

CALL NOT TOMORROW THINE

Frontispiece:

FREDERICK FISHER: An impression modelled by the author, of what he could have looked like. Based on the physiognomy of a male Fisher who was born about 1849, believed to have been a great nephew of the famous generator of the Campbell Town ghost. When Fisher died photography had not yet been invented.

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The Story of
Frederick Fisher

by
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INTRODUCTION

One hundred and fifty years after the death of Frederick George James Fisher, at Campbell Town, New South Wales, the story of the appearance of his ghost soon following his ferocious murder has ranked among the world's favourite and most persistent yarns of the supernatural. From its beginnings in 1826 in what was then principally a convict settlement, the story spread to other countries, where its ostensible purport that death is no barrier to a soul hungering for vengeance upon a living enemy, assured it a perennial currency.

Within Australia, the controversy which began at the moment the alleged ghost of the missing Ticket-of-Leave convict was reported, has flared up periodically until the present day when scepticism and misrepresentation of even the bare outlines of the original story are perhaps more pronounced than ever.

The absence over a long period of the story's currency of certain vital documentary evidence concerning Fisher himself and subsequently of the circumstances of his death, has permitted development of two camps -- the pro-ghost and the anti-ghost groups. The latter have always tended to be the more vocal, 'proving' from time to time the non-existence of the apparition seen by Fisher's respected neighbour, John Farley, the impossibility of such a manifestation and the certain villainy of the said Farley.

One result of the absence of documentation -- or the non-availability of it for one reason or another -- has been the appearance of a stream of conflicting versions of the story, many of them offering the 'true facts' but none of them doing so. For this reason it has been thought now appropriate to prepare the way for the factual story by presenting a selection of preceding versions, showing the more extravagant falsifications and accretions to the first published meagre account.

With an awakening appreciation of their early history, Australians have begun to hesitate to pass personal papers and old official records to the flames or pulping mills which have devoured so much priceless material. The vigilance of the trustees of the Mitchell Library, Sydney, for example, has brought together a surprising number of papers relating to Frederick Fisher, which for so long have been curiously dispersed. The Dixon Collection and the State Archives Office of NSW have each made a contribution to the story of the personage behind the celebrated ghost. The existence of these papers makes it inexcusable to neglect the opportunity to present to the public reliable details of this tantalising classic.

In the past, difficulties in piecing the story of Fisher together, mainly from the angle of the reported haunting, doubtless arose particularly from the absence of the depositions covering a series of official investigations at Campbell Town in 1826, before and after the discovery of Fisher's having been murdered. It seems to have been expected by most later inquirers that confirmation of the apparitional incident would have been contained in those papers. One promising clue in this writer's search for the truth of the legend was a mention in one of the two journals of the Campbelltown & Airds Historical Society, published in 1948, of the late T.D.Mutch's locating the murder spot with the aid of 'a contemporary drawing'. This drawing was not then to be found in the State Archives, the Mitchell Library or in the Dixon Gallery.

When the writer was about to give up the ^{search} ~~task~~ for this promising drawing, one of the staff of the Mitchell Library helpfully brought forth a box containing a quantity of uncatalogued papers, some of them marked, 'Fisher's Ghost'. They had just been received from the estate of the late Mr. Mutch who had died in 1958 -- several years previously. Mr. Mutch, a former politician, cabinet minister, and at the time of his death, senior trustee of the NSW Public Library, had been greatly interested in the Fisher story. Although the papers were not yet on issue, permission

was given this writer to examine the bequest, it being known how intensively the resources of the Library were being used to pick up the tracks of Frederick Fisher.

The bulk of the papers were old records of the Supreme Court as concerned the trial of Fisher's murderer, and papers from the Attorney General's office of the time, to the archives of which department they have since been restored.

Most important among the papers was a set of 'true copies' of the depositions of the magisterial inquiries concerning Fisher's fate, at Campbell Town. There was also the elusive 'contemporary drawing'. Still other papers included the forged receipt by which the murderer, George Worrall first drew suspicion upon himself. Andrew Lang, the noted author, in 1903 deplored the lacuna in the information available about Fisher, and stated his belief that it was in the missing records that whatever truth there was in the ghost story would be found there. Now, here were those records! We shall see in the course of the story hereafter, what light they throw upon the legend of the ghost.

In what circumstances the papers mentioned came into Mutch's possession, and for what reason they remained for so long out of reach of the public, when in fact they were public records, it is not possible for the writer to say.

To depict Frederick Fisher, George Worrall and the contentious ghost seer, John Farley to present day readers who have been misinformed down the years by a stream of imaginative screeds, it has been necessary to rely upon what their contemporaries said of them, and in the case of Frederick Fisher, to leave the evidence of his own and his mother's letters and the testimony of his associates as to his personality. Fisher's claim to historical distinction does not rest on the famous ghost story alone. The ghost story, it might be said, was a footnote to his life. It is not the writer's fault if the man emerges from the facts as more attractive a figure than today's convict haters can stomach.

In the attempt to survey the career of the ghost story down the intervening one and a half centuries by looking at the more representative samples, it is unavoidable that the outline of the story should be so often repeated. However, this turns out to be unobjectionable as the different versions vary so widely and sometimes contain fascinating inaccuracies and entertaining absurdities. When the true story unfolds it is seen to be more historically interesting than one may have expected. Belated recital of the facts will surely not exhaust the appeal of the story, for it combines both history and philosophy, touching in the latter aspect some of the profoundest enigmas of the human psyche.

The original form, Campbell Town, has been retained throughout in preference to the current Campbelltown, with one exception -- the use of the compound name by one of Fisher's neighbours in a very important private letter. All texts quoted or paraphrased are indicated appropriately as originals in the possession of the Mitchell Library (ML), Dixon Collection (DG), NSW State Archives (SA) and the Public Records Office, London (PRO). Photographic reproductions from the same sources are similarly acknowledged.

My thanks are due to the staffs of the institutions named, for willing assistance. I am also indebted to Mrs. Jean Litchfield, of Nottingham, England, Frederick Fisher's great grand niece, for information about the family background, copies of correspondence extending over almost a century in connection with the Fisher family's ruinous efforts to recover Frederick's estate, which suffered in its passage through the hands of gentleman swindlers employed by the colonial government, only two of whom had the grace to kill themselves. This material is to be found in Appendix One.

C O N T E N T S

INTRODUCTION	MS Page vii
P A R T O N E -- The Making of a Legend	
Chapter 1	1
Chapter 2	28
P A R T T W O --	
Chapter 1 Frederick Fisher, Convict	60
Chapter 2 The Paper Mill	78
Chapter 3 " " "	97
Chapter 4 Betsey and Henry	124
Chapter 5 Frederick Fisher at Campbell Town	150
Chapter 6 The Cheshire Waggoner	172
Chapter 7 Call Not Tomorrow Thine	203
Chapter 8 Worrall Accuses Workmen	227
Chapter 9 Trial of George Worrall	241
P A R T T H R E E --	
Chapter 1 The Three Eyewitnesses	258
Chapter 2 A Chapter of Enigmas	288
APPENDICES	
ONE - The Estate That Disappeared	303
TWO - The Psycho-dynamics of Apparitions	326

I L L U S T R A T I O N S

<u>Frontispiece</u>	FREDERICK FISHER - An Impression	<u>Face MS page</u>
1. Signatures to Fisher's Paper Mill Prospectus		104
2. Portrait of William Brooker		168
3. Remains of storehouse foundations, Campbell Town, 1965		196
4. Fisher's brick building, Campbell Town, 1965		198
5. Where Fisher's tiny spring crossed the old government road (now Queen Street)		199
6. Ground plan, Worrall's farm house		209
7. Sample page, Gurner notes, showing Rev. Reddall's testimony at Worrall's trial		248
8. Portion of T.L.Robinson's text showing sketch of blood stained fence.		267
9. Henry Hayden as an old man		291
10. Town Hall, Campbell Town (1965) close to site of Worrall's cottage		299
11. Where Fisher's farmhouse once stood, Queen Street, Campbell Town, 1965		299
12. John Farley's grave, St. Peter's churchyard, Campbell Town		301
13. Locality sketch, Worrall's farm, based on T.L.Robinson's scale drawing for Worrall's trial		307
14. Spot where Fisher was murdered as it appears today.		319

P A R T O N E

The Making of a Legend

C H A P T E R O N E

1 8 3 2 Six years after the murder of Frederick Fisher at Campbell Town, New South Wales, the first fictional account of it appeared in print. This was in verse, entitled, The Sprite of the Creek; founded on the murder at Campbell Town of a Sherriff's Bailiff named F†

The verse was published in 1832 in a newspaper, Hill's Life in New South Wales, which survived for only a few issues: the verse ran --

TEXT YET

† I am indebted to Miss Nancy Keesing for bring^{ing} to my attention an article in Australian Literary Studies, Vol 3, No.3, 1968, ~~entitled~~ by Cecil Hadgraft and Elizabeth Webby revealing the existence of this verse, three years after my MS had been completed.

1 8 3 5 The world career of the Fisher ghost story began with the publication in England during 1835 of Robert Montgomery-Martin's five-volume History of the British Colonies. Its author had for some time lived in Sydney, practising as a surgeon at Parramatta, presumably whilst collecting material for his History.

In order to describe the remarkable detective abilities of the unspoiled Australian aborigines, Montgomery-Martin recounted in his fourth volume the story of Frederick Fisher's disappearance and the eventual discovery of his body by the aid of natives. The story was merely a footnote and contained none of the names of the persons concerned in the events. The author was careful to state, however, that the story was vouched for by Saxe Bannister, who at the time of the happenings had been Attorney General of New South Wales.

The narrative recorded that a settler, 'a steady, prudent individual' had suddenly disappeared. One night, another settler, when returning home with his horse and cart after attending market,

. . . on arriving at a part of the fence by the roadside, near the farm of his absent neighbour, thought he saw him sitting on the fence; immediately, the farmer pulled up his mare, hailed his friend, and, receiving no answer, got out of the cart and went to the fence; his neighbour (as he plainly appeared) quitted the fence and crossed the field towards a pond in the direction of his home. The next day he went to his neighbour's cottage, expecting to see him, but saw only the overseer, who laughed at the story . . .

The farmer realised he had seen an apparition. His experience soon came to the ears of the local authorities who ordered a search to be carried out by the police, assisted by aboriginal trackers. One of the natives presently discovered traces of blood on the rails

of a fence on the missing man's farm and declared it was the blood of a white man. He then led the search to a creek not far away, and after skimming its surface with a corn leaf, and tasting and sniffing the scum, said he detected the presence of a white man's fat. The aboriginal ~~then~~ tracked to another creek, where an iron rod was thrust into a stretch of mud. After sniffing the rod, the native indicated he believed a body was buried there.

Digging confirmed his opinion: the missing settler's body was revealed, his murder being evident from the injuries to the head. As a result the dead man's next door neighbour was arrested, put on trial in Sydney and later executed. Before being hanged, and after maintaining his innocence throughout, the doomed man confessed that

. . . he came behind him [the victim] when he was crossing the identical rail on which the farmer thought he saw the deceased, and, with one blow on the head, felled him dead -- dragged the body to the pond and threw it in; but after some days, took it out again and buried it where it was found.

There are several serious inaccuracies of detail in the Montgomery-Martin version, which has been the generally-accepted outline down to the present day. In due course they will be clarified. For the moment it is important to note that the aboriginal tracking was not from one creek to another; but from one creek to a depression in a cultivation paddock, where after rain water sometimes lay for a while.

1836 Ten years after the event, the Fisher's Ghost story was still being orally transmitted in the colony with undimmed, if not actually increasing enthusiasm. The year following Montgomery-Martin's astonishing footnote, the haunting was given new impetus by an article which appeared in Tegg's Monthly Magazine, issued by James Tegg, of George Street, Sydney, in March. The authorship has been attributed to William Kerr, said to have been associated with Rev. John Dunmore Lang's Australian College, possibly as a tutor. Kerr was also at times occupied as a journalist. He has been identified with the founding of the Melbourne Argus.¹

It is more certain that William Kerr was connected with the numerous Howe family, free settlers of Glenlee, near Campbell Town, with whom, from the internal evidence, he is indicated as functioning as a tutor about the time of the Fisher case. Probably stimulated by the appearance in the colony of Montgomery-Martin's History with its exciting footnote, Kerr paid a visit to Campbell Town to obtain data for a more detailed version.

In introducing the story, Kerr stated that the principal parts of the story might be relied upon as being strictly true and that 'most of those concerned in the investigation are still alive and can bear testimony for its truth'. Certainly, Kerr should have been in a favoured position to obtain most of the facts at first hand; but in reading his rendition one becomes aware that he was much more concerned with dramatizing than with reporting:

The visitant to Campbell Town must have observed as he strolled through the village, a large unfinished brick building fast mouldering to decay, which seems to have been intended at the time of its erection for a store; its appearance, however, shows that whatever may have been the intention in erecting it, something must have intervened to prevent the accomplishment of the object.

It is now rapidly falling into decay . . . the ruins are not much frequented by the inhabitants of the surrounding cottages. The unfinished building and the land which surrounds it were the property some few years ago of a man named Frederick Fisher, who occupied an adjoining cottage, of which scarcely a trace now remains.

Fisher had been originally a prisoner; He had served his time in the employ of a gentleman in the neighbourhood, and had removed to the town when he obtained his Ticket-of-Leave. Some years previous to the commencement of our tale, he had received his certificate of freedom, having undergone the sentence which had been awarded to him by the laws of his country. He had also soon after he became

free obtained a grant of a town allotment and had commenced the building upon it, intending on its completion to occupy one portion of it as a dwelling house and to convert the remaining part into a store.

Fisher was but a boy at the time of the commission of the offence which had led to his transportation. His relatives, enraged at the disgrace he had subjected them to by his conduct, had taken little notice of him after that period; and as he could put no trust in those whom he saw around him, placed in circumstances similar to his own, he had, consequently formed no friendship which might have enabled him to pass pleasantly his vacant time; his education, also, had been much neglected in his youth by those very relatives who were so liberal of their censure after he had gone astray; it is not, therefore, matter of surprise that his time should have, occasionally, hung heavy on his hands. His own fireside presented few attractions for him; his conduct, since his arrival in the colony, not having been such as to afford him much gratification in the retrospect; the resolutions of amendment he had made whilst in jail and on the passage out, had melted like snow when exposed to the demoralizing influence of the examples set by those around him. Fisher,

like most of his class, flew for refuge from unpleasant recollections to the society which the neighbouring taprooms afforded, and sought for that which he found not at home, in quaffing the flowing bowl.

The necessary consequences of conduct such as this soon became apparent, his business, to which, on gaining ^{his} freedom he had paid strict attention, was now neglected; but instead of endeavouring by exertion, to extricate himself from the difficulties which began to surround him -- he plunged deeper into a life of dissipation, frequenting the purlieus of the tap both night and day. His inevitable ruin became so soon apparent, that his creditors

resolved no longer to brook delay, he was accordingly arrested and lodged in jail, at the instance of one of their number, for a debt of £150.

Although Fisher had been weak enough to allow the bad example of others to lead him astray, he was yet far from having reached that pitch of depravity which many of his associates had attained: although he had neglected his business, and spent in dissipation those means which he ought to have applied to the liquidation of his debts, he had yet sufficient moral principle remaining to shudder, when one of his drunken associates, named Worrall, suggested the expediency of entering into a scheme to defraud his creditors, by making over to him Worrall the whole of his property which yet remained; making at the same time, a private engagement that it should be restored to him as soon as he was permitted to leave the jail. The persuasion of Worrall, who represented to him the ease and safety with which he might thus revenge himself upon his creditors and regain possession of his property without any encumbrance, soon overcame his feelings of repugnance which he had at first felt, and he consented to make a transfer of all he possessed to Worrall, under these conditions.

Mr. P.,² at whose instance Fisher had been incarcerated, finding that he was not the owner of the property he had supposed, consented after some time, to his liberation, as the only means by which he was likely ever to recover the amount of his claim. Fisher, immediately on his release, returned to Campbell Town, exulting in ~~the~~ success of his scheme. About a week after Fisher's return, he left his house one evening with the intention, it was supposed, of resorting, according to his usual custom, to one of the neighbouring gin shops.

Kerr continues that Fisher's non-appearance the next morning was put down to his having been too drunk to return home. Inquiry at his usual haunts -- the inns of the district -- failed to reveal his whereabouts. Worrall, however, according to Kerr, returned from Sydney at this moment and said 'he had accompanied Fisher there on the previous evening and Fisher had sailed early that morning for England, in order to avoid creditors, one of whom had threatened to have him jailed'. This explanation by Worrall put to rest all further conjecture and he was allowed to take possession of Fisher's property upon his producing Fisher's conveyance.

. . . About six weeks after Fisher's disappearance, Mr. Hurley,³ a respectable settler when leaving Campbell Town about 10 p.m. for his own residence, in the neighbourhood, passed Fisher's cottage. The moon was up but there were some obscuring clouds. When about 500 to 800 yards away from the house, he saw a man sitting on the top of the fence on the same side of the road as the house. He approached and was surprised to recognize Fisher, whom he had supposed was on his way to England.

'Hurley,' Kerr averred, made towards the figure 'with the intention of assuring himself that he had not been deceived by a fancied resemblance;'

. . . the ghastly appearance which the features presented to his view . . . struck such a chill of terror to his heart as chained him motionless to the spot. The figure, as he gazed, rose from the fence, and waving its arms pointed in the direction of a small, dry creek, which crosses the paddock at that place . . . and then disappeared.

The terrified 'Hurley' made for the nearest house, at the door of which he collapsed, his head striking the door and arousing the inmates, who brought the unconscious man inside,

. . . where he lay for a whole week in a delirium of a

brain fever. The frequent mention of the name of Fisher in his ravings, attracted the attention of those who attended him . . . his known character for sobriety, as well as the testimony of those who had parted from him only a few minutes before, forbade the supposition that it had been caused by drunkenness.

The unfortunate man regained full possession of his senses on the morning of the ninth day after his Strange experience and asked that a police magistrate should be brought to him. William Howe, then Superintendent of Police for Campbell Town and surrounding districts, and himself a magistrate, arrived in due course and heard 'Hurley's ' story and of his suspicion that Frederick Fisher had met with foul play. As soon as he was able to leave his bed, 'Hurley', raves on William Kerr, together with Mr. Howe and some constables and an aboriginal tracker named Gilbert 'went to the place where the apparition had been seen'.

As in the Montgomery-Martin version, the next part of Kerr's narrative describes the tracker's locating of the body. Worrall was duly arrested, tried and sentenced to death. Before he 'expiated his crime on the scaffold . . . imploring with his last breath the forgiveness of his Maker', the murderer confessed to having trailed Fisher on the fatal night, knowing his habit of walking alone in the evening, and then having killed him with a fence rail while he was leaning deep in thought against a fence. The motive, of course, had been to obtain possession of the property which Fisher had earlier made the subject of an agreement with Worrall.

It is amazing that William Kerr who could give the meteorological conditions at the time of the murder, ~~with~~ with unrivalled opportunities to secure the truth from principals he knew quite closely at Campbell Town, managed only to produce a tissue of frantic inventions. He does not even have the correct name of the man who saw the apparition, although in fact, at the time Kerr was ferreting out particulars for his weird concoction, John Farley,

who claimed to have experienced the apparition was in partnership with John Hurley conducting a hotel only a stone's throw from where the inimitable Kerr was ruminating at the opening of his yarn. Also, his own then, or erstwhile employer, William Howe, of Glenlee, could never have furnished Kerr with such twaddle.

Unfortunately, Kerr's mishmash had influence upon later versions.

1 8 5 3 Charles Dickens was not a man to ignore a ghost story, and in 1853 he published in his magazine, Household Words, John Lang's fictionization of the Fisher ghost story, under the title, The Ghost Upon the Fence. (See under 1859)

1 8 5 6 Thirty years after Fisher died, the story of the apparition was circulating about the English-speaking world with great success. The French, however, with a great ghost lore of their own were evidently avid for stories of foreign ghosts. In March, 1856, the Parisian magazine, L'ami de la Maison published a two-part version. Although the editors took the precaution of changing the names of the principal personages, nothing could hide the fact that it was the Fisher story at it again. Fisher's name was changed to 'Hardy', Worrall's to 'Brush', and the aboriginal, Gilbert became 'Goosey Carrow'. The text appeared under the title, L'Esprit -- Une Cause Celebre en Australie! The two sections were lavishly illustrated with line drawings. Campbell Town, as background of the spectre was rendered exotically and much like the Tahitian landscape, lofty pinnacles rising in the distance, reminiscent of the Diadem of the romantic isle, and an ample garnish of coconut palms.

The apparition of Fisher, playing the role of 'Hardy' stood arms folded and stern-visaged before a dainty wicket fence, as unlike its Australian original as could be imagined. The aboriginal's discovery of blood stains on a fence is grimly recorded:

. . . posa son doigt velu sur des taches brunes en dit: Sang d'homme blanc! (placed his hairy finger on

some brown stains, saying, 'White man's blood!')

Gallic realism is kept under control in one illustration showing the murdered man's body -- completely disinterred -- lying upon the ground, classically handsome in its nudity, except for the intelligent drapery which avoided any risk of Et Ami de la Maison being shown the door for good and all. The text strongly suggests that the editors, Messieurs J. Etienne and Desieux vamped up the story from sources of their own, or the imaginative John Lang had thought to expand his literary fame beyond the confines of the ultra respectable Household Words of London. 'Brush' [Worrall] it is shown, makes a last minute gallows confession:

. . . lui seul avait assassine Hardy d'un coup de tomahawk, et cela sur la barriere meme qui separait ses champs de la route de Sydney, a l'endroit ou le spectre etait apparu. (He alone had killed Hardy with a blow from a tomahawk on the same fence which separated his fields and the Sydney road, where the apparition had appeared.)

1859 John Lang, mentioned earlier, had a tenuous connection with the events which were to make Campbell Town a name familiar to ghost story lovers throughout the world (if only because from version to version one could not be certain why, with what weapon, where, by whom the unlucky Fisher would be struck down, or under what alias the percipient of his apparition would scare the daylights out of the populace).

Lang was a barrister and a protege of William Charles Wentworth, a noted public figure in the colony during the 1800s who was personally acquainted with Frederick Fisher as will be shown. Lang had gone to school for a time at Campbell Town with the son of James Norton, leading solicitor of Sydney who also was personally acquainted with Fisher.

When John Lang came to adulthood the story of Fisher's ghost was still enthralling the Australian colonists. He had heard it

many times himself, not least from his school chum, James Norton the Younger, a future lawyer, whose father had such a close link with the leading figures in the story.

Lang eventually went to England and wrote stories. In the Fisher ghost he found attractive material; but with unnecessary caution he worked out a story based upon the original events as he recalled stories of them, changed all the names, localities and other details, until finally he could present it as more invention than fact, and admitted it to be so. His first having appeared in Household Words, it was next included in several collections of his stories under the titles, Clever Criminals, Botany Bay, Remarkable Convicts, and since the ghost story was the piece de resistance, simply as Fisher's Ghost. These books date from 1859.

In spite of the great pains taken by John Lang to make sufficiently plain his imaginative treatment of the Campbell Town events, mere resemblance to the original happenings has deceived readers for decades into accepting the Lang creations as factual. Even today, many people recounting the legend follow the lines of Lang's fiction as though it were truth.

'The names, dates and localities have been so altered that to all intents and purposes they form merely a work of fiction', Lang warned. But what about the events themselves? He names Frederick Fisher, 'John' Fisher; Worrall becomes 'Edward (Ned) Smith', a prosperous farmer; John Farley become 'Old David Weir', a poor farmer; Gilbert, the tracker, emerges as 'Johnny Crook'; Rev. Thomas Reddall becomes 'Mr. Cox', a magistrate of Mulgoa; the location of the drama is given as Penrith, on the Western Road.

Not surprisingly, the murder weapon becomes a tomahawk. Lang's reason for the sudden evanishment of Fisher is that he wishes to avoid the designs of a woman determined to marry him. David Weir, who sees the apparition of the missing man, is warned by his wife to keep silence for fear of what the rich and influential 'Smith' might do to harm them.

Lang departs from the usual general lines of the story to make the ghost appearances an even stronger element; thus ~~the~~ Weir, accompanied by a newly-sworn constable who has accepted a lift on the old man's cart, meets the apparition at the place where he first sighted it. But for good measure, the passenger ~~also~~ sees the spectre of Fisher, which startlingly enough in any circumstances (known or unknown to parapsychology) Weir addresses civilly as 'Mr. Fisher', and after its fading, notches the fence at the roadside where it had been seated, as a thoughtful precaution against future dispute.

Second viewing of the apparition moves Weir to inform Magistrate Cox that he fears Fisher has been murdered, and in the ~~old~~ established tradition, the police search, now with the aid of 'Johnny Crook' and led by the valiant magistrate himself, is crowned with hideous success.

Again, the normal course of justice is followed, except that there is the complication that a man answering Fisher's description, had (red herringlike) actually left the colony per ship at the relevant date. Also, a solicitor had been found who had made out a formal transfer of Fisher's property to 'Smith' who, meanwhile, had managed the missing man's affairs faultlessly.

All this, as the story goes, tends to induce some residents of the district to believe the body found was not Fisher's at all, but that of a man whom 'Weir' himself had murdered. As the victim was found wearing Fisher's clothes, the mystery deepened. Other people in the neighbourhood would have it that Fisher had been killed and robbed of his papers by someone who had escaped to England by impersonating Fisher, leaving 'Smith' as his dupe. The web of complications carried for many readers a degree of plausibility. It is only when the yarn reaches the point at which 'Smith' comes to trial that anyone having knowledge of the legal processes of the 1820s would begin to question the authenticity of what Lang had presented.

At the hands of Lang, 'Smith' comes to trial before the Chief Judge, conducts his own defence and cross-examines witnesses 'with

wonderful tact and ability; and at the conclusion of the case for the prosecution, addressed the jury at considerable length and with no mean amount of eloquence'.

The esteemed trial judge, 'the last man in the world to believe in supernatural appearances', summed up in the prisoner's favour; but ~~as~~ a perverse jury, composed of members of the military forces, found 'Smith' guilty and the death sentence was passed.

A hastily organised petition to the Governor seeking a reprieve for 'Smith', having the support of a recommendation by the judge, led ~~to~~ the Governor ordering a reprieve, to be [unaccountably] withheld from delivery until within one hour of the time fixed for the execution. The author even forgets this little complication in the excitement of describing the hostility of the citizens of Sydney awaiting the public hanging, who yell that 'Smith' is being murdered and that Weir is the guilty party.

It is not until the evening -- 'Smith' having been executed early in the morning (notwithstanding the reprieve) -- that the angry citizenry are astonished to learn 'Smith' had made a last-minute confession to the Rev. Mr. Cooper (alias for Rev. William Cowper) that he had plotted for two years to kill Fisher in order to obtain his property. He had been assisted by a former convict who closely resembled the murdered man, and whose role it had been to forge the power of attorney and then go to England from whence he wrote a letter to further the imposture.

A wistful touch is added to the condemned man's confession, which asserts that he himself had been haunted by the ghost which old 'David Weir' had truly sworn he had seen sitting on the fence rail. Fisher had been slain by a single blow of a tom ahawk.

The extent of the influence of John Lang's story upon the legend for decades to follow may be decided by the reader for himself when all the known facts have been stated. It should be remembered that when the ghost story came into being the colony was in a primitive state. There were no public libraries; newspapers were expensive -- one shilling per copy -- and circulated among wealthy

settlers or government officials. News stories were liable to contain many errors of fact, glaring examples of which will be seen in the actual history of Fisher. The archives of the colony were maintained in a slipshod manner, often in flimsy buildings to which rain gained ruinous access.

As an indication, on February 10, 1826, the police office at Liverpool -- a township senior to Campbell Town -- complained that the courtroom had neither desks nor other means to secure the records of the court, 'which are necessarily kept by the Clerk at his private dwelling'. (SA)

Campbell Town, 34 miles from Sydney, was something in the nature of an outpost, it generally taking a day to make the journey by coach. Events in Sydney were usually transmitted by word of mouth, and vice versa, with inevitable garbling. Under these conditions it was difficult for people to get at the truth of stories set in circulation verbally. By the time John Lang began to make capital out of Fisher's ghost, few cared to go to the trouble to check to what extent his story bore upon the facts. As late as 1954 Lang's ~~melange~~ seems to have been found acceptable as a genuine historical document.

Such misconceptions are exploded when it is known that in the 1820s an accused person under trial was not permitted to speak in his own defence (whatever his tact and eloquence!) as was the custom in benighted England whose notions of justice would prevail in the Australian colony. Allusions to supernatural agencies were not admitted in evidence, having received their deathblow in witch trials of an earlier time. On these counts alone, Lang's story of Fisher's ghost is the more prudently regarded as merely an entertaining yarn.

1 8 6 5 There was now no stopping the onward course of the Fisher legend, which gained publication wherever editorial nous detected a reader interest in the supernatural. It would be another thirty years before any quasi-scientific body would appear in England to inquire into and classify the types of phenomena reported among all peoples from the remotest historical eras, of which apparitions seemed to form a major class. Interest among people who had scarcely been touched by the appeal of religion or who had rejected generally unintelligible forms, remained vivid.

Ghosts were acceptable even though they were then inexplicable, because they suggested a mysterious sort of indestructibility of personality - something which many liked to feel. The respectable Chambers' Journal joined the throng of Fisher's Ghost fans during 1865, when it published Ghosts in Australia. Possibly it had been thought until then (as some think to this day) that Australia was far too young a country to be endowed with ghosts; that only great age and decrepitude generated the elements of the 'supernatural'.

1 8 7 5 But whatever the degree of ease with which distant peoples accepted Australia's premier ghost story, the old Biblical prejudice, that no good could come out of Nazareth, was harbored by Australians themselves, some of whom were vehemently opposed to such nonsense as ghosts, spectres, apparitions, or whatever the deluded chose to call them. Controversy broke out with notable regularity on the topic of Frederick Fisher's ghost; and the more eminent a person might be in a particular field, the more fitted he supposed himself to be to pontificate in other fields where lack of documentary evidence or insight favored his impertinence.

For even yet, the facts about the Fisher case were hidden except to a few aged Campbell Town residents, and the legend (apart from the many, varied and even conflicting public versions) was extremely tenuous.

Among those who decided he was in a position to judge for the rest of the world, was the Australian journalist and novelist, Marcus Clarke, famous principally for his story, For the Term of His Natural

Life, based upon the horrors of the early convict settlements in Tasmania and New South Wales. Clarke was opposed to the legend of the ghost, and his failure to give his prejudice the support of evidence, does not entitle him to serious notice concerning the subject. His objection appeared in the Australasian on August 14, 1875, which journal in the issues of the following week found two challengers to Clarke's views, under the pseudonyms of Antiquus and Old Chum. They asserted they had questioned persons who had been resident in Campbell Town at the time of Fisher's death and found that no one doubted the reality of the ghost claimed by Farley to have been seen by him.

These affirmations do not constitute evidence, but they keep the topic alive against the time when the whole question might well be considered in the presence of adequate documentation or at least, new ways of thinking.

1883 The next major consideration of Fisher's ghost was contained in Volume 2 of C.W. Rusden's three-volume History of Australia, which appeared in England in 1883. Now, for the first time, a historian made an effort to consult the sparse available records, Rusden's prime interest was in the evidence concerning the part played by the ghost, and he claimed his notes were based upon those of the trial judge, Francis Forbes. The trial notes, however, made no mention of evidence about a ghost, 'which, although it led to the search for Fisher's body', said Rusden, 'could not be alluded to in a court of justice, nor be adduced as evidence'.

Rusden's account is substantially based upon notes of Worrall's trial made by the Clerk of the Supreme Court, John Gurner. Those notes are sketchy and lack important dates. In several instances the names of witnesses are grossly misspelled so as to barely resemble the correct names. The copy of the notes at present in the possession of the Mitchell Library appears to have been made after 1837 by some negligent clerk, who among other errors, set down the trial judge as being 'Sir' Francis Forbes, ten years before the knighthood was conferred, i.e., ten years after the trial of Worrall.

Rusden places the apparitional event in October (1826) and the point at which Farley perceived it, 'about 50 yards [rods] from Worrall's house'. Again is met the information that Farley's story was told to a magistrate as a preliminary to a police search being instituted. This point is of importance because the ghost factions dispute continuously over whether the apparition reported by Farley was reported by him before the search for the body took place, and hence could have been a factor in its being found; or was reported (or invented) after the body was found.

Rusden clearly obtained no guidance from the only documents he could consult, and it is a matter of surmise what his source might have been when he related the story in its general form: he says,

The Campbell Town ghost story, like all others, was garbled in narration. I have corrected current rumours by comparison with the words of a trusty informant, a medical man, who lived long in the neighbourhood, and attended Farley on his deathbed.⁴ He had often conversed with Farley on the subject of the reason which scared him. Nothing was ever elicited to account for the vision which Farley described, or to suggest that he previously suspected foul play on the part of Worrall or others.

The care exercised by Rusden did not prevent his including the error that Frederick Fisher possessed a conditional pardon.

1887 As in all times, the merest suggestion of the mystical is a goad to a particular tribe of noodles who labour under the delusion that they are the fount of logic. They are insensible of the fact that logic can be applied only to the known; and that their own lack of knowledge on any subject disqualifies them from pronouncing judgements thereon.

Of this tribe, W.H.Suttor, member of the Legislative Council of NSW entered the Fisher's ghost fray in 1887 with a slim book, Australian Stories Retold, in which he observes,

. . . It is stated that a man named Farley, leaving Campbell Town one night, with probably some grog aboard, having parted from his boon companions, returned to them, appearing in a frightened condition, with a statement that he had seen the Ghost of Fisher at the slip panel leading into the paddock at Fisher's house, and that the appearance had pointed to the paddock. The Ghost was dressed in the ordinary everyday garments of the period -- in fact, in Fisher's clothes. There can be no doubt whatever that Fisher's clothes and body were at the very time under the ground, and rapidly becoming in a very decomposed and unrepresentable and (with regard to the clothes especially) very rotten condition.

If the Ghost really wore Fisher's clothes, one wonders how such an insubstantiality could support their weight, unless, indeed (but this is too funny or too dreadful to contemplate), clothes -- material clothes -- may be sublimed or spiritualised, and be invested with a future existence. (In this condition, will they wear out?) . . .

It is a consolation to know, at all events, that in spiritland decency at least is ~~strictly~~ preserved.

But may not one seek for a rationalistic theory to account for this Ghost? The Ghost is not reported to have been seen until four months had elapsed after the murder. It did not appear until those who knew Fisher became perfectly satisfied that he did not leave the colony, and that Worrall's statement about him must be untruthful.

It is proved that the night he was missed he left a public house in company with several persons. None of these seem to have been called at the trial. It is most likely that others knew of, if indeed they did not participate in, the murder. What had been done had probably been known to or discovered by Farley and he then invented the whole story to ease his conscience of a burden too

heavy to carry any longer.

This gave the clue which, when followed up, led to the finding of the body. The neighbours who were of the same class with Fisher and Worrall were not likely to have been deceived by Worrall's lies. They were probably too loyal to one of their number to state openly what they knew. The blood on the fence, the attempt to burn it out [see later] most surely was known to some of them.

Other theories suggest themselves, but I venture to think that the above is most likely to be the correct one.

It has been suggested that the story of the Ghost having been seen at all was a mythical growth of a later day. In contradiction to this idea, I have the authority of a correspondent who was intimately connected with the gentleman who had charge of the police in the district where the murder was done, to the effect that Farley's story did suggest the search for the body in the creek. But even so, this does not prove that Farley saw a ghost, but rather strengthens the solution given above.

Thus, the legislative mentality of the time. In practically every assertion Suttor is wrong. No 'proof' was ever adduced that Fisher attended a public house in company with others on the night of his disappearance. All the evidence -- when we come to it -- goes the other way.

1892 W.T. Stead, the famous English journalist, editor and Spiritualist, who later lost his life in the sinking of the Titanic, was attracted to the Australian ghost classic from having read Lees' Glimpses of the Supernatural, published in the 1850s. Stead wrote to Australian journals in the hope of securing the facts of the Campbell Town story, but with what results it is not possible at this stage to state.

In that year, however, controversy was still lively and had the effect of bringing into publication in the Sydney Daily Telegraph

a letter by James Norton, the younger, son of the James Norton, solicitor, who had been contemporary with the principals in the affair, some of whom had been his clients. The younger Norton had meanwhile succeeded to his father's large practice, had been (as already stated) a schoolfellow of John Lang, the barrister-novelist, at Campbell Town.

At the time of Fisher's death, James Norton II had been only two years old; so at the time of his writing to the newspaper he was 68 years old. He recalled that in later years he frequently heard his father tell the Fisher story, John Farley having been one of the elder Norton's clients. It is noted that Norton provides a few variations of detail as compared with previous accounts:

[Farley], supposed to be drunk, was found lying on the bridge over a branch of the Bunbury Curran Creek. On his coming to his senses, he informed his friends that as he was crossing the bridge he was astounded to see his friend, Fisher, sitting on the handrail of the bridge, and he, of course, greeted him in a friendly way, not a moment doubting that it was Frederick Fisher in propria persona.

Instead of returning the greeting, the supposed Fisher, by an easy gliding motion left his position and proceeded down the creek, beckoning Farley to follow, but the terrified man, convinced that the appearance was supernatural, fainted from fright.

Great excitement was created by Farley's story, which presently came to the ears of my father, who happened to be Farley's solicitor.⁵

Of course, many people laughed at the story as ridiculous, and said that Farley, instead of fainting, had dropped down dead drunk, and some, afterwards, even hinted that he had a hand in the murder,⁺ though this was extremely unlikely, as he was a quiet and respectable man, and no circumstance was known which could throw reasonable suspicion upon him.

+ Norton Snr had heard the story long before murder was suspected.

As week after week elapsed without any steps having been taken to bring the supposed murder to justice, my father, who had become greatly interested in the matter and was a personal friend of the Attorney General (Mr. Saxe Bannister) insisted on some effort being made to unravel the mystery.

[It is desirable here to interpolate that Norton senior did not write to the Attorney General concerning the story of the apparition, but on other grounds for an investigation. In another place, Norton II is specific about the ghost and the time element.]

A reward of £20 was offered, and the constable at Campbell Town [was] directed to search for Fisher's body, upon which he obtained the assistance of two blacks, and commenced work at the bridge where some blood was found on the rail, though an attempt had been made to burn the stain out.

From that point, James Norton II's version proceeds along the usual and generally factual lines, covering the methods of Gilbert the tracker and his fellow aborigine, followed then by Worrall's arrest, conviction and execution.

Although James Norton I was probably the narrator's authority for the claim that there was some excitement 'created by the supposed insufficiency of evidence' upon which to convict Worrall of murdering Fisher, there is no reason to doubt its truth, since the large convict population was extremely sensitive to the shortcomings of English justice. It can be seen where John Lang derived his dramatic touches from leading to the incident of the demand for reprieve. But, says James Norton II, the apprehensions of the populace quietened when it became known that Worrall confessed his guilt before going to the gallows. Both Nortons seem to have considered Worrall's final confession as to the killing being accidental, to be false. Norton II concludes:

I learned most of the foregoing facts from my father, who often related them, and on my going to school at

Campbell Town in 1841 the ghost story was still current. I have often seen and indeed sat upon, the rail which *the* Ghost had occupied, and traced down the creek and examined the place where the body was found . . .

The story as told by my old schoolfellow, John Lang is full of accidental and intentional variations.

It probably has been noticed that until the Norton version, each account states that Farley saw the apparition sitting on the fence by the roadside. What then is the significance of the Norton variation -- of its being perceived at the rail of the creek bridge over which Farley had to pass? Two problems are contained in the contradiction. Which 'creek' was being referred to; and if the apparition was located in the vicinity of the bloodstained rails, how could Fisher have been safely beaten to death beside the public road, and the traces go undetected for four months? Plainly, two locations are confused.

An Australian author of historical stories, W. Astley (nom de plume, Price Warung) on March 4, 1892, joined in the controversy with a letter to the Sydney Daily Telegraph stating his belief that the man who claimed to have seen a ghost of Frederick Fisher was guilty of complicity in the murder.

This was an example of the attitude persisted in during successive decades by a headstrong minority in defiance of the historical fact that Worrall confessed his guilt, as Astley should have seen in the Norton Correspondence.

1898 The evergreen appeal of the Fisher apparition could not fail to appeal to freelance journalists as a profitable topic to be hashed up periodically without the drudgery of research. Prejudice was crystallized by this as regards the culpability of certain persons, and there seemed no longer any need for fossicking after gleams of truth. People liked the idea of the ghost, anyway, however it was served up. Even more, they were enchanted with the notion that a wronged soul had power momentarily to triumph

over death to see justice set in train, which gave one the feeling of having a fair thing in reserve. It could have been disconcerting to more sensitive individuals to note that ~~but~~ some versions were intent upon showing ~~that~~ the ghost was grossly mistaken about who did it and where. There were those too, who saw in these discrepancies ample 'proof' that the apparition was a delusion or a deliberate lie.

George Burnett Barton, who wrote an article for a Sydney newspaper during 1898 appears to have performed more than the usual amount of research. Not content with the trial notes, he evidently scrutinised the colonial Press of the period. Accordingly, Barton brought to light particulars unappetizing for the calumniators of John Farley who merely saw a ghost, or believed he had done so. Worrall's conduct after Fisher disappeared, his attempts to sell some of the absent man's property, a receipt promptly recognized by Fisher's neighbours as a forgery -- all are mentioned. He showed too that Fisher's acquaintances were perturbed by Worrall's making free with another's goods, notwithstanding that Worrall was popular and respected.

Barton traverses the events leading to the Governor offering a reward for information as to the fate or whereabouts of Fisher, after James Norton and Daniel Cooper ^(a prominent Sydney Town merchant) had put their heads together to have matters investigated.

But Barton, after reporting that a search at Campbell Town swiftly followed the offer of ~~a~~ generous ~~a~~ reward, states positively that the search was unsuccessful and that it was not until a month later that Farley saw the apparition, an estimate which would place the percipience close to the finding of the body -- October 25 (1826). The official facts do not support it. Evidence from private sources to which we shall presently come, makes good ~~some~~ deficiencies in official records, and shows Barton's calculations to be faulty.

Barton's authority for stating some details is difficult to ascertain. Of these details, we read that Rev. Thomas Reddall

to whom William Howe led Farley, heard him sympathetically and took from him a deposition. Reddall, according to Barton, warned John Farley not to speak of the apparition abroad. Again, it is difficult to ascertain Barton's sources for the statement that Reddall personally acquainted his fellow magistrates with Farley's story at the next meeting of the Bench; and that although some of the magistrates were inclined to ridicule Farley's claim, they concurred in issuing an order to the police to make a careful search from the spot at which Farley said he observed the spectre, and to follow a course in the direction in which he thought it had pointed.

The site of the apparition in this version -- the junction of paddocks belonging to Fisher and Worrall -- is vague, since both men's paddocks come together on either side of a party fence hundreds of yards long. Since Farley was passing along the public road when he saw his vision, it follows that the point at which the apparition was seen by Farley would have been beside the road, ~~but~~ where the party fence started. Barton's references to Farley's making a deposition to Magistrate Rev. Reddall may have been pure speculation. Against this, it occurs in other places, though it never gains official cognisance.

There are no notable departures from the tradition in Barton's account of the arrest, trial and execution of Worrall, although in due time it ^{would} be shown that the circumstances which led immediately to the search after long frustration, ~~were~~ were certainly far different from what ~~was~~ ^{would} be popularly supposed. Barton reports Worrall's attempt to shift the guilt onto four of Fisher's workmen, and in so doing demolishes Suttor's slighting allusions to local loyalties. Even if Barton is in error in timing, and quotes wrong dates such as those of the finding of the body and the coroner's inquest, at least the story which had been as vague as the ghost itself to some minds, began to reveal itself as having a good deal of 'substance'.

Whether or not Barton then was unconsciously reflecting

John Lang's fictionising, his own version becomes touched here and there with variations from the usual pattern of the story. Otherwise, how could Barton describe the execution scene, Worrall's demeanour, and a statement in his gallows confession which has no documentation as far as the present writer can discover. After having mortally injured Fisher by accident in hurling a fence rail which he found lying on the ground, Worrall, according to this narrative, found that Fisher was not dead and that he remained with him until he died. Rev. William Cowper to whom Worrall confessed in the shadow of the noose did not include any such particulars in his report to the Sydney Gazette immediately afterwards.

N O T E S

1. William Westgarth in his book, Early Melbourne (1888) refers to one William Kerr, founder of the Melbourne Argus, who was a close friend of the Rev. J. Dunmore Lang, of Sydney, during the early years of the nineteenth century. Kerr sold his little newspaper and became town clerk of Melbourne in succession to its first town clerk, John Charles King. Kerr lost his position through negligence in connection with the ~~town~~ accounts. Never robust, his health deteriorated. Eventually, he obtained employment on the Victorian railway. About the time Kerr wrote the story of Fisher's ghost for Tegg's Monthly Magazine, he was also writing for The Colonist (Sydney).
2. Fisher was never imprisoned on a petition by a man whose name began with the letter 'P'.
3. John Hurley played no part in the history of Frederick Fisher. Some years after the death of the latter, Hurley became partner with John Farley in conducting the King's Arms Hotel, Campbell Town, and in running a coach service carrying mails and passengers to Sydney. After the death of John Farley in 1841, ~~and~~ his wife Margaret ^{had taken} over her husband's affairs, Hurley became licensee of the Royal Hotel, Campbell Town, and remained so until 1853. Hurley is interred in St. John's Catholic cemetery. Farley, who was 67 when he died, is interred in St. Peter's churchyard, Campbell Town.
4. J.K.Chisholm.
5. The testimony of the younger Norton is crucial among the unofficial data concerning the apparition of Fisher, and its precision leaves no doubt that it was verified from the elder Norton's papers. Otherwise, Norton II, when relying on his memory, much later, goes astray.

The elder Norton was solicitor and confidant of John Farley. This is apparent from the fact that he could relate

to his son and successor the story of Margaret, Farley's second wife.

Farley came from Newgate Gaol for trial in company with his wife, Eliza, at the Old Bailey on December 5, 1810. They were charged on two counts of stealing:

1. Goods and 53/- in money from James Williams; and goods and 18/- in money from John Adamson, at the dwelling house (lodging rooms) of James Williams.
2. Stealing goods and £3 from John Canning; and goods and 14/2d. from John Ballard -- the latter items being the property of Thomas Brown.

John Farley pleaded guilty. He was acquitted on the charge of stealing from Williams, but was found guilty otherwise and sentenced to be hanged. Eliza Farley was acquitted on both counts.

With sixteen others condemned at the same hearing, John Farley had the royal mercy extended to him in the form of commutation of the sentence of death to transportation for life. (PRO)

Farley arrived at Port Jackson per ship Guildford in 1812, and before long his blameless conduct had earned him Ticket-of-Leave, followed by Conditional Pardon and finally, Absolute Pardon. By industry he amassed wealth, being particularly successful as a farmer in the Campbell Town district. In due course he received a grant of land on the Appin road. All reliable accounts agree that Farley was a popular and valued citizen, a staunch and fearless upholder of communal order.

During his exile from England, his wife Eliza died, and John Farley was left free to re-marry in the colony. His choice was a younger woman who appears to be identical with the Margaret Chuttleborough appearing in the convict indents of female transportees per ship Minstrel in 1812. At all events, Margaret Farley is entered in the NSW Census of 1828 with identical particulars, her age then, 35 years, being con-

sistent with her history related by the younger Norton as derived from his father.

Margaret Farley's story tells that as an 18 year old country girl she found employment with a Jewish family in London. A friendly and willing worker, Margaret helped the household cook above the duties she herself had to perform, and one day was rewarded by the cook with a roll of satin ribbon. The girl delightedly trimmed her bonnet with the ribbon, thus attracting the interest of her mistress who wished to know from whence Margaret had ~~acquired~~ it, as she had herself lost a roll of such ribbon. Having frankly admitted having received it from the cook, Margaret was astounded when the cook denied having given the rose-coloured ribbon to her.

Margaret was arrested and put on trial for stealing, and sentenced to be hanged. Some spectators at her trial were so appalled by the savagery of the verdict, believing her to be innocent, ^{they} set to work to influence the authorities to reduce the severity of the sentence. Many weeks elapsed during which the girl lay in gaol wretchedly expecting day by day to be taken out to the gallows. But her unknown benefactors were finally successful and the death penalty was commuted to transportation for life.

John and Margaret Farley had no children; and at John's death in 1841 Margaret was his sole heir. Officialdom did not relent towards the inoffensive woman until John Farley had been dead a year. Then, presumably because of her affluence, the prevailing social virtue, she was pardoned. Margaret carried on John's hotel interests for a time, but presently faded from the historical record. (Principally based on the younger James Norton's story in the Sydney Daily Telegraph, March 15, 1892).

PART ONE

C H A P T E R T W O

The Making of a Legend

The remarkable extent to which John Farley's story of seeing an apparition of Frederick Fisher caught the fancy of people in various parts of the world, and the volume of criticism directed towards it by the forces of 'common sense', coincided with the opening of an era when human thinking was undergoing tremendous changes before the onslaught of scientific -- but as yet also a little rabid hostility to 'superstition'.

On the basis of a few outstandingly useful discoveries, a furore of rationalism mounted, confident of putting all supernatural balderdash into everlasting limbo. As it happened, these reformatory forces were not clear in their own minds what they or anyone else meant by 'supernatural', even when they were as one in regarding most of what they disagreed with was superstition. Some of them were so intellectual they could not think, or think far enough along lines of theory wherein to a point they were doing pretty well. And they were supported and admired by that large conservative horde, of whose extraversion the rising psychologist, Carl Jung would analyse as those who do not think, but only pass judgments.

Centuries past had yielded an immense quantity of diverse psychical phenomena which had even then the aroma of witchcraft, sorcery and deviltry which the thick odours of burning human flesh and livid ecclesiastical faggots of centuries had not been able to terminate. And it was still proliferating. With the growth of scientific interest in the phenomena -- certainly with a half-sceptical expectancy of tracing all claims to natural causes misinterpreted by hysterical people -- psychical studies opened up. Even brilliant minds would glance at the psychological data, sometimes judging them by criteria which had nothing to do with psychology; but on the whole anxious to seize upon the truth.

The Society for Psychical Research was founded in London in

1882 for the purpose of investigating the strange stories which were reported among all classes of persons in all countries. Within a relatively short time, considering the magnitude of the task, it had completed its major enterprise, the Census of Hallucinations, after which it was never again quite safe for anyone to say there were no such things as ghosts, or that premonitions, dreams, etc. could be without veridical basis. One development from the Census was a useful theory of the nature of apparitions, and the drawing out of the categories of apparitional qualities, by G.N.M. Tyrrell who gave thirty years study to the project. It became possible to show that a ghost could belong to the category of apparitions without an apparition necessarily being a ghost. This was a long way from the common hazy notions of what constituted 'supernatural' because all the elements of apparitional and ghostly behaviour curiously duplicated the ordinary behaviour of living people.

1903 Among those who studied the subjects which fell under the headings of the new psychological research, was Andrew Lang, English writer. He had learned of the Fisher ghost story and as early as 1897 wrote of it in Blackwood's Magazine, always good for a touch of the supposedly supernatural, one way or another, since it was a line with an eager public. Lang again told the story in the Monthly Review, under the title, The Truth About Fisher's Ghost. The same article was incorporated in his book, The Valet's Tragedy & Other Stories (Longmans Green & Co., 1903).

Andrew Lang was no prey to convention, and the Fisher story -- or rather, Farley's story -- would receive from him an intelligent and analytical consideration. He went to the trouble to enlist the help of the then Chief Justice of New South Wales and the Countess of Jersey, wife of the reigning Governor of the same State, hoping to gain some facts about the legend.

'Everybody,' Lang wrote later, 'has heard about Fisher's Ghost. It is one of the stock yarns of the world . . .' But he too, was confronted with the problem which had beset earlier

enquirers -- serious lack of documentation, not only of the ghost incident, but about the whole history of the murder of Fisher and the official investigations which attended it. The court notes of the trial of George Worrall were insufficient to satisfy Lang, as they had failed to satisfy others who felt they must test the integrity of the legend, and expected it to be found in court depositions. The public, which accepted the story throughout succeeding decades might have looked upon it as a nebulous trifle possessing a remarkable degree of persistence, however deeply it touched secret hopes for meaning. Andrew Lang probed:

. . . Now if the yarn were true, it would be no proof of a ghost . . . the story . . . might be explained as an excuse for laying information against the overseer [Worrall] already suspected on other grounds. But while this motive might act among a Celtic population, naturally credulous of ghosts, and honourably averse to assisting the law . . . it is not a probable motive in an English Crown colony, as Sydney then was.⁺ Nor did the seer inform against anybody.

