



## Chapter 8 - Transition

(1809 – 1822)

### Inquest

It seems that David snr didn't hold back from his share of socialising, as evident from the inquest into the death of ex convict George Patfield (*b. c 3 April 1763*) sat Kissing Point held on Friday 13 October 1809. A witness, Abraham Paine, stated that about half-past two in the afternoon of Wednesday 11 October 1809, George, with his cart and in the company of David Brown and himself, came to Sarah Woods' (presumably an inn<sup>203</sup>). The three of them drank 10 pots of Squire's Beer. Paine said of Patfield that he 'did not appear intoxicated but happy and good humoured' and that 'He left about 4:30pm'.

Before nightfall that day, Patfield is said to have 'put an end to his own existence by strangling himself' by tying one end of his handkerchief about his neck and the other to the bough of a young oak tree on the side of a public road. It is stated that the branch was 'not of sufficient height to prevent his knees from almost touching the ground'.<sup>204</sup> The Coroners Inquest summoned from Parramatta returned a verdict of 'Suicide', and that 'The deceased was an old man, (*age 46*) supposed to be in tolerable circumstances; but is conjectured to have been tempted to commit the rash act by a temporary embarrassment of a pecuniary nature.'

Of note is that Francis Oakes was one of the jury. He was one of the Residentiary Trustees for Field of Mars Common with David Brown and James Squire.<sup>205</sup>

Intriguingly, every person who had contact with Patfield, the afternoon he killed himself, was witness at the inquest, except David Brown. His absence from the inquest as witness is not noted. He may well have been in attendance as a member of the public. There again the inquiry seems to have been a quick affair. It would seem that they gathered up who ever was available in the way of witnesses and jury. The coroner, the jury, and Abraham Paine, all knew who David Brown was, that is, one of the landholders of Kissing Point, like many people at the inquiry. Other witnesses were Thomas Small, Joseph Forns, John Small, the deceased's wife, Mary, and 12 year-old son, George.<sup>206</sup>

### Erskine Street

In early Sydney Town, prior to 1810, there was a short road that ran west from behind the Barracks of the day, and at a right angle to the north-south military facility. The road linked Soldiers Row (Clarence Street) and Back Row (Kent Street). It continued on in a westerly direction, as a track, towards the Powder

Magazine at 'Soldiers Point' at Cockle Bay. That western line of road was ultimately to be named 'Erskine Street' - In honour of Lieutenant Governor Erskine C.B. Colonel commanding the 48<sup>th</sup> Regiment, who left the colony in March 1823.

At that time, Cockle Bay included what is now known as Darling Harbour. It is a large deep and embayed stretch of water to the western side of Sydney City Peninsula. It was noted that "... angular corners formed by the indentations of rocks are generally filled with beds of fine white sand which gradually shelves into deep water..."<sup>207</sup> It was a place well populated by shellfish, as its names suggests. The 'cockles' were frequently harvested by Sydney Town's citizens, often to produce a 'livelihood'. It was those cockles that could be dug from the sand and mud with bare hands or feet that saved some of the arrivals of First and Second Fleets from starvation.<sup>208</sup>

<sup>203</sup> In 1810 ex-convict, Sarah Wood ('Glatton'), proprietor of the Waterman's Arms at the Rocks, received her beer licence, as did Phebe Waldron of Windmill Row. Mary Reibey - was granted a liquor licence - per 'The Women of Botany Bay', by Portia Robinson

<sup>204</sup> Handkerchiefs of those days are noted for being substantial pieces of cloth, oblong as well as square. 20 x 20 inches was common.

<sup>205</sup> **Col. Sec. Evidence at Inquest on body of George Patfield, SR Reel 6021, 4/1819 pp 503-514.**

<sup>206</sup> Sydney Gazette Sun 15 Oct.

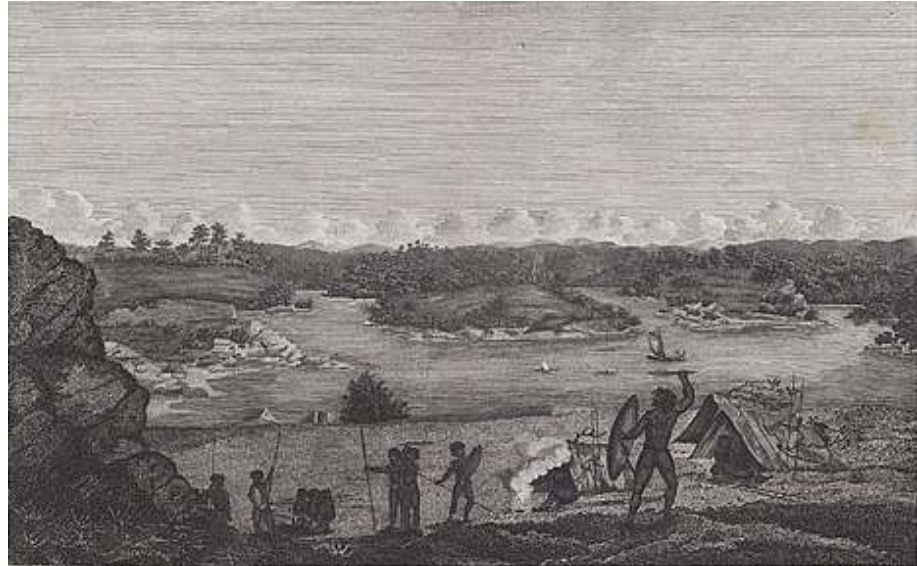
<sup>207</sup> Archaeological Assessment The Kens Site, page 15

<sup>208</sup> *The History and Description of Sydney Harbour*, page 145



Development of Cockle Bay as a maritime, commercial, and industrial district began early in the second decade of the 19<sup>th</sup> century, soon after the arrival of Governor Macquarie.<sup>209</sup> As suggested above, before that it was sparsely populated, and experienced little in the way of commercial activity. The adjacent engraving by Philip Slager (1755-1815) illustrates this. Along that shore to the left can be seen the occasional cottage and roof of houses or cottages. It is indicative of much of Sydney harbour and Parramatta River at that time.

