguous. The three-man committee faded away. Edward Sweetman resigned the secretaryship when he resigned the Mastership of the Male Orphan School at the end of April 1825. Goulburn resigned and when Douglass also tendered his resignation leaving Reddall to constitute the committee the latter put an immediate end to this farcical situation by submitting his resignation also in November 1825.⁸⁵

Scott as Visitor was then left alone to exercise such inspectorial functions as were performed over the orphan schools until the issuing of the Charter for the Church and Schools Corporation and the establishment of its deliberative bodies in April 1826. Walker's legal challenge to Scott's right to exercise the powers of the office of King's Visitor, discussed below, occupied most of this intervening period and severely limited supervision of the Female Orphan School.

Scott reported that when he left the colony after his first visit as Bigge's secretary the orphan schools

84 HRA, Vol.XI, p.419, Bathurst to Brisbane 21/12/1824.

85 CSIL, Bundle 27, Oct.-Nov.,1825 (NSWA 4/1788), No.112, Reddall to Brisbane 8/11/1825.

were placed on a very excellent footing, and were bidding fair to send forth to the Colony a number of young persons, whose habits of industry and morality would have proved the utility of those foundations and their example would have operated strongly on others.⁸⁶

On his return he found the schools to have been shamefully perverted and in a deplorable condition. The children who

ought now to be well versed in those habits of industry and morality, are, at the age of 16 and 17 years, idle, profligate and immoral in the greatest degree.⁸⁷

A new code of 'General rules for the Female Orphan House' was promulgated, apparently soon after Scott's arrival, over the signatures of Sir Thomas Brisbane as Governor, Ven. T.H. Scott as Visitor and Rev. William Walker as Master.⁸⁸ This code is undated and survives only because a copy was transmitted to England as an enclosure to a despatch. It seems certain that it was paralleled by a new set of rules for the Male Orphan School and that Governor Macquarie's regulations were thus superseded in mid 1825.

The Parramatta Grand Jury

In 1825 and 1826 the experimental Parramatta Grand Jury paid four visits of inspection during its Grand

86 HRA, Vol.XII, p.312, Report on the Church and School Establishments by Archdeacon Scott, 1/5/1826.

87 HRA, Vol.XII, pp.312-3, quoted at p.313.

88 HRA, Vol.XII, pp.281-2.

Inquisition into public concerns in and around Parramatta.

On the first occasion, early in 1825, the Sydney Gazette commented that 'One might be allowed to question how far any Grand Jury have right ex-officio, to investigate such Institutions as the Orphan'.⁸⁹ Colonial Secretary Goulburn and Director General Reddall, perhaps aware of the deplorable state into which the orphan schools had fallen since coming under their direction, were concerned that the right of inspection should not be conceded while at the same time anxious 'that Gentlemen of their respectability should be assisted in every way in making the most detailed investigation into the management of the female Orphan School'. They wrote in haste to Walker telling him to 'render to them chearfully the rights of hospitality' with refreshments despatched for the purpose from Sydney, along with the instructions. Walker was also to

embrace an opportunity of expressing to them our sense of the honor that their visit confers on the Establishment, and the sorrow which we feel that the pressure of public business deprives us of the gratification of being ourselves at the Orphan School to receive them.⁹⁰

89 SG, 3 March 1825

90 CSOL, Letter Book No.25, Miscellaneous Persons 1824 to 1825 (NSWA 4/3513), p.489, Goulburn and Reddall to Walker 1/3/1825.

Clearly Goulburn and Reddall saw the Grand Jury as something of a threat which could not well be excluded from the school and must perforce be handled with diplomacy.

The visit, followed as it was by a public report, served the useful purpose of letting the public know the state of the institution. Neither Walker on the one hand nor Goulburn and Reddall on the other can have welcomed the finding

that the Master appeared to possess great influence and power, and but little subject to the necessary controul and governance of the present Committee,⁹¹ whose visits to the school have not been frequent.

A second visit in August 1825 resulted in a favourable report on progress and looked to beneficial results from the new set of rules.⁹²

In April 1826 the Grand Jury again visited but as the then Master, Rev. John Espy Keane, had been in his appointment only five days the jury refrained from 'presenting the disorderly state of that Institution'.⁹³ On the next occasion of a visit, six months later, Keane told the jurymen that the Grand Jury had no control over

91 SG, 3 March 1825

92 SG, 25 August 1825, Report of Parramatta Grand Jury 15/8/1825.

93 SG, 12 April 1826.

the institution and could not lawfully interfere with its internal arrangements. Whether he took this stand on his own initiative or upon Scott's instruction is not known, although the latter seems likely. Keane provided refreshments and assigned a constable and a female attendant to guide the visitors through the buildings and retired to dress more formally. When he returned he found that the jurymen had taken umbrage and left.⁹⁴

Political background to Scott-Walker feud

When Archdeacon Thomas Hobbes Scott arrived to head the Colony's Church establishment it was probably about as inevitable as anything can be in human affairs that William Walker would have a great deal of trouble with him. Both men's careers were marked by a ready combativeness and tenacity in disputation. Scott's Tory political beliefs and conviction that the Church of England must have complete control of State-supported religion and

94 SG, 14 October 1826. Scott was always very sensitive about any resistance to or encroachment upon his powers as King's Visitor. The Parramatta Grand Jury was in the hands of the socially and politically conservative Parramatta Party headed by the Macarthurs who used it against the liberals: see C.H. Currey, Sir Francis Forbes: The First Chief Justice of the Supreme Court of New South Wales, Sydney 1968, pp.153-62, 184. One is tempted to see undertones of political motivation in the reports on the Orphan School in the criticism of the liberal Governor's appointees in March 1825; the praise of Scott, a member of the conservative faction, in August 1825; and the implied criticism of the liberal Walker in April 1826.

education were opposed to Walker's political liberalism and adherence to Wesleyanism. It is important to notice that Walker did not oppose the Anglican ascendancy : he had assumed the Mastership on the basis that he was to serve only 'till a Clergyman from England could be sent for'.⁹⁵

Recognition of the deep involvement of Walker and Scott on opposing sides in the political conflict of the time is necessary to an understanding of the relations between the two. The Brisbane administration had come under attack from a group of 'pure merino' Tories led by Marsden and Hannibal Macarthur which has been dubbed the Parramatta Party.⁹⁶ According to Walker Marsden had set himself up as

95 Letters of William Walker, Walker to Secs. WMS 27/1/1825. Ronald J. Burns, 'An Evaluation of Archdeacon Scott and the Work of the Church and Schools Corporation under his Administration', B.A. Honours thesis, University of Sydney 1958, p.70, cites Scott's friendly relations with the Presbyterian Rev. James McGarvie as evidence that 'Scott was not prejudiced against a man because of his religion'. However, see Rev. James McGarvie, Memorandum Book 1st Oct^r 1829 - (ML C254), 29/10/1829 where amidst caustic remarks on Scott he says that to Presbyterians 'as a body he was a mortal enemy and a most rancorous foe'. Scott 'was a petty narrow minded unfeeling man' who was 'disliked by the Clergy - hated by the People feared by his favourites and ridiculed by the community'. I am indebted to Mr. Kelvin Grose for drawing my attention to this reference.

96 Currey, Sir Francis Forbes, references indexed under 'Parramatta Party'.

the primum mobile of every movement in the country and ... whatever was done without his privity and sanction was consequently done improperly.⁹⁷

Archdeacon Scott on arrival destroyed his public credit by identifying openly with this unpopular faction.

The Wesleyan missionaries also lent their influence to the Marsden-Macarthur faction⁹⁸ and this was an important cause of Walker's bad relations with his missionary colleagues. The Wesleyan Missionary Society held Marsden in high esteem and he occasionally sat on its governing committee when in London. Stress was laid on the colonial missionaries not offending him or any of the Anglican clergy. In fact a rather servile attitude was enjoined and Erskine was describing what he deemed good relations with the Establishment when he wrote of Scott being affectionately condescending to the Wesleyan missionaries.⁹⁹ Walker's prominence in the liberal party was an embarrassment to his colleagues in their pursuit of this policy. He retorted that if he was accused of opposing Marsden he might accuse his brethren of being Marsden's friends:¹⁰⁰ and undoubtedly he was correct in

97 BT Box 53, p.1598, Walker to General Committee 1/2/1826.

98 BT Box 53, p.1599

99 BT Box 53, p.1511, Erskine to Sec.WMS 1/7/1825. See J.D. Bollen, 'A Time of Small Things - The Methodist Mission in New South Wales, 1815-1836', The Journal of Religious History, Vol.7, No.3, June 1973, p.239.

100 BT Box 53, p.1600, Walker to General Committee 1/2/1826.

his assessment of Scott and Marsden as being no true friends of Methodism.¹⁰¹ Scott made his disdain for Dissent evident by generally denying Walker the courtesy of the prefix 'Reverend'.

Walker pointed to his political differences with his fellow missionaries as the underlying cause of their, as he saw it, seeking a pretext to find him guilty of non-compliance with the general Committee's conditions for reinstatement and their unanimous dismissal of him at the January 1826 District Meeting.¹⁰² There were other factors, including their well-founded belief that, with all the brash confidence of youth, he was 'writing statements against them' to England criticizing them in religious matters¹⁰³ but by the beginning of 1826 it does seem certain that the Wesleyans had to repudiate Walker completely if they wished for continued good relations with the Archdeacon and Principal Chaplain.

In Walker's eyes Governor Brisbane was 'a moral and political blessing to the Colony'. He regarded both

101 BT Box 53, pp.1575, 1577, Scott to (Bishop of London) 9/1/1826; Diary of Rev. W. Lawry (ML A1973), pp.129-30.

102 BT Box 53, p.1583, Mansfield to Scott 10/1/1826, pp.1598-1601, Walker to General Committee 1/2/1826, Wesleyan Methodist Missionary Society District Minute Book, Vol.II, 1826-27 (DL MS Q3) pp.45-7.

103 Letters of William Walker, Walker to Watson 22/12/1825. See these letters generally, especially Walker to Watson 26/1/1824.

Brisbane and Goulburn as good friends and very warm supporters of his endeavours and he laid the blame for the differences between the Governor and his Colonial Secretary at the door of the clergy.¹⁰⁴ His commitment to the liberal Brisbane was clear. He told his superiors in London: 'I avow to you that I have met single-handed Mr. M's faction under all the circumstances and at every turn of their manoeuvres (sic)' and while he had tongue to speak or hand to write Marsden and his faction would never insult the Government with impunity.¹⁰⁵

Walker's leading part in the verbal defence of the liberal side was acknowledged in a letter published in The Times of London, purporting to be dated from the Colony on 26 January 1826, at the height of Walker's battle with Scott, and described by the Sydney Gazette as the 'grossest imposition'. This letter asserted that:

The Female Orphan School, which the Czar (Goulburn) took off the hands of certain trustees, with whom it was legally invested, has been, and still is, in a lamentable state. It is now under the control of an apostate Jew,¹⁰⁶ who, with the other parties, is author of those impudent letters in the Sydney Gazette, addressed in a tone of happy familiarity to Lord Bathurst.

104 BT Box 53, pp.1598-9, Walker to General Committee 1/2/1826

105 BT Box 53, p.1600, Walker to General Committee 1/2/1826.

106 This is a reference to the charges of worldliness levelled against Walker because he inherited property through his marriage contrary to Wesleyan rules which required missionaries to have no such distractions. The charges were baseless. It was this property which gave him the means to contribute so heavily to his mission and to hire the Broadbears.

Those letters are published with the sanction of Government, and contain the grossest libels on every man of Character and consideration connected in any way with the colony. To prosecute the authors, or publisher, would be to place individual means in competition with the colonial fund.¹⁰⁷

Archdeacon Scott for his part accused Governor Brisbane of attempting his ruin and of using Walker to libel him. He accused Walker of planning to use Brisbane's influence to have himself ordained and placed in his stead as Anglican Archdeacon. The missionary was allegedly also claiming the Bishop of Chester's patronage.¹⁰⁸ It is difficult to know what to make of this preposterous suggestion that Walker was seriously thinking of displacing Scott. Marsden's daughter, Ann Hassall wrote 'Mr. W - says he thinks he shall be able to get the Archd. turned out of his place',¹⁰⁹ and

107 SG, 2 May 1827. Walker played a prominent part in the composing of the series of nine letters signed 'Philo Umbra' published in the SG from 4 August 1825 to 20 Oct 1825. Scott observed that Walker was 'much more' attentive to the public & political cabals carried on in this Colony than to his own duties': BT Box 53, p.1574, Scott to (Bishop of London) 9/1/1826.

108 BT Box 53, pp.1573, 1577 (p.s.) Scott to (Bishop of London) 9/1/1826.

109 Hassall Correspondence Vol.2 (ML A1677⁻²), pp.1496-7, Ann Hassall to Rev. T. Hassall. As this was a private communication the writer had no motive for invention.

the Wesleyans repeated Scott's charge in their report on their dismissal of Walker.¹¹⁰ Did Walker really entertain such a crazy idea, or did he make some remark in jest which provided a basis for the story? The Wesleyan missionaries complained of the excessive levity of his conversation.¹¹¹ All three statements come from his enemies and may have flowed from a single source. There is nothing else to suggest that there was any truth in the assertion.

In 1822 the Parramatta Party had launched an attack on Dr. Henry Grattan Douglass, another of the Governor's party, in the course of which they made allegations against him which were not proven to the satisfaction of an inquiry set up to look into them and misused the Parramatta Bench which they controlled as a weapon against him.¹¹² It will be seen that in these respects Walker's experience at the hands of the Parramatta Party paralleled Douglass'.

Archdeacon Scott's complaints about Walker's performance

On 13 June 1825 Archdeacon Scott inspected the Female Orphan School in company with Governor Brisbane and found a number of the children afflicted with a cutaneous

110 Wesleyan District Minute Book, Vol.II, p.46.

111 Wesleyan District Minute Book, Vol.II, p.46.

112 C.M.H. Clark, A History of Australia : II : New South Wales and Van Diemen's Land 1822-1838, Melbourne 1968, pp.24-6; Currey, Sir Francis Forbes, references indexed under 'Douglass'.

disease which Walker said had existed for some time. Brisbane, with Scott's concurrence, ordered all the afflicted children to be placed in a room by themselves to prevent infection, and Scott called upon the Medical Attendant, Assistant Surgeon Allen, to report immediately on when the disease first appeared, whether it was contagious and what remedy he proposed.¹¹³

When writing another account of this visit in the full bitterness of his later conflict with Walker Scott's account attained a heightened severity. He found the children

covered with the Itch and Scald heads, which had been shamefully neglected; and upwards of 120 children were so affected with it, that the course of tuition, both in the school and domestic economy, was for a long time obliged to be abandoned.¹¹⁴

Significantly there is no indication that Brisbane was dissatisfied with Walker's performance, it was Surgeon Allen with whom responsibility for the children's health lay primarily, and in August the Parramatta Grand Jury found 'much cause for satisfaction in the manifest improvement of the children, both in health and education'.¹¹⁵

In November 1825, shortly after their antagonism turned to open conflict, Scott complained that Walker

113 Scott's Letter Book No.I, p.31, Scott to Allen 14/6/1825.

114 HRA, Vol.XII, p.313, Report on Church and School Establishments by Archdeacon Scott 1/5/1826.

115 SG, 25 August 1825.

opposed his own opinion to the agreed opinion of the attendant surgeon and the Principal Surgeon in a medical matter, differed with him over the arrangement of the buildings which permitted constant exposure of the girls to the workmen employed about the place, and allowed a lack of 'the Minute cleanliness in which such an Institution ought to be found'. He was 'decidedly of opinion that a Clergyman of the Church of England ought to be placed at the Head of it'.¹¹⁶

Scott later told Governor Darling that he was concerned about the condition of the school from the time of his arrival as 'the state into which it had fallen as well as the scenes of depravity and idleness' had attracted the attention of His Majesty's Government in England. Because Walker had been placed in his situation by Sir Thomas Brisbane and he had met the Master at the Governor's table he had been unwilling to be sharp in his remarks but had twice admonished him on the state of the school. On one of those occasions Walker replied in a way Scott considered so disrespectful that he threatened to suspend him if he persisted in such a manner. The children did not make the expected progress either but as Walker appeared more inclined to follow direction Scott had hopes, so he said, of soon being able to cease to find fault with him. But on several

¹¹⁶ Scott's Letter Book No.I,p.132, Scott to Brisbane 7/11/1825.

occasions he observed the Master in Sydney and towards the end of the year 'so frequently as to excite a more than ordinary impression that the School must be neglected if he continued this practice'.¹¹⁷

On 4 November Scott found a situation which confirmed his fears or seemed to provide the opening he had been looking for -- depending on how one reads his motives.¹¹⁸ He visited the school in the afternoon to find Walker, Mrs Walker and the teacher all absent and the children left in the charge of a 'menial servant'.¹¹⁹ The Archdeacon wrote to both the Master and the Governor.¹²⁰ Walker indignantly replied that his assistant Mrs Broadbear was a fit person to be left in charge of children.¹²¹ She took most of the girls every Friday afternoon for a session of clothes mending and they had been so employed at the time of Scott's visit.¹²² He was subsequently to quote

117 Scott's Letter Book No.I, pp.146-7, Scott to Darling 26/12/1825.

118 See below pp.215-6 where Scott had already taken firm steps to try to replace Walker.

119 Scott's Letter Book No.I, p.147, Scott to Darling 26/12/1825.

120 Scott's Letter Book No.I, p.117, Scott to Brisbane 5/11/1825, pp.117-8 (also HRA, Vol.XII, p.279), Scott to Walker 5/11/1825.

121 HRA, Vol.XII, p.279, Walker to Scott 5/11/1825; Sir Thomas Brisbane's Letter Book : OUT Letters (ML A1559-3), p.538, R.Stirling ADC to Walker 8/11/1825 - calling for explanation; BT Box 53, p.1574, Scott to (Bishop of London) 9/1/1826.

122 HRA, Vol.XII, p.280, Affidavit by Walker 29/11/1825.

the rules of the institution to show that they contained no hint of prohibition on the Master, Matron and teachers being absent at the same time.¹²³ Brisbane, to whom the reply was referred, disapproved of Walker's tone but accepted the adequacy of his explanation that he had gone out on the occasion to seek urgently needed dental attention.¹²⁴

This acceptance of the explanation, made without reference to Scott, has been described as having 'few equals in New South Wales records for its direct attempt to belittle a departmental head' and it is suggested that the Governor would likely not have 'swept aside Scott's authority as King's Visitor' had not Scott, only two evenings before lodging his complaint against Walker, united with the Attorney-General and the Commissary-General in refusing to attend a farewell dinner to Brisbane.¹²⁵ The Governor did treat the Archdeacon with discourtesy by not communicating through him but it is too much to say that this involved a sweeping aside of his authority as Visitor. The powers of the King's Visitor were vague and in matters of any importance,

123 HRA, Vol.XII, pp.282-3, Affidavit by Walker 29/11/1825.

124 Scott's Letter Book No.I, pp.120-1, Scott to Brisbane 5/11/1825; Brisbane's Letter Book, pp.531-2, Brisbane to Scott 7/11/1825; HRA, Vol.XII, pp.283-4, Affidavit by Walker 5/12/1825, quoting Brisbane to Walker 30/11/1825.

125 William Foster, The Era of Archdeacon Scott in Education', JRAHS, Vol.47,Pt.3, July 1961,pp.159-60.

such as appointments and dismissals, the Visitor might recommend but the power of decision lay with the Governor.
Scott's right to exercise powers of Visitor questioned

Scott was not prepared to let the matter rest. He persisted in seeing the Walkers as having been in dereliction of their duty and added to this offence was Walker's reply to him which he considered as treating him with contumacy. He sought advice from Attorney-General Saxe Bannister on whom he was entitled under his Instructions to call for legal assistance.¹²⁶ On Bannister's recommendation¹²⁷ Walker was summoned on 17 November to appear before Scott at 10 a.m. on 30 November in the office of the Attorney-General to answer charges of leaving the school 'without sufficient and proper Attendants on the Children under his Care' and that when admonished he replied in terms of contempt for the Visitor's office and authority.¹²⁸

Walker neither appeared nor gave notice of his intention to resist the Archdeacon's jurisdiction but the Attorney-General learned by rumour that on that date the

126 Scott's Letter Book No.I, pp.122-3, Scott to Brisbane 10/11/1825, p.133 (HRA, Vol.XII, p.278), Scott to Bannister 12/11/1825.

127 HRA, Vol.XII, p.279, Bannister to Scott 13/11/1825.

128 HRA, Vol.XII, pp.280-1, letter from James Norton, Notary, to Walker, quoted in affidavit by Walker 29/11/1825.

Master would take the matter to the Supreme Court.¹²⁹
 He did so and obtained an order calling upon Scott to
 show cause why a writ of prohibition should not issue from
 the Court to prevent his exercising the powers of Visitor.¹³⁰
 Walker had not earlier questioned Scott's right to act as
 Visitor, had addressed him as such in correspondence, and
 had signed as Master the code of rules for the school which
 Scott signed as Visitor.¹³¹

The Attorney-General appeared in Court on 21 December
 to answer for Scott on the basis of presumption, exhibited
 in Walker's own affidavit, showing that Scott had long
 been in action as Visitor. The Court rejected this and
 the matter was adjourned until mid-January to allow the
 presentation of some formal proof of the Archdeacon's
 right to exercise the powers of the office of King's
 Visitor.¹³² The material point, in the minds of Chief
 Justice Forbes and Mr Justice Stephen, was whether or not
 'any Letters Patent had been issued by the Crown investing

129 HRA, Vol.XII, p.275, Bannister to Darling 14/4/1826.
 The date 13 November given in paragraph 4 is clearly
 a mistake and should be 30 November.

130 SG, 26 December 1826.

131 HRA, Vol.XII, p.275, Bannister to Darling 14/4/1826.

132 HRA, Vol.XII, p.284, opinion by Attorney-General
Bannister 21/12/1825, pp.275-6, Bannister to Darling
 14/4/1826; SG, 26 December 1825, 26 January 1826:
 report of proceedings 19 January; Scott's Letter
 Book No.I, pp.149-50, Scott to Darling 22/12/1825.

the Archdeacon with the authority he had assumed'.¹³³

In fact, this had been overlooked. The Attorney-General opposed Governor Darling's plan to attempt to remedy the defect by making an official notification of Scott's appointment as Visitor on the authority of the King's Instructions to the Governor.¹³⁴ To do so would have undermined Scott's defence by a tacit admission of want of authority prior to the issuing of such a notice.

Scott's attempts to have the Governor remove Walker

During the adjournment of the Court hearing the battle continued outside the Court. Scott obtained an interview concerning the case with the recently arrived Tory Governor Ralph Darling on 22 December.¹³⁵ This was followed on the 26th by a letter putting in writing his version of Walker's conduct as Master. On the plea of the length of the court's adjournment and the suffering of the school in the meantime he asked

that when Your Excellency has heard what Mr. Walker can have to state in his defence he be immediately removed together with his wife from the School.

134 HRA, Vol.XII, p.415, Darling to Forbes 27/4/1827, p.284, opinion ... Bannister 21/12/1825. All that was presented to the court was an affidavit by Lt.Col. Dumaresq 12 January 1826 (HRA, Vol.XII, pp.284-5) relating to para.4 of Earl Bathurst's despatch dated 21 December 1824, No.49 and the Governor's Instructions, second last para.

135 HRA, Vol.XII, p.161, Darling to Bathurst 5/2/1826.

he would take the whole responsibility for this dismissal if required to do so.¹³⁶

The Archdeacon felt that it was impossible for him to overlook so gross an insult to his station as that of which Walker had been guilty, and to make matters worse the latter had taken it upon himself to sack the gardener. Such an institution should be under the charge of a clergyman and his wife with a matron under them. It was 'highly objectionable any Sectary more especially anyone suspended by his Society ... remain in such a charge'.¹³⁷

Darling did not respond to this appeal because, although he wished to give Scott all the assistance within his power, he conceived that it would be improper to intervene actively with the case before the Court.¹³⁸

Scott tried a new tack. On 11 January 1826 he directed a memorandum to the Governor stating that on his regular Sunday visits to the Female Orphan School for the

136 Scott's Letter Book No.I, p.148, Scott to Darling 26/12/1825. The Archdeacon's plea amounts, on analogy with western dramas, to a request that Darling give Walker a 'fair' trial and then 'hang' him.

137 Scott's Letter Book No.I, p.149, Scott to Darling 26/12/1825. CSIL, Archdeacon Scott (NSWA 4/1913.4) copy of letter (Gardener to Scott) 20/12/1825 alleging that Walker had dismissed him for putting Walker's poultry and goats out of the garden and complaining that his horses were also destructive.

138 HRA, Vol.XII, p.161, Darling to Bathurst 5/2/1826.

last three weeks he had noticed that a large portion of the children were afflicted with inflamed eyes which appeared on the last Sunday to have worsened rather than diminished. As the Supreme Court had virtually suspended his authority as King's Visitor

he leaves it to His Excellency's consideration whether some immediate steps ought not to be taken by His Excellency to enquire into this disease to prevent its spreading and into the conduct of the Master & Mistress.

In hopeful anticipation of a change of control Scott submitted that a clergyman should have temporary charge of the school. The only person he could recommend was Rev. Richard Hill whose duties could be performed by Rev. J.E. Keane (who was eventually Walker's successor). Although Mrs Collicott was then in Van Diemen's Land Scott strongly recommended her as Matron because of her high character and 'the excellent state into which she brought the School some time since'.¹³⁹

Board of Enquiry

This time Darling responded positively to Scott's prodding. He appointed a Board of Enquiry which sat at the Female Orphan School on 16 January 1826

¹³⁹ Scott's Letter Book No.I, pp.157-8, Memorandum 11/1/1826.

for the purpose of investigating into the cause of a disease affecting the eyes of some of the children there, and also for the purpose of enquiring generally into, and reporting upon the state and conduct of that Establishment.¹⁴⁰

The members of this board: Lieutenant-Governor William Stewart, Principal Surgeon James Bowman and Rev. William Cowper, were men hardly likely to be sympathetic to a Dissenter who defied Scott. Bowman, John Macarthur's son-in-law, was soon to be actively involved in the Parramatta Party's campaign against Walker.

With regard to the eye infection the Board was of opinion that the Inflammation affecting the Children's eyes may have originally been occasioned by the hot weather, which prevailed about the time when it first made its appearance; and it is very probable the disease was propagated by a number of the children washing their hands and faces in the same water and wiping their faces with the same towel, which is the mode at present practised; but the Board recommend that a proportion of tin and pewter basins be provided, so that each child may have clean water, and be allowed a separate towel.¹⁴¹

In consideration of the use made by Scott of this complaint and the general endorsement of his stand by later historians it must be noted that as late as 24 March 1826 Surgeon Allen dismissed the disease as being 'of a trifling

140 HRA, Vol.XII, p.162, Proceedings of a Board ...

141 HRA, Vol.XII, p.163. See FOS Letters 1825-9 (NSWA 4/326), Walker's Requisition for the Female Orphan House 30/11/1825 where he asked for two tons of soap but only two pieces of coarse towelling for a school apparently bereft of almost everything by way of bedding, hair and tooth brushes, etc.

nature and to be cured by the most simple means'.¹⁴²

Walker was personally criticized for running two or more horses in the grounds, in addition to the necessary cart horse, with a resultant consumption of grass needed for milch cows, for faulty keeping of the registry and accounts and for going to 'political meetings' instead of attending to his business. There was fault found also with the lack of airing of bedding, although the bedding was admitted to be clean, and with the state of the privies, which may have been a comment either on the state of the facilities or Walker's management, and with other defects which were clearly directed at the buildings or procedures rather than the man.

The Board tested the children separately for proficiency in the Church catechism and knowledge of the scriptures generally.

They found the children, attending the School, divided into four classes. In the first class, the Teacher appears to have introduced Bell's System of instruction with some degree of success. The Girls in this class have been instructed in the Church Catechism and in a knowledge of the scriptures. The first class read pretty well, but in a low and indistinct tone of voice. The second class has also made some progress; but the children comprising the other classes are too young to have made such improvement.¹⁴³

142 FOS Letters 1825-9, paper headed 'Mr. Allen's time'. The persistence of the complaint suggests that Allen's remark was unjustifiably complacent but the point to be made is that the 'expert' testimony of this key witness hardly supports Scott's case.

143 HRA, Vol.XII, p.164.

The Report of the Board of Enquiry could have done nothing for Walker's reputation but neither had it provided a basis for his dismissal. It concluded with a recommendation, which could hardly have pleased the Archdeacon-Visitor, that the members felt it their duty to recommend unanimously

that the Colonial Secretary as well as the Police Magistrate at Parramatta, or such other two Gentlemen as His Excellency may think fit to appoint, should be forthwith associated with the Venerable Archdeacon, as a Committee for the general and effectual controul and superintendence of this Institution.¹⁴⁴

Darling drew up a set of 'Additional Instructions to the Master of the Female Orphan School' to implement the recommendations of the Board but Scott obtained control of the school before they were communicated and Governor, not wishing to intrude on his authority, then took no action on the Report.¹⁴⁵

Supreme Court verdict against Scott

On 31 January the Supreme Court finally awarded Walker a hollow victory by endorsing the submission of his counsel, W.C. Wentworth, that letters patent for the Church and Schools Corporation had not been granted so that Scott was not entitled to claim the office of

144 HRA, Vol.XII, p.164

145 CSIL, Bundle 28, No.1-19, 1826 (NSWA 4/1790, Nos. 82-3 (one document), dated 'January 1826' with marginal annotation in pencil at a later date.

King's Visitor under the powers of which he was asserting his right to control Walker. Mr. Justice Stephen referred to Governor Brisbane's enquiry into the dispute over Walker's absence and to his refusal to accept Walker's resignation as indicating that he conceived of Scott having only limited power¹⁴⁶ and the Chief Justice stated that the Governor had already determined the matter of the Archdeacon's complaint.¹⁴⁷ Although Bannister objected to these side observations they do seem relevant in drawing attention to the clouded area of the Visitor's powers vis à vis the Governor. Had Scott been found to be legally possessed of the powers he claimed there would then have been raised the problem of his seeking to act as judge in his own case which Stephen saw as sufficient reason to grant the prohibition on common

146 SG, 26 January and 4 February 1826, reports on case, repeated in HRA, Vol.XII, pp.286-9, with Bannister's comments; HRA, Vol.XII, p.274, Bannister to Darling 14/4/1826, p.277, for Bannister's unsuccessful efforts to pursue the case further and his objection to Forbes CJ relying in judgement on his knowledge in a non-judicial capacity of the Archdeacon's want of formal authority.

147 HRA, Vol.XII, p.288.

law principle.¹⁴⁸

W.C. Wentworth was a leader of the liberal faction with which Walker was associated and both of the judges, although somewhat restricted by their office, were known to be sympathetic to its aspirations. Attorney-General Bannister was an adherent of the other faction. For the first time the factions were to be seen lined up in opposition in Court with Walker and Scott as the protagonists.

Despite his victory Walker's position was untenable. Governor Darling was ready to rectify the defect of the missing letters patent as soon as the Supreme Court handed down its decision and was anxious to enforce Scott's claim.¹⁴⁹

The Sydney Gazette reviewed the case which, insofar as it affected an important colonial institution, was of public concern. Howe's editorial comment is curious in its attempt to give something to both sides. The Walkers had found the school in a deplorable condition and had redeemed it by indefatigable exertions, testified to by those

whose constant and anxious attention to promote the interests of this Establishment, gives their decision an authority from which appeal, in our humble judgment would be rather difficult.

148 HRA, Vol.XII, p.287. Bannister wanted to see Brisbane's decision to accept Walker's reason for his absence as quite separate to the question of the 'contumacy' charge although the Archdeacon's charge derived from the letter of explanation.

149 HRA, Vol.XII, p.161, Darling to Bathurst 5/2/1826.

The refusal of Governor Brisbane to accept his resignation was testimonial in itself. Nevertheless 'it is our opinion, that Mr. W. is not exactly in his proper sphere of usefulness'. He had put the institution 'on a tolerably fair footing' and should be urged to make an application to Governor Darling for honourable relief from 'those trammels by which, if all be correct we hear, his health, his usefulness, and his happiness must be seriously affected'. Walker was a spirited race horse tugging at the mill and he ought to retire in favour of some worthy old pastor and his wife 'who may not be able to live so independently of external circumstances as Mr. Walker'.¹⁵⁰

This editorial seems to be advice to Walker to quit while he was still in a position to go with some dignity.

Archdeacon Scott had striven ceaselessly to remove the Methodist Master and once his Visitorial powers were regularly conferred he needed only to make a case which would justify the sympathetic Governor Darling in confirming a dismissal. Relations between the two continued to be very bad. On 3 March Ann Hassall reported that Scott had missed the school examination as 'he was obliged to start down to the Governor from some base falsehoods Mr. Walker he said had written against him'.

150 SG, 19 January 1826.

She added that Rev.J.E. Keane was to take over the Female Orphan School the following day.¹⁵¹ The pettiness of Scott in particular was illustrated when later in the month he objected to an issue of Bibles because Walker had made no application

and from the shameful carelessness which he suffers amongst the Children it does not appear to me desirable such a quantity of books should be issued to be placed under the charge of such a person.¹⁵²

Scott's visit with witnesses

On 23 March, the day after his return from a visitation to Hobart, Scott visited the school at Darling's request (although he did not tell Walker this) and took with him James Macarthur and Lachlan Macallister as witnesses of its management. Scott, choosing to have nothing to do with Walker, asked to see Mrs Walker. What followed is blurred by the conflicting accounts of Walker and Scott. According to Walker¹⁵³

Mrs. W. was so alarmed at his very name that she requested me to go with her; and, upon her entrance into the Hall, she, in consequence of his presence, trembled like an aspen leaf, and I was alarmed for the consequences. I do not hesitate to say the Archdeacon's conduct towards me and my Family has been horrible, atrocious and antichristian in the

151 Hassall Correspondence, Vol.2, p.1460, Ann Hassall to Rev. Thomas Hassall 3/3/1826.

152 Scott's Letter Book No.I, Scott to McLeay 25/3/1826.

153 The Following account is taken from the evidence of Walker and Scott in the case of Broadbear v Macarthur and others : HRA, Vol.XIII, p.330ff.

extreme, and likely to occasion me one of the heaviest misfortunes a Husband could sustain.¹⁵⁴

Scott asked to see the books. Mrs Walker retired and sent one of the girls with them. When he asked to see the Journal and Ledger he had provided for the school some months previously Walker replied that nothing had been done in them, that he had previously told the Archdeacon that he had not come to the school to be a clerk and that if he wanted such books kept he must send a clerk to keep them. A book showing daily expenditure was produced but the Master refused to present the original without Mrs Walker's approval for

I had not so much as looked myself, because many things were no doubt recorded in it, which were improper for any but a Woman and a Married Woman to look at.

Mrs Walker sent back from her retreat the reply 'O no, don't let him see it; nobody ought to see it'. Scott took out pencil and paper and began making out a memorandum, calling on his companions as he did so to bear witness that he was refused the books. Walker retorted that he had been refused only one book, of which the written-up version, kept up to the day before, had been submitted and that he would concede this fact in writing if Scott wished.

154 Walker's evidence, p.331.

This terminated an interview in which Walker conceived that he had been treated in a scandalous and uncharitable manner and in which Scott's 'tone of voice, every word he uttered, were calculated to destroy every shadow of authority that I possessed over the Children'. Scott for his part denied that he had ever behaved as other than a gentleman in act or speech towards Mrs Walker and had done nothing which might cause her to tremble.¹⁵⁵ He denied that he ever treated Walker with disrespect or used a harsh word towards him with the exception of one occasion on which he had threatened to suspend him for improper language. Walker on the contrary behaved towards him in an insulting manner and on the day in question was insolent both in gesture and language.

Walker's resignation

The situation had become quite intolerable. When Scott and his companions left Walker penned his resignation in a letter to the Governor which his brother-in-law James Hassall thought 'was too severe'.¹⁵⁶ While he was writing the letter Mrs Broadbear came in and said that she and her husband would stay no longer than he did.¹⁵⁷

155 Captain Dumaesq's evidence, p.346, confirms Scott's account of his behaviour for one visit Dumaesq made in his company.