Moving on to the trial of George Worrall, Andrew Lang says:

Not one word is printed about Fisher's ghost; but the reader will observe that there is a lacuna in the evidence, exactly where the ghost, if a ghost there were, should have come in. The search for Fisher's body starts, it will be seen, from a spot of Fisher's paddock fence, and the witness [Constable George Luland] gives no reason why that spot was inspected, or rather no account of how, or by whom, sprinkled blood was detected on the rail. Nobody saw the murder committed . . .

Chief Justice Forbes said in summing up . . . that the evidence was purely circumstantial. We are therefore so

⁺ Campbell Town had a large proportion of Irish settlers.

far left completely in the dark as to why the police began their investigations at a rail in the fence.

It appears that though a reward was offered on September 27 (1826) the local magistrates . . . did not bid their constable make special researches until October 20 [Error in the trial notes.] apparently after the seer told his tale.

Lang shows a high degree of perceptivity, for he puts his finger upon the crucial omissions, especially that of the gap between the offer of reward and the eventual discovery. Andrew, the bloodhound, sticks to his trail: Why was no one interrogated about the blood-stains on the rail which were four months old? What could have been the date on which the alleged attempt to burn out stains of blood had been made?

For the benefit of those who considered non-mention of the apparition at Worrall's trial constituted proof that there had been no apparition, Andrew Lang quoted an analogous case in England, in which as a result of an apparition being perceived, a crime was solved; but no mention of the ghostly agency was permitted in the evidence before the court when the perpetrator of the crime was on trial.

Disagreeing with the viewpoint of Legislator W.H.Suttor (1887) that John Farley had invented the ghost as an excuse for laying information, or because he had been privy to the crime, Lang pertinently asks why Farley did not then 'peach' (inform)?

. . . What Farley did was not what a man would do who, knowing the facts of the crime, and lured by a reward of £20, wished to play the informer under cover of a ghost story . . .

To secure a view of the original form of the yarn of Fisher's ghost, what we need is what we are not likely to get -- namely, a copy of the depositions made before the bench of magistrates at Campbell Town in October,

1826. For my own part, I think it highly probable that the story of Fisher's ghost was told before the magistrates and was suppressed at the trial . . .

1 9 1 1 J.M.Forde, an Australian journalist showed the utmost determination in his newspaper contributions over many years, to include among his historical topics, every scrap of information he could secure concerning the Fisher story. Much of it was fragmentary and little of it helped to bring the origins into desirable perspective. However, his frequent allusions to it and the ever ready response of readers to them showed that the legend was held in great affection.

1 9 1 2 Prejudice dies hard, and even lack of any evidence to support his opinion did not deter C.T.Burfitt from echoing the old slur upon John Farley. In an article in the Sydney Sun, on July 30, 1912, Burfitt observed that the ghost story had been . . . accepted generally without question; at any rate, little attempt has been made to show that it was merely the invention of one who, if not an accomplice of the of the actual murderer, knew well by whom the crime was committed, and how the victim's body had been disposed of.

After recounting the story as based upon the published reports of Worrall's trial in the Sydney Gazette, the Australian and the Monitor, in February, 1827, and making numerous mistakes about dates, not to mention the blunder of stating that Worrall and Fisher lived together in Fisher's house, Burfitt crowns his highly unsatisfactory and meagre report with what seem to be paraphrases of W.H.Suttor's valueless sentences about the apparition.

1 9 2 1 J.P.M'Guanne, F.R.A.H.S., during 1921 compiled A Century of Campbelltown (ML) If any writer had a true sense of history in dealing with such a subject, he could scarcely have forborne to dwell intensively upon an incident which above all others in Campbell Town, brought it fame. M'Guanne was not on

the 'supernatural' beam, as it were. There is a tinge of sourness at the prospect of taking up the matter. Mr. M'Guanne was plainly not one to go into a tizzy over a supposed ghost.

. . . Many believers in psychology have accepted that yarn at its face value. No manifestation of an aerial thing is mentioned in the newspaper account of the trial of his [Fisher's] murderer. Nor does Lady Forbes [widow of the trial judge] in her diary refer to a ghost. We briefly state the facts.

But before the facts -- such as M'Guanne possesses -- a few mistakes are thrown in. Worrall's Christian name is given as 'William', which is well-nigh incredible, although it might be explained by the fact that a William Worrall had about that time been exported to the colony. Fisher, M'Guanne adds 'had just come out of jail'. The truth is that Fisher emerged from Sydney Gaol in September, 1825 -- almost ten months before his death.

M'Guanne gives the story in the briefest possible compass as though he found it distasteful, but strangely enough seems unduly partial to isolating the workman, Laurence, one of Fisher's employees living at Worrall's cottage along with fellow workmen, as a suspected participant in the crime, simply on the grounds of an attempt by Worrall in a notoriously lying 'confession' to implicate him, and when in fact, if M'Guanne consulted the trial notes, he must have seen that Laurence never came before the court!

M'Guanne unfortunately uses the sentence: ' . . . Worrall was arrested, acknowledged himself particeps criminis inasmuch as he knew that Laurence had committed the crime'. This slip has led to the claim being persisted in by some critics who wish anything rather than a ghost, to the detriment of Laurence's good name.

From M'Guanne it is learned that Worrall died impenitent -- which Rev. William Cowper reported as otherwise -- and that his body was given to a doctor for anatomical purposes (dissection).

Frederick Fisher, concludes Mr. M'Guanne, 'was a tall, muscular fellow, about 36 years of age . . . it was he, rumour said, who first attempted to make paper in New South Wales'.

Rumours are not good enough for a historian to use if there is the least chance of getting hold of facts.

1 9 2 2 Camille Flammarion, the famous French astronomer and philosopher, became profoundly interested in the question of possible survival after death, of the human personality. Early in the present century he conducted a one-man survey throughout France, somewhat on the lines of the earlier Census of Hallucinations by The London Society for Psychical Research. Flammarion received an almost staggering response, shoals of reports of strange psychical experiences by people in all walks of life descended upon him. This amazing array, he classified, obtaining wherever possible, documented corroboration by reliable witnesses, such as would satisfy the scientific conscience.

Flammarion shaped the mass of material into several books under the general title, Death And Its Mystery. The first volume translated into English appeared in London in 1922, and it is one of the flaws in the whole fascinating pageant depicted therein that a brief, garbled and unsubstantiated outline of the Fisher apparition story was included. No doubt the fame of the legend -- not that Flammarion drew upon classical cases to any ^{great} extent -- appeared to him to guarantee its authenticity.

1 9 3 6 Under the title, Lord Halifax's Ghost Book (Geoffrey Bles Ltd.) was published in London during 1936 a collection of stories garnered mainly during the previous century by a former Lord Halifax, edited for publication by the succeeding Earl, along with items of more recent date.

One of the stories had been contributed to the late peer by a Miss Nash, from India. She claimed it had come from her father and his brother who had lived for a number of years in 'Western Australia'. During a period when her father was superintending her

Uncle Richard's country property, a prosperous settler in the same district, who had at times spoken of returning to England, suddenly disappeared . . .

It is of course, the Fisher story; but now, the aboriginal trackers detect (for a change) 'white man's brains'.

. . . Everyone, including my father and Uncle Richard went to the trial [Miss Nash concludes]. Both my father and my Uncle were present when the murder confessed, and this is their account.

The notion of 'Western Australia' probably derives from the fact that Campbell Town is south westerly from Sydney. The presence of the two Nash gentlemen at one of the Campbell Town hearings (when Worrall made his first confession after the discovery of Fisher's body) is not unlikely; but they would not be present when he made his gallows confession.

1950 With the passage of a century and a quarter after the event, and when it seemed that no further possibility of error or serious variation could remain, Louis A. Triebel's book, Fisher's Ghost & Other Essays appeared. The lead piece, offering 'two sidelights' tells that in his gallows confession, Worrall claimed he and Fisher had quarrelled over money. This departure is one of several. Alleged testimony by Surgeon Patrick Hill^x is to the effect that the severity of the injuries ~~on~~ Fisher's head was intentionally to conceal the identity of the victim, to which it might as well now be objected that Fisher's body was identified readily by other means. Professor Triebel also oddly concludes that as the receipt for a purchase of horses from Fisher had been a forgery (and Worrall could neither read nor write) the forger was Nathaniel Boon, a settler of Campbell Town.

Boon himself was a prosperous property owner and farmer. Certainly, Worrall used Boon's threat of prosecution of Fisher to explain Frederick's sudden disappearance. Boon's being literate

x Surgeon Hill had personally known Frederick Fisher; they came to Australia on the same ship, Atlas in 1817.

did not make him a forger in this instance, the forger being well enough indicated by the evidence as Worrall's ~~servant~~ who was only a shade less illiterate than his master. Triebel bases his theory on a fancy that Boon was Worrall's staunchest ally, 'and withal well-informed about forgery'. Boon, it appears, is suggested as an ally and an accessory on the basis of his having been a witness for the defence at Worrall's trial -- something which was never planned -- and thus was proved to possess 'more covert cunning than the archfiend'. No evidence is offered by the Triebel opus for his various departures from the increasingly baffling array of unsupported details. It is not sufficient to faintly suggest that Boon's gravestone's being so acutely tilted over that its inscription can be read only by one's almost lying on the ground, is in some way appropriate to his villainy. These exaggerations may be forgiven anyone who had been unable to see the documents which have since been recovered from a mysterious limbo.

1 9 5 4 Perhaps it would be too much to expect that with the advent of television the ghost story bonanza should not extend to one more rich, almost inexhaustible lode for those who have systematically exploited the eerie for commercial profit.

So many writers for radio and popular publications, and novelists, have borrowed heavily from genuine histories of supernormal phenomena, and handled the material unintelligently, that it has been difficult for the public to distinguish between the raw material of parapsychological research and the arrant nonsense borrowers vamp up profitably for the purpose of mass entertainment.

After 128 years of bad luck, the story of Fisher's ghost had to fall a relatively early victim to the television writer, as it had been to hack journalists, film producers and radio scriptwriters.

During 1954, Hutchinson & Co (Publishers) Ltd. gave the world Unsolved Mysteries, by Valentine Dyal, a collection of weird problems of the past, 'with contributions and historical research

by Larry Forrester and Peter Robinson'. The latter, said to be an Australian by birth, contributed to the collection, The Silent Witness, supposed to be an account of the Fisher ghost. The various pieces were reported to have been originally scripted for BBC television, then run as a series of articles in Everybody's Weekly, the English magazine. After publication under hard covers, the collection went into the paperback market.

This massive presentation might lead the astonished reader to suppose that here at last was something about the ghost legend which would carry some weight of authority. But history is one thing; entertainment is another, perhaps.

This worst of all versions of the Fisher haunting, pretentiously offered, tells that on the afternoon of October 20, 1826, John Farley, aware ~~that~~ George Worrall had circulated a statement that Frederick Fisher had suddenly left for England, called to demand repayment of £80 long owed by Fisher to Farley's sick and needy friend, one Cooper. Worrall claimed he had only sufficient funds for farm expenses, but promised to write Fisher concerning Farley's demand. Farley rode on further to make a visit, but returning while it was still full afternoon, was surprised to see Fisher sitting on his farm fence whittling a piece of wood. In the short time it took the annoyed Farley to dismount and negotiate an intervening ditch crossed by a plank, in order to address Fisher, whom he suspected of playing tricks upon him, Fisher had vanished!

The flabbergasted Farley searched about fruitlessly, not even finding a trace of the whittler's shavings. Furious and apprehensive of again approaching Worrall -- for they were rough times -- Farley rode to the police office to secure a constable to arrest Fisher for the debt.

Farley and the constable went to Fisher's farm, but further searching proved vain. Farley was convinced Fisher was lurking somewhere on the property, hoping to avoid meeting his obligation. At length, Farley challenged Worrall to allow Fisher's aboriginal

tracker, Jimmy, to assist in the search for his elusive master. Reluctantly, Worrall assented and under the unnerving eye of the constable -- clearly one of the leering pistol trigger-fingering fraternity -- Worrall accompanied the search party. Jimmy the tracker comes upon a blood-spattered fence and leads his companions to a spot in a creek bed where, he opines, something interesting lies under the mud. It could be a bogged cow, Worrall suggests; but the law will have none of it. A spade is procured, the 'bloated' corpse of a man is soon exposed -- more fingering of the trigger, presumably -- and the unlucky Jimmy, as a reward for his efforts, is left to mind the body of Fisher, whilst Farley and the constable take Worrall to the police post.

Farley tells the constable he is prepared to go into court and swear he had seen Fisher sitting on the fence that very afternoon, to which the constable makes an unenthusiastic reply. Mr. Robinson then relates that 'Farley was as good as his word'.

Three months later, it is shown, Farley took the stand in a Sydney courtroom and under oath recounted the whole story of the memorable afternoon. He was subjected to 'a gruelling cross-examination in which the judge frequently joined'. But unwaveringly, John Farley testified with 'never the slightest discrepancy'. The prosecution, it appears, had already proven that shortly before Fisher's disappearance there had been several heated arguments, in one of which Worrall had threatened Fisher with a knife.

The narrator or editor next proceeds to comment that the records of the trial have been much sought after by law students and 'psychic' investigators. It is startling to read also that 'Much of the evidence may be found in Mr. Montgomery-Martin's History of the British Colonies and in the well-known book, Botany Bay by John Lang'.

No one, avers the text, during more than a century, had produced a natural explanation of the ghostly phenomenon; and when

Farley declared in court he had seen Fisher sitting on a farm fence, whittling a lump of wood, he had set civilised people wondering. 'Today, many, like me, are re-examining his evidence -- and wondering still'.

And unquestionably, Messrs. Dyall and Peter Robinson will wonder for evermore, for Farley never went into court to testify, and no evidence by him thus exists to be re-examined!

The combined efforts of the writers becomes even more enthralling as the story-telling gives way to theorizing about the old mystery. Mr. Dyall is understood to regard the ghost of Fisher as an instance of 'materialisation' -- a diagnosis liable to drive the merest parapsychologist to the aspirin. Then, after the manner of so many modern diagnosticians, offers explanations or hypotheses having no relation to the symptoms.

The first possibility coming to Mr. Dyall's mind, is that Fisher's aboriginal tracker, Jimmy, knew of the murder, but fearing his testimony would not be accepted without corroboration, staged the 'ghost' episode [in broad daylight, of course] in the hope it would lead to police inquiries.

The second theory advanced was that the ghost was rigged or acted by Worrall in order to frighten away Farley with his inconvenient demand for £80. And indeed, it is speculated that Worrall may have planned to lure Farley into the farmhouse to be processed suitably to join Fisher in the creek bed.

Whichever opinion or theory his readers prefer, warns Mr. Dyall, John Farley obviously remains a sincere and truthful witness, whose conduct in court earns respect.

Farley's sincerity cannot be questioned here, but it does seem that a surfeit of ghosts has been evoked! There is a natural apprehension that Mr. Dyall as ghost demolisher should be concerned with Farley's liability to be deceived by a concoction cropping up in Mr. Dyall's imagination 125 years later. In explaining the mechanics of a hypothetical ghost impersonation, the essay says

Farley never reached closer than twenty yards of the apparition. He may, therefore, have underestimated the distance and even the time during which he saw it -- and so on, until one becomes uneasily aware that Mr. Dyall is trying to test something he has vamped up all by himself and which is entirely unsupported by any facts. He does not disclose how Jimmy or Worrall could have engineered a haunting at such short notice of an unexpected visit by Farley to the farmhouse.

The spatial relations between Farley and an apparition simply cannot be discussed at this moment whilst we are in the throes of Mr. Dyall's stage management. Surely, he pleads, there was some sort of cover within 200 yards -- a bush, a patch of long grass or other concealment for a ghost to hide himself after his performance! Well, it is Mr. Dyall's theory, and he should have all his details worked out, and his properties in position, before throwing the conundrum into someone else's lap. Moreover, it is still bright afternoon, leaving him time to sum up that he remains dissatisfied with the story in one minor respect, which is that he has searched the court records in vain for mention of the exact spot where the fatal blows were struck. The prosecution, he complains, appears never to have managed to established whether the murder was committed in the house [whose house?] or out by the paddock fence where Farley saw the spectre and Jimmy found 'white fella's blood'.

This small thing, says the author, worries him as a loose end no crime novelist would leave untied, and laments that the trouble with writing factual material is that it may be stranger than fiction, though seldom so neat or convenient.

How right Mr. Dyall is! The present writer is worried about what court records Mr. Dyall and his aides consulted so vainly. Nothing was made clearer than where Fisher was killed. Or is it to be feared that Mr. Dyall resorted to Lang's Botany Bay. Alas and alack, Frederick Fisher did not employ an aboriginal tracker, so Mr. Dyall's creation will have to be classed as a ghost, too.

Without wishing to unduly protract this hilarious version of Campbell Town's ghost story, it can at least be pointed out that the poor and sick Cooper incorporated in the foregoing scenario could bear no relation to the wealthy Daniel Cooper who was associated with both Fisher and Farley. It would be too much . . . Choice of afternoon for the haunting incident is admittedly advantageous for the lighting of television stages, but it is rather hard on Australian history which is fairly precise as to its occurring late at night. The strain placed upon ghost impersonators is commensurately increased also.

It remains only to comment that fantasy surely reached its zenith in suggesting an aboriginal might have staged an impersonation of the ghost of an Englishman in mid-afternoon, especially an impersonation by someone who did not exist. One loose end left untied, was, who was The Silent Witness?

1 9 6 0 Much as the legend suffered at the hands of pseudo historians, and others even less interested in the facts, it reached the final stage of degeneration as a legend when used as the motif for a farce in verse. This was achieved by Douglas Stewart in a playlet issued in a limited, signed edition, with illustrations by the distinguished Australian artist, the late Norman Lindsay, and published by the Wentworth Press during 1960.

Mr. Stewart frankly offered the morsel as a 'historical comedy', although that is pretension enough since the playlet is on only nodding acquaintance with history. Mr. Stewart, acknowledging his indebtedness to the Trustees of the Mitchell Library for the opportunity afforded him to investigate the story, gives the result of his researches raw jocosity. But it must be remembered that it is all in fun, if the figures of a great tragedy can ever be funny.

When Constable Luland, of Campbell Town, appears under still another misnomer of many, viz. 'Neeland', the reader already almost knows what to expect as regards history. John Farley, who has come through 124 years with his name virtually intact, though his character in shreds, is re-christened -- Joseph! Such is research.

A character named Billy Pike wanders in, probably an escapee from some other history, or just a supernumerary under the poet's licence.

The star, for whom the reader is impatient, proves to be 'a tall, powerfully-built and black-bearded individual who speaks 'with an English north country accent, somewhat modified by living in Australia'. The noted artist translates the description skillfully, and having regard to the post mortem circumstances, presents to view an attenuated, even scrawny, pallid derelict with a cascade of beard, and an expression more haunted than haunting. Yes -- it is Frederick Fisher, fully spectral. His north country accent does not make his illiteracy any easier to bear. But no doubt it is tiresome of history to record that Fisher was a Londoner (a Cockney, indeed), short in stature, clean shaven, fair complexioned and was only 34 years old when he died.

Quite unlike Stewart's hooting and coarse scarecrow he was educated, serious-minded and probably charming. But what is lost on the historical swings is made up on the imaginative roundabouts, as has been so well demonstrated. This is clear when Stewart's Fisher speaks of Worrall as 'wee George' and as 'a fine, strong, fat little fellow' when rhymed into the action. According to the stage directions, Worrall is 'a short, tubby labourer of about fifty, round faced with very small eyes'. Mr. Lindsay misses nothing of all this. Sad to say, however, as very little effort would have disclosed, George Worrall was a BIG man (5 feet 9½ inches officially) from Cheshire. He was 41 when he killed Fisher.

Mr. Stewart admits at the outset that Fisher's ghost is probably Australia's best loved and most respectable phantom, said to reappear for obscure reasons which his play attempts to explore, on each anniversary of its Fisher's death.

'Its history' says Mr. Stewart, 'is fairly faithfully related in the play . . .'

P A G E S

43 to 58 (inclusive)

DELETED

No authenticated⁺ instance of the reappearance of Fisher's ghost is on record, although over many years professing clairvoyants have spent frosty June anniversaries in vigil at Campbell Town for the titillation of curious spectators.

The hold which the ghost story has taken over succeeding generations of people in the English speaking world - and ~~elsewhere~~ ^{elsewhere} - is beyond dispute. In Campbell Town itself where there is nevertheless a striking general ignorance of Fisher's personal history and many of the events surrounding the manifestation, the title, 'Fisher's Ghost' has been incorporated with commercial and sporting events. The principal race in the inaugural meeting of the Campbelltown Picnic Race Club, at Appin, September, 1965, was named in honor of the ghost.

Fairly recently, the Australian Broadcasting Commission televised a short opera, Fisher's Ghost, composed by a Sydney musician. Unfortunately, the composer-librettist did not realize the great potential of his theme. The scoring for the ghost scene was very good, but the author wrote in as characters persons who were never connected with the original affair. The Hurley blunder occurred once more.

Fisher's Ghost Festival, at Campbell Town, annually for years past has focussed upon the haunting. And while the population and tourists alike continue fascinated by it all, and accept in good faith the emblem of a bed-sheeted apparition, for the good of local charities, there is no monument to the original who lies in an unmarked grave in St. Peter's churchyard, the precise location unrecorded.

It may be that even at the writing of these words ~~in the~~ ^{over} one hundred and fifty ~~th~~ years after Frederick Fisher came to his terrible death, some press is churning out a seemingly interminable stream of malarkey about him for a public so far ignorant of the facts. ~~some~~
~~some~~

⁺ That is, by competent psychical researchers.

PART TWO

C H A P T E R T W O

T h e P a p e r M i l l

When Fisher arrived at Port Jackson a year of his servitude had elapsed and no mark of official displeasure, so easily incurred, marked his record. It appears from the fact that there is no allusion in surviving documents to his having been assigned to a private employer, that his first year in the colony was spent in the service of the government, in which, no doubt, his clerical ability would have been put to advantage.

Under the prevailing conditions, which allowed industrious convicts to take gainful employment privately on Saturday afternoons, Fisher would have directed himself to improve his position thereby. He was capable of hard work and was methodical and conscientious, undismayed by unfamiliar tasks. His inclination was primarily towards intellectual pursuits, or where his special skills could have obtained exercise. Above all, he was a business man and an opportunist. Thus no opportunity to earn money would have been neglected merely because of preference. Acquaintance with penury in London had sown in him a keenness to amass the only recognisable material criteria of affluence and respectability. Of course, he was at a disadvantage in being at the bottom of the social scale of the colony; but he had faculties which took no heed, in the life of a virtually primitive settlement, of social distinctions -- they were keenness of intelligence, an air of mastery; a certain self-possession that went well with a native and conscious charm. He had the perception to know that where the guiding hand was the genial and ambitious Macquarie, adaptability and stamina could translate natural acumen into a capital asset.

All around him in Sydney town were to be seen examples of what convict industry could achieve, although these achievements were not known by vulgar ostentation. One of the most progressive and richest citizens, Simeon Lord, persona grata with the Governor to an extent which infuriated the anti-emancipists, had first been transported as a convict, to become merchant and shipowner.

P A G E S

79 -- 83 inclusive

DELETED

The wily Samuel Terry, who himself had been transported in his earlier years and who was destined to gain notoriety as the land's first presumptive millionaire, was piling up wealth by usury, merchandising and land ownership. Indeed, there was no section of the settlement's activities which did not exhibit the spectacle of natural enterprise and ability reaping substantial gains. Opportunity abounded where as yet the genius of the common man had not fallen under the blight of an entrenched 'nobility' perpetuating the pernicious concepts of fuedalism. On the muck-heap of the New South Wales convict settlement the seeds of talent could be fruitfully sown although the convicts were expected to spend their time suffering.

For about eighteen months after his arrival, Frederick scraped and pinched, accepting the frugal ration of the convict as sufficient. His regulation allowance of £10 annually he surely saved, adding thereto such earnings as otherwise came to him. To his industrious temperament, opportunities for work and profit gave savor to living. Better still, exile became bearable in so far as constant employment distracted his passionate mind from preoccupation with speculations about the well-being of his parents and Betsey.

It was too soon yet to have established secure or regular means of communication with them. One needed acquaintance with persons who, voyaging ^{to} England, and who were trustworthy, would convey precious letters. By the same token, Frederick's parents would be fortunate indeed to find someone who would be Sydney-bound and willing to carry to the exile a letter.

The anxiety and uncertainty of these passing months were best buried in toil. Many another might have squandered the meagre weekly allowance of a pierced Spanish dollar, then equivalent to 3s9d on a stint of luxury: rank tobacco or a few tots of fiery rum, for the

sake of forgetfulness or as a recompence for what had been lost. But Frederick Fisher seems not to have yielded to these dubious pleasures, rather cleaving to a strict regimen bordering upon privation. From folly ~~he~~ hoped to attain to material consequence and respectability.

In those days it was plain to see to what extent the greed and inhumanity of the ruling classes of Britain were responsible for ⁱⁿ the incidence of social crime. Few of those who had been transported to the colony where they found work to do and had assurance of the necessities of life ever again resorted to the type of offence for which they had been transported. With the terrible economic pressures relieved, they pursued honest and industrious lives and in many instances became eminent in commerce, culture and charity.

Macquarie followed a sound and humane course, it was admitted throughout the colony except among those in whom primitive rapacity ruled. In 1813, the Governor had felt constrained to inform the Secretary of State in London:

. . . Free people should consider they are coming to a convict country, and if they are too proud or too delicate in their feelings to associate with the population of the country they should consider it in time and bend their course to some other country. Free settlers . . . sent out from England, are by far the most discontented persons in the country . . .

Emancipated convicts, Macquarie had found, made the best settlers in many instances. Consciousness of opportunity to rehabilitate himself at least materially, and possibly socially under such rule made Fisher det^ermined to forego all personal comfort to gain that end. His first objective, he realized, must be to gain a greater measure of physical liberty than he enjoyed under government supervision. He could hardly hope to receive favorable consideration for an application of Ticket of Leave after so brief a servitude; nevertheless, he applied for that indulgence. He had heard of many surprising acts of encouragement towards convicts by Lachlan Macquarie.

Before 1817 came to its end, Frederick made the acquaintance of one George Duncan, who had been a paper-maker by trade in England. The stimulus under which Fisher conceived the idea of manufacturing paper for the colony must have been the serious scarcity of that commodity from time to time. Supplies had to be brought from the home country, and voluminous documentation of all official events in the settlement for the benefit of Whitehall made great demands upon available supplies. Consumption of paper often exceeded supply. At times the semi-official Sydney Gazette and the Australian, with circulations of a few hundred copies per issue were forced to resort to extraordinary measures to eke out their newsprint. Failure of a cargo to reach port was full of awkward possibilities. These, Fisher saw, were conditions favorable to the creation of a paper manufacturing industry, profit from which one hardly dared conjecture.

By background and training, Frederick Fisher was ideal to instigate such an undertaking. Generations of his family had been printers, engravers, booksellers and so on - not to say, literati - so that he understood the various qualities of paper and the purposes for which they were suitable. However, he was no practitioner in the actual making of paper, but his association with Duncan seems to have fired him with an ambition to add that particular skill to his repertoire. The dream possessed him; the pain of exile from those he loved lost its poignancy in the vision which outshone all the prospects of his former life. Then, he had to meekly follow the traditions of dead generations; he was the apprentice under the watchful eye of the master; for however benevolent his father had always been, strictness was sometimes irksome and conformity to craft traditions inclined to be stifling. Now came the promise which the economic conditions in London, the ⁿ industrial stringency and change had frustrated.

Duncan's willingness to play his part in the scheme, his evident grasp of the mechanical aspects of production, as well as his professed accomplishment in the supreme art of the feat of paper-making, no doubt raised Fisher to a point of exultation. On Duncan's knowledge the enterprise would be founded; but for himself would be the tasks of organization and selling. Above all, were the practical

realities of financing the manufactory. Firstly, he was restricted by his being under government control, which negatived a need to move at will for the organization of the undertaking. The cost of launching the industry would be for him, formidable, since his own savings and earnings he shuddered to disperse, and Duncan, whatever his likely merits as a paper maker was improvident and quite without capital.

In the face of these major facts, Frederick could only sink from his first exaltation to doubt that the dream could be made true. The streak of native doggedness in him won the day. If there was to be a paper-making industry his little hoard would have to be risked. Even so, Duncan and Fisher could doubt together if those means would suffice to meet all contingencies. Not only would a commodious structure be required with bountiful supply of pure water for the processing, but mill stones, cog wheels, felts, frames, racks and a host of other gear would have to be purchased. Could they find a brass founder, to start with, competent to make the necessary wheels?

The magnitude of the gamble brought Frederick to minute consideration of the personal attributes of his proposed partner. Could Duncan be depended upon when the money had been committed, to carry the enterprise through the difficulties it must necessarily face in the early stages? Perhaps it was a question he found impossible to answer - one of the imponderables of life.

Close to the end of the year (1817), Fisher had surrendered to the magic of the paper-making prospect. He felt compelled to seize the opportunity of establishing a monopolistic enterprise which might solve all his material problems and confer distinction upon him as a member of society. He, at least had no illusions as to the great pecuniary struggle he would have to live with, but he was confident.

As though Destiny had a special interest in the affair, Fisher and Duncan came to hear almost immediately upon their mutual resolve, of the existence of a small disused "mill" on the outskirts of Sydney Town. This mill was to prove initially suitable for their purpose.

All paper of that era was handmade and required abundance of water for its manufacture, as indeed it does nowadays. Sydney itself was poorly supplied with streams, but a watercourse emerging from ~~the~~

the sand hills adjacent to Botany Bay, and in an area newly opened up by a road over the ridge running from Sydney Town towards the South Head of Port Jackson, was sufficiently distant from the population centre to render it safe for industrial use. All this had been perceived already by the proprietor of the mill, who, however, had designed it for other, experimental purposes then in abeyance.

The method of making paper, Duncan would show Frederick, was actually simple in the hands of a skilled operative. The process called for reduction of waste cotton and linen rags to extreme fineness by grinding in water.¹ The crucial 'feat' as the trade called it, was that of skimming the solution in which the lint (particles of fibre) was suspended, so as to leave a layer of it in the gauze frame or mould employed. The layer of substance thus collected had to be evenly spread and calculated with regard to the class of paper to be made.

As the frame was lifted from the tank into which it had been dipped, the surplus water passed through the homogeneous deposit, after which the deposit was covered with a thick felt. A similar felt was placed on the exposed side after the frame was turned over, so that the lint formed a thin sheet between two thick felts. The whole was then placed in a press to remove all possible moisture. The resulting sheet of material when toughened, dried and glazed in the process, was the paper.

Frederick Fisher may have been attracted to the notion of paper manufacture as much by the simplicity of the equipment involved as by the desperate need in the colony of the product. Motive power had to be water wheel, which if not somehow available with the mill as an integral property, would make the enterprise prohibitively costly.

On George Duncan's estimate, backed by experience in the English industry, the mechanical parts - supplementary to the necessary water-wheel would cost in excess of £69. In fact, Frederick costed it in detail, reaching a total of £69.13.0, for cog wheel, pinion, three-stone engine (a very modest plant to be sure), moulds, felts, press, cedar planks and blocks, copper for feat tank and heating of size, and other items. It seems that the estimate at first exceeded Fisher's resources; but the march of events overshadowed any thought of dismissing

the plans as impracticable.

With the discovery that a small mill was in existence at a water source, they were deterred only by the possibility that they would be unable to obtain its use. In trepidation, Fisher and Duncan approached the owner, John Hutchinson about November, 1817, hard upon their first inspiration to make paper. Hutchinson was a man of some prominence, a convicted forger who had come to the colony in 1812. He had received sentence of death, but having a measure of renown in York as an amateur chemist and member of a scientific circle, escaped the gallows through the efforts of patrons.

Macquarie's partiality for men of ability and invention further favored Hutchinson, for he arrived at Port Jackson with commendations to the Governor. Macquarie thought best to second Hutchinson to ex-convict, the shrewd Simeon Lord, who had established the first woollen mill in the colony and was ever alert to explore new avenues of profit.

Lord gave Hutchinson a generous patronage and provided him with materials and instruments with which to experiment, as well as a laboratory. Simeon Lord soon discovered that Hutchinson's scientific pretensions outstripped his talents. However, the amateur chemist did produce a carding machine and a wire-drawing contraption. Thus, he returned something of use to the Manchester man even above the advantages gained from his production of dyestuffs compatible with cotton and wool, derived from the native casuarina stricta.

Hutchinson was a difficult personality by any standards - vain, envious, moody, arrogant and crafty. These failings were aggravated by his addiction to alcohol. His waning popularity with so choice a patron as Simeon Lord did not improve his general temper.

The site of Hutchinson's mill, where he probably ground a variety of substances for use in experiments, had been granted to the chemist by Macquarie, and was an asset of great value. In all likelihood, it was Fisher who directly negotiated with Hutchinson for use of the mill. Consciousness of the slenderness of his resources, and perhaps using that circumstance adroitly with Hutchinson, the outcome of the interview was that Fisher and Duncan received permission to use the

mill for six months - free of charge! At the end of that term the parties were to meet and determine a rental for the future occupancy.

The way was now open for the vital preliminaries in the great pioneering effort. It would be necessary to obtain permission from the government - through the magistracy - to embark upon the project, and then to have the requisite machinery built under Duncan's supervision. [REDACTED]

[REDACTED] As a first economy, the two men took up residence in the mill itself, known already as Bank Mill, and doubtless constructed of hewn timber, wattle and daub, on a stone foundation.

Personal comfort could hardly be expected, but for men who had lost acquaintance with it since their transportation - even if they had known it even previously - such a matter was of small concern in the thralldom of the new adventure. Frederick Fisher, perforce, had to respond to duty under the government each usual working day, and therefore could give only limited time to the important initial installation in preparation for the completion of the milling and associated plant. Duncan took charge of these activities. Frederick undoubtedly paid the tradesmen from his personal funds for each piece of equipment fashioned. It was necessary to victual Duncan, who, being free of government control could not carry on any other occupation and at the same time effectively engineer erection of the mill plant.

What work Fisher performed for the government has not been ascertained; but it is reasonable to suppose that as Macquarie always sought to place his charges in trades or crafts in which they were trained, it is likely that Fisher was given clerical work to do. The strain on his funds could have made him apprehensive, since it is on record that he sought and obtained some financial assistance from one John Walker, resident of Sydney Town, in consideration of which it was proposed Walker should become a partner with the others. To that end, the following proposed agreement was drawn up, possibly by Frederick himself:⁺

Memorandum of Agreement entered into - - - - 1818 between
Frederick Fisher of Bank Mill, near Botany, George Duncan of

+Redundant phrases have been omitted.

the same place and John Walker, of Sydney.

Whereas,

~~Whereas~~ the abovenamed parties are about to commence the business of paper manufacturing at Bank Mill aforesaid. And it is agreed by and between the said parties that the business is to be carried on in the sole name of the said Frederick Fisher whose name alone is to appear in the Water Mark of the paper and that the said Fredk. Fisher is to pay and receive all monies for paper and other articles at the said mill, and that the said F.Fisher shall have sole charge and management, selling the paper, and that in consideration of the said F.Fisher having procured the Articles for making the machinery - paid the carpenter and other workmen - found provision during the time the machinery was making and rendered all other assistance in his power to promote the concern, it is further agreed . . . that the whole of the machinery (excepting the Water Wheel, Feat Mill and Sluices) used and prepared for Manufacturing of paper, shall be and remain the whole and sole property of the said F. Fisher (alone). And it is likewise agreed . . . that the said George Duncan is to have one half the neat nett and clear profits of the business after paying the Expences of the Articles &c. used to make paper and attending the manufacture of paper in consideration for his work and instruction and planning of the machinery and it is further agreed that the said John Walker is to have one half of the said George Duncan's share of the business in consideration for provisions &c. furnished by the said Jno. Walker to . . . George Duncan and to secure the said J. Walker it is further agreed . . . that the Water Wheel, Feat Mill and Sluices are to be . . . the sole property of the said John Walker to the end that the said F.Fisher and J. Walker may be secured and to prevent the said George Duncan from quitting his co-partnership after they have been at the Expen[✓]ce of completing the Machinery &c.

And it is further agreed that each party shall give and devote the whole of their time knowledge and interest for the good

of the business, and it is agreed that the said George Duncan shall instruct the said F. Fisher and John Walker in the art or mystery of making paper . . .

✓
The agreement proceeds to treat more precisely the division of the prospective profits. Duncan and Walker are to receive one share each of the four shares; the third share is "to the man [unnamed] who is to be employed with George Duncan and who is likewise a paper manufacturer by trade for his knowledge and giving the whole of his time to promote the trade or business . . . the remaining quarter or fourth share is to be the property of the said F. Fisher."

The document then binds the parties to be diligent in discharging all debts and demands then and thereafter as may become due, and

. . . it is agreed that all parties shall use all economy in living untill such said debts amounting to between £15 and £20 are paid and it is further agreed that at the expiration of three months from the date of this Instrument in writing, the said George Duncan's name is to appear in the water mark of the paper with the said F. Fisher's, and for the true performance of this agreement each bindeth himself to the others as witness our hand the day and year before written. (SA)

Whether or not George Duncan felt himself insufficiently rewarded by the terms, or was temperamentally unable to enter into an undertaking which portended a period of austerity perhaps of longer duration than he could endure, or for some now unfathomable reason on the part of any other of the participants to that point, the surviving document was neither dated nor signed. John Walker disappeared from the picture and in due course, Fisher and Duncan together formed the ensuing partnership.

It has to be conjectured that Walker would have been paid for what support he had already given, if indeed Fisher had not deemed it wiser to placate Duncan by liquidating his indebtedness to Walker for 'provisions'. If Fisher felt some financial strain from this adjustment, he seems to have overcome it.

The assent of the magistracy to the setting up of the manufactory

was obtained. Preparations moved apace during the early months of 1818. In March of that year, Fisher had the satisfaction of being granted Ticket of Leave. This meant he was now free to employ himself in any lawful way he chose - to enter commerce or other employment for which he had aptitude; but henceforward he would be responsible for his own food and lodging. Removal of restrictions upon his movements was a great advantage during the crucial stages of the paper project. But it also imposed additional strain upon his finances. All haste had to be made to get the manufacture of paper under way.

Sufficient progree had been made by mid-April for the following advertisement to appear in the Sydney Gazette of the 18th:

PAPER MANUFACTORY

Warren and Duncan respectfully beg leave to inform the public that having, by permission, erected a Paper Mill at a short distance East of the New Road to Botany Bay; they solicit the support of a Public who are always willing to aid exertion, and to promote the interest of the Colony by favouring its own especial Manufactures. The articles they will most stand in need of will be Linen and Cotton rags, for which a satisfactory price will be given; and it is hoped that quantities which have been hitherto thrown away as unserviceable, will be taken care of, to be applied to the Manufacture of a Paper which will be made fit for all purposes, and at as cheap a rate as in Great Britain.

In the next Gazette places will be named whereat Rags will be received and paid for.

The name Warren was mentioned in the advertisement in error. In each of the three succeeding weekly issues of the Gazette it was replaced by that of Fisher and the townspeople were requested to dispose of their rags through Mr. Vickers at 29 Clarence Street and at Olivers', 22 Phillip Street, Sydney.

John Hutchinson who had himself nurtured hopes of achieving success as a manufacturer, and who later was credited on uncertain authority with having produced white paper, glass and soap in his many experiments, observed the partners' progress from his nearby dwelling, not without

some envy in concluding that the implication of Fisher and Duncan's advertisement was that the experimental stage had been passed successfully and the production phase was imminent.

With his envy was a tinge of malicious pleasure in the thought that in their success would lie - well, whatever benefit he might choose to squeeze from it. Water-driven mills were a rarity, he would have to remind himself, because streams were few. Fisher and his partner had no real tenure of his Bank Mill and their period of grace was almost at an end. Surely the terms of future occupancy should be substantial.

Hutchinson waited a few weeks and then wrote a letter.

N O T E

1. Pulping of wood for paper-making was as yet unknown. Many vegetable substances were tried as alternatives to the orthodox cotton and flax fibres reduced from discarded rags. One specimen of paper made from maize husks was exhibited as a curiosity in a Sydney newspaper office during the 1820s.

C H A P T E R T H R E E

The Paper Mill

John Hutchinson thought carefully before putting his quill to paper; so carefully, indeed, it is apparent he was aware of the great stringency of the partners' financial means. Accordingly, he was depending upon their real embarrassment to make possible a better bargain with them than might otherwise have been the case. Dating the letter May 25 (1818) he wrote:

Messrs. Fisher & Duncan; Dear Sirs,

The commencement of the ensuing month will complete the period of six months, the term I agreed for your occupying that part of my property [here a portion of the letter rotted away] . . . Mill free of expence. And as [this is] the last week of your term that is unexpired, I trust you will see the necessity of calling upon me in the course of this week amicably to arrange on the terms you are in future to be upon until you can provide a place of your own.

As it is not my wish in the least to distress or put you out of the way, I expect you will meet me on equal friendly terms and arrange with me on a fair weekly rent as we may mutually agree upon. I remain, sirs, Your Most Obt. Svt. (SA)

The weakness of Fisher's position as the man who was to meet the liability, was in his having no means of knowing what Hutchinson would regard as a fair rent until the period of grace had expired or was too perilously imminent. In all conscience, it was too near. Although no documents have been found showing precisely what then occurred, it is evident from a clue of later date that no amicable arrangement was found possible.

To Hutchinson's deep annoyance, Fisher submitted the question to a Bench of Magistrates for determination as to the best and most equitable solution. The results were surprising for Fisher, if galling for the crafty Hutchinson. The Bench's opinion was that justice would be served by leaving the partners in occupancy of Bank Mill at a rental agreeable to their situation. The interest taken by the Bench in the

paper making scheme was an unexpected outcome and immediately changed the whole plan. The farsightedness of the design to establish the industry in the colony brought enthusiastic endorsement from the Bench. Frederick Fisher found himself

. . . most unexpectedly favoured in a suggestion from the Bench, that Contributors, on public ground, might probably be found to afford such necessary assistance as would allow a considerable enlargement of the manufactory and consequently increased advantage to the colony. (SA)¹

This sign of approval raised Fisher's hopes. What Duncan's opinion of the new development was, does not appear. He might well have been gratified by the prospect of substantial backing, from which he could easily hope to benefit as a key operator. And since it foreshadowed the formation of an influential consortium - for only high officials and merchants in the colony were inclined to subscribe to industries - his proprietary holding might prove to be of special value.

At all events, the past months of effort and tight economy stood in his imagination to yet receive ample compensation in the way of affluence and prestige. Warren, too, giving a practised hand likewise stood to gain from an Establishment-backed enterprise. Hence, they could labour the more willingly and defy hardship.

Frederick Fisher lost little time in initiating the necessary steps to end his dependence on Hutchinson. As there existed unappropriated land with frontage to the stream serving Bank Mill, he requested Governor Macquarie to allocate a site upon which, with Duncan, he could erect a new mill. Macquarie, who appears to have been informed at the same time of the difficulties being encountered in the project by Hutchinson's planned annoyances and obstructions, assented. It may be suspected that some of the magistrates who had Macquarie's ear, had outlined the Fisher-Duncan venture to him.

By this time, Fisher had come to recognize Macquarie for a just and humane individual, as so many others did, and could have felt enormously assured of his support and protection. Even before Frederick attempted to act on the magistrates' suggestion to widen the scope of the paper making enterprise, Hutchinson could hardly have failed

to learn the facts and feel affronted by a 26-year-old upstart's hitting upon so glowing a commercial and industrial possibility, while he, darling of a science-admiring coterie in England, should be reduced to drudging on whatever commissions the hard Simeon Lord chose to put in his way.

So persistently did the amateur chemist pursue a campaign of irritation and harassment against the occupants of Bank Mill, that on June 22 that year, Fisher decided matters had gone too far to be borne in silence. He wrote urgently to Macquarie:

May it please Your Excellency - Persuaded of the irregularity in making applications to Your Excellency but on the days appointed for that purpose, I humbly trust Your Excellency will overlook the same, and impute my doing so to the emergency of the case I have herewith ~~to~~ submit.

In consequence of Your Excellency having been pleased to say that you would take an early opportunity in company with Mr. Meehan [Deputy Surveyor General] to visit the place on which I erected my paper mill² in order to put an end to any interruptions Mr John Hutchinson might occasion to me in the course of my business, I have to acquaint Your Excellency that for these last three days past he has a servant of his at work digging away the foundation from the water wheel and mill under a pretence that he requires from the water wheel a power to grind some Ivory Black by stones, which, if he is not prevented from, I have every reason to apprehend will occasion the entire destruction of the machinery; and as he by doing so is acting in direct violation of the decision of a Bench of Magistrates,⁺ I most humbly trust Your Excellency will afford me such redress as to Your Excellency's judgment may seem fit, in order to prevent his continuing to molest me. Whereas should he persevere it may destroy all my past efforts. . . . (SA)

The wait for succor was relatively long and unnerving for Frederick, who, under strain was inclined to be tempestuous. He

+ Perhaps the Bench which heard the rent dispute.

knew Macquarie was loaded with cares, not only those inseparable from government and his prodigious developmental programme, but cares brought upon him by the machinations of his enemies who abhorred his liberality towards the convict population, and who never rested from their efforts to trap him into some position which could be used against him in Whitehall. The Chaplain of the Colony, Samuel Marsden and some of his principal officials, formed a band of remorseless foes, traitorous and hypocritical towards every humane principle Macquarie's conscience bade him uphold.

But Frederick's realizing Macquarie's predicament did not help him endure Hutchinson's spite. He could only think that all he had striven so hard to earn had gone into the paper-making project and was in jeopardy by the mischief of a rum-soaked villain. He may well have equally feared the violence of his own anger and have wondered how far he might go before his restraint collapsed. This, Hutchinson could hope for.

Two months dragged out without Macquarie's putting in an appearance. Somehow Fisher managed to maintain the mill in operation. Experimental runs had to be made, the raw material had to be collected, and modifications here and there were needed if processing was to be efficiently carried on. And money was scarce. The conditions were not such as to give his co-workers confidence, and often, it would seem, Duncan was irked by the constant labor and the uncertainties which had followed the exhilaration of the Magistracy's benevolent interest.

The evidence suggests that Duncan was a man who asked little from life; but that little had to be reliable. Anything less made him uneasy and restless. With money low and Hutchinson bent upon wrecking the plant or perhaps provoking Fisher into some irretrievable folly of violence, the time was one of gloom and discouragement. Perhaps Lachlan Macquarie was not going to worry his head about Fisher and Duncan.

At that dark moment, Fisher took courage to follow the advice of the Bench of Magistrates and approach the public for subscriptions. If a new mill site were eventually allotted by the Governor, entailing extra financial commitment, it had best be met by an influx of outside money. As his ideas burned in his brain, Frederick assisted Warren and

Duncan inevitably himself gaining valuable insight into the 'mystery' of making paper, perhaps even to the stage of himself performing the feat itself and moulding the material from the finely-divided waste. Immersed in the work, the evil of Hutchinson would dim in the glow of achievement. The small clever hands could flash about while the alert mind crystallized plans for approaching the more eminent citizens of the colony. Wealth and rank did not intimidate Frederick who had in his London years been so close to the heart of it as to even unconsciously express its atmosphere. While he deferred to power, because there was no alternative, he bore a consciousness of his own not inconsiderable ancestry - an ancestry aristocratic in its skills and in its closeness to human genius. He might defer to the highly placed, but he was not servile.

By July 22, Frederick had formulated a prospectus, the preamble of which consisted of the magistrates' commendation to expand the paper-making project to take in investment capital. Very likely, it had already circulated among the eminent persons of the settlement. The prospectus, in a fine hand, -

. . . presumes so far as to submit to public consideration the under statement and Estimates affecting that object, and to make appeal for subscriptions, by way of loan, upon ~~which~~ the Conditions and Premises undermentioned; or such of like import and tenor as may be hereafter considered more proper and effective . . . (SA)

Somewhere during his childhood he had heard it said that one of his forbears had been responsible for the preparation of the text of Shakespeare's Midsummer Night's Dream for ~~the~~ performance at Cripplegate. He could not know the truth of the claim; but liked to think it correct, and himself had a penchant for majesty in prose.

The Prospectus proposals fell under six headings:

- 1) Loans should be in units of £5 each;
- 2) Security of repayment with interest to be effected by Deed vesting the whole property of the concern in the subscribers;
- 3) The concern to be subject to the control or particular direction of the subscribers;
- 4) Loans to be discharged out of profits;

- 5) Subscribers to approve all improvements to the business;
- 6) Subscriptions to be payable into the bank and used as determined by the subscribers. (SA)

It could be said the terms gave too much to the prospective subscribers in placing the manufactory in their hands and permitting its operation to be subject to their discretion in so complete a way. But the main significance of the conditions lay in their honesty. Security being the prime note, the prospectus could not fail to appeal among those hard-headed creatures who dominated the colony officially, socially and commercially.

The estimates presented figures on the basis of a more ambitious plant than the one already in operation at a cost of £69.13.0. Fisher costed as follows:

	£
Making the Water Wheel	25
Cogg wheel and pinion	11
New engine, about 5 stone	20
Stuff chest	5
Moulds and felts	25
New Press	13
Coaching planks and blocks	2
Repairs for old press	2
Nails	3
Copper for Feat	5
do. for heating the Size	7

For another £50 were to be provided a drying loft, finishing room and a feat room, all to be constructed of "wattles and mud to be covered with bark", a hut with brick chimney, a dam, new sluices "&c.". The total outlay was estimated at £168; but if an even larger engine - "eight stone engine and mill complete" the cost would be increased to £178 since there was a difference of £10 in the cost of the 5-stone and the 8-stone engines.

Signatories to the prospectus included the Judge Advocate, John Wylde (later knighted), D'Arcy Wentworth, surgeon and Magistrate who at various times occupied important administrative posts in the Colony and

ereation shall be made to prove not undeserving of
the confidence reposed in and the favorable prospects
thus opened to -

Frederick Fisher

<i>Mr. Judge Robt. Mylde</i>	<i>2</i>	<i>10 -</i>	<i>Thos. Mylde</i>	<i>5 -</i>
<i>James Smith</i>	<i>2</i>	<i>10 -</i>	<i>Wm. Mylde</i>	<i>£5 -</i>
<i>John Piper</i>	<i>5</i>		<i>Thos. Palmer</i>	<i>£5 -</i>
<i>Robert Lennings</i>	<i>5</i>		<i>Chas. Tompkins</i>	<i>£5 -</i>
<i>A. Crook</i>	<i>5</i>		<i>Wm. Russell</i>	<i>£5 -</i>
<i>Wm. Russell</i>	<i>2</i>	<i>10 -</i>	<i>Wm. Russell</i>	<i>£5 -</i>
<i>Wm. Russell</i>	<i>5</i>		<i>Wm. Russell</i>	<i>£5 -</i>

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SIGNATURES TO FISHER'S PROSPECTUS, 1818, showing Frederick's own
writing at top. The third name on the left side is that of Simeon
Lord.

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Frederick Fisher

Mr. Judge 2d. Mylde	Subs. 2	10.	Thos. Mylde	5
~~James Smith~~	2	10.	~~James~~	5
John Piper	5		Thos. Palmer	5
Robert Jennings	5		Chas. Tompkins	5
A. Crook	5		John Connell	5
~~Wm. D. O'Connell~~	2	10.	Wm. D. O'Connell	5
~~Wm. D. O'Connell~~			Wm. D. O'Connell	5

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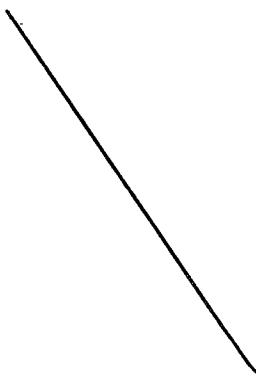
FRAGMENT of Frederick Fisher's Paper Mill Prospectus

with signatures of the leading men of the colony.