In 1795, 55 acres of the western side of Cockle Bay (Pymont), including Cockle Island were granted to Private Thomas Jones of the New South Wales Corps. Up until then the custodians of the land around Cockle Bay area had been the Cadigal people Jones sold his grant of land on to Sergeant Obadiah Ikin the following year. In 1799, the property then passed to John MacArthur who purchased the property in exchange for 10 pounds worth of Rum. It remained in the possession of the MacArthur family for some decades after that.<sup>210</sup>



*A Native camp near Cockle Bay' with a View of the Parramatta River taken from Dawes Point. - 1812<sup>211</sup> NGA 2005.291.8*

In the 1820s, the bay began to develop into a busy maritime district that especially benefited from the expanding trade on Port Jackson, Hawkesbury and Hunter River waterways. By the 1830s, the Cockle Bay had become an adjunct to Sydney Cove and its Circular Quay development.<sup>212</sup> By the end of that decade, the bay had lost its 'pre-European charms'.<sup>213</sup> It was about that time that the MacArthur family commenced commercial development of their Pymont land.

Much of the maritime activity developed to serve industries located at Cockle Bay. Water craft delivered timber for carpentry and cabinet making; wheat for the steam engine operated flour mills; produce and merchandise for wholesale warehouses; and coal from Newcastle for the gasworks. Conversely, those industries were sited there in part because of the advantages of convenient maritime transport. They could conveniently, using their own wharves, receive the materials they needed by sea, or sometimes, ship out their products.

It was at that western (Cockle Bay) end of Erskine Street, in about 1813, that David Brown junior was granted a lease on an allotment<sup>214</sup> next to a Thomas Dunn.<sup>215</sup> It may have been even a year or two earlier.

About the time David and Thomas Dunn were granted their land, the Powder Magazine was relocated. Also, it seems at this time, an Officers' Bathing Area was established at the point where the track terminated at the Bay. The fact that it was the site of the Officers bathing area suggests the location had something special going for it, perhaps a beach of fine white sand for which the bay was noted, clear water, and a rock ledge for convenient safe diving?

<sup>209</sup> Archaeological Assessment The Kens Site, page 12

<sup>210</sup> History signage Darling Island

<sup>211</sup> In the distance is a bank of clouds behind a mountain range that is normally associated with looking to the west.

<sup>212</sup> SMH October 17, 2003. Houses beneath houses as another Sydney is revealed. Geraldine O'Brien

<sup>213</sup> Archaeological Assessment The Kens Site, page 15

<sup>214</sup> NSW Government Gazette No. 306 of Wednesday, November 1836.

<sup>215</sup> Likely to be Thomas Dunn, FBS, Catholic, ex 'Hillsborough 1799 sentenced 7 years., born c1772. In 1828, a pensioner (possibly ex NSW Corps), living at Cumberland Street with wife Rose 42, son, Richard 10; and daughter, Rossetta 6.



David junior was then 23 or more years old.<sup>216</sup> He was variously addressed officially in his time as ‘the younger’ or ‘junior’ to differentiate himself from his father. For the same reason, in recent times, as in this history and other accounts, he is often referred to as ‘David (II)’. Through his lifetime he was described as labourer, carpenter, industrious, deserving, farmer, grazier, squatter, innkeeper, landowner, horse breeder, settler and eventually, an old and respected colonist.

Much of the story of David Brown junior makes it apparent that his activities were integral to, and an extension of his father’s interests.

### **Cabinet Making Business**

David junior’s lease of Erskine Street property provided a site to conduct a carpentry and cabinet-making workshop. This coincided with the growing demand for furnishings made from native timber, particularly cedar.

**I**n the first two decades of the 19<sup>th</sup> century, an increasingly prosperous free community became well established, and continued to expand. They were building more substantial houses - They wanted and could afford to buy, furnishings to suit. They provided a ready market for a number of cabinet making businesses that became established such as the Brown’s.

The advantages for many a business at Cockle Bay also applied here. The siting of this business was excellent for receipt of logs and sawn timber necessary for this work. It was also convenient to where the bulk of their customers were likely to be, or come, that is, Sydney Town. Furnishing products could be conveniently shipped by water or road.

**D**uring his twelve years as Governor, Macquarie diverted many skilled and unskilled convicts to a wide range of public works projects - At the expense of assistance to farmer settlers for crop and livestock production. During the period 1814 to 1820 Macquarie retained ‘321 out of 337 carpenters, ‘269 out of 284 blacksmiths,’ ‘and 279 out of 284 brick-makers and bricklayers’.<sup>217</sup> The free community of the colony was now starved of the cheap skilled (convict) labour that it could in the past normally take for granted. Tradesman like the Browns had now far less opportunity to gain income from government contracts. However, this situation presented employment and business opportunities for any free settlers with carpentry skills such as the Browns.

It is worth noting the scope of work that Carpenters and Cabinet-makers undertook then: ‘undertaker, chair and bedstead-making, ship joiners work, upholstery and turning’.

There is little doubt that, though the land was granted to David junior it was meant at the outset to be regarded and used as part of the broader ‘family’s’ business activity.

**T**homas Dunn’s lease of land was soon sold to David senior. He eventually, conveyed that property to David junior. It is more than likely that Dunn’s land was bought because of the expanding needs of their Cabinet-making business.

The two properties were eventually merged into one. Combined under a single land title, the property was described as being ‘52 perches, in the County of Cumberland, town of Sydney, parish of Saint Phillip, allotment No. 2 of section No. 56’. It was bounded by Cockle Bay Darling Harbour) on its northern side and Erskine Street on the south.<sup>218</sup> The area of 52 perches translates into 1315 square metres or about the size of two of today’s suburban house blocks.

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<sup>216</sup> Depending on which age declared by David is correct.

<sup>217</sup> The Discover Australia series The Governors,

<sup>218</sup> NSW Government Gazette No. 306 of Wednesday, November 1836.

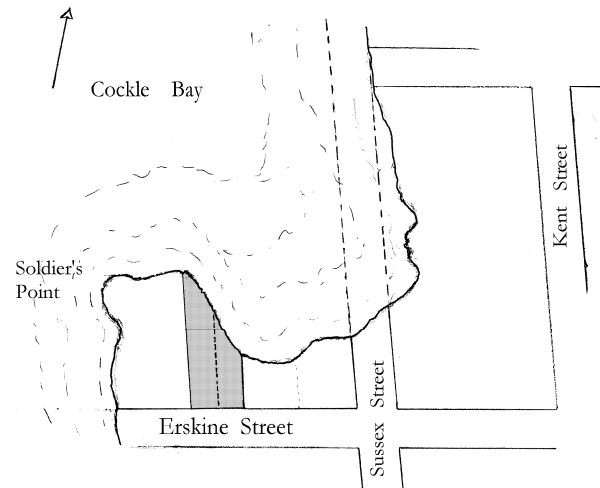


David senior is more than likely to have made furniture for his daughter and son-in-law, and possibly his grandson, for various occasions, such as his grandson's marriage. David senior does not appear to have needed to advertise his carpentry services in the Sydney Gazette or Sydney Herald. However, the lack of evidence of printed advertising may point to his small-scale activity, sufficient contacts, and/or ready acceptance of his product.

