

CHAPTER THREE

Working the Land Laws: Management's Response to its Greatest Challenge

'I always think [your] Uncle Edwin's strong point is working the land laws and I hope he will secure what we want and leave what we don't want'

John Everett to his son Arthur, 1890-91 ¹

Official documents and the wealth of letters, journals, ledgers and maps contained in Ollera Station's records reveal the strategies used by Edwin Everett, to manipulate and manage free selection on the trio's vast landholdings. In addressing yet another aspect of the management of this historically-important pastoral station, it will answer some crucially-important questions posed by Bill Gammage twenty years ago: *Who got land under the selection acts, and [to whom were they connected]? ... which selectors were genuine? ... which squatters and selectors were successful? ... how and why?* ²

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In May 1867 the *Armidale Express* published a pseudonymous letter announcing the recent survey and forthcoming auction of 'very fine, well-watered land ... thirty miles (50 kms) to the north-west ... at a small place called Limestone' in the New England region of northern New South Wales. *Amicus* informed 'all classes' of the creation of a highly desirable and newly-surveyed township at a hamlet mid-way between Armidale and Inverell. The strategically-sited little settlement beside Limestone Creek was a staging post for the twice-weekly 'horse mail' that travelled the northern road. Free selectors and prospective bidders for the new town's fifty-eight allotments were informed that a mill would soon join the 'well-run, non-denominational school, Inn,

¹ John to Arthur Everett, no date, but contextually dated 1890 or 1891, OSR, *UNERA*, Access. No. pending

²² Bill Gammage, 'Who Gained and Who Was Meant to Gain from Free Selection in New South Wales?', *Australian Historical Studies*, Vol. 24, No.94, 1990, p. 122. Emphasis Added

very fine Store', blacksmith, brickyard and sawpit which served the smallholders who occupied the thirteen blocks that fringed the newly-declared town reserve.³

The article holds several clues to the writer's identity. Its style, language, 'elevated' tone and Latin pseudonym suggest a level of sophistication, education and detailed local knowledge possessed by very few men in a sparsely-populated outlying district 'locked up' in vast squatting runs.⁴ As the creek from which the little community was named formed the boundary between the Everett brothers' Ollera and Andrew Wauchope's Moredun 'runs', the most likely author was one of the squatters who stood to benefit most from Limestone's development.⁵

Although land on Moredun Station was taken up in Wauchope's name until the later 1880s, his return to England in the late 1860s and his otherwise complete absence from the regional records make him an unlikely candidate; Moredun's Superintendent, John Mitchell being responsible for its management. In marked contrast, the wealth of evidence of Edwin Everett's involvement in Limestone's affairs points to his authorship of the puff-piece. In permanent residence from 1862 at Ollera's adjoining sister-station Tenterden, since 1858 Edwin had been the sole Australian-based member of the tri-sibling partnership which had held Ollera since its foundation by George and John Everett in 1838-39.⁶

Even a cursory examination of the earliest plans for the development of the significant site at Limestone on Ollera's northern boundary makes Edwin Everett's involvement in the foundation of the tiny community clear. It is apparent on both the 1861 *Plan of Portions 1 to 13 Within Reserve No 56, on Limestone Creek* and the surveyor J.M Simpson's detailed 1866 *Design for the Village of Ollera*.⁷ (See maps

³ *Armidale Express*, 1 May 1867, n.p.; *New South Wales Government Gazette* (NSW GG), No. 71, 2 May 1867, p. 1914

⁴ Moredun bounded the northern, Ollera the southern banks of Limestone Creek, while to the east Ben Lomond, Llangothlin and Falconer lay along the north-south axis of the high Tableland.

⁵ Other possible and closely involved authors include Ollera's Superintendent, James Mackenzie and Limestone's 'competent schoolmaster'.

⁶ M. Rodwell, 'Ollera and its People: A Social and Cultural History of a New England Pastoral Station (Ollera)', PhD Thesis, UNE, 2006, pp. 107-13. Though they remained actively involved in the station's affairs' Ollera's founders, George and John Everett returned permanently to England in 1856 and 1858 respectively.

⁷ J.M. Simpson, *Design for the Village of Ollera, County of Hardinge, Parish of Ollera, 11 December, 1866*, UNERA, A1672:M1571

below). Everett influence is evident in the names given to the town (Ollera until the early 1870s, Wandsworth thereafter) and its streets.⁸ Closer examination of the earlier plan reveals that when ten of the 'Country Lots' on Limestone Creek were sold at auction in Armidale in mid-1861, Lot 12 of 43 acres was bought by the Everett partnership. At the same sale Moredun's John Mitchell bought 155 acres in four mainly contiguous lots, numbered 5, 6, 9 and 11, two of which he soon sold. The first, Lot 5, was bought by the Everett brothers in July, 1862; the second, Lot 9, by their employee Hugh Cameron in early 1866.⁹ The remaining five blocks offered for sale in 1861 at £1 per acre went to trusted long-term Ollera workmen. Fronting the creek on its Ollera bank, these adjoining 32 to 48-acre portions were acquired by the shepherds James Reeves, James Ryder and Sam Dudman and the shepherd-teamster Garrett Farrell, who bought two lots. Two of the three blocks withheld from sale in 1861 were free-selected by the Ollera men James Jackson and William Canning in 1866, the remaining 68 acres being taken up by the builder-sawyer Edward Grover in 1867.¹⁰ Significantly, his is the only block that carries the comment 'Resident'.

Successive entries in James Mackenzie's station diaries for 1862 and 1863 recording Edwin Everett's negotiations with John Mitchell and the innkeeper James Ryder for the purchase and fencing of Lot 5 strongly suggest that even at this early date, the brothers were employing an element of the strategy by which, for forty years, they consistently strove to protect and manage free selection on 'their' land. In purchasing Lot 5, which adjoined the recently opened 'Half Way House', its 'Grass Paddock' and their own Lot 12, the Everett brothers had created a buffer around the inn, ensuring their continuing influence over a hostelry which could only have been constructed with their involvement or compliance. In May 1863, with Edwin Everett's

⁸ Rodwell, *op. cit.*, p. 39. From its foundation in 1838-9 until 1844-5, when the name Ollera was adopted, the Everett brothers had called their 'run' Wandsworth after the London school their father had attended.

⁹ OSR, Diaries of James Mackenzie (DJM), 13 July 1862, *UNERA*, A103:V3052/40.

¹⁰ 'Plan of Portions 1 to 13 Within Reserve No.56 on Limestone Creek, Parish of Ollera, County of Hardinge, District of New England, 1861', State Records New South Wales (SRNSW), H41762.

approval, Ollera's longest-serving assistant immigrant worker William Canning replaced James Ryder as the inn's keeper.¹¹

Entries in the Conditional Register show that in early 1866 another two members of Ollera's permanent workforce selected small blocks along the creek to the west of the hamlet. One, the experienced shepherd Daniel Reeves, who came from Wiltshire in 1849, held 40 acres. His fellow shepherd and closest neighbour, Hugh Cameron, first took up 36 acres, adding another 50 a few weeks later. They joined four apparently independent free selectors from two families who took up much larger holdings on and near the creek in mid-1866. George Parsons selected 320 acres in his own right in April 1866 and a further forty-three acres in the name of his adolescent son John in 1867. The Fenton brothers, John and William who were teamsters, selected adjoining 200-acre blocks on the Big Plain between Limestone and Georges Creeks in August 1866. The next and until then the largest selection taken up by an Everett employee was made by John Edgar, who acquired 312 acres of fertile farming land on the south bank of Georges Creek in December 1869; land which, three years later, the station regained.¹² Thus, as 1870 began and the squatters' tenure was no longer protected under the 1847 Act, a total of 1,705 acres, the bulk of which fronted Limestone Creek, had been taken up by fourteen people. As ten of these individuals were long-term members of Ollera's permanent workforce the Everett brothers retained a degree of control over 807 acres or just under half of the free-selected land on their run.