(State Archives)

became Colonial Treasurer; Simeon Lord, W. H. Moore, solicitor, later to become acting Attorney General; the notorious eccentric and miser, Samuel Terry; Captain John Piper, a president of the infant Bank of New South Wales, Robert Jenkins; Thomas Wylde, father of the Judge Advocate and himself Clerk of the Peace and Solicitor General; Edward Eager, lawyer and ex-convict; Jas. Brooks, Thomas Rose, Thomas Palmer, John Connell, N. Campbell Jnr. and Charles Thompson, father of Australia's first native born lyric poet. One signature so far undecipherable. (See PLATE)

All were men of substance besides being leaders in their respective callings, so that Frederick Fisher must have been almost overwhelmed by the response, which amount to promises of an aggregate £100.⁵ His first elation was the best antidote for the pessimism of his helpers. True, the signatures were merely promises; but who could doubt that men of such prominence and wealth - men who knew all too well the colony's extreme need of the enterprise - would keep their promises? The array of signatures on the prospectus could not have



been more inspiring had each of them been the Duke of Wellington's. For Fisher it seemed permissible now to believe past shame was certain ere long to be redeemed in success and material gain. The dream of becoming somehow re-united with his family had persisted throughout the three years of his exile and now seemed vividly possible of realisation.

But the signatures on the prospectus spelt out increasing responsibility. Each told him he was backed to implement his proposals. And although Bank Mill was capable of producing merchantable paper -- the first to be manufactured on the Australian continent -- no time must be lost in preparing for the erection of a more commodious mill as soon as Governor Macquarie should redeem his promise; and in commissioning the making of the new engine agreeable to the amount promised in the loan subscriptions.⁴ The great pioneering effort appeared destined for triumph against the malice of John Hutchinson.

Between stretches of duty at the mill, Frederick would no doubt have canvassed outlets for its current and future yield. Who, more than ex-convict, creole Robert Howe, printer and publisher of the quasi official Sydney Gazette would have a special professional interest in the paper manufactory?

Likewise, many others in a town where waste wrapping paper, salvaged from its original use as cargo packaging in shipments from Britain, found the material of practical use and a worthwhile investment.

In the weeks to follow, in the assurance that the financial backing for the larger mill would duly materialise, Frederick Fisher pressed forward with the necessary arrangement for the construction of the plant under the more practised supervision of George Duncan.

It was not until September, the month after Fisher became clerk to the Provost Marshal, that Governor Macquarie rode out

with James Meehan to inspect Bank Mill and to go into the question of providing a new site for the expanded paper making business. Macquarie had more on his mind than merely shielding the infant industry from the envy and malevolence of Hutchinson, whose disposition was well enough known to him. Meehan surveyed the terrain while Macquarie, always avid for information of use to the colony, was shown the paper-making plant ~~by Fisher and Duncan~~. He may even have witnessed a display of the expertise of the feat by Duncan.

The Governor, requiring all the necessary assurances ^{that} there existed a warrant for his special patronage, supplementary even to the list of distinguished subscribers who were all closely associated with him, would not fail to perceive indisputable promise for the budding industry. To encourage its advancement, he stood prepared to dare the frowns of the authorities in London.

Satisfied, and well aware of the appeal of the scheme to his officials, Macquarie selected on Meehan's expert advice a new location for the project. In this, Macquarie showed a measure of cunning, for the area allocated to Fisher and Duncan in their own right was upstream of the Bank Mill situation, although adjoining. Two advantages were inherent in the choice -- the first, re-location of the existing machinery would be facilitated; and secondly, that the up-stream position effectively guaranteed first access to the water and obviated any interference with the water power by Hutchinson or anyone else.

The streamside limits of the new location were fixed by the Governor, there and then, as sufficient for the time being. The next essential move, he considered, was to examine and adjudicate on the dispute between Fisher and his partner and Hutchinson. With the parties before him, presently, he studied their testimony and gave a ruling.⁵ When he rode away with James Meehan, Macquarie left a much heartened Fisher. If the young entrepreneur could go on a while longer, squeezing out a dollar here, a dump there, withal perhaps tightening his own belt to a mere spartan victualling, there would be every hope that the paper making project could be

brought soon to a satisfactory outcome.

It was more difficult to fire Duncan with enthusiasm. None of it was new to him, as a tradesman; and he was no visionary. Justifiably from his standpoint he could but rue the elapse of three quarters of a year with no material benefits to hand. Ahead, he plainly saw, lay a drag of great toil before the original mill could be replaced by a larger one. He could reasonably complain that the plan for expansion came too close on the heels of the initial effort and before the full benefit of the work done had been obtained. In order to bring the more grandiose scheme to fruition he could see nothing better for renewed drudgery than the bare means of subsistence. And Duncan liked his wages, his small luxuries. The assistant, Warren, was not obliged by any contract to stick it out and was at liberty to depart at any moment he found better paid, if less familiar occupation.

Warren continued with the mill; and because the wavering and disgruntled Duncan was doing work he best knew how to do, he too, carried on. The time was favourable, thought Frederick, to start collecting the subscriptions, because now he could point out what Macquarie had done in the interests of the enterprise. At whatever opportunity he could find, released from his routine employments, he certainly would deferentially present himself to signatories and solicit their cash. Some of them were agreeable; others, the evidence permits it to be said, became inaccessible, or evasive on the point whether the moment was as propitious to call in the capital as Frederick liked to believe.

Had the site allocated by Macquarie been satisfactorily dimensioned? Granted, the water course limits had been fixed; but what of the lateral limits? If the Surveyor General's deputy, overworked as he was, had not drawn up the plan for registration, how could the terms of the prospectus be implemented in so far as it proposed to secure the promised loans by vesting the assets

of the concern in the subscribers under Deed?

These were valid objects^{ion}. Frederick was too knowledgeable in law through his employment with the Provost Marshal not to acknowledge it to be so. He was in a quandary, knowing he could only invite suspicion by insisting upon receiving the cash before a legal groundwork had been prepared. How could he lose sight of the fact that his being a convict, never ceased to weigh with those who themselves had risen from that status into wealth and eminence? They had shed none of their suspicion; they had not risen in the world by permitting latitude to those whose circumstances forbade Fisher and his kind from possessing the means to meet the outlay for the re-planned project. They could only be seen as opportunities for themselves; not calls to take personal risks of loss.

It was futile for Frederick to argue respectfully that he was entitled to some measure of trust -- and some subscribers did trust him -- since he had financed the smaller mill and his equity was being left in the pool, quite unsecured, against the claims of more affluent subscribers, in the event of loss.

Still, it was no great matter to request James Meehan to expedite the full documentation of the streamside allocation in order to satisfy objectors. But Meehan, however hardworking and friendly to Fisher, had his limitations. He was overwhelmed with the amount of work entailed in his jobs of surveying and collection of Quit Rents, which kept him out of town for a great proportion of his time. He had to be hot on the heels of explorers opening up new tracts of land to meet the hunger of the incipient aristocracy. He had to stand in for John Oxley during the latter's absences in explorations. The business of the Surveyor General's office with its small band of assistants had grown within a few years into a crushing burden, which the Mother Country's parsimony would not relieve. All work was deeply in arrears. Besides, Meehan was a poor administrator at best, a fact which his health, failing steadily under the long years of hardship in the inhospitable

bush, facing perils and constant discomfort helped to worsen.

Importuning of Meehan by Frederick produced no response, either because the deputy Surveyor General was out of town on duty, or in town but buried under a deluge of correspondence and clerical work which all the goodwill in the world and his own acknowledged devotion to duty could hardly cope with. Everything was urgent; so it was merely unfortunate that Fisher was obliged to wait until his turn came.

These setbacks in his efforts to establish his business venture were a severe trial to his finances and his patience. In the protracted uncertainty he could neither wish for nor even offer any sound excuse for terminating preparations for the brassfounding of the various items of the mill machinery. Less vague was the procrastination of some of the signatories to his prospectus in producing their promised cash. This might be supposed to end when James Meehan should convey to him the precise details of the new site on the Botany stream. Not until December 7 was Frederick able to obtain some documentary substantiation of Macquarie's allocation, when Meehan wrote from Macquarie Fields, the rough certification :

Frederick Fisher, Paper Manufacturer, near Sydney, having applied to me relative to the situation on the stream between Sydney and Botany Bay whereon he intends erecting his machinery for paper making, saying as a subscription has been entered into for him to enable him to carry on the said paper manufacture - and that it is his wish that any and every interest which he now has or may hereafter have shall be transferred by him in trust to such subscribers so as to secure to them the repayment of their money, &c.

In compliance with his request I hereby certify that I accompanied His Excellency the Governor to take a view of the place who was then pleased to fix limits which he was to receive on the stream next above the situation assigned to Mr. John Hutchinson, but no lateral limits were then fixed but no doubt a necessary portion of land will be assigned so as to accommodate the proprietor . . . (SA)

This piece of information might settle any doubts the intending subscribers could have about Frederick's bona fides, but it still was of no value for the preparation of a Deed, since it offered no description of the land that could be a legally acceptable basis for security.

Fisher was already too experienced in the drawing up of documents not to perceive the weakness of his position; but until the nebulous prospect of his receiving a more satisfactory title materialized he would have to make the best of things. Above all, there was need to pacify the restless Duncan, who during the past months had not been without contact with the neighbouring and disturbing Hutchinson. It was not unreasonable to assume that the latter would craftily seek from Duncan all possible information relating to the craft of making paper. More, indeed, he would milk from Duncan's mind essential knowledge of the mechanisms he understood so well. It was a foregone conclusion also that the vengeful chemist would exert every effort he could to undermine Duncan's confidence in the Bank Mill effort.

If there were reasons other than reluctance on the part of prospective subscribers known to Hutchinson to accept an unsoundly-drawn agreement, Hutchinson would insinuate them to the vacillating Duncan. For one thing, Hutchinson might hope to gain largely from acting the spy for his lukewarm patrons. Subtle and deadly as it was, and applied unremittingly in the absences of Frederick, with the encouragement of signatory Samuel Terry, the campaign might all too easily wear down Duncan. Other factors were at work, *also*.

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Governor Macquarie's enemies had worked only too well against him in London, misrepresenting his administration in many ways, lying deliberately when it suited them. They were confident that by the time their victim could vindicate himself from the vast distance, no one would be much interested, or they might imagine affairs in Port Jackson to have become much worse in the interim. Communications were slow. Dispatches were often lost with cargoes - facts which worked in favour of the anti-emancipist malcontents who were ambitious to strip convicts of every indulgence, every opportunity of rehabilitating themselves socially and financially.

It was galling for those who had never been found out or who had never been subjected to the extreme economic pressures which produce lawbreaking, to find convicts freely at work in the colony, privileged by 'exemplary behaviour' to put their native talents to productive and profitable use. The colony was a penal settlement, they maintained. But Macquarie had made it a happy hunting ground for rascals while the free, the unblemished, had to stand by and watch wealth go into the wrong hands. They could persuasively make out, the public mores being what they were in the aftermath of the Napoleonic War and the ferocious struggle which followed for supremacy in trade, that the condition of the colony was such as no true Christian should countenance. Besides, with the industrial revolution under way and the contagion of trade buccaneering raging through the nation, it was imperative to draw the line sharply between the minions of evil and the natural elect of God.

So persistent was the clamour that Whitehall felt something should be done. The Prince Regent, the future George IV paused sufficiently in his gluttonies to agree that the answer could be found only by an inquiry into the administration of the colony by a commissioner. He appointed John Thomas Bigge, whose chief recommendation was his bias in favour of the social picture as it then existed in Britain. In other words, he was on the side of money and what it represented. He would inevitably uphold the authority of successful rapacity and the tyranny of the superstition of hereditary (and nouveau riche) aristocracy.

Bigge was a lawyer who had tasted a little authority himself and seems to have entertained immeasurable hopes of exaltation. He could hardly betray the class he identified with.

J.T. Bigge, it was arranged, should arrive at Port Jackson in 1819. Meanwhile, he would be assiduously briefed in the Colonial Office, making the acquaintance of Macquarie's eloquent foes, and not surprisingly becoming well convinced of the magnitude of that individual's pernicious and misguided humanism. He was to remember when making his widely-scoped investigations that

. . . the settlements in New Holland, not having been established with any view to Territorial or Commercial advantages, must chiefly be considered as Receptacles for offenders . . . So

long as they continue destined by the Legislature of the Country [Great Britain] for these purposes, their growth as Colonies must be a Secondary Consideration . . . The First Object of your Enquiry should be to ascertain whether any and what Alteration in the existing system of the Colony can render it available to the purpose of its original Institution . . . Transportation to New South Wales is intended as a severe Punishment applied towards Crimes, and as such must be rendered an object of real Terror to all Classes of the Community . . .

If the place-seekers around Macquarie had not already known the official home government aversion to allow the common people into the sacred preserves of property acquisition, the news of Commissioner Bigge's appointment reaching Port Jackson ahead of him, reminded them to bear in hope. How few of them were unconsumed with desire to shine in the royal eye was apparent in the endless difficulties faced by the amiable Macquarie. Suddenly, the aspiring realised they must not be found in any way aiding and abetting the setting up of industries which would compete, however slightly, with those of their masters in the Old Country. Certainly they should not support the commercial activities of convicts, however attractive and essential their commodities might be. Holders of high positions would make themselves particularly vulnerable to Britannic wrath by disregarding a sentiment so fundamental to the British ruling classes' master-race delusions. The yen for high-sounding titles, too, was dearer to them than the Kingdom of God, since discovering no intrinsic value in themselves they might make shift with the adulation of others that a title usually commanded.

Businessmen like Simeon Lord, Samuel Terry and Samuel Marsden could little care about the frowns of the overlords as long as pelf streamed their way. The first two made little pretension of importance aside from the greatness of their wealth. The third had his own pious formula for reconciling an immoderate greed for material possessions with the Will of the Almighty. One felt appreciated to be spared penury.

Frederick Fisher might have hesitated to believe that the men who had promised spontaneously to make loans to his mill would fail him. It was even less credible that they should procrastinate, deceive and repudiate where their word had been given.

reached

If any whisper had ~~reached~~ Fisher that the failure of the bulk of the loan money to be subscribed was very likely due to the impending arrival of the Royal Commissioner, he may have been inclined to disown it as fanciful, in spite of his direct knowledge of the mentality of the rich at Home. But then, did he even suspect, while he was being fobbed off with one specious reason or another? Most of his promises had come from men highly placed, whose loyalty to their principles must never come into question.

In truth, Frederick was in debt on account of the new mill, a situation fraught with risks to his status as a Ticket of Leave convict.⁶ Worse, gaol was the destination of debtors, though his thoughts had probably not strayed so far. However, the prospect of easing Duncan's anxieties for material gains was beginning to fade. John Hutchinson and his crony, the Pits Row [Pitt Street] usurer, Terry, could impress upon Duncan at their leisure, the advantages of employing skill and knowledge under more immediately affluent patronage. It is not improbable that Hutchinson prevailed upon Terry to back him in securing an opportunity to eliminate Fisher from the paper manufactory, for the destruction of the Duncan - Fisher partnership was precisely their aim.

The paper maker, congenitally insecure and endlessly yearning for security and material rewards was ill-conditioned to resist the powerful blandishments those schemers were capable of. Terry himself, could have seen the advantage of withholding his promised subscription, not merely from his own miserliness and the non-appearance of an impeccable Deed, but because his association with Hutchinson must have persuaded him that the chemist had already well and truly demonstrated for Simeon Lord a measure of ingenuity.

It could not have been the intention of the conspirators to dispose of Duncan, whom they considered too valuable as asset to sacrifice. Not only was he a skilled paper maker, but he had to be the means of getting rid of Fisher. The weakening

of Duncan would be the prelude to a total victory, they might have supposed. Had Duncan been less concerned with his selfish ends he could not have failed to realise the real reason for Hutchinson's pressure to win him over, even ^{long} before those reasons were made brutally clear. Initially, he may have resisted, vaguely moved by Fisher's own faith that ^{as clerk to the Provost Marshal} kept him poring over writs to be copied and the law processes as far as he was responsible, to be word and letter perfect. However, Duncan was dealing with accomplished ~~William~~ ^{Prichster}, who presently played their master stroke by introducing into the plot Thomas Clarkson, a baker, of Hunter Street, ⁷ from where the dough mixer could glance down upon the Angel Inn where Terry spun his webs of intrigue and negotiated his financial deals.

Clarkson, it was made to appear, desired to erect a flour mill on the site Macquarie had allotted to Fisher and Duncan. In due course, since Duncan could not by himself conclude such a matter, Frederick was approached. Evidently he refused even to consider transferring the land and his mill already in course of erection. He may have doubted that the proposal to erect a flour mill was genuine, knowing, in company with the general population, the untrustworthy character of the men through whom Clarkson came on to the scene.

Duncan then took the crucial step of breaking off his partnership with Fisher, and on February 2, 1819, Clarkson pursued his advantage by appearing with a Memorandum of Agreement between himself and Duncan, under which the latter was to transfer to Clarkson his interest in the mill site for certain considerations.

Duncan's withdrawal from the partnership shattered Frederick Fisher's hopes and nullified all his past efforts and sacrifices for the paper making scheme. He was loaded with debts on account of the mill, into which he had been trapped by the failure of a number of the signatories to honour their promises. His position was now perilous. Without Duncan the collapse of the venture was complete and there could be no way through the business itself in its unproductive condition of re-designing, of liquidating the debts incurred for the enlargement of the concern.

Apparently, Clarkson did not object to Fisher's knowing the contents of the proposed agreement with Duncan. Fisher's having copied it for future reference is conclusive of that. It is guessed that Clarkson allowed Duncan a short period of grace before signing, if he was inclined to do so, during which Frederick and his feckless partner would be free to wrangle. The wily Clarkson was confident that the issue would be entirely favourable to the designs of Terry, Hutchinson and himself.

Clarkson himself was already proprietor of a streamside allotment next below Hutchinson's, so that his wish to obtain the allotment allocated to Fisher and Duncan was very likely argued on the basis that its being closer to the source of power served the flour mill purpose better.

Fisher could well have supposed that the proposed agreement between Clarkson and Duncan implied inclusion of himself in the future consortium, which would mitigate the disappointment and possible loss arising from dissolution of the old partnership. His dilemma made such an interpretation ^{the} more acceptable one. There was nothing to be seen in the document, however, on which such hopes could firmly rest:

MEMORANDUM of an AGREEMENT made and entered into this [undated] day of February, 1819 between Thomas Clarkson of Hunter Street, Sydney, Territory of New South Wales, Baker, of the one part and George Duncan of Bank Mill near Botany in the Territory aforesaid, Paper Maker, of the other part, witnesseth that the said Thomas Clarkson undertaking to build a Mill and Machinery for making paper on that part of the run of water or water stream situated between Sydney and Botany Bay and next below the allotment assigned by His Excellency Lachlan Macquarie Esquire, the present Governor, to the said Thomas Clarkson and also for the sum of five shillings of lawful money in hand paid by the said Thomas Clarkson to the said George Duncan at or before the signing of this Instrument in writing, he the said George Duncan doth by these presents assign, transfer and make over all his right, Title and

and interest and Expectancy in a certain allotment situated at the aforesaid land stream next above the situation assigned to Mr. John Hutchinson which said allotment was promised by His Excellency Lachlan Macquarie . . . to one Frederick Fisher and George Duncan, and it is further agreed between the said parties that the said Thomas Clarkson is to pay such debts as remain unpaid for machinery of the Paper Mill and the said Thomas Clarkson doth agree to build a complete mill for manufacturing paper on the allotment assigned by His Excellency . . . to him and to allow the said George Duncan ten shillings per week for provisions and ten shillings in money for his services in completing the said mill and machinery until the expence of building the mill and all other incidental Expences relating or appertaining thereto are repaid by the profits arising from the trade or business of Paper Manufacturing and when the whole expence is paid then the said George Duncan is to have one third share of the business of paper making aforesaid which share is to expire and not be transferable at the decease of the said George Duncan and the said George Duncan doth hereby undertake and agree to execute any such instrument in writing which may be required or hereafter thought necessary by the said Thomas Clarkson for the better securing of the said George Duncan's share in the run of water situate next above Mr. John Hutchinson's allotment herein transferred and sold by the said George Duncan as witness our hands . . . (DG)

The scheme behind the preparation of the document was extremely cunning. In providing for payment of the outstanding debts incurred in establishing the Fisher - Duncan mill, Clarkson and whomsoever he represented aimed at overcoming any lingering scruple Duncan might harbour which could prevent his signing the agreement. He would be enabled to excuse his basic betrayal of Frederick by claiming his action extricated the young man from a serious predicament. At the same time, that particular provision may have been devised to mollify

Frederick. Another feature of the proposals probably intended to trick Fisher was the seemingly contrived inference he might be tempted to draw from the statement that Duncan was to receive a third share of the business at a given time, and no mention is made as to who will be other partners, saving of course, Clarkson.

Now since Fisher remained proprietor of the other half interest in the site assigned for the original partnership, he might have considered it obvious it would count for something in the proposed new arrangement. How else could the proponents hope to make their intentions effective? Of what use would the site be to Clarkson unless he, Fisher, assented? Perhaps he found himself unconvinced that it was intended Hutchinson would be included as nominee of Lord and Terry.

Unhappily, Frederick was only too deeply conscious that the paper manufacturing project was not being wrecked - it was being seized by ruthless men backed by great wealth and driven by insatiable greed. However he might try to rationalize the situation as a lunatic does his own ~~unpleasant situation~~ ^{delusionary}, he must make the best of it as far as his stubborn nature would allow. He had shown the way, he consoled himself, but it was not what consolation should have been, for he was plainly to be deprived of a measure of the dream^{ed} of rewards of his venture. On the other hand, against the unpleasant prospect of working under the eyes of the commercial bandits he believed to be behind the move, there was the assurance that their involvement at least meant backing by the two reputedly most wealthy men in the colony. He was not of a nature to spurn even a crumb if a banquet was denied him.

On February 2nd, 1819, in the presence of Richard Palmer, the undertaking was signed by Clarkson and Duncan, Frederick Fisher also signing as a witness.

Within a very short time Frederick was to be completely disillusioned as to what role he would play in the envisaged enterprise. In his chagrin he wrote to Governor Macquarie setting out the circumstances and quoting the agreement entire:

. . . Memorialist finding the greatest difficulty in collecting the Sums from the Gentlemen who had signed

their names as subscribers to defray the expence of building a paper mill was induced to consent to such agreement and also in consequence of Mr. John Hutchinson and Mr. Samuel Terry using their endeavours to persuade his late partner Duncan to dissolve his co-partnership with Memorialist.

That after the execution of the beforementioned agreement Clarkson refused entering any arrangement with your Memorialist other than giving him a small sum of money for his interest . . .⁸

(DG)

The dream was over; the perfidy almost crushing. Yet, in spite of his appeal to Macquarie, Fisher knew in his heart that the Governor was powerless to interfere in the affair. It might be a blatant piece of legal chicanery perpetrated under the name of business, but there was no room ^{to object} to what men might freely do under the law. Duncan had every right (except a moral one, perhaps) to dispose of his interest. Could he not have reflected upon Frederick's self denial, his passionate commitment which was to benefit them both, had it not been for the failure of those who should have set a good example?

But as he thought about developments his emotions quietened, tamed by the intellectualism which was his most distinguishing attribute. Perhaps Clarkson had been too clever, too concerned with trying to carry off a trick to perceive what should have been clear to him then, as now it was suddenly clear to Frederick: if he had been bought off cheaply as to his 'interest', that euphemism for the toil and strain, the loss and blasted hopes which had gone into the mill, the half interest Frederick retained in the land itself made him master of the situation.

The confederates, Fisher saw, had overplayed their hand. With a lightening of the heart he saw that Clarkson, too ready to play the game of far more accomplished tricksters would be outwitted in his turn. In the face of the contemptuous offer of so mean a sum for his 'interest', Frederick, acquisitive and penny-pinching by nature, and by late necessity and ambition frugal to miserliness, set money at naught. Only pride ruled him.

This was the moment Fisher's opponents had gambled on to give

them victory. It was also the moment when it became possible, by virtue of Clarkson's shouldering of the debts under legal agreement, signed and sealed, for Frederick to act without fear. To give the mountebanks untrammelled possession of the new mill site, whatever Clarkson and his associates might wish, would be unthinkable. The agreement bound Clarkson and company to settle the debts of the mill and thus remove a peril not to be thought of, but where was he, Frederick, required to surrender his proprietary half interest in the site itself? In such circumstance, it mattered not how Clarkson and Duncan arranged their affairs or where they set up their future mill; the Fisher share in the Macquarie assigned site would prevent its being of use to them.

This was the course he took and to that extent was the victor when he left the Lachlan Swamps,⁹ the first man in Australian history to have organized the actual manufacture of paper, for however brief a time.

NOTES

1. Fragment of a document (dated July 23, 1818) found among Fisher's private papers after his death, whence they passed into the custody of the Supreme Court.
2. When referring to his mill, Fisher always means the paper-making machinery itself, the construction of which he initially financed.
3. The subscription list in the portion of the prospectus is not totalled and may even be incomplete. There is room to suppose that the promised loans would have amounted to £100 as the full amount solicited, as this would permit Fisher to include his equity of £68 in the original equipment to make the total capitalisation £168.
4. It seems beyond dispute that Fisher and Duncan produced paper before they attempted to expand the capacity at the suggestion of the Magistracy. On July 29, 1820, only 17 months after dissolution of the Fisher - Duncan partnership, the Sydney Gazette issued an advertising supplement on paper which a brief editorial note in the main body of the issue stated to have been produced in the colony. No other particulars were given. In view of the comment made in the same journal on February 5, 1827, referring to Worrall's trial and Fisher's character, the present writer considers it certain that the paper of the supplement of 1820 came from Bank Mill and had been held in stock owing to the coarseness and dark colour and the irregularity of the sheet size, awaiting an opportunity for its utilisation. No other reference has been found concerning manufacture of paper at that period. Hutchinson was later claimed to have produced 'white' paper, of which no example seems to now exist. Both Howes, father and son, who owned and edited the Sydney Gazette, knew Fisher well and apparently admired him.
5. Macquarie's ruling, ~~which was~~ is not known; but it is significant that Hutchinson's destructive assaults against Bank Mill ceased.
6. Debtors were bundled into Sydney Gaol without ado, thus being placed in a more helpless position than ever, there then being no

hope of discharging their indebtedness. Instead, they fell prey to the desperadoes who filled the rough building, and besides, were required to victual themselves. Their having no means to do so little troubled the authorities. The system was no worse than it was in the Mother Country, they could argue. Therefore it was tolerable (so long as one did not have to experience it).

Even remand prisoners were not officially provided with food, and many would have famished but for the compassion of officers at Sydney Police Office in supply^{ing} at their own expense, loaves to destitute prisoners. This outlay reached such proportions that Francis Rossi, Chief of Police, was obliged to petition the government for reimbursement of the private expenditure.

Sydney Gaol at the time is stated to have been about forty feet long and twenty feet wide, accommodating well over a hundred persons of all ages at any time, in conditions of utmost squalor. The plight of the inmates may be judged from a letter written from the gaol to the Colonial Secretary, on August 25, 1825, by W. P. Davies, a nephew (as he claimed) of the celebrated founder of the co-operative movement in Great Britain - Robert Owen, of New Lanark! Davies complain^{ed}g he had been incarcerated for a 'trifling debt' of £15. He now found himself friendless and had scarcely eaten for three days. 'My uncle,' he commented, 'would feel much grieved if he was to hear of his nephew in a gaol without a shoe to his foot of any kind, or yet anything for his sustenance.'

(SA)

7. Thomas Clarkson seems to have been the person referred to by Dr. Robert Townson, LL.D, of Bunbury Curran (near Campbell Town) in a letter to the Colonial Secretary, July 27, 1825, complaining of being systematically robbed by certain convict servants, whose latest depredation had cost him 1,500 lbs. of flour. He suspected one of the thieves to be Michael Cooke and supposed he transferred the stolen goods 'very likely to his mother in law, Mrs. Clarkson, baker, Hunter Street [Sydney]. She was not long ago sentenced to the Coal River [Newcastle] as a receiver . . . John Pearce (long time my servant) now one of your constables can tell you who this Mr. Clarkson is . . . Cooke was convict servant to

Clarkson and then married one of his daughters . . . ' (SA)

Dr. Townson was one of the persons suspected of complicity in the deposing of Governor Bligh. His residence, Varro Ville, still stands. Thomas Clarkson's bakery seems to have been located at the northerly beginning of Elizabeth Street, Sydney.

8. The word 'giving' may have been intended to mean 'offering to give' as subsequent events suggest. The document is incomplete and it is therefore impossible to tell what Fisher asked Macquarie to do to assist him. As there is no date on the surviving portion the memorial may be part of a draft sent to the Governor. The time however, is indicated in the text itself.
9. The site of Bank Mill has been identified as existing between the present Todman Avenue and Duke Street, Anzac Parade, Kensington. The ponds in nearby Centennial Park form part of the original and extensive system of lagoons and stream of the Lachlan Swamps.

C H A P T E R F O U R

Betsey and Henry

For the first time in over a year, Frederick Fisher knew mental relief. His labours with the Provost Marshal continued undisturbed, and once more he began to garner dump and dollar from his modest wages to slowly re-establish his fortunes.

He heard little of the exploits of his successors in the paper making venture, nor would he in his new security ever be chagrined were they to succeed on the foundation he had laid. He could feel that the partners deserved one another. But the early months brought news from London. Mrs. Ann Fisher had written on 23rd. of September of the previous year:

Dear Frederick, Having an unexpected opportunity of sending a letter by Mr. Smith I gladly embrace it to let you know that we are all in health and hope it will find you the same.

I wish I could say the same of our Circumstances. They have been getting worse ever since you left England. I may truly say, like Don Quixote's little fat man, we have been tossed about like a cork in a kennel, which is the reason I have not been able to keep up the regular Correspondence you wish for, but fully mean to write much oftener than I have hitherto done as soon as I get settled a little more comfortable.

But all things are very indifferent in this Country. Indeed, we often wish ourselves where you are. Everyone speaks highly of it,¹ that were it not for having a family and could manage to come over with any prospect of getting a living on our arrival I would not hesitate about leaving a country I am quite disgusted with.

Our old friend Mr. Potter makes us often laugh when we talk of it. I am convinced if he had the means of coming he would not be long before he paid you a visit. He says it is enough to make a man go thieving on purpose to get over, provided he can't get [there] without. He desires to be ²remembered to you. I wrote to you and Messrs. [Wild or Wylde] by their Packet but suppose you have received it long before this time.

Betsey has lost her two children about three months ago. She and her husband are doing well and they are the only ones that are.

In regard to the seeds you wrote for, I need not tell you [it] is quite out of our power to send after [your] having our situation as above. Your Grandmother and Uncle are pretty well and desire to be remembered to you. The rest of the family desire the same. Their good wishes also accompany it.³

Mr. Morgan called upon [us] with your letter. I have not time to say more at present as Mr. Smith is waiting for this. I remain your affectionate mother. A. Fisher

P.S. Your father sends his love to you and desires you will send [letters] as often as you can by persons that are coming home, as that will save a great part of the postage. (DG)

With what pain Frederick reflected upon this new evidence of the dire effects upon his beloved parents of his own past folly, may be imagined. Moreover, he was too loving a brother not to feel for his sister Betsey's loss. And thinking of her, how could he fail to remember his sweetheart, her namesake, of whom there had been no word since he had been convicted. His feelings for the choice of his heart were deep as ever, and he could not imagine that her love for him should have wearied through absence. Her silence was a mystery; and what was even more mysterious was the silence of his family regarding her, as though she had never even existed.

Even the expressed affection of all those precious to him at 51 Willow Street, fortifying him in the shame of his exile, could not diminish the pangs of longing for his own Betsey. He could envy his next younger brother, Samuel, the joy of a devoted wife and a brood of children, and smile nostalgically in remembrance that they had named the second son, born soon after Frederick's transportation, in honour of his distant uncle. Their birthdays fell in the same month.

Between sorrow and homesickness, Frederick found no glimmer of joy; not even in the notion of his family's eagerness to join him.

At the moment it was out of the question that they should join him; but in due time the possibility would stir him passionately and become perhaps the profoundest motive power of his life.

He could not endure yet to unveil to them the debacle of the paper making scheme, the success of which would have been as much for them as for himself. His temperament was generally uncommunicative, and nothing need now be said about the irremedial.

What Frederick did not know then, as he put away his mother's letter with such care that in time to come his murderer could lay his hands upon it, was that Ann Fisher has chosen to conceal from him another calamity which had befallen the family only twelve days before Mr. Smith had provided her with the unexpected opportunity to send a letter.

Robert Henry William, third son of Ann and James Fisher, always called by the family simply Henry, had been sentenced to transportation for seven years on charges of fraud; and at the time of her writing was in prison at Newgate.

Henry was tried at Middlesex Sessions on September 11th, 1818, as a labourer

. . . late of the Parish of St. Giles [he] pretended to Frederick Luther, bookseller of the same parish, that Mistress Conner, of 9 James Street . . . had ordered of him a Maltham's Prayer Book, and thus obtained from him a book worth 19 shillings by fraud, no Mrs. Conner being existing as described. (Witnesses, Frederick Luther, Samuel May and Mary Reynolds.) True Bill found.

2. Second indictment, that . . . being an evil disposed person and daily going about devising, contriving and intending to cheat and defraud the liege subjects of our said Lord the King of their monies heretofore to wit: - On the twenty-seventh day of June . . . with force and arms . . . unlawfully knowingly and designedly did falsely pretend to Richard Baker [of Parish of St. James, Clerkenwell] that he the said Robert Henry William Fisher had then a Book Walk to dispose of + and

+ Probably equivalent to a door to door clientele for book purchases.

...
[had] supplied with books the several persons as follows:

[Here follow twelve names]

... and that each of the said persons had purchased of him . . . within the last four weeks six or seven numbers of different periodical publications and among others, Kelly's New Bible, Fox's Martyrs and Kelly's Geography. Whereas in truth and in fact the said Robert Henry William Fisher had not then a Book Walk to dispose of nor did he supply with books the several persons . . .

And whereas in truth and in fact each of the said persons had not nor had any or either of them purchased of him . . . within the then last four weeks or at any other time six or seven numbers of different periodical publications . . . but in truth and in fact the whole statement made by Fisher to the said Richard Baker was false and fabricated solely for the purpose of fraud and deception. By means of which false pretences . . . Fisher then and there . . . unlawfully, knowingly and designedly did obtain of and from the said Richard Baker the sum of fifteen shillings in monies numbered of the monies of . . . Richard Baker and one James Baker and one Bank Note for the payment and of the value of One Pound payable and secured by and upon the said Note being then due and unsatisfied to the said Richard Baker and James Baker the proprietors thereof with intent to cheat and defraud against the form of the Statutes in such case made and provided . . . (PRO, London)

Nine witnesses were sworn and a True Bill found.

Ann Fisher possessed in a marked degree a reluctance to convey bad news to any of her family it might adversely affect. When she was obliged by circumstances to do so, she managed it with astonishing understatement. On the occasion of Henry's conviction she may have postponed the evil day of informing Frederick on the self-induced persuasion that it would be more appropriate to let the news coincide with definite details of the date and place of his transportation. If she reasonably supposed that seven years banishment meant that Henry was destined for servitude in New South Wales, she would in some

degree be gratified. She could then be assured that her best beloved Frederick, hope of the family, would be able to find solace from the nearness of at least one of his kin.

Of course, there was a great difference between these two sons. On Frederick she and her husband had lavished their learning, had educated him, with not inconsiderable pride in the result. But by the time Henry had been born, the exigences of their struggling, if respectable business and the demands which a growing family made when Europe's turmoil pressured them, exhausted all practical means of turning him into a scholar. In fact, although he ^{was} fairly quick-witted and articulate he had never obtained command of the simple matter of spelling. Among the discouragements of the times, it had seemed of little importance. What really mattered, in Ann's view, was that Henry was deeply fond of his eldest brother and had greatly missed him. And besides, at a time when life in the penal colony seemed to have superiority over that in dear old England, the real calamity was simply in separation.

Ann knew Frederick's temperament full well - knew his reserve, all the more worrying to her because of his intense feelings of affection, ambition and love of home. In his letters she had seen hints of desperate rage bursting out from overlong repression. His outward casualness was deceptive, she knew; so that when he poured out the poignancy of his longings - when some demon took charge of his pen as in defiance of his will, she could feel afraid for the desolation of his soul in exile.

Ann would not, therefore, add one mite to Frederick's burden by any premature word concerning Henry. If she had chosen, she who was the embodiment of fortitude, could have overwhelmed Frederick with ill news.

In the years since the Battle of Waterloo (and the year of Frederick's lapse) vast changes had occurred in the realm of Great Britain under the momentum of the industrial revolution and the ruling classes' mania for Empire. In agriculture methods were being revolutionized as ~~the~~ magnates bought up with wealth amassed from ~~the~~ sweated labour extensive tracts of arable land which formerly had been the domains of small yeoman and crofter. Thus might they exalt themselves by mere possessions into the upper echelons of the social order; yes, even into the nobility, since nothing impressed the incurably vulgar

and spendthrift Hanoverians than the ostentation of ill-gotten riches.

Hordes of dispossessed rural workers had been forced to make their way into the urban areas of the country where industrialisation was growing at a rate which wrought appalling social conditions for the working people. Liverpool and London (with its first million population) teemed with half-starved and too often shelterless people in quest of means of livelihood. From this disorganised mass, factory owners selected the best material at wages suitable to their own interests, but which kept the unfortunate employees on the edge of destitution. The time had not yet arrived when it would be suddenly discovered that working men were tools of astounding potentiality which required and repaid due care. In Manchester, where the cotton mills and coal mines were increasing in importance, increasing numbers of women and children as the cheapest and most tractable form of labour, were being absorbed to perform arduous tasks under the most deplorable conditions which fatigued them to death: the staple diet had degenerated to one of oatmeal and water in many extensive areas.

The nutritional decline for the labouring populace had been brought about by the operation of the Corn Laws promulgated in the interests of the big landowners. They wanted cheap foreign grain to be excluded from Great Britain in order to retain for themselves the swollen profits to which they had become accustomed by the demands of the Napoleonic wars. The price of bread became exorbitant, even to costing one shilling a loaf. This just equalled a labourer's daily earnings. On that meagre staple a family had to sustain life.

The Luddite riots of 1811 and 1812 had done nothing to bring about amelioration of the people's condition during the intervening years. The worsening now of the social evils due to the supremacy of the landowning aristocracy and industrialists who maintained 'parliament' and the monarchy as their special weapons against the unorganized poor, would in the summer of 1819 see sixty thousand people gather to hear the radical Leigh Hunt, at St. Peter's Fields, Manchester, where they were fired upon by mounted yeomanry. Eleven would die; four hundred people including one hundred women would be wounded in the atrocity made possible by the nervousness of the authorities.

Fears of a repetition of the French Revolution - in Great Britain - had not died down; nor had those responsible for the oppression of

and degradation of the people - in spite of the ominous signs of popular revolt - made any significant step towards relieving the common distress.

There was nothing extravagant in Ann Fisher's observation by letter to Frederick, that the family often wished to be where he was, away from the theoretical satisfactions of living in a free society offered to the rest of the world as the supreme civilization of its time. Out of her vast reading of classical philosophy she could find no comfort. Had not Plato characterized the democratic system as the most corruptible of all systems, harbouring in itself the seed of its own destruction. To be sure, she saw no evidence of democracy about her, so perhaps she was concerning herself about a chimera. But then, for five centuries the light of humanity had been Magna Carta, which was a curiosity set up like a pagan god whose will had to be imagined for him and abrogated at his subjects' convenience.

The immediate problem of Henry was his lack of training in any field, which might disadvantage him at Port Jackson. ^{Ann Fisher} She had to satisfy herself whether or not his excursion into petty crime could have been a deliberate attempt to escape from the prevailing conditions in London. At 21 years old, at large in a seething community, it was difficult to avoid becoming involved in trouble. Violent mobs roamed the streets, unhampered by authority. Eminent persons suffered at the hands of desperadoes. Innocent pedestrians in the ill-lit streets were liable to be seized by unscrupulous individuals who could hope by systematized perjury to procure a lawfully-provided reward for bringing the hapless victims to certain conviction. It was a mode of livelihood in bitterly hard times.

By comparison, indeed, Macquarie's domain in New South Wales was ~~relatively~~ a paradise. The merits of exile there, developed as a frequent topic in the bosom of the family, may have swayed the impetuous Henry to arrange for his own transportation. It would mean one mouth fewer to feed. Besides, Henry was not indispensable to James Fisher's ailing business as printer and engraver as now was Samuel. 'A man might go thieving on purpose . . . ' Verily, it was so, Ann Fisher knew. Moreover hardened felons were known to have obtained their return to New South Wales from the disillusionments of victorious England. Still, it was disagreeable for one who was essentially God-fearing and upright.

Henry's course had been charted in another direction, for theft was not his metier. The tactics he chose contained an element of the absurd, inasmuch as his plan was over-elaborate in proportion to the pecuniary gain it brought. At the same time, ^{it} might have been calculated relative to the penalty it would carry.

The Convict Indents, when at last Henry was entered for transmission to Port Jackson, described him as brown haired, hazel eyed and of pale complexion, but lacking an inch or so of Frederick's height. He was shipped from England on the Baring, which landed him at Sydney on June 26th, 1819. Frederick was ^{by then,} ready for him, and by virtue of the good graces in which he stood with the Provost Marshal could make immediate contact with his errant junior. There were many items of news about London and his people which Frederick burningly desired to learn without delay. The waiting had been oppressive since he had learned the truth.

When he confronted Henry and had gotten over the first impulse as senior son of the Fisher family to assume an air of disapproval of Henry's escapade, the questions nearest to heart surged out. Who better than one's own brother fresh from the family hearth and the old Shoreditch environs could repaint in faithful colours the lost land? Who else could revive the suggestion of voice and touch of the loved parents? Henry went further.

It was inevitable that Frederick should enquire after Betsey, the sweetheart whose shadowy figure flitted on the farthest fringe of the family interest. If Frederick had been overbearing in his criticism of Henry for following a fraternal example which had been better ignored, Henry may be deemed to have spiritedly retorted, and this, not from unkindness.

At all events, within the first few weeks of Henry's sojourn in Port Jackson, Frederick would have learned for the first time, and perhaps in an unpleasant fashion, that the silent Betsey had borne Frederick a daughter after his conviction at the Surrey Assizes. The shocked Frederick may have been taunted callously, in the way of younger brothers, with the good fortune of ~~already~~ ^{already} being rid of the responsibility of supporting the infant, ~~three~~ ^{three} years old! Now was clear Ann Fisher's reticence in the matter. The law was piously unrelenting

about illegitimacy, which was a monopoly of the nobility who could afford it. Failure of a man to provide financial support for his natural children was liable to lead to his committal to prison. Not only was moral turpitude abhorrent in the lower classes, it was likely to lead to strains upon charity. Should a man already be a Prisoner of the Crown, extension of his servitude would follow. Then surely, Betsey had proved her devotion by keeping silent. From the same worthy notion of protecting Frederick, his mother too had shared in a tacit conspiracy.

The thought of his being shielded from knowledge which, coming after protracted delay, only deepened and confused Frederick's emotions. Though some might choose to regard him as a philanderer, his reaction was one of grief that he should lose years of contact with the little life which henceforward should have to be a guiding light in his exile. Out of all the darkness and anxiety had come a beacon to which all his efforts must now be bent to reach. At last, here was meaning.

Whatever passed between the brothers during the time they had together at Port Jackson can only be conjectured beyond the certainty that Henry had been the courier of the news of Frederick's parenthood. Equally certain it is that their reunion terminated in a bitter quarrel.

Presently, Henry was assigned to employment beyond the Blue Mountains crossed for the first time seven years previously. The exploration had opened up a vast area of good land which altered the agricultural prospects of the colony very materially. Within a short period, thanks to Macquarie's expeditious ordering of a road to be built by convict gangs, men and settlers thrust westward to take up grants of land hurriedly surveyed, to wrest from it the wealth lying in its fertility. The 'evil disposed', devising, contriving, cheating Henry, as the Middlesex Assizes branded him, was as capable of hard work, ingenuity and devoted service - given the chance to employ them - as any of his non-convict superiors. A little dismayed perhaps by the conflict which had arisen between himself and Frederick, he applied himself assiduously to every task given to his hand.

In Sydney, Frederick found new inspiration for his personal economies. No longer did he stint for penny or dump for the mere

satisfaction of possession, or out of habitual anxiety for his personal future: every coin was tribute to his child whom he drew passionately to himself in imagination. She was his family, his own morsel of life in which all that was worthy was to be created. He saved for the child against the day when fate should bring them together and he could take up the joyous responsibility of a father. He could feel none of the shame conventionally obligatory upon begetters of children out of wedlock. His only remorse flowed from powerlessness to be its immediate support, to stand protectively with it and its mother.

Nowadays he could dream, as only an insular man can dream, of a time when his life would be re-ordered and made complete in marriage with Betsey. In affectionate honour of one of his favourite sisters, Frederick named the child Harriet, at least for himself. It may have been that no respectable font around London would be subjected to contamination by the submission of a child which was extra-nuptial. 'Suffer little children to come unto me, for of such is the Kingdom of Heaven,' was all right in its way; but convention was convention, after all. Adopting a penurious mode of living without sacrificing appearances, Fisher cast around for some more lucrative opening for his energies. He grew increasingly impatient to amass money in the glowing infatuation of a young father for his first-born.

While awaiting the presentation of a new opening, Frederick faithfully performed his duties for the Provost Marshal, who did not miss observing the unvarying correctness of his conduct, the precision of his clerical work and his capacity for industry. By now, Frederick was beginning to think in terms of legalistic jargon, so deeply immersed had he become in the documentation of law enforcement for the Territory of New South Wales.

Privately, Frederick tormented himself still about the silence of the mother of his child, hungering for a crumb of news how they were faring; even more, some word to say what the child was like - whom she favoured, for so ardent is the desire of the parent for immortality in the offspring. At times he could reproach himself, feeling that he was reaping the full harvest of his youthful essay into crime. Might Betsey not have concluded he was no longer worthy of notice while she revelled in delirium of motherhood? Might he not wonder also

what Christian strength had allowed his mother to pass over his relationship with Betsey without a shadow of admonition, she who was punctilious on the point of good manners and seemly conduct?

They were truly married who truly loved, and irrevocably divorced when love between them faded. From this position he was not likely to shift. There were those who would think it perverse.

Notwithstanding the security of his employment with the Provost Marshal who was personally benign, the possibility of greater financial advancement led Frederick to relinquish his position. Towards the end of the year (1819) he became a clerk with the partnership of Daniel Cooper and William Hutchinson, proprietors of the jingoistically-named Waterloo Flour Mill.⁴ His having been over two years with J. T. Campbell his reputation was high. Clerical ability was at a premium in a colony where so many of the community were illiterate or semi-illiterate. In this new field, Fisher may have anticipated finding the opportunities he sought for obtaining wealth. At heart he was a dealer; costing up merchandise, billing customers, and all the incidental processing inspired a vision of steady profit. The abstractions of law were pale comforts beside the tangible evidence of monetary gain.

Besides, Daniel Cooper was one of the wealthy merchants of the colony. In Sydney Town he was partner with one Levy in a successful emporium, and he was proprietor of the Waterloo Stores. Cooper's interests extended to agriculture and horse breeding. He scorned nothing that could be sold for cash or bartered, be it colony-grown tobacco, cereal grain, dried peas and other produce, timber - anything! Frederick saw that Cooper was a man worthy of study as one who could smell a profit even better than could Simeon Lord or the Pits Row miser, Terry.

After he had become well settled in the routine of Waterloo Flour Mill, Frederick received information that an attempt was to be made to sell the paper mill site at Lachlan Swamps. On July 1st, 1820, he advertised in the Sydney Gazette warning the public against purchasing the site, as owing to his retaining an interest in it no transfer of the property could be made without his concurrence. The advertisement was repeated in the next issue of the newspaper a week later.⁵

Under Daniel Cooper's watchful eye, Frederick's competence in the new field of activity grew steadily. The enlargement of his scope for increasing financial gains did not develop sufficiently to satisfy his impatient nature. At the end of a year at the flour mill, Frederick returned to the office of the Provost Marshal in his old capacity.

It is possible that about this time some settlement concerning the paper mill site was reached and that Frederick was able to extricate himself finally from it with satisfactory profit, since there appear no further references to his involvement with it. Such a transaction could have been instrumental in his leaving the flour mill for the prestige of the Provost Marshal's office, with finance more secure.

Since the arrival of Commissioner John Thomas Bigge in the previous year (1819), Governor Macquarie's ambitious developmental schemes had received a check. At every turn Macquarie was made to feel the disapproval of the regal watchdog, whose authority extended to the point of his being able to override Macquarie's opinions. The Governor was required to give good reasons for opposing anything against which Bigge had set his will, and these were many. Particularly, Bigge frowned upon the erection of imposing buildings such as Macquarie had planned, notwithstanding their utility was of an urgent order. The humiliation of Bigge's supervision, and consciousness of the tacit disapprobation in Whitehall that it signified, as well as the smarting awareness that his enemies, the most disloyal and self-seeking in the colony were enjoying a triumph, aged Macquarie rapidly.

Bigge already had noted for the information of Earl Bathurst that manufacturing was making headway in the penal settlement. He observed that one Simeon Lord, for example, 'an intelligent manufacturer . . . with great industry and success established manufactories of cloth and hats that have been beneficial to the colony.' This was not a pleasant admission to have to make.

Judge Barron Field, who had managed after a short stay in the colony to become embroiled in politics and the composition of dull poems, and was himself perturbed by the spirit of enterprise and democratic opinion springing up, warned Bigge:

I see the shadow of the spirit of American revolt at

taxation rising in the shape of a petition for trial by jury; it will next demand legislative assembly; and end in declaring itself a nation of freebooters and pirates.

If his own apprehensions had not been sufficient, this reminder of the imperial trauma over the American colonists' rebelliousness, helped Commissioner Bigge stiffen the official disapproval of all sense of independence and initiative and led him to report to London:

As I do not conceive that it is consistent with the policy by which this country has always been guided, to encourage in any of the colonies, the establishment and growth of manufactures . . . I think that no encouragement should be given, in the shape of convict skill and labour, to such manufactures as interfere with either objects, or that require a number of men to be confined to one spot. The only manufactures hitherto established are those of Mr. Lord, for coarse cloths, stockings and blankets, and two for hats. From the specimens . . . your Lordship will be enabled to form a judgment of the progress that has already been made in New South Wales in the manufacture of a principal article of export from the mother country, and of the expediency of discontinuing any encouragement to its further Progress.

The litany of the anti-emancipists was never allowed to fall silent - that no matter how much it benefited the colony and made life there more supportable, profitable convict enterprise must be frustrated. 'In the beginning was the Word . . .' and for this rapacious element, the Word was that New South Wales was a penal settlement where the outcasts from Great Britain were to be unremittingly punished for daring in any extremity to violate the laws of property. For in reality, property was holier than life - at least other people's life.

Macquarie had been weak in treating his charges as human beings, and the sooner such nonsense was abolished, the better.

It was a broken and much relieved Macquarie who found himself after several requests, given leave to vacate the post of Governor.

On December 1st, 1821, he was succeeded by Sir Thomas Brisbane, at the reading of whose commission in Hyde Park, Sydney, Macquarie spoke in farewell to the populace.

The loss of Lachlan Macquarie was keenly felt by the majority of settlers in New South Wales, where officialdom was prone to regard majorities as of no significance - unless backed by main force. The sense of loss was not so sharp in the first years when Brisbane proved a not unfriendly Governor (perhaps more interested in his hobby of astronomy than in delving into the problems of the settlement), as later when the full effects of Bigge's recommendations came into force.

Frederick Fisher may have been among the many to be dismayed by the ending of Macquarie's term. The goodwill of the departed Macquarie was commemorated throughout the land by the affectionate ditty,

Macquarie was the prince of men,
Australia's pride and joy!
We ne'er shall see his like again;
Here's to the old Viceroy.⁺

But if Macquarie's ~~day~~ had run out, whose reward for twelve years of hard labour, more exacting and painful than any sentence of similar duration imposed upon a convict, slighting, cynical and immeasurably ungrateful, his own, Frederick may have reflected, might with God's help be more blessed. Whatever his weaknesses and enthusiasms - which were always amiable - Lachlan Macquarie had built nobly and had inspired hope among his community of exiles, in the most difficult conditions.

Fisher may have perceived too, for he was discriminating, that whatever Commissioner Bigge might have recommended, or what mischief may have been engineered by the anti-emancipists, the regeneration of convicts, remote from the daily repressions of class-riven Britain, had in the main advanced too far to be nullified. A sense of nationhood had sprung up spontaneously, hostile to the infamies of rank and privilege. Judge Barron Field had been disagreeably prescient, to an extent.