David senior was well known, and well connected identity of Sydney Town, and his address at Cockle Bay was well known.

Advertising that can be found in the colony's early newspapers, indicates a wide scope of activity. An ordinary carpentry business offered services as diverse as: undertaker (along with making the coffin), chair and bedstead-making, ship joiner's work, upholstery and turning.

The 1814, General Muster shows David senior, then aged 64 years, as 'Cabinet Maker', and 'Off' stores (that is, self-sufficient).<sup>219</sup> It is probable that David purchased Dunn's allotment about this time. He also may have had apprentices then. In September 1822, he was recorded as having an apprentice (i.e. Thomas Humphries). The suitability of cedar for furniture making had well and truly been discovered by now, and many a cedar tree, adjacent to the shores of Port Jackson and the Hawkesbury River, was felled for transporting to cabinet-makers.



*Erskine Street c1813, derived from 1836 Map of Sydney. Hatched area shows the Browns Allotment No 2 of section No.56: bounded on the south by Erskine Street, 24.55 metres, on the east 24.55 metres, on the north by the high water mark, and on the west 60.8 metres. The dotted line at the centre of the block is a guess at the dividing boundary between David (II)'s original grant and that of Thomas Dunn. The dotted portion of Sussex Street was constructed about 1840. (Map JIG)*

Over the succeeding years David trained or employed various members of the Brown and Humphries families in the Cabinet-making trade.

It is evident from recent Archaeological workings in Erskine and Sussex Streets in the vicinity of Brown's property, that it was normal for properties then backing onto the Bay to have slipways and wharves.<sup>220</sup> Very convenient for the receipt of the timber they would have needed for their business.

Cedar logs and planks landed thus would have needed the services of a sawyer. As it happens, there was one living close by in Clarence Street, namely 'William Spears'.

### **The Brown / Humphries Connection**

According to legend, during the construction of the link road, William Spears, an officer of the 73<sup>rd</sup> regiment, became friendly with the Humphries family of Watson's Bay; and that often on Sundays he would visit them with his wife and family. Certainly, Catherine Humphries' son, Thomas, eventually married Mary Spears, the daughter of William Spears (*born c1772*), a sawyer at No. 28 – 32 Clarence Street.

Several Censuses point to William Spears having come on the Earl Cornwallis free as a soldier. He joined the NSW Corps 4 January 1800. This is 14 months before Patrick Humphries, the same month that Terence McMahon and family arrived in the Colony, and 17 months before the Earl Cornwallis anchored in the colony.<sup>221</sup> The Earl Cornwallis represented a significant experience shared with the Browns.

<sup>219</sup> Muster entry 4807.

<sup>220</sup> SMH October 17, 2003. Houses beneath houses as another Sydney is revealed. Geraldine O'Brien

<sup>221</sup> Has been confused with William Spears who had come out to the colony as a convict, aboard the 'Boddingtons', the same ship as Patrick Humphries. Spears had been sentenced at Antrim, Ireland<sup>221</sup> in August of 1792 to deportation for 7 years. His age on the consignment list of convicts on February 1793 was 30 years.<sup>221</sup> In the February of 1811 muster, he acknowledged his convict background. 1825 Census shows him as having died 13 October 1822 at Richmond.





Spears was still a private soldier in the N.S.W. Corps on his transferring into the 73<sup>rd</sup> Regiment on 25 March 1810. His age on transfer was stated as 37 years, and his length of service as 10 years and 79 days.<sup>222</sup>

Spears' wife, Mary (born c1781), had come to the Colony via the 'Minerva', as a soldiers wife, as had Catherine McMahan who had later married Patrick Humphries. Mary Spears would have been 19 years of age about the time the 'Minerva' arrived. According to the 'Minerva' Journal, Mary Spears had come on the 'Minerva' as the wife of Private soldier, William Coleman. Also shown on the ship's passenger list is a daughter, a soldier's child, Anne Coleman. Ann was borne aboard the Minerva at 5pm, Monday, 29 July 1799. In August 1806, Mary is listed in the Muster that year as 'UX' living with William Spear. Later that year she was married under licence to William Spears as 'Mary How'.<sup>223</sup>

It is apparent that the 'Minerva' and the NSW Corp connections were significant factors contributing to the long association of the Humphries and Spears families.

William Spears may well have been in the military work party constructing the South Head link road to Watson's Bay in 1811 as claimed by folklore. However, no evidence has yet been found to corroborate this.

The 1814 General Muster of October/November shows that William Spears had been a soldier and was now a sawyer. The Muster also shows him having come to NSW on the Earl Cornwallis, the same vessel in which David Brown senior had sailed. The Pay Sheets for the 73<sup>rd</sup> Regiment show that he was discharged on 25 March 1814, still a private soldier.<sup>224</sup> Muster and census records 1814 to 1828 show Spears as a sawyer and dealer (*in timber?*).<sup>225</sup> Later records give Spears' address as 28–32 Clarence Street. At that address he was a close neighbour to the Military Barracks, a reminder of his 14 years in the NSW Corps. Cockle Bay and the Browns establishment was a short distance downhill from where Spears lived.<sup>226</sup>

The Brown's address at Erskine Street in those early years was also very much in the military domain. Erskine street 'is named after Lieut-Colonel Erskine, of the 48th Regiment, who arrived with his regiment in 1819, and left in 1824. The Regiment occupied the Old Barracks in George-street, the western wall of which was the eastern boundary of Clarence-street. The now Erskine-street was the track from the barracks to the bathing-house.'<sup>227</sup> That location could have easily presented opportunities for William Spears, while still in the military, to occasionally encounter members of the Brown family.

Cedar was felled in great quantities in the coastal areas of the colony. William Spears in his capacity as a sawyer is likely to have provided his services to David senior, cabinet-maker and carpenter, near by, and to David's sons, David junior and Thomas. Spears may well have had occasion to saw cedar both at Kissing Point and later at Brisbane Water.

Proximity, congruent interest, and association with the Earl Cornwallis, are factors that point to a mutually beneficial association between the Browns and the Spears family. Mary Spears was acquainted with Catherine Humphries from the time of their Boddington voyage as soldiers' wives. William Spears and Patrick Humphries both served in the NSW Corps and 73<sup>rd</sup> Regiment about the same time. These factors also point to the probable cause for various associations that are known to have arisen between the Brown and the McMahan/Humphries families from 1801 onwards.

