



The University of Newcastle

History Club

Department of History

STUDENT RESEARCH PAPERS  
IN  
AUSTRALIAN HISTORY

No 4

1979

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THE UNIVERSITY OF NEWCASTLE

HISTORY CLUB

DEPARTMENT OF HISTORY

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## PREFACE

This issue continues the practice, begun in 1976, of publishing the best original research papers done in the Australian History course. The series is now well established as a useful contribution, particularly to the history of Newcastle and its environs. Students are encouraged to work with primary sources from the University Archives, the City Archives, local collections up and down the Hunter Valley and private documentation that may surface during their searches.

This year students were offered a three-fold choice: to find their own primary research topic, to use a given set of primary documentation (e.g. The Bigge Report, the Newcastle Morning Herald) to answer a specific question, or to do a conventional assignment based largely on secondary sources. The four papers offered this year are from the first two categories. They represent some, though not all of the most original and best presented studies. Other papers which we did not have room to publish, but which deserve special mention were:

|                 |  |
|-----------------|--|
| Susan Bentley   | The Life and Times of 'Mona Vale'  |
| Cathy Berecny   | The Effectiveness of Newcastle as a Place of Punishment and Rehabilitation   |
| Doug Cassidy    | The Fight to Survive: The Great Depression in Newcastle 1930-33  |
| Mark Clement    | Socialism in Newcastle: The Elections of 1885 and 1895   |
| Stephen Dunn    | The Impact of the 1843 Depression on Hunter Valley Living Standards: An Examination of the <u>Maitland Mercury</u> . |
| Toni Flanagan   | The Coal Monopolies held by the Crown and the A.A. Company in New South Wales  |
| Eva Higgs       | Security and Newcastle in the War of 1914-1918   |
| Leonard Notaras | The Effectiveness of Newcastle as a Place of Punishment and Rehabilitation   |
| Anne Pill       | Cooks Hill: Its Contribution to the Development of Newcastle   |
| Janelle Redmond | Beginnings of a Town: Life in the Cessnock District 1900-1906  |
| Kim Tait        | The Decline of the Lake Macquarie Aborigines in the early Nineteenth Century   |
| Mark Watchorn   | Camden Haven 1870-1930   |

All the local history papers, as with those of previous years, are available for public perusal in the Local History Collection of the Newcastle Public Library.

John Turner, Margaret Henry, Peter Hempenstall

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MONUMENTAL SCULPTORS: J.J. EDSTEIN AND HIS SONS

1855 - 1941

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BY

TRACEY EDSTEIN

SYNOPSIS:

The prosperity of the nineteenth century between the gold rush era and the depression of the 1890s meant that the construction industry was thriving, and stone was an important commodity where public buildings were concerned. Joseph John Edstein, the grandson of German immigrants who had come to Australia as vine dressers, began his apprenticeship as a stone mason in Maitland, (c.1880). This was the first step in a career that led to the establishment of "J.J. Edstein and Sons, Monumental Masons" in 1896. Despite depression and world war, the firm is still in operation, eighty years later. The history of the business reflects the changes, both technological and social, of the period.

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On 9th March, 1855, the "Cateau Wattell", which had sailed from Hamburg, berthed in Sydney with its quota of German immigrants. Among those on board were Joseph and Christina Edstein and their three children, aged thirteen, seven and five. They had come from Erbach on the Rhine in the Duchy of Nassau, Germany, to live on the estate of Alexander Walker Scott on Ash Island. Joseph had been assigned to work as a vine-dresser in Scott's vineyards.

Considering the upheaval of the preceding years in Germany, it is not surprising that the family accepted the opportunity to begin life in a new and more peaceful land. George Nadel has documented the history of a similar group of German immigrants through letters written home within a few months of their arrival in 1849. He says, "If Germany, like other countries, was losing tens of thousands of its oppressed inhabitants to places as scattered as Chicago and Johannesburg, it was only natural that some should come to the Australian colonies."<sup>1</sup> The letters describe a country of freedom and dignity: "The state...is not as it is with us; here you cannot tell the master from the servant...six oxen need not do what one does in Germany..."<sup>2</sup> These sentiments are expressed over and over. Perhaps Joseph Edstein had heard similar reports of the advantages of Australian life, particularly as he had two married sisters already living at Albury. Both Joseph and Christina's parents were dead, and many of the immigrants on the "Cateau Wattell" were also from Erbach, so the Edsteins would not be without friends in their new country.

A.W. Scott's name appears on a "List of Persons to whom permission has been given to import Labourers from the Continent of Europe under the Notice of the 7th April, 1847."<sup>3</sup> Scott had applied for five vine dressers. The Macarthur brothers had pioneered the introduction of German immigrants to work in the field of viticulture in 1836, since "the best vine-dressers in Germany are to be found on the banks of the Rhine...and the Duchies of Nassau, Baden and Hesse."<sup>4</sup> James Macarthur had written in 1847, "From the

experience thus obtained, I can have no hesitation in expressing my conviction of the importance as regards Imperial, as well as local interests, of introducing into this Colony several thousand persons skilled in Vine culture, the making of Wine, the preparation of dried fruits and other processes of rural economy, with which the peasantry of the British Islands are unacquainted."<sup>5</sup> Further, John N. Beit, an ardent supporter of German emigration, wrote, "...the want of a sufficient supply of labor is so severely felt; but...no consideration would induce me to engage in the undertaking if I had not obtained a very clear and distinct conviction that the benefits and advantages which would accrue to the German Emigrants of all classes, who would be led to this Colony, exceed greatly those which any other field for Emigration affords them."<sup>6</sup> Thus, German emigration was believed to be mutually beneficial to the colonists who required skilled labour and to the Germans who sought a more prosperous way of life.

A.W. Scott, described in the Australian Dictionary of Biography as "entomologist and entrepreneur",<sup>7</sup> was engaged in a multifarious range of activities, including the establishment of an iron foundry, forge and patent slip and tanks for the evaporation of salt from seawater at Stockton. He was also responsible for salt works at Moscheto Island and grew tobacco, flax, oranges and other fruits on farms at Maitland and Ash Island. In addition, he was involved with the Hunter River Railway Company, the Newcastle Mechanics' Institute, Christ Church Cathedral and the Royal Society of New South Wales, and was a member of the Legislative Assembly for Northumberland and Hunter.

Scott's estate at Ash Island comprised some 2560 acres and on it he grew, among other products, oranges which were well-known as "Ash Island oranges." Ludwig Leichhardt, the German explorer, was befriended by Scott on account of their mutual interest in entomology. In a letter to Lieutenant Robert Lynd in 1842, Leichhardt described Ash Island thus:

"...it is a remarkably fine place, not only to enjoy the beauty of nature, a broad shining river, a luxuriant vegetation, a tasteful comfortable cottage with a plantation of orange trees..."<sup>8</sup> Later, in a letter to Wilhelm Kirchner in 1842, he wrote of the island, "It's a romantic place, which I like well enough to think that - perhaps - I'd be content to live and die there."<sup>9</sup>

Leichhardt's speculations concerning German emigration to Ash Island are particularly relevant: "...it would pay to encourage German families to come out here. Germans...with their understanding of family life, would eagerly embrace the opportunity of doing so much better in a fertile country like this, than they can at home. Whilst the husband...was attending to his employer's affairs, the wife and children could be attending to their own, to the gradually increasing advantage both of themselves and of the owner of the property..."<sup>10</sup>

In 1865, Scott sold the Ash Island estate, and it is not known whether the Edstein family remained to work for the new owner or moved to their own property. Christina had died, "of disease of the heart and kidneys and dropsy"<sup>11</sup> in 1858 and by this time at least one son, Joseph John, was married.

Joseph John Edstein, born in 1866, was the second of six sons of Joseph Edstein and Ellen McDonald. His parents and grandparents had lived and worked on the land but Joseph was not agriculturally inclined. His son's estimate of him as a "very energetic type with inventive mind"<sup>12</sup> suggests the field of construction he was to enter. He began his apprenticeship with Thomas Browne, a monumental mason in Maitland, c. 1880. At that time apprentices were not paid a wage; instead they agreed to pay £50 over a period of five years for their training. Joseph arranged with the manager to care for his horses and cows, clean his boots and assist in the kitchen at night, in return for meals and accommodation in a shed near the stables. Working hours were 7.00 a.m. until 6.00 p.m. and then there were the animals

to attend to. Conditions were not easy, but Joseph appears to have been a believer in persistence and hard work, qualities which were to stand him in good stead when he became his own master. His own employees have testified that the harshness of Joseph's apprenticeship was reflected in their conditions.

After five years he completed his apprenticeship and was paid six shillings daily, at a time when the award rate was seven shillings. The horses and cows were still his responsibility, in return for the use of the shed. He remained in Maitland for two years, then moved to Sydney to work with John Howie and Son (at award rates). Stone construction was in great demand - buildings such as the Wool Exchange and the Town Hall were in progress at the time. Joseph obtained board with a local family and later married the daughter of his landlord, Mary Josephine Halloran. He became John Howie's 'leading hand' after two years with the firm, and with that his salary rose to eight shillings a day. Joseph was improving all the time, both in technical and practical work, and only a few months after his marriage, he was asked to go to Melbourne as foreman on the Prince Street Bridge for which he was paid nine shillings daily. This was an opportunity too good for a young man to refuse and so Joseph and his young bride made the journey to Melbourne. They remained for some years, living at Kensington where four children, three sons and a daughter, were born. Joseph was continually gaining experience in his trade.

However, national economic events intervened, with the bank crisis of the 1890s. According to A.G.L. Shaw, the crisis was "an inevitable result of a period of overinvestment, particularly in land, where much of the capital imported was not used directly in or in sustaining productive enterprises. It was made possible by the supply of English loans; but...the Australian borrowers were responsible for the misuse of their loanfunds. By 1889 the 'malaise' was apparent, and three years passed in great apprehension. Confidence was lacking; unemployment, falling prices, and adverse

weather combined to make the depression more severe. But the final blow fell when the source of loans dried up, when British investors in their turn grew uneasy. Then nothing could stop the disaster...."<sup>13</sup> Furthermore, "Victoria, where speculation had been the greatest, suffered the most."<sup>14</sup> As Francis Edstein later wrote regarding his father, "...the job was finished and so was everything else." With no reason to remain in Melbourne, far from both Joseph and Mary's relatives, the family returned to Sydney. However, the position there was little better, and so in 1896 Joseph returned to Raymond Terrace, not far from Ash Island where he had been born.

Joseph judged that the time had come to fulfil his life's ambition by establishing his own business. As the Raymond Terrace Examiner was later to report, "When Joseph John Edstein came to Raymond Terrace in 1896, to begin work as a stonemason, there were many who doubted the wisdom of his move...To contemplate moving from Melbourne to Raymond Terrace before the turn of the century, must have been like considering taking a step back in history. It was a long way from the southern capital to the North Coast of New South Wales. The North Coast was a long way removed from Melbourne in living standards."<sup>15</sup> However, there were advantages in the choice of Raymond Terrace. The town was centrally located and afforded access to the North and South Coast of New South Wales and the New England area, as well as the Hunter Valley itself. The Hunter was a developing district and Joseph Edstein may have seen its potential. In addition, Raymond Terrace was an important river port and this was significant for a firm which would require supplies of stone, marble and granite, as well as tools and building materials. Finally, Joseph had relatives in the district and would be beginning his new venture in familiar territory.

At this point it may be useful to determine what stage of development Raymond Terrace had reached in 1896. Although the population numbered approximately 800,<sup>16</sup> it was well catered for. There were 227 buildings, with capital

value of property £71,500 in c. 1900. The area of the town was 384 acres.<sup>17</sup> A Council for Local Government had been established in 1843 and the municipality proclaimed in 1884. There were several churches, Anglican, Methodist, Catholic and Presbyterian, a school, a School of Arts and a number of hotels. The Gloucester (now Raymond Terrace) Examiner commenced publication in 1893. Furthermore, "Raymond Terrace was a busy place as far as shipping was concerned from the 80's till about the 1920's when the railways and motor traffic became very strong competition. It was a regular thing to see three boats a day and some times more, calling at the Terrace. They would be boats plying from Sydney to Morpeth, Newcastle to Clarence Town, and Newcastle to Raymond Terrace."<sup>18</sup>

Letters from friends in Melbourne suggest that they viewed the move to Raymond Terrace as ambitious, if not unwise, for a man with a family. M. McMahon wrote, "...there are always difficulties and anxieties in the working up of a new concern..." (6.1.1897). Indeed this was to prove true, but in time the problems were solved and progress was made. Joseph arrived on the "Namoi", a Hunter River Steam Navigation Company vessel, with thirteen shillings and fourpence. He obtained work at St. John's Theological College, Morpeth, at four shillings daily and supplemented this with whatever was available, painting, cutting firewood and so on. The first business premises were situated on a small block between Port Stephens and King Streets, Raymond Terrace.

