University of New England

Kempsey, New South Wales :

How social and political divisions in Kempsey's early history impacted the town's economic and environmental development to 1865, and its ongoing susceptibility to disaster.

Submitted by

Heather Gartshore,

BA, GradDipLocFamAppHist, BMin, AssocDipDivMiss.

This research was supported by an Australian Government Research Training Program (RTP) Scholarship.

Reference Style: UNE Traditional Footnoting (History)

Faculty of Humanities, Arts, Social Sciences, and Education - Department of History

University of New England

For the award of Doctor of Philosophy

August 2023

Certification of Dissertation

I certify that the work contained in this dissertation is my own work.

I certify that the contents of this thesis have not already been submitted for any degree and are not currently submitted for any other degree.

I certify that to the best of my knowledge I have acknowledged any help I have received in writing this thesis, and due acknowledgment and reference have been made for all sources used.

Heather Gartshore

Date 21 July 2023

Abstract

This study addresses the question: how did social and political divisions influence the economic and environmental development of Kempsey during the colonial period up to 1865? Primary documents including personal letters, journals, memoirs, political and governmental papers, along with a range of colonial newspapers have been studied and interpreted to form a social historical solution to the question. Due to the range of sources available for this investigation, a variation of methodologies has been employed, with particular emphasis on an empirical qualitative analysis. In addition to considering existing non-scholarly thematic histories of the Macleay Valley, this thesis draws existing scholarly investigations together and builds upon them, looking into the interdependence between society and environment, politics and geographical developments, culture and social movements to piece together the story of Kempsey and uncover the key events which have led to long lasting impacts on the town. No other scholarly study of this kind has been undertaken to bring the entire complex and multifaceted story of Kempsey's early years into one scholarly investigation. Implications for this study highlight the important factor that powerful social and political divisions in a community have when important decisions about town planning, environmental protection, and issues of social justice need to be addressed. These divisions can lead to catastrophic outcomes that could impact generations to follow, as shown in the tumultuous history of Kempsey, New South Wales.

Publications and Presentations Arising from this Thesis.

Heather Gartshore, ‘Crossroads of Economy and Environment: Examples from a small Australia Town,’ Economic and Business History Conference, 2021, Online Presentation.

Dedicated to

The Dunghutti People of the Macleay Valley

'Does it not then become every man to reflect seriously and ask himself what is the tendency of his course of action, what on his children, what on his neighbours, what on his country?' – Enoch William Rudder, in his memoir published in 1885.[1]

[1] Enoch W. Rudder (Labori), *History of the Macleay*, unpublished copy, 1885, retrieved from the Macleay River Historical Society.

Acknowledgements

I acknowledge the Dunghutti Nation and their many clans who have called the beautiful Macleay Valley home for tens of thousands of years: Always was and always will be Dunghutti land.

I gratefully acknowledge all who have participated as supervisors at various points throughout my candidature journey. I particularly acknowledge my principal supervisor Associate Professor Nathan Wise who has given regular and timely feedback, encouragement and advice throughout the journey, as well as during my previous research projects. I also particularly acknowledge Dr Vanessa Bible for her input and encouragement, even beyond the time required. Thank you to my associate supervisors: Dr Andrew Piper, Associate Professor David Roberts and Professor Robyn Bartel.

Thank you to Alvine Walker, my Research Assistant in Sydney, who did all I asked and beyond, accessing and copying essential primary documents from the New South Wales State Library and Archives, especially as I could not do this during Covid restrictions. I thank Phil Lee and his team at the Macleay Valley Historical Society and museum in Kempsey, for being available for me to visit the archives in person, lending me books, and sending valuable copies of primary documents.

Thank you to my family and friends: my husband Scott Gartshore for his endless support, encouragement and boosting my confidence and spurring me on especially in the ‘rut times’. Thank you also to my sons Josh and Tim, and Josh’s partner, Anna, for always being supportive, thoughtful and interested. And thank you to my good friends, Deb and Darren Baxter and Beth and Josh Agner for always caring, believing in me and encouraging me to keep going in the face of obstacles.

Table of Contents

Table of Figures

PART ONE: Introduction, background and scholarly context.

Chapter One | Introduction

Background

Kempsey is a small, rural town in the Macleay Valley, along the Mid-North Coast of New South Wales (NSW). It sits along the flood plain of the Macleay River, which runs down from the New England Tablelands, at times cascading through magnificent gorges during its course to the sea. The soil is rich and alluvial, good for crops and grazing where an economy initially based on primary production should have prospered. Yet, what is now an area of small townships and open, grassy farmlands, was once a thick forest dominated by beautiful red cedar, lining the riverbank for hundreds of meters back toward the surrounding swamp lands. The Dunghutti people called the Macleay Valley home for millennia, thriving on the abundance of natural supplies for food, shelter, culture and industry. European settlers only began to settle the area 188 years ago, yet their impact on the environment has been devastating, leading to increased flooding, loss of habitat and a destruction of the Dunghutti subsistence economy. Today, the town is plagued by a low socio-economic profile with the dominant industry in the area being health care and social support services.[2] The short history of this town has been marked by numerous economic ups and downs, devastating natural disasters in the form of floods, fire and drought, and social and political divisions. After considering Dunghutti culture prior to colonisation, this thesis investigates the first thirty years of Kempsey's history since the coming of white settlers to the Macleay Valley, looking into the social and political factors which impacted upon the town's early economic and environmental development. This investigation will consider the background of British colonisation

[2] 'Kempsey: economic profile', Id-community Demographic Resources, Kempsey Shire Council, https://economy.id.com.au/kempsey/about, accessed 9 July 2023.

and the drive for environmental exploitation that drove the frontiers of British settlement further afield from the districts surrounding Sydney, homing in on a focussed study of Kempsey and its development within the context of the wider colonial history of NSW. The main protagonists in Kempsey's early history represent vastly opposing political and social values which will be explored in depth throughout this investigation, seeking to understand the impact these had on key social, developmental, economic and environmental decisions in Kempsey's development; in particular, the locating of Kempsey's business district on a flood plain.

The dissertation will be separated into three parts, each under a thematic rather than chronological structure, though some chronology may underpin the overall narrative. Part One provides a background including a literature review, scope and scholarly context. Part Two explores thematic aspects, including a geological and environmental description of the region, pre-European Dunghutti culture and the first contacts with Europeans, concluding with focussed considerations of industry, social and political classes, and the role of religion in the settlers' engagement with the Macleay environment. Part Three finally homes in on specific events, social and political divisions, asserting the direct impact these had on the economy and environment of Kempsey's economic and environmental development.

The question at the heart of this thesis is: how did social and political divisions influence the economic and environmental development of this town during the colonial period up to 1865? I arrived at this question because of two inputs. The first was from my husband Scott who at the time was developing a research project called Social Work in Schools, here at the University of New England (UNE). Scott had been working with a school in Kempsey and talked with me about some of the issues the town is currently facing. The second input was a casual reading of archived

newspapers as I researched the Clarence River district during another project on which I previously worked with Dr Terry Grigg (formerly of LaTrobe University). The newspaper, as mentioned below, highlighted the destitute state of Kempsey's residents in 1842. The parallels led me to thinking about Kempsey's history and the impacts of historical social and political events on the town's development. These thoughts had to be refined to a point that could be addressed specifically within the scope of a PhD thesis and narrowed to an enclosed period, 1835-1865.

Kempsey is one of the many towns which have faced waves of crises during their developmental years. The town (and its region) currently stands as one of the lowest scoring socio-economic shires in NSW. First European settlements began in the region in 1835. One hundred and eighty-one years later in 2016, the Australian Bureau of Statistics' Socio-Economic Index for Areas (SEIFA), Index of Disadvantage for Kempsey Shire showed Kempsey Shire to be one of the most disadvantaged areas of NSW with a low score of 888, coming in closely behind the most disadvantaged areas of Coonamble (869), Central Darling (817), Walgett (832) and Brewarrina (752) which are vastly smaller, more remote communities.[3] In 1986, Andrew Reiner's study on 'the Kempsey problem' published by the Department of Aboriginal Affairs, remarked that Kempsey was seen as 'the worst place in NSW', in terms of socioeconomics, crime and violence.[4] Primary documents and papers relating to Kempsey's history reveal a cyclic pattern of economic growth and decline from the earliest days of European settlement. Indeed, in 1842, just seven years after first European settlement, a correspondent wrote to the *Sydney Herald*, describing the challenging conditions in this fledgling township, explaining that 'nine out of every

[3] Socio-Economic Index for Areas (SEIFA), Kempsey Shire, https://profile.id.com.au/kempsey/seifa-disadvantage, accessed 1 October 2019.
[4] Andrew Reiner, 'Kempsey: a study in conflict', report by Andrew Reiner Department of Aboriginal Affairs, Canberra 1986, pp. iii, 1.

ten inhabitants … [is] in the most destitute state [and] … Hundreds have left in the last few months, and others are daily leaving for other parts of the colony.'[5] This point forms a link in a chain of ongoing social and political struggles for this township.

Preliminary investigations into the historical context of this correspondent's report show multivariable contributors led to these conditions which were followed by a period of stagnation in the town's early development. These variables involve political legislation, social and cultural conflicts, a colony wide economic depression, environmental exploitation, and Kempsey's proximity to Port Macquarie, a former penal colony. A flash flood, which caused widespread destruction and losses in October 1843 closed the first chapter of Kempsey's story resulting in a significant population and industrial decline which lasted into the late 1840s.[6] Interestingly, this flood does not seem to be recorded in any official studies into Kempsey's flood history. Yet the newspaper report described 'waters … with such force as to carry before it everything except the buildings, some of which were, however, thrown down by it', and, 'the whole plain was one entire sheet of water, which before noon of that day had actually covered the tops of the buildings.'[7] The writer went on to survey the losses, explaining, 'Farm produce of all kinds, fragments of buildings, large trees, etcetera, [were] one confused wreck of watery ruin.'[8] An earlier report by another unnamed author, described,

> In two short hours, the river had risen no less than eight feet in height. So very rapid was the current, that it swept away almost everything that came in contact with it. Considerable losses had been experienced by those processing

[5] Anon., 'River McLeay [sic]', Sydney Herald, 16 June 1842, p. 4.
[6] Anon., 'River McLeay – The Isabella', *Sydney Morning Herald*, 2 September 1843, p. 3; Anon., 'Extensive Flood at the McLeay River', *Sydney Morning Herald*, 13 September 1843, p. 4.
[7] Anon., 'Extensive Flood at the McLeay,' p. 4.
[8] Anon., 'Extensive Flood at the McLeay,' p. 4.

> cedar on the river. … nearly 40,000 feet of cedar carried away by the flood, for a distance of fifty miles down the river and over the bar.[9]

This flood was a 'final' straw in the first European chapter of a region already struggling economically. Several prominent settlers left the district either permanently or temporarily. Cedar cutters had all but deserted Kempsey for the Nambucca and Bellinger rivers to the north, eventually moving further to the Clarence and beyond. Cedar trees on the lower reaches of the river had already been cut out until the supply was exhausted. Bushrangers and escapees from Port Macquarie occasionally terrorised the valley's residents, and the police presence in the district was so thin and inconsistent that it was almost non-existent. However, from this disaster, by the 1850s, the people of the town had started over, expanding upon the early settlements of the Kempsey shire.

This first chapter in Kempsey's history will be further investigated in Part Two. Subsequent events alongside economic rises and falls in the first thirty years of Kempsey's development will then be studied to understand the social and political nature of these different events and their overall impact on the economic and environmental development of the town and Macleay Valley at the time. Some of these crises will be dramatic, like the flood described above. Others will be drawn out as the result of local or national economic recessions, droughts, and fires. However, the town's most significant environmental and economic challenges revolved around political divisions, social status, ideological and cultural conflicts, and disagreements around the region's place in the wider economy of NSW which directly influenced a decision to locate the central business district on a flood plain rather than on higher

[9] Anon., 'River McLeay – The Isabella', p. 3.

ground on the opposite side of the river. This decision has had lasting impacts on the township of Kempsey.

This introductory section will include a literature review which explores the economic, political and social background of European settlement in Kempsey, including the Industrial Revolution, British Imperialism, and Australia's initial colonial economy. Drawing on and discussing existing scholarship, this review will provide some insight into the political, religious, environmental, and social conditions which surrounded the events faced in Kempsey's first thirty years.

Literature Review and Historical Context

How did social and political divisions affect economic and environmental development in Kempsey and the Macleay Valley from 1835 to 1865? This question seems to touch on a range of historical fields (environmental, economic, political, and social). However, for the purpose of addressing this question, a review of scholarly literature highlights that these fields are all closely related, and, in the course of Kempsey's history, the interdependence of these themes can be placed within the overarching theme of British colonial industry and economic development. Tom Griffiths adeptly pointed out that in the period following European (mostly British) settlement, Australia 'experienced colonization and industrialization almost coincidently, a compressed, double revolution.'[10] Alongside the concept of British Imperialism, Griffiths directed the researcher back to the revolution which was, by this time, well underway in the Western World; the Industrial Revolution.

[10] Tom Griffiths, 'Introduction: Ecology and Empire: Towards an Australian history of the world', in *Ecology and Empire: Environmental History of Settler Societies*, Tom Griffiths and Libby Robin (eds), Carlton South, 1997, p. 4.

Scholars have debated the relationship between British Imperialism and the Industrial Revolution.[11] J. R. Ward of Edinburgh University sifted through much of this literature, asking, 'To what extent was its [Britain's] imperial expansion a consequence of its industrial revolution, perhaps through the need of enlarged markets and raw material supplies?'[12] He suggested that despite the revolution, 'power remained firmly in the hands of a 'non-industrial' elite.'[13] Here he discussed Cain and Hopkins' contention that British Imperialism was motivated by 'gentlemanly capitalists'.[14] The discussion encompassed Marxist versus non Marxist theories with Cain and Hopkins asserting that both 'share a conception of imperialism which is derived from certain broad assumptions about the place of the industrial revolution in modern British history.'[15] Of note, a Marxist debate is also evident in discussions within Australian economic history.[16] While there is ongoing discussion around these issues, the ever-expanding body of literature on this topic provides an important broader, more general context relevant to the proposed research question. Though broad and general, it is, however, important and I concur with Griffiths' comment above, as Gallagher and Robinson underlined the point that British history, and imperial history in general, cannot be separated from their economic ideologies.[17] Gallagher and Robinson's key statement that 'British industrialization caused ever-extending and intensifying development of overseas regions' pinpoints the underlying

[11] C. P. Hill*, British Economic and Social History, 1700-1939*, 2nd edn, London, Butler and Tanner, 1961; R, V. Jackson, 'Old and new views of the rate of economic growth during the Industrial Revolution', Working Papers in Economic History, The Australian National University, vol. 167, 1992.
[12] J. R. Ward, 'The Industrial Revolution and British imperialism, 1750-1850', *Economic History Review,* vol. 47, iss. 1, 1994, p. 44.
[13] Ward, 'The Industrial Revolution and British imperialism,' p. 45.
[14] Ward, 'The Industrial Revolution and British imperialism', p. 45; P. J. Cain and A. G. Hopkins, 'Gentlemanly capitalism and British expansion overseas, I: The Old colonial system, 1688-1850', *Economic History Review*, 1986, p. 521.
[15] Cain and Hopkins, 'Gentlemanly capitalism' p. 501.
[16] G. D. Snooks, 'Marx and Australian Economic History: a critique of a debate', *Working Papers in Economic History*, vol. 5, 1983, pp. 1-3.
[17] John Gallagher and Ronald Robinson, 'The Imperialism of Free Trade', *The Economic History Review*, New Series, vol. 6, iss. 1, 1953, p. 1.

drivers behind the selection and settlement of regions and towns on the Australian colonial frontier; these drivers being industry and capital.[18] The proposed thesis does not seek to engage directly in the debates mentioned above or to examine them as a focus. It merely points to them as a background to the British industry and capital which played a key role during the early colonisation of the Australian continent.

Within this context, existing literature provides a valuable 'big picture' to the political and social context of Australia's early colonial and economic development. This big picture encompasses key themes which influenced British society and economy during this new industrial period. G. P. Hill began his discussion in *British Economic and Social History 1700-1939* with a chapter on the expansion of population, in which he emphasised a rapid population explosion in Britain and explored the reasons and problems around this growth. Hill showed that in the one hundred years from 1700 to 1801, the population of England and Wales almost doubled from five million to just over nine million, and in the next one hundred years to 1911 that population quadrupled to thirty-six million.[19] However, Hill also mentioned that more debate around the reasons for this growth exists among historians.[20] In his work *Forming a Colonial Economy: Australia 1810-1850*, Noel Butlin likewise analysed British population and its influence on both the British economy and subsequent migrations to the Australian colony.[21] These debates, like those above, provide a valuable context to the areas under investigation. The crucial point to take from this, however, is the apparent effect of this rapid population growth on England's economy, and the critical impact this had on economy, industry, and

[18] Gallagher and Robinson, 'The Imperialism of Free Trade,' p. 5.
[19] C. P. Hill, *British Economic and Social History*, pp. 13-15.
[20] Hill, *British Economic and Social History*, p. 15.
[21] N. G. Butlin, *Forming a Colonial Economy: Australia 1810-1850*, Cambridge University Press, 1994, pp. 7-27.

land acquisition in the colonies and, particularly, in Australia. Regarding this point, Hill stated, 'The growth of population stimulated the migration of the British overseas and was thus a very powerful force in the great extension of the British Empire which took place in the 19th century. […] In effect the economic and social history of Britain is a kind of commentary upon the great increase in population.'[22] In addition, increased population leads to increased consumption, which in turn leads to increased production. In the British economy, this increased industry was inevitably tied to the pursuit of capital, land, and the labour and resources by which to improve in these respects. All of this sharply influenced colonial land acquisition and the extraction of natural resources in Australia. Other authors touch upon Hill's and Butlin's themes either with a similar view or with slightly varied explanations.[23] Nevertheless, existing scholarship demonstrates that the themes of the British Industrial Revolution, the history of Britain's population growth and economy, and their effects on colonisation are widely researched in historical literature. As noted earlier, this thesis does not seek to enter into that discussion, but to investigate the complex and multifaceted historical context of Kempsey's establishment and subsequent development within the context of this background, exploring the social and political divisions that influenced the economic and environmental development of Kempsey and the Macleay Valley.

Andrew Wells' book *Constructing Capitalism* highlighted some key phases, as discussed below, in Australia's early economic development.[24] From convict labour to the building of capitalism with free settlers, squatters and trade, he showed that a main turning point in Australia's economic history occurred in the 1820s, precipitating the

[22] Butlin, *Forming a Colonial Economy,* p. 22.
[23] William Ashworth, An Economic History of England 1870-1939, Southampton, United Kingdom, 1960.
[24] Andrew Wells, *Constructing Capitalism: An economic history of Eastern Australia 1788-1901*, Sydney, Allen and Unwin, 1989.

spread of settlers and squatters into new districts north, south, and west of Sydney. Most of these were within the 'bounds of settlement', though squatters defied these boundaries and moved beyond, especially in times of drought. These developments, highlighted by Wells and others are important, as they link directly with the time in which the Macleay Valley began to come to the attention of the government and settlers.[25] Indeed, these developments show why the Macleay Valley was 'taken up' in the first place. Additionally important, Butlin's work *Forming a Colonial Economy*, is a thorough statistical analysis of labour capital, resources, population growth and the place of convict labour versus free settler labour, and private and public funding in the early economic growth of the Australian economy.[26] This dissertation will attempt to incorporate these earlier themes throughout discussions around various events, to provide a social and political context to the economic concerns of settlers and traders in the Kempsey region. It is hoped that in doing so, the dissertation may show why decisions were made to locate the town on a flood plain, and to alter the local environment and, in turn, how that local environment then impacted on attempts to thrive. This key decision in town planning reveals a climax in the early social and political divisions impacting upon Kempsey's colonial development.

In this way, the proposed study of Kempsey's historical economic successes and failures can be pegged among the arguments in this area of historical scholarship, adding an example in Australian history of how social and political ideals have 'played out' in the development of this town. Additionally, this 'playing out' of ideals may be considered within the context of existing research on similar towns in the regional vicinity which seemed to have thrived and those which seemed to have

[25] Ian W. McLean, *Why Australia Prospered*, iBook edn, Princeton New Jersey, Princeton University Press, 2013.
[26] N. G. Butlin, *Forming a Colonial Economy*.

struggled under these ambitions. Rather than specifically identifying an unexplored area of broader economic history, this research therefore seeks to pick up the study of Kempsey's early history which, to date, has been covered more so by the local historical societies and less so in academic history. Such local studies have focussed on telling a narrative, rather than exploring the contextual historical themes of British and Australian History which shape and impact upon the social and political narrative of smaller towns like Kempsey. Therefore, the gap addressed by this study, and the knowledge this research seeks to bring to scholarship are specifically concentrated on Kempsey's early historical development relevant to the town's position in an industrial British colony between 1835-1865. In doing so, it seeks to address the question raised in the introduction above.

It is not a new idea that British colonisation in Australia was heavily rooted in the ideals of British industry and the investing and building of both personal and imperial capital by land acquisition and exploitation of natural resources. Peter Denney began his paper on settlers' visual relationship with the landscape by quoting James Bischoff who in 1832 praised the Van Diemenian colonists for cultivating the environment from one 'which had recently been the range of the kangaroo, and the hunting ground of the wretched savage' to one of 'industry and capital'.[27] Morrison, Della-Sale and McNaughton also recently argued that the rise of capitalism is directly associated with European expansion and colonialism. As such, Morrison et al. contended that capitalism led to the 'desire to incorporate new landscapes, resources and populations into global networks of commerce, trade, and profit.'[28] Their study

[27] Peter Denney, 'Picturesque farming: The sound of "Happy Britannia" in Colonial Australia', Cultural Studies Review, vol. 18, iss. 3, 2012, p. 85.
[28] Michael Morrison, Amy Della-Sale and Darlene McNaughton, 'War capitalism and the expropriation of country: Spatial analysis of Indigenous and settler-colonial entanglements in North Eastern Australia, 1864-1939', *International Journal of Historical Archaeology*, vol. 23, 2019, p. 205.

explored colonisation in the Cape York region of Far North Queensland, focussing on the interaction between colonial settlers and the Far North's local Indigenous peoples in the late-nineteenth and early-twentieth centuries, demonstrating the impact that the ideals of industry and capital had on the landscape and on those local peoples. There will be some similarities between this study and the proposed research, however, Morrison et al. were focussing on historical archaeology and its impact on 'Indigenous and settler … entanglements'.[29] Furthermore, the proposed study seeks to address the question of economic and environmental development specific to the town of Kempsey in NSW during its early developmental period. Additionally, rather than looking *only* at how Kempsey's development affected Indigenous people groups and the local environment, this paper seeks to ask how these in return may have impacted upon European success or failure in this local area, within the context of powerful social and political divisions.

In addition to the influence of British industry and imperialism, is the idea of establishing a British civilisation in this foreign land. In his work on settler use of the Sydney white clay between 1788 and 1823, Nicholas Pitt highlighted the way in which early colonists made use of local resources to fashion symbols of British civilisation in the new settlement at Sydney Cove.[30] While Pitt drew out the importance of the place of remoulding and transcribing British civilisation into the Australian landscape, his work centred around the appropriation of clay for pottery as symbols of civilisation. The theme of civilisation was raised among other historians, including Jim Berryman's discussion of Manning Clark's 'obsession with

[29] Morrison, Della-Sale and McNaughton, 'War capitalism and the expropriation of country,' p. 205.
[30] Nicholas Pitt, 'Clay and "civilisation" – imperial ideas and colonial industry in Sydney, 1788-1823', *History Australia*, vol. 16, iss. 2, 2019, pp. 375-398.

civilisation'.[31] Civilisation in Berryman's article involved the entanglement of religion (Catholic and Protestant) with 'Enlightenment' in spreading these representations of civilisations into the new world.[32] Taking this further, this paper argues that the idea of civilisation was a key part of the expansion of the British Empire, especially in terms of industry (whether that be cultural uses of natural resources or economic uses). There is no intention in my discussion to cast blame on religion as a generalised entity or on any specific culture, but to try to understand the social and political divisions which shaped the events in Kempsey's history, and which consequently have influenced the town's economic and environmental development in the mid-nineteenth century.

Still, with religion being central to many settlers' lives, references to and a consideration of settler beliefs must be considered within this dissertation to show that social and political divisions had a more devastating impact on the economy and environment in Kempsey, and the focus must shift away from blaming a whole religion. Lynn White Jr's argument that Christianity was 'responsible for "the roots of our ecological crisis"' has been popular among some scholars in environmental history.[33] It is important, however, as argued by Matthew Timothy Riley, to remember that alongside White's critique of Christianity and its relationship with ecology, scholars need to consider '[White's] religious life and theological ideas' because, as described by Beattie and Stenhouse, 'A liberal Presbyterian, White intended to expose the environmental sins of the West in order to provoke repentance and reformation',

[31] Jim Berryman, 'The theme of civilisation in Manning Clark's *History of Australia History Australia*, vol. 14, iss. 1, 2017, pp. 82-98.
[32] Berryman, 'The theme of civilisation in Manning Clark's *History of Australia History Australia,* pp. 92-98.
[33] Lynn White Jr, 'The Historical Roots of Our Ecological Crisis', *Science*, 10 March 1967, p. 1206. James Beattie and John Stenhouse, 'Empire, Environment and Religion: God and the Natural World in Nineteenth- Century New Zealand', *Environment and History,* vol. 13, iss. 4, 2007, pp. 413-446; Peter Harrison, 'Subduing the Earth: Genesis 1, Early Modern Science, and the Exploitation of Nature,' *The Journal of Religion*, vol. 79, iss. 1, 1999, pp. 86-109.

and White's article has been misused and misconstrued as a 'sacred text for modern ecologists […] modifying certain aspects' of White's argument.[34] Riley explained that scholars should move beyond White's critiques of Christianity and consider his solutions, 'as they explore the core issue of religion's efficacy in addressing the environmental crisis.'[35] Additionally, Beattie and Stenhouse established that White's argument 'did not go unchallenged', with an array of scholars delivering a comprehensive and sustained criticism of the faults and biases in White's assertions.[36]

Quoting Keith Thomas, Beattie and Stenhouse wrote that criticism of White included the argument that he 'blamed Christianity too much and capitalism too little, for environmental degradation.'[37] Harrison argued that scholars 'too easily' agree with White without considering the complexities of Christian theological history and the context of scientific and technological developments.[38] Riley further argued that scholars missed the point that White posed 'constructive theological concepts […] understanding […] the relationship between changes in religious ideas and values and the environmental crisis.'[39] In their works, Thomas, Harrison, Riley, Beattie and Stenhouse, among others, provided proficient and balanced critical analyses of White and it is not necessary to repeat their research here. It is important, however, to keep in mind that while most early settlers brought their varieties of Christian faith with them to the colonies, the complexities and diversity of beliefs resulted in quite different goals and outcomes for settlers in terms of economics and the environment. In considering the social and political divisions in Kempsey's early history then, this

[34] Matthew Timothy Riley, 'Reading Beyond the Roots: The Theological and Weberian Aspects of Lynn White's Scholarship', *ProQuest Dissertation Publishing*, 2016, p. ii.
[35] Riley, 'Reading Beyond the Roots', p. iii.
[36] Beattie and Stenhouse, Empire, Environment and Religion', pp. 416-417.
[37] Beattie and Stenhouse, Empire, Environment and Religion', p. 416; Keith Thomas, *Man and the Natural World: changing attitudes in England 1500-1800*, Allen Lane, 1983.
[38] Harrison, 'Subduing the Earth', pp. 87-88.
[39] Riley, 'Reading Beyond the Roots', p. iii.

dissertation does not accept White's argument that Christianity is 'responsible for "the roots of our ecological crisis"'.[40] Accordingly, while the religious ideals of key protagonists in Kempsey's history are discussed within this dissertation, I demonstrate that social and political divisions are not only reflected within the variations of religious ideals, but foremostly in their impacts on Kempsey's economy and environment from 1835-1865. These social and political divisions led to environmental catastrophes, not the overarching Christian faith of the settlers. It is also imperative to remember that scientific and imperial exploration was not unique to the West or to states linked with the Christian traditions. Harrison argued, 'While the modes of exploitation may differ, the underlying impulse is universal.'[41] Settlers 'on the ground' in the colony, as will be demonstrated in Kempsey's history, varied in their Christian beliefs about culture and the environment, living out their beliefs in vastly different ways according to their social and political allegiances, each impacting the development of the region in very different ways.

Though not an environmental history, this paper also considers some elements of environmental history, tying them together with economic history and seeing them both as closely interrelated and interdependent in terms of European occupation of the colony. Stephen Dovers, in his introduction to *Australian Environmental History: Essays and cases*, defined environmental history as 'the investigation and description of previous states of the biophysical environment, and the study of the history of human impacts on and relationships with the non-human setting.'[42] This dissertation is a social history, yet reflects on the impacts that social and political divisions had on environmental developments in Kempsey. The environment of the Macleay Valley

[40] Lynn White Jr, 'The Historical Roots of Our Ecological Crisis', p. 1206.
[41] Harrison, 'Subduing the Earth', p.
[42] Stephen Dovers, (ed.) *Australian Environmental History: Essays and Cases*, Melbourne, Oxford University Press Australia, 1994.

was directly impacted by, and in return, had a direct impact on the social and economic endeavours of settlers, and significantly the location of the core business district of the town on a floodplain. Many of these settlers in turn made specific decisions to change the environment to suit their industries, and these decisions often differed according to social and political allegiances. These environmental changes then led to feedback further impacting upon the town's economic and social history, creating a form of circular cause and effect.

Thus, while some works of environmental history have and continue to explore the 'how' of current environmental conditions in Australia by researching specific historical causes, my work focuses specifically on social and political aspects of Kempsey's history and the ways in which these affected the economic and environmental development of the town. As such, this dissertation necessarily begins with an outline of the important geophysical environment in which Europeans established the town of Kempsey. Kevin Frawley touched on this approach in his essay 'Evolving visions: environmental management and nature conservation in Australia'.[43] Frawley highlighted 'exploitive pioneering' during the early phase of European settlement in Australia, as settlers exploited 'Australian nature to establish the economic foundations of the colony … [which] took place within a capitalist world economy.'[44] Investigating social, and political contexts, as discussed by Dovers and Frawley, raises and attempts to answer how and why the settlers interacted with their natural environment in the way that they did. Yet, this dissertation makes no claim on being an environmental history, but as mentioned, is a social history which includes a reflection on some environmental outcomes. Environmental histories which

[43] Kevin Frawley, 'Evolving visions: environmental management and nature conservation in Australia', in *Australian Environmental History: Essays and Cases*, Stephen Dovers (ed.) Melbourne, Oxford University Press Australia, 1994, pp. 55-78.
[44] Frawley, 'Evolving visions: environmental management and nature conservation in Australia', p. 61.

have investigated early European settlement and their impacts on the Australian environment include Vanessa Bible's research on the Richmond Valley, Emily O'Gorman's research on the Murray-Darling Basin, Margaret Cook's investigation of Brisbane's flood history, and of course Tom Griffith's notable contributions to the field of Australian environmental history.[45] In addition to O'Gorman and Cook, Grace Karskens has also contributed to the scholarly discussion on the relationship of Australia's colonial settlers with flooding.[46] There may be some overlapping observations in these scholars' arguments and the themes investigated within this dissertation; nevertheless, the focus here is specifically on Kempsey and the social and political divisions which led to the decision of placing the town on a flood plain.

Vanessa Bible's 2016 PhD thesis explored the history of the 'Rainbow Region' (the Richmond River district on the north coast of NSW).[47] Her focus was on the relationship that residents, from pre-European occupation and since, had and have with the environment and the emergence of environmental advocacy in that region. This research accompanied the publication of her book *Terania Creek and the Forging of Modern Environmental Activism* in addition to a number of journal articles, book chapters and forthcoming publications.[48] In her thesis, Bible also took up Griffiths' point, and explored the different sets of values 'underpinning the

[45] Vanessa Bible, On Common Ground: Cultivating Environmental Peace: a history of the Rainbow Region, unpublished PhD thesis, University of New England, April 2016; Emily O'Gorman, *Flood Country: an Environmental History of the Murray-Darling Basin,* CSIRO Publishing, 2012; Margaret Cook, *A River with a City Problem: a History of Brisbane Floods,* University of Queensland Press, 2019; Tom Griffith and Libby Robbin (eds), *Ecology and Empire: Environmental History of Settler Societies,* Carlton South, 1997; Tom Griffiths, *Beechworth: An Australian Country Town and Its Past,* Richmond Victoria, Greenhouse Publications, 1987; Tom Griffiths, 'Social History and deep time', *Tasmanian Historical Studies,* vol. 7, iss. 1, 2000, pp. 21-38; Tom Griffiths, *Forests of Ash: An Environmental History,* Cambridge University Press, 2001.
[46] Grace Karskens, 'Floods and flood-mindedness in early colonial Australia,' *Environmental History,* vol. 2, 2016, pp. 315-342.
[47] Bible, 'On common ground: Cultivating environmental peace: A history of the Rainbow Region', 2016.
[48] Vanessa Bible, *Terania Creek and the Forging of Modern Environmental Activism*, Switzerland, Birkhauser Verlag AG, 2018.

colonization of the Richmond'.[49] These values, she said, were interwoven within a 'world view dominated by resource extraction.'[50] Bible's thesis relates closely to the proposed study on Kempsey in those aspects where she shows the British ideals of industry and capital underlined the acquisition and settlement of the land and rivers along the NSW coast. However, the key difference is that Bible's research focussed on the settlers within the environment and their relationship to it, while the proposed study is focussed on social and political questions, which, as mentioned impacted the environmental development of Kempsey's Macleay River region. Despite this difference, however, Bible's research provides an important reference point.

This present study is not the first to be undertaken regarding the history of Kempsey and the Macleay region. The most important and all-encompassing work to date has been Marie H. Neil's *Valley of the Macleay* in which she traced the history of Kempsey in a thematic narrative, touching upon some important aspects of industry. [51] The proposed study does not intend to replace or dismiss Neil's work, but to build upon it. Instead of telling an interesting historical story as Neil ably does, this dissertation specifically addresses questions about Kempsey's social and political history, digging deeper into these issues briefly raised within her work. Indeed, Neil's work will serve as an important series of signposts both to primary sources and themes pertinent to the current research. Prior to Neil, John Weingarth, government surveyor from 1883, wrote numerous histories of regional areas around New South Wales.[52] One such history included his article, 'The Discovery and Settlement of the Macleay

[49] Bible, 'On common ground: Cultivating environmental peace: A history of the Rainbow Region', pp. 87-89.
[50] Bible, 'On common ground: Cultivating environmental peace: A history of the Rainbow Region', p. 88.
[51] Marie H. Neil, *Valley of the Macleay*, Sydney, Wentworth Books, 1972.
[52] John Atchison, 'Weingarth, John Leopold (1862–1925)', *Australian Dictionary of Biography*, vol. 12, 1990, https://adb.anu.edu.au/biography/weingarth-john-leopold-9039, accessed 20 January 2021.

River'.[53] Weingarth quoted from the oral histories of locals who he explained were either eyewitnesses of events or personally acquainted with those who were. While this cannot be taken as 'hard' evidence, it is nevertheless indicative of oral histories which were circulating about events in the history of the Macleay by the late-nineteenth century.

The Macleay River Historical Society (MRHS) produces a monthly journal in which they highlight themes in Kempsey's past.[54] Much of this work is very briefly written in well-presented short articles accessible to the public. As with Neil's work, the present research should stand as an academic supplement to this journal, rather than a replacement, exploring Kempsey's development more deeply from a scholarly historical approach, with these short articles also taking on the role of providing direction toward themes and primary sources. Additionally, the articles in this journal are composed by community based local historians, while the proposed research is a scholarly investigation concerned with broader political and social issues and written for a wider, academic audience.

Further to these publications, more thematically focussed titles have been produced, most often by members of the MRHS. These include the MRHS' *Timber Tales*, Gary Munday's *Riverboats of the Macleay: Droghers, Dredges and Dramas*, Lionel Rudder's work about his ancestor in *Magnificent Failure: The life and times of Enoch William Rudder 1801-1888 – founder of Kempsey*, and Flo Seal's *Up and Down the River: A history of post, telegraph and telephone on the Macleay*.[55] All of

[53] John Weingarth, 'The Discovery and Settlement of the Macleay River,' *The Royal Australian Historical Society Journal and Proceedings*, vol. 10, iss. 3, 1924, pp. 142-152.
[54] Macleay River Historical Society *Macleay River Historical Society Journal [1985-current*, 2009.
[55] Macleay River Historical Society *Timber Tales*, Kempsey, Macleay River Historical Society, 1984; Garry Munday, *Riverboats of the Macleay: Droghers, Dredges and Dramas*, Kempsey, Macleay River Historical Society, 2011; Flo Seal, *Up and Down the River: A history of post, telegraph and telephone on the Macleay*, Port Macquarie, self-published, 1991; Major Lionel J. V. Rudder, *Magnificent Failure:*

these works were produced for a general audience and to address specific questions about these various themes in Kempsey's history. Though some of them are scant on references, they are important in their own place and purpose. For my research, they are important because they highlight crucial events and activities pertinent to Kempsey's past, directing me to the sources which are relevant to the question I have raised at the beginning of this literature review. As noted, this research is not intended to replace a previous work, but to delve deeper, focussing on a slightly different question across multiple themes within a scholarly methodology for an academic audience.

In terms of environmental and Aboriginal history, several notable studies on the Macleay have been produced, and will be referenced in this thesis where their findings are relevant to the question raised. These include, but are not limited to, Geoffrey Blomfield's *Baal Belbora: the end of the dancing*, Andrew Reiner's 'Kempsey: A study of conflict', the John Coode Report on the Macleay environment, Damon Telfer's 'Macleay River Estuary Data Compilation Study', the Kempsey Shire Council's 'The Nature of Flooding in the Kempsey Shire', E. W. R. Thorpe's environmental 'Historical Survey of the Macleay Valley' and of importance, G. Atkinson's *Soil and Landscapes of the Kempsey* for the NSW Department of Land and Water Conservation.[56]

The life and times of Enoch William Rudder 1801-1888 – founder of Kempsey, Patricia Riggs (ed.), Kempsey Shire Council, 1986.

[56] Geoffrey Blomfield, *Baal Belbora: the end of the dancing: the agony of the British invasion of the ancient peoples of the Three Rivers, the Hastings, the Manning and the Macleay in New South Wales*, Griffin Press, South Australia, 1981; Andrew Reiner, 'Kempsey: a study in conflict', 1986; John Coode, 'Report on 1890 Survey of the Macleay River', *Macleay Argus*, Kempsey, 1948; Damon Telfer, 'Macleay River Estuary Data Compilation Study', *GECO Environmental*, Grassy Head, 2005; Kempsey Shire Council, 'The Nature of Flooding in the Kempsey Shire', Annex A to the Kempsey Shire Flood Management Plan, Kempsey, date unknown; E. W. R. Thorpe, environmental 'Historical Survey of the Macleay Valley', environmental and geographical report for Kempsey Shire Council, University of New England, 1968; G. Atkinson, *Soil Landscapes of the* Kempsey, NSW Department of Land and Water Conservation, Sydney, 1999.

Taking in the wider context of the scholarly debates around British Imperialism, the Industrial Revolution, religion and colonisation, but not focusing singularly on any one of these debates, this thesis therefore addresses a question related to the early development of a small town in eastern Australia: Kempsey. This question regularly crosses over between the significantly interrelated disciplines of economic, environmental, political and social histories, and seeks to add to this conversation by presenting the history of Kempsey as an interwoven example of how decisions in powerful political or social spheres impact upon the environment and vice versa. The question raised is pertinent in the current economic, political, and environmental situation in which our world finds itself wrestling between money and ecological concerns. The thesis thus highlights the important crossroads of politics, economy, society, and the environment and sits within the scholarship on these issues. The history of Kempsey highlights how exploiting the environment and our natural resources may produce short term political or social gains but will inevitably leave us with long lasting ecological and economic losses. Events in Kempsey's past highlight this feedback between these aspects of civilisation. Therefore, in the specific context of Kempsey's history, this research will focus on the question raised earlier: how did social and political divisions influence the economic and environmental development of Kempsey during the colonial period up to 1865?

Methodology

To address this question, this research applies a social historical and empirical approach, drawing on a diverse range of source materials. Empirical history, however, cannot alone account for Aboriginal relationships to land or Aboriginal socio-economic structures, particularly in pre-colonial times, as well as in terms of cultural

differences in approaching and telling histories.[57] An oral history approach better enables access to data pertinent to the Dunghutti people's relationship with the Macleay Valley, while an empirical history is more suited to analysing demographics, economic output, wealth and employment, as well as journals, diaries, letters and government documents.[58] Employing both methods thus presents a dual approach to this social history. Michael Edelstein, Stanley L. Engerman and Graeme Donald Snooks are historians who have taken a multidisciplinary and multi-theoretical approach to their research.[59] While Edelstein combined an empirical approach with social theory and science to investigate economic history in Australia, he relied predominantly on quantitative methodologies, while Snooks successfully drew together quantitative and qualitative data using methods of empirical, social and quantitative history.

John Ferry's *Colonial Armidale* is an excellent example of the strengths of drawing from empirical data, social theory and narrative within a qualitative methodology as he presented the social colonial history of Armidale.[60] Another clearer example of a multi-theoretical and multi-methodological approach is seen in Chip Colwell-Chanthaphonh, Sophie Chartier, and Sharon Jacquin-Ng's 'The Search for Makak: A Multidisciplinary Settlement History of the Northern Coast of Le Morne

---

[57] Anna Green and Kathleen Troup, *The Houses of History: a critical reader in twentieth-century history and theory*, Manchester, Manchester University Press, 2012, p. 5; John Tosh, *The Pursuit of History: Aims, methods and new directions in the study of modern history*, 2nd edn, New York, Longman Publishing, 1991, pp. 206-27.
[58] Green and Troup, *The Houses of History*, pp. 141-149, 172-180; Tosh, *The Pursuit of History*, pp. 184-205; Peter Burke, *History and Social Theory*, New York, Cornell University Press, 1992, pp. 30-37; Daniel Scott Smith, 'A Perspective on Demographic Methods and Effects in Social History', *The William and Mary Quarterly*, vol. 39, iss. 3, 1982, pp. 442-468.
[59] Michael Edstein, 'Professional Engineers in the Australian Economy: some quantitative dimensions, 1866-1980', *Working Papers in Economic History*, vol. 93, Australian National University, 1987; Stanley L. Engerman, 'The Industrial Revolution Revisited' , *Working Papers in Economic History*, vol. 169, Australian National University, 1992; Graeme Donald Snooks, 'Great Waves of Economic Change: Very Longrun Growth in Britain, 1086-1990', *Working Papers in Economic History*, vol. 165, Australian National University, 1992.
[60] John Ferry, *Colonial Armidale*, University of Queensland Press, 1999.

Brabant, Mauritius' in which they drew on 'oral, written and material evidence'.[61] Drawing together oral and written sources into an overarching narrative to 'tell the story' of Kempsey's social and political history emphasises the place of narrative in this thesis. For this reason, while still utilising existing oral histories where necessary, I have chosen a predominantly empirical approach under an overarching narrative, in the way that Ferry presented his analysis of Armidale's colonial past and presented his findings in a narrative style.

Therefore, beginning with existing local histories of Kempsey I first located the primary sources used in these, as well as those primary sources in the background scholarly literature. I then worked further with other relevant primary sources and data pertinent to the question being addressed. With the cooperation of the MRHS, I have accessed diaries, letters, official documents, and newspapers. An important example is the diary of Enoch Rudder, the first European settler on the land which now makes up South and East Kempsey. Additionally, I have worked with the UNE Archives to source any similar relevant documents which are available in this repository. Further assistance has been given from those historical societies of neighbouring areas which are considered during this research (Clarence and Richmond River). Lastly, I have accessed documents from the Colonial Secretary's Office, Parliamentary Papers, maps, memorandums, reports, letters and further documents from the State and National Archives and Record Centres, with the able help of my Research Assistant, Alvine Walker.

My methodology takes a qualitative approach. The initial newspaper report from June 1842, quoted above, provides a qualitive assessment of socio-economic

[61] Chip Colwell-Chanthaphonh, Sophie Chartier, and Sharon Jacquin-Ng 'The Search for Makak: A Multidisciplinary Settlement History of the Northern Coast of Le Morne Brabant, Mauritius', *International Journal of Historical Archaeology*, vol. 18, iss. 3, 2014, pp. 375-414.

conditions within Kempsey at that time. Many of the sources which have been accessed during this research also include such qualitative discussions on the social and economic conditions in which the town's residents lived. Within this qualitative analysis, I include some comparative analyses. In one aspect, these comparisons are between Kempsey and the wider colony. I have additionally addressed Port Macquarie (to Kempsey's south) in terms of its impact on Kempsey, because of the timing, location and reasons for Port Macquarie's establishment which was at times in competition with Kempsey. Port Macquarie, while its existence precipitated movement of colonial settlers into the Macleay Valley, was initially a penal settlement, whereas Kempsey was a 'free' settlement intended from the start for industry; yet Port Macquarie rose in prominence which often stifled or competed against development and resources which were needed in the Macleay region.[62]

On a more detailed scale, comparative analysis will occur within the history of Kempsey itself. This approach will compare environmental conditions before settlement and during the European struggle to build industry, and cultural approaches to socio-economic sustainability before and after European settlement, considering the different goals, methods and measures used between Aboriginal socio-economic status and varied European socio-economic statuses. This may identify differences between the economic goals of the Dunghutti people and those of the European settlers, exploring how these different goals interacted with and impacted upon the environment and resulting socio-economic status of the occupants. Further qualitive comparisons are made from event to event, and in between events, exploring changes in qualitive assessments of the living conditions of inhabitants as a result of social, political decisions and environmental disasters and changes, or in the absence of these.

[62] Neil, *Valley of the Macleay*, p.19.

Nevertheless, some quantitative analysis is included at some points of my research, though, this is a minor methodology serving only as an addition, when available or useful to the qualitative analyses mentioned above. This involves basic quantifiers in terms of demographics, resource extraction, trade, output, and income, when and if such numbers are available in documents from the Colonial Secretary's Office or, later, Parliamentary Papers, newspaper reports of prices and sales, and settler diaries and letters, among others. Additionally, due to the many variables involved in determining economic outcomes preceding and following noteworthy events, a multivariate analysis proves useful. Multivariate analysis is used when there are more than two variables which need to be analysed.[63] I analyse social, political divisions and economic contexts as contributors. Thus, at times there are more than two variables contributing to any one event. Edwin Amenta, Neal Caren, James E. Stobaugh provide a good example of multivariate analysis in their research on political and social movements in the United States of America in the twentieth century.[64] Additionally, they analyse data sources from a mixed qualitative and quantitative approach. While the qualitive analysis mentioned above will highlight descriptive assessments of living conditions, a quantitative analysis, if available, may show underlying trends in wealth and poverty with quantitative evidence, thus offering a multi-dimensional depth to the story of Kempsey.

Bringing the qualitative and any available quantitative approaches together in this way might present an interesting juncture between the social and economic histories of Kempsey. Some of the outcomes and questions arising from these findings

[63] Karl L. Wuensch, An Introduction to Multivariate Statistics, unpublished paper, East Carolina University Department of Psychology, 2019, p. 1.
[64] Edwin Amenta, Neal Caren, James E. Stobaugh, 'Political reform and the historical trajectories of U.S. social movements in the twentieth century', report, *Social Forces*, Oxford University Press, vol. 90, iss. 4, 2012, unpaginated, https://go-gale-com.ezproxy.une.edu.au/ps/i.do?p=AONE&u=dixson&id=GALE|A300885954&v=2.1&it=r, accessed 6 April 2020.

could go beyond the scope of this thesis, opening avenues for further research. I expect that a comparison between whether a change was or was not statistically significant in terms of wealth, and how the people perceived Kempsey's socio-economic status in a qualitative way, would be an interesting study that could additionally identify other factors influencing Kempsey's economic status, as a follow-up to the present research. Such follow-up may address questions like: have demographic perceptions of a population, and the self-perception of that population contributed to varying outcomes? However, while this is beyond the scope of this thesis, they highlight but one of the many potential avenues for further research.

These sources alone cannot adequately account for Aboriginal relationships to land and place. Charlotte Damm wrote, 'It is argued that an important part of decolonisation is the recovery of the Indigenous stories of the past, which are closely linked to recovery of language and knowledge foundations.'[65] The Dunghutti people have lived within the Macleay Valley for millennia and their stories are important.[66] However, due to restrictions imposed by the Covid Pandemic during my research, new oral histories have not been undertaken for this dissertation. To overcome this limitation, I have retrieved existing oral histories and research held at the MRHS to shed light on important aspects of Dunghutti cultural economy and lifestyle prior to, and after, European colonisation. This will be compared with the goals and approaches taken by European settlers when they came to the Macleay. Such comparison assesses different social and political goals and their interaction with environment, comparing how this in turn impacted upon the economic success of those goals in the short term and the long term. However, within the Macleay Valley,

[65] Charlotte Damm, 'Archaeology, Ethno-history and Oral Traditions: Approaches to the Indigenous Past', *Norwegian Archaeological Review*, vol. 38, iss. 2, 2005, pp.76-78.
[66] Macleay Valley Coast, *Our History*, 2019, https://macleayvalleycoast.com.au/about/history/, accessed 20 March 2020.

the Dunghutti nation is made up of several sub-groups.[67] Whether existing interviews with a small number of Dunghutti people represent the views of each of these smaller groups, highlights a further limitation of my research in this area.

Nevertheless, the MRHS holds an extensive collection of documents, artefacts and existing research which I have consequently considered within an ethnohistorical framework. [68] While interviews with the Dunghutti people themselves may seem a more valuable method, these existing resources are a useful back-up in the context of the Covid-19 pandemic, as it is important to include Dunghutti perspectives in the story of Kempsey's history and to present a view that respects and honours cultural traditions in the Macleay Valley, as best as I am able. The problem that may arise here, as previously mentioned, is whether those existing records truly reflect complete Dunghutti perspectives, and indeed the perspective of each group within the Dunghutti nation. Phil Lee of the MRHS has told me that the society 'ha[s] three shelves of material on Aboriginal History' and the MRHS has an ongoing relationship with the Dunghutti Elders when it comes to including Aboriginal histories into Kempsey's story.[69] I have worked with some of this material, though, as noted I acknowledge that I was limited due to the time restrictions imposed by the disruptive Covid pandemic.

Ethical Considerations

Lee has assisted in providing access to some materials and previous research currently held in the collection. Having read this material and the results of prior oral history interviews with Dunghutti people, division amongst the various Dunghutti communities was written in as a prominent feature, raising issues of cultural and social conflict amongst the Dunghutti people both prior to European settlement and

[67] Neil, *Valley of the Macleay*, p. 15.
[68] Reiner, 'Kempsey: a study in conflict'.
[69] Phil Lee to Heather Gartshore, email, 4 November 2019, copy of original in author's possession.

after that settlement. Given the scope of this thesis, it is impossible to adequately and respectfully cover all the issues involved in these divisions and attempting to do so could potentially cause more harm than good. This sensitivity to existing cultural fissures has reinforced my decision to refrain from seeking new oral history interviews where data from previous interviews has been readily provided by the MRHS. Yet, awareness of these divisions and the gaps in accessible material provides an important backdrop for some of the social and cultural issues faced by the Dunghutti people among themselves, and in the face of colonisation.

The concerns with existing documents are mentioned above. Additionally, I am not an Aboriginal person and my perspective, no matter how much I try and how much understanding I want to have, will inevitably be skewed in some way. This underlying truth makes relationship and trust building a lengthy process, knowing that in the end, I still may not have the understanding with which Dunghutti people would be comfortable. Even the fact that in writing this, I am speaking in terms of 'me and them' and 'their perspective' and 'their culture' underlines the chasm over which I would have to cross to do justice for these people. I am always in a mode of self-reflection about my own perspectives and actions toward problems and people, and this remains the case during my research process. It is particularly important to me that the Dunghutti 'voice' is heard in some way as an essential part of this history, that their experiences are highlighted, and that in some way I may do justice to their culture and people, ever aware of the limitations faced during my candidature.

PART TWO: Early times in the Macleay Valley: political, social, cultural and religious structures associated with early settlement.

Chapter Two │Before Colonisation

The Macleay Valley's main watercourse is the Macleay River which extends from narrow gorge country below the precipice of the eastern reaches of the New England Tablelands. On the tablelands, feeding into these gorges are numerous main river systems and smaller creeks, stretching from Ben Lomond (one of the highest areas of the New England) to Walcha in the south and as far west as the western slopes of Mount Duval, northwest of Armidale. The catchment covers an area of 11,450 square kilometres.[70] From the gorges, the Macleay emerges amongst fertile, green hills and, by the time it reaches Kempsey, the river makes its last stretch toward the sea, meandering through open, flat, swampy floodplains.

The mouth of the river has changed location several times since European settlement in the area, and evidence suggests this also happened naturally before European occupation. [71] When Europeans arrived in the Macleay Valley, the river mouth was situated just under the southern cliffs of Grassy Head, north of Stuarts Point.[72] (See figures 1, 2 and 3 below).

[70] NSW Department of Planning, Industry and Environment, *Macleay*, government website, https://www.industry.nsw.gov.au/water/basins-catchments/snapshots/macleay , accessed 25 May 2020.
[71] Neil, *Valley of the Macleay*, p.11; John Coode, 'Report on 1890 Survey of the Macleay River', 1948; Telfer, 'Macleay River Estuary Data Compilation Study', 2005; Kempsey Shire Council, 'The Nature of Flooding in the Kempsey Shire', Annex A to the Kempsey Shire Flood Management Plan, date unknown; Thorpe, 'Historical Survey of the Macleay Valley', 1968; G. Atkinson, *Soil Landscapes of the* Kempsey, 1999.

Figure 1: Topographical Map of the Macleay Valley and its catchment on the New England Tablelands, Google Maps, version 5.44.4, 2020.

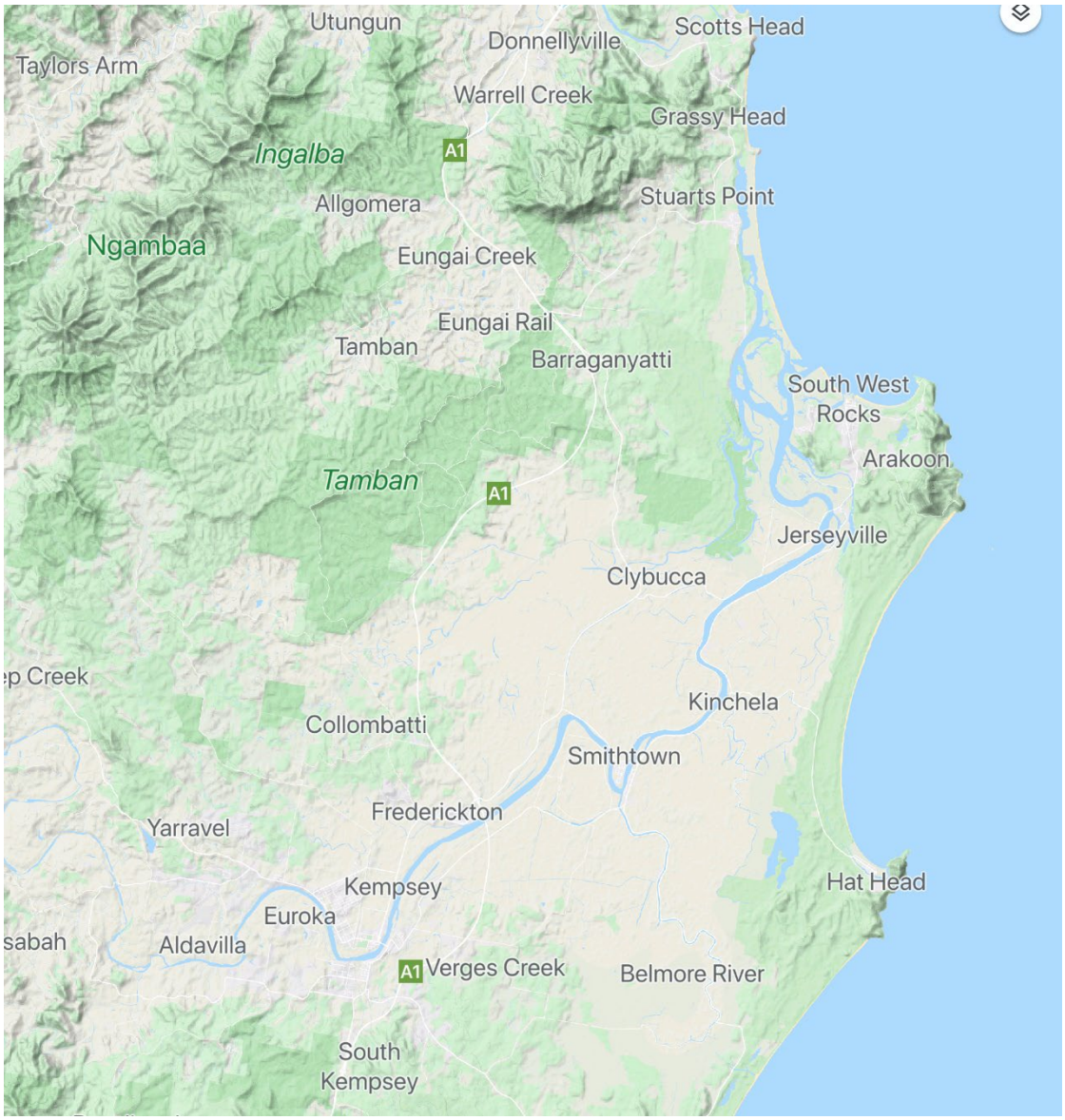

Figure 2: Floodplain and mouth of the Macleay Valley in 2020, Google Maps, version 5.44.4, 2020.

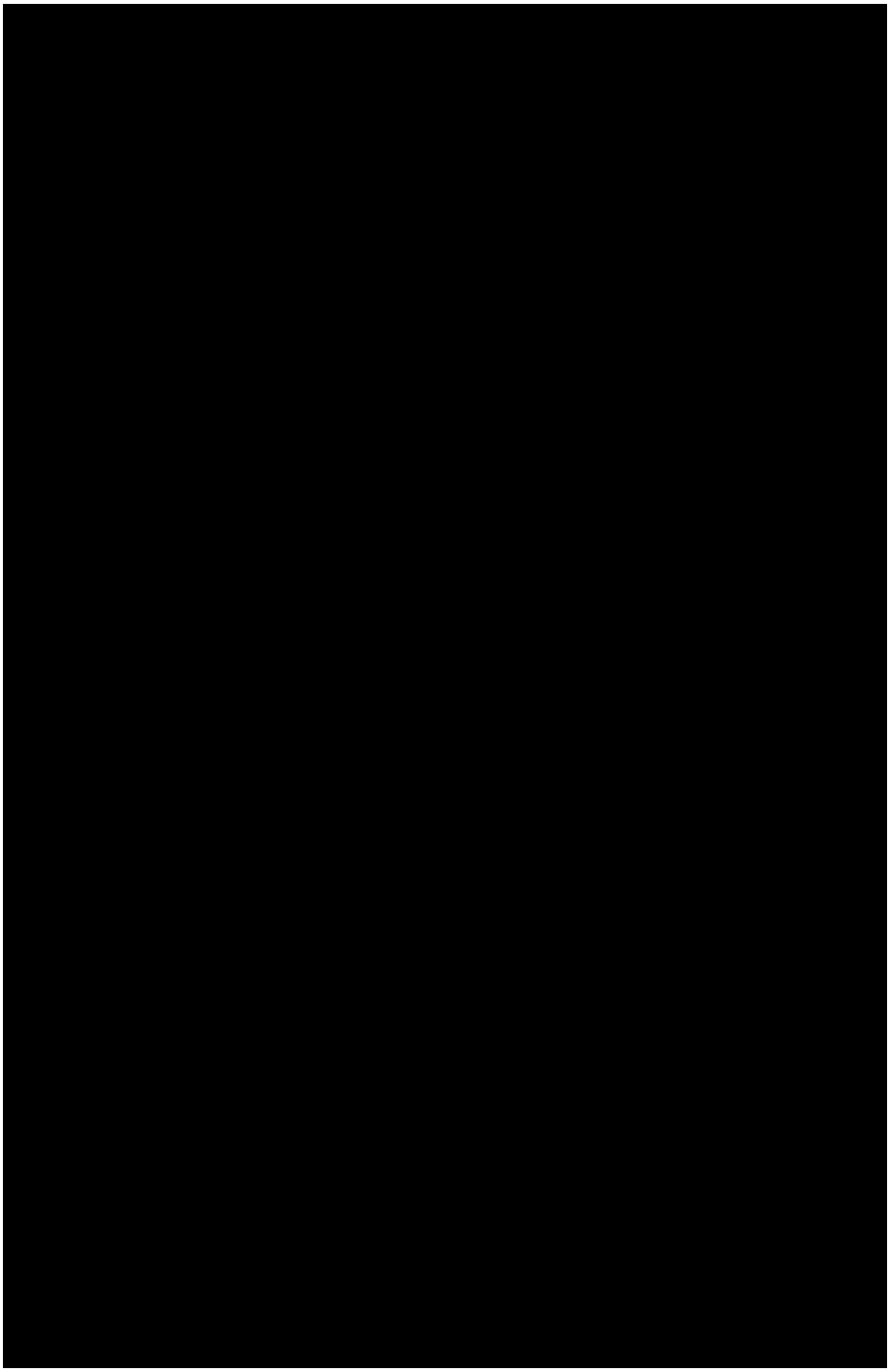

Figure 3: Historic map showing original mouth of the Macleay River under Grassy Head, and the new entrance at the southern arc of Trial Bay, NSW Historic Parish Maps, Parish of Arakoon, County of Macquarie, edn 5, 1913.