Catherine Humphries' son, Francis, was about 17 years old in 1814. It is highly probable that he had long been expected to be the 'man of the house' in the absence of his stepfather. With his brother, John, well

<sup>222</sup> AJCP 3870, WO 12 8002.

<sup>223</sup> Per BDM V1806 660 3B (How is likely to be her maiden name). Ref. The Minerva Journal, p59, 60, & 238. Note 33. The births of her two youngest children, John and James, suggest that Mary had teamed up with William at Norfolk Island. The 1828 Census and earlier musters consistently show her as having come on the Minerva. According to 'A Colonial Regiment' Private Coleman was still being posted to different places long after 1806. Mary may have travelled on the Minerva under the 'protection' of Coleman?

<sup>224</sup> AJCP 3870, WO 12 8002.

<sup>225</sup> In 1815, Spears was made a constable at the Rocks, a position he held until 1820 when he was discredited and dismissed.

<sup>226</sup> William Spears, aside from being a sawyer, had declared in the 1828 Census: his ownership of 120 acres of land and 6 head of cattle, and that his age was 56. Where this land was is yet to be established. Spears stated that he 'Came Free' that his 'Ship of Arrival' had been the 'Earl Cornwallis' and that his family were Protestant.

<sup>227</sup> Truth, Sunday 4 February 1912 Page 9.



into his fourteenth year, Francis might have reasonably expected that it was John's turn for that role. It would not have been out of place for Francis to be getting restless; and to be thinking of getting away from the isolation of Wicklow, getting work, and / or the learning of a trade. William Spears himself was in a position to offer employment or to have contacts such as the Browns who might reasonably employ and train him.

With her husband soldiering at Parramatta, and a large family to care for, Catherine would have been bound to Wicklow, and having to tend to the routine there. The next eldest of Catherine's children, Elizabeth, then 15 years old, would have long been helping her mother with the domestic household duties, care of her brothers and sisters, and the cutting of cloth and sewing of shirts. She would have matured quickly with the demands and responsibilities thrust upon her. Any escorting of Elizabeth to Sydney Town would, more than likely, have fallen to Francis if Patrick weren't available.

It would have been handy for the Humphries family to have a friendly, dependable, contact in Sydney Town such as the Spears family. Given the longstanding association between the Spears family and the Humphries, and the legendary regular Sunday visits at the Bay; it would not have been out of place for Elizabeth to visit the Spears, on Catherine's behest. Elizabeth may have called upon to stay with the Spears family because they needed assistance.

Just as likely a scenario is that the Brown household (being now all males) at Erskine Street, through William Spears' connection, had employed the young Elizabeth for domestic tasks. The Humphries' poverty and increasing number of mouths to feed would have been an incentive for their needing to arrange young Elizabeth's employment with a family that had need, and could pay for, domestic assistance.

Whatever the circumstances, a well regarded, confident, and maturing young woman, of robust health, couldn't help but be noticed in the male dominated society of Sydney Town.

### **The Marriage of David and Elizabeth**

Elizabeth Mary McMahon (AKA Elizah, Mary Elizabeth) caught the attention of David Brown's second eldest son, David junior, also a carpenter. He was sufficiently distracted to be caused to marry Elizabeth on Wednesday 28 June 1815 in St Phillip's, Church of England, Sydney.

The marriage- register states David's age as 28, this implies a 1787 birth date, though he was just as likely to be 32 years old as suggested in his response to the 1828 Census or 23 years according to his statement in 1850 to the press.<sup>228</sup> Elizabeth was some 16 years and 3 months old at the time.<sup>229</sup> David signed his own name, fairly shakily, in the marriage register:

**E**lizabeth was very much a product of Ireland. She had been born in Ireland, had grown up in an Irish household who were very much aware of their origins, and were glad to celebrate St Patrick's Day. The cultural influence of Wicklow Cottage is likely to have been reinforced by the isolation of Watson's Bay.

At the time of Elizabeth's marriage to David junior, her mother, Catherine, was less than four months away from giving birth to Elizabeth's half brother, David. At the very least, Elizabeth would have been escaping a very crowded environment, her family's stone cottage at Watson's Bay.

Witnesses to the marriage were Robert McIntosh and Jane Bull. Nothing has been gleaned so far on Robert McIntosh's connection. However, Jane had come out to the colony as a young child on the same ship as Elizabeth, the *Minerva* - She had come with her parents James and Anne Bull. James Bull, like

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<sup>228</sup> 'came hither before he had attained to his tenth year', *The Maitland Mercury, Hunter River District News*, 10 May 1851 (twelve months late)

<sup>229</sup> BDM V1815 169 7, St Phillip's Church, Sydney, register. This is consistent with *The Minerva Journal of John Washington Price*. P13 Entry 27 March 1799



Elizabeth's father, was one of the soldiers of the NSW Corps contingent aboard. Neither Jane nor Elizabeth could sign her name.

In light of Elizabeth's age, it seems likely the marriage had been formally arranged three months prior to the wedding, not long after Elizabeth's 16<sup>th</sup> birthday.

Elizabeth's brother, John, was well into his 14<sup>th</sup> year. Some arrangement for his employment might have been made for him about this time. Again, the Humphries expanding family situation would have been an incentive.

David junior and Elizabeth set up home at the Eastern Farms / Kissing Point property where two of their children were born.

On 17 October 1815, three and a half months after her marriage to David II, Elizabeth's mother gave birth to her sixth child, which she called 'David'. Perhaps David senior or junior was being honoured?



*St Phillips. A square tower 150' high had been built in 1797 and used as an observatory and clock tower. The foundations for the church were begun in 1800 but it wasn't consecrated until 1810, although meetings were able to be held in it from 1808. It was replaced by the current building in 1856.*

### **James Chisholm Getting Established**

While his in-laws were getting on with matters on the Hawkesbury, Eastern Farms, and later Cockle Bay (Erskine Street), James Chisholm was successfully expanding his rural and trading businesses.

On Monday 22<sup>nd</sup> January 1810, still as a Sergeant in the 102<sup>nd</sup> Regiment (formerly the NSW Corps) he wrote a memorial to the Government:

*That your memorialist obtained a piece of ground from General Gross in Spring Row, Sydney, which he has made such improvements on, induced the late Lieutenant Governor and, the further consideration of having a large family, to give him a Lease of the Ground.*

*That your (the) Memorialist also purchased from the representative of the late Sargeant Major Jamison, a house and premises nearly adjoining to the above, for which he payed £140. That was then made lease from Governor Hunter, and then the memorialist applied to his honour, the late Lieutenant Governor to review such leases which he was pleased to do.*

*Your Excellency, (the) Memorialist prays that you will condesend to conferring his Leases and allow him to remain in possession and enjoyment of them.*

*Most respectfully*

*Signed James Chisholm*

*Sgt 102<sup>nd</sup> Reg<sup>230</sup>*

<sup>230</sup> NSW SR Fiche 3002 4/1821 No61.