The first order was executed for a Mrs. Yard on 21st January, 1897. In the first year of business, thirty two orders were taken. The majority, nineteen, were cemetery memorials and this was to be the pattern for many years, but in addition, grindstones were supplied, door steps and footpaths laid and repairs done. Gross turnover for the year was £255-17-6.

The firm's sphere of operation gradually expanded, and as "J.J. Edstein, Monumental Sculptor" became known, business increased. At some stage during these early years, a second branch was opened in Dungog. The only information available (from the order book) is that the

branch was operating in 1900. As transport services improved, Joseph found that he could serve the Dungog area from Raymond Terrace and the branch was closed. In 1899, Joseph and Mary's fifth child, a daughter, was born at Raymond Terrace and the following year, his business premises were moved to a larger site on the corner of Sturgeon and William Streets. The firm operated from there until 1970 when new premises were built on the Pacific Highway south of Raymond Terrace.

The company records of the early years provide a great deal of information regarding the types of memorials and inscriptions popular at the time. The most outstanding features, readily evident in historic cemeteries, are the imposing appearance of many of the memorials and the amount of detail provided on headstones. Not only the name, age and date of death of the deceased, but also cause of death, occupation and notable achievements were often recorded. In addition, Scriptural extracts and popular verse were frequently added. For example, one reads of "William O'Brien who was suffocated at East Greta," (1916); "Lesley Farley...First bursar from Karuah Public School, who, while in attendance at Newcastle High School, was drowned in heroically saving his cousin's life on Stockton beach on 13th Mar. 1915. Thy will be done" and "Nurse Mary Carr...died at the Maitland Hospital, whilst nursing during the Influenza Epidemic July 13, 1919, aged 23 Years and 2 months." Of particular interest are the monograms, which indicated "religious, occupational or craft affiliations",<sup>19</sup> and the emblems of a particular occupation or interest; for example, fireman's tools, violin, football, tennis racquet, horse, gun, and so on.

There are several reasons for this wealth of detail. Firstly, the cost of monumental work, both in terms of labour and materials, was far lower than the equivalent today, and so people could afford to indulge their tastes. In addition, the art of the stonemason and the letter cutter was flourishing; there were men willing to serve the long apprenticeship and continue in what was essentially difficult, exhausting work. Complementing this was the lack of the pressure which prevails today. Then there was time



to perfect one's work and to use individual skill to the utmost. The classic example of detail in the lettering of a headstone is that of James King of Irrawang. It was originally erected in the Raymond Terrace Cemetery but later repositioned at Sketchley Cottage, a local history museum. Erected by his widow, the headstone boasts some sixteen lines of inscription, detailing King's life and achievements.<sup>20</sup>

It is difficult and risky to draw conclusions in sociological terms from the information supplied on headstones. Whether those who chose to have their relatives commemorated with such lines as "In the midst of life we are in death" and "Call not back the dear departed" genuinely possessed such a spirit of faithful resignation, or merely followed the pious leanings of the period, is open to speculation. Certainly the extravagance of nineteenth century memorails is no longer evident, but this applies in most fields. Perhaps the apparent ready acceptance of death was the product of familiarity with death. According to the records available, infant mortality was high. In the mid nineteenth century, four of the seven children of Christina Edstein died under the age of fifteen years. Many grieving parents appear to have entertained fond notions of their children "safe in the arms of Jesus" or as "our bud in heaven."

By 1908, the firm had progressed to the point where expansion was possible, and Joseph decided to establish a branch at Taree. "Although it was only just out of the hamlet stage then, he saw its potential as the centre of operations for a wide area."<sup>21</sup> When Joseph purchased land in the main street of Taree for £150, local opinion decreed that it was, to say the least, a foolish move, and that he would never recover his investment. In 1972, the land was sold for some \$90,000, coincidentally, to the same firm which had purchased the William Street site in Raymond Terrace in 1970. Alfred Widgery became the first of a line of managers at the Taree yard. When Widgery began his own business on the Bellinger River in 1912, an agreement was made between Widgery and J.J. Edstein, whereby the former agreed

that he "shall not at any time hereafter commence carry on or be concerned in or employed in whether as owner partner employee or otherwise howsoever the business of a monumental mason or dealer in tombstones or other accessories in cemeteries usually supplied by monumental masons at Taree aforesaid or within a radius of fifty miles of the Post Office at Taree aforesaid and that he will not at any time hereafter take orders from any person or persons within the said radius or supplied goods to be erected in any cemetery within the said radius whether as owner employee canvasser or otherwise...". The agreement originated from Joseph Edstein's undertaking to supply Widgery with necessary materials on credit.

By this time Joseph's sons were of school age and old enough to help with the family business by crushing marble and stone chips. Economy was of the essence; as Francis Edstein later wrote meaningfully, "no money to buy gravel...no waste."<sup>22</sup> As they finished school, the boys moved into their father's yard. Vincent was assigned to letter cutting, Francis to canvassing and fixing and James to general duties. Francis spent the first ten years of his working life operating from the North Coast and travelling by bicycle. Vincent, too, rode his bicycle from Raymond Terrace to the Gloucester-Bulahdelah area, carrying a tool kit and the few clothes he required. On arrival in the cemetery he would cut inscriptions on the headstones already erected. The purchase of a horse and second-hand sulky was a major one.

Some years after the Taree opening, a third branch opened at Kempsey<sup>23</sup> and Joseph was able to build a new home for the family. The firm was an established one and the risks Joseph had taken in 1896 were justified. The progress of the business was largely due to Joseph's determination, backed up by sheer hard work. H.J. Chapman, apprentice to Joseph from 1924-29, said of his employer, "He was a very, very hard man...but in the old school, they were all tough, they had to be, and you had to comply with his requirements." When the firm erected a memorial to Les Darcy, international boxing champion, the Darcy Memorial Committee wrote in the following terms:

"...your work...is...a realistic proof of your skill. Your work though massive, loses none of its artistic beauty. The carving has been carried out in a flawless manner. The colouring and tone are admirable, and the delicate workmanship as a whole is an eloquent testimony to the minute care you have given to your task..."<sup>24</sup>

The coming of World War I in 1914 and the changes brought by the war, are reflected in the inscriptions of the period. The inscriptions chosen by parents for the memorials of their sons who were killed in action show that national pride was at its height, especially after Gallipoli, when the young soldiers were seen as responsible for their country's 'baptism by fire.' Since few, if any, of the dead were brought home for burial, the monuments were no more than memorials, and obviously those concerned felt that they were eminently worthy of remembrance. Details of the deceased's force, rank and battalion and place of death were often indicated, and, less frequently, cause of death. The following portion of an inscription was certainly not typical: "...Norman Osborne Herbert Gall. Sergeant 20th Batt. A.I.F. an "Anzac". One of the last to leave Gallipoli at the evacuation who fought unscathed through the battles on the Somme and was about to receive promotion to Lieut. when he was killed in action in a charge from the trenches at \_\_\_\_\_ in France on November 16.1916 aged 23 years."

J.J. Edstein and Sons were also engaged to erect district memorials at Raymond Terrace, Millers Forest, Kempsey and other centres. These invariably listed on an Honour Roll "our boys" who had served their country and indicated those who "paid the supreme sacrifice."

It is a measure of his success that in 1921 Joseph Edstein toured the world, including the battlefields of Europe. He spent three months in Rome studying ecclesiastical architecture and from this time ecclesiastical work played a significant role in the firm's development. Joseph also made arrangements to purchase supplies of marble direct from an Italian firm. This

arrangement remained until the mid-1960s. On his return, Joseph immediately displayed the fruits of his study by spending three months designing and building what was then, and still is, one of the largest Gothic marble altars in Australia, at the Catholic Cathedral, Armidale. From that time onwards, Joseph devoted himself to ecclesiastical work, leaving monumental orders in the hands of his sons. This concentration on the ecclesiastical field effectively widened the firm's sphere of operations. Joseph worked in three dioceses and returned to Melbourne to erect two altars. The firm was responsible for marble altars in the local churches, St. Brigid's and St. John's, and for extensive ecclesiastical work throughout the Maitland diocese. After Joseph's death, his sons Francis and James were to travel to Rabaul and Ceylon to erect marble altars in churches there.

By 1924 James had served his time as a stonemason in Raymond Terrace and he moved to Taree to manage the branch there. He remained until his death in 1974. Also in 1924, Joseph's first apprentice, H.J. Chapman, joined the firm at the age of fourteen. His indenture is indicative of working conditions of the period. There was no sick leave, only the minimum public holidays were allowed, and worker's compensation was a thing of the future. According to the indenture, "for every day's absence during the said term from attention to the said trade, art, business, or occupation, without such consent, he shall serve one day at the end of each year of his apprenticeship, and such year shall not be considered complete until the said additional day or days shall have been served." In addition, the weekly wage for each year of the apprenticeship was stipulated in 1924. These were: for the first year, £1-3-0; for the second, £1-10-10; for the third, £2-1-4; for the fourth, £2-11-10, and for the final year £3-6-2. No doubt the apprentice's undertaking to "faithfully, diligently, and assiduously serve and obey all lawful commands of his said master" was strictly enforced by Joseph; when speaking of his apprenticeship,

Chapman stressed that he had served his five years "to the day."

The year of the completion of Chapman's apprenticeship, 1929, was also a year in which the conditions preceding the establishment of "J.J. Edstein and Sons" were repeated. As Shaw says, "the history of the depression of 1929-1933 is in many ways similar to that of the 'nineties."<sup>25</sup> At the onset of the depression, the firm employed seven men, Joseph, Francis and Vincent, two apprentices and two masons. These remained throughout the depression years, but as Chapman says, "there were weeks we didn't work, and then there were weeks we worked three days...". Naturally, there was a marked decline in monumental orders and the verses and extravagance of preceding decades were no longer evident; but nevertheless, business continued. In fact, it was in 1936 that the Alexander memorial, worth £800, was erected at Bulga Cemetery. It was constructed of red granite, measuring twenty eight feet by twelve feet, and the headstone listed seven names.

The firm's survival during a period of national hardship was due to a number of factors. The most significant of these is the fact that the business was primarily a family concern. Wages were low and the brothers simply shared what was available. As mentioned earlier, benefits such as worker's compensation, holiday pay and sick leave were unknown. In addition, as in all Joseph's activities, economy was practised and luxuries were unknown. Joseph's sons travelled far and wide in search of work and were sometimes away for weeks at a time. When work was available, men could be hired cheaply for short periods, since the labour surplus was enormous. Overhead expenses were lower than today, and a great deal of stock was on consignment. At one stage ecclesiastical statues worth £1000 were on display. Also, it was the city dwellers who were worst hit by the depression, whereas Raymond Terrace was predominantly a rural area. Finally, a significant, if somewhat abstract, factor was the service provided by the firm: a high degree of quality and workmanship had always been demanded and when business was scarce, this became even more necessary.

R.J. Barnett began his apprenticeship in 1930 at the age of sixteen. He worked throughout the Depression, completing his apprenticeship in 1935 and has remained with the firm until the present day. The fact that Barnett's stipulated wage was maintained throughout his apprenticeship is evidence of the firm's stability. These rates were: £1-7-0 per week for the first year; £1-13-0 for the second; £2-3-0 for the third; £2-13-0 for the fourth; £3-5-0 for the first half of the fifth year and £3-10-0 for the second half of the fifth year. In 1930, a qualified mason earned £6-10-0 per week, but this dropped to £4-10-0 during the depression years. Barnett remembers the depression years well. If work was available in, for example, Manilla, the men would leave at 7.00 p.m., arriving in time to begin work at 7.00 a.m. the next morning. If the work was completed that night, they would then begin the journey home. At this time the stone required would be sent to the site by rail. Similarly, a day's work in Gloucester began at midnight the night before, so that the men could commence work at 6.00 a.m. The supplies for this area were carried by bullock wagon from Raymond Terrace.

