

The Colony in 1825 – a Year of Promise by Julian Sheen

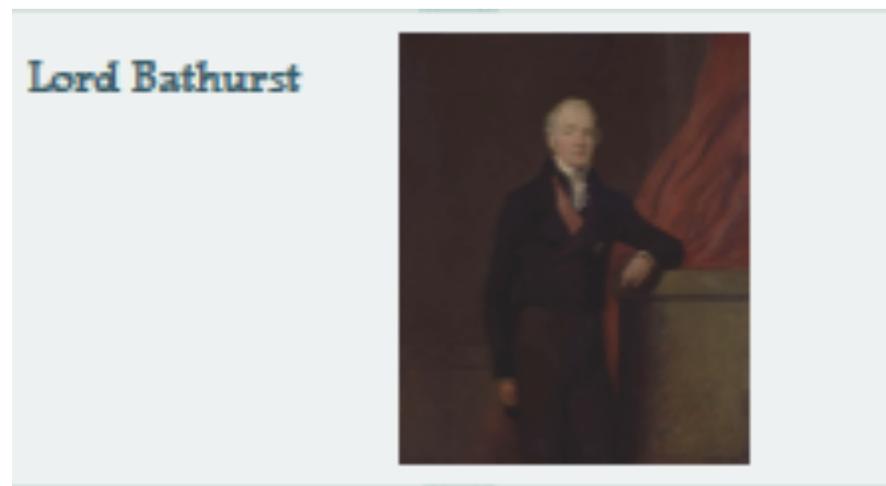
OATLEY HERITAGE AND HISTORY FEBRUARY 2025

37 years after the arrival of the First fleet-

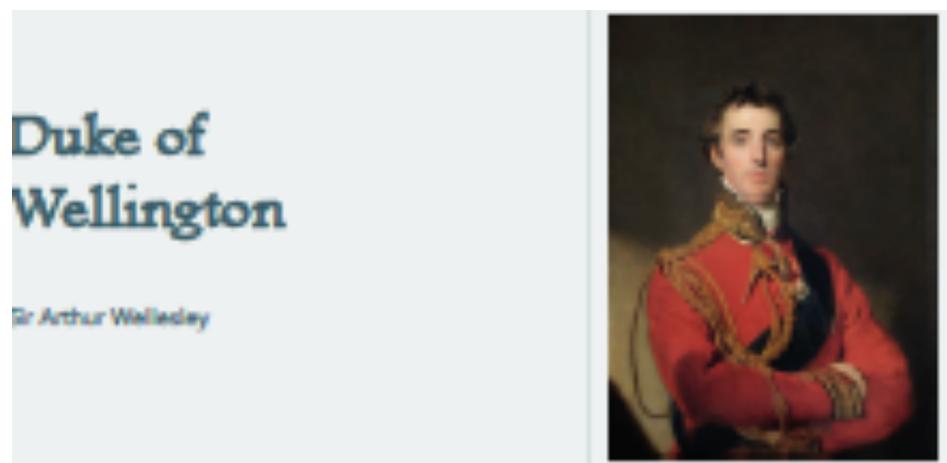
The population of the colony was about 35000, 20000 free colonists and 15000 convicts (no indigenous people were counted).

There were about 1500 dwellings, 225000 acres cleared with 70000 acres under cultivation. The colony possessed 500000 sheep, 250000 cattle and 12000 horses.

Lord Bathurst (Henry Bathurst) Secretary of State for War and the Colonies 1812 to 1827



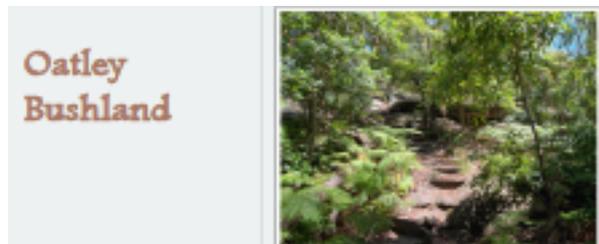
Sir Arthur Wellesley Duke of Wellington



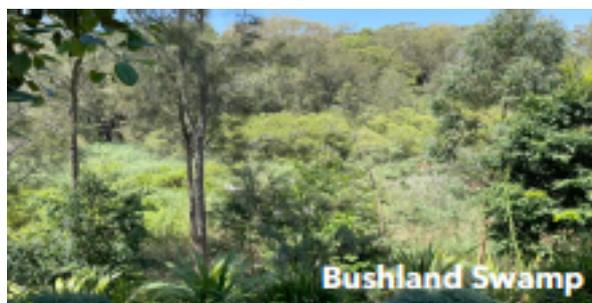
The voyage from England to the New South Wales colony took an average of 200 days