In 1998, the NSW Department of Land and Water Conservation (NSW-DLWC) published a map with G. Atkinson's detailed soil landscape study of the entire Macleay Valley.[73] The study reveals key characteristics of the soil, leading to a deeper

[73] Atkinson, *Soil Landscapes of the Kempsey*, 1998.

understanding of the impact of human interaction with the soil landscape of the Macleay Valley throughout the early history of Kempsey. The soils of the present main town-centre of Kempsey, on the north-western bank of the Macleay, are classified ae, gd, and bf. These classifications will be referred to within this thesis and are thus explained here for future reference.

The soil type ae (under the title Austral Eden), consists of 'deep unconsolidated Holocene alluvial loams overlaying estuarine deposits … and fluvial clays.'[74] Atkinson indicated that this soil, which Carbon 14 tests undertaken by Walker in 1970 date to '3295 +/- 95 years before now', is suitable for grazing, cropping and tree plantations.[75] The soil is 'highly erodible' and 'not suitable for urban development due to flooding hazard … and poor soil bearing strength … [and] a very low capability of building foundations.'[76] This soil type makes up a large portion of the southern end of the main Kempsey township and is presently predominantly used for parks, sports and recreation. However, some buildings are still on this land, including retail and residential structures.

The soil type gd (for Gladstone) makes up a large part of the commercial area of Kempsey's central business district (CBD) and is also dated by Walker at '3295 +/- 95 years before present'.[77] The soil is like ae, being Holocene alluvial loams and lays over 'estuarine muds.' Atkinson categorised the soil as suitable for grazing only and 'not capable of urban development due to flooding hazards and foundation hazards.'[78] Again, this unsuitable soil is under a considerable area of Kempsey's main CBD.

---

[74] Atkinson, *Soil Landscapes of the Kempsey*, 1998, p. 128.
[75] P. H. Walker, 'Depositional and soil history along the Lower Macleay River, New South Wales', *Journal of the Geological Society of Australia*, vol. 16, 2, 1970, 683-696.
[76] Atkinson, *Soil Landscapes of the Kempsey*, pp. 128-130.
[77] Walker, 'Depositional and soil history along the Lower Macleay River', 683-696.
[78] Atkinson, *Soil Landscapes of the Kempsey*, pp. 140-142.

Lastly, the soil type bf (Belgrave Falls) makes up the soil under the section of the CBD which is directly along the western riverbank. It consists of 'modern unconsolidated fluvial sands and gravels … and post-1949 flood scour surfaces.'[79] Atkinson observed that, being beside 'good grazing land' this soil area would provide stock with access to water and stated that Kempsey's town water is sourced from aquifers in this type of soil 'at Sherwood'.[80] He categorised the soil as 'not suitable for urban development due to frequent flooding hazard, potential structural breakdown, erosion hazard and localised stoniness.'[81] This soil rests alongside gd soils where current significant urban development exists.

When Enoch Rudder first allocated land to a future township of Kempsey in 1837, he chose higher land on the eastern bank of the river. The soil here was categorised by Atkinson as eu (for Euroka). It is mainly made up of 'mudstones and Beechwood Beds … and shallow regolith.'[82] At the time of Atkinson's survey he noted the area to be mostly 'private forested land' and suitable for 'beef cattle grazing', and that it posed 'minor to moderate limitations to urban development … [which] can be overcome with sound engineering design.'[83] Discussed further in Chapters Seven and Eight, the social and political divisions which influenced decisions to locate the main centre of Kempsey on the alluvial soils, rather than on Rudder's higher ground, play a leading part in Kempsey's historical experience of flooding. An article in *The Australian* on 25 May 2020, highlighted Kempsey's ongoing battle with flooding.[84] Keenly aware of Kempsey's flood history, this

[79] Atkinson, *Soil Landscapes of the Kempsey*, p, 136.
[80] Atkinson, *Soil Landscapes of the Kempsey*, p, 136.
[81] Atkinson, *Soil Landscapes of the Kempsey, p. 139.*
[82] Atkinson, *Soil Landscapes of the Kempsey,* p. 92.
[83] Atkinson, *Soil Landscapes of the Kempsey, p. 95.*
[84] Fiona Harari, 'Inside one of Australia's most disaster-prone towns: hit by nineteen natural disasters in one decade, the people of this poor, overlooked NSW shire provide a lesson in resilience to us all', *The Australian*, 25 May 2020, https://www.theaustralian.com.au/weekend-australian-magazine/how-kempsey-nsw-survived-19-natural-disasters-in-one-decade/news-

dissertation investigates these social and political divisions, considering why Rudder's original plan was rejected in favour of the floodplain on which the town was eventually built.

The first people who occupied this valley and called it their home, both before European invasion and continuing to this day were the people of the Dunghutti language group. It is important, as stated by archaeologist Rodney Harrison, to present Aboriginal histories as a continuum, rather than as a disjunct of 'before and after' European invasion, because Aboriginal history is Australian history.[85] It is not a mere 'pre-historic' story. It has been their history for tens of thousands of years and continues as an important aspect of the experience of European occupation of this continent, both for non-Aboriginal and Aboriginal Australians as individual groups and as a collective nation. How Aboriginal people were adversely affected is important, yet, of equal importance is the story of Aboriginal people's experiences of resistance, triumph, interaction, contribution, adaptation, participation in, and withdrawal from various aspects of an imposed European society. Indeed, these important aspects of shared experiences within a shared landscape will contribute to understanding the social and economic development of Kempsey and the Macleay Valley. Without this understanding of a mutual history from multiple perspectives, the story will be incomplete and not fully address the question raised in this research.

Among those early European settlers who have written extensively about the Dunghutti people are Enoch Rudder and his sons, as well as John Henderson and Clement Hodgkinson, who all gave insight into European experiences and their

story/1fb43097bd38077ac1436529e7a00897?fbclid=IwAR0mPFv_6qGNPXUtqowPJ5amvR2O_GJfGzy-v0Tj5EeakEEm1T55PlAvbSc, accessed 25 May 2020.

[85] Rodney Harrison, *Shared Landscapes: archaeologies of attachment and the pastoral industry in New South Wales*, Sydney, University of New South Wales Press, 2004, pp. 3-6.

observation of and interactions with the local Aboriginal people at that time.[86] The language they used to describe the Aboriginal people, which may appear as offensive to the modern reader, is indicative of society in that period. Despite the terminology and in contrast to their contemporaries, it must be remembered that throughout their writing, Rudder and Hodgkinson expressed a marked respect for and affinity with their Aboriginal neighbours. Hodgkinson, writing in 1842, said,

> On the immediate banks of the Macleay River alone, there are six distinct tribes; viz. the Yarra-Hapinni, and Clybucca tribe, the Calliteeni or Kempsey tribe, the Yarra-Bandini, Munga, Wabro, and Conderang tribes, besides several others near the sources of the river among the mountains. Each of them contains an average of eighty to a hundred men and women, exclusive of children.[87]

Within this occupied territory, Enoch Rudder chose to build his house upon a raised hill along the eastern bank of the river (opposite the main portion of modern Kempsey) on the eu soil profile, where he commanded a view of the river, the flat land on the western banks, and the mountains in the west.[88] Based on Hodgkinson's observations, the Aboriginal people in Rudder's vicinity were the Dunghutti-Calliteeni people. And, in Enoch's memoir when introducing a history of the local Aboriginal people, he acknowledged, 'The tribe living on the banks of this river 23 years ago were but little contaminated through the intercourse with Europeans and, therefore, are more to be relied on as to any statement they made,' displaying his respect for the

---

[86] John Macdonald Henderson, *Excursions and Adventures in New South Wales Volumes 1 and 2*, W. Shoberi Publisher, London, 1851, reproduced by Wentworth Press, 2019; Hodgkinson, *Australia*; Enoch Rudder, *History of the Macleay*; Augustus Rudder, 'The Macleay River', pp. 30-48.

[87] Clement Hodgkinson, *Australia, from Port Macquarie to Moreton Bay; with Description of the Natives, their manners and customs; The Geology, Natural Productions, Fertility, and Resources of that Region; first explored and surveyed by order of the Colonial Government,* London, T. and W. Boone, October 1844. p. 222.

[88] A more detailed outline of Rudder's biography and worldview is discussed in Chapter Four.

knowledge and oral histories told by the Aboriginal people themselves. He does, however, go on to speculate about their origins from South East Asia and how they came to be on the Australian continent, before refocussing his observations of the people on the Macleay. Speaking about those within the vicinity of his home in the late-1830s, Enoch wrote,

> The tribe on this river was then numerous and supplied with abundance of geese, ducks, swans, and other wild fowl, were met with in numbers far beyond anything now seen or will be again. Many of the inhabitants had never seen a white man and fled at our approach towards their camp. They were quite inoffensive and obliging, supplying abundance of fish and game for a small return in tobacco and flour. They were willing to receive white men amongst them and, although they claimed a right to the land, were not backward in affording every information in their power as to spots fit for agriculture or any other purpose … Intemperance was unknown. ... We once slept in the midst of a large encampment, with only one attendant and without fear.[89]

Here, Enoch revealed that the Dunghutti-Calliteeni people in the vicinity of his home were 'obliging' and friendly, willing at the outset to cooperate with Rudder and his companions. In this description, he also indicated the subsistent economy by which the Dunghutti people lived, with fresh food in abundance sustaining their communities along the river for thousands of years.

One of the earliest surviving documents to describe the early environment of the Macleay Valley comes from aforementioned Government Surveyor Clement

[89] Enoch Rudder, *History of the Macleay*, p. 2.

Hodgkinson.[90] Publishing his work in London in 1844 for a British audience, Hodgkinson provided rich detail to his description of both the environment of the Macleay, as well as the Aboriginal communities who occupied the valley at the time. Though the title of his work infers a broad description of an area from Port Macquarie to Moreton Bay, most of the book focuses on the Macleay, Nambucca and Bellinger Rivers and their valleys. This focus is because Hodgkinson owned and resided at a station near Clybucca Creek in the Macleay Valley near Kempsey called Yarra-Bandini, named after the Dunghutti Yarra-Bandini Aboriginal community who lived nearby.[91] Only one chapter of the work covers the area around Port Macquarie and the Hastings River.

Opening his first chapter, Hodgkinson described the landscape at the mouth of the Macleay, situated at that time just below Grassy Head in the north of the Trial Bay arc. Sand blocked the mouth of the river, and a long, narrow stretch of land made of sand hills and beach vegetation stretched from the mouth of the river down to Arakoon in the south end of Trial Bay.[92] Hodgkinson indicated that by this time the settlers understood the mouth of the river could change its position after a flood, breaking out at various places along the stretch of sand dunes. Upon entering the river, the course turned directly south, running parallel to the coastline. The land around the mouth of the river near Grassy Head was described as 'pink granite, overlaid occasionally by dark-coloured rock of trap formation', the same formation which rises to Mount Yarrahapinni directly west of Grassy Head.[93] Hodgkinson said that the height of Yarrahapinni was two thousand feet, however it is 1,634 feet (498 metres)

[90] Clement Hodgkinson, *Australia, from Port Macquarie to Moreton Bay; with Description of the Natives, their manners and customs; The Geology, Natural Productions, Fertility, and Resources of that Region; first explored and surveyed by order of the Colonial Government*, London, T. and W. Boone, October 1844.
[91] Hodgkinson, *Australia*, p. 236
[92] Hodgkinson, *Australia*, p. 2.
[93] Hodgkinson, *Australia*, p. 2

by current records. Yarrahapinni is the northernmost boundary of Trial Bay and was so 'densely wooded' that the forests were 'impenetrable' with 'gigantic trees.' [94] Toward the coast, the Yarrahapinni forest gave way to 'park like' slopes with 'grass growing luxuriantly even within the reach of sea spray'.[95] Atkinson's geological survey mentioned above does not cover this part of the river.

Further upstream, the banks of the river were covered with 'mangrove flats, with thickets of myrtle, palm and swamp oak.'[96] This is like the area, which is now known as Fishermans Reach, south of Stuarts Point. (See Figures 4 and 5).

Figure 4: Macleay River (now Macleay Arm) at Fishermans Reach. Photograph by Heather Gartshore. In Author's possession.

[94] Hodgkinson, *Australia,* p. 3.
[95] Hodgkinson, *Australia.,* p. 3.
[96] Hodgkinson, *Australia,* p. 3.

Figure 5: Macleay Arm at Stuarts Point. Photography by Heather Gartshore. In author's possession.

The adjoining alluvial land was home to 'trees of almost endless variety, and very large dimensions, totally differing in appearance from the ordinary Eucalypt and Casuarinae' which were more common in Australia.[97] Among these trees were red cedar, white cedar, mahogany, tulipwood, rosewood, ironwood, lightwood, sassafras, corkwood, the Australian tamarind, myrtle, palms, brush fig tree, and wild vines. The red cedar, Australia's only native deciduous tree, proved to be the most economically desired wood and precipitated the earliest European settlement of the region, so much so that most, if not all of these on the lower river had been wiped out within the first decade of European arrival on the Macleay. Much of the rest of the brushland has been cleared for grazing and cultivation. Despite his glowing description of the landscape, Hodgkinson had contemporary and future brush clearing in mind, stating,

[97] Hodgkinson, *Australia,* pp. 3-4.

'When this brush land is cleared, and cultivated, its fertility seems inexhaustible.'[98] Additionally, as his discussion reveals, he was well aware that the area consisted of alluvial soils 'deposited … by heavy floods' and the 'rapid transportation of rain water' through the gorges from the New England region to the coast, carrying a rich mix of minerals from the volcanic soils of the ravines and ranges that give rise to the headwaters of the Macleay.[99] This vast flat of alluvial soils which stretches from behind South West Rocks to as far back as (and includes parts of) the township of Kempsey, is examined in Atkinson's NSW-DLWC geological survey in 1999. The classifications are ae, gd, mr, bf, gdw, pc, and lf (see yellow shading in Figure 7 below).[100] The carbon dating provided in this study indicates that this extreme flooding has been occurring regularly since at least 3200 - 8500 years (before 1999).[101] In all classifications except for mr (swamps) and pc (terraced plains and mudstone), Atkinson echoed Hodgkinson's report of rich soil suitable for cultivation and grazing.

Figure 6: Atkinson, Soil Landscapes of the Kempsey, map.

[98] Hodgkinson, *Australia*, p. 5.
[99] Hodgkinson, *Australia*., 6-7.
[100] Atkinson, *Soil Landscapes of the Kempsey*, pp. 128, 136, 140, 147, 152, 157.
[101] Atkinson, *Soil Landscapes of the Kempsey*, pp. 128, 136, 140, 147, 152, 157.

It is an interesting aside in this part of Hodgkinson's journal, that when he highlighted the rich fertility of these soils, he compared them to those of the Hawksbury and Illawarra districts, specifically in terms of the economic benefits of agriculture. The Macleay is superior to the Hawkesbury, he said in a footnote because the Hawkesbury 'is not a good agricultural district, as the settlers there frequently suffer from the two opposite evils of successive droughts, and destructive floods.'[102] Regarding the Illawarra, on the other hand, he said, 'I have also been informed of fourteen successive crops of wheat having been reaped off the same piece of ground at Illawarra, without manure, and on ground, too, out of reach of flood.'[103] Thus, while the alluvial soil of the Macleay indicated to Hodgkinson that the flood history of the river, due to its link with the steep rise of the mountains, was a long and ancient pattern, he appeared to conclude that the floods in the Macleay were not as destructive as those in the Hawkesbury. Additionally, his comparison to the Hawkesbury in terms of drought, failed to acknowledge the severe drought that had affected the Macleay region, and most of the colony between 1838 and 1841, when the first Europeans began to occupy the area.[104]

The undated Kempsey Shire council's study 'The Nature of Flooding in the Kempsey Shire', lists flood events in the valley from 1838 through to 1989.[105] Two floods are listed prior to Hodgkinson's 1842 survey: 1838 at 6.7 metres and 1841 also at 6.7 metres. The primary literature reveals other flood events which are not listed in the council's study, yet they were events, including a flood in 1843, which the settlers at the time described as so serious that the current 'swept away almost everything that

[102] Hodgkinson, *Australia*, p. 5.
[103] Hodgkinson, *Australia*, p. 5.
[104] 'The Drought', *The Colonist,* Sydney, 10 October 1838, p. 2
[105] Kempsey Shire Council, 'The Nature of Flooding in the Kempsey Shire', Annex A to the Kempsey Shire Flood Management Plan, Kempsey, date unknown, p. 6.

came in contact with it.'[106] Additionally, at the time of writing, no primary reference to a flood in the Macleay in either 1838 or 1841 could be found, despite all other manner of topics being discussed about the region in colonial newspapers at that time. Further investigation may reveal the reason behind this discrepancy and may shed light on Hodgkinson's low level of concern about drought and flooding in the Macleay compared to the Hawkesbury, at his time of writing in 1842. Perhaps the listed 1838 and 1841 floods were not of interest to the colony at the time if they paled in significance compared to Sydney's Nepean-Hawkesbury region, and possibly a larger flood had yet to take place on the Macleay during European occupation.

One clue might relate to the cedar industry, and the land clearing which Hodgkinson imagined would be desirable for agriculture. In his description of the river as he journeyed from the area around Smithtown to Kempsey, he recorded that the river was wide with long straights,

> flanked on both sides by huge walls of the dense brush that I have now just described [see trees mentioned above]. These borders of alluvial brush land on the banks of the river, are generally half a mile, or a mile wide, and are then backed by extensive swamps of many thousand acres in extant, whose verdant sea, of high waving reeds and sedge, stretches away to the base of distant forest ranges [referring to the 'ranges' of Smokey Cape and Hat Head and Clybucca hills to the north of the river] … the brush land is interspersed with small alluvial plains, clear of trees, and varying in extant from fifty to a hundred acres.[107]

[106] Anon., 'River McLeay', *Sydney Morning Herald*, 2 September 1843, p. 3.
[107] Hodgkinson, *Australia*, p. 10.

Further to Hodgkinson's descriptions, Enoch Rudder, the first European to settle along the river and to build a permanent dwelling, wrote his memoirs, *History of the Macleay*, in 1885 under his pen name Labori.[108] His earlier diaries from this settlement period have since been lost, therefore these 1885 memoirs are the closest we can go to his description of the Macleay in 1835 when he first arrived in the area. While they are memoirs, it is possible that he was referring to his earlier diaries when writing. Enoch's descendant Major Lionel Rudder, as part of his family history research, wrote and published *Magnificent Failure: the life and times of Enoch William Rudder, 1801-1888, founder of Kempsey*, in 1986.[109] Lionel mentioned earlier papers and diaries which may have been destroyed in a fire, and likewise, in line with evidence of Enoch's particular desire for accuracy noted in other surviving diaries, thought that these memoirs have a primary source which is no longer accessible. The early existence of these primary sources, he wrote, is evidenced in other memoirs written by two of Enoch's sons, who also seemed to be referring to an existing primary document in their writing. Lionel noted that Augustus was born in 1841, and by implication, could only have known details about the earlier years from his father's records, particularly given the remarkably close similarity in the descriptions offered.[110] Whether or not earlier diaries did indeed serve as a primary source to later memoirs, as indeed seems a high likelihood, the only surviving writing from Enoch Rudder which describes his early years in the Macleay Valley, is in the memoirs written in 1885, and mirrored in his sons' memoirs. Thus, these memoirs (and his son's writings) will be referred to in this thesis as the main primary source for Enoch's descriptions of those early years.

[108] Enoch W. Rudder (Labori), *History of the Macleay*, unpublished copy, 1885, retrieved from the Macleay River Historical Society.
[109] Lionel Rudder, *Magnificent Failure*.

[110] Lionel Rudder, *Magnificent Failure*, pp. 10-13.

Hence, in his description of the Macleay in 1835, Enoch wrote extensively on the geological processes which contributed to the existence of both the mountains, gorges, and the flood plain. His description and estimate of the age of the soil was remarkably accurate, and lines up with the ages of the soil given in Atkinson's 2001 geological survey. [111] The mention of the flood plain is particularly significant as Enoch, like Hodgkinson, described the richness of the soil, noting,

> we now arrive at a most important fact that all such lands as those we have described have been formed by floods … such is the history of our brushes and plains, one that demands our serious consideration and inquiry as to the probability of its again being submerged and to what extent.[112]

Enoch's reflection here stood in contrast to Hodgkinson's seeming lack of concern about major flooding. Possibly Enoch was writing this question as a memoir, influenced by fifty years in the Macleay and the numerous floods he had endured. However, the question asked whether such inundation would occur in future, which leads the reader to consider if this question was posed in his earlier diaries before such experiences of flooding had influenced his thinking. Perhaps both these explanations are true and intertwined, however, the contrast with Hodgkinson on concern for flooding is evident. It is therefore important to note here that evidence of flooding in those earlier years was mentioned by both Enoch Rudder and Hodgkinson, with differing levels of concern. Describing the river as he found it in 1835, Enoch recalled the destruction Europeans had brought about in that first fifty years:

> The riverbanks were covered with magnificent gum and cedar trees draped in festoons of splendid clematis, presented a scene of vegetable magnificence,

[111] Rudder (Labori), *History of the Macleay*, p. 1; Atkinson, *Soil Landscapes of the Kempsey*, pp. 128, 136, 140, 147, 152, 157.
[112] Rudder (Labori), *History of the Macleay*, p. 1.

> which only those possessed of taste, who had the privilege to behold them, before destroyed by his brother man, to make way for his fellows, could possibly conceive such was the Macleay, where Kempsey now stands, as we saw it 50 years ago.[113]

Enoch mentioned further in his memoir, now looking back on flood experiences, that,

> every tree, while standing, has a tendency to check the violence of a rushing body of water, therefore, the more left standing the greater the barrier. They may cause the water to rise higher, but must necessarily impede its rapidity, and enable the suspended matter to deposit itself.[114]

Herein is a possible clue as to why any floods which occurred prior to 1842 may not have been recorded by Hodgkinson or contemporary newspapers as so destructive to human life and property, since by the time of the 1843 flood, many of the brushes and trees had been cleared, allowing a 'rushing body of water' to spread further afield and cause so much destruction in its wake, carrying large amounts of produce and property out to sea. [115]

Further descriptions of the early environment of the Macleay Valley could be considered alongside Enoch Rudder and Hodgkinson's. Enoch's sons also provide accounts, but as they bare close similarity to their father's and, as mentioned above, possibly reference the same source, only Enoch's memoir will be mentioned here as it is the closest to an eyewitness account as is possible.[116] Enoch's memoir is concise, therefore in further discussion later in this thesis, it will at times be necessary to

[113] Rudder (Labori), *History of the Macleay,* p. 6.
[114] Rudder (Labori), *History of the Macleay,* p. 8.
[115] Rudder (Labori), *History of the Macleay,* p. 8.
[116] Augustus Rudder, 'The Macleay River: History of Settlement along it, a fine agricultural district; rise and progress of Kempsey', Sydney, *Australian Town and Country Journal*, 1902, pp. 30-48.

reference his sons where they have included more details, possibly from the original source.

Apart from the beauty of the geology and the vegetation of the valley, Enoch described the variety of bird and animal life which he encountered when he first came to the river. He poetically described the presence of kangaroos and wallabies, dingoes, deadly snakes, possums, flying foxes, cockatoos, black swans, geese, eagles, hawks, pigeons, iguanas, lizards, wild turkeys, doves, colourful parrots, ducks, cormorants, water fowl, shoals of fish, sharks, porpoises, a 'giant' red legged crane, owls, multitudes of frogs, butterflies, fireflies, and 'other living creatures of exquisite form and colours too numerous to specify.'[117] All this, he had said, was in the vicinity where the township of Kempsey is now found. Hodgkinson verified Enoch's description in his diaries, both when elaborating upon Aboriginal economy, and when describing his station and the areas through which he traversed. In addition to the wildlife Enoch remarked on, Hodgkinson included the 'myriads of noxious insects' (a point he said contributed to the ill health of those who settled or worked near swamps, and one with which Enoch took issue).[118]

From these accounts, combined with more recent geological surveys, it can be concluded that the Macleay Valley, prior to and at the time of European occupation, was (and is today) a narrow, confined valley, walled steeply on its western flank by high gorges which rise to the New England Tableland, with hills and ranges bordering the valley's northern and southern boundaries, and additional steep rises at Yarrahapinni and Smokey Cape on the northernmost and southern bounds respectively. Within this walled valley, the river twists its way through rolling hills

[117] Enoch Rudder, *History of the Macleay*, p. 6.
[118] Hodgkinson, Australia, p. 11; Rudder, *History of the Macleay*, p. 4.

toward a vast, flat open plain which consists of thousands of years of layers of rich sedimentary, alluvial soil and swampy areas. This plain, according to geologists, had previously been underwater when sea levels were much higher, and after lower sea levels, remains subject to persistent and periodic inundation as the waters of the Macleay rush down the gorges and inundate the swampy plain after heavy onshore rain.[119] The banks of the river were shown by Rudder and Hodgkinson to be flanked by thick brushland of magnificent trees of impressive variety, and home to an abundance of wildlife which thrived on the products of nature arising from this rich sedimentary deposit. In short, the floods which would continue to cause such devastation in the valley for decades and centuries to come, were indeed the cause of its rugged beauty, richness of nature, and prospects for European ideas of prosperity. The floods made the valley what it was, as Rudder described it when he chose the area for his home in 1835.[120]

[119] Kempsey Shire Council, 'The Nature of Flooding in the Kempsey Shire', Annex A to the Kempsey Shire Flood Management Plan, Kempsey, date unknown.

[120] Rudder (Labori), *History of the Macleay.*

Chapter Three | Colonisation – First Contacts and the subsequent shadow of Port Macquarie

The pre-colonisation environment and early economy of the Dunghutti people in the Macleay Valley has been described by settlers *during and after* colonisation. This is because pre-colonisation records are not readily available. Consequently, this chapter will now examine more closely the first contacts European people had with the Macleay Valley, some of the cultural and environmental obstacles faced, their perception of the landscape, and their social interactions with the Dunghutti people with whom they engaged in their first, difficult encounter. As has been previously noted, the economic development of Kempsey and the Macleay has been impacted by several challenges, including political, cultural, economic, environmental, and social influences. In this chapter, these challenges will be shown to emerge early during the first contacts between Europeans, the Dunghutti and the environment of the Macleay. These first contacts materialised because political and economic circumstances affecting the wider colony led to an expansion of settlements to the north of Port Jackson. This expansion, including the establishment of Port Macquarie, both led to the settlement of the Macleay *and* contributed to ongoing pressures on Kempsey's development. Other considerations are social and cultural at the level of interaction between the coming Europeans and the existing Aboriginal communities.

The first 'contact' came with the passage of Lieutenant James Cook along the east coast of NSW, followed forty-seven years later by a shipwreck at Trial Bay in 1817, in which local Aboriginal people assisted survivors. In 1818, the thwarted attempts of John Oxley to reach an inlet on the coast at "latitude 30°45'S" (which, unknown to him, was close to the Macleay River), will show the environmental

barriers which obstructed access to the region.[121] This chapter will additionally briefly highlight the initial discovery and settlement at Port Macquarie; a settlement which continued to cast shadows over Kempsey's economic growth throughout the nineteenth century. In the early stages discussed in this chapter, Port Macquarie may seem irrelevant to the focus of this research, however, University of New England (UNE) archivist William Oates observed, "You cannot really discuss Kempsey without discussing aspects of the settlement at Port Macquarie."[122] All these points are essential for unearthing challenges in Kempsey's development, addressing the question posed by this research: how did social and political divisions influence the economic and environmental development of Kempsey during the colonial period up to 1865?

James Cook recorded his first sighting of this region on 13 May 1770, describing Smoky Cape which forms the southern coastal boundary of the Macleay region:

> …about 3 or 4 Leagues from the Land, the Northernmost part of which bore from us North 13 degrees West; and a point or head land, on which were fires that Caused a great Quantity of smoke, which occasioned my giving it the name of Smokey Cape…[123]

While offshore from Trial Bay, Cook was occupied with descriptions of a storm before briefly returning to describe the wooded landscape, hills, and ridges backing a

---

[121] John Oxley, *Journals of Two Expeditions into the Interior of New South Wales: by order of the British Government in the Years 1817-1818*, Alpha Editions, 2018, 18 September 1818.
[122] William Oates, conversation with Heather Gartshore at the University Archive and Heritage Centre, Armidale, NSW, 3 March 2020.
[123] James Cook, *Captain Cook's Journal during his voyage round the world made in H.M. Bark Endeavour 1768-1771*, A Literal Transcription of the Original MSS, Captain W. J. L. Wharton (ed.), London, 1893, online edition, 13 May 1770, http://gutenberg.net.au/ebooks/e00043.html#ch8 , accessed 30 October 2020.

sandy coastline.[124] He made no record of personal contact with the Dunghutti people, though some writers have regarded the smoke described in Cook's journal as smoke from fires lit by the Dunghutti people. Neil inferred this in her brief comment in *Valley of the Macleay*, stating that 'it may well have been smoke from Aboriginal camp sites near the ceremonial ground on Smoky Range.'[125] Blomfield also made this assertion and like Neil, offered no sources to confirm his assertions.[126]

Cook commented upon the apparent sameness of the landscape since he left Botany Bay, altered only now by the increased height of the inland ranges. He did not mention rivers and it seems these were completely missed. When, on the following morning the *Endeavour* came closer to shore, Cook wrote,

> At this time Smoky Cape bore South 3/4 degrees West, distant about 5 Leagues, and the Northernmost land in sight North 1/4 degrees East. … the wind came off Shore, with which we stood along shore to the Northward, having from 30 to 21 fathoms, at the distance of 4 or 5 Miles from the Land. At 5 A.M. the Wind veer'd to North, and blow'd a fresh breeze, attended with Squalls and dark cloudy weather. At 8 it began to Thunder and Rain, which lasted about an Hour. … As I have not mentioned the Aspect of the Country since we left Botany Bay, I shall now describe it as it hath at different times appear'd to us. As we have advanced to the Northward the land hath increased in height, in so much that in this Latitude it may be called a hilly Country; but between this and Botany Bay it is diversified with an agreeable variety of Hills, Ridges, and Valleys, and large plains all Cloathed with wood, which to all appearance is the same as I have

[124] James Cook, *Captain Cook's Journal*, 14 May 1770.
[125] Neil, *Valley of the Macleay*, p. 18.
[126] Geoffrey Blomfield, *Baal Belbora: the end of the dancing: the agony of the British invasion of the ancient peoples of the Three Rivers, the Hastings, the Manning and the Macleay in New South Wales*, Griffin Press, South Australia, 1981, p. 21.

> before mentioned, as we could discover no Visible alteration in the Soil. Near the shore the land is in general low and Sandy, except the points which are rocky, and over many of them are pretty high hills.[127]

There is little case to be made here for any social, cultural, or economic insight about the Dunghutti people. Cook's observations are brief. One can only wonder of the Dunghutti people watching Cook and his crew from a hidden vantage point. Perhaps the most useful point to take from Cook's time in Trial Bay was the presence of the storm and rain, a factor which later became one of the biggest obstacles for European settlers trying to navigate the bay and the river. Yet, at this stage this is all hindsight. At the time of Cook's writing, there was little in his journal to set the Macleay region apart from any other place since Botany Bay, except for the increased height in the ranges. However, since Cook was prone to liken these areas to those he had observed further south, it is worth considering his assessment of the economic usefulness of the environment of those southern parts. From the outset, Cook was assessing the landscape for economic value. The black soil near Botany Bay he considered 'capable of producing any kind of grain' and the sand 'very proper for building.'[128] His notes on the economy of the Aboriginal people around Botany Bay are very similar to Hodgkinson's 1842 notes on the Dunghutti, observing that they ate mostly shellfish and other fish and lived close by the water's edge in smaller groups; though it is not useful or appropriate to assume uniformity of culture between different Aboriginal groups.[129] As for the wooded trees, Cook assessed their hardwoods but had very little to say about their usefulness. Hence, it could be taken that his environmental assessment of the area around the Macleay was much the same as he had stated from

[127] James Cook, *Captain Cook's Journals*, 14 May 1770.
[128] James Cook, *Captain Cook's Journals*, 3 May 1770.
[129] James Cook, *Captain Cook's Journals,* 6 May 1770.

Botany Bay, or at least that it did not interest him as much. Whether he thought the area would ever be of much use was not explicitly stated. At best, he appeared neutral and unenthusiastic and having not been able to come ashore, he simply passed over any economic utility of the natural resources around Trial Bay and, as there was no direct contact with the Aboriginal people, Cook's journal offered no real insight into the culture or economy of the Dunghutti people at that time.

In Reiner's study on 'the Kempsey problem' published by the Department of Aboriginal Affairs, he cited Cook's journal when seeking early descriptions of the local Aboriginal people, referring to Cook's observations of Aboriginal inhabitants along the east coast of the continent.[130] Rather than directly citing the journal, Reiner quoted Blomfield. Blomfield in turn quoted Cook's observations of Aboriginal people in general as evidence for the life and economy of the people of the "Three Rivers" (Manning, Hastings, and Macleay).[131] Blomfield wrote,

> Captain James Cook sailed up the east coast of New South Wales passed the entrances to the Three Rivers and wrote in his journal that the natives were 'in no way inclined to cruelty, as appeared from their treatment of one of our people'. He went on to say: '… they may appear to some to be the most wretched people on Earth, but in reality, they are far happier than we Europeans … They live in tranquility which is not disturbed by the inequality of condition.[132]

One may take this as evidence of pre-European Dunghutti culture and economy, assuming Cook had contact with local Aboriginal people and that these comments were written in his journal while he was in the vicinity of these rivers. The citation,

[130] Reiner, 'Kempsey: a study in conflict', p. 11.
[131] Blomfield, *Baal Belbora*, p. 8.
[132] Blomfield, *Baal Belbora*, p. 8.

however, comes from a summary written by Cook after the fact, within a section of notes which appear to have been written while waylaid in Cooktown in Far North Queensland during August 1770. It refers to the entire coastline from Cape Howe to Cape York, not specifically about the Aboriginal people of the three rivers.[133] Given that Cook made no direct mention in his journal in May 1770 of meeting Aboriginal people around Smoky Cape and the Trial Bay area, it is impossible, and perhaps inappropriately overreaching for this dissertation to infer a 'one size fits all' description could be applied at any given moment to a specific language group from a generalised description.

Only later settlers like Hodgkinson and Rudder cited earlier, gave distinguishing accounts of the different clan groups in the Macleay and this, it seems, would be the more appropriate evidence. Hence, Cook's broad description will be omitted here, and this chapter will not apply generalisations to the Dunghutti culture and economy. As stated above, Cook's journal was strikingly lacking in detail or interest when specifically recording the environment and existing inhabitants of the Smoky Cape and Trial Bay area. He simply moved on, leaving the region safe for now from the economic exploits of Europeans.

The next contact between Europeans and the Macleay Valley came with the wreck of the Brig *Trial*. This was a 'passing' contact between early settlers from Port Jackson and the Dunghutti people. While it may not immediately provide any direct insight into the economic history of Kempsey, it was significant for the nature of that contact and the subsequent problems that arose for sawyers and settlers who came later in the 1830s. Thus, this contact has a social and cultural relevance to the current

[133] James Cook, 'Some account of New Wales; Admiralty and the Queen's Copy New South Wales', in *Captain Cook's Journals*, August 1770.

research question and will be mentioned briefly in Chapter Four, remembering that this research considers social and political divisions which affected Kempsey's development. The event was also important because it was the first known cross-cultural communication between the Dunghutti and the Europeans. The narrative of the *Trial* was briefly documented in histories by Neil and Blomfield, among others. However, one notable mention of this story was by John Weingarth, government surveyor from 1883.[134] Further, primary insight into this 'event' is found in Sydney newspapers, printed at the time these events occurred.

In 1817, papers in Sydney reported news of the wreck of the *Trial*, '50 miles north of Port Stephens' (note the inaccuracy of distances as reporters were guessing about an area previously unknown to them).[135] Recalling that Cook did not report any direct interaction with the Dunghutti people, it is striking that the news of the wreck came from "the natives" who alerted the colonists that there had been a wreck and 'a large party' had perished in the sea.[136] Weingarth wrote that the news was 'received through the blacks, passed from tribe to tribe, that a vessel was wrecked to the northward of Port Jackson."[137] Weingarth provided no citation to indicate where he received this information, nevertheless, the newspaper report revealed that 'a woman and a young child' had stayed on land and had 'taken to the bush' where the crew of the *Lady Nelson* could no longer find her.[138] Two weeks later, the story continued in the *Sydney Gazette*, stating that the wreck had been found 'on the beach of a deep and extensive bay.'[139] This bay is now known as Trial Bay where the Macleay River meets the sea, named after the shipwreck.

[134] Weingarth, 'Discovery and Settlement', pp. 142-143.
[135] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser,* 1 February 1817, p. 2.
[136] Anon., 'Sydney', 1 February 1817, p. 2.
[137] Weingarth, 'Discovery and Settlement', p. 142.
[138] Anon., 'Sydney', p. 2.
[139] Anon., 'Sydney'

The assumption made in the report was that the woman and child 'had been forced away by the wretches that had captured and taken the vessel.'[140] The soldiers of the *Lady Nelson* seemed only to see the Dunghutti people as a threat and hindrance. There was a tone of frustration in the report regarding the communication barrier between the soldiers and 'the descriptive signs and gesticulations of the black spectators' and the soldiers were confused about the details of the report. They concluded that the 'unfortunate woman' must be 'still living among the natives, in a state most distressing.'[141] Furthermore, according to the reports, stated Neil, the woman was the wife of the ship's captain and lived among the Dunghutti for fourteen years and then died after having been found and returned to her family. [142] Neil claimed that this woman may have borne children among the Dunghutti and that these children proved to be troublesome in the early years of settlement on the Macleay.[143]

The Dunghutti people with whom the *Trial* crew came in contact were a clan group who occupied the coastal area known as Arakoon, or South West Rocks and Trial Bay up to present day Mount Yarrahapinni, possibly the Yarra-Hapinni clan identified by Hodgkinson.[144] The characters of those on board the brig are also interesting. The brig had previously been under the captainship of Captain Burnett as a trading vessel carrying commodities like sandalwood and pork from the South Pacific region of French Polynesia as well as news from various regions of the Colony and the Pacific.[145] In addition to carrying news and trade, the vessel transported convicts

[140] Anon., 'Sydney', 15 February 1817, p 2.
[141] Anon. Sydney', 15 February 1817, p.2.
[142] Neil, *Valley of the Macleay*, p. 19.
[143] Neil, *Valley of the Macleay*, p. 19.
[144] Hodgkinson, *Australia*, p. 222.
[145] 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, Sydney, 10 August 1816, p. 2; 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, Sydney, 17 August 1816; 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, Sydney, 10 August 1816, p. 2.

and free passengers between colonial settlements.[146] However, in early September 1816, the ship was reported to have been.

> piratically boarded by surprise, and taken away from her anchorage, which was near Sow and Pigs, by a banditti of villains, whose number and description, as nearly as can be ascertained, is inserted in this Paper – It does not appear that they landed either the master (Mr Burnett), or any of the crew or passengers they found on board.[147]

The vessel *Rosetta* was sent in pursuit. However, referring to the description of the 'villains', the paper said that these were suspected prisoners who had recently 'absconded from their employment during this week', suspecting them of piracy.[148] The list of suspects printed in this article underlines that most of these escapees, now considered 'pirates', were of Irish descent with varying ages and convictions who had been tried in Ireland and sent to Sydney on the convict ship *Guildford* which arrived on 8 April 1815.[149] No information was given about the nature of their original offences. Some were painted as mild mannered while others were 'notorious offenders,' and at least one, John Ferraro of Portugal was not listed in any convict records or ships records as a convict. Though by age, occupation, employment and origin there appears no link between any of these men, it is interesting that nine of these thirteen men arrived by the same ship, the *Guildford*; a reader could be carried away with speculations of 'cooked up' plans and ringleaders.[150] Regardless, these

[146] 'Classifieds', *The Sydney Gazette and New South Wales Advertiser*, Sydney, 17 August 1816, p. 2; 'Classifieds', *The Sydney Gazette and New South Wales Advertiser*, Sydney, 7 September 1816, p. 2.
[147] 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, Sydney, 14 September 1816, p. 2.
[148] 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, Sydney, 14 September 1816, p. 2.
[149] British Convict Register, 'Ships: Guildford Voyages to Australia', *Convict Records*, State Library of Queensland, https://convictrecords.com.au/ships/guildford, accessed 16 May 2022.
[150] 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, Sydney, 14 September 1816, p. 2; 'Convicts', *Convict Records of Australia*, https://convictrecords.com.au/, accessed 3 May 2022.

'pirates', as they were called, and the hostages (the captain, his crew and passengers) are the first known real contact between Europeans and the Dunghutti people.

Whatever the Dunghutti people thought of this mixed bag of strange people, it appears that the Dunghutti only endeavoured to assist fellow human beings who had suffered a shipwreck in their bay. It was the Dunghutti people after all who had first alerted Europeans to the plight of the *Trial*.[151] How these 'pirates' and crew from the brig responded to the Dunghutti people is not known. Nevertheless, the crew of the Government Brig *Lady Nelson* presented a subsequent known contact between Europeans and the Dunghutti people and it does not appear to have been a favourable engagement. Some other level of contact may have occurred prior to the *Lady Nelson*, given that reports had reached the governor from 'the natives', however, it is possible

Figure 7: *The Lady Nelson*, undated. Artist unknown, reproduced in *The Narrative of a Voyage of Discovery*, performed in His Majesty's Vessel the Lady Nelson … to New South Wales by James Grant, London, 1803, oil on canvas, ML 86, held at the Exhibition Galleries, State Library of New South Wales.

as Weingarth suggested, that this news was narrated from the Dunghutti to other Aboriginal groups further south, eventually reaching the ears of European settlers in Newcastle. [152] Whether any actual earlier contact occurred between Dunghutti, and any other Europeans is not clearly reported. Thus, having been dispatched by the governor 'for the purpose of ascertaining the grounds of a report communicated by the

[151] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 1 February 1817, p. 2.
[152] Weingarth, 'Discovery and Settlement', p. 142.

natives,' the ship's crew consisted of a military party, most likely the British Navy, commanded by Mr White.[153]

On finding the wreck of the *Trial* in 1816 north of Port Stephens, in an area previously unknown to the colony (newspaper reporters attempted to guess the location, though rather incorrectly), this military party attempted to communicate with the Dunghutti and 'learnt from the natives that the people had constructed a boat out of the materials of the wreck, in which a large party went out to sea, but were swamped, and perished within their view. Others had taken to the bush, among whom was a woman with a young child.' [154] On 8 February 1817, the Bench of Magistrates' 'Wanted for Apprehension List' continued to list the names of the 'pirates' who had absconded with the *Trial*, which raises the possibility that these escapees might have been among the 'others' who had fled into the bush.[155]

A more detailed report published on 15 February indicated that the military party spent several days in Trial Bay with soldiers, 'employed in running through the woods to ascertain the fate of the unfortunate persons who had been forced away by the wretches that had captured and taken the vessel away.'[156] This reference to 'wretches' may refer to the convict pirates who, as mentioned above, were believed to be among those who had fled into the bush, or it may be a reference to the Dunghutti people who had possibly come under suspicion and blame. Regardless, any questions posed to the Dunghutti returned no conclusions, at least none that satisfied the soldiers, beyond that given above about survivors drowning and others fleeing into the scrub. There is a deeper social and cultural importance to this contact, with the

[153] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 1 February 1817, p. 2
Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 8 February 1817, p. 2.
[154] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 1 February 1817, p. 2.
[155] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 15 February 1817, p. 1.
[156] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 15 February 1817, p. 2.

soldiers becoming frustrated at what they called, 'descriptive signs and gesticulations' from the Aboriginal people. The report tentatively concluded that Captain Burnett, his crew and passengers had been lost to sea in their attempt to leave the beach, but nothing further was said about the escaped pirates, except that one stowaway woman and a child had seemed to have disappeared into the bush to 'live with the natives'.[157] However, the newspaper continued to publish a 'wanted list' for several months afterward, listing the names of these 'pirates' as escapees to be apprehended. It is therefore apparent that these escaped convicts and the woman had gone on to be some of the first Europeans to live on Dunghutti country in the Macleay. Nothing can be said about the way these escaped Europeans interreacted with the Dunghutti, whether they were accepted or found themselves in conflict. Some reports suggested the woman and her child lived among the Dunghutti people and possibly married into the local clan, and that she made her way to Sydney fifteen years later, though I have found no clear evidence for these possibilities.[158]

That escaped men and runaways dwelt in the Macleay Valley between 1817 and 1839 is evidenced in John Henderson's memoir and several newspaper articles. As Henderson and his men were driving cattle from Liverpool Plains to the Macleay and looking for a squatting run in 1839, they passed through the gorge country and narrow valleys of the upper Macleay at which place Henderson noted, 'On the rocky ranges, we found a skull at a certain place, where afterwards we learned that a white man, who had taken to the bush, had been killed by the blacks.'[159] Henderson had also remarked that some of the sawyers on the Macleay had been 'runaways', though this

[157] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 15 February 1817, p. 2.
[158] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 15 February 1817, p. 2; Neil, *Valley of the Macleay*, p. 19.
[159] John Macdonald Henderson, *Excursions and Adventures in New South Wales*, 2 vols, i, Shoberi, London, 1851, reproduced by Wentworth Press, 2019. i, p. 281.

could refer to recent escapees or others like the 'pirates' who had been escapees for quite some time, or even some of those who in 1836 had gone to the Macleay, escaping from as far away as the Moreton Bay penal settlement.[160] Another piece to this puzzle may be considered in Oxley's journal as he explored the country between Walcha (upper or ranges Dunghutti people) to Port Macquarie in 1818. While camped near Walcha, Oxley remarked that he had met some of the Dunghutti people whom he called 'a party of natives' and wrote, 'It was evident from the whole tenor of their behaviour that they had previously heard of white people.'[161] It appeared then, that these remote clans had either direct contact with Europeans or had at least received news from neighbouring clans regarding the incoming Europeans. Either way, news of these European characters was certainly circulating amongst Dunghutti peoples in 1818, many years before any cedar cutters, squatters or permanent settlers moved into the valley. The first impression seems to have been made by pirates, escapees, hostages, and frustrated British soldiers. On both sides, the impression was not evidently agreeable.

Several interesting details emerge which refer back to problems for Kempsey's later economic development: the weather and rough seas which battered Cook in this bay proved to be a dangerous obstacle for shipping in the area; the Dunghutti people most likely initiated the report regarding the loss of the ship and allowed a European woman and her child to live among them, thus they rescued her from otherwise deadly isolation; and communication difficulties and perhaps preconceived prejudices led the soldiers to accuse the Dunghutti people and/or the pirates for the so-called 'distressed' living conditions in which the woman was said to live. From the outset, the Europeans

[160] Henderson, *Excursions and Adventures in New South Wales*, i, p. 127; *Sydney Monitor*, 10 October 1836, p. 2.
[161] John Oxley, *Journals of Two Expeditions into the Interior of New South Wales: by order of the British Government in the Years 1817-1818*, Alpha Editions, 2018. 7 September 1818.

were forming the view that the Aboriginal people were a threat to European culture and economy, and they spoke disparagingly about the communication and the conditions in which the woman must be living, though they had no idea of what her condition actually was. Thus, the Dunghutti's first known engagement with Europeans resulted in negative prejudicial perceptions which, as seen in later chapters, continued to hamper resource extraction and settlement in the 1830s when the sawyers and settlers arrived in the Macleay Valley.

Following the wreck of the *Trial,* the next recorded link with the Macleay Valley is found in John Oxley's exploration journal, written during 1819. According to Weingarth, John Oxley's main reason for pressing east after his western exploration of the Macquarie River, was to locate a river among the inlets of Trial Bay, since it had now been found by Europeans after the shipwreck.[162] This is certainly expressed in Oxley's journal, shown below. Oxley was optimistic of surveying the Trial Bay area for economic development for future settlement and shipping, yet environmental barriers prevented him from accessing the Macleay Valley. This proved to dissuade Oxley from recommending that Governor Macquarie mark out the Trial Bay area for settlement. Later chapters will show that the very environmental factors which prevented Oxley's exploration continued to stifle Kempsey's development and contact with neighbouring settlements throughout the nineteenth century. Furthermore, because of these environmental barriers, Oxley instead recommended the Hastings River and Port Macquarie for settlement, a decision which, as mentioned, has had long term impacts on Kempsey that have been both negative and positive at various times.

Nevertheless, Oxley's first encounter with the Macleay region occurred on 7 September 1818, when he and his party camped near what is now named the

[162] Weingarth, "Discovery and Settlement", pp. 143-144.

Macdonald River in an area somewhere between Woolbrook and Walcha, NSW, at the southern end of the New England Tablelands.[163] This is within the western bounds of Dunghutti country. Oxley and his team went on to cross the Macdonald River (they had named it the Sydney River) and came into the area where Walcha is now located, and camped here beside the Apsley River, one of the major tributaries of the Macleay River.[164] The team traversed the country to near Apsley Falls, but due to the 'perpendicular rocky ridges', took a course which led them away from rather than toward the Macleay Valley.[165] Oxley wrote,

> … we were stopped from proceeding farther eastward by the deep chasm or glen, which we had seen yesterday. … The slopes from the edges were so deep and covered with loose stones, that any attempt to descend even on foot was impracticable. From either side of the abyss, smaller ravines of similar character diverged, the distance between which seldom exceeded half a mile. Down them trickled rills of water, derived from the range on which we were. We could not, however, discern which way the water in the main valley ran, as the bottom was concealed by a thicket of vines and creeping plants. From the range on which we were, we could distinctly see the coastline of hills. The country between us and the coast was of equal elevation and appeared broken and divided by ravines and steep precipices. … Our only hope of being enabled to cross this barrier depends upon our pursuing a southerly course.[166]

The rugged and steep Apsley Gorge prevented the Macleay River from being 'discovered' by Oxley in September 1818. Regarding this, Weingarth asserted that Oxley was actually intending to reach the Macleay Valley (though it was not named as

[163] Oxley, *Journals of Two Expeditions into the Interior*, 7 September 1818.
[164] Oxley, *Journals of Two Expeditions into the Interior*, 8 September 1818.
[165] Oxley, *Journals of Two Expeditions into the Interior*, 10 September 1818.
[166] Oxley, *Journals of Two Expeditions into the Interior*, 11 September 1818.

such at the time).[167] He made this assertion on an assumption that the commander of the *Lady Nelson* 'must have reported to Governor Macquarie … and there is no doubt he also reported having found the mouth of a the river now known as the Macleay.'[168] Weingarth went on to claim that Macquarie must have made this information known to Oxley. While Weingarth provided no direct evidence that such a report was made, he arrived at this conclusion from reading Oxley's notes written 18 September 1818.[169] Oxley wrote,

> Since Apsley River had been ascertained to take a direction coast-wise, the principal which governed the direction of our course had been to endeavour to make a port on the coast laid down in lat. 30. 45. S., and which I had an idea might probably receive this river, now increased by a multitude of smaller streams, and if so, that it might serve as a point of communication with the fine country of the interior. It is true that this port is marked as a bar harbour; but I knew that it had never been examined, and I was aware how possible it was for a harbour to appear closed by a reef from a ship sailing at a distance along the coast. At all events the point was worth ascertaining; and notwithstanding the repeated disappointment we had experienced in attempting a north-easterly course, I shall, if we are enabled to clear the deep valleys we are at present embarrassed with, persevere for some time longer. I consider it every way important to know into what part of the coast these waters are discharged.[170]

The point of latitude given here in Oxley's journal is just north of the point where the mouth of the Macleay River met Trial Bay at that time. Hence, Weingarth drew the conclusion that Oxley must have been aware of the inlets along Trial Bay and

[167] Weingarth, "Discovery and Settlement", pp. 143-144.
[168] Weingarth, 'Discovery and Settlement', p. 143.
[169] Weingarth, "Discovery and Settlement", pp. 143-144.
[170] Oxley, *Journals of Two Expeditions into the Interior*, 18 September 1818.

connected this with the events surrounding the wreck of the Brig Trial.[171] Weingarth repeatedly stated there is 'no doubt' that this is the case, but there is no evidence to demonstrate it to be true. However, he rightly found it interesting that Oxley knew of the inlets along that part of the coast and that Oxley hoped to reach the sea at this point. Had Oxley succeeded, one wonders whether he would have recommended the area for settlement. The geological features of this landscape hampered his attempts and kept the Macleay Valley from being 'discovered.' This dissertation will later show that this steep climb from the Macleay Valley to the tableland challenged settlers' attempts to engineer a successful road from the Macleay River to the New England, reducing any economic benefit the settlers might gain from being a shipping hub for New England pastoralists. According to Oxley's journal, Oxley hoped and intended that the main economic function of the mysterious river would be a shipping connection with the inland.[172] However, Oxley instead met the coast at the mouth of the Hastings River, the site of Port Macquarie. Furthermore, Oxley's diversion to the south where he found the Hastings River, also led to future economic and developmental problems for Kempsey. However, to understand the background to these future problems, it is necessary now to briefly explain Port Macquarie's settlement.

[171] Weingarth, 'Discovery and Settlement', pp. 143-144.
[172] Oxley, Oxley, *Journals of Two Expeditions into the Interior*, 18 September 1818.

Figure 8: Apsley Falls at Apsley Gorge prevented John Oxley and his team from accessing the Macleay Valley in September 1818. Apsley River is the southern main tributary of the Macleay River. Photo taken from sign posted position where Oxley and his men stopped to observe the outlook. Photograph by Heather Gartshore, 8 August 2020. In author's possession.

Figure 9: Apsley Gorge prevented John Oxley and his team from accessing the Macleay Valley in September 1818. Apsley River is the southern main tributary of the Macleay River. Apsley Falls, shown in figure 8, is around the corner to the left at the back end of the gorge. Comparing these two perspectives gives the reader an idea of the enormous physical barrier confronting Oxley. These sheer slate walls drop 150 metres. Photograph taken by Heather Gartshore. In author's possession.

On Oxley's return to Port Stephens, he sent a dispatch to Governor Macquarie, outlining his expedition and 'discoveries' at Port Macquarie.[173] In this dispatch he again expressed his embarrassment at not being able to overcome the barrier posed by steep gorges and lofty mountains.[174] On the surface, this seems benign and irrelevant to the development of Kempsey and the Macleay. However, the wider colony's

[173] John Oxley, dispatch, Surveyor General Oxley to Governor Macquarie, Port Stephens, 1 November 1818, in: Frederick Watson, Peter Chapman and Australia Parliament Library Committee, 1914, *Historical Records of Australia 1914,* Series 1, vo. 10, January 1819-December 1822, pp. 26-31, http://nla.gov/nla.obj-471963565, accessed 19 January 2021.
[174] Oxley, dispatch, to Governor Macquarie, 1 November 1818, p. 30.

economic context and decisions made by Governor Macquarie following Oxley's report have had long term economic impacts on the development of the Macleay region.

It is therefore important to consider the wider economic context of this point in the colony's history. According to Beckett and others, the withdrawing of British investment in the colony 'scrambled the comparative gains being made'.[175] An economic pinch on the colony's finances led governors to seek out ways of saving money by using free convict labour, while simultaneously looking for more natural resources to exploit along with areas to open for free settlement and cultivation.[176] The research on this wider economic context has been covered by numerous scholars and is beyond the scope of this dissertation. However, the acknowledgement of contextual factors, and Macquarie's ambitions which led to and impacted upon Kempsey's development is important.

Governor Macquarie wrote to Earl Bathurst on 8 March 1819, explaining that the penal settlement at Newcastle was beginning to decline in usefulness as a 'receptacle of our worst characters' from Port Jackson.[177] He proposed that a

> more remote situation … northward of Newcastle, with a safe harbour, where prisoners could be transported to and secured against desertion by distance and natural barriers, … I conceive it would be highly expedient to remove the convicts and others under Colonial Sentences from Newcastle thither, and in

[175] Gordon Beckett, *A Brief Economic History of Colonial NSW: The Golden years of the Colonial Era re-examined*, Colonial Press, Queensland, 2012, p. 307; Wells, Constructing Capitalism, pp. 12-25; Shann, *An Economic History of Australia*, Cambridge, Cambridge University Press, 1948, pp. 48-78; Butlin, *Forming a Colonial Economy*; Madgwick, *Immigration Into Eastern Australia 1788-1851*, Sydney University Press, 1937, pp. 29-66.
[176] Governor Macquarie, despatch, 'Governor Macquarie to Earl Bathurst' 8 March 1819, in: Frederick Watson, Peter Chapman and Australia Parliament Library Committee, 1914, *Historical Records of Australia 1914,* Series 1, vo. 10, January 1819-December 1822, pp. 43-45, http://nla.gov/nla.obj-471963565, accessed 19 January 2021.
[177] Macquarie, despatch, to Earl Bathurst, 8 March 1819, p. 43.

> such case, it would be no less judicious to establish settlers on the plains of the River Hunter.[178]

Macquarie explained that the convicts which had been at Newcastle were banished as 'the most incorrigible characters to be found here.'[179] To make way for Newcastle to become a town of free settlers, and to deal with its decline in penal usefulness, Macquarie posed that these 'most incorrigible" offenders should be removed further north, away from the settlers to a place where they may not escape by easy land route back to Windsor, Richmond or Port Jackson.[180]

In a further despatch to Earl Bathurst on 19 July 1819, Macquarie specifically drew attention to Oxley's report that.

> a port exists about 220 miles to the N. E. of this place, most happily situated on a large river and surrounded by a country of great fertility of soil, and abounding with various valuable productions in timber, coals, flint and other articles; this port, which had been fallen in with by Mr Oxley on his arrival at the coast from his tour in 1818, has now been surveyed accurately. … From the local position of this port, called by Mr Oxley (in compliment to me) "Port Macquarie", it will be of great advantage in the light of a place of banishment from hence, the present place of banishment Newcastle being too near Sydney, whereby criminals sent thither frequently effect their escape … and it will be further useful from the variety of good timber it will afford … the supplies from Newcastle having become very difficult to procure, owing to the forests there being nearly exhausted.[181]

---

[178] Macquarie, despatch, to Earl Bathurst, 8 March 1819, p. 43.
[179] Macquarie, despatch, to Earl Bathurst, 8 March 1819, p. 44.
[180] Macquarie, despatch, to Earl Bathurst, 8 March 1819, p. 43-44.
[181] Governor Macquarie, despatch, 'Governor Macquarie to Earl Bathurst' 19 July 1819, in: Frederick Watson, Peter Chapman and Australia Parliament Library Committee, 1914, *Historical Records of*

Hence, not only was Port Macquarie considered a place to send 'the worst convicts,' but a place where natural resources could be exploited, given that resources further south had already been exhausted. Further, during 1820, Macquarie wrote again to Bathurst explaining that so many convicts were being sent to the colony, incurring great expense to the crown, that they should be put to effective use in public works and free labour to the benefit of the colony. Yet all such 'positions' in 'gangs' in the immediate vicinity of Port Jackson had been filled, leading the Governor to explain,

> in case there should be many more arrivals of male convicts this season, I shall certainly be greatly at a loss how to employ them. … Under all these circumstances, no alternative remains for me but to form a new settlement at either Port Macquarie … or at Jervis Bay. … In making a choice for a place for the new settlement, I am inclined to give Port Macquarie the preference, from the favourable accounts Mr Oxley gives of its soil and natural production, and also on account of its superior fitness … as a second place of punishment for convicts of the worst characters.[182]

The Governor's interest in the port now took on a threefold purpose: banishment for the worst criminals, exploitation of natural resources, and making economic use of convict labour. This was far more than simply finding a place from which it would be difficult for convicts to escape, which Neil implied was the simple purpose of establishing this new colony.[183]

Australia 1914, Series 1, vo. 10, January 1819-December 1822, pp. 178-179, http://nla.gov/nla.obj-471963565, accessed 19 January 2021.

[182] Governor Macquarie, despatch, Governor Macquarie to Earl Bathurst, 24 February 1820, in: Frederick Watson, Peter Chapman and Australia Parliament Library Committee, 1914, *Historical Records of Australia 1914,* Series 1, vo. 10, January 1819-December 1822, pp. 257-258, http://nla.gov/nla.obj-471963565, accessed 19 January 2021.

[183] Neil, *Valley of the Macleay*, p. 19.