156 Hassall Correspondence, Vol.3, pp.1633-4, James Hassall to brother 29/3/1826.

157 HRA, Vol.XIII, p.332, Walker's evidence.

The Broadbears were not mentioned in the letter but Walker had an interview with Colonel Dumaresq, the Governor's secretary, on or about 24 March,¹⁵⁸ at which he stated that he and his wife would leave on 30 March and gave verbal notification of the Broadbear's intention to leave so that replacements might be found for them in the interval,¹⁵⁹ although he considered that Mrs Broadbear's equal could not be found in the time.¹⁶⁰ Dumaresq counselled Walker not to leave but he replied that it was impossible to remain after the alarm occasioned to his wife and the insults to himself.¹⁶¹

Whatever the rights of the argument over Scott's conduct towards Mrs Walker it is completely believable that she, gently reared and hardly more than a girl, became agitated at the name of her husband's severe and middle-aged superior who showed such determination to oust them.

With a somewhat characteristic but ill-judged impetuosity Walker departed from the Female Orphan School on

158 Walker's evidence, p.327. By Walker's account in other references to it this meeting could have been as late as 26 March.

159 Walker's evidence, pp.333,356.

160 Walker's evidence, p.327.

161 Walker's evidence, p.331.

30 March taking with him his family, the Broadbears and several of the girls and leaving the other children unattended. This irresponsible act lost Walker a lot of sympathy and he was much censured for it.¹⁶²

Question of Anglican nature of public education

There runs through the story of Walker's Mastership after Scott's arrival the recurrent theme of the Archdeacon's desire to replace him with an Anglican clergyman. Significantly moves in this direction anticipated the doubtful allegations of Walker's unfitness to retain the Mastership. The impression is given that, Walker's politics and character aside, Scott would have been just as anxious to remove him on the religious ground alone as Marsden had been to prevent his acquisition of a public appointment.

Soon after his arrival Scott took the precaution of writing into the new regulations the requirements that 'Masters and Mistresses shall ... attend Divine Service on the Sunday'.¹⁶³ He was later to testify on oath that his fears of the religious subversion of the children under the young Dissenters had been fulfilled:

162 Hassall Correspondence, Vol.2, p.1496, A. Hassall to Rev. T. Hassall 8/4/1826; Chief Justice Forbes. Private Letters to Wilmot Horton Esquire 1825 (ML A1819), p.126, Forbes to Horton 22/3/1827.

163 HRA, Vol.XII, p.282, General rules for the Female Orphan House, n.d., School,X.

Enough was seen at the Female Orphan School to make very frequent visits necessary, and in proof of this I need only remark that, since Mrs. Walker has left the School, I have frequently overheard the Children laughing at the Arch Devil's prayers. It was the Evening Service I read every Sunday, and when they were asked, who told them to make use of such expressions, they have answered that it was Mrs. Walker told them that what had been read were the prayers of the Arch Devil.¹⁶⁴

164 HRA, Vol.XIII, p.346, Report of proceedings Broadbear and Wife v J. Macarthur and others, Scott's evidence.

Chapter 6

SCOTT v WALKER: THE BROADBEAR CASES

Ven. Archdeacon v Richard Broadbear and Wife

Archdeacon Scott had finally succeeded in ousting his antagonist William Walker but he could not leave well enough alone. Driven by the vindictiveness which so flawed his character he pursued Walker beyond the Female Orphan School to take vicarious revenge upon him through his aged retainers. Again the personal quarrel merged with the broader colonial political conflict. This Chapter is concerned with the attempt to injure Walker by persecuting his servants and with showing how the disclosure of this persecution discredited the Parramatta Party and severely damaged the Archdeacon's reputation.

Archdeacon Scott claimed that he had done all that was possible, without success, in an effort to find someone to take care of the children in the few days left to him before the Walkers and the Broadbears departure left 125 girls, none over twelve and some only infants, without female care.¹ However convict women could certainly have been assigned from the nearby Factory to handle the emergency pending the selection of suitable

¹ HRA, Vol.XIII, p.345, Report of the Proceedings in the case of Broadbear and Wife against James Macarthur and others.

replacements. The pious expressions of horror at Mrs Broadbear's departure must be seen as at least raising a presumption of hypocrisy. The conclusion is inescapable that the Walkers' understandable but ill-judged haste to depart with their servants suited Scott. He repaired to the Parramatta Police Magistrate, Dr John Harris, to lay charges against the Broadbears for leaving their posts in violation of an Act 6 Geo.III c.25, for regulating various kinds of workers.

There is little doubt that Wentworth was fully justified in his assertion that this prosecution was part of Scott's vindictive pursuit of Walker. It set in train a legal battle in which both of the factions in Colonial politics, the Parramatta Party and the liberals, made vicious misuse of the law and the courts.

According to Scott Mrs Broadbear had continued to give him satisfaction in her work so that only a matter of days before her departure he had awarded her £5 as a reward for her good conduct.² But she was a menial and an ex-convict and as such could not be allowed to set an injurious example for the orphan girls.

2 HRA, Vol.XIII, p.333, Walker's evidence, p.344, Scott's evidence.

Many of the Children of the Institution are, though very young, still of sufficient years to cause deep impressions to be indelibly marked upon their minds; such impressions are generally the largest. Now they are aware of the manner, in which Mrs. Broadbear left the School; they knew she is free; they are being brought up to much the same situations as Mrs. Broadbear filled. If, therefore, this conduct of Mrs. Broadbear should have been overlooked, what would have been the impressions formed in these young minds? What benefit would talking of doing right have effected. Would not these Children have come to the conclusion that, if they were punished for an offence, such treatment would be partiality; or would they not have conceived that what was an offence in a child was none in a grown person and that all instruction would hereafter go for nothing.³

E.J. Keith, a barrister acting under instruction from the Attorney-General, prosecuted before the Parramatta Bench on 6 April 1826. Walker was called and testified to the manner of the Broadbears' hiring: although paid by the government they were his employees. Scott, although the complainant, was not present. Walker defended the Broadbears but failed to convince even those magistrates, Harris and Lawson, notoriously hostile to Scott. (According to the Archdeacon these two had been on the Bench when he applied for the summons and had grossly insulted him and permitted Walker to insult him in language and gesture⁴.) The impression seems to

3 HRA, Vol.XIII, p.340, Scott's evidence. Note that this explanation is given when the honesty of the prosecution is under challenge.

4 HRA, Vol.XIII, p.324, Statement of the Reverend Archdeacon Scott 19/3/1827, p.320, Scott to Darling 19/3/1827.

have taken hold that the account of the circumstances of the Broadbears' employment and Walker's undertaking to find their pay himself was a recent invention and the departure of the defendants from the school appears to have been seen as an 'act to serve the private spleen of Mr. Walker'.⁵ As has been noticed above the making of a personal sacrifice in the interests of his job was thoroughly in keeping with Walker's character. What was more to the point in terms of the hearing, no evidence was called to dispute his account of the hiring of the defendants.

All seven magistrates returned a verdict of guilty. G.T. Palmer and Dr Harris voted for a sentence of one month's imprisonment, Lawson and J. Palmer for two months and, with a significance to be revealed later, James Macarthur, Lachlan Macallister and Dr Bowman for three months. The sentence of three months was imposed.⁶

On the evidence as retailed in the Police Office record⁷ and Keith's report it is impossible to see how the magistrates could have convicted. Chief Justice Forbes in a private letter to his friend Wilmot Horton later

5 HRA, Vol.XIII, pp.356-7, Report of the Proceedings on the Complaint of the Venerable The Archdeacon against Richard Broadbear and Wife (by E.J. Keith), p.334, evidence of Harris and Lawson in Broadbear and Wife v James Macarthur and others.

6 HRA, Vol.XIII, p.357.

7 HRA, Vol.XIII, p.326 ff, Proceedings taken at the Court House, Parramatta, 6th of April, 1826.

expressed the opinion that by its action the Bench had laid themselves open to the inference of availing themselves of office to gratify personal feelings.⁸

Wentworth appeared before Forbes on 5 June with an application for the verdict to be set aside on the grounds of its illegality which he granted on the technical ground that house servants were not subject to the provisions of the Act under which they were prosecuted.⁹

Broadbear v James Macarthur and others

The Broadbears, no doubt with the advice and encouragement of Walker and the liberal leaders, then each initiated actions against the magistrates for false imprisonment. Walker expressed a wish to settle out of court and an offer of compensation of £10 was made but rejected as being insufficient.¹⁰ The exclusivist attitude surfaced when both Scott and Keith later justified this offer as adequate by reference to the lowly station and convict past of the plaintiffs.¹¹

The hearing of these actions on 14 to 16 March 1827 was disastrous for Scott's image and was possibly the

8 Chief Justice Forbes. Private Letters to Wilmot Horton Esquire 1825 (ML A1819), p.126, Forbes to Horton 22/3/1827.

9 SG, 7 and 10 June 1826, reporting proceedings 5 and 9/6/1826; HRA, Vol.XIII, pp.358-61, Forbes' judgment.

10 HRA, Vol.XIII, pp.324,329,337, Report of Proceedings ... Broadbear and Wife against James Macarthur and others.

11 HRA, Vol.XIII, p.324, Statement of the Reverend Archdeacon Scott 19/3/1827, p.343, Report of Proceedings ..., Keith's opening address.

principal reason for his subsequent decision to resign his office and return to England.

Mr. Justice John Stephen presided over the civil court with William Carter and Warham Jemmett Browne as assessors. Wentworth as counsel for the plaintiff was permitted to dominate proceedings in circumstances of surprising latitude.¹² He began by excluding the four regular justices of the Parramatta Bench: John Harris, William Lawson, John Palmer and G.T. Palmer, because it could be assumed that they were present on the occasion of the convictions in the course of their ordinary duty. This left Mary Broadbear's action claiming £300 damages, which was being heard first, to proceed against only the three members of the Parramatta faction : James Macarthur, Lachlan Macallister and Dr James Bowman - the three who

12 The account following is taken from SG, 17 March 1827; HRA, Vol.XIII, p.324ff, Report of the Proceedings. See also C.H. Currey, Sir Francis Forbes : The First Chief Justice of the Supreme Court of New South Wales, Sydney 1968, pp.183-4. Dr. Currey's version contains a couple of minor slips. The partisan nature of the HRA report is indicated by the second last paragraph on p.343. Instead of giving Walker's evidence when he was called a second time it states:

In this second account (being aware that the Archdeacon was about to be examined as a Witness), he omitted many of the scandalous expressions, which, in his first examination, he made use of.

had voted for the maximum penalty under the Act.

Wentworth set about demonstrating that their presence had constituted a packing of the Bench. As early as 15 April 1826, before the application to have the conviction quashed, Wentworth's newspaper, The Australian, had hinted broadly that this circumstance had not passed unnoticed and prophesied that the affair would not 'terminate so much to the satisfaction of all parties as some of them might have contemplated'. The naming of the whole Bench in the writs was very likely motivated by tactical considerations. Prosecution of the regular magistrates could only have obscured the theme of stacking; not to have named them in the writ would have signalled the line to be adopted by the counsel for the plaintiff at the hearing of the action, while Lawson in particular and Harris, first put on the hook then let off, gave evidence on the whole most useful for the plaintiff.

In this courtroom drama leading colonial Tories were on the defensive. The case attracted considerable public attention and as it unfolded before unusually large audiences Wentworth did not fail to satisfy the desire of the public gallery for entertainment. He showed that Macallister, who was a magistrate for the County of Argyle, had been sworn in only on 7 March 1826 and had never sat on a Bench prior to 6 April at Parramatta - 160 miles from his home. James Macarthur, whose regular jurisdiction

was at Cawdor, had sat at Parramatta only twice previously: when cases involving his cousin and his father were to be determined. However on this occasion he was also present as complainant in a fruit stealing case heard the same morning. Dr Bowman's appearance on 6 April had been his only appearance on that Bench and when Walker had been defending the Boardbears had interrupted him to tell him : 'We wish we could lay hold of you'.

Scott's intimacy with the Macarthur clan was well known and publicly demonstrated by his living rent-free at Hambledon Cottage in the grounds of John Macarthur's estate for eighteen months from his arrival in May 1825. Governor Darling reported to Earl Bathurst that the Archdeacon had joined the Parramatta Party on arrival, which 'served to indispose the People, and he is extremely unpopular'.¹³ Scott was also a friend of Macallister, who was a neighbour of the Macarthurs, and at the time of this action the Archdeacon's sheep were grazing on Macallister's run.

Wentworth had opened to the effect that Scott's behaviour towards Walker had been vindictive and personal throughout their association and called Walker to testify

13 HRA, Vol.XII, p.256, Darling to Bathurst 1/5/1826; James Jervis, ed. George Mackaness, The Cradle City of Australia, Parramatta 1963 reprint, p.40.

to this effect. The inference, aided by Bowman's frank intimation of animus, was that the Bench had been packed by these friends of Scott in order to strike at Walker through his elderly retainers. William Lawson testified that he believed the defendants to be intimate friends of the Archdeacon and

it certainly struck him as rather extraordinary that they should be there; certainly thought then, and retains the same impression still, that they attended on that particular case.

J.W. Fulton the Clerk to the Bench for the past three years had 'no doubt they are the particular friends of the Archdeacon, and, as far as private opinion goes, thinks they were there by his solicitation'. Keith interjected to ask pertinently: 'Is this Evidence?'

The calling of Scott as a witness for the defendants to answer such opinions would seem to have been a major tactical error. The coincidence of the presence of the three friends on the Bench was too great to explain away. His denial that they were acting at his request could, if believed, serve only to exonerate himself from complicity in their behaviour. The point, not brought out at the trial, that Macallister and James Macarthur were the very people he had asked to go with him to the school to be his witnesses against Walker, could have done nothing to inspire belief in the independence of the magistrates' actions.

We are in a position to know that the brothers-in-law Macarthur and Bowman did go to Parramatta to use their magisterial office against Walker, rather than the Broadbears, and that political considerations were prominent in their thinking. John Macarthur wrote to John junior:

James has informed you in what manner Broadbears case terminated. You are no doubt right as to the point of law, but I think quite differently from you respecting Bowman and James going to the Parramatta Bench. They had seen the scandalous state the children were left in by that infamous wretch Walker, and they know that the two leading Magistrates, Dr. Harris and Mr. Lawson (both married to women who had been convicts) were completely under Walker's influence and guided in their proceedings by their clerk (young Fulton the son of the Irish convict Parson) who is known to have assisted Walker in writing the libellous letter signed Philo Umbra.¹⁴

In court Keith admitted in his opening address that Macarthur had seen the distressed state of the inmates of the Female Orphan School in consequence of the departure of the plaintiffs and felt it his duty to attend. Bowman was said later to have been similarly moved. These assertions put a better face on their behaviour but might be taken as an open confession of judicial bias.

When Scott went into the witness box and was presented for cross-examination he was at the mercy of Wentworth.

14 Macarthur Papers, Vol.3 (ML A2899), p.158a ff, dated 16/5/1827. The letter is cross written and nearly illegible. This transcription follows that in the typescript by M.F. at ML Am 43- 1/18.

Stephen sat silent on the Bench, very likely enjoying the Archdeacon's discomforture, and afforded him no protection. Wentworth pressed on relentlessly with a half-hour cross-examination the line of which was designed to suggest that the crusty old bachelor was something of a pervert. It was suggested that he watched proceedings at the school from his residence across the river by means of a telescope; that he was in the habit of looking into the girls beds and at their soiled linen; that he wandered amongst the girls, some of whom were pubescent, while they were naked and washing themselves. The suggestions were rejected, but the thought had nevertheless been sown that they would hardly have been asked had they not a grain of truth. Scott left the box with his public image severely lacerated.

Having allowed the character assassination to be performed without hindrance Stephen in summing up dismissed the whole mass of the evidence of both Walker and Scott as irrelevant with an expression of regret for having allowed it. He stated agreement with the Chief Justice's reason for quashing the conviction of the plaintiffs adding that it must also have been overturned on the ground that the proceedings violated the first principle of British jurisprudence in that an individual can be found guilty only in the presence of his accuser. There was no evidence in contradiction of Walker's hiring of the

Broadbears and no apparent reason for discrediting his testimony. The act of paying wages does not constitute the act of hiring. There was consequently as a point of law on which the assessors were to receive direction, no probable cause on which the conviction could be based and it followed in law that there was a presumption of malice. The assessors found for the plaintiff and assessed damages at £stg.210. The following day Stephen sat with Messrs Jones and Berry as assessors who found for Richard Broadbear in the sum of £stg.80.

Scott's complaint against Mr Justice Stephen

Scott justifiably complained bitterly to Governor Darling of the latitude Mr Justice Stephen had allowed Wentworth in examining Walker and cross-examining himself. His criticism of Stephen's charge to the assessors was less well-founded. At his request the Attorney-General furnished reports and full accounts of the proceedings were transmitted to Lord Bathurst.¹⁵

The complaint against Stephen served only to bring Scott even more embarrassment. Governor Darling sent

15 Letter Book of Archdeacon Thomas Hobbes Scott No 1 (ML A850), pp.369-74, Scott to Darling 20/3/1827; HRA, Vol.XIII, pp.321-4, Statement of Reverend Archdeacon Scott 19/3/1827, p.318 ff, papers relating to case enclosed in Darling to Bathurst 24/5/1827. It appears to me, as a layman, that no exception can reasonably be taken to Stephen's summation.

Stephen a copy of the Archdeacon's letter to enable him to furnish a reply. Stephen passed it on to Chief Justice Forbes. The Australian of 23 May published a two column leading article dealing with Scott's points seriatim in a manner laudatory of Stephen and critical of Scott. This editorial purported to be based on a rumour but the accurate knowledge it displayed showed that the writer must have had access to at least a fair summary of the document and this could only have been afforded by Stephen or Forbes.¹⁶ Wentworth as newspaper proprietor was appearing at the bar of public opinion for Stephen on a charge of favouring Wentworth as barrister! The defeat of the Parramatta Party was complete when the Supreme Court refused the magistrate's application for a new trial¹⁷ and the Crown Law Officers' report on Scott's complaint went against him.¹⁸

16 HRA, Vol.XIII, pp.318-9, Darling to Bathurst 24/5/1827. Dr Watson in his editorial Note 81, p.859 of this volume implies that the knowledge of Scott's letter is so detailed that the writer of the editorial must have seen it. It is possible that the author saw the actual letter but the knowledge of detail shown is not sufficient for rejecting the statement to the contrary contained in the article.

17 HRA, Vol.XIII, p.321, Scott to Darling 19/3/1827.

18 HRA, Vol.XIII, pp.768-70, Huskisson to Darling 11/2/1828.

The Scott-Macarthur faction had misused office to further their vendetta against Walker and their scheme had come unstuck. Scott, the principal loser, was left to nurse an impotent hatred of the judges and Wentworth. It can be argued that the latter were only setting right injustices and putting down corruption but their disregard for the legal proprieties in their manner of doing so was scarcely, if anything, less reprehensible.

Walker's inefficiency and obstructiveness with regard to accounts

When Walker left the Female Orphan School he repeated the tactic he had adopted earlier with the Wesleyans when they suspended him as a missionary of inconveniencing his antagonists by ignoring pleas to settle financial matters and hand over the records. In September 1826 he was threatened with the institution of legal action unless he complied within fourteen days.¹⁹ This brought forth vouchers, way bills etc. but not the required statements of account.²⁰ In December the threat of legal action was renewed to

19 Proceedings of Committees No.1 (NSWA 4/292), p.79, 6/9/1826; Corporation Letter Book 1826-27 (NSWA 7/2702), p.95, Cowper to Walker 7/9/1826, p.107, Cowper to Walker 28/9/1826; Proceedings of General Courts (NSWA 4/291), pp.64-5, 67, 28/9/1826.

20 Proceedings of Committees No.1, p.102, 12/10/1826, Corporation Letter Book 1826-27, p.132, Cowper to Walker 19/10/1826.

compel compliance.²¹

In truth Walker had the accounts, and apparently other records, in a hopeless mess; there had been irregularities in the payment (rather non-payment) of servants;²² outstanding accounts from his time revealed that goods had been purchased at the dearest retail prices and sugar purchased exceeded the issue under his successor by forty pounds weight weekly.²³

This situation raises the question of Walker's honesty. One is strongly inclined to acquit him of any suspicion by the facts of the unworldliness of his personal financial contributions to his work, his seeming to have been careless about drab, routine paperwork and that the school's stores and accounts were soon found to be a full time occupation for one person in themselves at a time when the Master otherwise had a larger staff to assist him. Walker cannot be acquitted on the lesser charge of administrative inefficiency.²⁴

21 Proceedings of Committees No.1, p.149, 20/12/1826; Corporation Letter Book 1826-27, p.188, Cowper to Walker 27/12/1826.

22 FOS Letters 1825-9 (NSWA 4/326), Orr to Scott 29/5/1826, Proceedings of Committees No.1, p.94, 5/10/1826; Corporation Letter Book, p.118, Cowper to Keane 5/10/1826.

23 FOS Letters 1825-9, Orr to Scott 29/5/1826.

24 In the period of Reddall's control inspection was very lax. In November 1825 Scott asked Governor Brisbane to appoint William Lithgow to audit the accounts so that some check could be kept on them: Scott's Letter Book No.1, pp.121-2, Scott to Brisbane 8/11/1825; SG, 24 November 1825: Lithgow appointed.

Estimate of Walker's Mastership

It is scarcely possible to offer a confident evaluation of Walker's Mastership. The question is too bound up with the political element. All of his traducers had a political or religious motive for denouncing him quite apart from any genuine concern at his performance as Master.

In 1828 Governor Darling wrote concerning his rejection of Walker's application for an additional grant of land:

I can have no hesitation in pronouncing Mr. Walker to have forfeited any claim to the indulgence of the Government, if he ever possessed any, from his conduct to the Archdeacon and the State of the Female Orphan School when under his charge, which was such as to satisfy me from personal inspection, that no attention whatever was paid, either to the Children, or the Establishment, having found both in the most filthy and wretched condition.²⁵

This is straightforward condemnation - but there are complicating factors against which it is to be set. The Governor did not first set foot in the Female Orphan School until mid March 1826²⁶ by which time he had firmly committed himself to Scott's cause. He suspected Walker of collaborating with E.S. Hall in the production of the Monitor, an opposition newspaper, and considered them

25 HRA, Vol.XIV, pp.282-3, Darling to Hay 31/7/1828.

26 SG, 15 March 1826.

'dangerous from their connexions with the convicts'.²⁷

He was so strongly biassed against Wesleyanism as to be guilty of shameful obstruction of the Wesleyan Mission to the Aborigines under Walker's successor John Harper.²⁸

Moreover his political motivation was to be seen in reverse gear when later Walker defended him in anonymous newspaper articles while the tide of public opinion was running strongly against the Governor and was rewarded with a land grant to the Walker children.²⁹

Darling's verdict was a direct reversal of Governor Brisbane's judgement (perhaps equally interested). When asking for confirmation of the Walkers' appointments in October 1825 Brisbane wrote that 'Every hour that has passed, since this arrangement took effect, has served to convince me of their especial fitness for that undertaking'.³⁰

27 HRA, Vol.XII, p.762, Darling to Horton 15/12/1826.

28 Darling refused the Wesleyans a land grant until it was seen what the London Missionary Society and Church Missionary Society did with theirs on the specious ground that the Wesleyans might not use the land for the Aborigines. The CMS was not to commence a mission until 1831 and the existing grants were hedged with conditions including reversion to the Crown as soon as they ceased to be used for mission purposes. Darling later knowingly permitted the Wesleyans to mount an expensive expedition in a hired ship to choose a coastal site, then told them at its conclusion that it was necessary to nominate a site in the interior: Wesleyan Missionary District Despatch Book 1826-1836 (ML A1716-1), p.28, 19/7/1826, p.54, 19/2/1827; HRA, Vol.XII, p.364, Darling to Bathurst 19/7/1826.

29 Claughton, 'Walker', p.567.

30 HRA, Vol.XI, p.863, Brisbane to Bathurst 3/10/1825.

It was in conflict with the findings of the Parramatta Grand Jury and the Sydney Gazette's comment in April 1826 that the Walkers had effected vast improvements in the morals and condition of the children during their tenure.³¹

Later reports put it beyond question that the Female Orphan School was, by any standards, in a deplorable state when the Walkers left. What remains unknown is how it then compared with the condition when they assumed office and to what extent defects were their fault. The Walkers term at the school does not seem to resound positively to their credit even if the blame heaped upon them may not ring true from the general impression of Walker from his broader career and some of it was clearly malicious.

One of Walker's own documents tells severely against him. He submitted a requisition dated 30 November 1825 asking for very large quantities of various kinds of cloth and sewing materials, twenty-four dozen small knives and forks, two hundred bed rugs, two hundred blankets and various brushes, soap and towelling.³² It appears, consonant with other reports, that the school needed virtually complete re-equipment with clothing, bedding

31 SG, 5 April 1826.

32 FOS Letters 1825-9.

and aids to personal hygiene. If this is so how could the Master justify waiting so long before seeking the necessary supplies? It has been noticed that clothes were being made for the children much earlier than this but, as his successor was to realize, the task was too urgent and too large to be handled within the institution.

Chapter 7

THE FEMALE ORPHAN SCHOOL UNDER THE CHURCH AND SCHOOLS CORPORATION

The issuing of the Corporation Charter and the removal of Walker prepared the way for the Anglicanization of the schools. Henceforth the Female Orphan School was under the charge of Chaplains of the Established Church. The two themes to be explored in reviewing the period of Corporation control are the rapid expansion of the establishment beyond the capacity of the Corporation's resources and the retrenchment from 1827 consequent upon this and the troubled relations between Scott and the intended permanent incumbents, Rev. C.P.N. Wilton and his wife Elizabeth. The quarrel between Scott and Wilton is of some significance for the Scott-Walker feud in further demonstrating, in circumstances devoid of political content, the Archdeacon's vindictive streak and his capacity for misrepresentation.

Rev. J.E. Keane appointed to succeed Walker

Archdeacon Scott took firm steps for Walker's replacement by an Anglican Chaplain at least as early as September 1825, before his open breach with the Wesleyan. The Rev. Robert Cartwright was approached but declined to accept the Mastership. Scott then asked for a clergyman

to be sent out from England for the purpose.¹

The Archdeacon succeeded in removing William Walker long before his English replacement had been selected, let alone despatched. Scott selected Rev. John Espy Keane and his wife to serve temporarily as Master and Matron until such time as the permanent appointees arrived, with Keane doubling as the Chaplain for the Field of Mars parish at £250 per annum. Keane was intended for the chaplaincy at Bathurst because it had a large free population able to pay for a person capable of giving an education of a higher order (and these qualifications Mr. Keane (sic) as a Graduate of Trinity College Dublin possesses in an eminent degree.² The Archdeacon must have shared the apparently lenient standards of Trinity College : the chaplain's letters are memorable in their lack of formal correctness.

Keane took charge on 30 March 1826, the day the Walkers left, to find himself in a deplorable situation.

1 HRA, Vol.XII, p.650, Bathurst to Darling 19/10/1826, Vol.XIV, pp.311-2. Report on the Church and School Establishments by Archdeacon Scott 1/5/1826 : recommending an increase in chaplains by twelve, including one for FOS; Letter Book of Archdeacon Thomas Hobbes Scott No.1 (ML A850), Scott to Darling 24/4/1826.

2 Scott's Letter Book No.1, pp.231-2, Scott to Darling 24/4/1826, quoted at p.232; Statements of Receipts and Disbursements 1826-31 (NSWA 4/388), 1826, 1827 statements.

The building was allegedly in a state of filthiness and swarming with bugs. There were a hundred and twenty five girls in the school, none over twelve years old and fifteen of them mere infants. The itch raged amongst them. The only domestic, Mrs. Johnston, had to do the washing, cooking and other household duties and give what attention she could to the children. Mrs. Keane was in such poor health that she was reported unable to give the slightest assistance with them. All that Keane could do was to order the children to bed at eight o'clock and to assign an infant to the care of each of the bigger girls but during the night he himself had to answer the cries of the infants who had fouled themselves. This he found a disgusting experience.³

The Parramatta Grand Jury, inspecting the school five days after his arrival, 'found many improvements in progress, and trust the reputed diligence of the King's Visitor will promote the laudable purpose for which [the school] was established'.⁴ Keane reported that he had immediately set aside Scott's rules for the management of the institution and was experimenting with a scheme for its

3 HRA, Vol.XIII, p.347, Report of the Proceedings in the case of Broadbear and Wife, Keane's evidence, pp.345-6, Scott's evidence, p.326, Proceedings taken at the Court House, Parramatta 6 April 1826, Keane's evidence and pp.354-5, Keith's version of these proceedings.

4 SG, 12 April 1826.

government which he had drawn up himself.⁵ Nothing more is heard of this experiment.

Mrs Keane served as Matron only from 1 April to 18 June 1826 when she made way for a former Matron, Mrs Mary Collicott, whom Scott had induced to return to the school.⁶ She resigned as from the end of the March quarter of 1827,⁷ at which time Keane left to take up other duties.

With the benefit of the assistance of Mrs. Collicott and a greatly increased staff⁸ and help rather than hindrance from the Archdeacon Keane made a good start on lifting the Female Orphan School out of the slough. He certainly seems to have moved to attack the manifold problems in a more decisive manner than had Walker. On one occasion he earned Scott's rebuke for 'contemptuous, negligent and improper' behaviour for absenting himself when he knew that the Visitor intended to make an

5 CSIL, Bundle 29, April-July, 1826 (NSWA 4/1793), No.195, Keane to McLeay 7/4/1826.

6 Statement of receipts and Disbursements 1826-31, FOS Statements 1826, 1827; FOS Letters 1825-9 (NSWA 4/326), Collicott to Scott 2/10/1826; Proceedings of Committees No.1 (NSWA 4/292), p.125, 4/12/1826.

7 Scott's Letter Book No.1, p.361, Scott to Darling 23/2/1827.

8 See below p. 251.

inspection⁹ but when the time came for him to leave he took with him the latter's thanks for the job he had done.

Scott wrote:

I feel it incumbent on me to state to you most unequivocally my opinion and my satisfaction if it can be of the least service to you on this occasion because the irksome duties you cheerfully undertook at my request when the children were left in a state of disease ignorance and irregularity too horrible to describe were of no ordinary nature and because a degree of scrutiny of your conduct was exercised by many who contemplated a failure in your attempt to make the School what it ought to be but whose assistance had never once been proffered to it.

As I have constantly watched the state of the children under your care I can truly testify to their progress and to the obedience your presence has always produced. This was remarkable during your absence of a few weeks from the School for then I observed a very great falling off in their regularity and cleanliness.¹⁰

On the departure of Keane and Mrs Collicott Rev. James Norman and his wife served as caretaker Master and Matron for a month until the expected arrival of the permanent appointees from England.¹¹

9 Scott to McLeay 7/10/1826, cited by John Farquhar Cleverley, 'The Administration of State-Assisted Elementary Education in Mainland New South Wales, 1789-1855', Ph.D. thesis University of Sydney, 1967, pp.257-8. Cleverley's references do not conform to the NSWA's own practice and appear meaningless. Neither I nor Mesdames B.Horton and J.Ireland of the Archives Office were able to locate this letter despite concerted searches through indexes and likely locations.

10 Scott's Letter Book No.1, pp.377-8, Scott to Keane 10/3/182

11 Scott's Letter Book No.1, pp.361-2, Scott to Darling 23/2/1827; Statement of Receipts and Disbursements 1826-31, FOS Account 1827.

Church and Schools Corporation Administration

Following the issuing of the Charter the administrative apparatus of the Clergy and School Lands Corporation was erected in April 1826 and the orphan and other public schools passed under its control. All important matters concerning the schools, including expenditure, came to be decided by the quarterly General Court of the Trustees, who were the Governor, the Chief Justice, the members of the Legislative Council, the Attorney-General, the Solicitor-General, the Archdeacon and the nine most senior chaplains. The Governor was, ex officio, President, the Archdeacon Vice-President and Chairman, the Colonial Treasurer the Treasurer. The nominal nature of the Governor's presidency is indicated by the existence of the office of Chairman. There was a practical need for a measure of detachment from practical involvement in Corporation deliberations on the part of the Governor as he was often called upon as head of government to make decisions relating to its submissions. His dual office served principally to signify the unity of Church and State.

Each quarterly General Court appointed a fresh committee to meet weekly during the ensuing quarter. Archdeacon Scott, a regular selection as a member of the committee, was always elected to the chair. In his absence Rev. Samuel Marsden as Principal Chaplain and

the second most senior cleric was regularly chosen to preside. The committee handled the routine supervision of the schools and at its last meeting prepared a report of events during the quarter and its recommendations for the quarterly General Court. Normally the General Court merely confirmed the committee's decisions and its minutes then went to the Governor. Darling, although retaining ultimate legal responsibility for orphans, took no part in the administration of the orphan schools beyond frequently sanctioning the admission of children whose needs in many cases probably could not wait upon the leisure of the committee.

Day-to-day business was handled by Scott and Charles Cowper, the Clerk of the Corporation, although decisions of any moment had to be left for the committee.

Under the Corporation the supervision tightened considerably. Now proper records had to be kept and reports, returns and requisitions submitted. Orphan affairs took up a large part of the business of committee meetings and General Courts and their minutes record in some detail admissions, apprenticeships, requisitions and returns. Nevertheless it will be argued throughout the rest of this thesis that Corporation control had deleterious effects on the orphan schools and was well-nigh disastrous for the Male Orphan School in particular. They suffered lasting damage from having their affairs

caught up in its financial mismanagement. The administrative structure too, was less efficient than it might seem at first sight. The power for effective deliberation was lost in the complexity of the system. The committee could do little more than report to the General Court which might refer a problem back to a committee for further investigation or to the Government. There was a good deal of overlap between the Corporation and the Government and, for example, committeeman Alexander McLeay was frequently to be seen voting to refer matters to Colonial Secretary McLeay. Problems could become lost in the maze or harmful delays occur before a decision was given. Effective power was in the hands of men at least some of whom had probably never set foot in one or either of the schools whose requisitions they might help to slash. Such administration left the Male Orphan School at the end of our period without means of providing its own drinking water.

In August 1826, as soon as possible after the inauguration of the Corporation, the Legislative Council enacted legislation which removed doubts relating to the position concerning the orphan lands and provided a legal basis for the regulation of the children at the orphan

schools and in apprenticeship.¹² Pursuant to the power granted in section V of this Act the Corporation in September 1826 regulated admission into the orphan schools and apprenticeship in chapters XI and XII of its statutes¹³ and in June 1829 instituted comprehensive sets of regulations : 'Rules for the Internal Management of the King's Male (Female) Orphan School'.¹⁴

Section IV of the Act provided that the Female Orphan School and all other schools for girls wholly or in part supported by the funds of the Corporation were to be 'duly inspected by a Female Committee or Committees, to be nominated by the King's Visitor' and approved by the Governor. A committee of nineteen ladies was appointed¹⁵ and a year later Governor Darling was reporting that the improvement in the Female Orphan School was 'in a great measure to be ascribed to the exertions' of these ladies.¹⁶ In particular Mrs Darling, following in the tradition of her predecessors as First Lady, took a close interest and

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- 12 An Act, for vesting the Orphan School Estates in the Trustees of the Clergy and School Lands in the Colony of New South Wales, and for duly governing the Children at School, and in Apprenticeship, 7 Geo. IV No.4. This Act was printed in SG and The Australian in the issues of 12 August 1826.
- 13 Proceedings of General Courts (NSWA 4/291), pp.51-4.
- 14 Proceedings of General Courts, p.229 ff, 2/6/1829.
- 15 Darling to Scott 15/9/1826 (ML Ad 27); Scott's Letter Book No.1, p.314, Scott to Darling 7/9/1826.
- 16 HRA, Vol.XIII, p.549, Darling to Goderich 11/10/1827.

was almost a daily visitor.¹⁷ The ladies reported to the Corporation committee but the Corporation papers contain indications that some of their decisions were implemented without prior confirmation by a higher authority.

The pattern of control of the orphan schools had returned under the Corporation to much the same system as that created by Macquarie with a multiplicity of committees, including a ladies' committee, and set regulations. Again the key committee had too little power to function effectively. When Governor Darling was informed of the decision to dismantle the Corporation Sir George Murray told him that he would need to think of providing supervision for the orphan schools after its termination and spoke of 'the establishment of Committees'.¹⁸

Rev C.P.N. Wilton

The Rev. Charles Pleydell Neale Wilton and his wife Elizabeth arrived from England in April 1827 and assumed office as Master and Matron on the 18th.¹⁹ Wilton, then in his 31st year, was a Master of Arts of Cambridge University, late Scholar of St. John's College, and a Fellow of the Cambridge Philosophical Society.²⁰ In

17 SG, 6 January 1829.

18 HRA, Vol.XIV, p.790, Murray to Darling 25/5/1829.

19 SG, 16 April 1827, notice; HRA, Vol.XIII, pp.548-9, Darling to Goderich 11/10/1827.

20 SG, 14 January 1828; Herbert Marshall, 'Wilton, Charles Pleydell Neale (1795-1859)', ADB, Vol.2, p.613.

academic and cultural terms he was the most distinguished person to preside over either of the orphan schools and his appointment can be seen as a move on the part of the Colonial Office to upgrade their educational standing. The fact that he had been appointed in England 'by the King' was something he interpreted in quite literal terms and rarely failed to mention when dealing with the Corporation or Archdeacon in situations of any tension.