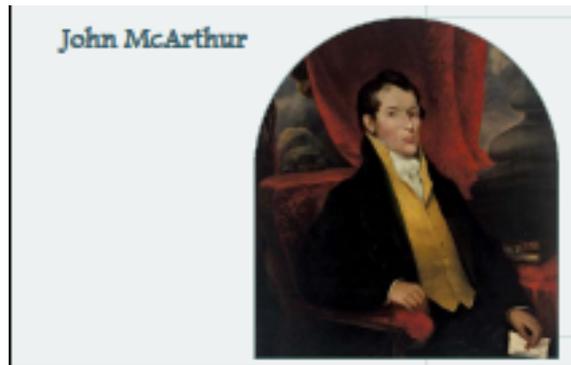
Four views of Oatley's forest



Needwood



John MacArthur 1767-1834 a leading exclusive and “Father of the Australian wool industry “ which was based merino sheep (see below)



on

John Bigge 1780-1843 wrote a report on Governor Maquarie and promoted



harsher treatment of convicts

Oatley's Clock at Parramatta House



JAMES OATLEY'S promise of land from Governor Brisbane

James Oatley requested 300 acres of bushland north of Georges River.

The boundaries were clear

Some of the land had been granted to but then rejected by Robert Townson in 1807

Oatley had land at Wolli Creek and "Belmore Road" (now King Georges Road) as well as his shop in George Street?

Oatley applied to Governor Brisbane for more land on 10th January 1825 writing in the third person:

"He was a free man who by steady application to his trade – clock and watchmaking – had accumulated a small property which he was desirous of cultivating a farm that on the approach of old age (he was about 55) he may be disabled from continuing his trade. He has a small herd of cattle and is without land for them.

He prays for a Grant of land for the purposes aforesaid in such quantity as the Governor may consider appropriate".

It was agreed that 300 acres would be allocated but it was noted that Oatley "Could not conveniently at present leave his business in Sydney."

The request to the Governor was agreed to and a promise of 300 acres of land was made in writing on 15th August 1825.

This promised allocation was recorded in the Index of Colonial Secretary's Papers 15th August under "Lists of persons who have received orders for grants of land"

Records of James Oatley show up in the Colonial Secretary's papers at the time:

10th June 1819 – Salary as overseer of the Town Clock, paid from the Police fund

26 August 1819 Responsible for a new clock at the Prisoner's Barracks
Cost 75 pounds

17th October 1821 Made a petition for mitigation of sentence in other words a conditional pardon

19th December 1821 Oatley was commissioned to construct a self-registering weather clock

30th June 1823 He was assigned a convict mechanic

17th October 1823 He received three additional assigned convicts – their given address was address George Street

22nd September 1823 William Higgins charged with stealing a watch value 40/- from the dwelling of James Oatley

1824 Oatley was promised 40 acres on Belmore Road.

1825 Oatley promised his 300 acres

PROMISES OF CROWN LAND

Promises of crown land were a widespread practice. Governors authorised settlers to occupy tracts of Crown land with a promise that they would eventually receive a formal grant – usually of freehold estate.

Many promises were gratuitous- no payment was required.

This practice began in the early days of the colony. Governor Macquarie was particularly liberal in his promises of land.

In the early 1820s up to 80% of land was held under “promises”. Often bought or sold. But no property promised by the Governor could be inherited unless a formal deed of grant was issued. It was accepted that promisees of grants could expect to occupy the land and were encouraged to do so.

Those who were promised land could expect they had some sort of title that could be transferred.