Subsequently, Oxley, accompanied by Captain Francis Allman, was sent again in December 1820 to re-survey Port Macquarie and inlets to the north of Smoky Cape to ensure it would indeed be suitable for these purposes.[184] It was during this second visit that Oxley explored further north, at last investigating Trial Bay and the lower reaches of the Macleay River:

> The first inlet to the north of Smokey Cape was the only one we could enter with the vessel: in sailing in we found from 10 to 12 feet of water on the Bar, at or near high water, and on which there is a considerable surf within the Bar; the inlet spreads south, S.W. and west, into extensive shoal arms, being fresh water about five miles south west of the entrance; the body of fresh water in this inlet is very considerable, derived from marshes and swamps, which extend to the distance of at least 20 miles westerly from the sea coast, when the country rises … into extensive and lofty ranges of hills. … The soil, where we had opportunities of examining was sandy and unfertile, the timber small, even in situations where better might be expected. … There is nothing in the local situation of this inlet or the quality of the surrounding country that at present render it an object of interest.[185]

The only use of this area, according to Oxley, was that ships waiting for favourable winds to enter Port Macquarie might find refuge in Trial Bay, sheltered by Smoky Cape. Again, the Macleay Valley eluded Oxley. He did not perceive that it could serve any other useful or economic purpose, or that it might contain any valuable resources

[184] Governor Macquarie, despatch, Governor Macquarie to Earl Bathurst, 21 March 1821, in: Frederick Watson, Peter Chapman and Australia Parliament Library Committee, 1914, *Historical Records of Australia 1914,* Series 1, vo. 10, January 1819-December 1822, pp. 257-258, http://nla.gov/nla.obj-471963565, accessed 19 January 2021; John Oxley, despatch, Surveyor General Oxley to Governor Macquarie, 27 December 1820, in: Frederick Watson, Peter Chapman and Australia Parliament Library Committee, 1914, *Historical Records of Australia 1914,* Series 1, vo. 10, January 1819-December 1822, pp. 487-492, http://nla.gov/nla.obj-471963565, accessed 19 January 2021.
[185] Oxley, despatch to Governor Macquarie, 27 December 1820, p. 488.

for the colony. Interestingly, Weingarth provided no comment on Oxley's last visit to the Macleay. However, it is important to recall that Oxley had originally hoped the area around the Macleay would serve as a shipping port for the inland regions.[186] Now that he had investigated the mysterious inlet, he did not determine that it had any significance at all. Whether Oxley's conclusion was simply based on his assessment of the lower reaches of the river, or whether his experiences of the western gorges also influenced his conclusion, it cannot be known. Perhaps both are true. However, Oxley saw no reason to investigate any further, and the wide Macleay River around Kempsey remained unexplored. Oxley's anticipated economic hopes for the area had faded in the shadow of what he considered possible for Port Macquarie. Furthermore, the western gorges and the shallow inlet which discouraged Oxley's survey of the entire Macleay, are environmental features which regularly hampered economic development within the Macleay Valley. This will be revisited in Chapters Seven and Nine.

Six years later, a brief note placed in the *Hobart Town Gazette* on 25 March 1826 said simply, "A fine River has been discovered ten miles to the north of Port Macquarie."[187] Soon after, on 29 March 1826, *The Sydney Gazette and New South Wales Advertiser*, published a 'Review' column in which the following remark was made:

> Mr Commissioner Biggs has recommended three new settlements to be formed on the eastern coast, at Moreton Bay, Port Bowen, and Port Curtis, all to the northward of Port Jackson; to which the convicts not usefully employed at the old settlements, should be sent, as well as all convicts of idle, refractory, or

[186] Oxley, *Journals of Two Expeditions into the Interior*, 18 September 1818.
[187] Anon., 'Sydney News', *Hobart Town Gazette*, 25 March 1826, p. 4.

> other bad conduct or habits; there to be employed in the clearing and cultivating of land, in cutting and preparing wood, for the use of the government. … with the view to removing … the convicts then situated at Port Macquarie, which had been settled about two years before as a penal settlement, and which, from the excellence of the soil, the fineness of the climate, and its convenient distance from Sydney, the governor was desirous of throwing open to free settlers.[188]

Again, the opening of further penal settlements was regarded by the government with more in mind than simple places of punishment. With each new settlement, a survey of natural resources was undertaken, along with the view that convicts could be used as 'free labour' to clear these areas, cut timber, and get the settlement underway for economic purposes. Richard Tuffin, Martin Gibbs, Don Clark, Marcus Clark, and Peter Rigozzi have provided an interesting study into the use of convict labour for timber-getting and government development plans.[189] Such use of free and captive labour was widely practiced throughout the penal settlements and Port Macquarie was no exception. Penal punishment and convict labour seemed to be an issue which had to be managed due to the number of convicts being sent from Britain, while resource extraction and establishing economically prosperous settlements was often in front of mind for the governors within the struggling economic context referred to earlier. [190] It is also apparent that free settlers would be more inclined to take up land in areas without, or at some distance from, penal settlements.

---

[188] Anon., 'Review', *Sydney Gazette and New South Wales Advertiser*, 29 March 1826, p. 4.
[189] Richard Tuffin, Martin Gibbs , Don Clark , Marcus Clark and Peter Rigozzi, '' … One of the Most Severe Duties … ': Landscapes of Timber-getting at a Former Tasmanian Convict Station', *Industrial Archaeology Review*, vol. 42, iss. 2, pp. 126-140.
[190] George Parsons, 'Lachlan Macquarie and the idea of Newcastle,' a lecture to the 38th Coastal History Convention, South Newcastle Leagues Club, 6 March 2010.

Further descriptions of Port Macquarie in this column describe the 'employment' of the local Aboriginal people, which in turn leads directly to Europeans discovering the wider Macleay Valley:

> The natives there were observed to mix kindly with the military; they are described as a much finer race than those about Sydney, many of them being upwards of six foot high, with features more expressive of intellect, and limbs much better formed. Several of them are victualed from the King's Store, and in return, perform the duties of constable more efficiently than any Europeans could do; for on escape of any convicts into the woods, they are instantly pursued by these black police, who seldom fail to bring them back, dead or alive, and are rewarded accordingly.[191]

This paragraph therefore reveals more of the relationship that had been established with the local Aboriginal people of Port Macquarie, the people of the Birpai language group, who were southern neighbours of the Macleay's Dunghutti peoples. Compensated and enticed with supplies from the store, Birpai people were used by the government as constables, tracking escaped convicts, proving to be a benefit to the government at minimal economic cost. This small, but intriguing detail, led directly to the 'discovery' of a river to the north, the Macleay River. *The Australian* was one of several colonial newspapers which reported in April and May 1826:

> We are informed that in consequence of a native black having stated at Port Macquarie that there was a river about eight or ten miles distant, … a party was dispatched under his guidance up the northwest arm of that [Hastings] River, and after carrying their boat about five or six hours, found themselves

[191] Anon., 'Review', *Sydney Gazette and New South Wales Advertiser*, 29 March 1826, p. 4.

> on the promised stream … Next morning, they pursued its course until they found that it disembogued itself into the sea at the northern most extremity of Trial Bay.[192]

The article does reveals that while Oxley had missed the productive Macleay Valley on two separate occasions, an Aboriginal man was the one who led them to the 'discovery' of the Macleay River, hidden in the valley between the rugged mountains and the sweeping Trial Bay.

Thus, the penal settlement at Port Macquarie, the 'employ' of Aboriginal people as constables, and the government's keen interest in opening new areas for environmental exploitation and settlement, finally brought the Macleay region to the attention of expanding colonial ambitions. This is the first major event in the story of Kempsey's European history as it marks the opening to European invasion of the valley. According to Neil, the location where the men launched their boats into the river was at Commandant Hill, which is the site of the high tract of land on the south bank of the Macleay at Kempsey, where Kempsey's first permanent settler, Enoch Rudder, built his home ten years later.[193]

To conclude this chapter, the above information must be consolidated in reflection upon the question posed by this research: how did social and political divisions influence the economic and environmental development of Kempsey during the colonial period up to 1865? In this first European episode of Kempsey's discovery and development, and on the question of environment, Cook did not seem much interested in the region. His diary showed that a storm prevented him from accessing the coastal shore of Trial Bay so that he could only make passing and generalised

[192] Anon., 'Sydney news', *The Australian*, 15 April 1826, p. 3; Anon., 'Colonial Times', *Colonial Times and Tasmanian Advertiser*, 12 May 1826, p. 2.
[193] Neil, *Valley of the Macleay*, p. 20-21.

comments about the area and its people. Further, several decades later, another storm brought a ship to grief in the bay. This time, however, the Europeans met the Dunghutti peoples, leaving traces of social and cultural confusion overshadowing this 'first contact.' The environment is further shown to be a barrier which prevented Oxley from opening the Macleay as an economic development and shipping hub for inland pastoralists. Hampered both in the west and the east, Oxley diverted his energies instead to Port Macquarie, a decision which meant that Port Macquarie went on to be the transport, economic and administrative centre of the districts north of the Hunter, while the Macleay Valley was left behind for the time. This encompassed economic, political, and social decisions whereby Governor Macquarie chose Port Macquarie as a penal settlement amid wider economic problems facing the young colony.

The decision to incorporate Port Macquarie as a penal settlement impacted the Macleay in several ways, some of which were not immediately apparent. However, one significant impact came from the 'employment' of the local Aboriginal people as trackers of escaped convicts. It was the Aboriginal people who came to the Commander in Port Macquarie and revealed the existence of the Macleay River to the north. Therefore, this chapter in Kempsey's history is not merely only a European history. It is inevitably also an Aboriginal history, and the combination of these histories highlights the cultural events which gave way to the European invasion of the Macleay. Hence, while the environment itself proved to prevent Europeans from easily 'discovering' the river, social and political events brought Europeans and their commercial ambitions to the Macleay Valley. This then leads to the next two chapters where the early Europeans and their industry and occupation in the Macleay Valley will be in focus.

Chapter Four ⎪ Political and Social classes, and their effects on the environment, economy, and social/cultural structures of the Macleay Valley.

From the earliest days of European settlement, social and political fault lines existed between the classes and races of those living in the Macleay Valley. Such factions between different people groups have impacted economic, environmental, cultural, and social outcomes throughout Kempsey's history. Culturally, early settlers like Hodgkinson and later researchers explained that strict boundary lines also existed between the Dunghutti clan groups in the area, long before Europeans came onto the scene.[194] Settlers arriving in this already occupied valley hailed from a range of social classes, nations, political allegiances, and religious denominations which informed their attitudes both toward the environment and other people, at times leaving them oblivious to or careless about Aboriginal rights to occupation, culture and traditional boundaries. At other times, Aboriginal people and their customs were treated as subjects of curious observation, looked upon as 'underdeveloped savages' who, it was often said, frequently interfered with colonial endeavours, while occasionally some European settlers worked hard to build respectful relationships with their Aboriginal neighbours.

[194] Hodgkinson, *Australia*, p. 222; Valerie Campbell, 'Ethnohistorical evidence on the diet and economy of the Aborigines of the Macleay River Valley'. In, Records of Times Past: Ethnohistorical Essays on the culture and ecology of the New England Tribes, Isabel McBryde (ed.), Canberra, Australian Institute of Aboriginal Studies, 1978, pp. 82-100.Reiner, 'Kempsey: a study in conflict', p. 85.

Contrary to the Aboriginal subsistence economy which viewed the environment as a sacred provision which should be valued and protected, many Europeans were more often preoccupied with the environment as a resource toward wealth. Settlers frequently expressed great disdain, even moral judgment against anybody (especially Aboriginal people) who stood in the way of this. The long-term outcomes of these social and cultural factions in the Macleay are profound and complex, as shown in the capable works put forward by Morris, Goodall, Townsend, Campbell, Reiner, Bloomfield and others.[195] In this chapter, these social and political factions and the way they impacted the earliest environmental, economic, social and cultural developments of Kempsey and the Macleay will be discussed, leading to events-based thematic studies in subsequent chapters which in each instance demonstrate that these factors strongly impacted the economic and environmental development of Kempsey and the Macleay Valley during the mid-nineteenth century.

Social Classes and their immediate impact on Dunghutti people

Reiner's 1985 oral history interviews with Aboriginal groups and Dunghutti Elders, along with research into documented interactions between government agencies and Aboriginal peoples in the area, led him to lament, 'Factualism, conflict and violence are but one aspect of the bewildering complex human drama being played out in Kempsey."[196] Reiner discovered that by the time of his study in the 1980s, conflict in the Macleay Valley had not only existed between Europeans and

[195] Morris, *Domesticating Resistance*; Heather Goodall, 'Land in our country: the Aboriginal Land Rights Movement in South-Eastern Australia, 1816-1914', *Aboriginal History*, vol. 14, iss.1/2, 1990, pp. 1-24; Townsend, 'A Strange Wild Set'; Campbell, 'Ethnohistorical evidence on the diet and economy of the Aborigines of the Macleay River Valley'; Reiner, 'Kempsey: a study in conflict'; Blomfield, *Baal Belbora*.
[196] Reiner, 'Kempsey: a study in conflict', p. 6.

Aboriginal peoples, but very much between the Aboriginal people themselves, so much so that Reiner was warned that 'the assignment was dangerous and ill-conceived and advised not to go.'[197] Goodall reflected on attempts by Europeans to 'civilise' the Aboriginal people by allowing them to cultivate land, noting that at 'the area at the mouth of the Macleay, […] three Aborigines were reported to have begun cultivating vacant land well before 1883.'[198] Goodall went on to explain that the NSW government 'responded positively' to this activity initiated by Aboriginal people, and such lands which Aboriginal people cultivated became recognised 'reserves' into the twentieth century. Settlers had little tolerance for ongoing Aboriginal cultural activity and occupation outside these areas, however, especially as pastoralists and graziers increasingly claimed land which required the removal of Aboriginal people from traditional ceremonial and hunting grounds. Considering this, the impact of settlers on the Dunghutti people and culture has been complex, beginning from the moments of first contact, and being perpetuated and exacerbated by differences in worldviews and priorities throughout the decades that followed. What were some aspects of this impact?

As previously outlined in Chapter Three, the first evidenced contact between Europeans and the Dunghutti people occurred with the 1817 shipwreck of the Brig *Trial* in what thereafter became known as Trial Bay. The importance of the *Trial* is seen in the political and social divisions and cultural interactions which are accepted as the first evidenced contacts with the Dunghutti people. At these very first instances, those with whom the Dunghutti came in contact were a very mixed bunch. It seems that while some of these people may have been accepted by the coastal Dunghutti, others left Trial Bay in apparent frustration at not being able to communicate with or

[197] Reiner, 'Kempsey: a study in conflict', p. 1.
[198] Goodall, 'Land in our country', p. 6.

gain information from the Dunghutti people. It cannot be said whether this was merely a language barrier or a case of the Dunghutti protecting the escapees, or of a class/race divide whereby soldiers openly dismissed Aboriginal testimony. Nevertheless, it can be said that the Dunghutti were immediately faced with the social and political class structures of European society and that their relations with Europeans appears to have faltered on these lines from those earliest moments of contact. The soldiers and the captain of the *Lady Nelson* left, frustrated with the Dunghutti people and with remarks that the woman who had escaped to live with the natives must be 'in a state most distressing,' despite rumours that the woman had been accepted into the families of the Dunghutti people.[199] Squatter John Henderson's later discovery of a 'white man's' skull in the gorge country raises questions about the characters and nature of interaction between runaways and the Dunghutti of the upper Macleay.[200]

The upper Macleay was said by Townsend to be an area of intense conflict.[201] This conflict was mostly between upper-Macleay Dunghutti people and European squatters (and their workers), and at times between Aboriginal people and sawyers. Squatters had illegally moved in upon Crown lands beyond the bounds of settlement from at least the mid-1830s. John Henderson was one of these. He arrived in the upper Macleay in late winter/early spring of 1839 after driving cattle from the Liverpool Plains near Gunnedah, across the New England ranges and down the steep gorges into the upper Macleay.[202] When Henderson and his team arrived in the gorge country, lost, cold, tired and on the verge of starvation, they were rescued by an unnamed squatter and his men who had already been occupying a run in the narrow valley for a number of years, indicating that squatting had begun in the upper Macleay well before

[199] Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser*, 15 February 1817, p. 2.
[200] Henderson, *Excursions and Adventures in New South Wales*, i, p. 281.
[201] Townsend, 'A Strange, Wild Set', p. 10.
[202] Henderson, *Excursions and Adventures in New South Wales*, i, pp. 231-291.

1839.[203] According to Henderson, unlike the squatters of New England and many other pastoral districts, by 1839 the Macleay squatters mostly pursued cattle grazing; cattle being more suited to the climate and terrain than sheep.

Another of the earlier squatters in the Macleay district was Major Archibald Clunes Innes, who had been commandant at the Port Macquarie Penal Settlement in 1827, and had gone on to marry Margaret Macleay in 1829, 'the third of six daughters of Alexander Macleay, the Colonial Secretary of New South Wales, who was the highest ranking public servant in the colony and therefore close to the Governor [Darling] and other people of influence.'[204] It was Innes who named the river Macleay in honour of his father-in-law.[205] According to historians Neil and the Macleay Valley Historical Society, Innes first occupied a section of land in 1827, with a cedar party near Euroka Creek, not far from present day Kempsey.[206] However, there appeared to be a level of distrust from would-be settlers who felt that men like Innes, Macleay and Governor Darling were blocking access to land on and around the Macleay River.[207] Indeed, Darling was widely accused of land jobbing, from the London Parliament to the streets of Sydney Town, as Darling favoured friends and family when he granted land.[208] This was so much so that one man was arrested in St James Church after Sunday service, having shouted in protest at Darling, 'You're a damned scoundrel' and claimed Darling had drained his savings and ruined his life so that his life was no

[203] Henderson, *Excursions and Adventures in New South Wales*, i, pp. 283-284.
[204] 'Marriage at Sydney', *Colonial Times*, Hobart, 13 November 1829, p. 3; Graham Connah, 'The Archaeology of Frustrated Ambition: An Australian case-study', *Historical Archaeology*, vol. 32, iss. 2, 1998, p. 10.
[205] Kempsey Shire Council, *Thematic History: Kempsey Shire Community Based Heritage Study*, Kempsey Shire Council, 2014, https://www.yumpu.com/en/document/view/23804031/thematic-history-kempsey-shire-council, accessed 19 May 2022, p. 3.
[206] Kempsey Shire Council, *Thematic History: Kempsey Shire Community Based Heritage Study*, Kempsey Shire Council, 2014, https://www.yumpu.com/en/document/view/23804031/thematic-history-kempsey-shire-council, accessed 19 May 2022, p. 3; Neil, *Valley of the Macleay*, 21.
[207] *Australian*, 15 April 1829, p. 2.
[208] *Australian*, 15 April 1829, p. 2.; 'Retribution, New South Wales in Parliament', *Australian*, 5 November 1830, p. 2; Sydney *Gazette and New South Wales Advertiser,* 28 May 1831, p. 2; *Australian*, 5 August 1831, p. 2.

longer worth living.[209] The British Parliament accused Darling of increasing convict transport for the purpose of free labour, and incurring a doubling and even tripling of expenses against the British public purse.[210] This is important and leads to a focus on the social and political status and character of some of these men who made up the 'squattocracy' of the Macleay Valley, and how these impacted the early settlement and relationship with the Dunghutti, in such a way that the social and political impacts have been felt long after those squatters moved on.

Graham Connah has given an engaging account of Innes' ambitions, describing his rise from comparatively humble beginnings in Scotland to become associated with some of the most influential people in the colony, namely Darling and Macleay.[211] By the time Innes retired from the navy and took his post as Police Magistrate and Superintendent of Police at Parramatta, he certainly had risen to align himself with the collective 'who's who' of the colony's hopeful 'aristocrats', as shown in an address Innes presented to Governor Darling on 6 January 1830, which was co-signed by a list of some of the most well-known names and influential

[209] 'From the Sydney Gazette', *Hobart Town Courier*, 6 February 1830, p. 2.
[210] 'Retribution, New South Wales in Parliament', *Australian*, 5 November 1830, p. 2.
[211] Connah, 'The Archaeology of Frustrated Ambition', pp. 9-14.

Figure 10, Map showing Major Innes' extensive land holdings in the Port Macquarie and Hastings District, including the Macleay Valley, Richard Thompson, cartographic lithograph, 1840, M2 811.22/1840/1 , Z/M2 811.22/1840/1 , M2 811.22/1840/1A , Z/M2 811.22/1840/1A, 74Vv3BWWkOp3, held at the State Library of New South Wales, Mitchell

characters in that district at that time; and a letter of appreciation presented to Innes from these same names in March that year.[212] Nevertheless, from March 1830, Innes moved on from his position at Parramatta, with Darling and Macleay having 'granted 2560 acres [to Innes] and his wife [Macleay's daughter] 1280 acres in the Port Macquarie area,' in addition to a town allotment in Port Macquarie. [213] Innes quickly amassed further grants and title deeds in the Port Macquarie area which, according to Connah, aligned with Innes' ambitions to rise to the social status of the land holding gentry he had seen in England and Scotland, or even as a laird of lands in the

[212] Anon., *Sydney Gazette and New South Wales Monitor*, 9 January 1830, p. 2; 'To A. C. Innes Esq., J. P.' *The Sydney Gazette and New South Wales Advertiser*, Sydney, 4 March 1830.
[213] Alexander Macleay, 'Title Deeds: Town Allotments', *New South Wales Government Gazette,* Sydney, 14 August 1830, p. 309; Archibald Clunes Innes, 'To the inhabitants of the District and Town of Parramatta', *The Australian*, Sydney, 3 March 1830, p. 3; Connah, 'The Archaeology of Frustrated Ambition', p. 11.

district.[214] And, according to Connah, Innes claimed Commissioner of Crowns Lands, G. J. MacDonald among his special friends.[215]

By 1843, Innes' land and property holdings covered regions of the Port Macquarie-Hastings, Kempsey-Macleay and Armidale-Dumaresq, on which he bred horses which 'were exported to India for use as army mounts.'[216] The lake just south of Port Macquarie he renamed after himself *Lake Innes* and even the town of Glen Innes in New England he named after himself. Innes' political ambitions have had long lasting impacts on the Macleay River region, including, according to Connah, his determination 'that Port Macquarie would become the port of entry for northern New South Wales, out of which wool and other products of the New England highlands and the adjacent coast would be exported.'[217] The road, now known as the Oxley Highway, had originally been called Major's Line, again after himself. This last point will be explored in a subsequent chapter covering transport and trade in the Macleay from the 1850s and will be seen to be one of the factors which has limited land communication between New England and Kempsey even to this day. Indeed, of Innes' character, Connah translated the Innes Coat of Arms '*Dum spiro coelista spero*, 'While I live, I aspire to the highest' … 'While I'm alive I want the lot.'[218] His ambition for wealth, social prestige and political power appeared to have no bounds.

With his squatting station on the upper Macleay, Innes, as it turned out, was also known to John Henderson, among many other influential gentries of the colony,

---

[214] 'Title Deeds', *New South Wales Government Gazette*, Sydney, 31 August 1836, p. 674; Connah, 'The Archaeology of Frustrated Ambition', p. 12.
[215] Connah, 'The Archaeology of Frustrated Ambition', p. 12.
[216] Connah, 'The Archaeology of Frustrated Ambition', p. 12.
[217] Thompson, Richard, 'To Major A.C. Innes this map of a portion of north-eastern Australia is by permission respectfully inscribed by his most obedient servant Richard Thompson,' cartographic lithograph, 1840, M2 811.22/1840/1 , Z/M2 811.22/1840/1 , M2 811.22/1840/1A , Z/M2 811.22/1840/1A, 74Vv3BWWkOp3, held at the State Library of New South Wales, Mitchell Library Collection; Connah, 'The Archaeology of Frustrated Ambition', p. 12.
[218] Connah, 'The Archaeology of Frustrated Ambition', p. 13.

and Innes possibly persuaded Henderson to purchase cattle from the Liverpool Plains and drive them on a months-long journey across a freezing, wintery New England and down the rugged gorge country to the Macleay. It was immediately prior to Henderson embarking on this undertaking that, in 1838, he had journeyed north and visited the Innes estate near Port Macquarie and gave glowing praise to the Major and his 'enterprise' in the region for the construction of the roads out of Port Macquarie: 'Major Innes, who, in a spirit of great liberality and enterprise, has done much in this and other ways for the district.'[219] Of course, as Henderson briefly alluded and Connah discussed, these roads were built on free convict labour and at Britain's expense in the name of liberal personal enterprise.[220] Further, after choosing his run on the banks of the Macleay, one of Innes' stations was a near neighbour to which Henderson regularly visited.[221]

That Innes and Henderson associated with each other, at least as fellow squatters, and acquaintances, is itself significant, for it speaks of their positions as men of political and social station in the upper classes of the colony. Unlike Innes, Henderson did not need to 'worm' his way to squattocracy. He came from London as a lieutenant in the British Navy and a man of high social standing and connections.[222] Throughout his diary detailing his 1838 journey to Australia on the ship *Fortune*, Henderson constantly reminded his readers of his social status and attitudes. He expressed strong distaste for associating with any of the lower classes aboard the ship, 'I shall not accompany my fellow-passengers about to "leave their country for their country's good" (and for their own, too it is hoped).'[223] He liked to emphasise his

[219] Henderson, *Excursions and Adventures in New South Wales*, i, p. 109.
[220] Henderson, *Excursions and Adventures in New South Wales*, i, pp. 107-110; Connah, 'The Archaeology of Frustrated Ambition', pp. 13-14.
[221] Henderson, *Excursions and Adventures in New South Wales*, ii, pp. 3, 50, 61.
[222] Henderson, *Excursions and Adventures in New South Wales*, title page.
[223] Henderson, *Excursions and Adventures in New South Wales*, i, p. 2.

social connections (those with whom he agreed to associate), and to boast about his prowess in various physical pursuits related with his class, along with his handling of sea-sickness which he attributed to his extensive naval adventures, and his knowledge of the Danish standard which he knew from his previous travels.[224] He boasted of joining in parties in the Captain's cabin and of songs he himself composed for the revelries.[225]

During the ship's stopover at the Cape De Verde Islands off Africa's west coast, Henderson boasted of his uncontested defiance to the captain's order to reboard the ship, and afterwards dallied on shore another few days.[226] During this delay, he described the Portuguese Garrison as a

> ridiculous sight, the men being of all colours and sizes, and in all stages of raggedness and dirt – a capital specimen of an awkward squad. […] They appeared to know very little of drill; and the few white or yellow men, interspersed among the negroes, had a very off effect indeed.[227]

In this he referred to his earlier observations,

> We found very few white men in the place, a great portion of the inhabitants being pure negroes, and the rest composed of crosses of all shades, between the Portuguese and negro.[228]

Further, during their voyage as they rounded the Cape of Good Hope, he explained that he shot some of the Albatross which accompanied them, warding off any superstitions reflected in his quote of Coleridge's *The Rhyme of the Ancient*

[224] Henderson, Excursions and Adventures in New South Wales, i, pp. 13, 15, 18.
[225] Henderson, *Excursions and Adventures in New South Wales*, i, pp. 19-24.
[226] Henderson, *Excursions and Adventures in New South Wales*, i, p. 27.
[227] Henderson, *Excursions and Adventures in New South Wales*, i, p. 28.
[228] Henderson, *Excursions and Adventures in New South Wales*, i, p. 27.

Mariner.[229] His attitude to nature and the environment came to the fore again when he described shooting at a whale and other creatures for perceived safety or sport.[230]

In August 1838, the ship arrived in Sydney Harbour and Henderson's aloft attitude only intensified hereon, seemingly dissatisfied with and unwilling to appreciate anything about the environment or the social atmosphere which defined the new land to which he had come. From gumtrees, landscapes to native animals, he could only muster up enough duty to describe these as boring, useless, or undesirable.[231] The only location of which he gave a favourable description was the fertile area now known as Kangaroo Valley, yet even this favour was overshadowed as he lamented it lacked much economic practicality:

> … it is not easy to get into nor out of; and no drag nor wheeled vehicle has ever yet succeeded in surmounting the obstacles. When you are once in, the scenery is very beautiful. […] Of course, a place like this, unapproachable as it is by any conveyance, save a horse, or a pack-bullock, is unfit for the purposes of farming […].[232]

Yet, while these highlight his aloofness to other social classes and to the environment itself, the most revealing feature of his attitude is seen in his reflection on what is now known as the Myall Creek Massacre. In December 1838, he happened upon the hanging of seven men, saying,

> Their crime was the slaughter of a large number of blacks, men and women […] It appears, that they captured these natives, and, leading them a mile away into the bush, there shot them, burning their remains. They were first acquitted,

[229] Henderson, *Excursions and Adventures in New South Wales*, i, p. 45.
[230] Henderson, *Excursions and Adventures in New South Wales*, i, p. 42.
[231] Henderson, *Excursions and Adventures in New South Wales*, i, pp. 62ff.
[232] Henderson, *Excursions and Adventures in New South Wales*, i, p. 97.

> but, as it was determined to make an example of them, a new trial was somehow procured, when they were condemned.[233]

Going on to deliberate his thoughts on the matter, he took pains to explain he thought the men perhaps went too far, but he nevertheless believed the Aboriginal people deserved what they received.

He could not understand why the Aboriginal people felt they had a right to fight against the squatters 'who are continually thrown into hostile contact on the frontiers.'[234] He said society had become too soft on the Aboriginal people when the 'the gun is the only law the black fears.'[235] He praised the activity of the squatter,

> Surely, then, the man who is the pioneer of civilization – who, going out into the wilderness, spends his days in toil and danger, and his nights in dreariness and solitude – who must send out his shepherd with a musket on his shoulder, and sling his rifle at his side when he rides among his herds – who, making a lodgement in the bush, causes "the desert to rejoice and blossom as the rose," and opens the way for the smiling villages, the good old British institutions, and the happy population which follow, surely, this man has not laboured in vain; but has deserved at least leniency at our hands.[236]

And, in contrast, he denounced the efforts of those who worked to defend the Aboriginal population,

> At the same time, one is indignant when one hears those comfortable and luxuriant philanthropists, who, overflowing with sympathy for all races but their own, sit by their warm firesides at home, range not beyond the smoke of

[233] Henderson, *Excursions and Adventures in New South Wales*, i, p. 143.
[234] Henderson, *Excursions and Adventures in New South Wales*, i, p. 145.
[235] Henderson, *Excursions and Adventures in New South Wales*, i, p. 145.
[236] Henderson, *Excursions and Adventures in New South Wales*, i, p. 147.

> their native cities, and there consign to everlasting destruction the hardy and adventurous backwoodsman, whose own right arm is his only defence.[237]

His summary stated that while some conflict was expected, once the British settled the country, 'the natives suffered no wrong.'[238] It was Henderson's firm belief that Aboriginal people should be grateful the British had come to 'civilise them' and supply them with alcohol and other luxuries, and that the Aboriginal people were the villains who repaid these 'kindnesses' with violence. And, of significance, it was this attitude that Henderson took with him in 1839, when he arrived in the Macleay and claimed a squatting run in the upper reaches of the river adjacent to one of Innes' runs, on the land of and among the Dunghutti-Conderang (or Thungutti) people. The land he chose, around the site of the present-day village of Bellbrook, was at the foot of a sacred ceremonial mountain for male initiation rites and interfered with Aboriginal access to this site.[239] He saw himself as a 'pioneer of civilisation' whose rights must surely surpass those of the people whose land he occupied, regardless of the significance of this location to those Aboriginal people.

Considering this, it is interesting to see that the Dunghutti-Conderang (or Thungutti as they prefer to be called today) were often described as being particularly violent, in comparison to their Dunghutti relatives down river.[240] Like the demeaning descriptions of the convicts and sawyers given by Henderson and his peers, one wonders if Henderson's social class affected his ability to build harmonious relations

---

[237] Henderson, *Excursions and Adventures in New South Wales*, i, p. 147.
[238] Henderson, *Excursions and Adventures in New South Wales*, i, p. 148.
[239] 'The goanna spirit of the Anderson Sugarloaf Mountain – This Place', *Stories: Culture and Capability*, Australian Government National Indigenous Australians Agency, https://www.indigenous.gov.au/news-and-media/stories/goanna-spirit-anderson-sugarloaf-mountain-place, accessed 22 June 2022.
[240] Blomfield, *Baal Belbora*, p. 31; H. F. M. Creamer, 'Malaise and Beyond' In, *The Moving Frontier: aspects of Aboriginal-European Interaction in Australia*, Peter Standbury (ed.), Sydney, University of Sydney, 1977, p. 147.

with his Aboriginal neighbours whom he and his peers could thereafter only describe as violent. Might the Conderang people have been more accommodating under different circumstances? Blomfield certainly argued this, stating, 'By nature peaceful, kindly and generous, they were now burning and blinded with bitterness, resentment and depression.'[241] Blomfield's assessment of Henderson is one I also argue, 'He seems quite impervious to human suffering, quite sure of his own superiority.'[242] Henderson stands out in the history of Kempsey and the Macleay as a personification of a social and political ideology that valued wealth and power above humanity and environment, an ideology subscribed to by those who had previously been the most influential people of the colony, Macleay and Darling, and an ideology to which capitalist seekers like Verge and Innes assented for the sake of their ambitions. Verge and Innes had found themselves embraced in the favoured circle of Macleay and Darling during Darling's governance, chosen as some of the 'worthy' men to be landholders and squatters. Henderson arrived later in this drama, after Britain stripped Darling of his power, yet, assured of his inherit social and political standing, Henderson embraced and championed this ideology, even though he at times attempted to water down his own guilt, like other wealthy and powerful individuals discussed above.

This discussion demonstrates that political and social classes of the early Macleay Valley settlers ranged from the powerful elite who usually dominated politics, land, and wealth in the colony, to the lower classes, convicts, ex-convicts and the free immigrants who made up the bulk of the 'in-between' classes. In addition, the Dunghutti people often found themselves excluded from and attacked by others as incoming settlers, cedar gangs and more squatters sought to build the colony upon

[241] Blomfield, *Baal Belbora*, p. 31.
[242] Blomfield, *Baal Belbora*, p. 38.

socially and politically self-justified violence and racism. The inherit values, beliefs, and moral codes of each of these people groups often led them to clash ideologically, sometimes violently, in ways that indelibly impacted the early development of small colonial settlements like Kempsey. Some of these beliefs and values were based on European spiritual, religious or cultural ideals, for better or worse. In the following section, these social, political, and religious worldviews will be investigated further with more focus on Rudder and John Verge alongside Henderson. As an additional benefit, this will further determine whether religious belief alone specifically led to widespread environmental and social exploitation in Kempsey and the Macleay Valley in the early days of this location's European development. The question central to this dissertation investigates how political and social divisions impacted Kempsey's economic and environmental develop to 1865. Mentioned in Chapter One, some scholars likewise implicate religion. The following discussion is therefore relevant to determine if religion must be implicated, or whether political and social divisions alone can account for the economic and environmental concerns which affected Kempsey at this time.

Early settlers and their social, political, and religious worldviews

There are two main characters who played crucial roles in Kempsey's development throughout the period of 1835 to 1865: Enoch William Rudder (a spiritually and environmentally minded individual), and John Verge, (a wealthy colonial architect, builder, and capitalist). Another significant character, previously introduced, was the squatter John Henderson, who resided in the Upper Macleay Valley from 1839 until the late 1840s. While all these characters came to the Macleay

seeking land, they came for different purposes, held opposing ideologies, and mapped out separate plans for themselves and/or for the town of Kempsey.

The social and political conflict between the ideologies they personified, and specifically by Rudder and Verge in particular, repeatedly emerged until Verge's death in 1861 and resulted in decisions which have had long lasting impacts on the economic and environmental development of the town of Kempsey.[243] Further, this conflict of ideologies continued even after Verge's death, shown in a letter (possibly written by Rudder) to the *Sydney Morning Herald* in 1863, where the writer passed critical comments against capitalists who ignored the laws of nature:

> Agriculture in these exposed situations, therefore, requires that those who carry it on should regard themselves in the light of capitalists engaged in a risky pursuit. Under fortunate circumstances there are favourable returns, but there are also sudden and unavoidable risks under which the labours of months may be swept away.[244]

This conflict between capital gain and environmental influences has continued to the present day.

It is necessary to understand the characters, principles, and backgrounds of these men so that it may be seen how their social and political differences came to have such a powerful impact on Kempsey's early development and why they can be seen as early personifications of opposing ideologies which further materialised in the region as the decades passed. The following narrative will concisely outline the lives

[243] 'Kempsey,' *Empire,* 1 August 1861, p. 3.
[244] Anon., 'The recent floods', *Sydney Morning Herald*, 21 March 1863, p. 6.

of these men and the influences which brought them to their selections on the Macleay.

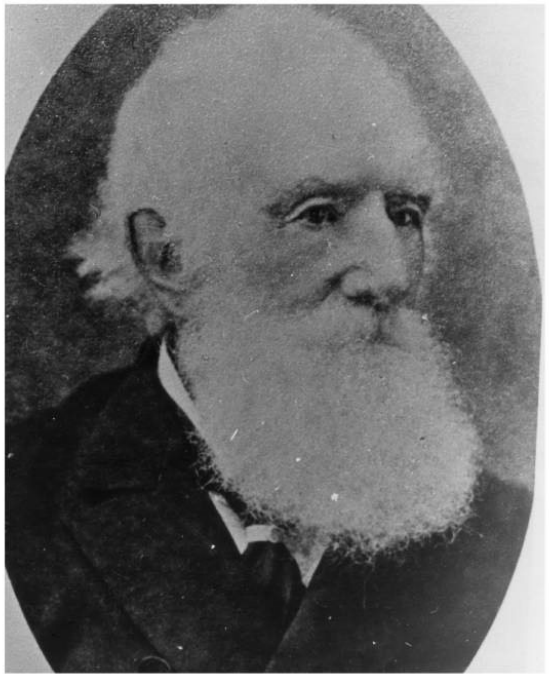

Figure 11: Enoch William Rudder, supplied by Macleay Valley Historical Society.

According to Rudder's descendant, Lionel Rudder, Enoch was from a merchant class family. Lionel's research drew on the personal diaries and letters of Enoch which remain in the possession of the family. [245] As there is no reason to doubt the provenance and reliability of these family sources, Lionel's references and narrative for this purpose are taken as sufficient. Despite Enoch's ancestors achieving a significant amount of wealth through their business, Enoch was not focussed on wealth as his life's goal, therefore he did not fit the typical profile of a merchant capitalist. He succeeded his father as head of a foundry in the United Kingdom (UK) and inherited his father's talent as an inventor and draughtsman, yet turned all this down when, after his father's retirement, he sold the business and left his hometown of Birmingham.[246] Initially, he purchased land in a coal mining district in the vicinity

[245] Lionel J. V. Rudder, *Magnificent Failure*, pp. 1-2.
[246] Lionel J. V. Rudder, *Magnificent Failure*, pp. 1-2.

of Tregear. His focus was on farming (grazing and crops), though Lionel claimed that Enoch had already 'set his heart' on NSW.[247]

Enoch encountered some difficulties, however, as he quickly expended the wealth into which he had been born and thus borrowed money from his wife's family to pay passage to Australia for himself, his wife, and children in 1833. Lionel wrote that family documents disclose that Enoch had been written out of his father's will by this time.[248] Further observation of Enoch's interests and character, as displayed in his own journals, will assist in understanding how Enoch approached his life in the Macleay, and how he eventually came to clash with another strong-minded man in John Verge.

Enoch's personal diary of 1831 reveals Enoch's fascination with and detailed observation of the natural world around him, long before he ventured to the colonies.[249] During his journeys in England's west, he described the rivers he passed, birds and their sounds, and wrote poetically as if composing a hymn of spiritual praise.[250] He gave detailed accounts of weather, significant meteorological events, geology, and land use.

The diary shows that for Enoch, the environment was both a source of wonder and beauty which was synonymous with and inseparable from his Christian faith, and, if approached with diligent care, a source to support all living creatures. Moreover, Enoch practiced this 'hymn of praise' in his desire to understand, protect, and work with nature in harmony and with respect. Later journals, written throughout Enoch's life, show that he continued to be less and less interested in exploiting nature as he

[247] Lionel J. V. Rudder, *Magnificent Failure*, pp. 1-2.
[248] Lionel J. V. Rudder, *Magnificent Failure*, pp. 3-5.
[249] Lionel J. V. Rudder, *Magnificent Failure*, p. 4; Enoch W. Rudder, 1831 Diary (revised), transcribed by David. S. Rudder, Katoomba, 2009.
[250] Enoch W. Rudder, 1831 Diary; Lionel J. V. Rudder, *Magnificent Failure*, p. 4.

became increasingly focussed on understanding and protecting others and the environment as a sense of duty to his 'Creator':

> I believe our aim & object in our present undertaking is such as we may ask God to Bless, I think we are one in the course of his Providence & the path of Duty. I therefore have taken fresh courage & hope it may please the Author of all good to help me in my present undertaking. [251]

From the moment he arrived in Sydney in February 1834, he lost no time exploring and writing about the extent and capabilities of the natural environment. A note in the *Sydney Herald* dated 12 May 1834 stated, 'A specimen of arrow-root, procured by a gentleman named Rudder, from a native Plant within a few miles of Sydney, has been left at the "Herald Office" for the inspection of the public.'[252] Further, Rudder lamented and despised the way in which his fellow colonists treated the Aboriginal people. He wrote fondly and with great praise about his Aboriginal 'neighbours' in the early days of the Macleay.[253]

His journals also reveal that he was a man obsessed with order, honour, discipline and structure in his personal life, and expected much the same from those around him.[254] He held a strong sense of social justice for all classes of people and intensely disliked seeing others mistreated, as shown in his comments about a ship's captain during his 1849 voyage to California: 'I am satisfied he is perfectly indifferent to their [all passengers] personal comfort, neither do I believe he would care if half

[251] Enoch W. Rudder, Original Californian Diary, 1849, copy obtained from Macleay River Historical Society, 18 January 1850.
[252] Anon, 'Domestic Intelligence', *Sydney Herald*, 12 May 1834, p. 2.
[253] Enoch W. Rudder (Labori), *History of the Macleay*, p. 1.
[254] Enoch W. Rudder, Original Californian Diary, 1849, 8 December 1849.

were dead. He is neither good natured nor morose.'[255] Rudder's sense of justice also included the treatment of women:

> During the early part of the day one of the passengers struck & otherwise abused a young female sister to his wife […] her cries evoked my sympathy, upon which I called to him by name "Not to be so cowardly as to beat a Woman."[256]

He spent much time even into his later years, exploring and analysing nature, drawing plans for inventions around water usage and treatment, and writing down meticulous details about the benefits of various native species of trees, among other things.[257] In addition to his private notes, Rudder sent reports of his experiments and observations to the Australian Agricultural Company.[258] In 1873, Rudder penned a book about his family history, opening the preface with these words, 'To be a real Christian is to be truly noble, since, the Christian is a child of God, a joint heir with Christ, and an inheritor of the Kingdom of Heaven. Upon all mere worldly glory, may be written, "Vanity of vanities, all is vanity!"'[259] This statement emphasises that Rudder's sense of duty, wealth and position was primarily expressed in his faith, and less so in his

Figure 12: Rudder's sketch, looking eastward and downstream toward his house above the hill at the bend of the river. The banks of the river are lined with thick brush. The bank on the left side is now the present site of the town of Kempsey, having been completely cleared. Dunghutti people are seen in a canoe beneath Rudder's hill. Enoch Rudder, sketch, Kempsey, 1844. Held at State Library of NSW, AR 35 Rudder E W.

[255] Enoch W. Rudder, Original Californian Diary, 1849, 11 December 1849.
[256] Enoch W. Rudder, Original Californian Diary, 1849, 29 January 1850.
[257] Enoch W. Rudder, 'Book A, Private: Notes and Experiments on Dye Woods' 1865, held at State Library of New South Wales, A 1685 Rudder Family Papers, Part 3; Enoch W. Rudder, 'Experiments', 1885, State Library of New South Wales, A 1685 Rudder Family Papers, Parts 1 and 2.
[258] Enoch William Rudder, Copy of correspondence and reports to the Australian Agricultural Company 5 May- 9 October 1852, Mitchell Library, A1814, Frame 199-243.
[259] Enoch William Rudder, 'The present state and origin of the Rudders of the Macleay River in the Colony of New South Wales', original manuscript, 11 April 1873, held at Mitchell Library, Sydney, ML MSS 6458 Box 1, Family History Rudder Folder, preface, p. i.

material wealth, and it was only within this context that he valued his ancestors' position in society. The chasing after wealth and the destruction of human life and the environment were, he expressed, no more than vanities, an expression he borrowed from the Biblical prose known as Ecclesiastes.[260] Therefore, ever conscious of his own mortality, Rudder's ideologies and his seeming apathy for material gain, interwoven with his love of knowledge and his Christian faith, seemed to be out of step with the increasingly capitalistic world in which he lived.[261]

In light of Rudder's expressly Christian faith when involving himself in political, economic, and environmental matters, the influence of religion on his and other settlers' relationships must also be considered, particularly concerning outcomes on economic development and environmental exploitation in Kempsey and the Macleay Valley prior to 1865. In the literature review of this thesis, I stated that this dissertation does not accept the argument whereby some scholars blame Christianity for today's ecological crises. On the ground in the Macleay Valley and the colonies in general, the relationship between settlers, their religion and their attitudes toward Indigenous culture and the environment will be shown to be complex and diverse, expressing many shades and gradations of faith and practice, thus demonstrating in practice that a universal indictment of one religion is unjustified, when more pronounced political and social divisions are also considered.

The expressly Christian settler Rudder was one of many early-nineteenth century people who understood their faith as a direction to care for humanity and protect the environment. Rudder openly expressed his disdain for the elite attitudes of the squatters who abused religion as a reach for social and political power rather than

[260] Ecclesiastes 1:2, *King James Bible.*
[261] Enoch W. Rudder, Original Californian Diary, 1849, 18 January 1850.

following Biblical directions for social justice and a careful protection of the natural world, shown in his poem, 'Give Back the land! Handbill in verse attacking squatters' which was published in 'all English papers':

> But, firm of purpose, heart, and aim,
>
> To right the wrong, we take our stand
>
> And shout in truth's commanding name,
>
> Give back the land! Give back the land!
>
> Who fears to label rich men rogues,
>
> When wealth lets toil of hunger die,
>
> And drives the poor, as less than dogs,
>
> From their paternal homes? Not I!
>
> The Earth belongs to the Lord;
>
> Why steal the bounty of this land?[262]

The important point of Rudder's beliefs is that his written records are constantly referring to his Christian faith, whether it be in his own self-discipline and dependence, or his expectation that men and women should treat each other with dignity regardless of race or political and social status, or his indignation about squatters who he said stole land from original custodians and destroyed complex ecological systems for the sake of greed.[263] One might, however, have difficulty

[262] Enoch William Rudder, 'Give back the land: A handbill in verse attacking squatters,' 1845, in the Macleay Family papers, held at Mitchell Library, ML MSS 856 II.
[263] Enoch W. Rudder, Original Californian Diary, 1849, 9 November 1849, 16 December 1849, 25 December 1849, 18 January 1849, 27 January 1850, 28 January 1850, 30 January 1850, 3 March 1850, 1 April1850, 8 April 1850; Enoch William Rudder, 'Sea Voyage to California', 1849, copy obtained from Macleay River Historical Society, pp. 21, 22, 25-26, 40, 42, 51, 56, 71, 73, 79, 89, 90; Enoch William Rudder, 'Geological: Journey to the Peel River on account of the Australian Agricultural

reconciling Rudder's evangelistic fervour with the rights of Indigenous people to maintain and live according to their own spiritual customs, given that he did express in his worldview that Christianity was the 'only true representation of divine truth'; a belief of central importance throughout Christendom.[264] It is the point of evangelising non-Christian peoples (often labelled 'heathens' in the day) that is more in focus for Rudder, not to subdue and destroy them, but in his assumed hope they would share in his *joys* of 'knowing Christ', as he put it, and this hope or assumption was likewise common to many Christians among dissenting Protestant denominations.[265] In terms of social justice and provision, however, at every turn Rudder's faith seems to have been scrupulously aligned with his interpretation of Biblical instructions (including Genesis 1:28) and with an interconnected systematic theology that taught that people are to care for the wellbeing of all people and to protect and take care of the environment.[266] His form of Christianity saw at its heart the mission to protect the Earth and its inhabitants from the ravages of capitalist greed.

This kind of Biblical interpretation displayed by Rudder was by no means uncommon in the colony, not only on matters of politics, social justice, and environment, but also on matters of denominational practice, aristocracy, political interference and the pursuit of capital. An article in the *Launceston Advertiser,* purportedly written by an Anglican, remarked, 'Some clergymen are, we hear, imbued

---

Company', 1852, 1849, copy obtained from Macleay River Historical Society, 12 June 1852, 30 June 1852; Rudder, 'History of the Macleay'.

[264] Rudder, 'Sea Voyage to California', p. 10.

[265] Enoch William Rudder, 'Sea Voyage to California', 1849, copy obtained from Macleay River Historical Society, pp. 21, 22, 25-26, 40, 42, 51, 56, 71, 73, 79, 89, 90; The Bible Society, 'Report', *Launceston Advertiser*, 1 January 1835, p. 4.

[266] Genesis 1:31, Genesis 7:3, Genesis 9:16, Exodus 23:10-11, Exodus 23:4-5, Leviticus 19:9-10, Leviticus 25:23-24, Numbers 35: 33, Deuteronomy 20:19, Deuteronomy 22:6, Job 12:7-10, Psalm 8:3-8, Psalm 24:1-2, Psalm 65:9-13, Proverbs 12:10, Proverbs 19:17, Proverbs 21:13, Proverbs 28:27, Isaiah 24:4-6, Jeremiah 12:4, Ezekiel 34:18, Nehemiah 9:6, Matthew 6:26, Matthew 25:40, Romans 1:20, Romans 8:22-23, Galatians 2:10, Philippians 2:4, Colossians 3:12, 2 Thessalonians 3:13, 1 Timothy 4:4, 1 Timothy 5:8, 1 John 3:17-18, James 1:27, Revelation 11:18.

with the unhappy prejudice, which is encouraged by certain politicians of the aristocracy, not otherwise attached to the church than for its abuses, and by worldly-minded prelates who are no better than political adventurers.'[267] The article went on to label these religious aristocrats as 'mad zealots, or corrupt jobbers, in church patronage'.[268] Disagreements and differences about church, politics and society were as common in the colonies as they had been in Britain and Europe, so much so that a proposed education curriculum for Sydney declared that to 'make the pupil acquainted with the history of all religious opinions, no attempt will be made to pledge his adherence to any given creed, or to withdraw his affections from any given sect of religionists' and that the morality of the Bible would be taught so the students learned 'to be amiable and benevolent – as well as able and honorable – members of society'.[269] The 'religious landscape' of early-nineteenth century Australian colonies therefore provides the observer with a display of 'push and pull' at times between different Christian denominations, and 'ecumenical cooperation' at other times for the so-called good of the community. This complex diversity of Christianity, and religious faith in general, is ever present throughout the history of religion in Australian colonisation. This suggests that the argument where some environmental historians and ecologists accuse Christianity as the root of today's ecological crisis, as if all shades and gradations of Christianity equally interpreted Genesis 1:28 as a mandate to exploit the Earth, might be mistaken on grounds of a flawed assumption of homogeneity.[270]

---

[267] *Launceston Advertiser*, 1 January 1835, p. 3.
[268] Launceston Advertiser, 1 January 1835, p. 3.
[269] 'Education', *The Sydney Herald*, 3 January 1835, p. 2.
[270] Lynn White Jr, 'The Historical Roots of Our Ecological Crisis', *Science*, 10 March 1967, p. 1206. James Beattie and John Stenhouse, 'Empire, Environment and Religion: God and the Natural World in Nineteenth- Century New Zealand', *Environment and History,* vol. 13, iss. 4, 2007, pp. 413-446; Peter Harrison, 'Subduing the Earth: Genesis 1, Early Modern Science, and the Exploitation of Nature,' *The Journal of Religion*, vol. 79, iss. 1, 1999, pp. 86-109; Matthew Timothy Riley, 'Reading Beyond the

To support this point, it is important, therefore, to acknowledge the opposite extreme, the group against which many Christian denominations dissented: a form of religion which people like Rudder said overlooked [his interpretation of] Biblical instruction by realigning religion with capitalistic ambitions and conflating Christianity with a perception of moral and racial superiority of British imperialism. In April 1831, a columnist in the *Australian* remarked,

> What a farce then it is hearing people talk of religious "toleration" and "Catholic Emancipation," and all such cant, yet, so devoutly worshipping the Mammon of Hierarchy; and while inculcating the tenets, practically flying in the teeth of everything like good, sound Christian doctrine […] haunted by the watchful cowl of bigotry, superstition and slavery.[271]

According to the columnist, this form of hierarchical Christianity as an organised religion stood on its own social dogmas, rather than on Biblical ordinances. Likewise, Rudder often complained about 'those who claim to be Christians' yet do the very things that the Bible warned them not to do.[272] It is this social and political class structure which Rudder and others like him believed perverted faith. He accused them of pursuing wealth, exploiting land and sea, and contributing most to the erosion of the Macleay society and environment and to disregard for Dunghutti culture.[273]

There certainly are plentiful examples of settlers who fit that narrative. Upper Macleay squatter, Henderson who claimed his squatting run in 1839, was one such elitist. His journal, quite the opposite from Rudder, was focussed on himself,

---

Roots: The Theological and Weberian Aspects of Lynn White's Scholarship', *ProQuest Dissertation Publishing*, 2016, p. ii.
[271] *Australian*, Friday 8 April 1831, p. 2.
[272] Rudder, 'Sea Voyage', p. 40.
[273] Rudder, 'History of the Macleay'; Enoch William Rudder, 'Give back the land: A handbill in verse attacking squatters.'

seemingly deliberately highlighting his abilities, political and social position, financial prowess and aloofness. And, also quite unlike Rudder, his rarely mentioned his Christian adherence. However, when it was mentioned, it was almost always associated with political privilege, social connections, or racism. In 1838, shortly after arriving in the NSW colony, Henderson sojourned to the Illawarra region. The reason he did this was, like many free settlers of his time, to scout for land.[274] This in itself was not unusual; Rudder did as much. Unlike Rudder, however, Henderson was a man of capital with connections to those with capital. He had money to purchase land which, 'at this time, cost five shillings per acre' at the minimum price.[275] From his wealthy acquaintances and friends he received advice about how to invest his capital in the colony. Some suggested he purchase land and others advised him to purchase sheep and 'form a squatting station beyond the bounds of the colony.'[276] In deliberating which advice to follow, he never wrote in his journal that his choices were bound by legalities or Christian moral principles as Rudder had done. Rather, he expressed that he governed his choices in the context of wealth and the continued growth of that wealth. Land seemed an attractive option because his friends had told him that the 'principle advantage […] to buy land was the obtaining of convicts, five or six of these being assigned with every section of six hundred and forty acres which are bought.'[277] Rather than choosing land within the bounds of settlement because other settlers might consider it the legal and moral thing to do, his friend advised him to buy land because one could obtain free convict labour, and Henderson considered this 'a very fine thing […] very well indeed for the large capitalist.'[278] He decided

[274] Henderson, *Excursion and Adventures in New South Wales*, i, pp. 82-83.
[275] Henderson, *Excursion and Adventures in New South Wales*, i, p. 83.
[276] Henderson, *Excursion and Adventures in New South Wales*, i, p. 83.
[277] Henderson, *Excursion and Adventures in New South Wales*, i, p. 83.
[278] Henderson, *Excursion and Adventures in New South Wales*, i, pp. 83-84.

against it only because he had seen a gentleman ruined by a bad investment, not because he thought the law or any Christian moral obligation bound him.

Further, Henderson did not explicitly link his plan to invest his capital and occupy land in the colony with any God-given directive to subdue and conquer. Rather, he consistently explained he only planned to increase his capital for the sake of money and political and social standing in and of themselves. His mention of Christianity instead then, as stated, was subservient to and linked with his political and social connections, wealth, and subsequent racism. During his 1838 journey to the Illawarra, an Episcopal clergyman (Anglican) joined Henderson and his friend.[279] This clergyman became his close travelling companion, described by Henderson as having 'intelligent, agreeable conversation.'[280] Henderson often expressed hostility to socialising with anyone beneath his class, so both the clergyman and his conversation must have met Henderson's strict aristocratic standards to be considered worthy of such a comment.[281] On arrival at Wollongong, despite travelling with the clergyman, Henderson only briefly listed the three churches in the area: Episcopalian [Anglican], Presbyterian and Roman Catholic, before he spent more time discussing the state of the inn and the utility of the harbour for capitalistic endeavours and moving on to hunting adventures and capitalistic observations of settlements further south, including Kiama.[282] At this point he took pains to emphasise he was well received at Shoalhaven at the 'property of Alexander Berry, Esq., Member of Council' who showed them over 'his extensive and magnificent property.'[283] Again, while the likes of Rudder filled their diaries with Christian duty and praise to their God as creator of

[279] Henderson, *Excursion and Adventures in New South Wales*, i, p. 87.
[280] Henderson, *Excursion and Adventures in New South Wales*, i, p. 87.
[281] Henderson, *Excursions and Adventures in New South Wales*, i, p. 2.
[282] Henderson, *Excursion and Adventures in New South Wales*, i, pp. 90-94.
[283] Henderson, *Excursion and Adventures in New South Wales*, i, p. 95.

the natural world, the likes of Henderson counted churches only as monuments of British civilisation, while their focus remained on wealth and upper class political and social connections. Furthermore, their stay at Berry's property included the Episcopalian clergyman, yet Henderson only very briefly passed over the fact they attended 'divine service' under this clergyman, without explaining what was preached. He instead, like before, went directly back to intricately describing other adventures and capitalistic observations about the landscape.[284]

The next time Henderson linked himself with Christian religion was during one of his journeys to the Liverpool Plains in 1839 as he passed a geologically interesting locality called Burning Mountain at Wingen, between Scone and Murrurundi. Rather than take this as a moment of spiritual wonder about a perpetually burning mountain, as someone like Rudder may have done, Henderson instead used it as an opportunity to parade his religious adherence and to underline why he believed he was racially superior to the Wanaruah Aboriginal people in the area:

> The blacks, so far as I could learn, have no tradition or superstition regarding it; and it is therefore impossible to tell how long the fire has been in action. One would have supposed that the natives would, at least, have had an awe and veneration for this natural and enduring principle of fire, if they did not, indeed, make a God of and worship it; but they are too stupid and degraded even for that. Let me not be misapprehended. I do not mean to say that these savages would give any proof of wisdom, or dignity, by deifying the element of fire; I only would intimate, that they appear incapable of deifying any spirit, person, or thing whatever; and that if they succeeded in obtaining a light for

[284] Henderson, *Excursion and Adventures in New South Wales*, i, pp. 95-96.

> their sticks, or a fire for their gunyas (sic.), they would walk away as listless and unthinking as ever.[285]

The irony about this comment is that it shows more about his own ignorance than his superiority. The Wanaruah people named the area 'Wingen', which means fire, and considered the area both a source for traditional healing and a sacred site with a Dreamtime explanation for its existence, an explanation which had been passed on for generations.[286] Further to this, someone of Rudder's worldview may have taken more time to understand the geology and Aboriginal significance of the area, something Rudder was apt to do with remarkable precision in many other locations. This is precisely what the Christian clergyman, Reverend C. P. N. Wilton, a man with 'a keen interest in geology' had done when he 'correctly identified it as a continuously burning coal seam in 1829' and understood from the Wanaruah people that it was called 'Wingen'.[287] Wilton also suggested that the fire had probably burned 'for a length of time – far proceeding the memory of man.'[288] Wilton's ideals aligned with the Christian dissenters who, like Hodge, upheld a contextual, systematic theology about the place of humanity, and the nature of the environment, which led him to 'criticise other naturalists' regarding their attitudes to Biblical interpretations, and his writings often had him at loggerheads with some of those considered to be his superiors.[289]

---

[285] Henderson, *Excursion and Adventures in New South Wales*, i, pp. 171-172.
[286] Cara Cross, 'Our Country, Our Healer: Aboriginal Apothecaries of Burning Mountain', *Aboriginal History,* vol. 45, pp. 83-108; NSW National Parks and Wildlife Service, 'Burning Mountain Nature Reserve', https://www.nationalparks.nsw.gov.au/visit-a-park/parks/burning-mountain-nature-reserve/learn-more, accessed 5 September 2022.
[287] Charles P. N. Wilton, 'The Burning Mountain of Australia: To the Editor of the Sydney Gazette', *Sydney Monitor*, 30 March 1829, p. 7; Cross, 'Our Country, Our Healer', p. 88.
[288] Wilton, 'The Burning Mountain', p. 7.
[289] Charles Hodge, *Systematic Theology*, 3 vols, reprinted 1989, Michigan, Eardmans Publishing Company, 1871, ii, pp. 94-95; W. Mayer, 'Geological observations by the Reverend Charles P. N. Wilton (1795-1859) in New South Wales and his views on the relationship between religion and science,' *Geological Society*, London, vol. 310, p. 197.

