

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.