In general, stone from Gosford Quarries was sent to Newcastle by rail, then to Raymond Terrace by road. Earlier, stone had been obtained from Pymont, Waratah, the local quarry (the famous Muree sandstone) and occasionally Melbourne (bluestone). Granite and marble came from Sydney importing agents, Custer's and Acton's. The latter still supplies the firm.

The firm continued to progress after the depression, with Joseph concentrating on ecclesiastical work and leaving the monumental side to his sons. In 1941, the most extensive ecclesiastical project for some twenty years was announced, the Sacred Heart Church at Hamilton. The order was worth over £2200. Joseph's tender was accepted, and, as Francis later wrote, he would have been satisfied to complete the work. However, he died on 7th April, 1941.

Through a firm that has operated continually since 1896, with no outside assistance, and his own forty-five year career as principal of "J.J. Edstein and Sons", Joseph Edstein had proved that hard work, determination and skill are sufficient for success. Francis, assisted by Vincent, managed the Raymond Terrace branch until his death in 1968, and was succeeded by his son Lionel. James was succeeded by his son John in 1974.

FOOTNOTES

1. George Nadel, "Letters from German Immigrants in N.S.W.," J.R.A.H.S., 39, Pt. 5 (1953), p.253.
2. Ibid., p.257.
3. Historical Records of Australia, Series I, XXVI, p.10.
4. Ibid., XXV, Kirchner to Merewether, 11th March, 1847, p.511.
5. Ibid.
6. Ibid., p.495.
7. Australian Dictionary of Biography, 6, 1851-1890, p.93.
8. The Letters of F.W. Ludwig Leichhardt. trans. M. Aourousseau, Vol.II, Cambridge, C.U.P., 1968, p.526
9. Ibid., p.532.
10. Ibid., p.619.
11. Burial Register, Court of Petty Sessions, Raymond Terrace.
12. Francis William Edstein's Notes. Most information concerning J.J. Edstein in this period is from his son's notes on the history of the firm.
13. A.G.L. Shaw, The Economic Development of Australia, Melbourne, 1944, p.109.
14. Ibid., p.107.
15. Raymond Terrace - Port Stephens Examiner, 20th May, 1970 (Bicentenary).
16. Census figures for 1901, quoted in H.W.H. King, The Urban Pattern of the Hunter Valley (Newcastle: Hunter Valley Research Foundation, 1963) p.68, indicate a population of 823.
17. These figures from Hunter and Gloucester Tourist Guide, c.1907, no other details available.
18. 1801-1951 Raymond Terrace 150th Anniversary Celebrations, 1951, p.21.
19. E. Lea-Scarlett, Roots and Branches: Ancestry for Australians, Sydney, 1979, p.85. See list of examples on same page.
20. See C.J. Mitchell, Hunter's River, Newcastle, 1973, p.47.
21. Manning River Times, 23rd December, 1966, p.7, 70th Anniversary Feature.
22. F.W. Edstein's Notes.



23. Few details, however, are known about the Kempsey branch. Joseph had originally planned a branch for each of his sons, but Vincent, who was destined for Kempsey, preferred to remain in Raymond Terrace due to ill health. The yard was sold to Joseph's brother, Henry, in 1923, for £800, payable over four years at 7% interest. The branch was managed by Henry's sons after his death, but closed some time during the 1940s.
24. Darcy Memorial Committee to J.J. Edstein, 19th February, 1919.
25. Shaw, op. cit., p.153.

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PROBLEMS ENCOUNTERED WITH THE BUILDING  
OF CHRIST CHURCH CATHEDRAL, NEWCASTLE 1868-1902

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BY

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SYNOPSIS

The Diocese of Newcastle faced many problems when it contemplated building a Cathedral in 1868. This paper traces the development of the building and the difficulties faced, especially regarding finance, until 1902 when the first stage was completed.

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The history of Newcastle's Christ Church Cathedral Parish shows that a temporary building for worship was erected on the present site in 1812. This was replaced, in 1818, by the first Christ Church, which remained until 1885, when it was removed to make room for the present Cathedral.<sup>1</sup>

The Cathedral had been envisaged as early as 1847, when the Letters Patent, founding the Diocese of Newcastle, assigned Christ Church to Bishop Tyrrell for his Cathedral. This church was obviously but a poor substitute for a cathedral. An appeal was launched in 1849, but did not appear to meet with much success.<sup>2</sup> This proved to be the pattern with similar appeals in the years ahead.

Nothing of a more concrete nature was attempted until 1868, when a meeting of parishioners "resolved to appoint a Building Committee... to take all necessary steps for the erection of a new Church...".<sup>3</sup> A subsequent meeting of this committee resolved to advertise in the main newspapers, calling for designs for the Cathedral Church at Newcastle, N.S.W. This led to the decision to accept the design of Robert Speechly, of the Melbourne firm of Terry and Speechly, on the 2nd February, 1869.<sup>4</sup>

However, the situation was not as straightforward as it appeared. The Building Committee was on the brink of one of the many problems that were to plague them throughout the history of work on the Cathedral. John Horbury Hunt, an outstanding Sydney architect who had submitted a design for the Cathedral, had been in correspondence with one of the assessors in an attempt to convince him of the superiority of his design, despite the fact that it was considerably more expensive than the others submitted. His efforts, and those of his staunch supporter, Canon White, were ultimately successful, for Terry's chosen design was set aside, and Hunt was appointed architect of the Cathedral. J.M. Freeland goes so far as to suggest that "possibly even before the competition was decided",

Hunt knew he would by the architect.<sup>5</sup>

Tenders for the work were called in January, 1870, but the building did not commence until 1883. The quest for funds to carry out the work had begun. The fund started in 1849 and was reinstated in August, 1868. Even before a design had been selected, the Building Committee had resolved to appoint two collectors at every meeting to canvass and collect subscriptions.<sup>6</sup> This was altered in the following year so that all members of the committee were to be "supplied with printed subscription lists and use their best efforts in raising subscriptions".<sup>7</sup>

It was at this point that the Building Committee, and indeed the whole Diocese was forced to recognize the problem that was present throughout. All future work on the Cathedral was to be hindered by a lack of finance.

Thus, despite the efforts of collectors, the Cathedral Building Fund's account with the Bank of N.S.W. for the years 1868 to 1876 reveals donations only amounting to £424, of which over half went in expenses.<sup>8</sup> The General Building Fund accounts, for the years 1868 to 1882, show a balance gradually increasing by donations and interest, from £149 to £996.<sup>9</sup> However, this fund was for all diocesan purposes, and therefore reflects the fact that financial support was not readily forthcoming.

One source of income, apart from donations and subscriptions, that was available in 1871 was the leasing of the Church land now known as the Glebe that was owned by the Diocese. The coal from this was estimated to be able to bring "an aggregate of at least £13,293, a very large portion of which would be available for building the Cathedral".<sup>10</sup> The following year, at a special meeting of parishioners, the Chairman stated that "he thought there were good hopes that in a short time arrangements would be made by which the Australian Agricultural Company would rent from them their Glebe land for mining purposes, and that they might expect to obtain a large sum for their proposed new Church".<sup>11</sup>

The Bishop consented that all monies derivable from the Glebe, whether for mineral rights or leasing the surface, be devoted to the building of the Cathedral.<sup>12</sup> The popular thought, obviously, was that enough money would be obtained from the Glebe land to commence and sustain work on the Cathedral. This proved to be far from the truth, because, although money from the Glebe land provided a significant proportion of money used to fund the Cathedral, it alone was never enough to continually carry on the building. Indeed, it seems, on reflection, that Bishop Pearson was closer to the truth in 1880, when he said that while the Diocese depended on the coal from the Glebe lands, the Cathedral would never be built.<sup>13</sup>

However, in 1871, it was still regarded as the main future source of revenue. But in 1872 the rent was a meagre £18 and this did not even go into the Cathedral fund, but was paid to the incumbent as additional stipend.<sup>14</sup> This reflects the problems the Diocese was having generally regarding finance. The fact that for the years 1868 to 1882 the most money received from all sources by the Diocesan Council was £6205 shows that the Diocese was really in no financial position to seriously contemplate building a cathedral during this period.<sup>15</sup>

The Building Committee re-formed in 1873, after a four year break, and the Chairman confirmed that the lack of finance was the prime cause of delay in beginning work on the Cathedral. He stated that "this long cessation from active operations in connection with the building of the Cathedral has arisen from our having had it by degrees forced upon us, that owing to the great difference between the estimated cost of the design and actual tenders for the same, it was not practicable for us to go on with the work...".<sup>16</sup>

The Committee now formed was, however, seen to be in a better position than the previous one, to push ahead with the commencement of the Cathedral. But this expectation proved hopeless, as in March 1875, the design still had not been adopted.

Indeed, nothing was attempted for several years to come. In 1880, the President of Synod noted that the "money presently available for building the Cathedral is : £1200 from the Usher legacy; several sums amounting to £856; variously invested and £385 especially contributed as memorial to the late Bishop".<sup>17</sup>

By the time a new bishop, the Right Reverend J.B. Pearson was installed in August, 1880, the old church was proving extremely inadequate, and the parishioners and clergy of the Diocese were understandably disappointed and disillusioned. This disappointment is clearly illustrated by the text of the illuminated address they presented to Bishop Pearson upon his arrival which stated, "We are looking to you to help us to wipe away the reproach which...lies heavily on us, as regards the Church in which you have this day been installed...and we confidently anticipate that at a not too distant date you and we shall have the happiness of beholding a noble Cathedral crowning one of the finest sites in the world...".<sup>18</sup>

In Pearson, a vital and optimistic leader, they had seemingly found the right man, capable of commencing the task. He immediately surveyed the situation and took the people to task for not giving enough to the great work of the Cathedral. From the evidence available, it appears as if he took every opportunity to reprimand his parishioners and urge them to contribute more. In 1881 he preached that "a noble church...will not be built by a mere wish, nor by passing half a dozen resolutions that it ought to be built. It will require a united effort, and we...do hope that when the time for effort comes, city and country will both strive to build a church which shall be more worthy of its sacred uses", and similarly, "I pray you to bestir yourselves...trying to remove a standing disgrace from your city and diocese...".<sup>19</sup>

He thus encouraged his people to regard the building of the Cathedral as a diocesan effort, and not merely a parish one. However, this was a problem that was never really come to terms with during the entire early



work on the Cathedral. Although canvassing took place in all the other parishes, it was never very successful, and therefore the raising of funds was not a united effort. The problem was still evident as late as 1902, although it improved slightly in later years. The Synod noted in 1902, that support for the Cathedral had come almost entirely from Christ Church Parish, with little financial support or even encouragement from the rest of the Diocese, although it was a building that would benefit them all.<sup>20</sup>

Bishop Pearson so stimulated action that at the Synod of August, 1881, a new Building Committee was appointed.<sup>21</sup> In that year, a sub-committee was also appointed to devise a means of raising the amount of money required to build the Cathedral. Thus a definite attempt was being made to remedy the problem. The sub-committee resorted to many varied sources of aid in raising funds.<sup>22</sup> However, even all these attempts together were unlikely to provide the sum of £20,000 that was being considered as the likely cost of the Cathedral. The sub-committee therefore, proposed a specific, well-organized plan to augment these funds. It afforded an opportunity to all churchmen in the Diocese to give, according to their means, the amount to be spread over five years.<sup>23</sup> This plan for subscriptions was accepted by the Building Committee and was presented to the parishioners with a call for their liberal support.

Financially however, the 1880's were a difficult period for the Diocese, generally. Droughts had led to a loss of income just when an increasing income was needed to replace the government assistance that had recently ceased. The rapid increase in the number of new parishes and the expenses they entailed during this period also contributed to the financial difficulties of the Diocese.<sup>24</sup>

Thus the time did not yet seem right for the commencement of the Cathedral. But sufficient money had been accumulated to allow a beginning and work finally commenced with the laying of the foundations in 1883. It should have been a time of rejoicing with the work on the new Cathedral

finally beginning but more problems became evident almost at once.