In 1831, the Surveyor General Thomas Mitchell took observations of Burning Mountain, and likewise identified the Wanaruah traditional name, 'Wingen', meaning fire.[290] These days, scientists explain that the burning coal under the mountain is 'the oldest known fire on the planet'.[291] Not only was the irony of Henderson's racist ignorance shown up by those men who preceded him (even a Christian clergyman), but also by his own omissions. While he wrongly denigrated the Aboriginal people whom he perceived lacked any spiritual tradition attached to the mountain, he himself offered no such spiritual wonder of his own. His misguided attempts to belittle the Aboriginal people only served to emphasise his own shallow spirituality. And, thanks to the personal records left by these other men, one may stand at the site of Burning Mountain in Wingen, NSW, and consider the spiritual/religious landscape around them, wondering at how this unique geological feature laid bare the contrasts between Aboriginal Dreamtime, Christian men who love the Earth and its people, and nominal Christian men who pursued wealth above all.

This section has so far attempted to understand the role of the Christian religion in the lives of the Macleay Valley's settlers, especially focussing on two examples from opposite extremes, and how this religion may have influenced their attitudes toward economy, the environment, the Aboriginal people and to each other. More pressing, however, is the relevance of this discussion to the question of this dissertation: how did social and political divisions influence the economic and environmental development of Kempsey during the colonial period up to 1865? There

[290] Thomas Mitchell, *Three Expeditions into the interior of Eastern Australia,* 2 vols, iBooks edition, 1831, i, 1.1, Burning Hill of Wingen.
[291] Fiona MacDonald, 'This Mysterious Fire in Australia has been burning for at least 6000 years', *Science Alert*, 2 January 2022, https://www.sciencealert.com/this-mysterious-fire-in-australia-has-been-burning-non-stop-for-at-least-6-000-years, accessed 5 September 2022; NSW National Parks and Wildlife Service, 'Burning Mountain Nature Reserve Plan of Management,' February 1993, https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Parks-reserves-and-protected-areas/Parks-plans-of-management/burning-mountain-nature-reserve-plan-of-management-930001.pdf, accessed 5 September 2022.

is no straightforward answer. I argue that the solution is much murkier and more complicated than an outright implication of Christianity for current ecological crises. The bottom line is that scholars cannot blame one religion as a universal whole for problems of the past. Historical evidence, which demonstrates a seemingly endless spectrum of the shades of Christianity in the colonies, simply cannot support those charges.

What the historical evidence does support, however, is that human beings interpret their faith in a complex variety of ways. This has meant that at one extreme some people have invoked their faith as they committed great atrocities, while at the other end of that spectrum, others invoked their faith to resist and end such atrocities. A large number of people along the seemingly endless number of gradations in the middle of this spectrum have interpreted their religious mandate in innumerable other ways.[292] That evidence suggests the religious landscape among Europeans in early Kempsey was likewise far from homogenous. I have put forward Henderson and Rudder as representatives of the two ends of the Christian religious spectrum in the Macleay. In the middle of that spectrum, the everyday people in Kempsey and the Macleay mixed with a vast number of different beliefs about Genesis, the natural world, racism, imperialism, economics, politics, and even about what constituted true Christian faith. They came from all demographics and different denominations and even adherents of the same denomination took completely different stances on the above matters. While Henderson, as shown, was a wealthy squatter associating with the Anglican Church, one of his convicts was a Roman Catholic priest who, like many Irish men and women, was sent to NSW on charges of treason.[293] Rudder, it appears

[292] John Dickson, *Bullies and Saints: An honest look at the good and evil of Christian History,* Zondervan, Michigan, 2021.
[293] Henderson, *Excursion and Adventures in New South Wales*, i, pp. 95-96;
Henderson, *Excursion and Adventures in New South Wales*, ii, p. 2.

was also associated with the Anglican Church, though his entire worldview was vastly different to the Anglican squatters like Henderson.[294]

In 1841, Rudder and a fellow settler, Carnegie, began a subscription to build the first church in Kempsey, and many locals generously supported this with sums of £10 to £50 each; the Anglican Bishop of Australia being the first on the list, pledging a full £50.[295] While many settlers gave generously to the building of the church, at least an equal number (or more) other settlers spent their time and/or money on alternative pursuits, drawing ire from the political and social commentators of the day. Writing about crime and licentiousness on the Macleay, one correspondent declared,

> A more horrid place was never before known, than it has been, according to the opinion of every one I have spoken to on the subject, and also from what I have seen and experienced myself on the river. It is really lamentable that such a state of things should have existed in these enlightened days, in any British colony inhabited by Christians, as have been witnessed during the last two years on the Mcleay.[296]

The offenses, which the writer considered an offense against [their interpretation of] Christianity included cedar cutting beyond the regulations and without licences, stealing cedar, and merchant frauds. The widespread destruction of the natural resource, and the theft associated with the black market for timber, both environmentally and socially destructive, were underscored as an affront to any Christian population. Such a statement could not have been well supported if a homogonous group of Christian settlers believed in principle that they had a mandate

[294] *Macleay Argus,* 8 December 1888, p. 4; *Sydney Morning Herald,* 5 December 1888, p.10.
[295] 'News from the Interior', *Sydney Herald*, 17 February 1841, p. 2; 'McLeay River', *Sydney Morning Herald,* 15 September 1842, p. 2.
[296] 'The Macleay and Bellinger Rivers', *Sydney Morning Herald,* 21 October 1842, p. 2.

to subdue and conquer the natural world. Some nineteenth and modern theological scholars have contended that the Christian Bible does not teach people to disregard or exploit the environment.[297] In contrast they, like Rudder, have interpreted Genesis 1:28 as a direction that the environment and all people are considered sacred and of immense value, worthy of protection and good stewardship. And seeing the historical differences shown, Christianity, with its many gradations and variations, cannot universally be made to bear the sole blame for today's ecological disasters.[298] Rather, the historical political and social context of the Industrial Revolution, British class structures, and conflation of religious affiliation with moral uprightness, may have been more likely to have contributed to some sections of society interpreting their Christian beliefs in ways with which other Christians have openly disapproved.

To put aside religion as a contributing variable to Kempsey's economic and environmental development, it may then be posited that a diverse population of human beings in pursuit of wealth and political and social prestige, may have been more likely responsible for decisions which have caused lasting ecological destruction, as will be shown in my final chapters. From the earliest days when pirates escaped from Sydney and shipwrecked in Trial Bay, through to the coming of squatters as pastoralists claiming whatever land suited their interests, these diverse political and

---

[297] D.K. McKim, 'Doctrine of Creation' In *Evangelical Dictionary of Theology,* Walter A. Elwell (ed.), Michigan, Baker Book House, 1984, pp. 281-283; J. J. Scott, 'Literalism', In *Evangelical Dictionary of Theology,* Walter A. Elwell (ed.), Michigan, Baker Book House, 1984, pp. 643-644; Ian A. McFarlane, 'Dominion Theology' In *The Cambridge Dictionary of Christian Theology*, Ian A. McFarlane, David A. S. Fergusson, Karen Kilby, and Iain R. Torrance (eds), Cambridge University Press, 2011, p. 148; Benjamin B. Phillips, 'A Creature among creatures or lord of creation? The vocation of Dominion Theology in Christian Theology,' *Journal of Markets and Morality*, vol. 14, iss. 1, 2011: 133-146; J. Van Engen, 'Natural Theology' In *Evangelical Dictionary of Theology,* Walter A. Elwell (ed.), Michigan, Baker Book House, 1984, p. 752; James Beattie and John Stenhouse, 'Empire, Environment and Religion: God and the Natural World in Nineteenth- Century New Zealand', *Environment and History,* vol. 13, iss. 4, 2007, pp. 413-446; Charles Hodge, *Systematic Theology*, 3 vols, reprinted 1989, Michigan, Eardmans Publishing Company, 1871, ii, pp. 94-95; Jerome Cohen, "*Be Fertile and Increase, Fill the Earth and Master It": The Ancient and Medieval Career of a Biblical Text*, Cornell University Press, 1992, p. 313; Dan Story, 'Should Christians be environmentalists?', *Christian Research Journal*, vol. 33, iss. 4, 2010, pp. 1-10.

[298] Bible, On Common Ground; Lynn White Jr, 'The Historical Roots of Our Ecological Crisis'.

social divisions directly impacted the Aboriginal people and their land in different ways.[299] Vast tracks of land in the Macleay Valley came under the occupation of men who claimed an upper-class British heritage and British military officer ranks, along with those who had previously been in the inner circles of Governor Darling and Colonial Secretary Macleay.[300] These men of both Scottish and British origin expressed political and economic ambition that appeared to disregard the values and rights of all whom they deemed socially 'beneath' them, especially the Aboriginal people whose land they violently invaded.

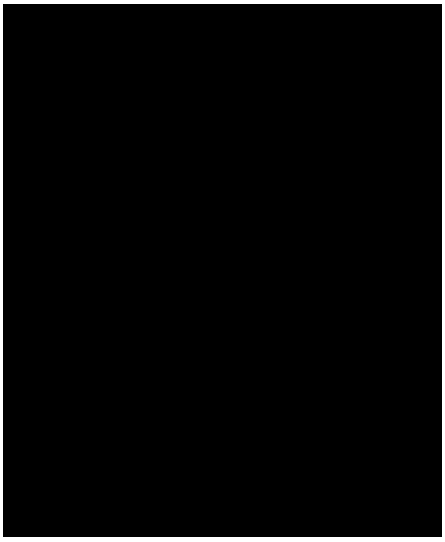

Figure 13: John Verge, ca. 1836-ca. 1852 / attributed to James Wilson, Mitchell Library, State Library of New South Wales, FL1831237.

John Verge was another such settler, linked with Darling, Innes, and Henderson. Alongside Rudder, Verge emerged as one of the key protagonists of the social and political divisions that had a direct, long lasting impact on the economic and environmental development of Kempsey to 1865. Will Graves Verge (Will), John Verge's great grandson obtained private letters, journals and documents through his

[299] Weingarth, 'Discovery and Settlement', pp. 142-143; Anon., 'Sydney', *The Sydney Gazette and New South Wales Advertiser,* 1 February 1817, p. 2; 'The goanna spirit of the Anderson Sugarloaf Mountain – This Place', *Stories: Culture and Capability*, Australian Government National Indigenous Australians Agency, https://www.indigenous.gov.au/news-and-media/stories/goanna-spirit-anderson-sugarloaf-mountain-place, accessed 22 June 2022; Blomfield, *Baal Belbora*, p. 31; H. F. M. Creamer, 'Malaise and Beyond' In, *The Moving Frontier: aspects of Aboriginal-European Interaction in Australia*, Peter Standbury (ed.), Sydney, University of Sydney, 1977, p. 147.
[300] Connah, 'The Archaeology of Frustrated Ambition'.

family and the Mitchell Library in NSW, and subsequently presented his findings to the Royal Australian Historical Society in 1954.[301] Will's compilation of papers were afterwards published in 1962 as, *John Verge, Early Australian Architect: His Ledger and His Clients*.[302] Given the importance of Will's work, this thesis draws heavily on the collection which includes primary documents and letters between Verge, governors and other prominent colonists of Verge's lifetime.

According to Will, surprisingly little is known of Verge in England before he emigrated to Australia. This is a stark contrast to the trail of information and public works left in his name from his arrival in Sydney in 1828 to his death in 1861.[303] However, it is known that Verge was a successful builder who retired to tend his 'country estate' before being 'lured by the opportunities of the new colony of NSW.'[304] Will contended that Verge's reputation must have preceded him to NSW, since he was contracted by high ranking and notable patrons in Sydney upon his arrival. He married a Catherine Bowles in England; however, Catherine did not emigrate with Verge and their son, Philip, to Australia.[305] Nevertheless, Will offered a private letter written from Catherine to Verge in 1843, showing that the couple maintained at least cordial contact despite the geographical separation.[306]

Verge applied for and was granted a considerable size (2,500 acres) of land almost immediately upon his arrival in Sydney. The conditions of this grant showed that he came to NSW with substantial capital at his disposal, totalling £2,738 in value,

[301] Will Graves Verge, 'John Verge, an early architect of the 1830s', *Journal of the Royal Australian Historical Society*, vol. 40, iss. 1, pp. 1-36, 1954.
[302] Will Graves Verge, *John Verge, Early Australian Architect: His Ledger and His Clients*, Wentworth Books, Sydney, 1962.
[303] Will Graves Verge, *John Verge*, p. i.
[304] Will Graves Verge, *John Verge*, p. vii.
[305] Will Graves Verge, *John Verge*, p. 1.
[306] Will Graves Verge, *John Verge*, p. ii.

something with which Rudder could not compete.[307] Further, the report stated that Verge was 'possessed of property in houses in London to the amount of £4,000 to £5,000'.[308] Will argued that Verge intended to solely occupy himself in agricultural pursuits in NSW, but in 1831 Governor Darling invited Verge 'to tender for Public Works'.[309] It appears that this tender was for building works and not for architecture. Verge was after all, according to scant evidence presented by Will, a builder by trade, not an architect.[310] According to Will, it was through a gradual process that Verge 'graduated' unofficially from building to architecture, and that he created a successful business of this nature among notable people in Sydney. Verge's works in Sydney are some of the most significant in Australian history and include Macarthur's *Camden Park House* in Camden and *Elizabeth Farm House* in Granville; *Lyndhurst* in Glebe; alterations and additions to Sydney's St James Church; St Paul's Church, Cobbitty; and dozens of other commercial and private structures throughout the colony of NSW.[311]

It is of special interest, however, that Alexander Macleay was one of Verge's most important clients. Macleay was Commander Major Innes' father-in-law (recalling Innes' influence upon the Port Macquarie settlement and land grants at the Macleay). Macleay's *Elizabeth Bay House*, designed by John Verge in the employ of Darling and Macleay, was 'for many years quite the finest house in the colony', and it still stands today.[312] The picture painted here is of Verge as an astute capitalistic businessman - quite the opposite of Rudder - with the power of capital at his disposal,

[307] The Land Board's Report no. 261, Land Boards, 23 January 1829, as quoted in Will Graves Verge, *John Verge*, p. 1.
[308] William Dumaresq, letter, to His Excellency Lt. General Darling, Governor, 1829, quoted in Will Graves Verge, *John Verge*, p. 2.
[309] Will Graves Verge, *John Verge*, p. vii.
[310] Will Graves Verge, *John Verge*, p. vii.
[311] Will Graves Verge, *John Verge*, pp. 225-229.
[312] Annabella Boswell, *Annabella Boswell's Journal*, 1834-1848, Morton Herman (ed.), Sydney, Angus and Robinson, 1965, p. 5.

and personal and economic links with the major decision makers in the colony at that time. A letter written in 1961 by Mrs G. Gabriel, Honourable Secretary of the Hastings District Historical Society, stated that Verge 'was very wealthy, a large landholder and grazier. His property extended from the North Shore of Port Macquarie to the Macleay River.'[313] His commercial and private links certainly enabled him to build capital upon capital in a land that Governor Darling favoured for his friends and family.

While Colonial Secretary Alexander Macleay approved grants in the Macleay to several 'worthy' persons prior to 1835 (including Major Innes and John Verge), none of these resided in the Macleay Valley or built any permanent structures on their land at that time.[314] Innes resided at a large house he built (by convict labour) south of Port Macquarie.[315] Verge's residence, prior to his grant in the Macleay District, had been centred around the Hunter River district and parts of Sydney while he successfully engaged himself in his lucrative architecture business.[316] Rudder disembarked in Sydney in February 1834, having spent the previous five years unsuccessfully applying (to Alexander Macleay) for land grants from his home near Tregear in England.[317] Possibly unbeknownst to Rudder, the period from 1824-1830 coincided with a significant decline in land grants throughout the NSW colony.[318] It was also a period when Governor Darling and Alexander Macleay had become known

[313] Mrs. G. Gabriel, Honourable Secretary Hastings River Historical Society, letter to Mr O. E. Phillips, 25 November 1961, held at Mitchell Library, ML DOC 304 transcript.
[314] Crown Lands Commissioner Oakes to Colonial Secretary, National Archives of Australia, 16 July 1839; Crown Lands Commissioner Oakes to Colonial Secretary, Itinerary of March 1837, National Archives of Australia, March 1837; Crown Lands Commissioner Oakes to Colonial Secretary, National Archives of Australia, 29 June 1839.
[315] Annabella Boswell, *Annabella Boswell's Journal*, 1834-1848, Morton Herman (ed.), Sydney, Angus and Robinson, 1965
[316] Will Graves Verge, *John Verge*.
[317] Colonial Office, letter to Enoch William Rudder, MIC571889, State Library of New South Wales, A 1273/pp.250-251, 255, 20 August 1832; Enoch Rudder, New South Wales Government, Inward passenger lists, Series 13278, Reels 399-560, 2001-2122, 2751, State Records Authority of New South Wales, Kingswood, New South Wales, Australia, 4 February 1834.
[318] Butlin, *Forming a Colonial Economy*, p. 129.

in the colony for 'land jobbing', granting land only to those 'worthy', that is, their family and friends.[319]

Having arrived in Sydney in 1834 without future plans or any significant personal capital, Rudder spent a further three years applying repeatedly to Macleay for land grants in NSW, and was repeatedly denied on several grounds. [320] In these documents, Lionel stated that Rudder was described as a merchant in all his communications in Sydney.[321] Some newspaper reports indicate that Rudder had a stake in some agricultural trading as he imported produce for growing crops and attended stakeholder meetings for the Australian Flour Company.[322] In January 1835, a gazette listing indicated that Rudder was selling kentledge, a scrap metal used in shipping.[323] Nevertheless, Lionel argued that Rudder's so-called capital consisted largely of loans from his wife's family, which he spent mostly on three years' rent in Sydney.[324] Unlike Verge, Rudder had no valuable property in England or livestock of any value which could add to his net worth, nor did he have personal or business links with Governor Darling or Secretary Macleay.

Another problem for Rudder was that in 1831 a change had occurred in the land grants scheme, with no free land to be given after that year, and Colonial Secretary Macleay at least twice denied Rudder's request for an exemption to this rule.[325] While Rudder actively involved himself in community and merchant

---

[319] *Australian*, 15 April 1829, p. 2.; 'Retribution, New South Wales in Parliament', *Australian*, 5 November 1830, p. 2; Sydney *Gazette and New South Wales Advertiser,* 28 May 1831, p. 2; *Australian*, 5 August 1831, p. 2.
[320] Lionel J. V. Rudder, *Magnificent Failure*, pp. 4-5.
[321] Lionel J. V. Rudder, *Magnificent Failure*, pp. 7.
[322] Anon., 'Imports', *Sydney General Trade List*, 11 October 1834, p. 1; Anon., 'Imports', *Sydney General Trade List*, 25 October 1834, p. 1; Anon, 'Australian Flour Company', *The Sydney Gazette and New South Wales Advertiser*, 11 December 1834, p. 2.
[323] Classifieds, *The Sydney Gazette and New South Wales Advertiser*, 8 January 1835, p. 3.
[324] Lionel J. V. Rudder, *Magnificent Failure*, pp. 4-9.
[325] Enoch William Rudder, letter to the Colonial Office, applying for a grant of land without the insurmountable difficulties imposed by the New Regulations, MIC571847, State Library of New South Wales, A 1274/p.159, 14 November 1835; Land Grants Guide, 1788-1856, New South Wales

organisations in Sydney, he remained ever interested in the exploration of the natural environment, spending money on several journeys within the colony and scouting land. It was during these journeys and his communications with contacts in Sydney that Rudder developed an awareness of the forests and lands available around the Macleay River and these became the focus of his continued unsuccessful applications for land grants.[326]

A picture now emerges of stark differences in capital, social status, and personal contacts with Verge being well connected and increasing in personal capital, and Rudder, having few notable contacts and dwindling finances. These differences lay the grounds for some of the most significant decisions and bitter contests which have had direct impacts on Kempsey's economic and environmental development. Rudder's 'capital' was of a non-financial kind: knowledge of the environment and an insatiable intellect by which he ceaselessly investigated nature, sending his findings back to the London Geographical Society and Australian Agricultural Company where his records were well received, particularly his 'copious experiments on sea pressures at various depths' during his journey to Australia.[327] Lionel acknowledged Rudder's alternative 'capital' in the Foreward to *Magnificent Failure*, where he quoted Rudder, '[…] money is not everything. "Let it be remembered that misfortune does not destroy gentility where life is honourably maintained and spent in the fear and love of God."'[328] On the other hand, and less interested in environmental experiments, Verge's financial and material capital meanwhile increased alongside his capital in personal and commercial connections with the 'movers and shakers' of NSW in his

Government State Archives and Records, https://www.records.nsw.gov.au/archives/collections-and-research/guides-and-indexes/land-grants-guide-1788-1856, accessed 17 April 2021.
[326] Anon., 'National Education', *The Sydney Gazette and New South Wales Advertiser,* 5 February 1835, p.2; Anon., 'Temperance Society', *The Sydney Times*, 13 January 1835, p. 2; Lionel J. V. Rudder, Magnificent Failure, pp. 8-9.
[327] Lionel J. V. Rudder, *Magnificent Failure*, p. 6.
[328] Lionel J. V. Rudder, *Magnificent Failure*, foreword.

time. These ‘movers and shakers’ controlled the grants and sales of lands around the Macleay, the laws associated with these, and the laws associated with natural resources. In Chapters Seven and Eight, it will be shown that the differences between these men went beyond ideological separation, to actual decisions and arguments about the development of Kempsey.

Chapter Five | Early Europeans, their industry and occupation from 1830-1843

Industry, social status, and occupation are key considerations when investigating how social and political divisions impact economic and environmental development. Wells and Beckett researched the demographic structure of the NSW population in the nineteenth century.[329] Several other studies have highlighted the variety of characters, including their class levels and labour statuses within the colonial NSW population, including discussion on how those individuals shaped the colonial economy.[330] Huf recently summarised the main characters which have dominated the scholarship, while arguing for the need for more study on capitalist characters.[331] He pointed to emancipists and free settlers as the focus of most research papers, and to English born and colonial born groups, as well as the different levels of wealth and social classes associated with these.

In Kempsey, a sample of the wider colonial demographic converged in the Macleay Valley. Further, the tensions existing between social and political classes in the wider colony were played out in the Macleay, with varying impacts upon economic development and growth. This chapter will discuss the earliest European settlers and their place in colonial society, with particular focus on Enoch Rudder and John Verge as the main protagonists of Kempsey's 1835-1865 period. Moreover, the powerful social and political differences between these settlers, their view and treatment of one another, and their responses to environmental challenges will

[329] Wells, *Constructing Capitalism*; Beckett, *A Brief Economic History of Colonial NSW*.
[330] Butlin, *Forming a Colonial Economy: Australia 1810-1850*; Brian Fletcher, *Colonial Australia Before 1850*, Thomas Nelson Australia, 1976; McLean, *Why Australia Prospered*; Ben Huf, 'The Capitalist in Colonial History: Investment, accumulation and credit-money in New South Wales', *Australian Historical Studies*, vol. 50, iss. 4, 2019, pp.418-440.
[331] Huf, 'The Capitalist in Colonial History'.

highlight how these early demographics played a significant role in the early and later economy of the town and region. Issues of power, wealth, political favour, and race will feature in this and subsequent chapters as these two men stand as the personification of opposing ideologies present in the Macleay Valley. Examination of these early demographics and their political and social impact on economic and environmental outcomes in the Macleay Valley will address the focus question of this dissertation.

Writing in 1924, Weingarth indicated that no settlement immediately followed the initial 'discovery' of the Macleay River in 1826.[332] Taking most of his information from Labori (Rudder), Weingarth remarked,

> A number of officials and some residents of Sydney heard of the capabilities of the river and were anxious to take up grants there, but as Port Macquarie was a convict settlement, the authorities were not inclined to allow settlement in the locality until about 1834.[333]

However, in Rudder's memoir, which Weingarth alluded to in his work, Rudder did not write on how he came to be in Kempsey in 1835. These earlier years of Rudder's settlement in the Macleay must be pieced together by seeking evidence elsewhere, particularly helped by the research accomplished by his descendant, Lionel Rudder.

Before turning to Rudder, however, an earlier event must be mentioned. Neil maintained that Captain Innes (appointed Commandant at Port Macquarie in 1826), 'established a cedar party on the banks' of the Macleay in 1827, about one kilometre south-southwest of the present-day Kempsey CBD, at Euroka Creek on the southern

[332] Weingarth, 'The Discovery and Settlement of the Macleay River', p. 5.
[333] Weingarth, 'The Discovery and Settlement of the Macleay River', p. 6.

bank of the Macleay.[334] While the settlement is shown on a sketch by surveyor Henry Dangar in 1830, little other information is available on this settlement. [335] Whatever the status of this settlement, it did not last because, as noted by Neil, Captain Innes left the region in 1827 and in 1829 married the daughter of Alexander McLeay, from whom the river obtained its name.[336] He returned to Port Macquarie as a businessman in 1830.[337]

These details, though basic, give some data about the categories of first European characters associating with the Macleay Valley: Captain Innes, an official appointed as Commandant over the Port Macquarie penal settlement, cedar getters (of unknown character, but likely to be convicts under Innes' command); and government surveyor Henry Dangar, soon to be one of the wealthiest squatters and pastoralists of the New England district.[338] Additionally, from Weingarth's remark, it appears that no free settlement was initially conceived for the Macleay, or at least while Port Macquarie continued its status as a penal settlement, consequently showing again that Port Macquarie inhibited the Macleay's initial settlement even in the earliest years. An article in the *Australian* in August 1829 showed the interest would-be settlers had in the Macleay region along with their distrust in the authorities who kept it closed to settlement:

---

[334] Neil, *Valley of the Macleay*, p. 21.
[335] Henry Dangar, 'Sketch map of Coast from Farquhar Inlet to the Solitary Islands, also showing the Hastings River upwards to Mount Sea View. Also, the New River (Macleay) upwards to some miles above Kempsey,' Surveyor General's Crown Plans 1792-1886, Macleay River, M.1166a, Category B, 1830, index number 33.
[336] Family Notices, 'Marriages at Sydney', C*olonial Times,* Hobart, 13 November 1829, p. 3; Neil, *Valley of the Macleay*, p. 21.
[337] Crown Lands Commissioner Oakes to Colonial Secretary, National Archives of Australia, 16 July 1839; Crown Lands Commissioner Oakes to Colonial Secretary, Itinerary of March 1837, National Archives of Australia, March 1837; Crown Lands Commissioner Oakes to Colonial Secretary, National Archives of Australia, 29 June 1839.
[338] Author unknown, *The Gostwyck Story*, https://gostwyck.com/history/, accessed 22 March 2021.

> If Port Macquarie was abandoned as a penal settlement, let private persons unconnected […] in politics or interests, particular or general, enjoy their chance. We suspect the causes which have kept this district closed for so long. The Home Authorities, notwithstanding all that has been or will be, no doubt urged, and asked, and prayed for on this important head, […] we trust will not exhibit so little sense and discrimination as to yield up an acre of settlement at the river commonly called the 'New River' (... 'the McLeay').[339]

These colonists did not believe the authorities would provide a fair opportunity to all settlers when the Macleay opened for settlement, and they apparently believed the land was kept closed for private reasons. Nevertheless, in 1830, once the status of the penal settlement of Port Macquarie was changed and no longer received the 'worst convicts', the Hastings and Macleay Valleys finally opened for free settlement.[340] This pushed the northern boundary of the Nineteen Counties to the Macleay River, making the south and east banks of the Macleay the northernmost boundary, with the addition of the County of Macquarie north of the Manning River now available for grants or purchase within the colony of NSW by the early 1830s. [341]

[339] Anon. 'A peep at the northern settlements', *Australian*, 7 August 1829, p. 3.
[340] Anon., 'Port Macquarie', *The Australian*, 14 April 1830, p.2.
[341] Engraved copper plates of Sir Thomas Mitchell's map of the nineteen counties [Surveyor General]. State Records Authority of New South Wales, 1834.

e 

Figure 14: Map showing the Macleay River as the northern bounds of the County of Macquarie, compiled by Robert Dixon, surveyor, Sydney 1845, held at the State Library of New South Wales, M Series 4 000 1A 3004, Map 35.

Cedar trade and changing regulations.

Meanwhile, as Rudder and Verge were on their different paths to land acquisition in the colony, cedar getters had already cut their way through thousands of hectares of forests to the south and north and had begun moving into the Macleay Valley. Around Newcastle and Port Macquarie, these cedar getters were often in 'Clearing Gangs' and described as 'generally the worst and most incorrigible of any [prisoners].'"[342] However, free cedar cutters and escapees from Port Macquarie made their way north. This mixture of men frequently came from the lower classes of the colonial population. Their single interest was in making money from the 'red gold' that cedar had become known as in the colony. Wherever they went along the NSW Coast, newspapers reported clashes between these men, the Aboriginal people, and with wealthier settlers. They were often accused of trespassing, stealing, embezzling, destroying timber, and murdering, among many other 'vices' said to be 'common to

[342] Anon., 'Clearing Gangs', *Australian*, 5 January 1826, p. 2.

their class.'[343] The cedar cutters were said by Henderson to be a 'strange, wild set, comprising in general a good proportion of desperate ruffians, and sometimes a few run-aways, they themselves being ticket-of-leave men, or emancipists.'[344]

Attributing the behaviours of cedar cutters to their 'depraved and degraded class', Henderson likewise labelled the rafters who transported the cedar logs down the river: 'The rafters are of the same class, and partake of the same habits.'[345] Like Henderson, Hodgkinson has also written disdainfully about the cedar-cutters and those like them, 'These men are generally convicts […] The scenes I have witnessed at the Macleay River, on those occasions, surpass all description. Men and women, lying day and night on the bare grass in a state of intoxication.'[346] Reading both Henderson and Hodgkinson further on this matter, one can observe a remarkably similar story structure, which may suggest that Henderson (whose memoir was published in 1851, seven years after Hodgkinson's work) referred to Hodgkinson as he wrote, or that there existed a third source or at least, perhaps, an agreed collaboration among the pastoralists and those in their class.

These very words and phrases are those that Townsend highlighted in her social and labour history, referring specifically to Henderson's and Hodgkinson's writing, arguing that their views feature powerful social and political divisions among the classes.[347] While Townsend's argument centred around the possibility of bias in the settlers' writing, this chapter, as I have previously alluded, instead focuses on the political and social structures which impacted the environmental and economic developments in Kempsey's early history. It is interesting to note here that Townsend

[343] Anon, 'Australian Politics', *Sydney Gazette and New South Wales Advertiser*, 1 July 1826, p. 2.
[344] Henderson, *Excursions and Adventures in New South Wales*, i, p. 124.
[345] Henderson, *Excursions and Adventures in New South Wales*, i, p. 127.
[346] Hodgkinson, Australia, p. 11.
[347] Townsend, 'A Strange, Wild Set', pp. 11-12.

not only attributed environmental limitations as the reasons cedar cutters refrained from cutting too far into the upper Macleay, but also social and cultural conflicts, stating, 'As far as the Macleay was concerned, there was still extensive cedar in the Falls country but that was an area of intense European and Aboriginal conflict.'[348] The conflict between upper-class squatters and the Dunghutti clan in the upper Macleay (a Dunghutti clan at Nulla Nulla and another upper valley Dunghutti clan called Conderang) appears to have prevented cedar exploitation in this area, at least as much as environmental factors. Townsend's study questioned the tone and description about cedar cutters, often written by upper-class 'gentry' whose social and political bias exhibited disdain for their lower-class neighbours.[349] Still, in an attempt to control these 'raiding cedar gangs' and the large scale exploitation of cedar, Governor Darling imposed a tax on cedar exports and issued a decree that only licenced cedar parties may cut timber on Crown Lands, with specific application being made to the government beforehand.[350]

This in turn led to an outcry that the government was destroying the livelihoods of these men, particularly those who operated in organised employment in cedar parties.[351] Some store owners mused that the 'cedar tax', as they called it, even led to a wider depression within the colonial economy, felt by all colonists except the governor and his men whom they theorised had profited from the tax.[352] Sydney newspaper, *The Monitor*, was notably the most precipitous publisher of complaints

[348] Townsend, 'A Strange, Wild Set', p. 10.
[349] Townsend, 'A Strange Wild Set', pp. 9-21.
[350] Anon, 'Australian Politics', 1 July 1826, p. 2; Anon, *Hobart Town Gazette*, p. 2; Norma Townsend, 'A Strange, Wild Set'? Cedar-Cutters on the Macleay, Nambucca and Bellinger Rivers, 1838-1848', *Labour History*, iss. 55, 1988, p. 9.
[351] Anon, *Australian*, 26 July 1826, p. 2; Anon., *Australian*, 21 October 1826, p. 2; Anon., *Australian*, 4 October 1826, p. 2; Anon., 'The Monitor', *The Monitor*, Sydney, 19 June 1827, p. 4; Anon., 'The Monitor', *The Monitor*, Sydney, 10 February 1827, p. 3.
[352] Anon., 'The Monitor', *The* Monitor, Sydney, 8 December 1826, p. 3; Anon., 'Domestic intelligence,' *The Monitor*, Sydney, 19 June 1827, p. 8; Anon., 'The Monitor', *The Monitor*, Sydney, 19 June 1827, p. 4.

against the tax and licence fees.[353] Concerning Kempsey, it becomes apparent that within the earliest phase of the region's history, political decisions made within the wider colonial context, that is, by Governor Darling and Secretary Macleay, impacted on the livelihoods and personal economic prospects of the sawyers who many considered to be in the 'lower classes' of society; and additionally, that this reverberated more widely to diminish the economic prospects of businessmen, settlers, publicans, proprietors and storekeepers who directly or indirectly profited from the cedar trade in outposts like Kempsey.

While at first glance this legislation may appear to have been a sensible environmental decision that initially slowed the exploitation of cedar in the Macleay, it ultimately played into the hands of Governor Darling and his 'worthy' men, those merchant capitalists who could afford to buy a licence and pay lower wages to cedar cutters, while fetching high prices when selling the timber in Sydney. Others who purchased a licence were people of lesser means who simply hoped to build a business and make it rich by dealing in cedar, though they could not afford to do so on the large scale available to the wealthy merchants. These poorer cedar getters included 'ticket-of-leave' ex-convicts.[354] Yet, according to complaints cited above from newspapers, many merchants and cedar cutters 'were ruined' and had to leave the trade altogether, while Darling and his rich capitalists based in Sydney monopolised the industry.[355] This is the point Townsend discussed in her article where, as noted, she argued that economic depression, local shipping accidents, personalities and methods 'seem to

[353] Anon., 'The Monitor', *The* Monitor, Sydney, 8 December 1826, p. 3; Anon., 'Domestic intelligence,' *The Monitor*, Sydney, 19 June 1827, p. 8; Anon., 'The Monitor', *The Monitor*, Sydney, 19 June 1827, p. 4.
[354] Anon., 'News of the day', *The Sydney Monitor*, 9 October 1837, p. 2.
[355] Anon., 'The Monitor', *The Monitor*, Sydney, 10 February 1827, p. 3.

have been the deciding factor' for which the cedar industry declined on the Macleay during the early 1840s.[356]

Within this context, according to Lionel, Rudder used some of his dwindling finances and applied in February 1835 for permission to cut cedar around the Macleay. However, as Rudder was preparing to leave Sydney, he discovered a ship of cedar cutters who he claimed were heading to the Macleay to cut cedar without licence.[357] Thus, despite (or because of) regulations and taxes, the high value of cedar meant that illegal cedar gangs defied Darling and exploited this natural resource, now competing with those capitalists and merchants who had invested in a licence. This resulted in regular squabbles and court cases where men were accused of stealing cedar from merchants or settlers' properties, or of cutting cedar without licence on these properties and Crown Lands.[358]

One might ask why an environmentally conscientious man like Rudder invested in a cedar licence at all. He claimed that he only ever intended to use his licence to cut cedar on land he planned to occupy and was not interested in profiting off large-scale environmental exploitation.[359] However, during a trial in the Supreme Court, witnesses stated that they had purchased large quantities of cedar from Rudder, with reports of individual sales of up to two hundred thousand feet sold and handed over on the beach at Trial Bay.[360] Rudder later responded to this claim,

> I never allowed any of my servants to deal in cedar. I have no servant who can cut cedar so as to render it fit for market; neither have I for a long period since,

[356] Townsend, 'A Strange Wild Set', pp. 10-11.
[357] Lionel J. V. Rudder, Magnificent Failure, p. 8.
[358] Anon., 'News of the day', *The Sydney Monitor*, 9 October 1837, p. 2; Anon., 'Accidents, Offence, etc.', *The Sydney Herald*, 12 October 1837, p. 3.
[359] Enoch Rudder, 'To the editor of the Colonist', *The Colonist*, Sydney, 18 August 1838, p. 2.
[360] Anon., 'News of the day', *The Sydney Monitor*, 9 October 1837, p. 2.

> sold or purchased cedar, except what has been cut upon my own land, or been converted for building purposes. I am not connected with the cedar trade; and have ceased to be so for many months and have no sawyer in my employ. I beg also further to remark that it is not my intention to connect myself in any way in the business, while it cannot be conducted in a fair and honourable manner, under the sanction and with the approbation of the Government.[361]

In this correspondence, not only did Rudder state his personal intentions to use cedar in his own dwellings and not for trade, but he also alluded to his complaint with the industry itself. He had detested the exploitation of the cedar, the actions of unlawful cedar cutters, and the failure of Governor Darling to oversee the industry fairly.

Nevertheless, by the mid to late-1830s, the cedar trade, both legal and illegal was well underway on the Macleay, with thousands of acres being cleared along the riverbanks and beyond. This forever changed the stability of the soils and the flow of the river during heavy flooding. At the same time, this trade also brought a variety of people and classes to the region including capitalist investors and ex-convicts, as well as new settlers like Rudder looking for land, or others wanting to prosper by selling goods and liquor to cedar cutters, or to make a living transporting cedar to the Sydney market. Free settlers, squatters, and merchants of 'higher social standing' clashed with those freed convicts who were also trying to make money from the cedar, as well as with men who simply stole sawn timber at gun point. These clashes sometimes resulted in theft, drunken gunfights, and threats of being shot on the spot.[362] Moreover, the Dunghutti people now had a dizzying variety of people invading their region, leading to new exchanges, especially with cedar cutters.

[361] Enoch Rudder, 'To the editor of the Colonist', *The Colonist*, Sydney, 18 August 1838, p. 2.
[362] Anon., 'Supreme Court', *Sydney Gazette and New South Wales Advertiser*, 9 November 1837, p. 3.

This last point is important, as stated by L. A. Gilbert: 'being the first to penetrate many coastal river valleys, the cedar-cutters often determined the nature of subsequent relationships between the [Aboriginal Australians] and the permanent white settlers.'[363] However, Alison Vivian and Terry Priest argued that the cedar industry in the Macleay had less impact on the Aboriginal inhabitants and the environment than later pastoral and grazing industries came to have.[364] It is possible that a combination of both these arguments may be right for different reasons, however this dissertation contends that Gilbert's argument is supported by Rudder's memoirs, indicating that those first contacts with cedar-cutters did set the stage for later relationships. The actions of the cedar cutters and their exploitation of trees on Dunghutti land will have set the scene for more intense resistance to contemporary and later pastoralists who acquired 'extensive land for cattle'.[365] In terms of environmental impact, this dissertation maintains that while pastoralism certainly has had an especially significant environmental impact on the Macleay Valley, the cedar trade in the earliest years of European occupation had immediate consequences for flood destruction and environmental disaster, as argued by Rudder, Kempsey's first European settler.[366] The cedar industry's impact has been felt by residents of the Macleay ever since, and it was repeatedly implicated in multiple environmental impact studies commissioned for flood mitigation during the twentieth century.[367]

---

[363] L. A. Gilbert, 'A strange wild set', University of New England, 1971, https://rune.une.edu.au/web/bitstream/1959.11/18449/13/open/SOURCE12.pdf, accessed 4 May 2021, p. 372.
[364] Alison Vivian and Terry Priest, 'Factors affecting crime rates in Indigenous communities in NSW: Kempsey and Gunnedah', Research Project, Jumbunna, University of Sydney Indigenous House of Learning, 2012, p. 12.
[365] Vivien and Priest, 'Factors affecting crime rates', p. 12.
[366] Enoch W. Rudder (Labori), *History of the Macleay*, pp. 1-8.
[367] Damon Telfer, 'Macleay River Estuary Data Compilation Study', GECO Environmental, Grassy Head, 2005; Kempsey Shire Council, 'The Nature of Flooding in the Kempsey Shire', Annex A to the Kempsey Shire Flood Management Plan, Kempsey, date unknown; E. W. R. Thorpe, environmental 'Historical Survey of the Macleay Valley', environmental and geographical report for Kempsey Shire Council, University of New England, 1968; G. Atkinson, Soil Landscapes of the Kempsey, NSW Department of Land and Water Conservation, Sydney, 1999.

Therefore, the social, economic, and environmental impact of the cedar industry must be counted as significant, considering its initial contribution that set the stage for ongoing cultural and environmental degradation which only increased in force in subsequent decades as industries like pastoralism rose in importance. Barry Morris asserted that the cedar industry was a result of 'the economic interests of the cutters [which] simply involved […] plundering the environment of a singular and limited resource and moving on,' and that 'the incursions of the cedar cutters into the Macleay Valley were brief and would appear to have a limited impact on the Aboriginal population.' [368] Nevertheless, this dissertation takes into account the 'opening volley' that the cedar industry fired between the Dunghutti people and invading European settlers. Existing arguments highlight the impact of European industry on the Aboriginal population and their wider cultural economy, with particular emphasis on the pastoralists. This is important. Still, the initial interactions between cedar cutters and the Aboriginal people need to be recognised, as these made way for contemporary and later resistance alongside ongoing environmental disasters, particularly flooding. Therefore, the impact that the cedar industry had on the Macleay Region economically, culturally, socially, and politically, cannot be taken too lightly. It was the first economic reason Europeans entered the valley and this itself is substantial. Within this industry, illegal cedar cutters had become notorious as a kind of 'bush ranger' all along the east coast of NSW. Early settlers and merchants called them outlaws and 'dregs' of society known for violence, drunkenness, vulgarity, robbery, and murder, who threatened and retaliated against anyone who attempted to stop them, including the Aboriginal people of the regions they raided.[369]

[368] Barry Morris, *Domesticating Resistance: the Dhan-Gadi Aborigines and the Australian State*, Oxford, 1989, p. 16.
[369] L. A. Gilbert, 'A strange wild set', p. 377.

Early Pastoralism in the Macleay

Pastoralism came to the Macleay almost simultaneously with the cedar cutters, ensuring that very soon after their arrival, the cedar cutters were not the only Europeans invading Aboriginal lands in the 1830s and early-1840s. Neil reported that in the late-1830s and early-1840s, there were upwards of twenty-three squatting runs in the valley.[370] In 'Squatting on Crown Lands in NSW', J. F. Campbell listed thirty-three runs beyond the nineteen counties, including one by Enoch Rudder (3,808 acres) and another by an entity titled 'Bank of Australasia' which occupied 48,000 acres.[371] An extract from a letter sent from the Department of Lands in January 1960 listed nineteen runs, citing from the Government Gazette of July 1848.[372] The letter also cited a list of original grantees, which included Verge's 2,560 acres granted in April 1841, and a purchase made by Verge of 640 acres in October 1840. Though it cannot be immediately generalised, many of these occupants and landholders came from a different class above the cedar getters.

In 'A Strange, Wild Set'? Cedar-Cutters on the Macleay, Nambucca and Bellinger Rivers', Townsend argued that some of the descriptions of cedar getters which I cited above, came from these pastoralists and squatters of whom she said had a biased 'upper-class' perspective on the behaviour of the sawyers.[373] Indeed, while criticising the drunkenness and larceny of the cedar getters, a number of these pastoralists had taken up squatting runs beyond the nineteen counties, invading the 'Falls country' in the upper Macleay where cedar cutters had been less likely to exploit the 'extensive cedar' in that location.[374] This is confirmed by boundaries

[370] Nail, *Valley of the Macleay*, p. 33.
[371] J. F. Campbell, 'Squatting on Crown Lands', *Journal of the Royal Australian Historical Society*, vol. 17, part 1, 1931, p. 2.
[372] Department of Lands, letter, 6 January 1960.
[373] Townsend, 'A Strange, Wild Set,' p. 11.
[374] Townsend, 'A Strange, Wild Set,' p. 10.

drawn on early parish maps of the counties of Macquarie and Dudley, showing land held or occupied by Europeans, extending deep into the gorges and valleys of the Macleay and its tributaries.[375]

Henderson was one of these, a 'former Lieutenant in Her Majesty's Ceylon Rifle Regiment' who arrived in Sydney from London on the ship *Fortune* on 4 August 1838.[376] In his two volume work, *Excursions and Adventures in New South Wales V 1 and 2*, Henderson offered intimate details about his experiences as a squatter in the upper Macleay, including clashes with Aboriginal groups which often resulted in violence, deaths and increased hostilities toward one another.[377] Henderson blamed the Dunghutti people for stealing his corn, meat and other supplies, killing or driving off his convict servants, spearing or stealing cattle, and reported likewise attacks on Major Innes and his servants, stock and 'property'.[378]

Henderson similarly gave insight into the activities of the cedar industry, noting,

> It is the red cedar, however, that is the most valuable; and the McLeay [sic], at the time of my visit, produced the best. Now, the greater part has been cut, except that which is so far above the first falls, or fords, as to be unavailable. It is not found to pay, when cut at any distance from water carriage; and consequently the sawyers at first confined themselves to that which grew below the point at which the tide flows. That becoming scarce, they attacked

[375] Land and Registry Services, Parish and Historical Maps, Counties of Macquarie and Dudley, Historical Land Records Viewer, https://www.nswlrs.com.au/Parish-and-Historical-Maps, accessed March 2022.
[376] Henderson, *Excursions and Adventures in New South Wales,* 2 vols, title page; 'Shipping Intelligence', *The Sydney Gazette and New South Wales Advertiser*, 4 August 1838, p. 2; R. J. Smith, Settler's Prose: Penal and Pastoral, University of New England Open Sources, 1959, p. 1, https://rune.une.edu.au/web/bitstream/1959.11/10841/4/open/SOURCE06.pdf, accessed 11 April 2022.
[377] Henderson, *Excursions and Adventures in New South Wales,* 2 vols.
[378] Henderson, *Excursions and Adventures in New South Wales*, ii, pp. 3-4.

> the brushes, ten, twenty, thirty, and at least forty miles above the tide flow, felling timber ultimately eight miles up "Henderson's Creek".[379]

Henderson's Creek flowed in the vicinity of his squatting run. Today the creek is known as Nulla Nulla Creek, near Bellbrook in the upper Macleay Valley.

It is seen here that the cedar getters had made their way at least this far up the valley at the time of Henderson's writing.[380] Townsend's argument that descriptions of sawyers may be overstated by upper class squatters seems well supported by Henderson's own words, 'These extraordinary habits are attributed to several causes: the depraved and degraded class to which most of the sawyers belong.'[381] Indeed, throughout Henderson's memoir, it appears his usual practice was to describe lower classes and other races as if he were literally looking down his nose in disgust, simply because in Henderson's worldview, they were socially lower than he. Townsend has ably argued the case for social aspects which cloud the historian's view of the sawyer's class, and it is therefore both beyond the scope of this study and unnecessary to repeat that research in depth here.[382]

However, these complexities, as highlighted by Townsend, are well noted. What can be underscored is the evidence that social and political divisions and race were explosive fault lines among the people of the Macleay in these early days of European settlement, particularly from the perspective of pastoralists who often represented the upper classes of their society, and these social and political fault lines had long lasting impacts on economic and environmental developments in Kempsey and the Macleay Valley. Verge and Rudder, while certainly not the only important

---

[379] Henderson, *Excursions and Adventures in New South Wales*, i, p. 142.
[380] Telfer, 'Macleay River Estuary Data Compilation Study', p. 3.
[381] Henderson, *Excursions and Adventures in New South Wales*, i, p. 146; Townsend, 'A Strange, Wild Set'.
[382] Townsend, 'A Strange, Wild Set'.

names in this complex drama, stand out as personifications of opposing ideologies whose combative disagreements left a permanent impact on Kempsey long after the squatters had gone. More of this opposition and its impacts will be explored in depth in Chapters Seven and Eight.

Chapters Four and Fiver have shown that the inherit values, beliefs, and moral codes of each of these people and the social and political divisions they represented, often led them to clash ideologically with each other and with the Dunghutti people, often violently, in ways that indelibly impacted the early economic and environmental development of small colonial settlements like Kempsey. Moreover, in light of these chapters, it does not appear to be a complete or correct response to simply accuse an entire religion, or a single interpretation of a Biblical text, for the current ecological catastrophe. The problem was, Rudder argued, not in the religion, but humanity's unfettered greed for material prosperity, and the political and social structures which enabled this greed to flourish. These differences politically and socially set these settlers apart from one another along powerful lines of division early in Kempsey's history. And, as will be shown in the events discussed in the final four chapters of this thesis, these political and social divisions precipitated strong divergences of opinion which underpinned foundational decisions about how economic, cultural, and environmental aspects of the Macleay Valley should be managed.

PART THREE: Events which affected the growth of Kempsey in the first thirty years of settlement.

Chapter Six | The 1840s Economic Depression in the Australian colony and its impacts on the early development of Kempsey and the Macleay Valley.

Previous chapters have explored social, political, and religious aspects of the earliest days in Kempsey's history, alongside demographics and social structures which existed in Kempsey and the general colony at the time. In this and the following chapters, attention turns toward specific events which affected Kempsey in the first decades after colonisation of the region. These include economic downturns, the gold rushes and political, social, and economic decisions made to alter the environment for economic gain. Each of these also includes environmental challenges associated with droughts, fires, and floods, beginning with a discussion around the 1840s economic depression in the NSW colony.

Both historians and economists have and continue to provide robust discussions around the early development of the Australian colonial economy and the various contributors to the 1840s recession. These discussions vary in their focus and perspective, ranging from labour structures, wealth and resource extraction, and reliance on international trade, to internal political wrangling and mismanagement.[383] Nevertheless, it is generally agreed by most that Australia's chief economic resource prior to 1850 was wool, Britain being Australia's principal trading partner, and that wealthy squatters and pastoralists underpinned this economy, primarily maintained by

[383] McLean, *Why Australia Prospered*, Chapter 4 (iBook); Wells, *Constructing Capitalism*; Beckett, *A Brief Economic History of Colonial NSW*; Fletcher, *Colonial Australia Before 1850*; Butlin, *Forming a Colonial Economy*.

free convict labour while dominating the political landscape.[384] While Fletcher agreed that wool was a staple export, he additionally pointed out that historians have too often overlooked the value of fisheries (whaling and sealing) which he argued rivalled wool exports prior to 1840.[385] It is therefore necessary here to briefly discuss the historical context of the crash of the 1840s to determine its impacts on the fledgling settlement of Kempsey and the Macleay during this decade. This chapter will include a concise contextual analysis of Britain's circumstances as well as those in the general NSW colony, to review the colonial economic context surrounding Kempsey's settlement from 1835 to 1842, focussing on the chief resources of the Macleay Valley and their place in the wider economic structure of the colony, and whether the 1840s depression impacted Kempsey's early development. This will consider a reflection written by previously mentioned squatter Henderson, and how the 1840s crash may have affected the social and political 'landscape' around Kempsey at that time.

Within the first seven years (1835-1842) of Europeans coming to Kempsey and the Macleay, settlers introduced a variety of industries and economic services to the valley with varying degrees of success. Industries which required the 'harvesting' of existing environmental resources included cedar (discussed previously), lime, and

---

[384] *Australian,* Friday 8 April, p. 2; Shann, *An economic History of Australia*, pp. 97-133; McLean, *Why Australia Prospered*; Nicolas Grinberg 'Capital Accumulation in the "Lucky Country": Australia from the "Sheep's Back" to the "Quarry Economy.' Part I: The Colonial Period, *Journal of Contemporary Asia*, 2022, DOI: 10.1080/00472336.2022.2032800; S. Ville, & D. Merrett, 'Investing in a Wealthy Resource-Based Colonial Economy: International Business in Australia before World War I', *Business History Review*, vol. 94, iss. 2, 321-346. doi:10.1017/S0007680520000264; Butlin, *Forming a Colonial Economy*; Stephen Nicholas and Deborah Oxley, 'Understanding Convict Workers', *Working Papers in Economic History,* The Flinders University of South Australia, vol. 43, 1990, pp. 1-25; Ralph Shlomowitz, 'Understanding Convict Workers: A reply', *Working Papers in Economic History,* The Flinders University of South Australia, vol. 44, 1990, pp. 1-15; Simon Ville, *Rural Entrepreneurs: A history of the Stock and Station Agent Industry in Australia and New Zealand*, Cambridge University Press, 2000, pp. 7-10; Fletcher, *Colonial Australia Before 1850*, pp. 54-83, 108-135; Bryan Fitz-Gibbon and Marianne Gizycki, 'A history of last-resort lending and other support for troubled financial institutions in Australia,' research discussion paper Reserve Bank of Australia, October 2001, pp. 13-17, https://www.rba.gov.au/publications/rdp/2001/pdf/rdp2001-07.pdf, accessed 12 August 2022; Georgina Murray and Jenny Chesters, 'Economic wealth and political power in Australia, 1788-2010', *Labour History*, vol. 103, 2012, pp. 1-15.

[385] *Australian*, Friday 8 April 1831, p. 2; Fletcher, *Colonial Australia Before 1850*, p. 72.

stone, all of which were necessary for building works or for brickmaking in the colony and Britain. [386] Introduced industries included but were not limited to beef, pork, dairy (milk and butter), horse breeding, tobacco, vegetable crops, maize (corn), mercantile trades, land sales, transport, and ship building and repairs.[387] Of lesser importance to Kempsey for climatical reasons, though not entirely absent, was the colony's lucrative wool trade which had occupied large tracks of NSW including the squatting runs in the colder high country of the adjacent New England region.[388] For this reason, issues of transport between the Macleay and New England increasingly occupied the plans and ambitions of the Macleay settlers, putting them in direct competition with neighbouring settlements at Port Macquarie (for which Major Innes had established his line from Port Macquarie to Walcha) and the Clarence region (which eventually connected to the New England via Craigs line from Grafton to Armidale/Guyra via Ebor).[389] Each of these communities competed to develop their 'lines' into commercially viable roads, each wishing to be the principle port through which New England wool could be transported to market. Settlers thought that doing so would bring growth and wealth to the successful port community. I will return to this in the next chapter, where this became a feature of late-1850s political reform. With the exception of ship building which was limited to settlements with rivers and ocean access, the majority of Kempsey's fledgling industries were common throughout the nineteen counties of settlement. There was, therefore, little to economically set

[386] 'News from the interior', *The Sydney Herald*, 17 February 1841, p. 2.
[387] *The Sydney* Herald, 19 July 1841, p. 2; *Sydney Morning Herald,* 15 September 1842, p. 2; See Appendixes A and B for a full list of sources.
[388] McLean, *Why Australia Prospered*, Chapter 4 (iBook); Fletcher, *Colonial Australia*, pp. 108-135.
[389] *The Sydney Herald*, Wednesday 13 November 1839; A Well-Wisher, *The Sydney Monitor and Commercial Advertiser,* 29 June 1840, p. 3; *The Sydney Herald,* 24 October 1840, p. 2; *The Sydney Gazette and New South Wales Advertiser*, 12 January 1841, p. 2; *The Australian,* 12 January 1841, p. 2; *Free Press and Commercial Journal,* 13 January 1841, p. 2; *Southern Australian,* 5 February 1841, p. 4; 'Kempsey and the River McLeay', *The Sydney Herald,* 17 February 1841, p. 2; Henderson, *Excursions and Adventures in New South Wales*, i, p. 109; Terry Grigg, *Edward David Stewart Ogilvie: Squatter at Yulgilbar, his personal journeys 1814-1896*, Melbourne, 2020, pp. 37-40.

Kempsey apart from the rest of the colony by 1841. Like many other areas, those taking up or selling land, or wishing to entice new settlers, advertised the region as 'some of the finest country in the world.'[390] The settlers expressed optimistic hopes for their new home.

A correspondent to *The Sydney Herald* in February 1841 provided a useful insight into the economic growth of Kempsey in those early few years.[391] In this article, the writer explained that at that time the village of Kempsey consisted of a post office, an Inn (Victoria Inn) and a blacksmith and farrier, with a subscription circulating in the local population for the building of a church. In addition to the squatters occupying land in the upper Macleay, the writer acknowledged several residents in and around the village of Kempsey, naming Rudder as one of the first inhabitants. The correspondent credited Rudder for advancing the village because of his decision to subdivide his land (on the higher eastern bank of the river) into one hundred and fifty allotments (1 acre each) which were priced at £5 per acre. According to the writer, the land value had risen to between £10 to £100 per allotment in the eighteen months prior to February 1841, though it is uncertain how many of Rudder's allotments actually sold in that time. In 1840, Lord John Russell's land regulations had given settlers the hope of opening further land at £1 per acre, which the correspondent here envisioned would bring wealthier and other 'respectable' families to the district.[392] The writer described the Macleay River as the chief advantage of the Kempsey village, in conjunction with the rich alluvial soils along its banks. Ships of up to forty tonnes could be navigated up to Kempsey, however, due to the shallow shoals at the lower reaches, larger ships

[390] 'News from the interior', *The Sydney Herald*, 17 February 1841, p. 2.
[391] 'News from the Interior', *The Sydney Herald*, 17 February 1841, p. 2.
[392] 'News from the Interior', *The Sydney Herald*, 17 February 1841, p. 2; 'New Land Regulations', *The Colonist*, Sydney, 12 December 1840, p. 2; Sir George Gipps and Lord John Russel, *Gipps to Russel*, collection of letters, held at LaTrobe University, http://arrow.latrobe.edu.au/store/3/4/9/1/3/public/B13858427S1V20pages719-950&backcover.pdf, accessed 2 August 2022; Shann, *An Economic History of Australia,* p. 190.

docked closer to the mouth of the river, thirty miles (48 kilometres) downstream from Kempsey. Goods for trade, including cedar, could be shipped down river to a certain point on smaller barges and vessels, but then needed to be transported overland to the beaches or to the mouth of the river, where they were loaded onto larger ships to be transported for trade 'for any part of the world.'[393] Despite the glowing descriptions and declared obstacles for large scale shipping, the writer still geared article toward attracting settlers and business to the district, rather than displaying an already well-established mercantile settlement.

The writer revealed that one cedar merchant, Dr Fattorini (who was previously linked with Major Innes), owned the inn and 'other valuable properties and buildings within Kempsey', though it is not stated what these 'other buildings' were.[394] Fattorini employed upwards of two hundred sawyers in his cedar business and his sawyers earned £6 to £7 per week and he planned to employ more workers in construction works around the village.[395] However, at this time, there was 'not yet either Church or Clergyman, gaol or constable, school or schoolmaster.'[396] Further, despite the promise of growth in terms of industry, there were few settlers dwelling long term in the region. Wealthier landowners held large sections of land, yet these settlers did not usually reside in the Macleay Valley at this time. Innes himself lived at his extensive estate and large Manor House near Port Macquarie.[397] Of those wealthier men who did live in the Valley, John Verge had gone to the Macleay to retire on his grant 'Austral Eden', though he appears to have undertaken some surveying work and continued to amass land titles for himself in and around Kempsey.[398] Henderson dwelt

[393] 'News from the Interior', *The Sydney Herald*, 17 February 1841, p. 2.
[394] 'News from the Interior', *The Sydney Herald*, 17 February 1841, p. 2.
[395] 'News from the Interior', *The Sydney Herald*, 17 February 1841, p. 2.
[396] 'News from the Interior', *The Sydney Herald*, 17 February 1841, p. 2.
[397] Annabella Boswell, *Annabella Boswell's Journal (1840-1848)*, Morton Herman (ed.), Angus and Robertson, first edn, 1965.
[398] Will Graves Verge, *John Verge*, p. 220.

in his 'squatter's cottage' upriver near present day Bellbrook, doing much of his business in Port Macquarie.[399] Sawyers, shipwrights and other free workers seemed to be more transient, staying on the Macleay as long as there was work to be done and money to be earned.[400] Other workers in the district at this time had been assigned convicts, mainly from the Port Macquarie penal settlement. The 'better' of these convicts were assigned to squatters and more influential settlers like Henderson. Henderson revealed that as soon as he had chosen his squatting location in 1839, he went directly to Port Macquarie to obtain his convicts, whom he called 'specials', 'on loan from the barracks' in that nearby settlement.[401]

The population of the NSW colony grew by 9000 in 1840, 6480 of which consisted of free immigrants, with convicts only making up 2543 of that number.[402] Convict transportation to NSW was then discontinued in August 1840.[403] The end of the transport system reduced availability of free labour for businessmen and squatters like Innes and Henderson and significantly altered the labour profile of the NSW colony, impacting the profitability of many squatters' runs and other land holdings.[404] Yet, for those like Innes who had previously amassed a large amount of capital, the end of the convict system did not appear to have an immediate impact. Innes' niece, Annabella Boswell, kept an interesting journal which demonstrates that Innes and his family continued living a privileged life with all the frills of high society well into the

[399] Henderson, *Excursions and Adventures in New South Wales*, ii, pp. 27-30; Henderson, Excursions and Adventures in New South Wales, i, pp. 294-301.
[400] Anon., 'River McLeay [sic]', Sydney Herald, 16 June 1842, p. 4.
[401] Henderson, *Excursions and Adventures in New South Wales*, i, p. 294
[402] 'Colonial Statistics', *The Sydney Herald*, 2 January 1841, p. 2.
[403] Gipps, Sir George and Russell, Lord John 'Gipps to Russell', in Historical Records of Australia, collection of letters, held at LaTrobe University,
[404] Georgina Murray and Jenny Chesters, 'Economic wealth and political power in Australia, 1788-2010', p. 2; Graham Connah, 'The Archaeology of Frustrated Ambition: An Australian case-study', *Historical Archaeology*, vol. 32, iss. 2, 1998, p. 22.