Wilton received £150 per annum as Master and £250 per annum for his concurrent service as chaplain for the Field of Mars and Castle Hill and his wife received £100 per annum as Matron.²¹ Despite these generous terms of employment Wilton early showed an interest in maintaining a style of life not expected of a man in his situation which involved him in a search for additional income and perquisites. This possibly sowed the seeds of doubt about him which later sprouted into suspicion of his financial honesty.

Wilton began by submitting a list of furniture which the committee would see was 'absolutely necessary' for both him and his wife and Mr and Mrs Ellis, the Storekeeper and Assistant Matron,²² and he included colouring in the

21 SG, 16 April 1827; Marshall 'Wilton', p.613; Statement of Receipts and Disbursements, 1827-8-9. In 1828 the chaplaincy covered Field of Mars, Prospect and Castle Hill, in 1829 Field of Mars and Castle Hill.

22 FOS Letters 1825-9, Wilton to Scott 23/4/1827.

limewash for the private apartments.²³ When Mrs Wilton's health broke down Wilton had a 'garden house' constructed for her at his own expense in the ground and asked, unsuccessfully, to be allowed to use glass in the store to glaze the windows for it.²⁴ This structure, situated some fifty yards from the main building, was actually a fully-fledged cottage in which Mrs Wilton resided.²⁵ The Master was also permitted to fence off temporarily about three-quarters of an acre of the garden to enclose this cottage and provide it with a private garden.²⁶ Prior to the requests concerning the glass and private garden Wilton had been rebuked by Scott when on a visit to the school the Archdeacon had found two of the institution's servants working on the garden house. Wilton paid these men to do the work in their own time or hired others to do their work at the school. Scott's objections were that, in the first place, assigned servants were chosen with the view to preventing as far as possible the intrusion of strange workmen and, secondly, that they were required

23 FOS Letters 1825-9, Wilton's letters 23/4/1827, 5/11/1827 and 10/7/1828.

24 Scott's Letter Book No.1, Scott to Wilton 16/10/1827; FOS Letters 1825-9, Wilton to Committee 11/12/1827; Proceedings of Committees No.1., p.317, 12/12/1827.

25 Letter Book of Archdeacon Thomas Hobbes Scott No.2 (ML A851), p.33, Scott to Darling 27/6/1828.

26 FOS Letters 1825-9, Wilton to Committee 26/11/1827; Proceedings of Committees No.1, pp.304-5, 28/11/1827.

to do work on the premises the skills for which were not possessed by the occasional laborer.²⁷

In October 1828 Scott notified Wilton that he had been informed that there were several horses belonging to Wilton and Ellis grazing in the school's paddocks. As the surrounding wastelands had all been fenced all the land available was required for the institutions milch cows and only the horse required by Wilton for his duties as chaplain was to be grazed on the property. No horse belonging to any stranger, except that of the medical attendant during his visit, was to be taken into either the paddocks or the stables.²⁸ Wilton apparently protested promptly for Scott later modified his command to the extent that if Wilton was to keep a second horse and Ellis one these animals were to be kept in the stable²⁹ - which meant, of course, that they would be an expense to the owners for hand feeding.

Wilton was unhappy with the conditions of his employment. On 15 October 1827 he told Scott that the institution was very different to what he had expected and that he was disappointed with the allowances. Scott could find nothing in his letter to the Secretary of State of holding out more than the Wiltons received, but conceded that the Master had an undoubted right to appeal if he

27 Scott's Letter Book No.1, p.455, Scott to Wilton 16/10/1827.

28 Scott's Letter Book No.2, p.123, Scott to Wilton 6/10/1828.

29 Scott's Letter Book No.2, p.124, Scott to Wilton n.d.
(but from position in book probably 8/10/1823).

felt aggrieved.³⁰ The latter then made a request 'respecting the washing' which Scott turned down, pointing out that this would if granted place the other chaplains in an even more unfavourable position relative to him. They and their wives, unlike the Wiltons, were not allowed rations for themselves and a servant and received little more than half the income although their 'long service & privations no clergyman in England can form an idea of'. The rations were indulgences of the Trustees not held out in the letter to the Secretary of State which they might withdraw at their pleasure. Wilton was invited to compare the lot of himself and his wife with that of Rev. and Mrs Robert Cartwright:

At the M.O. School the masters wife has no Salary & only two women under her to look after 39 infants & the household affairs of 70 boys the Master has been 17 years in the Colony on £240 a year till lately & is one of the most exemplary clergyman (sic) England c. has produced.³¹

Wilton's bid for wages for a female servant for Mrs Wilton was likewise rejected.³² She can have had little work of any kind to do and her sister was with her.³³ The servant would have met a social desire rather than a physical need.

30 Scott's Letter Book No.1, p.456, Scott to Wilton 16/10/1827.

31 Scott's Letter Book No.1, p.467, Scott to Wilton 20/11/1827.

32 Proceedings of Committees No.1, p.301, 14/11/1827.

33 Minute Book 1828-29 (NSWA 7/2703), p.99, 16/7/1828.

The Wiltons should have been able to live quite comfortably on Wilton's income in cash and kind of £476 per annum³⁴ but as Scott later observed his 'general habits are known to be very extravagant and far beyond his means'. He was soon in financial difficulties and requesting advances on his salary³⁵ although in addition to Wilton's salaries Mrs Wilton drew her salary at the rate of £100 per annum for as long as possible although she was never to enter upon the duties of her office.³⁶

In May 1828 in reply to a request to comment on John Kirk, schoolmaster at Prospect, Wilton made a quite shameless attempt to extract more money from the Corporation by suggesting that he should be paid another £100 per annum to supervise the schools at Prospect and Rooty Hill and perform service one Sunday afternoon in the month.³⁷ A few months later he was refused permission to receive a boy to board with him as a private pupil on the grounds that the boy was of an age which made this 'quite incompatible with the nature of the Institution over which you

34 £250 as chaplain, £150 as Master, £26 allowance for horse, £500 rations for self, wife and servant : Scott's Letter Book No.2, p.35, Scott to Darling 27/6/1828.

35 HRA, Vol.XIV, p.746, Scott to Darling 3/4/1829.

36 The case of Mrs Wilton is discussed later in this chapter.

37 FOS Letters 1825-9, Wilton to Committee 20/5/1828.

preside'.³⁸ Between times he is stated to have had a pupil at £50 per annum.³⁹ It would have been pertinent to ask, how he found time in a colony not generally plagued by clerical pluralism and sinecures, to take pupils for tutoring if giving full value for salary in the two onerous offices which he held at public expense.

The Scott-Wilton feud

As late as 27 June 1828 Scott wrote that Wilton had come out strongly and highly recommended to me as having done his clerical duties in his former Curacy to the satisfaction of His Eccle^t.⁴¹ Superior and Parishioners and I have no reason up to this time to find any deficiency in that part of his duty.⁴⁰

Subsequently, and contemporaneously with a developing feud between the two, Scott addressed a number of letters to Wilton finding fault with his performance as chaplain.⁴¹ In April 1829 Scott completely retracted his statement of the previous June, saying of the Chaplain:

he is a young man of little Judgment, of less experience and of no conduct; and, tho' I once stated to him I had no fault to find with his

38 Scott's Letter Book No.2, p.124, Scott to Wilton n.d. (probably 8/10/1827).

39 Scott's Letter Book No.2, p.35, Scott to Darling 27/6/1828.

40 Scott's Letter Book No.2, p.35, Scott to Darling 27/6/1828.

41 Scott's Letter Book No.2, passim.

clerical duties I then knew not of his grave offences; too late I find him to be quite unfit for either station he fills in this Colony whatever he may be in England; nor will he ever receive from my hand his benedicisset.⁴²

In January 1828 Wilton published under his editorship the first issue of The Australian Quarterly Journal of Theology, Literature, and Science, an overly-ambitious contribution to the Colony's cultural life which did not survive beyond the four issues for 1828. In the course of reviewing a work by the missionary Rev.L.E. Threlkeld, an Independent, he animadverted on the Church of England's neglect of mission work with the Aborigines, on the school establishment and, ironically, elsewhere in the volume on 'good fat livings'.⁴³ Scott deeply resented these remarks which he claimed had not added to Wilton's fame or to his veracity. While the Archdeacon's feelings were natural and might well have been anticipated Wilton was amply justified, although aggressively forceful, in his central criticism of the neglect of the natives by his church. Scott himself had been primarily responsible for the shelving of proposals for the civilizing of the Aborigines to be implemented by the Government and Established Church⁴⁴ and in his capacity as adviser to

43 Rev. Charles P.N. Wilton, ed., The Australian Quarterly Journal of Theology, Literature and Science, Sydney 1828, Vol.I, p.49, HRA, Vol.XIV,p.748, Scott to Darling 3/4/1829.

44 B.J. Bridges, 'The Native Institution, Parramatta and Blacktown', The Forum of Education, Vol.XXXI, Nos.1 and 2, March and September 1972, pp.163-4.

the Government on such matters probably had a hand in Darling's frustration of the Wesleyans who were prepared to make an effort. (The Church of England record in the next quarter of a century continued to be poorer, in terms of money invested, than that of the Wesleyans, Presbyterians, Lutherans or Baptists).

Wilton's associations gave further offence to his superior. He was the brother-in-law of Rev. Frederick Wilkinson, with whom the Archdeacon was also in serious conflict,⁴⁵ and a friend of solicitor Frederick Wright Unwin, a fellow passenger on the ship coming out from England and for a time the accountant of the Corporation. Scott represented Unwin as a very shady character with whom Wilton had been involved in dishonest financial transactions. The Chaplain had lent his name in connection with the issue of bills claimed to represent an increase in the capital of the Bank of New South Wales. He appears to have acted honourably but Scott sent for him and told him that if the nature of the transaction was reported to the Government or to the Ecclesiastical Board he would doubtless be dismissed. He indicated to Wilton that he should resign. In December 1828, some

45 See Scott's Letter Book No.2, p.188 ff, Scott to Hamilton 24/2/1829. Wilkinson was active as a political liberal.

little time afterwards, Wilton did resign his appointments, but then repented of this capitulation and retracted the resignations.⁴⁶ For the rest of Scott's sojourn in New South Wales they engaged in a 'slanging match' of charge and counter-charge concerning financial and ecclesiastical matters.

Scott's tactic was to make repeated demands, in an aggressive manner, for Wilton to justify charges which he was alleged to be making concerning the Archdeacon's financial involvements, personal hostility and doctrinal differences. Wilton defended himself on the basis that he was making no charges but had been forced by the Archdeacon's harsh treatment of him to appeal to the Ecclesiastical Board for the Colonies for protection and redress and in stating his case it was necessary to state certain facts which he stood prepared to prove at the appropriate time. In general Wilton was tactful and respectful, save only a couple of lapses into polite sarcasm where he saw Scott as wilfully misconstruing what he had written.⁴⁷ Scott claimed not to have suspended Wilton only because of the events of the Walker case, after which

46 Scott's Letter Book No.2, p.171, Scott to Wilton 30/12/1828; HRA, Vol.XIV, p.562, Scott to Darling 30/12/1828, p.745 ff, Scott to Darling 3/4/1829, Vol.XV, p.161ff, Darling to Murray 7/9/1829 and enclosures; Marshall 'Wilton'.

47 Scott's Letter Book No.2, pp.214-6, Scott to Darling 4/4/1829, pp.224-37, Scott to Wilton, various dates; HRA, Vol.XV, p.161 ff., Darling to Murray 7/9/1829 and enclosures.

I cannot in justice to myself incur the responsibility of again being subjected to so much litigation, so many severe and unfounded animadversions from the Bench, and such serious expence.⁴⁸

Early in 1829 Wilton took the initiative by laying the whole question of his relations with Scott before the Ecclesiastical Board for the Colonies alleging that the real reason for the Archdeacon's hostility towards him related to a clash over Church principles.⁴⁹ Wilton's report consists of his correspondence with the Archdeacon strung together with comment which is conciliatory in tone and inclines one to the opinion that he comes out of the dispute the better of the two.

On 28 September 1828 Wilton noticed that the orphan girls had copies of tracts which had been distributed by the Matron, Mrs Ellis, from a supply brought to her by Charles Cowper on 26 September. The Master noted that not one of the tracts belonged to the Society for Promoting Christian Knowledge, the only society whose tracts, according to him, would be approved by His Majesty's Government and the Ecclesiastical Board. On 29 September

48 HRA, Vol.XV, p.164, Scott to Darling 23/6/1829.

49 Governor's Despatches to England, Vol.15 (ML A1204), pp.867-900, especially p.895, Wilton to Ecclesiastical Board for the Colonies 28/3/1829, enclosed in Darling to Murray 17/5/1829, No.58. On the Ecclesiastical Board see J.J. Eddy, Britain and the Australian Colonies 1818-1831: The Technique of Government, Oxford 1969, pp.265-6.

Mrs Ellis returned the tracts and Wilton wrote to Scott to ask that he would see that no more tracts were put into the hands of the children without the Archdeacon's knowledge and approval and prior communication of this to the Master.⁵⁰

Scott's reply was very short and nasty:

The tracts ... were taken up and distributed amongst the Children by my direction, and I shall visit the school on Saturday or Monday next with some more and distribute them myself.⁵¹

Wilton represented this as a breach of Church principles about which he 'could not but feel indignant'.⁵² He charged that Scott had placed himself at the head of a party more dangerous to the Established Church than the Dissenters - and ignored Scott's demand for clarification of this obscure embellishment.⁵³

It must be accepted that a clergyman of Wilton's principles would be concerned about the tracts incident but his representation of this as the focus of his quarrel with the Archdeacon was an opportunistic seizing of the main chance. A departure from orthodoxy on the part of

50 Governor's Despatches to England, Vol.15, pp.896-7
Wilton to Scott 29/9/1828, (copy).

51 Governor's Despatches to England, Vol.15, p.897,
Scott to Wilton 1/10/1828, (copy).

52 Governor's Despatches to England, Vol.15, p.895.

53 Scott's Letter Book No.2, pp.231-2, Scott to Wilton
1/6/1829.

the Archdeacon, with Wilton as its champion, was more likely to predispose the Board in his favour than any other cause, there was documentary evidence for their respective positions, and Wilton, whose own letter was typically respectful, had been treated arguably with discourtesy in being by-passed in the first place and unquestionably with belligerent rudeness in Scott's reply. This was the best issue on which Wilton could complain.

The Archdeacon pursued his attack on Wilton into mid 1829 with complaints concerning his performance as Master. It was alleged, firstly, that Wilton left the arrangement and superintendence of the school entirely to the Matron, Mrs Ellis.⁵⁴ On 29 May 1829 Scott arrived at the school after giving notice that he would make an official visit and immediately took a list of written questions from a portfolio and proceeded to put them to Wilton who, led to believe that they had been posed by the authorities in England, gave extempore answers, which Scott recorded. When the Master realized that the examination derived from the Archdeacon himself he stated that as they were considered questions he would not, knowing the true situation, have given other than considered answers. Scott refused his reasonable

54 HRA, Vol.XIV, p.748, Scott to Darling 3/4/1829.

request for a copy of the questions and answers.⁵⁵

Clearly the Archdeacon was fishing for material which he could use to Wilton's disadvantage. Shortly afterwards he informed Governor Darling that

I am bound to say the Children are very backward, and most of all in their religious instruction. Mr. Wilton avows that he gives no more time to their education than One hour and three quarters in the morning from which he is sometimes withdrawn by other engagements.⁵⁶

Wilton does impress as having been little concerned with the girls' formal education but it is important to note that this was explicitly the responsibility primarily of the Matron.

Whatever the merits of this charge of neglect of the girls' instruction Scott's two complaints about Wilton's administration of the school are of doubtful validity. He claimed to have had to appoint William Ellis Storekeeper 'for Mr. Wilton was incapable of keeping the accounts'⁵⁷ and asserted that Wilton had been in the habit of expending very large sums without authority for which he had been 'reprimanded' by no fewer than six

55 HRA, Vol.XV, pp.168-9, Wilton to Scott 4/6/1829, p.173, Scott to Darling 17/8/1829.

56 HRA, Vol.XV, p.164, Scott to Darling 23/6/1829.

57 HRA, Vol.XIV, pp.745,748, Scott to Darling 3/4/1829, quoted p.745; Scott's Letter Book No.2, Scott to Darling 27/6/1828.

resolutions of the Trustees.⁵⁸

To say that Ellis was appointed because Wilton could not keep accounts is strange because, although he was somewhat careless in such matters, he obviously had the capacity to do so. The school had employed a storekeeper as early as 1826, before Wilton's arrival. Ellis came on the understanding that the task would require only half an hour a day but soon had to ask for additional salary as he found that the work occupied him almost the whole day. Everything had to be checked in and out.⁵⁹

Wilton's attitude was that as there was a full-time Storekeeper occupied with the matters which the accounts principally concerned and as it was impossible for him to have a real knowledge of the concerns of the store he ought not to involve himself or to have to sign the weekly returns when he could not know whether they were accurate.⁶⁰ Under pressure he finally obeyed instructions to sign returns but expressly stated that this could only be on the basis that he was attesting 'the accuracy of the statements contained in the weekly returns to the

58 HRA, Vol.XIV, p.748, Scott to Darling 3/4/1829, Vol.XV, p.162, Scott to Darling 23/6/1829, pp.170-2, enclosures: These hardly support Scott's assertion that they were all reprimands.

59 FOS Letters 1825-9, A. and W. Ellis to Committee 28/6/1828.

60 FOS Letters 1825-9, Wilton to Committee 20/5/1829.

best of my belief'.⁶¹ The committee insisted that it 'could not relieve him from the responsibility of checking the issue of stores and the weekly issue of provisions',⁶² and Scott added personally the warning that as long as it was his duty to report on stores and accounts 'I shall hold you to be the responsible person & this too over the Storekeeper'.⁶³ This insistence that Wilton should countersign account documents and that the masters of the orphan schools should personally draw all cheques came only after Ellis had been embarrassed by drawing cheques without funds to cover them because a debtor had falsely claimed to have paid in money owed by him.⁶⁴

The Corporation's own documents do little to support the charge of extravagance. Some of the expenditure incurred was owing to the need to buy stores locally because of failures to meet requisitions. At the outset of his Mastership Wilton was instructed to allow sufficient time for requisitions to be met by

61 FOS Letters 1825-9, Wilton to Committee 30/6/1829 and 14/7/1829; Minute Book 1829-30 (NSWA 7/2704), pp.78-9, 8/7/1829, p.87, 22/7/1829.

62 Minute Book 1829-30, p.3, 22/5/1829.

63 Scott's Letter Book No.2, p.229, Scott to Wilton 22/5/1829.

64 FOS Letters 1825-9, Ellis to Cowper 1/5/1829; Minute Book 1828-29, p.324, 13/5/1829; Proceedings of General Courts, p.229, 2/6/1829. The changes brought practice into conformity with that followed by chaplains and catechists.

advertisement.⁶⁵ He assured the committee early in his tenure that nothing was requisitioned which was not necessary⁶⁶ but failure to supply these needs in reasonable time was to become a constant theme of his official correspondence and the records leave no doubt that his complaints were amply justified. To take but one example when asked to explain one bill for £25.17.0 he pointed out that he had been forced to purchase tea and sugar when a requisition had been ignored for twelve weeks (and even then met with inferior sugar full of sticks and leaves).⁶⁷ His letters to the Corporation between times contain reminders of the non-arrival of this sugar.⁶⁸

Scott was scratching about for offences to lay at the door of his censorious subordinate. Significantly Wilton's work at the Female Orphan School was made the subject of criticism only after they had become fully embroiled on other issues. While neither Archdeacon nor Master descended to the depths reached in the Walker affair the squabble again failed to profit either party.

65 HRA, Vol.XV, p.170, Cowper to Wilton 4/7/1827.

66 FOS Letters 1825-9, Wilton to Committee 16/10/1827.

67 FOS Letters 1825-9, Wilton to Committee 16/10/1827.

68 See letters for the relevant period, FOS Letters 1825-9.

Scott in particular comes out of it very poorly. He misled Governor Darling in asserting that Ellis had to be employed because of Wilton's deficiencies : everyone connected with the Female Orphan School accepted that the Master/Chaplain and Storekeeper roles could not be filled adequately by one man. Worse, his malice is incontrovertibly demonstrated in the sending to Darling for transmission to England of a copy of a letter calling upon Wilton to explain certain unauthorized expenditure without enclosing a copy of the reply long to hand which answers the complaints seriatim in a generally quite satisfactory manner.⁶⁹

As the Archdeacon had submitted his resignation by the time the papers concerning the feud reached England it was unnecessary to take any drastic action to resolve it. The Secretary of State Sir George Murray reproved Wilton for 'the very grave indiscretion' of 'affixing his acceptance to Bills of doubtful character' but 'from a reluctance to ruin his prospects in life' permitted his recall of his resignation. Wilton was to understand that he would be removed if his conduct did not satisfy Archdeacon Broughton.⁷⁰ Scott had left the Colony when

69 HRA, Vol.XV, p.171, Cowper to Wilton 10/10/1827, enclosed in Darling to Murray 7/9/1829; FOS Letters 1825-9, Wilton to Committee 10/7/1828, and see also letter 16/10/1827.

70 HRA, Vol.XV, p.313, Murray to Darling 1/1/1830.

this was written and his complaints about Wilton's performance of his duties as Master were received in Downing Street without comment.

Mrs Wilton's non-performance of duties

Archdeacon Scott was on firmer ground in his criticisms of Mrs Elizabeth Wilton who never entered upon the duties of her office as Matron. She frequently declared to him that she could not bear the smell of the children or the house, in which she refused to reside.⁷¹ Undoubtedly she was far too intent on maintaining her own comfort and the status of a lady ever to be of service in such an institution and one gains the strong impression that Wilton's extravagance is to be attributed to his endeavouring to meet her demands.

Mrs Wilton produced a medical certificate on arrival and was granted leave which was subsequently extended to Christmas 1827.⁷² At this stage the Archdeacon had several interviews concerning Mrs Wilton's position with her husband

71 HRA, Vol.XIV, p.745, Scott to Darling 3/4/1829; Scott's Letter Book No.2, p.33, Scott to Darling 27/6/1828.

72 HRA, Vol.XIV, p.745; Scott's Letter Book No.1, pp.463-5, Scott to Wilton 14/11/1827; Scott's Letter Book No.2, p.31, Scott to Darling 27/6/1828.

who made many propositions to me verbally all of which I told him were quite incompatible with the nature of the foundation and my duty as Visitor; if however he would transmit them to me in writing I would give him my answer. This he has not done and indeed from the extraordinary nature of the propositions I should hope will for his own sake abstain from doing so.⁷³

From all the known circumstances it is a safe guess that these extraordinary propositions involved an attempt to keep at least part of Mrs Wilton's salary as Matron while relieving her of the necessity to do anything to earn it. Mrs Ann Ellis, 'a very active and intelligent person',⁷⁴ had been employed during the intervening months of Mrs Wilton's leave as Assistant Matron at £50 per annum to perform the whole of the duties of the Matron.⁷⁵ It seems most likely that Wilton tried for a continuation of his wife in the office of Matron as a sinecure worth £50 per annum on the basis that this would cost the Corporation no more than the £100 currently appropriated to the salary of the Matron.

Scott told Mrs Wilton that he could not further extend her leave but when it expired she neither assumed her duties nor resigned. He left on an extended visitation Van Diemen's Land on 5 January 1828 and although in

73 Scott's Letter Book No.2, p.30, Scott to Darling 27/6/1828.

74 HRA, Vol.XIII, p.549, Darling to Goderich 11/10/1827.

75 Scott's Letter Book No.2, p.33, Scott to Darling 27/6/1828.

regular communication with Sydney continued to hear nothing from Mrs Wilton on her intentions.⁷⁶ On his return he found that she was still not performing her duties and that as a consequence the Trustees had refused to continue her salary.⁷⁷

On 16 June Scott requested to be informed as to what duties Mrs Wilton had performed as Matron and whether she was still doing any duties. The response was a visit from F.W. Unwin acting in his role as attorney for the Wiltons. Scott interpreted this, probably unreasonably, as another instance of the intolerable questioning of his authority as Visitor.⁷⁸ Wilton seems to have seen Scott's objection as one involving a question of ecclesiastical authority for after receiving a letter from Unwin on behalf of the Wiltons the Archdeacon remarked

I do not as he (Wilton) seems to suppose complain of his want of Canonical obedience or neglect of Ecclesiastical duties but of questioning in a legal manner my right to investigate into the duties of Master and Matron of a Public School wh. is a Civil appointment.⁷⁹

76 HRA, Vol.XIV, p.745, Scott to Darling 3/4/1827.

77 Scott's Letter Book No.2, p.29, Scott to Darling 27/6/1828. There is some discrepancy here. The minutes of the committee meeting of 26 March record that Scott had signified Mrs Wilton's resignation and that consideration of her salary from 1 January was deferred until the Archdeacon's return: Minute Book 1828-29, p.59.

78 Scott's Letter Book No.2, pp.31-2, Scott to Darling 27/6/1828

79 Scott's Letter Book No.2, pp.38-9, Scott to Darling 2/7/1828.

In Scott's own account there is nothing to suggest that Unwin gave any grounds for the assumption that he was questioning Scott's authority. This was inferred from the interposition of a legal intermediary.⁸⁰

Unwin's letter contained a renewal of the earlier bids for a sinecure Matronship for Mrs Wilton. Scott would not entertain the idea for a moment.⁸¹ Early in July Wilton claimed his wife's salary to the end of June 1828 on the grounds that she had not officially resigned nor been given official notice of dismissal prior to the Visitor's departure and at the same time stated that as her health prevented her taking an active part in the school she was prepared to resign to the Archdeacon.⁸² Early in August 1828 Mrs Wilton did finally resign in a letter signed also by her husband and they took the opportunity to ask that she be paid half salary for the year to that point.⁸³ Current practice was that public

80 Scott's Letter Book No.2,p.33,Scott to Darling 27/6/1828.

81 Scott's Letter Book No.2,pp.34-5,Scott to Darling 27/6/1828.

82 FOS Letters 1825-9, Wilton to Committee 10/7/1828,Wilton to Scott 24/6/1828. There is a hint of ambivalence in Wilton's thinking here. He acknowledges a local right to dismiss yet the offer to resign 'to the Archdeacon' suggests by its peculiar form, that this is a concession. Wilton's steady insistence that their appointments came from 'the King' suggests that he saw resignation to 'the King' as a delaying tactic open to him but to which he was not going to resort.

83 Scott's Letter Book No.2, p.98, Scott to Darling 19/8/1828, pp.101-2, Scott to Wilton 20/8/1828.

servants on sick leave shared their salaries with their stand-ins. As she had received full pay to the end of 1827⁸⁴ she had been overpaid already especially as she had never actually served in her office. Scott forwarded the papers concerning her salary to the Bishop of Calcutta as did Darling to the Secretary of State.⁸⁵ A General Court declined to authorize any payment.⁸⁶

Mrs Ann Ellis appointed Matron

Upon receipt of Mrs Wilton's resignation the Archdeacon appointed Mrs Ellis Matron pro-tem⁸⁷ and the next General Court confirmed the appointment to the office which she had so long filled in reality.⁸⁸ She had already established herself in the good opinion of both the ladies' committee⁸⁹ and Charles Wilton.⁹⁰ Scott

84 Letters from Col.Sec.&c. 1821-28 (NSWA 7/2710), No.196, McLeay to Cowper 21/7/1828; Minute Book 1828-29, pp.111-2, 6/8/1828.

85 Scott's Letter Book No.2,p.102,Scott to Wilton 22/8/1828.

86 Proceedings of General Courts, p.168, 2/9/1828.

87 Scott's Letter Book No.2,p.98,Scott to Darling 19/8/1828.

88 Proceedings of General Courts, p.168, 2/9/1828.

89 FOS Letters 1825-9, A. and W.Ellis to Committee 28/6/1828.

90 FOS Letters 1825-9, Wilton to Committee 25/3/1828 in recommending the customary gratuity for Mrs Ellis said of her and her husband that both had 'done the utmost in their power to advance the interests of this Institution'.

later claimed that he appointed Mrs Ellis Matron in consequence of 'the disorderly state of the School',⁹¹ but this is apparently a reference to her earlier appointment as Assistant-Matron. He remained well pleased with her efforts until his departure. In September 1829 he stated in supporting a petition from the Elliss that

nothing can have exceeded the unremitting care and attention which Mrs Ellis has paid to the general interests of the School and to her assiduity and arrangements may be attributed the state in which the Children are at present and have been during the whole time she has been in charge.⁹²

When Wilton tendered his resignation the Sydney Gazette expected William Ellis's appointment as Master because

Mr. and Mrs. Ellis have devoted their undivided attention to the Institution for a long time past, and have succeeded in establishing a system of discipline in all its various details, which has never been surpassed.⁹³

According to Scott the first six months following the original appointment of the Ellis couple to the school had been difficult. Wilton had even insisted on one occasion that they be dismissed instantly. The grounds of his complaint were very vague and the Archdeacon had

91 HRA, Vol.XV, p.219, Scott, Report on the Church and School Establishment, 1/9/1829. This description of the state of the school occurs during harsh criticism of Wilton and may well be coloured to some extent by this purpose.

92 Scott's Letter Book No.2, p.263, Scott to Darling 1/9/1829; HRA, Vol.XV, p.219, Scott, Report on the Church and School Establishment, 1/9/1829.

93 SG, 6 January 1829.

refused when he found on investigation that the differences were of a personal rather than public nature and arose out of some disputes with fellow passengers on the way out.⁹⁴ An instruction to Mrs Ellis when appointed Matron that Scott was to be informed immediately by letter in the event of any difference with the Master⁹⁵ may have been in anticipation of a continuation of differences. The removal of Mrs Wilton and the payment to Mrs Ellis of the Matron's salary for doing the work of Matron no doubt helped to improve relations. Scott's statement is the only indication of any lack of harmony for in the available documents Wilton has only praise for William and Ann Ellis.

Duties of Master and Matron

In giving Mrs Ellis her instructions as Matron the forty-five year old bachelor Archdeacon remarked coyly that there 'are unquestionably many circumstances attending the superintendence of Girls with which the Master cannot be supposed to have any knowledge' and about which she need not bother him except in serious cases. She was to be present whenever it became necessary to punish improper behaviour amongst the children or servants 'in the usual manner'. The school was never to be left unsupervised

94 Scott's Letter Book No.2, p.31, Scott to Darling 27/6/1828.

95 Scott's Letter Book No.2, p.109, Scott to Mrs Ellis 5/9/1828.

and when either of the Elliss needed to be absent they were to give Wilton sufficient notice for him to arrange his other duties so as to be on the premises.⁹⁶

Under the Rules for Internal Management, 1829, the Master of each of the orphan schools was required to exercise a general superintendence of his institution. In particular he was required to instruct the children in reading, writing and arithmetic for the three hours a day fixed by the Visitor and pay particular regard to religious and moral instruction. Each day he was to

read such Morning and Evening Prayers as are approved by the Visitor, also the Psalms of the day in the morning, and the second lesson for the day in the evening, and he shall perform divine service in the School every Sunday afternoon at such hour as the Visitor may direct. He shall examine the children in religious knowledge every Saturday Morning, and distribute the Reward tickets ...

Any lectures or Exposition given to the children by the Master on the Holy Bible or New Testament shall be delivered from the Notes to the Bible published by the Society for Promoting Christian Knowledge, or such other work as the Visitor may direct, from the Books on the list of that Society.

The Master was not to incur any expense without the prior sanction of the Trustees, was to transmit the bills quarterly to the committee and make payments on its approval, countersign the Storekeeper's weekly returns and occasionally check the stores by taking an inventory. He was to keep Admission, Register and Class Books

96 Scott's Letter Book No.2, p.109, Scott to Mrs Ellis 5/9/1828.

according to Dr Bell's system.⁹⁷ In addition the Master of the Male Orphan School had the duties of supervision of the class rolls and conduct, supervision of the servants and presence at any interview of an outside person with a child which in the Female Orphan School fell to the lot of the Matron.⁹⁸

The Matron of the Female Orphan School was to preside over the domestic economy of the school, to see that the female servants performed their duties, to preside at morning and evening prayer and accompany the children to church every Sunday morning, to act as librarian, to be present whenever any person saw a child from the school, to superintend the education and sewing of the children except when the Master was present for any length of time, and to perform various other duties handled by the School-master in the Male Orphan School.⁹⁹

At the end of our period the problem of finding a suitable Master for the Female Orphan School was still considerable. The position held no obvious attractions.

97 Proceedings of General Courts, pp.230-2, MOS Rules for General Management chp.1, quoted from p.230-1, Ss 2 and 4. For the form of the Books see pp.248-51 MOS and pp.273-7 FOS.

98 Ss 5,6,12,13 and 14.

99 Proceedings of General Courts, pp.255-6, FOS Rules for Internal Management, chp.3.

When Wilton resigned early in 1831 Archdeacon Broughton wrote that in justice to his successor as Master it ought to be noticed that

the duty of instructing the numerous Children and of duly Superintending the establishment in all its details will be fatiguing and probably irksome, and must so occupy all the time he can spare from parochial services, as rarely to admit his absence even for a single day. Under all circumstances, I am of opinion that it will be a most difficult task to engage the Services of any gentleman duly qualified to discharge the office of a parish Minister, and at the same time contentedly submit to ^{his} toil and Confinement of attending the orphan School The Nature of the Office renders it advisable that it should be filled by a Married Man, but the apartments allotted to the Master in the Institution are not adapted for a family of children. ¹⁰⁰

Servants

Following the establishment of the Corporation in 1826 the number of servants was doubled to twenty-two : a nurse, two laundresses, six female general servants, a storekeeper, gardener, stockman and nine general purpose male servants. Although this dramatic increase in staff may have been desirable it was part of the pattern of the Corporation's expansion beyond the capacity of its resources. In 1827 forty-two people were employed at some stage during the year although a policy of strict economy was undertaken and the number was seemingly cut back severely during the year as the wages bill was not very much more than for 1828 when a staff of nineteen was

100 HRA, Vol.XVI, pp.90-1, Broughton to Darling 17/2/1831.

listed. In 1829 the number rose again to twenty-six named persons with 'sundry labourers' in addition but the wages bill was only about £50 more.¹⁰¹

Between 1827 and the beginning of 1830 Wilton built up the number of girls retained as internal apprentices to work in the Orphan House from twelve to twenty-seven.¹⁰² On the basis of convict servants alone the servant/pupil ratio had very greatly improved during these years and if one includes the apprentices on the side of the servants it reached in 1829 an astoundingly high 1 : 2.5 (approximately).

The large number of internal apprentices reflects Wilton's desire to keep girls of only twelve from being sent out to mistresses who looked upon them merely as drudges. His compassion showed too in his treatment of Thomas Blackett an aged servant beyond the stage of earning a living at hard labour. Wilton had him kept on to do whatever light duties were within his power in return for his keep and wages so low as to amount to little more than pocket money.¹⁰³ In 1830 he was

101 Statement of Receipts and Disbursements 1826-31, FOS Accounts for the relevant years. The count includes Master and Surgeon.

102 Minute Book 1829-30, p.267, 25/1/1830.

103 FOS Letters 1825-9, Wilton to Committee 10/7/1828; Corporation Letter Book 1826-27, p.321, Cowper to Wilton 4/8/1827: to be allowed only rations and clothes; Statement of Receipts and Disbursements 1826-31, FOS Account 1828: Messenger on £6.9.6.

transferred to the Male Orphan School where he served first as a watchman and was later directed to take charge of a flock of old diseased sheep.¹⁰⁴

The servants were, at least in theory, very rigidly controlled. For example, during Mrs Walker's term as Matron no adult female was permitted to leave the premises unless accompanied by Mrs Walker even to spend her wages.¹⁰⁵ From at least as early as late 1828 disciplinary offences and punishments were recorded in a book.¹⁰⁶

Under the Rules for Internal Management for both the orphan schools the number of servants was to be regulated by the Visitor and the duties assigned by the Master. Male servants were enjoined to obey all the orders given by the Master. They were to rise at bell ringing, be diligent in their duties, attend morning and evening prayers and be in bed by half past nine of an evening. Servants were responsible for all equipment in their charge and might be made to pay for its replacement in case of loss or damage. Improper language was not to be uttered and servants were not to have

104 MOS Letters 1830-2 (NSWA 4/329), Sadleir to (Cowper) 10/8/1830.

105 HRA, Vol.XIII, Affidavit by Mr William Walker 29/11/1825.

106 Scott's Letter Book No.2, p.108, Scott to Mrs Ellis 5/9/1828.

spirituous liquors in their possession without the permission of the Master. Servants were not to have any communication with persons not belonging to the institution nor to leave the premises without the permission of the Master. They were required to permit the Master to inspect their boxes or lock-up places at any time. Any servant guilty of improper conduct might be dismissed immediately by the Master who would report the circumstances to the Visitor.¹⁰⁷ These rules simply codified what had always been, in substance, the practice. They spelled out a regimentation little less rigid than that imposed on the children.