⁺ Anonymous verse in Rev. J.D. Lang's notes to Poems: Sacred & Secular

During these ominous times, no solution had been found for the mystery of Betsey and Frederick's child. The few letters Frederick received from England between 1818 and 1822 did nothing to unshroud it. Silence. The tormented young father could only think that Henry had betrayed what for the family in London had been agreed secrecy, since no other word came forth, even in spite of his appeals. No denial. No assent. He could only feel wrong^d, cheated; but the great love his parents bore him was not to be weakened by the thought of his parental anguish. Their first duty lay in the protection of their own first-born from the implacability of the law.

By 1822 Fisher's various employments had brought him into acquaintance with most of the notables of the settlement, and he had good knowledge of what was going on in official circles. For instance, he came upon the fact that James Meehan, deputy Surveyor General who was incidentally Collector of Quit Rents for the Crown was no longer able to carry out the duties of the latter office, owing to failing health. Meehan had given twenty-two years of splendid service to the colony, during which he had performed an immense quantity of surveying. The privations, discomforts and physical demands upon him added their burden to his mounting age. At length he was incapable of continuing.

Meehan and Frederick were acquainted, possibly not alone through the Bank Mill venture, and it would seem Meehan formed a good opinion of the young Ticket of Leave man. At all events, the deputy Surveyor General would be expected to nominate a suitable replacement for either or both of the offices he was relinquishing. Fisher, of course, was no surveyor of land, but he had other capacities which commended him for the remaining position.

Possibly upon some temporary basis, Frederick Fisher was nominated and confirmed in the duties of Collector of Quit Rents, which duties he took up prior to June, 1822. During the following August, Meehan resigned formally both his positions.⁶

As deputy to the somewhat over-rated Surveyor General, John Oxley, Meehan had received annually £136. 17. 6d from the Treasury, and a similar amount from the Police Fund as Collector of Quit Rents.⁷ The

Collector was required to travel over the whole territory of New South Wales, wherever people were settled upon land grants, at least once a year. The regulation annual payment, fixed over a number of years in relation to the value of the acreage granted was received by the Collector and recorded. At one stage the Quit Rent was equivalent to five per cent. of the land value. (Grants were made only to free settlers or convicts who had been pardoned or had received their freedom by servitude.)

It says much for Frederick Fisher that while still holding Ticket of Leave, with several years of his sentence still to run, he was considered worthy to be taken into the government's employ as custodian of some of its revenues. His notable service with the Provost Marshal certainly would have directed official attention to him when the need for a Collector arose, independent of whatever goodwill Meehan may have shown towards him.

Preferment, however, was not lightly given. The work called for hardihood, knowledge of law governing lands granted, as well as a flair for legal expression. Besides integrity, the position called for firmness, sound judgment and courage.

The dual positions of Collector and Surveyor, especially in the early years of the colony's development and its population was small, could be adequately managed by Meehan. But as the tempo of exploration increased and there was a constant issuing of grants wherever new and productive areas were opened up, surveying alone became formidable. Arrears of work accumulated. Within certain limits the mapping out of a grant temporarily established upon geographical features might be delayed over a long period without more clamour than an impatient grantee might raise, and little harm done. But the Quit Rents accounts had to be satisfactorily made up to suit the needs of the Colonial Treasurer. The demands upon the possessors of grants were therefore imperative.

It is not clear if Frederick was appointed Collector at the same rate of salary as had been received by James Meehan; and it is difficult to imagine that so hazardous an office should have been rewarded on a lesser scale. Subsequent events suggest that at this

period there was an improvement in Frederick's finances, so that he probably received the customary salary for collecting Quit Rents, but in addition pecuniary advantages from acting as bailiff when necessary. Very likely he earned commissions from the duties of distraining chattels of defaulting grantees and from the sale of properties entailed by inability of people to meet their obligations. Possibly, too, he received commissions on collections.⁹

Insofar as the new work satisfied his restlessness and desire to acquire material possessions for the future of his child, it suited Frederick. A horse provided by the government took him wherever duty required, which might be up to 170 miles into the 'interior', as far as settlement had then reached. The task was not easier for him than it had been for the greatly experienced Meehan, for his youthful stamina did not lessen the intricacies of his assignments. The travelling was rough, whether he went mounted or with the benefit of a gig. The privations were severe, due either to the exposure to the extremes of stunning summer heat or winter cold.

The loneliness necessitated by the fact of his carrying on the person quantities of government money, threw his mind upon the enigmas of the future, or launched him into sad-sweet fantasies of reunion with Betsey and the bliss of beholding his daughter. His natural insularity protected him from those longings for casual company on far flung routes, and thus from too easy access to absconded convicts turned bushranger who lived precariously and brutally on wayfarers. The larger the collection of rents, the greater risk there was in passing singlehanded through the narrow defiles of primitive forest.

Meehan would have been accompanied by assistants necessary to his surveying which was combined with the collection of Quit Rents, and consequently would be relatively safe from ~~native~~ bushrangers.

Then, also, courage was required of the new collector to press government demands upon grantees who were in as dire need of ready cash as were any of the skulking bandits along the roads. With the latter, the pistol he carried gave some assurance in moments of difficulty; but only his personal qualities could guide him successfully

through ordeals such as those requiring him to seize and sell the chattels of settlers in financial straits, or to officially dispossess in more complete form, many who had over-rated their ability and under-rated their resources to carve from the towering opposition of nature, the smiling and profitable farm of their dreams. Such work demanded determination - it might almost be said, heartlessness. Fisher was not heartless, but he was punctilious in performing duties to the letter. One advantage, if such it might be called, lay in his ability to hide any feelings of repugnance towards executing the law against the merely unfortunate. He had had long practice in hiding his feelings. The vision of a secure future for his child sustained him, so that he could act in a detached way for a cause against which no argument could prevail.

There were opportunities for private trading of which Frederick would eagerly avail himself. Who could be in a better position to arrange useful deals over the countryside than the one man who would know every other settler's special need? Everything had a value in the young colony - an axe, a spade, a hoe were treasures when iron ploughs were sufficiently rare and new land had to be opened by main strength. The whole Quit Rent run was a mart where he could promote barter or commission purchases of calico, bags of flour, other staples as well as seeds. So many trifles were needed in the isolated hamlets where bark cabins were the hopeful preludes to rich homesteads. These activities would be merely incidental to his main work, but they could not be ignored.

Fisher pursued his way westward where in 1813 William Blaxland, Lieut. Lawson and W.C. Wentworth had successfully cross^{ed} the Blue Mountains to discover a rich hinterland for settlement. He went 20 miles southwest along the road^{which} led to Liverpool on the Georges River. And on, fourteen miles more to reach the settlement which so short a time before (1820) Governor Macquarie had named Campbell Town. Pressing on through the District of Airds, he came by Appin, a meagre hamlet, and next the territory of Illawarra, rich in grazing tracts and great stands of cedar. More southerly from the fork at Campbell Town ran the vast and uncertain 'new country' of Argyle, to which the more avid

land-takers were trekking as they already had done into Illawarra. There seemed no limit to the common hunger for land. Where they went with their herds, Frederick presently followed and exacted the government's due.

Frederick was now at the peak of his manhood, thirty years old, confident, acquisitive, shrewd and observant, withal physically toughened by his occupations, so remote from the past, hazy, virtually sedentary life of the fine printer and engraver. His slight frame had the resilience of a steel spring; the deceptively small and delicate hands which wrote so delightfully, hesitated not before any task more seemly to gross members. The firmness of his drive informed his body. Among his observations was the fact that the keenest merchants of the colony were investing in cattle, wheatgrowing and particularly in the acquisition of land. The lastnamed and beef were becoming increasingly valuable.

It would have been strange had Frederick remained impervious to the call of land ownership when so many around him were bent upon securing their future and that of their posterity by means of it. Was it not the basis of economic value? The surge of transportation from Great Britain where the troubles of the common people were in no wise eased, made property ownership more desirable. Fisher had come to have a feeling for property in company with the hordes of other convicts whose ancestors might never have conceived it possible to own a square foot of land. A race bred from generations of vassals found an appetite for possession of some portion of that land which Whitehall distributed in the certainty that Australia, lock, stock and barrel was a liability. As he followed his routine, Frederick studied the possibilities of becoming owner of land in fee simple - by purchase - since he was as yet ineligible to obtain it by grant.

Behind the growing liking for the role of landowner - even of rentier - arose a passionately tinted vision of the child of his body whom he had never seen. And time was fleeting. Of his servitude seven of his fourteen years had dragged out and only now it seemed the tide of fortune was setting in his favour. Now, all was urgent. He

looked for likely properties which his growing prosperity brought within the bounds of his desire.

Fisher's time was not spent wholly in the countryside. Sydney Town's quaint and bewildering sprawl contained many grants from which he had to collect rent. Grants of a few acres in the heart of the settlement and farming areas within view of the Tank Stream came within his scope. If he had not been already well-known on account of his paper manufactory and his employment with the Provost Marshal, he unavoidably became familiar as the government collector of Quit Rents. On June 3rd in 1822, he was surely grimly interested and maliciously amused to receive for his immediate attention a document as follows:

AUTHORITY TO DISTRAIN - John Oxley, Surveyor General, empowering Mr. Frederick Fisher of 56 Phillip Street, Sydney, to distrain the Goods and Chattels of Samuel Terry or the tenant in possession in the house and premises situate as described on the other side¹⁰ for Eight pounds three shillings and 5d. being 4 years 3 months rent due to the Crown for same, on the First Day of January now long past, and for your so doing this shall be your sufficient warrant.

(ML)

What bitter memories of Terry's complicity in the wrecking of his manufactory lightened Frederick's footsteps the short distance from his lodging to the Pits Row miser's roost around the corner! Of course, he would not have the satisfaction of actually selling up Terry; Terry was too wealthy to let a few pounds imperil his larger interests however painful it was for him to meet his just debts. But there would be something enjoyable in meeting eye to eye such an enemy while in possession of the full authority of the law to make the older man squirm. If it was not much recompense for what he had suffered at the Lachlan Swamps where the mill stood rotting and useless, it was nevertheless sweet. He could envisage as he came within view of Terry's inn the loathsome ritual of Terry's calling a servant to fetch up drinks to smoothen the awkward

moment, with the reputed sniffing of the servant's breath against the possibility that the rascal had tossed off a drop himself while opportunity offered.

Whatever he anticipated, Frederick meant to show Terry by the plainest expression short of speech, the contempt he felt for one who could undermine so brave an adventure as manufacture of the colony's special need - paper. He would have to be content with a simple show of power.

NOTES

1. Stories reaching England often pictured New South Wales as a sort of Promised Land, partly because of exaggerated accounts of the success of some former convicts. The unsavoury side of life in the colony was lost to view - the harshness of the free settlers towards assigned labour, as well as that of some officials and even emancipated convicts. The latter, at last coming to prosperity treated their assigned workers as they themselves had been treated - as beasts of burden to be worked to the limit of their endurance and on inadequate rations and shelter. Inhumanity towards their employees was rife, and the wretched assignees were subdued by threat of being turned over to magistrates. Some of these, too, were users of assigned labour and were no whit less cruel and stupid than the villains who appealed to them.
2. Ann Fisher's writing here is illegible. The view that Wylde is name intended is based upon remarks by Frederick in a later letter concerning the Judge Advocate (John Wylde) and his father (Thomas), Clerk of the Peace. It almost suggests that the Wylde had been personally known to the Fisher family in London. The Wylde arrived at Port Jackson per the ship Elizabeth, October 5th, 1817. Probably one of them carried a letter from Ann to her son, who appears to have been 'close' to the Wylde, such as to have expected from that direction important assistance in gaining remission of a portion of the term as prisoner. Frederick's bitterness towards John Wylde (later on) for his inaction in that respect conveys a sense of betrayal.
3. This letter alone is sufficient refutation of William Kerr's fanciful claim that after Frederick's conviction his family, - 'enraged by the disgrace . . . took little further notice of him.'
4. The industrial suburb of Waterloo could well have gained its name from the presence of the Waterloo Flour Mill, commemorating the decisive battle.
5. Nothing appears to have developed from the Clarkson-Duncan agreement for setting up another paper mill on Clarkson's site. In after years, although John Hutchinson claimed to have made 'white' paper among other products, and has been considered questionable, the only paper mill shown to have existed after

the Fisher-Duncan debacle, was one 'old paper mill' in the same area. This was possibly identical with Bank Mill which had evidently passed into the possession of Simeon Lord who had his other ^(woollen) mills in the vicinity. There appears no positive evidence that it ever operated after Fisher's activities there. Had Hutchinson succeeded as he claimed, to produce 'white' paper, Lord was not the man to allow so conspicuous an achievement to die on the branch as it were.

The NSW Census of 1828 does not reveal any George Duncan or Warren in the occupation of paper makers. Even as soon as 1825, John Busby, engineer, reported to the government on the prospects of finding for Sydney an adequate water supply to augment or replace that of the heavily contaminated Tank Stream:

. . . I was led to examine the large lagoon in the vicinity of the old paper mill, from which the Waterloo Mills draw part of their supply . . . the water is perfectly transparent and colourless . . . so abundant . . . If the Old Paper Mill and the located ground towards the lagoon be procured, the embankment already made may be raised . . . and an additional reservoir be thus obtained.

The term Old Paper Mill, implies that it was then derelict or at least long unused. It may have been acquired by Simeon Lord on account of its valuable streamside frontage in connection with his cloth and woollen mills, and not for any paper-making potential.

In 1828 the government was desirous of removing industrial undertakings from the water sources at the Lachlan Swamps, and on December 8th of that year, Simeon Lord wrote to the Colonial Secretary demanding £5,000 compensation for the surrender of his rights in water supplying his paper mill for the purposes of an alternative Sydney water supply (DG) No agreement could be reached, and it is understood that the Privy Council was resorted to. A figure much in excess of the original claim was granted to Lord's widow.

6. Historical Records of Australia, Vol. X.
7. Not an inconsiderable salary, though not munificent either considering

the hardships entailed.

8. James Meehan's application for a pension was granted subject to his settlement of the Quit Rent Accounts.
9. The NSW State Archives contain Frederick Fisher's personal notebooks and loose papers showing descriptions of land grants on which he collected Quit Rents, with his action marked upon them. Calculations of receipts, commissions and expenses are also shown. Another such notebook is in the possession of the Dixon Gallery.
10. Description on reverse of Authority to Distrain goods and chattels of Samuel Terry, June 3, 1822:
Bounded on the N. side by Skinner's Lease and bearing E. $4\frac{1}{2}$ degrees N. 133 feet; on the E. or front side by Pits Row Pitt Street bearing S. $3\frac{3}{4}$ degrees E. 142 feet; on the S. side by a line W $2\frac{3}{4}$ degrees E; and on the W. side by the Brook leading to the Tanks; comprehends the leases made to Rosetta Marsh and Thomas Evestaff. (ML)

NOTE - Pits Row got its name from the presence of a series of pits which were sunk to receive water for storage, from the Tank Stream.

C H A P T E R F I V E

Frederick Fisher at Campbell Town

June, 1822 was noteworthy in the life of Frederick Fisher because a mood to unburden himself to his parents took hold of him.¹

Honored Parents [he wrote] -- My duty together with the desire of communicating the satisfaction I feel in receiving a Letter from my Parents, or indeed from others who are disposed by putting themselves to the trouble and expense of writing, to show they consider me not altogether unworthy, their correspondence compels me to send this return for your favour per Mr. Geo. Shelley's son, but as I cannot at present with truth render you a favorable account of my own progress, I shall make my letter short.²

I feel grateful to our Omnipotent Creator for the restoration of my mother and hope in his Mercy we may see each other enjoy a more agreeable portion of life than the past. The disadvantages of my bondage have exposed me to numerous pecuniary embarrassments which are now arranged and have left me a very trifling sum to act with as my own and with that little I intend endeavouring to work my way into a business or a farm and if sufficiently successful to send for my two sisters (Harriett and Maria) with yourselves if you are inclined to quit the land of freedom for the land of bondage.³

I presume it to be more from defect of memory than want of feeling that you are so silent in respect of Betsey (whose welfare is at least as dear to me as my own). I shall hope that you will prevail on her to write me a very long letter not to contain less than six sheets to be cramm'd full of intelligence respecting occurrence(s) to herself and my child, since their separation from me, not that I presume to expect to see her [Betsey] again, but it will be a great relief to my mind if I can be certain of her being comfortably settled. Until then, I cannot consistent with my own Idea of our Engagement to feel at liberty to settle myself, even if I was entirely Emancipated

from my bondage and had a good opportunity of improving my finances.

I also hope you will recollect I have not yet been apprized to the contrary of my being the Parent of a Living child, altho' fate has separated her from the tears I am just giving vent to.

I trust you will remove the necessity of my complaining by communicating an exact description [of] how she is situated, and do your best with some of my relations to see her educated.

Still, it will be more pleasant if her mother has the means and disposition to provide for it until in my power to do my duty. I purpose writing you a long letter when my circumstances improve.

Betsey no doubt has given up the thought of following me. If so, I shall feel obliged by your informing me in your next letter if my cousin Jane^c Hollis continues a spinster, and if propriety does not forbid it, to endeavour to ascertain if she has any objection to accompany my sisters and yourselves (in case of your being inclined) to this land, when it may be convenient to make the necessary arrangements with the Master of some vessell . . .⁴ I also wish it to be ascertained if she is disengaged and agreeable to unite her interest with mine . . . If Betsey had followed me as I expected, it is likely I should have been as the generality of others who were imported under the same circumstances. Many of them that arrived long after myself with scarce a shilling are now worth a few thousand pounds. The same quantity of real property that was generally purchased about four or five years ago for a net sum of £70 -- and would have repaid the purchase by two years weekly rent -- is now become worth at least one hundred pounds annually. Real property is in general estimated to be worth the amount of five years rent (I judge from the latest purchases) . . . (DG)

Frederick had started to write his 'short' letter in a steady, well-formed hand, as though anticipating ample leisure to complete so unambitious a essay as he had in mind. But after the first foolscap sheet had been filled, the writing degenerated into a racing scrawl, suggesting some reason for great haste had arisen. Whatever it was, he did not intend to allow himself to be diverted from liberating his unaccustomed loquacity. The letter rushed onwards as though in spite of its writer, whose aspirations, disappointments, yearning and conceits poured out. Yet, as he passed from topic to topic, he could not forbear from re-echoing the matter dearest to his heart:

. . . I beg again to remind you of my anxiety for information respecting Betsey and my child . . . Be so kind as to get the Enclosed letter delivered to Betsey.

NOTE: Please address me as follows, -- "Mr. Frederick Fisher (In the care of Mr. William Wilkins, Cryer to the Governor's Court, Sydney, New South Wales)"⁵

What circumstances prevented the letter from being sent may be conjectured. Perhaps the hoped for courier failed to arrive for it. The letter certainly would have ^{been} ready with its enclosure. Did Fisher suddenly realise the great danger lying in his entrusting to another hand a document full of criticism of public men of the colony, and the courier arriving was sent away empty-handed?

It was often the fate of letters to fall into hostile hands, and Frederick could have envisaged at the last moment what peril to himself could spring from what he had written, it being notorious that the contents of letters became known to interested parties before delivery at their destination. Then, too, there had been possibility of harming his parents, for he had stated:

. . . I have not encouraged any correspondence with my brother Henry since the 3rd. week after his landing, but I happened to hear about him two months ago when I was on business 170 miles in the Interior. I was informed that he holds a situation in charge of cattle over the

Blue Mountains and that by his Industry and Handyness he had saved upwards of £30.

I shall always make it my business when writing to inform you respecting his situation, or to convey any letters of his that may come under my knowledge into a channel to be delivered to him. But I have to beg of you never to mention his name or allude to him again in your letters to me. It will be injustice if you suffer yourselves for a moment to suppose I harbour the least particle of ill-will towards him. Quite otherwise; I could feel the greatest pleasure in promoting his real welfare, if I could do it without his knowing me to be concerned. But as I wish to forget the cause of my displeasure towards his conduct I again particularly and strenuously beg you will be careful to omit all allusions to him in your letters to me . . .⁸

Did Frederick feel a sudden qualm in denying to his younger brother the unfailing charity and forgiveness which their parents had shown to himself -- he who had made such great difficulties for them by his indiscretion? Still the letter wound on:

. . . I had almost omitted to inform you of the demise of Thomas Wylde, Esq. the late Clerk of the Peace for this Territory, in the month of November or December last, owing to an Inflammation in the stomach. His property is in the hands of his son John.⁹

With Mr. Wylde died my prospects of liberty. I was at one time weak enough to think the Judge Advocate [John Wylde] intended to procure my absolute Emancipation from his expressing he hoped I would not put it out of his power to restore me to wife and children (I having first stated I had such).¹⁰ But he is what the Black-man calls "All Gammon".¹¹ I am inclined to believe from particular observation of his Ambition to be considered humane and powerful, that if you was to send him a handsome letter

stating the Decease of a relative or other person who had left me a large sum of money that w'd be paid to no one but myself and get a pressing request address'd to him to procure my Pardon [.] signed by some of his relations and countersigned by one or more of his intimate acquaintances in England, then procure an interview with the Master of a vessell bound to Port Jackson and get him to deliver the letter to His Honor -- any of them will be proud to take it for [in order to obtain?] an Introduction -- at the same time send a message or letter left open directed to me, desiring that I send a voucher to prove myself restored to freedom, to some Respectable House that you may think best suited to name [.] who will on receiving such voucher make immediate arrangement for my passage to Europe (there is no fear of my annoying ----- + to be named with my vouchers) [;] that on the Judge perusing the Letter to be delivered to him by the master of a vessell and hearing from the Master the Message sent by him to me, he w'd be stimulated to Exercise his usual Artificial Sympathy for the purpose of sending me to England to Publish his humanity and Great Power.

I shall not attempt to palliate the disception other than to state I feel confident if once free from tyranny that I co'd soon accumulate a competency . . .

Whether Frederick was seriously putting forward a scheme to engineer his repatriation to London or merely expressing in a flight of imagination a hypothetical situation to describe his detestation of the Judge Advocate, as probably one of those who let him down in the paper mill subscription, the danger of the letter's falling

into unfriendly hands was grave. A moment's reflection would have told him his parents would be little likely to countenance participation in a conspiracy, and they would be quick to construe it as such.

The irrepressible longing to be united with Betsey and his daughter seems to have overturned his prudence for the moment. Having scanned what he had written he could be aghast at the challenges his outpouring had offered to Fate.

As if his more personal problems had not been sufficient to drain his resentment, he had felt some fancy to tilt at the 'fair sex in Australasia':

. . . Our white native ladies [born in the colony] are in general tall, well-made, good looking, lively and susceptible of great improvement in their understanding. The Daughters of those Parents (Rich or Poor) who take pains in cultivating their children's morals invariably get comfortably settled. Wives of this description are entirely monopolised by the wealthy and most respectable . . . By far the greater proportion of good-looking females . . . disgrace themselves by becoming the contemptable dupes of the Red-coated officers, and when discharged by the military they become the mistresses of the Masters of vessels, after which they gradually sink until pity'd or despised, these charming creatures who are imported with a sentence attending them, if well behaved are not long without obtaining a respectable match (colonially speaking).

Many of the more proficient from Fleet street and like harbours become wealthy, and it is not uncommon for ~~some~~ some of the shortsighted of the other sex to marry them for their cash, and home. Few of these afterwards become what is here called decent members of society. But alas! by far the greatest proportion fetter themselves with that remorse which so materially augments the miseries of mortality.

I sh[✓]'d not have ventured my Biography if I did not feel well secured by the seas from a Roasting . . . (DG)

If Ann Fisher in due time had felt disposed to express her disapproval at what Frederick was conscious of being in dubious taste by the family standards, a possible 'roasting' would have been trifling beside the repercussions from his remarks becoming known to some of the sensitive citizens of the colony. On a conservative estimate, his letter offered affront to perhaps half of the populace, could they but know it. Nor had Frederick's garrulity dried up. Suddenly it took new direction:

. . . Give my Duty and Sincere Respects to my Grandmother, my Uncle Robert and all my relatives and accept them as my feelings towards yourselves. Give my love to my brothers and sisters, and my advice to Harriett and Maria to wait patiently with a steady adherence to that propriety of conduct which alone can make them respected by the wise and well-meaning, and which may be the means of making us all happy, and to be always on their guard against temptation that may be the means of sending the Parents with misery to the grave and blasting all my hopes.

This I earnestly desire of them to persevere in until Providence grants me the means of arranging for their passage and gratifying my anxiety for the society of two Virtuous Sisters. I sincerely hope that the whole of my sisters may so far respect virtue as to avoid tainting it . . .

Either the foregoing passage smacked too much of Uncle Joseph's sermons for sale to lazy clerics, or Frederick reflected uneasily that his own affair with the elusive Betsey did not commend him to his sisters as a suitable advocate of feminine virtue. However deeply he may have repented his past deeds, this bit of sermonising was indiscreet.

From beginning to end the letter was ill-judged, as though some malignant power sought to invoke, regardless of time, a train of misfortune with it. History records only that Fisher put the letter away among his private papers, as though he was reluctant to destroy so much that he had permitted to escape from his secretive and passionate soul. And in doing so he laid up unwittingly for a more evil day lines that would bring travail and deprivation to those he loved.¹²

+ + + + +

By 1823, following the investing trend, Frederick had acquired one or two small farms, probably at bargain prices. Another, of thirty acres, he purchased from his former employer, Daniel Cooper, for about £250, to be paid in instalments. The last-named property was situated in the district of Airds, immediately adjacent to the site chosen by Lachlan Macquarie in December, 1820 for the settlement of Campbell Town.

As yet, the township, comprising approximately 175 acres was insignificant. The church, St. Peter's, erected at Macquarie's order and opened for worship in 1823, was not yet completely furnished. Its first incumbent, Reverend Thomas Reddall, would find himself still furnishing it for another two years as the changing regimes became increasingly parsimonious. From Fisher's new farm, lying in lower ground off the government road forming the western boundary of the town,¹³ the church with its low square tower must have looked comparatively imposing on its elevated site with a sprinkling of bark and daub huts around it.

Acquisition of land may have dimmed Fisher's enthusiasm for the fatiguing and onerous duties of collecting Quit Rents. Possibly, also, the arduous travelling and continual discomfort of the open road, with the ever-present danger of encountering aboriginals who had no reason to like the white invaders of their ancient territory, or of running foul of absconders from convict road parties, made the prospect of a peaceful farming life more attractive. Besides,

Campbell Town was increasing in importance as a wheatgrowing area when there was barely enough food for the swelling numbers being poured out of England.

For the first three-quarters of 1823, Frederick continued his routine, already apparently comfortably supplied with money earned in commissions, as well as profits on deals by the way. Some of his time was spent at Campbell Town in his eagerness to bringing his acres into production.

The fact that Fisher was not an experienced agriculturalist probably brought him difficulties. His working life had been largely sedentary, his frame slight. But the evidence is that he overcame these drawbacks by persistence and will to succeed. Few implements were available for the working of the land, and main force was a prime requisite against the tough and stubborn soil of the district.

Whether or not he had completed the annual Quit Rent collection, Frederick appears to have definitely made Campbell Town his place of residence, at this time, although his being there could have arisen from the dictates of economy. There was little point in renting lodgings when he was proprietor of a farmhouse amid gently undulating hills reminiscent of what little of rural England he knew.

In addition, it was Spring, and late enough to make the sowing of useful crops for summer maturing a trifle risky. Winter wheat was in good growth wherever he turned. Meanwhile he could profitably run some livestock - horned cattle, pigs and the valuable asset of horses. Experience with these animals during his collecting inclined him to favour them as the power basis of his farming.

On September 6th the Assistant Surveyor wrote to Fisher at Campbell Town requesting him to oblige the Surveyor General by delivering up his books, documents and moneys to the office in Sydney 'without loss of time' so that the Quit Rent accounts might be closed. (SA)

The demands upon his time and energies made by the farm deafened Frederick to the official appeal. The following January 7th., the Assistant Surveyor addressed himself a little more stiffly to the so

far silent Frederick:

Sir, -- Mr. Oxley directs me to request that you will immediately repair to Sydney for the purpose of finally settling the Quit Rent Accounts, likewise that you will return the Government horse which he (Mr. Oxley) is exceedingly surprised to find had for this length of time been used for other than your own purposes. (SA)

From that time there do not seem to be any indications that Fisher exercised the functions of Quit Rents Collector. The tone of the foregoing command from Oxley could have signified that official displeasure against his transgression of the rules brought Frederick's services to an end.⁺ Oxley was never enamoured of extending favours or opportunities to convicts so it is unlikely he would have failed to visit his wrath where a clear and well-founded reason existed. At all events, a situation was to arise in the future when Fisher would choose to be silent about his employment as Collector which normally it would have advantaged him to use it as a recommendation.

Thereafter, Fisher began to follow the life of farmer with all possible vigour. Aside from its unceasing laboriousness, the occupation suited him. The irksomeness of his bondage, which plagued him owing to his extreme pride, or vanity, was no doubt eased by the demands upon his attention of unfamiliar problems, as well as opportunities to engage his enterprising temperament.

There is little or no evidence that Frederick informed his parents about his farming activities, although his brother Henry would have done so, at least until he felt secure enough in material prosperity to make good his plea for the family to join him. At what level of prosperity he would persuade himself there were enough assets to provide a tolerable living for sisters and parents, and a prospective wife, may only be guessed. He certainly seems to have gradually become fired with a great hunger for possessions.

Perhaps Frederick Fisher, as he began to succeed in a new and challenging field of endeavour, was afraid to fail. He had

+ The position was abolished in the following year.

tasted that bitter fruit and deepened his sense of insecurity. He may well be confident of his own talents and appetite for work; but the treachery of people had so deeply marked him as to intensify his insularity. He had to rely upon himself and guard against the incursions of others to despoil him of his gains. He preferred even to deny himself modest comforts in a bid to amass wealth. By degrees his preoccupation with obtaining goods and money by the keenness of his deals, earned him a reputation for personal penuriousness.

Toughened mentally and physically by the Quit Rents stint, he was conditioned for success in dogged farm drudgery and dealing just where there seemed to be abundant opportunity.

The Campbell Town of 1824 presented a picture very different from the environment in which Fisher had grown to manhood. But he had long since become accustomed to the makeshift settlements of the raw country in which he had been planted so inauspiciously. Campbell Town, at least did not compare unfavourably with other infant towns of its age. Beside St. Peter's Church there was little that had any appearance of permanence. William Bradbury, the convict who had obtained absolute pardon from Macquarie as a reward for the unstinted use of his horse and cart in a road-making project, and had then ~~then~~ forged ahead acquiring tracts of land and cattle herds, was the proud owner of a two-storey brick house on an elevated site within the town boundaries, and had opened it to the public as an inn.

Along with St. Peter's Church, Bradbury's establishment proclaimed the superiority of brick among so many bark-covered dwellings. Previously, Bradbury had farmed the thirty acres adjoining Frederick's farm, and on it had built a substantial single storey house, which the surviving evidence proclaims to have been of stone and brick.

Hardly within eye range, to the north somewhat, John Warby's coachhouse, barn and dwelling rose massive in convict-reared stonework, and brought to the locality that English manorial appearance of having been built to last forever. All these, in so ample an area were little enough to banish the primitiveness

accented by the rough shelters of the smaller settlers. There was, however, a relatively commodious schoolhouse, about 35 feet long and 16 feet wide, comprising three rooms. It served as a court house when required, and below were gaol cells which did not lack for tenants. The building was already too small. The elementary school had an attendance of about forty children, and was conducted by Thomas Leathwick Robinson, a convict, who employed the 'Madras' system of instruction which carried the pupils to the stage of writing and 'cyphering'.¹⁴ The population of Campbell Town was made up of approximately 500 men and about 200 women, many of whom were convicts assigned to free settlers with substantial land holdings. There was a heavy proportion of Irish folk.

The countryside in which Campbell Town had been marked out was a beautiful region of low hills which flattened toward the north, where George's River drained a large territory through its many meandering tributaries and creeks to wind its way eventually to Botany Bay. One tributary of George's River passed Campbell Town close on the western side, and in the main was known as Bunbury Curran Creek. This creek was itself feeble and ran an erratic course. From it -- or into it -- drained an even feebler stream which ran behind and formed the rear boundary of both Bradbury's and Fisher's farms. In dry weather it was little better than a chain of mudholes, and depended upon the slopes of Campbell Town in times of rain to gather enough flow to legitimize the description of creek. In fact, in crossing Bradbury's old farm, it was so inconsequential that it was possible to plough the faint depression in which it straggled and grow wheat there.

The presence of these watercourses conferred only limited benefit upon Campbell Town. The heavy mineral content of the water rendered it useless for most purposes. For that reason, and because there was no other stream of importance in or near the town, Standish Harris, Government Architect, ~~was~~ reported in 1823:

. . . This place . . . is so ill supplied with water
that it would not be advisable to recommend more buildings.

Fisher's farm, however, was exceptionally favoured in so far as a trickle of potable water emerged from the slopes of the town, crossed the government road which separated the town from the district of Airds, and flowed into his front paddock. The precious water sufficed for the house and farm usage. Such an asset was to be guarded with care. Accordingly, its course across the public road was protected, most probably by a covering of hewn logs against the traffic of carts and herds being driven to the newly-opened country of Illawarra. It cannot be doubted that the previous owners of what became Fisher's farm were responsible for conserving the trickle of water, and not surprisingly the log crossing, extending to the farm fence, came to be referred to as a 'bridge'.

Several inns existed in Campbell Town, and were merely structures of bush timbers covered with sheets of bark - which if inelegant, were rugged and good insulation against extremes of heat and cold. Moreover, the bark was thick and durable and harmonised with the rural scene. One special appeal it had for the intending builder -- it was cheap material obtainable in abundance from surrounding forests.

The traffic to Illawarra, via the hamlet of Appin a few miles south, was too profitable to go unexploited, so that many commercial makeshifts came into being. The inns were the only social amenities available to the populace -- aside from the church. It was soon notorious that Campbell Town had too many inns. But sober judgment in official quarters went to concede that the inns filled a need and at the same time returned to an impecunious government an appreciable revenue in licence fees. These amounted to as high as £30 annually for the sale of spirits and beer in the same premises. The appeal of rum was superior to that of beer.

Reverend Thomas Reddall, who had been present as a member of Macquarie's party when the Governor named the town in

honour of his wife's family, was still endeavouring to have the burial ground of approximately four acres cleared and enclosed. His efforts to have his own residence, Glen Alpine, built, and the spacious glebe cleared and sown with grain, were hampered by lack of labour of the right competence, as well as by government disinclination to pay fair prices to contractors.

South from Campbell Town, yet quite close, extended the three-thousand acre property worked by William Howe. This man with his family achieved wonders in farming since his arrival on the ship Atlas, which had on the same voyage brought Frederick Fisher. With a troupe of servants and assigned convicts numbering 12 and about 50 respectively, Howe by 1823 had raised a large house and established hedges about his paddocks with wild lemon and quinces. Howe, as a former military officer was a natural choice for the maintenance of order in a district troubled not a little by the high spirits of its Celtic residents plus a number of incorrigibles of other kinds.

The District of Airds had been settled since at least 1811 and recalcitrant types were well entrenched in local society. Howe's appointment as Superintendent of Police for the area was followed by benefits. Formation of a voluntary police brigade consisting of William Bradbury, John Farley, Nathaniel Boon, Thomas Hammond and John Patrick called forth the appreciation of Rev. Reddall, who was magistrate. The brigade's influence was marked among the rougher elements of the community, and by the time Frederick Fisher took up residence in Campbell Town disturbances were infrequent.

Fisher and William Howe were on friendly terms, perhaps initially from their having arrived at Port Jackson by the same vessel; and possibly also through their attendance at the church each sabbath, when Frederick (as a prisoner of the Crown) would be compelled to attend. On those occasions the genial squire would lead in his family of nine followed by an entourage of servants and farm labourers -- a total of seventy persons! This was quite

a press of humanity for so small a church.

Just beyond the southwest extent of Glenlee was the Cowpastures domain of John Macarthur, the clever and acquisitive sheep-raising politico, and one of the most dynamic figures in the colony. Cheek by jowl, as it were, lived the extremes of colonial society as measured in terms of land and cattle. In Campbell Town itself or on its fringes settlers who were former convicts or had come free, with those who were descended from First and Second Fleet arrivals, combined farming with some other trade either by force or necessity, or because in shaping the rough land every skill was called upon.

Thus, Charles Beales, a butcher by trade before his transportation, picked out local seams of clay and fired beautiful red bricks, for which a fashion had been set by Bradbury and St. Peter's Church. Stone was scarce in the locality. When not firing bricks, Beales farmed a modest acreage to ensure continuity of income. Jonathan Brooker who had arrived free in the early days of the settlement - and thus amounted to an aristocrat -- established himself at Bunbury Curran, where Daniel Cooper bred horses at a property called Eagle Farm. William Brooker, son of Johnathan, born in the colony, farmed and followed the trade of carpenter too. The local constables likewise followed various trades and performed their police duties as called upon.

In the same fashion, William Howe farmed, producing various crops including tobacco, the local market for which the British Government tried to stifle because of its other colonial sources. Howe was also police superintendent and magistrate for Upper Minto.¹⁷ At Bunbury Curran, Dr. Robert Townson several years earlier built *still existent* Varro Ville and farmed. He was a philosopher and author of travel books.

Except for the more affluent who could achieve a degree of domestic comfort comparable with the level existing at a corresponding prosperity in England, life was usually hard. The tough soil

defied the labourer to keep it in productive tilth. A man was esteemed likely to succeed as a farmer if he owned as his minimal equipment a spade, a 'shovell', some felling axes and reaping hooks. Pigs were worth £2 each, cattle £6; but horses were especially valuable at £30 to £40 a head. Wheat in crop was worth £5 an acre, and the yield in grain generally could be expected to sell at the Commissariat Stores for around 5/6d the bushel. Maize brought £2 an acre of standing crop.¹⁸ Iron ploughs were just beginning to make their appearance and of course were ~~quite~~ few in number. Some of the earliest ploughs to break the Campbell Town soil were fashioned almost entirely of wood.

During his first year as a farmer, Frederick Fisher followed the mode of the day for ambitious property owners and became proprietor of a public inn, The Horse & Jockey.¹⁹ It stood on a town site opposite the church. At this time also he owned other buildings distinct from those on his farm, which he was careful to identify as being in the District of Airds, adjacent to the township.

Although he was prospering, Fisher seems to have been extending his resources in an endeavour to seize numerous opportunities to make profit. He was not able to maintain all his activities unaided and had to employ labour. Among the innkeepers with whom he had to compete in the near vicinity were Thomas Hammond, a law clerk by profession, and Charles Rennett, owner of the Harrow inn close to Fisher's northern boundary. John Patrick too, was in the field for the sale of alcoholic stimulants. Of these, Patrick and Hammond were certainly well-known to Fisher. All in all, there were no personal rivalries, merely the fact of their all being in the same line of business.

Frederick became keen to be rid of the responsibilities of his inn, and on February 3, 1825, advertised in the Sydney Gazette his willingness to let the Horse & Jockey premises with early possession,

adding that the inn was opposite the church and courthouse and in the midst of 'an extensive population'.

The advertisement did not attract at least a suitable applicant, and on the usual licensing day, March 19, Fisher renewed his licence ^{as did} ~~along with~~ Rennett and Hammond. The latter sold only beer.

Rennett and Fisher having become closely associated, planned to form a partnership. Already, Frederick was dealing in general merchandise, so it is likely that disposal of the Horse & Jockey tenancy was designed to raise more capital for the dealing part of his activities or for the envisaged partnership.

On April 7 the government advertised in the Sydney Gazette listing Fisher among those who had failed to fulfil contracts to supply wheat grain to the Commissariat Stores, Liverpool. His obligation was for 400 bushels at 5/5d per bushel (by tender), and delivery was required during the following quarter.

In the same issue, Frederick repeated his advertisement for letting the Horse & Jockey, again without ~~result~~ *success*.

For some time he had been engaged in erecting on his farm two permanent structures. Whereas buildings on town sites were required to be of two storeys, those on farms were exempt from the ordinance. Fisher's farm buildings comprised a three-storey brick building, apparently intended as a trading store, with nearby a more massive stone-based structure which did not progress beyond completion of a high foundation and the floor timbers. These activities could have been planned for the partnership with Rennett.

The governorship of Sir Thomas Brisbane was near its close and the effects of the investigation by Commissioner Bigge during the Macquarie regime were soon to manifest. Some whisper concerning the character and temperament of Brisbane's successor may have penetrated to New South Wales to spread like a searing breath of Hell throughout the sensitive convict population.

The anti-emancipists, the Exclusives, with a common deep hatred of successful ex-convicts and Ticket-of-Leave men were tremulous at the nearness of their hour of triumph. Their Messiah was approaching and righteous wrath would destroy those who with sweat and frugality, allied with intelligence and initiative dared raise their material prosperity and take on the mantle of respectability with which it was equated. What were things coming to, what with the French Revolution and then the revolt in America! If the rumours flying about which came ahead of the paragon, there would be changes indeed.

In the light of later developments, the moves of Fisher and of Rennett -- who offered his Harrow inn for sale at £500 in the December preceding ^{Sir Ralph} Darling's stepping ashore, seemed prescient. Frederick, plaything of Fate, however, could not free himself so easily as the cloud over the colony began to deepen.

In the course of his building operations, Fisher had employed William Brooker to carry out carpentering. A dispute arose between them over payment for work done. Brooker, a dark, fiery and excitable man about the same age as Frederick -- 33 years -- sued in the nearest court with the proper jurisdiction, at Liverpool where, incidentally as a native born Australian he was entitled to sit as a juror at Assizes, and obtained a verdict in his favour. Fisher was angry and resentful of the course taken by Brooker, and whatever the merits of the case (unknown now) Frederick's feelings towards young Brooker were hostile.

Fate drew together the threads of her weaving about the two men through the agency of Charles Rennett who had been embroiled with Brooker in a different way. Rennett had hired a number of cattle from Brooker, and although far from being impecunious, had fallen into arrears of payment.

On June 25th, Brooker, the worse for liquor, went to the Horse & Jockey where Rennett then was and demanded restitution of his beasts or payment of the money due to him. An argument developed in which Fisher became involved, ending with Brooker fleeing the inn pursued by Fisher with a pocket knife. Brooker stumbled and

PORTRAIT of WILLIAM BROOKER as an old man

fell. The infuriated Fisher jabbed him with the pocket knife. The assailant walked away a few steps and then, still in the grip of an ungovernable rage returned and jabbed Brooker again.

The injuries were slight, but the attack was serious under the prevailing law. Sentence of death or penal servitude for life were meted out to those guilty of such offences. With sudden horror Frederick realised his terrible position. He could expect no quarter from the arrogant carpenter, if only on account of their recent dispute in the court.

Without loss of time, Brooker had Frederick arrested and arrangements were quickly made for his transportation to Sydney Town where, it was supposed, the Quarter Sessions would still be sitting.

Campbell Town officials, appreciating Frederick's dilemma, considered in haste what might be done to protect his property against a now problematic future. Henry Fisher, ^{Frederick's brother,} they knew was miles away in the Windsor district, and even though the brothers were now reconciled after their early quarrel, there was no time to obtain his services if the Sessions were to be reached in time. The inn could easily be put under care; but the farm with its crops and livestock created a problem. Anyone could measure out tots of rum, but who was available to perform competently and conscientiously the tasks of the farm - to sow, reap, thresh, market, slaughter and fence?

The solution was provided on the basis of geographical convenience for one thing. The presence of George Worrall, ^{convict} on the adjoining farm could not be overlooked. Replacement of a panel of fixed fencing with a sliprail in the common ^{dividing} fence would make access from Worrall's side simple, and the two farms could operate as one. Worrall, although he does not seem to have been well known to Fisher, was a sturdy and industrious fellow, and into the bargain employed labourers. His tenure of his own acres was by rental from ^{William} Bradbury. Then too, Fisher's horses would

who had originally farmed them.

lighten the burden of the extra work, for Worrall did not own any draught beasts.

Frederick had no choice but to accept when he knew Worrall was willing to caretake the farm, and formal (if undocumented) arrangement was completed, no doubt under the watchful approval of both William Howe and Rev. Thomas Reddall. Neither of those men would suffer Fisher to lose unnecessarily from his sudden folly. The details finalised, Frederick was escorted to Sydney.

NOTES

1. This is certainly the letter responsible for bringing about the long delays which gave opportunity for Frederick's estate to be frittered away, if not to be plundered.
2. Frederick was inclined, on the indications, to 'cry a poor mouth.' Circumstances may have intensified a natural trait.
3. Possibly intentional sarcasm.
4. The letter has been sectionalised and paragraphed for clearer presentation of the topics, which in the original are broken up by digressions.
5. Ibid.
6. Unlikely Fisher would make a draft of so personal a letter, even to the point of adding postscripts which would have been better incorporated in the letter actually to be sent. Prudence would have even precluded him from retaining a letter too dangerous to send.
7. The modern envelope with gummed flap was unknown. Sealing wax was inconvenient and extravagant except for officials and the wealthy. Letters were folded and carried by either an obliging traveller or by the Captain of a ship at a fee.
8. Same letter.
9. Frederick's retailing of this information strongly suggests special interest by the Fisher family in the affairs of the Wylde -- even that the families were closely acquainted in London and the Wylde's friends known to them also.
10. Fisher seems to have romantically thought of Betsey as his wife.
11. Aboriginal pidgin expression meaning idle or hypocritical talk. In later years Governor Bourke sought the Home Government to recall John Wylde whom he considered treacherous.

12. Fisher's insistence upon being supplied with information about his child was an embarrassment to his mother who feared legal repercussions against him.
13. What was in Fisher's time outside the town boundaries, the two farms which are subject of this history and then within the District of Airds are now the business heart of the modern satellite of the Sydney metropolis.
14. From a statistical report on the Church Establishment in NSW as at June, 1825, by Archdeacon Scott. (ML)
15. Correspondence, 1822-23, Colonial Secretary from Rev. T. Reddall. (SA)
16. William Howe letter, Nov.10,1823, to Rev. Reddall asks for seats in St. Peter's Church to be reserved for his family, servants and workers, and seeks permission to alter or add to the seats allotted, at his own expense. (SA)
17. In 1800 a region south of Campbell Town was called Upper Minto, a name not now used. The former Lower Minto, north of Campbell Town, is now known as Minto.
18. From an application for grant of land made by William Tyson, junior, East Bargo (Oct. 28, 1826) sponsored by Daniel Cooper. (SA)
19. Elsewhere incorrectly called Horse & Groom. (See later.)

CHAPTER SIX

The Cheshire Waggoner

George Worrall was a native of Cheshire. On August 10, 1811, he was tried at the Shropshire Assizes on Indictments 5/131 part 4, the jurors finding that Worrall

. . . late of the Parish of Ryton in the County of Salop, labourer, on the fourteenth day of April 1811 about the hour of three in the afternoon of the same day with force and arms at the parish aforesaid the dwelling house of one William Preston there situate feloniously did break and enter (no person in the same dwelling house then and there being) and in the same dwelling house then and there being found and there feloniously did steal take and carry away one promissory note called a Shefnall Bank note for the payment of five pounds . . .

The evidence made out that Worrall took in all, six promissory notes (Shefnall) for £5 each; seven bills each for the payment of £5; seven other promissory notes each of the value of £5,

. . . the said several sums of money payable and secured by the same notes and bills respectively being then due and unsatisfied to the said William Preston the proprietor thereof.¹

Ten witnesses were sworn and a verdict of guilty returned. The accused was sentenced to transportation for life.

The Convict Indents recorded Worrall as a 'waggoner' by trade. His description was, 5 feet 9½ inches tall, complexion fair to pale, eyes hazel and hair brown. He landed at Port Jackson from the ship Earl Spencer on October 9, 1813 (SA) He was then 28 years old and was assigned to service under the Chaplain of the colony, Samuel Marsden. Later, he served under another settler.

By good behaviour, George Worrall obtained Ticket-of-Leave and fetched up at Campbell Town. There he supported life by whatever

jobs he could get, ~~and~~ When opportunity offered by William Bradbury's desire for more superior quarters to rent that worthy's 30-acre farm with three-roomed house, he took it up. Worrall cultivated wheat and maize and ran some pigs as had his predecessor. It was a well-designed holding, and Worrall by stolid addiction to long hours of toil assisted by assigned men whom he lodged in the farm house, began to call his soul his own. His love of independence had grown intense during the years of subjection to hard masters. To the local people he was meek and amiable. When he worked for them he gave himself so completely to his tasks - as though indeed he was working for himself - that he earned from them a warm regard.

Worrall had a serious shortcoming: he was illiterate -- not that this was uncommon in the community -- and was obliged to keep a servant to make up for this deficiency. Without this aid, Worrall was lost, for it seemed as though the world ran on without him. At the moment when he had to a degree become master in his house, with the ineffable luxury of commanding others to his will, there had to stand between him and the world an interloper, abolishing the desirable privacy of his inmost ambitions. He was, he brooded, the inferior, depending upon the communications of others, never sure of what was being told him by men of shady past, suspicious and even frightened of the written word. Those words for him were the hieroglyphics of danger and he resented his defencelessness.

In a way, Worrall's friendly and obliging attitude to his neighbours was defensive. To win the good opinion of others was to create a shield for himself. He willingly gave of his strength; he had no other eloquence with which to win allies. To be well-liked was tantamount to being wealthy and protected.

Frederick Fisher was the antithesis of George Worrall: he could express himself well and his interests ranged wide. Worrall was a drudge whose educational shortcomings securely imprisoned him in a realm of private fantasy. There was no link between the inner world of his dreams born of long deprivation and that of reality.

It was in this world of dreams Worrall found his compensations. There he could transmute the trivial into the grandiose and the absurd could be rationalised into an uplifting discernment. With Fisher's reported lodgment in Sydney Gaol, having been too late for the Sessions it had been hoped would deal with his case, Worrall could plod the absent man's acres with a new sense of power, and for him, exaltation. Three months must now pass - and all this was his own. His was the yea or nay over everything, the crops, the animals, the farmhouse. By degrees he shifted from the position that he was caretaker to one in which all became his own. The opinions of many of the Campbell Town folk aided him in the drift of his fantasy. Such was Fisher's offence that he must either hang or be sent to another penal settlement for life. The Cheshire waggoner could only hope that either could be the outcome. It would make no difference to him, who would, he did not doubt, thereby acquire the several valuable horses, the pigs and grain, and above all, the acreage which would make him at least independent of landlord William Bradbury.

Yes, Worrall recognised the terrible hunger he had for acres of his own. He might question whether his ~~big~~^{great} strength would be equal in the long run to earn what he so cherished. With Fisher's horses everything would become so much easier. The scope would widen. Only material possessions could make Worrall free -- free beyond the now unscaleable walls of ignorance. Worrall liked his dream, and as is the way of such men, by and by forgot it was a dream after all.

Fisher's feelings may be imagined when he arrived with escort to find the Quarter Sessions at Sydney's Georgian School (St. James Parochial School)² had terminated and that incarceration in the ill-famed Sydney Gaol for the next three months stretched before him. In the aftermath of his deed, he could only be appalled that he had allowed the tauntings of the arrogant Brooker to shatter his self-control. All now seemed lost. It would be charged that the attack was cold-blooded, that it evidenced an irredeemable felon.

Daniel Cooper, learning the news, visited Frederick at the gaol.

It can scarcely be doubted the merchant raised the young man's spirits, for it is an amazing fact that seven days after he had been gaoled, Frederick's mind turned to matters of business as though he had no other cares in the world. On the First of July he wrote briefly from Sydney Gaol to George Worrall:

Friend George Worrall, -- Mr. Daniel Cooper having in compliance with my solicitation undertaken the management of disposing of my wheat and pease to the best advantage, you will oblige me by delivering them to his order, keeping account of the measurements of the separate quantities as they may be delivered from time to time to his respective orders.

With a true sense of obligation for your friendship, I remain yours respectfully . . . (DG; Addition 194)

Daniel Cooper scrawled his name at the bottom of the letter certifying to Worrall that matters stood as the letter stated. It is possible Cooper was a little self-interested in his willingness to dispose of Fisher's produce, while at the same time privately concerned to show Worrall that Fisher's affairs were under other surveillance. Frederick, of course, was indebted to Cooper on account of the purchase of the Campbell Town Farm, and perhaps in other ways. It must have crossed Cooper's mind that a hostile Bench might sentence Frederick to execution. Even if deportation to another penal settlement was ordered -- to Tasmania or to the Coal River (the future Newcastle) -- the fate of Fisher's Campbell Town farm was of immediate concern to himself. The papers relating to the purchase were not completed, pending final settlement, and James Norton, the town's well-known solicitor, was holding matters for that contingency.