1840s.[405] Her journal likewise reveals that quite a number of their friends similarly maintained at least an outward show of wealth and importance even as late as 1847.[406]

However, the backdrop to the lavish lives of Innes and his friends was far from optimistic. Fitz-Gibbon and Gizycki highlighted the troubles amassing in the colonial economy prior to 1840 and through the 1840s depression.[407] This backdrop of economic and environmental woes eventually caught up with people like Innes as it had done for the rank-and-file settlers in places like Kempsey.[408] The economic troubles hitting the colonies began with a series of shifts across multiple sectors of the economy in the late-1830s, occurring at a time when settlers were working to build their new settlement at Kempsey into a viable economic investment.[409] The contextual discussion below will show that these settlers in Kempsey were 'rowing against the tide' when it came to economic growth in this period. In his closing chapters, Henderson lamented, 'it will be admitted by every one who knows anything of the colony, that the whole monetary system was egregiously wrong.'[410] Henderson went on to share his view of what caused such a widespread collapse, and this alongside other factors found in historical sources and scholarly discussions must be considered to understand the impact on Kempsey and the Macleay Valley.

[405] Annabella Boswell, *Annabella Boswell's Journal (1840-1848)*.
[406] Annabella Boswell, *Annabella Boswell's Journal (1840-1848)*, pp. 121-128.
[407] Fitz-Gibbon and Gizycki, 'A history of last-resort lending', p. 13; Wells, *Constructing Capitalism*, pp. 26-38.
[408] Connah, Graham 'The Archaeology of Frustrated Ambition: An Australian case-study', Historical Archaeology, vol. 32, iss. 2, 1998, p. 10; Connah, Graham 'The Archaeology of Frustrated Ambition: An Australian case-study', Historical Archaeology, vol. 32, iss. 2, 1998, p. 22.
[409] Georgina Murray and Jenny Chesters, 'Economic wealth and political power in Australia, 1788-2010', pp. 1-15; Fletcher, *Colonial Australia Before 1850*, pp. 54-84, 108-127, Butler, *Forming a Colonial Economy*, p. 223.
[410] Henderson, *Excursions and Adventures in New South Wales,* ii p. 248.

Political and Economic Changes in 1830s Britain and their connection with the Colonial economy

Fitz-Gibbon and Gizycki stated that 'The British financial crisis of 1839 heightened British investors' sensitivity to declining returns in the colonies, which in turn slowed capital inflow.'[411] Britain's influence on the colonial economy and subsequently on fledgling colonial settlements like Kempsey is a crucial factor, not just economically, but socially and culturally.[412] Chapters Four and Five of this thesis showed that the varied British social classes played a role in the emerging social-economic-spiritual-cultural structures in NSW between Europeans themselves as well as between Europeans and Aboriginal people. Additionally, changes were afoot regarding the transportation of convicts. Objections grew in both British parliament and society to end the practice for economic and ethical reasons (including protests against free labour and fears about socially forbidden sexual practices).[413] The 1837 Select Committee on Transportation met to discuss putting an end to transportation once and for all.[414] Furthermore, emerging reform in Britain's system of government meant that voting was no longer the right only of the landed gentry, but the right of all British men. This had yet to filter through to the Australian colonies which Britain still wrote off as penal colonies requiring economic control and the limitation of colonial

[411] Fitz-Gibbon and Gizycki, 'A history of last-resort lending', p. 13.
[412] Beckett, *A Brief Economic History of Colonial NSW*, p. 307.
[413] Zachary Thompson, Destroying Sodom in the South Pacific: How the terror of sodomy was invoked to end convict transportation to New South Wales c. 1837, Honours Thesis, University of Sydney, 2013, p. 4; John Ritchie, 'Towards ending an unclean thing: The Molesworth committee and the abolition of transportation to New South Wales, 1837-40', *Historical Studies*, vol. 17, iss. 6, 1976, p. 160; John Hirst, *Convict Society and its Enemies*, Sydney, Allen and Unwin, 1983, pp. 1-81; Kirsten McKenzie, 'Discourses of Scandal: Bourgeois Respectability and the End of Slavery and Transportation at the Cape and New South Wales', *Journal of Colonialism and Colonial History*, vol. 4 iss. 3, 2003. Project MUSE, doi:10.1353/cch.2004.0011; Wells, *Constructing Capitalism*, pp. 26-28.
[414] Select Committee on Transportation, 'Report of the Select Committee on Transportation together with the minutes of evidence, appendix and index,' 22 August 1838, Q 365G, Mitchell Library; Thompson, Destroying Sodom, p. 3.

settlers' rights.[415] Emancipists in Australia became increasingly antagonistic toward British control of the NSW economy, the convict system and labour, while squatters favoured British control.[416] For the squatters, this control served their interests of class based social structures and control of the colonial political systems and markets. The Napoleonic Wars between Britain and France which had ended in 1815, hastened much of these political, economic, and social changes within Britain and the colony in the years leading up to the 1840s crash.[417]

At this time, fears about the sustainability of food supply for an exponentially growing British population preoccupied Britain's political leaders, leading to proposals to constrain expenditure beyond the nation's shores and to instead focus more on local manufacture and industry, however, Britain continued to rely heavily on trade for at least another thirty years.[418] Howe argued that within this framework, the strength of the British currency in the 1820s led to 'the first great boom in capital overseas' coinciding with the period in NSW when many British men of high rank made the move to invest their capital in agriculture within NSW.[419] Britain had long been the chief trading partner for the NSW colony, though NSW relied far more on income, labour and supplies from Britain than Britain relied on the colony; a factor

---

[415] Wells, *Constructing Capitalism*, pp. 27-41; Fletcher, *Colonial Australia* Before 1850*,* pp. 136-159; Beckett, *A Brief Economic History of Colonial NSW*; National Archives of the United Kingdon, *What Caused the 1832 Great Reform Act? Political and social reform in 19th Century Britain,* The National Archives UK, https://www.nationalarchives.gov.uk/education/resources/what-caused-the-1832-great-reform-act/ , accessed 14 July 2023.
[416] Wells, *Constructing Capitalism*, pp. 27-41; Fletcher, *Colonial Australia* Before 1850*,* pp. 136-159; Beckett, *A Brief Economic History of Colonial NSW*.
[417] Patrick Karl O'Brien, 'The Impact of the Revolutionary and Napoleonic Wars, 1793-1815, on the Long-Run Growth of the British Economy', *Review-Fernand Braudel Center for the Study of Economies, Historical Systems, and Civilizations,* vol. 12, iss. 3, pp. 335-395; N. Gash, 'After Waterloo: British Society and the Legacy of the Napoleonic Wars', *Transactions of the Royal Historical Society,* vol. 28, 1978, pp. 145-157; W. W. Rostow, 'Adjustments and maladjustments after the Napoleonic Wars', *The American Economic Review*, vol. 32, iss. 1, 1942, pp. 13–23.
[418] Beckett, *A Brief Economic History of Colonial* NSW, pp. 307-309; Anthony Howe, 'Britain and the World Economy' In *A Companion to Nineteenth Century Britain*, Chris Williams (ed.), John Wiley & Sons, 2006, p. 19; W. W. Rostow, 'Adjustments and maladjustments', p. 18.
[419] Henderson, *Excursions and Journeys in New South Wales*, ii, pp. 241-264; Howe, 'Britain and the World Economy', p. 19.

which led to the earlier scrutiny of Macquarie's expenditures within the colony.[420] Meanwhile, wealthier capitalist investors saw their profits as not only personally beneficial, but more as temporary speculations intended to contribute to the British economy rather than to the NSW colonial economy.[421] As a result of Britain's internal concerns, between 1820 and 1850, British politicians became increasingly more determined that the NSW colony should become economically self-sufficient to reduce British economic responsibility for the settlements. Prior to this, in 1819, Lord Bathurst's appointed commissioner Bigge arrived in NSW to produce a report on the state of British assets in the colony, particularly to examine the expenditure incurred by Governor Macquarie's extensive building works and convict reforms, and to 'report on what steps might be taken to advance the interests of New South Wales as a free colony.'[422] While the nature of Bigge's report has become a source of historical contention, the results of the report were widely published in Britain's parliamentary papers in 1821 and had a significant impact upon British policy in relation to the NSW Colony leading up to the 1840s.

Further into the 1820s, the issue of free trade and tariffs was debated in England with various 'experiments' in British engagement with the colonies and other jurisdictions.[423] While these tariffs were intended to support Britain's internal industry, some colonists complained that tariffs or duties on Australian produce sent to Britain were damaging to colonial ambitions and encouraged a black market in the

[420] Wells, *Constructing Capitalism: an economic history of Eastern Australia 1788-1901*, p.12; Fletcher, *Colonial Australia Before 1850*, pp. 54-83; T. G. Parsons, 'Governor Macquarie and the Economic Crisis in New South Wales, 1810-1815', *New Zealand Journal of History*, vol. 2, iss. 2, 1968, pp. 178-200.
[421] Henderson, *Excursions and Journeys in New South Wales*, ii, p. 262.
[422] John Thomas Campbell and Lord Bathurst, 'Government General Orders', *The Sydney Gazette and New South Wales Advertiser*, 9 October 1819, p. 1; 'Fletcher, *Colonial Australia Before 1850*, p. 56.
[423] Howe, 'Britain and the World Economy', pp.17-19; T. G. Parson, 'Governor Macquarie and the Economic Crisis in New South Wales,' pp. 178-200; W. W. Rostow, 'Adjustments and maladjustments,' pp. 13–23.

colony, further undermining the economic strength of colonial merchants and investors.[424] Others argued that revenue from the colony 'was equal to or more than' any expenditure and stated that any such expenditure should have been covered by Britain, rather than the colony redrawing on its own 'chest'.[425] One article complained about illegal taxes and misuse of colonial funds to the amount of almost £100,000 in the nine years between 1813 and 1822. Internal wrangling over what was the appropriate or the legal or illegal use of colonial funds and over how Britain gained from these funds at the expense of hard working colonials, became hot topics of discussion, with commentators unsure of whether to blame the King's Governor or other high profile Englishmen.[426]

In 1826, an exposé on what was said to be the corruption in the Australian Agricultural Company aroused further anger that the Company board threw 'the resources of the Colony into the hands of English Capitalists, by the management of a tribe, who are totally indifferent about the means of acquiring wealth and influence, and who would gladly sacrifice a nation to obtain either.'[427] Further, while British policy makers struggled over economic supply for its own burgeoning population, they also wrestled with the purpose of the NSW Colony and the drain that this had on the British public purse. Was the colony still simply a 'gaol' for convicts, as Lord Bathurst had contended in 1817, or was it a growing settlement of free settlers and merchant traders? How one interpreted the purpose of NSW affected the way one thought funds should be spent and who should foot the bill. Consequently, in the colony likewise arguments arose over what Britain should pay for, what should

[424] Andrew Freeport, 'To the Editor of the Sydney Gazette', *The Sydney Gazette and New South Wales Advertiser,* 13 January 1825, p.3.
[425] *Australian*, 31 March 1825, p. 2.
[426] *Australian*, 31 March 1825, p. 2.
[427] *Australian,* 12 April 1826, p. 2; Wells, *Constructing Capitalism*, pp. 26-33.

remain for the wealth of the colony and what Britain had a right to claim. Distrust about political and trading institutions and of the members of a pro-British elite circulated in newspapers around the settlements.

Henderson's arguments regarding the 1840s Depression

It is important to analyse the views of those living through the period when this turmoil occurred. Early newspaper articles demonstrated, with a variety of perspectives, the economy was in a state of flux generated by social and political changes which a multifaceted shift in British and colonial thinking had instigated. Within this context, one squatter in the Macleay Valley penned his own views on what had occurred. Because Henderson lived in and immediately observed these changes from within the Kempsey/Macleay area, it is pertinent that his ideas should be considered to understand why he may have drawn the conclusions he did, and to determine if his ideas corresponded with what was happening in the colony or whether they were unique to those living in the Macleay Valley.[428] This may shed a light on whether the experience in Kempsey was similar, at least from a pro-British squatter's perspective, or different to those experiences impacting other areas of colonial settlement. How similar Henderson's views were to, or at least reflected, what was happening in Kempsey, might be analysed against any available primary sources from other settlers, official records or reports from, or memoirs about Kempsey at the time.

In his second volume, Henderson wrote Chapters Ten and Eleven as an offer of advice for 'the intending emigrant', and to give a 'rapid glance at the general state of the colony.'[429] It is in these chapters (plus some discussion in his Chapter Twelve) that he surmised what he thought went wrong. Having spent the good part of a decade

[428] Henderson, *Excursions and Journeys in New South Wales*, i, p. 130.
[429] Henderson, Excursions and Journeys in New South Wales, ii, p. 242.

or more in NSW, mostly in the Macleay Valley, Henderson published this journal/memoir in 1851, after his return to England. His experiences, though behind him, would have still been very fresh in his mind. Throughout his journal, from the time he arrived in NSW in 1836, there is, as discussed earlier, evidence that Henderson viewed most things through a pro-British capitalist lens, almost as if he especially looked at every landscape, person or opportunity only to consider, 'can money be made from this?'[430] He finally chose to invest his lot on the Macleay River, showing that he had at least estimated a healthy return for that investment in contrast to other areas he had visited south of Sydney and on the Liverpool Plains. The cynical tones in his final two chapters may indicate that the outcomes, or answers to his speculations, were bitter pills to swallow and he wished to sound a warning to his readers.

Several times in his writing, he had implied that his target audience was those who may have been considering emigrating to NSW as free settlers, with a mind to capitalist investment.[431] His view in hindsight was rather dismal, opening the preface to his journal with statements like, 'unfortunate enough to live in the lone and far bush', 'what he has to bear', 'discomforts, annoyances, losses, and dangers.'[432] Further into his journal he shared a poem he had penned in which he wrote,

> Now all, intent to emigrate,
>
> Come listen to the doleful fate,
>
> Which did befall to me of late,

[430] For example, Henderson, *Excursions and Journeys in New South Wales*, i, pp. 83, 97, 98-101, 104, 110, 113, 123, 147, 161, 198, 202, 205, 222.
[431] For example, Henderson, *Excursions and Journeys in New South Wales*, i, pp. a2, 2, 62, 104; Henderson, *Excursions and Journeys in New South Wales*, ii, pp. 74, 24-242, 258, 271, 294.
[432] Henderson, Excursions and Journeys in New South Wales, i, preface, p. a2.

When I went to the wilds of Australia.

I sailed across the stormy main,

And often wished myself back again,

I really think I was insane

When I went to the Bush of Australia.[433]

After a litany of descriptive adventures and miseries, the poem ended with objections about drunken convicts, attacks from bushrangers, 'daylight' robbery, and untrustworthy bankers who 'mizzle away the capital of Australia', finishing with the complaint, 'And it's not very easy to keep your cash, when once in a twelvemonth your agent goes smash,' highlighting the risky business of investment in the fledgling colonial economy and stating he would rather be in England selling 'matches from door to door' than to ever go back to Australia.[434]

When analysing Henderson's views about the economic depression, it is important to keep this context in mind. His published memoir was a mix of daily journals written during the experiences themselves and later inflected with thoughtful interpretations of his experiences.[435] It may be difficult to know if Henderson had such a dismal view of his experiences when he first disembarked at Port Jackson, or whether this clouded outlook fused into his memory after what he could only describe as an experience of discomforts, annoyances and losses. At any rate, he expressed these complaints in his interpretations of the state of the colony and its economy at that time which is worth analysing here. This analysis will consider some of the main points raised by Henderson.

---

[433] Henderson, *Excursions and Journeys in New South Wales*, i, p. 62.
[434] Henderson, *Excursions and Journeys in New South Wales*, i, pp. 62-65.
[435] Henderson, *Excursions and Journeys in New South Wales*, ii, p. 62-65, 90-91,

In attempting to identify these main points of contention in Henderson's journal, the reader must wade through pages of unleashed dissatisfaction at a system the writer announced as 'egregiously wrong.'[436] Several themes emerge in the process: availability of credit; oversupply of goods; price of land; lack of accountability amongst lenders and borrowers; and the end of the convict labour system. Before contemplating the causes of economic failure, Henderson first laid out a word portrait of the state of the colony at the time. He described people running at significant losses after relocating to NSW and putting in the capital, time and effort to make progress with their investment in the face of social isolation, danger, discomfort, attacks by both bushrangers and Aboriginal people, and thievery from businesses, banks, and anyone posing to engage in business.[437]

One of the central observations raised by Henderson was that the colonial economy had extraordinarily little physical currency and most people were heavily in debt to multiple lenders.[438] Loans, he said, were given out far too easily to people who had little means for repaying them. These loans did not just cover the purchase of land, but also the means for improving and living upon land and in towns. Mercantile stores and commodity traders around the colonial settlements sold goods on credit, expecting prompt payment at the time the buyer could give it, usually within a term of three months. An article written in *The Sydney Herald* in March 1842 likewise complained about these arrangements.[439] Punctuality of payment sustains a credit system, however, as falling commodity prices affected borrowers, along with higher taxes and natural disasters, punctuality became almost impossible for many settlers. The columnist therefore complained, 'the trader who one day appears to be rolling in

[436] Henderson, *Excursions and Adventures in New South Wales*, ii p. 248.
[437] Henderson, *Excursions and Adventures in New South Wales*, ii pp. 242-243.
[438] Henderson, *Excursions and Adventures in New South Wales*, ii pp. 244-249.
[439] 'Money Crisis – The Credit System', *The Sydney Herald*, 11 March 1842, p. 2.

wealth on the basis of credit-capital, may next day be seen in the character of a pennyless [sic] bankrupt.'[440] Australia had become a 'mercantile community' and failure in the mercantile credit system was a dire situation which would reverberate around every corner of the colony's economic structures.

As this crisis deepened, Henderson explained that merchant after merchant fell and banks who leant to merchants 'took fright' refusing to discount or offer further loans. Interest rates on existing loans were raised, according to Henderson, to '10 and 15 percent'.[441] Loans on land were affected alongside mercantile loans, so that borrowers became even less able to service their debts. Henderson stated that 'no business could be done' without this system of credit, saying that three-month loans were looked upon as if they were equal to cash payments and given out with such ease that it was a 'universal' system.[442] To compound this problem, in his view, he said many borrowers were 'rogues' and 'they always managed to bolt, or fail, before the money was due,' or forced a lender to keep renewing bills and more credit until the lender was out of money.[443] In this breath, he implied he himself leant out money to people who did not repay him and said that the situation meant that many merchants, traders and businessmen like himself became loathe to lend as it was unclear who could be trusted in a system where so little real money actually existed.[444]

Further to Henderson's view, the newspaper article referred to above explained that merchants exported goods to Britain and Europe, also on a matter of credit up to twelve months, but often did 'not receive remittances from abroad equal to the value of the goods shipped.'[445] This is possibly a reflection of the falling English wholesale

[440] 'Money Crisis – The Credit System', *The Sydney Herald*, 11 March 1842, p. 2.
[441] Henderson, *Excursions and Adventures in New South Wales*, ii, p. 249.
[442] Henderson, *Excursions and Adventures in New South Wales*, ii, p. 251.
[443] Henderson, *Excursions and Adventures in New South Wales*, ii, p. 251.
[444] Henderson, *Excursions and Adventures in New South Wales*, ii, p. 244.
[445] 'Money Crisis – The Credit System', *The Sydney Herald*, 11 March 1842, p. 2.

prices and the British economic crisis of 1839 discussed by Fitzpatrick and M. W. Butlin.[446] The colonial merchants seemed to be in a squeeze between local buyers who bought on credit, and British buyers who did not or could not recompense the merchant a sufficient sum, leaving the merchant at high risk of bankruptcy. Earlier advertisements with numerous stores and auctioneers offering goods with terms of three months, show that such situations occurred for colonial merchants.[447] The 'buy now and pay later' scheme was the norm for most colonists for every conceivable item. Land was sold with longer terms of credit, often with the same unchecked risks and speculations leading to defaulted payments.[448] This system not only affected the colony in NSW but likewise the neighbouring colony in Van Diemen's Land, where a Hobart newspaper showed in 1842 that yet another 'great Auction and Agency establishment' failed for the loss of between £16,000 and £35,000 because of mercantile failures and public credit.[449]

The effect within the Macleay Valley is evident in a wide range of local insolvencies, including that of Enoch Rudder who was declared insolvent in February 1842.[450] In addition, Fattorini of Port Macquarie, lucrative employer of cedar cutters, was likewise declared insolvent by late 1842.[451] Gill cited an insolvency of a hotel

---

[446] B. C. Fitzpatrick, *The British Empire in Australia: An Economic History, 1834-1939*, Melbourne, Melbourne University Press, 1941; M. W. Butlin, 'Postscript' in N. Butlin, *Forming a Colonial Economy*, p. 225.
[447] For example: *Colonial Times*, Hobart, 27 November 1832, p. 4; *The Sydney Herald,* 26 February 1835, p.3; The *Sydney Monitor*, 16 April 1838, p. 3; *The Colonist,* 19 May 1838, p.3; *Commercial Journal and Advertiser,* 18 September 1839, p. 3; *Commercial Journal and Advertiser,* 21 September 1839, p. 3; *The Sydney Gazette and New South Wales Advertiser,* 20 August 1840, p. 3; *Australasian Chronicle,* 1 October 1840, p. 3; *The Australian,* 14 October 1841, p. 3.
[448] *Colonial Times*, Hobart, 27 November 1832, p. 4; Henderson, *Excursions and Adventures in New South Wales*, ii, pp. 249-250.
[449] 'Local Summary', *The True Colonist Van Diemen's Land Political Dispatch, and Agricultural and Commercial*, Hobart, 29 July 1842, p. 2.
[450] *Australasian Chronicle,* 15 March 1842, p. 2; *New South Wales Government Gazette,* Sydney, 18 March 1842, p. 438; Lionel Rudder, *A Magnificent Failure,* p. 30.
[451] *New South Wales Government Gazette,* 22 November 1842, p. 1748; C. H. Gill, 'Jean Baptist Charles Lamonnerie Dit Fatoorini: Late of Port Macquarie, NSW', University of Queensland, 1971, pp. 142-147, retrieved from https://espace.library.uq.edu.au/data/UQ_207992/s00855804_1970_1971_9_2_134.pdf?Expires=1678149458&Key-Pair-Id=APKAJKNBJ4MJBJNC6NLQ&Signature=R03DDM-JVwR34XVx-

proprietor, Mrs. Kinnear, in Port Macquarie who was indebted to Fattorini, as the final straw for the merchant's finances.[452] Sawyers who previously earned £6 to £7 per week now abandoned Kempsey altogether. Given that cedar on the lower reaches of the river had been all but eliminated, there was little economic reward for pressing further upstream where the cost of retrieving timber now exceeded its value; particularly after the rocky rapids along the Macleay's path damaged and further reduced the market value, a situation made worse with the falling commodity prices in colonial and British markets.[453] This meant that struggling merchants like Fattorini ran at a loss after paying taxes, wages and transport costs. These merchants and those who relied on them fell further into debt until they succumbed to insolvency, affecting not only the cedar cutters, but all who depended on the viability of the cedar trade (mercantile stores, banks, builders, hotels, and transport - Fattorini owned the inn and 'other valuable properties and buildings within Kempsey').[454] The flow back likewise affected those who gave credit to Fattorini, some of whom are listed in Gill's article and said to have been 'prominent in the mercantile life of Sydney'.[455]

In the milieu of failed merchants in the colony at this time, Fattorini's is but one story in a wide-ranging crisis, but his insolvency had direct consequences for Kempsey and the Macleay. It coincided with an article written by an anonymous correspondent which presented a depressing picture of the state of things on the Macleay River in 1842.[456] The sawyers who had previously rushed to the Macleay

---

s5oSinVnePrkm5JmqiVtd7XAd6b3Jp~JNyLZ6mdZmncj1gBN9zXi5j8I2s9zuhQE8YjiZsv7ugvb5qS19aOK1HQqdwyk6E8LyG0v8lb40ZwSCLO~4rrIobMnnvVN1E9QctipAx3vzYve-qbwrCEXnPlYbDV6zq~dPRVEbT2LLtxPX8FCIkn1kpD2fSsMYpZASAXozwa~M7DJTlOdS8hG-4e7QoTAQbQVZ5UoWJfzB7rZnkL-n1XBQZJnOGKWjJTMhbNXbesrJbvQy-096-emL9mh58pa~cvOW5xhxRYpIAF8MYq2DnXR7xF59TLy6PqnBJpgA, accessed 6 March 2023.__

[452] Gill, 'Fattorini', p. 147.

[453] Anon., 'River McLeay [sic]', *Sydney Herald*, 16 June 1842, p. 4.

[454] 'News from the Interior', *The Sydney Herald*, 17 February 1841, p. 2.

[455] Gill, 'Fattorini', p. 148.

[456] Anon., 'River McLeay [sic]', *Sydney Herald*, 16 June 1842, p. 4; Lionel Rudder, *A Magnificent Failure,* p. 30; Townsend, 'A Strange Wild Set', pp. 9-21.

where wages had been high, were either deserting the area or lying about drinking within the town boundary of Kempsey, spending every last penny they had and owing debts to others.[457] Even Fattorini left Port Macquarie, and thereby the Macleay, in March 1848 after his insolvency was legally finalised, having 'decided that there was no future for him' there.[458] The impact of a failing economy hit Kempsey hard. Henderson stated that since the sawyers had left and with 'the bad times that had followed', Kempsey had become, in Henderson's words, '"a deserted village", a monument of misdirected speculation' with uninhabited streets and buildings.[459]

Writing of Rudder, Neil stated, 'he had no head for finances' and, as I have mentioned previously, money never appeared to be his life's goal.[460] Lionel Rudder explained Rudder's insolvency by saying Rudder was a poor businessman.[461] Yet, insolvency does not appear to be unique to Rudder, or a result only of his lack of financial sense. Contextual historical evidence may show Neil and Lionel Rudder to have misjudged Enoch Rudder in this instance. Henderson's comments, the fate of others like Fattorini and many other merchants and settlers (listed in the *New South Wales Government Gazette*), show that the economic crisis of the 1840s brought down many who relied upon a failing system of credit, which in turn had been made worse by Britain's 1839 crisis and changing policies in Britain which affected convict labour supply and commodity values. Henderson reflected in his memoir that other settlements including Wollongong had been deserted as a result of the colony's financial crisis, showing that the 1840s economic situation in Kempsey was not unique to the Macleay or Port Macquarie areas, or to any one settler.[462] Perhaps, the

[457] Henderson, *Excursions and Adventures in New South Wales*, i, p. 125.
[458] Gill, 'Fattorini', p. 150.
[459] Henderson, *Excursion and Adventures in New South Wales*, i, p. 130.
[460] Neil, "Postscript' in L. Rudder, *Magnificent Failure,* p. 95.
[461] Lionel Rudder, *A Magnificent Failure,* p.30.
[462] Henderson, *Excursion and Adventures in New South Wales*, i, pp. 90-91.

point at which Kempsey suffered most was where the crisis coincided with decreasing amounts of quality cedar and other environmental challenges as discussed below.

Lionel Rudder mentioned in passing that during the onset of the 1840s economic depression, 'in the Macleay district itself, a severe drought was taking hold.'[463] Again, this drought was not as unique to the Macleay district as Lionel implies. Susan Lawrence and Peter Davies describe settlers and squatters succumbing to the effects of a drought across NSW prior to and at the onset of the economic crisis.[464] Fitzpatrick and M. W. Butlin likewise link the onset of a severe drought in NSW from 1838 with the severity of the economic depression in the early 1840s.[465] In October 1838, newspapers began describing the onset of the drought with crops becoming 'sickly' and inland rivers 'quite exhausted.'[466] The drought is evidenced in Henderson's journal as he travelled to the Liverpool Plains in 1839.[467] Additionally, in 1839, one journalist exclaimed, 'If no rain falls before the frost sets in, God help the poor sheep and cattle, for they must starve,' and in south west Sydney, 'So great is the effect of the drought that the Cowpasture River at the bridge has ceased to flow for the first time since its discovery, a period of upwards of forty-eight years.'[468] Further along in March 1840, a columnist noted after this long period of drought throughout NSW (New England seemed to have avoided drought at that time) that good rain had recently fallen in Sydney and perhaps the writer prematurely proclaimed the drought

[463] Lionel Rudder, *A Magnificent Failure,* p.30.
[464] Susan Lawrence and Peter Davies, *An Archaeology of Eastern Australia since 1788,* New York, Springer New York, 2010, pp. 124, 191.
[465] B. C. Fitzpatrick, *The British Empire in Australia: An Economic History, 1834-1939*, Melbourne, Melbourne University Press, 1941; M. W. Butlin, 'Postscript' in N. Butlin, *Forming a Colonial Economy*, p. 225.
[466] 'The Drought', *The Colonist,* Sydney, 10 October 1838, p. 2
[467] Henderson, *Excursion and Adventures in New South Wales*, i, pp. 165-228.
[468] 'The Drought', *The Sydney Monitor and Commercial Advertiser,* 15 February 1839, p. 2. 'The Drought', *The Sydney Monitor and Commercial Advertiser,* 22 March 1839, p. 2.

over, unaware of the devastation being felt in places away from Sydney.[469] Nevertheless, the writer described the economic impact of the drought on colonists as it caused 'deficient harvests'.[470] And, in the Hunter Valley in the Spring of 1841, sheep were shorn without being washed as the drought continued and lack of feed rendered the sheep too weak for the washing process.[471]

Despite the drought being widespread, each region felt its severity in distinct ways. Like other frontier settlements, Kempsey and the Macleay Valley settlements were very new, with only few settlers and an economy heavily reliant on natural resource extraction and prime environmental conditions. When environmental conditions turned for the worse, these districts suffered immensely. In the summer of 1841, settlers counted over nine hundred bullock carcasses in a waterhole on the Macleay River, 'a fact which more forcibly discloses the miserable state to which that part of the country has been reduced.'[472] The impact of the long four-year drought gave way to severe bushfires in the Macleay Valley, lit by lightning in the Spring of 1842,

> A long season of drought succeeded by stormy weather had caused the bush throughout the whole [Macleay] country round to take fire, and the high winds continuing for several days without rain, had extended far and near the ravages of the fire. The great number of bridges on the McLeay [sic.] and its tributaries were burnt down, and communication in many parts of the country

[469] 'Scarcity and Drought at Sydney, *The Sydney Monitor and Commercial Advertiser,* 30 March 1840, p. 3.
[470] 'Scarcity and Drought at Sydney, *The Sydney Monitor and Commercial Advertiser,* 30 March 1840, p. 3.
[471] 'Wool', *The Hunter River Gazette, and Journal of Agriculture, Commerce, Politics, and News,* West Maitland, 11 December 1841, p. 4.
[472] 'Local News', *The Hunter River Gazette, and Journal of Agriculture, Commerce, Politics, and News,* West Maitland, 11 December 1841, p. 4.

> interrupted … The grass is completely burned up, and the prospects of the fruit crops blasted. At latest dates rain had not fallen.[473]

The drought was certainly severe, lasting at least four years and cutting into the financial viability of farmers and businesses alike. However, in a pattern to which most Australians are now accustomed, rains and floods superseded the drought and fires, adding further devastation on the district at this time of economic depression.

An interesting aside here is the writing of Hodgkinson in 1842. I mentioned in Chapter Two that Hodgkinson claimed the Macleay to be superior to the Hawkesbury region, because the Hawkesbury 'is not a good agricultural district, as the settlers there frequently suffer from the two opposite evils of successive droughts, and destructive floods.'[474] It is very strange that he wrote this in 1842 just as fellow settlers in the Macleay had suffered from drought, fire and soon flood. It was only a matter of months later, in February 1843 that the Macleay River swelled into a great flood,

> The noble waters of the McLeay, for fifty miles below the falls at Yarrawell to Trial Bay, which are generally brackish in seasons of drought, have at length turned into fine fresh water, by a deluge of five or six days' heavy rain, ending on the 23rd February.[475]

The writer at this time expressed premature jubilation that the rain would relieve the burdens brought on by drought and fire. The rise in the river should have enabled cedar cutters and rafters to bring the cedar logs downstream above the rapids, something which was significantly hindered by the lower water levels during drought.

---

[473] Columnist, 'The Macleay River', *Colonial Observer,* Sydney, 9 November 1842, p. 596.
[474] Hodgkinson, *Australia*, p. 5.
[475] 'The River McLeay: Flood', *Sydney Morning Herald,* 7 March 1843, p. 3.

Unfortunately, this too was thwarted due to the economic conditions at hand as one commentator complained, 'people have not the means of supplying the wants of, or employing any rafters.'[476] Cedar was literally backlogged up river not only waiting for a fresh to carry it downstream, but for the employment of rafters to do the work. There simply was not enough money in Sydney or in Kempsey to employ the workers.

Later that year in September, a larger flood brought widespread destruction to the Valley and records began pouring into colonial newspapers describing the damage: 'Mr Aldridge, the landlord of the Bush Inn, had been a sufferer by having nearly 40,000 feet of cedar carried away by the flood, for a distance of fifty miles down the river and over the bar.'[477] Another article went on to give more detail of significant ruin, describing houses and business structures being torn from their foundations, cattle and cedar being washed out to sea and significant personal and economic losses,

> We have received information of one of the most extensive and disastrous floods which has occurred for many years in that [Kempsey] or any other part of the colony. … we learnt that heavy rains had fallen for a length of time in that district … Since then, however, the rains had continued to fall heavily … and the river, from the immense accumulation of waters it had received … overflowed and burst with uncontrollable force and rapidly over the whole of the stations and banks.[478]

At this time, the main township of Kempsey was on the 'high lands side of the river' around Rudder's property.[479] Settlers on the opposite side of the river in the

[476] 'The River McLeay: Flood', *Sydney Morning Herald,* 7 March 1843, p. 3.
[477] 'Kempsey', *Sydney Morning Herald,* 2 September 1843, p. 3.
[478] 'Extensive flood at the McLeay River', *Sydney Morning Herald,* 13 September 1843, p. 4.
[479] 'Extensive flood at the McLeay River', *Sydney Morning Herald,* 13 September 1843, p. 4.

floodplains and beyond the bounds of settlement, suffered significant losses and needed to be rescued by boat to the Kempsey side. The article explained that the waters remained across the landscape for more than a week, covering any remaining buildings above their roof lines,

> A considerable portion of Mr Chapman's station … was under water; fortunately, that gentleman's house, buildings, stock-yards, barns, et, etc, were all erected upon high ground and escaped without any damage; all the farms on the low lands have sustained more or less injury, and for several days might be seen floating down the McLeay with the rapidity of a mountain torrent. Farm produce of all kinds, fragments of buildings, large trees, in one confused wreck of watery ruin.[480]

The mouth of the river, previously too shallow for large ships, broke through more of the surrounding sand bars, rising so high that the vessel *Letitia* floated right out over it with '16 feet water in the channel'.[481] Further on, the article revealed that other surrounding rivers suffered a similar fate, including the Bellinger to the north.

The words of Hodgkinson, by this time, had certainly been proven false by the nature of the environment in which these settlers chose to dwell. Rudder, in his later memoir, blamed the cutting of the cedar for the severity of the flood, exasperated with the way the cedar industry had all but destroyed the natural flow of the river on the lower reaches from Kempsey to the mouth of the river,

> every tree, while standing, has a tendency to check the violence of a rushing body of water, therefore, the more left standing the greater the barrier. They

[480] 'Extensive flood at the McLeay River', *Sydney Morning Herald,* 13 September 1843, p. 4.
[481] 'Extensive flood at the McLeay River', *Sydney Morning Herald,* 13 September 1843, p. 4.

> may cause the water to rise higher, but must necessarily impede its rapidity, and enable the suspended matter to deposit itself.[482]

Rudder later warned of continuing devastation in the region due to the environmental damage that the settlers caused, especially the ones he labelled capitalists. The flood, in the midst of economic depression in the colony, and coming so soon after a lengthy period of drought and fire, brought ruin upon many of the settlers in the district. Sawyers continued to leave for the rivers to the north, squatters abandoned their stations and other settlers moved on to other locations. Thus, as Henderson conveyed, Kempsey then essentially became like a ghost town for much of the 1840s.[483]

An 1845 article in the *Sydney Morning Herald* said that 'Kempsey, that delightfully situated village, appears at present to be entirely forsaken, and only capital and energy is wanted to make it one of the most important townships in the northern district.' [484] The writer expressed hope that Hodgkinson's journal might entice capitalistic settlers to move to the area and revive its fortunes, saying that the squatter, Mr Chapman, and his family had recently returned, hoping he would not leave again to relocate to Sydney. Perhaps this was an underlying reason Hodgkinson published his survey and, this may suggest his motives for minimising the economic disasters of drought and flood in the Macleay Valley.

Kempsey was still a young settlement by the time the 1840s depression sunk its teeth through the colonial economy. The discussion above alongside the contextual analysis of the contributors to the crisis, show that early settlers investing in Kempsey were rowing against an economic tide. Just as they poured their investments into the valley, political and economic changes beyond their control brought down numerous

---

[482] Enoch W. Rudder (Labori), *History of the Macleay*, p. 1.
[483] Henderson, *Excursion and Adventures in New South Wales*, i, p. 130.
[484] 'Macleay River', *Sydney Morning Herald,* 14 August 1845, p. 3.

settlers and merchants, leaving people bankrupt and labourers without employment. While there are contributing factors in political and trading decisions in Britain and in Sydney, a long drought which began in 1838 seemed to have precipitated a steep decline, leaving those who invested in resource extraction running at significant losses. Finally, the drought broke in 1843, only to be followed by a period of above average rain and severe flooding that washed away whatever some settlers had left.

The culmination of these coinciding events in the early-1840s meant that most squatters, wealthier settlers, and itinerant labourers decided to leave the Macleay Valley so Kempsey became what Henderson called a 'ghost town' for a period which, as shown in the *Sydney Morning Herald* was still considered to be 'entirely forsaken' well into 1845. [485] Some, including the cedar cutters, went to other parts of the colony. Others like Henderson went back to Britain. Historians may see the 1840s as a sharp decline in Kempsey's early progress, however, the town and valley did not become completely empty as the primary sources may imply. A few settlers held on, including Rudder who stayed on his property. Rudder had been given three years to pay his debts and in 1844 satisfied this debt by 'relinquishing all his unclaimed land on the Macleay River at Kempsey to his creditors.'[486] Ensuing this period of decline, the primary sources which could give insight into the life of the remaining squatters for the rest of the 1840s, remain scant with newspaper articles few and far between compared to earlier years. By 1849, Rudder and his sons, still without significant capital, set sail for California where a gold rush had broken out in the hills east of San Francisco.[487]

[485] Henderson, *Excursion and Adventures in New South Wales*, i, p. 130; 'Macleay River', *Sydney Morning Herald,* 14 August 1845, p. 3.
[486] Lionel Rudder, *Magnificent Failure*, p. 33.
[487] Lionel Rudder, *Magnificent Failure*, p. 34.

Chapter Seven | 1850 to 1861 – The Gold Rush, Political Reform, and the Fight for Land

This chapter will concentrate on the eleven-year period from 1850 to 1861, investigating the political, social, economic, and environmental events and changes which impacted on Kempsey and the Macleay Valley during this period. Jeans labelled these as 'the golden years' for NSW.[488] After the 1840s recession, settlements around the NSW colony grew in both viability and number. The colony had grown to be centralised around Sydney in administration, trade, and politics, with, according to Shaw, a significant percentage of the colony's population living within the Sydney area at that time.[489] Political reform around the governance of the colony and its districts was drafted while a gold rush brought in an influx of immigrants from around the world, and also drew settlers away from their previous settlements.[490]

Meanwhile, in Kempsey itself, as members of the population went in search of gold to California from 1849 and to other parts of the colony from February 1851, other disagreements around infrastructure, administration and progress led to deep divisions among local inhabitants around who should decide what was best for the town. Additionally, Kempsey and its neighbouring regions competed against one another, with each contending to win government support to connect them via road to New England. Beginning with the gold rush, this chapter will review these topics, showing how they impacted and shaped Kempsey and the Macleay settlements during this period and whether or not these were 'golden years' for the area. It will be shown

[488] Jeans, *A Historical Geography of New South Wales to 1901,* p 157.
[489] Shaw, *The Story of Australia,* p. 123.
[490] Macintyre, *A Concise History of Australia,* p. 89; Curthoys, Ann and Mitchel, Jessie 'Colonial Self-Government' in *The Cambridge Legal History of Australia*, Peter Crane, Lisa Ford, and Mark McMilan (eds), Cambridge University Press, 2022, pp. 108-131.

that the social and political divisions in the town kept Kempsey from flourishing in these otherwise prosperous years in the NSW colony.

By the beginning of 1850, Kempsey and the Macleay district had begun a slow recovery from the downturn of the 1840s. In 1848, a school in west Kempsey had been established as the first government-run school in the colony.[491] In January 1850, the school had at least sixty students enrolled.[492] Two 'drinking establishments' were well supported by local inhabitants, yet no police, watchhouse or courthouse serviced the town or its region and the colony's police force did not consider the town or its needs as important as those of other regions, so no haste was made in establishing a police presence at the time.[493] Exports from the region were sent regularly to Sydney with corn, maize, tallow, cedar, hides, and wheat among the common produce, while some considered that cotton could also be grown in the Macleay Valley.[494] Despite the region being visited by a plague of grasshoppers which destroyed a great quantity of maize in April 1850, exports of this crop successfully continued to Sydney.[495]

Conflict with local Aboriginal groups and individuals seemed to have centred around reported theft and murder when Aboriginal people stole or killed cattle, or desired provisions, which settlers were unwilling to share. Reprisals from settlers involved sending for a police magistrate and men to travel to the Macleay District from Port Macquarie to hunt down and apprehend those Aboriginal men accused of such crimes. If they could be caught, these men were taken to Port Macquarie,

[491] NSW Department of Education, *Kempsey West Public School: Creating a child focussed centre of excellence: School History,* NSW Department of Education, https://kempseywst-p.schools.nsw.gov.au/about-our-school/school-history.html, 2021, accessed 16 March 2023.
[492] *Sydney Morning Herald*, 17 January 1850, p.3.
[493] 'News From the Interior', *Sydney Morning Herald,* 23 April 1850, p. 3; W. C. Mayne, Esq. J.P., 'Police Establishment', *Maitland Mercury and Hunter River General Advertiser,* 19 June 1850, p. 4.
[494] 'Coasters Inwards', *Sydney Morning Herald,* 3 January 1850, p. 2; 'Cotton', *The Maitland Mercury and Hunter River General Advertiser,* 26 January 1850, p. 2; 'Coasters Inwards', *Sydney Morning Herald,* 2 February 1850, p. 4; 'Coasters Inwards', *Sydney Morning Herald,* 27 March 1850, p. 2.
[495] 'McLeay River', *Maitland Mercury and Hunter River General Advertiser,* 27 April 1850, p. 4.

Maitland or Sydney to face court and receive their sentence; and prosecution arguments were very much based on Anglo-centric ideals.[496] A regular fortnightly postal service operated from Kempsey, linked with Port Macquarie and Armidale by a postman on horseback.[497] Overall, it seemed Kempsey was making a fair, but slow return to industry and growth. Meanwhile, Rudder and two of his sons had been abroad to California since late 1849, observing the gold rush in the mountains behind Sacramento.[498] The gold rush was yet to begin in the Australian colonies, but this would change in 1851 and add to the populations leaving numerous small settlements, including Kempsey for goldfields elsewhere in both Australia and the Americas.

The Gold Rush: Its links to and impact upon Kempsey

News of a gold rush in California from 1848, and eventually in Australia in 1851, drew scores of people away from the cities and towns of the colonies, so that even the government school at Kempsey had to close in 1851 due to 'neglect of the patrons'.[499] So many people had left Australia for the Californian gold fields that panicked newspaper correspondents put forward warnings of doom and floated propositions to entice people to stay, while 'ship after ship [departed] from our shores crowded with swarms of gold-stricken adventurers.'[500] Fetherling estimated that 'one

---

[496] 'Law Intelligence', *Sydney Morning Herald,* 1 January 1850, p. 2; 'Central Criminal Court', *The Peoples Advertiser and New South Wales Vindicator,* 9 March 1850, p. 6; 'Murder by the Blacks', *The Moreton Bay Courier,* 8 June 1850, p. 3.
[497] *Sydney Morning Herald,* 23 January 1850, p. 2.
[498] Rudder, Enoch W. Original Californian Diary, 1849-1850; Rudder, Enoch William 'Sea Voyage to California', 1849; 'Original Correspondence: To the editors of the Sydney Morning Herald', *Sydney Morning Herald,* 5 May 1851, p. 2; 'Gold', *Sydney Morning Herald,* 13 May 1851, p. 2; Edward Hammond Hargraves, 'To the editors of the Sydney Morning Herald', *Sydney Morning Herald,* 28 May 1851, p. 2; Augustus Rudder, 'The Hargraves Gold Find', *Truth,* Sydney29 October 1899, p. 3.
[499] 'Run for Gold', *Adelaide Observer,* 27 January 1849, p. 1; 'Legislative Council', *Sydney Morning Herald,* 29 November 1851, p. 4; NSW Department of Education, *Kempsey West Public School: Creating a child focussed centre of excellence: School History,* NSW Department of Education, https://kempseywst-p.schools.nsw.gov.au/about-our-school/school-history.html, 2021, accessed 16 March 2023.
[500] 'California and the Land Question', *Sydney Morning Herald,* 1 March 1851, p. 4; 'Our Future', *The People's Advocate and New South Wales Advertiser,* Sydney, 1 March 1851, p. 8; 'Sydney', *The Argus,* Melbourne, 7 March 1851, p. 2; 'How may emigration to California be checked?', *Sydney Morning Herald,* 8 March 1851, p. 4.

Australian resident in fifty departed for California' and both British and the Australian colonial governments worried about the accelerating decline in the Australian population.[501] Rudder and his companions were just one group of thousands who made the journey across the Pacific Ocean in 1849. Therefore, in Australia in 1851 when Edward Hargraves announced that he had discovered gold, the government awarded him a handsome £10,000, seeing it as an opportunity for turning the population tide.[502]

As news of a gold discovery near Bathurst in NSW quickly filtered through to the general colonial population in the colony and abroad, the tide certainly did turn for Australia. Millions of people poured into the colonies during the gold rush period.[503] Fetherling argued that many of those swelling Australia's population came from the Californian gold fields, while the majority came from Britain and more Chinese came to Australia than had gone to California.[504] Fetherling additionally added that the Australian gold rush drew in a wider variety of cultures and ethnicities than the Californian gold rush, including Muslims.[505] The impact of this multicultural influx on the Australian population began Australia's turbulent entanglements with immigration. The influx of non-European immigrants precipitated controversial immigration policies limiting immigration to specific European nationalities and the White Australia agendas of the early and mid-twentieth century, and further the

[501] George Fetherling, *The Gold Crusades: a Social History of the Gold Rushes*, *1849-1929*, revised edn, University of Toronto Press, 1997, p. 42.
[502] 'Gold Rushes: 1851 Gold rushes in New South Wales and Victoria begin', *National Museum of Australia,* https://www.nma.gov.au/defining-moments/resources/gold-rushes#:~:text=New%20South%20Wales%20gold%20rush&text=Hargraves%20returned%20to%20Sydney%20in,Lister%20or%20the%20Tom%20brothers, accessed 20 March 2023.
[503] Fetherling, *The Gold Crusades: A Social History of the Gold Rushes*, p. 42; *Gold Rushes: Defining Moments*, National Library of Australia, https://www.nma.gov.au/defining-moments/resources/gold-rushes#:~:text=Between%201851%20and%201871%20the,arrived%20in%20search%20of%20gold, accessed 22 March 2023.
[504] Fetherling, *The Gold Crusades: A Social History of the Gold Rushes*, p. 42.
[505] Fetherling, *The Gold Crusades: A Social History of the Gold Rushes*, p. 42.

responses of the Coalition government to refugees and non-European immigration in the late-twentieth and early-twenty-first centuries.[506] Today, the Australian government controversially claims Australia is the 'most successful multicultural nation in the world.'[507] Thus, Fetherling stated that while the Californian gold rush only served to imbed 'American traits and attitudes,' modern multicultural Australia grew its roots within the Australian gold rushes.[508]

Macintyre explained that gold in NSW was known to a handful of colonists and the colonial government long before 1851.[509] Additionally, men like Rudder and W. Clarke had contemplated the geology of the NSW landscape and held firm beliefs about where gold may be located. Consequently, Hargraves' bold self-proclamation as Australia's gold discoverer certainly caused an air of disagreement in the colony's papers both in 1851 and for decades thereafter.[510] Nevertheless, in early 1851 when news broke that Hargraves had found gold in the Bathurst district west of Sydney, gold fever quickly engulfed the colony with hundreds of people rushing to the

[506] N. B. Nairn, 'A Survey of the History of the White Australia Policy in the 19th Century', *The Australian Quarterly*, vol. 28, iss. 3, 1956, pp. 16-31; Karen Agutter, 'Her Majesty's newest subjects: official attempts to assimilate non-English speaking migrants in post-war Australia', *History Australia,* vol. 16, iss. 3, pp. 480-495; Alison Bashford and Carolyn Strange, 'Asylum-Seekers and National Histories of Detention', *Australian Journal of Political History,* vol. 48, iss. 4, 2002, pp. 509-527; David Carter, *Dispossession, Dreams and Diversity: Issues in Australian Studies,* Pearson, Frenches Forest, NSW, 2006, pp. 304-331; N. Economou, 'Opinion of reform and race: Assessing the Howard decade,' in, *Making Australian History: Perspectives on the past since 1788*, Thomson Learning, South Melbourne, Victoria, 2008, pp. 601-608; A. M. Jordens, 'Integrating Alien Workers: The role of the Department of Immigration in constructing a "Citizenship Bargain, 1945-1956' *Australian journal of Politics and History*, vol. 40, iss. 2, 1994, pp. 177-194, A. M. Jordens, 'Chapter 1: The role of the department of immigration in migrant Settlement 1945-75' in, *Alien to citizen: Settling migrants in Australia, 1945-75*, Allen and Unwen, 1997, pp. 1-30, 254-257; A. Mondon, 'Immigration and multiculturalism: "Fair Dinkum" politics or the end of politics" in *State of the nation: Essays for Robert Manne*, Black Inc., Collingwood, 2013, pp. 198-207.
[507] Australian Government, *Multicultural Australia: United, Strong, Successful: Australia's Multicultural Statement,* p. 3, https://www.homeaffairs.gov.au/mca/Statements/english-multicultural-statement.pdf, accessed 23 March 2023.
[508] Fetherling, *The Gold Crusades: A Social History of the Gold Rushes*, p. 43.
[509] Stuart Macintyre, *A Concise History of Australia,* p. 89.
[510] Rudder, Enoch W. Original Californian Diary, 1849-1850; Rudder, Enoch William 'Sea Voyage to California', 1849.

Bathurst region to seek their fortunes.[511] Most historians share the narrative that it was Hargraves who, on returning from California, realised the similarity between the geography of California and an area in the hills near Bathurst and who then went on to be the first official discoverer of gold in Australia.[512]

Yet, despite acknowledging earlier discoveries, what few historians realise, or at least rarely publicly state, is that Hargraves was influenced by his travels in California with Rudder and Rudder's sons and that Hargraves had visited Rudder in Kempsey prior to departing for California.[513] On hearing of the gold rush of California, the ever industrious Enoch Rudder set about perfecting his design of a gold mining machine. He and his sons left Kempsey in 1849 with the machine's plans in their possession and with ideas to try it and observe the geology of the Californian gold fields, taking notes and considering similar areas which Rudder had travelled over in NSW, including within the Macleay Valley.[514] Augustus Rudder, writing to the *Macleay Argus* in 1899 stated,

> [we] arrived in California on 6 February 1850 where we were joined by Hargraves six days later. … During our stay there [in California] many conversations took place as to the probable existence of gold fields in New South Wales. Our surmises were based on the similarity of the appearance of the formation of the two countries. We came to an understanding that on our return to the colony we should each search for gold, and in the event of either

[511] Edward Hammond Hargraves, 'To the editors of the Sydney Morning Herald', *Sydney Morning Herald,* 28 May 1851, p. 2.
[512] Macintyre, *A Concise History of Australia*, 4th edn, Cambridge University Press, 2016, p. 89; A. G. L. Shaw, *The Story of Australia*, 2nd edn, London, Faber and Faber Limited, 1960; Shann, *An Economic History of Australia,* p. 168; D. N. Jeans, *An Historical Geography of New South Wales to 1901*, Sydney, Reed Education, 1972, 158; Fetherling, *The Gold Crusades: a Social History of the Gold Rushes*, 42-43.
[513] Augustus Rudder, 'Appendix 3: The Hargraves Gold Find', in L. Rudder *A Magnificent Failure,* 1899, p. 106.
[514] Augustus Rudder, 'Appendix 3: The Hargraves Gold Find', in L. Rudder *A Magnificent Failure*, 1899, p. 106.

party making a discovery all or at least those who took part in the search, were to participate in the benefit.[515]

Augustus went on to explain that Hargraves, having gathered all the information he thought he needed from the Rudders, rushed to return to Australia in October 1850 ahead of them.[516] The Rudders attempted to hurry home in pursuit but having taken a different ship, *Rosetta Joseph,* they were delayed when that ship suffered in a wreck off Lord Howe Island.[517]

Hargraves initially struggled to find gold where Rudder had suggested, but Rudder (having finally arrived back in Australia) encouraged him to continue searching other areas and gave suggestions about where to search. Subsequently, Hargraves made the discovery but reneged on his oath to the Rudders and did not share the benefits of the discovery with them.[518] He instead took the honours for himself; honours which historians still heap upon Hargraves while the Rudders have been forgotten or overlooked for their vital contribution to this discovery.[519] Very few people today would even know who the Rudders were, let alone their connection to the gold discovery. Given that Augustus authored this article in 1899, forty-eight years after the fact, it would be easy to dismiss it as hindsight or post-event claims.

However, Enoch Rudder kept a meticulous diary throughout his journey to and from California, and this diary supports the claims made by Augustus. Enoch wrote

---

[515] Augustus Rudder, 'Appendix 3: The Hargraves Gold Find', in L. Rudder *A Magnificent Failure*, 1899, pp. 106-107; L. Rudder, *A Magnificent Failure,* pp. 34-35.
[516] Phyllis Mander, memo to statement that E. W, Rudder first to discover gold in Australia, 4 April 1950, held at the Mitchell Library, Sydney.
[517] 'Wreck of the Rosetta Joseph', *Hobart Town Advertiser,* 3 January 1851, p. 4; Augustus Rudder, 'Appendix 3: The Hargraves Gold Find', in L. Rudder *A Magnificent Failure*, 1899, p. 107.
[518] Augustus Rudder, 'Appendix 3: The Hargraves Gold Find', in L. Rudder *A Magnificent Failure*, 1899, p. 107.
[519] 'Gold Rushes: 1851 Gold rushes in New South Wales and Victoria begin', *National Museum of Australia*, https://www.nma.gov.au/defining-moments/resources/gold-rushes#:~:text=New%20South%20Wales%20gold%20rush&text=Hargraves%20returned%20to%20Sydney%20in,Lister%20or%20the%20Tom%20brothers, accessed 20 March 2023.

that he met up with Hargraves in San Francisco on 11 March 1850 and that on 12 March Hargraves joined the Rudders on their journey inland to the goldfields.[520] In 1851, as Hargraves cheated his old companions, Rudder published a letter in newspapers in April 1851. In the letter, he explained how he believed he could find gold in NSW and of the events of his past year,

> When in California I was so struck with the similarity of the auriferous formation I inspected with what I had seen in New South Wales, that I felt perfectly assured that gold would be found in this colony, in those parts where the geological features corresponded.[521]

Ever gracious despite Hargraves cheating him, Rudder went on,

> My companions [including Hargraves] all agreed with my views. … It gives me the greatest pleasure to be enabled to inform you that we were not mistaken. … I have no doubt but gold will be found distributed over a wide if not larger space than in California. The discovery has been made by a gentleman (an old well-known colonist) with whom I had the pleasure to travel many hundred miles when in California.[522]

The argument over the discovery of gold is an especially important one for unravelling contentious claims in Australian history. However, the depth of this argument is not suitable here, though it is worthy of scrutiny in further research.

[520] E. Rudder, Original Californian Diary, unpublished, 11 and 12 March 1850; E. Rudder, letter, to Mrs. E, Rudder, 17 March 1850, copy reproduced in L. Rudder *A Magnificent Failure,* pp. 49-50.
[521] Enoch Rudder, 'Gold in New South Wales: To the Editor of the Empire', *The Courier,* Hobart, 16 April 1851.
[522] Enoch Rudder, 'Gold in New South Wales: To the Editor of the Empire', *The Courier,* Hobart, 16 April 1851; Phyllis Mander, memo to statement that E. W, Rudder first to discover gold in Australia, 4 April 1950, held at the Mitchell Library, Sydney.

Rudder was so integrally involved with supporting and continuing the expansion of gold discovery in the colony that it is surprising he is not better known to scholars.[523]

The importance of this controversy for Kempsey centres around the losses suffered by Rudder due to Hargraves' actions. Rudder had expected to find gold in the gorges of the Macleay Valley and had likewise 'recognised gold on his property and went to California with his two sons to learn how to work it.'[524] Had he succeeded on returning ahead of Hargraves, perhaps the gold rush may have begun in the Macleay and the outcome for Kempsey (and Rudder) might have been immensely different. Gold was eventually discovered in the Macleay Valley along the tributary Bakers Creek near Hillgrove, but not until 1857.[525] Earnest mining did not commence until 1877; however, the gold mine at Hillgrove was so lucrative that it was still in operation in 2022 and 'has produced more than 730,000 ounces of gold bullion and concentrates in its lifetime.'[526] The town of Hillgrove which is on the route between Armidale and Kempsey, once had a population almost on par with Armidale in the late-nineteenth century and grew around the mining operations.[527]

Instead of Kempsey and the Macleay benefitting from the initial gold rush, Rudder, along with other Macleay settlers, went with the masses to Turon near where

---

[523] Enoch Rudder, 'Gold in New South Wales: To the Editor of the Empire', *The Courier*, Hobart, 16 April 1851; Enoch Rudder, 'The Petition', *Bathurst Free Press and Mining Journal,* 22 November 1851, pp. 4-5; Enoch Rudder, 'Instructions for Gold Diggers', *Geelong Advertiser,* 8 August 1851, p. 2; 'Extract of a letter from Mr Rudder,' *The Goulburn Herald and County of Argyle Advertiser,* 2 August 1851, p. 8.

[524] Enoch W. Rudder (Labori), *History of the Macleay*, unpublished copy, 1885, retrieved from the Macleay River Historical Society, p. 1; Phyllis Mander, memo to statement that E. W, Rudder first to discover gold in Australia, 4 April 1950, held at the Mitchell Library, Sydney.

[525] 'Gold on Hillgrove', *The Armidale Express and New England Advertiser,* 13 June 1857, p. 2.

[526] Ray Chan, 'Hillgrove operation back on ice', *Australian Mining,* 7 September 2022, .https://www.australianmining.com.au/hillgrove-operation-back-on-ice/, , accessed 17 March 2023.

[527] T. A. Coghlan, Government Statistician, *Results of a Census of New South Wales Taken for the Night of the 31st March, 1901: In Eight Parts,* Sydney, William Applegate Gullick, Government Printer, 1904, p. 478; Armidale Regional Council, *The Hillgrove Museum,* Visit Armidale, https://www.visitnsw.com/destinations/country-nsw/armidale-area/armidale/attractions/the-hillgrove-museum, accessed 5 May 2023.

Hargraves found his gold.[528] While at Turon, Rudder wrote a petition on behalf of the miners against regulations on the gold fields. [529] He wrote further articles as a scientific correspondent giving 'instructions for gold diggers.'[530] In fact, Rudder's name appears in newspapers and gazettes repeatedly in relation to the discovery and advancement of gold mining in the colony and it is, as I mentioned, surprising he is not better known in the scholarship on this topic. In 1852, the Australian Agricultural Company appointed Rudder to 'police' a new gold mining site near Nundle, east of Tamworth, however, by 1854 he had returned to his wife and family at Kempsey where he continued to labour, growing wine on a two-acre vineyard.[531]

As noted, the effect of the disagreement between Hargraves and Rudder was that Kempsey missed the initial gold rush and instead of drawing in a rush of diggers, lost inhabitants to the emerging gold fields around the colony. The impact of these gold rushes for Kempsey was, like the depression of the 1840s, not unique to Kempsey, as prospectors poured into the Australian colonies' gold fields from all over Australia and from overseas. However, it is important that Kempsey's population failed to flourish at this time and, apart from people rushing to the gold fields, another argument over government neglect and monopolisation was raging about the lagging progress of the town. This argument discussed below, unlike the gold rushes, was a situation more unique to Kempsey and had a more permanent impact on the development of the town and Macleay Valley than did the gold rushes.