This submission gives useful insight into how James came about acquiring his leases in (Upper) Spring Row. Presumably having been granted his wish, barely three weeks later, 11 February 1810, James was discharged from the army.

On 17 February 1810, and again on 11 March 1811, James was licensed to sell liquor, from the ‘House’ purchased from the estate of William Jamison.<sup>231</sup>

**T**he muster of February 1811 shows an Ann Chisholm, ‘NSW’, ‘Free’, and no ship, as it does for James and Mary. A question arises of whether there was a family connection?

Also listed in the February Muster is a David Brown of the ‘Earl Cornwallis’ but makes no mention of a second David Brown, or a Thomas Brown of the ‘Earl Cornwallis’. One can imagine many individuals in remote areas, finding it too difficult, or not bothering, to attend a registration point. In fact, many a person failed to attend the muster. This was due largely to a growing awareness amongst the free civilian population that the muster was not legally enforceable. If David junior and Thomas had been at Eastern Farms, attending the muster would not have been particularly convenient.

**J**ames Chisholm is also said to have owned land at Kissing Point, in the same district in which his father-in-law, David Brown senior, owned land. A report in the Sydney Gazette of Thursday, 6 June 1811 appears to support that understanding:

*‘This day six sawyers stationed at Lane Cove were convicted before a Bench of Magistrates of having stolen a calf, the property of Mr. J. Chisholm, part of which was found in their respective*

*habitations. They were in consequence sentenced 100 lashes each, and to be kept two years hard labour all day without allowance for any extra time, their offence receiving additional*

*agrivation from their earning what might be considered a competent support, independent of their government allowances.’*

*Sydney Gazette, June 6, 1811*

**S**ydney Town’s now expanding and prospering environment was becoming increasingly evident, and James was able to actively pursue the hostelry and merchandising aspect of his business. As evident in the Sydney Gazette, which carried these notices:

*‘All claims against John Townsend Esq are requested to be presented to him at Mr Chisholm’s, as he intends leaving the settlement by the Cumberland.’*  
*Sydney Gazette, 19 October 1811*

**Port Wine by Retail**

*J CHISHOLM having purchased some very fine Old Red Port Wine, is enabled to supply the Public with the same at 8s. per Bottle in currency of copper coin at his House in George Street, opposite the Barracks.*

*Sydney Gazette Saturday, 16 November 1811*

*‘To be Let, on an improving Lease basis (that is, the consideration to be paid in improvements instead of Money), a very beautiful Allotment of 100 Acres in Parramatta District, having a large Garden and Orchard well fenced in, Likewise a good House, and a small temporary Hut; situated 3 miles from Parramatta; 3 miles from Powell’s Halfway House, 3 miles from Mr John Gowen’s; and mid way between Buymberry Currant and Sydney; 13 or 14 acres clear, the Land good.; Well watered, and well worthy of attention. From its fine position on the main road to Liverpool. For Particulars apply to Mr Chisholm, the Proprietor, George Street, Sydney.’*

***Sydney Gazette, Saturday, February 6, 1813***

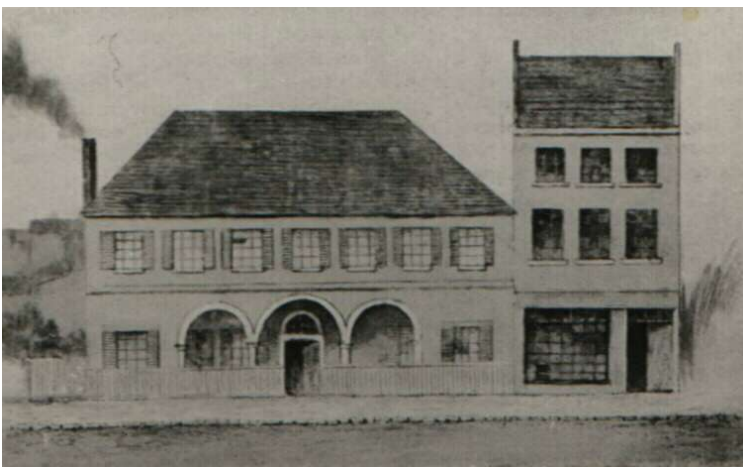
<sup>231</sup> SG Reel 6038; SZ758 pp. 181-3





**J**ames Chisholm and a John Reddington placed an advertisement in the Sydney Gazette on Saturday, 15 May 1813. ‘As executors of the will of Mr William Hall of George Street’, they requested ‘all claims against the estate and effects of the deceased.’ From that estate James acquired 80 acres of farmland in the Airs district (adjoining the Lower Minto) on 28 May 1813 for £145. This was the beginning of a series of purchases of small farms over the next 14 years in the Camden region, that combined, was to form a valuable and productive rural estate.

**T**he Sydney Gazette of Sunday, 7 August 1813, lists ‘Mr Chisholm’ of George Street, amongst an array of persons in the colony who were licensed to sell liquor. At this time Governor Macquarie refused to regrant many of the licences issued while Bligh was under arrest. Out of the 75 Applications received, only 20 were regranted. James Chisholm’s name heads the list.



*‘Mr Chisholm’s House, previously William Jamison’s House, later known as ‘The Crown and Thistle’ or ‘The Thistle’ Inn, and in 1822, also the site of the Bank of New South Wales. The adjacent premises appear to be part of the original Jamison lease.*

**S**ignificant in the economic affairs of the colony, was a meeting that was held at James’ home on 18 October 1813. Resolutions were passed for the establishment of a regular currency by issue of promissory notes and for formation of the Commercial Society to meet on the subject of trade and commerce in general.

This event foreshadowed the creation of the colony’s first bank, the Bank of NSW, which was to come into being a few years later. An institution, which was to very much involve James.

**A** notice appeared on 26 February 1814 of a house for sale at No 9 Kent Street as ‘owned by Mr Chisholm’.

## **Mystery Child**

The 1814 General Muster also shows Mary and James Chisholm as having two children in the house, one would have been their son, James junior, but the other is something of a mystery. There is a story which indicates that there was a second child born to Mary and James, a daughter who lived only for a very short time. But no official record has been found so far to corroborate this possibility.

However, a more likely probability is that the second ‘child’ was Mary’s youngest brother, Thomas, then about 14 years old, and likely not to have been robust in stature. Thomas being in his sister’s household is consistent with a long running carer role for her ‘baby’ brother that is likely to have befallen Mary before the family sailed to the colony in 1800 in consequence of their mother’s death.