What Cooper had to ask himself was, would the farm revert to himself under possible default, or what other exigency could arise?

As weeks passed by with Frederick fretting unproductively in the squalor of the gaol, he was even more disgruntled by the neces-

sity of having to victual himself. In that respect, he was more fortunate than many others who languished there, for in Sydney Town he had numerous acquaintances who would attend to his reasonable wants. True, the misery was as well organised in this rotting old den as he remembered it to have been in London and in the hulks. If a prisoner had no money he was fairly well set to cheat whatever was to pass for justice, by starvation.

Frederick was sufficiently distrustful of the general run of the men he had encountered to be pessimistic concerning the management of his farm by Worrall. He had known the man only slightly, having loaned him a horse for ploughing on occasion. That the man was hardworking and popular could not be disputed. It was temptation Frederick worried about. At least he could be sure the horses would be well-cared for, since Worrall had years of experience in handling them as a waggoner. Suffer torments in the idleness and filth of the gaol as he might, he was powerless to do more than rely upon Daniel Cooper who was meticulous in business. Cooper, as a farm proprietor knew how a farm could be plundered to ruin, and scarcely noticeably in the process.

Cooper If Frederick's fears found confession to Cooper one day, it followed naturally that, carrying a secret of his own about Worrall, would counsel Fisher to ease his mind by writing to the Campbell Town Bench requesting a discreet investigation to ascertain how his property was being managed.³

Had he wished to perturb Frederick, Daniel Cooper could have told him that Worrall had attempted to obtain from him the deeds of Frederick's farm, for which he had ^{even} offered the balance owing.

Cooper had not liked Worrall's pressing manner, for one thing, and fobbed him off. Worrall had made a second attempt and Cooper had terminated a wrangle with a firm decision to leave matters as they stood, preferring, no doubt to deal with the legitimate party as long as it was possible. Frederick, he had found, was punctilious in meeting his financial obligations. If this was gambling on the outcome of the Sessions, so it must be. There

was that in the young man which appealed to him, although he might hesitate to call it a germ of friendship. Respect, it may have been for one recognizable as a genuine entrepreneur. Perhaps he could see charm, intelligence and alas, loneliness. Whatever he saw, it inspired the weathered and influential colonial mogul with forbearance. He himself would wait, as well he could afford to wait; but nothing meanwhile must be permitted to prejudice the prisoner's hard earned rights in property.

At Campbell Town, with Fisher gone to what was popularly regarded as his doom, Charles Rennett cast around for some escape from the web of interest woven around him by his participation in the episode with William Brooker. There were those who were inclined to throw blame upon him as the initiator of the calamity. Besides, Rennett did not like being branded as a man who dishonoured his undertaking which lay at the bottom of the fracas. It was worse, in the eyes of those partisan for Fisher, that Rennett had no excuse for failing to pay his dues to Brooker.

Rennett desired to put Campbell Town behind him and set about investigating the possibilities of acquiring land in the Illawarra district. Plainly, a partnership with Frederick could not now be fulfilled. Charles Rennett could behold a little guiltily ere he left for Illawarra, the ambitious buildings on Fisher's land - the most ambitious of commercial buildings, excepting Bradbury's inn -- in the township. It almost seemed that Fate, in her cat and mouse game with Fisher, willed that as in the paper mill project, his ruin should be encompassed at the brink of success. Unfinished, as yet useless, the buildings stood as a warning like that on a gravestone in St. Peter's burial ground on the gentle slope beyond:

Boast not today
Nor call tomorrow thine
Thou might be Snatched away
By a Sudden death like mine.⁴

No news which could cause Fisher anxiety came to him from Campbell Town. The management of his affairs, it appeared, could not be faulted.

And now loomed September the 12th, the Sessions date on which Frederick was to be tried. Although he was so well-known in the town, little newspaper notice was taken in anticipation of the hearing, as though there existed an editorial reluctance to expose the defendant to public exhibition. The Sydney Gazette, with whose editor had been fairly closely acquainted in the past, refrained from reporting his trial. The Australian, on September 15th. published a brief notice of the proceedings. These lines stated that as a result of his being stabbed, William Brooker had been confined to bed for several weeks. A number of witnesses (unnamed) swore that Brooker had been intoxicated when he went to the Horse & Jockey to interview Rennett on June 25th. Fisher, they testified bore a good character.⁵

The court seems to have been strongly influenced by Brooker's own demeanour in giving his testimony and was satisfied from it that he had sorely provoked Fisher on the occasion of the attack.

Fisher was found guilty, but the spectators as much as the accused himself were startled by the court's decision to release the defendant upon his entering recognizances of £50 to appear when called upon. After waiting three months and two days to be tried, Fisher found the breathtaking climax a reason for celebration. He emerged from the prison dazzled by the brilliant sunshine of early Spring, and by the almost incredible good fortune which had been visited upon him.

He had a trading credit with Daniel Cooper, and after a round of congratulations from those who had supported him, Fisher went along to Cooper's warehouse. The bond, of course, had more than likely been guaranteed, if not actually paid already, by Cooper and could be adjusted in their accounting. Now, after so long in gaol, lacking sufficient amenities for the maintenance of personal

cleanliness, Frederick rid himself of his old garb and fitted himself out with clothes whose dashing style and colours bespoke the elation pervading him. He stood forth out of a tremendous peril, the image of a young blood of fashion. In gaol he had worried somewhat about the possibility that the news of his misfortune would reach Willow Street, Shoreditch. Henry, should he have known of it -- and it was likely he did not -- would not be the one to transmit such news to the parents. He had learned by the early estrangement from Frederick, the pain of indiscreet talk.

Being free, for Frederick, was like being born anew, a foretaste perhaps of the wonderful sensation that lay ahead when at last he would be emancipated. Those thoughts in the exhilaration of his escape from possible shameful death or interminable degradation as a beast of burden, were the forerunners of a distinct purpose. From the vicarious pleasure that September 12th brought, renewed confidence surged through him and resolved into action to obtain vice regal attention to his approaching eligibility to claim remission of the unexpired balance of his sentence. Ten years of his bondage had passed; three months of the eleventh year had flitted by since he had fallen foul of William Brooker. It was customary for the governor of the colony to remit the last three years of a fourteen year sentence in cases where the applicant had a record of good behaviour. In the flush of surprise at his being released by the Sydney Bench, Frederick deluded himself that it emphasised the exemplary nature of his conduct since his arrival in the colony.

It was not a moment in which to be too critical, notwithstanding his association with legal processes ought to have imposed a sobering caution. He was exultant, impatient to take up his labours so dramatically interrupted. So now, elegant as befitted one made new with hope, he took coach for Campbell Town.

George Worrall may well have stared in momentary disbelief at the spectacle of Frederick arriving towards night. When news came to Campbell Town it had to wait upon the casual traveller

as the means of its transit as also of its modification or embellishment. Fisher came ahead of rumour. The news, brutal and ungarbled, confronted the dumbfounded Worrall. If Frederick could not wait until the morning to survey his little kingdom -- listen to the cropping of the horses or the nervous rustling of piglets as he approached their wallows, a strangely silent Worrall would not have impinged much upon the other's darting attention. In the obscurity the very surge of growth would be palpable to senses for so long strained above the minutiae of fretting humanity.

It was soon manifest that Worrall had cared for Frederick's domain scrupulously, forbearing to move a single article, since it hardly seemed necessary to disturb or hide what in fantasy he looked upon as his own. Stupified, with Fisher treading lightly beside him in the mild night, Worrall could only point out listlessly the major tasks he had performed. Who was this interloper, this brittle fop? Who was this alien talking familiarly about what those mighty hands had grappled with in the hard months of July and August, what with the wind and the rain, the cold! Worrall was no stranger to the sensation of doubting his own senses; he was only a stranger to the depth of doubt that he now touched. It was unreal. This man was dead - gone, banished.

While Worrall immersed himself in the wonderment of it all, Frederick was busy assessing the improvements. The two farms had been made one by the alteration of two fixed panels of fence into sliprail openings. There would be a good deal of coming and going, henceforward, for in the Cheshire man Fisher recognised a tower of strength, a tireless worker against the blast and blight of seasons. This was an alliance to be preserved.

As to that, Worrall was bound to observe that Frederick's own house had been let during his absence as a measure of safety and economy. There was a momentary predicament. But Worrall was willing to lodge Fisher in his own farm house on a makeshift basis since his own workers were there. The possibility of finding accommodation even at the Horse & Jockey, where Nowland was manager, was

remote. The arrangements suited Fisher well. He was quick to see the advantageous economies, welcome after the attrition of his means by the long sojourn in Sydney and, worst of all, that £50 recognizance!

Quickly settling back into the relaxing atmosphere of this fair, quiet countryside, sensible of the welcoming warmth of so many people he knew who had feared the worst for him, the first bliss of his salvation dimmed. The practical affairs of everyday existence pressed upon him -- an old garb which could not be discarded for something more fashionable. He became increasingly conscious of his commitments, arrested projects, and supremely, those dear hopes of realising the cherished boon of being surrounded by his family. To place them secure upon a plot of their own earth and lacking no crumb for their long, over-disciplined stomachs blazed up again. There had to be a future rich in attainment, even of luxury, in contemplation of which, the ordeal and peril of his recent clash with the annoying Brooker dwindled from a consciousness exhausted by anxiety. He was ready for victory.

Indeed the dust had scarcely settled from the passage of the equipage which brought Frederick before he fitted himself again into the life of Campbell Town and all its possibilities, as though by some magic it was to be inseparably his own. With Worrall he concluded arrangements for his continued board and lodgement, grateful to the older man for the excellent friendship he had shown. This confidence in the sturdy waggoner was an added gift of Fate which made residing in common with him and his workmen a special pleasure.

Charles Rennett having gone into the Illawarra country seeking a suitable tract of land required Frederick to reconsider all his own plans for business, to which so much of his capital had been allotted. The buildings near the road passing the farm were still uncompleted. Fortunately, he was able to make an agreement with one James Jackson to take over the Horse & Jockey.⁶ The rental secured, thereby, was a welcome addition to his depleted funds

and would enable him to proceed with the finishing work on his brick building.

The desire to initiate steps to obtain his complete emancipation in the shortest possible time grew in strength. First, he knew, he must close the gap between his status as Ticket-of-Leave convict and eligibility for absolute pardon, by first securing a conditional pardon to cover the period of eight months remaining of his eleven years servitude. Then it would be appropriate to apply for finalisation of his bondage.

Alas, it was no longer as easy to obtain indulgences and remissions as when Macquarie ruled the settlement. Deserving men performing signal services to the general benefit of the colony in those days were granted pardon as though it was simply a matter of logic that such people should be freed from the stigma likely to impede the full exercise of their valuable initiative.

Accordingly, Fisher prepared a formal petition on October 24th, praying Sir Thomas Brisbane to exercise his prerogative of granting the indulgence sought. He set out the names of reputable masters under whom he had served in the colony,⁷ hoping for their endorsement. The script asserted that

. . . since, he had by Industry in Agriculture and Dealing purchased four farms of land, fifty acres at Cabramatta, thirty at Appin, fifty-three on the Banks of the Nepean, Upper Minto, all cleared and under cultivation, and thirty-two acres adjoining the Township, District of Airds, under cultivation, with improvements of stone and brick buildings to the value of eight hundred pounds thereon.

Petitioner very humbly prays Your Excellency may be pleased to conditionally remit the remaining three years and nine months of his term sentenced, to restore him to the rights of a conditional Emancipist. (SA)

The day after he wrote out the petition in a fine copperplate

hand, Frederick sought the endorsements of the employers he had named.⁸ Cooper and Hutchinson as the joint proprietors of the Waterloo Flour Mill, certified on the back of the petition that Fisher had 'discharged his duty to the satisfaction of the partners.' J. T. Campbell, who had employed the petitioner for more than two years, commented:

I entertained a good opinion of him as a faithful and intelligent clerk. Since that period I have not heard anything to his prejudice except the charge whereon he was lately tried.

The former Provost Marshal was entitled to be punctilious in the matter of an official document; but the hint at the Brooker affair could not fail to jolt Frederick's confidence. Conceivably, the Governor might consider the incident in an unfavourable light, notwithstanding the leniency of the court. To the official mind, a verdict of guilty could not be juggled.

Notwithstanding that Sir Thomas Brisbane was a reasonable man, it was asking too much of him at this late stage of his term to let humanitarianism towards convicts shadow the record of his service when he came to give account of it formally to his Hanoverian majesty, George IV. For that reason, or perhaps that there remained but little more than a month of Brisbane's term to run -- a period sure to be too crowded with business to be finalised to admit of further representations from petitioners, -- Fisher withheld the petition for later consideration. There would be little use offering it to whomsoever would deputise between December 1st and the 19th. when Sir Ralph Darling would be sworn in, for such momentous matters were for the Governor's discretion.

Fisher's emergence from a period of grave danger into a brief moment of hope and optimism for the future brought him all too soon to the realisation that his avenues of endeavour would be clouded by the implementation of policies which Darling was to effect as the coup d'etat against presumptuous convicts.

Every convict was instinctively apprehensive of a coming struggle, for the greedy Exclusives had waited and laboured long for their revenge. John Thomas Bigge had been as the prophet to herald the messiah of hatred and cruelty. In the fullness of time would be seen the sway of evil essaying to curb the germinating spirit of democracy. The myth of the right of kings, despite the Great Charter, and the superstition of an elect by inheritance were the aberrations of the British people conditioned by centuries of vassalship to barbarians. Under the constant hammering of these dogmas, the common people of England had come to accept the trickery as a God-inspired truth. In distant possessions the panoply of royalty and aristocracy was more difficult to maintain, and the climate of human endeavour was harsher towards pretence and the mannerisms of undeserved privilege.

The martinet Darling would vigorously correct the errors of the recent past and teach the ~~commonalty~~ commonalty to know their place in the scheme of things.

Even in such unpromising conditions, Fisher erased from the head of his petition for conditional pardon, the name and titles of the departing Brisbane and substituted those of Sir Ralph Darling. Still, he hesitated.

The year was at its end, and the formalities of exchanging one governor for another passed over without arousing popular enthusiasm. Frederick received a letter from his mother who had written it on September 3, unaware that her especially loved son was then in gaol and in the shadow of the hangman's rope. She wrote:

My Dear Fredk. -- I received yours dated Feb 7, 1825 wherein you express so earnest a desire to have us come to you, which I can assure you we should be glad to do were it to be easily accomplished, for it would give me more happiness to see you once again than you can imagine. But admitting we could come to you after the manner you

describe, of what use would it be -- of what good would it be if when you so plainly tell us you are Determined to go Elsewhere at the Expiration of your time in order that you may rank with others that know nothing of what has happened to you. We should be no sooner there than we should have to move again to some other part, and as we are not growing younger it would not be very agreeable to us. But I beg you will not be cast down, for I am still trying to gain your Deliyerance. But at the same time it will do no harm to be doing all you can for yourself.

I am creditably informed that the governor can give you your Liberty at the Expiration of 11 years if you can but make interest with him. The person that informed me knows it well from experience in knowing them that got off in that manner. He says you may depend upon it that the Governor can still give pardons in the following manner: those for 14 years at 11; for 21 Dp. at 14 and those for life, if they bear a good character, at 21, by their having 2 securities for their good behaviour. But all other pardons are now out of his hands.

Now, if you should be successful and should be called upon for securities you may name Mr. Wm. Holroyd of the City [of] London, in the Old Bailey, and your brother Samuel, book-binder and vendor of Periodical Works, No. 5 Orange Street, Bethnall Green Road. They are willing and are to be the sureties in case I succeed in England. My friend says probably you may not be required to give securities but merely [illegible word] them.

How you are to get an honest livelihood [,] upon your petition you can with truth say your Brother will take you into his employ and be glad to have you with him . . . The rest you are able to inform them yourself, and when once

you are free, wherever you choose for a residence, we will bear you company, so cheer up my dear boy.

Perhaps you may yet be able to come with Henry.⁹ I don't like the thoughts of his leaving you behind. I sincerely hope you are both well, and be sure to give our love to him if he is still there. I hope this will find you both well in health as it leaves us. I shall write again very shortly and shall hope to hear from you and then you can inform us if Henry stays or comes.

I hope to heaven you will get liberated now very soon, by one means or another. I think if you strive you will get by the means proposed. Nevertheless, I shall do the utmost in our power. In the meantime, when you write, endeavour to send your letters by the same method as the last times, if you can, as there is [no] good in paying money that can be saved.¹⁰

Your grandmother and Uncle and all the family send their kindest love to you and Henry and hope they shall soon hear of your liberation by one means or another, and accept the same from your Affectionate Mother . . .

P.S. Your little⁺ was very well the last time I heard from her and her mother. I hope we shall hear from you as soon as you can make it convenient after the receipt of this, and you can depend upon my writing again as soon as anything transpires worthy of notice; and I sincerely desire in the meantime you will attend to my most earnest request, which is that you will endeavour to keep your spirits up. Let what will happen, and remember your time of bondage is growing shorter every day. I pray God

+ Word omitted by Ann Fisher.

send it may be less than than you expect, through the friendly assistance of someone or other. So farewell for the present, my dear child, and God bless you untill I hear from you or write again. (DG)

With what impulse of anguish Frederick noted that Ann Fisher so carefully apprised him of the existence of his daughter, and at the same time shielded him from repercussions. The girl was now ten years old! Omission of the noun could not have been accidental, even though his mother had written a little more fervently than usual -- almost by the long postscript unable to end their contact. That strong-minded woman, so jealous for his safety, had at least conceded something that was meaningful to him, if unintelligible to any stranger.

The joy of watching his daughter's babyhood had been lost to him. The passion of parenthood had faded to mere recognition of a statistic, a duty which weighed upon him because it could not be exercised. Betsey had faded, too -- remote, immovable, and it would seem to his desperate soul, uncaring. Cousin Jane Hollis had found it not in her interests to join her fortunes with his. There were moments when a man must feel abandoned, rejected from the human society he most needed. If it had not been for that valiant, tireless and long-suffering mother, whose vision for the future kept alive the fire of his ambition, the despair of utter loneliness would have overwhelmed him. It was she, as ever, who gave him heart against the particular venom of Destiny which struck at him. He must match her efforts to gain his liberty, so as to retrieve the family fortunes back in London with Henry. Hence, he must tread warily, employ the greatest circumspection in all his relationships with people.

Charles Rennett decided to remain in Illawarra, and this unsettled Frederick. He vacillated between his resolve to take the quickest means to return to England and desire to miss no opportunity to bring all his projects to fruition. The news of the opening of new tracts of good land distracted him. The restrained

policy of Lachlan Macquarie in granting modest acreages among large numbers of settlers for the production of an intensive, well-managed agriculture had been frowned upon by the land hungry exclusionists. The trend had become one of giving vast tracks of land to anyone -- excepting convicts -- who could pay their dues, without significantly assisting or increasing the agricultural wealth beyond its bare needs. The policy was aimed at creating a land aristocracy, in which relatively few proprietors monopolized the greatest possible amount of useful country, while small competent settlers were restricted in their scope.

If it were possible, Fisher decided, he too would join the trek into the new lands, either Illawarra or Argyle County and possess himself of thousands of acres in place of his scores of acres. The new regime, however, was getting under way. The heavy hand of officialdom, anticipating the ruthless and heartless policies of Darling, was not slow to make itself felt. In the short time between the arrival and swearing of the new governor, the Lieutenant Governor (Colonel Stewart, 3rd. Regiment) deputed. To him went Charles Rennett's request for a clearing gang (then finishing work at the Cowpastures) to be allotted to him to clear 1200 acres he had recently bought in the Illawarra district.¹¹

For the moment, Rennett was back in Campbell Town where he would more easily find sponsors in his approaches to government. Rennett wished to put 500 acres under cultivation as soon as possible. He was prepared to victual the gang under regulation terms. Rev. Thomas Reddall endorsed Rennett's application, stating his belief that the applicant had ample means to pay the government for the services of the gang, 'but likewise thinking him well-deserving and recommends him to a favourable consideration.'

Colonel Stewart replied that there was a great demand for such gangs, and no more were being formed for the time being. Those in existence were to be disbanded and their members assigned as servants. This intimated that Rennett's application had not succeeded; but also that Bigge's recommendation against numbers of prisoners being congregated together was receiving prompt attention.

Rennett's presence in Campbell Town seems to have revived Fisher's craving to move into larger areas of agricultural endeavour. Perhaps his ideas were in flux and no single aim commanded his energies. The conflict of his trait of acquisitiveness with the yearnings of his heart towards people he loved aggravated his congenital sense of insecurity. His restless temperament bade him reach out for more than he might reasonably manage. Frederick, however, was realist enough to understand that his financial position was far different from Rennett's. That gentleman's assets were liquid and plentiful; his own were partly frozen in unfinished and it seemed, stultified enterprises. In this dilemma he found it necessary to impose a discipline upon his ambitions in order to recover some of the cash absorbed in idle bricks and stone.

A possible solution was to complete the brick store building which was so much more advanced than the neighbouring stone-based one, and offer it for sale. With that intention as the key to opening the way for essaying an expedition into Illawarra, he prepared for toil.

No governor previously took so short a time to reveal his nature to the populace as did Darling. Immediately he assumed power he put into operation all the discriminatory purposes for which he had been sent. The convict population in particular saw him at once as a spiteful and ruthless authoritarian. Harsh and opinionated, he infused into his attitudes towards the emancipists a strain of inhuman viciousness which made him widely detested.

Softness had no place in Darling's nature; he had the implacability which is the frequent accompaniment of basic stupidity. Once he found a victim -- so to him any transgressor against his military notions of the rules -- his warped mentality was incapable of withholding from the permissible, and even atrocious degrees of punishment. History might have excused him if it could have been shown that poor judgment associated with paranoid zeal caused his infamous deeds; but his attempts to conceal incriminating evidence of his cruelties, and to persecute any who would expose his

diabolical excesses, mark him as a creature fully aware of the moral enormities he was expert in performing.

On March 2nd, 1826, aware of the desire of supreme authority, the Licensing Court banned Ticket-of-Leave convicts from selling liquor, as one of the early measures to deprive the emancipist community of any advantages of improving their lot. On March 15th. the semi-official Sydney Gazette reported that His Excellency had confirmed the decision. A very short period of grace would be allowed the people affected to get rid of their stocks and consider themselves out of business.

Within a month, the word had gone from mouth to mouth throughout the colony of the savage determination of Darling to see that his order would be obeyed; but more so to see that any infractions of the brutal and hurried, as well as in many cases ruinous dicta, should be severely punished. A no doubt typical example was seen in the case of one Thomas Scarr, who had held Ticket-of-Leave for ten years and had been a brewer by profession. Sir Thomas Brisbane had licensed Scarr to establish a brewery at Newcastle, and had permitted him in 1825 to have a wine and spirit licence. These indulgences were abruptly withdrawn by the new regime, but the hapless Scarr's attempts to dispose of his stocks exceeded the short time allowed. He was fined one hundred Spanish dollars.⁺

Darling promptly ordered withdrawal of Scarr's Ticket-of-Leave, thus returning the publican to his status of convict directly under the government's control and so liable, if not certain, to be ordered to laborious tasks. Scarr's wife, Mary, petitioned Darling, pleading that during the currency of his Ticket -of-Leave her husband never 'had any transgression laid to his charge.' She told the Governor that her husband was advanced in years and unfit for laborious employment, wherefore, she appealed to His Excellency's 'great humanity to order restoration of the indulgence' 'Ticket'¹². Darling endorsed the petition with a terse, 'Cannot be allowed.'¹³

Frederick Fisher saw in Darling's ruthless and clumsy decisions danger to his own hopes of progress in the lines he had planned.

+ Equivalent to £25 at that time. At collectors' prices today worth \$100,000.

His licence to sell spirits in connection with the Horse & Jockey had expired. James Jackson was installed as tenant and was responsible for taking out his own licence. There were, therefore, no risks for Frederick from the new restriction. In common with other Ticket-of-Leave men he could bitterly resent loss of eligibility to hold a licence. What enormities would Darling as the hatchet man of the British elite visit upon the transportees?

The atmosphere of the colony, startling by contrast with the mild (if inefficient) rule of the stargazing Brisbane and the beneficent and comradely era of Macquarie, was sullen and apprehensive. The Exclusives, triumphant in Darling's mindless readiness to implement the tyrannical intention of the London ministers, were making the most of the opportunities furnished them to divert trading advantages to themselves. They could feel that their peculiar God was in his heaven again, and in due time all would be well, with feudal virtues such as their own ~~being~~ rewarded with hard cash, in reliable profits, land and preferments.

It was early yet; but Darling, obsessed with his ~~paranoid~~ self-importance, arbitrary and obstinate, would press on to bend the outpost society to his will. His weapon -- after the appetite-whetting success of the licensing excursion -- would be an iron, military discipline, the only method he knew and a totally unsuitable one which his stupidity did not permit him to realise. At the bottom of his motivations may also have been a sense of professional rivalry towards the beloved Macquarie, still venerated in the land. And before a year had passed, Darling's policies and methods would have produced such personal excesses that a furious and alarmed public would be openly aroused to brand him a wilful murderer.¹⁴

The auguries for success in any presentation of his petition for Conditional Pardon, Fisher saw, were not very good. Darling was indefatigable in checking claims for consideration and would soon ferret out those trifles Frederick had thought better to

omit from the calendar of his merits. Strange, that the principal virtue a convict could commend to the attention of authority was that garnering of wealth which it was authority's determination to prevent. The doctrine of Predetermination must have seeped through the soul of the nation, decreeing that Divine favour was apparent in material prosperity; and that misery and want were the incontestable indications of the Heavenly disapproval. This situation was ordained, never to be varied. The revolt of the American colonists had shown clearly that this fundamentalistic delusion for what it was. The French, however fumblingly, had broken an age-old spell.

The literary background from which Fisher came, would have ensured that the patterns of history would have at least a hazy shape in his philosophy; but as yet the traditional pressures were strong upon him: he was prey to fear, fear of want, of insufficiency to gratify the burning lust he had for personal expansion. As the realisation of the power of the forces now against him grew, and he had to accept that his mother would have little better chance of securing his freedom than he now had himself, he saw he would have to serve his term to the bitter end.

Henry would possibly return to London, and another link would be broken. Foreboding clouded his days, engendering in him a powerful desire to escape the conditions in which he was situated. So, back again to the dictates of pragmatism, a salvaging of dispersed means. He submitted to its drudgery. But the cunning of Darling interposed itself here too. Not only ~~must~~ Ticket-of-Leave men be discouraged from supposing they were to legitimately gain from their efforts to rehabilitate themselves, but they were not henceforward to be permitted to employ assigned labour. It was not enough that the Ticket-of-Leave man no longer was a charge to the government for food and lodging -- an important contribution in itself to the rehabilitation of the ~~government~~ ^{individual} -- he was to employ the labour of free men. This was neither plentiful nor economical. In this way a brake was applied to the headlong progress of clever trans-portees.

Accordingly, after considering his available means, Frederick had to market for ~~a~~ favourable a labour bargain as could be found, so as to complete at least the brick structure. Implementation of the government order on assigned labour could not be effected as readily as the licensing order had been. To make it immediately in force would have thrown thousands of convicts out of their employers' barracks or dwellings and put them on the roads, an unorganized rabble it ^{would alarm} ~~was the fear of~~ authority ^{to} see happen. Moreover, ^{those displaced} ~~they~~ would all be automatically dependant upon government rations pending re-posting. It was a dangerous course to take, malice having outrun intelligent planning. Hordes of displaced men on the settlement's roads, in want of shelter and money, and worst of all in need of food, was an unthinkable menace. Darling should not have been surprised if a wave of looting and various other outrages had arisen spontaneously had not some wiser counsels prevailed. Well he may have been reminded that he was not still in the army when the principles of spoils to the victor was an accepted axiom of warmaking.

Withdrawal of assigned labour from those now ineligible to engage them consequently proceeded slowly and depended upon the rate at which free settlers could absorb them. Hence it was that George Worrall still retained a couple of assigned convicts for some time after promulgation of the order. But he was in constant dread of their being taken from him abruptly. The scheme was not an unqualified success even for those who were theoretically to benefit by it. The demand for men with trade skills was always high and often could not be met. Witness the practice of the government in earlier years of pre-empting from newly-arrived convict ships any transportee who possessed a skill of use to the colony, and leaving the unskilled to the tender mercies of the agriculturalists. So notorious had the practice become that old lags en route from England for a new stretch of bondage, sometimes represented themselves as possessing skills of which they were entirely devoid, in order to secure tolerable conditions. They could have some expectation of an appreciable period of free-riding per favour of the

loyalty of fraternal felony.

Convicts with desirable techniques soon became the masters of situations in which free employers were formerly accustomed to assert social superiority. Imperceptibly this distinction faded before the unanswerable force of ability. Prepossessions of social rank helped little against the hard conditions which called for ingenuity. Convicts who were astute enough to realise the value of their talents needed no wordy advocates to persuade their masters that delusions of grandeur were no match for economic reasoning where the community existed on the knife edge between want and sufficiency. The tradesman, convict or otherwise, by reason of his talents, was the true aristocrat of the foundling nation and the wielders of authority were in essence excrescences upon the vehicles of genius.

When the stone foundations for his larger structure had been surmounted by the joists in preparation for the ground floor, Frederick Fisher terminated work upon that part of his building. The workmen he occasionally employed were lodged and fed at Worrall's farm house. For sleeping, they were confined to the 'skillings' (verandas). Fisher himself, hardy and strong, made little demand for comfort, preferring to maintain frugal habits. To help accommodate the workmen and himself, Frederick supplied a quantity of furniture, utensils, napery, etc. George Worrall had difficulty enough catering for his own servants who lived in the cottage, without his contemplating capital outlay for the comfort of the four itinerant workmen engaged on Fisher's building.

By March, Fisher had decided to dispose of his structures and discussed the possibilities with William Howe. The latter, perhaps as both friend and magistrate, in the hope of assisting Frederick to dispose of the encumbrance satisfactorily, wrote to the Colonial Secretary, Alexander M'Leay, commending to the Governor's notice that a new building in Campbell Town

. . . is now offered either to be rented or sold to

REMAINS OF FISHERS FOUNDATIONS for large building,
CAMPBELL TOWN, in 1965

the Government and the proprietor will (if required) take land in payment . . . [The building] consists of a three storey single brick house, finished with the exception of the doors and windows [and] . . . would answer extremely well as a barracks for the military, as we anticipate some temporary difficulty in accommodating them properly.

There is also on the same premises a strong foundation built up to 8 or 10 feet and if now finished would make a good Gaol and Court House which are most necessary for these districts. (SA)

Governor Darling instructed M'Leay in a note on the back of Howe's letter, to 'send a copy to Capt. Dumaresq and request that he will take an opportunity of examining these premises and report as to their fitness for the purposes proposed and as to their value.'

Darling's note was dated March 31st, the day after Howe had written, for one of the Governor's few good traits was his industry. Beside, he probably felt that some professional courtesy was due to Howe as a district superintendent of Police, and a magistrate, but also in professional acknowledgement of one who had been an officer in the British army during the Napoleonic conflicts. Dumaresq's action in response was not as expeditious as that of Darling. The Inspector of Roads took his time.

Perhaps owing to impatience, or to impress himself on Darling's mind for other purposes, Fisher himself made a written and more detailed offer on April 7th.¹⁵ He may have reasoned that if Darling purposed stationing troops at Campbell Town, the interest of even a Ticket-of-Leave man in a means of accommodating them might stir some faint impulse of gratitude in the martinet and make him amenable to other suggestions from such a co-operative source. Detest Darling's arrogance as he might, as he had detested John Wylde's hypocrisy, Frederick's own practical needs dictated diplomacy.

The inveterate dealer went to work:

I beg leave to proffer to sell to Government for a barrack for the use of troops to be stationed at Campbell Town a new brick building of description 36 feet length, 16 feet width, containing 3 floors above the ground story, 2 of which are already floored together with a stone foundation which would answer for a gaol, height 11 ft, width 18 ft, length $50\frac{1}{2}$ ft with fire places and the partition walls each 2 ft. thick and flooring joists of 8 inches by 3 laid ready to commence next story that would suit for a court house over the gaol.

The foundation is sufficient to carry a building of 3 stories in height. The price of the two buildings with half an acre of land is £500 stg. For any number of acres that may be wanted in addition, the payment required is double the quantity of the township land on the opposite side of the road (Government land) as an equivalent for the expence of fencing it in and putting the land in some state.

If Government purchase the whole 28 acres of land as fenced in,¹⁶ the price is two thousand five hundred acres of land at the Four Islands, Illawarra, Argyle Shire or further distant.

The land is all cleared and fenced in two paddocks and has the best fresh water in one of the paddocks that can be procured anywhere round the neighbourhood. The whole of the land was under cultivation last year . . . (ML and DG)

While awaiting a decision, Fisher sold off some pigs to Thomas Talbot, farmer of Cobbetty⁺ who gave a promissory note (dated April 10, 1826) for £25 redeemable six weeks later at the residence of

⁺ Now called Cobbitty, thought to be named for the social reformer, William Cobbett.

FISHER'S BRICK BUILDING, CAMPBELL TOWN in 1965

Lewis Solomons, corner of Park and George Streets, Sydney.¹⁷ The following day, Captain Dumaresq reported to the Colonial Secretary that Fisher's brick building suggested as a barrack, 'does not appear to me to be either so substantially or well built as to render it a desirable purchase.'⁺ He objected to the site which he considered to be low and to the height of the storeys -- 7ft. to 7½ ft. The stone foundation, Dumaresq thought, might be useful for that of a court house, although the proximity of a dwelling house seemed to him to be objectionable. The government land across the road, he opined, offered a better site for the purpose. If any use could be found for the foundation, it might be for that of a hospital.

The failure of his attempt to sell his buildings did not deter Fisher from working further on the brick structure. He had more bricks fired and employed two bricklayers and two labourers, all of whom made up with Worrall's own complement, a household of nine persons.

Soon, however, Frederick began to worry about his affairs. If he was to be frustrated in his hope of migrating to more distant and more numerous acres, further from the eyes of officials sharpened to save themselves from the cutting disfavour of Darling, he must overcome the ^{cost} drain of his building ^{activity} and obtain more cash.

At about this time he even thought of selling his several valuable horses, for which the market was always strong. Thus he might gain a substantial sum to carry out the plan he had expected sale of the buildings to finance. To be without the horses would be most inconvenient; but every avenue must be probed for the means to further his dream.

Suddenly, a new menace threatened him.

+ The building still survived until 1966, apparently modified, and was demolished to make way for a haberdashery store.

WHERE FISHER'S TINY SPRING crossed the old government road,
(now Queen Street).

Photo. 1965

NOTES

1. Public Records Office, London.
2. The Georgian School built at Macquarie's order was used on weekdays for secular instruction. On Sundays, Protestant and Roman Catholic worship took place on the different floors. As there was no proper court building until after Fisher's time, the Georgian School was also used for Supreme Court proceedings. The building survived until the early 1920s, latterly being used as a girls' high school, afterwards becoming the site of David Jones main store (Castlereagh Street).
3. The evidence on which this is based is shown later and is considered to represent the facts.
4. Inscription on the grave of George Stephens, died 1817, aged 26. The Campbell Town burial ground was not consecrated at that time; not even marked out and cleared. After the town's founding by Macquarie in 1820 and the order for erection of St. Peter's church given, the first incumbent, Rev. Thomas Reddall began to expedite the preparation of the churchyard. He was perturbed by the settlers' preference for burying their dead on their own properties rather than convey their corpses to the distant cemetery of St. Luke's, Liverpool. The remains of Stephens, and no doubt others, would have been transferred from their original resting places as soon as St. Peter's graveyard was ready to receive them.
5. No depositions of this trial have been discovered by the present writer. What provocation was offered by William Brooker may only be guessed. As one born in the colony, he may have been tempted to make an insulting distinction between himself and Fisher, who was very sensitive of his status. Daniel Cooper and J.T.Campbell were probably among the character witnesses. Frederick may have been also favourably known to some of the Bench.
6. Jackson still occupied the Horse & Jockey on October 10, 1825, and as the property formed part of Fisher's estate, the tenancy

by Jackson, rather than ownership, is confirmed.

7. Fisher's failure to mention his period as Quit Rents Collector (1822-4) could only have been intentional. Ordinarily it would have been a good recommendation if he had not blemished it by disregarding the rules concerning the horse.
8. Cooper and Hutchinson would not have endorsed a document intended for the Governor's eyes, if to their knowledge any part of its contents was untrue. Daniel Cooper, at least, must have been well aware that Frederick was proprietor of the lands he cited, subject to slight encumbrance in the case of the Campbell Town farm he sold to Fisher. This is vital in view of later official action to repudiate two of Fisher's farms as forming part of his estate.
9. Henry's sentence expired during the previous September leaving him free to claim repatriation to England.
10. Recipients of letters were called upon to pay the charges for delivery. Frederick's parents were then evidently in very straitened circumstances.
11. Colonial Secretary's inwards letters. (SA)
12. Do.
13. It was customary for petitioners to follow the English custom of fawning upon authority, ascribing to its creatures exalted traits of character they seldom possessed.
14. Private Joseph Sudds and Private Patrick Thompson, of the 57th. Regiment, wishing to return to civilian life conceived the idea of committing an offence which would cause their dismissal from their regiment. They stole 12 yards of calico from Michael Napthali and on November 8, 1826 were sentenced to sevens years transportation.

Governor Darling chose to make an example of the two soldiers and 'commuted' their sentence to one of working in chains on the public roads for seven years. The men were

stripped of their uniforms before their regiment and then dressed in convict garb. They were then fitted with neck irons which Darling had specially constructed for the purpose -- a sort of spiked collar of great weight, connected by chains to the men's ankles, the chains being purposely made so short as to prevent the victims from standing erect at any time or lying down at their ease. The weight of the fiendish contraptions far exceeded the maximum imposed on any ordinary felon.

Sudds soon took ill under the strain and died while still loaded with these instruments of refined torture. Immediately, the news of the atrocity swept through the colony and people openly denounced Darling as a wilful murderer. Startled by this result of his vicious deed, the cowardly Darling had the irons hidden on the government agricultural station at Emu Plains while the hue and cry went on. A Captain Robison saw the irons and described them. He was quickly despatched to the penal settlement of Norfolk Island and later was cashiered by a court martial convened by Darling on a frivolous and probably trumped-up charge.

The Home Government, informed of the furious anger of the colonists against His Excellency through the efforts of rising emancipist spokesmen so feared by Judge Barron Field, expressed its satisfaction with the action taken by its evil servant, but never again dared send a man of that type to govern New South Wales. Having learned nothing from the loss of the American colony, once again the infamy of the elitist class courted the disaster of popular revolt. Captain Robison was never reinstated for his indiscretion.

15. Two copies of this letter are extant, one of them perhaps being Fisher's draft. (SA and DG)
16. The area sold by Daniel Cooper to Fisher is traditionally thirty acres. The number is given as 32 in the petition for conditional pardon and 28 when Fisher offered to sell to government.

17. Lewis Solomon was a contractor, formerly a convict. He carried out the interior work of St. Luke's Church (Liverpool) of which Macquarie laid the foundation stone in 1818, Francis Greenway being the architect. Solomon also was responsible for the interior work of St. Peter's Church, Campbell Town, which was completed and opened in 1823. Having been spoiled subsequently by Victorian efforts to create a gothic effect, St. Peter's was restored during 1962 under the supervision of Georgian architecture authority, Mr. Morton Herman.

CHAPTER SEVEN

Call Not Tomorrow Thine . . .

In the course of his dealing activities Frederick Fisher had on a number of occasions made business with one Nathaniel Boon, a prosperous farmer of Campbell Town, who likewise was a keen businessman. Boon, aged about 35, had come to the colony as a convict for a term of seven years, aboard the ship Admiral Gambier, in 1811 when he was 19 years old.¹ He gained his freedom by servitude and in the years which had since elapsed had become settled on 66 acres, all cleared and cultivated, with a few cattle and horses. Boon was married and had a small family. By emancipist standards he was comfortably off.

Like Fisher, Nathaniel Boon was always ready to turn a profitable deal in any kind of merchandise. One of the transactions between the two dealers led to a dispute. Boon claimed that an agreement on which Frederick represented he was acting, was false. Worse, Boon held that Fisher had forged his, Boon's, name to it.

What the agreement provided is not now known, at least to the time of this writing; but it may be assumed it related to a transfer of commodities of commerce. Argument between the men proved to be fruitless and Fisher, indignantly denying the accusation of forging Boon's signature, took his claim under the agreement to court. There, Frederick took oath that the signature on the agreement was Boon's. The Bench of magistrates studied the signature and gave the opinion that it was not Boon's writing.²

That decision was not to say that Fisher had forged the signature, but the Bench's view provided Boon with an escape from any obligation under the agreement. It was quite bad enough for Frederick to be conscious that forgery had been the cause of his original downfall eleven years previously. The charge by Boon may have been preposterous, but the fact of Fisher's having been convicted of forgery in the past exposed him to suspicion. For all Frederick knew, the nature of his crime had somehow got abroad, and this was Boon's way of blackmailing him. He was puzzled and

and dismayed. At no time during his career in New South Wales had there been less need for Frederick to commit such a folly; no one knew better than he did how great a loss he could sustain for a trivial gain through forgery.³ It would indeed have been a sore temptation to Providence to resort to such a measure within so short a time of his standing in peril of his life over the Brooker assault. He was incredulous.

Next, it was bruited about Campbell Town that Boon intended to prosecute Frederick for forgery, although his sincerity could have been open to question by many who heard of it. It was known that Boon was ferreting around trying to obtain evidence upon which to base a prosecution, but what kind of evidence he imagined he could secure continues to be a mystery.⁴ No prosecution eventuated, but every day brought the possibility that some such blow would fall.

Was Boon trying to drive Frederick away -- panic him to desperation until fear of the weight of his first youthful folly in the records would make empty-handed flight preferable to prosecution? It was frightening that he should at such a moment be trapped by circumstances, harnessed to his property.

Frederick did not flee. With what calm he could assume, he pursued his usual undertakings, lending a hand to the workmen when necessary, performing tasks on the farm, and scheming interminably to wrest from living some reward and justification. There were always traps for men like him: he must accept them as part of existence.

George Worrall was a taciturn witness of Fisher's determination to dare Boon. He may have been indifferent to whatever happened with Frederick, notwithstanding that outwardly they were comrades. The mode of life which his neighbour's affairs had forced upon him may have wearied him. ^(Worrall's) ~~His~~ juvenile pride in being master of his domain had suffered by the influx of men of superior standing, mere bricklayers though they were. John Vaughan was his voice and his hand in all communications except direct speech, and although ~~Worrall~~ ^{Worrall} was nominally master of the house, in reality he was an anonymous

toiler, tending the wants of the men like some distracted hen beset by a brood. He was working without counting the hours, sowing, cultivating, tending the beasts. True, he had Samuel Hopkins and Jane Hopkins and his other assigned servant Edward Weston, all of them to help along in the multifarious concerns of the rough and crowded household.

Sometimes George Worrall was irked by lack of privacy in which to give rein to compensating fantasies, to shed his facade of meekness and face with naked fear the terrors of the times. He had firmly reserved to himself the one room of the three of the house, distinct from the skillings, which had no communication with the other rooms. It had to be bedroom, office, refuge at moments when particularly of late, contemplation of the future was tinged with dread. And even there, he was beset by the spectacle of Fisher's private box -- his treasury, whose contents brought to ^{Worrall's} ~~his~~ heart a suffocating envy. Then, until the weather turned cold, Fisher himself made his bed there.

George Worrall had not asked much of life. Driven by need to commit the theft for which he was transported, his conduct at all times was seemly, as though he had an instinct for dignity. He could mask the fury of his despairs very well, for he had been inured by the cruelty of others. By great toil he had established his little kingdom -- insecure as it was by its being a rented one -- and had ever so briefly known the deep satisfaction of a man ruling his own house. He little cared how hard he might have to work to hold his limited independence, just so long as he stood beholden to no other with the power of the lash behind him. He had raised himself from the mire and want, which was the lot of so many native English folk. He would not ask to go further -- merely hope to remain thus: free to work and to dream.

But Worrall grew increasingly afraid that what seemed to him so small a thing to ask, even remembering the oppressions of English life, was to be conditional. The long arm of tradition was reaching out across the vast oceans to warp the life of the

~~of the~~ victims of feudal tyranny. If they aspired for redemption they could attain it only by the hardest, heartbreaking ways. Worrall did not think in those terms, but in a hazy, shrinking dread of authority, which quite unmanned him. The sentiment flowed as an undercurrent in the reflections of those he sometimes talked with, and his poor understanding through a starved intellect, invested these nuances with unendurable foreboding. He could only think that there was an enemy, being unable to rationalise how the ruler class of Great Britain in the most licentious age of its history, could fail to comprehend the ambiguity of turning out honest citizens. There was no scope for them. It was better to expand the categories of felony so they might be encouraged to sink, to rot and disappear at a great distance under the tireless inventive genius of cruelty.

Coming to the present, which he would rather have shouldered away, Worrall knew that Darling's policies would finally rob him of the paid help whose provisioning and payment of one holey dollar weekly made it possible to keep a grip on the Bradbury acres and the attendant illusions of lordship. In that day, only the burden of his own ceaseless labour would save him. Again and again, surged up the compensating fantasies. How dazzled he had been in his belief that the assault on Brooker by Frederick would have meant the Londoner's utter removal and his own accession to his effects. If he had supposed at first such ideas were peculiarly his own, he had been disabused by the support of the opinions of the townsfolk. He now felt they had mis-led him and now were silent in the face of his awful disappointment. He had no defences, and was becoming unnerved. Fisher had resources and would survive where money and cunning were the arsenal of success. For himself loomed the horror of a return to masters emboldened by Darling's rule to oppress and exploit their convict labour, begrudging even their rations in many cases. Had he not

quaked day by day in the employ of the sadistic Samuel Marsden who found an echo of virtue in the sound of the lash upon his victims' naked flesh? Who could ever know what forbearance and humility he had shown to be spared from such piety -- he who had an immense tolerance of pain?

Supposing now, Worrall brooded, drawing in from the fearsome fringes of his tortured mind, that Nathaniel Boon succeeded in putting Fisher to flight, how would the fugitive's property fare? Would not he, Worrall, secure in the esteem of the community and the local authorities, because of the excellence of his previous caretaking, be the natural choice to control the farm? The Cheshire man was too powerfully governed by desire and fear to stop his ruminating from degenerating into rewarding fantasy. The glow of an imagined overthrow of all threatened misfortunes suffused and presently banished his dejection.

One could only question why Frederick stood firm against the menace of Boon. Why was he so assured, challenging, defiant? Worrall felt himself swayed first one way and then another. At one instant he shuddered to think that Fisher might leave, but only after selling his horses which had come to mean so much to the management of both farms. No -- Frederick must not go; the horses must remain. Good old Betsey and Kitty, stout mares for the ploughing. And there was the promising future of the filly and the colt. It was unthinkable that now they should go. Yet, there had been hints ~~of their sale~~ that they were to be sold!

Now George Worrall began to read into the sale of pigs to Talbot of Cobbetty a presage of dire things; ~~he came~~ and as his reflections became intolerable, by some magic of the mind they were obliterated by a paramount desire: to hold, to keep, to survive, not only in the good esteem of the people around, but in a sense of fulfillment in himself.

The ebb and flow of Worrall's thoughts seemed to lead to no fixed and stable solution. Like an old refrain recurred the recollection of the situation when Fisher had been whisked away to gaol. How easily he had embraced the other man's realm. The

GROUNDPLAN, WORRALL'S FARMHOUSE (Detail from Thomas Leathwick
Robinson's scale drawing six days after discovery of Fisher's body.)

infatuation of those days had even quelled the need for dreaming. Masters do not need dreams. And how dear the dream had ~~been~~ showed in the reflex of almost unbearable disappointment at the reappearance of the Cockney, exuberant, scintillating with fashion, riding the crest of cocksureness which, on report, had plunged the tempestuous William Brooker into new depths of fury.

Well, the pain of loss had dimmed somewhat for George Worrall. He was scrimping along, like most little proprietors, in a mist of uncertainty of the future. Yes, it had dimmed, but not died, for surely the darkness of the regime nourished the most desperate of hopes. Ten months had passed since that false lightning had struck him.

How the time sped. Now the year had worn on to close on its low point. In some ways George Worrall preferred the winter months: he could do more even though there were fewer hours of light. Saturday again, and so much yet to be done before he might yield to the enfolding darkness and go beaten to the grateful warmth of the great log fire in the kitchen. Yes, he harped, so much to be done in the hard, peculiar cold of this strange clime after daylong sunshine. It would never do to leave any work undone for the morrow, because the sabbath was not for work. Fierce was the penalty for those who so far forgot themselves as to break the rule. It just meant more had to be done to tide the household over those inviolable hours. Water had to be brought up; firewood would be needed at hand to replenish the ever-burning hearth against the biting cold of this June 17th. In a few more days the world would turn towards renewal. When July had savagely blown out, the first tinge of Spring would insinuate itself into the days of August. Meanwhile, a fleeting dusk had drifted into night. Pottering about, Worrall was aware of all the comings and goings of the household, all bent upon avoidance of sacrilege to the morrow. Even Fred. had worked especially hard with those little hands of his, bringing in the still warm bricks which Charlie Beales had made and brought up in his dray so that Thomas Laurence and John Pickering the bricklayers

might be able to start work without delay on Monday. Fred. was not one to have workmen standing idle. Nathaniel Cole and Samuel Hopkins, their labourers, were themselves too expensive in these times to have idle. All, ^{Worrall} ~~he~~ knew, had set-to to haul in the the bricks. Pickering, Cole and Laurence, being free by servitude could please themselves about going to church the next day; but the rest went under compulsion to stand muster at St. Peter's so that the estimable Reverend Thomas Reddall could pump some notion of Christianity into them. He would teach them to Fear God and Love the King, or vice versa, as their very presence attested.

Worrall found himself faintly amused in his meandering thoughts by the notion that the inimitable Fred. in his fashionplate dress, fresh from a drive in his gig from visiting brother Henry at Windsor, should pitch into the brick stacking without a single regard for the incongruity of his garb for such a task. But that was Fisher -- a bundle of inconsistencies. In church, the smooth manners and suspicious breadth of style in the clothing now habitual with him, would make his contacts with the local squireocracy, so lightly and casually that it could be thought he was their equal. If one did not emerge from the church any holier (though one could be sure of getting cold feet from the flagstones) at least a poor convict could enjoy the music and the exhilarating colour -- the crimson velvet and green baize, the yellow lace and the cedar furniture, against which the drab of the common convicts mourned in protest.⁶

George Worrall felt relief as the darkness of the expiring day thickened and engulfed the land. He would find trifling tasks to do when supper had been eaten and the men were settling down expectantly for Fisher to dole out their earnings. He would take his time, as ever, as one unable to appreciate the burning desire for recompense which filled men of different make for the brute dullness of their lives.

Even as the workmen crowded the kitchen and smoked their harsh Campbell Town tobacco, chatting, joking, but always waiting on their master's pleasure, George Worrall, fossicking outside,

glimpsed the faint yellow glow of candlelight coming through the window of his own bedroom, where Frederick, after his exertions with the bricks, liked to clean himself, teeth, body, gentleman-like according to his habit.

The rest of the household had completed their day's work, though Jane Hopkins rustled around with kitchen chores which were not now pressing. But himself -- was there ever an end? Was there even a meaning to it all? Moving about in the chilly air, his way lit by a vague glow from the sky where stars gave an uncertain light, Worrall went by habit accomplishing chores which were perhaps meaningless to others, but which aggregated into a necessary whole for the conduct of the establishment. It would be only a short time when any omission from the routine would scream accusation. He had a sense of waiting for he knew not what, lingering pointlessly. Momentarily - though almost as usual -- he would feel a surge of self-pity which transmuted into rage and panic, as one overwhelmed by a vast and uncomprehending wave breaking upon a shore where he had been tempted to swim. The remorseless power engulfed him, and as he recognised the crisis he did not wish the signs of terror to be read in his face.

Voices floated out of the house into the darkness and distance. George Worrall waited abstractedly. Had the voices really gone? Was the sky quite empty, the sprouting wheat crisp, cold and senseless; no watching eye except that of tomorrow's God to see and keep the sight in his own eternity?