There was an apparent clash of personalities between the volatile architect, Horbury Hunt and the then Canon Selwyn. This led to bitter struggles between the two that inevitably involved the Building Committee, and although the work continued until 1885, it stopped at that stage, with only the foundations completed.<sup>25</sup> At this point a dispute arose with Hunt regarding the plans. A settlement could not be reached and this eventuated in protracted law suits which were to delay the work for another six years.<sup>26</sup>

The work, it seemed, was not to be accomplished by any easy means. Meanwhile, to complicate the issue still further, the old church had been showing signs of weakness and was considered unsafe. Therefore, Hunt was asked to design a temporary pro-cathedral for use until the Cathedral was eventually completed.

This building was finished in December, 1884, and was used for service from then until the Cathedral was available.<sup>27</sup> This meant that money that should have accrued for the Cathedral had to be spent on this temporary substitute. The prospect of a true Cathedral seemed to be receding. Even fittings for the interior of the Pro-Cathedral proved to be costly, and the fact that finances were stretched to the limit is revealed by the instructions to the architect preparing plans for flooring and lighting, "that utmost economy (was) to be studied".<sup>28</sup> Once again the work on the Cathedral itself was at a standstill, but in this instance not only because of financial considerations. The foundations alone had cost £5000, and it seems unlikely that there would have been sufficient money to continue had not the legal troubles between Hunt and Selwyn forced the work to slow to a halt. Although at a meeting of parishioners in April, 1887, a strong desire was expressed that the building of the Cathedral should proceed without delay,<sup>29</sup> at Synod in June of that year, the President's address revealed the straitened financial position of the Diocese; "Our funds, managed with most scrupulous economy, have just enabled us to

pay our admitted liabilities: they have not enabled us to meet new wants...".<sup>30</sup>

People were obviously reluctant to give to a cause that they could see little hope of eventuating in their life time, if at all. Thus, perhaps much of the trouble that was experienced in obtaining donations may have been alleviated, if enough money had been available initially to make a start on the building. However, this was not the case and there was a reluctance to contribute.

Another setback to the building plans which the Diocese faced during this decade, was the complete collapse in health, in 1887, of Bishop Pearson. This forced him to return to England, leaving the Diocese without its leader. Many important decisions could not be made in his absence, and the Bishop was too ill to resign his post officially, forcing Canon Selwyn to act in a limited capacity in his place.<sup>31</sup> This caused problems regarding the work on the Cathedral, so that Canon Selwyn was moved to state, in 1889, that he felt very reluctant to take further steps until they had a bishop among them again.

However, the financial position had seemingly improved, as he followed this with the statement that "the delay is really here not a question of money. We have considerable funds in hand...subscriptions to a considerable amount have been promised or given during the year...".<sup>32</sup> Indeed, approximately £4,000 to £5,000 was available for the continuation of the Cathedral.<sup>33</sup>

The absence of a bishop was a major deterrent to action and therefore the arrival of the new Bishop, the Right Reverend George H. Stanton, in 1890, led to another attempt to re-start building. Tenders were called for the roof and walls, and after further delays, a contract was let to John Straub, in 1891, for £14,853. Indicative of the shortage of money that still faced the Committee, was the fact that a clause was included in the agreement with Straub stating that, if funds became needed they could suspend the contract when, "work and materials together shall amount to £8,000".<sup>34</sup>

This clause was a necessity, considering that the Committee had at this time only £6,500 for the work, of which £5,000 was actually available and the other £1,500 merely long promised.<sup>35</sup> Thus the Building Committee thought the time was opportune for a renewed appeal to carry on the work. They reported that up to the present there had been £9,452 contributed from all sources, of which £5,210 came from only forty eight donors, with the remainder from the Glebe, the Memorial Fund of Bishop Tyrrell, and Bishop Pearson. It was time therefore, that the Diocese as a whole made a "steady and liberal response".<sup>36</sup> Towards this end the subscription forms of 1881 were re-instituted, in the hope of encouraging donations.

On the 2nd June, 1892, the foundation stone was finally laid and work commenced.<sup>37</sup> But once more it was not destined to proceed smoothly and almost immediately disagreements arose over the occupation of the site, the bricks to be used and other issues.

Ultimately, in 1893, a strong disagreement arose over the final certificate of payment for the first stage of the contract that Hunt had issued to Straub. The Building Committee felt that it was an overstatement of the correct amount due. Straub noted in his diary that he delivered this certificate for £3,762, for payment on the 21st July,<sup>38</sup> but the Building Committee stated he was not entitled to the amount. The problem eventually went to court to be solved. Writs for £3,500 were served on the Dean and Bishop by the contractor.

This placed the Diocese in extreme difficulty and it was decided to mortgage the site of the Cathedral, if the Committee should be forced to pay Straub.<sup>39</sup> The court decision did uphold Straub's right to the money, but fortunately the Committee was not forced to mortgage the Cathedral site as they received from Dr. Pearson, the late Bishop, a gift of £500 that went a "long way to removing the present debt and enabling the Committee to settle with the contractor".<sup>40</sup>

Indeed, it would appear that the Committee objected to paying Straub's

final certificate because they simply did not have the funds to do so. On the 14th April, 1893, the Committee had instructed the architect to give Straub notice to suspend the work in accordance with the provision in the contract for this action, thus intimating that they had run out of money.<sup>41</sup> This was further evidenced in May, when the President of Synod called on everyone to contribute, because "the fund was more than exhausted".<sup>42</sup>

At the same Synod meeting, the Building Committee reported that in order to pay the "last certificate for £3,762 and other contingent liabilities it has been necessary to obtain an overdraft of £1,500". Despite this, they recommended that all efforts be made to complete the building, and that the £5,000 necessary be borrowed while subscriptions were being sought. They felt that if the work were suspended, not only would the building suffer from exposure, but a new contract would be for a much higher amount.<sup>43</sup>

A newspaper report of 1894 stated that "at every meeting of Synod, the Bishop...reflects upon the action of wealthy parishioners in the Diocese failing to contribute to the funds of the Cathedral...".<sup>44</sup> However, the truth was that the 1890's were an extremely bad period for the Committee to be canvassing funds for the Cathedral because by 1892 most of Australia was in the grip of the worst depression it had yet experienced. The period was a dismal one for many people, with financial collapses, unemployment, industrial strife and the worst drought on record. Thus, despite appeals to their conscience, the parishioners of the Diocese probably could not afford at this time to give to their church, to any extent.

Because of this and other factors, the Committee was forced to secure a loan for the money to continue with the work. The Australian Mutual Provident Society, when approached, had offered to lend £5,000 on very moderate terms, on the guarantee of a large number of churchmen.<sup>45</sup> The loan secured, Synod resolved "to instruct the Building Committee to proceed with the completion of all present contracts of the Cathedral...as soon as the

necessary financial arrangements have been completed".<sup>46</sup> The amount had been borrowed on mortgage, with the full intention of proceeding with work on the building, under existing contract.<sup>47</sup>

Attempts were made once more to secure the necessary funds. An application to the Christian Knowledge Society brought a grant of £1,000 payable when the work was complete. But the recent depression had prohibited any collection of private donations and a debt of £3,000 burdened the work already done.<sup>48</sup>

Money to complete the work was to prove unnecessary in the light of subsequent events, as the work was to remain at a standstill, with the first part of the contract complete, and the walls half way up. The Synod, having been reminded by Horbury Hunt that they had to make a definite decision on whether the work was to continue by the 30th June, 1894, wrote to him officially on the 22nd June, requesting him to give notice to the contractor to proceed with the work. He replied on the 26th enclosing a new notice to be signed which excluded some wording he had found objectionable; this was accordingly signed by the Dean and Bishop and returned on the 28th June. Despite this, the Committee received a notice in August from the contractor, stating he had been informed too late, and that he considered the contract had therefore been terminated.

He agreed to go on if he was paid another £1,600, but probably due to lack of money as well as the injustice of the situation, the Committee refused. Considerable correspondence with Hunt, during which they blamed Hunt for the situation, eventuated in Hunt supporting Straub's claims, and going so far as to award him a final certificate for £1,000. To avoid further court action, which they could ill afford, the Committee paid this amount, but the contract was regarded as terminated and work did not resume.

The problem with finance was ever-present, especially since, although the work completed was supposedly valued at over £9,000, leaving £6,000 for the completion of the entire contract, the opinions of other architects

set the value of the work done at £6,500, while that remaining to be done was £9,000. This implied that the Committee had not received value for money, and also that they would need much more money to continue than previously anticipated.<sup>49</sup>

The Building Committee were anxious to free themselves of the debt to the A.M.P. Society, and resolved "not to proceed with the building until the sum of £3,000 could be paid off". As they did not intend to continue work immediately, they informed Hunt that they would pay him what was due and terminate his agreement.<sup>50</sup>

They also resolved that whenever credit of the Committee made it possible, the amount due to the A.M.P. should be reduced. In 1896 the Dean undertook to obtain a loan, since no other means were available, for a sufficient amount to pay off the first £1,000 due under the mortgage.<sup>51</sup> However, in 1898 contributions were still being sought to pay off this first instalment.<sup>52</sup>

Steps were taken in this year to reinstitute a committee for the Cathedral and to encourage moves toward completion. Canvassing of subscriptions once more took place. In 1899 the Building Committee sought a report from Fred K. Menkens as to the best possible manner in which to proceed with the Cathedral. After considering various alternatives, Menkens suggested that "the work not be recommenced until such a time as you see your way clear to complete the walls in one uninterrupted contract".<sup>53</sup>

This report led to renewed efforts for contributions, as did the occurrence of the Diocesan Jubilee. The appointment, in 1900, of Bishop John Francis Stretch as Dean of Newcastle, gave fresh impetus to the situation. The plans for the building were reconsidered, as Bishop Stretch felt they would prove inadequate in the light of Newcastle's development and likely increase in population.

The eminent Sydney architect, J.H. Buckeridge was consulted on altering the incomplete structure to provide seating for 1,500 persons. As the need was urgent, it was decided to complete the nave to a certain height and to roof it in such a way as not to interfere with future work when it became financially possible to carry it out. This work was expected to cost £3,500. A contract was let in 1902 to Messrs. John Howie and Sons, and with a temporary chancel and roof, the building was adapted for divine service and dedicated on the 21st November, 1902.<sup>54</sup>

The worst of the 1890's depression now being over, the financial position of the Diocese improved slightly and contributions were more forthcoming. The "Jubilee Cathedral Completion Fund", instituted in 1899 progressed well until its closure in 1901. But still appeals were made to the people of the Diocese. One such appeal stated "...your Committee appeal to the whole Diocese to show its deep interest in this most important work by placing at its disposal as a thank offering, the £10,000 required to carry out the desired object...".<sup>55</sup>

In 1902 the Century Thanksgiving Fund was designated for the completion of the Cathedral and evoked considerable support. In this year also, unused building materials were sold, entertainments were staged to make money and the Women's Guild made donations. But these were not enough and the Committee was forced to seek other assistance. The A.M.P. agreed to allow the mortgage to be overdue for two months without an increase in interest. In addition, the Bank of N.S.W. agreed to allow an overdraft of £1,000 on guarantee, signed by members of the Committee.<sup>56</sup>

In the years following the partial completion in 1902, money was still being sought, as eventually it was hoped to complete the building properly. Every year attempts were made to beautify and furnish the Cathedral. These mainly took the form of memorials and much of the interior of the Cathedral was paid for in this way.



In 1902 the Cathedral was by no means complete. It was to take another seventy seven years before this was to be the case. The problems that had plagued the Building Committee until 1902 continued. The financial problem was ever present and at no stage was there enough money to fully complete the building.

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SOCIALISM IN NEWCASTLE: THE ELECTIONS  
OF 1885 AND 1895

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BY

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SYNOPSIS:

Though socialism might have expected a following among the working class during this decade, given the onset of the 1890s Depression and the industrial strife, the elections of 1885 and 1895 show that it was not at least an election issue locally. The 1885 election was fought and won by establishment politicians who believed the workers' cause should be advanced but socialism does not surface. The 1895 elections revolved around Reid's challenge to the Upper House and socialist sentiments were at best vague and ineffectual. The reason lies in the electorate's disinterest, given the working man's ability to achieve a measure of economic and social equality in New South Wales without resorting to radical solutions.