* * * *

The almost complete set of detailed diaries kept by Ollera's superintendent between 1862 and 1887 reveal the Everett brothers' paternalistic oversight and James Mackenzie's constant involvement in the affairs of the people in the developing village and district on Ollera's northern border.¹³ The following entries from mid-

¹¹ OSR, Edwin to John Everett (E. to J.E), 11 May 1863, *UNERA*, A103: Access. No. pending. William Canning was a member of Ollera's first assisted-immigrant family from Wiltshire.

¹² Conditional Purchase Register (CPR), New South Wales Department of Lands, Crown Lands Agent, Armidale, *UNERA*, 33/5137

¹³ OSR, DJM, entries for 18 April, 27 May, 20 June; 15 March and 30 April 1863, *UNERA*, A103:V3052/40-41:

1865 show the partners' considerable financial and personal interest in the development of a local business and social centre at Limestone.

6 May: Went with Edwin Everett to see William Cannings who wants us to rent him the Limestone Paddock at £10 a year. We are to make a Waterhole and put the fence together - then went to Daniel Reeves' place and the Free Selector's.

7 May: Saw Clemesha about the House he is to rent at Limestone.

2 June: Went to Limestone with some of the men for church.

13Aug: To Limestone with E. Everett and the land man - then to the Free Selector's¹⁴

William Cannings and Wordsworth Clemesha, a fellmonger who rented a house and horse paddock for £10 p.a., were not the only Ollera men who for decades occupied Everett-owned property in the township. Until he retired in the late 1870s the blacksmith, George Beard, paid £10 a year for his house and its smithy, a practice his successors continued into the mid-1890s.¹⁵ Two entries from 1868 strongly suggest that, like them, the permanent workmen on their smallholdings at Limestone were in fact the Everett brothers' carefully-chosen and just as carefully disguised 'tenants'.

1868: 15 Feb: Went to Limestone to settle Daniel Reeves and James Reeves' affairs

18 March: Went [to Limestone] to see about James Reeves' house.¹⁶

Such evidence suggests that, with his brothers George and John, Edwin Everett was creating a colonial version of Ludgershall, the 'tied', or 'closed', dormitory village occupied by the rural labourers employed on nearby Biddesden, their father's Wiltshire estate. A cryptic entry made in June 1865 which records the failure of an attempt to install an unidentified tenant-workman on Tangley, Ollera's well-established home farm on Sandy Creek, supports this conclusion: 'Went with Mr Edwin Everett and Donald Stewart to Sandy Creek farm *to make arrangements for the station taking [back] the place.*¹⁷

¹⁴ OSR, DJM, *UNERA*, A103:V3052/41.

¹⁵ OSR, Account Book 1841-72, *UNERA*, A103:V2259; Station Ledger 1873-90, A103:V2263.

¹⁶ OSR, DJM, *UNERA*, A103:V3052/46.

¹⁷ OSR, DJM, *UNERA*, A103:V3052/43 Emphasis added.

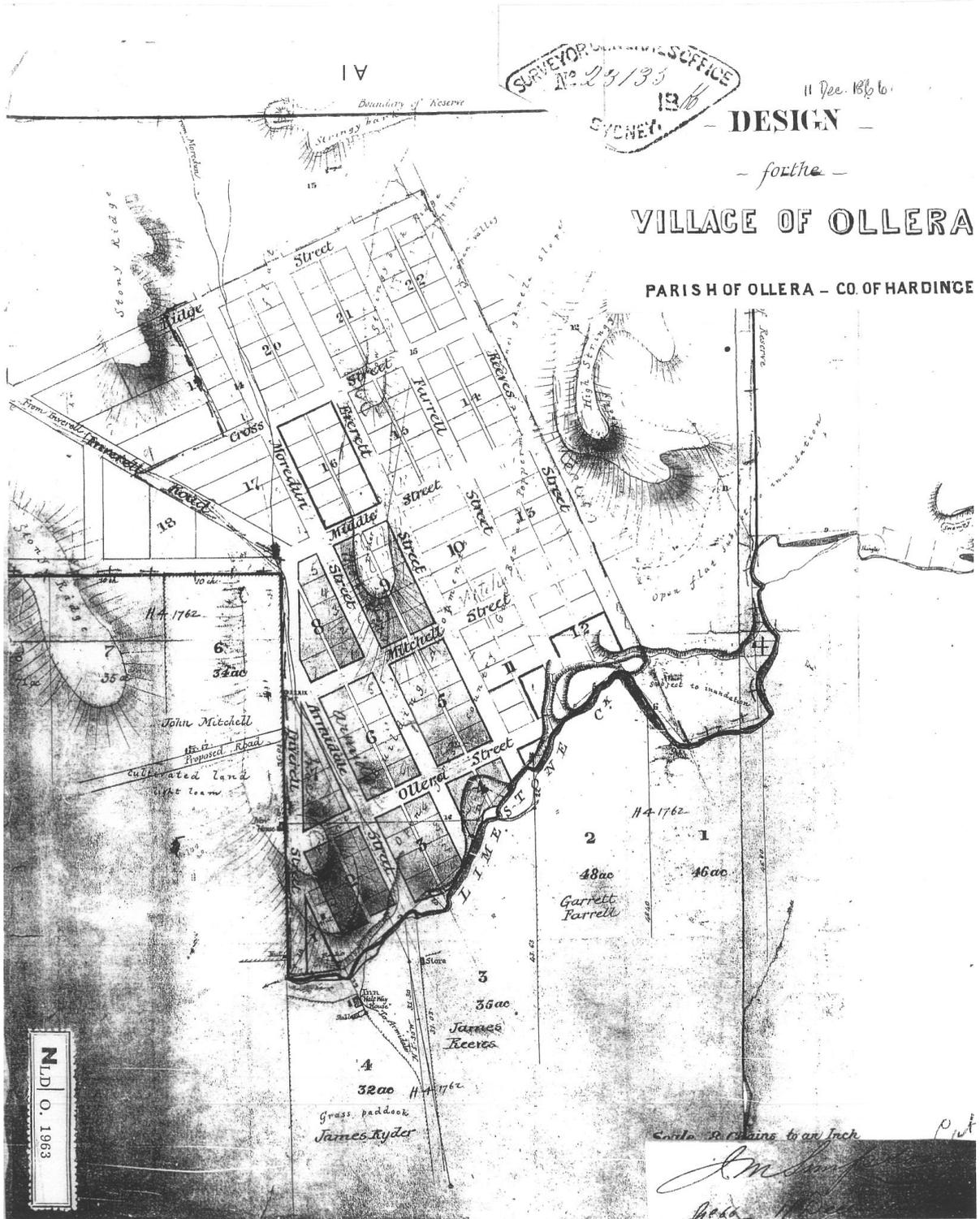


Figure 9: 'Design for the Village of Ollera 1866, UNERA, A1672, M1571.