+ + + + +

From the night of June 17th. Frederick Fisher was no longer to be seen in Campbell Town. During the next few days, curiosity as to his non-appearance deepened among the workmen who had expected to be paid. They believed Fisher's absenting himself

was simply to defer settlement of his obligation to them. This manoeuvre they accepted as one of his peculiarities -- a hesitation to relinquish his hold upon cash. They were not afraid of going unpaid, for he had a good reputation for honouring debts; it was simply that Frederick liked to get accustomed to the idea of disbursing funds. There were those who uncharitably considered from this that he was mean, miserly, but did not take into account the factors which made him penurious. He denied himself, but did not fail to pay his debts. Accordingly, this repute heartened Pickering, Cole, Hopkins and Laurence to continue their brickwork.

Fisher's absence in these circumstances could not go for long unexplained to the men, and within a few days, Worrall confided to them that Frederick had fled the colony owing to Nathaniel Boon's threat of prosecution for forgery. Inevitably, Fisher's neighbours and friends in the vicinity began to inquire regarding his absence as weeks passed; but meanwhile the workmen respected the information confided to them by Worrall.

Nevertheless, when Worrall offered to sell some horses belonging to the absent man, and a number of cedar planks, doubts arose as to the propriety of it. These doubts were quickly transmitted to Daniel Cooper as friend and trade creditor of Fisher.

James Norton, of Sydney, whose clients included Daniel Cooper and John Farley the prosperous farmer who lived three miles from Campbell Town, along the Appin Road and was well acquainted with Frederick Fisher, had heard an intriguing story concerning Farley.⁷ Cooper's uneasiness about information received from his agent, James Coddington, at Bunbury Curran, relating to Worrall's disposing of some of Fisher's goods, was communicated to Norton. In turn, Norton approached his friend, Saxe Bannister, Attorney General, on September 11th, to whom he wrote that he had been requested to make known a circumstance concerning Frederick Fisher who had disappeared four months earlier. Norton stated that a report circulated in Campbell Town by George Worrall claimed Fisher had left the colony and had appointed Worrall his agent. He added --

. . . That such a report has little probable foundation in truth will be believed from the circumstances of Fisher. He was within a few months of the expiration of his sentence of transportation; had a brother in the Colony (also a prisoner of the Crown) who has no knowledge of the manner or occasion of his disappearing; left a considerable property, unencumbered except to a very small amount, and had no charge hanging over his head.

After relating what he knew of Worrall's dealings with Fisher's property, Norton continued ,

. . . Now under all these circumstances it seems probable either that Worrall knew of the death of Fisher by some accident and endeavoured by concealing the fact to obtain his property, or that he himself was concerned in the disappearance and perhaps murder of Fisher. The former is perhaps the least probable, for to a mind not exceedingly base, the concealment of any fact occasioning the death of a party would be attended with an apprehension, that the after partial discovery of the circumstances might involve him in a suspicion of murder, and indeed so great and almost uncontrollable [is] the natural disposition possessed by everyone of bringing to light any circumstances connected with the mysterious death of a party that few causes perhaps operate so powerfully against this feeling as to induce silence, except that of being implicated oneself. (SA)

James Norton suggested that an official investigation might be made. Five days later, Bannister informed the solicitor that the Colonial Secretary, Alexander M'Leay, with Governor Darling's approval, suggested the Attorney General should draft a newspaper advertisement offering a reward for information concerning the fate and/or whereabouts of Fisher. On the same day, the Attorney General issued from Sydney Police Office a warrant for the arrest of George

Worrall, whom Chief Constable Robert Burke, of Campbell Town, took into custody on September 16th. and escorted to Sydney for questioning.

On Wednesday, September 20th, Worrall appeared before Captain Francis Rossi (Superintendent of Police) and Edward Wollstonecraft,⁸ sitting as magistrates, and was charged with the murder of Frederick Fisher. The proceedings were brief.⁹ Chief Constable Burke testified that he had apprehended Worrall on the previous Saturday and on the following day searched defendant's premises and recovered the following property, which Worrall admitted belonged to Fisher:

- 1 black silk waistcoat
- 2 coats -- one black, one brown
- Some old stockings
- 3 decanters
- 1 salt cellar
- 2 razor strops
- 2 brass candlesticks
- 1 round table
- 3 slabs of cedar
- 24 panes of glass
- $\frac{3}{4}$ cask of 3" nails
- $\frac{1}{4}$ do. do. do.
- 10 cedar planks
- 2 brands -- one 'F' and one 'FF'
- 4 casks
- $3\frac{1}{4}$ kegs of flooring brads
- 1 cart
- 1 gig harness
- 1 crosscut saw
- 1 handsaw
- 1 copper teakettle
- 2 chairs
- 1 bushel measure and 1 half-bushel measure
- 1 pickaxe

1 pistol
2 Deeds¹⁰
Loose papers.

(SA)¹¹

Worrall was remanded to the Campbell Town court where on September 23rd, Rev. Thomas Reddall sat as magistrate at the first of a series of eight inquiries into the fate of Fisher.

James Coddington, overseer of Daniel Cooper's property, Eagle Farm, near Campbell Town, told the Bench he had met Worrall at Thomas Hammond's public house, Campbell Town [on July 8th], a few days after witness last saw Fisher. Worrall had then offered to sell him a horse colt which had belonged to Fisher, who, Worrall said, had left the colony. Worrall asked that Coddington should not tell Cooper or any other persons about Fisher's departure; but would tell Cooper himself during the following week. Worrall had shown witness a receipt purporting to have come from Frederick Fisher, for purchase of some horses, including the colt offered for sale by Worrall. Witness, however, had informed Cooper of what had transpired.

Thomas Hammond, publican, stated that a receipt supposed to have been made out by Fisher to Worrall for the purchase of some horses was not in Fisher's handwriting. He believed it had been written by John Vaughan, Worrall's servant. The writing resembled that on orders sent to witness, written by Vaughan and signed with Worrall's name [on Worrall's behalf]. Hammond swore that on Tuesday, September 12th, Worrall had shown him the receipt, but he recognised it as a forgery, threw it down in disgust and accused Worrall of imposing upon him. At this, Worrall became pale, put the receipt in his pocket and left the hotel without further remark.

John Vaughan, [aged 38] Ticket-of-Leave convict, told the Bench he had been employed by Worrall since about February 21st, 1826, to keep his books. It was his custom to write orders for liquor on Worrall's behalf and to sign Worrall's name to them because Worrall could not write. Frederick Fisher, he recollected, disappeared on

a Saturday night. Worrall was a^t home and came into the kitchen after Fisher went out.

Vaughan was then shown a receipt which was written thus: +

Jun the 9, 1826

Reseved from George Warrall Fiffity pounds for the young
mar Beetsey^(a) and 35 for the old Mar Kittiey^(b) and
35 for the young feley^(c) and 14 for the young hors
foold.^(d)

£ s d
134. 0. 0

F. FISHER

(SA)¹²

Vaughan denied he had written the receipt, and he and Worrall were remanded. (SA)¹³

During the proceedings, Chief Constable Burke obtain^{ed} from Vaughan a specimen of his writing of the name, George Worrall. (SA)¹⁴

Rev. Thomas Reddall again presided when the second inquiry at Campbell Town was held on September 25th. The examination of Thomas Hammond was resumed, and he was asked if he did not suspect anything improper in Fisher's disappearing.

Hammond: No. I thought Worrall a harmless, honest, in-offensive man, and as it was supposed Fisher had left the colony, I felt inclined to encourage Worrall's candour with a view to advise him lest by any incautious act he might expose himself to a prosecution at the suit of Fisher's creditors.

Worrall, added Hammond, had said Fisher was afraid Nathaniel

+ (a) Young mare Betsey; (b) old mare Kitty; (c) young filly;
(d) young horse foal.

Boon would prosecute him for forgery, as Mr. Reddall had made some enquiry for him, and that had frightened Fisher away. His own suspicion was aroused by something mysterious in Worrall's manner when the subject of how he came into possession of Fisher's property came up; 'but his repeated neighbourly favours biased me from interrogating him.'

Hammond then told the Bench that during the previous August, he had accompanied Worrall to Sydney where they were to put up at the Emu Inn. At the instigation of Daniel Cooper, witness told Worrall Fisher's friends believed he had been murdered. Worrall had treated this observation 'with levity', but soon afterwards left the inn and did not return until the next morning, when he said he had been to Parramatta.

Witness said he had remained on intimate terms with Worrall until he was shown the receipt he believed was a forgery.

Edward Weston, aged 40, assigned servant to Worrall, gave evidence that he had lived with Worrall for two years up to March 17th. He believed the first business Fisher had with Worrall was when Fisher went to gaol for assaulting William Brooker, and then continued until Fisher's disappearance. The missing man had given witness to understand that he placed great confidence in Worrall's agency. He had never heard any dispute arise between them, and always thought their transactions were mutually satisfactory. He was not aware of any private transactions between them, nor had he heard any conversation pass between them regarding any purchase whatever by Worrall from Fisher. Nor had he heard any bargaining by Worrall with Fisher for the latter's horses; although between four and six weeks after Fisher disappeared he had heard Worrall say he had bought the horses from Fisher and that he, Weston, might work them on the farm.

About a fortnight still later, witness continued, Worrall had re-branded the horses with his own initials. He also sold one horse to a man named Wood. Some of Fisher's peas had been sold to

a Mr. Hassell and some were fed to the pigs.

Weston also stated that during Fisher's absence, Worrall had sown part of Fisher's land with peas which witness had harrowed in. Some of Fisher's clothing was being worn by the bricklayers living at Worrall's house. He agreed that he thought the workmen at Worrall's had been living more extravagantly as to food and grog than their means allowed. He did not think Fisher had left on a Saturday night, as he recalled that he himself had worked on the following day. Worrall went to Sydney for the first time after Fisher left, 3 days or a week afterwards. (SA)¹⁵

The third inquiry at Campbell Town took place the day after the second one, viz. September 26. Rev. Reddall was accompanied on the Bench by Richard Brooks, JP. They called on the workmen to whom Weston had referred in the previous evidence.

Thomas Laurence, [aged 31] stated he had come from Sydney on May 1st. to do bricklaying for Fisher and had lived in Worrall's house until a few days ago. Worrall had supplied him with rations by arrangement with Fisher. A fortnight after Fisher disappeared Worrall had sold witness a coat for £1 and a waistcoat for eight shillings, and a pair of boots he knew were Fisher's for eight shillings. After Fisher went away witness had continued working with others for Fisher who, he was certain, left Worrall's house on a Saturday, after 9 o'clock and was still wearing the clothes he had been working in 'drawing in the bricks'. He had not seen Fisher cleaning or dressing himself as though in preparation for a journey, during the three-quarters of an hour before he left. When witness entered the house, Fisher was cleaning his teeth as was his custom in a room adjoining that in which were witness, John Pickering, John Vaughan, James Smith, Nathaniel Cole, Samuel Hopkins and George Worrall.

'When Fisher left he did not say goodnight or anything else,' added Laurence; 'but left in a most clandestine manner.' Witness did not know where Fisher was. The following day was Sunday and it

was said jokingly among the men that Fisher had gone to see his sweetheart -- that was all.¹⁶ Worrall did not remark on the matter particularly that day or subsequently; but deponent and his partner John Pickering supposed Fisher had gone away so as to defer the settlement of his debts to them.

Laurence told the magistrates he recollected having heard Fisher say a few days before he left that he would sell his horses, but he had not heard him agree to sell them to George Worrall.

The next witness was Pickering who corroborated the testimony given by his fellow bricklayer.

Samuel Hopkins aged 29 followed, and stated he had been engaged by Fisher the previous June to dig a drain. He had finished the work a few days before Fisher left and was paid by him 'part in money'. During his engagement Worrall had provided him with rations, and on the completion of Fisher's job he had agreed to thresh for Worrall for a few days, for which he was paid in goods. He then went to work for Mr. Hassell and later returned to Worrall's where he bought some goods and was still staying there when Fisher left about 9 p.m. on a Saturday, the 16th. or 17th. of June.

Replying to questions, Hopkins said he did not know how Fisher left, or if the tracks of a gig had been seen turning in at the gate the following morning. Nor did he know of anyone saying they had seen such tracks.

Nathaniel Cole aged 43, labourer employed by Fisher, told the Bench he was at Worrall's house when Fisher left about 9-30 p.m. on a Saturday during the previous June. He had not seen Fisher leave, as for some time before he left, Fisher was in the adjoining room which had an outward door but no direct communication with the room he and the rest of the men were in.

Cole was remanded.

(SA)¹⁷

Public interest in the disappearance of Frederick Fisher was

more than ever stimulated by the appearance in the Sydney Gazette on September 27, of an advertisement in which the government offered a reward of £20 for information concerning the supposed murder of Frederick Fisher, holding a Ticket-of-Leave, or £5 to anyone giving information of his whereabouts if he was alive.

Messrs. Reddall and Brooks again occupied the Bench at Campbell Town on September 30th. for the fourth inquiry into the affair. Worrall and Vaughan were brought in for further questioning. In addition, William Presnall, brother-in-law of George Worrall, had been brought on warrant from Richmond, on suspicion of complicity in the disappearance of Fisher.

The proceedings occupied only a short time, during which Worrall admitted under questioning by the magistrates that he held no written authority to give or sell Fisher's clothes to the workmen. Fisher did not leave him as agent, he said, but only left the property in his care at the time he was committed to gaol [Brooker affair, June 25, 1825]. A blue coat, which he had told Chief Constable Robert Burke was his own when an inventory of Fisher's property found at Worrall's was made [Sunday, September 17th.], he now admitted belonged to Fisher.

At the conclusion of the hearing, Presnall was discharged, there being nothing in the opinion of the Bench to implicate him in the matter before the court.¹⁸ (SA)¹⁹

For several weeks, Frederick Fisher's brother, Henry, alarmed by the evanishment of so well-known a figure and by the growing speculation that he was probably dead, had himself scoured Campbell Town for some trace of his body if there was one to be found.

On October 2nd, possibly due to the influence of James Norton who with Daniel Cooper was so suspicious of Worrall, thought it advisable to frustrate that individual's purposes as soon as possible. Formally --'as eldest brother and next of kin'-- Henry applied to the Supreme Court, through Norton, 'for administration to be granted of the estate and effects of deceased . . . who carried on business as a dealer in general merchandise, that he suddenly disappeared

in or about the month of May last and is supposed to have left a considerable property without any representative.'

At Liverpool, on October 1st, 2nd and 3rd, Charles Throsby, JP, examined Lewis Solomon and Thomas Talbot concerning their relations with Fisher and particularly regarding a note of hand Talbot had made in favour of Fisher, part of the payment of which had been obtained by George Worrall after Fisher's disappearance. This inquiry was a relatively painstaking affair, seeking to follow the course of events involving the arrangements for the payment. (SA)²⁰

A quartet of magistrates -- Rev. T. Reddall, William Howe, Charles Throsby and Dr. Patrick Hill (Surgeon on Establishment at Liverpool), took the Bench for the fifth inquiry at Campbell Town, on October 6th, and once more the hearing was short. Worrall was questioned and claimed Fisher had given him the clothes he had distributed among the men, for that purpose. Pressed to state when Fisher had left, he replied it was nine weeks previously. Fisher had left the colony aboard the Lady St. Vincent.⁺ (SA)²¹

Nineteen days elapsed before the next official record was to be entered. On October 25th occurred the most dramatic incident in the whole affair, of which only the most meagre and in certain important respects, deficient, account was given. On that date, Rev. Reddall took the Bench to receive from Constable ~~John~~ George Luland, of the District of Airds, report that the same

. . . maketh oath and saith that he in company with John Rourk /Rourke/, constable and two black natives went this morning in search of the Body of the late Frederick Fisher at Campbell Town and that he this Deponent with the party above named, after about two hours careful search did find the Body of Fk. Fisher buried in a Field of Ground belonging to Mr. Wm. Bradbury adjoining the public road through Campbell Town.

+ Elsewhere called Lord St. Vincent and Earl St. Vincent; the latter ~~is~~ apparently correct.

Deponent further states that the body lay about two feet under the surface of the earth with his clothes on.

Deponent further saith that he left the Body in the place he found it under the care of John Rourke, Constable, of Campbell Town. (SA)²²

NOTES

1. NSW Census, November, 1928 -- copy of the original in Public Records Office, London. (ML)
2. The question whether or not Boon himself had signed in a disguised handwriting does not seem to have been considered.
3. The present ~~writer~~ does not accept Boon's charge that forgery was committed in this instance by Fisher. More likely is that, sympathising with William Brooker he hoped to embarrass Frederick in connection with the £50 recognisances: if possible to goad him into some act which would exasperate the authorities.
4. The little known of Boon does not inspire confidence in him. His approach to Reddall was probably a mischievous attempt to uncover the reason for Fisher's transportation, knowing as he did how strongly a prior conviction for a similar crime would alienate a court.
5. The status of Jane Hopkins in Worrall's household is unclear. She could have been sister, wife or mother of Samuel Hopkins, filling the duties of a casual servant. Her age is not given.
6. Rev. Reddall's accounts of expenditure on furnishing St. Peter's Church, etc. to August, 1825. Colonial Secretary's inward letters. (SA)
7. The time element here is of crucial importance and should be related to James Norton (the younger) account, 1892. Part Two, Ch. 2. The matter is taken up more fully.
8. Edward Wollstonecraft (1783 - 1832), nephew of Mary Woolstonecraft, the famous 'bohemian' of England, whose daughter married the poet, Percy Bysshe Shelley. Wollstonecraft was essentially a business man and was in partnership with his brother-in-law, Alexander Berry. In 1822 he was senior director of the infant Bank of New South Wales. He died aged 49 in 1832; interred Sydney Burial Ground, but his remains were transferred to his sister's tomb, St. Thomas' cemetery, North Sydney when the Sydney Burial Ground became the site of the Town Hall.

9. One of the Mutch documents. The "Mutch" documents came into the Mitchell Library from the estate of T.D.Mutch, one of the Trustees of the library. They later were transferred to the State Archives where they properly belonged.

All the Campbell Town hearings were poorly recorded, giving the mere gist of matters and only rarely including a direct statement by a witness. These were copied for the purposes of the Supreme Court trial of George Worrall, and their survival was ensured through their passing into the court archives. The original depositions of all the investigations at Campbell Town appear to have been lost, and the copies, if indeed they are true copies, form the only outline of the testimony by which any 'whole' view of the Fisher affair may be obtained.

The depositions are paraphrased and abbreviated herein, except where extracts answer the purpose better. The Sydney Police Office hearing covered by this note consisted of only a few lines and a list.

10. A later hand queries the whereabouts of the Deeds -- an important detail in view of the ultimate fate of Fisher's estate.
11. 'Mutch' document. It does not follow that Worrall had feloniously seized the goods listed. Fisher would certainly have stored them at Worrall's house for the use of himself and the workmen. The building materials would have been at Worrall's for safe-keeping owing to their considerable value. Fisher at that time had no other repository.
12. 'Mutch' document.
- 13, 14, 15. 'Mutch' documents.
16. Nothing is known of Fisher's supposed association with a woman in the locality.
17. 'Mutch' document.
18. The depositions show nothing of the questioning of Presnall. Aged about 35 at the time, he had been transported for 14

years and arrived per Indefatigable during 1815. He became a farmer at Richmond. -- vide NSW Census, 1828. Died aged ~~and~~ in church, Richmond ✓
is interred at St.

19/21. 'Mutch' documents.

22. 'Mutch' document. This bald statement has to suffice for the moment. There is no allusion to the body's having been identified by well-known townspeople while it still lay in situ. The feat of the aboriginal tracker which first sparked the world currency of the Fisher legend receives no detailed mention. Above all, the Luland report gives no hint of the circumstances through which Luland came to be directed to undertake this particular search. But there is much, much more concealed by cryptic officialese. First the possibilities of the courts have to be exhausted. There we shall meet people of great significance in the Fisher story -- people whom we have not yet met and who are still unknown to the current legend.

CHAPTER EIGHT

Worrall Accuses The Workmen

Whatever peculiar excitements were agitating the inhabitants of Campbell Town in connection with the fate of Frederick Fisher, the official mind applied itself to the narrow limits of its jurisdiction, and evidently was loth to participate in or admit the relevance of what townsfolk were avidly discussing. A good deal of hyper-caution developed. Reddall may have been uncomfortably aware of Governor Darling's interest in the Fisher mystery, since he had assented to a probably unprecedented amount of reward for information as to the fate of a mere convict. Of course, Fisher was not a mere anything to those who knew him -- people like Cooper and the ex-Provost Marshal, William Howe and a multitude of other luminaries of the raw colony. And some of these surely had made up the gubernatorial mind for him, did he but realise it.

Thomas Reddall, more in the tradition of gentlemanliness, had keenly felt his position in a nasty brush but recently with the Colonial Secretary, Alexander M'Leay - so much the scientist - as to be reluctant to risk a second charge of imposing on His Excellency. Earlier in the year, the open-natured Reddall had himself been imposed upon by villains whose word he had accepted in good faith, and had made certain recommendations thereon. But the eagle-eyed Darling, with better information at hand, acidly impugned the purity of his motives.¹

Reddall may well have communed with his fellow magistrates upon the propriety of going the least distance beyond the demonstrable facts of the Fisher affair. Begin anywhere close to the immediate cause of the discovery, one must be led into the indiscretion of enunciating facts which could not be legally recognized. Therefore, to elide them would save embarrassment to himself and inconclusiveness where it could least be endured. So then must discretion rule where the truth was prickly.²

John Horsley, coroner for the County of Cumberland was summoned from Liverpool and sat the day after the finding of Fisher's body, to make, with jury, the necessary inquest. Reddall, William Howe and Patrick Hill were present. The last-named was ostensibly the medical witness, although the depositions reveal nothing of his examination of the body or even yet of any identification by anyone to whom the dead man had been known. Similarly, the depositions gave no clue still of the direct causes of the search by Constable Luland or of the skill of the Liverpool aboriginals.

A verdict of wilful murder against some person or persons unknown was returned by Mr. Horsley. The depositions then become explicit:

. . . In consequence of many suspicions embodied in the evidence touching the mysterious absence of Frederick Fisher as it appeared at the time such depositions were made in this Court by the following persons: Thomas Laurence, F.S., John Pickering, F.S., Nathaniel Cole, T.L., Thomas Talbot, T.L., Samuel Hopkins, F.S., Edward Weston, Prisoner of the Crown;⁺

And from other matters connected therewith which tend to implicate the above parties in the horrid transaction [the Bench] do commit them to prison in Liverpool Gaol until brought forward with George Worrall and John Vaughan, now in confinement in the said gaol under charges of the murder . . . to be finally disposed of by the Bench there. (SA)³

The remains of Frederick Fisher were interred in St. Peter's cemetery, Campbell Town on the following day -- October 27 -- in the presence of his brother, Henry.⁴ The rites were conducted by the rector, Rev. Thomas Reddall.

On October 28th, Worrall (evidently having learned of the finding of Fisher's body) requested Chief Constable Burke to have

⁺F.S.(Free by servitude); T.L. (Ticket of Leave).

him brought before the Campbell Town Bench.⁵ Messrs. Reddall and William Howe consented to hear him, and after some preliminaries between Reddall and the prisoner (not recorded in the Campbell Town deposition), Worrall made a declaration which was set down as follows:

George Worrall, under charge of the wilful murder of the late Frederick Fisher of this place comes forward and maketh the following Declaration (viz.) that four men who were boarded and victualled at his house, by names of John Vaughan T/L, John Pickering F/S, Thomas Laurence F/S, and James Smith F/S, did on the 17th. day of June last at night go to one of the Public Houses in this township to get some Liquor, that in about one hour afterwards they returned to his, George Worrall's house as he, George Worrall, went out of the house; but Laurence and Smith did not go in with them; but he saw them standing at the end of the house, that he went past them, but a cart being between him and them, he does not think they saw him.

He states that he went to the end of the yard to ease himself and that during the time he heard a great scuffle in the yard near the house and immediately Smith and Laurence came down towards the place where he Worrall was] carrying with them something which they threw on the dunghill, and he heard them striking it two or three times. He asked Thos. Laurence what he was striking. He answered he was striking a dog, to which he, Worrall replied, 'You have stopped his crying out.' He then pulled up his trowsers, went towards them and said, 'It is Fisher, Tom, and not a dog that you have been striking.'

At this time, James Smith had him the body of Fisher on his back and as he, George Worrall, was going towards

them, Laurence came before him with a weapon which he thinks was a post rammer, and lifted it up against him and exclaimed 'For God's sake don't tell,' and threatened him until he, George Worrall, made a solemn promise that he would say nothing about it unless it were found out.

Declaratist then went into the room where Fisher had been that evening and blew out the candle he had left there and locked the door. Laurence and he then went into the house the other rooms to the men. Smith, he believes, conveyed the body away, and in about 10 minutes returned to the room where Declaratist and the men were and said, 'It is all right.' Laurence said to him ~~in~~ flash language, 'Cheewe that,' -- meaning, as Declaratist says, 'Hold your noise.'

That in about two hours Declaratist went to bed, as did the men, Thos. Laurence, James Smith, John Vaughan, Nathaniel Cole and Samuel Hopkins. He did not hear any of them go out again that night, but he had every reason to believe some of them did, as the body must have been buried during the night.

Declaratist states that he went next morning to the dung-hill and saw some blood there and traced blood here and there through the wheat until he came to the corner of the late Mr. Fisher's fence where he noticed a considerable quantity of blood on the pannels and on the ground,⁶ but the body was not there and he could not find it. On the following morning 2nd. day after the murder⁺ he asked Smith where he had put Fisher. He said, 'All is right; Cole has scratched him over,' meaning that he had harrowed over him, as he, Declaratist had been sowing wheat that morning and Cole was then harrowing the ground.⁷

Immediately upon this, Laurence said, 'It is all right, governor,' to which Declaratist observed, 'I don't know

that it is.'

Declaratist on the following morning asked Smith, 'What was the reason you killed Fisher?' to which he answered that Thos. Laurence had told him that Fisher had got a great deal of money. He Worrall asked him how he knew it. Smith replied Laurence told him that he saw Fisher and Declaratist counting money the night before he Fisher went last to Sydney. Declaratist states that on the Tuesday morning before the murder of Frederick Fisher, Thomas Laurence came into the room where he then was Worrall's own room for a glass of rum which he, Declaratist kept for him there; and he observed to this Deponent that 'he wished he had all the Dollars that were in that box' meaning Mr. Fisher's box which was in the room.

Declaratist observed that 'there were not many dollars there for Mr. Fisher carried most of his money about him' as he, Declaratist frequently left the door open. Smith informed this Declaratist that this was the reason they murdered him and that they only found five Dollars which had been pierced and past passed for 3/9d each. Smith further informed Declaratist that he and Laurence had often thought to have met him Fisher on the road coming from Nowland's -- now Jackson's Horse & Jockey Inn where he sometimes went in the evening to get some liquor and to have murdered him there, to get his money from him.

Smith further told this Declaratist that the plan adopted on the night of the murder was as follows (viz.) to call him, Fisher, out of the room, which they did, and say somebody wanted him at the gate, that he immediately went, and in accordance with their plan, Thos. Laurence knocked him down and then carried him to the dunghill where Declaratist heard blows given.

This Declaration is voluntary. Declaratist declares it to be so, and that no threats have been made use of by anyone to induce him to make it, nor have any promises of protection been held out to him by the magistrates to induce him to come forward. A sense of duty alone has prompted him to the act.

Signed by his mark

GEORGE ~~X~~ WORRALL

Witness -- ROBERT BURKE

(SA)⁸

The effect of this statement was to ~~decide~~ the magistrates to put Worrall's charges to the test while the men he had so damningly implicated were within reach. After a short recess during which Vaughan, Laurence, Pickering, Cole, Talbot, Hopkins and Weston were brought in to confront Worrall, the hearing was resumed. Of those accused by Worrall, James Smith was not present, having left the locality some time previously in the normal course of his quest for employment of a casual nature. The trend of the questioning of the prisoners was determined by Worrall's assertions.⁹

John Vaughan told the court that on the night Fisher went missing, he himself went with Pickering, Laurence and Smith to the public house owned by Charles Rennett (The Harrow) to get some liquor and all four returned together about 9 p.m. and soon afterwards went to bed. When they went out they had left Hopkins, Cole and Weston in Worrall's house; but by the time the four returned, Weston had gone to sleep at Fisher's large building. Witness had no recollection of anyone calling to Fisher that he was wanted outside, or of anyone saying, 'Cheese that.' Fisher was in his room with a light when they got back from the public house, and Worrall was in the yard at the end of the house.

Pickering corroborated Vaughan's testimony to the point of the four men returning to Worrall's house, but was uncertain whether anyone remained behind. He believed the four of them entered Worrall's house within a few minutes of each other. He

had not heard anyone call that Fisher was wanted outside, and felt 'positive' he had seen Fisher after he himself arrived back from The Harrow.

Cole's evidence followed similar lines, agreeing that with the other three named he had gone to the public house, from which he believed they returned together about 9 p.m. He thought some of the men played cards on their return, but all retired about 10 o'clock. He had no recollection of anyone calling that someone outside wanted Fisher, and stated his firm conviction that Fisher could not have been murdered in the yard without his or someone's knowledge, the yard being so close to the house and not more than five or six yards wide.⁺ Fisher, he knew, was in the habit of strolling alone at night about his farm or on the road.

Samuel Hopkins admitted to the court he was one of the four who had visited The Harrow as stated. However, he was unable to say if they returned together or if all of them were in the house when Fisher was supposed to have left. He did not think it possible for Fisher to have been murdered in the house-yard without the knowledge of those in the house, and he did not hear anyone call for Fisher to go down to see someone at the gate.

Laurence, who was then called, denied all knowledge of the murder of Frederick Fisher, or of being in any way connected with it. He recalled that on the night in question, he, Pickering, and Smith had gone to a public house. He had returned with them ~~about~~ about 9 o'clock. Fisher was then cleaning his teeth. The men retired about ten p.m. He himself went out a few moments afterwards to bring in some wood or water.

The deposition then continues:

The whole of the prisoners being brought before the Court, the Bench commit George Worrall and Thomas Laurence to take their trial for the wilful murder of the late Frederick Fisher at the ensuing Criminal Court.

+ Almost eight yards according to a scale drawing made for the Supreme Court.

The Bench likewise commit John Vaughan to take his trial for forging a receipt purporting to be a receipt from the late Frederick Fisher in favour of George Worrall for a sum paid for purchase of horses and they commit the aforesaid George Worrall as an accessory with Vaughan in the forgery.

The Bench likewise commit the said George Worrall to take his trial for feloniously possessing himself of property belonging to the late Frederick Fisher and for illegally selling and disposing of the same to a great amount. The other prisoners are admitted to Bail to appear when called upon. (SA)¹⁰

It was now desirable to bring into custody the missing James Smith.

On November 10th, the Colonial Secretary's Office advertised in the Sydney Gazette, The Australian and The Monitor (the last-named having recently begun publication as an unwelcome competitor with the older journals) seeking news of the whereabouts of Smith -- nicknamed 'Froggy'. Five days later, Smith was arrested at Bringelly, near Liverpool, and sent to Campbell Town.

+

The colonists at all levels evinced a lively interest in the Fisher case, not so much on the basis of authenticated information as owing to the strange stories which gained currency in a community dependent upon word of mouth communication, with all the garbling attending it. Every crumb of news that might come along was speculated upon and frequently accepted as factual. The available newspapers, circulating in mere hundreds because of their cost, and then appearing only once weekly, had no call to permit the Fisher affair to occupy an undue amount of their space. As a rule, only the affluent purchased newspapers; their interests were either

flatly commercial or drawn in hope of entertainment to the voluminously recounted legal battles between government officials and irritating editors who displayed abounding disrespect for the highly placed. Nevertheless, Fisher had been too well known to be overlooked; and for journals which were continually snarling at each other over superior figures of circulation, and betimes casting serious doubt upon their rivals' computations, the possibility of winning a few more cash readers (too many would have posed problems of production) dictated acknowledgment of the Campbell Town drama.

The premier newspaper, Sydney Gazette (whose editor publisher, George Howe in 1818 had known Fisher and his paper making project) now in the hands of Howe's son, Robert, found space on Saturday, October 28th to give the following intriguing story:

The body of John Fisher, for the discovery of which, Government some weeks back offered a reward of £50 has been found close to his farm, in the vicinity of Campbell Town, and the skull exhibits so many fractures as to leave no doubt of the unfortunate man's being atrociously murdered. Two men and a woman are said to be in custody.¹¹

The Australian on Wednesday, November 1st. reported what it could discover about the inquest, and was the first to give publication to the feat of detection by the two aboriginals called in, -- 'Constable Luland, of Campbell Town, having been urged by the magistrates to make a diligent search, proceeded on the 25th. ult. to the premises of the deceased . . .'

After describing the aboriginals' procedure¹² the report goes on:

. . . This evidence was given before the Coroner; and this way, strange as it is, was the way in which the body was discovered.¹³

The same newspaper noted on November 4th. that 'three men have been apprehended and lodged in Sydney Gaol, on suspicion of being implicated in the murder of the man Fisher.'

The Monitor, in its issue of Friday, November 3rd. gave a glaring example of the dependence of the colony's editors upon oral transmission of 'news':

An extraordinary discovery of murder has very recently taken place in the neighbourhood of Campbell Town. A Government notice appeared some weeks back, offering a reward of twenty-pounds for the discovery of a respectable house-keeper, named Fisher, who had been missing for nearly four months. Diligent search was made for a length of time, and no tidings could be gained untill Tuesday,⁺ when by the aid of some black natives the body was discovered in a field below the surface of the ground -- The face was flattened, the head fractured, and the body in a state of decay, indicating the fact of its having been a considerable time buried.

Suspicion it is said attaches to a man resident in the neighbourhood with whom the deceased some time since had a serious quarrel on which occasion violence was used, which ended in the committal of Fisher to take his trial. He was subsequently acquitted, but a rancorous feeling still it should seem subsisted in the breast of the then accuser. The deceased man was missing, and his hostile neighbour reported the departure of the absentee for England. A horse, the property of Fisher came into his possession, to account for which he produced a forged receipt.

The deceased was a man of rather penurious habits and was possessed of considerable property. The man abovementioned is stated to be in custody.

+ Tuesday week!

Reading this startling confusion of facts, those in official quarters who had experienced the barbs of criticism from Edward Smith Hall, the Monitor's spirited editor,¹⁴ who did not spare even Governor Darling, could only feel an inspiring satisfaction.

William Brooker lost no time in instructing his lawyer, Mr. Rowe, to institute proceedings for libel; and the Monitor published an apology in its issue of November 10th, explaining that the editor had ascertained the whole substance of the paragraph had been 'a malicious rumour, although current in Sydney . . . vouched for to our reporter as authentic.'

N O T E S

1. Letter, Rev. Thomas Reddall to Colonial Secretary, April 15, 1826, giving a spirited reply to charge of having imposed ~~on~~ Governor Darling. (SA)
2. Omission from mention of certain events probably due to their 'supernatural' character, while legally proper, created the lacuna in the Fisher legend deplo^red by Andrew Lang.
3. 'Mutch' document.
4. In a letter to his mother, written September 13, 1835, Henry Fisher, who remained in the colony to the end of his life, stated (having no pretensions to scholarship):

. . . I myself buried him as decent as I could. I was seven weeks looking for the boddy witch gave me quite a cutting up and left me very low in the world . . .

(Litchfield)

No headstone was ever erected and the location of Fisher's grave ^{is} ~~has long been~~ unknown.

5. John Scarr, clerk to the Bench may have been in error as to Worrall's then being in Liverpool Gaol and his request to Constable Burke, or that for an undisclosed reason Worrall had meanwhile been returned from Liverpool to Campbell Town -- fourteen miles apart -- where on the 27th all the prisoners were still awaiting transfer to Liverpool. This would account for the prisoners being present for the final hearing at Campbell Town.
6. This remarkable description immediately shows that someone had informed Worrall while he was still in gaol of the discovery of ~~the~~ bloodstained fence in the centre of the adjoining farms, which he weaves into his inventions. We return to this vital question later on.
7. Labour was forbidden on the Sabbath.

8. 'Mutch' document.
9. This part of the investigation was made subject to a distinct deposition, placed by John Scarr in making the copies for Supreme Court use, precedent to Worrall's declaration implicating the workmen, when it should have been placed after the declaration. It appears herein as the record of the eighth and final hearing at Campbell Town.
10. 'Mutch' document.
11. A John Fisher, sometime constable, did in fact live in the Campbell Town district.
12. Substantially in the terms already outlined.
13. Conclusive of omission of important data from the Campbell Town depositions. The Press was getting the news almost before it became an official release!
14. Within three years, Edward Smith Hall was seven times prosecuted for libel, fined hundreds of pounds for criticising officials, who were disposed to regard all criticism as libellous; and suffered $3\frac{1}{2}$ years imprisonment. Governor Darling refused him the privilege normally available to free settlers, such as the right to assigned servants and of pasturing his livestock. Archdeacon Scott, of St. James' Church, Sydney, displayed his Christian tolerance of Hall's forthrightness (and propensity to error) by boarding over his pew to prevent the journalistic scourger to participate in Divine service.

C H A P T E R N I N E

Trial of George Worrall

The unexpected availability of the Chief Justice, Francis Forbes, to try cases in the Supreme Criminal Court, Sydney, at the end of November, set in motion arrangements for a speedy disposal of the Campbell Town affair. As early as November 7th, Rev. Reddall had sent 'true' copies of the depositions of the hearings in Campbell Town to W. H. Moore who would conduct the case for the prosecution. The effort, however, was thwarted for the time being. An understandably irate -- and overworked -- Reddall wrote from Campbell Town on December 1st. complaining that subpoenas for his attendance at the Supreme Court at 10 a. m. the same day had not been handed to him until between 6 and 7 a. m., as a result of which it would be impossible for him to reach Sydney in time for the trial.

Likewise, the summonses for the witnesses were delayed, not having appeared until 3 o'clock the previous afternoon. Although Reddall had despatched the summonses to the various persons they were intended for, he doubted whether they would reach them in sufficient time for them to get to the court for the trial. Reddall 'thought expedient to decline going down,' and hoped to trace the cause of the 'shameful delay.' ¹

These circumstances gave respite of another month to George Worrall, who would not enter St. James' Parochial School to hear the web of circumstantial evidence woven about his relations with Frederick Fisher, until February 2nd. of the coming year.

Since he had made his Declaration at Campbell Town on October 28th, George Worrall had uttered no further word for official notice concerning the death of Fisher.

The torrid summer blazed towards a suffocating climax as the eve of trial day dawned. The sandstone cliffs at the base of which Sydney Gaol crouched radiated their stored heat throughout the night, making sleep impossible ~~both~~ ^{for} both prisoners and their guards. So near the sea, and yet no blessing of a breeze! But at last, the

day that was more fearsome than any night announced itself. In a stupor of bewildering and incoherent thoughts ^{Worrall} noticed nothing of the preparations, the askant looks of those less beset than he was. The die had been cast for him. He could not retract the Declaration, but would have to rely upon the cunning of his counsel to make it ineffectual. So much had been left unsaid, he knew; but there was now no help for it. As the law stood he could make no statement verbally in his own behalf.

At last he found himself listening to the reading of the Information:²

BE IT REMEMBERED that William Henry Moore, Gentleman, Acting as His Majesty's Attorney General, February 2, 1827, informs the court at Sydney that George Worrall late of Campbell Town in the Colony of New South Wales labourer not having the fear of God before his eyes but being moved and seduced by the instigation of the Devil on the sixteenth day of June in the year of our Lord, 1826 with force and arms at Campbell Town aforesaid . . . in and upon Frederick Fisher in the peace of God and of our said Lord the King then and there being feloniously wilfully and of his malice aforethought did make an assault and that the said George Worrall with a certain stick of the value of two pence which the said George Worrall in his right hand . . . inflicted divers mortal wounds, contusions and fractures to wit --

1. One mortal wound on the forepart of the head, one inch long and one inch deep;
 2. Mortal fracture of the forepart of the head;
 3. Mortal contusion on the forepart of the head;
 4. One mortal wound on back of head, one inch long and one inch deep;
 5. Mortal contusion on back of head;
 6. One mortal fracture on back of head;
- of which he instantly died and by that means George

Worrall⁷ did kill and murder against the Peace of our
Sovereign Lord the King, His Crown and Dignity.

Plea -- Not Guilty.

(SA)

No witnesses were called by subpoena for the Defence.

Daniel Cooper gave oath that after his overseer, James Coddington had written saying Fisher had left the Colony and Worrall was aware of his doing so, he had been approached by Worrall who wished to obtain the title deeds to Fisher's farm, which Cooper had sold to Fisher, and offered the balance owing. Worrall had represented that he had a written authority to act for Fisher, and although witness asked to see it, it was never produced. Witness had repeatedly interrogated Worrall concerning Fisher's supposed departure and became suspicious by Worrall's evasions.

Cooper continued that he was satisfied Fisher was solvent and had considerable property -- more than sufficient to pay his debts, and that he had left all this behind. Upon inquiry, he found the conveyance of the farm property from himself to Fisher still lay in Solicitor Norton's hands.

James Coddington amplified the evidence he had given at Campbell Town by stating that when Worrall informed him ~~that~~ Fisher had left the country, he had mentioned that Fisher had gone 'with £300 in his pocket.' He had also said a chaise had come for Fisher during the night and he had gone privately. When witness called upon Worrall two days after the foregoing conversation, Worrall proposed selling him a horse and showed witness a receipt supposedly for purchase of horses by Worrall from Fisher, but as he doubted the handwriting was Fisher's, witness did not buy the animal.

Under cross-examination, Coddington stated he had seen Fisher write during the time he was collecting Quit Rents. Fisher wrote a better hand than that shown in the receipt exhibited in the court.

Thomas Hammond gave evidence that he frequently saw Frederick Fisher until May or June, 1826, when he disappeared. During July, Worrall offered to sell him some boards, claiming authority to do so from Fisher who had left the colony from fear of being prosecuted for forgery. On several occasions Worrall claimed to hold a power from Fisher but never showed it to witness.

Hammond repeated his evidence given at Campbell Town describing his journey to Sydney with Worrall during the previous August, when witness had told him Fisher's friends suspected he had been murdered. Worrall was affected by the observation and ceased to speak of it. Later, asked if he knew anything of Fisher, Worrall replied that all he knew was Fisher had left the colony. Worrall had not slept at the Emu Inn overnight, as arranged, but appeared the next morning and said he had been to Parramatta. He proposed to remain in Sydney to transact some business and Hammond might have the use of the horse and [Fisher's] gig to return to Campbell Town.

A few days later, at Campbell Town, Hammond continued, he had seen the receipt for the supposed purchase of Fisher's horses at a price of £134 and regarded it as a forgery. When Worrall said Fisher had given it to him, witness retorted that it must have been to trick him, since it was not in Fisher's handwriting. Witness had observed a servant of Worrall's wearing a waistcoat he believed had been Fisher's. Worrall himself had worn a pair of trousers belonging to Fisher; witness had noticed the fact because Fisher was a much smaller man than Worrall, whom they fitted tightly. The cut and style of the trousers were not those for a country farmer, which Worrall was. Witness had heard Fisher was in debt, his affairs involved, but never that he intended going to England.

Hammond was unable to say the endorsement on a promissory note from Thomas Talbot to Frederick Fisher was in the latter's handwriting or not.

Talbot and his wife, of Cobbetty, and Lewis Solomon, repeated their evidence at the earlier inquiry concerning Worrall's receiving

portion of the money due under a promissory note in favour of Fisher, who failed to call for it as arranged. Worrall, these witnesses stated, informed them Fisher had gone to England owing to his having committed a forgery. Talbot stated he had bought from Worrall in August, one of Fisher's mares and had paid £40 for it.

William Sykes³ told the court defendant had said Fisher had left the country. After his apprehension, Worrall asked witness to tell Talbot that if inquiries were made about a mare, he was to say he had hired it for three months. Until then, said witness, he had not known Worrall sold a mare to Talbot.

Edward Weston told the judge he knew the horses spoken of in evidence as having belonged to Fisher, who once lent them to Worrall to do some ploughing. Although he thought Fisher had given some of his clothing to the builders, Worrall had given some of Fisher's clothing to the bricklayers.

Robert Burke, Chief Constable at Campbell Town, gave evidence that he had known Frederick Fisher who was not financially embarrassed. Witness had found some of Fisher's papers, etc. in prisoner's possession, and some of the murdered man's horses had been re-branded G-W. After Worrall had been remanded from Sydney Police Office, Sept. 20th. 1826 he gave witness the receipt exhibited, the signature to which witness did not believe to be Fisher's.

Samuel Hopkins took oath he had lived in Worrall's house. Worrall and Fisher slept in the room adjoining that in which witness slept.⁴ He last saw Fisher on the evening of June 17 previous. Fisher came into the kitchen where witness and several other persons were and gave Laurence a Spanish dollar. Fisher went out. Several of the men also went out to get some rum, and were away about an hour. Prisoner was 'about' that evening but witness was unable to say when he returned. Fisher was in the habit of going out of an evening and 'looking about him'. When Laurence returned with the

other three men he said he wished Fisher would come in as he wanted another dollar from him. Fisher did not return and witness did not see Worrall until the next morning. Prisoner took possession of Fisher's property and witness quitted his service on June 27th. Fisher owned a gig, and it was at Worrall's the morning after Fisher's disappearance, to the best of witness's knowledge.⁶

Under cross-examination, Hopkins stated he did not see Worrall at all after sundown on June 17th. No inquiries were made by Worrall of witness or of any other person as to what had become of Fisher.

Nathaniel Cole's evidence supported the testimony of the previous witness with the addition that Worrall 'took a light' after the men returned from the public house. There was some surprise at Fisher's absence, but no enquiry was set on foot about it. There was some report about the tracks of a gig turning in at the gate. Some days later there was a report Fisher had left the colony.

George Luland,⁷ constable, of Campbell Town, told the court he was ordered by the Bench of Justices, Campbell Town, in October⁸ to search for the body of Frederick Fisher. *Deposition text:-*

. . . He went to a place where there were traces of blood on a rail at the corner of a paddock belonging to Fisher and adjoining land in possession of the prisoner, about 50 rods from prisoner's house. Searched for some time, when 2 natives came with another constable [Marginal note, 'Roche']. They searched the ground till they came to a creek when Gilbert (one of the natives) stopped and went into the water and took a Corn stalk which he passed over the surface of the water and put it to his nose and said 'He smelt the fat of a white man.' They led him [Luland] up the creek 'till they came to another creek and went up that for about 40 rods when a black man put a rod into ground and said 'there's something here.'

They saw the form of a grave where something had been put -- got a spade and dug the hole and found the body of a man. On getting the hand clear witness said 'that is the hand of Fredk. Fisher, I will swear to it' -- had means of knowing him well -- the body -- the clothes were Frederick's -- the under jaw was a little decayed. This was in Octr. last.

Witness went immed'ly to inform Mr. Howe and left Roche in charge of the body. Got warrant to apprehend the party, as he supposed [to be the murderer]. Sent for the Coroner and next morning he came and the body was disinterred and examined. Witness in digging to come at the body was careful not to injure it and will swear he did not cut or injure any part. Witness knew the jacket to be Fisher's -- they [Coroner's Bench] sat -- and they found a verdict.

[Witness] exam'd the rail where there was blood, it was sprinkled with blood and there was a trace of fire underneath as if to extinguish the trace of blood.

Cross exd, [witness stated] that a reward was offered for discovery of body, £20. The head was broken in by Stokes [strokes].

(ML)

Patrick Hill, Surgeon of Establishment, gave evidence that he had examined the body of Frederick Fisher and found the head fractured in several places sufficient to have caused instant death. Witness had known Fisher, having come to the colony in the same ship with him. He could not swear to the deceased's features, 'he had none distinct' -- Being decomposed at the time. Nor had he any means of identifying him by his clothes. The body had been buried in a swampy creek thoroughly impregnated with alum, which had prevented its being more decomposed.⁹

The next witness was Thomas Leathwick Robinson¹⁰ who stated he saw the body when it was found. He was sure it was that of Frederick Fisher from the jacket and braces upon it and from the general figure. He had examined the bloodstained [fence] previously referred to and had seen traces of fire

SAMPLE PAGE, GURNER NOTES, showing Rev. Reddall's
testimony at Worrall's trial.

as if to extinguish the blood traces.

Jane Hopkins gave evidence that on June 17, previous, she saw Frederick Fisher about 9 p.m. He had given a trifle of money to some men to go and get something to drink. Worrall and Fisher had left the house about the same time that evening.

Rev. Thomas Reddall, J.P., testified he had examined the case against the prisoner at Campbell Town, where he was charged with murder. Witness tendered a statement made by Worrall as to what had become of Fisher, which was ^{as} represented by Worrall ~~that Fisher had~~ left the colony. The statement had been made before Fisher's body was found. After the body was found, the Chief Constable at Campbell Town informed witness that Worrall desired to make some sort of confession. When he was brought before witness, Worrall requested some benefit should be promised him; but witness, speaking as a clergyman, had told Worrall he could hold out no promise of such a nature, and cautioned the prisoner to tell the truth; but any statement he had to make must be voluntary, without promise or hope, and that if he were innocent he should disclose who were the guilty. Worrall then made a statement (tendered) in which he claimed he was not guilty, and accused four other men.

Counsel for Worrall, Mr. Rowe, contended the evidence given by Reddall was inadmissible. The Chief Justice took the opposite view, but decided to leave it to the jury to say whether or not the second statement made by Worrall was induced by the conversation with Rev. Reddall.

The prosecution had only one witness left -- Nathaniel Boon; but W.H. Moore considered he had presented a sufficiently strong circumstantial case without putting Boon in the box. The Defence then took the opportunity to call Boon as its own single witness.

Boon told the court he had known and had dealings with Fisher, and had had some intention of prosecuting him for signing witness's name to a false agreement. Fisher had denied having done so and insisted it was Boon's own signature. Witness would swear it was not his own signature, and suspected and believed Fisher signed it although witness did not see Fisher sign the name, but only suspected he did so.

He [Fisher] sued witness in Court of Requests and the Court made him sign his [Boon's] name and said it [the signature on the agreement] was not his [Boon's]. Witness threatened him to prosecute him. (ML)¹¹

Boon stated under cross examination that Worrall had informed him Fisher had 'run away on account of this business', witness having threatened to prosecute Fisher.¹² He had seen the body at the inquest; it was Fisher's body.¹³

Mr. Rowe finally advanced an objection to the form of Worrall's arraignment, which he found, as he should have known already, was inapplicable because the law had recently been changed and procedure in the case had been technically correct.

The judge in his summing observed that Worrall's behaviour had been irreconcilable with the natural course which he ought under the extraordinary circumstances to have pursued. Worrall's charges against the four men he thought should be abandoned, as there appeared to be nothing in the evidence to support them.

It was not until 6 p.m., long past the normal time for the court to rise, that the jury brought in its verdict of 'Guilty!'. Judge Forbes sentenced Worrall to be hanged on the following Monday -- three days later.

EXTRACT FROM THE SYDNEY GAZETTE, Tuesday, February 6th, 1827:

George Worrall, who was convicted on Friday last of the murder of Frederick Fisher, yesterday suffered the dreadful sentence of the law. Till five o'clock on the morning of his execution he persisted in asserting his innocence, when he was at length induced to acknowledge to a gentleman [Rev. William Cowper, Rector of St. Phillip's Church] who had sat up with him during the night, that he alone had perpetrated the murder, but positively affirmed that it was not his intention at the time to do so.

He stated that on the unhappy day when Fisher met his fate, they were going together with a bottle to get some rum, and in passing the paddock, discovered there was a horse there.¹⁴

Worrall said he jumped over the fence on one side, and Fisher on the other, leaving the bottle outside; that then he had seized part of the paling¹⁵ and made a blow which he intended for the horse, and that he did not know of the deed he had committed till his return from the pursuit, when he saw Fisher lying weltering in his blood.

He added, that on seeing this dreadful spectacle he became confused, and was afraid if he made any disclosure he should be accused of the crime. This induced him to hide the body among the reeds, but his anxiety increased till he had deposited the body where it was eventually found.

He also acknowledged that it was his full intention to hang the two men who were apprehended, in order to save himself, but now he acquitted them, or any other, of having any participation in the crime, and, we believe, he acknowledged the justice of the sentence to the Reverend Gentleman who assisted him in his devotions.