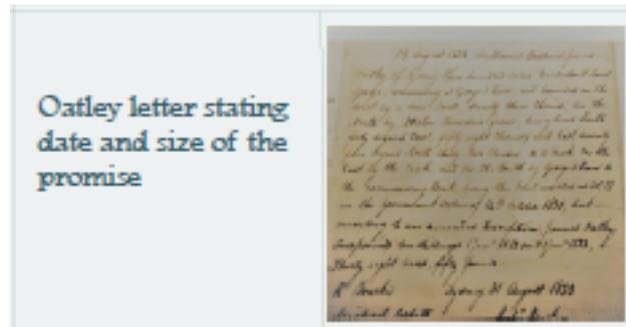
Those promised land grants acquired an “equitable interest’ in the land which meant that the holder had the right to acquire formal legal title.

Those occupying land under promise could take action against intruders on the grounds of trespass. But a promise of land did not confer the status of a legal estate.

Governors’ promises of land could not be enforced by the courts but when followed by occupancy and expenditure of money some claim to an estate was conferred.

Oatley held his 300 acres under promise for eight years without taking serious steps to occupy it.

Oatley's letter stating dimensions of the promise



Looking back from 1983 Newspaper articles



THOMAS MAKDOUGALL BRISBANE (Governor, Baronet and Major General)

He was born in Ayrshire Scotland in 1773 and died where he was born at the age of 86 in 1860.

He was the sixth governor of New South Wales following Governor Macquarie and followed by Governor Darling.

He studied at Edinburgh University where his major interests were Astronomy and Mathematics.

His interest in Astronomy was abiding. It is said that a major reason for his commitment to the Governorship of NSW was so that he could follow his observations of the southern skies, not available in the north. He had a well-equipped observatory built at Parramatta and his mapping of the southern hemisphere was so accurate he remained an authority on the subject throughout his life and beyond.

Brisbane joined the army in 1789(?) – the Staffordshire Regiment of Foot, serving under the Duke of Wellington who later promoted his application for the Governor's job. Brisbane saw active service in the Peninsular War and the War of 1812.

He married in 1819 (age 46) taking up his governor's position 18 months later. His wife was Anna Mariea Haig Makdougall, an heiress. She was 33 years old so a true spinster. They had four children, all of whom died before Brisbane.

Brisbane took over from Macquarie and the Bigge Report which he largely tried to implement, but was he tough enough? He promised land only to "those with the inclination to use it productively" contrary to Oatley's experience

In 1824 and acting on one of Bigge's suggestions, Brisbane began selling Crown land at 5/- an acre (making the Oatley estate worth 50 pounds). Controlling and promoting the settlement of land – the intense demand for land – was a priority. Brisbane insisted that grantees should maintain one convict labourer free of Crown expense for every 100 acres they were given; and he adhered to the rule against freeing convicts with premature tickets of leave.

Brisbane authorised military action in the Bathurst area in 1824 following a dispute between settlers and the Wiradyuri people.

Brisbane found the emancipist/exclusive quarrel a major difficulty. Therefore, promoting Oatley was a gesture in support of the emancipists.

The exclusives frequently made vicious misrepresentations in London about Brisbane's administration. The Sydney based colonial secretary Frederick Goulburn who began as a friend, started to make life difficult for Brisbane refusing to carry out some instructions and suppressing many letters. Brisbane could not countenance such behaviour. He protested and complained to Lord Bathurst at the Colonial Office. The reply, slowed by distance, was the recall to London of both the Governor and Secretary. In November 1825 Governor Brisbane departed.

Sensitive, respectful of others, never vindictive Brisbane was out of his element when faced with the arrogance of the exclusives. Wellington commented on his recall "there are many brave men not fit to be governors of colonies".