[528] Enoch Rudder, 'The Petition', *Bathurst Free Press and Mining Journal,* 22 November 1851, pp. 4-5.
[529] Enoch Rudder, 'The Petition', *Bathurst Free Press and Mining Journal,* 22 November 1851, pp. 4-5.
[530] Enoch Rudder, 'Instructions for Gold Diggers', *Geelong Advertiser,* 8 August 1851, p. 2.
[531] Enoch Rudder, 'Geological: Journey to the Peel River on account of the Australian Agricultural Company', diary, 21 April 1852 – 11 July 1852, copy held at Macleay River Historical Society, Kempsey; 'McLeay River', *Empire,* Sydney, 9 March 1854, p. 3.

Monopolisation and Complaints of Government Neglect – the confusion over governance of two police districts and the 'impossible Land Regulations'

During the 1840s, Britain began reforming its administration over the separate Australian colonies. After campaigns from within Australia, Britain eventually consented NSW the right to self-govern in 1842, though constitutions were not formally approved until 1855. A fully responsible government came into effect from 1856.[532] Each colony, including NSW, Tasmania, Victoria, South Australia, and Western Australia developed their own independent constitutions and operated as independently governed jurisdictions, rather than as a nation composed of sub-states. Weller argued that this move toward independent Australian colonies occurred 'without any need for a war of independence or even a campaign to throw off the colonial rule.'[533] Curthoys and Mitchell, however, argued that the British government 'was at first reluctant to accede' to the petitions of Australia's free settlers and Hirst argued that pro-British conservatives in NSW wanted NSW to 'as far as possible follow the mother country.'[534] Nevertheless, in 1852, a constitution for government reform was drafted for the independent colonies which Hirst said 'cast aside' the conservatives' ambitions, though, Dickey reminded readers that 'the colony had not

[532] Macintyre, *A Concise History of Australia,* p. 94; P. Weller, 'Parliamentary Democracy in Australia', *Parliamentary Affairs*, vol. 57, iss. 3, 2004, p. 630; Twomey, Anne 'The Dilemmas of Drafting a Constitution for a New State', *Australasian Parliamentary Review*, vol. 28, iss. 1, 2013, pp. 17-24; Ann Curthoys and Jessie Mitchell 'Colonial Self-Government', pp. 108-131; John Hirst, *Freedom on the Fatal Shore: Australia's First Colony,* Melbourne, Black Inc Books, 2008, pp. 221, 223, 257.
[533] P. Weller, 'Parliamentary Democracy in Australia', p. 630.
[534] Curthoys and Mitchell, 'Colonial Self-Government', pp. 108-109; Hirst, *Freedom on the Fatal Shore,* p. 235.

been given complete independence' while Britain still directed governors who outranked the premiers.[535]

Hirst presented great detail about the complexities of political quarrelling, British betrayal, public protests and robust meetings both in favour of and against the pro-British conservatives.[536] The outcome of these political struggles was that in 1853, according to Macintyre, the minister for the colonies 'allowed that [colonial legislatures and constitutions] could provide for parliamentary control of the administration under the Westminster system of responsible government,' an allowance which was officially finalised by 1856 giving NSW (and the other Australian colonies) the right to self-govern with, according to Macintyre, local governors becoming 'formal heads of state', representing the British monarch.[537] Elected premiers led their parliaments, but were still subjected to the authority of the governors, who in turn received orders from London and still had the power to veto the decisions of the elected parliament.[538] A violent war for independence was avoided by this eventual democratic process, though it was still a politically contentious arrangement.

Nevertheless, in NSW members from each of the counties and parishes were elected to the Representative Council in Sydney where, it was expected, the voices of voting constituents (white males over the age of 21) would be represented for the

[535] *Freeman's Journal,* 1 January 1852, pp. 3, 9; 'Constitutional Reform: To the Editor of the Empire', *The Argus,* Melbourne, 1 January 1852, p. 2; 'Late and Important News from England', *South Australian Register,* Adelaide, 1 January 1852, p. 3; 'Sydney News: Constitutional Reform', *The Goulburn Herald and County of Argyle Advertiser,* 3 January 1852, p. 3; Macintyre, *A Concise History of Australia,* p. 94; Hirst, *Freedom on the Fatal Shore,* p. 235; B. Dickey, 'Responsible government in NSW: the transfer of power in a colony of settlement,' vol. 60, iss. 4, 1974, p. 234.
[536] Hirst, *Freedom on the Fatal Shore,* pp. 238-247.
[537] Macintyre, *A Concise History of Australia,* p. 95; Hirst, *Freedom on the Fatal Shore,* pp. 238-247.
[538] B. Dickey, 'Responsible government in NSW,' p. 234; David Clune and Ken Turner, 'Introduction: The Colonial Premiers' in *The Premiers of New South Wales 1856-2005, i,* D. Clune and K. Turner (eds), Sydney, The Federation Press, 2006, p. 6.

advancement of each town and county.[539] These representatives, or ministers, involved factions which, according to Clune and Turner, undermined the political power of the premier.[540] The premier was effectively caught between these factions and the power of the governor when attempting to bring reforms to the colony. Nonetheless, Curthoys and Mitchell explained that the government in the colony was now 'much more diverse socially, economically, and politically than the squatters and gentlemen of the 1830s … so that the struggle for self-government also became a contest for power within the settler-society itself' and, as Hirst pointed out, threw off the conservative rule of the pro-British elite.[541] This heightened the expectations of the settlers that the government would now be driven to meet their local needs for advancement, protection, and to fair access to land and trade.

Reflecting this new democracy, new newspapers emerged which, in addition to existing papers, gave settlers an avenue for complaint or lobbying about and to their new government, while still delivering British immigrants a steady stream of 'local news' from Britain.[542] As expected, the political persuasion of both the newspaper proprietor and the writer/correspondent flavoured the 'news' they published.[543] The *Empire* was under the proprietorship of Henry Parkes, a key proponent of an independent and liberal democratic government and staunch opponent of the conservatives.[544] The paper emerged as a preference for disgruntled settlers to voice their views, seen in the discussion below where access to land was one of the major

[539] Macintyre, *A Concise History of Australia,* pp. 95-97; Hirst, *Freedom on the Fatal Shore,* pp. 238-247; *Australian Voting History in Action*, Australian Electoral Commission, https://www.aec.gov.au/About_AEC/25/theme1-voting-history.htm, accessed 25 March 2023.
[540] Clune and Turner, 'Introduction; The Colonial Premiers', pp. 7-8.
[541] Curthoys and Mitchell, 'Colonial Self-Government', p. 109; Hirst, *Freedom on the Fatal Shore,* pp. 238-247.
[542] Hirst, *Freedom on the Fatal Shore,* p. 248; Denis Coyle, 'Colonial Journalists and Journalism: an overview,' in *Disputed Profession: Journalists and Journalism in Colonial Australia,* Denis Coyle (ed.), Rockhampton, Central Queensland University Press, 1997, pp. 1-20.
[543] Hirst, *Freedom on the Fatal Shore,* pp. 248-252.
[544] Hirst, *Freedom on the Fatal Shore*, p. 248.

grievances for settlers outside Sydney. Another newspaper which likewise spoke for the liberal side against the conservatives, was the *Maitland Mercury* which Hirst explained was owned and operated by Richard Jones, a liberal elected to represent the Hunter region in 1856.[545] As much of the primary evidence below is taken from newspapers of the time including the *Empire* and the *Maitland Mercury*, it is critical to be aware of their political bias in order to untangle the often perplexing and conflicting opinions, subjective personal attacks, and contrary versions of events.

Land was especially important to settlers. Hirst argued that one of the most significant reasons that democracy was established in NSW was so that all people would have an opportunity to buy land, something which, as discussed in my earlier chapters, was previously dominated by wealthy squatters and the pro-British elite who had fought to prevent democracy taking hold in the colony.[546] It should be noted that liberal Premier Charles Cowper's 1857 Land Bill was designed to protect squatters' pre-emptive right to purchase, while his liberal Minister John Robertson and Robertson's New South Wales Land League argued that all should have the right to freely select land and benefit from deferred payments, not just squatters. The squatters, however, still opposed Cowper's bill because they believed it devalued their land. Clune argued, '[the squatters] did not want to buy land at any price; they merely wished to prevent others from buying it.'[547] Hirst noted that the common view is that the democratic objective was borne out of the developing colonial culture which reacted to the stranglehold of the squatters and 'represented a proclamation of social equality' and 'rejected all old world distinctions and titles.'[548] This is

[545] Hirst, *Freedom on the Fatal Shore,* p. 284.
[546] Hirst, *Freedom on the Fatal Shore,* p. 275; Clune, 'Charles (later Sir Charles) Cowper', in *The Premiers of New South Wales 1856-2005,* i, D. Clune and K. Turner (eds), Sydney, The Federation Press, 2006, pp. 44-45.
[547] Clune, 'Charles (later Sir Charles) Cowper', p. 44.
[548] Hirst, *Freedom on the Fatal Shore,* p. 275.

something which has since become ingrained in the Australian psyche with an aversion to what is coined, 'tall poppy syndrome'.[549] Owning, occupying and living free on one's own land was a way in which ordinary people could minimise the social inequalities inherent within Britain's landed gentry model. Nevertheless, opportunity, in the view of the Liberals was not open to all, but only to those who earned it through industry, hard work and loyalty to the emerging social structures of the colony; and as Cowper found out through conflict, not all on the liberal side embraced his inability to break the squatters' hold.[550] Hirst was a prominent historian and a staunch supporter of the Australian republican movement who participated in the Liberal Party's history summit under former Liberal Prime Minister John Howard in 2006. Nevertheless, he attempted to offer a reasonable perspective of the development of the liberal ideology in the 1850s.[551] He noted that this so-called liberal opportunity was not offered with fairness across NSW, and people outside of the Sydney area were most aware of constant inequalities in the colony where squatters continued to manipulate and attempted to dominate the political discourse, land occupation and land values.[552] Clunes reiterated these points as he described the ascent of Robertson who opposed Cowper's 'squatter protecting' Land Bill.[553]

It was within this wider political context that a campaign emerged in the Macleay Valley during the 1840s, and continued through the 1850s to call for a local police presence within the village of Kempsey which was, at that time on Rudder's east side of the river, on the higher ground. The reader may recall from Chapter Six

[549] Bert Peeters, 'Tall Poppies and Egalitarianism in Australian Discourse: From Key Word to Cultural Value', *A Journal of Varieties of English,* vol. 25, iss. 1, 2004, pp. 1-25.
[550] Hirst, *Freedom on the Fatal Shore,* pp. 275-276; Clune, 'Charles (later Sir Charles) Cowper', pp. 44-46.
[551] Michael Piggott, 'A man of the mind: John Hirst 1942-2016', *Honest History,* https://honesthistory.net.au/wp/a-man-of-the-mind-john-hirst-1942-2016/, accessed 12 April 2023.
[552] Hirst, *Freedom on the Fatal Shore*, p. 276.
[553] Clune, 'Charles (later Sir Charles) Cowper', pp. 44-46.

that in 1841 there was 'not yet either Church or Clergyman, gaol or constable, school or schoolmaster' in Kempsey.[554] By the 1850s, the regions around Kempsey and the Macleay Valley consisted of two separate police districts, one in the county of Macquarie at Port Macquarie, and the other at Belgrave in the county of Dudley, better known as the Macleay District, overseen by Commissioner Massey.[555] The problem which dissatisfied those who lived in the small village of Kempsey was that 'the police district has been so defined as to place the northern line of boundary running from Smoky Cape to that portion of the McLeay, entirely shutting out Kempsey and all below it from the Macquarie district.'[556] By 1854, therefore, it seemed ludicrous to them that the government had installed Commissioner Massey's police administration in the Macleay Valley nine miles from Kempsey, but did not include Kempsey within that administration either, leaving Kempsey 'unprotected' and without any local police presence.[557]

It appeared to the settlers that the government did not consider the Kempsey village important enough, losing sight of its needs within the shadow of Port Macquarie. Indeed, in June 1850, the *Sydney Morning Herald* had published a letter written by the NSW Police Commandant to the Colonial Secretary, in which the Commandant stated, 'no portion of my force may be sent to the Macleay' because 'the emergency is much greater in the distant outer settlements.'[558] The Commandant believed that the police presence in Port Macquarie and later in the upper Macleay were enough, though Kempsey was not protected by either. Once again, the reader

[554] 'News from the Interior', *The Sydney Herald*, 17 February 1841, p. 2.
[555] 'The Sale of Crown Lands at the Macleay', *Empire,* Sydney, 2 November 1854, p. 6.
[556] 'News from the interior,' *Sydney Morning Herald,* 23 April 1850, p. 3; 'The sale of Crown lands at the Macleay', *Empire,* Sydney, 2 November 1854; 'Government neglect at the Macleay: To the Editor of the Empire', *Empire,* Sydney, 11 June 1855, p. 3.
[557] 'News from the interior,' *Sydney Morning Herald,* 23 April 1850, p. 3; 'The sale of Crown lands at the Macleay', *Empire,* Sydney, 2 November 1854; 'Government neglect at the Macleay: To the Editor of the Empire', *Empire,* Sydney, 11 June 1855, p. 3.
[558] 'Council Paper', *Sydney Morning Herald,* 15 June 1850, p. 3.

may perceive how Port Macquarie continued to impact the development of Kempsey in the Macleay Valley. Additionally, especially during and after the development of an independent government from 1856, the Kempsey settlers viewed this as more than a simple oversight on the Cowper government's behalf. They seemed keenly aware that the pro-British elite who hindered their opportunities in the past, continued to do so despite the new democracy, favouring police protection for a privileged few on large land leases away from the towns, but not for the working classes in and around the villages on smaller plots of land.[559] However, the establishment of a local police commissioner was not merely for protection, though this was particularly important, but to facilitate the purchase of land, something about which the Kempsey settlers also realised the government favoured the elite while making it difficult for the ordinary settlers.

These settlers turned their minds to the freedoms they perceived in the United States of America (USA, America, US), and some, including Rudder, witnessed a different approach to settlement during their journeys to America. Therefore, the freedoms of an independent America had strongly influenced and helped Australian campaigners to successfully argue in their fight for democratic independence from Britain. America's freedom gave spirit to the Australian 'fight' for independence.[560] With these notions in mind, the Kempsey settlers argued that anyone who left their family and friends in England to start a new life in a new colony did so in search of economic independence and individual freedom from the restrictions of Britain's ruling elite:

[559] 'The disadvantages of irresponsible government,' *Empire,* Sydney, 18 October 1854, p. 3; 'Government neglect at the Macleay: To the Editor of the Empire', *Empire,* Sydney, 11 June 1855, p. 3.
[560] Hirst, *Freedom on the Fatal Shore,* pp. 238-247.

> Why do men immigrate from the native lands and seek their road for dismal climes? Is it not the love of freedom and independence? For what does the well-regulated mind arrive in new lands, whether it commands the … sinews of other men, to clear the wilds, or can only employ its own with industry and perseverance; is it not to possess in independence the pleasures of home? … Surely not the mere love of money, but the remote pleasurable prospect of ultimately (by the proceeds of industry) providing some spot on which to settle down with honest pride, and call it home.[561]

They further argued, then, in light of the greater freedom from British autocracy that they perceived in America: 'It follows as a necessary consequence, that the greatest influx of population will be to that country where its land can be obtained with the greatest facility' and 'To this may be attributed the rapid growth of the American Union … a liberal system of Land Regulations, ensuring easy and quick facilities of purchase.'[562] This intermingled argument of police protection and access to land existed because the police commissioner was not only responsible for ensuring justice and protection under colonial law, but to also facilitate the sale of Crown Lands under NSW Land Regulations.[563] Therefore, they argued, unlike in America, the wealthier landowners and squatters in the Macleay districts had an advantaged access to a police commissioner to facilitate the purchase of more land, while the ordinary Kempsey settler had to incur the cost of travelling to and staying in Port Macquarie, with no guarantee that the commissioner there would approve the purchase or sell at a fair and honest price.[564] Thus, Kempsey's settlers argued that having no local police commissioner was not only a gross neglect of protection but also a deliberate

[561] 'The disadvantages of irresponsible government,' *Empire,* Sydney, 18 October 1854, p. 3.
[562] 'The disadvantages of irresponsible government,' *Empire,* Sydney, 18 October 1854, p. 3.
[563] 'The sale of Crown Lands at the Macleay,' *Empire,* Sydney, 18 October 1854, p. 6.
[564] 'The sale of Crown Lands at the Macleay,' *Empire,* Sydney, 18 October 1854, p. 6.

calculation of a mismanaged government still supporting the wealthy elite with regards to land ownership. This, they said, pushed up land prices beyond the means of ordinary settlers and blotted out their hopes for independence and freedom, for which they envied their American counterparts.[565] One correspondent went as far as accusing the Port Macquarie police commissioner of deception and pocketing money for himself through 'made-up fees'.[566] This, they maintained, was an abuse of their rights to freedom, democracy, and independence.[567] Kempsey and the lower Macleay, they argued, should not be subjected to such abuses from Port Macquarie or the squatters upriver. Kempsey should have a commissioner of its own.

This is evident in a complaint written to the *Empire* in March 1854, in which the correspondent argued that the Macleay district held great agricultural potential along with the possibility for the river to receive regular steamers between the district and Sydney.[568] Yet its population did not grow, and the village was not advancing. This, they argued, dissuaded potential businesspersons, including proprietors of steamers from committing to such a regular service which consequently further hindered the economic growth of Kempsey. This argument about a stagnant population growth again centred around the settler's desire for freedom and independence,

> Land, however, in a young country is the boon sought by those who quit over-populous countries, as a means of obtaining a more certain livelihood than they would in their native land. Those who seek new shores are rarely wealthy, and have it not in their power to make either extensive or costly purchases. They not only expect to live on the land, but by it. It follows,

[565] 'McLeay River: To the Editor of the Empire,' *Empire,* 9 March 1854, p. 3.
[566] 'The sale of Crown Lands at the Macleay,' *Empire,* Sydney, 18 October 1854, p. 6.
[567] 'The sale of Crown Lands at the Macleay,' *Empire,* Sydney, 18 October 1854, p. 6.
[568] 'McLeay River: To the Editor of the Empire,' *Empire,* 9 March 1854, p. 3.

> therefore, as a natural consequence, that the extravagant price must extinguish all hope, and that every impediment thrown in the way of the acquisition of land must act more or less as a detriment to the most hardy adventurers.[569]

Their suspicion, as noted above, was that the government had deliberately made it difficult for them by refusing to establish a local police district over Kempsey, and by facilitating 'extravagant prices' on land sales while overlooking the so-called misdemeanours of the Port Macquarie police commissioner and survey department, who they said kept money for themselves while not delivering a speedy or satisfactory response to applications. Again, they reiterated their belief that the government favoured the wealthy,

> How, it may be asked, is this present valuable country [Macleay Valley] occupied? We reply by squatters and monopolists, under the present monstrously impossible Land Regulations, against their own interests and that of the people as a whole. We say against their own interests, because it excludes them from all the advantages which must result from a rural population. That which is now held under lease by the Crown cannot with common justice be opened to the public before the expiration of the period … unless the proprietor be compensated.[570]

This argument indicates that not only had available land become too expensive, but other land which the government could open up for sale was being monopolised by 'squatters and monopolists' who had taken out long leases.

[569] 'McLeay River: To the Editor of the Empire,' *Empire,* 9 March 1854, p. 3.
[570] 'McLeay River: To the Editor of the Empire,' *Empire*, 9 March 1854, p. 3.

These lease lands tied up a substantial portion of valuable land within the Macleay Valley, so that it forced the settler of ordinary means to deal with 'impossible land regulations' or face difficult dealings with the squatters or abandon the hope of settling in the area altogether. The disaffected settler named these squatters and monopolists as 'Messrs Verge, Phelps, and Chapman and co.'[571] The minority number held the majority of land and wealth. This is the same Verge introduced in Chapter Four of this thesis. Moreover, the writer accused these monopolists of abusing their privileged position by charging a settler to rent part of their leasehold while simultaneously benefiting from the settler's labours, offsetting the loss of free convict labour:

> Eight miles of brush land, at present the sole property of Messrs Verge, Phelps, and Chapman, and Co., has been subdivided into a number of small farms of ten acres (more or less), and let on clearing leases, the terms of which when completed with equal a rental of twenty shillings per annum per acre; or, for seven years, an expenditure equivalent to twenty pounds sterling. At the termination, therefore, of the leases granted, these gents will be possessed of splendid properties, without any monetary expenditure of their own. The tenants of these gentleman would gladly purchase from the Crown the same amount of land, but being opposed to the present Land Regulations and the vexatious delay in the survey department, they find it more advantageous to become tenants than independent proprietors.

By leasing out their holdings at higher prices than their own lease, these men capitalised on their wealth by earning money from the settler and using the settler to

[571] 'McLeay River: To the Editor of the Empire,' *Empire*, 9 March 1854, p. 3.

cultivate the land on their behalf. The settler, on the other hand, lost money and resources to the squatter and made stunted progress, with little other choice but to continue to both pay for rent while working for the monopolists in an arrangement the writer likened to serfdom. Moreover, Hirst argued that across the colony, squatters used this arrangement for their own political ends, so that tenants on the squatters' lands were pressured to vote for or represent their landlord if that squatter stood for an election.[572]

In addition, when the government opened Crown lands for sale at auction, the 'competition effectively exclude[d] the man of small means from purchasing, when opposed by his wealthy neighbour or distant speculator. Any chance of a rural population being established [was] excluded.'[573] While the wealthy squatters capitalised on their economic and political fortunes, diminishing the hopes of independence for the small settler, the population of the Macleay and the development of Kempsey was stalled. What was even more unjust, according to the writer, was that the squatters rarely dwelt on these lease lands. They simply took advantage of the system to increase their own capital while shutting out opportunity for the newcomers.

This problem of the Land Regulations was not unique to Kempsey itself. The trouble of squatters capitalising on the Land Acts and pressuring Representative Government occurred throughout the colony where they monopolised leases of Crown land and the auctions of Crown lands. John Ferry, in his book *Colonial Armidale* showed that a similar pattern occurred in the New England with squatters like Dangar at Gostwyck and Thomas at Armidale, among others, while Hirst examined the role of the Macarthur family at Camden and Osbourne and Berry in the Illawarra and

[572] Hirst, *Freedom on the Fatal Shore,* pp. 277-279.
[573] 'McLeay River: To the Editor of the Empire,' *Empire*, 9 March 1854, p. 3.

Shoalhaven regions.[574] What was unique for Kempsey, however, was the dispute about the police districts which ignored Kempsey's important need for protection while simultaneously adding to the burden of the smaller settlers who simply wanted to buy land, live on it and make themselves a living. They had to incur further cost to travel to Port Macquarie without any guarantee that they would succeed in their bid to purchase, where a squatter may pre-empt the sale and buy ahead of them or sell to others at an inflated price. The settlers could see no other logical reason for this situation, except that both the land and the legal system were monopolised by squatters who they argued played marionette to an ineffective government.[575]

This situation did not just stagnate the possible growth of the population at Kempsey, it also opened the way for the squatters to exert their power over key decisions in the area's political development. These decisions included monopolising transport and communication and involved the same characters as those previously named in the Macleay and the New England: Verge and the squatters of New England and the Macleay. Verge himself held land on the north bank of the river, opposite Rudder; and when and where it suited him in the late-1850s, he opened this land for sale at elevated prices, seeking to capitalise ahead of the looming changes to the land laws and with the hope of a road link with Armidale.[576]

[574] John Ferry, *Colonial Armidale,* University of Queensland Press, 1999, pp. 52-53, 149-151; Hirst, *Freedom on the Fatal Shore,* pp. 284-288.
[575] 'The disadvantages of irresponsible government,' *Empire,* Sydney, 18 October 1854, p. 3; 'Government neglect at the Macleay: To the Editor of the Empire', *Empire,* Sydney, 11 June 1855, p. 3; 'The sale of Crown Lands at the Macleay,' *Empire,* Sydney, 18 October 1854, p. 6.
[576] *Sydney Morning Herald,* 29 December 1856, p. 3.

Armidale Connections: Squatters vs East Kempsey and Rudder versus Verge and Warne

The situation outlined above set the stage for serious clashes of ideologies at public meetings in and around Kempsey between 1856 and 1861. The social fault lines emphasised in Chapters Four and Five were set to rupture. Those in the heat of these conflicts expressed that they were in a fierce contest between what each side thought was in the interests of the local inhabitants and what was only in the interest of the capitalist squatters. It was, as Hirst described, a contest between the conservative old English order of things and the freedom of an independent democracy.[577] Most of these took the form of heated public quarrels that at times descended to personal attacks and, on at least one occasion in Kempsey, to physical violence as the squatters supplied a group of eighty men with alcohol and incited them to ambush Rudder after a public meeting.[578] To understand what was at stake in these political conflicts, it is important to understand the issue of land in more detail, which, as I explained above, had been monopolised by squatters and came to represent the heart of the fight for democracy in NSW.

Macintyre argued that the most pressing concern of the new government was a 'campaign to unlock the lands,' especially in the wake of the large population influx into the colonies from America and Europe with the gold rush.[579] Americans who previously dealt with a freer system of land purchase, British immigrants escaping British aristocratic landlords, and Australians who had been to California, all agitated

[577] Hirst, *Freedom on the Fatal Shore,* pp. 177-288.
[578] 'To JNO Warne, Esq, J.P., McLeay River', *The Armidale Express and New England Advertiser*, 24 April 1858, p. 4; 'Public Meeting', *Empire,* Sydney, 13 May 1858, p. 3; 'Original Correspondence,' *The Armidale Express and New England Advertiser.* 22 May 1858, p. 4; 'Country News: McLeay River Public Meeting,' *The Armidale Express and New England Advertiser,* 22 May 1858, p. 4; 'Kempsey', *Empire,* Sydney, 9 August 1860, p. 5.
[579] Macintyre, *A Concise History of Australia,* pp. 99-100.

for free access to land. What they came up against were the squatters who occupied vast tracks of land which they refused to give up to these newcomers, or to only sell pre-defined lots at inflated prices (usually from the less profitable segments of their runs).[580] The squatters had long had the government in their corner. In the 1830s, Governor Bourke avidly supported them as 'the very leaders of colonial prosperity.'[581] With Bourke's condoning, squatters received official permission to move beyond the legal bounds of settlement and were approved for annual licences which allowed them to take up runs of 'indefinite extent' at just £10 per run, which McMinn said was Bourke's 'attempt to control squatting outside the Nineteen Counties'.[582] If it was an attempt to control the runs, it rather effectively authorised the squatters to occupy as much land as they wanted for a base rate, which, while other settlers bought land by the acre, was a relatively inexpensive arrangement. This meant they covered substantial areas of land and amassed large and wealthy estates with extraordinarily little capital outlay while locking up land which could otherwise have been open to settlement and purchase under the Lord John Russel Land Regulations.[583]

In 1844, Gipps went further, and 'required [the squatter] to purchase his homestead block at the end of five years' occupation.'[584] If the squatter chose not to buy, then the land could be sold, however, this arrangement meant that squatters had a 'pre-emptive right' to purchase their land which put them a step ahead of any prospective selector with smaller means, which I alluded to earlier. Moreover, the

[580] 'News from the interior,' *Sydney Morning Herald,* 23 April 1850, p. 3; 'The sale of Crown lands at the Macleay', *Empire,* Sydney, 2 November 1854; 'Government neglect at the Macleay: To the Editor of the Empire', *Empire,* Sydney, 11 June 1855, p. 3; 'The sale of Crown Lands at the Macleay,' Empire, Sydney, 18 October 1854, p. 6; Macintyre, *A Concise History of Australia,* pp. 99-100.
[581] Shann, *Economic History of Australia,* p. 190.
[582] Shann, *Economic History of Australia,* p. 191; Trevor McMinn, 'John (later Sir John) Robertson,' in *The Premiers of New South Wales 1856-2005,* D. Clune and K. Turner (eds), i, Sydney, The Federation Press, 2006, p. 82.
[583] Shann, *Economic History of Australia,* pp. 189-191.
[584] Shann, *Economic History of Australia,* p. 193; Ferry, *Colonial Armidale,* p. 50; McMinn, 'John Robertson,' p. 82.

squatters often had substantial amounts of capital at their disposal which they could employ to outbid any would-be purchaser. Additionally, any land the squatter did sell was calculated in both choice of land, timing of sales and often at highly inflated prices that further excluded those with smaller means.[585] Effectively, the squatter still had the first choice for the best land.

Shann explained that this brought fierce opposition from those adversely affected by these arrangements, such as those at Kempsey who needed to travel to Port Macquarie while the Macleay squatter only needed to go to nearby Belgrave and pre-empt the purchase or monopolise the prices. This put the Colonial Office in a push and pull situation between squatters and would-be buyers. However, the squatters, often from the wealthy elite of Britain, used all their political power and persuasion from relatives and friends in Britain as well as in the Colony to maintain their monopoly of land.[586] Moving in close rank with land sales agents (who were sometimes squatters themselves) likewise served their interests, as in the case of Verge and Warne in Kempsey.[587] Ferry added that as far back as 1847, 'the Orders Council gave security of tenure to squatters in the pastoral districts such as New England.'[588] These squatters effectively expected to operate and be treated like the high-class gentry in England, who were often their friends and family, and believed the use or sale of land was their right alone. They expected all other classes to pay deference to them in the streets and in public affairs.[589]

[585] *Sydney Morning Herald,* 29 December 1856, p. 3.
[586] Shann, *Economic History of Australia,* p. 193.
[587] 'Original Correspondence,' *Armidale Express and New England General Advertiser,* 11 June 1858, p. 4; 'Kempsey', *Empire,* Sydney, 9 August 1860, p. 5.
[588] John Ferry, 'Mapping the New South Wales Free Selection Acts in Colonial New England,' Melbourne, *Globe,* iss. 43, 1995, p. 29; Shann, *Economic History of Australia,* p. 193.
[589] Hirst, *Freedom on the Fatal Shore,* pp. 295-304.

Shann went on to show that this battle was far from over. While Gipps had attempted to bring some regulation and limit to the squatters' ever-sprawling estates, the squatters continued to fight back, with Gipps' successors, Earl Grey and Gladstone constantly pressured to side with the squatters.[590] After the completion of political reform to self-government by 1856, as Macintyre wrote, this issue of land was one of the first and greatest challenges to address.[591] However, Cowper's 1857 Land Bill, while it sought to reduce the price of available land, still protected the squatters' right to pre-emptive purchase, and still limited the amount of land available to the settler.[592] Ferry argued then that 'there were few pieces of legislation more important' than the land regulations that the newly responsible government would introduce, notably the Robertson Land Acts of 1861.[593] The divide in the community between the squatters and the free selectors was alive with bitter emotion, with neither side ready to concede. The Kempsey free selectors, in line with Robertson's NSW Land League, argued that NSW should be a place of democracy and equality, where anyone who wanted to succeed could put their hand to industry on the land and make the best of it that they could.[594] They detested the elitist squatters who often made more money leasing their runs while simultaneously blocking or manipulating the selectors' options for available productive land, and opposing democratic freedoms.[595] This situation affected the colony as a whole but can be observed in the intense divisions exploding, sometimes violently, in the Macleay Valley.

By December 1860, both squatters and settlers were well aware that John Robertson was preparing what are now known as the Robertson Land Acts which

[590] Shann, *Economic History of Australia,* pp. 194-195; Ferry, *Colonial Armidale,* p. 50.
[591] Macintyre, *A Concise History of Australia,* pp. 99-100.
[592] Clune, 'Charles (later Sir Charles) Cowper', pp. 44-46.
[593] Ferry, 'Mapping the New South Wales Free Selection Acts in Colonial New England,' p. 29.
[594] 'The disadvantages of irresponsible government,' *Empire,* Sydney, 18 October 1854, p. 3; Clune, 'Charles (later Sir Charles) Cowper', pp. 44-46.
[595] 'The sale of Crown Lands at the Macleay,' *Empire,* Sydney, 18 October 1854, p. 6.

would be designed to break up squatting lands and reduce the monopoly of the squatters.[596] A list printed in the liberal *Maitland Mercury and Hunter River General Advertiser* in December 1860 revealed that across the New England and the Macleay Districts, squatters occupied a total of 7,12,580 acres of land, while, if Robertson's Land Acts passed, 165,000 acres of this could 'be thrown open to selection.'[597] The list shows that absent squatters like Henderson who had moved back to England some ten years prior, still held land totalling twelve thousand acres in the upper Macleay. Innes, who had also left the region, likewise still held lands in both districts amounting to upwards of thirty thousand acres. The list showed a few hundred holdings listed, though some squatters dominated the landscape, literally, with hundreds of thousands of acres each across multiple holdings. These included the families or individual names of Verge, Warne, McIntyre, Dangar, Wyndham, Chapman, Rusden, Hall, Dickson, and Dumaresq.[598]

In the 5 years prior to the Robertson Land Acts, several of these squatters often led by Warne and Verge, formed what one correspondent called a clique within the electoral district of New England and Macleay.[599] Warne was at once a squatter, a legal land owner, and a land agent, while his friend Verge, as shown in Chapter Four, was a well-connected, wealthy capitalist land owner and squatter.[600] They wanted to capitalise on their land value by linking the Macleay to Armidale by road, and annexing Kempsey and the Macleay under the Armidale Police District. The

[596] Ferry, 'Mapping the New South Wales Free Selection Acts in Colonial New England,' pp. 29-42.
[597] 'The Squatting Districts and Reserves: New England and Macleay: From the Empire,' *Maitland Mercury and Hunter River General Advertiser,* 22 December 1860, p. 6.
[598] 'The Squatting Districts and Reserves: New England and Macleay: From the Empire,' *Maitland Mercury and Hunter River General Advertiser*, 22 December 1860, p. 6.
[599] 'To JNO Warne, Esq, J.P., McLeay River', *The Armidale Express and New England Advertiser*, 24 April 1858, p. 4; 'Public Meeting', *Empire,* Sydney, 13 May 1858, p. 3; 'Original Correspondence,' *The Armidale Express and New England Advertiser.* 22 May 1858, p. 4; 'Country News: McLeay River Public Meeting,' *The Armidale Express and New England Advertiser,* 22 May 1858, p. 4.
[600] 'Kempsey', *Empire,* Sydney, 9 August 1860, p. 5.

consequence of this annexation is that the representative for Kempsey was more likely to come from Armidale, meaning that a New England conservative squatter would likely be their representative, benefitting the squatters and disadvantaging the Kempsey selectors.[601] Rudder and the settlers in Kempsey strongly opposed this, arguing that it only served the squatters' interests of pushing up prices on their lands and impeding the region's economic progress by holding land unavailable for new settlers of lesser means.[602]

Rudder, who by this time had finally been appointed magistrate for East Kempsey, drew together a group of settlers from in and around Kempsey whom he said should be able to employ their democratic rights to petition their parliamentary representative about the needs of the settlers. He said that this committee was formed at the behest of their then representative Mr Thomas Barker, a Sydney businessperson who had previously experienced the tight political control of the Macarthur dynasty in Camden.[603] They held their first meeting in March 1858 in East Kempsey. At this meeting, they established and wrote several petitions to the Cowper government for advancing the town of Kempsey including: £1500 'for the purpose of defraying the expense of opening the road … between Kempsey and Armidale'; a request to have the Macleay River properly surveyed for the purpose of shipping; to have numerous portions of land set apart for public works such as schools and a cemetery, along with the re-establishment of national schools in the district; to have a report on the number and size of ships to gauge the level of trade on the river; and to have the Macleay

[601] 'Public Meeting', *Empire,* Sydney, 13 May 1858, p. 3
[602] 'To JNO Warne, Esq, J.P., McLeay River', *The Armidale Express and New England Advertiser*, 24 April 1858, p. 4; 'Public Meeting', *Empire,* Sydney, 13 May 1858, p. 3; 'Original Correspondence,' *The Armidale Express and New England Advertiser.* 22 May 1858, p. 4; 'Country News: McLeay River Public Meeting,' *The Armidale Express and New England Advertiser,* 22 May 1858, p. 4.
[603] 'Kempsey, Macleay River: From a correspondent', *Sydney Morning Herald,* 2 March 1858, p. 3; Hirst, *Freedom on the Fatal Shore,* p. 179.

representative separate from New England and linked instead with Port Macquarie, a large enough area entitling them to their own representative.[604]

The list appears reasonable from an outside perspective and shows that the selectors were not opposed to the Kempsey-Armidale Road. They merely opposed the squatters' attempts to monopolise this development for the squatters' own gains. However, in subsequent meetings called by Warne and Verge, Warne ridiculed Rudder saying his group of electors was not significant enough to warrant a valid voice and that Rudder's meeting should be overridden by the votes of the squatters (and their tenants) whom he had brought with him as they and their interests he said outweighed those of Rudder's committee. This was seconded by Verge and was followed by loud argument and confusion; however, Rudder eventually won the vote of hands at this meeting. [605] The correspondent noted,

> These Government Tories [the squatters] of the old school hate liberalism and would therefore go any length to sow discord in the liberal ranks, well aware that the electors, by the establishment of a committee, have struck a deadly blow at all private representation, jobbery, and hole-in-the-corner work.[606]

Unfortunately, this was not the end of the matter. The squatters refused to accept the defeat. A note in the *Armidale Express and New England General Advertiser* states that

> The parties defeated here on the 1st have this day brought forward a petition in substance the same as the resolution proposed on that day. As usual, the inn has been the theatre of this their dying struggle. What the result of their

[604] 'Kempsey: From a correspondent,' *Empire,* 9 April 1858, p. 5.
[605] 'Public Meeting', *Empire,* Sydney, 13 May 1858, p. 3.
[606] 'Public Meeting', *Empire,* Sydney, 13 May 1858, p. 3.

> efforts has been is not generally known, although the parties immediately entrusted have used all the influence at their command to induce those visiting Kempsey to give their names.[607]

A year later in June 1859, another meeting at Kempsey was held 'to elect new members' to Rudder's committee. The conservative correspondent claimed there were 'very few' Kempsey residents there besides the existing committee members but as the meeting started,

> Mr Verge, Mr Warne … and many other influential inhabitants arrived. … A friend of mine made out a list of 97 whom he recognised, and there were about 50 other electors. … Mr Warne, in a short speech, ridiculed the idea that a committee elected by only a 24 electors out of 88 should be called an electors' committee and moved, and Mr Verge seconded.[608]

Note, according to Hirsts' argument, the squatters could also pressure their tenants to side with the squatters' ambitions against their fellow ordinary settlers, meaning the squatters could swell their ranks by manipulating those who leased their land.[609] As Rudder continued to put forward proposals, he 'was subject to frequent interruptions.'[610] Arguments ensued about government expenditure, rotting bridges and punts.

The government had granted 'several sums amounting to about £800' for building roads, yet only £96 had been spent on the Armidale Road in the Upper

---

[607] 'Country News: McLeay River: Public Meeting, from a correspondent,' *Armidale Express and New England General Advertiser,* 22 May 1858, p. 4.
[608] 'Original Correspondence,' *Armidale Express and New England General Advertiser,* 11 June 1858, p. 4.
[609] Hirst, *Freedom on the Fatal Shore,* pp. 277-279.
[610] 'Original Correspondence,' *Armidale Express and New England General Advertiser,* 11 June 1858, p. 4.

Macleay.[611] Rudder explained he had not seen any evidence of the money being spent on public works or roads in the district and questioned how and where the money was spent, noting that the road was meant to run straight through Warne's land. Mr Warne, who had recently been appointed a magistrate for the Upper Macleay argued that the best interest of the district was in 'the preservation of the order of things' and that 'his services were without any pecuniary advantage to himself.'[612] He ridiculed Rudder's claim that £1500 should be allocated for roads. More intimidations followed until the meeting closed, though the promise of a 're-survey' of the Armidale Road was expected the following week.

It was no secret in the district that a long running feud existed with the Rudders against Verge and Warne, and the ill feeling between the two sides was mutual. Arguments went deeper than political disagreements, often reaching a personal tone where Warne ridiculed Rudder as an uneducated man, emphasising Rudder's disqualification from the pure gentleman class.[613] Rudder had never received a formal education, but the evidence in his writings (shown in earlier chapters) shows he was well read and far from uneducated. In 1858, Rudder's son Augustus accused Warne of a miscarriage of justice in Warne's role as magistrate, finishing with 'Mr Warne … has been on unfriendly terms with my family for some time', arguing that Warne showed bias against the Rudders instead of carrying out 'even-handed' justice.[614] Enoch Rudder, arguing on behalf of his son, went further, writing an open letter to Warne,

[611] 'Original Correspondence,' *Armidale Express and New England General Advertiser,* 11 June 1858, p. 4
[612] 'Original Correspondence,' *Armidale Express and New England General Advertiser,* 11 June 1858, p. 4.
[613] Hirst, *Freedom on the Fatal Shore,* pp. 295-297.
[614] 'To the editor of the Empire', *Empire,* Sydney, 8 February 1858, p. 2.

> Are you not ashamed, sir, as a magistrate? … You have also sent abroad a gross piece of buffoonery intended to annoy a young gentleman who came before you in your capacity of a justice of the peace … Does this, sir, comport with the dignity of your office? … Does it prove you acted towards him with impunity and justice? … Does it prove you to be a sensible man, a good neighbour, and a public benefactor? [615]

As a quick aside here, it is important to note Hirst's argument that the role of magistrate or Justice of the Peace among these colonial men was what Hirst called a 'mark of distinction'.[616] Colonial settlers of high social standing who owned land and met the requirements of the status of a gentleman, could be appointed as a magistrate.

These men marked their social status by specific clothing and expected to be saluted or formerly greeted in society and in the streets. The bonus of being a magistrate bore little to do with the person's suitability or qualifications to administer justice. The main prerequisite was that one was a gentleman of high social status, and therefore, their role often conflicted with choosing the benefit of their peers over and above what was just for all.[617] Accordingly, Rudder displayed Warne's incapacity to offer justice, but further prevailed upon him for acting unjustly toward another *gentleman,* which not only attacked his role as a magistrate but Warne's own status as a worthy gentleman. Rudder and his sons also held the gentlemanly title of esquire, therefore it is important to acknowledge also, as Hirst remarked, that not all people of this rank acted unjustly, and that there were a few, like Rudder and his associates, who attempted to separate themselves from an unjust section of their class.[618]

---

[615] 'To JNO Warne, Esq, J.P., McLeay River', *The Armidale Express and New England Advertiser*, 24 April 1858, p. 4.
[616] Hirst, *Freedom on the Fatal Shore,* pp. 304-306.
[617] Hirst, *Freedom on the Fatal Shore,* pp. 304-306.
[618] Hirst, *Freedom on the Fatal Shore,* pp. 295-306.

Further to the very public display of hostility between these men, equal hostility was shown between Rudder and Verge. In 1855, the squatters had asked Verge 'to allow himself to be put forward as a candidate for the representation of the united Districts of New England and the Macleay.'[619] The writer praised Verge for his political connections and literary abilities as a debater fit for Parliament. The Kempsey residents, led by Rudder, replied, 'the fact is we are much in want of a fit and proper person to represent us … we want no monopolist, no usurer … we do not require a man of high literary frame, but a plain honest, sensible English gentlemen, having our interests at heart in connection with that of the colony at large.'[620] These barbs traded between the sides often alluded to the broader political disagreement about who could really be classed among the gentry.[621] The hostility reached boiling point after a meeting in 1860. Rudder opened the meeting with the purpose 'to elect a committee to promote the general good.'[622] Warne and Verge who had repeatedly opposed these democratic committees of settlers as electors, 'expressed… intention to attend and oppose the formation of a committee, if a public meeting took place, and that there would be a body of men for that purpose.'[623] Despite these intimidatory threats, the meeting went ahead.

Warne, with nine boatloads of men, which the correspondent estimated as being upwards of 80 men, displayed their threats. After the meeting, when back at an inn at Kempsey, Warne gave his men generous rounds of rum and incited them against Rudder who, by this time, was the Coroner for Kempsey:

[619] 'Kempsey McLeay River,' *Empire,* Sydney, 19 November 1855, p. 2.
[620] 'To the editor of the Empire', *Empire,* Sydney, 3 December 1855, p. 6.
[621] Hirst, *Freedom on the Fatal Shore,* pp. 295-297.
[622] 'Kempsey', *Empire,* Sydney, 9 August 1860, p. 5.
[623] 'Kempsey', *Empire,* Sydney, 9 August 1860, p. 5.

> The evening terminated with fighting and noise. One of the constables, who attempted to preserve the peace, was severely handled, and for a while, the inhabitants of East Kempsey were exposed to all the noise and annoyance of a drunken mob. … The Coroner, Mr E. W. Rudder, is the oldest and first landed proprietor on the Macleay River, the founder and original owner of the town of East Kempsey, and has been identified with, if he has not been the original promoter of every institution for the public good. Mr John Warne, J. P., is the senior magistrate of the Macleay Bench, a large storekeeper, butcher, and extensive landlord and land agent. … These two men differ, as to those measures they deem best calculated to promote the public good. Mr Rudder appeals to reason and the good sense of the people.[624]

The writer implied that Warne influenced people with money, as he did not have the personable influence with ordinary people as did Rudder. The fights between these men, as individual as they were at times, were important for the progress of Kempsey in this period. Rudder, Warne, and Verge stood as the leaders of their respective sides of the deep political divisions in their community. Rudder had promoted East Kempsey, which was built on his high land and which he subdivided and sold for selectors. Warne and Verge stood for the squatters, and the old status quo of the powerful English gentry, opposed to what they considered 'wannabe' pretentious gentleman and land selectors in the colony. Verge and Warne stood for what would be called North and West Kempsey, on the opposite flood prone side of the river.

Representing the squatters, they opposed every political attempt at unlocking or lowering the value of land and sought to thwart the democratic election of a man

[624] 'Kempsey', *Empire,* Sydney, 9 August 1860, p. 5.

who would undermine their personal interests. Rudder reflected on this era when writing his 1885 memoir,

> Little did we expect when we first put foot upon these shores to find ourselves bound down by the relentless arm of monopoly, half ruined by the delays of Government, or beggared by the speculations of jobbers, all of which evils have, in a greater or less degree, been felt by us all … [the small settler] after waiting with almost breathless anxiety for the announcement of his [land] lot by the auctioneer he finds he is opposed by a wealthy settler who has land adjoining; remonstrance is useless, the man of money informs him that he cannot permit it to pass into to other hands at a less price … Finding opposition useless he [the smaller settler] relinquished the contest, and returns the victim of a system which he anticipated would have paved the way to fortune.[625]

Meanwhile, the town of Kempsey struggled to thrive as it was difficult to attract newcomers to a location which offered them so little while the squatters monopolised both the holding and sale of land. Across the background during these years, several important infrastructure developments hinged on these heated confrontations, serving as catalysts for political disunion.

[625] Labori (Rudder), 'History of the Macleay', p. 5.

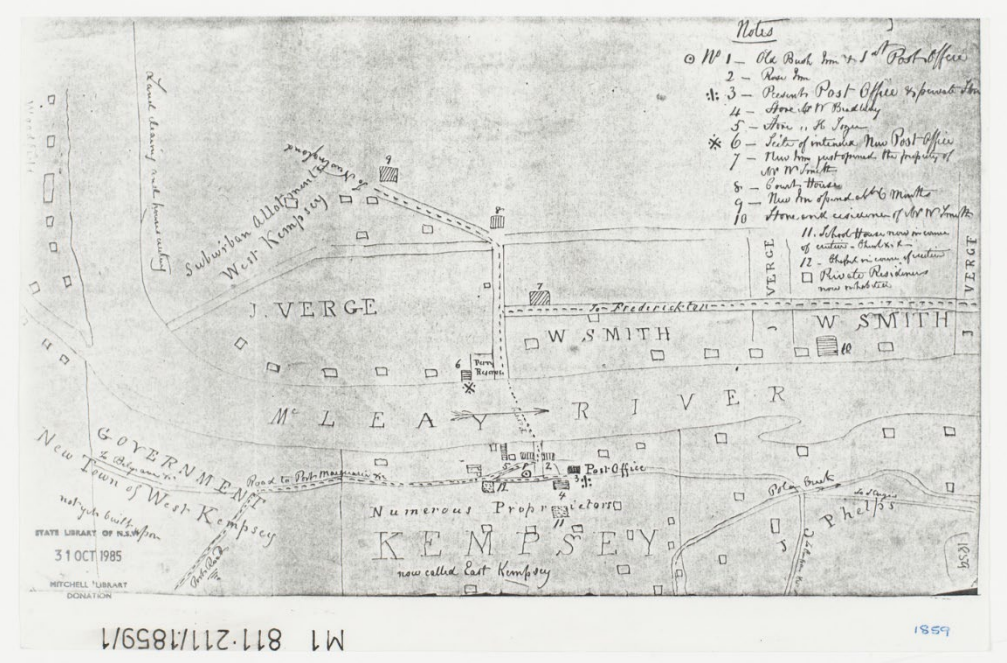

Figure 15: Sketch map of Kempsey showing site of intended new post office. Author unknown, [cartographic material], State Library of New South Wales, M1 811.211/1859/1, 1859.

To demonstrate how this bitter political and social conflict impacted Kempsey's development in a practical sense, three significant decisions made between 1856 and 1861 must come into focus: the road to Armidale, a post office on the north side of the river, and subdivisions on lower ground along the north bank of river. These decisions involve both economic and environmental outcomes which have had enduring impacts on the growth and sustainability of Kempsey as a developing township. Up until the early 1850s, the town of Kempsey was known only as that area around Rudder's residence on the southeast bank of the river, shown by the buildings sketched on the bottom centre of the map (see Figure 15). This area was noted in Atkinson's survey, which I referred to in Chapter Two, as presenting only minor to moderate impediments to urban development which could be overcome with 'sound

engineering.'[626] Today, the town of Kempsey consists of multiple parts with different business districts: East Kempsey (formerly Rudder's Kempsey), North Kempsey, South Kempsey and West Kempsey. Of these, at the time of writing North and West Kempsey contain the economically most important, and most populated areas of the town. However, when considering Atkinson's soil survey, North Kempsey in particular was the most flood prone area, built upon the most unstable soils.[627]

Rudder's original township was, as mentioned above, built upon the high ground, on firmer, rockier land which usually escaped the worst of the floods, while those squatters who occupied the northern side of the river often suffered significant losses in the floods, and needed to be rescued to the higher ground on Rudder's side.[628] One may well ask then, why did the people shift Kempsey to the flood plain? This is a key point in this dissertation. I will explore below whether the conflict between the squatters and the settlers played a significant role in this decision. Firstly, however, the issue of a road connection to Armidale and the conflict that impeded this, should be addressed as the first link in this process of moving Kempsey to the floodplain.

As far back as the 1830s and 1840s as the coastal valleys of northern NSW came under the occupation of European settlers and squatters, the coastal settlers already reflected on the economic sense in connecting their districts to the New England. Trails marked on trees had enabled settlers to make the journey on horseback or by foot.[629] The New England pastoral district attracted wealthy squatters on a

---

[626] Atkinson, *Soil Landscapes of the Kempsey*, p. 95.
[627] P. H. Walker, 'Depositional and soil history along the Lower Macleay River, New South Wales', *Journal of the Geological Society of Australia*, vol. 16, 2, 1970, 683-696; Atkinson, *Soil Landscapes of the Kempsey*, pp. 128-142.
[628] 'Extensive flood at the McLeay River', *Sydney Morning Herald,* 13 September 1843, p. 4.
[629] *The Sydney Herald*, Wednesday 13 November 1839; A Well-Wisher, *The Sydney Monitor and Commercial Advertiser,* 29 June 1840, p. 3; *The Sydney Herald,* 24 October 1840, p. 2; *The Sydney Gazette and New South Wales Advertiser*, 12 January 1841, p. 2; *The Australian,* 12 January 1841, p. 2;

parallel timeframe to the settlement of Kempsey and, in the late-1830s and early 1840s, while the rest of the colony suffered significant drought, New England reportedly escaped the worst of that disaster.[630] Consequently, the growing wool trade on the New England which produced (and still does) some of the finest and most valuable wool in the world, attracted the attention of coastal settlements who wanted to tap into this economic boon by providing a means of transport on their rivers. While Innes had built a road, with convict labour, connecting Port Macquarie to Walcha as early as the 1830s, a significant dray road connecting Armidale to the coast was not yet constructed.[631]

In 1856, however, the impetus for the 'sea-route' from Armidale did not come from the coastal settlements, but from Armidale. Complaints about the road to Maitland had been circulating in the *Armidale Express and New England General Advertiser*.[632] At that time the majority of Armidale's trade with Sydney and abroad had to travel the long Great North Road that connected the New England and Darling Downs to Sydney and the world via the Hunter River District. The Hunter River districts, centred around Maitland, were, in Hirst's words, 'the entrepôts between Sydney and the interior.'[633] Court proceedings considering Armidale matters were likewise deferred to Maitland. Armidale businesspeople and residents complained the road was too long and unreliable,

---

Free Press and Commercial Journal, 13 January 1841, p. 2; *Southern Australian,* 5 February 1841, p. 4; 'Kempsey and the River McLeay', *The Sydney Herald,* 17 February 1841, p. 2; Henderson, *Excursions and Adventures in New South Wales*, i, p. 109; Terry Grigg, *Edward David Stewart Ogilvie: Squatter at Yulgilbar, his personal journeys 1814-1896*, Melbourne, 2020, pp. 37-40.

[630] 'The Drought', *The Sydney Monitor and Commercial Advertiser,* 15 February 1839, p. 2. 'The Drought', *The Sydney Monitor and Commercial Advertiser,* 22 March 1839, p. 2.; John Ferry, *Colonial Armidale*, University of Queensland Press, 1999; Ferry, 'Mapping the New South Wales Free Selection Acts in Colonial New England,' p. 29.

[631] Henderson, *Excursions and Adventures in New South Wales*, i, p. 109.

[632] *The Armidale Express and New England General Advertiser,* 5 April 1856, p. 2.

[633] Hirst, *Freedom on the Fatal Shore,* p. 184.

> Maitland is 250 miles from Armidale, and a great portion of the road connecting them is almost impassable during rainy weather. Is it surprising, when all the difficulties are considered, that many are content to suffer injustice rather than incur the expense and loss of time attendant upon a journey to the Maitland Circuit Court? [634]

The writer here advocated for the building of a courthouse in Armidale. In that same paper and in the following issue, another writer published their notes recounting the experience of travelling this road from Maitland to Armidale. The writer recorded the difficulty of feeding and maintaining bullocks along the route, of swampy sections in constant need of repair, and that by the time they had reached Murrurundi, the dray needed fixing.

Despite these problems, the writer cited the beautiful country through which they travelled and the success of the towns along the route.[635] Another writer later stated that road 'has never received any improvements, either from the government or anyone else' and that it took one month for goods to arrive in Armidale from Sydney via this road, when the weather was favourable.[636] This writer contradicted the previous writer, stating the total distance from Armidale to Maitland was actually 400 miles as the track winds down the valley. The road today is 207 miles. The problems with the Maitland road were put before the attention of the public in repeated successive issues of the newspaper in April and May 1856, raising fears of a stagnating population growth in the New England and the excessive costs of trade, beside the inconveniences of travelling to the Maitland Circuit Court.[637] These

[634] *The Armidale Express and New England General Advertiser,* 5 April 1856, p. 2.
[635] *The Armidale Express and New England General Advertiser,* 5 April 1856, p. 4; *The Armidale Express and New England General Advertiser,* 12 April 1856, p. 4.
[636] *The Armidale Express and New England General Advertiser,* 19 April 1856, p. 2.
[637] *The Armidale Express and New England General Advertiser,* issues in April and May 1856.

publications included discussions about which alternative would be the best route to the sea, with many advocating for the Grafton Road or the Port Macquarie line.[638] A key factor was not just the suitability of a road down the mountains, but also the suitability of the connecting river and its bar, for the purpose of shipping to complete the journey to Sydney once goods and passengers reached the coast.[639]

The 'Clarence River Line', or Grafton Road, had been the one 'generally in use', but its practicality had also come into question in times of rough weather, so the Armidale Express editor, quoted by the *Sydney Morning Herald,* questioned whether a 'more practicable road for heavily loaded drays can, or cannot, be opened', mentioning Kempsey as being the shortest route if a suitable dray road could be opened.[640] The writer then invited knowledgeable individuals to put forward the advantages of various possible routes, taking into consideration Port Macquarie, Kempsey, Port Stephens (via Gloucester), Morpeth and Grafton.[641] In each of these districts, readers of the *Sydney Morning Herald* and *The Armidale Express* picked up on these ideas as a 'challenge' for the competition to 'win the race' in their bid to entice Armidale's business through their regions. Letters came into the newspaper offices from all five regions presenting their case for why the route should connect them to Armidale, while letters from the towns on the Maitland Road expressed concern that an alternative route would hurt their businesses.[642]

---

[638] *The Armidale Express and New England General Advertiser,* 19 April 1856, p. 2; *Sydney Morning Herald,* 1 May 1856, p. 3.
[639] *Sydney Morning Herald,* 1 May 1856, p. 3.
[640] *Sydney Morning Herald,* 1 May 1856, p. 3.
[641] *Sydney Morning Herald,* 1 May 1856, p. 3.
[642] *Armidale Express and New England General Advertiser,* 10 May 1856, p. 2; *Armidale Express and New England General Advertiser,* 24 May 1856, p. 2; *Armidale Express and New England General Advertiser,* 28 June 1856, p. 2; 'New England to the Hunter,' *Armidale Express and New England General Advertiser,* 5 July 1856, p. 2.

While Rudder and his committee of representatives supported the opening of a road to Armidale, the chief proponent of the road was John Warne, a large Kempsey land holder, squatter and land agent and friend of John Verge.[643] The ensuing divisions which occurred in Kempsey between Warne, Verge and the Rudders were, as explained in detail above, abundantly displayed in the newspapers, and both sides presented strong arguments for their case, with one side particularly leaning toward more personal and bullying tactics than the other. It can therefore be difficult at times to form an objective analysis about which side behaved better or worse than the other and whether which side, if any, was 'right.' However, it is strongly evident, as shown below, that these prevailing divisions did indeed negatively affect the progress of the road and therefore of Kempsey at this time. To demonstrate this, one must unravel the tangle of quarrels and tactics used, mostly by Warne to beat down his opponents in East Kempsey.

Firstly, Warne seized upon the opportunity to express his knowledge of Kempsey and why he thought the road should be built to the Macleay. Presenting himself as though he was the Macleay's chief advocate and spokesperson, he lost no time in penning his argument to the people of Armidale, writing his first instalment on 24 May 1856 to be published in the paper on 7 June,

> Gentlemen – Observing in your publication of 3rd instant a paragraph respecting the importance to Armidale and its neighbourhood of a nearer and better road to some shipping port that the present long and bad roads to the Hunter and Clarence, and suggesting Kempsey, on this river, as the nearest,

[643] 'Kempsey: From a correspondent,' *Empire,* 9 April 1858, p. 5; 'Road from Armidale to the Macleay.' *The Armidale Express and New England General Advertiser,* 7 June 1856, p. 4.

> and soliciting information – I have to call to your attention that there is a dray road via Hillgrove and Jeogalla [sic.], distance 110 miles.[644]

This existing road to which Warne alluded passed within, or through, the vicinity of his own land at Pee Dee in the Upper Macleay.[645] He then expressed his views on why this road would not be suitable and that a better road could be built from the Macleay to the tableland via Five Day Creek and Nulla Nulla (in the vicinity of the present New England National Park),

> The part from Fifth Day Creek upwards to and downwards from New England has been traversed at different times, on horseback, by myself and two other parties; and I have no doubt, with a little trouble, a good road might there be found. [646]

He went on to embellish the safety and depth of the Macleay River bar, which previous newspaper articles would easily debunk, and described the produce grown along the banks of the Macleay. For a man so passionate about protecting the squatters' rights to monopolise land, his advocacy for the road and region may seem at odds. However, careful examination of the events, land sales and correspondence in which he busied himself in lieu of the road connection, may offer clues. However, firstly, the argument about the appropriate route for the coastal road from Armidale is significant.

Warne's argument centred around developing a dray road via Five Day Creek and Nulla Nulla, even though, in his own words, a dray road already existed through Jeogla. Though he went to great pains as to why he thought the geography of the Nulla

---

644 'Road from Armidale to the Macleay.' *The Armidale Express and New England General Advertiser,* 7 June 1856, p. 4.
645 'Original Correspondence,' *The Armidale Express and New England General Advertiser,* 11 June 1859, p. 4.
646 'Road from Armidale to the Macleay.' *The Armidale Express and New England General Advertiser,* 7 June 1856, p. 4.