His behaviour on the scaffold was manly and becoming, and he seemed absorbed in the contemplation of an awful

eternity. The Reverend Gentleman at length took his leave -- the executioner adjusted the cap -- and in a few moments the drop fell -- and the world closed upon this murderer forever.¹⁶

Although Worrall had been sentenced to death and the judge had clearly expressed himself satisfied that the implication of the four workmen was baseless, the Acting Attorney General nevertheless concerned himself to write on the day following the condemnation of Worrall, to ask Rev. Thomas Reddall to obtain a deposition from anyone who would give an account of the manner in which Pickering, Smith, Vaughan and Laurence had spent their time during their absence from Worrall's house on the night of June 17th, 1826. He judged that all the talk about the affair must have called to someone's mind whether they were at The Harrow or not, and if they were, how long they remained. (SA)¹⁷

It is hard to fathom what Moore was trying to do by this action. However, Reddall replied on February 7th. enclosing an affidavit from Isaac Dow, resident of Airds district, to the effect that at the time Fisher was murdered, he, Dow had been in charge of The Harrow belonging to Charles Rennett. To the best of his recollection, two bricklayers

. . . employed by Fisher in erecting the building near the roadside and near to the Harrow, with George Worrall's clerk or cook and another man of Worrall's, came to the hotel and were served with $\frac{1}{2}$ pint of rum. They later had more and left about nine o'clock.

The bricklayers had a three and ninepenny piece holey dollar which they spent. One other man also had some money. They paid for what they had and left. (SA)¹⁸

If Mr. Prosecutor Moore had belatedly imagined the possibility of the men's story of their being at The Harrow on the night of Fisher's death was a fiction produced in collusion -- for it had

not previously been substantiated by any independent witness -- he could not have saved Worrall, who had been dead for days before Moore could know the outcome of his afterthought.

The Sydney Gazette pronounced a few philosophical lines upon the tragedy:

The trial for murder which appears in our columns today will be found very interesting. It will go to establish that impression which has very properly obtained in society from its earliest organisation, that "murder is sure to be found out".

That part of the evidence relative to the aboriginal natives forms no uninteresting feature in the case, inasmuch as it illustrates the wonderful instinct these uncivilized men have over their more cultivated fellows.⁺ To think that a black should be capable of skimming the surface of a basin of water, and pronounce such to be the "fat of a white man" and afterwards plunge a spear into the identical spot, is mysterious in the extreme, and proves to our mind, verily that there is a God in the earth -- a righteous and retributive Providence.

The murdered man, poor Fisher, with a view to ascertain whose fate the Government so liberally stepped forward, was an honest and industrious character. He it was that started the design of a paper manufactory some years ago and actually produced some very coarse specimens of that article.

We rejoice that social justice has overtaken his murderer.

All that officialdom could do by the prevailing standards had been done; its last word had been spoken. Frederick Fisher, buried

⁺ The editor's father had been a creole.

without even a marker, had received his simple and not inconsiderable testimonial from the most authoritative journal in the colony, with that tinge of personal admiration which elevated it above conventional politeness. It would have to endure long after remembrance of the resting place of his pitiable remains had been lost.

But Frederick Fisher's fame was yet to come because it was sown in the hearts of men by the intensity and persistence of his mind -- already spread abroad in awed whispers or thundered in disputation.

N O T E S

1. 'Mutch' document. (SA)
2. 'Mutch' document. Hitherto, research on the Fisher affair has been limited to the Gurner notes of the trial of George Worrall, themselves sparse. John Gurner, Chief Clerk of the Supreme Court, was not a first-class recorder, even allowing for the great difficulty in setting down in longhand the great volume of utterance at the trial. However, the fairly recent recovery of the Campbell Town depositions (copies) and a host of associated Supreme Court documents concerning the case, and going under the name of 'Mutch' documents, the Gurner notes are useful principally to obtain particulars missing from other documents.

The Gurner notes in the Mitchell Library, Sydney, cannot be the originals, but a careless copy made during 1837 or even later, since the copyist in entering the judge's name, as at the date of Worrall's trial (Feb. 2nd, 1827) describes him as 'Sir' Francis Forbes, that is, nearly ten years before Forbes was knighted. Some details not included in the Gurner notes, for present purposes, are taken from press reports of the trial.

3. Erroneously called 'Sedds' in the Gurner MS.
4. Elsewhere suggested that Fisher slept on the skillings (verandas); in yet another place, to have slept on the table in the kitchen. Other accounts say he shared Worrall's room for sleeping.
5. At the eighth hearing (Campbell Town), Hopkins asserted he was one of the men who went to The Harrow; he now speaks as though he remained at the house; but this may be an error on the part of the court clerk.
6. The allusions to tracks of a gig turning in at the gate overnight may have originated with Worrall as a 'red herring'. It should be remembered that Fisher had arrived from Windsor on

the day of his murder. He would surely have used the gig for his journey.

7. Mis-called 'Newland' in the Gurner notes, and elsewhere as 'Looland', 'Leeland' and even 'Leonard'.
8. The court notes do not record the date; Sydney Gazette report of the trial gives the wrong date -- October 20. The Australian omits the date. October 25th. is correct.
9. Possibly the origin of the popular supposition that Fisher's body really was buried in a creek in the full meaning of the term.
10. 'Thos. Robinson' in the Gurner notes; 'Thomas Lethbridge Robinson' in the Sydney Gazette report of the trial.
11. A good example of Gurner's note-taking.
12. The Australian on June 2nd, 1829, reported that Nathaniel Boon and John Warre were capitally indicted at Sydney for the murder of John Phillips on April 24th of that year. The dead man had left Sydney with four carters conveying goods to Campbell Town. About 3 a.m. after they had passed Long Cove bridge -- about five miles from Sydney -- Robertson, one of the carters, driving Phillips' dray, asked what had become of Phillips. Boon ran up -- Warre being drunk in accordance with the evidence -- and said he had seen Phillips lying on the bridge as he drove over. Boon showed his hands to be bloodstained, due, he said, from raising the man's head. Medical evidence showed Phillips had been crushed, possibly by a dray, against the bridgework. A constable deposed that when he arrived he found Boon going through the dead man's pockets, claiming some of their contents belonged to him. Several witnesses spoke to the good character of the accused, some adding that Boon in their belief, being a wealthy man 'could have no earthly object in committing murder to rob the deceased'. Both accused were acquitted.

13. Additional details of Boon's testimony come later.
14. Presumably in the cultivation paddock.
15. An English usage. The fences were of rugged post and rail construction -- there was not yet any drawn fence-wire. The openings were by sliprails ('drawrails'). At the spot where the murder occurred there would be nothing like the current conventional notion of a 'paling'. The Cheshire man was doubtless speaking of a 'sliprail'.
16. G.B.Barton's version of the Fisher story (1898) gives a different text of the confession, implying other sources the present writer cannot discover, or invention. But it needs to be remembered ~~that~~ Barton asserted that Worrall could read and write, when even the Gurner notes show such was not the case. Rev. William Cowper was known as a scholar, conscientious and precise. His account of Worrall's confession, although not verbatim, would be a faithful factual reflection of what the doomed man said.
17. 'Mutch' document.
18. 'Mutch' document. This should help to convince those who have been hitherto hard to persuade that it was not one of the workmen who slew Fisher. Had some of the earlier writers had access to ~~even~~ the files of the Sydney Gazette of the period, they would not have committed such foolishness.

P A R T T H R E E

C H A P T E R O N E

The Three Eyewitnesses

The legal history of the Frederick Fisher drama contained no allusions to the incidence of any 'ghost'. John Farley was not called as a witness at any inquiry concerning the fate of the young Londoner. The records of the enquiries at Campbell Town held no trace of any intrusion of the supernatural, so-called, into the otherwise prosaic traversal of the facts.

But wherever ~~the~~ Fisher's untimely death was discussed, a ghost joined in, insisting ~~upon~~ being noticed and being given its due share of significance. And since ghosts are not, and it seems never can be legal entities, even if they were facts, they have to be sought outside official history. It is to a non-legal realm that quest for the supposed ghost must be pursued.

During 1932, the Mitchell Library (Sydney) acquired from Miss Laura Harper of Waunganui, New Zealand, a document which had descended to her from her great grandfather, Rev. Richard Taylor. The latter had been successor to Rev. Robert Cartwright (assistant chaplain under Samuel Marsden) as incumbent of St. Luke's church, Liverpool, New South Wales on October 1st, 1836. During the period, 1836-8, Rev. Taylor gave service at Parramatta also, and is understood to have spent a short time at St. Peter's church, Campbell Town, during 1838 following the death of the Rev. Thomas Reddall.

Taylor became interested in a vigorously circulating story that a ghost of Frederick Fisher had been seen and its appearance had been linked with the later discovery of his having been murdered. When Rev. Taylor left New South Wales during ~~the~~ ¹⁸³⁸ to settle permanently in New Zealand, he carried with him an account of the Fisher story comprising both sides of each of two foolscap pages. The document remained in New Zealand for 94 years. Its writer had prepared the report in some hurry, addressing it to Mr. Taylor:

I have made the inclosed rough memorandum and should
 respectfully request the Rev. Mr. Taylor to see what

alteration he would wish as to [undecipherable word] before I copy it in a better hand.

The document he wrote out, since it was planned as a draft, was neither dated nor signed. The internal evidence however, shows its author to have been Thomas Leathwick Robinson, who was a witness at the trial of George Worrall and earlier was a witness both of the finding of Fisher's body and at the coroner's inquest.

Research establishes that Robinson was sentenced to fourteen years transportation to Van Dieman's Land, at Middlesex Gaol Delivery on September 11, 1822, and had reached Hobart on August 4, the following year. (SA) Official despatches of Governor Darling in 1826 show Robinson to have been a resident of Campbell Town, applying to have his family (wife and five children) then residing at Clerkenwell, London, brought to New South Wales at Government expense.

Robinson appears ^again in official despatches in 1829 as being among 958 convicts to whom Ticket of Leave had been granted. A list of government officials dated 1826 included Thomas Leathwick Robinson as master of a government primary school at Campbell Town. At the time of the NSW Census in 1828 he was aged 46. Governor Bourke's 1833 despatches show Robinson as receiving an annual salary of £50 as primary school master, with an allowance of £10 for his wife. (SA)

The New South Wales Almanac of 1837 records that Robinson still held his position as primary school master at Campbell Town. It is clear, therefore, that Robinson should have been well acquainted with some of the facts of the Fisher case which were not in themselves of a legal nature.

The crucial test of Robinson's epistle to Mr. Taylor lies in its disclosure that the writer had for official use prepared drawings of the spot where Fisher had been done to death.

Recovery during 1962 of a drawing made by 'T. L. Robinson' of 'The Groundplot of George Worrall's Premises, Campbell Town; with the adjoining Land, as far as appears to be connected with the Death of Frederick Fisher' (SA)¹ showing the corner of the fence

'where much blood was discovered and is now to be seen this 6th. day of November, 1826' places the authorship of the Taylor document beyond question.

In setting down his recollections of events which occurred roughly eleven years previously, Robinson places some of them out of sequence. The value of the document lies in the information it supplies that comes only from close acquaintance with the persons involved in the events; and thus is learned much that was not admissible as evidence in the courts, and which gives to the Fisher story its fame.

THOMAS LEATHWICK ROBINSON VERSION

(Note all peculiarities of spelling and most of the punctuation of the original, which the writer has examined, have been retained)

The murder of Fisher at Campbell Town happened in 1826. As I have no memorandum it will be difficult to fix exactly upon dates. But as I find in our Parochial register that the body of Frederick George James Fisher was buried on the 27th. Oct. 1826 -- taking this as a general criterion I can guess at the time of other circumstances must have taken place near enough for present purposes.

As it has been the opinion of everyone who are acquainted with the affair that Worall who committed the murder was tempted to do it rather than return Fisher's property to him, as the property came into his, Worall's possession under circumstances which gave him reason to think it would become his own, it will be advisable to show how Worall got Fisher's property into his hands, and to do this I must begin my story 18 or 20 months before the body was found.²

About the beginning of 1825 Fisher, per ship Atlas, a prisoner for life holding a ticket of leave -- (Some thought he had a pardon, and after his death an instru-

ment of that kind was found amongst his papers -- but on examining it, it was quite plain some other name had been arrased and his put in,³ the date also had been altered, nor could any entry be found in any of the public offices at that time, to show that such an indulgence has been granted to Fisher. I saw the document many times.) -- Fisher possessed about 13 acres of land west of Campbelltown road⁴ About half a mile to the back runs a creek which bounds Fisher's land. About half a mile to the south of Fisher's house lived George Worall a ticket of leave man. He rented a small farm of Mr. Bradburry and this bounded Fisher's land to the south. To the north (only a few yards of Fisher's house, Mr. Patrick kept sign of the Harrow,⁵ and still further north, Mr. Hammond at that time sold liquor in a small house now used as a kitchen at the back of the Pollice office.

About the middle of the year 1825 Fisher opened one of his houses for a public house, got a license and sold liquor by the sign of the Horse and Groom.

Fisher in his buildings had employed a carpenter named Mr. Brooker (he is still amongst us). They disagreed about payment. Brooker summoned Fisher before the Bench of Magistrates (there was no courts of requests then).⁶ The Bench gave verdict for Brooker and Fisher was much vexed. Shortly after this Brooker called at the Horse and Groom not quite sober.⁷ He and Fisher came to high words and Fisher took out a small knife. Brooker ran, but fell. Fisher cut him slightly, left him and returned and cut him a second time. This came before the Bench and was thought a sad crime and Fisher was committed for trial. As the law then stood most people thought Fisher would be hanged or sent to a penal settlement for life. He now became alarmed for his property, for beside his land and houses he had horses or mares, a great many pigs

and a small stack of wheat.

Now Worall was thought an honest, industrious man, and as both he and Fisher was single and their land joined, Worall was thought the most proper person to take charge of Fisher's property untill the event of the trial was known, and Fisher formally made over to Worall all he possessed and went to Sydeny to prepare for his trial. At this time Worall was often heard to say all was his own as Fisher would never come back, and I believe every one thought so too. But on the trial, when cross-examined Brooker behaved so rude and passionate that altho Fisher was found guilty of the assault, the court made great allowance for Brooker's irritating temper. Fisher was sentenced to be imprisoned for six months and to pay a fine of 50 pounds.⁸

A short time before the six month expired Fisher petitioned the government to remitt the fine saying his property being in strangers hands was most likely destroyed and that in addition to his confinement he was a ruined man. The government wrote to the Bench of Magistrates at Campbelltown to inquire into this. They did so, and found Worall had been honest and all Fisher's property safe. The Bench returned an answer to that effect, and Fisher soon appeared amongst us.⁹

I do not know if he paid the 50 pounds but as he often told me his troubles and I do not remember his mentioning that, I am inclined to think he did not pay it.¹⁰ This may be considered as the first part of this sad story.

Fisher's confinement was in the beginning of General Darling's government and during his imprisonment great alterations were made in the indulgences given to ticket of Leave holders. They were not to keep public houses, nor have prisoners assigned to them as servants. This

made a great difference to Fisher, and he often complained of it in sorrowful terms.

On Fisher's return he did not resume the business of Horse and Groom but lived with Worall and went on with his buildings. It was observed he had altered much in appearance since he came from Sydney, for before, he was slovenly and mean in every thing, but now he often appeared abroad quite smart. He had a plumb-coloured jacket with a high collar and full breasted, laid aside his waistcoats and exhibited a very full bosom'd shirt and shiny braces with glittering buckels (it is necessary to mention this for in those clothes I often conversed with him and in them his body was found, so much decayed that if I had seen it naked I might not have known it. And I was twice sworn to the identity of the body, once before the coroner, and on the trial) yet at home he was still slovenly, and mean, he even slept at night upon the same table that he and Worall took their meals of in the day.⁺ Worall and he spent much of their time together, and appeared on the most friendly terms, when early in the winter (I think about May, 1826) Fisher suddenly disappeared -- Worall gave out he had left the country, and, as he had so often hinted to me and most others that he would do so if he could, no suspicion of any thing wrong was entertained for some time.

Worall claimed the property. He sold the pigs to a Mr. Talbut who does now, or very lately did keep the Black Swan on the Brickfield hill, Sydney.¹¹ I do not remember what became of the stack of wheat. Fisher was under some obligations to the firm of Cooper and Levy, Sydney, and Worall could not sell the other property nor hold it

⁺Robinson seems to hold this against Fisher; but obviously, as it was winter and the flagstone floor was cold, and there was a continuous log fire in the kitchen, he slept there.

securely himself without some arrangement with them. This he attempted to do many times but the papers he produced to justify his title, had just the reverse effect and only produced a suspicion that the absence of Fisher was not accounted for as it ought to be.¹² This being hinted to Worall, he was angry; and said he would put all such malice down. To do this he produced a small piece of paper (now Fisher was considered a good plan scholar wrote a good hand and clever at making out leases and agreements etc, but Worall could neither read nor write) and this paper which Worall produced to set all "right" was quite contemptable, badly wrote and spelt and Fisher's name was signed at top.¹³ Worall insisted it was Fisher's writing, but it was instantly declared a forgery and Worall was cautioned to mind what he was about.

While this was going on in Sydney, in Campbelltown wispers of dissatisfaction became loud. Many thought it strange that such an artful and covitious man as Fisher should leave the country without trying to make some money of his property. Worall was observed to be unsettled. If Fisher's case was name he grew hot and would say, dam Fisher -- why do you talk of him ain't he gone home. I wish I had never seen him -- would you wish to see me hang'd for him; and such like sentences.

I think it must have been about the beginning of September 1826 that a Warant was received by the Pollice at Campbelltown. This warant came from Sydney (I think) altho I have some slight remembrance of Parramatta being named in it. It charged G. Worall with the willful murder of Fisher. A letter also came from some of the [undecipherable word] office to the Bench, containing the copy of some evidence on which the warant was founded, directing the Magistrates to proceed to examin the case. Worall was apprehended and priyatly examin'd. I had the means of knowing he protested that Fisher had left the country.

On the second hearing it was recollected that four men had been living with Worall some time. Trifling things had been seen between them that led to the suspicion they might know something of the fact. They were therefore taken into custody (If I ever heard their names I have forgotten them, one of them was a Butcher, another a blackman, not of this country¹⁴ the third was an old man who after Worall was hangd was assigned to Mr. Scarr¹⁵ in whose service he attempted to cut his own throat and was for that sent into government service; I cannot bring to my mind any thing about the fourth man, but I know there was a fourth.) They were examined for their knowledge of Fisher, and all declared the last they saw of him, was many months ago. On the evening of the last day, he seemed very particular about his person as if going out.¹⁶ He was washing his teeth, and they though he was going to see his woman.

Charles Beels¹⁷ the son of a brick maker and half an Idiot, said he saw Mr. Fisher that evening and asked him for some money for his (Charles') father and then Mr. Fisher was dressing himself, but his trowsers was slit behind and his shirt hangd out -- (this must be borne in mind) --¹⁸

About the third or fourth hearing Worall said if he might be with the Bench alone he would tell God's truth.¹⁹ This was granted and the story he told was in substance this:

" about a fortnight before Fisher was murdered I (Worall) moved some dung from Mr. Bradburry's yard to the corner of my stackyard. On the evening Fisher was murdered I was easing myself between a cart and the stackyard fence and saw the men (meaning the four men mentioned above) carrying something from the road to the dunghill. I called to them what have you got. They said they had killed Bradburry's dog. I said that was very wrong; and hearing a thumping on the

dunghill I went towards it and saw them all beating Fisher's brains out. I said, Why you have killed Mr. Fisher and not a dog. They said they would serve me so if I said a word. So I kept the secret from fear and do not know where they have put the body." 20

As soon as Mr. Scarr the Clerk of the Bench had wrote this information down the four men were called in to face Worall and it was read to them. But from the questions the men asked Worall -- the manner he answered -- the dunghill being searched, no blood: in short a total absence of every visible suport added to Worall's attempts alone , to get the property, no one that I know believed it. 21 (it was read on the trial; but the Judge in summing up told the jury they must dismiss it from their minds as there was no evidence to suport it) 22 -- yet what ever doubt might be before, it was now evident Fisher had been murdered and that Worall knew something about it. The Bench came to a conclusion that it was quite enough to justify them to send Worall to a stronger place of confinement and he was forwarded to Liverpool gaol. This must have been in the early part of October 1826. 23

All now seemed at a stand and no visible means of proceeding any further in the case appeared. I will therefore make a pause here to divid my tale into three parts. And now my dear reader and hearers if there be any with a human heart, you must prepare it for a shock -- yet how can they feal as I feal, who never saw what I saw. 24

Every likely place had been searched to find the body in vain, and all that man could suggest had been done to bring the affair to light. And many began to despair. But I think an invisible eye had been watching. If He had, he now call'd in children to be his agents, and as if by chance to bring about those things that human

PORTION T.L.ROBINSON'S TEXT showing sketch of bloodstained
fence. (State Archives)

contrivance had fallen short of. It was common for boys in this Neighbourhood to go fishing in the creek spoken of. One afternoon about this time, the boys Rixons²⁵ and Burrows, with some others came into the town saying as they crossed the paddocks (Mr. Fisher's and Worall's paddock) there was such a deal of blood upon the fence in the corner it looked as if some body had been killed there. I followed them to the spot -- I was not among the first but I was soon there -- and a shocking sight it was.

A long fence from the road to the creek parted Fisher's land and Worall's farm. About half way, a crop fence on Fisher's side, came up to this fence at right angles. In the corner of these fences was the blood. The bottom rail was covered with dry blood and it had dried in blisters the shape and as big as eggs. I do not mean so globular -- but like what I have seen in paint exposed to the sun when it has been put on too thick. The upper rails had splashes as big as my hand -- they diminished in size as the distance from the middle of the bottom rail increased. On the ground just under the middle [of the] rail there was a round dent, about the size and depth of a tea saucer (I was ordered to take drawing of such places for the trial, and as I stood to do this, I often thought a man's head would make such a dent if it received a very hard blow) the blood upon the fence formed something like a ray upwards, having the dent under the rail as a common centre. (I once had three drawings of it, one went to Mr. More's [Acting Attorney General, W.H. Moore] office in Sydney. I do not know what became of the others.)²⁶ In the dent in the ground a small lock of human hair was found. It was short and small but soon known to be the colour of Fisher's hair. About 3 or 4 yards to the right towards Worall's house the fragment of a human tooth was picked up.

About this time a strange circumstance happened. A wealthy and respectable landholder in this Neighbourhood had been

spending the day at Mr. Patrick's.²⁷ It was late when he left to go home. I was not there. Some said he was not very tipsy, some said he was. It is quite evident he had that day drank more than usual, and it is indisputable he must have been what I have heard called frjch [fresh?] -- (and anyone who knows Farmer Farley as well as I do will not be surprised to hear that he was so.) His way home was past Worall's house.²⁸ He had a companion with him, and ther^eabout they queral'd very much. I do not know how they parted, but he [Farley] came back to Mr. Patrick's in a great fright saying he had seen Fisher's ghost. Every attempt to pacify him was in vain. He insisted it was a ghost. It sat upon the rail at the bridge, looked like dried leather. It beconed to him and pointed backwards.

He soon recovered from his fright, but to this day will have that it was a ghost.²⁹

Many opinions was the consequence of this affair. Many thought it must be a ghost, yet some thought it strange that an injured spirit should appear only to a half tipsy man, and that at a time his temper was in a state of great excitement and perhaps the leatherlike figure might be some sun-burnt labouring man who sat there injoying the folly of two sincere friends calling each other ugley names.

Be this as it may, the ghost was not the means of discovering the body, for that was not found untill at the suggestion of old Mr. Warby the Blacks were sent for.³⁰ Gilbert, well-known black with some others arrived from Liverpool at the request of several neighbours. They were shown the blood and directing their course up a hollow in Worral's paddock -- this hollow was not so deep but it had been ploughed and wheat was then growing in it in general with the rest of the paddock, yet in damp weather

the water lay in puddles. It was so at this time, and Gilbert directed his course from puddle to puddle smelling and tasting the water, each time saying, White fellow fat there -- white fellow this way, and exactly 12 chains (on my measuring it) from the blood the body was found.³¹

I did not get there untill it was uncovered. It was 12 to 14 inches underground. It lay on the left side, a little inclining to the back. The head and feet were bare. The toes were gone to the bone -- the head and face was shockingly disfigured. The right hand lay upon the lower part of the right breast. The outside of the hand was perfect, but on my removing it to get a sight of the brace buckels, the palm was gone and the flesh stuck to my fingers and came of the bone.

It was not leather-like. The place it had lain in was damp, and its appearance was a sodden deathlike sickly white, but it had on the plumb coloured Jacket with the high collar and full breasted shirt, the smart braces and smarter buckels, but they did not glitter now as I saw them in his life, and more, for on my getting him turned a little over on his belly, there was the slit in his trowsers, and the shirt tail a little out.

Two days after this, Mr. Horsley the coroner sat and I was ordered to examine the body, but now it was out of the hole the clothes was off. The surgeon [] I think Mr. Hill of Liverpool [] had taken the flesh off the head to examine it. At the bottom of the back of the head between the ears there was a gash in the skull that a man might have put his hand into -- another on the crown, and a blow as if with a blunt instrument had carried away the bottom of the jaw. And since he had been out of the hole those who had the care of the body had let the dogs eat the putrid flesh of the legs. In this state I could not say I knew the body, so the coroner took my evidence as

to the body I saw in the hole on the 25th, and to form a chain call'd in some persons who got it out, to [✓]sware them the body the jury saw that day, was the one I saw on the 25th.

On the trial the judge Forbes took my evidence in the same way.³² A Mr. Boon [✓]swore to the body before the coroner and he was summoned for the Crown on the trial but was not called by the Crown. After Mr. Roe [✓][Rowe] call'd him for the defence to [✓]proove that he had threatened Fisher with a prosecution for [✓]perjury [✓][forgery] and that he might have fled or destroyed himself for fear but on cross examination he said he knew the body found to be the body of Fisher and if he had killed himself for fear of him, he could not have buried himself. So the only witness called for the defence went rather to support the prosecution.³³

The trial did not take place for some months after the body was found -- the first time we was called to Sydney something happened that the trial was [✓]put off.³⁴ The trial took the whole day. The jury did not leave the box more than 10 or 15 minutes. In passing sentence of death the judge told Worall he perfectly concurred in the [✓]verdict. There was not he said the least doubt of his guilt nor the smallest hope of his life being spared and advised him to make his peace with God.

The four men named above was in handcuffs all day near the court strongly guarded but as I heard no more of them, I think they were discharged.³⁵

Worall was executed in Sydney so I know nothing of that, but I remember a short time after he was hanged, there appeared in the newspaper a sort of confession made (I think) to the Rev'd Mr. Cowper. It was to this effect: Worall said he was [✓]walking in the paddock with Fisher to look at some horses; that he ³⁶Worall took up a rail that [✓]

lay there to strike one of the horses and finding he had killed him he buried him out of fear. But on comparing this with the wounds in Fisher's head, and all other circumstances connected with the case, I never heard any one say they thought it might be true. (ML)

H E N R Y H A Y D E N ' S V E R S I O N

A second part-eyewitness account has survived in the story published in the Bombala Times on May 24th, 1884. It was written at that time by Henry Hayden, an aged resident of the nearby district of Delegate, NSW. The town of Bombala, not far from the border of the State of Victoria, being then of minor importance, it is not surprising the Hayden account of the Fisher affair attracted little notice outside the district.

Henry Hayden, born in the colony, was seventeen years old when the NSW Census of 1828 was taken, and was employed by George Simpson, of Airds.³⁷ If as a fifteen-year-old Henry was already working in the neighborhood of Campbell Town, he with other boys would soon hear of any startling occurrences in the township, to reach which they had to pass by the farms of Worrall and Fisher.

The Fisher episode evidently made a deep impression on him, and his contribution which concerns itself particularly with the question of the apparition, contains information of great importance not found elsewhere.

. . . In common with every neighbour in that locality [wrote Hayden] we hadn't the smallest doubt but what had been seen was an incorporeal manifestation. Men of the broadest sense and education enquired into the

circumstances of the case and invariably concluded it was a visitor from spirit land and I am not aware of a single doubt on the matter at the time. However, when those who were eyewitnesses to the affair were either dead or scattered . . . sceptics began to investigate the matter and it is no surprise that they satisfied themselves, as they pre-conceived, that there was no ghost.

Looking back over 58 years, Henry Hayden understandably errs in dates and names; but none of his mistakes is so serious as to be irreconcilable with the known facts. He recalls that the happenings took place in 1823, and he calls Worrall, 'Warren'. He correctly speaks of John Patrick as the nearest neighbour to Fisher's farm northwards, but falls into the same error as T.L. Robinson in placing Patrick's ownership of The Harrow inn out of its time, as also did others. (The name Worrall is substituted throughout)

Frederick Fisher himself he remembers was considered by the People of Campbell Town as 'well-to-do, respectable and praiseworthy in all his dealings'. Worrall he recalls as a handyman who did jobs wherever he could get them -- which was true -- but does not mention Worrall's renting a farm adjoining Fisher's, but rather as his being an employee of Frederick. The latter boyish impression probably arose from the fact of Worrall's being present a great deal on Fisher's property for a considerable time before the murder took place.

On the day of the crime, Hayden states, Fisher had returned from a visit to his brother 'at Windsor',³⁸ and after supper was told by Worrall that a rail was broken in one of the fences and that they should go and repair it.³⁹ In doing so, the two men had to pass through an intervening fence

. . . over which Worrall climb^d, but Fisher stooped under, and whilst in that act, Worrall gave him a blow on the head with the edge of the axe he was carrying. The blow, it afterwards appeared, left some of the victim's hair on the fence, and Worrall, in making another blow at his skull

missed that part and put a frightful gash in his shoulder.⁴⁰ Then he Worrall sunk the axe several times in the head. He dragged the body to a creek near at hand, and buried it in soft mud at the head of a water hole.

The neighbours soon missed the presence of Fisher at the at the farm, and . . . Worrall informed them that he went home to the old country and that he ordered him to sell the place and other property and forward the proceeds after him to England . . . His Fisher's brother was particularly astonished at his going home without letting him know.⁴¹

Hayden goes on that Worrall had a good reputation and no one suspected anything untoward had occurred, even though enquiry showed no one bearing the name Fisher had been listed as a passenger on the ship by which he was alleged to have departed. It was considered natural in view of the reasons advanced for his departure that Fisher should leave under an assumed name. Hayden continues:

It is probable the whole of the murdered man's property would have been sold and the escape of the murderer consummated, but for the intervention of the following:

One night, a respectable farmer of the name of Farley paid a visit to John Patrick and left late. When walking past Fisher's farm at a place about a quarter of a mile distant from Patrick's place, he saw Fisher, whom he knew well, sitting on the railing of the bridge over the creek. He was so terrified that he returned to Patrick's able only to gasp out the words, 'Oh, Patrick!' before he fainted.

Patrick and another person brought in Farley who, when he recovered his senses said: 'Oh, Patrick, I have seen Fisher horribly mutilated sitting on the bridge railing.'

This circumstance surprised the neighbours who, together with the authorities, interviewed him upon the matter, of which he was so very positive. He gave a minute account of the appearance of what he took to be an apparition,

Instant

even to the sort of buttons in his clothes. The gashes in his skull, and particularly that in his shoulder, he described as being horrible to look at.

About the same time that Farley encountered this dreadful sight, a schoolgoing boy, of the name of John Rixon, who was in the habit of leaving his fishing lines in this creek⁴² dreamt two nights in succession that he saw Fisher killed by a man with an axe at a particular spot near a fence, and at breakfast he told his grown-up brothers about his dreams, but his brothers laughed at him, saying he was getting as superstitious as any Irishman to take heed of dreams. But the boy was so impressed that, on his way to school,⁴³ he had a look at the place where he saw the murder committed in his dreams.

To his astonishment and that of everyone else, there remained on the spot the marks of some struggle and what appeared to be large traces of blood, together with human hair, upon the fence. Of this, in common with many others, I was an eyewitness.

I should have stated that before these revelations took place the authorities, getting suspicious about the fate of Fisher had a reward of £10 offered for any information that might indicate his whereabouts, and this boy John Rixon⁷ was awarded £2.10. 0 of that reward . . .⁴⁴

Suspicion was now strong against Worrall and he was arrested, together with two other bad characters who frequented the town.⁴⁵ But these two men were subsequently released and Worrall was kept a close prisoner.

As soon as Worrall was arrested, a constable of the name of John Rourke was sent to look after the effects on the farm, but on the first night everything about the place was tumbled roughly about by some unseen agency and he was so much terrified that he ran away to his chief, assuring him

that he would not stop there for a night if they made him governor for it. Consequently, another constable was sent, who left in the same manner, nor could he be persuaded to return a second night on the farm.⁴⁶

The authorities then ordered Jem, the convict flogger to go and mind the place, or otherwise he would be returned to the Government gang.⁴⁷ Poor Jem, knowing that if sent to what was then known as the iron gang his life would be taken by the gangers, there being such a hatred to floggers by the prisoners, and of the two evils he chose that on the farm.

I well remember sometimes after the passing of these events and when Jem used to work with the field hands, that he would startle us by reciting what he had seen and heard in Fisher's Worrall's house, he having also seen the apparition of Fisher exactly as described by Farley. He used to say that the strain upon his nerves was so severe in that ordeal, that soon he would become a lunatic or maniac.

But as soon as the body was exhumed, followed immediately by Worrall's confession of murder,⁺ the utmost quiet prevailed.

The search for the body⁴⁸ was vigorously prosecuted by the authorities and neighbours in every place about which a body might be concealed, but with no success until a Liverpool aborigine of the name of Gilbert was got to display his native gift of tracking.

Henry Hayden describes Gilbert's skill, which he personally watched, concluding that the spot to which Gilbert brought the party

+Hayden is running ahead of events here, perhaps confused over the false 'confession' implicating the workmen.

was dug and the body of Fisher revealed, showing marks of violence corresponding with 'the description so often given by Farley of that of the apparition seen by him on the bridge. Of this also I was an eyewitness.'⁴⁹ He continues:

. . . On Worrall being informed . . . he at once made a clean breast of it, confessing as to the manner,⁺⁺ as I before stated, in which the atrocious deed was committed by him, and finally ^{he} expiated the crime on the gallows, if in this I recollect right, at Liverpool.

My recollection of the particulars I have given is as fresh in my mind as if only the circumstances happened yesterday, and I would like further to state that no one who was cognisant of the whole facts, ever doubted for a moment but the revelations were the work of Providence, to bring to the ken of men, for retributive justice, a foul murder, which otherwise might escape punishment due to it in this world.

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Hayden confuses the description of the imaginary murder in the false 'confession' and actual murder.

THE GHOST IMPERSONATOR

It would be unfair to the section of the public which cherishes such an aversion to the lore of ghosts that it welcomes any yarn which appears to discredit them, to omit a story that may have been responsible for some of the ^{more recent} obdurate opinions that Fisher's ghost had no basis in reality.

The Sun-Herald (Sydney) on July 3, 1955, published an interview with one Wally Baker, aged 75, a shopkeeper of Toukley, New South Wales, who believed himself to be the only man living who knew the 'true' story of Fisher's ghost, and who (like so many others who are uneasy with ghosts) desired to end the mystery for ever.

Baker stated he had been reminded of the matter by his reading of people keeping vigil for the ghost at a bridge in Campbell Town, a few weeks previous to the interview, and recalled a story he had heard at the little settlement of Jamberoo on the south coast, when he was aged 23, fifty-two years before!

He had been barbering a man who in turn had heard the story from his grandfather who, it was claimed, had been 'a close friend of the man who "played ghost" at Campbell Town'. That should be sufficiently remote and nebulous to excite the envy of any amateur ghost.

According to Wally Baker, the story by his customer's grandfather was to the effect that on the 'day' on which Worrall murdered Frederick Fisher, there had been a witness to the crime. This man, a Ticket-of-Leave convict happened to see what happened 'through the bush', but because he was afraid of being implicated refrained from informing the authorities. However, the occurrence preyed on his mind until he conceived the idea of pretending to be a ghost in order to attract attention to the matter.⁺ He made two cloaks, one of them white, the other black, and took up a position 'at the slip-rail fence where the murder had happened', at night time when some

⁺ Reminiscent of efforts to make out Farley the murderer trying to ease his conscience with the ghost story. ~~████████████████████~~

lone traveller would be likely to come along. At the approach of such a one, the impersonator would 'groan weirdly' and point towards the 'swamp', then would glide away rather than walk. When he reached a safe distance he would pull the black cloak over his white one to create the impression of disappearing in the way 'a spook' would be expected to do.

. . . He appeared more than once, always on eerie, frosty moonlight nights. Folk were superstitious in those days and easily frightened of anything that moved in the moonlight. He scared lots of people, horses, too. Always he followed the same routine . . .

Townsfolk organised a party to shoot the ghost one night. They crouched for hours in the freezing grass, but the ghost never appeared: he was a member of the shooting party, y'see.

He added fuel quietly to the rumours. If the ghost pointed towards the swamp, there must be a reason [he would hint], and other folk agreed.

Late one night . . . 'Joe' Farley staggered breathless and white-faced into the Black Sheep Shanty at Campbell Town and claimed he had seen Fred. Fisher's ghost sitting on a slip-rail by the creek, covered in blood, croaking like a frog, and pointing to a swamp . . .

The story Mr. Baker retailed, stated that Fisher had been in partnership with Worrall, and they had started a farm together at Campbell Town. As a result of the faked haunting, the police troopers became curious and finally dug in the swamp. 'The ruse had worked -- the ghost was never seen again. Fisher's body was found under three feet of mud. He had been murdered with an axe.'

Yet the 'Ticket-of-Leave' man feared for his life if he were ever found out, and as long as he lived he bound to secrecy the

grandfather of the man who told Mr. Baker the story; to which the latter added illuminatingly: 'There are no such things as ghosts. I don't believe in them!'

The appearance of Baker's yarn brought forth a letter from Miss Sheila Bagot Stack in the Sun-Herald on July 24, 1955. The lady stated that a version of the Fisher's ghost affair had been handed down from her great uncle, Rev. (later Canon) William Stack, rector of 'St. Mary's' church [St. Peter's], Campbell Town [1846-55]. Stack's story related that [at some unstated date during his incumbency] he was called to the bedside of a dying man who had claimed he had seen Fisher killed and had himself played the part of the ghost in order to have the body discovered. The man added that he had kept silence through the years from fear of being accused of murder.

The impersonation story cries out to be tested. The following blatant errors are found: The murder is alleged to have been witnessed from the cover of bushland during daytime. It has been shown that in fact it took place at night in the middle of about sixty-acres of entirely cleared wheat and grazing land, an unlikely spot for anyone to be lurking in the hope of seeing something happen -- in the dark!

As Worrall later removed the body from where he first placed it - possibly many hours later, the supposed witness would not have known it was buried in the so-called 'swamp' except by keeping a continuous vigil on a very cold - perhaps even freezing - night and entirely in ignorance of what was likely to happen.

The device of using black and white cloaks would not deceive a reasonably intelligent child, as, if the whole object of the stratagem was to raise in the townspeople's minds the question of Fisher's fate, its only hope of success would depend wholly upon the supposed spectre being recognised as Fisher. Did the impersonator overlook so trifling a detail?.

Next, by taking a position 'at the slip rail fence where the murder happened' as is claimed, the impersonator damns his story

irretrievably, for the road along which the 'lone travellers' were to pass was approximately 164 yards from the actual murder spot. Obviously, a difficult haunt for an amateur who did not even know precisely where Fisher was killed.

As to the number of persons the fake ghost was claimed to have scared -- not to count the horses -- only one person, John (not 'Joe') Farley ever claimed to have seen a ghost of Fisher, or any ghost for that matter at the relevant time. And nowhere nor at any time on record was the apparition seen by Farley given to vocalizing, groaning or 'croaking like a frog'.

Another inconvenient challenge to the narrative arises from its claim that a party of citizens organised to shoot the ghost. The first inference is that no one was convinced they were dealing with a ghost. However, history seems to have no record of this exciting development - surely inexcusable at a time when the district residents were eager for entertainment and vastly curious about their missing neighbour. The truth may be that some of the townsfolk became heartily tired of the tomfoolery of some-one over-excited by the already current story of John Farley's experience, and who was inefficient in the planning of his stage effects.

Intent upon the sound effects rather than attentive to the visual effects, the impersonator overlooked an important detail: Farley's apparition was 'covered in blood', an effect John would have had to invent had he been duped by the ghost impersonator who had inconsiderately omitted that horrid detail from his make-up, even had it been perceptible for what it was supposed to be in the cold moonlight. Genuine apparitions simply do not act that way.

It is not surprising ^{that one} claiming to have staged so peculiar a performance should also re-christen The Harrow inn 'the Black Sheep Shanty' and also in his yarn should manage to bury Fisher's body almost two feet deeper than anyone else, not excepting the police and odd historians. In addition, he placed in Worrall's mouth a statement nothing in history shows him to have made as to the nature of the murder weapon or the immediate circumstances under which

it came to be used.

The usual resort of the fringe lunatic practical joker is the bond of secrecy he imposes ~~on~~ on anyone he can induce to listen to his idiocies. It is patent that the 'impersonator's' fear could not have been that of being implicated in the murder of Fisher, since Worral had confessed himself to have been the sole criminal just before he was hanged. What the 'impersonator' feared - if indeed he ever impersonated anything -- was exposure of the nuisance who did not deceive, but strained the tempers of Campbell Town folk in the aftermath of June 17th, 1826.

The opinion may be ventured that Rev. William Stack heard a death-bed confession when a secret joke ^{may have} ~~has~~ long since degenerated into something akin to delusional insanity.

N O T E S

1. 'Mutch' document.
2. Robinson conveys the notion that Worrall retained Fisher's property from the time of the Brooker assault, but it is not correct.
3. Robinson the only source of this information. 'Life sentence' incorrect. Robinson was possibly confused about the Petition for Conditional Pardon which Fisher altered.
4. Thirty acres or thereabouts.
5. Patrick may have been original proprietor of the Harrow; but Charles Rennett acquired it during Fisher's lifetime and still owned it when Worrall was condemned. Possibly Patrick's name clung to the establishment, and he may have been a constant frequenter of it.
6. Courts of Requests instituted in 1826.
7. Robinson does not mention Charles Rennett's involvement.
8. Incorrect; Fisher was immediately released.
9. No documentation found concerning initiation by Fisher of an inquiry at Campbell Town as to the management of his property; It was probably true, as Robinson was closely connected with court officials and 'had means of knowing'; *but such enquiry would have taken place while Fisher was in gaol awaiting the Quarter Sessions.*
10. Robinson manages to hint a degree of dislike for Fisher.
11. Correct.
12. Cooper insisted that no written authority was ever produced by Worrall.
13. Robinson is referring to the forged receipt concerning the horses, which he otherwise does not mention. The writer has seen this receipt. It is absurdly unlike anything Fisher could have written.
14. Identity of the coloured man not traced.

15. Edward Weston, Prisoner of the Crown, was only 40 years old.
16. Elsewhere it is indicated that this was customary for Fisher.
17. Charles Beales, according to NSW Census, 1828, farmer and brick-maker at Airds. Free by servitude. Arrived per ship Pitt and was 46 when Fisher died. His sons were Charles, then aged 21, James (10) and Richard (5).
18. No one seems to have noticed young Charles Beales' visit to Fisher while he was dressing in the isolated room. Suggests that the men returning from the Harrow may have supposed Fisher was *still* present in that room merely because a candle was burning there.
19. Robinson astray as to which hearing.
20. Comparison of this passage with the deposition suggests Robinson still had ~~access~~ to original notes - probably Scarr's.
21. Significant clue to Robinson's being probable witness to this important stage of the proceedings. Scarr's 'true copies' of depositions make no mention of an adjournment, but it must have occurred.
22. Correct.
23. Late October.
24. Robinson's placing of the discovery of the body so close after Worrall's lying declaration possibly due to Worrall's having been charged as early as September 16th.
25. According to one source the Rixons and Burrows belonged to the same family.
26. The only survivor is in the State Archives, having been recovered from the 'Mutch' papers. It is very likely the one used at Worrall's trial in Sydney.
27. Farley apparently continued to call The Harrow 'Patrick's' and may have continued to associate with him there after Rennett bought it.
28. Correct.
29. Farley was still alive in the locality when Robinson wrote the notes.

30. Robinson is reluctant to admit the ghost element.
31. The 'hollow' is the genesis of what in time became recognised as a creek with the progress of erosion.
32. The Gurner notes largely ignore this.
33. Do.
34. Robinson ~~may have succeeded~~ in reaching Sydney.
35. Vaughan does not seem to have escaped prosecution on the charge of forging the receipt. According to the NSW Census, 1828 one John Vaughan was serving a sentence of three years at Moreton Bay, where many incorrigibles were sent. Transportees from Great Britain were not sent for such short terms.
36. Doubtful; the reason Worrall and Fisher went to the centre of the farm not established.
37. Biographical details supplied by Mrs. Catherine M. Hayden, widow of a grandson of Henry Hayden, are to the effect that Henry Hayden in his adult years settled as a grazier at Delegate, NSW, where he developed a fine property, Hayden Park. The district's first police post was established there. Hayden believed to have married twice. He had two sons -- Charles (died childless) and James who had thirteen children. Henry Hayden lived to a great age and at his death was interred at Delegate cemetery.
38. Hayden the sole source of this information. Henry Fisher received little official notice, and this mention suggests Hayden's closeness to affairs.
39. No doubt a theoretical explanation canvassed in the locality as reasonable, since no labour being permitted on Sunday, all urgent tasks would have to be completed on Saturday.
40. Hayden's emphasis on the shoulder injury and the harping by Constable Burke that the body was not injured in its being exhumed suggests ^a ~~the~~ question arose by some feature not covered by Surgeon Hill's report.

41. No ship of the name given by Worrall had touched Port Jackson at the relevant time.
42. Bow Bowing Creek, rear boundary of Fisher and Worrall farms.
43. Robinson mentions 'afternoon' as the time of the boys' arrival in the town with the news of the bloodstained fence. Hayden, however would be correct with 'on his Rixon's way to school.' Robinson may have heard the news later than others, for he admits he was not the first to arrive at the scene. If the discovery had been made in the afternoon there would not have been time to have sent to Liverpool, fourteen miles distant, for the aboriginal trackers, and for them to have carried out their feat of detection culminating in the body being found while it was still light enough for anyone to recognise that it was Fisher's body. The coroner had then to be summoned and arrived the following morning when the body had by then been exhumed after having been left in situ during the night, for Surgeon Patrick Hill to perform the autopsy.
44. Hayden the only source of this information. Although he is incorrect about the amount of reward offered, he was the only witness to give the full, correct name of the discoverer of the bloodstains. Official record of the payment of reward to the boy Rixon, ^{has not been traced;} but Hayden surely must be accepted as reliable in this, not only because as a minor ^{Rixon} was allowed only a proportion of the reward, but because in the juvenile world he would be the more impressed by the occurrence. Governor Darling, in fact, ordered that Rixon should receive a grant of land when he was of age. This grant was made in 1831 and was located near Dapto, when John Rixon would be 21 years old.
45. Supports the assumption that until the body was discovered Worrall was at liberty.
46. Hayden the sole authority for report of telekinetic phenomena at Worrall's house, never previously disclosed in any version. He correctly names the constable.
47. Again, Henry Hayden alone supplies this information. 'Jem' of

course, was a nickname. Search for his identity of such a basis would be futile. However, convict scourgers were stationed in the district where the government worked many gangs.

48. Hayden is backtracking, certainly referring to the period between the first offer of the reward and the discovery of the bloodstained fence. See later.
49. This at least points to the precedence of Farley's vision to the finding of the body. The chest wound becomes intriguing as to the overall veridicality.

PART THREE

C H A P T E R T W O

A Chapter of Enigmas

The Fisher story is above all the story of a 'ghost', and whether, if there was a ghost what part it played in the eventual disclosure of a fearsome crime. The way has now been cleared for an analysis of the historical evidence on the basis of documentation which was not available to a host of ^{earliest} fanciful writers or to serious students.

The testimony of Thomas Leathwick Robinson and Henry Hayden is impressive in sometimes unintentional ways. The former in particular shrinks from supporting the notion that there was any relation between Farley's supposed percipience and the revelation of the crime. Hayden, on the other hand believes the Farley story.

Disagreement with Farley's claim on the grounds that no official cognisance was taken of a supernatural element, so-called, does not do away with the problem. Andrew Lang cited a number of instances in which justice was done arising from the intrusion of such phenomena.

When Robinson wrote his letter to the Rev. Taylor, John Farley was still living in Campbell Town, prominent in business and holding a high police post. Taylor would not have tolerated any gratuitous misrepresentation of facts when so many ^{people} were at hand to challenge distortions. Taylor evidently chose Robinson as the writer of the narrative because of his association with the principals of the drama, if not also for his reserved and pragmatic outlook. On Robinson's part there would have been some hesitation in consciously distorting facts, whatever his private prejudices. The time had not arrived for professional theorizers, as Hayden hints, themselves inclined to scepticism, to utterly disparage Farley's claim and attribute to him a special type of villainy or soft-headedness.

One of the pronounced impressions created by Robinson is his aversion to the idea of a ghost. Obviously, he is fundamentalistic in outlook, capable of speaking of a 'hidden eye' watching events in Campbell Town to ensure that retributive justice should overtake

wrongdoers. He sees children as the agents of an unnamed Intelligence; but he is unable to countenance the working of that intelligence ~~working~~ through psychological means which wear an aura of magic and have the disapproval of an uninformed orthodoxy.

The simple fact of John's claiming that he had seen an apparition of Fisher made it 'evident he had that day drunk more than usual'. Thus Farley is presented at once as on the occasion an unreliable judge of his own impressions. And to bolster this preliminary denigration, ^{Robinson} reports that Farley had quarrelled with someone along the road from the inn where he had been imbibing, as evidence of his being over-excited. The shadowy figure of the man quarrelled with immediately vanishes from the story and is irrelevant.

Having accepted that Farley's judgment was impaired leaves ~~the~~ Robinson free to start rationalising to suit his own bias; yet a rather disturbing question crops up right at the start, for in the photocopying of the ^{original} Robinson version herein presented, page two, is brought out at the foot of the page what the writer had attempted to erase, almost certainly reading (under magnification), 'A friend who saw the ghost of Mr. ----', suggests that Robinson possibly was of two minds, one of them in accord with what most townsfolk believed, and the other ^{perhaps} rather harmonising with the ^{possible} vocational reservations of the gentleman he was addressing.

Robinson seizes from Farley's account something which might give his own exegesis a more logical cast, namely, that Farley had described the ghost as looking like 'dried leather'. How simple to derive from this strange detail the concept of Farley's having mistaken a 'sunburnt labouring man' sitting near at hand enjoying the alcoholic disputations of Farley and his crony, as a 'ghost'! There are three points to be considered: 1) Farley saw the apparition when he was alone, which has never been contested; 2) it was late at night and roads were not lighted; how then was the complexion of a hypothetical bystander to be distinguished even had it been moonlight, as having the ruddy colour of dried leather?; 3) Robinson frankly admits he had not been present at the same hotel on the night in question, and that later

opinion among those who were present was divided as to whether or to what degree Farley was 'tipsy' when he left homewards. If, as already hinted, Robinson in his text was deferring to what he may have supposed to be Rev. Richard Taylor's prepossessions, or whether he sincerely discountenanced the reality of the supposed phenomenon, the strain of his composition is sceptical. However, when he begins reporting, as one trained in presenting small facts, conflict arises between any possible personal prejudice capable of colouring the story and the impersonal event.

The sequence of happenings as they are said to have taken place along the road from the Harrow ('Patrick's place') at one end of the town to the other where Farley's route forked a little eastwards towards Appin, is historically important. Farley's way home lay, as Robinson says, 'past Worrall's house'. But before he should reach that point, he had to pass Fisher's ~~farm~~, whose boundary to the north was quite close to the inn concerned. Robinson has it that 'thereabout' (near Worrall's house) Farley and his unknown companion quarrelled and parted, with Farley soon afterwards returning to the inn in great 'fright'.

The description of events conveys that Farley saw his ghost after he passed Worrall's house and was perceived as being near or upon the rail of the bridge (according to later stories); but actually, Robinson's text simply says 'at' the bridge. At ~~the~~^{the} time there was no bridge beyond Worrall's house. Research shows that not until a considerable time later was anything resembling a bridge erected at that point in the road where in wet weather water ran from the higher land of the town area across the government road into Worrall's farm. It was shallow and insignificant a depression in the road and did not until later erosion, require any culvert to be provided. As an indication of the negligible nature of this depression, refer to the statement that where Fisher was found buried was ploughed land in which wheat had been sown, but was liable during rainy weather to collect puddles. Besides, wheat is intolerant of wet conditions. If Farley had his experience beyond Worrall's house -- well on his way home --

HENRY HAYDEN, who witnessed discovery of Fisher's body, as an old man.

it is ridiculous to suppose Farley, having received a shock of such severity that he would presently collapse, would essay the relatively long journey back to the inn instead of continuing homewards or stop at Worrall's crowded house.