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Having experienced a lengthy period of relative prosperity which came to an end in the late 1880's, New South Wales entered the last decade of the nineteenth century beset by industrial disputes and economic depression. Trade unions had been extending their influence for some time, but the failure of the great maritime strike of 1890 helped to convince labour leaders that they would have to seek other means of promoting the interests of the working man. Political action was seen as the most obvious avenue, hence the formation of the Labor party. Some also turned to the ideas of radical socialism and as a philosophy it gave significant impetus to both the union movement and the newly established political party. However socialism never really attained any widely based popular support in New South Wales. The parliamentary election campaigns of 1885 and 1895, as reported by the Newcastle Morning Herald, show little sign of any socialist influence. Notwithstanding the activities of an enthusiastic minority, socialism was not emphasised in the Labor platform. It would seem that, despite the severity of the times, socialism did not achieve any success in practical terms because it held little appeal for the electors; radical solutions were unacceptable when the majority expected change to occur without altering the essential order of existing society.

By 1880 the workers of New South Wales enjoyed the democratic privileges of universal manhood suffrage and the secret ballot but there was no payment of members. So, unable to afford to represent themselves, they gave their support to whoever was most sympathetic to their cause in the Legislative Assembly. Although there was a crude political spectrum ranging from those who favoured free-trade to those who were protectionists, candidates were independent and held a variety of views. Until the formation of the Labor Party in 1891, there was no specific working class position. Largely, however, the workers looked to the development of their trade unions to safeguard their interests. In prosperous times the unions flourished and they had such practical functions as policing wage rates and organizing members'

sick benefits and funeral funds. W.G. Spence revived the Amalgamated Miners' Association in 1878 and went on to organize the Shearers' Union. Skilled tradesmen had pioneered the union movement but the latter part of the 1880's saw the organization of unskilled workers. With amalgamation and strengthening, the fight began for the closed shop principle whereby employers could only employ union members. At the same time export incomes were beginning to fall; employers may have sensed the coming financial crisis and so prepared to resist this extension of union power. Confrontation came with the Maritime Strike of 1890. Beginning with marine officers in Melbourne, it later extended to wharf labourers, shearers and miners to include 50,000 men in four colonies.<sup>1</sup> Eventually the strike was broken - employers could rely on a large pool of unemployed for "scab" labour which worked under police protection. Although the causes are by no means straightforward, it may be said that this strike came at a time when the employers would not accept the unions' desire to consolidate their power over wages and conditions. Certainly the general aim of the unions during this period was to clarify their position, rather than to promote radical causes. For example, the Amalgamated Miners' Association at Silverton declared its object: "to maintain the privileges and customs at present appertaining to mining in this district..."<sup>2</sup>

Further defeats followed for the unions. In 1891 the Queensland pastoralists beat the shearers and in 1892 the mines at Broken Hill enforced freedom of contract over the closed shop. Workers were forced to accept lower wages and conditions imposed by employers. Furthermore the economic depression reached a crisis point in 1893 with the failure of a number of banks. Over 25% of craftsmen became unemployed and the figure was probably higher for the unskilled.<sup>3</sup> Under these circumstances socialism might have been expected to gain a following.



Socialist ideas did gain some prominence in Australia in the 1880's and 1890's due to the activities of a number of individuals, groups and journals. The year 1887 saw the formation of both the Australian Socialist League (A.S.L.) in Sydney and William Lane's Bellamy Society in Brisbane. These were in practice peaceful, but their idea of socialism embraced the anarchic and the revolutionary. Moreover, socialism was perceived by the general community as a revolutionary doctrine; it fulfilled the role of communism in relationship to present day capitalist society. The contemporary conception of socialism as a radical alternative to existing laissez-faire capitalism was given by A.S.L. leader W.H. McNamara: "Socialism in a nutshell meant that every man should own the results of his own labor, that the wage system should be abolished, that everyone should have a natural share in the land and the products of labor--in short that the means of production, distribution and exchange should be declared and treated as the common property of all."<sup>4</sup> The distinction between revisionism, communism, anarchism and other shades of socialism was somewhat blurred, but the A.S.L. served as the Australian representative of the Second International and it was diligent enough to inaugurate a May Day procession in Sydney in 1892. At least until 1898 the A.S.L. had an influence in the Labor Party. After the 1895 elections seven out of the eighteen Labor M.L.A.'s were socialists.<sup>5</sup> Significantly, the socialists had a policy which held that the Labor Party should not cooperate with the older political groups.<sup>6</sup>

There was a socialist influence within the union movement. L.G. Churchward asserts that, after the strikes of 1890-3, "statements about the identity of interests of capital and labor tended to give place to statements about the need to protect the class interests of the workers, and the necessity for the ultimate overthrow of capitalism."<sup>7</sup> Socialist ideas were further propagated by journals such as the A.S.L.'s Radical, Lane's Boomerang and the popular Sydney Bulletin. A leading article in

the Bulletin of 1888 declared: "There is no brotherhood between Capital and Labour..."<sup>8</sup> And sometimes the work of a growing community of writers and poets reflected the social ills of the time in a radical tone:

"We'll make the tyrants feel the sting  
Of those that they would throttle;  
They needn't say the fault is ours  
If blood should stain the wattle."

Henry Lawson<sup>9</sup>

More cautious elements of society were sufficiently aroused to issue warnings. The Catholic Archbishop of Sydney, Cardinal Moran, lectured on the danger of socialism tainting democracy;<sup>10</sup> Sydney Morning Herald editorials saw communism implicit in a miners' manifesto that went beyond industrial matters and called for an "equal distribution of wealth."<sup>11</sup>

Not only then were the times favourable to the growth of socialism, but there existed much enthusiastic rhetoric and a pot-pourri of radical ideas. But did socialism have any real acceptance amongst the general community? An examination of the election campaigns of 1885 and 1895 gives a good indication of the relevance of socialism for the electorate because it shows what candidates had in their platforms and whether they thought there was anything to be gained from advocating a policy of radical reform.

In the elections of 1885 in Newcastle, candidates seemed to be in general agreement on most issues. Differences of opinion are evident on the recent Sudan expedition and on the current Land Bill, but on all other issues, candidates held similar positions. They supported the principle of the eight hour day, favoured payment of members and were opposed to assisted immigration. In all this there is an appeal to the workers but the very unanimity of the appeal, by politicians of sufficient means to support themselves in parliament, emphasises that it did not spring from socialism. Indeed, what is most evident from the Newcastle Morning Herald's reports of the election period is the already widespread acceptance by society of the

need for the advancement of the worker. Editorializing on the Sydney eight hour demonstration, the Herald saw no danger to employers or society from trade union activities: "Trade Societies, which were looked upon at one time as little better than hot-beds of revolutionary sentiment were at last acknowledged under certain conditions by the law. From that moment till the present the path of unionism has been a succession of triumphs."<sup>12</sup> Far from being suspected of threatening existing society, the Labor movement was accepted as a legitimate part of it. Advocacy of the eight hour principle seemed to be embraced by all candidates as good politics. Apart from that, there were no specific or urgent working class causes. When Thomas Walker announced, "I am a democrat, and for this reason I consider it a farce to have manhood suffrage without payment of members",<sup>13</sup> he was voicing a sentiment in favour not so much of the workers as of their middle-class parliamentary representatives. That middle-class attitudes, catering to a non-radical working class, really shaped the election issues is seen in the attitude to pensions. Relatively enlightened society, prodded by an active union movement, had accepted the eight hour principle but had not considered the need for pensions for all. Condemning the proposal for civil servants' pensions, George Perry says: "I contend that out of their liberal salaries they ought to be compelled to make provision for old age in the same way as the working man has to do".<sup>14</sup> No candidate saw an alternative as being to extend pensions to the working man.

James Fletcher's popularity as a candidate in 1885 epitomizes the irrelevance of socialism in the election. Hailed during the campaign as an eight hour man and the workers' candidate, his popularity is witnessed by his statue, erected through public subscription, in Newcastle's Fletcher Park. The plaque on this statue remembers him as the "miners' friend" and

yet his career and public speeches were hardly those of a socialist. Although he was a miners' chairman in 1860, he rose to be a colliery manager and a founder of the Newcastle Morning Herald. During the election campaign he is reported to have given this response to a question regarding a wharf labourer's strike: "...that he never asked for a wage when he was a working man unless he felt that he deserved it, then he never rested till he got it."<sup>15</sup> A politic answer perhaps, but it is a platitude which epitomizes the outlook, widely endorsed by the electorate, of a relatively enlightened but nonetheless establishment politician. Socialism was an irrelevant doctrine to an electorate where, in 1885, the extent of the workers' aspirations was a fair day's pay for a fair day's work.

Spanning the period 1885 to 1895, we see considerable change. By 1895 N.S.W. had experienced bitter strikes and lock outs, depression and high unemployment. There was now payment of members and the Labor Party was in existence. Moreover, there was a ferment of socialist rhetoric and ideas. The 1885 campaign showed no socialist influence but by 1895 it would be reasonable to expect an upsurge of socialism in the electorate which would be reflected by campaign issues and manifestos.

On the contrary, the 1895 campaign had as its main issue the challenge by the Premier, George Reid, to the upper house. The election was brought on by the refusal of the nominee chamber to pass legislation sent up by Reid's freetrade Ministry. The Labor Party had supported Reid's measures and in fact took most of the credit for spurring him on towards greater democracy: "He could assure them this Government, who had introduced so many democratic measures, was not democratic by choice, but simply because they know their political lives depended upon the Labor Party."<sup>16</sup> In reality such claims seemed to spring from a desire to establish an independent image in the electorate. The Labor Manifesto declared: "The position of the toiling masses to-day is proof of the hollowness of past political parties and a justification of adding to the Labor party till it is strong enough to take

up the work so long neglected."<sup>17</sup> Nonetheless, in practice it is impossible to discern any specific Labor policy, let alone socialist influence. The pattern of Labor candidates' speeches was generally to applaud Reid's measures, albeit whilst taking credit for them, and then to join in the general cry for upper house reform.

Socialist sentiments came through only vaguely and absolutely ineffectually. Mr. D. Watkins, Labor candidate for Wallsend, is reported to have said that "his education taught him that there was no amelioration of the working classes in the two doctrines of freetrade and protection. The only remedy was co-operation or State-workmanship."<sup>18</sup> However this is very mild, especially when considering that the freetrader Reid was declaiming against "the forces of monopoly and class selfishness", which were arrayed against his government.<sup>19</sup> Even confirmed socialists within the Labor Party must have felt constrained through electoral expediency to adopt a low profile. Griffith, the candidate for Waratah, was a member of the A.S.L. but contented himself with only a mild criticism of Reid and the Ministry in election speeches which were otherwise indistinguishable from the others.<sup>20</sup>

Commenting on Griffith's campaign, the Herald says, "the most the enemies of the League can say is that Mr. Griffith committed an error of judgement in recommending to the workers of the district the claims of a certain Labour paper, which, after a short and chequered life in Sydney, died in bankruptcy."<sup>21</sup> It is a rare, veiled reference and the tone is enough to dismiss socialism as a non-issue.