It is therefore clear that in the decade before their fourteen-year protective lease over Ollera expired in January 1868, the Everett brothers strove to manage and if possible control the rate, character and location of free selection on their twin stations. Even the language in which Mackenzie recorded his frequent visits to the long-term employees' blocks at Limestone and to the more independent Parsons and Fenton families contains subtle but telling clues to differences in attitude and perceived status between employee occupants and incomers. As the following entries show, 'place', 'farm' and 'run' are used for the former, the less-personal 'Free Selectors' for the latter.

- 1864:** 30 July: At J. Reeves' *place* to arrange for him to set Ollera's plough in order
- 1865:** 4 April: Met J[ohn] Mitchell [Moreduin supervisor] at J. Reeves' *place*
- 5 May: Went to Limestone [...] - Heard that a *Free Selector* [John Parsons] had taken up 400 acres there.
- 11 May: Went to the *Free Selector* at Limestone.¹⁸

The Everett brothers certainly resented the Robertson Land Acts deeply and, even before their introduction in 1861, had done their best to protect their vast holdings. In June 1852 the brothers had exercised their pre-emptive rights under the 1847 Act to secure Ollera's 169-acre homestead block. In 1856, after Henderson's initial survey of their run, they paid £73.9s.0d for three separate parcels (809 acres) of land at the head station, at Sandy Creek and in long adjoining frontages to George's Creek, for which application had been made in 1854.¹⁹ In June 1867, at the sale at which the town-blocks at Limestone Creek were auctioned, the Everetts increased their contiguous holdings on both banks of Georges Creek when Mackenzie 'bought a lot of land for the station in the Big Paddock [between Ollera head-station and Limestone] and up the Creek'.²⁰ In this way the squatters made their first large-scale attempt, post-Robertson, to secure their water supply and effectively control vast

¹⁸ OSR, DJM, *UNERA*, A3052/41: Account Book 1841-72, *op. cit* Emphasis added.

¹⁹ *Ibid.*

²⁰ OSR, DJM, *UNERA*, A103:V3054/44: Crown Lands Sales, *NSWGG*, No. 71, 2 May 1867, pp. 1107-08.

stretches of back country which relied upon the creeks for their water.²¹ For John Everett and for his resident younger brother, Edwin, this remained a lifelong policy.

As first-comers and respected members of both the English and colonial oligarchy, all three partners were fundamentally opposed to Robertson's Crown Lands Acts. In 1868 John's opposition to proposed amendments to the Acts remained as strong as it had been for more than a decade.

*I have been studying the Land Bill and have failed to find in it any other object except to work the pockets of the squatters. I think we are right in anticipating that if the free selectors are allowed to go on increasing and taking up land on deferred payment, a time will come when they will be powerful enough to refuse payment altogether. They ought to have been compelled to purchase outright and fence, or be liable for trespass on the squatter's run on which they located themselves. If they wished and had the means to become graziers and squatters, the country is open to them to do as we did when we commenced.*²²

In 1879, as the first wave of free selectors crested, he stated his intentions openly.

There are spots which I think we must secure if we can. *My idea has always been to secure the water and a good block of land in one block. It would be a well-watered fortress from which those who come after us could march out to buy up free selectors who have shot their bolt and have been ruined by a liberaldemocratic government which has eaten the oyster and left them the shell.*²³

In the same letter to James Mackenzie, Everett expressed surprise and some resentment at the growing prosperity and upward mobility of Tom Cotterell, an impoverished bonded labourer the brothers had brought from their father's estate in Wiltshire in 1849. His employer grumbled that, having doubled the 200 acres he had selected near Limestone in January 1870, Cotterell had:

... done pretty well for himself with 450 acres of land, 2,000 four-year-old sheep and a pre-lease. Yet when I brought him out from Tedworth [sic], the Parish paid his outfit and the Government his passage.²⁴

²¹ OSR, Account Book, 1841-72, *op. cit.*; Fragment of a Diary, 1856, *UNERA*, A103:V3052/11

²² OSR, John Everett to James Mackenzie, 1 January 1868, *UNERA*, A103: Access. No. pending. Emphasis added

²³ OSR, John to Charles Everett Jnr, 23 April 1879, *UNERA*, A103: Access. No pending, Emphasis added

²⁴ OSR, John Everett to James Mackenzie, 23 April 1899, *UNERA*, A103: Access. No pending

In 1881, during his only return visit to the station, John Everett expressed his disapproval of another shepherd, Tom Dawson, whose new selection at The Falls ‘will spoil our [out]-station’.²⁵ A decade later the old man congratulated his son Arthur, who was then managing Ollera. ‘I see you are taking up a new selection at Edgar’s and mean to try to block one of the Judges *who are ready to sting their benefactors*’.²⁶ Everett clearly believed that both Cotterell and Ollera-Tenterden’s head-stockman, David Judge were ‘getting above themselves’ and failing to honour their obligations under the unspoken but clearly understood paternalist ‘agreement’ which governed employment at Ollera-Tenterden into the early twentieth century.²⁷

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James Mackenzie’s diaries, the 1861 and 1866 maps and John Everett’s highly-instructive remarks reveal the brothers’ attitudes and the strategies they employed to resist and control the threat posed by the free selectors. A list entitled *Everett Land Titles: Selection C[onditional] P[urchases]* compiled early in the second decade of the twentieth century by Arthur Everett, provides even clearer evidence that, for forty years after December 1869 the partners followed John’s plan to ‘secure the water and a good block of land [as] a well-watered fortress’.²⁸ The list, a record of selectors’ holdings on Ollera which reverted to the station between December 1869 and 1908, is reproduced in full in Appendix I.

When the location of each of these selections is identified on the relevant Parish Map, it is evident that the Everett brothers were systematically ‘working the land laws’ to consolidate and protect their holdings.²⁹ In several different ways, the partners were ‘peacocking’, securing the choicest, best-watered parts of Ollera, the eastern and later leasehold component of their vast twin stations. They did so by

²⁵ OSR, Diary of John Everett, August 1881-March 1882 (DJE, 1881), *UNERA*, (Access. No pending. Emphasis added

²⁶ OSR, John to Arthur Everett (J to A.E), 30 June 1892, *UNERA*, A103: Access. No.pending. Emphasis added.