Nulla road would be more suitable, the telling omittance is that he wanted to divert attention away from the road that passed through his own property, which Rudder revealed in a public meeting, six years later in 1860.[647]

A few weeks after Warne's letter in June 1856, a column appeared also in the *Armidale Express*, written by Alex McLennan of Glen Fernaigh (on the Grafton Road near Dorrigo). He recounted a report of two of his neighbours who had attempted the line suggested by Warne, and highlighted the impracticalities of this route,

> They followed the track from this station until they got upon the main spur which leads from the tableland to the low country. I may here state that when they got to the head of this spur it became very steep, more so than any hill on the Clarence line, and much worse to form a line of road upon. It would be impossible to fetch up any sort of a load upon it. Between this Spur and Harry's station there is a deal of nasty broken country being both boggy and ridgy in many parts.[648]

He described more detail about the knowledge of these men and their expertise on building roads and reading the landscapes. He then turned to the road through Jeogla, which Warne had wanted to disqualify.

> Regarding the other line proposed by Ducat's station at Jeogla, where side lines are proposed to be cut in the hill known as the Big Hill: Objections to this line appear very strongly in those side-line cuts, that they will become

[647] 'Original Correspondence,' *The Armidale Express and New England General Advertiser,* 11 June 1859, p. 4.
[648] Alex McLennan, 'Lines of road,' *The Armidale Express and New England General Advertiser,* 28 June 1856, p. 2.

> impassable by the weather, and that the wash from the steep mountains will destroy this road and make it impassable.[649]

Having now discredited both options from Kempsey to Armidale, he went on to promote the Grafton Road, or Clarence line which he said was a much better road with less obstacles and less susceptibility to severe weather. The expense, he wrote, of improving this road would be much less than the expense of constructing a road through Nulla Nulla and Five Day Creek, or of building a road with adequate side supports as would be needed via Jeogla.

Warne responded, ridiculing McLennan's letter and the observations of the neighbours whom McLennan had explained were experts on the matter, saying they were more like frightened stockmen.[650] This was followed by a letter from Joseph Wilson, from Port Macquarie. He intimated that Warne's letters reflected self-interest over practicality, 'There has been so much said and written of late … I am sorry to add, by some who are privately interested, who care not for the public good, so long as their private ends are suited.'[651] Though he thought the road from Port Macquarie should be improved, he admitted that the road via Jeogla to the Macleay was a sound option which should cost little, but he emphasised the problem with the river itself,

> As the road terminates at Kempsey, after which comes the navigation of the McLeay River, for about forty miles – certainly one of the finest rivers in Australia as far as it is navigable. On the north bank is a large quantity of

[649] Alex McLennan, 'Lines of road,' *The Armidale Express and New England General Advertiser,* 28 June 1856, p. 2.
[650] Warne, 'A short road to the coast', *The Armidale Express and General Advertiser,* 26 July 1856, p. 4.
[651] Joseph Wilson, 'A short road to the coast,' *The Armidale Express and New England General Advertiser,* 2 August 1856, p. 4.

> the most beautiful agricultural land in the colony of its extent, but it is locked up by that curse to Australia – the pre-emptive right.[652]

The north bank Wilson wrote of is the present location of Kempsey on the north-west side, opposite Rudder's Kempsey on the south-east bank. The problem with taking the road to Kempsey was that cargo would then need to be shipped or carried overland another forty miles downriver, and as previously highlighted, the shallows of the river along these lower reaches meant that it was limited to ships of smaller tonnage.

Another problem Wilson highlighted was that the land on the north bank was locked up by squatters who had the 'pre-emptive' right to sell or purchase it, which may inhibit the building of the road through this area, or the use of pasture for bullocks. The squatter currently holding the majority of this land was John Verge (see Figures 15 and 16). Wilson also objected to the Clarence Road, saying 'that it would entail a great expense to keep it in proper repair', and said that a road to Port Stephens 'is not worth the argument.'[653] While he initially said he had no preference for a road to Port Macquarie, he nevertheless argued for it being the best option, in his opinion. Regardless, the valid point he made about the Macleay River and the need to traverse the lower reaches of the river before the journey could proceed to Sydney worried the Macleay settlers. By 1859 they resumed advocating in earnest for a government surveyor to properly sound the river for larger ships and an increased quantity thereof, feeling repeatedly ignored by the powerbrokers.[654]

Several more letters from each of the districts, including more from Warne, flooded into *The Armidale Express* over the following months. Concurrently, the letters

---

[652] Joseph Wilson, 'A short road to the coast,' *The Armidale Express and New England General Advertiser,* 2 August 1856, p. 4.
[653] Joseph Wilson, 'A short road to the coast,' *The Armidale Express and New England General Advertiser,* 2 August 1856, p. 4.
[654] *Sydney Morning Herald,* 22 August 1859, p. 4.

and reports of the public meetings in Kempsey during which emerged the heated enmity between the settlers and squatters (under the leadership of Rudder versus Warne and Verge and detailed above), drew criticism from Armidale,

> In our advertising columns will be found the report of a late meeting in Kempsey, for the purpose of adopting the best means of opening up Kemp's new line to Armidale. We quite agree with our friends of the McLeay that a practicable road for loaded drays between Kempsey and Armidale would prove very beneficial to both places; but we cannot approve of the spirit of the resolutions passed.[655]

It is not clear here who is being criticised, Warne, Verge, or Rudder, or all three. However, it is evident that the ideological conflicts in Kempsey were known across neighbouring regions who did not always consider the behaviours at all gentlemanly. Nevertheless, Darke, a Government Surveyor, explored the route presented by Kemp, a squatter on the Macleay and associate of Warne and Verge.

Darke wrote that he did not think the old Jeogla route would be suitable for drays, though it had been used as a postal route for years, but he could recommend Kemp's new line which ran nearby on a gentler slope and estimated that around £1000 would be required to complete the works.[656] He chained the line from the Macleay River up to Hillgrove and said that if the works could be completed according to his recommendations 'there would then be a road which would surprise many – a better road than some could conceive through such a mountainous country.'[657] He also noted that the Dunghutti people in the area had said no other suitable descent existed.

---

[655] *The Armidale Express and New England General Advertiser,* 13 September 1856, p. 3.
[656] 'Local Intelligence: Kemp's Line from New England to the McLeay,' *The Armidale Express and New England General Advertiser,* 18 October 1856, p. 2.
[657] 'Local Intelligence: Kemp's Line from New England to the McLeay,' *The Armidale Express and New England General Advertiser,* 18 October 1856, p. 2.

Nevertheless, when comparing this road to the Grafton line, he thought the Grafton line was better with more 'gradual inclines,' but the quality of the gravel surface was better on the Kemp's line to the Macleay. He credited Kemp and the Dunghutti people for the discovery of their route. In the months following Darke's announcement, reported land prices in the Kempsey and Macleay districts began to soar.[658]

Figure 16: Sketch map of Kempsey showing site of planned land sales and proposed town centres. Note proposed town adjacent to Verge's land on north bank of the river (on the flood plain) with Rudder's East Kempsey (centre right with name Onions) opposite. A further town at the bottom of the map is a government proposal adjacent to Rudder's. The name Rudder on the left of the map refers to Rudder's son, Darke, [cartographic material], 1856, State Library of New South Wales.

Now Warne and Verge had a new scenario from which they could profit. As stated, Verge occupied land on the north bank of the river, on the low alluvial soils opposite Rudder's high land (see Figures 15 and 16). With the prospect of the new road to Armidale, Warne and Verge planned to capitalise by subdividing Verge's land into proposed town allotments. A letter to the Editor of the *Sydney Morning Herald* revealed,

[658] *Sydney Morning Herald,* 29 December 1856, p. 3.

> Land on the river is fetching still an enormous price, in spite of the low rate of produce lately. … One cause of the land selling so well is the discovery of a road to New England, which, when completed (and we trust our representatives in the House to procure us funds for so doing), will be only 105 miles from Kempsey to Armidale.[659]

Warne wrote to the *Armidale Express* to inform readers that 45 of 46 allotments sold at enormous prices, producing a total sum of £2,171 in addition to 'many thousands of pounds' for previous sales.[660] In the letter, Warne protested that two years previously, the government had built a road in the middle of land owned by Verge, Smith and Kemp (see Figure 16) which he said cost them £50 each to fence, and for which he demanded the government pay compensation. Such arguments are in line with Warne's determination to control the location of the Armidale Road when it passed by his own squatting run in the Upper Macleay, as mentioned above. This move by Warne and Verge to sell lands at West Kempsey was the foundation for moving Kempsey to the low side of the river. Environmental suitability for urbanisation was not at the forefront of their plans. What occupied their ambition was the realisation of multiplied personal capital. Their next move, in lieu of the new road, was to control the sale of lands by monopolising the local district court, where land sales took place.[661]

In February 1857, the Governor General appointed Rudder's East Kempsey as the place for holding court, and as noted earlier, Rudder held the esteemed office of magistrate for East Kempsey. [662] Then, in April, Warne showed that Kemp's line

---

[659] *Sydney Morning Herald,* 29 December 1856, p. 3.
[660] John Warne, 'Original Correspondent,' *The Armidale Express and New England General Advertiser,* 3 January 1857, p. 3.
[661] *Sydney Morning Herald,* 24 March 1859, p. 3.
[662] "Petty Sessions,' *The Maitland Mercury and Hunter River General Advertiser,* 28 February 1857, p. 7; 'Kempsey, Macleay River: From a correspondent', *Sydney Morning Herald,* 2 March 1858, p. 3.

between Kempsey and Armidale was pronounced to be the chosen route to the coast from Armidale.[663] Focussed on capitalising on land he went on, 'the formation of the road will open for sale many hundreds of acres along the line otherwise unavailable.'[664] This may seem contrary to the arguments above which claim that squatters refused to sell their land. However, while that claim is amply supported by evidence, especially when considering the best available land, evidence also shows that squatters and wealthy landowners quite willingly parted with land when it suited their fiscal interests, as in the case of West Kempsey and the land along the new route to Armidale.

Consequently, herein may be perceived one reason Warne moved swiftly to exert his control over the proposed route, even if it meant suggesting a route which surveyors rejected as untenable. Warne then moved to entice readers from the Hunter region, making a spurious claim that the land available on the Macleay was not susceptible to dangerous floods, like the land along the Hunter River.[665] By this time, he had facilitated the sale of 'upwards of 20,000 acres' and again promoted the Armidale Road as the incentive for investment.[666] Then, by October the following year, the court was officially moved to West Kempsey where all land sales subsequently took place. The East Kempsey court was cancelled at the same time.[667] Warne (who was also magistrate for the West Kempsey district), Verge and their wealthy friends, now held monopoly over the future prospects for Kempsey, on the

[663] 'McLeay River: To the Editors of the Armidale Express,' *Armidale Express ad New England General Advertiser,* 11 April 1857, p. 3.
[664] 'McLeay River: To the Editors of the Armidale Express,' *Armidale Express ad New England General Advertiser,* 11 April 1857, p. 3.
[665] John Warne, 'To the Editors of the Maitland Mercury,' *Maitland Mercury and Hunter River General Advertiser,* 19 September 1857, p. 2.
[666] John Warne, 'To the Editors of the Maitland Mercury,' *Maitland Mercury and Hunter River General Advertiser,* 19 September 1857, p. 2.
[667] 'Central Police Court', *Sydney Morning Herald,* 17 November 1858, p. 5.

low side of the river, away from East Kempsey.[668] This gave rise to a period Neil labelled 'The Three Kempseys'.[669] Now, recall that these moves took place as the backdrop to the fierce enmity described above between Rudder's group of electors from East Kempsey, and Warne, Verge and their group of squatters. Additionally, the move to isolate East Kempsey occurred concurrently with the squatter's plans to annexe Kempsey with Armidale, which Rudder's committee said squeezed out ordinary settlers and drove up land prices.[670] This rivalry had certainly engulfed Kempsey by 1858, and Warne and Verge's ambitions only fuelled the heat in these factions. Warne, in what today may be seen as gaslighting, continuously shifted his argument, at one time claiming the road to Armidale would cost only £1500 while later ridiculing and dismissing Rudder's committee for saying the same thing.[671]

With the court in West Kempsey strengthening Warne's and Verge's grip on the town's expansion, where they profited from high land prices, they then moved to shift the Post Office from East Kempsey to West Kempsey, effectively controlling the flow of communication between Kempsey and the other districts of the Colony (see Figure 15). In September 1859, an article appeared in the *Empire* expressing the East Kempsey residents' dismay that the post office had been removed to Verge's land on the opposite side of the river.[672] Residents of East Kempsey, now completely isolated from any economic benefits associated with the courthouse and the post office, would

[668] 'Local Intelligence', *The Armidale Express and New England General Advertiser,* 2 October 1858.
[669] Neil, *Valley of the Macleay,* pp. 45-50.
[670] 'Public Meeting', *Empire,* Sydney, 13 May 1858, p. 3; 'To JNO Warne, Esq, J.P., McLeay River', *The Armidale Express and New England Advertiser*, 24 April 1858, p. 4; 'Public Meeting', *Empire,* Sydney, 13 May 1858, p. 3; 'Original Correspondence,' *The Armidale Express and New England Advertiser.* 22 May 1858, p. 4; 'Country News: McLeay River Public Meeting,' *The Armidale Express and New England Advertiser,* 22 May 1858, p. 4.
[671] 'McLeay River: To the Editors of the Armidale Express,' *Armidale Express ad New England General Advertiser,* 11 April 1857, p. 3; 'Original Correspondence,' *Armidale Express and New England General Advertiser,* 11 June 1858, p. 4.
[672] 'Kempsey', *Empire,* Sydney, 26 September 1859, p. 5.

suffer the expense of having to pay a river crossing just to collect their mail. The writer said,

> In this way, while the events of life, which compose the history of Kempsey, may not attract the attention of the general reader, many circumstances which transpire are of vital importance to the inhabitants. The truth of this remark will be illustrated in the following transaction. The Post Office for the district had, for a period of many years, been maintained in East Kempsey. … The charge of the office was conferred on Miss Dangar. … Miss Dangar is also a storekeeper, and her brother a saddler … and they took up land on the opposite side of the river to the township, and in no township at all, but a part of the private property of Mr John Verge. … On this plot of land, likewise, … they erect a convenient and commodious house, with shops suited to both businesses. To this place the Post-office is conveyed, and all the good people of East Kempsey are made to cross the ferry, at a cost of 4d for each trip, to post and receive their letters twice a week.[673]

The writer seemed aware that this had become a pivotal moment in the history of Kempsey's development. They protested that the majority of residents dwelt in East Kempsey, despite the recent sale of lands in West Kempsey. Further, the writer argued that the decision was engineered by Warne and his accomplices and questioned the authority of Warne to make such a pronouncement and concluded that, since Warne and his associates were bent on dividing the town,

[673] 'Kempsey', *Empire,* Sydney, 26 September 1859, p. 5.

> There can be no doubt, but that both East and West Kempsey ought to possess distinct and separate Post-offices; but we view it as a shameful injustice, to deprive one township of an advantage, long enjoyed, to benefit another, especially, when by so doing, not only a serious inconvenience is inflicted, but an indirect and heavy tax on all correspondence.[674]

The residents of East Kempsey understood that this was an attempt to deprive them financially and therefore reduce any influence they may have in the region. A rejoinder from Warne and associates came swiftly within a few weeks, disparaging East Kempsey and its residents, making statements which said they hoped that East Kempsey would die and be buried by an undertaker.[675] Certainly, the removal of the post office seemed like a death knell for East Kempsey. It moved the central business of the town to the opposite side of the river, with no adequate river crossing for East Kempsey residents to regularly participate in this business. Meanwhile, it increased the monopoly of Verge, Warne, and the Dangar family (who were now involved with the ownership of the Post Office).

As a long-term impact on Kempsey, this move effectively positioned the central business district of Kempsey on the alluvial floodplain which Atkinson had said was 'not capable of urban development due to flooding hazards and foundation hazards.'[676] Herein is the answer to why the Kempsey CBD was moved to a floodplain, instead of continuing in its previous location on higher ground. The move was political, contrived and calculated to wrestle control for the land and capital from the settlers, and for the short-term benefit of the wealthy squatters and capitalists. It was to this that Rudder later spoke in his memoir, warning capitalists of their mistake

[674] 'Kempsey', *Empire,* Sydney, 26 September 1859, p. 5.
[675] Lachrime (pseudonym), 'To the editors f the Empire,' *Empire,* 1 November 1859, p. 2; 'Original Correspondence, Kempsey,' *Armidale Express and New England Advertiser,* 2 July 1859, p. 4.
[676] Atkinson, *Soil Landscapes of the Kempsey*, pp. 140-142.

for the damages and choices they had made for the sake of money, cutting down trees and taking up dwelling on a flood plain.[677] In 1860, a correspondent (whose tone seems very similar to Rudder's), referring to recent floods in the south of the colony, wrote to the *Empire* saying,

> The southern floods have uttered a warning voice, one we fear will remain unheeded till the cry of lamentation and woe is echoed from the wretched survivors of a like desolating calamity. The population of this district now occupy the alluvial brush lands bordering the river, on which nearly all the dwelling-houses and barns are erected … the practical eye of the experienced geologist can trace unmistakable evidence of floods that have swept over the whole with forceful impetuosity. How many years it may be since such a catastrophe has occurred, none of the present inhabitants can tell – long enough to lull them into thoughtless security. What has been may be again.[678]

As the CBD had been removed to the floodplain, so too did the newcomers, buying the land which Verge and Warne had subdivided to capitalise on their own fortunes. It is a pivotal moment in Kempsey's history, making it permanently susceptible to economic losses during flooding, leading to ongoing flood management projects which have increasingly altered the environment. These ongoing flood management projects are explained and detailed in government, local council and scientific reports and would form the basis of a further historical inquiry into Kempsey's latter history, supplementing this current dissertation.[679]

---

[677] Enoch W. Rudder (Labori), *History of the Macleay*, pp. 1-8.
[678] 'Kempsey', *Empire,* 21 March 1860, p. 8.
[679] John Coode, 'Report on 1890 Survey of the Macleay River', *Macleay Argus*, Kempsey, 1948; Damon Telfer, 'Macleay River Estuary Data Compilation Study', *GECO Environmental*, Grassy Head, 2005; Kempsey Shire Council, 'The Nature of Flooding in the Kempsey Shire', Annex A to the

Meanwhile, as the conflict between the residents of the 'Kempseys' and the squatters continued, the pressing issue of the road was delayed. Correspondents in the newspapers squarely blamed the delay on the town's factions and squabbles, showing that these ruptured social and political lines continued to have a damaging effect on the town's development at this time. A correspondent to the *Armidale Express* pointedly noted,

> Nothing, for years past, has created so great a sensation on the Macleay as this opening up a line to Armidale. All anticipate the greatest benefits therefrom, and there can be little doubt that once established it will be the Macleayites' own fault if the district does not go ahead. They must banish all jalousies and petty egotism, pull well together, and become impressed with the undoubted truth that the welfare of the community as a whole conduces to the prosperity of the individual.[680]

The route of the road was questioned, adjusted, and readjusted on numerous occasions, each time bringing forth a volley of discontent from one side of the river or another.[681] Surveyors and contractors in the process of building the road readjusted or readvised the route, stalling several times due to a lack of funds or adequate direction. The timeframe and the cost blew out exceptionally, leading to fresh arguments

---

Kempsey Shire Flood Management Plan, Kempsey, date unknown; E. W. R. Thorpe, environmental 'Historical Survey of the Macleay Valley', environmental and geographical report for Kempsey Shire Council, University of New England, 1968; G. Atkinson, *Soil Landscapes of the* Kempsey, NSW Department of Land and Water Conservation, Sydney, 1999.

[680] 'McLeay River,' *Armidale Express and New England General Advertiser,* 17 September 1859, p. 4.

[681] 'Original Correspondence, Kempsey, McLeay River,' *Armidale Express and New England General Advertiser,* 2 April 1859, p. 2; 'McLeay River,' *Armidale Express and New England General Advertiser,* 28 May 1859, p. 2; 'Kempsey, McLeay River,' *Armidale Express and New England General Advertiser,* 11 June 1859, p. 4; 'McLeay,' *Armidale Express and New England General Advertiser,* 16 July 1859, p. 2; 'Macleay River,' *Sydney Morning Herald,* 5 September 1859, p. 3; 'Kempsey, Macleay River,' *Sydney Morning Herald,* 8 September 1859, p. 3; 'Local Intelligence,' *The Armidale Express and New England General Advertiser,* 29 October 1859, p. 2.

between East Kempsey and Warne and Verge.[682] The divisions in the town in 1859 affected economic and social ventures. The Anniversary Day cricket match of 1860 was almost cancelled, except for a few 'ring-ins' to revive festivities. The reason for the disruption was cited in the *Sydney Morning Herald*, 'At Kempsey, owing to those local rivalries which are so much regretted, the contemplated cricket match of the Australians v. Englishmen, fell to the ground.'[683] It was said that the Australian team, made up mostly from the long-time settlers of East Kempsey, mustered up enough of a team, but the Englishmen who occupy the opposite bank of the river could barely scratch enough together to make up the required eleven.

Meanwhile, as the arguments raged between the squatters and settlers, the Dunghutti people of the upper Macleay continued to resist colonial expansion, defending their own economic viability on their land in the range country.[684] They had mustered an 'army' of their own, well-armed with firearms they had 'acquired' from the invading Europeans. Hiding in the forests of the ranges and along the upper reaches of the river, they lay in wait to ambush any unsuspecting traveller who dared to cross the river on their watch.[685] What the Europeans decried as 'Aboriginal outrages,' the Dunghutti would consider instead to be their part in a war of resistance. The Europeans, particularly the squatters and their tenants, had stolen Dunghutti land, disrupted their subsistence economy, driven off their animals and cut down their trees, claiming more land, driving through the mountains to connect their settlements and expanding an exploitive European economy in the district. Stealing cattle, raiding huts for flour and other foodstuffs, seemed to be villainous to the Europeans, but was a war

[682] 'McLeay Line of Road', *Armidale Express and New England Advertiser,* 19 November 1859, p. 3; 'Macleay River,' *Sydney Morning Herald,* 23 February 1860, p. 7.
[683] 'Macleay River,' *Sydney Morning Herald,* 23 February 1860, p. 7.
[684] 'Kempsey, Macleay River,' *Sydney Morning Herald,* 22 August 1859, p. 3; 'Kempsey, Macleay River,' *Empire,* 18 August 1859, p. 3; 'Macleay River,' *Sydney Morning Herald,* 15 August 1859, p. 2.
[685] 'Aboriginal outrages in the Macleay River District,' *Empire,* 30 April 1860, p. 5.

of survival for the Aboriginal people.[686] They would not go quietly. This is their land, and they would not allow these invaders to just come in and take it without a fair bargain. But, as we have seen, the squatters and their league of tenants were not the kind to work in fair bargains, not even with fellow Europeans, let alone with the Aboriginal people. The squatters appealed to the Commissioner, eventually having the Dunghutti driven from their homelands, dispersing them to New England and away from the Macleay Valley that they had called home for tens of thousands of years.[687]

The ambition of the squatters in the Macleay, and in the colony as a whole led to disruptive enmity and flawed decisions. If the squatters vehemently fought against and wished to see the end of the liberal selectors who wanted access to land, they even more vigorously fought against the Dunghutti resistance wars. Squattocracy had almost brought the region to its knees on multiple fronts during the 1850s. To borrow an extreme term, a type of 'civil war' was being waged against the squatters in a desperate fight for the individual freedom of the ordinary settler who wished to make a living for themselves in the colony. They wanted what the Americans had: independence from British autocracy. It seemed at the end of the decade that the wealthy elite had fired the final fatal volley upon their opponents in Kempsey.

While Jeans had called this period the golden years of NSW, it hardly was a glowing time for Kempsey, and Kempsey had already started to be known as a place of division and stunted growth, while the residents of the town continued to fight to convince would-be settlers of the advantages of their district, promoting its

[686] 'Law Intelligence', *Sydney Morning Herald,* 1 January 1850, p. 2; 'Central Criminal Court', *The Peoples Advertiser and New South Wales Vindicator,* 9 March 1850, p. 6; 'Murder by the Blacks', *The Moreton Bay Courier,* 8 June 1850, p. 3; Blomfield, *Baal Belbora,* pp. 21-53; 137-142; Barry Morris, *Domesticating Resistance: the Dhan-Gadi Aborigines and the Australian State*, Oxford, 1989.
[687] 'Aboriginal outrages in the Macleay River District,' *Empire,* 30 April 1860, p. 5.

environment and location.[688] Stagnant growth resulting from political and personal divisions and intense warfare with the Dunghutti kept the region from flourishing during NSW's golden revival. Chapter Nine below will illustrate how this unfolded in the 1860s, looking at the outcomes of Robertson's 1861 Land Acts, the removal of the Dunghutti people from their lands, environmental catastrophes, and missed opportunities, while the residents finally grappled with the hope of progress in Kempsey.

[688] 'Kempsey, Macleay River,' *Empire,* 4 August 1859, p. 4; 'Kempsey, Macleay River,' *Sydney Morning Herald,* 8 August 1859, p. 3; Jeans, *A Historical Geography of New South Wales to 1901,* p 157.

Chapter Eight | 1835 to 1865 – Immediate impacts on Kempsey's communities

Before concluding, this chapter will provide a brief discussion highlighting some of the immediate outcomes of Kempsey's early struggles. While the history of Kempsey carries on beyond 1865 with noteworthy events occurring thereafter, I argue that the foundation for those events is laid in Kempsey's early history by 1861. The events that follow result from or build upon that foundation so that they may be investigated in subsequent research or be explored in the light of the points raised in this dissertation. The first five years of the 1860s demonstrate the immediate consequences which then cycle through Kempsey's story from then to the present day. Discussion during this chapter will therefore offer a concise postscript, revisiting earlier discussions and presenting their impacts on Kempsey's development, using specific examples from the 1860-1865 period.

Chapter Seven confirmed the deep divisions within the Kempsey communities, which led to a formal, physical separation of the town. The river itself served as the boundary between the two main communities and the central business district was removed to the north side of the river, which is more prone to flooding. Nonetheless, after (and perhaps fuelled by) this physical separation, protagonists on both sides continued to strike figurative blows at one another by publishing their opinions and judgments to local newspapers.[689] By 1860, both Rudder and Warne had acquired support for each of their causes, though Warne and Verge leveraged their support as landlords with positions of power in the community. Their supporters joined the publication of, at times, deeply personal insults until newspapers finally announced

[689] John Warne, 'Macleay River', *Armidale Express and New England General Advertiser,* 28 July 1860, p. 2; Enoch Rudder Jr, 'Macleay River', *Empire,* 23 August 1860, p. 3.

they no longer wished to publish these ongoing 'squabbles' emanating out of the Macleay Valley. One such paper, the *Empire,* though liberal in cause, announced as a postscript to Warne's last published letter of this nature,

> Any further correspondence on these local squabbles can only be inserted in our advertising columns. We have omitted a portion of Mr Warne's letter, which, although temporarily written, did not appear to have any direct bearing on the matters at issue, [signed "Editor']690

For the historian, the publication of deeply personal jibes from one side of a debate to another can create a perplexing and challenging task when attempting to objectively work through the complex web of grievances. At best, the existence and intensity of these divisions must be acknowledged. After newspapers shut them down, the 'squabblers' could only publish advertisements for meetings or groups in advertising columns.691 The subsequent absence of these fiery publications after September 1860 may give one the false impression that the divisions had been resolved. Yet, this does not seem likely, and should be kept in mind. This censoring does, however, make it easier to focus on the key issues facing the residents of the Macleay throughout 1860 and through to 1865. Letters about these concerns still went to publication, thankfully with a little less personal spice.

The four main concerns in the discussions were: growing awareness of environmental complications and continued exploitation for economic ends (including the suitability of the river for shipping); Aboriginal resistance wars; a slowing economy in the Macleay Valley with the unfinished road to Armidale; and the

690 *Empire,* 18 September 1860, p. 3.
691 Editor, *Empire,* 18 September 1860, p. 3.

ongoing problem of land rights in relation to the Robertson Land Acts.[692] Of these, mainly the environmental outcomes will be discussed in this chapter. Aboriginal resistance wars in the Macleay have been researched by Blomfield in *Baal Belbora,* Morris in *Domesticating Resistance*, and Reiner in 'Kempsey: a study in conflict', negating the necessity of repeating their findings here.[693] However, there is room for historical inquiry into those who called for the 'extermination' of the Dunghutti people in the Macleay Valley along with those who wished to protect them. Newspapers point to the same characters (Warne, Verge and the squatters), who above have been implicated in major questionable developmental decisions in the town, as being the drivers behind pushing the Aboriginal people from their lands in the district.[694] Yet, while modern narrative would have one believe that all settlers wished to eradicate the Aboriginal people, one anonymous correspondent wrote to the *Empire* in May 1860, saying,

> Before their extermination is complete, let it be recorded that some at least lament their fate. Ere Europeans claimed any of the land in this district as their own, we know something of its inhabitants, and have since watched some tribes, then numerous, dwindle to a mere remnant. Their habitation has afforded us shelter … we have partaken of their hospitality, admired their naturally graceful movements, … admired their good nature, and listened to their last expiring accents. … We have found them in all respects like other members of the human race, subject to good and bad impulses … Did the

[692] 'Macleay River,' *Sydney Morning Herald,* 2 April 1860, p. 2; 'Macleay River,' *Sydney Morning Herald,* 12 April 1860, p. 2; 'Local Intelligence,' *Armidale Express and New England General Advertiser,* 14 April 1860, p. 2; John Warne, 'Macleay River', *Armidale Express and New England General Advertiser,* 31 October 1860, p. 4.
[693] Blomfield, *Baal Belbora;* Morris, *Domesticating Resistance;* Reiner, 'Kempsey: a study in conflict'.
[694] John Warne, 'Macleay District,' *Armidale Express and New England General Advertiser,* 2 June 1860, p. 2; 'John Warne, "Original Correspondence,' *Armidale Express and New England General Advertiser,* 7 July 1860, p. 6.

> public know the hidden history of the wrong endured by this hapless race, humanity would weep … and blush for the 'educated' European. … We were lately amongst a tribe in this neighbourhood and were astonished to witness the change in these men. All traces of their fathers' simplicity of character were gone. … They have become dangerous enemies in the bush. … Such is the universal result of the white man's vices … and we are now reaping the fruits, bitter, and repulsive. Over such a history Mercy and Justice may weep, and Christians blush.[695]

In his 1885 memoir, while finding joy in the now developing town, Rudder still lamented that the coming of the Europeans to the district had done little good for the Dunghutti people.[696] When he first arrived, he found them to be hospitable and friendly, sharing with him in resources and knowledge. Now, he said they had been contaminated by the white man. He wrote,

> The past history of the inhabitants, so far as we can at present judge from our knowledge of the people, remains a mystery. … The tribe on this river was then numerous and supplied with an abundance of game … Many of the inhabitants had never seen white men and fled at our approach towards their camp. They were quiet, inoffensive and obliging, supplying abundance of fish and game for a small return in tobacco, sugar and flour. They were willing to receive white men amongst them and, although they claimed a right to the land, were not backward in affording any information in their power as to spots fit for agriculture. … intemperance was unknown. ... We have still the cry of the dying in remembrance.[697]

---

[695] 'Kempsey,' *Empire,* 17 May 1860, p. 3.
[696] Rudder (Labori), *History of the Macleay,* p. 2.
[697] Rudder (Labori), *History of the Macleay*

The white settlers' conflicts with the Aboriginal people, their wars extending to the New England, Dunghutti clans' differences among themselves and their ongoing resistance to the European invasion are all discussed in Morris, Blomfield and Reiner's studies, yet more work is to be done here to do justice to these people whom Rudder had known as 'quiet and inoffensive' yet who had become dangerous enemies to the European invaders. What had been known to the Europeans as 'Aboriginal Atrocities' was to the Aboriginal people a justifiable war fought for their very survival.

Figure 17: Macleay River, New South Wales 1850s, Author unknown, [watercolour], State Library of New South Wales, DGA 1, 1850s.

Throughout Rudder's time at Kempsey, he repeatedly wrote of his observations about the environment, the valley's flood prone areas, unstable soils, the importance of the forests and swamps, and the need to take care with decisions around these.[698] From his earliest days on the Macleay, he dug into the soils and as mentioned

[698] Rudder (Labori), *History of the Macleay*, p. 1.

earlier in this dissertation, his observations were remarkably accurate when compared to Atkinson's modern soil survey.[699] He warned would-be settlers and squatters of the dangers of cutting down trees like the 'walls of cedar' and of settling on the flood plains. He reiterated this in his 1885 memoir.[700] Environmental exploitation was the prime reason Europeans first came to the Macleay Valley, firstly for cedar, and thereafter for the land where they grew crops and grazed stock. The river itself, a finely balanced ecosystem, was the main thoroughfare, not only for trade to Sydney and beyond, but also for the settlers residing along the river.[701] Even by the late-1850s, roads connecting different areas of the Macleay communities were very poor and often impassable during rains, so the settlers relied on the river to connect their communities together.[702]

Figure 18: East Kempsey and Rudder's Hill taken from the Steamer a long side at Lamington, Macleay River, 1861, Edward Forde, album of sketches of New Zealand and New South Wales views, ca. 1857, 1859-1862, State Library of New South Wales, PXA 1688

[699] Atkinson, *Soil Landscapes of the Kempsey*, pp. 128, 136, 140, 147, 152, 157.
[700] 'Kempsey', *Empire,* 21 March 1860, p. 8; Enoch W. Rudder (Labori), *History of the Macleay*, p. 1.
[701] Enoch Rudder Jr, 'Macleay River', *Empire,* 23 August 1860, p. 3; Neil, *Valley of the Macleay,* p. 49.
[702] Enoch Rudder Jr, 'Macleay River', *Empire,* 23 August 1860, p. 3; Neil, *Valley of the Macleay,* p. 49.

In his memoir, Rudder gave a detailed account of what the environment of the Macleay was like when he and his family first came to reside in what would come to be known as East Kempsey.[703] As they journeyed upriver in their sailing vessel, they observed a wide variety of birdlife, some of which no longer exist in the area today, walls of cedar and other forest trees lining the riverbanks and stretching back toward the swamps, and land animals and fish in the river. He said it was as close as he imagined 'the Garden of Eden' to be.[704] This beautiful and stunning environment was not only home to the Dunghutti people, but it also formed the basis of the Dunghutti economy. They had lived along the river from the coast to the mountains, subsisting on the bountiful supply of nature.[705]

Further into Kempsey's early history, cedar cutters destroyed thousands of hectares of native forest, removing all the cedar from the lower Macleay. Rudder decried the ensuing exploitation as a 'war on the forests.'[706] Later, in May 1860, a letter to the *Empire* was published anonymously, though the writing and content is again remarkably similar to Rudder's style and passion, calling on Macleay settlers to preserve the natural environment of the river valley:

> Our beautiful forest which clothes the bank of the Macleay in robes of perpetual verdure is fast passing away. The next generation will see it disappear, and probably not a vestige will be left sufficient to idealise the past. Unsightly stumps; withered, blasted, and whitened stems will rear their gigantic forms, as ghastly monuments of the power and ruthlessness of man; their leafless branches, broken by the blast, will present wrecks through which the winds will howl a requiem o'er the stately dead – the

[703] Rudder (Labori), *History of the Macleay*, p. 1.
[704] Rudder (Labori), *History of the Macleay*, p. 1.
[705] Rudder (Labori), *History of the Macleay*, p. 1.
[706] Rudder, 'History of the Macleay', p. 3.

> once proud monarch of the woods. Indiscriminate slaughter accompanies the noisy axe; neither utility, beauty, or fragrance avails; the graceful, aromatic, beautiful and useful share a common fate.[707]

The writer continued in this fashion of poetic prose to awaken readers to the sensibilities of preserving the forests for future generations. No records exist to show how many residents shared the writer's concern. Plentiful evidence reveals those who not only opposed these ideals but advocated for ongoing exploitation of the valley and river for economic gain, as shown in previous chapters.

Seen in Chapter Seven, Warne championed the opening of the road to Armidale, seeing it as an opportunity to capitalise on land values. Criticism coming from other districts emphasised the problems with the navigation of the Macleay River, particularly at the shallow reaches near the mouth of the river, around Stuarts Point and Grassy Head.[708] In late 1860, heavy rain disrupted land travel and bad weather kept ships stuck inside the Macleay bar, reviving local concerns about the capabilities of the river to support increased heavy traffic, especially as larger ships would enable more profitable trade with the region.[709] A correspondent wrote in September 1860,

> Everybody is "rained in"; roads, rivers, and creeks are impassable. For the last ten days it has been impossible to obtain or transmit the mails. The steamer which left Kempsey on the 2nd, is lying with a number of sailing craft inside the mouth of the river, not daring to show their noses over the bar. … This is a distressing state of affairs, particularly for those burning

[707] 'Kempsey,' *Empire,* 3 May 1860, p. 3.
[708] *Sydney Morning Herald,* 1 May 1856, p. 3.
[709] 'The Macleay,' *Sydney Morning Herald,* 11 September 1860, p. 3.

> with anxiety to send us that most respected of all human commodities – money.[710]

The letter is anonymous, but the comments made about East Kempsey within this article demonstrate the writer was from the crowd who backed Warne and Verge's ambitions, if it was not either Warne or Verge themselves. Further down in the letter, after the writer described the environmental impediments to economic growth in the valley, they assert,

> I have just been reminded of an opinion entertained and frequently mooted here, as to the project for cutting a canal from Trial Bay into the McLeay – thereby avoiding that detestable impediment, the bar at the mouth of our river. Such an undertaking is represented to be a matter of facility and not likely to be extended with a large expenditure.[711]

This shows that the discussion to change the course of the river began as far back as 1860, and in the 1850s. The suitability of the river for shipping was a significant concern to merchants and producers in the Macleay Valley. It was also a concern for whether Kempsey would ever be a suitable port for Armidale.

It is beyond the scope of this thesis; however, I will note here that in the mid-1880s, the Macleay businesspeople decided to employ engineer, Sir John Coode.[712] This came more than twenty years after the residents first called for a survey of the river. Coode's report concluded that it was more environmentally and economically workable to maintain the natural mouth at Grassy Head, recommending that an

---

[710] 'The Macleay,' *Sydney Morning Herald,* 11 September 1860, p. 3.
[711] 'The Macleay,' *Sydney Morning Herald,* 11 September 1860, p. 3.
[712] 'Visit of Sir John Coode: Macleay Bar Improvements: South West Rocks Scheme,' *Macleay Argus,* 24 October 1885, p. 2; 'The Macleay River – Report by Sir John Coode,' *Illawarra Mercury,* 30 May 1891, p. 2; Coode, 'Report on 1890 Survey of the Macleay River', republished in *Macleay Argus*, Kempsey, 1948, copy supplied by Macleay River Historical Society, unpaginated.

artificial canal should not be constructed, because it would increase flooding, particularly disrupting the natural outlet of the Clybucca Creek into the Macleay, which would then not be able to flow back toward the artificial canal.[713] Nevertheless, a great flood soon broke through the sand banks in the south end of Trial Bay and the government and businesspeople discarded Coode's report, deciding to capitalise by reinforcing this break-through as a permanent canal, which still exists as the 'New Entrance' to the Macleay River:

> It was mentioned some time ago that as a consequence of a flood the Macleay River had formed a new mouth for itself at the entrance of Trial Bay. Acting on the recommendation of his professional officers, the Minister for Public Works decided to spend £10,000 in the erection of a training wall, in order that this new entrance to the river might be deepened and widened by the natural forces of the river and the tides … and will be a great improvement for the navigation of the river.[714]

The causes and results of this decision would be best investigated in a subsequent inquiry, but it is noted here to demonstrate that the agitation for this environmental manipulation was first mooted in the 1850s, a decade of intense social and political divisions which, as said previously, laid the foundation for Kempsey's future cycle of concerns. This is the point I argue in this thesis. Further historical inquiry might explore the environmental, social, and economic impacts of this new entrance. Did it cause obstruction for the Clybucca Creek's flow, as Coode had warned, and did further amendments need to be made to mitigate the changes caused to flood drainage after heavy rain?

---

[713] Coode, 'Report on 1890 Survey of the Macleay River'.
[714] 'The New Entrance to the Macleay,' *Macleay Argus,* 20 November 1895, p. 4.

Environmental catastrophes which had visited the settlers on the Macleay throughout the thirty years since 1835, continued to cause havoc for the livelihoods and local economy of the district into the 1860s, causing more destruction for settlers as they developed their homes and businesses along the riverbank, now mostly on the low side of the river. The worst of these for the period occurred in 1863 and 1864, when rain depressions swamped many rivers along the NSW Coast, including the Clarence River to the north of Kempsey.[715] Captain Sykes, whose steamer *New Moon* arrived in Sydney shortly after the devasting event in February 1864, relayed the news to the Sydney paper:

> The river began to rise on Thursday, and continued to rise until 11am on Friday, the 12th, up to which time it had risen twenty-three feet at Kempsey, overflowing the banks on the west side, at the Government Cutting, and also at Christmas Creek, inundating the back country. The maize crop suffered severely, and from the carcases that were floating down the destruction of stock must have been very great.[716]

The same article conveyed news of flooding also at the Richmond River around Lismore in the north of the colony, at Tamworth on the south-western slopes of the New England ranges, and as far north as the Fitzroy River in Rockhampton (in the newly separated colony of Queensland). The inundation at the Clarence River produced heavy losses, causing many residents at Grafton to abandon that district in 1863 and 1864, including this author's ancestor, Thomas Childs.[717] Kempsey, then, was not the only area to be affected by this rain event, yet the losses for the town were significant. Along with stock and crop losses, the town was isolated, even from nearby

[715] *Sydney Morning Herald,* 19 February 1864, p. 5.
[716] *Sydney Morning Herald,* 19 February 1864, p. 5.
[717] 'Death of Mr T. Childs: Obituary' *Northern Star,* Lismore, 19 July 1902, p. 4.

neighbouring settlements. Existing roads became impassable and mail communication was cut.[718] A correspondent noted, 'The farmers living on the low lands will be serious losers,' remembering that many of those farmers had also suffered sizable losses in a larger flood twelve months earlier, during which lives had also been lost.[719] The 1864 flood, the writer explained rose much more rapidly than any previously known flood on the Macleay. By the time the flood reached its peak, all the low lands on the north side of the river 'were underwater'.[720]

As an aside, there is an indication in this article that the ongoing floods destabilised the river banks, increasing the dangers of loading and unloading ships at Kempsey. The 1863 flood was, as mentioned, a larger flood, yet just prior to that flood, a correspondent boasted as the rains began, 'High banks protect us from the worst consequences of a flood, which always effects one good, performs the duty of a scavenger most effectively, by sweeping away all the filth and rubbish collected on the sides of the river.'[721] A similar false hope had been proclaimed in 1861,

> Considering what has occurred in other districts, we have been fortunate, but the generally high banks of the Macleay afford the farmer security which is not obtainable elsewhere. Visitations of this nature spread calamity without destruction … It is gratifying to know that the settlers in this locality need entertain no such apprehension. If we have unequalled soil, nature has also raised the barriers protecting us from inundations, that have elsewhere turned many a beautiful plantation into a wilderness.[722]

[718] 'Macleay River,' *Sydney Morning Herald,* 11 March 1864, p. 2.
[719] 'Macleay River,' *Sydney Morning Herald,* 11 March 1864, p. 2.
[720] 'Macleay River,' *Sydney Morning Herald,* 11 March 1864, p. 2.
[721] 'Macleay River,' *Sydney Morning Herald,* 11 February 1863, p. 8.
[722] 'The Macleay River,' *Maitland Mercury and Hunter River General Advertiser,* 28 February 1861, p. 3.

These smaller floods had lulled these lowland settlers into a false security when the river remained below the banks of the river. The boast in 1861 occurred within an article enticing would-be settlers to Warne's land sales and appears to be a response to Rudder's 1860 warning that those who choose to dwell on that side of the river are putting themselves in significant danger when a bigger flood occurs.[723] Warne often replied to Rudder, ridiculing him with contradictory and often dubious claims about the safety of the river and his town allotments, and this appears to be one such reply, reiterated in 1863 ahead of the bigger floods. Such contradictions replaced the earlier personal attacks which newspapers now refused to publish. Rain continued throughout February 1863, and the correspondent downplayed early losses as 'trifling,' again stating that floods are more beneficial to the residents than harmful.[724]

Subsequently, a correspondent wrote to the *Empire* in March 1863, relaying the events of a large flood which had come within weeks of earlier boasts about the locality's safety. The correspondent explained that a few weeks earlier, rain had flooded small areas with minimal damage before returning to a week of fine weather. This was then followed by torrents of rain:

> Monster showers kept falling during the 14th and 15th. The river commenced rising on the latter day, and attained its greatest altitude on the 16th about one o'clock p.m. by which time it was at East Kempsey between nineteen and twenty feet above its ordinary level at high water. The river itself … swept over its banks, covering the surface of the lower land, invading the residences of the inhabitants, submerging their crops, and flooding their

[723] 'Kempsey', *Empire,* 21 March 1860, p. 8.
[724] 'Kempsey-Macleay River,' *Empire,* 26 February 1863, p. 8.

> barns. It was at this period a melancholy event occurred, the like of which this district was never before subjected.[725]

The writer went on at length to describe how residents became alarmed and rushed to make it to the higher side of the river. They took to a boat to cross but during the crossing the boat capsized with men, women and children on board who drowned in the accident.[726] The flood was so great that even Rudder's sons and their families were affected as their allotments (not on the high land) were within flood reach. They too needed to abandon their homes and rush their households to safety. The writer said, 'With such rapidity did the water invade the land … that fear seemed stamped on every face, none knowing to what extent the devastating elements might carry its inroads.'[727] The writer commented that the magistracy (Mr Warne and his company), who had chosen the low lands to build their fortunes, were thus rendered unable to assist those residents who had suffered with them,

> All the lowlands were under water for many miles on each side of the river. So much were the magistracy of the district involved in the common lot, as to prevent them from rendering assistance. Some were isolated, and some required all their own energies to protect themselves and their families … At Commandant Hill, where the river takes a sudden turn towards [North] Kempsey, the raging water swept by with irresistible force. … At West Kempsey Messrs Dangar and Coleman's shops, stores and residences were entirely surrounded by water.[728]

[725] 'Great Floods at the Macleay River – Loss of nine lives,' *Empire,* 5 March 1863, p. 5.
[726] 'Great Floods at the Macleay River – Loss of nine lives,' *Empire,* 5 March 1863, p. 5.
[727] 'Great Floods at the Macleay River – Loss of nine lives,' *Empire,* 5 March 1863, p. 5.
[728] 'Great Floods at the Macleay River – Loss of nine lives,' *Empire,* 5 March 1863, p. 5.

In fact, the flood was so severe that while the river inevitably inundated the low side of the river, the correspondent showed that even East Kempsey, where town allotments were established on the lower north end of the hill, was also inundated. A steamer was engaged to deliver supplies to evacuees, and Rudder 'accompanied the steamer to distribute provisions, or otherwise direct operations.'[729]

To conclude the narrative the correspondent returned to the problem of the geographic location of the settlement,

> Such is the geological structure of the Lower Macleay that from no inundation of which the evidence is traceable (although at East Kempsey they have risen ten feet higher than the present) need the loss of human life be apprehended if proper means are adopted, such as the experience of the present must suggest to any intelligent mind for its preservation. As this is a matter of vast importance to the present and future interests of this district, we shall endeavour to make it clear to the humblest capacity. The greatest height at East Kempsey [reading the evidence in the hillside] to which any previous floods can be traced is about thirty feet; therefore, when a flood attains that elevation above low water mark at Kempsey … the water would cover the adjoining [low] land to the depths of six feet.[730]

This correspondent advised that those who chose to dwell within reach of this flood, should build their dwellings up, so that they have the safety of a higher second storey on all their homes and stores. This, they wrote, was the only way the district could host a larger population in any degree of safety. Environmentally, the writer acknowledged that the floods, though they would continue to heap destruction on the

[729] 'Great Floods at the Macleay River – Loss of nine lives,' *Empire,* 5 March 1863, p. 5.
[730] 'Great Floods at the Macleay River – Loss of nine lives,' *Empire,* 5 March 1863, p. 5.

town, renewed the environment with fresh, nutritious soils. The floods were a necessity to the local ecosystem. People would have to adapt if they chose to stay.[731]

These floods in the early-1860s show that the residents had and would continue to suffer, having chosen to settle in a district where the very geological structure, with the associated river and soil ecosystems, meant that large floods of this nature would continue. Economically, the environment was both a boon and a foe. After the floods, renewed soil layers boosted crop growth and quality, while during the floods the losses were at times catastrophic. Kempsey's ongoing history shows that the residents mostly chose to stay. The economic boon of the fresh, alluvial soils kept them beholden to this predicament.

The decisions from here on, besides modifying their building structures (even though they remained on unstable, alluvial ground) led to ongoing public projects to 'manage and modify' the environment so they could attempt to benefit more from the good times and lose less in the bad times.[732] As the threat of an even more catastrophic flood looms, like the recent devastating flood in Lismore during February 2022, the Kempsey council, scientists and engineers continue to research and work through the options to mitigate a disaster like the one which Lismore suffered. Yet, the more they modify, the more the environmental structure of the locality raises further risks which come back to impact the economy. This has been more prominent since Kempsey's devasting floods of 1949 and 1950, which washed away large parts of the

[731] 'Great Floods at the Macleay River – Loss of nine lives,' *Empire,* 5 March 1863, p. 5.
[732] John Coode, 'Report on 1890 Survey of the Macleay River', *Macleay Argus*, Kempsey, 1948; Damon Telfer, 'Macleay River Estuary Data Compilation Study', *GECO Environmental*, Grassy Head, 2005; Kempsey Shire Council, 'The Nature of Flooding in the Kempsey Shire', Annex A to the Kempsey Shire Flood Management Plan, Kempsey, date unknown; E. W. R. Thorpe, environmental 'Historical Survey of the Macleay Valley', environmental and geographical report for Kempsey Shire Council, University of New England, 1968; G. Atkinson, *Soil Landscapes of the* Kempsey, NSW Department of Land and Water Conservation, Sydney, 1999.

town which had been built around Verge's 'north Kempsey estate' (see Figure 19).[733] The lowest sections of this area are now reserved for sporting fields and paddocks while the central business district remains on nearby alluvial low lands (see Figures 21 and 22).

Figure 19: River Street, 1949 Flood, Kempsey Shire Council, https://archive.kempsey.nsw.gov.au/environment/floodplain/background-lower-macleay-flood-risk-management.html#:~:text=In%201949%20and%201950%20Kempsey,eight%20months%20of%20each%20other.&text=The%20Probable%20Maximum%20Flood%20(PMF,occur%20at%20a%20particular%20location, accessed 5 May 2023.

Beside flooding, the issue of regional infrastructure weighed heavily upon the town's development. The Kempsey to Armidale Road had been delayed repeatedly,

[733] Kempsey Shire Council Archives, 'Background of the Macleay River Floodplain risk Management,' *Environment and Natural Resources,* https://archive.kempsey.nsw.gov.au/environment/floodplain/background-lower-macleay-flood-risk-management.html#:~:text=In%201949%20and%201950%20Kempsey,eight%20months%20of%20each%20other.&text=The%20Probable%20Maximum%20Flood%20(PMF,occur%20at%20a%20particular%20location. Accessed 5 May 2023*;* Kempsey Shire Council, 'The Nature of Flooding in the Kempsey Shire', Annex A to the Kempsey Shire Flood Management Plan, Kempsey, date unknown

with many changes to its route until in September 1861, residents met to discuss when and how the road may be completed, five years after Armidale had called for the development of the road. The same protagonists came to the fore, Warne and Rudder.[734] Verge had died of a stroke in July of that year, leaving behind a track record of extensive power and wealth and, 'a very extensive and valuable landed property, extending for a considerable distance along each side of the river.'[735] The subsequent meetings, with Warne and Rudder still on the frontlines, were again plagued by argument and disruption, until finally the residents unanimously agreed to invite Cowper to visit the district and they 'expected that the Government will have clear and convincing reasons submitted to them for no longer delaying the progress of a work which would, if finished, be a great public benefit.'[736] Residents on the river, on both sides of the social and political divide, had become alarmed that the delay in the road was stagnating the region. Some blamed the government for not providing enough resources and expenditure. Often, as shown in Chapter Seven, the blame was squarely placed on the squabbling in the town.

The economic fallout from the delays to building the Kempsey to Armidale Road was felt in all levels of the Kempsey population. Warne wrote of declining land sales, declining land values, and of a slowing economy, which he also blamed on the looming Robertson Land Acts.[737] Others wrote of the declining value of their crops due to a lack of trading options which would otherwise be helped if the connection with Armidale was completed. It further alarmed them that other roads to the coast via Grafton and Port Macquarie had been completed or neared completion with

[734] 'Macleay River,' *The Maitland Mercury and Hunter River General Advertiser,* 3 October 1861, p. 3.
[735] 'Kempsey,' *Empire,* 1 August 1861, p. 3.
[736] 'Macleay River,' *The Maitland Mercury and Hunter River General Advertiser,* 3 October 1861, p. 3.
[737] John Warne, 'Original Correspondence,' *Armidale Express and New England General Advertiser,* 7 July 1860, p. 6; 'Free selection before survey,' *Sydney Morning Herald,* 31 October 1860, p. 5.

Government funding.[738] In September that year, the government pledged an annual sum for completing and maintaining the road, and raised its status as a second-class road, the importance of which should have attracted further government funds.[739] By the time the road was finally completed in 1863-1864, talk had already begun of connecting the northern districts via rail which would then render the need for a river port less important for major trade, and thus the economic importance of the road declined before residents ever came to see the benefits of its completion.[740]

This postscript, though brief, has demonstrated some of the immediate impacts on Kempsey's ongoing development, resulting from the deep social and political divisions within the Kempsey communities. These divisions steadily grew from the earliest days of settlement, yet intensified in the 1850s when the NSW colony gained the right to self-governance. The fight to be heard, or to gain the upper hand with the newly minted NSW parliament, along with the emerging proliferation of local newspapers, gave rise to often very public demonstrations of bullying, disorder, and above all, injustice. The result of this feuding often stagnated Kempsey's growth, while at other times it led to dubious decisions around development upon a flood plain leading to fatal outcomes as major floods inundated the town in the early 1860s. The delay of important infrastructure which would have connected Kempsey to Armidale further set the town back while its neighbours in Port Macquarie and Grafton surged ahead as important connections to the New England wool trade. Such a connection

[738] 'Kempsey, Macleay River,' *Empire,* 10 January 1860, p. 8; 'Macleay District,' *Armidale Express and New England General Advertiser,* 2 June 1860, p. 2; John Warne, 'Original Correspondence,' *Armidale Express and New England General Advertiser,* 7 July 1860, p. 6; 'Macleay River,' *Sydney Morning Herald,* 23 July 1860, p. 5; 'The Macleay,' *Sydney Morning Herald,* 8 October 1860, p. 2; 'Country News,' *Sydney Morning Herald,* 17 October 1860, p. 2.
[739] 'Local Intelligence,' *Armidale Express and New England General Advertiser,* 8 September 1860, p. 3; 'General Correspondence,' *Armidale Express and New England General Advertiser,*15 September 1860, p. 4.
[740] 'Armidale', *Clarence and Richmond River Examiner and New England Advertiser,* Grafton, 15 September 1863, p. 2.

would have enabled Kempsey to compete with these neighbouring communities. Nevertheless, the social and political divisions meant that Kempsey was again left behind until the railroad was bult and Kempsey lost hope of ever being an important port for the New England.

Chapter Nine | Concluding Discussion

The importance of this present thesis in understanding how social and political divisions have led to townships like Kempsey being built in unsuitable environments is noted as our world continues to grapple with the prospects of climate change while struggling to uphold economies. Whereas the Kempsey correspondent in 1863 warned that a higher flood had occurred prior to Kempsey's European settlement, even higher floods may visit the region as climate change brings increased risks of more adverse weather events. Understanding the economic, political, and social contentions that interfere with sound environmental planning is necessary for understanding how communities can move forward in locations at significant risk of disaster. Although historical inquiry is not necessarily designed to advise the present or predict the future, understanding the decisions and the events of the past is critical. Notwithstanding, while flood mitigation studies like those mentioned in this thesis and local histories like Neil's *Valley of the Macleay* tell a small part of the story, to date, no known scholarly historical inquiry has explored the political, economic and social divisions which led to the development of Kempsey on the flood prone north bank of the river.[741] In fact, when I posed this hypothesis to Lee at the Macleay River Historical Inquiry, his response was, 'No one has ever taken that angle before.'[742] This thesis fills this gap. Further historical inquiry to investigate the ongoing post-1865 relationship of the Kempsey community with their environment may be undertaken in environmental histories, social and political histories, or a combination of these as has been attempted in this thesis. Such historical inquiry may stand alongside the inquiries initiated by geologists and hydrologists investigating flood mitigation options in

[741] Neil, *Valley of the Macleay.*
[742] Conversation with Phil Lee at the Macleay River Historical Society, 1 June 2020.

Kempsey, or environmental flood histories by Karskens, O'Gorman and Cook in other localities.[743]

The delays in building the Kempsey to Armidale Road have likewise been shown to have been caused by strong social and political divisions within Kempsey. Through a convoluted process involving squabbling, indecision about the best route, and social and class warfare, the road was eventually completed, but never achieved the importance for which residents had long hoped. Yet, because of this road and the social and political struggles and the greed for land values which arose around the dream of the road, the main central district of Kempsey was moved to the north side of the river and onto the floodplain, having longer lasting impacts on the economic and environmental history of the town, even as East Kempsey re-established its own post office between 1860 and 1861 and the town went on as a divided community.[744] Tragically, to the present day this road remains as the only unsealed road of all the roads connecting Armidale to the coast and, at the time of writing, is closed to public traffic due to landslides. Meanwhile, almost 160 years on the Armidale and Macleay councils still debate what to do with this connection.[745] Further historical research

---

[743] Karskens, 'Floods and Flood-Mindedness in early colonial Australia,' *Environmental History*, vol. 21, iss. 2, 2016, pp. 315-342; Cook, *A River with a City Problem*; O'Gorman, *Flood Country;* P. H. Walker, 'Depositional and soil history along the Lower Macleay River, New South Wales', *Journal of the Geological Society of Australia*, vol. 16, 2, 1970, 683-696; Atkinson, *Soil Landscapes of the Kempsey*, pp. 128-142; Webb, McKeown and Associates, 'Lower Macleay Floodplain Management Plan,' Kempsey Shire Council, https://archive.kempsey.nsw.gov.au/environment/floodplain/pubs/dc-ref-01-lower-macleay-floodplain-management-plan-complete-1999.pdf , 1999, accessed 21 March 2022; G. T. McDonald, 'A report on the hydrological implications of the flood mitigation works on the floodplain of the Macleay River below Kempsey,' Macleay River City Council and Department of Geography, University of New England, 1967, https://archive.kempsey.nsw.gov.au/environment/floodplain/pubs/dc-ref-05-hydrological-implications-of-flood-mitigation-works-aug-67.pdf, accessed 3 April 2020; Civil Engineer's Office, 'Report by Macleay River County Council's Civil Engineer on Overall Flood Mitigation Proposals for the Lower Macleay Valley,' Macleay River County Council, 1962, https://archive.kempsey.nsw.gov.au/environment/floodplain/pubs/dc-ref-11-jacka-report-complete-with-attached-plates.pdf, accessed 30 June 2021.

[744] 'The Macleay,' *Sydney Morning Herald,* 11 September 1860, p. 3; 'New post Offices,' *Maitland Mercury and Hunter River General Advertiser,* 9 October 1860, p. 3.

[745] Armidale Regional Council, *Kempsey Road, Kempsey Road Project,* Armidale Regional Council Website, 2023, https://www.armidaleregional.nsw.gov.au/council/newsroom/works-and-projects/kempsey-road, accessed 5 May 2023.

could investigate the continued delays and ultimate poor outcome for this road after 1865, looking into the competition posed by rail transport at the time the road was finally completed, and what impact this had on the growing town of Kempsey.

In summary, thesis has shown that Kempsey was settled in the late-1830s when Enoch Rudder became the first settler to build permanent accommodation for himself and his family. He named it Kempsey, the view from the hill reminding him of the village of Kempsey in England. Its early days were marked by the cedar industry, with merchants and sawyers cashing in on the 'red gold,' quickly cutting out all the cedar on the Lower Macleay and leaving the land both open to squatters and the pastoral industry while the region became increasingly susceptible to more severe flooding. Yet, new landholders and residents worked hard to etch out a living in this frontier valley, working against an outgoing economic tide which in the 1840s quickly withdrew the fortunes of those who had so optimistically invested in the region. One significant cause of this crisis was a fraught system of credit, as discussed in Chapter Six. For a period during the 1840s, Kempsey's growth stagnated so much that, even though a small number of settlers remained, some considered it to have become like a ghost town. Such was the significant impact of the colony's economic crisis upon this small settlement during this period. Nevertheless, toward the end of the 1840s, signs of revitalisation were seen, highlighted in Chapter Seven, with the establishment of the colony's first government school in Kempsey. This showed that settlers and their families had begun to return to the task of etching out their living in Kempsey and its surrounds by the end of the 1840s.