In one editorial the Herald does mention the Labor Party in uncharacteristically ominous tones: "But away from the defined statement of the party's aspirations, there is an unknown territory which the public have not yet explored."<sup>22</sup> This may have been a perfunctory reference to Labor's A.S.L. members but more likely, in line with the rest of the editorial, it is a reaction to Labor's continued claims that it really held

power, and not Reid. The actual harmless exaggeration of these claims is seen in the election results. The return of only eighteen Labor candidates represented a drop of more than 50% from 1891 and part of the reason must have been the party's co-operation with Reid in not contesting many of his freetrade seats.<sup>23</sup> This co-operation was a poor manifestation of socialist zeal! One perceptive correspondent of the Herald exposed the irony of a situation where Reid could pose as the workers' champion, and be tacitly backed by the Labor Party, and yet derive his main support from merchant importers and capitalists.<sup>24</sup> Summing up the issues in an editorial entitled "The Campaign", the Herald gives most emphasis to Reid's battle with the upper house. Indeed, any misgivings concerning the health of society, which one would expect to be directed at socialism if it were at all significant, take on a very different tone: "Sir Henry Parkes, and many other leading politicians, are inquiring whether it is necessary to burn down the Legislative Council in order to make liberty fit for popular consumption, or to alter the constitution in such a manner as to make one man the dictator of New South Wales."<sup>25</sup>

Judging from the Herald reports, socialism had as little success with the electorate in 1895 as it did in 1885. There are very few, and then only vague references to socialist ideas by Labor candidates and there are no attacks made on radical socialism by opponents, as would be expected if it were an issue. Also, A.S.L. members of the Labor Party have obviously compromised their principles by co-operating with Reid. Thus, in a newspaper which did its best to report on all issues, ranging from General Gordon's fate in Africa to complicated intrigues in Eastern Europe or the N.S.W. Parliament, socialism was not significant enough to attract attention.

Reasons given for the failure of socialism in N.S.W. range from the Irish workers' heed of Cardinal Moran's intimations on the dire consequences for both spirituality and democracy, to the basic philosophical and

practical inadequacies of the would-be revolutionary leadership. Nonetheless, it would seem that any battle waged between Cardinal Moran and the socialists was of a largely esoteric nature. For the election campaigns indicate that the people as a whole were just not interested. Socialism had no real appeal for the people of colonial Australia; they lived in a society which, notwithstanding economic downturns, was evolving in such a way that it would be able to cope with the problems which socialism claimed to be able to solve. There was no demeaned and downtrodden pauper class without hope of ever bettering itself. N.S.W. in the decade 1885 to 1895 was indistinguishable from its earlier colonial history. And, although not a classless society, it was a society where there was some chance of moving up. James Fletcher's career is a good example of this. The small scale of secondary industry meant that there was no large and uniform industrial working class. In fact this class might better be typified by independent miners and bush workers with their own selections. Socialist commentators excuse the workers' failure to embrace socialism on the grounds that they did not constitute a mature working class.<sup>26</sup> An alternative is that they were an indigenous working class and therefore quite different from the industrial proletariat of Europe for whom socialism was prescribed.

Even though the 1890's were a time of severe hardship, they could not immediately alter conditions and attitudes which had developed throughout the colony's history. Egalitarianism had emerged as a cherished ideal and, at least relative to the old world, it was regarded as an actuality. This is why socialism made little headway in capturing the imagination of the people. Socialist doctrines were confused, and lost all their import, as they were equated with the familiar notion of egalitarian mateship. In giving socialism an Australian flavour - "Socialism ... is the desire to be mates...",<sup>27</sup> William Lane distorted its energy and true meaning. Socialism was revolutionary but the mateship semi-myth is relatively harmless and

N.S.W. society had enough latitude for it to exist and negate the need for more disruptive beliefs. The literature of the age was also instrumental in directing the peoples' idealism elsewhere than socialism. Notwithstanding Henry Lawson's occasional angry outburst and his commemoration in a bar at Newcastle Workers' Club, his writings did more for mateship and Australian nationalism than they ever did for revolution. Socialism lost all its thrust in trying to impress men who identified with "Clancy of the Overflow" and "The Man from Snowy River" and who were soon to be duped by sentiments such as those expressed in "The Star of Australasia". Caught up in a welter of mateship, racism, emergent nationalism and sheer parochialism, the working class ignored socialism and William Lane left in despair of ever changing Australian society.

In practical terms, Australian society had no need of socialism and the Labor movement never seriously considered it. Despite the class conflict evident in the great strikes and lock-outs, it can be said that the unions were only attempting to assert their control over wages and conditions. P. O'Farrell declares: "Workers generally desired some kind of reconstruction of society and a vague and indefinite socialism was the creed into which a general dissatisfaction was channelled".<sup>28</sup> Vague and indefinite are the key words; furthermore it is difficult to distinguish the indefinite socialism from the peculiarly Australian ideal of mateship or even an inherited English concern for "fair play". The unions were given fair play in their efforts on behalf of the workers. As was suggested earlier, the eight hour movement and the principle of a fair day's pay for a fair day's work were accepted by society at large. Thus, when strike action failed, the Labor movement turned not to socialism but aligned itself even more with existing society, with the creation of the political Labor Party. The Labor Party gave workers a stake in the system. In turn the system catered for the workers; even without the promptings of the Labor Party, Australian society already had sufficient scope for human values. For



example, "in New South Wales Labor held the balance of power for most of the time but the concessions made in return for its support were quantitatively and qualitatively little different from the measures sponsored in Victoria and South Australia by relatively independent liberal governments."<sup>29</sup>

Because capitalism was civilized through a relatively painless process of concession and reform, socialism was regarded as unnecessary and the workers of N.S.W. must have sensed this. Government in Australia had always played a big role, from the days of an autocratic penal colony governor to the state built railways, and in the 1890's it could be persuaded to adopt certain social responsibilities without too much trouble.

And so, despite the classic Marxist scénario of class polarisation in terms of strikes and lockouts and the potential for the final demise of capitalism in an ultimate depression, socialism never attained any significant following amongst the people of N.S.W. This was because it ignored the unique nature of colonial society where expectation of economic and social equality was a reality which was recognised and able to be dealt with without resorting to radical solutions. Recognition must be given to the role of socialist ideas in giving a certain drive and philosophical presence to the early Labor Party, but it is also obvious that these ideas remained the province of a minority and were such that they were not able to be tested amongst the electorate. Nairn sums up: "The socialists' role was vital to the healthy development of the Party, but it could not be over-played without risking popular support: the two governing factors were the minority status of the advanced thinkers and the parliamentary adherence of the Labor Party."<sup>31</sup>

FOOTNOTES

1. Figures quoted by de Garis in A New History of Australia, F. Crowley (ed.), Melbourne, 1974, p.230.
2. Rules of A.M.A., adopted 15th April, 1890, Silverton N.S.W., quoted in: The Australian Labor Movement 1850-1907, R. Ebbels, Melbourne, 1965, p.106.
3. Crowley (de Garis), op. cit., p.225.
4. Radical, 5th November, 1887 quoted in P. O'Farrell, "The Australian Socialist League and the Labor Movement 1887-1891", Historical Studies, May, 1958, p.154.
5. P. Ford, Cardinal Moran and the A.L.P., Melbourne, 1966, p.181.
6. Australian Radical, 17th March, 1888, quoted in O'Farrell, op.cit., p.155.
7. Ebbels, op. cit., p.20.
8. Bulletin, 11th August, 1888, quoted in Ebbels, op. cit., p.162.
9. From Henry Lawson's poem "Freedom on the Wallaby", L. Cantrell, The 1890's: Stories, Verse & Essays, Brisbane, 1977, p.109.
10. Ford, op. cit., p.164.
11. Sydney Morning Herald, 30th & 31st August, 1888, quoted in R. Gollan, The Coalminers of New South Wales, Melbourne, 1963, p.75.
12. Newcastle Morning Herald, 8th October, 1885, editorial.
13. Newcastle Morning Herald, 10th October, 1885, election notice p.6.
14. Newcastle Morning Herald, 10th October, 1885, election notice p.6.
15. Newcastle Morning Herald, 12th October, 1885, p.4.
16. Newcastle Morning Herald, 6th July, 1895, report of speech by Labor candidate Griffith, p.5.
17. Newcastle Morning Herald, 2nd July, 1895, p.5.
18. Newcastle Morning Herald, 16th July, 1895, election speech of D. Watkins, p.5.
19. Newcastle Morning Herald, 2nd July, 1895, report of Free trade meeting, p.5.
20. Ford, op. cit., p.181.
21. Newcastle Morning Herald, 22nd July, 1895, p.5.
22. Newcastle Morning Herald, 12th July, 1895, editorial.
23. Ford, op. cit., p.181.

24. Newcastle Morning Herald, 20th July, 1895, letter to editor p.6.
25. Newcastle Morning Herald, 19th July, 1895, editorial.
26. Lenin's opinion quoted in Ebbels, op. cit., p.243.
27. The Hummer, 16th January, 1892, attributed to W. Lane, quoted Ebbels, op. cit., p.166.
28. O'Farrell, op. cit., p.159.
29. Crowley (de Garis), op. cit., p.244.
30. N.B. Nairn, Civilizing Capitalism: the Labor Movement in New South Wales, 1870-1900, Canberra, 1973, p.148.

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THE CONVICT BUSHRANGING ERA IN THE HUNTER VALLEY

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BY

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SYNOPSIS

Bushranging began in the Hunter Valley shortly after its early settlement, the earliest bushrangers being runaways from the penal settlement at Newcastle. Many assigned servants also absconded and joined the ranks of the bushrangers. Most of the runaways who took to the bush were forced to take up bushranging in order to survive. Over the years numerous gangs formed and harassed the Valley settlers but their careers were short-lived. Most were captured or killed; a few managed to evade pursuit and escape into other districts. The only gang which was at large for an extended period of time was the 'Jewboy' Davis gang that terrorised the Valley in 1839 and 1840. John Shea, a member of this gang, was responsible for the only known case of murder during the early convict bushranging era in the Hunter Valley, that of John Graham at Scone in December, 1840. Shea and five other members of the 'Jewboy' gang were captured within twenty four hours of Graham's murder and all six were later hanged in March, 1841. After the capture of this gang, large-scale bushranging ceased in the Hunter Valley for many years, until the rise of the new 'breed' of bushrangers, the 'wild colonial boys' of the Gold Rush days.

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There were two major bushranging eras in the colony of New South Wales, the first of which began during the early years of the colony<sup>1</sup> and lasted until the 1840s, the second spanning the period from the Gold Rushes to the 1870s. There were significant differences between these two eras. In the earlier period the great majority of bushrangers were convicts who had taken to the bush to escape the harsh discipline and conditions of penal settlements or assigned service. Having cut themselves off from other means of subsistence, many of these escapees were forced to take up bushranging in order to survive. Those of the second period, on the other hand, were mostly 'wild colonial boys' lured into bushranging by the prospect of easy gains, in a later, more affluent period in the colony.

Bushranging began in the Hunter Valley shortly after settlement of the Wallis and Paterson Plains districts, and the first bushrangers were convicts who absconded from the Newcastle penal settlement. Unfortunately little information concerning these earliest bushrangers has survived. Some are known to have existed for months in the bush on the meat of kangaroos killed by dogs stolen from the Hunter River settlers. However, survival became much more difficult when the Newcastle commandant, Major Morisset, ordered all kangaroo dogs in the Valley killed, in order to discourage escape attempts.<sup>2</sup> Other runaways were killed by aborigines; some undoubtedly starved to death; many were forced to give themselves up after suffering dreadful hardships.<sup>3</sup> One surviving fragment of evidence which gives some indication of the privations and misery endured by many of these early bushrangers is a letter written in 1819 by John Slater to his wife in England. Slater, a former Norwich silk weaver who was a convict at Newcastle, wrote:

"A man by the name of Creig actually asserts that when he made a similar effort to extricate himself from this state of bondage he came to a spot where he beheld, leaning against a tree, the skeleton of a man with a musket by his side, also against the tree, and which he supposed to be a 'bush ranger' like himself. Many are compelled from hunger to give themselves up, and frequently so starved (are they) that they can scarce crawl upon their hands and knees to the happy spot of a dungeon".<sup>4</sup>

Apparently the likely fate that awaited them failed to deter the convicts from taking to the bush and Major Morisset continued to be plagued by runaways. In 1819 he complained of numerous escapes, including one party of seven who absconded from the limeburners' camp on the 7th February, 1819 and began to harass the settlers at Paterson's Plains.<sup>5</sup> Pursuing soldiers eventually caught up with this group and in the skirmish that followed one escapee was killed and four others recaptured.<sup>6</sup> Escapes became even more numerous after the discovery of the inland route to the north and the Hunter Valley through Boottee (Putty) and the Parsons Road (the track through Wollombi). In 1821 Morisset reported increasing numbers of desertions<sup>7</sup> and complained that "the military and bush constables at Newcastle have had a great deal of extra duty in the bush, following runaways and bushrangers".<sup>8</sup>