²⁷ Rodwell, ‘Ollera’, p.281

²⁸ OSR, ‘Records of Everett Land Titles, various dates, *UNERA*, A103c:V5772

²⁹ *New South Wales Crown Land Administrative Maps: Parish Maps, Armidale Office Set, County of Hardinge, Parishes of Ollera, Skinner, Everett, Mackenzie and St George, for the years 1881 and 1896, CD-8 in a set of 12 CDs*

acquiring long adjoining stretches of land along both banks of George’s Creek and by ‘locking-up’ the headwaters and lower reaches of the central system’s main tributaries, Brushy, Happy Valley and Frying Pan Gully Creeks. Most of this land was watered by either Georges Creek or its largest tributary Brushy Creek. Twenty-two lots, comprising 2,404 acres selected by eight men, were on or near Georges Creek. Eighteen lots (2,115 acres originally taken up by six individuals) fronted Brushy Creek, while another 200 acres in two blocks enclosed nearby Frying Pan Gully Creek. Another six blocks, totalling 639 acres held by several members of the Clough family, surrounded Happy Valley Creek. Only three blocks claimed by two of the listed selectors lay outside the discrete blocks of holdings shown in Table 1. These were the 230 acres selected by Tom Croft on the headwaters of Winter Station Creek and the 300-acre portion at The Falls station on Tenterden’s western boundary. Both Croft’s two well-watered portions at Baldersley [sic] near that station’s boundary with Boorolong and the land at The Falls were acquired to ‘block’ free-selectors’ expansion; in particular Tom Dawson’s further encroachment upon the shepherding station at The Falls.³⁰

TABLE 1: Location of contiguous selections later acquired by the Everett Brothers											
Georges Creek			Brushy Creek Gully Cr			Happy Valley Creek			Frying Pan		
Name	Lots	Ac	Name	Lots	Ac	Name	Lots	Ac	Name	Lots	Ac
Upper Georges Cr			Upper Brushy Cr			Crough	6	639	Huntley	2	200
Edgar	2	624	Mitchell	4	650	Bailey	3	570			
Bailey	3	470	Holt	2	100		9	1209			
Crough	2	110	Lane	3	240						
Burey	1	200	Jackson	5	640						
Judge	2	700		14	1650						
	10	2,104									
Lower Georges Cr			Lower Brushy Cr								
Edwin E	1	300	Arthur E	2	420						
			Edwin E	1	45						
					465						

³⁰ OSR, J to A.E, 2 October 1890, *UNERA*, A103: Access. No. pending

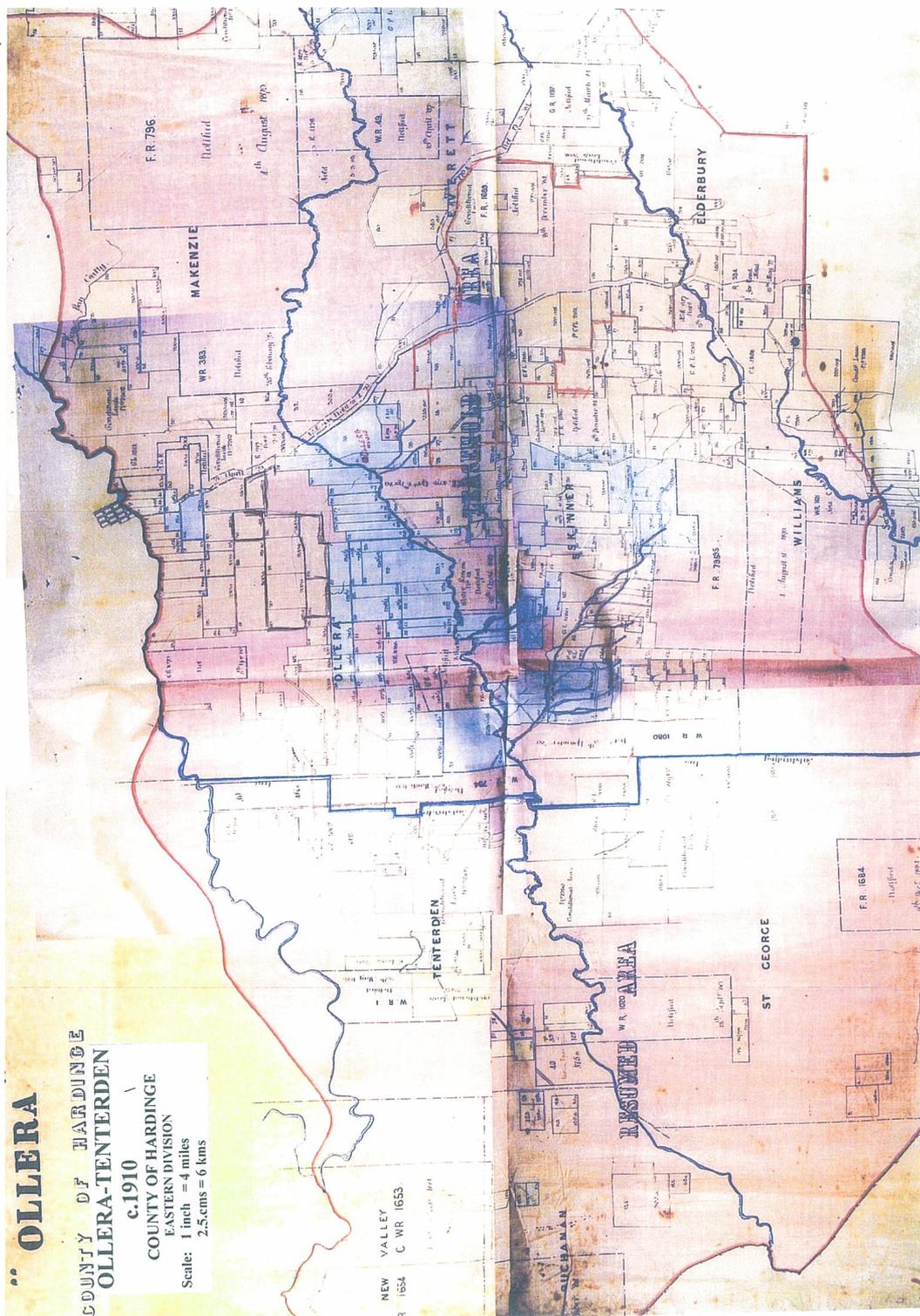


Figure 10: 'Ollera' - Ollera-Tenterden c.1910, from private collection, Ollera Station, Guyra.

The importance of the Everett's acquisition of these adjoining selections was increased by their proximity to the large parcels of land already purchased individually or in partnership by the brothers. All those on Brushy and Frying Pan Gully Creeks were close to Ollera's or adjoined Tenterden's head stations. The selections on good farming land to the east of Ollera's head station at 'Edgar's' on the south bank of Upper George's Creek faced those at its junction with Happy Valley Creek. In the late 1880s the potential value of 'Edgar's' selection increased markedly as a result of its proximity to the line surveyed for the approved, but never-built, Guyra to Inverell railway.³¹

The fact that only fourteen different surnames, two of which are those of members of the Everett and Mackenzie families, appear on a list of forty-two selections suggests that, openly or covertly, Edwin Everett was colluding with some of his employees to make repeated false, 'dummy', selections on his stations. Significantly, most of the men named on the list soon took up, and many built upon, other selections on the station. For example, James Jackson, David Judge and Ralph Clough founded families which by 1902 held several thousand acres of land on Ollera.³² Several entries in the Conditional Purchase Register and others in Ollera's Yearly Balance Book certainly fall within the four-and-a-half year time-span historian John Ferry used to identify 'dummying' on stations near Armidale. The time-period exposed free-selected land which returned to the runholder within eighteen months of the end of the prescribed three-year residential period.³³ The following examples are taken from the Conditional Purchase Register.³⁴

<u>C.P No.</u>	<u>Name</u>	<u>Location</u>	<u>Date</u>	<u>Acreage</u>
152:	Edgar, John	Ollera	9 th Dec, 1869	320 acres - now 312 acres
	Everett, Edwin		5 th June, 1873	
....	Mitchell, Edward	Ollera	20 th Feb, 1873	40 acres
	Everett, Edwin		10 th June, 1876	
34:	Jackson, James	Ollera	29 th Jan, 1874	50 acres
	Everett, Edwin		7 th June, 1877	

³¹ Approved after prolonged lobbying by local squatters and businessmen, this branch line appears to have been a casualty of the 'credit squeeze of the early 1890s.