For men servants at the Female Orphan School there were additional restrictions designed to maintain their segregation from the women servants and the girls. No male servant except the Messenger was permitted to enter the playground or go on to the lawn unless ordered by the Master or Storekeeper. The Messenger's position was one of trust to be rewarded with occasional gratuities for good conduct. He was to ring the bells at the appointed times, receive and examine all parcels, take the other servants' provisions to their hut and police their movements, watch the linen and keep the verandah

107 Proceedings of General Courts, p.246, MOS Internal Rules chp.10. The same rules applied to FOS.

clean, with assistance. As an incentive to diligence he would receive five shillings for each seizure of spirits clandestinely brought onto the property.¹⁰⁸

Following an application by Wilton for the clarification of the rules Scott ordered that the men would have their prayers read to them apart from and earlier than the reading of prayers to the children and female servants.¹⁰⁹

The rules for the female servants were similar in most respects. In addition they prescribed the routine of their cleaning duties and instructed them to keep the girls assigned to their care clean, orderly and occupied, but not distressed by work too heavy for them, and to report their misdemeanours. The cook was clearly head servant. She presided over the servants' dining table and had special instructional duties, being responsible for teaching the girls to cook and to perform the different tasks of the kitchen.¹¹⁰

The constables

At some stage domestic constables were employed at both of the orphan schools, later to be replaced by

108 Proceedings of General Courts, pp.270-2, FOS Internal Rules, chp.11.

109 Scott's Letter Book No.2, pp.247-8, Scott to Wilton 13/7/1829.

110 Proceedings of General Courts, pp.266-9, FOS Internal Rules, chp.9.

night-watchmen. It seems that constables were required at the Female Orphan School primarily to guard the virginity of the girls by keeping men and boys, and especially the servants of the establishment, away from them. The constable patrolled the grounds throughout the night.

The practice of employing constables was apparently well established by the time the first mention of them occurs in the extant records in November 1827. Until 1 November 1827 the constables attached to the Female Orphan Schools were members of the police force paid by the Colonial Government but after that date they were struck off the strength and the constables were henceforth employees of the Corporation.¹¹¹

Early in that month a Constable Henry Mullett asked 'if he might be permitted to return as constable in the room of Hogan'.¹¹² Mullett's wife was a convict very near the end of her term and they had a family of two girls aged eighteen months and four months. The proposal was that Mrs Mullet, whom Mrs Darling seemed to think more suitable than a Factory woman, should serve

111 Letters from Col.Sec. &c. 1821-28, No.131, McLeay to Cowper 26/10/1827; Proceedings of Committees No.1, pp.297-8, 14/11/1827.

112 FOS Letters 1825-9, Wilton to (? Cowper) 9/11/1827, emphasis mine.

as a laundress and the children would be put into the school.¹¹³ Mullet was already attending on Sundays to conduct the girls to church and to attend to the boat.¹¹⁴ The proposal was approved within a few days¹¹⁵ but Wilton wrote shortly afterwards to say that he had since

heard a report which I fear is not without foundation of Mullet's having before I came into the Colony, taken liberties with one of the Girls who left the Instⁿ before my arrival.¹¹⁶

The Mullet's' appointments were rescinded,¹¹⁷ Hogan was not replaced, and Thomas Smith, well regarded by Rev. Samuel Marsden who had known him for many years, was left as the only constable.¹¹⁸

Wilton saw the lure of the flesh seducing men from righteousness in every direction. In reporting his discovery of Mullet's sin he put the unusual objection that if a constable had his wife with him 'he would not

113 FOS Letters 1825-9, Wilton to (? Cowper) 9/11/1827.
Wilton to Committee 12/11/1827.

114 FOS Letters 1825-9, Ellis to Committee 21/5/1827.

115 Proceedings of Committees No.1, p.298, 14/11/1827.

116 FOS Letters 1825-9, Wilton to Scott 19/11/1827.

117 Proceedings of Committees No.1, p.304, 28/11/1827.

118 FOS Letters 1825-9, Wilton to Committee 20/11/1827.

perhaps be so likely to perform his duty especially in watching by night, when it came to his turn'.¹¹⁹ Two days later he wrote again to point out that many of the girls, especially the House apprentices, were approaching womanhood and he was sure the Archdeacon would agree that 'too great care Cannot be taken of them at this period'. He suggested that the Messenger (one McCombie) should be removed to quarters with the constable and have his hut shut up, and that the constable's hut should have its doors opened in the opposite direction to that at present. This would mean a reduction in the contact between the men and the girls and female servants.¹²⁰

In March 1828 Wilton wrote to the committee an agitated and heavily underlined letter commencing with the reminder that he had been 'appointed by His Majesty in England' usual when he wished to take a strong stand. It is worth quoting at length for the insight it gives into Wilton's attitudes, the nature of the problems he thought required the intervention of a constable and, above all, the repressive atmosphere of orphan school life. He asserted that

119 FOS Letters 1825-9, Wilton to Scott 19/11/1827.

120 FOS Letters 1825-9, Wilton to Scott 21/11/1827.

it is totally impossible for me to prevent immorality in the Servants of the Institution, or to protect the morality of the children many of whom are growing up to be young women, unless there be a Constable by day as well as by night, who, from the nature of his office, has it in his power to prevent improper persons coming near or up to the house, & talking to the females through the palings of the Institution. I therefore trust you will have the goodness to take into your consideration the necessity of appointing another Constable to keep watch here by day, as well as of retaining Smith by night. The expence of another constable is well bestowed.

P.S. I have been induced thus to write from circumstances which have recently transpired - the case of a woman of the name of Sullivan a Roman Catholic going to the house & with the greatest abuse demanding her children to be given up, as they should not be made Protestants & another of the nurse in company with the children under her charge talking to & buying fish of a black to-day through the paling, wh. I happened to see - & I have reason to suspect much improper Conduct, when I am not in sight. No man but a Constable with power to apprehend can be of any service.¹²¹

The committee asked the Master to name someone suitable for the post¹²² but made no appointment. He wrote again in August after Mrs Jenks, the former nurse of the school, had come into the school without permission and repeatedly refused to leave when ordered to do so. Constable Smith could not watch in the day as well as at night to prevent improper characters lurking about or entering the premises and there was a need to prevent

121 FOS Letters 1825-9, Wilton to Committee 31/3/1828.

122 Minute Book 1828-29, p.6, 2/4/1828

people speaking to the female servants or the girls through the paling fence of the playground.¹²³ Nevertheless the committee's response was to order Smith to keep a twenty-four hour watch for the time being.¹²⁴

Wilton's pleas continued to fall on deaf ears. Smith (at £40 per annum) is the only constable listed on the 1828 financial statement.¹²⁵ He was dismissed on 9 January 1829 and no constable was appointed to replace him. Two servants, William Lamont and Lawrence Healy applied for one shilling per night of duty to act as watchmen and were granted employment on these terms from the date of Smith's dismissal.¹²⁶ Obviously the committee had not been moved to share Wilton's fears of the moral dangers of a woman buying fish from an Aborigine or the harm of a Catholic harriidan berating him and Mrs Ellis on the religious issue.

The Storekeeper

In May 1826 Archdeacon Scott recommended that a storekeeper should be appointed to each of the orphan

123 FOS Letters 1825-9, Wilton to Scott 22/8/1828.

124 Minute Book 1828-29, p.126, 28/8/1828.

125 Statement of Receipts and Disbursements 1826-31, FOS account 1828.

126 FOS Letters 1825-9, Wilton to Scott 6/1/1829; Minute Book 1828-29, p.277, 2/4/1829; Statement of Receipts and Disbursements 1826-31, FOS account 1829.

schools.¹²⁷ This led to the appointment of James Orr of the Commissariat Department at a salary of £100 per annum to attend to the Female Orphan School store after 3 p.m. daily.¹²⁸ His task included the supplying of requisitions from the Male Orphan School and the Native Institution from the store with the attendant work of buying in goods needed to meet these orders and the keeping of separate accounts.¹²⁹ Shortly afterwards Orr was appointed concurrently Acting Accountant to the Corporation, at £100 per annum plus rations for himself and family and a house or lodging, with the duty of preparing the accounts of the various churches and schools.¹³⁰ He resigned his position from 17 April 1827¹³¹ in order to take charge of half the orphan stock on his run in the

127 Proceedings of Committees No.1, p.5, 2/5/1826.

128 Proceedings of General Courts, pp.223, 7/6/1826, p.30, 7/8/1826; Corporation Letter Book 1826-27, p.27, Scott to Wemyss 7/7/1826.

129 Corporation Letter Book, p.220, Cowper to Orr 21/2/1827. A storekeeper was not appointed to the MOS at this time.

130 Proceedings of Committees No.1, pp.39-40, 25/7/1826, p.125, 4/12/1826.

131 Stock Returns and Correspondence (NSWA 4/343), p.304, Orr to Cowper 19/3/1827; Proceedings of Committees No.1, pp.194-5, 21/3/1827, p.223, 2/6/1827.

Hunter valley.¹³²

When Archdeacon Scott visited the school on 30 April 1827 he discovered that the slops and provisions had been plundered from the store to a considerable extent but he was unable to discover how or by whom.

Soon afterwards Wilton was summoned by John Harris, the Police Magistrate at Parramatta, to identify goods stolen from the Female Orphan School which had been recovered. Harris told him 'Your Institution has been robbed considerably but it is not my duty to give you information about it'. Scott then instructed the Master to lodge a formal application for information regarding thefts from the school. Harris read Wilton's letter then said to the Messenger: 'You Blockhead you -- this letter wants no answer. Go and tell your Master to keep a stricter book out after his servants'. This irresponsible attitude has to be seen in the contexts of Harris' resentment at his dismissal from connection from orphan affairs and his feud with Scott and the Parramatta Party. The Archdeacon wasted no time in complaining to the Government for

If a sensible man more especially one who is in charge of a public Institution subject to so much plunder applies for assistance to a Police Magistrate paid by the Crown and receives such an insulting

132 See below p. 735.

refusal it will be quite out of my power to expect any person having such a charge to continue the responsibility.¹³³

Orr's successor, William Ellis,¹³⁴ found the store a full-time job, which he performed to the Archdeacon's satisfaction.¹³⁵

From September 1828 the supervision of the stores tightened as the committee began to hold audit inspections and issue demands for the prompt settling for deficiencies or restoration of overdrawn supplies.¹³⁶

Under the Rules for Internal Management the Storekeeper was to have charge of all stores, articles of clothing or household furniture not in use and to issue during fixed hours provisions according to the set scale and other articles under the order of the committee or Trustees or on the requisition of the Master. Before the end of each year he was to estimate the requirements for the ensuing year and to make requisitions countersigned by the Master from time to time as need arose, allowing at least one month for purchase by tender. He was to

133 Scott's Letter Book No.1, pp.386-8, Scott to McLeay 2/5/1827.

134 Proceedings of Committees No.1, p.206, 18/4/1827.

135 Scott's Letter Book No.2, p.263, Scott to Darling 1/9/1829.

136 E.g. Minute Book 1828-29, pp.144-5, 26/9/1828: FOS, p.150, 8/10/1828: MOS.

submit weekly returns and to hold everything in readiness for bi-annual inspections in the first week of January and July. The Master was to be obeyed in all orders which did not contravene those of the Visitor or Trustees and might at any time he thought proper examine the store to check its contents against the returns.¹³⁷

¹³⁷ Proceedings of General Courts, pp.234-5, MOS, pp.269-70 FOS, chp.3 of Rules.

Chapter 8

THE MALE ORPHAN SCHOOL

Early attempt to establish a school for boys

The male orphans of New South Wales were long neglected.

As noticed above, Governor King had at the outset of his efforts to establish orphan schools intended to build a school for boys after accommodating three hundred girls - a target which was never reached within the period under review. George Caley noted that there had been a 'great talk' of establishing a male orphan school but this had died away by 1803, although from the description of parents in the colony there was need for a good school.¹

Lord Hobart, approving of the reports of what had been done for the girls, wrote in August 1802 that a similar establishment for the boys

could not fail of being productive of the best effects, and I shall have great satisfaction in hearing of the adoption of a plan for that purpose.²

1 Banks Papers, Bradbourne Collection, Vol.8, Caley 1795-1808 (ML A 79-1), p.231, G. Caley, 'State of N.S.W. 1800 to 1803'.

2 HRNSW, Vol. IV, p.825, Hobart to King 29/8/1802.

King replied that funds would not at present allow him to think of a male orphanage although it was almost as desirable as the one for the girls. The fact that a great number of boy convicts were being received added to his problems. To lessen the evil as much as possible these lads were apprenticed to boatbuilders or carpenters and several had made themselves very useful.³ Nevertheless an abortive attempt was made to house the male orphans before the matter dropped from sight for some fifteen years.

In 1802 the Hawkesbury settlers began a subscription list for a day school for their children but their poverty, deepened by the ravages of floods and the greed of monopolists, prevented their contributing. The Government intervened to assist. It ordered the burning of 250,000 bricks and provided the funds for building a school with them at Windsor in the vicinity of the greatest number of the children. The settlers were to pay an annual levy of 2^d per acre for fourteen years for all land granted by the Crown in order to support the teacher.⁴

3 HRA, Vol. IV, pp.81-2, King to Hobart 9/5/1803.

4 HRNSW, Vol.V, pp.412-3, G.& G. Order 10/8/1804,p.425, King to Hobart 14/8/1804. For conflicting versions of the location of this school see Jas.Steel, Early Days of Windsor N.S.Wales, Sydney 1916, p.18; D.G. Bowd, Macquarie Country : A History of the Hawkesbury, Melbourne 1969, p.182.

It seems, although there is no mention of the idea in official records, that male orphans were to be associated with this school as boarders. The teacher John Harris, 'a missionary of most exemplary character',⁵ wrote to the (London) Missionary Society directors in December 1804:

I have at length the consolation to see a commodious brick building nearly 100 feet long & 26 feet wide for the worship of God & an Orphan School for boys. I should be exceedingly happy to see a Minister of the Gospel of Superior talents & an aptness in teaching to come over & help us.⁶

Unfortunately the idea of a Male Orphan School at Windsor did not come to fruition. Governor King explained the failure of the venture as arising from the necessity to buy lands if the school was to be carried on to any extent and to 'a backwardness prevailing in seconding the intention of Government - without some compulsive means were adopted'. Consequently the building was used as a day school only for pupils of both sexes and Harris was salaried as schoolmaster - catechist out of the Orphan Fund.⁷ He served until 1808, living very poorly while keeping an almost free school.⁸

5 HRNSW, Vol.VI, p.152, 'Present State of His Majesty's Settlements on the East Coast of New Holland, called New South Wales', 12 August 1806.

6 BT Box 49, Missionary, pp.238-9, dated 24/12/1804.

7 HRNSW, Vol.VI, p.152, 'Present State of His Majesty's Settlements', 12 August 1806.

8 Report from the Select Committee on Transportation, House of Commons, 10 July 1812, p.37, Bligh's evidence; Vernon W.E.Goodin, 'Public Education in New South Wales before 1848', JRAHS, Vol.36, Part 3, 1950, p.98.

John Harris seems to have been a man well suited to the charge of orphans and the failure to secure his services for their benefit was one of the losses in the failure of the scheme. Harris, formerly a cooper, was a lay missionary in the first group of missionaries sent by the Missionary Society to the Society Islands in 1795 but he deserted at the outset and came to Sydney on the Duff, the ship which transported the party to the islands. In 1800 he went to Norfolk Island with the promise of appointment as the Chaplain. For three years he preached and taught there, winning Foveaux's praise for his attention to the orphan children. However, although a school was built for him he refused to live in the town and as Foveaux considered him unfitted for the ministry the chaplaincy eventually went to Rev. Henry Fulton. Harris returned to Sydney in 1803 and went to live at the Hawkesbury because his services would be most beneficial there.⁹ He taught in his own rented house until the Government school was built.¹⁰

9 Goodin, 'Public Education in New South Wales', p.97; John F. Cleverley, The First Generation : School and Society in Early Australia, Sydney 1971, pp.81-2.

10 B.T. Box 49, p.252, Harris to -- 26/7/1805.

Marsden's continuing efforts

Rev. Samuel Marsden continued as the principal agitator for something to be done for male orphans. In November 1807 he wrote to Under-Secretary Cook that there was a need for a master for orphan boys 'who are equally in as distressed a state as the girls are'.¹¹ In 1806-7 one orphan, Joseph Barseten, was receiving an education in Sydney under W.P. Crook at the expense of the Orphan Fund¹² but a like benefit was not extended to other orphan boys.

During his visit to England in 1808 Marsden secured the services of Isaac Lyon as a teacher for the orphan boys. Lyon's arrival was the occasion of an attempt to ascertain the number of male orphans in order to obtain some idea of the necessary size of the still-projected Male Orphan School.¹³ There is no record of the findings but in March 1811 thirteen orphans were receiving full adult ration from the Government store¹⁴ but this would

11 HRNSW, Vol.VI, pp.381-2, Marsden to Cook 21/11/1827.

12 HRA, Vol.VI, p.172, Balance Sheet of the Orphan Fund November 1806 to June 1807.

13 D.D. Mann, The Present Picture of New South Wales, London 1811, pp.34-5; SG, 12 February 1809 : Order to all persons having orphan boys in their service to give in their names.

14 HRNSW, Vol.VII, p.503, 'General Statement of the Inhabitants in His Majesty's Settlement on the Eastern Coast of New South Wales, with an Estimate on the Remains of Provisions in the Public Stores, 5th March, 1811'.

indicate only the number of boys totally dependent on the Government for support. Lyon taught meanwhile at Parramatta during 1809 but 'turned out a bad character' and was discharged. Marsden thought the salary of £60 per annum allotted to him by the British Government was too small to induce any man of good character and education to migrate to New South Wales and that a salary of £80 to £100 per annum should be allowed.¹⁵ To replace Lyon he then wrote to Thomas Bowden inducing him to come out from England¹⁶ but a decade was to elapse before he became the founding master of a male orphanage.

The Report of the House of Commons select committee on transportation, 1812, stated that a male orphan school on a similar plan to that of the Female Orphan School 'has lately been established'.¹⁷ This was probably the outcome of a mistaken impression caused by confusing the known intention with the reality but it might also be a reference to a school at Liverpool (George's River). It has been said that a male orphan school was opened there in 1811 under Isaac Nelson who instructed on the

15 BT Box 49, p.292, Marsden to Archbishop of Canterbury 2/5/1810; Goodin, 'Public Education in New South Wales', pp.208-9.

16 BT Box 49, p.292.

17 Report from the Select Committee on Transportation,
p.9.

average a hundred boys until 1815 when he was succeeded by Robert Keeves. This school merged with the Male Orphan School opened by Macquarie in 1819.¹⁸

If Nelson did indeed open an orphan school it seems that it must have been a private venture for there is no mention of it in the official records of the period while the attendance claimed indicates that a majority of non-orphans must have attended. Possibly Nelson was a school-master who was prepared to take orphan boys for their rations. I have not succeeded in locating any primary references to the school while of the two secondary articles touching on it one clearly derives principally from the other and both are in general extremely inaccurate.¹⁹ The story of this 'orphan school' must be considered highly dubious.

Macquarie establishes Male Orphan School

Although its inadequacies led to the vacation of the George Street building by the Female Orphan School in 1818

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- 18 J.P. McGuanne, 'Early Schools in New South Wales', JRAHS, Vol.2, Parts 2 and 3, 1906-7, p.76; William G.Lee, 'The Education Efforts of Governor Macquarie', Schooling, Vol.1, No.2, November 1917, pp.46-7.
- 19 Lee's slightly expanded account appears to be derived from McGuanne's. Neither article is documented and the other references to orphan affairs are so wildly and incongruously wrong as to defeat all attempts to understand how the authors could have arrived at what they wrote. No reference to either teacher is contained in the ML indexes.

Governor Macquarie, 'Entirely on my own Responsibility',²⁰ but with 'His Majesty's Entire Approbation',²¹ immediately pressed it into service to house the long-awaited Male Orphan School. The 'great Number of Male Orphans now in the Colony left entirely destitute of Support and Consequently living in a Miserable State of Poverty and Makedness' made it 'indispensably Necessary to form and establish a Male Orphan Institution for the Relief, Support and Education of these unhappy distressed Children'.²² Marsden writing in 1819 put the number of European children born in the Colony who were inadequately provided with necessities at 5,000.²³ This indicates that Macquarie was not exaggerating the problem when he wrote of it in terms of crisis and in showing how little the two orphanages could do to cope with it explains why it was so difficult for a child to gain admission.

20 HRA, Vol.X, p.94, Macquarie to Bathurst 24/3/1819.
See also p.678, Macquarie to Bathurst 27/7/1822.

21 HRA, Vol.X, p.300, Bathurst to Macquarie 27/3/1820.

22 HRA, Vol. X, p.94, Macquarie to Bathurst 24/3/1819.

23 Marsden Papers, Vol.1, Letters to Rev. S. Marsden 1794-1837 (ML A1922), p.279, Bishop of Calcutta to Marsden 22/1/1820.

Why it took so long to provide for the male orphans is a difficult question to answer, particularly as there had been sufficient money in the Orphan Fund to support an orphanage for boys since as early as 1804 or 1805. Macquarie has received the plaudits of historians²⁴ for finally establishing an institution but to keep his contribution in perspective it must be remembered that he did not do so until late in his term and then in a building condemned for the purpose and on an inadequate scale. Ornamental buildings and turnpikes ranked higher than sheltering orphan boys in his scale of priorities and even the unresponsive Aborigines were provided with a boarding school five years earlier. On the other hand the number of boys on full rations in 1811 hardly indicates a pressing need for an orphanage,²⁵ in the intervening period everyone concerned with orphan affairs was pre-occupied with the long drawn out building of the new Female Orphan School, and Macquarie did act as soon as the girls were re-located.

Vernon Goodin suggested that the adult-ration system must have been working reasonably satisfactorily for boys especially as their labour was used on the farms

24 It is strange that M.H. Ellis does not mention the MOS in his standard biography of Macquarie.

25 That is by contemporary standards for need.

from an early age.²⁶ The desire to acquire and utilize child labour does seem a likely explanation for the lack of pressure on the Government to provide otherwise for boy orphans. Throughout the whole of the period under investigation and beyond settlers were constantly endeavouring to acquire young Aboriginal children who could be reared as cheap and amenable farm labour. The unsatisfactory nature of Aboriginal labour and the almost invariable reversion of such children to native associations and the bush life did nothing to deter the practice.²⁷ Moreover, although orphan boys were presumably equally as numerous as orphan girls the number of full rations taken out for them were few and this might well be a consequence of the Government concerning itself only with keeping track of those on the orphan ration. This leaves a significant query as to why so many male 'orphans' were brought forward in 1819 and the years following. The answer appears to lie in the fact that the orphan ration did not encompass boys with a parent or parents

26 Goodin, 'Public Education in New South Wales', p.80. Destitute male children of tender years had occasionally been provided for by being boarded out at the expense of the Orphan Fund : quarterly statements.

27 See for example W.R. Govett, 'Sketches of New South Wales', The Saturday Magazine, (SPCK) 1836-1837, p.58; A Resident (J.H. Kerr ?), Glimpses of Life in Victoria, Edinburgh 1872, p.16.

in necessitous circumstances whereas these made up the bulk of the inmates of the school.

Following the girls' departure various repairs and additions to the building were carried out under Macquarie's orders and the magistrates of the colony were asked to recommend boys for admission.²⁸ Macquarie, a great lover of celebrating anniversaries, set the official opening for Friday, 1 January 1819, the ninth anniversary of his assumption of the Governorship, and on that day travelled down from Parramatta to perform the opening ceremony and to inspect the thirty-two boys to be admitted. The Lieutenant Governor, Rev. William Cowper, Secretary Campbell, Brigade Major Antill and Dr Redfern formed the official party.²⁹

Thomas Bowden

Thomas Bowden was appointed Master of the Male Orphan School.³⁰ On the recommendation of William Wilberforce, Rev. Samuel Marsden had seen Bowden in 1808 while he was Master of Great Queen Street Charity School in London and had been impressed by his teaching skill and piety. Marsden would have brought Bowden back to

28 SG, 26 December 1818, G. & G. Order.

29 Macquarie's Journal 1818-1822 (ML A774), p.19, 1/1/1819.

30 SG, 26 December 1818, G. & G. Order.

the Colony with him but the salary available of £60 per annum was insufficient for a man with a family to support. Following the dismissal of Isaac Lyon Marsden tried again, telling the Archbishop of Canterbury : 'We have no suitable man for the Orphan Boys. I think Bowden would answer if he would come'.³¹ When the teacher was offered £100 per annum he accepted and on arrival in Sydney in January 1812 was given charge of the Sydney First Public School which he conducted on Lancasterian principles. Like Hosking, Bowden was very active in Methodist affairs and a class meeting at his home in 1812 has been taken as marking the commencement of the Methodist Church in Australia.³²

Bowden was assisted at the Male Orphan School by his wife Jane as Matron and by his son Thomas Wheaton Bowden who for a number of years from 1817, when he was twelve years old, served as assistant teacher in his father's schools.³³

31 BT Box 49, p.292, Marsden to Archbishop of Canterbury 2/5/1810.

32 This paragraph : BT Box 8, Bigge Appendix, p.3329, Bowden's evidence, 22/1/1822; V.W.E. Goodin, 'Bowden, Thomas (1778-1834)', ADB, Vol.1, p.135. When Rev. Samuel Leigh, the first Wesleyan missionary, arrived in 1815 it was to Bowden's house that he went: J.D. Bollen, 'A Time of Small Things - The Methodist Mission in New South Wales, 1815-1836', The Journal of Religious History, Vol.7, No.3, June 1973, p.225.

33 Goodin, 'Public Education in New South Wales', pp.165-6.

The Master began well. At the first meeting of the committee it noted that it had partially adopted suggestions contained in a paper he had presented and resolved that 'the appearance of the children bespeaks good care and attention on the part of the Master whose general skill and superintendence is much approved'.³⁴ Bigge reported that 'there is much to commend in the conduct of the male orphan school',³⁵ and early in 1821 Bowden was paid a £15 'Donation for Assiduity, Care and Attention, as Master of the Male Orphan School'.³⁶

His fortunes took a downward turn from July 1822 when the apprentice boys of the institution lodged a complaint alleging generally that they were insufficiently fed and often deprived of meals as a disciplinary measure and specifically that Bowden had used the labour of twelve boys all one day and of six of them for part of the ensuing night to transport manure by water to one of his farms.³⁷ Although the committee after hearing

34 MOS Minutes (NSWA 4/400), 15/4/1819.

35 Report of the Commissioner of Inquiry, on the state of Agriculture and Trade in the Colony of New South Wales, House of Commons, 13 March 1823, p.74.

36 SG, 17 February 1821, Police and Orphan Accounts. Bowden was in sufficient favour to have an application for a loan of £60 in advance of salary approved in October 1820 : MOS Minutes, 5/10/1820.

37 MOS Minutes, 22/8/1822, incorporating letter J. Lees, E. Gregory, J. Chapman and G. Freeman to Major Antill 23/7/1822.

evidence attributed the complaint largely to the agitation of servants seeking to bring about their discharge it found reason for adopting supervisory measures concerning food³⁸ and forbade the stoppage of food as a punishment. It ordered that 'all bad behaviour and idleness, not punishable by the Rev^d Mr Reddall be reported in a black book to the local Committee for them to punish'. The servants were in future not to work for themselves out of hours nor to employ the boys to assist them in private work and the Master was not to employ boys out of the bounds of the school on his own private business nor, indeed, to take them on any excursion other than the outings for the purpose of exercise as laid down in the rules.³⁹

The lack of trust made explicit in the findings of the committee, although justified, cannot have assisted Bowden's morale, already weakened by his fruitless opposition to the imposition of Anglican control over the school and the substitution of the Anglicans' system of education in 1821.⁴⁰

38 See below, p. 474.

39 MOS Minutes, 9/9/1822. Only Barron Field, J.T. Campbell and Rev. Richard Hill were present.

40 Goodin, 'Bowden', p.135.

Bigge's suggestions

Mr Commissioner Bigge did not approve of the George Street site for the Male Orphan School. He observed that although the house underwent repairs before it was occupied by the boys it was placed in a bad situation, with the garden below it contiguous to the swampy Tank Stream.⁴¹ Moreover the site was confined and the capacity of the house insufficient.⁴²

Bigge, or his secretary Thomas Hobbes Scott, recommended the establishment of a central school large enough to contain three hundred boys under fifteen on the orphan school estate at Cabramatta.⁴³ This school, which would be close enough to Parramatta for easy access and frequent inspection, ought to be under a clergyman of the Church of England on £200 per annum, to follow the National System in reading and writing, and to provide trade training.

Also on the estate and a short distance from this school there should be established a farm for instructing a certain number of youths aged fifteen to twenty in 'the cultivation and fencing of land, and more especially the management of sheep and cattle'. Bigge hoped by this

41 Report ... Agriculture and Trade, p.71.

42 Report ... Agriculture and Trade, p.74.

43 Goodin, 'Public Education in New South Wales', p.184, mistakenly sees Bigge's suggestion as being for the school to be built on the Arthur's Hill grant, site of the FOS, rather than the large OS Farm at Cabramatta.

means to remedy the poor standard of farming in the colony and the 'miserable existence' of the farmers. This establishment should be able to return some income from the sale of the produce or savings by the supply of grain and meat for its own consumption. The farm was to be under a competent staff of a superintendent (£100 per annum) and two assistants (£50 per annum each) with annual expenses not exceeding £1000, or £15 per boy.

Bigge was concerned by 'the difficulty that is found in enforcing a regular attendance of the children' at the Colony's day schools. These proposals, intended in part to overcome this, amounted to sinking the Male Orphan School in a larger and more general boarding establishment allowing

the effectual separation of as many children as possible from their parents in the lower classes of the inhabitants, and early instruction in those habits by which their future exertions might be rendered profitable.

This, of course, was a return to Governor King's original hope.

Bigge concluded that it might not be advisable to build accommodation for three hundred at the outset and that

in the formation of such an establishment, it does not appear to be necessary to construct the buildings of stone or brick, except in laying the foundations

and raising them very slightly above the surface.⁴⁴

In the event the school did move to the orphan school estate where it was housed in less substantial, mostly timber, buildings as here suggested and an agricultural establishment directed to the education of the older boys and to self-support was set on foot on a somewhat different plan.

Marsden clearly thought a country site had great value for in 1821 he had told Bigge that a very large establishment of boys might be educated at very small expense if only they were placed in the country upon farms where they could have their grain, meat, milk etc. and wool and flax for clothing raised upon the farm.⁴⁵ Possibly Bigge's thinking owed something to this suggestion.

Removal of school to Cabramatta

In June 1822 a special meeting of the committee considered a report from Francis Greenway on an inspection of the front wall of the house which he found to be in 'a very dangerous state' and in need of shoring up. As the members agreed that the building was unhealthy it was decided that the school should be removed to the

44 Last four paragraphs : Report ... Agriculture and Trade, pp.74-5, Cf. Governor's Despatches from England, Vol.5 (ML A1194), pp.31,36, Scott to Bathurst 30 March 1824.

45 BT Box 27, Bigge, p.6366, Marsden to Bigge 15/3/1821. See also BT Box 8, p.3364, Cowper's evidence.

Female Orphan School Farm at Cabramatta as soon as common buildings could be erected, and appointed Samuel Marsden (in his absence), Sir John Jamison and G.T. Palmer to negotiate with the committee of the Female Orphan School.⁴⁶

Permission was granted to move the school to the grant and upon Marsden reporting in August that a quadrangle of log buildings could be erected the most cheaply and expeditiously and later converted to outhouses he, Judge Field and Major Antill were appointed a sub-committee to plan, and contract for the erection of, such buildings forthwith on such part of the grant as they should think fit.⁴⁷

Some difficulty was experienced in making a start. In October 1822 Marsden informed Governor Brisbane that the committee had fixed upon the site for the erection of the new Male Orphan School and asked that the Government make available a clearing party and a pair of sawyers and two brickmakers. Brickmaking and sawing were very expensive and such assistance would involve a considerable saving on the cost of the move.⁴⁸ A month later, at the behest of the Female Orphan School committee,⁴⁹

46 MOS Minutes, 19/6/1822.

47 MOS Minutes, 22/8/1822.

48 CSIL, Bundle 18, Oct.-Nov., 1822 (NSWA 4/1762), p.10, Marsden to Brisbane 5/10/1822.

49 FOS Minutes (NSWA 4/403), p.92, 13/11/1822.

Secretary Hill was writing again to repeat the plea for a clearing gang and sawyers and to urge the desirability of the least possible delay.⁵⁰ Brisbane had also ignored Marsden's request for the addition of Rev. Robert Cartwright, the chaplain at Liverpool, to the committee so that he might assist Major H.C. Antill, the one member living nearby, in keeping an eye on the workmen.⁵¹

The Bull's Hill complex

The site fixed upon was Bull's Hill, which was a mile distant from the western boundary of the grant and nearly equidistant from the north and south boundaries and three miles from Liverpool. Bull's Hill was a fine open hill with a thirty-seven acre summit well suited as a site for a group of buildings. Four weatherboarded log buildings were erected. The Master was provided with a cottage opposite which stood three buildings each with a skilling behind and one with a loft which served as a dormitory for the boys. This was the stage of

50 CSIL, Bundle 17, No.1-7, 1822 (NSWA 4/1756), No.10, Hill to Goulburn 15/11/1822.

51 CSIL, Bundle 18, Oct.-Nov., 1822, No.10, Marsden to Brisbane 5/10/1822. See CSIL, Bundle 21, Apr.-June 1823 (NSWA 4/1771), No.213, Bowden to Goulburn 11/4/1823 where Bowden asks to be allowed a pair of sawyers to meet a contract to supply sawn timber from some of his farms for a public building which was possibly part of the new MOS. In any case this is interesting as indicating his continued concern with business activities.

construction reached by January 1824 when Governor Brisbane dismissed the committee appointed by his predecessor and, apparently, at which the boys moved in.⁵²

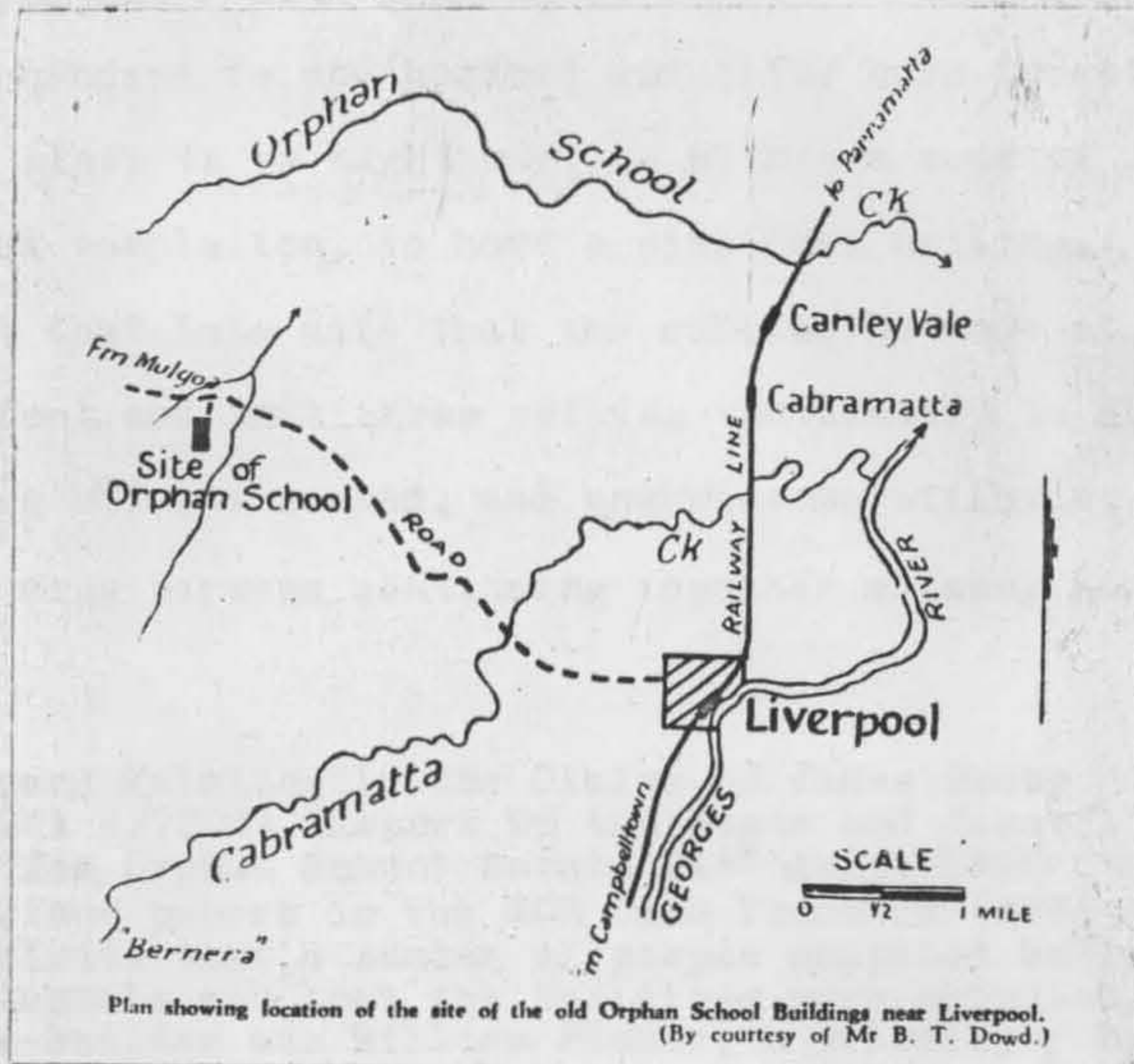
The removal to Bull's Hill occurred in the interregnum between the relative order of the committees appointed by Macquarie and those of the Corporation and no reference to it seems to have survived. The closest we can get is that the transfer took place sometime in the first half of 1824. The Sydney Gazette of 8 January 1824 remarked that it believed the institution 'will shortly be removed to the house that has been preparing for some time past in the country'. A notice calling for tenders for the supply of flour for the school for the second quarter of 1824 seeks delivery to be made to the farm⁵³ and the subsequent notice refers to the school as being 'near Liverpool'.⁵⁴

By mid 1825 Brisbane's committee had erected a spacious room of brick at each end of the existing

52 See below note 55.

53 SG, 18 March 1824.

54 SG, 17 June 1824.



LOCATION OF MALE ORPHAN SCHOOL, BULL'S HILL

buildings and a cowshed at another point on the hill.⁵⁵

The Schoolroom, completed at the end of 1824 was

50 feet by 24 in the Clear & 12 feet high from the Base Course (... with ...) a Rubbed stone foundation Chisled Base Course Rustic Coins Window cells and Arches,

and 147 yards of plastering, two hearth stones and two inner hearths,⁵⁶ with a shingled roof.⁵⁷ This building, for one hundred to one hundred and fifty boys to eat in by day and sleep in by night was, to within a week of its scheduled completion, to have a nine foot ceiling. Bowden asked at that late date that the ceiling be made at least twelve feet and that three ceiling ventilators be added for 'carrying off the heated, and unwholesome effluvia, arising from so many persons continuing together so many hours'.⁵⁸

- 55 Papers Relating to the Claims of James Busby (NSWA 4/7502) 'Report On the State and Capabilities of The Orphan School Estate 24th Augt. 1825', pp.9, 14. Various papers in the MOS Cash Vouchers (NSWA 4/7496) indicate that a number of people supplied building materials and that the buildings were shingled. The builder was William Fisher, a bricklayer by trade, who had arrived in the Colony in 1821 under a life sentence : Inventory of Documents and Accounts Relative to the Male and Female Orphan Institution 1800-1825 (NSWA 4/7491.1), Item 485, agreement 27/10/1824, Item 487, tender 1825; MOS Cash Vouchers receipts dated 8/8/1825, 10/11/1825 and 27/1/1826.
- 56 MOS Cash Vouchers, receipts from William Fisher, 27/1/1826 and undated.
- 57 MOS Cash Vouchers, James Cutler 12/12/1825.
- 58 CSIL, Bundle 22, No. 54-89, 1824 (NSWA 4/1775), No. 196, Bowden to Committee 24/12/1824.