By 1825 numerous bands of bushrangers were at large in the Valley and their numbers now included runaways from the new penal settlement at Port Macquarie and also assigned servants who had deserted their posts. Men from Captain Pike's and Commander Ogilvie's Upper Hunter properties joined the bushrangers and large armed parties began to terrorise the settlements, robbing and ill-treating the settlers and burning their homes.<sup>9</sup>

One particularly daring gang was 'Jacob's Mob', shepherd Patrick Reily (or Reiby) and two other escapees from Mr. Vicars Jacob's property near Luskintyre, who were said to have been later joined by five assigned servants from Mr. Boughton's farm at Paterson's Plains, one from Mr. Cobb's and another from Newcastle.<sup>10</sup> Using horses stolen from James Reid of

Rosebrook by Reily, the three Jacobs men robbed a hut on their employer's farm, then went on to plunder other Upper Hunter properties.<sup>11</sup> Four of the gang, Lawrence Cleary, Aaron Price, Patrick Clinch and Patrick Reily, all Jacobs men, were captured in August, 1825 but escaped again, still handcuffed, from the Wallis Plains lock-up, accompanied by one of James Mudie's men and a runaway from Newcastle.<sup>12</sup> After reprovisioning themselves with horses and muskets stolen from settlers at Wallis Plains, the gang continued its activities for some weeks,<sup>13</sup> evading various pursuing groups, until October, 1825 when James Reid and two soldiers trapped the gang in a hut at Hexham. During the encounter that followed Reily was shot dead and Price surrendered. Cleary and Clinch escaped but were captured the next day, together with another gang member by the name of Cassidy.<sup>14</sup> All were tried in the Supreme Court on 26th November, 1825 and sentenced to death.<sup>15</sup>

Things were quiet in the Valley for a couple of years after the capture of 'Jacobs Mob', but early in 1828 the Australian newspaper reported that a great number of bushrangers were again at large in the Hunter district. However, the crimes committed by these bushrangers, according to the newspaper, were only petty offences, mainly confined to attempts to obtain firearms.<sup>16</sup> In 1829 six men were sentenced to death for bushranging offences<sup>17</sup> at the First Court of Quarter Sessions at Maitland in August, 1829 and hanged at Stockade Hill, East Maitland.<sup>18</sup>

Bushranging outrages became widespread right throughout the colony in 1830, including the Hunter Valley. The situation became so serious that the Governor and the Council passed the extremely punitive Bushrangers Act in April, 1830 which allowed any resident (with or without a warrant) to arrest any person suspected of being an escaped felon or of carrying illegal firearms. Any person so arrested was then obliged to prove his or her innocence. The Act stipulated the death penalty for any felon



convicted of robbery or housebreaking and directed that this sentence should be carried out within forty eight hours of sentence.<sup>19</sup>

This Act was rigidly and often unfairly enforced and there were many instances of victimisation by overzealous constables and citizens. Alexander Harris, a free immigrant who spent sixteen years in various districts of New South Wales, described many such incidents in his reminiscences, including his own arrest on the Great North Road which was followed by four days' confinement at Wallis Plains lock-up. Harris also cited the case of a young Australian born lad who was arrested on an Upper Hunter farm and transported 250 miles to Sydney in handcuffs when he could not prove that he was not a bushranger.<sup>20</sup>

In 1833 the punitive provisions of the Bushrangers Act were harshly enforced against six assigned servants who had rebelled against the dreadful conditions and vicious treatment they had been forced to endure at the Castle Forbes property of the infamous Captain James Mudie at Patrick's Plains. On the 4th August, 1833 three men, John Poole, James Ryan and James Riley, assigned servants of Mudie's son-in-law John Larnack, took to the bush. The next day the three men and John Perry, an earlier escapee, forced a constable to release three other assigned men, Anthony Hitchcock, Samuel Parrott (or Powell) and David Jones, who were being escorted to Maitland to serve a twelve month sentence on the iron gang for insubordination. The men (except Parrott) then attacked the Larnack home, threatened Mrs. Larnack and stole arms and provisions, after which they fled again into the bush. A day later they confronted Larnack himself and fired several shots at him (all of which missed), then made off again. However they were soon captured at Lamb's Valley and charged with robbery and housebreaking under the Bushrangers Act.<sup>21</sup>

At their trial the Court refused to accept the pleas of mitigating circumstances offered by their Council, Mr. Roger Therry,<sup>22</sup> nor would it take into account the prisoners' evidence of the appalling treatment they had received, or their previous good characters. Even Hitchcock's impassioned plea from the dock for an inquiry into the conditions at Castle Forbes failed to influence the Court. Five of the men, Hitchcock, Perry, Poole, Ryan and Riley were sentenced to death and Jones was sent to Norfolk Island for life. Hitchcock and Poole were hanged at Maitland on 19th December, 1833 and Riley, Perry and Ryan in Sydney two days later.<sup>23</sup> All went to their deaths with the "same expressions of complaint" on their lips.

In true official fashion the authorities instituted an enquiry into conditions at Castle Forbes after the men had been hanged and this resulted in strong condemnation of the treatment of convicts by Mudie and Larnack. Mudie was dismissed from the magistracy, but, as Mr. Therry pointed out "whatever may have been the report, the five principal complainants who had made the charge at the time of the inquiry, were (already) in ignominious graves".<sup>24</sup>

Unfortunately the Bushrangers Act seems to have claimed more innocent victims than bushrangers, whose outrages continued to increase. In the latter part of 1830 a large, well-mounted group of between twelve and fifteen began to harass Hunter Valley settlers. Two of the gang were wounded and captured by police in August, 1830 but were later rescued by other gang members. A third man by the name of Daly was killed by a shepherd at Gummin Plains<sup>25</sup> but the remainder of the gang escaped into the Bathurst area where they continued to evade mounted police and plunder the settlers in that district.<sup>26</sup>

Bushranging continued to increase in the Hunter Valley and in July, 1833 an angry correspondent in the Sydney Herald reported that the Hunter district was overrun by bushrangers who were committing robberies daily.

This writer then went on to complain bitterly about the inefficiency of the police in the district and the numerous escapes of captured bushrangers from the Patricks Plains and Merton lock-ups.<sup>27</sup> Although this complainant undoubtedly had good reason to condemn the less than effective performance of the district police, they nevertheless had an extremely difficult task. Not only did they have an extremely large area to protect but they were also badly hampered by an insufficiency of men and inadequate facilities. Even after the removal of the district headquarters of the Hunter River Mounted Police to Jerrys Plains in March, 1833,<sup>28</sup> the police still faced great problems in dealing with bushrangers. Even those captured were difficult to hold because most constables were either badly armed or not armed at all. Captain Williams of the N.S.W. Mounted Police complained that one bushranger named Beard had made repeated escapes from the same lock-up at Merton.<sup>29</sup>

Early in 1833 another gang of fifteen bushrangers plundered the stations of Messrs. Wyndham, Blaxland, Bettington, Jones and others<sup>30</sup> and in May two men robbed the properties of Messrs. Harper, McLeod and Dutton and that of Mrs. Hunt (Molly Morgan) at Anvil Creek. This indignant lady complained bitterly that by the time the police arrived on the scene, the bushrangers had had time to get well away "whether to the north, south, east or west she left it to their better judgment to determine".<sup>31</sup> On the 10th December, 1833 Mr. Leslie Duguid and two mounted policemen did manage to capture three bushrangers who had attempted to rob Mr. Duguid's property at Lochinvar, but the Sydney Herald's report on this incident went on to advise that "reports from Hunter's River state that numbers of runaways are prowling about in every direction in search of plunder".<sup>32</sup>

The Lake Macquarie district also had its share of problems with bushrangers. It was a wild and lawless area, frequented by unruly cedar cutters and cattle thieves. Runaway convicts also made their way into the district,

where they formed gangs which preyed on settlers and travellers. In 1828 Mr. Percy Simpson of Kourumbung captured two bushrangers in the Mamaring Creek area after a two day chase but while Mr. Simpson was away another armed man appeared at his home, held up his wife and then escaped because the servants refused to take him into custody.<sup>33</sup> In 1834 two gangs under the leadership of Marshall and Macdonald were at large in the Lake Macquarie area.<sup>34</sup> In June, 1834 Macdonald and another convict were taken into custody by Constable Robert Chitty but escaped again near Kourumbung. Macdonald then rejoined his gang and continued to harass the settlers.<sup>35</sup>

By far the most notorious and longest surviving gang of bushrangers in the Hunter Valley was the one led by 'Teddy the Jewboy' Davis, which was very active in the Brisbane Water and Hunter areas in 1839 and 1840. The leader, Edward Davis (alias George Wilkinson), was a young convict who had arrived in New South Wales in 1833 to serve a seven year sentence for stealing. Davis was assigned to Mr. Edward Sparke of Hexham in 1836 but soon absconded. He was recaptured and returned to Sydney, only to abscond again.<sup>36</sup> This time Davis stayed at large and some months later he emerged as the leader of a gang of convict bushrangers which became known as the 'Jewboy' gang. Gang membership varied between six and fifteen during the period of their 'reign'. All were excellent riders and were both well-mounted and well-armed. From their hideouts at Pilchers Mountain, four and a half miles out of Dungog<sup>37</sup> and Doughboy Hollow (Ardglen) near Murrurundi they made raids all over the Valley and menaced travellers on the roads. The gang started its career in the Brisbane Water district, but police pursuit drove its members northwards, where they robbed Mr. Biddington's servant on a Namoi River property below Tamworth on 12th January, 1839.<sup>38</sup>

In April, 1839 the Sydney Gazette reported that "the country between Patrick's Plains and Maitland has lately been the scene of numerous outrages by bushrangers. A party of runaway convicts, armed and mounted, have been scouring the roads in all directions. In one week they robbed no less than seven teams on the Wollombi road, taking away everything portable".<sup>39</sup>

A great number of other robberies occurred in the Maitland, Upper Hunter and Paterson districts and on the 9th June, 1838 Lieutenant Caswell's home was robbed of £400. The gang then stationed itself on the Greenhills/Maitland road for a whole day, "bailing up" all passers-by. The next day Mr. Michael Henderson and Mr. Crotham were knocked down and robbed at Maitland and the gang then fled northwards to escape a posse of mounted police, only to run into an ambush by Mr. Fleming and his men. Four gang members were captured, including Thomas Maguire who was said to be a free man.

Early in 1840 the bushrangers were again on the rampage. Horses were stolen from several stations in the Wollombi area and the gang took to holding up the roads for a day at a time, robbing every traveller who passed. According to George Boxall "it was said that any man riding along the road near Murrurundi or Quirindi, or between these places and Tamworth, was almost certain to lose his horse and whatever property he might have about him". It was even claimed that the gang numbered the Chief Constable of the district and a party of his men amongst its victims. These worthy representatives of the law were "yarded like a mob of cattle" and robbed of their horses, arms and money.<sup>40</sup>

All of these outrages were attributed to the 'Jewboy' gang. In fact they were thought to be responsible for virtually every robbery which occurred during the period that they were at large in the Valley, and so many tales have been woven around the activities of this gang that it is difficult to separate fact from legend. Undoubtedly they did carry out many of the robberies which occurred in 1839 and 1840 but it is impossible

to establish with any certainty whether they were in fact responsible for all of the outrages that occurred during this period. It was not until late 1840 that the contemporary press began to publish any detailed accounts of the gang's activities.<sup>41</sup> In December, 1840 the Sydney Herald published the following report from its Williams River correspondent:

"The bushrangers who were at Newcastle lately and more recently at Pilchers Farm on the Hunter have paid us a visit... and now...have left the district for a bold dash elsewhere. On 29th November Dr. McKinlay was bailed up... The leader was formerly an assigned servant to Edward Sparke Esq. and another (named Shea) an assigned servant to Mr. Coad; the third, I believe a Jew named Davis,<sup>42</sup> a very wary, determined fellow. They "bailed up" Mr Chapman and his men but they took only two saddles, saddle bags, bridles, tea, sugar, brandy etc and they caught two mares when Robert Chitty, one of Mr Chapman's men joined them... They then went on robbing people on the highway...they met a man of Mr Lord's of whom they took a horse and 11 shillings. Then they met a Mr Harrison from Namoi whose horse they took. They then proceeded to Mr Walker's at Brookfield, from whom they took £37...After robbing the station of Mr Timothy Nolan, on whom they had a great "down", they fixed a saddle on his back, flogged him and took £5, a horse and a gold watch...The Dungog postman chancing to come along they "ailed him up"... They then made for the Patterson and in the afternoon robbed Mr Jones' Settlers Arms...They then crossed the river and have not since been heard of."<sup>43</sup>

Other newspaper reports followed, containing accounts of many other robberies in the district. Mr. Henry Cohen of the Black Creek Inn, Mr. Close's stockman, Mr. Crawford of Brown Muir, Mr. and Mrs. Davis of Glenmore together with Mr. David Dunlop, the police magistrate, who was a visitor at the time and the Prendegast Public House were all robbed on the same day and the gang also flogged a Mr. Macdougall who was present at the Prendegast Inn because "he had been very fond of flogging whilst overseer of a chain gang". The gang then went on to plunder the Red House Inn on the Maitland Road and Mr. Garrett's station; on the following morning Captain Horsley was robbed at Woodbery near Hexham. On the afternoon of the same day the gang were sighted near the township of Scone and by 6 a.m. the next day they had carried out yet another robbery at Mr. Dangar's property at Duranville and had entered the village of Scone.<sup>44</sup>

These reports give some indication of the speed with which the gang could and obviously did move and the robberies appear to have followed a similar pattern to many of those earlier attributed to the Jewboy gang, which would tend to suggest that this gang were in fact responsible for many of the earlier offences.