³² J. Ferry, 'Colonial Armidale: A Study of People, Place and Power in the Formation of a Country Town', PhD Thesis, UNE, 1994, p. 220.

³³ Ferry, *op. cit.*, pp. 227, 230.

³⁴ Conditional Purchases Register, *UNERA*, 33/5137.

These entries certainly fit Ferry's yardstick for overt 'dummying'. However, they may also show that, as they had done at Limestone in the early 1860s, the Everetts were enabling favoured workers to become disguised tenants on acreage they wished to protect from more independent or less suitable selectors. If so, the brothers were manipulating the law just as thoroughly if less obviously than many of their peers. They would also have been following centuries-old precedents employed on their father's English estate; precedents that had recently been adopted in New England by Henry Arding Thomas of Saumarez who regained control and covert ownership of much good farming land on the Armidale Reserve in this way.³⁵

References to John Edgar's selections in Mackenzie's station diaries and in John Everett's record of his 1881-2 visit reveal the continuity of such practices on Ollera. Having ordered his Limestone tenants 'to come in for the threshing' early in the previous autumn, in 1872 Mackenzie made two unspecified visits within four months to Edgar's newly-claimed selection.³⁶ He returned in the spring and summer of 1873-4, when the just-completed reversion to the station had elevated 'Edgar's' from selection to 'place' or 'farm', to arrange for land to be ploughed, the subsequent crop of hay to be cut and other unspecified tasks to be undertaken.³⁷ John Everett's appreciation of 'the capital lunch' he enjoyed at *Mr* Edgar's farm in December 1881 confirms the man's continued occupancy, while the expensive 'improvements' recorded in the station accounts for September 1880 reveal his disguised tenancy.³⁸

Mt Edgar: 934 rods of two-rail fence [i.e. 2.92 miles or 4.1 km]

Herding yards

50 sheets of bark ... £225. 0s.0d

Similarly, the 100 acres in two portions selected by Holt between 1875 and 1879 generated the following entries in the same statement of accounts; 'Holt's, Clearing and new barn, £40. 14s.0d' and 'Rent £36'. Improvements worth £20 were also made to 'Mitchell's' and 825 rods of two-rail-and-wire fences costing £164.16s.7d were erected at Highfield, where Macdonald was charged £30 for the rent of the paddock.³⁹

³⁵ Ferry, *op. cit.*

³⁶ OSR, DJM, *UNERA*, A103:V3054/3a

³⁷ OSR, DJM, *UNERA*, A103:V3054/48

³⁸ OSR, DJE 1881, *op. cit.*; Yearly Balance Book, 1865-92, *UNERA*, A103:V2258

³⁹ *Ibid.*

Edgar Huntley's selection-pattern is even more informative. Between 1878 and 1882 Huntley, who committed suicide in 1883, took up a total of 582 acres in six selections. Although only two of these adjoining portions appear on the list of Everett Land Titles, by 1884 all had reverted to the station. Indeed the process was either underway or being considered in 1881, when the following item appears among the memoranda with which John Everett concluded the account of his return to Ollera.⁴⁰

Memo: Huntley's Selection

Selection 340 acres

Prelease 600 acres Improvements made *on request* during Residence: £175

940 acres Liabilities: Money due to Government to make

sure - hold: £235

Paid Deposit: £85

£520

Since 'improvements', such as housing and outbuildings, fencing, clearing, ploughing and stocking to the value of £1 per acre within the three-year residential period were mandatory under the free selection 'contract', the inclusion of the words 'on request' to those made by Huntley suggests that the Everetts had more than a passing interest in their middle-level employee's holding. Indeed, Walker estimated the cost of establishing and cultivating a selection at £6 per acre, an expense he deemed unaffordable by most selectors.⁴¹

Entries in the appendix to the accounts for 1878-9 provide further evidence of the Everetts' strategy. Beside a list of free selections taken up by the station during the twelve months ending 30 June 1879, five employees' names, one of which is illegible, are scrawled in the now faded blue pencil Edwin used when checking the books. In at least one case one selector-tenant appears to have been replaced by another.⁴²

Acquired By	Parish	Acres	Edwin's Comment
GJE	Skinner	60	Mitchell
GJE	Skinner	220	?
GJE	Skinner	120	Jackson
E.E	Everett	320	Mitchell/Edgar

⁴⁰ *Ibid* Emphasis added

⁴¹ R.B. Walker, 'Squatter and Selector in New England 1862-95', *Journal of the Historical Society of Australia and New Zealand*, Vol. 8, No. 29, 1957, p. 75 .

⁴² OSR, Yearly Balance Book, 1865-92, *UNERA*, A103:V2258

Details of the stations' expenditure on these selections are recorded in a list of 'Improvements to Ollera and Tenterden' which appear as debits to that year's accounts.

Ollera: Clearing four acres [at Edgar's] selection

New Hut: zinc roof; fencing fifteen-acre paddock; fencing waterhole

Tenterden: Clearing and fencing four acres [at Jackson's] selection

Fencing at Jackson's 1½ miles

Several similar entries involve the two selections Isaac Spicer took up in 1881; 160 acres in June 1881 and a further fifty in August. Details of the station's provision of a waterhole costing £7.12s.0d at 'Spicer's' are recorded elsewhere in the accounts for that year. A further £21 was spent for unspecified improvements to the same selection in 1884. Yet another entry concerns 'Dun's' (sic) where £62.12s.7d was spent on improvements. In Spicer's case, the coincidence between the timing of his 'free selection' and the considerable sum spent by the station on the holding is as striking as it is uncharacteristic. A business partnership which recorded and deducted money owed to the venture by its fraternal partners and which calculated *all* its debits and credits meticulously and to the farthing (¼d) would almost certainly not have repeatedly outlaid such large sums on land in which it had no financial interest.⁴³

John Everett's diary shows that as the 1880s began the station's sheep were grazing on several apparently free selections, a practice whose increase helped the stations to weather the very difficult 1890s. Having joined Mackenzie on an inspection of McKay's selection at Baldersley where his house was found to be 'neat and well-built and the paddocks well cleared' the two men then visited Tom Carpendale who was agisting an Everett flock on the fifty-acre selection where he had 'a comfortable hut of his own'.⁴⁴ However, within weeks 'a great row' over boundaries and associated grazing rights on McKay's prelease resulted in the selector's eviction and appearance before the Land Court, which ruled in the squatters' favour.⁴⁵