It seems that another building was erected to serve as the school in 1826.⁵⁹

In the second half of 1825 the servants were set to building a bark hut so that the building hitherto occupied by them could be converted into a hospital and residence for the constable.⁶⁰ Later in the year the constable was in turn dispossessed by James Busby, superintendent of the farm.⁶¹ In April 1826 an agreement was made for the erection of a twenty by thirteen foot log store with an eight foot wide coach house at one end.⁶² Early in 1826 authorization was given for the addition of two rooms to the Master's house and for the extension of the verandah from the dormitory to the schoolroom.⁶³

Termination of Bowden's mastership

After the school moved to Cabramatta Thomas Bowden fell increasingly under the influence of his long-standing

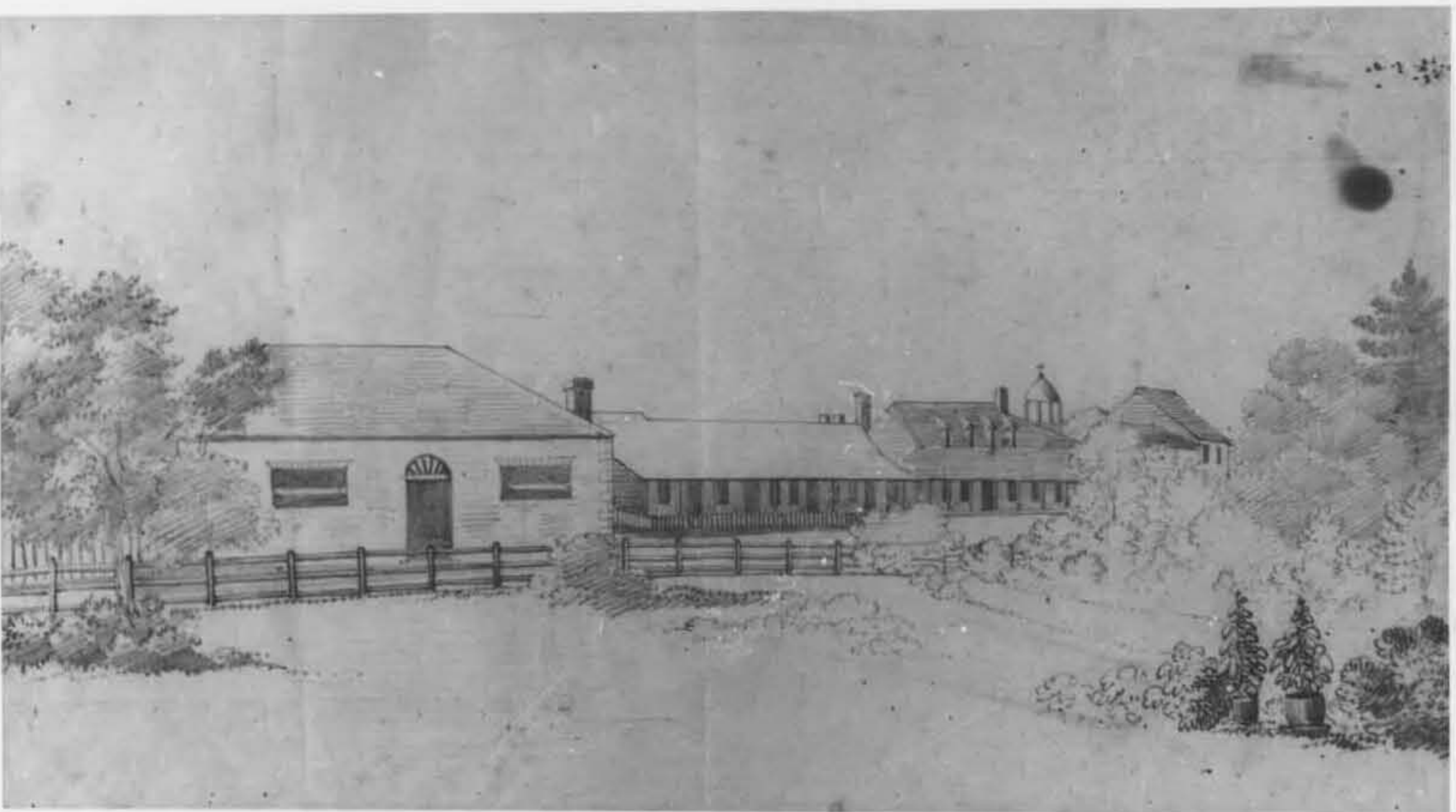
59 Statement of Receipts and Disbursements 1826-31 (NSWA 4/388), MOS 1826, 'Erecting a new school house': £362.8.7½; Ledger Orphan School 1825-6 (NSWA 4/393), p.23, 31/3/1826: school buildings 266 man days labour.

60 Farm Journal No.1 (NSWA 4/402.1) p.45, 29/6/1825.

61 Farm Journal No.1, p.77, 3/10/1825.

62 Farm Journal No.2 (NSWA 4/402.2), p.77, 14/4/1826.

63 Proceedings of Committees No.1 (NSWA 4/292), p.166, 31/1/1827.



THE MALE ORPHAN SCHOOL

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weakness for intoxicants - almost an occupational characteristic of colonial teachers but one at odds with his Methodism - and neglected his work.⁶⁴ On 17 November 1824 he was informed by the committee of its intention of recommending his dismissal from the end of the quarter to the Governor on his return from Moreton Bay.⁶⁵ He attempted to salvage something from the wreck of his career by submitting his resignation later the same day,⁶⁶ expressing his

extreme sorrow at the recent occurrences, and that it should have led to the necessity of relinquishing a situation I have had the honor of filling for so many years and which might have been still conducted with credit to myself, satisfaction to the Committee, and the benefit of the children had I been favoured with that Assistance without which none of these results could have been accomplished.⁶⁷

This somewhat enigmatic statement with its gentle remonstrance must be left to speak for itself. Certain it is, however, that the Reddall-Goulburn-Douglass triumvirate functioned so poorly as to leave an administrative vacuum.

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- 64 Cf. Marsden Papers, Vol.1, p.267, Joseph Butterworth to Marsden 1/12/1819: 'I fear poor Bowden had not sufficient steadiness - & I have heard he is addicted to drinking'.
- 65 CSOL, Letter Book No.25, Miscellaneous Persons 1824 to 1825, p.8, [Committee] to Bowden 17/11/1824.
- 66 CSIL, Bundle 22, No.54-89, 1824 (4/1775), No.80, p.167, Bowden to Brisbane 17/11/1824.
- 67 CSIL, Bundle 22, No.54-89, No.89, p.196, Bowden to Committee 24/12/1824.

Thomas Bowden's teaching career ended in October 1825 when he failed in an attempt to found an 'Australian Boarding School'.⁶⁸

Rev. Robert Cartwright becomes Master

Bowden's immediate successor as Master was Edward Sweetman whose disastrous term of office lasted only for the first four months of 1825.⁶⁹ In May Rev. Robert Cartwright, who had been the chaplain at Liverpool since 1819, assumed the mastership concurrently with the continuation of his ministerial duties.

Cartwright, then in his fifty-fourth year, was an active evangelical clergyman who confined his public activities to his clerical duties and had behind him fifteen years of popular and effective ministry since coming to New South Wales. From the time of his arrival in 1810 he had been the foremost sympathizer with the Aborigines writing numerous letters to the Sydney Gazette under the pseudonym of 'Philanthropus' and had attempted to obtain the Mastership of the Native Institution following the death of William Shelley.⁷⁰ It will be seen that this

68 SG, 17 October 1825.

69 See above pp. 139-40.

70 K.J. Cable, 'Cartwright, Robert (1771-1856)', ADB, Vol.1, pp.211-2; B.J. Bridges, 'The Native Institution, Parramatta and Blacktown', The Forum of Education, Vol.XXXI, Nos 1 and 2, March and September 1972, pp.83, 157-8, 161, 167, 169-70.

missionary-educational interest in the Aboriginal youth was interwoven with his mastership.

Cartwright immediately set about remedying the manifest evils of the system. He found the school and

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REV. ROBERT CARTWRIGHT

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was undistinguished. He impressed as a kindly, well-

71 MSA, Vol. XIV, pp. 217, Scott to Darling 1/9/1829.

missionary-educational interest in the Aboriginal youth was interwoven with his mastership.

Cartwright immediately set about remedying the manifest evils of the situation in which he found the school and Archdeacon Scott, in his farewell review of the church and schools, was to express unqualified approval of Cartwright's administration, saying that

Mr Cartwright took charge of the Male Orphan School, when it was in the most deplorable state of irregularity, disease and vice, and in four years established a system of unprecedented order and propriety, as well as reducing the expenditure in every department.⁷¹

Praise of his efforts was undoubtedly well justified but this statement, evincing as it does Scott's tendency to go to extremes either way, has been quoted too often as a verdict to be taken entirely at face value. Cartwright saw as the key to his problem the excision of the older boys and the current servants who were the source of moral re-infection, yet at the end of his mastership he was presenting the need for removals as almost as urgent as they had been when he began the process. His successor could point to urgent and serious accommodation needs about which there is no evidence that Cartwright was greatly troubled and on the educational side his contribution was undistinguished. He impresses as a kindly, well-

71 HRA, Vol.XIV, pp.217, Scott to Darling 1/9/1829.

intentioned man whose vision did not extend beyond exacting a due regard for the religious and social proprieties.

This is not to discount the need for Cartwright's concern about the moral situation which proved a continuing source of worry. In October 1826 he reported that the convict farm servants were in a state of mutiny and that they entrapped the boys into every kind of vice and villainy. The men had brought some women to the farm and concealed them there 'for themselves & the boys' who were aged twelve and over. On this report Scott feared that 'one half of the boys are so vicious & rebellious that they must be expelled & advertized as having been so'. A visit to the estate convinced him that the servants, twenty in number and all good ploughmen or stockmen, ought to be completely replaced on the one day with Protestants equally competent for the farm work from the complement of the next transport to arrive. Twelve or fourteen of the worst of the boy rebels should be sent to sea as apprentices. Scott made his representations for the change of the convicts unofficially so as to avoid the necessity for an enquiry which would expose the problem to the public and necessitate the bringing of the boys to give 'disgusting evidence'.⁷² The servants

⁷² CSIL, Archdeacon Scott (NSWA 4/1913.4), Scott to McLeay 23/10/1826, private.

were not changed. On this as on other occasions the Male Orphan School had to continue to harbour convict servants who had demonstrated their unfitness for such a service.

Proposals to move school again

When Cartwright assumed the Mastership he found the school and its site, nearly five miles by road from Liverpool, unsatisfactory and it seems that he gave immediate thought to removal to another site. He reported that the only two buildings which were in a proper state were much too small for the purposes for which they were intended and being three hundred feet apart from door to door were at best very inconvenient and at worst, in wet or cold weather, the children's health was endangered. Even with the addition of the logged buildings the accommodation was insufficient for the existing establishment. He hoped that the intention of erecting proper accommodation for the school would not be proceeded with.⁷³ This location was 'exposed to hot and cold winds to the manifest injury of the health of the Children', at a great distance from water, Church, and medical advice, and cut off by floods from communication with Liverpool. Furthermore it was an unsatisfactory base for Cartwright in his role as

73 MOS Letters 1825-9 (NSWA 4/328), Cartwright to Scott 15/5/1826.

chaplain.⁷⁴ Scott recommended continuation of the building programme. The school had to be housed before thought could be given to another situation.⁷⁵ This argument had some merit - but every additional investment was an added tie to Bull's Hill.

The most serious problem, although perhaps not so in the eyes of Cartwright and other Christians, was the want of a water supply. The want of good water had been felt from the outset although not made the subject of an official representation until Cartwright became Master. All the water within half a mile was brackish and even at that distance was strongly impregnated with mineral and in some seasons was a threat to the children's health. The construction of tanks to collect the run-off from rain seemed the only answer as the water was still brackish at a depth of more than sixty feet.⁷⁶

74 Proceedings of General Courts (NSWA 4/291), p.27, 7/6/1826, report from committee. See also Papers Relating to the Claims of James Busby, 'Report on the State and Capabilities of The Orphan School Estate 24th Augt. 1825', p.11.

75 Letter Book of Archdeacon Thomas Hobbes Scott No.1 (ML A850) p.34, Scott to Cartwright 16/6/1825.

76 Papers Relating to the Claims of James Busby, Report 24/8/1825, pp.11-12; Farm Journal No.1, p.54, 16/7/1825- John Busby directed to sink a bore hole; Architects & Mechanics 1825-8 (NSWA 4/346), p.19, John Busby to Darling 25/8/1825; Statement of Receipts and Disbursements 1826-31, MOS account 1827.

By September 1825 a pond was under construction.⁷⁷

Cartwright's solution to the site problem lay in the proposition that the existing buildings could be satisfactorily converted to housing the agricultural establishment so that without loss the school could be relocated and its permanent buildings erected on an elevated, level site on one edge of the farm adjoining Liverpool about a mile and a quarter in a straight line from the Liverpool church and three-quarters of a mile from Cabramatta Creek.⁷⁸

James Busby described this site:

It is on one, of a range of hills which here runs in the direction of the Cabramatta Creek, at the distance of from half a mile to a mile. And also forms the separation in this quarter, of the rich from the indifferent soil. The range of hills is itself extremely beautiful. The soil in them is of the richest on the estate and they overlook a flat which is covered with apple trees and other timber, and which if cleared of all but the former would form a beautiful plain terminated by the mimosas of the creek - Beyond the Creek is the Clergyman's Glebe and when this is cleared a view of the Town of Liverpool may be opened up which cannot be interrupted by buildings or small settlements.

At the bottom of the hill where it is proposed to place the new School is a pool which is at all seasons

77 Farm Journal No.1, p.69, Division of labour week ending 3 September. See further on the water problem below pp. 457, 459.

78 MOS Letters 1825-9, Cartwright to Scott 15/5/1826; Architects & Mechanics 1825-8, p.277, 'Journal of time devoted to the Service of the 'Corporation of the Church & School Lands of N.S. Wales'- by Alex. Kinghorne, Civil Engineer' (hereafter Kinghorne's Journal).

full of the purest and softest water.⁷⁹

Moreover boring produced good water at fourteen feet and the gullies could be dammed.⁸⁰

It is a great pity that the male orphans were never to dwell in this Elysium.

Plan to unite the orphan schools

In 1826 the state of affairs with regard to both orphan schools was unsatisfactory. The Female Orphan School was recovering from the masterships of Sweetman and Walker but continued to suffer from the institution's physical inadequacies. If the necessary re-location of the Male Orphan School was to be made the occasion for uniting the orphanages there would follow the economics of saving the transportation of various goods to Arthur's Hill, the need for only one store, dairy, garden, kitchen, laundry, nursery, mess room, dispensary and chapel, a reduction in the number of servants, the need for only one medical attendant and one storekeeper instead of two, and the release of one chaplain for other duties. Uniformity, of system, it was hoped, could also be added to the advantages. The intention was that Cartwright, with his long tried capacity and knowledge of children

79 Papers Relating to the Claims of James Busby, Report 24/8/1825, pp.13-14.

80 Architects & Mechanics 1825-8, pp.21-2, John Busby to Darling 25/8/1825.

and servants (who needed constant watching) should preside over the amalgamated institution, aided by his wife, a Matron and the necessary assistants.⁸¹

The one possible danger foreseen was 'the fear of too great an approximation' but this would be overcome by allowing boys and girls to come together only at school and at dinner when the Master and Matron would be present and by taking in children 'at the earliest ages even under a year' and apprenticing them at twelve or, in the case of some boys, sending them to the agricultural establishment on the estate.⁸²

The committee of the Corporation canvassed the opinions of the Trustees on the idea of the merger but received only four answers, two of which were detailed and decidedly in favour of the idea.⁸³

Abortive attempt to build new establishment

Meanwhile the committee recommended that, whatever the outcome of the proposal for union, an immediate start should be made on a building to house the boys on a site selected by the Archdeacon, Cartwright and Hill, the medical attendant.⁸⁴ On Saturday 24 June the committee,

81 Proceedings of General Courts, p.25, 7/6/1826; MOS Letters 1825-9, Cartwright to Scott 15/5/1826.

82 Proceedings of General Courts, p.26, 7/6/1826.

83 Proceedings of General Courts, p.27, 7/6/1826.

84 Proceedings of Committees No.1, p.31, 5/7/1826.

Charles Throsby - the squire of Glenfield and a Trustee, Cartwright, Rev. Richard Hill and Alexander Kinghorne met on the estate and selected the site for the new school.⁸⁵ Kinghorne, a civil engineer who was then seeking employment as surveyor to the Corporation,⁸⁶ attended by summons.⁸⁷ He was directed to make a detailed survey. At the next committee meeting he submitted a sketch for a new school house and was requested to draw up a plan and specification.⁸⁸ On 7 July Kinghorne, Scott, Marsden, Cartwright, Throsby and Rev. R. Hill met on the ground and approved the situation although precise location of the buildings was deferred until 11 September when the timber had been felled and burnt off.⁸⁹

Kinghorne's plan was for a 'most capacious, comfortable and elegant structure'⁹⁰ to house one hundred and eighty

85 Proceedings of Committees No.1, p.25, 28/6/1826; Architects & Mechanics 1825-8, p.277, Kinghorne's Journal dates this meeting Friday 23 June.

86 Proceedings of General Courts, p.40.

87 Proceedings of Committees No.1, p.20, 21/6/1826.

88 Proceedings of Committees No.1, pp.25-6, 28/6/1826.

89 Kinghorne's Journal, p.278, 7/7/1826, p.281, 11/9/1826; BT Box 53, Missionary, p.1694, Marsden to Coates 12/9/1826.

90 SG, 15 July 1826.

boys and the same number of girls with separate schools, dining rooms and playgrounds. The committee authorized him to proceed with calling tenders for given quantities of bricks, lime, stone and sawn timber and, with James Busby, superintendent of the agricultural establishment, to purchase a timber carriage so that materials might be in readiness for the construction of the Master's house and six dormitories of the left wing or whatever buildings the General Court decided upon.⁹¹ The General Court approved these developments and authorized the committee to come to terms with Kinghorne for the erection of the school.⁹²

Kinghorne proposed that he should become engineer and principal superintendent of works and improvements for the Corporation as a full-time employee but for six weeks to be taken when he could best be spared. For this position he asked the large remuneration of £500 per annum in quarterly payments, lodging money or a house and offices provided, stationery, and the usual allowance for the keep of two horses and a government manservant.⁹³

91 Proceedings of Committees No.1, p.34, 19/7/1826, pp.43-5, 3/8/1826; Proceedings of General Courts, p.42, 5/9/1826; Kinghorne's Journal, p.279, 3/8/1826.

92 Proceedings of General Courts, pp.42-3, 50-1, 5/9/1826.

93 Architects & Mechanics 1825-8, p.169, Kinghorne to Cowper 28/7/1826.

This was too costly for the Corporation and the proposal was reduced to half time employment for one year with any necessary extra time he needed to devote to Corporation affairs being paid for separately.⁹⁴

Kinghorne proposed to save at least one fifth of the cost of the first stage by employing on the project thirteen convicts and fourteen boys from the establishment who could be spared for the work. The convicts consisted of three fallers, two bullock drivers, two sawyers, two brickmakers, a bricklayer (Fisher) and his labourer and two general labourers. The men and boys marched to and from the work site each day and laboured under the direction of the assigned carpenter Benjamin Wilson as overseer.⁹⁵

Some of the servants and older orphans were detailed to dig the foundations for the Orphan House and then to clear and fence an area of land not exceeding four acres and to prepare it for a garden.⁹⁶ By 22 September the digging of the foundations was well forward and from 16 to 18 October Eman and Morgan burnt 30,000 bricks on the estate.⁹⁷

94 Kinghorne's Journal p.280, 6/9/1826.

95 Architects & Mechanics 1825-8, p.165, Kinghorne to Cowper 28/7/1826, encl. p.167, list of names of men and boys dated 22/7/1826.

96 Proceedings of Committees No.1, p.45, 3/8/1826, p.58, 17/8/1826, pp.114-5, 9/11/1826.

97 Kinghorne's Journal, p.281, 22/9/1826, p.282, 16-18/10/1826.

In order to erect the new building it was necessary to bridge Cabramatta Creek. This was a factor which caused some delay. A farm of one hundred acres held by a settler named Campbell stood a quarter of a mile in front of where the new front door would be. It offered the advantages of a more direct route between the school and Liverpool, a more central entrance for the road to the school, a more central route for a possible road through the estate, garden ground would not need to be prepared, the beauty of the estate would be enhanced by an improved outlook, with land on the other side of the creek it might be possible to prevent 'the residence of improper characters so near to such an important establishment', and, finally, possession of the land would allow the bridge to be placed on more elevated and solid ground.⁹⁸ Campbell appeared willing to sell or exchange and for all of these reasons Cartwright wanted to have the farm added to the estate even if blocks from the existing holding had to be sold to pay for it. He suggested paying up to £stg.500 and going ahead with the original scheme if this would not clinch the deal. Charles Throsby was of the opinion that the Corporation must eventually have the farm and ought to pay £700 rather than let it go.⁹⁹

98 MOS Letters 1825-9, Cartwright to Cowper 30/8/1826 and 27/9/1826.

99 MOS Letters 1825-9, Cartwright to Cowper 19/9/1826 and 27/9/1826.

Negotiations began. By the end of September Cartwright was pressing for a decision because the men and materials were waiting for commencement of work on the bridge.¹⁰⁰ The committee first recommended purchase¹⁰¹ and then when floods inundated a large part of Campbell's farm reconsidered and advised that the purchase should be declined for the present.¹⁰²

Kinghorne was then ordered to proceed with the construction of the bridge at the place chosen by the Surveyor-General.¹⁰³ By mid March 1827 the bridge was complete and required only a layer of soil over the timbers to make the road.¹⁰⁴ Meanwhile building materials had accumulated on and near the site and some building work proceeded, perhaps in part at Bull's Hill in preparation for its role as home of the agricultural division.¹⁰⁵

100 Same references as 99.

101 Proceedings of Committees No.1, p.62, 31/8/1826; Proceedings of General Courts, p.49, 5/9/1826.

102 Proceedings of Committees No.1, p.87, 27/9/1826; Proceedings of General Courts, pp.64,67.

103 Proceedings of Committees No.1, p.85, 27/9/1826; Kinghorne's Journal, p.281, 30/9/1826.

104 MOS Letters 1825-9, Cartwright to Scott 19/3/1827.

105 See Accounts with Various Tradesmen and Petty Cash Account - Male Orphan Farm (1826?) (NSWA 4/7501), for a number of accounts for the supply of materials and for building and fencing.

Then, at the end of 1826, the Governor received a despatch from the Secretary of State forbidding the Colonial Government to advance funds to the Corporation for capital purposes. The Corporation was already having serious financial difficulty and despite all the expenditure of money and labour, the manifest inadequacies of the two orphanages and the boys' in particular, and economies ~~from~~ amalgamation it was forced to order an immediate halt on 1 January 1827.¹⁰⁶ George Brown, the principal contractor, was paid £15 to relinquish his contracts,¹⁰⁷ the bricks were offered for sale on the ground,¹⁰⁸ and the lime already delivered was spread on the paddock adjoining Cartwright's house and garden and that yet to be delivered was re-directed to the Female Orphan School.¹⁰⁹ Liquidating the project proved expensive despite recouping expenditure where possible.¹¹⁰

106 Kinghorne's Journal, p.283, 1/1/1827; Corporation Letter Book 1826-27 (NSWA 7/2702), p.198, Cowper to Brown 15/1/1827, pp.211-12, Cowper to Cartwright 5/2/1827.

107 Proceedings of Committees No.1, p.168, 3/2/1827.

108 Proceedings of Committees No.1, pp.151-2, 19/7/1827; SG, 25 July 1827, 10 August 1827; Corporation Letter Book, p.317, Cowper to Cartwright 2/8/1827; MOS Letters 1825-9, Cartwright to Cowper 22/8/1827.

109 Corporation Letter Book 1826-27, p.201, Cowper to Cartwright 18/1/1827, Cowper to Brown 18/1/1827.

110 Governor's Despatches to England, Vol.13, 1828 (ML A1202), p.311, 'Abstract of the Receipts & Disbursements of the Trustees of Clergy and School Lands in New South Wales: from 1st January to 31 December 1827, inclusive', contains an item of £510.17.6. for materials.

In December 1827 when it was decided to sell part of the estate the three allotments for the site of the proposed new Orphan House were excluded ~~from~~ sale but put up for lease for seven years.¹¹¹

Cartwright's resignation

Rev. Robert Cartwright was an aging man in poor health. His correspondence with Archdeacon Scott and Charles Cowper, Clerk to the Corporation, from the latter part of 1826 contains recurrent apologies for his inability to submit proper returns on time, giving his poor health as the reason. Towards the end of 1828 he intimated his intention of resigning the Mastership from 31 December because his declining health and infirmities made it impossible for him to continue with any advantage to the school.¹¹²

Cartwright, the father of a large family, purchased several allotments of the estate sold in 1827 and 1828.¹¹³ His farming relationship with the Male Orphan School provides a glimpse of the unselfish character of this well-regarded man and shows why he was plagued with financial problems. He shifted a common boundary fence

111 Proceedings of General Courts, pp.106-7, 4/12/1827.

112 Letter Book of Archdeacon Thomas Hobbes Scott, No.2 (ML A 851), p.139, Scott to Darling 1/12/1828.

113 See below pp. 246-9.

between his farm and the Orphan farm at his own expense, offered to buy the bricks remaining unsold on the estate at the same price as the highest received at an earlier auction and offered to sell cattle for slaughter at the equivalent to the lowest price elsewhere available for such cattle and, later, to supply beef to the school at the rate at which the female orphanage was being supplied.¹¹⁴

In February 1829 it was decided to close the Native Institution, for the third and last time, and to accept an offer by Cartwright to receive the children at a charge of £25 per annum each.¹¹⁵ In 1830 he is recorded as teaching five young Aborigines, receiving their expenses of £168.3.7, but no salary for the task.¹¹⁶ It is again indicative of his character that when the large establishment with its many delinquents became too much for him he should have attempted to help a smaller group of problem children without material compensation to himself and looked upon this as something of a retirement.

114 MOS Letters 1825-9, correspondence for 1828; Minute Book 1828-29 (NSWA 7/2703), p.63, 17/4/1828, p.121, 20/1/1828.

115 Proceedings of General Courts, 3/2/1829.

116 Colony of New South Wales Year 1830 (NSWA 4/216A), Return of the Number of Schools &c.

Richard Sadleir appointed Master

Scott selected as the new Master Richard Sadleir (1794-1889) an ex-Royal Navy officer whom he had employed in 1826 to conduct the mission of enquiry into the situation of the Aborigines and who had been for the past two years catechist in the Hunter River district.¹¹⁷ Sadleir had informed Scott that he was troubled with a complaint which would oblige him to give up so laborious a post as he held in the Hunter valley. Scott considered that he had done his duty in an 'exemplary manner' and was by virtue of his zeal and trustworthiness as well as his educational and religious qualifications more fit to occupy the position than anyone else that he knew of.¹¹⁸

Scott's assessment was sound; the appointment judicious. Sadleir married nineteen year-old Ann Cartwright in December 1829 and continued at the school until 1851 during which time he 'exercised an effective, if highly individual mastership'.¹¹⁹ A somewhat eccentric

117 Scott's Letter Book No.2, pp.138-9, Scott to Darling 1/12/1828, p.144, Scott to Darling 10/12/1828; Minute Book 1828-9, p.196, 29/12/1828; Letters from Col.Sec.&c. 1821-28, No.231, McLeay to Cowper 13/12/1828; K.J. Cable, 'Sadleir, Richard (1794-1889)', ADB, Vol.2, p.144.

118 Scott's Letter Book No.2, p.139,144, Scott to Darling 1/12/1828 and 10/12/1828.

119 Cable, 'Sadleir', p.144.

and he possessed in addition the much needed attributes of energy, commitment to his task, a refreshing and praiseworthy lack of tolerance for the equality at the orphanage to which others had shot their eyes and an interest in education per se.

industrialization) was that of anyone of the period under the days of his long flush of early enthusiasm limiting the use in this study by task appointed to Deplorable conditions

When it was Hill the complex By 1830 there was showmaking and expansion of the increase in number



of extreme overcrowding. DOMESTIC LETTERS TO THE

120. MS Letters 1830-2 (MSA 4/309). Annual Estimate of Provisions & Stores Required for the Male Orphan School for the Year 1830.

RICHARD SADLEIR

man he possessed in addition the much needed attributes of energy, commitment to his task, a refreshing and praiseworthy lack of tolerance for the squalor at the orphanage to which others had shut their eyes and an interest in education per se (as opposed to mere religious indoctrination) which, on the available evidence, outran that of anyone else who served in either institution in the period under review. Sadleir was still in the early days of his long incumbency, possibly still tinged by the flush of early enthusiasm, at the end of our period but limiting the assessment of him to the time span covered in this study he impresses as the best person for the task appointed to either orphan school.

Deploable conditions at Bull's Hill

When it was found necessary to remain at Bull's Hill the complex of buildings there was further developed. By 1830 there was a hospital, nursery, infant school and shoemaking and tailoring workshops.¹²⁰ However the expansion of the buildings was more than matched by the increase in numbers with a deterioration to conditions of extreme overcrowding. Sadleir's letters to the

120 MOS Letters 1830-2 (NSWA 4/329), Annual Estimate of Provisions & Stores Required for the Male Orphan School for the Year 1830.

Corporation during 1830¹²¹ were a catalogue of the evils
and difficulties connected with the physical inadequacies
of the school, the slowness and other faults of which were
almost innumerable.

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121. See generally MCS Letters 1830-2, letters for 1830,
or MCS Letter Book (ML 9201) for Sadleir's draft copies.

122. MCS Letters 1830-2, **MRS ANN SADLEIR** 10/6/1830.

123. The concern here is merely to indicate the inadequacy
of the physical establishment for the task. The
effect on child care will be pursued below.

Corporation during 1830¹²¹ are a catalogue of the evils and difficulties associated with the physical inadequacies of the school, the sleeping and class rooms of which were almost incredibly overcrowded. The infants lacked shelter from the weather and a new infant school and workshops for the tradesmen were needed. From the men, boys and infants having to use the same lavatory Sadleir found 'that improprieties take place which must be checked'.¹²² Even the control of what little water was available had been forfeited during the selling-off of the estate so that the institution lacked even a supply of that necessity.

After a decade the accommodation and physical care afforded inmates of the Male Orphan School had suffered a very serious decline from the standards set by Macquarie in founding the institution.¹²³

The Schoolmaster

With the advent of control by a chaplain as Master it became necessary to appoint a second-in-charge who could bear the brunt of the work on the educational

121 See generally MOS Letters 1830-2, letters for 1830 or MOS Letter Book (ML C201) for Sadleir's draft copies.

122 MOS Letters 1830-2, Sadleir to (Cowper) 10/8/1830.

123 The concern here is merely to indicate the inadequacy of the physical establishment for the task. The effect on child care will be pursued below.

side and assist with the general direction of the institution. Except possibly under the Masterships of Newsham and Stroud in the early years the Matron had always taken the principal part in the school work of the Female Orphan School and now her role came to be paralleled at the Male Orphan School by an assistant denominated under the Rules of 1829 the Schoolmaster.

Although the Schoolmaster's position was an important one in the framework of the establishment as a whole the servile status and poor remuneration and conditions allowed him meant that, like most other teaching positions, it attracted mostly misfits and failures and at the end of the period Sallair was still bothered by a quite unsatisfactory incumbent. The school itself reinforced the general problem by its attitude that the training of boys as teachers was not for them an end in itself but an intermediate stage on the way to something better.¹²⁴

The Rev. Robert Cartwright's eldest son Richard served as Assistant Master or Schoolmaster under his father until he succeeded James Busby as superintendent of the farming establishment in March 1827. The second son, John, then filled the position from 1 June 1827 until

¹²⁴ See below pp. 518-20.

28 February 1828.¹²⁵

John Cartwright was succeeded by Edward Webster who received only £20 per annum.¹²⁶ The Rev. Robert Cartwright thought highly of him. He wrote when retiring from the Mastership that Webster was likely to be a great asset to Sadleir being well acquainted with everything to do with the establishment and well able to 'manage the store & accounts together with all that Mr. Sadleir will expect from him in the school much better than it is now done' by the convict storekeeper John Cahuac. His salary ought to be increased.¹²⁷ He was given no raise in his miserable pittance of a salary which was only one-fifth of that paid to the Matron of the Female Orphan School for comparable services while the £40 per annum paid to the storekeeper, £50 to the shoemaker and £60 to the carpenter were further indices for the lowliness of his status.¹²⁸

125 MOS Letters 1825-9, undated list of staff (1827?) headed in pencil 'School'; Statement of Receipts and Disbursements 1826-31, MOS accounts 1827 and 1828.