Mary’s father, David, is also not included. This is consistent with him being a cabinetmaker at Erskine Street, and living on the premises at the time.



In September of 1814, James purchased a further 160 acres in the Airs district. This comprised two 80 acre farms; One from Joshua Elliott on 16 September for £115, and another from Timothy Loughlen for £140.

James supplied fresh meat to the Government Stores on 25 March 1815.

James Wine and Spirit Licence was regranted on 1 April 1815, and subsequently on 6 April 1816, 19 April 1817.

A notice appeared on 20 April 1816 of a 'Lost Watch' in respect of James Chisholm.

James bought the property 'Buckingham', 400 acres of land owned by Count Gabriel Huon de Kerillieau on 28 September 1816 for £278. At the time, James already had an adjoining 600 acres at Lower Minto; this comprised 500 acres he had acquired in 1815 and named 'Calder', and 100 acres acquired 18 January 1816. The Count and his wife had struggled for the previous six years to develop the property but experienced only two good seasons with their crops and cattle. Included in the purchase of "Buckingham" were the convicts of Count Huon: Price, Cutler, Prentice, Royston, Carey and Selby. James immediately released them from their chains.<sup>232</sup>

James Chisholm had also purchased 200 acres at Minto from William Mitchell for £140 on 28 September 1816. In conjunction with his Airs acquisition James now held 1440 acres in the Camden area. Just over twelve months later, on 12 December 1817, James acquired a further three farms comprising 500 acres, one of them (300 acres) from Henry Kable. To this he was to add 170 acres granted to him on 11 February 1820, and the purchase of 1585 acres from executors for estate of Andrew Thompson for \$1325 on 20 April 1820.<sup>233</sup> This is indicative of the way James and his son built up their land holdings. In the same way, they incrementally built up valuable holdings in Parramatta, Melville, and Goulburn. The combined Minto acreage with good stewardship was to prove a very productive investment. Buckingham was to be the focus of this holding.

James named the combined properties 'St Andrews'. It seems in honour of St Andrews in northeastern, Fife, Scotland.<sup>234</sup> Fife, co-incidentally is in the same county as Dunfermline, where one of the legends has it that David Brown was born. Fife is also a county that has a strong association with the Macgregor name, which was supposedly the original family name. It may be that 'St Andrews' was meant to honour his wife in some way?

James supplied fresh meat to the Government Stores on 12 October 1816.

On 19 April 1817, James name occurs, as the 'Publican of the Crown and Thistle', in a Colonial Secretary's list of persons licensed as publicans for 1817 in Sydney. This is the first recorded occurrence of the inn being described as something other than Mr. James Chisholm's House.<sup>235</sup> However, (*as noted previously*) James had been licensed to sell liquor, from the 'House' purchased from the estate of William Jamison since 17 February 1810.<sup>236</sup> Prior to that, Sydney Gazette of Sunday, 5 March 1809 simply listed James as one of the Non Commissioned Officers granted a license to sell liquor.

<sup>232</sup> History of Gledswood – A House Alive Today.

<sup>233</sup> Miriam Chisholm Collection, NLA MS 6207. List of Farms purchased by James Chisholm.

<sup>234</sup> 'Where, c. AD 345, St Rule is said to have landed with the bones of St Andrew the patron saint of Scotland. By the mid-8th the site had become a place of pilgrimage and Scotland's leading religious centre. In the 12th Century a cathedral was built, in 1411 a University was founded and in the 15th century Pope Sixtus IV erected the see of St Andrews into an archbishopric.

First granted a royal charter c.1140 by David I, the town developed as a centre of trade, its merchant burgesses building for themselves fine houses with elegant forestairs, crow-stepped gables and pantiled roofs. In the post Reformation years of the 17th and 18th centuries prosperity declined and the castle and cathedral fell into ruin. But with the development of fishing, agriculture and tourism in the 19th century the town's harbour once more came alive with herring-boats, boats exporting coal and iron as well as grain and potatoes from the farms of Fife, and ferries linking St Andrews with ports such as Dundee and Leith. ' Fife Tourist Information.

<sup>235</sup> NSW SR Reel 6038; SZ759 p.340

<sup>236</sup> SG Reel 6038; SZ758 pp. 181-3



On 5 May 1817, James paid £240 for 400 acres of land in what was called the ‘Bathurst District, near Windsor (*The 1806 Map of District at Chapter 4 refers*). The property was originally granted in the name of Alcock.<sup>237</sup>



‘Sydney in All its Glory’ by Sophia Campbell 1817 – View of Farm Cove and Botanical Gardens

David and Elizabeth Brown’s first child, Thomas, was born on 29 June 1817 at Eastern Farms, Kissing Point, and baptised on 31 August 1817 at St Phillip’s, Church of England, in Sydney Town. He was David senior’s second grandson.

In 1817, the Bank of New South Wales, the colony’s first bank, was established with the support of Governor Lachlan Macquarie<sup>238</sup> - He incorporated the Bank by Charter with limited liability. Macquarie was to regard it as his major financial achievement - He also used his authority in 1819 to create the first savings bank of the colony.<sup>239</sup> The ‘colony’s major woolgrowers as well as some merchants’,<sup>240</sup> including James Chisholm, were the Bank of New South Wales’ trustees.<sup>241</sup> Towards the end of the 20<sup>th</sup> Century, the bank became known as the ‘Wales’ and more recently as a consequence of corporate merging ‘WESTPAC’. The new and ‘groundbreaking’ colonial venture commenced operation at Mrs. Reiby’s house in Macquarie Place.

### **The Passing of Mary Brown**

The ‘Sydney Gazette’ of 6 December 1817 announced the death of Mary at the age of 32 years:

“Died this evening about 7 o’clock after a lingering illness, which she bore with Christian fortitude and resignation, Mrs. Mary Chisholm, wife of Mr. James Chisholm, of George St, Sydney, aged 32 years. The universal benevolence which form the leading characters of every action of her life, will long endear her memory to an extensive circle of valuable acquaintances and friends”

<sup>237</sup> Miriam Chisholm Collection, NLA MS 6207. List of Farms purchased by James Chisholm.