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⁴³ *Ibid*

⁴⁴ DJE 1881, 23 December 1881, *op. cit*

⁴⁵ OSR, J to A.E, 2 October 1890, *UNERA*, A103: Access. No. pending

In the increasingly difficult years between 1882 and 1893 the Everetts frequently employed two further strategies to resist the ever-increasing free selectors. The first involved the deliberate purchase of small, discrete, but nonetheless important tracts of land which adjoined targeted selections. Its purpose: to block the selector's ability to extend his original holdings through the purchase of Additional Conditional Purchases (ACPs), and thus build-up a more viable holding. In 1890 John Everett congratulated his son on his careful management and shrewd 'forward planning'. He was very pleased that Arthur had:

... applied for several areas under annual lease - you are better off taking what you wanted than being obliged to take all or none. *Some of the Free Selectors may bid against you by tender but those little bits of purchased land at Spicer's, Baldersley and Jones' will help block them.*⁴⁶

Thomas Croft's 'little bit at Baldersley' was not the only land on the list of Everett Land Titles that was acquired for this reason. The six blocks the Crough family took up in Happy Valley were acquired to prevent their purchase by Moredun's former superintendent, John Mitchell.⁴⁷ A similar strategy underpinned the purchase, in late 1889, of John Thomas's otherwise unremarkable selection on the Big Plain between Ollera's head-station and Limestone Creek. Deeming Thomas's holding 'too near for such a man to shunt himself there', John Everett applauded the station's purchase of the selection to forestall 'Prentice', the unscrupulous, thoroughly unsatisfactory manager Edwin had appointed after James Mackenzie's death in November 1887.⁴⁸

However, more overt 'working' of the land laws appears likely when the two selections made by Thomas Lane in 1882 are considered, as Lane had been living semi-permanently at Paradise Creek since 1878.⁴⁹ Dummying, rather than Edwin Everett's legendary generosity, may also be the reality beneath the belief currently held by many long-established residents of the district. In 1878-9 Garrett Farrell's son John selected land within 200 yards (c.185m) of Ollera's homestead; land which also contained the iron tanks in which the station's sheep were dipped annually. Much

⁴⁶ *Ibid.*, 25 January 1882.

⁴⁷ *Ibid.*, 2 October 1890.

⁴⁸ *Ibid.*, 7 November 1889,

⁴⁹ L.T.W. Lane, 'The Bedford Chapel at Saumarez Ponds: English Settlers in New England', M. Litt Thesis, UNE, 1990, p. 67.

amused by Farrell's 'practical joke', Edwin is said to have willingly accepted his employee's suggestion that he buy him out.⁵⁰ Instead, considerable evidence suggests that the pair was engaged in dumming, which despite its proscription in 1875 remained rife until and beyond the repeal of the Robertson Acts in 1884.⁵¹ Although Farrell, rather than his master, may have initiated the deal, entries in the Ollera-Tenterden accounts suggest that Edwin had colluded with his employee to pre-select and then hand over acreage which was essential to the foundation 'run'. The accounts for the second half of 1882 contain the following consecutive entries:

Debit: To J. Farrell's Selection:	£50
To 100 acres addition to [above]	£25.10s.0d ⁵²

Significantly, after the 1889 amendment to the 1884 Acts made the pastoral reserves available for annual lease, John Farrell again relinquished vital land to the station. In a letter to his son Arthur in late 1891, John noted the transaction's favourable outcome:

... Johnny Farrell giving over to us his annual lease of the reserve running up to the milking yard must have been quite necessary for us or otherwise it seems to me we could *not* have got into the stockyard and should have had to build a new one.⁵³

The memos with which John Everett ended his 1881 diary, demonstrate the brothers' careful planning and vigilance in identifying and securing strategically-sited land on their stations. Many points for later discussion with his elder sibling and fellow English-based partner, George, concerned the acquisition of such blocks; for example those which adjoined declared Water Reserves.

200 acres between Skinner's selection and upper part of Lambamata Reserve
 160 acres Turkey Plain
 250 acres At Ollera at top of Maguire's Plain between the two roads to Moredun

Back Gully Ollera

400 acres from Cockatoo Swamp on Eastern & bounded by Charlie Willis' selection

⁵⁰ A.V. Cane, 'Ollera 1838-1900: A study of a Sheep Station', M.A Thesis, University of Sydney, 1949.

⁵¹ Gammage, *op. cit.*, p. 118

⁵² OSR, Yearly Balance Book, 1865-92, *op. cit.*

⁵³ OSR, DJE 1881, *op. cit.*

Between Ollera and Washpool

150 acres Alongside Waterhole between Beehive Reserve and Washpool

60 acres purchase

80 acres between 60 acre purchase and Reserve opposite Lambamatta Plain.⁵⁴

Another, much longer and even more detailed memo contains the names of forty-one selectors who had taken up land of possible interest to the station in the previous three years and who had apparently failed to make the necessary improvements to their holdings. Almost all the locations of the selections are recorded and for twenty-one of them their extent (from 80 to the maximum 640 acres) is noted. Mackenzie's diaries make this list's origin and its purpose clear. By making frequent, regular visits to all selected land on the sister-stations, Mackenzie could keep a close watch on their condition. Suitable blocks for acquisition by his employers could then be identified, their unfortunate occupants reported to the authorities for non-compliance under the Act, their selections forfeited and subsequently auctioned: a transaction favourable to the runholder. The following examples are typical of Mackenzie's diligent scrutiny:

- 1878:** 25 Jan: Went through all the selections
17 June: All rode to Parsons' and McKay's selections
25 July: Went all over Parsons' selection to see about his sheep going over to Johnstone's.
- 1880:** 12 April: Went to measure Holt's fencing
3 May: Went to Donald Stewart's selection - *Looked at young Tom Dawson's selection. I am sure no-one had been there for some time.*
23 June: *Looked at Fraser's selection- no residence there*
14 July: Saw the Frasers putting up a new humpy⁵⁵

Yet another memo in the 1881 diary stresses the necessity to have *all* the land adjoining Everett-owned acreage sub-divided and 'brought to auction'. The note reveals a different, but no less common and effective strategy used at Ollera and Saumarez to defend extensive holdings their runholders leased annually for about a

⁵⁴ *Ibid.* Additional underlining to increase clarity

⁵⁵ *Ibid*

farthing [$\frac{1}{4}$ d] an acre.⁵⁶ Unlike free-selected portions, settlement on Auction blocks fell due within three months of their sale, a requirement of enormous benefit to the existing landholder, an advantage that Arding Thomas exploited fully at Saumarez.⁵⁷ Purchase of land at auction, both before and after survey, was the method favoured by the Everett partners, almost all their joint and individually owned acreage being obtained in this way. They appear to have resorted to the use of purchased Voluntary Land Orders on only two occasions. In a letter to Edwin during the calculation of their recently-deceased elder brother George's interest in the partnership, John Everett confirmed that all his privately-owned land 'was bought at Auction except 320 acres by Pre-emptive Right in 1857'.⁵⁸