The career of the 'Jewboy' gang, now consisting of seven members, Edward Davis, John Shea, James (Ruggy) Everett, Robert Chitty, John Marshall, Richard Glanvill and Robert Bryant, was, however, rapidly drawing to a close. After entering Scone the gang split into two groups. Davis, Everett and Glanvill went off to rob Mr. Chivers' (Cheevers) St. Aubin Arms while Shea, Marshall, Chitty and Bryant plundered the store of Mr. Thomas Dangar. Dangar's clerk, John Graham, grabbed a pistol and fired at the retreating bushrangers; Shea returned his fire, discharging two shots which mortally wounded Graham, who died less than an hour later. The gang fled hastily from the town, but strangely, although obviously agitated by the murder of Graham, committed three further robberies, at the farms of Mr. Patterson and Mr. Norris and at the Page River Inn, before returning to their hideout at Doughboy Hollow.<sup>45</sup>

The gang were obviously unaware of the proximity of a pursuing party of mounted police under the leadership of Captain Edward Denny Day, who reached the hideout just as the gang were settling down for the night. In the desperate battle which followed, Davis, Marshall and Shea were wounded. These three men, together with Everett and Chitty, surrendered, but Glanvill and Bryant escaped. Glanvill was captured the next day but the seventh man, Bryant, made his escape into the 'bush. Various accounts have stated that Bryant was also captured and brought to trial with the other men, but this was not the case. Only the other six men stood trial, Shea for the murder of Graham and the other five as accessories to that murder.<sup>46</sup> All six were found guilty and hanged in Sydney on 16th March, 1841.<sup>47</sup>

The long reign of the 'Jewboy' gang owed much to the friendship and assistance of many assigned servants and ticket-of-leave men in the Hunter Valley. The gang members' flamboyant dress and behaviour, their habit of meting out floggings to those who had ill-treated convicts, their light-hearted tilting at authority and their habit of sharing the 'spoils' made them heroes in the eyes of many of their fellow convicts who gave them a great deal of help and kept them posted concerning police movements. The degree of friendship and understanding between the gang and many of the twenty six men, mostly convicts, who were present during the robbery of Cohen's Black Creek Inn was so obvious that Mr. E.D. Day later cancelled the tickets-of-leave of two of these spectators.<sup>48</sup>

After the capture of the 'Jewboy' gang, large-scale bushranging in the Hunter Valley virtually ceased for many years. There were some minor incidents within the next couple of years, but nothing on the scale of the Davis gang's activities. Henry Steele and Charles Vaut, assigned servants to Mr. George Furber of Maitland and suspected accomplices of earlier bush-rangers, attempted to rob the Reverend and Mrs. John Garvan of Hull Hill near Maitland on 25th February, 1841, but, when the reverend gentleman resisted, they hastily retreated to their quarters where they were arrested the next day, to be later sentenced to penal servitude for life.<sup>49</sup> In January, 1842 William Gunn and John South, associates of the 'Jewboy' gang, were captured while attempting to rob the Northern Mail near Scone.<sup>50</sup>

The early issues of the Maitland Mercury newspaper in 1843 contained a number of reports concerning bushrangers, but these related only to minor incidents or to the capture of bushrangers, two of whom (Keating and Crow) were apprehended by Constable Moss at Bishop's Bridge on 3rd February, 1843,<sup>51</sup> while another by the name of William McCarthy, an escapee from Edward Sparke's property was brought into Cassilis six days later.<sup>52</sup>



In February, 1843 several people were robbed on the Maitland/Wollombi road, but Mr. Crawford and his servants, warned of the presence of this bushranger, captured him when he tried to rob Mr. Crawford's gig.<sup>53</sup> The bushranger, a convict named Brown (or Bruen) who had only escaped from the Maitland lock-up a week before, was badly wounded during the capture and was conveyed to a miserable, vermin-ridden bark hut at Wollombi, where he died in agony a week later, attended only by a few kind residents.<sup>54</sup>

That the convict bushranging era was virtually over was quite clear from later reports in the Maitland Mercury. In an article concerning a robbery at the Brook Inn, Wollombi by a party of armed bushrangers in April, 1843, the Mercury correspondent reported that the pursuit of this gang by a large party of Wollombi residents was "without further success than establishing, by means of a trial, that parties not usually denominated bushrangers had some participation in this dastardly deed".<sup>55</sup> In May, 1843, in an article entitled "Dull Times" the Mercury complained that life in the valley had become so dull that "even the policemen complain of having nothing to do, and that time hangs heavy on their hands."<sup>56</sup> Obviously the day of the convict bushranger in the Hunter Valley was over.

FOOTNOTES

1. The first known bushranger in New South Wales was "Black Caesar", a First Fleet convict who absconded from the Sydney settlement in May, 1789. R. Ward & J. Robertson, Such Was Life, 1969, Sydney, p.225.
2. Bigge, J.T., Report, Evidence, B.T. Box 1, p.480/Quoted in W.A. Wood, Dawn in the Valley, 1972, Sydney, pp.3&311.
3. Wood, op. cit., p.5.
4. Slater, J., "An Account of the Manners and Employment of Convicts", 27th April, 1819, Facsimile Copy, G.E. Ingleton (Ed), True Patriots All, 1965, Sydney, p.81.
5. Colonial Secretary's In-Letters, Bundles 13-15, Newcastle 1819-21, Morisset, 4th January, 1819 et seq./Quoted in Wood, op. cit., pp.5&311.
6. These were probably the four men (William Geary, William Rowlands, Moses Watson and Charles Connor) listed on the Newcastle Punishment Record for 25th March, 1819, who were sentenced to 100 lashes each for running away, plundering and threatening the lives of the settlers and resisting a party sent after them. Bonwick Transcripts Box 12, pp.291-300/Quoted in Turner, J.W., Newcastle as a Convict Settlement: The Evidence Before J.T. Bigge in 1819-1821, 1973, Newcastle, p.234.
7. Colonial Secretary's In-Letters, Bundles 25-27, Newcastle, 1825, 4/1812,/ Quoted in Wood, op. cit., pp.16&311.
8. Bigge, J.T. Report, Evidence, B.T. Box 25, pp.5437-8/Quoted in Wood, op. cit., pp.16&311.
9. Wood, op. cit., p.82.
10. The Australian, 4th August, 1825.
11. Ibid., 21st July, 1825.
12. Ibid., 11th August, 1825.
13. According to E.C. Close the gang committed 8 or 9 house robberies, 1 rape, attacked Dr. Radford's house, burned down Mr. Reid's home, plus committing numerous other acts of destruction during this period.  
Sir Thos. Brisbane's Letter Book, Vol.1, pp.195-7/Quoted in Wood, op. cit., pp.84&318.
14. The Australian, 13th October, 1825.
15. Historical Records of Australia, Series 1, Vol.12, 12th December, 1825, p.86.
16. The Australian, 14th March, 1828.
17. Ibid., 26th August, 1829 & 28th April, 1830.

18. Bloomfield, W.A.G., Cessnock, 1824-1954, Cessnock, p.19.
19. Callaghan, T., Acts and Ordinances of the Governor and Council of New South Wales, and Acts of Parliament Enacted for and Applied to the Colony, 1844, Sydney, pp.504-5.
20. Harris, A., (An Emigrant Mechanic), Settlers and Convicts, 1954, Carlton, Victoria, pp.79-81.
21. Boxall, G., The Story of the Australian Bushrangers, 1974, London, pp.52-3.
22. Mr. Therry was retained to defend the prisoners by an anonymous benefactor in Sydney.  
Therry, R., Reminiscences of Thirty Years Residence in New South Wales and Victoria, 1863, London, p.167.
23. Sydney Gazette, December, 1833/Quoted in Ingleton, op. cit., pp.149-50.
24. Therry, op. cit., pp.167-9.
25. On his deathbed Daly claimed that the two wounded bushrangers who had been rescued had later died and been buried in the bush by other gang members, Wood, op.cit., p.241.
26. Historical Records of Australia, Series I, Vol.15, 5th October, 1830, pp.769-770.
27. Sydney Herald, 18th July, 1833.
28. Wood, op. cit., p.304.
29. Colonial Secretary's In-Letters, Naval & Military (Mounted Police), Maitland, 1833, 4/2199/2/Quoted in Wood, op. cit., pp.304&335.
30. Sydney Herald, 9th March, 1833.
31. Ibid., 11th May, 1833.
32. Ibid., 6th January, 1834.
33. Colonial Secretary's In-Letters, Simpson 6th August, 1828, Quoted in Clouton, K.H., Reid's Mistake, 1967, Sydney, p.58.
34. It is possible that this was the legendary MacDonald who was the leader of a gang of bushrangers and cattle thieves who operated in the Namoi district between 1832 and 1834. Police search parties had been active in the gang's usual haunts for some time. Macdonald was also an excellent bushman and was known to make frequent trips to the Sydney area. He and another bushranger named Lynch were later killed by two stockmen at Sir John Jamieson's station in the Liverpool Plains district in October or November, 1834, Wood, op. cit., p.224.

35. Clouton, op. cit., p.64.
36. Davis absconded from Sparke's property on 10th January, 1837 and from Sydney after his recapture on 21st July, 1838. Bergman, G.F.J., "Edward Davis, Life and Death of an Australian Bushranger", Journal of Australian Jewish Historical Society, Vol.4, pt.5, p.213.
37. Ibid., p.214.
38. Boxall, op. cit., p.82.
39. Ibid.
40. Ibid., pp.82-85.
41. The earlier press reports made no specific mention of the Jewboy Gang, but carried vaguely worded statements.  
e.g. 'a party of runaway convicts', Sydney Gazette, 5th April, 1839  
'a party of eight armed bushrangers', Sydney Herald,  
22nd January, 1840  
Such statements may or may not have referred to the Jewboy Gang.
42. The Sydney Herald correspondent was obviously not aware at the time that Mr. Sparke's assigned servant and Davis were the same man.
43. Sydney Herald, 10th December, 1840.
44. Ibid., 15th December, 1840, 23rd December, 1840, 29th December, 1840.  
The Australian, 26th December, 1840.
45. The Australian, 25th February, 1841
46. Ibid., 25th February, 1841.
47. Ibid., 18th March, 1841.
48. Ibid., 15th December, 1840, 23rd December, 1840.
49. Boxall, op.cit., p.88.
50. Ibid., p.91.
51. Maitland Mercury, 11th February, 1843.
52. Ibid., 18th March, 1843.
53. Ibid., 18th February, 1843.
54. Ibid., 25th February, 1843.
55. Ibid., 29th April, 1843.
56. Ibid., 6th May, 1843.

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