126 Statement of Receipts and Disbursements, MOS account 1829.

127 MOS Letters 1825-9, Cartwright to Cowper 15/1/1829.

128 Statement of Receipts and Disbursements, MOS account 1829.

In August 1829 when the free storekeeper J.H. Edwards arrived Webster was put out of his room into a very small room with no heating, doors opening only into the dining room and boys' dormitory and the only window sited over an open drain used to convey urine.¹²⁹

Sadleir had a great deal of trouble with Webster. No confidence could be placed in him and his constant association with the convicts was felt to have a most deleterious effect on general discipline and on the older boys. Some time in the second half of 1829 he deserted the boys one Sunday on the way home from church and ended the day under confinement overnight in the Liverpool watch-house for drunkenness. Sadleir punished him by depriving him of his salary for the quarter; an arbitrary punishment which indicates something of the relationship of the problem to the servility of the position. At the beginning of December Webster attended Church drunk. This was the last straw. Sadleir reported his behaviour and wrote of the need to be able to hold out a sufficient inducement to attract a respectable person. He thought of offering to take on the storekeeper's job with the aid of one of the older boys so that the office of Storekeeper could be abolished and his salary used to

129 MOS Letters 1825-9, Sadleir to -- 31/8/1829;
MOS Letters 1830-2, Hill to Trustees 29/1/1830.

augment that of the Schoolmaster.¹³⁰

Richard Hill is listed as having entered on duty as Schoolmaster on 21 December 1829, apparently before Webster departed at the end of the year.¹³¹

Richard Hill came to New South Wales as a corporal in the 3rd Regiment of Foot (the Buffs) in which he served for fourteen years. During the voyage out and for some months after arrival he was told off to teach the children of two of the officers of the regiment 'a plain education'. Teaching appealed to him and he obtained his commanding officer's permission to accept an invitation from his namesake, Rev. Richard Hill, to attend the Sunday School and Teachers Prayer Meeting. During the 'twenties Rev. Richard Hill was anxiously seeking to set on foot an Anglican mission to the Aborigines and he felt that Hill might be of use in such a venture. An arrangement was made whereby Hill was granted leave from the army by Darling, as local commander of the forces, pending a decision from the Commander in Chief on whether he would be permitted to buy himself out of his remaining period of service.

130 MOS Letter Book (ML C201), pp.7-7^v, Sadleir to [?Cowper] 8/12/1829.

131 Statement of Receipts and Disbursements, MOS accounts 1829 and 1830.

In May 1827 Hill was sent into the County of Argyle under James Lisk, a catechist sent out by the Church Missionary Society to work with the Aborigines. The natives were found to be few and of such wandering habits that the catechists soon gave up the attempt to work with them and turned to keeping a school for the children of the whites who were almost as unresponsive as the blacks. Lisk returned to Sydney but Hill continued until Christmas 1827 when his leave expired. He reported to his commanding officer to find that his discharge application had been granted. He then returned to Argyle in the service of the Corporation but quit in September 1829 claiming that he had been robbed and insulted by the people and had not been adequately supported by his superiors. He appealed for the charge of a school in any part of the Colony.¹³²

Hill, who was dissatisfied with his poor conditions, resigned from the Male Orphan School from 17 March 1830. The orphan Edward Edwards then acted as Schoolmaster with the two sons of Edwards the Storekeeper successively in charge of the infants school. A George Denslure is listed as 'Master' amongst the teachers in the 1830

132 For last two paragraphs : Letters Received From Clergymen, Catechists and Schoolmasters Sept. 1829 to Dec. 1830 (NSWA 4/322B), pp.599-601, Memorial of Richard Hill to the Archdeacon, n.d.

account but no dates or salary are entered against his name.¹³³

The Storekeeper

On 10 April 1826 James Busby, Superintendent of the Male Orphan School Agricultural Establishment, assumed responsibility for the Male Orphan School accounts.¹³⁴ From then on until the termination of his services at the end of the first quarter of 1827 he assumed many of the responsibilities of the Storekeeper of the Female Orphan School for his journal shows that whenever it was necessary to see to the purchase of stores or equipment he went into Parramatta to attend to the business.¹³⁵ At the school itself John Cartwright served as clerk in charge of the dry stores and of daily issues.¹³⁶

The first Storekeeper of the Male Orphan School was apparently a man named Hayward who was dismissed for drunkenness probably in August or early September 1828. He was replaced by John Cahuac¹³⁷ who had arrived on the Phoenix in 1823 under a sentence of transportation for

133 Statement of Receipts and Disbursements, MOS account 1830; MOS Letters 1830-2, J.H. Edwards to Committee 17/5/1830, Hill to Trustees 29/1/1830, Sadleir to (Cowper) 18/2/1830.

134 Farm Journal No.2 (NSWA 4/402.2), p.73, 10/4/1826.

135 Farm Journal No.2, passim.

136 MOS Letters 1825-9, Servants belonging to the Male Orphan School under the Master, 15/4/1826.

137 Minute Book 1828-29, pp.139-40, 11/9/1828.

fourteen years¹³⁸ and had until July 1828 been office keeper and Messenger at the Corporation office.¹³⁹ He thought his salary of £40 per annum and rations was inadequate for the trust reposed in him. Cartwright reported that he was 'of opinion nothing would make him comfortable here'. Cahuac's application for a raise in salary was rejected and he resigned from 31 March 1829.¹⁴⁰ His successor was a man named Wilkinson. A survey of the store by the committee in August 1829 revealed deficiencies and accounts which had been kept in an irregular manner. The committee was so dissatisfied that it instructed Sadleir to give him notice from the end of the current quarter and to charge the deficiencies against the wages which would then fall due. To encourage a hasty departure he was offered remission of these charges if he would leave immediately.¹⁴¹ Wilkinson took the offer and was succeeded at the end of the month by J.H. Edwards.¹⁴²

Edwards, a free, family man, was a marked improvement on his predecessors and he and his wife and sons provided solid service akin to that given by William and Ann Ellis

138 MOS Letters 1825-9, List of Serv^ts at MOS 15 Jan^y 1829.

139 Minute Book 1828-29, p.102, 16/7/1828.

140 MOS Letters 1825-9, Cartwright to Cowper 15/1/1829, Cahuac to Committee 12/2/1829; Minute Book 1828-29, p.247, 27/2/1829.

141 Minute Book 1829-30, pp.114-5, 26/8/1829.

142 MOS Letters 1825-9, Sadleir to -- 31/8/1829.

at the Female Orphan School. Edwards strove to have his respectability acknowledged in his conditions of employment. On arrival he asked to be allowed cooking utensils and a servant for his wife so that she could devote as much time as possible to the Infant School. Scott minuted the request 'no' and the committee endorsed his decision.¹⁴³ Later he asked Archdeacon Broughton to be allowed to sent the cart to Sydney two or three times a year on his family business backing the plea for this indulgence with the explanation that

I must confess I feel particularly hurt in being held in this kind of surveillance and that as Storekeeper I have no privilege (sic) above that of the Men of this Institution.¹⁴⁴

The servants

In 1820 the Male Orphan School had a staff of only five males (assistant master, shoemaker, tailor, cook and gardener) at £10 per annum each and a washer-woman at £7 per annum.¹⁴⁵ By early 1822 need was felt for more female assistance and one of the servant's wives was employed at 'government wages'.¹⁴⁶ In the third quarter

143 MOS Letters 1825-9, Edwards to Scott 2/9/1829; Minute Book 1829-30, p.137, 10/9/1829. See also p.166, 6/10/1829: claim for conveyance to school to take up position reduced.

144 MOS Letters 1830-2, Edwards to Broughton n.d.

145 BT Box 24, p.4913, Orphan School Farm 22/8/1820, p.4917, A List of Persons employed in the Male Orphan Instⁿ

146 MOS Minutes, 10/4/1822.

of 1823 the servants listed on the pay sheet were one of each of a tailor, shoemaker, carpenter, gardener and washerwoman, with a second shoemaker to 25 July.¹⁴⁷

There is no information for the period from September 1823 until the beginning of Cartwright's mastership.

By the June quarter of 1825, when the school had been re-located at Bull's Hill, the staff had greatly expended. Thirty-two persons are listed on the pay sheet for the quarter¹⁴⁸ and in the following quarter thirty-eight, including Richard Cartwright as Assistant Master.¹⁴⁹ In 1826 twenty-three persons constituted the staff other than the Master and Surgeon.¹⁵⁰ After the separation of the school and agricultural establishments in April of this year Cartwright retained direct control of only seven of the staff, including his sons Richard and John.¹⁵¹ This gives some idea of how much the great expansion of the staff was owing to the establishment of farming

147 Vouchers: Male Orphan Institution 1821-3 (NSWA 4/7079), servants wages 1 July 1823 to 30 September 1823.

148 MOS Cash Vouchers, Abstract of the Salaries of the Persons employed at the Male Orphan Institution from 1 April to 30 June 1823 inclusive: 1 clerk, 1 overseer, 1 constable, 1 gardener, 1 shoemaker, 1 tailor, 1 carpenter, 1 watchman, 3 washerwomen, 21 labourers.

149 MOS Cash Vouchers, servants wages due the quarter ending Sep^r 30th 1825: 1 assistant, 1 clerk, 1 overseer, 1 constable, 2 gardeners, 2 carpenters, 3 tailors, 1 cook, 1 bricklayer, 2 washerwomen, 23 labourers.

150 Statement of Receipts and Disbursements 1826-31, MOS account 1826: 1 assistant, 1 clerk, 2 overseers, 3 tailors, 2 cooks, 1 wardsman, 1 washerman, 1 broom cleaner, 7 labourers, 2 nurses and 1 washerwoman.

151 MOS Letters 1825-9, Servants belonging to the Male Orphan School under the Master, 15/4/1826.

operations on a serious basis and to the development work going forward. A store record from the beginning of April to the end of December shows that rations were issued to from nineteen to thirty-two men on the farm with the number dropping from thirty down to twenty-three in the second week in July in a permanent reduction in manpower. Two men were returned for the school itself throughout the period, from eight to fourteen for Kinghorne's gang from the second week of July and, in addition, throughout this period, eight to fourteen mechanics and others were employed on bridge building.¹⁵² In addition to the forty men employed permanently or temporarily on the estate and on that at Bathurst Busby applied in April for another two tailors, nine labourers, and twenty men for a gang to clear and burn felled timber.¹⁵³ The already very large and rapidly expanded establishment was outrunning the resources of both the Corporation and the Convict Department and this increase, which would have doubled Busby's staff, did not take place.

At the beginning of 1827 the Corporation was forced to face the parlous state of its finances and attempted

152. Account of Slop Clothing and Provisions Received into and Issued from the Store of the Agricultural Establishment on the Orphan School Estate 1 Apr. 1826 - 6 June 1827 (NSWA 4/7505).

153 Correspondence OS Farm 1825-27 (NSWA 4/394), Name and description of People employed on the Orphan School Estate - April 1826, and ditto for October; Farm Journal No.2, p.78, 15/4/1826.

to economise by a sharp cut-back in the expense of the Male Orphan School by pruning its staff. Nevertheless the staff list for the year totalled twenty-nine - a very large staff indeed when one considers that the school maintained and educated only seventy-nine boys during the year.¹⁵⁴ On 31 March the separate farm establishment numbered thirty-three¹⁵⁵ and thirty one men are listed on the annual account as receiving salaries.¹⁵⁶

For 1828 the salaried staff numbered thirty and fourteen other labourers were employed at some time during the year.¹⁵⁷ In October Cartwright was instructed

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- 154 Statement of Receipts and Disbursements 1826-31, MOS account 1827. The total includes: men -- schoolmaster, singing teacher, clerk, wood and waterman, baker, stableman, 2 gardeners, cleaner, tailor, herdsman, night watchman, hospital attendant, 2 carpenters, bullock driver, bricklayer, 3 fencers, 2 ploughmen, driver; women - washerwoman, nursery attendant, cook; apprentices - 2 tailors, 2 carpenters.
- 155 MOS Letters 1825-9 : superintendent, 2 overseers, 5 shepherds, 5 stockmen, 3 bullock drivers, 2 ploughmen, 2 sawyers, 2 quarrymen, 1 blacksmith, 1 carpenter, 1 bricklayer, 1 butcher and the rest labourers.
- 156 Statement of Receipts and Disbursements 1826-31, Orphan Agricultural Establishment 1827.
- 157 Statement of Receipts and Disbursements 1826-31, MOS account 1828.

to reduce his staff to sixteen servants by discharging six and letting Benjamin Wilson go when he received his ticket-of-leave.¹⁵⁸ Accordingly the number employed at some time during 1829 on a permanent basis fell to eighteen with casual labour occasionally employed in addition.¹⁵⁹ A list of the servants drawn up on 15 January 1829 names fourteen people of whom only two, Richard and Mary Weavers, are described as free. The other twelve, all men, were made up of seven 'lifers', four 14 years men and one 7 years man.¹⁶⁰ In November the staff consisted of storekeeper, schoolmaster, shoemaker, carpenter, gardener, general labourer, two tailors, nurse, hospital man, laundryman, cleanser, cook, servant to the Master, teamster and cartman, assistant gardener/milkman, butcher/stockman, watchman/carrier to the Female Orphan School, and waterman/woodman.¹⁶¹

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- 158 Minute Book 1828-29, p.151, 8/10/1828. The annual account lists people employed at any time during the given year. Obviously only twenty-three of the thirty listed for the year were employed at the time of this instruction.
- 159 Statement of Receipts and Disbursements 1826-31, MOS account 1829, Weekly Returns MOS 1828-30 (NSWA 4/339). The count excludes the Master and the Surgeon.
- 160 MOS Letters 1825-9, List of Servants at MOS 15/1/1829.
- 161 Weekly Returns MOS 1828-30, p.258, return for week 8-15/11/1829. The listing of the Schoolmaster after the Storekeeper is indicative of their relative importance.

Servants' conditions

The servants of the two orphan schools were paid out of the same funds and from January 1824 were controlled by the same committees but the two establishments remained separate and the employment of servants piecemeal and unrelated. Just as there was no parity in the conditions of employment for the Masters (or as has been noticed the Matron and Schoolmaster or the Storekeepers) so there was none for their subordinates.

In 1828 the Male Orphan School servants were aggrieved at receiving a ration given an annual value of £34.7.6 while their Female Orphan School counterparts were much better off with one valued at £47.12.3.¹⁶² This was explained as the result of an over-issue at the latter school which had been rectified but the complaint was made the occasion for placing the servants on an equal footing with regard to wages.¹⁶³ The committee in July 1826, in reply to an application, directed Keane to pay both male and female servants at the Female Orphan School £7 per annum, less the value of their clothes and necessaries, and a gratuity for good behaviour not

162 MOS Letters 1825-9, Cartwright to Cowper 12/8/1828. The details of the servants' rations are unknown but that for MOS stockmen at Bathurst in 1826 was, weekly: 10lbs flour, 3lb 8 oz fresh meat, 2lb salt pork, 2oz tea, 1lb sugar: Tender, Correspondence and Receipts for Rations (NSWA 4/7503), bundle: Weekly Issue of Provisions to Workmen on the Orphan School Estate 15/4/1826 to 30/12/1826.

163 Minute Book 1828-29, p.119, 20/8/1828.

exceeding £5 per annum for the men and £3 for the women.¹⁶⁴ Now in the name of equality all the male servants were to have £2.18.6 per annum deducted from their wages and the female servants were not in future to be paid any wages at all but to be paid a gratuity of equal value in clothing.¹⁶⁵ This resolution regularised the practice resorted to earlier of ^{the} foisting off on to the powerless convict women of unwanted textiles in the store in lieu of wages.¹⁶⁶

When one adds to this wage injustice, relative to other assigned convicts, the daily regimentation and the determined measures to deny access to the solace of drink and to sexual companionship there is no room for surprise at the orphan schools being an unpopular service.

Servant problem

Although the convict servants of the orphan schools were almost certainly selected with more than usual care there was a continuing experience at the Male Orphan School

164 Proceedings of Committees No.1, p.32, 5/7/1826; Corporation Letter Book 1826-27, p.27, Cowper to Keane 5/7/1826. Statement of Receipts and Disbursements shows £7 against the names of most convict servants. For comparison it may be noted that in 1817 women household servants in private families were receiving £10-15 per annum: Report from the Select Committee on the State of the Gaols, &c, House of Commons, 12 July 1819, p.44, Alexander Riley's evidence.

165 Minute Book 1828-29, pp.119-20, 20/8/1828.

166 Proceedings of Committees No.1, p.250, 19/7/1827.

of trouble with unsavoury or criminal servants. A propensity for strong language and strong drink seems to have been characteristic.

In 1822 Marsden, Jamison and John Palmer sitting as magistrates ordered James Jarvis, the school's baker, to the government gangs at Emu Plains and his wife Elizabeth to the Factory. Their behaviour 'had been disgraceful in the highest degree, injurious to the Morals of the Children, and subversive of all order & discipline'.¹⁶⁷

The most troublesome case occurred in mid 1825. William Burnet, an overseer on the farm, abandoned the school's cart at night on the road between the Great Western Road and Prospect and absconded with the horse, which was Cartwright's property, and a chest of tea, a quantity of fine calico and other articles, which it seems he had obtained from the usual suppliers to the school, without an order, on the pretext that they were for its use. A forty dollar reward was offered for Burnet's apprehension or for information leading to his lodgement in gaol.¹⁶⁸

Thirty handbills were printed in addition to an advertisement in the Sydney Gazette.¹⁶⁹ Later a horse had to be

167 MOS Minute, 10/7/1822.

168 Farm Journal No.1, pp.56-7, 23/7/1825 and 25/7/1825; SG, 28 July 1825.

169 MOS Cash Vouchers, receipt from Robert Howe.

hired to follow the trail of the thief to Argyleshire and a small reward paid for the finding of this horse when it was lost.¹⁷⁰ Burnet was apprehended and lodged in Liverpool gaol by 9 August¹⁷¹ but it was not until 23 November that he was tried and convicted of stealing the horse.¹⁷² The death sentence was passed on him.¹⁷³

At the end of the year another overseer employed in taking twenty bushels of barley to the Sydney market pocketed the £2.8.1½ which the barley brought and absconded.¹⁷⁴

Early in 1826 Curtin and Goode, overseers of the convict clearing gangs working on the estate and 'just such fellows as would do a knavish trick of this kind', falsified certificates for the amount of land cleared by their gangs, doubling the figures in two cases and making 'a wilful misrepresentation' in the third. This was discovered only in time to stop Goode receiving payment for the last quarter of his employment.¹⁷⁵

170 MOS Cash Vouchers, Abstract of Incidental Expences and small Payments on account of the Male Orphan Institution.

171 Farm Journal No.1, p.63, 9/8/1825.

172 Farm Journal No.1, p.90, 23/11/1825.

173 SG, 8 December 1825.

174 Ledger Orphan School 1825-6, p.5.

175 Correspondence NOS Farm 1825-6 (NSWA 4/7504), W.Dumaresq to Busby 8/4/1826, Hely to Busby 18/5/(1826), Busby to (addressee and date not given), Busby to Hely 11/4/1826; Farm Journal No.2, p.67, 28/3/1826, p.70, 5/4/1826, p.72, 7/4/1826.

In the last three cases the culprits were all, as overseers, men in positions of some trust. Part of the problem, which will be seen more clearly in discussion of the affairs of the orphan farm, was that even when such persons had demonstrated untrustworthiness or incompetence it seemed impossible to get them replaced. For example, prior to Goode's embezzlement Busby had informed the central convict authority that the local magistrates had ordered his dismissal for highly improper conduct as overseer.¹⁷⁶

Theft was rife on the orphan estate. The store records for 1826 and 1827 are interspersed with notations recording thefts.¹⁷⁷ There were a couple of instances of men absconding,¹⁷⁸ the nurse was turned in to the Factory for some undisclosed offence,¹⁷⁹ the tailor, Thomas Rawthorne, was sentenced to re-transportation for two years for perjury:¹⁸⁰ such were the occasional more notable instances of crime set amid a continuous saga of servant delinquency.

176 Farm Journal No.2, p.56, 27/2/1826.

177 Account of Slop Clothing and Provisions ... 1 Apr.1826-6 June 1827.

178 Farm Journal No.2, p.68, 1/4/1826; Account of Slop Clothing and Provisions ..., return for third week of October 1826.

179 MOS Letters 1825-9, Cartwright to Cowper 28/6/1827.

180 MOS Letters 1825-9, Sadleir to Cowper 28/10/1829; Minute Book 1829-30, p.186, 4/11/1829.

Short of outright criminality there were a number of cases where the removal of servants was rendered desirable from defects of morality or character or from incompetence in their work.¹⁸¹

The journal kept during 1825 and 1826 by young James Busby as superintendent of the farm shows more clearly than any other record the regular and two-sided nature of the servant problem. The journal is punctuated by a regular succession of entries relating to the sending of servants before the magistrates. Busby seemed ever ready to send men up in the hope of getting them a couple of dozen. That he did not always succeed indicates that the magistrates agreed with the impression created on the reader of the journal that the offences were sometimes trifling.¹⁸² In August a convict named Barry lied to Busby about his actions and was as a consequence of a complaint given twenty five lashes and returned to government service.¹⁸³

181 MOS Minutes 22/11/1822; FOS Minutes, p.58, 14/2/1821; FOS Letters 1825-9, Cartwright to Marsden 11/10/1826; Proceedings of Committees No.1, p.98, 12/10/1826. Minute Book 1829-30, p.194, 25/11/1829; FOS Letter Book, p.1, Sadleir to Broughton 21/12/1829; FOS Letters 1830-2 (MSWA 4/327), Wilton to Committee 1/2/1830. The Female Orphan School did not experience the same servant problem. There is no instance of one of its servants getting into serious trouble during the 'twenties.

182 E.g. Farm Journal No.1, p.6, 11/2/1825, p.42, 18/6/1825, p.50, 4/7/1825, p.51, 5/7/1825, p.92, 26/11/1825; Farm Journal No.2, p.60, 7/3/1826, p.67, 28/3/1826, p.77, 15/4/1826, p.88, 16/5/1826.

183 Farm Journal No.1, p.65, 15/8/1825, p.67, 23/8/1825.

Barry could be written off as 'a bad lot' but the lie was not very serious and Busby had shortly before got him twenty five lashes.¹⁸⁴ One suspects that in this case the lying excuse which brought the punishment was invented to ward off the likely consequences of not having an excuse. On the evidence of Busby's own journal an uncooperative and resentful attitude towards him on the part of his men might be expected and partly explains their mutinous outlook reported by Cartwright in October 1826.

184 Farm Journal No.1, p.42, 18/6/1825.

Chapter 9

THE ORPHAN LANDS

Governor King provided for the support of the orphans firstly by developing an Orphan Fund based broadly on charitable giving, indirect taxation, fees, court fines and the profits of government trading. These sources provided a cash inflow and, occasionally, kind. Secondly he attempted to provide a rent revenue and a capacity for the reduction of costs by food production through a series of land grants which placed the trustees for the orphans amongst the most considerable owners of land in New South Wales. King's successors, notably Macquarie, developed and altered both the sources of the Fund and the land holdings until, to the detriment of the orphans, both passed to the Church and Schools Corporation in 1826. Although the Orphan Fund pre-dates the first land grants the orphan lands will be discussed here first as the disposal of the lands is important for the question of the general financial management to be pursued in connection with the Orphan Fund.

Grants by Governor King

Governor King's power to grant land was the most obvious means at his disposal for attempting to provide for the support of the orphan school.

On 15 August 1803 King granted 12,300 acres at Cabramatta to the then committee — Mrs King, Mrs Paterson,

Rev. Samuel Marsden, Thomas Jamison, John Harris and John Palmer, their heirs and assigns, as trustees for the orphans. This grant, known as the Orphan School farm or estate, was bounded on the north side by Prospect common, on the east by Prospect Creek and a farm belonging to Captain Cummings, on the south by Cabramatta Creek and on the west by a line from Cabramatta Creek north to Prospect common. After five years the committee was to pay, or cause to be paid, an annual quit rent of £12.6.0. payable from the funds of the institution.¹ This was merely a notional payment for quit rents went to the Orphan Fund.

King acquired Grose Farm, the site of the University of Sydney, by purchasing the three years unexpired time of the lessee, Thomas Laycock, and cancelled the deed on 27 September 1803. This land was included in another grant of 500 acres made to the committee members as

1 SG, 12 August 1826, text of Act 7 Geo. IV No.4; HRA, Vol. XIV, p. 98, Cowper to McLeay 31/3/1828, p.909, Note 28. See HRNSW, Vol. V., p.429, King to Hobart 14/8/1804 where King writes that he has made the grants to the above named
 and in the case of all or either of their absence or death, to a committee composed of such married ladies who may choose that humane office, with the clergyman of Sydney and Parramatta, the Commissary, and Principal Surgeon for the time being.
 The grants were always accepted as being to the named trustees as individuals and never to the holders pro tem of particular offices.

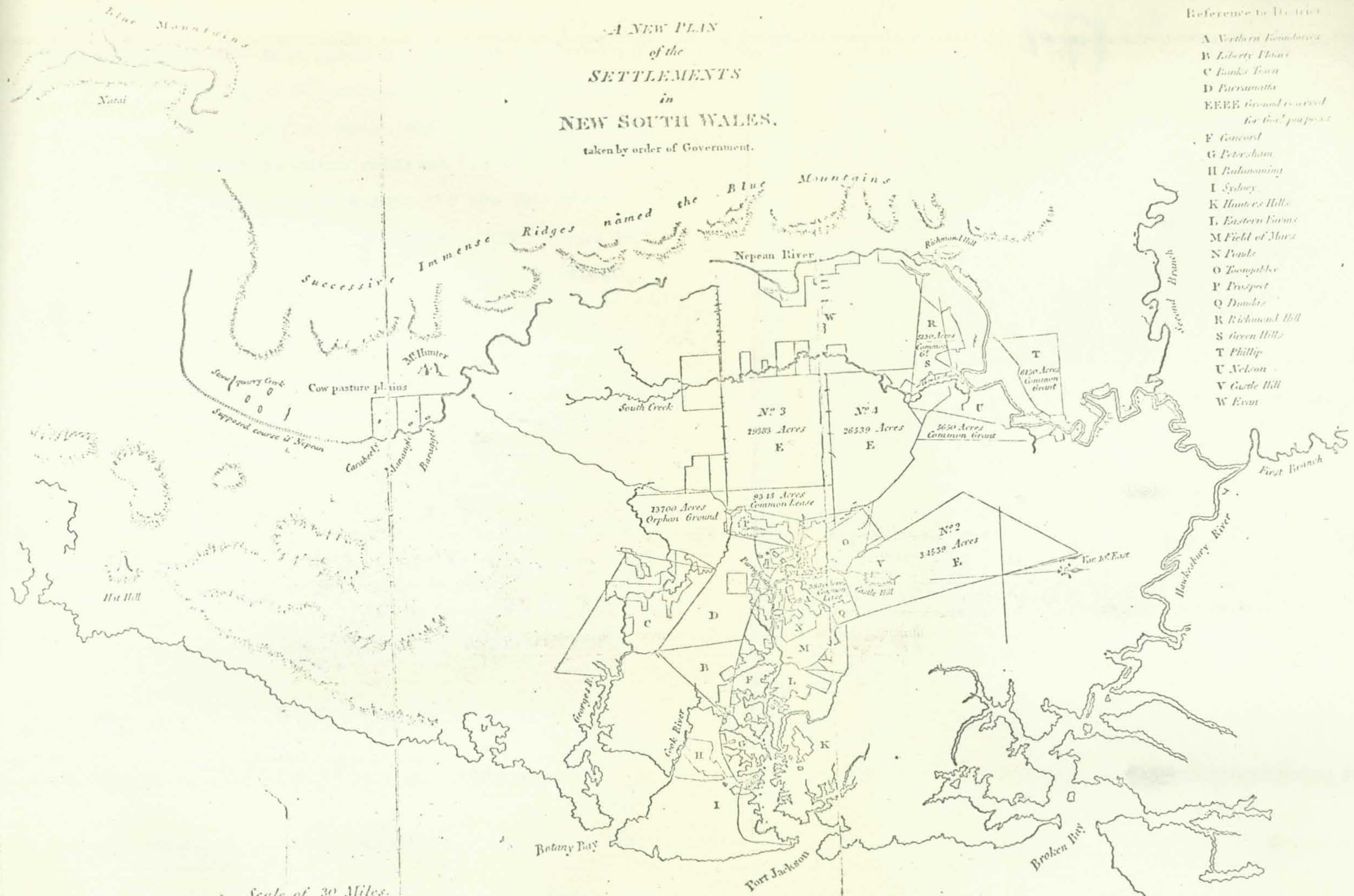
333 The Orphan Grant, Cabramatta, 1810

A NEW PLAN
of the
SETTLEMENTS
in
NEW SOUTH WALES.

taken by order of Government.

Reference to District

- A Northern Boundary
- B Liberty Plains
- C Banks Town
- D Parramatta
- EEEE Ground reserved for Govt purposes
- F Concord
- G Petersham
- H Balmain
- I Sydney
- K Hunters Hills
- L Eastern Farms
- M Field of Mars
- N Ponds
- O Toongabbie
- P Prospect
- Q Danks
- R Richmond Hill
- S Green Hills
- T Phillip
- U Nelson
- V Castle Hill
- W Farm



trustees for the orphans on 15 August 1803.² By a deed dated 10 August 1806 this grant was reduced to a part of Grose Farm amounting to 280 acres. An annual quit rent of six shillings after five years was imposed and timber deemed fit for naval purposes reserved for the use of the Crown.³ In order to compensate for the 220 acres resigned by the committee King ordered an additional 600 acres at Cabramatta but his memorandum was not acted upon.⁴

The 2 acre 17 rod site of the Female Orphan School was transferred to the trustees on 1 May 1804.⁵ The lands actually granted to the orphans then remained unchanged until Governor Brisbane's time.

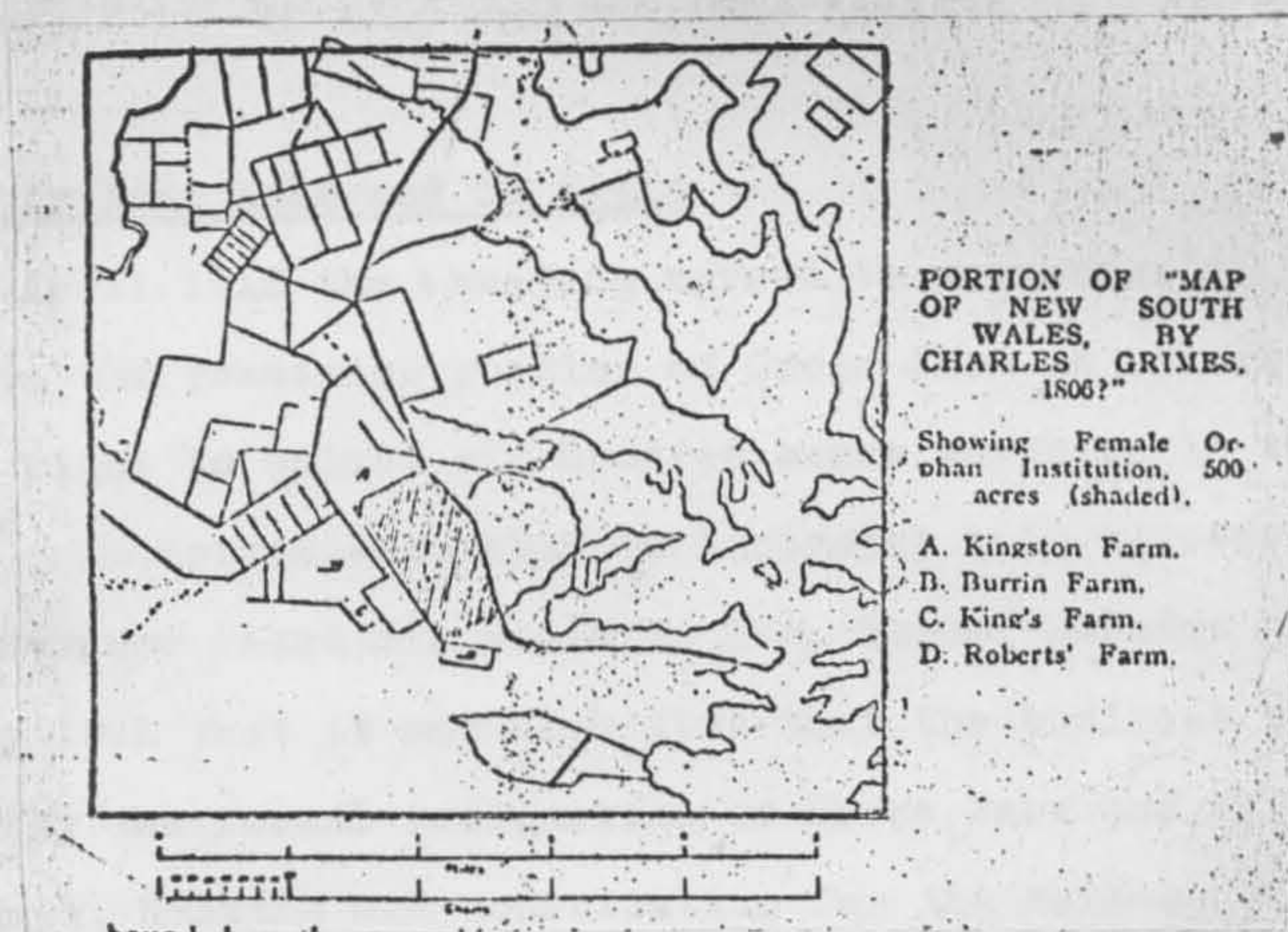
In 1805 Lt Robert Braithwaite RN died bequeathing to the Orphan School the 100 acres near Windsor granted to him by Governor Hunter in 1799. However the will was not proved in the colony where no one knew of the bequest until 1846 following an enquiry to the Colonial Office

2 HRA, Vol. IV, pp.663-4, Note 43. For a precise description of this grant see J.A. Tunnicliffe, "Grose Farm", Hermes, Nos. 24-27, 1918-1921, No. 26, 1920, pp.38-43. Orphan School Creek, which runs under Parramatta Road, long served as a reminder of the association of the orphan school with this land.

3 HRA, Vol. XIV, p.98, C. Cowper to McLeay 31/3/1828; 7 Geo. IV No. 4.

4 FOS Minutes (NSWA 4/403), p.68, 9/5/1821, memo. dated 11/8/1808 -- information from Surveyor General Oxley.

5 7 Geo. IV. No.4.



ORPHAN GRANT, GROSE FARM, SYDNEY

from the treasurer of the Naval Knights of Windsor which body hoped for the reversion of the property should the school have become defunct. The grant had apparently been quietly incorporated by the next-door neighbour William Cox and in 1846 was in the possession of his son-in-law, Captain Ramsbottom.⁶ The orphans consequently derived no benefit from the only private land devised to them in our period.

Changes in land held and in title

In April 1812 the trustees agreed to surrender to the Crown the remaining portion of Grose Farm in return for the right to select six hundred acres anywhere in the colony.⁷ No action was taken to implement this agreement until Governor Macquarie wrote to Rev. Samuel Marsden in February 1821 that it was high time that the business was settled by the formal resignation of Grose Farm and of the lease to W. Rushton and consultation for the marking out and granting of the lands promised. He requested early

6 HRA, Vol. XXIV, pp.513-5, Stanley to Gipps 4/9/1845 and enclosures, pp.824-5, Gipps to Stanley 22/3/1846.

7 BT Box 8, Bigge Appendix, p.3392, Marsden's evidence 27/12/1820; CSIL, Memorials, 1822, C - G (NSWA 4/1829), No. 122A, Macquarie to Marsden 21/3/1821; FOS Minutes, P.62, 14/2/1821 : reference to minutes of 10/4/1812.

attention to the matter.⁸

The Governor's letter was read at the next committee meeting but action was postponed because the deeds were supposed to be in the possession of the Judge Advocate who was currently in Van Diemen's Land.⁹ The May meeting heard Surveyor-General Oxley. The committee, feeling that the grants by King did not create legal charitable endowments because of the want of provisions for appointing future trustees or empowering the present ones to exchange lands, resolved that it would be happy to receive the Governor's proposals for exchanges and, secondly, to take legal advice from Frederick Garling.¹⁰

With no further developments having occurred an anxious Macquarie wrote to Judge-Advocate Wylde just before the October meeting enclosing a copy of his letter to Marsden and asking that Wylde, who would be in the chair, raise the matter. He added:

I also request you will do me the favor to acquaint the Committee that, being desirous to add to the Landed Property of the Institution as far (as) I can with propriety do so, I shall be happy to order

8 Letters from Col. Sec. & c. 1821-28 (NSWA 7/2710), No. 1, Macquarie to Marsden 27/2/1821.

9 FOS Minutes, p.62, 21/3/1821.

10 FOS Minutes, p.68, 9/5/1821, p.75, 7/8/1821.

One Thousand acres of Land to be located for it, in lieu of the Six or Seven Hundred acres which were originally agreed to be transferred by the Crown to the Institution for Grose Farm altho' of opinion that the original Portion of Land offered for that Farm was quite a sufficient equivalent and indemnification for it.¹¹

The correspondence was read but no action taken.