The *absence* from the List of Everett Land Titles of well-paid, valued and perhaps less vulnerable or malleable employees, many of whom took up large acreages on Ollera and Tenterden in these years, provides a significant clue to perhaps the least obvious, but nonetheless important, way in which the brothers' sought to prevent unrestricted access to their land. Ollera's superintendent James Mackenzie, its sheep overseer Donald Stewart, and the skilled shepherd-labourers Tom Dawson and James Skinner provide such examples. In 1875 Mackenzie took up 1,188 acres in six selections, three of which had been held by the Fenton brothers since the mid-1860s. Between 1875 and 1879 Stewart selected 1,320 acres in four portions, Dawson and his sons took up 1,700 acres in seven selections, and Skinner selected three lots comprising 210 acres.⁵⁹ Between 1870 and 1879 another eighty-five individuals, many of whom were adding to previous selections and almost all of whom were Everett employees and their relatives, took up a total of 10,520 acres in sixty-three portions, all which were on Ollera run. The table below shows the rapid rate at which selection increased in the years after 1873, particularly between 1874 and 1876, when thirty-four individuals selected 5,030 acres in thirty-nine lots and 1878-79, when forty-three individuals took up 7,945 acres in fifty-nine lots.

⁵⁶ C.J. King, 'An Outline of Closer Settlement in New South Wales, Pt 1: The Sequence of the Land Laws, 1788-1956', *New South Wales Department of Agriculture*, Sydney, 1957, pp. 92-3.

⁵⁷ Ferry, *op. cit.*, p 225

⁵⁸ OSR, Yearly Balance Book 1865-92, *op. cit*

⁵⁹ *Ibid*

TABLE 2:

Year	Selectors	Lots	Total Acreage
1870	2	3	370
1871	3	3	370
1872	2	3	320
1873	3	3	298
1874	8	10	1,089
1875	17	18	2,551
1876	9	11	1,390
1877	3	3	340
1878	33	45	5,874
1879	10	14	2,071
1871-79 90		113	14,673

The Everett brothers' treatment of both Mackenzie and Stewart reveals different and less questionable aspects of the partners' attempt to control or restrict free-selection on 'their' land. Since the early 1860s Mackenzie had grazed a considerable number of privately-owned sheep on Ollera. In March, 1861 he spent £325, or a little more than his salary of £300 per annum, on the purchase of 500 of his employers' maiden ewes (13s.0d ea).⁶⁰ In the following January the station paid him £175.10s.0d (7s.7½d ea) for 460 lambs which were probably their progeny.¹ Between late March and mid-April 1863 Mackenzie purchased two mobs from the station, paying £150 for about 350 assorted animals and a further £254.18s.0d for about 500 ewes. In 1865 he paid the station £48.17s.0d in combined shearing and Scab Assessment costs.⁶¹ These transactions were almost certainly made under the widely-used 'halves' system, whereby the station took half of all the profits returned by the flock (wool and live animals sold and lambs produced).⁶² In 1879 the Everetts refused Mackenzie's offer to sell them his holding, Stratton, on the Big Plain north of Ollera head-station. With their sights set on the better-watered land south of George's Creek, his employers dismissed their superintendent's perceived 'conflict of interest' and

⁶⁰ Rodwell, 'Ollera', *op. cit.*, pp. 245-6.

⁶¹ OSR, Account Book, 1841-72, *op. cit.*

⁶² *Ibid.*

encouraged him to retain and increase his acquisitions until, by 1902, Stratton comprised 2,202 acres.⁶³ Until, and even after his death in late 1887, at an agreed cost, Mackenzie's sheep were washed, shorn and their wool processed in Ollera's shed.⁶⁴ Donald Stewart's 'private' flock received the same treatment and Everett attitudes towards him were just as generous. Soon after Edwin sold him Ollera's fertile, 320-acre farm on Sandy Creek in 1874-76 Stewart who, like Mackenzie, could not afford to 'improve' his land within the prescribed period, offered to resell the land to his employer.⁶⁵ Instead, Everett provided sufficient financial assistance for the sheep-overseer to retain the property. Regarded by later generations as an example of the old squatter's legendary magnanimity, Everett's treatment of Stewart may also have been based in self-interest, as Stewart's holding lay well outside the pastoral 'fortress' the brothers were building. The outcome for Stewart was nonetheless good. By 1884 he had acquired 3,971 acres of land bordering Sandy Creek. 1,160 acres were selected personally; 1,360 acres in the names of four of his children and the remaining 1,451 were acquired from three presumably failed selectors. From this base Donald Stewart steadily increased his holdings until in 1902 he grazed 5,939 sheep on his 5,693 acre property, which like Ollera's original home farm, was called Tangley.⁶⁶

* * * *

Throughout his life John Everett remained more openly opposed than his youngest brother Edwin to the concept and the consequences, both perceived and actual, of free selection before survey. Hard-won experience of the difficult colonial labour market in the 1840s and 1850s had probably hardened his belief in the squatters' right to the land they had 'found' and developed. A generous and honest master who was admired and respected by 'his' men, John Everett nevertheless remained convinced that by birth, education, innate ability and experience, he and his fellow colonial 'gentlemen' were entitled to retain possession of the vast acreages they had claimed and developed. However, his letters make it clear that, from the mid-1850s when the protracted debate began, Everett recognized that neither he nor his peers possessed the

⁶³ OSR, John Everett to James Mackenzie, 23 April 1879, *UNERA*, A103: Access. No. pending.

⁶⁴ Cane, *op. cit.*, p. 114.

⁶⁵ OSR, Account Book 1841-72, *op. cit.*

⁶⁶ DDS, 13 September 1878, *op. cit.*

power to prevent the passage and eventual implementation of the Robertson Land Acts. Nor, with his elder brother, George, had he the power to prevent what he believed to be their younger brother but senior partner's 'unwarranted' generosity towards many of the free selectors who were impinging upon the property he had founded.⁶⁷

In many ways a more complex character than his elder brother, Edwin Everett's outwardly more benevolent attitudes and approach disguised convictions as conservative as those held by his brothers. Headstrong, heedless of his elder partners' advice, eccentric and rendered increasingly testy and capricious by advancing age and ill-health, Edwin Everett clearly revelled in the role of colonial 'squire'; willingly, though arbitrarily, dispensing advice and practical and even financial aid to favoured selectors and dispensing ruthlessly with those he deemed unworthy. But despite the strength of his opposition to many of his Australian-based sibling's management decisions, John Everett recognized Edwin's complete commitment to the retention of their land and his skill in manipulating the laws which were designed to 'unlock' it.