Hayden's version is the more precise and plausible. He says that Farley saw the apparition when he was passing Fisher's farm, a quarter of a mile from the inn. This distance accords with the position of a tiny fresh water spring which crosses the government road and flows into Fisher's farm, reputedly the only potable supply thereabouts, and consequently very valuable. The stream certainly would have been protected by some sort of 'bridge' -- probably logs. Naturally, local residents would have been inclined to call it a 'bridge'. Undoubtedly it had been so known since earlier owners of Fisher's farm had taken the trouble to conserve the asset. Robinson's assertion, 'at' the bridge in this context is unobjectionable; moreover, there was no other bridge. [This is ^{not} the position as accepted by Fisher watchers of Campbell Town today.] Farley's arrival at the inn still in the thrall of terror has the clearer ring of truth if his return began from Fisher's 'bridge' so much closer to the Harrow.

When it comes to relating in time Farley's vision and the actual discovery of the body of Fisher, neither version is explicit. Robinson feels he is on firm ground in reporting that the discovery resulted from action by some boys; but at the same time he avoids giving an orderly sequence of the elements of that action. Obviously, if the discovery by the boys of the bloodstained fence, followed immediately by the finding of the body of Fisher, had taken place before Farley claimed to have seen the ghost, the seer would have exposed himself to unmerciful derision for the rest of his life; he would ever afterward have been discredited. For a man who had the respect of the community, was a voluntary police constable and thus obliged to act and speak with circumspection, his claim would have mere foolishness. Nothing was to be gained from masquerading as a seer of ghosts and acting out a scene of terror ~~which~~ ^{if} all and sundry knew of the crime already.

Farley's constabulary work had established him as a man of will

and courage who had with others subdued the unruly elements of the district. His doughtiness permitted him to walk abroad at night (tipsy or not) where at each step he could be the prey of vengeful miscreants. A man of such calibre would not be given to outlandish fancies; nor would he be easily frightened.

If the nature~~s~~ of Fisher's injuries had already become known through the discovery by the schoolboys, what point could John Farley hope to make by repeatedly describing them to neighbours, and of picturing the ghost of Fisher as having the aspect of ~~dirted~~ leather, a most curious description, since the victim had been thoroughly well-known to Farley as a fair-complexioned person, who was said to be on the high seas!

As the texts are more closely studied it becomes impossible to escape the conclusion that Farley reported his percipience of the ghost of Frederick Fisher an appreciable time before even the bloodstained fence was seen. Robinson faced a dilemma in that a degree of the shock suffered by Farley was due to his belief, in common with many others, that Fisher had really fled the country. But the schoolmaster waves away this uncomfortable circumstance by concluding,

. . . Be this as it may, the body was not found until
at the suggestion of ^{old} Mr. Warby the Blacks were sent for.

The effect of these words is ^{to emphasise} that Farley's ghost had already become a topic of discussion; for, he goes on,

. . . many opinions was the consequence of this affair. Many thought it must be a ghost, yet some thought it strange that an injured spirit should appear only to the half tipsy man.

Hayden's story, looked at again, records that Farley's story

. . . surprised the neighbours, who, together with the authorities, interviewed him on the matter, of which he was very positive . . . He gave a minute account of the appearance . . . gashes in his [Fisher's] skull, and particularly that in his shoulder, he described as horrible to look at . . .

If the authorities possessed all the facts of Fisher's having been murdered by discovery of the body itself, what interest could they have had in Farley's story of the apparition? Any slight suspicion that Farley's description of the injuries could be evidence of his personal involvement in the crime, ^{yet} should have led to his arrest. But, in fact, as it will soon be abundantly clear, when Farley spoke first of his terrible experience, the likelihood of Fisher's having been murdered had been entertained by only a few people. In general it was taken that he had fled to England as Worrall had said. Farley was not ^{yet} under any suspicion and could not have been because his story had not yet been substantiated by the physical discovery of the body. Farley was not arrested, and indeed he never figured in any magisterial inquiry of a formal kind, at any rate.

In August, Daniel Cooper, owing to Worrall's conduct with the Fisher assets and his showing of obviously forged receipt for the purchase by him of Fisher's horses, contrived to have Hammond tell Worrall a suspicion was abroad that Fisher had been murdered. On the face of it, the foregoing development seemed to be independent of anything else.

Solicitor James Norton (the Younger) recalled in 1892 that his father, of the same name, whose clients included Fisher, Cooper, Farley and other principals in the case, waited for some weeks after hearing the story of the apparition before writing to the Attorney General (Saxe Bannister) which he did on September 11.⁺

Now September 11th was exactly six weeks and two days before the the bloodstained rails were discovered by the schoolboys. 'Some weeks' may be from two to six weeks before Norton acted, which only extends the period between the ghost percipience and the revelation of murder.

If the doubters should still not be satisfied, another glance at the disparaging Thomas Leathwick Robinson's opus might be effective. Farley's use of the terms 'like dried leather' to impart something of the visual impression he received struck the schoolmaster forcibly,

⁺The Norton firm survives to the present day. Several years ago, this writer came to understand that its archives still held Fisher material. *Direct male descendants of James Norton (elder) live at Wulcha, N.S.W.*

although it cannot have been Farley's sole descriptive term. Henry Hayden's more detailed account of the wounds may have had a common origin in the experient's various attempts to convey to questioners the impressment he received at the creek crossing.

For the literal-minded Robinson, 'like dried leather' admitted of no broad interpretation. Thus, when the body of Fisher was eventually uncovered, he sombrely noted that the colouration of the corpse did not at all correspond to the ruddy complexion of the alleged apparition, as though this discrepancy finally did away with Farley's claim. Rather the contrary: while it exemplified the contrast between a mental event and a physical event in a way quite unintelligible to all who at the time could not dream of the future science of parapsychology, it was proof out of Robinson's own mouth that Farley's ghost had been seen and described long before the crime was uncovered. It defies reason to suppose Robinson was reading back into ~~the~~ long past events what was really so agreeable to his bias. He had better not ^{have} mentioned the words 'like dried leather' if he was uneasy about Farley's percipience. For the words could have no sense for him: they belong in the lore of a study which had not been organised yet. But the immediacy of Robinson's reaction comes across: he has in all this bewildering affair, a datum. And it does him no good; it betrays him.

Henry Hayden's reminiscence provides a new complication for some people, as unpalatable as that of the apparition, which, although it has 'gone away' cannot be explained away! Henry's contribution is the dream sequence experienced by John Rixon. In this respect, T.L. Robinson may have thought some discretion was called for. Having wrestled with the problem of an apparition, from which his fundamentalistic soul recoiled, he was little inclined to set a precedent (as a schoolmaster!) by surrendering to the challenge of what must have seemed to anyone, prophetic dreaming by a minor. He ignores it. Hayden, at the heart of the juvenile world of Campbell Town supplies the deficiency, unhampered by adult bias.

It is no consolation to the sceptics that superficially the murder was exposed by a chance discovery. Nothing of the sort hap-

pened. Rixon and his companions were accustomed to crossing the paddocks of both farms. Possibly they used one track by ~~habit~~ ^{habit} -- the one (leading from the government road) which ran along the party fence, on Fisher's farm side, which was also used by Worrall and the workmen wishing to work in Fisher's acres. During the space of four months the boys had done this. Since the government offer of a substantial reward for information concerning the fate or whereabouts ^{of Fisher}, the farms had been over-run by innumerable people and possibly the police themselves, without avail. But because he had dreamed two nights in succession of a portion of fencing which he thought he recognised, near which he saw Fisher being murdered, Rixon felt impelled to cross the paddocks once more in search of the fence section of which he had dreamed.

In the centre of the farms with a sliprail opening on both sides of the right angle formed by the party fence and the crop fence, as later described by Robinson, Rixon saw the blood-splashed rails. This was the direct cause of the discovery of the murder; but it was not the paramount factor. The present writer's view is that in his frequent comings and goings across the farms, Rixon recorded subliminally the presence of the bloodstains. He did not become conscious of them. Likewise all the people searching for clues did not see the blood-stained fence although they passed it closely. The farmworkers did not see it. Rixon's subliminal recording of it-- a common type of percipience of the utmost clinical respectability -- eventually linked itself in dream form with the boy's imaging of an attack upon Frederick Fisher, no doubt stimulated by overhearing the controversy among adults, not only about Farley's seeing of an apparition, but about the growing suspicion that Fisher might have been murdered.

The apparitional element did not enter the dream; the boy constructed the murder from the current stories. The section of fence seen in the dream seems to have dominated Rixon, so that he felt he must test the dream for which he had been ridiculed. One component of the dream -- the weapon -- was doubtless a 'rationalisation'; but the prime evocation of the dream was one

pictorial aspect of the Farley percipience, for an apparition as such would be incomprehensible to the boy. He was imaging a murder, merely. By this means the subliminal percipience of the bloodstained fence was drawn into consciousness. Then John Rixon simply had to go to a section of fence which he knew.

It could be said that the link between the dream and the discovery is tenuous; but had there been no furore about the ghost bringing merely from its terrible, injured aspect the powerful notion that it portended a violent crime, the subliminal percipience by Rixon may for his part, have never reached consciousness. No one else had a similar dream so far as is known. In time, of course, accident would have played a part in discovery of the blood-spattered rails; but by then the killer may have eluded the penalty of his crime.

The foregoing is not to be taken as asserting that there is of purpose an intention by the agent of the apparition in such a case, to bring about retribution on the wrongdoer. The phenomena are spontaneous ^{but} ~~and~~ seem to have the effect of being purposeful.

B L O O D I S S O B R I G H T

Nothing among all the circumstances in this remarkable case is more startling than the fact that after Worrall bludgeoned his neighbour to death with tremendous ferocity, though with speed and self-possession, ^{he} paid not the least attention to what evidence of his awful crime he had left behind.

It was as though his mind had become completely blank to all except concealment of the body and the attainment of the object of the atrocity. Having killed Fisher he re-appeared in his farm house, and in the words of Nathaniel Cole, 'took a light'. All the men were by then back from the Harrow inn, and it appears that Worrall and Fisher ^{had} left the house 'about the same time' (Jane Hopkins) just

before the men returned. Worrall's return and taking a light excited no curiosity. Some questions need to be asked. By what ruse did Worrall induce Fisher to go with him to the very centre of the combined farms? Whatever it was, no one else in the house had any knowledge of it, so Worrall must have importuned Fisher in the isolated room where he had been making his toilet after drawing in the bricks. In his gallows confession, Worrall claimed that they were going to get some rum. Why did they go away from the direction in which the Harrow lay? Did Worrall lead Fisher that way by deceit to avoid meeting the other men who had gone to the Harrow? Did the vague rumour of there being a broken fence needing urgent attention arise as a speculation from these circumstances? None of the unfortunates involved ever uttered a word which would ascribe a reason for Worrall and Fisher going to the spot where the killing happened; had the farm workers known of a broken fence they must have felt compelled to mention it. No one did.

Whatever the state of the light, Worrall achieved what he set out to do, quickly and thoroughly to a point, and without the aid of a light. Why did he return to the farm house and take a light? To remove the body to temporary concealment needed no light -- nor would he have been able to carry a lantern, which it must have been -- so there had to be a clear and imperative reason. This writer figures that Worrall needed a light, first to ascertain that Frederick was dead, and then to search his body for the money he believed or knew he carried upon him. We can return to the matter of the money later. Now having searched the body, his economical soul commanded him to take off the dead man's boots! Fisher would not have crossed the farm barefoot on a very cold night after washing himself. He wore his jacket, indicating that it was chilly. But the body was found barefoot, the boots having^{later} been sold by Worrall to one of the men for eight shillings. ~~██████████~~

Much has been made of an attempt to burn out the bloodstains on the fence. Robinson was deceived into believing it; so were the authorities. However, it is inconceivable that Worrall, ^{if he had been} ~~being~~ aware of ~~the~~ bloodstains sprayed copiously over the several rails so that he ^{would} must go to the trouble to try to char them out, ^{then} leave the whole ^{supposedly}

only minutely affected in one spot and never again during the ensuing four months take steps to eradicate the accusing timbers. When beheld by Thomas Leathwick Robinson ^{even} after exposure to rain, wind, frost and blazing sunshine for so long, that phlegmatic individual could only feel shocked by the spectacle.

But Worrall neither saw nor thought of the welter of blood he had showered over the fence, so engrossed he was with the object of plundering the dead man of everything of value, and then removing the body quickly to concealment. The magnitude of his stupidity is exemplified in his inaction during the many weeks which followed, in which inquiries after the whereabouts of Fisher became pressing. Not even when he himself began to be harried by Hammond and Daniel Cooper did his mind traverse the possibility of his having left clues to his deed. Nor did his dull wits stir when at the offer of a reward for information as to Fisher's whereabouts, the two farms swarmed with people seeking signs of a body. It was to Worrall as though the killing had never happened; and certain it is he banished it from mind completely - so completely that nothing seemed able to evoke it.

This moronic incapacity to perceive in simple terms causes and effects characterised a number of the Cheshire man's actions; but some of those around him were simpletons, too. Constable Burke, for example, hastily construed ^{a trivial} ~~the~~ mark of burning ~~on~~ the fence rails as prima facie an attempt to eradicate ^{copious} incriminating bloodstains. This was echoed by others and eventually became integrated in the story as one of the facts.

But if, as we see, Worrall was utterly unconscious of the blood stains, he would not have set out intentionally to burn the fence. So the burn mark - if it did not already exist - was caused by accident. It seems feasible that when carrying away Fisher's body to hiding some way off in the ^{low bowing} Creek bed, the lantern was left behind. In any case, Worrall would scarcely have been able to carry the body and a lantern too. Nor, if he had even thought of it, would the illumination of his gruesome exploit have been safe. If Worrall took half an hour to conceal the body, the lantern, doubtless left below the bottom rail could

TOWN HALL, Campbell Town (1965) rear of which stands upon
site of Worrall (Bradbury) cottage in Fisher's day.

WHERE FISHER'S FARMHOUSE ONCE STOOD; Queen Street, Campbell Town,
1965.

have ignited the timber with the heat from its chimney and produced a limited area of charring. When retrieving the lantern Worrall, obsessed by other matters, would pay little or no heed to the burn. *Indeed, the light might by then have been extinguished.*

The enormity of his carelessness would have struck Worrall ^{only} when he received news ~~of~~ of Rixon's discovery of the bloodstained fence, followed by the unearthing of Fisher's body. That he was so informed cannot be doubted, since he voluntarily sought leave to be brought before the Bench. Having been rudely apprised of his frightening oversight on the night of June 17th, Worrall, the inveterate weaver of fantasies embarked upon his magnum opus, a puerile and blackhearted alibi implicating the innocent workmen, in order to account for the blood-stained fence. While long practised in fantasy, this meek and obliging drudge had never become expert -- at least to the extent of giving verisimilitude to his design by the inclusion of a thread of logic.

In his Declaration he set out the brutal mode of killing, removal of Fisher's body on the back of another man -- borrowings from his own acts -- culminating in the tracking of bloodstains across the wheatfield to the actual murder spot, as he knew it to be. The over-elaborations in the declaration indicate Worrall's mentality, and are manifest not only in his motivation but in his intricate fabrications as to the manner of the killing and the weapon involved.

T.L.Robinson's text is worded in such a way as to appear to support what was to eventually become the accepted motive for Worrall's crime. This motive, repeated in careless and documented versions of the Fisher story, generally makes out that Worrall murdered Fisher rather than give up the property which the latter had made over to him when Fisher was hurried off to Sydney following the assault on William Brooker. There is no documentary support for the theory. Ten months elapsed between Fisher's return from Sydney after the Brooker case and Fisher was in full possession of his property. Worrall admitted to magistrates T, Reddall and Richard Brooks on September 30th, 1826 that while Fisher was in Sydney Gaol he acted only as caretaker and was not left as agent for the property.

From the fact that the neighbours were observed to be on friendly terms at all times after they became associated through the Brooker incident, the motive for Worrall's crime must be supposed to have been other than what legend says. If there had been resentment by Worrall of Fisher's having had an investigation of the former's management of his farm during the prison term awaiting the trial for assault, there had been ample time for it to evaporate. Worrall knew that his own motives in trying to secure the deeds of Fisher's farm did not recommend him as a trustworthy friend. Silence and a habitual show of amiability only could smooth over an awkward situation.

In the ten months which had passed during which their association had been continuous, the pressures on Fisher and Worrall had changed. The Darling regime depressed the economic prospects for Worrall and troubled him in proportion to his passion for independence after hard earlier years.

Only possession of cash reserves could guarantee Worrall security and survival of the evil results of the Darling policies. And he was aware, and had made known perhaps, Fisher's habit of carrying his money on his person, though in his Declaration he rationalised the habit as being due to his own negligence in sometimes leaving open the door of the room in which the money was usually kept in a box.

Worrall knew what deals Fisher put through and the pecuniary results of them. The extent of his obsession with Fisher's holdings of cash is marked as early as July 8th, exactly three weeks after he had killed Fisher, when he gratuitously informed James Coddington that Fisher had fled the country with '£300 in his pocket'. The theft of money is a theme which recurs, although no one challenges him; and apparently no one endeavours to check upon his assertions. No £300 was reported found when the body of Fisher was unearthed. Why was this figure mentioned by Worrall? It is the present writer's belief that in a curious way Worrall was creating an alibi for something he had himself done -- that he had stolen such an amount from Fisher's body.

JOHN FARLEY'S GRAVE, St. Peter's churchyard, Campbell Town.

In most accepted version of the Fisher legend, the murder weapon has been accepted as being either an axe or tomahawk - perhaps indicating that such weapons were of the handiest and most prevalent kind. Yet no independent evidence shows either of them was employed. Surgeon Patrick Hill's description of the wounds upon Fisher rules out attack by axe or tomahawk. The wounds were mostly about an inch long and an inch deep, each of them lethal. The contusions suggest another kind of implement. By insisting upon his innocence, Worrall avoided disclosing the nature of the weapon, and only in his lying Declaration did he name a possible bludgeon -- the post rammer, then only to claim that it had been used by others.

Yet, the prosecutor, Mr. Moore, suddenly names 'a stick of the value of two pence' as the murder weapon. Hitherto there had been no hint of it; no witness had suggested such a thing, and the accused himself had been silent. What could a stick valued at two pence have represented? More than likely the value was that of a sliprail, about ten feet long and probably about five inches in diameter, making it far too unwieldy for the purpose of attacking a man in the dark, particularly an individual as tough and nimble as Fisher must have been. It was not the kind of weapon which would produce on the skull wounds of the dimensions officially described. One blow accurately delivered would have sufficed to smash the skull.

Until a very short time before he was to hang - may be an hour, Worrall maintaining his innocence could not have spoken of a weapon. Only when he finally broke down did he speak of a 'paling' which accidentally struck Fisher when aimed at a horse. For Worrall, a 'paling' would have meant a sliprail rather than what is nowadays understood as a paling. The fences depicted by Robinson's detailed drawing of the scene of the murder are of post and rails, with sliprails for the openings. Conventional palings could have had no place at the spot shown.

Apart from other inconsistencies in the final confession Worrall, true to his mentality, fabricates a fantasy in which he employs the weapon suggested by the Prosecutor. Moore had put it in his mind, so

he used it as a godsend, for by it he might be able to ~~depart~~ this world without leaving it as the image of black infamy. He valued the good will of people, yearned to be liked, and at this moment it was all he could hope for. In the shadow of imminent death his queer mentality went to work upon the Prosecutor's fortuitous guesswork: but again that trait which forced him to try to hide the £300 so assiduously that he only revealed it, asserted itself. To make the 'stick' or 'paling' work, there had to be a setting, a reason as it were. He says no word about being at the fatal spot with Fisher for the purpose of repairing a fence or in order to look at horses. It is quite simple a design. He and Fisher are on their way to get some rum, and he has with him a bottle.

To give the gist of Rev. William Cowper's reiteration of what Worrall confessed,

. . . they were going together with a bottle to get some rum, and in passing the paddock, discovered there was a horse there. Worrall said he jumped over on one side of the horse and Fisher on the other, leaving the bottle outside; that then he had seized part of the paling . . .

During the 1800s purely utilitarian bottles were ideal in shape, thickness of the glass, crushing weight and durability for use as bludgeons. The awful potentiality of that bottle had to be concealed by the (too pointed) claim that it was out of reach! Why mention the bottle at all if it was unimportant? Postrammer or bottle? Certainly not a 'stick of the value of two pence' !

Reprise of T.L.Robinson's concluding words on the Worrall gallows confession:

. . . but on comparing this with the wounds in Fisher's head and all other circumstances connected with the case, I never heard any one say they thought it might be true.

A P P E N D I X O N E

The Estate That Disappeared

Attempts by the Fisher family to secure the intestate estate of Frederick Fisher involved them in frustrating and ruinously expensive inquiry for many years. Henry (Robert Henry William) who had tried through Solicitor Norton, the elder, to obtain administration of the estate whilst Frederick was still missing prior to October 25, 1826, later made persistent approaches to the Registrar of the Supreme Court Ecclesiastical Jurisdiction, George Gallwey Mills, without success. That official had charge of intestacies and proceeded to collect assets belonging to the murdered man.

On March 24, 1827, an auction sale of Frederick's personal possessions took place at Campbell Town. The items included utensils, furniture, tools, building materials, razor strops, decanters, napery, a cart, an old chaise, a gelding, a mare and a colt and a quantity of peas. The bidders included John Patrick, Chief Constable Burke and Rev. Thomas Reddall. The proceeds amounted to £94. 2.0.

The unhappy Henry was present, as he recalled in a letter to his mother on September 13, 1835:⁺

[My poor brother Fred's property has dwindled to nothing. My not having power to act in it, they have done as they liked and defied me. His personal property was sold for little or nothing and I was obliged to stand an idle spectator. I made some remarks to the Registrar but was told I had nothing to do with it. I went so far as to seize one mare belonging to Fred and almost got in trouble about it. This mare was sold to pay a man called Daniel Cooper the sum of 604 pounds that was owing to him by Fred.¹

⁺Although Henry's syntax was reasonably good, his spelling was extremely poor. Hence it has been put in order here.

I myself buried him as decent as I could. I was seven weeks looking for the body, which gave me quite a cutting up and left me very low in the world; . . . I am now beginning to hold my head up again in the world . . .

In the same letter Henry mentions that the Campbell Town farm should sell for a good sum; and claimed he knew of other properties belonging to Frederick, though two farms of them the court did not acknowledge.

On May 1, 1827, Henry petitioned through James Norton for possession of the estate, as next of kin. Later correspondence shows this came about because Samuel, Frederick's next younger brother and legal heir under the law as it stood, had gone to Europe sometime earlier and all contact with him had been lost. He was presumed to have died, thus leaving Henry next presumptive heir to Frederick's estate. Samuel, however, later turned up safely.

Henry's claim was disallowed, as in the meantime, one of Frederick's personal letters had been found which gave the Court reason to suppose he had been married and was father of a daughter.⁺

Only ^{then} did G.G. Mills begin to stir himself to officially inform Frederick's parents of the death of their eldest son -- ten months after the finding of the body -- and to refer to Henry's claiming the estate,² requesting Ann Fisher to furnish documentary proof of Frederick's legal marriage and the legitimacy of his daughter. If the latter were established, Mills stated, the child would have an indisputable claim to the real property.

That property consisted of a farm of thirty acres at Campbell Town 7 which had been let for two years at a rental of £15 yearly, and another small farm, the title of which was in dispute. Cash in hand was £70. 0. 1d, against which stood claims amounting to £135.14. 5d. Mills requested Power of Attorney to the colony authorising settlement of the estate with himself.

A few months later -- February 14, 1828 -- Mills committed

+ Probably the undespached letter of June, 1822.

suicide. It was found there had been irregularities in connection with an intestate estate he was administering. He had failed to enter into his accounts proceeds from a sale of stock or to give a receipt for money paid into an estate.

Reporting Mills' death to the Home government, Governor Darling described Mills as having been of profligate character and dissolute habits. He had fallen deeply into debt, in addition to having stood security to a large amount for his friend, John Mackaness, Sheriff of New South Wales, 'a man of similar character' who had to be dismissed from his post.³

It is not known whether or not Mills tampered unlawfully with Frederick Fisher's estate; but his scandalous end and the state in which his records were left resulted in delays and confusion.

The government became very nervous over the Mills affair, but not so nervous that it could ensure the appointment of a successor both honest and competent. John Edye Manning was appointed by warrant to come from England and fill Mills' place. In 1811 Manning had been insolvent and subsequently spent nine years in Europe, presumably out of reach of his creditors. In 1823 he returned to England, taking advantage of legislation for the relief of debtors. Official despatches of the period show the colonial government was well aware of these unattractive features of Manning's career, and perhaps weighed them dubiously in the three years of haggling over what amount of security should be demanded for the due performance by Manning of his duties. Manning's father, Rev. Manning (of Exeter) and John's brother, Serjeant, became sureties to the amount of £2,000.

G.G.Mills' demand for evidence of the legitimacy of Frederick Fisher's daughter placed Ann Fisher in a dilemma; but in the meantime (1827) Samuel informed the NSW Supreme Court that he was the legal heir to Frederick's estate, a fact with which the court seems to have been little impressed, even though Samuel had stressed that his elder brother had not been married.

Thereafter, matters dragged on inconclusively. In Sydney, mysterious objections were raised about what property was comprised in Frederick's estate. His unrepresented petition for Conditional Pardon, which found its way into the Court's possession -- and still survives -- listed four farms owned by Frederick: at Appin, Cabramatta, Campbell Town and Upper Minto. To these claims Daniel Cooper and the former Provost Marshal had added their endorsement. Although Henry claimed he knew of several properties, it does not appear he was aware of the one within the town boundaries at Campbell Town, presumably the site of the Horse & Jockey⁴

It soon became manifest that the government disallowed two of the farms as properly belonging to the estate; and little precise information could be obtained by the vigilant Henry as to how matters stood.

In 1831, Ann Fisher wrote sympathising with Henry over his effort and expense in pursuing the search for the estate, and expressed astonishment that the court officials should still allow him to spend his means (apparently in fees which officials received as their emoluments) when they had known since 1827 that Samuel was legal heir. She informed Henry that as his being on the spot might facilitate a settlement, Samuel was willing to transfer his interest to him for £200.

The London Fishers had come to believe Henry enjoyed considerable prosperity and his complaint about the drain on his resources attending to Frederick's estate puzzled them. Ann Fisher, who found means to finance Samuel's legal representations was beginning to feel the pinch and implored Henry,

. . . Learn out all you can what belongs to me, as I
can assure you I stand very much in need of it, being
scarcely able to live at all. (Litchfield)

James Fisher, Ann's husband, had died a short time previously, and Samuel, so long in business at 5 Orange Street, Bethnall Green,

DETAIL OF MURDER SPOT (after T.L.Robinson's scale drawing).

took over his father's business at Jewin Street. Trade was depressed, Ann revealed, and Samuel found great difficulty as head of the family to support his eight children.

The rest of the news was not bright. Frederick's favourite sister, Maria, whom he hoped would join him in New South Wales along with Harriet and their parents, had died; her death, as Ann put it cryptically, 'being occasioned through an unfortunate marriage'. Henry's eldest sister, Betsey, then had six children living, the eldest of her brood having a short time previously died of burns through her clothing catching alight -- 'her death in all respects similar to your sister Nancy's', commented Ann Fisher heavily.

The roll call from London was completed with the news that Harriet had married eighteen months previously and had gone to America. She had not been heard of since.

Governor Darling's despatch to the Colonial Secretary, October 1, 1831, included a statement of intestacies. Frederick Fisher's was summarised as having received to date, £97. 2. Od, of which £33.14. 4d. had been paid out. The balance, £63. 7. 8d. had been paid over to John Edye Manning; and the supposed value of real estate still to be disposed of was set at £300. (ML)

Henry Fisher did not take over his brother Samuel's interest, but maintained watch over the ascertainable property, vigilant for what moves Manning might make to dispose of the assets. Manning's mode of living was notoriously extravagant for one known to have an official income of about £1,000 annually. The long delay in settling the estate of Frederick Fisher prompted his mother to reinforce Samuel's claim by swearing an affidavit before the Mayor at Mansion House, London, to the effect that she was the mother of Frederick Fisher, bachelor, late of Campbell Town, and Samuel was his brother and next of kin.

Governor Bourke, successor to Darling, in 1833 showed in his despatches that settlement in the Fisher estate was still remote. Receipts stood at £107. 2. Od., with outgoings unchanged from 1831.

By order of the government £63. 7. 8d. had been invested, leaving a balance 'against the Registrar, £10'. (ML)

John Edye Manning on July 5, 1834, expressed Frederick's estate as having claims against it from Cooper & Levy for £129.17. 5d., and from a Mr. Wood, £9. 7. 0d. -- total £139. 4.5d, against receipts of £102.19. 0d. comprising rentals and sale of personal assets, £45 and £57.19.0d., respectively. A dividend of 8s.3³/₄d. in the £ had therefore been paid. (ML)

For about two years virtual silence reigned between the family in London and Henry, who meanwhile had married and set up as an inn-keeper. At last receiving a letter from his mother, dated July 24, 1835, Henry wrote during the following September bewailing his helplessness regarding Frederick's estate, and reminiscing painfully on the events of 1826-7. He pleaded to be given full right to act for the family, promising that if he could get control of Frederick's property he would sell it on behalf of the ~~deceased~~ heir or heirs and then would dispose of his own assets and return to England. He preferred, however, Samuel should come to Sydney himself, observing -

. . . there is no time to be lost, as they [government] are landing [confiscating] all the farms that are not claimed. Things are nearly as bad in this country as at home.⁷ The people that have come to the colony are standing about the streets. It is shocking to see the female ones, distressed they are and forlorn, wandering about . . . (Litchfield)

The greatness of Samuel's responsibilities made it unthinkable he should voyage to Sydney. Another long interval passed before any perceptible action was taken by John Edye Manning to press on with realisation of Frederick Fisher's estate. At last, an advertisement in the Australian on August 11, 1837, heralded for the 26th. of the same month, at the Forbes Hotel, Campbell Town,⁸ an auction of

. . . all that valuable Town property of the late Frederick Fisher, fronting the street, on the north side and immediately opposite the post office; in lots of about 2 acres each and the buildings now standing will each form with a portion of land, a distinct lot . . . The title is unexceptional and the terms of payment will be liberal.⁹

The result of this auction has not been ascertained. The economic conditions of the colony, now building up to a ruinous crisis in the collapse of the land boom, may have made the proposed auction a fiasco. No moment, it would seem, could have been chosen in which to sell real estate to less advantage. If the auction was fairly conducted, but with a reasonable upset (reserve) price, the proceeds may have barely paid the expenses. But in the light of what was later to be revealed concerning Manning, the disposal of Fisher's town property must remain suspect. The asset seems to have vanished without benefit to the estate.

An audit in 1838 disclosed that John Edye Manning kept no accounts! And when it was mooted that the Supreme Court judges should lay down rules obliging Manning to present accounts to them for inspection, the impudent Registrar objected to it as a threat to take away from him a source of legitimate income. Nevertheless, rules were drawn up for checking the accounts, due perhaps to murmurings in different quarters where dissatisfaction with Manning's conduct of affairs was increasing.

Samuel Fisher somehow scraped up enough money to send to Sydney his 24-year-old son and namesake, to watch his interests. Frederick had been dead thirteen years and no settlement of his estate was yet in sight. Young Samuel arrived at Sydney in 1839 and was re-united with his uncle Henry, at Parramatta, where he must have remained for a considerable time. He soon reported to London that he had located the farm at Campbell Town, which was 'alone worth 11 or 12 hundred pounds. This will show you what rogues you have had to deal with'. He was remembering that long since, the

the 'supposed value' of the real estate for disposal had been set at £300. Had the relatively more valuable town property which had been auctioned, and of which the Fisher family possibly had no knowledge, been included in that estimate, if its existence had been known? The irate young emissary wrote:

. . . If you had sent the power of attorney to Uncle you would have had the full worth of your property without a doubt. There appears to be something still wanting as they have not sold any part of it yet.¹⁰ Uncle has spent time and money to a considerable amount to try to keep it together for you and all to no purpose on account of the Power [of attorney] being given to the other party, the reason of which I have explained to Uncle.¹¹

Uncle tells me there is still other property that Mr. Manning is not aware of, and if you send him a will and Power to see into it for you he would be very happy in so doing. The registration of my birth would be of great service to show that I am one of the family to put a stop to their roguery in some measure.

An answer as soon as possible will be looked for as I intend to stay and see the result of the remaining property that is out of their clutches¹². . . I wish you were here along with us, but I must content myself without seeing you till I have seen you righted, which with the Blessings of God and the aid of my Uncle I shall not fail to do . . .

(Litchfield)

Officialdom was shocked to learn on October 12, 1841, that the Sheriff of the Territory, Thomas Macquoid, had shot himself dead. The inhabitants of the colony were even more perturbed when it became known he had been guilty of defalcations.

On the heels of these sensations came another, no doubt linked with the Sheriff's act: the Chief Justice, Sir James Dowling, intimated to the Governor, Sir George Gipps, on December 6th,

that John Edye Manning had been found 'a defaulter to a considerable amount in his capacity of administrator of the estates of persons dying intestate in the Colony'. Gipps, aware that under an Act of Council in 1838 all monies received in intestate estates were to be invested in the Savings Bank, and the direction had been issued as a rule of court, called upon Manning to give account of his affairs as administrator. The judicial information had stated Manning failed to invest in the Savings Bank sums amounting to 'more than £9,400' with a possible further £2,000 to be added.

Manning was unable to offer security anything like sufficient to cover the amount in default, his assets being mostly in land which was not then a good market commodity. He sought to extricate himself by resigning his post; but Gipps refused to accept this as a solution, 'not considering the case to be one in which mere vacation of office should be looked upon as a sufficient punishment for the fault committed.'¹³

Manning was then ordered to hand over to the Chief Clerk of the Supreme Court all moneys in his possession, and upon his failing to comply, the Chief Clerk obtained writs of fieri facias against Manning's estate and effects and placed them in the hands of the new Sheriff for execution.

On January 3, one month after the first alarming disclosure, an unknown person thought fit to fire ~~two shots~~ at Manning as he rode at night towards his home at Redfern, on the outskirts of Sydney town. Manning, ever cool and impudent, turned his horse about and rode to Sydney Police Office to report the incident, his being, it would appear, a stickler for law and order.

Gipps suspended John Edye Manning from office and reported the affair to Lord John Russell in a despatch dated January 16 (1842) confessing he had 'remained under full assurance that the rule [under Act of Council] had been complied with up to the day I received a letter from the judges . . .'¹⁴

Four days after Governor Gipps wrote his embarrassing despatch,

the Sydney Herald in a leading article confirmed the facts of Manning's atrocious misdeeds, 'long suspected and often insinuated'. The known deficiency, it went on, was upwards of £11,000. Fifty writs of fieri facias had been issued against the offender, one for each of the estates found deficient. 'Is not Mr. Manning answerable criminally for embezzlement?' the newspaper asked. Had the judges supposed to have audited Manning's accounts fulfilled their duty?

The list of estates found deficient, as listed in the NSW Government Gazette, did not include the Fisher estate, and indeed, it had apparently ceased to exist.

On February 7, with vigour and public spiritedness (since eroded away from journalism by politicians' unremitting tightening of libel laws for their own and their creatures' protection) the Sydney Herald attacked the manner in which an auction of Manning's property in the interests of his victims had been carried out, disclosing that a property worth £8,000 had been 'knocked down to E. Manning for £30!'

As he had promised, young Samuel Fisher remained in the colony and could only have been dismayed by the turn of events, wondering futilely what had happened to Frederick's estate. During the following year he was to learn of the death of Ann Fisher who had braved so many personal disasters, to pass on without a single triumph. As to Frederick's interests, the government was concerned only to disown, and legally secure itself from all responsibility for the wrongdoing of its servants, appointed (in the case of J.E.Manning) in such inauspicious circumstances. The victims would have to get what they could from the supposedly impecunious Manning.

By 1844 young Samuel Fisher had purchased a freehold of fifty acres and owned a cottage at Penrith, beside other land. His uncle, Henry, he informed the family in London, had died on July 22 of that year, after a long illness.¹⁵ All he could say of his uncle Frederick's elusive estate was that he had heard

. . . of a farm at Apping [Appin] still known as Fisher's Farm, and another I dare say I could find, but I have never seen either of them, knowing that I could do no good by interfering with authority. I believe these [to be the] two farms the government do not acknowledge. You know yourself whether this is the case or not. If you think there is any good to be done with them, I should be very glad to do my best endeavours towards it; though I have no doubt it will be attended with great difficulty and expence. (Litchfield)

There followed a break of several years in the correspondence, during which young Samuel imagined all sorts of misfortunes had visited his parents. It was not until August 7, 1855 that the exile feelingly acknowledged a letter from his mother which she had written the previous January, stating he had 'mourned and doubted', supposing his mother and father had died, as they in turn had believed him dead. Samuel explained he had resided in Henry Street, Penrith 'all the time' and had received no letters from them.

Inevitably, the question of Frederick Fisher's estate cropped up, the letter from London disclosing that during the interval when no correspondence was being exchanged, the Campbell Town farm had been disposed of with apparently small benefit to the heir. Young Samuel was not pleased with what they communicated about it:

. . . You say I must have been much grieved [about] the farm as [in the way] it was sold. You were right -- I was grieved to think the whole family were ruined by it, and £250 was but the smallest fraction of the value. And you say that when you signed, you signed in trust. How is this [?] Do you not know that you should have been

examined ~~ap~~^art from my father by the proper authorities then and there to declare that you perfectly understood the nature of what you were signing and that you did so of your free good will without menace or threat from any party. If you were not so examined and did not so understand the nature of the sale, it was illegal and I am of opinion that it never was a legal sale; for every one that bought ground there have never since got deeds for it.¹⁸

I have never seen the place since I have been here and it would vex me more to see it now land in towns is so valuable. I never heard what it fetched. I did hear that it would have sold well had people liked the title, but it is all built on -- title or not -- and by what I am told by a man that has a relation that has bought part of it he had no title whatever and they are much afraid of having it taken from them by the family. It cannot be valued ~~by~~ by hundreds but by many thousands. If George [brother] should come I shall be delighted to see him. I shall be sure to know him. I have remembered his features since I left him. Do let him come if possible . . .

(Litchfield)

In April, 1856, Samuel, now 43 years old, acknowledged having at last received letters from his parents during 1854 and 1855, after they had lain in the unclaimed letters office through being insufficiently addressed. He also indicated his continuing interest in his uncle Frederick Fisher's estate:

. . . I have just been to Mr. Norton's office¹⁹ to make an enquiry about the property, but I find there can be no good done without Power of Attorney together with the letters of correspondence between you and Mr. Manning and any papers that may throw the least light upon the business [,]for as soon as Mr. Norton found

I had no Power to proceed in the affair he began to abuse my uncle's character [] telling me that he himself never had any proper claim to the property that he left.²⁰ When I told him your claim to the property had been acknowledged he told me it never had and that you never had any claim to it.²¹ I can find that it is Manning that has been the rogue all through the business and to sift the thing properly we must go back to the beginning and you must not neglect to give me proof that your claim has been allowed [] and then something may be done.

I have just been told of a man by the name of Lamm who knew my Uncle Frederick well when living and knows how his affairs stood at the time of his death. This man was formerly a writer [clerk] to Mr. Norton and consequently may know a deal more than Mr. Norton would like to hear. The man is now in poor circumstances and would be glad to assist me for a small expence. I am going to ride over to Cambletown shortly to see him and will let you know how I succeed. I am advised that there can be no recovery of any further property without proof that the Cambletown farm was recovered by you. Mr. Manning sold it in the same roguish way that he bought it so says Mr. Norton, and the people have no title further than possession.²²

Dan Cooper says he holds the farms he has for money lent.²³ But if I ever get in a position to move in the case I will make him prove his mortgage which I am aware he cannot do, or otherwise give up the farm.

If there is not something done decidedly this time we may as well forget it forever . . . If this business [is] settled one way or the other I might see [my mother] again before I die . . . (Litchfield)

As far as the surviving papers show, nothing more was heard of Frederick Fisher's estate.²⁴ In a letter to his parents,

written on March 26, 1860, thirty four years after the death of Frederick Fisher and unknown to the family the legend of the ghost was permeating across half the world, Samuel Fisher the younger did not even mention the estate. Only four years earlier it had seemed manifest that it still existed. He pondered what had happened to prevent his brother George, a sea-faring man, from making the visit to Port Jackson which had been envisaged in 1856, and to which he had so keenly looked forward. With the approach of middle-age, Samuel reflected on whom of his uncles in London still lived. He asked fondly after Robert, youngest son of James and Ann, and about one of his mother's brothers.

The discovery of gold in Australia thrilled him, and he thought he might go prospecting at the new strike in the Snowy River country. A gold escort, he told them had just brought down 6,395 ounces, a week's yield.

'Australia,' he ruminated was 'a fine country if it were properly handled', although he doubted whether at the moment it was being competently governed. Personally he was in good health, with no reason to grumble on any account. Four years previously he had written exultantly,

. . . my crops are all looking first class, could not look better -- fifty acres of freehold land, no rent to pay, that looks better still: one cottage in Penrith bringing in a small rental, also a vacant piece of building land, two cows, one steer, one bull, three pigs alive and two in the cask, two good strong plough horses and a wee doggie that runs at my heels. Has not God been good to me more than I deserve? The last four seasons has really broke most of the farmers round me. So you see, as Paddy says, I have still got something to the fore, although it has played old gooseberry with me for a time. I hope to recover shortly. I shall take it easy at all events. (Litchfield)

Throughout the four intervening years Samuel the younger had laboured immensely. The rapid development of the colony was now sending railways from Sydney, like tentacles, and proud Samuel's property had lain in the path of that destined to cross the Blue Mountains, whose foothills rose just across the Nepean River on whose banks Penrith stood. It was destined he should not find surcease from backbreaking toil, as though he had been condemned, innocent, to penal servitude. Now, thinking of his brother George, he appealed to his parents for the name of the ship which so long ago was to bring him to Australia,

. . . for I have a strong idea he reached the outside of Sydney Heads in the illfated Dunbar. All hands perished save one seaman by the name of Johnson, and among the list [of the lost] I read the name of George Fish. Johnson may not have known his name properly, but he describes him as a Butcher's mate. This is now somewhere about four years ago . . . (Litchfield)

Samuel's impression had been correct. The 'George Fish' in the crew list of the Dunbar, which had indeed been wrecked at South Head, Port Jackson, during a north-east gale on the night of August 20, 1857, was in fact George Fisher, whose battered and unidentifiable remains were among those interred at Camperdown cemetery on the outskirts of Sydney, two days later. The Dunbar (1369 tons), had left Plymouth on May 31, carrying 63 passengers and a crew of 59, of whom only James Johnson, a native of Drogheda, Ireland, survived. He had been saved by spectators on the cliffs who threw ropes to him in the sea and hauled him to safety.²⁵

Terra Australis had claimed to herself for ever, three of the Fisher family. The railway came to Penrith and Samuel could not be permitted to stand in its way.

On December 28, 1868, a troubled and grieving woman of middle years sat down in a little farmhouse at Frogmore, near Penrith and wrote to the senior Samuel Fisher and his wife, in London -

My dear Friends, -- I now take up my pen with a trembling hand and a fearful heart to tell the sad tale to his aged and loving parents and family of the death of your dear son, Samuel and my only dear friend and husband, for so I will call him as long as I live.²⁶ This will seem strange to you as I believe you think he had no one belonging to him here, but my dear friends, don't blame him -- my dear Samuel. If you blame any let your anger fall on me, but have pity and forgive, for you must know all.

I have lived with him since 1849 and [we] have been taken for man and wife ever since.

Now my dear friends -- for I shall ever think you to be, let your anger fall on me, but spare him, poor fellow. Though our marriage was never solemnized in a church I feel it was registered in heaven for our hearts were met together and no one could have parted us but Death . . .

You should never have known anything about me had it not happened. As it is, I must tell you how he died. On the 18th of this month . . . he came into the house at a quarter past twelve and spoke to me, and the table was laid for dinner and the potatoes not quite done; and when I looked round he was gone out of the house and at half past twelve I went out to the hay to tell him to come to dinner. I found him laying on the ground quite dead.

Now only think what my feelings were, only a quarter of an hour and I had lost him. I don't know what the inquest [will find] but I will know and send you word as soon as you answer this, if you think me worthy of your confidence.

. . . I must tell you about me. Why my poor Samuel did not tell you about me was he thought it would keep his mother and father alive thinking to see him again. That's

WHERE FREDERICK FISHER WAS MURDERED, as it appeared in 1965. Note the old four-bar fence.

what he told me, and what he said to me was quite enough, for I would not give him a moment's pain by telling him I felt uneasy . . .

I feel wretched in telling one secret, but circumstances oblige me to do so, as he left no will, and had [he] time he would not have left me unprovided for, as you know that he must have had help to enable him to get the land in Penrith. I gave him 100 and 14 of my own, which the railroad took from us,²⁸ and then he bought the farm he has died on which I have in my possession, but by law will come to you if you lay claim to it.

Now don't do with it as with Fred's property,⁺ and what he and I have worked hard for, for I have kept him and myself this six years, while he, poor man has been taking the timber off the land and fencing the farm in, which he had just finished and was not left to enjoy it . . .

I kept us up with going out to confine as nurse [midwife] which I get 4 pounds for two weeks and everybody knows me well about here. . . . The farm cost . . . 87 pounds ten shillings with 6 pounds for deeds, but I am afraid it has cost him his life, so let me beg of you not to waste it in law. But I don't think the father of my poor Samuel will.

I have let the farm for 10 pounds a year, for I could not stay where I met such a loss and when the rent is due I will send you six pounds of it, as I know you are getting old and want help, which I will give you as long as I live for the sake of him I have lost in this world, but hope to meet in the next . . .

(Litchfield)

⁺ This observation may be interpreted to mean that the Fishers had sacrificed their interests in Frederick's estate by accepting a very small price.

Samuel had been 53 when he collapsed and died. Family tradition claims that his parents, as though determined not to be denied their legal rights to the full value of the inheritance (as they had in Frederick's estate) claimed their son's property, but failed to secure it.

However, a letter survives which conflicts with this belief, and is a copy of an advice sent on August 9, 1869, by George W. Williams, solicitor, of George Street, Sydney, to Samuel Fisher's de facto wife, suggests that some compromise was attempted from London:

Dear Madam, As I have not heard from you in any way and being acquainted with the offer made to you from England, I should like to know personally from you if there is anything I can arrange which may benefit you before I act on the power of attorney in the case of the Samuel Fisher property.

The outcome is unknown.

N O T E S

1. Henry was uncertain of this figure and later entered the word 'pounds' after the number. At Worrall's trial Daniel Cooper swore Frederick Fisher owed only about £80 to himself, and at other times was emphatic about only 'slight' encumbrance. The elder James Norton wrote similarly to the Attorney General in September, 1826. Possibly, therefore -- disregarding what seem to be later amended figures of indebtedness to Cooper and his associates -- the number 604 would have been Spanish dollars, approximating £150.
2. The letter by which George Gallwey Mills informed Ann Fisher of her son's death, etc. is owned by Mrs Jean Litchfield.
3. Historical Records of Australia, Vol. XIII.
4. It is indisputable that Frederick Fisher owned more property than G.G.Mills admitted. T.L.Robinson wrote that Fisher 'opened one of his houses as a public house'. The town property was always carefully distinguished from the 30-acre farm which was, though close, in the district of Airds.
5. The inventory of articles belonging to Fisher, found by Chief Constable Burke at Worrall's house, September 17, 1826, included '2 deeds'. There was no deed issued for the Airds farm as yet, but that property was included in the estate. Mills insistence that there was only one other property, a small farm whose title was in dispute, considering all things, must be suspect.
6. Document owned by Mrs. Litchfield.
7. The economic depression which afflicted the colony in its early years is usually fixed in the period 1840-46, but the decline may have been distinctly manifest several years before 1840. The evidence of the Fisher correspondence is clear that the populace was suffering the effects of the land boom collapse, even in 1835.

Prices for land and livestock had for a long period increased to fantastic heights. The floating capital of the colony was poured into these classes of investment and speculations.

The result was that secondary industry, feeling its way, was starved for the capital necessary to its expansion to serve the growing population. Transportation of convicts ^{slackened} ~~and~~ and with characteristic parsimony the British Government withdrew its funds from Australia. Holders of large amounts of land and herds of livestock bought as speculations were ruined. Trade and manufacturing collapsed. Unemployment and general misery among the resourceless poor became widespread.

8. Forbes Hotel, built by Daniel Cooper and named for a popular judge -- Francis Forbes. It contained eighteen rooms and was considered a bold venture for the time.
9. 'Unexceptional title' shows this property was not the Airds farm, which was not a 'town' lot. As there seem to have been buildings on the land offered, it was probably also the site of the Horse & Jockey inn opened by Fisher.
10. Fisher family's ignorance of the existence of town property in Frederick's estate is deduced from the fact it is never mentioned. Its being advertised for auction was no guarantee that Henry would know of the attempt to dispose of it.
11. John Edye Manning would have had power of attorney as successor to Mills.
12. Revocation of the power of attorney and transfer of the estate into other hands might have greatly benefitted the heirs.
13. Historical Records of Australia, Vol. XIII.
14. Ibid.
15. Henry Fisher died of a chest complaint and was interred at St. John's cemetery, Parramatta, Rev. H.H. Bobart officiating.
16. The principle clue to the existence of the Cabramatta and Upper Minto farms lay in their being recorded upon the application for Conditional Pardon, endorsed by Cooper and Hutchinson. Mills and Manning, successively would have known of them. Would Frederick Fisher have cited the two properties

to either or both of which in the good knowledge of the sponsors he would have no title to?

17. The hazards of the sea caused long pauses in communication.
18. Suggests that someone in London, in the interests of Manning, or Manning himself, induced the Fishers to accept a trifling sum of money for their interest in the estate, without their realising what they were sacrificing.
19. James Norton, the younger, aged about 32, who was to become author of the 1892 letter (See Chapter Two, Part One). He succeeded his father in the solicitor's practice. He appears to have acted on behalf of J.E.Manning in proceedings connected with his insolvency.
20. Conflicts with earlier assertions by his father and Daniel Cooper, but may have been referring simply to the non-issue of deeds of the Airds farm to Frederick Fisher.
21. Norton could have been unaware of machinations afoot elsewhere, and was thinking in terms of entirely legal transactions.
22. The list of intestacies in Manning's care up to December 1841 do not mention the Fisher estate as such, when it is clear it had not been finalised. The Sydney Morning Herald on December 4, 1844, reported that an advertisement had appeared in the London Times, in which J.H.Wilson, law stationer of 23 Cateaten Street sought the co-operation of persons affected by Mannings's defalcations 'in common measures for rendering their claims effective', representing that he was himself 'similarly situate'.
23. Cooper did not make such claims at the 1827 trial.
24. Fisher family tradition is that Frederick's estate was never recovered, at least in the measure due to the heirs.
25. The wreck of the Dunbar is commemorated by a monument at South Head, and by a religious ceremony each anniversary.
26. The unhappy lady's identity has not been traced; however, some years ago, Mrs. Jean Litchfield sent to the present writer a photograph, circa about 1907 which had been sent from NSW to

Sydney to the Fisher family in London -- the elder Samuel ~~branch~~. The photograph depicted a man of between sixty and seven-ty years old, white-haired, bearded and small featured. On the back of the photograph was written simply, 'Love to Uncle Fred.'

The only Fred in this history, aside from Frederick Fisher, its central figure, was the second son of Samuel senior, born just before Frederick's arraignment in 1815, or thereabouts, and named Frederick in honour of Samuel's own brother.

If young Samuel had a natural son during his early association with the unnamed lady at Penrith and Frogmore, he only would have been nephew to that second Frederick. It does not appear that Henry (at Parramatta) left issue, and had he fathered a son, he could only have been cousin to the second Frederick here mentioned. The writer deduces that the photograph was that of a natural son of Samuel the younger, not mentioned by the de facto wife in her tragic letter to Samuel's parents, on account of her already great burden of confession.

The age of her son would have been approximately that of the person in the photograph. No other explanation has been forthcoming. The photograph was made in Sydney by a pioneer firm of photographers.

In the conviction that the above deduction is correct, the physiognomy of the subject of the picture has been used as basis for the modelled 'portrait' of Frederick Fisher shown in the frontispiece.

27. The iniquitous form of resumption practice -- much worse than it is even today -- would mean the land was virtually confiscated.