Despite this early sign of recovery, by 1849 the gold rush elsewhere in America, and by 1851 the Australian goldfields, again withdrew residents from the area. Considered in Chapter Seven, Kempsey's prominent settler, Enoch Rudder

played a significant part in the beginning of Australia's gold rush, though he began his search believing gold would be discovered in the Macleay Valley. Hargraves' betrayal of the Rudders meant that the Bathurst region became the location where gold fever erupted, leaving the Rudders forgotten and the Macleay Valley's gold hidden for another eight years. Opportunity arises here for further investigation into the Rudders and their contributions to the gold rush, and into Hargraves' betrayal of his former companions, a story which remains untold, particularly in the scholarly literature about gold discoveries in Australia.

After the 1856 introduction of independent self-government in NSW the hope of a road link to Armidale drew investors back to the land, paying soaring prices for allotments on the alluvial lowlands along the riverbanks. Squatters locking up lands had kept less-wealthy selectors from crossing to the north side, while choosing to sell and cash in on the planned road link which, it was hoped would see the town boom through trade and rising land values. Yet, the road link, though it was eventually completed, did not serve its economic importance as originally hoped. Many settlers abandoned their farms as crop prices, floods and dashed hopes saw the region slip again into economic decline in the early 1860s. Emphasized in Chapter Eight, this led squatters like Warne to declare that there was no longer any need for land reform. He argued the land could not be locked if no one wanted it.[746] The squatters had repeatedly stifled the growth of the town until the town was brought to its knees once again. The squabbles, fights, and decisions to change the location of the town's business district were all made for capitalistic ideals, but had little thought for environmental outcomes, despite the warnings coming from men like Rudder.

[746] 'Macleay River,' *Sydney Morning Herald,* 13 November 1860, p. 9.

The early examples discussed in Chapter Eight along with the subsequent disasters mentioned in Chapter One, show that the environmental outcomes have had lasting, devastating impacts on the town's continued growth, while residents have persevered through hardship, making the most of farming the nutritious alluvial soils. Meanwhile, for the Dunghutti people, the colonisation of their valley was devastating. Initially showing generous hospitality to the newcomers, they quickly realised these Europeans had not only come to stay, but to exploit and destroy the environment which for thousands of years had been both their sustenance, and their cultural, spiritual, and social benefactor. Disillusioned, angry, and not willing to concede, they armed themselves with European weapons and engaged in wars of resistance which, while temporarily instilling fear into the settlers, saw them driven from the valley and dispersed or sent to mission reservations. Previous studies like Clayton-Dixon's *Surviving New England* which investigated the impacts of colonisation on the Aboriginal peoples of the New England, along with Blomfield's *Baal Belbora* show that the important need to tell the histories of displaced First Nations communities continues to open avenues for important research.[747] In the Macleay Valley, the goal of squatters like Warne to drive the Dunghutti people from their traditional lands has led to profound trauma and conflict for a people who had fought hard to protect their culture, families and homelands. Scholarly research into Warne's (and his fellow squatters) actions in the Macleay, and the subsequent diaspora of the Dunghutti people would fit well alongside and within the context of Blomfield's and Clayton-Dixon's work.

[747] Callum Clayton-Dixon, *Surviving New England: a history of Aboriginal resistance and resilience through the first forty years of the colonial apocalypse,* Armidale NSW, Newara Aboriginal Corporation, 2020; Blomfield, *Baal Belbora.*

The question at the centre of this thesis asked, how did social and political divisions influence the economic and environmental development of Kempsey during the colonial period up to 1865? Social and political divisions, capitalistic ambitions, and environmental exploitation during Kempsey's settlement have been considered. It was found that while all these are critical in their own ways, it is arguable that the presence of the squatters with Warne and Verge at the helm, had the biggest effect as they sought to dominate politics, land ownership, and land values for their own economic gains. They instigated, widened, and derived commercial benefit from deep social and political divisions which stagnated the town and left it vulnerable to ongoing flooding. The opposition they faced from the ordinary settlers, with Rudder leading the charge, provided an opening for the deep divisions in the town, which gave way to important developmental decisions when the squatters seized political power and placed the town's business district on the flood plain. This decision in and of itself, contributed greatly to Kempsey's ongoing economic struggles with the environment and the inevitable cycle of floods in the region. The town continued to cycle through economic ups and downs along with the rest of the NSW colony. At the time of his memoir, Rudder reported the town in 1885 was in an economically strong position. Rudder died in 1885, shortly after writing the memoir, yet as noted, there is more to be investigated in Kempsey's ongoing economic, political, social, and environmental struggles. This thesis has filled the gap by answering questions around its earliest years and is the only academic historical inquiry of these issues to date. It adds to existing local histories which have given an outline to the chronology of Kempsey's tumultuous past. Understanding the history of the town after 1865 is open for further inquiry.

Figure 20: view of Macleay River from Rudder's Lookout on Rudder Hill, showing the low-lying land (previously John Verge's estate) which was reclaimed after devasting floods in 1949 and 1950. photography, 2020, Heather Gartshore, in author's possession.

Figure 21: View from Rudder's Hill overlooking the central business district of Kempsey which is on the north bank and low land side of the river (previously held by Verge and Smith

and subdivided under the supervision of Warne), photograph, 2020, Heather Gartshore, in author's possession.

Bibliography

Primary

Archival

Colonial Office, letter to Enoch William Rudder, MIC571889, State Library of New South Wales, A 1273/pp.250-251, 255, 20 August 1832.

Department of Lands, letter, 6 January 1960.

Gabriel, G. Honourable Secretary Hastings River Historical Society, letter to Mr O. E. Phillips, 25 November 1961, held at Mitchell Library, ML DOC 304 transcript.

Land and Registry Services, Parish and Historical Maps, Counties of Macquarie and Dudley, Historical Land Records Viewer, https://www.nswlrs.com.au/Parish-and-Historical-Maps, accessed March 2022.

Select Committee on Transportation, 'Report of the Select Committee on Transportation together with the minutes of evidence, appendix and index,' 22 August 1838, Q 365G, Mitchell Library.

Phyllis Mander, memo to statement that E. W, Rudder first to discover gold in Australia, 4 April 1950, held at the Mitchell Library, Sydney.

Newspapers

Adelaide Observer

The Argus (Melbourne)

The Armidale Express and New England Advertiser

Australasian Chronicle

Australian

Australian Mining

Bathurst Free Press and Mining Journal

Clarence and Richmond River Examiner and New England Advertiser, (*Grafton)*

Colonial Observer (Sydney)

Colonial Times Hobart

The Colonist (Sydney)

The Courier (Hobart)

Empire (Sydney)

Freeman's Journal (Sydney)

Geelong Advertiser

The Goulburn Herald and County of Argyle Advertiser

Hobart Town Advertiser

Hobart Town Courier

Hobart Town Gazette

The Hunter River Gazette, and Journal of Agriculture, Commerce, Politics, and News, West Maitland

Illawarra Mercury (Wollongong)

The Macleay Argus

The Monitor (Sydney)

Maitland Mercury and Hunter River General Advertiser

Moreton Bay Courier

New South Wales Government Gazette

The People's Advocate and New South Wales Advertiser (Sydney)

South Australian Register (Adelaide)

Sydney General Trade List

The Sydney Gazette and New South Wales Advertiser

Sydney Herald

Sydney Morning Herald

The Sydney Monitor

The Sydney Monitor and Commercial Advertiser

The True Colonist Van Diemen's Land Political Dispatch, and Agricultural and Commercial

Truth (Sydney)

Classic Texts

The Bible, *Complete Jewish Study Bible*, Hendrickson Bibles and Messianic Jewish Publishers and Resources, Massachusetts, 2016.

General

Boswell, Annabella *Annabella Boswell's Journal*, 1834 -1848, Morton Herman (ed.), Sydney, Angus and Robinson, 1965.

British Convict Register, ‘Ships: Guildford Voyages to Australia’, *Convict Records*, State Library of Queensland, https://convictrecords.com.au/ships/guildford, accessed 16 May 2022.

Coghlan, T. A., Government Statistician *Results of a Census of New South Wales Taken for the Night of the 31st March, 1901: In Eight Parts,* Sydney, William Applegate Gullick, Government Printer, 1904.

Coode, John ‘Report on 1890 Survey of the Macleay River’, *Macleay Argus*, Kempsey, 1948.

Cook, Captain James *The Journals of Captain Cook*, Philip Edwards (ed.), London, Penguin Books, 1999.

Cunningham, Peter *Two Years In New South Wales [1827]*, David S. Macmillan (ed.), Sydney, Angus and Robertson, 1966.

Dangar, Henry ‘Sketch map of Coast from Farquhar Inlet to the Solitary Islands, also showing the Hastings River upwards to Mount Sea View. Also the New River (Macleay) upwards to some miles above Kempsey,’ Surveyor General’s Crown Plans 1792-1886, Macleay River, M.1166a, Category B, 1830, index number 33.

Darwin, Charles *The Descent of Man*, *and selection in relation to sex,* 2nd edn, London, John Murray (ed.), 1882, p. 135, http://darwin-online.org.uk/content/frameset?viewtype=text&itemID=F955&pageseq=1, accessed 15 August 2022.

Engraved copper plates of Sir Thomas Mitchell's map of the nineteen counties [Surveyor General]. State Records Authority of New South Wales, 1834.

Family Notices, ‘Marriages at Sydney’, C*olonial Times,* Hobart, 13 November 1829, p. 3.

Gipps, Sir George and Russell, Lord John ‘Gipps to Russell’, in *Historical Records of Australia*, collection of letters, held at LaTrobe University, http://arrow.latrobe.edu.au/store/3/4/9/1/3/public/B13858427S1V20pages719-950&backcover.pdf, accessed 2 August 2022.

Henderson, John Macdonald *Excursions and Adventures in New South Wales*, 2 vols, i and ii, Shoberi, London, 1851, reproduced by Wentworth Press, 2019.

Hodgkinson, Clement *Australia, from Port Macquarie to Moreton Bay; with Description of the Natives, their manners and customs; The Geology, Natural Productions, Fertility, and Resources of that Region; first explored and surveyed by order of the Colonial Government, London,* T. and W. Boone, October 1844.

Kempsey - Sketch shewing a proposed site for a Ferry at the Government Township of Kempsey MacLeay River, Sketch book 7 folio 64, NSW State Archives, NRS13886[X767]_a110_000004, 18 November 1854.

Macquarie, Governor despatches, ‘Governor Macquarie to Earl Bathurst’ in: Frederick Watson, Peter Chapman and Australia Parliament Library Committee, 1914, Historical Records of Australia 1914, Series 1, vo. 10, January 1819-December 1822, http://nla.gov/nla.obj-471963565, accessed 19 January 2021.

Mitchell, Thomas *Three Excursion into the Interior of Eastern Australia*, 2 vols, 1831, iBooks version.

Mondon, A. ‘Immigration and multiculturalism: “Fair Dinkum” politics or the end of politics” in *State of the nation: Essays for Robert Manne*, Black Inc., Collingwood, 2013, pp. 198-207.

Onions, Samuel land grant at East Kempsey with associated papers, 1836-1837, State Library of NSW, MLMSS 4793, 1836.

Oxley, John *Journals of Two Expeditions into the Interior of New South Wales*: *by order of the British Government in the Years 1817-1818*, Alpha Editions, 2018.

Oxley, John, dispatch, Surveyor General Oxley to Governor Macquarie, Port Stephens, 1 November 1818, in: Frederick Watson, Peter Chapman and Australia Parliament Library Committee, 1914, *Historical Records of Australia 1914*, Series 1, vo. 10, January 1819-December 1822, pp. 26-31, http://nla.gov/nla.obj-471963565, accessed 19 January 2021.

Rudder, Augustus ‘The Macleay River: History of Settlement along it, a fine agricultural district; rise and progress of Kempsey’, Sydney, *Australian Town and Country Journal*, 1902, pp. 30-48.

Rudder, Enoch William Appointment as Coroner and Crown law Officer for Kempsey, New South Wales Government, New South Wales Public Service Lists (Blue Books), Microfiche, 13 fiche [807–819], State Records Authority of New South Wales, Kingswood, New South Wales, Australia, 18 April 1859.

Rudder, Enoch William ‘Book A, Private: Notes and Experiments on Dye Woods’ 1865, held at State Library of New South Wales, A 1685 Rudder Family Papers, Part 3.

Rudder, Enoch William Copy of correspondence and reports to the Australian Agricultural Company 5 May- 9 October 1852, Mitchell Library, A1814, Frame 199-243.

Rudder, Enoch William depasturing licence, *Certificates for depasturing licenses*, NSR 14363, Reels 5067-5081, State Records Authority of New South Wales, Kingswood, New South Wales, Australia, Macleay River, 8 December 1843.

Rudder, Enoch William depasturing licence, *Certificates for depasturing licenses*, NSR 14363, Reels 5067-5081, State Records Authority of New South Wales, Kingswood, New South Wales, Australia, Macleay River, 30 September 1844.

Rudder, Enoch William depasturing licence, *Certificates for depasturing licenses*, NSR 14363, Reels 5067-5081, State Records Authority of New South Wales, Kingswood, New South Wales, Australia, Macleay River, 25 August 1845.

Rudder, Enoch W. 1831 Diary (revised), transcribed by David. S. Rudder, Katoomba, 2009.

Rudder, Enoch William 'Experiments', 1885, State Library of New South Wales, A 1685 Rudder Family Papers, Parts 1 and 2.

Rudder, Enoch William Insolvency, New South Wales Sheriff's Papers, 1841-1850, State Records Authority of New South Wales, Sydney, Australia, 5 June 1863.

Rudder, Enoch William ‘Geological: Journey to the Peel River on account of the Australian Agricultural Company’, 1852, 1849, copy obtained from Macleay River Historical Society.

Rudder, Enoch William ‘Give back the land: A handbill in verse attacking squatters,’ in the Macleay Family papers, held at Mitchell Library, ML MSS 856 II.

Rudder, Enoch William letter to the Colonial Office, applying for a grant of land without the insurmountable difficulties imposed by the New Regulations, MIC571847, State Library of New South Wales, A 1274/p.159, 14 November 1835.

Rudder, Enoch William land sale from Samuel Onions, Register of Memorials, New South Wales Government, New South Wales, Various Land Records, State Records Authority of New South Wales, Kingswood, New South Wales, Australia, 4 October 1836.

Rudder, Enoch New South Wales Government, Inward passenger lists, Series 13278, Reels 399-560, 2001-2122, 2751, State Records Authority of New South Wales, Kingswood, New South Wales, Australia, 4 February, 1834.

Rudder, Enoch William ‘Geological: Journey to the Peel River on account of the Australian Agricultural Company’, 1852, 1849, copy obtained from Macleay River Historical Society.

Rudder, Enoch William ‘The present state and origin of the Rudders of the Macleay River in the Colony of New South Wales’, original manuscript, 11

April 1873, held at Mitchell Library, Sydney, ML MSS 6458 Box 1, Family History Rudder Folder.

Rudder, Enoch W. Original Californian Diary, 1849-1850, copy obtained from Macleay River Historical Society.

Rudder, Enoch William 'Sea Voyage to California', 1849, copy obtained from Macleay River Historical Society.

Rudder (Labori), Enoch W. *History of the Macleay*, unpublished copy, 1885, retrieved from the Macleay River Historical Society.

Russell, Right Honorable Lord John to Governor Sir George Gipps, dispatch relative to the discontinuation of Transportation from New South Wales and Van Diemen's Land to Norfolk Island, and appointing other places of Confinement for Prisoners convicted in the respective Colonies, 6 July 1840, copy held at National Library of Australia, https://nla.gov.au/nla.obj-2237572064/view?partId=nla.obj-2237572124#page/n0/mode/1up, accessed 2 August 2022.

Sketch Map of Kempsey Showing Site of Intended New Post Office, Cartographic Material, S.n., State Library of NSW, 1859.

Sketch shewing the stations on the McLeay River beyond the limits of location, cartographic material, Album view, State Library of NSW, FL3546584, 1839.

Thompson, Richard, 'To Major A.C. Innes this map of a portion of north-eastern Australia is by permission respectfully inscribed by his most obedient servant Richard Thompson,' cartographic lithograph, 1840, M2 811.22/1840/1 , Z/M2 811.22/1840/1 , M2 811.22/1840/1A , Z/M2

811.22/1840/1A, 74Vv3BWWkOp3, held at the State Library of New South Wales, Mitchell Library Collection.

Verge, John Certificates for depasturing licenses, NSR 14363, Reels 5067-5081, State Records Authority of New South Wales, Kingswood, New South Wales, Australia, Macquarie, 28 September 1848.

Verge, John Grant of 2560 Acres on the Macleay, Returns of the Colony, "Blue Books" 1822-57, Kingswood, New South Wales, Australia, State Records Authority of New South Wales, Series 1286, 176 rolls, 1838.

Verge, John Registers of Land Grants and Leases, Microfilm Publication 2560–2561, 2846, 2548–2550, 2700–2702, 2704–2705, 11 rolls, Record Group NRS 13836, New South Wales, Australia, Macquarie (MacLeay River), 20 October 1840.

Verge, John Registers of Land Grants and Leases, Microfilm Publication 2560–2561, 2846, 2548–2550, 2700–2702, 2704–2705, 11 rolls, Record Group NRS 13836, New South Wales, Australia, Macquarie (MacLeay River), 23 April 1841.

Weingarth, John Macleay River, Map Shewing Early Settlement, Cartographic Material] / John Weingarth, Licensed Surveyor, S.n., 1922.

White, Henry Fancourt Plan of the Town of Kempsey at the Head of the Navigation of the Macleay River, Cartographic Material, Henry Fancourt White, 1839.

Secondary

Adas, Michael *Machines as the Measure of Man: Science, technology, and the ideologies of Western Dominance*, 2014 edn, Cornell University Press, 2014.

Agutter, Karen 'Her Majesty's newest subjects: official attempts to assimilate non-English speaking migrants in post-war Australia', *History Australia,* vol. 16, iss. 3, 2019, pp. 480-495.

Aldcroft, Derek H. and Richardson, Harry W. *The British Economy 1870-1939*, London, Macmillan and Co., 1969.

Allen, Robert *Global Economic History: a very short introduction*, Oxford, Oxford University Press, 2011.

Amenta, Edwin, Caren, Neal, Stobaugh, James E. 'Political reform and the historical trajectories of U.S. social movements in the twentieth century', report, *Social Forces*, Oxford University Press, vol. 90, iss. 4, 2012, unpaginated, https://go-gale-com.ezproxy.une.edu.au/ps/i.do?p=AONE&u=dixson&id=GALE|A300885954&v=2.1&it=r, accessed 6 April 2020.

Armidale Regional Council, *Kempsey Road, Kempsey Road Project,* Armidale Regional Council Website, 2023, https://www.armidaleregional.nsw.gov.au/council/newsroom/works-and-projects/kempsey-road, accessed 5 May 2023.

Armidale Regional Council, *The Hillgrove Museum,* Visit Armidale, https://www.visitnsw.com/destinations/country-nsw/armidale-area/armidale/attractions/the-hillgrove-museum, accessed 5 May 2023.

Ashworth, William *An Economic History of England 1870-1939*, Southampton, United Kingdom, 1960.

Atchinson, John 'Weingarth, John Leopold (1862–1925)', *Australian Dictionary of Biography*, vol. 12, 1990, https://adb.anu.edu.au/biography/weingarth-john-leopold-9039, accessed 20 January 2021.

Atkinson, G. *Soil Landscapes of the Kempsey*, NSW Department of Land and Water Conservation, Sydney, 1999.

Australian Government, *Multicultural Australia: United, Strong, Successful: Australia's Multicultural Statement*, p. 3, https://www.homeaffairs.gov.au/mca/Statements/english-multicultural-statement.pdf, accessed 23 March 2023.

Australian Government National Health and Medical Research Council, *Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and Communities: Guidelines for researchers and stakeholders*, Commonwealth of Australia, 2018.

Australian Voting History in Action, Australian Electoral Commission, https://www.aec.gov.au/About_AEC/25/theme1-voting-history.htm, accessed 25 March 2023.

Author unknown, *The Gostwyck Story*, https://gostwyck.com/history/, accessed 22 March 2021.

Barbier, Edward B. 'Account for depreciation of natural capital', *Nature*, vol. 515, 2014, pp. 32-33.

Barnard, Marjorie *Macquarie's World*, paperback edn, Cambridge University Press, 1961.

Bashford, Alison and Strange, Carolyn 'Asylum-Seekers and National Histories of Detention', *Australian Journal of Political History*, vol. 48, iss. 4, 2002, pp. 509-527.

Beattie, James & Stenhouse, John 'Empire, Environment and Religion: God and the Natural World in Nineteenth- Century New Zealand', *Environment and History,* vol. 13, iss. 4, 2007, pp. 413-446.

Becket, Gordon *A Brief Economic History of Colonial NSW: The Golden Years of the Colonial Era re-examined*, Gatton Queensland, Colonial Press, 2012.

Bible, Vanessa 'On common ground: Cultivating environmental peace: A history of the Rainbow Region', unpublished PhD thesis, University of New England, 2016.

Bible, Vanessa *Terania Creek and the Forging of Modern Environmental Activism*, Switzerland, Birkhauser Verlag AG, 2018.

Blomfield, Geoffrey *Baal Belbora: the end of the dancing: the agony of the British invasion of the ancient peoples of the Three Rivers, the Hastings, the Manning and the Macleay in New South Wales*, Griffin Press, South Australia, 1981.

Bolton, Geoffrey *Spoils and Spoilers: Australians make their environment 1788-1980*, Sydney, Allen and Unwin, 1981.

Bourke, Heather Investments of meaning: an archaeology of style, social identity, capitalism and ideology in a nineteenth century Australian town, PhD Thesis, University of New England, 1997.

Bowdler, Sandra (ed.) *Coastal Archaeology in Eastern Australia*, Australian National University Press, Canberra, 1982.

Brierly, E. W. *The Crown Lands Acts of New South Wales simplified*, Sydney, J. J. Marsden Publisher, 1906.

Brooks, Alasdair (ed.) *The Importance of British Material Culture to Historical Archaeologies of the Nineteenth Century*, Society for Historical Archaeology, University of Nabraska Press, 2016.

Brown, Matthew 'Causation and economic history', *The Journal of Private Enterprise*, vol. 32, iss. 4, 2017, pp. 1-12.

Burke, Peter *History and Social Theory*, New York, Cornell University Press, 1992.

Burn, Peter 'Economic History and Economics", *Working Papers in Economic History*, The Australian National University, vol. 149, 1991.

Burroughs, Peter *Britain and Australia 1831-1855: a study in imperial relations and crown lands administration*, Oxford, Clarendon Press, 1967.

Butlin, N. G. *Economics and the Dreamtime: A hypothetical history*, Cambridge, Cambridge University Press, 1993.

Butlin, N. G. *Forming a Colonial Economy: Australia 1810-1850*, Cambridge University Press, 1994.

Butlin, N. G. *Private Capital Formation in Australia, Estimates 1861-1900*, The Australian National University, Canberra, 1955.

Butlin, N. G., Ginswick, J., Statham, P. 'Colonial statistics before 1850', *Source Papers in Economic History*, The Australian National University, vol. 12, 1986.

Cahir, Fred, Clark, Ian D., and Clarke, Philip A. *Aboriginal Biocultural Knowledge in South Eastern Australia: Perspectives of early colonialists*, Melbourne, CSIRO Publishing, 2018.

Cain, P. J. and Hopkins A. G. 'Gentlemanly capitalism and British expansion overseas I. The Old Colonial System: 1688-1850', *The Economic History Review*, vol. 39, iss. 4, 1986, pp. 501-525.

Campbell, J. F. 'Squatting on Crown Lands', *Journal of the Royal Australian Historical Society*, vol. 17, part 1, 1931, p. 2.

Campbell, Valerie 'Ethnohistorical evidence on the diet and economy of the Aborigines of the Macleay River Valley'. In, *Records of Times Past: Ethnohistorical Essays on the culture and ecology of the New England Tribes*, Isabel McBryde (ed.), Canberra, Australian Institute of Aboriginal Studies, 1978, pp. 82-100.

Carrol, Brian *Earning a Crust: An illustrated economic history of Australia*, Sydney, A. H. and A. W. Reed, 1977.

Carter, David *Dispossession, Dreams and Diversity: Issues in Australian Studies,* Pearson, Frenches Forest, NSW, 2006.

Chan, Ray 'Hillgrove operation back on ice', *Australian Mining,* 7 September 2022, 2023.https://www.australianmining.com.au/hillgrove-operation-back-on-ice/, accessed 17 March.

Civil Engineer's Office, 'Report by Macleay River County Council's Civil Engineer on Overall Flood Mitigation Proposals for the Lower Macleay Valley,' Macleay River County Council, 1962, https://archive.kempsey.nsw.gov.au/environment/floodplain/pubs/dc-ref-11-jacka-report-complete-with-attached-plates.pdf, accessed 30 June 2021.

Clark, Gregory 'A review Essay on The Enlightened Economy: An Economic History of Britain 1700-1850 by Joel Mokyr', *Journal of Economic Literature*, vol. 50, iss. 1, 2010, pp. 85-95.

Clayton-Dixon, Callum *Surviving New England: a history of Aboriginal resistance and resilience through the first forty years of the colonial apocalypse,* Armidale NSW, Newara Aboriginal Corporation, 2020.

Clune, David and Turner, Ken (eds) *The Premiers of New South Wales, 1856-2005,* 2 Vols, Sydney, The Federation Press, 2006.

Cohen, Jerome *"Be Fertile and Increase, Fill the Earth and Master It": The Ancient and Medieval Career of a Biblical Text*, Cornell University Press, 1992.

Coleman, Julie 'A new look at the north coast: fish traps and "villages"', in *Coastal Archaeology in Eastern Australia*, Sandra Bowdler (ed.), Canberra, Australian National University, 1982, pp. 1-10.

Colwell-Chanthaphonh, Chip, Chartier, Sophie and Jacquin-Ng, Sharon 'The Search for Makak: A Multidisciplinary Settlement History of the Northern Coast of Le Morne Brabant, Mauritius', *International Journal of Historical Archaeology*, vol. 18, iss. 3, 2014, pp. 375-414.

Connah, Graham 'The Archaeology of Frustrated Ambition: An Australian case-study', *Historical Archaeology*, vol. 32, iss. 2, 1998, pp. 7-27.

Cook, Margaret *A River with a City Problem: a History of Brisbane Floods,* University of Queensland Press, 2019.

Coyle, Denis (ed.) *Disputed Profession: Journalists and Journalism in Colonial Australia,* Rockhampton, Central Queensland University Press, 1997.

Cross, Cara 'Our Country, Our Healer: Aboriginal Apothecaries of Burning Mountain', *Aboriginal History,* vol. 45, 2021, pp. 83-108.

Curthoys, Ann and Mitchel, Jessie 'Colonial Self-Government' in *The Cambridge Legal History of Australia,* Peter Crane, Lisa Ford, and Mark McMilan (eds), Cambridge University Press, 2022, pp. 108-131.

Daley, Louise Tiffany *Men and a River: Richmond River District 1828-1895*, 2nd edn, Lismore, Richmond River Historical Society, 1966.

Damm, Charlotte 'Archaeology, Ethno-history and Oral Traditions: Approaches to the Indigenous Past', *Norwegian Archaeological Review*, vol. 38, iss. 2, 2005, pp.76-78.

del Marmol, Camila, Celigueta, Gemma, Vaccaro, Ismael 'Socio-economic transitions and everyday life changes in the rural world: Pyrenean households and their contemporary economic history', *Journal of Agrarian Change*, vol. 18, iss. 3, 2018, pp. 677-693.

Denney, Peter 'Picturesque farming: The sound of "Happy Britannia" in Colonial Australia', *Cultural Studies Review*, vol. 18, iss. 3, 2012, pp. 85-108.

Dickey, B. ‘Responsible government in NSW: the transfer of power in a colony of settlement,’ vol. 60, iss. 4, 1974, p. 234.

Dickson, John *Bullies and Saints: An honest look at the good and evil of Christian History,* Zondervan, Michigan, 2021.

Dovers, Stephen (ed.) *Australian Environmental History: Essays and Cases*, Melbourne, Oxford University Press Australia, 1994.

Dowley, Dr Tom, Briggs, John H. Y., Lindner, Dr Robert and Wright, David E. (eds) *The History of Christianity*, Lion Hudson, 1977,

Duncan, Helen ‘Socio-economic conditions in the Torres Strait: A survey of the four islands: Vol. 1’, *Research School of Pacific Studies,* Australian National University, 1974.

Economou, N. ‘Opinion of reform and race: Assessing the Howard decade,’ in, *Making Australian History: Perspectives on the past since 1788,* Thomson Learning, South Melbourne, Victoria, 2008, pp. 601-608.

Edstein, Michael ‘Professional Engineers in the Australian Economy: some quantitative dimensions, 1866-1980’, *Working Papers in Economic History*, vol. 93, Australian National University, 1987.

Elwell, Walter A. (ed.) *Evangelical Dictionary of Theology,* Michigan, Baker Book House, 1984.

Engerman, Stanley L. ‘The Industrial Revolution Revisited’, *Working Papers in Economic History*, vol. 169, Australian National University, 1992.

Fetherling, George *The Gold Crusades: a Social History of the Gold Rushes, 1849-1929,* revised edn, University of Toronto Press, 1997.

Ferry, John *Colonial Armidale,* Brisbane, University of Queensland Press, 1999.

Ferry, John 'Mapping the New South Wales Free Selection Acts in Colonial New England,' Melbourne, *Globe,* iss. 43, 1995, pp. 29-42.

Fitz-Gibbon, Bryan and Gizycki, Marianne 'A history of last-resort lending and other support for troubled financial institutions in Australia,' research discussion paper Reserve Bank of Australia, October 2001, https://www.rba.gov.au/publications/rdp/2001/pdf/rdp2001-07.pdf, accessed 12 August 2022.

Fitzpatrick, Brian *British Imperialism and Australia 1893-1833: An economic History of Australiasia*, Sydney, Sydney University Press, 1939.

Fitzpatrick, Brian *The British Empire in Australia: An Economic History, 1834-1939*, Melbourne, Melbourne University Press, 1941.

Fletcher, Brian *Colonial Australia Before 1850*, Thomas Nelson Australia, 1976.

Frawley, Kevin 'Evolving visions: environmental management and nature conservation in Australia', in *Australian Environmental History: Essays and Cases*, Stephen Dovers (ed.) Melbourne, Oxford University Press Australia, 1994, pp. 55-78.

Frost, Lionel "Cities and economic development: some lessons from the economic history of the Pacific Rim'*, Working Papers in Economic History*, The Australian National University, vol. 147, 1991.

Gallagher, John and Robinson, Ronald 'The imperialism of free trade', *The Economic History Review, New Series*, vol. 6, iss. 1, 1953, pp.1-15.

Gash, N. ‘After Waterloo: British Society and the Legacy of the Napoleonic Wars’, *Transactions of the Royal Historical Society*, vol. 28, 1978, pp. 145-157.

Gilbert, L. A. ‘A strange wild set’, University of New England, 1971, https://rune.une.edu.au/web/bitstream/1959.11/18449/13/open/SOURCE12.pdf, accessed 4 May 2021.

Gill, C. H. ‘Jean Baptist Charles Lamonnerie Dit Fatoorini: Late of Port Macquarie, NSW’, University of Queensland, 1971, p. 142, retrieved from https://espace.library.uq.edu.au/data/UQ_207992/s00855804_1970_1971_9_2_134.pdf?Expires=1678149458&Key-Pair-Id=APKAJKNBJ4MJBJNC6NLQ&Signature=R03DDM-JVwR34XVx-s5oSinVnePrkm5JmqiVtd7XAd6b3Jp~JNyLZ6mdZmncj1gBN9zXi5j8I2s9zuhQE8YjiZsv7ugvb5qS19aOK1HQqdwyk6E8LyG0v8lb40ZwSCLO~4rrIobMnnvVN1E9QctipAx3vzYve-qbwrCEXnPlYbDV6zq~dPRVEbT2LLtxPX8FCIkn1kpD2fSsMYpZASAXozwa~M7DJTlOdS8hG-4e7QoTAQbQVZ5UoWJfzB7rZnkL-n1XBQZJnOGKWjJTMhbNXbesrJbvQy-096-emL9mh58pa~cvOW5xhxRYpIAF8MYq2DnXR7xF59TLy6PqnBJpgA, accessed 6 March 2023.__

‘Gold Rushes: 1851 Gold rushes in New South Wales and Victoria begin’, *National Museum of Australia,* https://www.nma.gov.au/defining-moments/resources/gold-rushes#:~:text=New%20South%20Wales%20gold%20rush&text=Hargraves%20returned%20to%20Sydney%20in,Lister%20or%20the%20Tom%20brothers, accessed 20 March 2023.

Goodall, Heather ‘Land in our country: the Aboriginal Land Rights Movement in South-Eastern Australia, 1816-1914’, Aboriginal History, vol. 14, iss.1/2, 1990, pp. 1-24.

Green, Anna and Troup, Kathleen *The Houses of History: a critical reader in twentieth-century history and theory*, Manchester, Manchester University Press, 2012.

Griffiths, Tom *Beechworth: An Australian Country Town and Its Past*, Richmond, Victoria, Greenhouse Publications, 1987.

Griffiths, Tom *Forests of Ash: An Environmental History,* Cambridge University Press, 2001.

Griffiths, Tom ‘Introduction: Ecology and Empire: Towards an Australian history of the world’, in *Ecology and Empire: Environmental History of Settler Societies*, Tom Griffiths and Libby Robin (eds), Carlton South, 1997.

Griffiths, Tom ‘Social history and deep time’, *Tasmanian Historical Studies*, vol. 7, iss. 1, 2000, pp. 21-38.

Grigg, Terry *Edward David Stewart Ogilvie: Squatter at Yulgilbar, his personal journeys 1814-1896*, Melbourne, 2020.

Grinberg, Nicolas ‘Capital Accumulation in the “Lucky Country”: Australia from the “Sheep’s Back” to the “Quarry Economy.’ Part I: The Colonial Period, *Journal of Contemporary Asia*, 2022, DOI: 10.1080/00472336.2022.2032800.

Handman Courtney, and Opas, Minna, 'Institutions, Infrastructures, and Religious Sociality: The Difference Denominations Make in Global Christianity', *Anthropological Quarterly*, vol. 92, iss. 4, 2019, pp. 1001-1008.

Harari, Fiona 'Inside one of Australia's most disaster-prone towns:

Hit by nineteen natural disasters in one decade, the people of this poor, overlooked NSW shire provide a lesson in resilience to us all', *The Australian*, 25 May 2020, https://www.theaustralian.com.au/weekend-australian-magazine/how-kempsey-nsw-survived-19-natural-disasters-in-one-decade/news-story/1fb43097bd38077ac1436529e7a00897?fbclid=IwAR0mPFv_6qGNPXUtqowPJ5amvR2O_GJfGzy-v0Tj5EeakEEm1T55PlAvbSc, accessed 25 May 2020.

Harper, Marjory 'Obstacles and opportunities: labour emigration to the "British World" in the nineteenth century', *Continuity and Change*, vol. 34, iss. 1, 2019, pp. 43-62.

Harrison, Peter 'Subduing the Earth: Genesis 1, Early Modern Science, and the Exploitation of Nature,' *The Journal of Religion*, vol. 79, iss. 1, 1999, pp. 86-109.

Harrison, Rodney *Shared Landscapes: archaeologies of attachment and the pastoral industry in New South Wales*, Sydney, University of New South Wales Press, 2004.

Heaton, H. *Modern Economic History: With special reference to Australia*, Adelaide, Workers' Educational Association of South Australia, 1921.

Hill, C. P. *British Economic and Social History, 1700-1939,* 2nd edn, London, Butler and Tanner, 1961.

Hirst, John *Convict Society and its Enemies*, Sydney, Allen and Unwin, 1983.

Hirst, John *Freedom on the Fatal Shore: Australia's First Colony,* Melbourne, Black Inc Books, 2008.

Hudson, Frank 'The way to Peace and prosperity', unpublished report, Kingsgrove, New South Wales, 1982.

Hunt, Dallas 'Nikîkîwân 1: Contesting Settler Colonial Archives through Indigenous Oral History', *Canadian Literature*, Vancouver, vol. 230, iss. 231, 2016, pp. 25-42.

Jackson, R. V. 'Old and new views of the rate of economic growth during the Industrial Revolution', *Working Papers in Economic History*, The Australian National University, vol. 167, 1992.

Jeans, D. N. *An Historical Geography of New South Wales to 1901*, Sydney, Reed Education, 1972.

Jetson, Tim 'Economic History – the neglected cousin of Australian Historiography?', *Tasmanian Historical Studies*, vol. 15, 2010, pp. 7-37.

Jordens, A. M. 'Integrating Alien Workers: The role of the Department of Immigration in constructing a "Citizenship Bargain, 1945-1956' *Australian journal of Politics and History*, vol. 40, iss. 2, 1994, pp. 177-194.

Jordens, A. M. ‘Chapter 1: The role of the department of immigration in migrant Settlement 1945-75’ in, *Alien to citizen: Settling migrants in Australia, 1945-75*, Allen and Unwen, 1997, pp. 1-30, 254-257.

Karskens, Grace ‘Floods and flood-mindedness in early colonial Australia,’ *Environmental History,* vol. 2, 2016, pp. 315-342.

Kempsey Shire Council Archives, ‘Background of the Macleay River Floodplain risk Management,’ *Environment and Natural Resources,* https://archive.kempsey.nsw.gov.au/environment/floodplain/background-lower-macleay-flood-risk-management.html#:~:text=In%201949%20and%201950%20Kempsey,eight%20months%20of%20each%20other.&text=The%20Probable%20Maximum%20Flood%20(PMF,occur%20at%20a%20particular%20location. Accessed 5 May 2023.

Kempsey Shire Council, *Thematic History: Kempsey Shire Community Based Heritage Study*, Kempsey Shire Council, 2014, https://www.yumpu.com/en/document/view/23804031/thematic-history-kempsey-shire-council, accessed 19 May 2022.

Kempsey Shire Council, ‘The Nature of Flooding in the Kempsey Shire’, Annex A to the Kempsey Shire Flood Management Plan, Kempsey, date unknown

Kingston, Beverley *The Oxford History of Australia; Glad, Confident Morning, 1860-1900,* viii, paperback edn, Oxford University Press, 1993.

Kyle, Noeline, Nolan, Dianne *The Macleay Valley: A collection of early historical studies*, Kempsey, Macleay Valley Historical Society, 2018.

Lawrence, Susan and Davies, Peter *An Archaeology of Eastern Australia since 1788,* New York, Springer New York, 2010, pp. 124, 191.

Lee, Phil to Heather Gartshore, email, 4 November 2019, copy of original in author's possession.

Lloyd, Christopher 'Settler economies and Indigenous encounters: The dialectics of conquest, hybridisation and production regimes', In *Indigenous Participation in Australian Economies II: Historical Engagements and Current Enterprises,* Natasha Fijn (ed.), Australian National University Press, 2012, pp. 17-33.

MacDonald, Fiona 'This Mysterious Fire in Australia has been burning for at least 6000 years', *Science Alert*, 2 January 2022, https://www.sciencealert.com/this-mysterious-fire-in-australia-has-been-burning-non-stop-for-at-least-6-000-years, accessed 5 September 2022.

Macintyre, Stuart *A Concise History of Australia*, 4th edn, Cambridge University Press, 2016.

Macleay River Historical Society 'The Lower Macleay', *Macleay River Historical Society Journal*, 2009.

Macleay River Historical Society *Timber Tales*, Kempsey, Macleay River Historical Society, 1984.

Macleay Valley Coast, *Our History*, 2019, https://macleayvalleycoast.com.au/about/history/, accessed 20 March 2020.

Madgwick, R. B. *Immigration Into Eastern Australia 1788-1851*, Sydney University Press, 1937.

Marmol, Camila del, Celigueta, Gemma, Vaccaro, Ismael, 'Socio-economic transitions and everyday life changes in the rural world: Pyrenean households and their contemporary economic history,' *Journal of Agricultural Change*, vol. 18, 2018, pp. 677-693.

Marx, Karl *Capital*, Reprinted edn, Wordsworth Editions Limited, Hertfordshire, United Kingdom, 2013.

Matthews, R. H. *Culture in Translation: the anthropological legacy of R. H. Matthews*, Martin Thomas (ed.), Christine Winter (trans.), Canberra, Australian National University, 2007.

Mayer, W. 'Geological observations by the Reverend Charles P. N. Wilton (1795-1859) in New South Wales and his views on the relationship between religion and science,' *Geological Society*, London, vol. 310, 2009, pp. 197-209.

McBryde, Isabel (ed.) *Records of Times Past: Ethnohistorical essays on the culture and ecology of the New England Tribes*, Canberra, Australian Institute of Aboriginal Studies, 1978.

McDonald, John and Shlomowitz, Ralph 'Passenger fares on sailing vessels to Australia in the nineteenth century', *Working Papers in Economic History*, The Flinders University, South Australia, vol. 30, 1989.

G. T. McDonald, 'A report on the hydrological implications of the flood mitigation works on the floodplain of the Macleay River below Kempsey,' Macleay River City Council and Department of Geography, University

of New England, 1967, https://archive.kempsey.nsw.gov.au/environment/floodplain/pubs/dc-ref-05-hydrological-implications-of-flood-mitigation-works-aug-67.pdf, accessed 3 April 2020.

McFarlane, Ian A., Fergusson, David A. S., Kilby, Karen, and Torrance, Iain R. (eds), *The Cambridge Dictionary of Christian Theology*, Cambridge University Press, 2011.

McKenzie, Kirsten 'Discourses of Scandal: Bourgeois Respectability and the End of Slavery and Transportation at the Cape and New South Wales', *Journal of Colonialism and Colonial History*, vol. 4 iss. 3, 2003, Project MUSE, doi:10.1353/cch.2004.0011.

McMichael, Philip 'Settlers and the accumulation: Foundations of Capitalism in Australia', *Review*, vol. 4, iss. 2, 1980, pp. 307-334.

McLean, Ian W. *Why Australia Prospered*, iBook edn, Princeton New Jersey, Princeton University Press, 2013.

McNeill, J. R. and Roe, Alan *Global Environmental History: an introductory reader*, London, Taylor and Francis, 2013.

Morris, Barry 'Dhan-gadi resistance to assimilation', in *Being Black: Aboriginal Cultures in 'Settled' Australia*, Ian Keen (ed.), 1988, pp. 33-64.

Morris, Barry *Domesticating Resistance: the Dhan-gadi aborigines and the Australian State*, Oxford, Berg Publishers Limited, 1989.

Morrison, Michael, Della-Sale, Amy and McNaughton, Darlene 'War capitalism and the expropriation of country: Spatial analysis of Indigenous and settler-

colonial entanglements in North Eastern Australia, 1864-1939', *International Journal of Historical Archaeology*, vol. 23, 2019, pp. 204-234.

Munday, Garry *Riverboats of the Macleay: Droghers, Dredges and Dramas*, Kempsey, Macleay River Historical Society, 2011.

Murray, Georgina, and Chesters, Jenny, 'Economic wealth and political power in Australia, 1788-2010', *Labour History*, vol. 103, 2012, pp. 1-15.

Myllyntaus, Timo *Thinking Through the Environment: Green approaches to Global History*, Cambridge, The White Horse Press, 2011.

Nairn, N. B. 'A Survey of the History of the White Australia Policy in the 19th Century', T*he Australian Quarterly*, vol. 28, iss. 3, 1956, pp. 16-31.

National Archives of the United Kingdon, *What Caused the 1832 Great Reform Act? Political and social reform in 19th Century Britain*, The National Archives UK, https://www.nationalarchives.gov.uk/education/resources/what-caused-the-1832-great-reform-act/ , accessed 14 July 2023.

Neil, Marie H. *Valley of the Macleay*, Sydney, Wentworth Books, 1972.

Neil, Marie H. and Graham, Les *Macleay Valley Heritage*, Faulconbridge NSW, Tonatiuth Press, 1978.

Neri, Frank 'The economic performance of the states and territories of Australia: 1861-1992', *Economic Record*, vol. 74, iss. 225, 1998, pp. 105-120.

Nicholas, Stephen and Oxley, Deborah 'Understanding convict workers', *Working Papers in Economic History*, The Flinders University, South Australia, vol. 43, 1990.

NSW Department of Education *Kempsey West Public School: Creating a child focussed centre of excellence: School History,* NSW Department of Education, https://kempseywst-p.schools.nsw.gov.au/about-our-school/school-history.html, 2021, accessed 16 March 2023.

NSW Department of Planning, Industry and Environment, Macleay, government website, https://www.industry.nsw.gov.au/water/basins-catchments/snapshots/macleay , accessed 25 May 2020.

NSW National Parks and Wildlife Service, 'Burning Mountain Nature Reserve', https://www.nationalparks.nsw.gov.au/visit-a-park/parks/burning-mountain-nature-reserve/learn-more, accessed 5 September 2022.

NSW National Parks and Wildlife Service, 'Burning Mountain Nature Reserve Plan of Management,' February 1993, https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Parks-reserves-and-protected-areas/Parks-plans-of-management/burning-mountain-nature-reserve-plan-of-management-930001.pdf, accessed 5 September 2022.

Oates, William conversation with Heather Gartshore at the University of New England Archive and Heritage Centre, Armidale, NSW, 3 March 2020.

O'Brien, Patrick Karl 'The Impact of the Revolutionary and Napoleonic Wars, 1793-1815, on the Long-Run Growth of the British Economy', *Review-Fernand Braudel Centre for the Study of Economies, Historical Systems, and Civilizations*, vol. 12, iss. 3, 2011, pp. 335-395.

O'Connor, Ralph 'Young-Earth Creationists in early nineteenth-century Britain? Towards a reassessment of "Scriptural Geology"', *History of Science*, vol. 45, iss. 4, 2007, pp. 357-403.

O'Gorman, Emily *Flood Country: an Environmental History of the Murray-Darling Basin,* CSIRO Publishing, 2012.

Page, Sarah Jane, Guest, Matthew and Taylor, Yvette 'Introduction: Class and Christianity', *Sociological research online*, vol. 22, iss. 1, 2107, p. 142.

Parsons, George 'Lachlan Macquarie and the idea of Newcastle,' a lecture to the 38th Coastal History Convention, South Newcastle Leagues Club, 6 March 2010.

Parsons, T. G. 'Governor Macquarie and the Economic Crisis in New South Wales, 1810-1815', *New Zealand Journal of History*, vol. 2, iss. 2, 1968, pp. 178-200.

Peeters, Bert 'Tall Poppies and Egalitarianism in Australian Discourse: From Key Word to Cultural Value,' *A Journal of Varieties of English*, vol. 25, iss. 1, 2004, pp. 1-25.

Phillips, Benjamin B. 'A Creature among creatures or lord of creation? The vocation of Dominion Theology in Christian Theology,' *Journal of Markets and Morality*, vol. 14, iss. 1, 2011: 133-146.

Piggott, Michael 'A man of the mind: John Hirst 1942-2016', *Honest History,* https://honesthistory.net.au/wp/a-man-of-the-mind-john-hirst-1942-2016/, accessed 12 April 2023.

Pitt, Nicholas ‘Clay and “civilisation”: imperial ideas and colonial industry in Sydney, 1788-1823’, *History Australia*, vol. 16, iss. 2, 2019, pp. 375-398.

Preston, Harley ‘Verge, John (1782–1861)’, Australian Dictionary of Biography, vol. 2, originally published in 1967, https://adb.anu.edu.au/biography/verge-john-2757, accessed 15 April 2021.

Reiner, Andrew ‘Kempsey: a study in conflict’, report by Andrew Reiner for the Department of Aboriginal Affairs, Canberra, 1986.

Resource and Conservation Council Sydney *Economic Studies of the Upper North East of New South Wales*, National Resources Audit Council, 1996.

Riggs, Patricia *A Short History of Kempsey and the Macleay Valley*, Kempsey Shire Council, 1986.

Riley, Matthew Timothy ‘Reading Beyond the Roots: The Theological and Weberian Aspects of Lynn White’s Scholarship’, *ProQuest Dissertation Publishing*, 2016.

Ritchie, John ‘Towards ending an unclean thing: The Molesworth committee and the abolition of transportation to New South Wales, 1837-40’, *Historical Studies*, vol. 17, iss. 6, 1976.

Roberts, David Andrew ‘Colonial gulag: the populating of the Port Macquarie penal settlement, 1821-1832’ *History Australia*, vol. 14, iss. 4, 2017, pp. 588-606.

Rose, Deborah Bird *Nourishing Terrains: Australian Aboriginal Views of Landscape and Wilderness*, Canberra, Australian Heritage Commission, 1996.

Rostow, W. W. 'Adjustments and maladjustments after the Napoleonic Wars', *The American Economic Review,* vol. 32, iss. 1, 1942, pp. 13–23.

Rudder, Major Lionel J. V. *Magnificent Failure: The life and times of Enoch William Rudder 1801-1888 – founder of Kempsey*, Patricia Riggs (ed.), Kempsey Shire Council, 1986.

Seal, Flo *Up and Down the River: A history of post, telegraph and telephone on the Macleay*, Port Macquarie, self-published, 1991.

Seddon, George *Landprints: Reflections on place and landscape*, Cambridge University Press, Cambridgem 1997.

Shann, Edward *An Economic History of Australia*, Cambridge, Cambridge University Press, 1948.

Shaw, A. G. L. *The Story of Australia,* 2nd edn, London, Faber and Faber Limited, 1960.

Shlomowitz, Ralph 'Understanding convict workers: A reply', *Working Papers in Economic History*, The Flinders University, South Australia, vol. 44, 1990.

Smith, Adam *The Wealth of Nations: The Economic Classic: A selected edition for the contemporary reader*, abridged edn, United Kingdom, Capstone Publishing, 2010.

Smith, Daniel Scott 'A Perspective on Demographic Methods and Effects in Social History', *The William and Mary Quarterly*, vol. 39, iss. 3, 1982, pp. 442-468.

Smith, R. J. Settler's Prose: Penal and Pastoral, University of New England Open Sources, 1959, p. 1, https://rune.une.edu.au/web/bitstream/1959.11/10841/4/open/SOURCE06.pdf, accessed 11 April 2022.

Snooks, G. D., 'Australian economic development, 1850-1989: Outline of semester course in Economic History,' *Working Papers in Economic History*, The Flinders University, South Australia, vol. 33, 1989.

Snooks, G. D. 'Marx and Australian Economic History: a critique of a debate', *Working Papers in Economic History*, The Flinders University, South Australia, vol. 5, 1983.

Snooks, G. D. 'Great waves of economic change: very longrun growth in Britain 1086-1990', *Working Papers in Economic History*, The Australian National University, vol. 165, 1992.

Socio-Economic Index for Areas (SEIFA), Kempsey Shire, https://profile.id.com.au/kempsey/seifa-disadvantage, accessed 1 October 2019.

Standbury, Peter (ed.) *The Moving Frontier: aspects of Aboriginal-European Interaction in Australia*, Sydney, University of Sydney, 1977.

Stayner, Richard 'An economic development study of Werris Creek, NSW', *The Rural Development Centre*, University of New England, Armidale, 1990.

Steven, Margaret *Merchant Campbell: 1769-1846*, Oxford University Press, 1965.

Story, Dan ‘Should Christians be environmentalists?’, *Christian Research Journal*, vol. 33, iss. 4, 2010, pp. 1-10.

Stubenrauch, Joseph ‘Silent preachers in the age of ingenuity: Faith, commerce, and religious tracts in early nineteenth-century Britain’, *Church History*, vol. 80, iss. 3, 2011, pp. 547-574.

Taylor, Alan ‘The value of land in Australia’, *Source Papers in Economic History*, The Australian National University, vol. 19, 1992.

Telfer, Damon ‘Macleay River Estuary Data Compilation Study’, *GECO Environmental*, Grassy Head, 2005.

The Australian National University Department of Economics, *Private Capital Formation in Australia: estimates 1861-1900*, Canberra, Australian National University, 1955.

‘The goanna spirit of the Anderson Sugarloaf Mountain – This Place’, *Stories: Culture and Capability*, Australian Government National Indigenous Australians Agency, https://www.indigenous.gov.au/news-and-media/stories/goanna-spirit-anderson-sugarloaf-mountain-place, accessed 22 June 2022.

Thomas, Hugh M. *The Secular Clergy in England, 1066-1216*, Oxford Scholarship Online, October 2014, DOI: 10.1093/acprof:oso/9780198702566.001.0001.

Thomas, Keith *Man and the Natural World: changing attitudes in England 1500-1800*, Allen Lane, 1983.

Thompson, E. P. *The Making of the English Working Class* [1963], United Kingdom, Penguin Books, (reprinted in 1991).

Thompson, Zachary Destroying Sodom in the South Pacific: How the terror of sodomy was invoked to end convict transportation to New South Wales c. 1837, Honours Thesis, University of Sydney, 2013.

Thorpe, E. W. An historical survey of the Macleay Valley: A study undertaken by the Department of Geography for the Macleay River County Council, University of New England, Armidale, 1968.

Tosh, John *The Pursuit of History: Aims, methods and new directions in the study of modern history*, 2nd edn, New York, Longman Publishing, 1991.

Townsend, Norma 'A Strange, Wild Set'? Cedar-Cutters on the Macleay, Nambucca and Bellinger Rivers, 1838-1848', *Labour History*, iss. 55, 1988, pp. 9-21.

Tuffin, Richard, Gibbs, Martin, Clark, Don, Clark, Marcus and Rigozzi, Peter, '' … One of the Most Severe Duties … ': Landscapes of Timber-getting at a Former Tasmanian Convict Station', *Industrial Archaeology Review*, vol. 42, iss. 2, 2020, pp. 126-140.

Turner, Margaret Kemarre OAM *Iwenhe Tyerrtye: what it means to be an Aboriginal person*: as told to Barry McDonal Perrurle, Veronica Perrurle Dobson (trans.), Alice Springs, IAD Press, 2010.

Twomey, Anne 'The Dilemmas of Drafting a Constitution for a New State', *Australasian Parliamentary Review,* vol. 28, iss. 1, 2013, pp. 17-24.

Verge, Will Graves ‘John Verge, an early architect of the 1830s’, *Journal of the Royal Australian Historical Society*, vol. 40, iss. 1, 1954, pp. 1-36.

Verge, Will Graves *John Verge, Early Australia Architect: His Ledger and His Clients*, Wentworth Books, Sydney, 1962.

Ville, Simon *Rural Entrepreneurs: A history of the Stock and Station Agent Industry in Australia and New Zealand*, Cambridge University Press, 2000.

Ville, Simon, & Merrett, D., ‘Investing in a Wealthy Resource-Based Colonial Economy: International Business in Australia before World War I’, *Business History Review*, vol. 94, iss. 2, 2020, 321-346. doi:10.1017/S0007680520000264.

Vivian, Alison and Priest, Terry ‘Factors affecting crime rates in Indigenous communities in NSW: Kempsey and Gunnedah’, Research Project, Jumbunna, University of Sydney Indigenous House of Learning, 2012, p. 12.

Walker, E. Ronald, and Madgwick, R. B. *An Outline in Australian Economics*, 3rd edn, Sydney, Whitcombe and Tombs Limited, 1937.

Ward, J. R. ‘The Industrial Revolution and British Imperialism, 1750-1850’, *The Economic History Review*, vol. 47, iss. 1, 1994, pp. 44-65.

Webb, McKeown and Associates, ‘Lower Macleay Floodplain Management Plan,’ Kempsey Shire Council, https://archive.kempsey.nsw.gov.au/environment/floodplain/pubs/dc-ref-01-lower-macleay-floodplain-management-plan-complete-1999.pdf, 1999, accessed 21 March 2022.

Weikart, R. 'The origins of social-Darwinism', *Journal of the History of Ideas*, vol. 54, iss. 3, 1993, pp. 469-488.

Weingarth, John 'The Discovery and Settlement of the Macleay River,' *The Royal Australian Historical Society Journal and Proceedings*, vol. 10, iss. 3, 1924, pp. 142-152.

Weller, P. 'Parliamentary Democracy in Australia', *Parliamentary Affairs,* vol. 57, iss. 3, 2004, pp. 630-645.

Wells, Andrew *Constructing Capitalism: An economic history of Eastern Australia 1788-1901*, Sydney, Allen and Unwin, 1989.

White Jr, Lynn 'The Historical Roots of Our Ecological Crisis', *Science*, 10 March 1967, p. 1206.

Willebald, Henry, Badia-Miro, Marc and Pinilla, Vicente 'Introduction: Natural resources and economic development – what can we learn from history?' In *Natural Resources and Economic Growth: Learning from history*, Badia-Miro, Pinilla and Willebud (eds), London, Routledge, 2015.

Williams, Chris (ed.) *A Companion to Nineteenth Century Britain*, John Wiley & Sons, 2006.

Worster, Donald *The Ends of the Earth: Perspectives on modern environmental history*, Cambridge, Cambridge University Press, 1988.

Wrigley, E. A. 'The classical economists, the stationary state, and the Industrial Revolution', *Working Papers in History*, The Australian National University, vol. 166, 1992.

Wuensch, Karl L. An Introduction to Multivariate Statistics, unpublished paper, East Carolina University Department of Psychology, 2019, p. 1.

Yabsley, Geraldine, Davies, Kathleen *Bill Haydon: The Cedar King: The man behind the legend*, Australia, Bookpal, 2009.

Appendixes

Appendix A: List of some land sales for Kempsey and the Macleay from 1839 - 1841

Publication	Date and Page	Description
Sydney Monitor and Commercial Advertiser	26 April 1839 p. 3 29 April 1839 p. 8 1 May 1839 p. 4 17 May 1839 p. 1 24 May 1839 p. 4	Estate of E. W. Rudder. Four allotments, 49 acres each
Sydney Monitor and Commercial Advertiser	29 April 1839 p. 8 6 May 1839 p. 8 8 May 1839 p. 4 10 May 1839 p. 4 13 May 1839 p. 4 15 May 1839 p. 4 20 May 1839 p. 1	Proprietor E. W. Rudder Fifteen allotments

	22 May 1839. p. 1 23 May 1839 p. 4 27 May 1839 p. 4	
Sydney Monitor and Commercial Advertiser	26 August 1839 p. 4 28 August 1839 30 August 1839	Nine allotments
Sydney Gazette and New South Advertiser	27 April 1839 p. 3 2 May 1839 p. 4 7 May 1839 p. 4 9 May 1839 p. 4 21 May 1839 p. 3 25 May 1839 p. 4 28 May 1839 p. 4	Estate of E. W. Rudder. Four allotments, 49 acres each
Sydney Gazette and New South Advertiser	30 April 1839 p. 4 2 May 1839 p. 1 4 May 1839 p. 4 7 May 1839 p. 3 11 May 1839 p. 4 14 May 1839 p. 4 16 May 1839 p. 4 18 May 1839 p. 4 21 May 1839 p. 4	Proprietor E. W. Rudder Fifteen allotments
Sydney Gazette and New South Advertiser	22 August 1839 p. 3 27 August 1839 p. 4 3 September 1839 p. 4	Nine allotments

Sydney Gazette and New South Advertiser	6 April 1841 p. 3 8 April 1841 p. 4 13 April 1841 p. 4 15 April 1841 p. 4 17 April 1841 p. 4 20 April 1841 p. 4 22 April 1841 p. 4 27 April 1841 p. 4 29 April 1841 p. 4 1 May 1841. p. 4	50 Allotments sold by estate of Captain E. L. Adams at Yarravell
The Sydney Herald	29 April 1839 p. 3 6 May 1839 p. 4 8 May 1839 p. 4 10 May 1839 p. 4 17 May 1839 p. 4 20 May 1839 p. 4 27 May 1839 p. 4	Proprietor E. W. Rudder Fifteen allotments
The Sydney Herald	1 May 1839 p. 4 3 May 1839 p. 4 15 May 1839 p. 4 22 May 1839 p. 4 24 May 1839. p. 4	Estate of E. W. Rudder. Four allotments, 49 acres each
The Sydney Herald	30 April 1841, p. 4	50 Allotments sold by estate of Captain E. L. Adams at Yarravell

The Sydney Herald	28 May 1841 p. 3	Estate of Captain E. L. Adams at Yarravell 13 acres
The Australian	30 April 1839 p. 4 2 May 1839 p. 4	Estate of E. W. Rudder. Four allotments, 49 acres each
The Australian	11 May 1839 p. 4 14 May 1839 p. 4 16 May 1839 p. 4 18 May 1839 p. 4 21 May 1839 p. 4 23 May 1839 p. 4 25 May 1839 p. 4 28 May 1839 p. 4	Proprietor E. W. Rudder Fifteen allotments
The Australian	27 August 1839 p. 3 29 August 1839, p. 2 3 September 1839 p. 3	Nine allotments
The Sydney Standard and Colonial Advocate	27 May 1839 p. 3	Estate of E. W. Rudder. Four allotments, 49 acres each
Commercial Journal and Advertiser	24 August 1839 28 August 1839 31 August 1839 p. 4	Nine allotments
Australasian Chronicle	30 August 1839 p. 3	Nine allotments

Appendix B: Sources for Industries and commodities in the Macleay Valley from 1835-1842

Sydney Gazette and New South Wales Monitor

Sydney Herald

Sydney Morning Herald

The Australian

Sydney Monitor and Commercial Advertiser

The Sydney Standard and Colonial Advocate

Commercial Journal and Advertiser

Australasian Chronicle