Both the Yearly Balance Book and the Everett brothers' private correspondence reveal the extent of Edwin's active involvement in the defence of the interests of his squattage and those of his New England peers. For more than a decade after the late 1870s legal and political as well as financial strategies were employed to control and forestall the increasing influx of free-selectors. In a letter written in late 1888, Edwin predicted, albeit over-optimistically, that with a change of government and the imminent proclamation of the amended 1884 Acts, the problems caused by the colonial government's much disputed but frequently repeated threat to collect several years' worth of outstanding and much increased rent from the squatters would soon be resolved.⁶⁸

The brothers took legal action in defence of their land on several occasions. £8.12s.6d was paid for 'law expenses' in January 1882 and at the end of the following year McKay's case cost £10. Armidale's highly-respected solicitor, A.W.Simpson, earned £25 for similar services in 1884 and another £3.1s.8d in 1886. In mid-1892 the partners took action in the decentralized Land Court which had been established in each pastoral district under the 1884 Land Act. The annual accounts also record

⁶⁷ OSR, John to Arthur Everett, 19 January 1888, Access. number(s) pending

⁶⁸ Edwin to John Everett, date missing, but contextually late 1888

frequent payments to their Sydney-based land agent/solicitors who represented the Everetts in financial, legal and political matters. Until 1881 this responsibility had been undertaken by the firm of Wilson and *Ranken*, to whom £10 was paid in 1880. However, by June 1881, when £12.9s.3d was paid in commission fees, the firm of Donkin and Du Faur had replaced them. Du Faur, who acted for the partnership, received £120 for work carried out in 1885 and a further £70 in the eighteen months after January 1886. In September 1890, when Gerard was Du Faur's new partner, the firm received £6.12s.0d for Conditional Leases, which was followed twelve months later by another £3.2s.0d.⁶⁹ Evidence of Du Faur's activities as a political lobbyist appears in a letter in which Edwin informed his brother of his confidence in the man's ability to convince the Minister of Lands of the need for the proposed Guyra to Inverell railway, whose route would traverse both Ollera and Tenterden. Du Faur had deputized for Edwin, who was forced by advancing age and a flare-up of chronic illnesses to excuse himself from membership of the delegation.⁷⁰

The incident also reveals the existence and, in the Wyndham family's case the persistence into the second generation, of the Everetts' membership of the far-reaching network of 'kinship and friendship' which, with mutual self-interest, linked the powerful landholding 'interest'.⁷¹ Edwin had travelled to Sydney with Hugh Wyndham and several other interested local squatters to convince the sympathetic Premier, Sir Henry Parkes, of the economic potential of the proposed branch line to Inverell.⁷² Several references in the surviving letters, diaries and station accounts reveal the strength of the 'English-country-gentry/squatter' network in New England and the Upper Hunter. The closeness of Edwin's connection to George Ranken is particularly telling. Ranken was a frequent guest at both head-stations in the years before he and his co-commissioner Augustus Morris conducted the detailed but decidedly 'squatter-friendly' inquiry which led to the repeal of the Robertson Acts and the passage of the revised Land Acts in 1884.⁷³

⁶⁹ Yearly Balance Book, 1865-92, *op. cit.*

⁷⁰ OSR, Edwin to John Everett, 27 August 1888, *op. cit.*

⁷¹ L. Davidoff and C. Hall, *Family Fortunes: Men and women of the English middle class 1780-1850*, Oxford, 1992, pp, 9, 32, 215.

⁷² OSR, Map c.1888 showing the proposed route through Ollera-Tenterden and Moredun stations, *UNERA*, Access. No. pending

⁷³ DJM, *op. cit.*

As a result of all this activity, in February 1891, after thirty years of concerted effort, John Everett was pleased to find that the partnership retained ‘a good bit of land’, which included, ‘jointly or separately...in all, more than 18,000 acres of land under the heads of freehold selections, conditional leases and annual leases’.⁷⁴ A decade later Arthur Everett calculated that the GJE partners held 15,446 acres; an acreage which after Tenterden’s recent sale, had fallen to 4,884 acres in 1914, a figure only a little larger than Ollera’s modern extent.⁷⁵ However, the parish maps differ slightly from Arthur Everett’s 1914 calculation, revealing that between the early 1850s and 1914, jointly and privately, the Everett family acquired 14.402 acres of land on Ollera and Tenterden.⁷⁶

TABLE 3: Everett Family Holdings on Ollera-Tenterden, 1853-1914			
Name	Parishes	Lots	Acres
GJE	4	32	4,529
George	1	4	453
John	1	10	1,293
Edwin	5	51	5,797
<u>Arthur</u>	4	27	<u>2,342</u>
Totals 5		124	14,402

* * * *

This examination of the Everett brothers’ response to free selection on Ollera-Tenterden shows that, from and perhaps even before the passage of Sir John Robertson’s Land Laws in 1861, the Everett brothers were determinedly and systematically ‘working’ the controversial laws to forestall truly ‘free’ selectors from acquiring land on their sister-stations. For forty years the ‘family enterprise’ continued to test, manipulate and bend laws which it has been argued, had

⁷⁴ John to Arthur Everett, 5 February 1891. Access. No. pending

⁷⁵ OSR, Everett Land Titles, Ollera Estate, 1914, *UNERA*, A103c:V5572

⁷⁶ Parish Maps, *UNERA*, *op. cit*

deliberately been biased in their favour.⁷⁷ Viewed from this perspective, more than sufficient evidence exists to support the premise that if not openly ‘dummying’, the brothers were following Henry Arding Thomas’s example and converting favoured workers into disguised tenants. These holdings thus remained under the partners’ control, were available for use by the station and ‘on hand’ for future reversion to the partnership.

It is clear that the brothers were engaged in a systematic and vigorous three-pronged defence of ‘their’ property. The first element in the strategy involved ‘peacocking’: the outright purchase of the most fertile, well-watered parts of the run and of strategically-sited blocks to prevent selectors from increasing their holdings by means of Additional Conditional Purchases (ACPs) and Improvement leases.⁷⁸ The methods used included acquisition at auction, by pre-emptive right, by Conditional Purchase and its adjuncts (ACPs, Improvement and Pre-emptive Leases) and by at least twice trafficking in Voluntary Land Orders. The closely-related second element in their strategy involved ‘dummying’, the acquisition of land through bogus free-selection by particular employees; a ruse frequently resorted to by both the ‘masters’ and their ‘men’. The third frequently used element involved the judicious purchase of selections which had proved, or had been rendered, financially unaffordable, too small to be viable, too drought-prone, or which lacked an accessible and certain market for their produce.ⁱⁱ When subsequently auctioned under the terms of the particular Act, these selections were ripe for acquisition by the station. At the district and regional level Edwin, the resident partner, through his membership of the ‘friendship network’, joined the landholding/squatter ‘interest’ in actively lobbying government and the bureaucracy.

Several striking features distinguish the long-rearguard action fought by the Everett brothers. First: their absolute and unwavering commitment to the defence of their ‘well watered fortress’; a commitment which survived the deep and heated disagreements over equally crucial management decisions which threatened the partnership in the difficult half-decade after 1889. The second and closely-related third salient features are more far-reaching and therefore of greater importance. Both reflect the almost perfect match between the Everetts’ practices and aspects of the

⁷⁷ Gammage, *op. cit.*, pp. 111-12.

⁷⁸ Walker, *op. cit.*, p. 74.

model described by Bill Gammage: in one case in the full-range of strategies adopted; in the other, the presence, let alone eventual success, of very *few, if any*, independent and thus truly ‘free’ selectors on Ollera-Tenterden. But, having considered the squatters’ attitudes and actions, we must consider the situation from the other side of the free-selection ‘fence’; the response of their many employees, who with incomers, became selectors and settlers on the squattage on which they worked.



Figure 11: Shepherd's Hut at Ollera Station c.1865-70, UNERA, A103:P2015.