<sup>238</sup> Because Macquarie had no power to grant this bank its Royal Charter, it operated semi-illegally until 1827 when a special Act was passed. The ‘Discover Australia’ series, ‘The Governors’ by O. R. Scott

<sup>239</sup> Foundations of Australian Monetary System 1788-1851

<sup>240</sup> ‘Australians 1938’ ISBN 0949 288 11 x

<sup>241</sup> Clan Chisholm in Australia 1790-1990



Mary's was the second burial registered at St Phillips, Church of England, on 8 December 1817. She was buried at what is now known as Old Sydney Burial Ground, where the Sydney Town Hall stands.<sup>242</sup> Her father is said to have been living with the Chisholms for some time prior to his daughter's death.<sup>243</sup> At the time of Mary's death, her only surviving child, James (Jas) Chisholm junior (1806 - 1888), was barely into his twelfth year.

Deputy Commissary General's Office, Sydney, 7 March 1818, awarded a contract to supply 4000lbs of fresh meat to the government stores 18 May 1818.<sup>244</sup>

**James Chisholm on lists of applicants for renewal of spirit licenses at Sydney; dated 16 February 1818 and 15 February 1819.**<sup>245</sup>

## Young Jas Chisholm

Jas had just turned eleven years old when his mother died. In his twelfth year, young Jas like many a boy his age was enthused by the sailing ships and the romantic image of a sailor's life. He was especially likely to be caught up in this interest due to his father's business connections. Visiting friends of his father such as Captain Siddons, who undoubtedly told many an interesting tale of the sea and the ports they visited. His father, grandfather, and uncles are likely to have told of their travelling by sea to the colony. Seeing, the great and graceful windjammers sailing down the harbour, and docking at Sydney Cove and near his grandfather's workshop at Cockle Bay couldn't help but stimulate interest. In his enthusiasm, Jas let it be known to his father of his wish to experience life at sea. James senior indulged Jas and sent him off on an excursion to Calcutta in July of 1818 in the care of Captain Siddons.<sup>246</sup> While in India Jas was in the care of his father's business associate there, John Campbell (JC) Burton, Esquire.<sup>247</sup>

On 28 July 1818, one month before marrying for the second time, James Chisholm, in his business letter to John Campbell Burton wrote:

*PS / My Son / and only one / being desirous of going to sea , I have acceded to his request and he is now accompanying Capt. Siddons, conseeding I could not send him with a better Person - therefore on his arrival, your kind attention to him will confer on me a lasting obligation.*  
*J.C.*<sup>248</sup>

The book "The Story of Gulgong" by Eileen Maxwell tells of "John, eldest son of Honor and John Bowman," and brother to Mary Bowman, settling in Calcutta where he was Master Attendant of the Port of Calcutta. She says that he "had previously been a captain in the fleet of the East India Company" - This Bowman connection may have been a factor in young Jas Chisholm, and his Uncle James some 8 years earlier, going to Calcutta?

Whether the timing was deliberate or not, the boy's absence allowed James a convenient period in which to intensify any courting he had begun for a second wife, and stepmother of his son.

<sup>242</sup> BDM V1817 3888 2b, St Phillip's Church, Sydney, register, p.201 refers. AONSW Reel 5002. The register entry for Mary's grave at the Old Sydney Burial Ground is 372. It is said that Mary's grave was later moved to Newtown Farm and thence to Camperdown some 20 years later to be with her husband.

<sup>243</sup> David Brown was living with his daughter, Mrs Chisholm, until her death.' Emily J Brown, Neutral Bay. letter of 17 March 1914.

<sup>244</sup> SG Saturday 21 March 1818 Page 1, col a

<sup>245</sup> NSWRS Reel 6006 4/3498 p.62 & 413499 p.318

<sup>246</sup> Some time afterwards, Siddons was the lighthouse keeper at South Head.

<sup>247</sup> Miriam Chisholm Collection, NLA MS 6207 Box 2, Folder 9.

<sup>248</sup> Miriam Chisholm Collection, NLA MS 6207. Box 2, Folder 9, p2, Post Script.





On 29 August 1818, after less than nine months of being a widower, and while his son was on his voyage of discovery to India, James Chisholm, married Mary Bowman. Mary was the daughter of John Bowman (1763 - 1825), a farmer on the Richmond Lowlands of the Hawkesbury.<sup>249</sup> Her brother, George (1795 – 1878) built up a considerable business empire. George Bowman's properties were eventually to include 'Archerfield' and 'Arrowfield' on the Hunter, and a run 'Terry Hie Hie' in the Namoi region – Regions where James' brother-in-law, David Brown, and family, would get property.

Three months after his marriage (4 December 1818) James paid an exceptional £400 at a debt recovery sale conducted by the Sheriff for a 140acre farm on the Hawkesbury granted to John Bowman. The price was far greater than James had ever paid for quality farmland. It seems probable that he was 'rescuing' his father-in-law's home.<sup>250</sup>

In the book on the Rouse family, "Rouse Hill", it quotes a letter written saying that the Rouse family tried to marry their daughter Mary off to James Chisholm but he married Mary Bowman instead. Evidently, James was considered a "good catch" after Mary Brown had died.<sup>251</sup>

Folklore says James' father-in-law, David Brown the elder, had been living with the Chisholm family for many years up to the time of his daughter's death and that he left the Chisholm household not long after.<sup>252</sup> The absence of his grandson and the pending arrival of a new lady of the house would have been the natural time for David's departure. David is likely to have taken up residence nearby at his son; David junior's property in Erskine Street, with his youngest son, Thomas.

Jas' excursion to Calcutta allowed James time to let his new bride get comfortable in her new household. It was no doubt intended to avoid any distress that might have arisen in having to deal simultaneously with a not-so-young child, whose mother had not long died.

When Jas finally returned from India it was to a greatly altered domestic situation. He must have been somewhat surprised on his return, to find that he now had a stepmother, and a young one at that.

Jas had made a good impression on John Burton. Perhaps that and something said in James' correspondence caused Burton to write on 3 March 1820 offering to James, that he could send the boy back to Calcutta where he would happily see to his education. James replied:

*"I am much obliged to you for your kind offer respecting my son, but we have a most excellent, man (Doctor Halloran) lately arrived in this country under whose care & tuition I mean to let him remain for some time. ..."*

Towards that end, James, having settled his bride into the new domestic arrangements, promptly set about doing the same for his son. Dr Halloran's establishment, a well-chosen wife, and his own caring and considerate manner, were all part of his achieving that goal.

The impression one gets from the way events unfold, was that James' handling of these events was well considered and planned. It was perhaps indicative of James' ability to calmly recognize needs and opportunities, and know how to deal with them in a suitable and timely manner.

Deputy Commissary General's Office, Sydney, 24 April 1819, awarded contract to supply 4000lbs of fresh meat to the government stores 1 May 1819.<sup>253</sup>

<sup>249</sup> John Bowman and wife, Honora, and three children John, George, and Mary arrived as free settlers in the 'Barwell' in 1798. He received a grant of land on Richmond Lowlands which he called 'Archerfield'. Macquarie Country. p130.