Macquarie's offer to increase the compensation appears a rather desperate attempt, by the offer of a bribe, to reach finality on the matter during his term in office.

In April 1822 Governor Brisbane again urged a settlement at the next committee meeting and in order to promote this endorsed Macquarie's offer of one thousand acres as compensation.¹² The committee promptly agreed to this,¹³ raising the suspicion that its strained relations with Macquarie¹⁴ were at the back of its earlier dilatoriness. Nevertheless there was still no action for more than a year.

In May 1823 the committee asked Brisbane to re-grant all the grants according to Garling's draft as he believed

11 CSIL, Memorials, 1822, C-G, No. 122B, Macquarie to Wylde 16/10/1821.

12 CSIL, Memorials, 1822, C-G, No. 122C, Goulburn to Hill 3/4/1822.

13 FOS Minutes, p.87, 8/5/1822; CSIL, Memorials, 1822 C-G, No. 122D, Hill to Goulburn 10/5/1822.

14 See above p. 114.

the existing ones 'untechnically drawn'.¹⁵ By a deed dated 27 May 1823 Brisbane re-granted to Marsden, Palmer and Harris, the surviving original trustees, the Orphan School Farm, the George Street site, the 600 acres additional land at Cabramatta, compensation for the first surrender of Grose Farm land, and newly granted 1,000 acres in the County of Roxburgh (Kelso, Bathurst district) in compensation for the remainder of Grose Farm, and 60 acres at Arthur's Hill, Parramatta, on which the Female Orphan School stood. The trustees or the heirs or assigns of the survivor had the right to let, convey, sell and dispose of the land for the benefit of the Female Orphan Institution on the direction of the committee for the Institution for the time being.¹⁶ Although a start had been made on the Female Orphan School house at Arthur's Hill as early as 1800 and the school moved there in 1818 and taken into use 150 acres¹⁷ the committee had

15 FOS Minutes, p.105, 14/5/1825.

16 7 Geo. IV No. 4; HRA, Vol. XIV, p.98, Cowper to McLeay 31/3/1828.

17 Report of the Commissioner of Inquiry, on the state of Agriculture and Trade in the Colony of New South Wales, House of Commons, 13 March 1823, pp.39-40. Note that this was far more than the sixty acres subsequently made over to the trustees for the orphans. The sixty acres had originally been granted to Surgeon Thomas Arndell on 16 July 1792 and was recovered by Governor King as the site for his projected Parramatta orphanage: James Jervis, ed. George Mackaness, The Cradle City of Australia: A History of Parramatta 1788-1961, Parramatta 1963 reprint, p.20.

not been made aware of the want of title to the land until May 1821.¹⁸

Dismissal of trustees

On 1 January 1824 Brisbane suddenly dismissed the committee. At the meeting to wind up its affairs the hurt and resentful members, including the trustees, took the opinion of their chairman, Judge Barron Field. He advised that the trustees should keep the deeds and use the land for the benefit of the orphans, for the deeds never contemplated that a time should come when the trustees would not be part of the committee.¹⁹ However, it was not until more than eight months later that Marsden, on behalf of the trustees, communicated with Brisbane on the question of their legal rights in the land. Brisbane expressed his desire to respect their rights in full and said that, as it was a legal question, he had handed the matter over to the Attorney-General.²⁰

It does not appear that Brisbane did actually take up the matter until February 1825 when he asked Attorney-General Saxe Bannister for an opinion on whether it was advisable for him to have removed the committee under the

18 FOS Minutes, p.68, 9/5/1821.

19 FOS Minutes, p.113, 15/1/1824.

20 Sir Thomas Brisbane's Letter Book No. 2 (ML A1559⁻²), p.44, Brisbane to Marsden 30/9/1824.

trust deed when he did so and what powers the Governor had in relation to the committee or to engage in the improvement of the land without its consent. He was concerned that 'these lands (had) remained in a total unproductive state to that benevolent Institution for upwards of twenty years' and intended to bring the circumstances under the consideration of Earl Bathurst.²¹ The question seems to have been laid to rest by news of the establishment of the Clergy and School Lands Corporation and the vesting of the orphan lands in it.²²

In August 1826 the General Court of the Corporation endorsed a draft Bill for presentation through Governor Darling to the Legislative Council.²³ Within days it had passed into law as the Act 7 Geo. IV No. 4, 'An Act, for vesting the Orphan School Estates in the Trustees of the Clergy and School Lands in the Colony of New South Wales, and for duly governing the Children at School, and in Apprenticeship'. This Act absolved the former trustees

21 Brisbane's Letter Book No. 2, p.131, (Brisbane) to Bannister 19/2/1825. This letter is unsigned and refers to Brisbane in the third person.

22 HRA, Vol. XI, p.452, Draft of Charter of Incorporation for Management of Church and School Estates, enclosed in Bathurst to Brisbane 1/1/1825.

23 Proceedings of General Courts (NSWA 4/291), pp.29-30, 7/8/1826.

and committees of their trusts upon the passing of their accounts by the Trustees of the Corporation.²⁴ Marsden, Harris and Palmer were thus finally relieved of nearly a quarter of a century's trusteeship for the orphans (although Marsden continued under the new dispensation as a Trustee of the Corporation). They cannot be said to have made profitable use of the land but their very lengthy service had been given gratis and always in the interest of the children. This being so, they had no interest in testing the legal point, raised with Brisbane but glossed over by these later transactions, of whether lands granted to them 'forever' could be re-assigned in this way.²⁵

Part of the Corporation's one-seventh of the colony?

The Corporation acquired the orphan and glebe lands already alienated by the Crown under clauses 32 and 33 of the Charter which did not make any specific statement on whether or not they were to constitute part of the one-seventh of the territory of the colony vested in the

- 24 Printed SG and The Australian, 12 August 1826. Original Charters and Grants to Church of England Corporation (DL 255).
- 25 See Miscellaneous Papers re Orphan Schools, Native Institution and Agricultural Establishment, ca. 1824 (4/7499), undated, unsigned memo. This is a draft of Cowper to McLeay 31/3/1828, HRA, Vol. XIV, pp.97-101, which at the relevant part, p.99, omits the contention that Brisbane's action had been illegal.

Corporation. The Corporation subsequently requested that a legal opinion on this question should be sought from the Supreme Court. Governor Darling professed to think the question of little importance but pointed out that as these lands were for the purposes of supporting education and religion he could not see why they would logically lie outside the one-seventh appropriated for these purposes. The questions communicated to him had been framed by Chief Justice Forbes in such a form as to leave little doubt that he would rule the other way and the Corporation had at his instance resolved that the glebe lands were not part of the one-seventh.²⁶ Sir George Murray confirmed that the original intention was that these grants should be additional but in the event the decision to revoke the Charter of the Corporation deprived the question of any importance.²⁷

Dissipation of the orphan lands

Apart from the inherited orphan and glebe lands the Corporation did not obtain possession of its first land grant until 3 February 1829.²⁸ Without land to return

26 HRA, Vol. XIV, pp.95-6, Darling to Huskisson 31/3/1828.

27 HRA, Vol. XIV, pp.789-91, Murray to Darling 25/5/1829.

28 William Westbrooke Burton, The State of Religion and Education in New SouthWales, London 1840, p.25.

a revenue, part of which might have been used to develop the orphan farm, the Corporation had to raise money by selling interest-bearing debentures.

By late 1826 the pressure of the Corporation's chronic financial difficulties led it to decide to sell portions of the glebe and orphan lands, especially as the orphan estate was held to be 'an expense rather than an aid'.²⁹ The committee was authorized to retain only 'such proportion of Land round the intended School as in their opinion may be necessary not exceeding three thousand Acres'.³⁰

Charles Throsby, the squire of Glenfield and a Trustee of the Corporation, and Rev. Robert Cartwright, Master of the Male Orphan School, were sent a copy of this resolution and a map of the Orphan School estate and asked to recommend whether it ought to be disposed of by sale or by lease. If they suggested sale they were to say whether it ought to be as a whole or in lots and if in lots to mark them on the map. They were also requested to suggest the method of providing for the cattle and sheep on the property.³¹

29 HRA, Vol. XIV, p.77, Darling to Huskisson 30/3/1828; Proceedings of Committees No. 1 (NSWA 4/292), pp.125-6, 4/12/1826.

30 Proceedings of General Courts, p.70, 5/12/1826.

31 Corporation Letter Book 1826-27 (NSWA 7/2702), p.169, Cowper to Throsby and Cartwright 6/12/1826.

The Corporation then began to sell off most of the land held.³²

In the middle of 1827 the original George Street site of the schools, choice land in the business heart of the capital, was disposed of by auction in six lots, together 'hardly exceeding an acre', for £4,855 and the Sydney Gazette reported that within a week they might have been resold for £5,500. The plot on which the house itself stood was sold separately and went to James Underwood for £205. At the same time 6,000 acres of the Cabramatta estate was sold in six lots for £2,090, Cartwright purchasing two of these, of 900 and 863 acres, for a total of £910, and the 1,000 acre grant at Kelso in the County of Roxburgh was leased for seven years for a total of £350.³³

32 SG, 9 April 1827. See also SG, 7 April 1827 concerning the auctioning of the lease of the estate at Kelso.

33 The Australian, 6 June 1827. SG, 18 June 1828 reported that J. McDonald who had paid £520 for one George St. lot was being offered £1,000 for it. The Corporation had hoped to get £4,550 for the Cabramatta land and £3,100 for the Sydney land: Proceedings of Committees No. 1 (NSWA 4/292), 21/8/5/1827. Offers had been received for leasing the Bathurst land, offered for a period not exceeding 32 years, but they were too low: Corporation Letter Book 1826-27, p.264, Cowper to A.K. Mackenzie and to William Cox 29/3/1827; Proceedings of Committees No. 1, p.161, 17/1/1827, p.197, 29/3/1827.

The historic marker in George Street at the site of the Orphan School reads:

Near this spot Lieut. Wm. Kent, naval officer and pioneer sheep man in Australia had a home and garden. They were purchased by Governor King in 1800 and used as an orphan school until

In December 1827 the Trustees decided to dispose of a further 3,500 acres of the Cabramatta farm in eight lots.³⁴ Tenders were invited.³⁵ Only five lots were sold, each at the reserve price of thirty shillings per acre excepting one lot of 399 acres for which Cartwright offered thirty one shillings.³⁶ Unfortunately for the Corporation these sales were carried out in the middle of the 1826-31 depression and at a time of severe drought. Bidders were therefore scarce, competition for lots very rare indeed,³⁷ and proceeds minimal at £1,348.19.0.³⁸

 1828. The site was cut up and sold in 1830.:
Historic Markers Situated in The City of Sydney,
 Sydney n.d., (processed), p.6, No. 36.
 The marker is therefore in error both on the date
 at which the site ceased to be used as an orphan
 school (1824) and the date of subdivision and
 sale.

- 34 Proceedings of General Courts, pp.106-7, 4/12/1827.
- 35 SG, 21 December 1827.
- 36 SG, 18 February 1828.
- 37 'New South Wales Probable Archival Estrays: Clergy and School Lands Corporation : Register of offers for land sold on February 14, 1828' (ML Uncat. MSS Set 509 Item Ib.).
- 38 Minute Book 1828-29 (NSWA 7/2703) p.16, 18/2/1828.

Some of the 'sales' were not completed. At the beginning of March 1828 the Corporation itself reported sales in June 1827 as six Sydney allotments : £4,850, the house : £205, and 5,556 acres at Cabramatta : £3,190, payable by quarterly instalments within two years. The February 1828 auction-by-tender sold 886 acres at Cabramatta. There remained in the Trustees' hands 5,458 acres at Cabramatta and 60 acres at Arthur's Hill.³⁹

In March lots 1 to 8 of the Cabramatta estate, a total of 3,321 acres, were re-offered, this time on terms of 10% down and a twenty-one year transferable lease with completion at any time and forfeiture of the deposit unless the purchase was completed at the end of the lease.⁴⁰ A further sale took place on 1 May 1828 at which William Ellis, storekeeper of the Female Orphan School, was a purchaser of 1,740 acres for £800.⁴¹ Again purchasers failed to answer repeated demands for their deposits and in September 1828 were given ten days to comply or have the land re-sold at their risk.⁴²

39 Minute Book 1828-29, p.30, 3/3/1828, 'Report of the Proceedings of the Trustees of Clergy and School Lands in New South Wales from 9 March 1826 to 4th March 1828'.

40 Minute Book 1828-29, pp.57-8, 26/3/1828.

41 Minute Book 1828-29, p.68, 14/5/1828. This was the only orphan land sold on this occasion.

42 Minute Book 1828-29, p.146, 26/9/1828.

In October lots 1 to 4, a total of 2,505 acres, were once again offered for lease with the option to purchase⁴³ and in December another 116 acres was put up for re-sale.⁴⁴

On 1 January 1829 2,621 acres were sold for £2,145.3.0 on twenty-one year leases at a rental of 5% on the highest amount offered, with the option for the lessee of completion at any time. Ellis purchased 1806 acres and Cartwright the 116 acre lot.⁴⁵ At this stage 10,689 acres of the estate had, on paper, been disposed of with great difficulty and delayed payment on a depressed market⁴⁶ but in May purchasers were still being threatened with resumption for non-payment.⁴⁷

In March 1829 the Trustees accepted an offer by Cartwright to rent a further 107 acres of the retained section near Liverpool for seven years at 5% of the value of 30/- per acre.⁴⁸ However Cartwright, who had a habit of getting into financial difficulties, had gone in well beyond his financial depth and very soon had to ask for

43 Minute Book 1828-29, p.158, 22/10/1828.

44 Minute Book 1828-29, pp.191-2, 8/12/1828.

45 Minute Book 1828-29, pp.202-3, 14/1/1829.

46 Minute Book 1828-29, p.222, 29/1/1829. The accounts of the purchasers show a general failure to meet payment obligations : Land Account Book from 1827 to June 1st 1829 (NSWA 7/2708).

47 Minute Book 1829-30 (NSWA 7/2704), p.4, 22/5/1829.

48 Minute book 1828-29, p.255, 27/2/1829, Quarterly report for 3/3/1829.

an extension of five years in which to pay his debts to the Corporation.⁴⁹

Frederick Wilkinson's protests

Rev. Frederick Wilkinson, assistant chaplain at Newcastle and a Trustee of the Corporation, had persisted in opposing the wholesale disposal of Corporation land. He contended that the land had been given in trust for the benefit of posterity and entered a solemn protest at the 'extravagant proposition' that the land should be alienated to raise a revenue for general purposes. He offered as a draft bye-law the proposition 'That only one third of the disposable Land in each County be offered for sale'. Even so the proceeds of such sale could be applied legitimately only to the purpose of improving the land retained.⁵⁰ He was also critical of the way in which the land was put up for sale, wanting a thorough inspection and description of all land before any decision was made on whether it should be sold.

The nub of Wilkinson's argument was that the Corporation's financial management was in breach of clause 27 of the Charter which made it fairly clear that it was

49 Minute Book 1828-29, pp.279-80, 2/4/1829; Cartwright: Mortgage to the Trustees of the Clergy and School Lands 1/6/1829 (ML Acl05).

50 For this and the next two paragraphs : Letters Received from Clergymen, Catechists and Schoolmasters Jan.-Sept. 1829 (NSWA 4/322A), pp.91-102, Wilkinson to Cowper 20/2/1829.

never anticipated that the Corporation would be able to support the expense of the clergy from its lands at the outset let alone the many other people in its employ. The Corporation was trying to run before it could walk. The proper course was to appeal to the Governor for assistance with present difficulties and to draw up the Corporation estimates in accordance with the Charter.

Wilkinson's points were well taken but ill received. Scott ignored the letter Wilkinson addressed to him in December 1827.⁵¹ When the chaplain then addressed the Bishop of Calcutta on the general question of the Corporation's financial management⁵² Scott attacked him for misrepresenting the situation and secured a motion of censure against him from the Trustees who did not scruple to sit as judges in their own case.⁵³ The Archdeacon linked this matter to others in pressing charges which brought Wilkinson a reprimand and a warning from the Colonial Office.⁵⁴

51 Letters Received from Clergymen Catechists and Schoolmasters 1827-28 (NSWA 4/321), pp.461-9, Wilkinson to Scott 15/12/1827.

52 Letters Received from Clergymen ... 1827-28, pp.757-8, Wilkinson to Bishop of Calcutta 28/7/1828 (extract).

53 Proceedings of General Courts, pp.164-5, 2/12/1828, See HRA, Vol. XIV, p.560 ff. where resolution and charges against Wilkinson were forwarded to England.

54 HRA, Vol. XV, pp.313-4, Murray to Darling 1/1/1830.

It is difficult to avoid the conclusions that the Corporation displayed more tenacity in its determination to dissipate the orphans' landed heritage than it had in utilising it to their advantage and that, as Wilkinson indicated, it was guilty of maladministration of which the orphans were important victims.

The orphans were practically divested of their land under conditions of sale which left much to be desired and with persons connected with orphan affairs prominent amongst the purchasers.⁵⁵ The process of disposal was carried so far as to leave the Male Orphan School without land capable of yielding a supply of drinking water, let alone water for general purposes.⁵⁶ Significantly, the last reference to land within the period of this study is an appeal to the Government for land adjoining the Female Orphan School to be reserved for the use of that institution.⁵⁷

55 See the references given for the various sales and Minter, Simpson, & Co. Documents of Titles etc. (ML A4020), No. 269A, Conveyance of a parcel of land in the District of Cabramatta 4/12/1827 for Marsden's purchase of 1,030 acres at £stg 1,000. John Farquhar Cleverley, 'The Administration of State-Assisted Elementary Education in Mainland New South Wales, 1789-1855', Ph.D. thesis, University of Sydney, 1967, p.210, sees Wilkinson alleging 'jobbery' in the land sales in his letter to Cowper of 20/2/1829. The circumstances of the sales invite such an allegation but Wilkinson did not make it. His reference to 'jobbery' related to the appointment of a surveyor.

56 See below pp. 457, 459.

57 Minute Book 1829-30, p.193, 25/11/1829.

Chapter 10

THE ORPHAN FUND

The Orphan School was the first public institution in Australia which required to be financed from local sources and Governor King was called upon to exercise his ingenuity to tap all likely, and some rather unlikely, sources of revenue from indirect taxation and fines. The Orphan Fund provides an important chapter in the history of Australian public finance.

The Orphan Fund had its origins in the private subscription collecting of Rev. Richard Johnson, augmented in Governor Hunter's time by the direction to it of fines imposed on wrongdoers.¹ For a time King continued to look to charitable donations to provide part of the finance for the school. The first committee meeting resolved to open a fund immediately for the receipt of donations.² By the following meeting, in September 1800, £196 had been subscribed³ and by October £572.11.8 had either been paid in or promised.⁴

1 HRNSW, Vol. IV (HRA, Vol. II, pp.535-6), King to Johnson and others 7/8/1800, p.137 (HRA, Vol. II, p.537) minutes of committee 8/8/1800 and 15/9/1800; Letterbook of Captain P.G. King 1797-1806 (ML A4040-photoprints of original at A 2015), pp.170-1, King to Foveaux 19/2/1800.

2 HRNSW, Vol.IV, p.137.

3 HRNSW, Vol. IV, p.137.

4 HRNSW, Vol. IV, p.233, minutes of committee 11/10/1800.

At the October meeting the committee considered tapping English philanthropy and directed Marsden to write to Samuel and Henry Thornton asking their opinion, with the advice of William Wilberforce, on who might be approached to act as collectors.⁵ Marsden's sermon delivered on the occasion of the opening of the school was sent to his friend Rev. M. Atkinson in Leeds for publication and sale in aid of the school. However Atkinson informed him:

Your sermon I have not published simply for this reason, because the scenes described are so shocking that I fear the very description might tend to excite Ideas in multitudes which would be better never known.

Thought was given to remodelling the sermon or extracting from it for a petition and Atkinson expressed willingness to help with a collection and confidence that Wilberforce and Thornton would both help and set the example by giving generously.⁶ There is no indication that the idea of soliciting donations in England was actually productive of any benefit to the Orphan Fund.

There was some external charitable support. Captain Turnbull of the whaler Britannia presented thirty seven gallons of sperm oil at various times to August 1802.⁷

5 HRNSW, Vol. IV, p.233.

6 Marsden Papers, Vol. I, Letters to Rev. S. Marsden 1794-1837 (ML A1992) pp.5-6, Atkinson to Marsden 31/7/1802, quoted at p.5.

7 HRA, Vol. IV, p.95, minutes of the committee 10/8/1802.

On 1 October 1802 Commodore Baudin, Commander in Chief of the French Expedition of Discoveries, donated £stg. 50 - a generous gift which was a practical expression of gratitude for the hospitable reception of the distressed expedition in New South Wales in time of war. Baudin had earlier made a donation towards erecting the intended Male Orphan School on the Hawkesbury.⁸ It has been pointed out that the fact that Baudin should choose to show his appreciation of King's reception in this way can be taken as evidence of recognition of the Governor's deep concern for the orphans.⁹

Revenue-raising impositions

Philip Gidley King made an early start on revenue raising by drawing up in September 1800 regulations to be published when Governor Hunter departed. All masters of British or foreign vessels arriving in Port Jackson and all merchants, importers and consignees resident in New South Wales were to post a bond of £stg.200. In the event of forfeiture for breach of the regulations half of the penalty was to go to the Orphan Fund and the other half to the persons informing, prosecuting or suing. Secondly, the watering place on the North Shore and the

8 HRA, Vol. IV, pp.98-9, minutes of committee 3/1/1802, incorporating Baudin to Mrs King 1/10/1802, Mrs King to Baudin 1/10/1802 and Marsden to Baudin 5/10/1802.

9 Vernon W.E. Goodin, 'Public Education in New South Wales before 1848', JRAHS, Vol. 36, Pts. 3 and 4, 1950, p.81.

adjacent grounds having been granted to the trustees of the Orphan Fund payment was to be made to them before vessels took on wood or water from that place.¹⁰ In addition a duty was to be set on the issue of blank forms for promissory notes.¹¹

On 3 October 1800 a Government Order required that before any prisoner could go off the stores he must have a record of uniform good behaviour and a respectable person approved by the Governor must

become bound for their good behaviour in the penalty of five pounds to the Orphan School, and to make good any damages they may commit.¹²

A schedule of 10 October set out a scale of harbour dues including a now specified fee of ten shillings to take water or wood from the orphan land.¹³ The committee meeting of the following day was informed that ex-Governor Hunter as a departing gesture of support had donated all of the money arising from his fees for grants and leases of land as well as a handsome clock. King ordered that

10 HRNSW, Vol. IV, pp.139, 144-5, King to Portland 10/9/1800 and enclosed Regulations. It appears that King can have granted only the wood and water rights to the land on the north shore for there is otherwise no suggestion that the land itself was granted.

11 HRNSW, Vol. IV, p.134, King to Portland 9/9/1800.

12 HRNSW, Vol. IV, p.224, G. & G. Order 3/10/1800.

13 HRNSW, Vol. IV, p.232, G. & G. Order 10/10/1800.

such fees as would fall due to him should also be paid into the Orphan Fund.¹⁴ However payment of these fees and quitrents was generally neglected despite repeated notices and in 1804 King threatened that defaulters would be sued and distrained for payment.¹⁵ Under an Order dated 15 October every rigged vessel other than a rowing boat was to be registered with the Naval Officer at a cost of ten shillings and fees of two shillings were exacted for permission to go to and for returning from Botany Bay or the Hawkesbury and five shillings for departure for or return from any other place. These fees were to go into the Orphan Fund.¹⁶ On 27 October an Order designed to prevent the smuggling of spirits imposed the requirement of a permit to move more than half a gallon of wine or spirits and directed that the Orphan Fund receive one-third of the proceeds of the sale of spirits or other strong drink seized for breach of this order. At the same time a penalty of loss of licence and a £5 fine, half to the informer and half to the Orphan Fund, was set for licensed victuallers or retailers of spirits or other strong drinks 'entertaining any person from the beating of the taptoo until the following noon, or during Divine Service'.¹⁷

14 HRNSW, Vol. IV, p.233, minutes of committee 11/10/1800.

15 SG, 1 April 1804.

16 HRNSW, Vol. IV, p.243.

17 HRNSW, Vol. IV, p.250.

There was then a pause in the piecemeal accumulation of imposts until 15 January 1801 when an Order required the election by the magistrates of a public auctioneer who was to sell all goods auctioned within the Colony, other than those subject to the prize laws or Act of Parliament. Any other person or persons selling by auction would forfeit £50 and their security to the Orphan Fund. More importantly, all goods sold by the public auctioneer or otherwise auctioned under the exemption clause were to be taxed $1\frac{1}{2}\%$, payable by the owner of the goods to the Orphan Fund.¹⁸

In February it was ordered that goats found untended were to be forfeited to the Fund.¹⁹

At the beginning of 1802 a fine of £10 was set for conviction for using short measures or lightweights or those not properly stamped.²⁰ In June a duty of 5% ad valorem at the price laid in, exclusive of wharfage, was set on goods from any port to the eastward of the Cape of Good Hope to be paid to the Orphan Fund. The order was justified as necessary to encourage English manufactures which were of better quality than those from India and to discourage the great intercourse with the Americans which produced the evils of a cash outflow and

18 HRNSW, Vol. IV, p.289.

19 HRNSW, Vol. IV, p.303, G. & G. Order 17/2/1801.

20 HRNSW, Vol. IV, pp.673-4, G. & G. Order 1/1/1802.

an excessive inflow of spirits.²¹ One of the consequences of the regulation was that the orphan committee acquired spirits as duty payment in kind the disposal of which brought it into the colonial rum trafficking as a vendor.²² In November a £5 fine to the Fund was made part of the penalty for the owners of ships illegally carrying passengers, especially convicts.²³

In January 1803 the deterrent to the employment of convicts under sentence was stiffened by the addition of a fine of 2s 6d for each day the convict was employed and in February 1804 the principal fine was raised from £5 to £20.²⁴ In March 1803 dues were imposed on coal and

21 HRA, Vol. III, pp.626-7, G. & G. Order 14/6/1802; HRNSW, Vol. IV, p.891, King to Hobart 9/11/1802.

22 SG, 24 and 31 July 1803: notice offering spirits for sale at 15s per gallon.

23 HRA, Vol. IV, p.908, G. & G. Order 19/11/1802.

24 SG, 12 February 1804. A Government and General Order of 1 June 1801 set a fine of 2s 6d for each day an assigned convict was hired out or left on his own hands : HRNSW, Vol. IV, p.380. Another order, dated 9 December 1801, imposed a £10 fine for the improper employment of convicts with £5 of this going to the informer. Although such fines went into the Orphan Fund there was no mention of the Fund in this order: HRNSW, Vol. IV, p.632.

timber²⁵ and in August the public was warned that swine found roaming the streets were ordered to be forfeit to the orphans.²⁶

In July 1804 a fine of £5 was set for shopowners upon conviction before two magistrates for each person employed whose name had not been given in.²⁷ From October butchers were required to pay for an annual licence by sending £Stg. 2 worth of fresh meat to the Orphan House.²⁸

At the beginning of 1805 an Order was issued directing the sale for the benefit of the orphans of all animals after they had remained in the pound unclaimed for one week.²⁹ Private individuals followed this up by warning owners of trespassing stock that the animals would be sent to the Orphan House and the owners prosecuted.³⁰ Finally, in October of 1805, King completed his long drawn out and piecemeal construction of a network of fees and fines by imposing a £Stg. 3 liquor licence fee and set the fine for breaches of the regulations governing licenced

25 HRA, Vol. IV, p.624, G. & G. Order 24/3/1804.

26 SG, 21 August 1803, G. & G. Order 19/8/1803.

27 SG, 8 July 1804.

28 SG, 14 October 1804.

29 SG, 27 January 1805, G. & G. Order 6/1/1805.

30 SG, 7 and 14 July 1805 notice from John Harris,
14 July 1805, notice from Thomas Jones.

houses at £5 with the informer and the Orphan Fund sharing the proceeds of a conviction.³¹

Fines

In these early years, although apparently not later, a number of convictions were obtained under these regulations which produced penalties in cash and kind benefitting the Orphan Fund. Although mitigation of punishment was freely granted for first offences the enforcement of the regulations and the exaction of stiff penalties seems to have achieved the aim of discouraging the subsequent commission of offences.

Seven settlers who employed convict Thomas Dobson were each fined £5, with the additional penalty of 2s 6d per day employed remitted. (Dobson received a hundred lashes and was sent to the Battery gang at George's Head.)³² Even so William Morgan of Concord incurred a second conviction a few days after the fine was raised to £20, but the addition was remitted because it was so recent.³³ The warning that there would be no subsequent remissions seems to have been effective for a number of years after which the regulation against the hiring of convicts fell into disuse although it was not revoked.

31 SG, 27 October 1805, G. & G. Order 26/10/1805.

32 SG, 10 July 1803, G. & G. Order

33 SG, 12 February 1804, G. & G. Order.

By the early twenties the practice was reputedly commonplace and prosecution rare.³⁴

On 22 August 1804 all the bakers of Sydney were raided. Three had a total of sixty-four short-weight loaves which were sent to the orphanage and subsequently fines of £50, £22.10.0 and £2.10.0 were imposed - after mitigation for first offences.³⁵ Such penalties as these, where John Morgan lost £50 and twenty-six loaves were calculated to ensure fair weight rather than to provide the orphans with a regular source of income. No dishonest baker could long survive such punishment.

Apart from the forfeitures directed to the Orphan Fund specifically under Government Order the fund also benefited from fines imposed for other crimes. Thus it received £20 from a man convicted of harbouring a bush-ranger, £Stg. 5 from a man who sold a prisoner storehouse pork and £1 from the aggressor in a fight.³⁶ Six cocks seized in a raid on an illegal cockfight carnival were sent to the Orphan House.³⁷

Thomas Biggers contributed generously. On 14 August

34 A.G.L. Shaw, Convicts and the Colonies, London 1966, p.193.

35 SG, 26 August 1804, 2 September 1804

36 SG, 27 January 1805, 16 January 1806. See also HRA, Vol. IV, p.94, minutes of the committee 2/1/1801, p.102, Balance Sheet 1801-2.

37 SG, 11 August 1805.

1803 he was convicted of violent assault on a constable and was sentenced to forfeit the £100 recognizance he was currently under and also convicted of contumely and disrespect to Thomas Arndell in his public capacity as a magistrate and fined a further £5.³⁸ In February 1805 he was again in trouble in the Criminal Court but later gained an award of £50 in an action for false accusation. This he donated voluntarily to the Orphan Fund,³⁹ raising his total personal contribution to £155.

The biggest boost to the Fund appeared likely to come from Luckyn Betts, master of the convict transport Hercules, who was convicted in 1802 of manslaughter for shooting a convict after a convict mutiny on his ship had been quelled. He was sentenced to gaol until a fine of £500 was paid to the Orphan Fund. However the court's decision contravened the practice of the Admiralty Court by which the jury would be directed to acquit and the sentence was remitted.⁴⁰

Attainment of full support of the school from the Orphan Fund

In the foundation years the sums placed in the Orphan

38 SG, 14 August 1803. See also HRA, Vol. IV, p.102, Balance Sheet 1801-2.

39 SG, 7 April 1805.

40 HRNSW, Vol. IV, p.818, Judgment of Court 9/7/1802, p.869, King to Hobart 30/10/1802. This despatch was not acknowledged. Presumably King's decision was endorsed.

Fund were expended only on the upkeep of the Orphan School.⁴¹ The children continued to be victualled from the store at Imperial expense,⁴² and from late 1802 King made a fishing boat and crew available to fish for the school on the committee agreeing to purchase the seine.⁴³

Duties on spirits were a considerable source of income, fees and permits provided useful augmentation, fines were incidental. The treasurer paid the bills and had a reserve on hand at the current level of operations⁴⁴ but there were many needy cases beyond the capacity of the Fund as it was. King's ambitious plan to accommodate three hundred orphans in two institutions soon crumbled in the face of financial reality and the Secretary of State's veto.⁴⁵ Nevertheless on the current

41 HRA, Vol. III, p.406, King to Portland 1/3/1802.

42 HRA, Vol. III, p.425, King to Portland 1/5/1802.

43 HRA, Vol. IV, p.98, Minutes of committee 23/9/1802.

44 HRA, Vol. IV, p.60, Account of John Harris, Collector, for 1803, p.94, minutes of committee 2/1/1801, pp. 102-3, Balance Sheet 1801-2, p.104, Statement of Accounts 1801; Banks Papers, Brabourne Collection, Vol. 4, Australia 1801-1820 (ML A78-3), p.197, Statement of Receipts and Disbursements on Account of the Gaol and Orphan Fund, from August 1800 to Dec. 31st 1804. Published by order of the Committee.

45 See below pp. 396-7.

level of expenditure the Fund was in a healthy state by the end of 1804, allowing Marsden to take the 5% allowed him as treasurer to invest for the school⁴⁶ and for the children to be struck off the stores for grain and all but a small proportion of salt meat.⁴⁷ From 16 June 1806 the school ceased to draw any provisions or other support from the government beyond that encompassed by the Orphan Fund.⁴⁸ At the end of 1805 the Fund was in credit £1772⁴⁹ and from then on finance was not a problem, other than temporarily, until the orphans came under the Church and Schools Corporation in the mid 'twenties.

Need for source of revenue related to growth

Governor King realized that in order to set the finances of the Orphan School on a firm footing he needed an assured income of sufficient size and one which was related to the Colony's growth. He believed that the answer lay in appropriating the profits of the government trade to the Orphan Fund.

46 See below pp. 651-2.

47 HRA, Vol. V, p.269, King to Hobart 13/1/1805.

48 HRA, Vol. V, p.765, Statement of Receipts and Disbursements on Account of the Gaol and Orphan Fund, from 1st day of January to the 12th day of August following (1806).

49 HRA, Vol. V, p.762, Statements of Receipts and Disbursements on Account of the Gaol and Orphan Fund, from the 1st day of January 1805, to the 31st of December following.

The focus of the Colonial economy was the government store which sold to the colonists goods imported by the Government or bartered these goods in exchange for grain. On 10 August 1802 King instructed Commissary John Palmer to publish price lists with goods at prime cost plus 50%. The balance of this profit after payment of two additional superintendents was to go to the Orphan Fund each 20 July and 20 February.⁵⁰ In addition the Governor intended to supply the orphans with such goods from the stock in the store as they needed.⁵¹

Lord Hobart had given permission for the appropriation to the orphans of some or all of the annual proceeds for 1802.⁵² Although the 'great quantity of articles brought to this colony by private adventurers has greatly lessened the demand for those provided by Government',⁵³ King considered the profit

the best mode of meeting your Lordship's wishes respecting a donation that will greatly assist our exertions in continuing this necessary and,

50 HRNSW, Vol. IV, pp.818-9 (HRA, Vol. III, pp.597-8) Regulations for Sale of Government Merchandise 10/8/1802.

51 HRNSW, Vol. IV, p.876, King to Hobart 30/10/1802.

52 HRNSW, Vol. IV, p.688 (HRA, vol. III, p.371), Hobart to King 30/1/1802.

53 HRNSW, Vol. IV, p.875, King to Hobart 30/10/1802.

I may add, indispensable institution.⁵⁴

He asked how far he was to consider himself authorized to continue the appropriation.⁵⁵ He was permitted to continue it.⁵⁶

State support of education endorsed

The point has been made frequently that King's support of education by public means is significant both for the dominant role of the State in providing education for most of Australia's educational history and in its anticipation of State involvement in the mother country where State aid for education was not first advanced until 1832.⁵⁷

The Imperial authorities were conscious of the novelty of King's proceedings and in approving justified them on the ground of the peculiar nature of the society of the penal colony. Governor Bligh was told in his Instructions that

In a Settlement, where the irregular and immoral habits of the Parents are likely to leave their

54 HRNSW, Vol. IV, p.876, King to Hobart 30/10/1802.

55 HRNSW, Vol. V, p.196, (HRA, Vol. IV, p.311), King to Hobart 7/8/1803.

56 HRA, Vol. V, p.765, Statement of Receipts and Disbursements on Account of the Gaol and Orphan Fund, from 1st day of January to the 12 day of August following (1806).