<sup>250</sup> Miriam Chisholm Collection, NLA MS 6207. List of Farms purchased by James Chisholm.

<sup>251</sup> Marie Tattam letter of 5 October 2000

<sup>252</sup> Emily J Brown, Neutral Bay. letter of 17 March 1914

<sup>253</sup> SG Saturday 24 April 1819 Page 1, col a



Dr Halloran's school was one of the first in the colony, and provided a service much valued by the more prosperous folk of the colony. In those early days of the colony, very few advantages existed in the way of formal education. The following advertisement (extract) in the Sydney Gazette at the time Jas was attending the school, and his father's endorsement of the Reverend Doctor to John Burton, offer insight:

**DR HALLORAN'S ESTABLISHMENT FOR LIBERAL EDUCATION.**

*The Students at this Establishment are expected to rewrite their scholastic Engagements on Monday the 8th January, 1821, when their punctual re-attendance is desired.*

*At the solicitations of several Gentlemen, anxious for the immediate admission of their Sons to a participation of the advantages which his system of education embraces, Dr Halloran has consented to increase the number of his Pupils to thirty, a Maximum, beyond which he must peremptorily decline to extend the limits of his Establishment. Two vacancies from this number are at present open.*

*...no Student can be admitted for shorter than one year; ...  
Sydney, December 29, 1820<sup>254</sup>*

Jas was one of a number of noted names in the community who attended Dr Halloran's establishment.<sup>255</sup> In a letter to the Rev. Dr. Halloran, dated 22 April 1822, when Jas was 15 years old, he and the other students wrote:

*Dear Sir,*

*Tomorrow being appointed for the celebration of King George the Fourth's Birthday, your pupils earnestly entreat that you be pleased to allow them to be absent from their studies on that day.*

*We are Dear Sir, Your dutiful pupils,*

*John Terry*

*J. C. Bayley*

*James Chisholm*

*John Piper*

*S. Lord*

*R. Campbell*

After his schooling at Dr Halloran's establishment, and as an extension of his education, Jas served several years as clerk in the Commissary Department. He worked there from the end of 1823 to at least 22 November 1825,<sup>256</sup> in order to be schooled in the trade of commerce. It was also a useful means of gaining an awareness of government bureaucratic processes, and making useful contacts. One of his colleagues at the Commissary Department was a W.P. Faithful, who became his life-long friend.

<sup>254</sup> SG 30 December 1820.

<sup>255</sup> History of Gledswood – A House Alive Today.

<sup>256</sup> NSW SR. Fiche 3123. p681. & Letter 24 May 1825, NLA MS 6207. Box 2, Folder 9



On 2 November 1824, Jas, while still in the employ of the Commissary Department, wrote a memorial to the Governor, asking for a grant of land. He said that his father was prepared to give him one hundred head of cattle to get set up.<sup>257</sup> A lack of response by the government caused his father to write to the Governor in support of his application twelve months later 22 November 1825. Jas and his father were the beneficiaries of orders for grants of land the same day.

About 1818 a steam engine operated grain mill had commenced operation adjacent to the Goulburn Street Wharf at Cockle Bay, to the south of where David Brown senior resided. The mill's proprietor was John Dickson, the successful businessman, grazier, an associate of James Chisholm and Robert Campbell. Dickson had come free per "Earl Spencer", 1813. Indicative of him and business practice of the times is this advertisement:

*Mr John Dickson, Proprietor of the Steam Engine, hereby acquaints the Public in general, that he has opened his stores for Reception of Wheat in exchange for Property, on the most reasonable terms; and he is selling Flour agreeable to the present reduced Price of Wheat. NB – A quantity of fine salt Beef, just imported from Van Dieman's Land, by cask or ton.*

*Sydney Gazette Saturday, February 6, 1819*

*David Brown Senior is quoted in a Sydney newspaper extolling the virtues of his son-in-law, James Chisholm??<sup>258</sup>*

## The Browns

While James Chisholm was dealing with his business and family matters, the Browns were being presented with different challenges, particularly at Eastern Farms.

On 22 May 1819, David Brown senior and his fellow trustees of the Field of Mars Common, Francis Oaks and James Squires, placed an advertisement in the Sydney:

**NOTICE** – *Whereas certain Persons cut down Timber on the Common belonging to the Eastern Farms situated betwixt Lane Cove and Castle Hill, and bounded by Captain W. Kent, Dr Savage, and James Squire; We the Undersigned do hereby give Notice, that any Person or Persons be found cutting down Timber, &c. without an Order from Government on that Head. They will be prosecuted with the utmost Rigour of the Law.*

*Francis OAKES  
James SQUIRE.  
David BROWN.<sup>259</sup>*

Problems with trespassers, poaching of timber and theft of cattle persisted for those living at Eastern Farms and many other locations about Sydney.

David Brown jnr and Elizabeth, and their infant son, Thomas, continued to live at the Eastern Farms property until at least 3 August 1819, their second child, James, was born to them there.

**FOUND** - *By native (Black Harry), near the Parramatta River, on Charity Point, a PITT SAW. The above Saw is left on my Possession; and the Owner may have it by describing Marks and paying Expenses, - If not claimed in 14 days from this Date, it will be Sold for the Benefit of Black Harry.*

*May 30, 1819.  
James SQUIRE.<sup>260</sup>*

<sup>257</sup> NSW SR. Fiche 3082. P835

<sup>258</sup> Have been told of it but as yet have not found it

<sup>259</sup> SG , May 22, 1819, p4c

<sup>260</sup> SG , May 22, 1819, p4c



The Bigge Report lists David Brown senior ‘Widower’ as still living in Sydney Town in 1820, in his own premises.<sup>261</sup> There is little doubt that ‘own premises’ meant Erskine Street, Cockle Bay; and running his carpentry business with the involvement of his son, Thomas. At this time, David ‘the younger’ is likely to have been dividing his time between the family interests at Eastern Farms and Little Cattai Creek.

On 30 December 1820, David senior and his fellow trustees of the Field of Mars Common, Francis Oakes and James Squire, again placed an advertisement in the Sydney Gazette. They warned against the unlawful cutting down and removal of timber from the district. They were reinforcing a message in the Gazette by James Squire regarding such activity on his lands.

Eleven months later David sold his interest in Eastern Farms. During 1822 James Squire died. One has to wonder to what extent they were successful in protecting their charge and what impact their absence had.

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<sup>261</sup> Bigge Report , Appedix p.5314. BT Box 25.

Author: John Griffiths