57 S.J. Curtis and M.E.A. Boulwood, An Introductory History of English Education Since 1800, London 4th ed. 1966, p.55.

Children in a state peculiarly exposed to suffer from similar vices, you will feel the peculiar necessity that the Government should interfere in behalf of the rising generation and by the exertion of authority as well as of encouragement, endeavour to educate them in religious as well as industrious habits -- it is reasonable that the more wealthy Inhabitants should bear the charge of educating their own Children; but it is His Majesty's gracious Direction that the Expence, indispensably required to give effect to this interesting object, should not be withheld from the Public Funds and you are authorized to make such advances upon this account as you may deem requisite to afford the means of education to the Children of the Colony.⁵⁸

The Rev. Samuel Marsden, in England in 1807, confirmed the need for such an un-English view of the situation. He described the native born to the Colonial Office as 'Remote, helpless, distressed and Young, these are truly the Children of the State'.⁵⁹

The rebel administration made two minor changes relating to the Fund. In July 1809 it ordered that payments should be made only in 'money which can be consolidated' : that is, in paymaster's bills and government receipts, and not, as previously, also in kind.⁶⁰ In October it ordered that all fines levied on bakers be paid entirely to the Orphan Fund.⁶¹

58 HRA, Vol. VI, p.18.

59 PRO CO 201/45, p.320, Marsden to Cooke 21/11/1807.

60 HRNSW, Vol. VII, p.198, G. & G. Order 23/7/1809.

61 SG, 1 October 1809, G. & G. Order 26/9/1809.

Reorganization of fund by Macquarie

Three months after assuming office Governor Macquarie split the hitherto single Female Orphan School and Gaol Fund into separate Police and Female Orphan School Funds. He directed that the Police Fund should receive three-quarters of the customs and excise duties collected and the licence fees, leaving the Female Orphan School Fund the remaining quarter of the customs and excise and the other fees to provide for the destitute children of both sexes and defray the general expenses of the Public School and the intended charity schools.⁶²

In the following months Macquarie strengthened the Orphan Fund by directing to it two-thirds of the proceeds of the sale of pigs and goats seized for creating a public nuisance by wandering the streets,⁶³ half of the proceeds of the sale of grain seized while being ground in the mill without a government order⁶⁴ and the fine of -----

62 SG, 7 April 1810, G. & G. Order 31/3/1810; HRA, Vol. VII, p.254, Macquarie to Castlereagh 30/4/1810, pp.480-1, Liverpool to Macquarie 5/5/1812 : sanctioned somewhat grudgingly; CSIL, Bundle 4, No. 100-163, 1810, pp.258-9, Account Sales by Auction by Lord and Williams to end of December 1810; BT Box 2, Bigge Appendix, p.718, evidence of John Howe, 12/12/1820.

63 SG, 11 August 1810. The person making the seizure received the remaining third.

64 SG, 25 August 1810. The constable responsible for the seizure received the other half.

£20 plus 2s 6d for each day of employment for conviction before two magistrates of hiring a convict under sentence and not in possession of a ticket-of-leave.⁶⁵ In October 1811 duties were imposed on coal and timber for home consumption and for export.⁶⁶

The revenue from these sources grew much more rapidly than the demands made upon it by the Female Orphan School and the few public charity schools. In June 1817 Macquarie was able to reduce the Orphan Fund's share of the customs and excise to one-eighth.⁶⁷ Early in 1819 the Governor ordered that the Female Orphan School Fund should henceforth accept financial responsibility for the newly established Male Orphan School and for the expenses of the charity schools, including teachers' salaries, not provided for in the Parliamentary Estimates.⁶⁸ Actually the charity day school system envisaged by Macquarie⁶⁹ did not make much headway until the arrival

65 SG, 24 November 1810.

66 SG, 19 October 1811; HRA, Vol. VII, p.453, Govt. Order: Coal 2s 6d home, 5s export per ton, timber £3 home, £6 export per thousand square feet.

67 SG, 21 June 1817.

68 Gov. & Gen.^l Orders. From Jan^y 16th 1819, to (—), No 3 (ML A339), p.16, G. & G. Order 27/2/1819.

69 HRA, Vol. VII, p.249, Macquarie to Castlereagh 30/4/1810.

of Archdeacon Scott in the middle of the next decade and it consumed little of the money.⁷⁰

It was not until 1819 that the Colonial or Imperial Governments became aware that the duties upon which King and Macquarie had based the Orphan and Police Funds were illegal. They imposed taxes for which there was no Parliamentary sanction. This problem was solved by Earl Bathurst smuggling an indemnity Act (59 Geo. III cap. 114) through Parliament in the rush at the end of a session.⁷¹

Once ample and regular financial provision was made for the orphan schools through the fund and the land grants Macquarie insisted that the committee should meet all expenses and not seek further assistance such as the assignment of convict artisans or gifts of government stock. This would have been quite reasonable had the orphan and other schools had sole use of their fund. However, Bigge found that

of late years it has been customary to defray the expense of extensive purchases of tools and implements required in the public works from the colonial funds, and to defray the expense of the lodgings of military officers, of their passage from one colony to the other, and even those of their

70 Eg. BT Box 23, Bigge, p.4782, W. Cowper :Orphan Institution Fund 1820.

71 John Ritchie, Punishment and Profit, Melbourne 1970, p.94.

equipment from New South Wales to India.⁷²

Despite the heavy addition to expenditure imposed by expanded responsibilities ex-Governor Macquarie told Lord Bathurst in 1822 that he believed that one-sixteenth of the revenue from the duties would be sufficient in future to provide for all government-supported schools.⁷³ This suggestion was not taken up and the appropriation remained at one-eighth. The Orphan Fund continued as Macquarie left it until the inauguration of the Clergy and School Lands Corporation in 1826 when, the Fund and the orphan schools together passed into the hands of the Corporation.⁷⁴

The salaries of the Master and Matron of the Female Orphan School were paid from 1809 from the imperial vote for the Civil Establishment of New South Wales.⁷⁵ Thomas Bowden's salary from the Imperial Government as intended Master of the Male Orphan School was paid to him while he served at the Sydney Public School and through Macquarie's

72 Report of the Commissioner of Inquiry, on the state of Agriculture and Trade in the Colony of New South Wales, House of Commons, 13 March 1823, p.91.

73 HRA, Vol. X, p.682, Macquarie to Bathurst 27/7/1822. SG, 24 November 1821, supplement; Orphan account : balance of £3,102.

74 HRA, Vol. XI, p.452, Draft of Charter of Incorporation for Management of Church and School Estates.

75 HRA, Vol. VII, p.78, Estimate ... 1809.

error was paid to his successor there until his resignation in 1823. Bowden meanwhile was paid as Master of the Male Orphan School from the Police Fund until from 1824 his salary, with that of the Lieutenant Governor, was provided for in the British estimates.⁷⁶

The Treasurer of the Orphan Fund

The Rev. Samuel Marsden was invited by Lieutenant Governor King to become Treasurer of the Orphan Fund prior to the invitations to join the original committee being issued.⁷⁷ He remained in office until 1806 when he resigned to return to England on leave. King allowed 5% of the proceeds to the treasurer as remuneration for his trouble but Marsden declined to accept any payment, asking that his percentage should go towards helping to stock the orphan estate.⁷⁸

Under Bligh Robert Campbell, 'the most responsible Merchant here', served as treasurer and although he too was allowed 5%⁷⁹ it seems that he took only 2%.⁸⁰ At the

76 Wentworth Papers. D'Arcy Wentworth Correspondence 1821-29 (ML A754-1), p.203, Goulburn to Wentworth 29/3/1824; John Farquhar Cleverley, 'The Administration of State-Assisted Elementary Education in Mainland New South Wales, 1789-1855', Ph. D. thesis, University of Sydney, 1967, p.161.

77 HRNSW, Vol. IV, p.135 (HRA, Vol. II, p.535), King to Johnson and other 7/8/1800.

78 See below pp. 651-2.

79 HRA, Vol. VI, p.160, Bligh to Windham 31/10/1807.

80 HRA, Vol. VI, p.172, Balance Sheet of the Orphan Fund November 1806 to June 1807.

end of 1807 the cash on hand was £2,091.16.6 -- which Bligh took as an indication of the order to which the affairs of the colony were being reduced at the time he was displaced in the Rum Rebellion. On 27 January 1808 Campbell was publicly dismissed and forced to hand over the accounts and £68.19.6 in cash to Thomas Jamison whom the rebels had appointed Naval Officer and Collector of Duties in his place.⁸¹ Alexander Riley succeeded him on 17 March 1809 probably because Jamison was to sail for England in June 1809 to testify for Major Johnston.⁸²

As part of the process of the token restoration of Bligh's Government Riley was displaced and Robert Campbell restored as Treasurer until further notice,⁸³ with the intention that Rev. William Cowper would succeed him in a short while. However Marsden returned from England early in 1810 and although he knew that Macquarie had named Cowper for the office asked to be reappointed

81 HRA, Vol. VI, p.617, Bligh to Castlereagh 1/9/1808, enclosing pp.620-2, accounts and p.623, Campbell to Bligh 11/3/1808.

82 Copies of Letters to Governor Macquarie (NSWA 7/2736), pp.53-4, Riley to Campbell 1/2/1810; Vivienne Parsons, 'Jamison, Thomas (1745 - 1811)'; ADB, Vol. 2, p.13.

83 Copies of Letters to Governor Macquarie, pp.53-4, Riley to Campbell 1/2/1810. Replaced 8/1/1810; SG, 14 January 1810.

as he considered it his duty to concern himself with the welfare of the orphans.⁸⁴ Consequently a notice published on 19 May named Marsden as the successor to Campbell who had 'resigned'.⁸⁵ This seeking of the office of Treasurer was not one of the Principal Chaplain's happier initiatives : he was to experience a good deal of trouble in the performance of his duties and to receive more opprobrium than thanks.

Under the rules imposed by Macquarie the trustees were to meet monthly in Sydney to audit and regulate the accounts of the institution and to order payments. Once a quarter they were to audit the accounts preparatory to the treasurer submitting them for the Governor's final approval after which they would be published in the Sydney Gazette.⁸⁶ This degree of oversight might have been expected to prevent malpractice and to preserve the Treasurer from suspicion of it.

Marsden still declined to receive any payment so that he was able to tell Mr. Commissioner Bigge in January 1821 that the sum he had foregone between 1810 and

84 BT Box 8, Bigge, pp.3389-91, Marsden's evidence 27/12/1820.

85 SG, 19 May 1810. Cowper later served as Acting Treasurer during Marsden's absences : Captain John Piper Papers, Vol. I , 1791-1818 (ML A254), pp.242, 436

86 SG, 19 May 1810. The accounts appeared quarterly. Bigge reported that the rules were followed 'at all times'. Report ... Agriculture and Trade, p.91.

the end of 1820 was about a thousand pounds.⁸⁷ Furthermore, while the Female Orphan School was in Sydney he needed to make frequent trips to town on its business and paid out of his own pocket the expenses of horses, chaise and turnpike, 'which in the course of the year was not a trifling sum'.⁸⁸

At times, and especially while the new Orphan House was building, Marsden advanced the fund considerable sums of money which he felt that he could not well afford.⁸⁹ On the eve of his departure on his first voyage to New Zealand the institution was, on his reckoning, over £900 in his debt.⁹⁰ Creditors, fearing that he would not return, were anxious for payment. He called upon Governor Macquarie and told him of his inability, because of the institution's indebtedness to him, to meet his public and private accounts. Macquarie replied that as the Police Fund was too low to make an advance he could

87 BT Box 26, Bigge, p.6039, Marsden to Bigge 30/1/1821.

88 BT Box 20, Bigge, p.3482, Marsden to Bigge n.d. (fragment).

89 BT Box 26, p.6095, Marsden to Bigge 1/2/1821, private.

90 Rev. William Cowper put the sum advanced in 1814 at £477.11.0 but added that Marsden held bad bills to almost that value: BT Box 8, p.3358, Cowper's evidence 23/1/1821. Marsden had at that stage met the losses on these bad bills : BT Box 26, p.6040, Marsden to Bigge 30/1/1821. Bigge disregarded the bad debts and accepted Cowper's figure: Report... Agriculture and Trade, p.73.

not help him but referred him to Commissary Allan who declined to make an advance without an order from the Governor. Marsden, feeling himself much injured, was obliged to sell £600 worth of his stock on which he made a loss when the purchaser was unable to pay before the chaplain sailed and died while he was away. The purchaser's widow followed her husband to the grave shortly after his demise leaving part of the debt unpaid.⁹¹ Marsden was, however, permitted by the committee to charge the Fund interest for his loan on this occasion.⁹²

It is part of the fascinating complexity of Marsden's character and reputation that he could regularly sacrifice large sums for public purposes yet acquire a reputation for acquisitiveness. There can be no doubt that the public interest benefited greatly from his tenure of the

91 BT Box 26, p.5747, Macquarie to Bigge 18/1/1821, pp.6040-1, Marsden to Bigge 30/1/1821. This letter is incompletely transcribed and the copy terminates as Marsden is about to state his loss on the cattle sale. See also BT Box 8, pp.3397-8, Marsden's evidence 27/10/1820. John Farquhar Cleverley, 'The Administration of State-Assisted Elementary Education in Mainland New South Wales, 1789-1855', p.119, sees Marsden's being so far in advance as indicating that his financial management had been 'particularly inept'. At the same time he criticizes him for the slow progress of the building of the FOS. I do not see the two propositions as being compatible. Marsden could not husband finance he was not receiving and the building must have come to a standstill without his generosity in advancing credit.

92 BT Box 8, p.3398, Marsden's evidence.

treasurership yet his handling of the finances in relation to the new buildings was part of Macquarie's criticism of him to Commissioner Bigge and his handling of the balances in hand also became the subject of a controversy.

Bigge's finding on the question of Marsden's handling of the building project, discussed above, must have been satisfactory to the feelings of the reverend treasurer although the Commissioner dampened the impact of the exoneration with the gratuitous remark that he confessed that he could not see the same excuse for Marsden's undertaking other works.⁹³

The second controversy concerned the placing of the cash in hand. Every quarter, when the accounts had been passed, the Governor directed an order to the Naval Officer, Captain John Piper, to pay over to the Treasurer in sterling the proportion of the dues devoted to the Orphan Fund.⁹⁴ Marsden conceived it as part of his duty to increase the Orphan Fund by putting this cash balance out at interest on good security.⁹⁵

93 BT Box 28, pp.7073-4, Bigge to Bathurst 7/2/1823.

94. BT Box 8, p.3400, Marsden's evidence 27/12/1820, p.3359, Cowper's evidence 23/1/1821:- The Naval Officer sometimes made advances on account of the current quarter. For the form of the order : BT Box 26, p.5927. For receipts see Captain John Piper Papers, Vol. I, pp.242, 255, 266, 321, 436, 514.

95 BT Box 8, p.3400, Marsden's evidence.

Judge Advocate Wylde joined the committee late in 1816 and raised the question of the propriety of having public funds in private hands. Colonel Molle, the Lieutenant Governor, asked that the committee take no action until after his expected departure from the Colony.⁹⁶ After the founding of the Bank of New South Wales, in which Wylde took a leading role and in whose courtroom its business was for a time transacted,⁹⁷ the matter was raised again. Marsden told a quarterly meeting that the merchant firm of Riley and Jones, with whom he had placed the balance, had authorized him to suggest that the committee leave the money with it at 8% interest, giving security in land for the principal⁹⁸ and he otherwise objected to the money going into the bank unless the directors would agree to pay some interest.⁹⁹ The committee rejected this submission on the ground that the bank would secure the principal without risk, no individual's security being as good as that of the bank.¹⁰⁰ Marsden

96 BT Box 24, pp.5544-5, Wylde's Remarks on Marsden 4/1/1821.

97 S.J. Butlin, Foundations of the Australian Monetary System 1788-1851, Melbourne 1953, p.130.

98 BT Box 25, pp.5545-6, Wylde's Remarks on Marsden 4/1/1821, Box 27, pp.6351-2, Marsden to Bigge 10/3/1821.

99 BT Box 27, p.6351.

100 BT Box 8, p.3361, Cowper's evidence 23/1/1821, p.3400, Marsden's evidence 27/12/1820.

accepted this decision without demur.¹⁰¹

Following a meeting at which Marsden had not been present the committee raised the matter with Macquarie for the second time.¹⁰² He ordered that the balance be paid into the Bank of New South Wales to the account of the trustees and a letter was sent to Marsden informing him of this decision.¹⁰³ As the current balance was the large sum of £2,900 the committee agreed with Wylde's suggestion that a period of six to nine months should be allowed to make the transfer so as not to embarrass Marsden or Riley and Jones.¹⁰⁴

The latitude to be allowed in obeying the order was not mentioned in the letter to Marsden who came to Sydney a day or two after receiving it. He met Cowper on the bridge and the latter said:

I have been looking for you these Two Hours. I asked what for. He said The People in the Town are calling shame agst the Committee for calling upon you for the Balance without giving you fair notice. The Judge Advocate Desires me to say that you need not be in a Hurry, but make the Payment convenient

101 BT Box 25, p.5546, Wylde's Remarks, Box 27, p.6352, Marsden to Bigge 10/3/1821.

102 BT Box 8, p.3360, Cowper's evidence 23/1/1821, Box 25, p.5547, Wylde's Remarks.

103 BT Box 26, ^{Erskine,} p.5747, Macquarie to Bigge 18/1/1821, Box 16, p.2140, Wylde and Cowper to Marsden 14/2/1818. Cf. Butlin, Foundations of The Australian Monetary System, p.130, fn.: 'The deposit of the Orphan Fund was on the initiative of the Trustees, Macquarie giving no formal instructions'.

104 BT Box 25, p.5547, Wylde's Remarks on Marsden 4/1/1821.

to myself. I said that I had the Money ready & was then on my way to the Bank, & desired him to go to the J. Adte & request that he would accompany me to the Bank to see it paid, which they both Did.¹⁰⁵

£2,700 was paid in and Marsden retained £200 to meet outstanding demands.¹⁰⁶ In March 1821 this sum remained untouched in the bank, which then paid interest only on the Police Fund,¹⁰⁷ some £700 in interest on Riley and Jones' terms having been foregone.¹⁰⁸

It was typical of Marsden that he should have shown his annoyance by refusing to avail himself of the period of grace¹⁰⁹ and then to have portrayed himself as having been treated inconsiderately. It does not ring true that Cowper, a signatory to the letter instructing him to bank the money, would have told him that the people were 'crying shame' over a decision about which one would have thought they would know nothing. He induced Bigge, then investigating his treasurership, to elicit evidence from Cowper and Wylde denying both this story and that the order

105 BT Box 8, p.3399, Marsden's evidence 27/12/1820.

106 BT Box 8, p.3397, Marsden's evidence.

107 Butlin, Foundations of The Australian Monetary System, p.123.

108 BT Box 27, pp.6351-2, Marsden to Bigge 10/3/1821.

109 BT Box 8, pp.3362-3, Cowper's evidence 23/1/1821.

could have taken him by surprise.¹¹⁰

The Orphan Fund account was a valuable gain for the bank and a case can be made for the 'public' placement of a public fund although there is merit also in the opposing argument that there was a duty to make the most productive use of the money. What is significant is that the principle of public placement was not concurrently applied to the Police Fund which was allowed to remain in the hands of its treasurer, Darcy Wentworth.¹¹¹ Wylde's influence with the Female Orphan School committee and lack of a similar vantage point in relation to Wentworth may well explain the difference in treatment. However when the order to bank the Orphan Fund is linked with the allegation of an arrangement with merchants to exploit the workmen on the Orphan House there is implicit in the situation a suggestion that Marsden's desire to leave the money with the merchants was not felt to be as altruistic as he claimed. There is no evidence to support any suspicion beyond the fact that if he had received any interest from the merchants he had not credited it to the fund.¹¹² He may, ^{at this time,} have been compensating

110 BT Box 8, p.3360 ff, Cowper's evidence, Box 25, p.5547, Wylde's Remarks on Marsden 4/1/1821.

111 Report from the Select Committee on the State of Gaols, & c., House of Commons, 12 July 1819, p.147, Richard Jones' evidence.

112 BT Box 25, p.5547, Wylde's Remarks.

himself amply for the sacrifice of his percentage although it must be noted that the deposit with a merchant would have been at his personal risk in the first instance.

It is a pointer to the small-town level of the public life of New South Wales that the local luminaries could take up the Commissioner's time sorting out what was said on the day that Marsden banked the Orphan Fund and the circumstances of that decision and its transmission and also to the primitive nature of public accounting that he did not pursue the question of what happened to interest earned by the placement of money with merchants.

The Corporation's financial difficulties

Under the Corporation separate accounts were preserved for each of the orphan schools but the Orphan Fund became merged in the general revenue of the corporation. As in Canada the system of clergy reserves failed to return the intended revenue. In New South Wales the Survey Department was in a chaotic state and the clergy lands were not defined. Even where, as in the case of the inherited or acquired orphan and glebe lands, defined lots could be offered for lease difficulty was found in letting the few blocks offered. As Viscount Goderich observed experience showed

that land in countries where so much remains unappropriated can only be profitably occupied by those who have the stimulus of personal and

permanent interest.¹¹³

Without access to its principal intended source of revenue the Corporation was forced to rely on government advances and by the end of 1826 had borrowed £5,260.14.5.¹¹⁴ In February 1827 the Trustees received the staggering news that the Secretary of State had declined to authorize the colonial administration advancing more than the clergy's stipends to tide it over until its own revenue source became productive.¹¹⁵

Darling stated in reply that the whole of the Executive Council in their function as Trustees of the Corporation had supported the advances he had made and that in many cases strict adherence to Treasury instructions must 'be a serious impediment to the service and the cause of considerable expence to the Public'. He reminded Bathurst that under the terms of the Charter the Corporation inherited along with the responsibility for the Orphan Schools their lands and the eighth of the customs revenue set aside for their support. A new Charter would be needed to close off this flow of money.¹¹⁶ In October 1827,

113 A.G. Austin, ed., Select Documents in Australian Education 1788-1900, Melbourne 1963, p.32, Goderich to Colborne 21/11/1831.

114 William Foster, 'The Era of Archdeacon Scott in Education', JRAHS, Vol. 47, Pt. 3, July 1961, pp.163-4. Foster says this debt was incurred despite strict economy -- a view which I do not believe can be maintained.

115 Minute Book 1828-29 (NSW 7/2703), p.39, 3/3/1828.

116 HRA, Vol. XIII, pp.122-4, Darling to Bathurst 22/2/1827.

surely without reference to the prevailing situation, Darling wrote that he thought such an amendment 'might not be unreasonable' in the light of so considerable a part of the territory having been conferred upon the Corporation.¹¹⁷

In a despatch written in July 1827 Viscount Goderich told Governor Darling that as he had not suggested how the orphan schools might otherwise be supported it was not intended to cut off the grant from the customs revenue. Goderich suggested that a sum equal to the average expense for the last five years should be paid over until the Corporation's funds permitted a further reduction. Because there was little information on the churches and schools of New South Wales available in the Colonial Office he called for a full report.¹¹⁸

Darling replied in March 1828 that in the event of the grant from duties being discontinued he intended to meet the orphans' actual expenses out of the colonial revenue until such time as the Corporation's own revenue became available for the purpose. The accounts had been so badly kept that he could not say what the average expense for the past five years had been. The eighth

117 HRA, Vol. XIII, p.53 Darling to Goderich 5/10/1827.

118 HRA, Vol. XIII, p.462, Goderich to Darling 27/7/1827. The auctioneer's orphan dues were still being paid : Corporation letter Book 1826-27 (NSWA 7/2702), p.273 Unwin to Paul 8/5/1827.

part of the duties had in the last year exceeded expenditure by £1,670 and he had thought it proper to retain this difference rather than to pay it over to the Trustees of the Corporation to be used for general purposes contrary to the purpose implied in the grant.¹¹⁹

At the end of 1829 news was received in Sydney of the Imperial Government's decision to revoke the Charter of the Corporation.¹²⁰ The Secretary of State, Sir George Murray, decided that the orphan schools had no claim as of right to the one-eighth of the customs duties and were entitled in future to receive no greater proportion of this revenue than was sufficient to support them on their existing establishment.¹²¹

The basing of orphan support on the duties had possessed the great advantage of providing an elastic source of revenue well able to match the growth in population and the presumptive growth in the number of orphans requiring care.¹²²

Murray's decision destroyed this connection and came at a

119 HRA, Vol. XIV, pp.76-7 Darling to Huskisson 30/3/1828, Vol. XIII, p.543, Abstract of the Colonial Revenues of New South Wales for the Year Ended 30th September, 1827.

120 Minute Book 1829-30 (NSWA 7/2704), pp. 213-4, 9/12/1829, McLeay to Trustees 3/12/1829.

121 HRA, Vol. XIV, pp.791-2, Murray to Darling 25/5/1829; Minute Book 1829-30, pp.416-9, 21/7/1830; Proceedings of General Courts (NSWA 7/2713), pp.3-4, 7/9/1830.

122 When one takes into consideration the need to develop the farm the adequacy of the one-eighth to cover this investment in the short-term is very doubtful.

time when the Corporation's mismanagement had deprived the orphans of virtually all of the land granted to assist in their support and when economies had created establishments and standards of care less adequate than those of earlier years.

From the beginning of 1827 the Corporation was forced to pare its expenditure to the bone. Scott informed Colonial Secretary McLeay that measures had been taken which would reduce the expenditure on the orphan schools by at least eight to nine hundred pounds a year.¹²³ Among the steps taken were the abandonment of the new joint school and its promised economies in running costs, the definite termination of James Busby's contract and the running down of the agricultural establishment just as it became productive, and the selling off of most of the orphan land to enable the Corporation to carry on. These measures went much further than merely trimming the fat from financially flabby establishments. In particular the sale of the land deprived the orphans of a means of self-support and revenue production to enable the Corporation to consume their capital.

The Corporation tried desperately to claim the full benefit of the Orphan Fund inherited from its predecessors as guardians of orphan affairs yet to repudiate the

123 Corporation Letter Book 1826-27, p.240, Scott to McLeay 14/3/1827.

inherited obligations. Its actions in relation to James Busby, the principal case, are surveyed below in connection with the orphan estate. It successfully sought to evade responsibility for that part of an admittedly unsatisfactory account from the Female Factory incurred before its inception¹²⁴ and resisted bills from engineer John Busby¹²⁵ and solicitor Francis Garling.¹²⁶ It refused to pay the apprenticeship gratuity to boys whose apprenticeships were entered into under the former committee.¹²⁷ Sheep and timber supplied by the Government in 1826 were still unpaid for in late 1829 when the Government gave notice that although the charges would not be remitted payment would not be called for at that time.¹²⁸

Reduction in cost per head

It has become customary to follow Judge Burton in praising Archdeacon Scott and the Corporation for an improvement in financial efficiency in the conduct of the orphan schools. Certainly the annual cost per inmate decreased. In 1820 the cost was £21.2.2. at the Male

124 Minute Book 1828-29, p.71, 14/5/1828, p.80, quarterly report 28/5/1828, p.84, 17/6/1828, p.107, 23/7/1828; Letters from Col. Sec. &c. 1821-28 (NSWA 7/2710), No. 195, McLeay to Cowper 15/7/1828.

125 See note 103, p. 464.

126 Minute Book 1828-29, p.192, 8/12/1828.

127 Minute Book 1828-29, p.278, 2/4/1829.

128 Minute Book 1829-30 (NSWA 7/2704), p.162, 2/10/1829.

Orphan School and £22.9.7 at the Female Orphan School.¹²⁹
 This had dropped to £13.5.0 $\frac{1}{2}$ and £19.6.7 in 1826, rose again in the severe drought years of 1827-8 and dropped to £9.8.10 $\frac{1}{2}$ and £8.12.0 in 1832.¹³⁰

In 1829 when Rev. Frederick Wilkinson, with whom Scott was feuding, condemned the Corporation's waste of money on the orphan schools the Archdeacon answered that the cost of the schools for 1823-4-5 was £16,457.13.4 for an enrolment never exceeding 180 and for 1826-7-8, the period of corporation control £15,834.6.1 for an average number of 260 (of whom 120 had been apprenticed). During the latter triennium

the buildings have been made more commodious & the provisions have been much dearer yet they have been better fed, cloathed & attended to & are in better health...¹³¹

 129 Report ... Agriculture and Trade, pp.71-2.

130 William Westbrooke Burton, The State of Religion and Education in New South Wales, London 1840, pp.34-5 Burton's figures have been used to justify the conclusion of efficiency by Ronald J. Burns, 'An Evaluation of Archdeacon Scott and the Work of the Church and Schools Corporation under his Administration', B.A. Honours thesis, University of Sydney, 1958, p.207; Clifford Turney, 'The History of Education in New South Wales 1788-1900', Ph. D. thesis, University of Sydney, 1962, 3 vols., Vol. I, p.428; Beryl M. Bubacz, 'The Role of the Orphan Schools in Colonial Society', M. Ed. essay, University of Sydney, 1966.

131 Letter Book of Archdeacon Thomas Hobbes Scott No. 2 (M.L. A851), pp.192-3, Scott to Archdeacon Hamilton 24/2/1829, quoting at p.193.

In 1827 Scott wrote to Lieutenant-Governor Arthur

At one coup in the Male Orphan School for labourers only I cut down £1,000 a year and the expense of feeding the children at the Female Orphan School is lessened one half since my friend the Revd. Mr. Walker left it.¹³²

With the state of the Corporation's finances ever in mind Scott had no option from 1827 but to be concerned for efficiency and economy. It is, however, too simple a view to accept the raw figures as proof of increased efficiency.

Governor Bligh worked on the estimate that a sum of £30 per child per annum, including wages for the staff, repair of the buildings and all other costs, was 'absolutely necessary' to maintain the Female Orphan School properly.¹³³ By comparison the Female Orphan School cost, on this basis, only £18 per head in 1829.¹³⁴ Although in the latter year the overheads were spread over a larger enrolment there is here a prima facie case for thinking that the saving reflects a reduced standard of care for orphan children rather than increased

132 Papers of Sir George Arthur, Vol. 13, Letters from Archdeacon Scott 1824-38 (ML A2173), No. 72, Scott to Arthur 18/8/1827.

133 Report from the Select Committee on Transportation, House of Commons, 10 July 1812, p.39, Bligh's evidence. He did not know the exact costs for his term.

134 Derived by dividing total cost (Statement of Receipts and Disbursements 1826-31 (NSWA 4/388), 1829 account) by enrolment. (HRA, Vol. XV, p.225).

efficiency.¹³⁵ A closer look at the situation confirms this.¹³⁶ Bligh's estimate conformed quite closely to actual expenditure under Macquarie while the school was still at the George Street site.

Scott based his claims on comparisons with the disastrous period between the sacking of Macquarie's committees in January 1824 and the establishment of the Corporation. He glossed over the facts that there was very little capital investment in the physical establishments of the schools after 1826 and that the herds, flocks and gardens were by the mid-twenties contributing towards the maintenance of the schools. A strong case can be made out for thinking that the 'economies' made in dismantling the farm establishment were quite false, taken as a whole, except in the very short run.

Requisitions for stores were so severely pruned in the Corporation office as to cut back beyond what might reasonably be deemed the bounds demanded by efficiency. Changes were made in the children's ration seemingly only for reasons of economy¹³⁷ and even the number of

135 I am disregarding the effects of inflation which probably widened the discrepancy in real terms.

136 See further this chapter and below Chp. 12.

137 E.g. MOS Letters 1830-2 (NSWA 4/329), Sadleir to (Cowper) 20/9/1830.

fires which could be lit in winter were prescribed.¹³⁸ Under Broughton the economising was carried to quite unjustifiable lengths¹³⁹ and Sadleir feelingly rejected criticism of his expenditure asserting that he had been 'more conscientiously economical of public expenditure than any private trust'.¹⁴⁰ Within the schools overheads were spread over a greater number of inmates by gross overcrowding and Sadleir's pleas for relief of his desperate accommodation problem fell on deaf ears.

Some of the savings ~~were~~ at the expense of the staff. Richard Sadleir took the Mastership of the Male Orphan School in answer to a request from Scott to meet a public need only to find that he received in money terms £125.10.0 per annum less than he had as catechist at the Hunter River and £175.10.0 less in real terms. He also managed a larger establishment for a lesser remuneration than did the Master of the Female Orphan School.¹⁴¹ Mrs Edwards,

138 Minute Book 1828-29, p.89, 4/7/1828.

139 Note that Broughton was under an injunction to suspend all proceedings except those necessary to the completion of measures actually in progress which could not conveniently be delayed : Minute Book 1829-30, pp.213-4, 9/12/1829, McLeay to Trustees 3/12/1829. This cannot absolve the Archdeacon of responsibility for the rejection of requisitions for necessary expenditure.

140 MOS Letter Book (ML C201), p.4, Sadleir to Cowper 21/12/1829, See also p.2, Sadleir to Broughton 21/12/1829 Sadleir was charged part of the cost of having the MOS oven repaired : Minute Book 1829 - 30, p.235, 21/1/1830.

141 MOS Letters 1830-2, Sadleir to (Cowper) 17/5/1830 and 26/5/1830.

the wife of the Storekeeper, served from a sense of duty as nurse to the infants for fifteen months and only then declined to continue to do so when Sadleir married and she still had not been granted any salary.¹⁴²

Given the need, both for reasons of the available supply of labour and economy, to rely on convict servants one would expect that normally settled family groups would be best suited to being around children. Late in 1829 the committee noticed the number of wives and children at the Male Orphan School and resolved to investigate the possibility of replacing them with unmarried men.¹⁴³ Here was another instance of economising where it could hardly be considered justifiable. Moreover, lest it be thought that the Male Orphan School was over-run with wives and children, the victualling list at this time names only two wives of servants and the three offspring of the carpenter are the only children.¹⁴⁴

In all probability the deteriorating staff-pupil ratio is valid as another gauge of a declining standard

142 MOS Letters 1830-2, Sadleir to [Cowper] 17/5/1830, Mrs G. Edwards to Sadleir 3/1/1831.

143 Minute Book 1829-30, pp.194-5, 25/11/1829. Convicts were also preferred to free servants : Minute Book 1829-30, p.101, 5/8/1829.

144 Weekly Returns MOS 1828-30 (NSWA 4/339), p.285, Victualling list for week 8 - 15/11/1829.

of care. In August 1828 there were twelve house servants for an enrolment of ninety-one boys, by December there were only six servants for a hundred and four boys and, as a random indication, only eight servants for a hundred and fourteen boys in September 1829.¹⁴⁵

On the other hand Scott spent money raised from the sale of orphan and glebe lands to provide a salary of £250 per annum for William Balcombe as Corporation treasurer. The Corporation funds had been otherwise unable to yield this salary and Governor Darling had flatly refused a government loan for the purpose.¹⁴⁶ This was not an expense which was productive of any advantage to the orphans and one which seems unnecessary. Balcombe's service was as much a function of his office as Colonial Treasurer as Scott's was as Archdeacon, for which office alone he was paid.

The diminishing cost per head is certainly a reflection of the maturity of the institutions. It is also more justly to be seen as a mark of the declining adequacy of financial provision from the days of King and Macquarie than as an increase in efficiency under

145 Weekly Returns MOS 1828-30, returns for August 1828, p.133, return for week 2 - 8/12/1828, p.251, return for week 7 - 13/9/1829.

146 Proceedings of General Courts (NSWA 4/291), pp.99-100 5/9/1827; Proceedings of Committees No. 1 (NSWA 4/292), p.311, 28/11/1827.

Scott, Broughton and the Corporation -- and it is the declining standards rather than the delining cost upon which the emphasis must be placed.

The question inevitably arises as to whether or not the orphanages would have been better off had they remained under the dispensations of King and Macquarie and had never become involved in the difficulties of the Corporation. Given that if Scott and the Corporation had not cleaned up the problems of 1824-6 some other authority would have the answer is unequivocally 'yes'. The revenue from the old Orphan Fund sources was greater than actual expenditure and the orphan lands would have been preserved. However the perspective is altered somewhat by the orphan farming establishment being regarded as a separate entity under the Corporation. The duties would not have covered the cost of its development. If the estate was to play its intended role as a major source of income the money for the necessary capital investment needed to be made available independent of normal running expenses for the schools either on a long-term loan or as a grant justified by the social utility of the venture.