**Sydney Gazette front page
1825**



LIFE AND TIMES IN 1825 as reported in the Sydney Gazette

Thursday 18th August: Sydney Gazette and New South Wales Advertiser Volume XXIII Number 1135 is available, no price is shown. It was published from 1803 to 1842. The publisher was G Howe

The banner heading read- "Public Duty Must Never be Sacrificed at the Shrine of Sordid Interest"

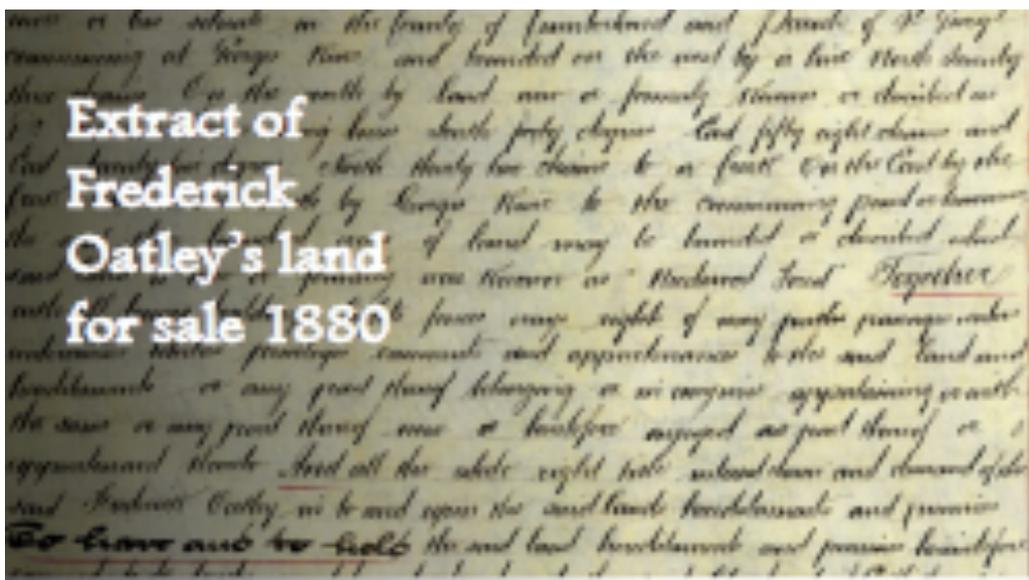
The Gazette was censored by the Government till 1824 when censorship ceased. The typeface used was brought to the colony by Governor Phillip in 1788. The first wholly privately owned paper The Australian started the same year.

Extract of a letter to Lord Bathurst appearing in the Gazette



Literacy was certainly not universal so the journal, written in a flourishing style, had limited but influential reach. James Oatley and his family were definitely of those chosen to benefit from its contents and the structure of the times. He consolidated his land which would become worth a significant amount.

The bounty of 1825. In 1881 55 years after the original Oatley acquisition of Crown land, Frederick Oatley's land was sold for 10000 pounds



The Sydney Gazette - Samples of the content in August 1825:

*His Excellency Sir Thomas Brisbane came to town on Tuesday morning. His Excellency returned to Parramatta yesterday.

*We hasten to congratulate the colonists and especially the Chief Justice On the appointment of an additional Judge of the Supreme Court. – **Advance Australia**

*“Caution- the commander of the ship Elizabeth hereby cautions the inhabitants against giving Trust or Credit to the crew of said vessel as he will not be responsible for any debts.”

*Public Notice- The undermentioned persons have obtained certificates of leave during the last week: 45 names were listed.

*Bathurst Hunt – A General meeting will be held here (no address given) on Thursday 1st September at 12 o'clock when a full attendance of members is requested.

Sailings

*For London direct: The ship Harvey, D Peache commander, will sail from this port this month for London. Those who are desirous of forwarding wool are informed that the Harvey can contain about 200 bales. Four persons can be accommodated in the cabin and two in the steerage.

*For Newcastle: The schooner Newcastle will sail for the above port regularly. Cabin passenger 25/- Steerage 10/- Freight per ton 10/-.

Wanted

*Wanted – a female servant for the house in a small family. A native of the colony would be preferred. An unexceptional reference will be required.

*A man and his wife of good character as house servants.

*For sale Two draft mares and two teams of working bullocks. Apply to Mr Cummings Sydney Hotel.

***Notice**- The undermentioned hereby cautions all persons against giving credit to his wife May Ann Larra as he will not be responsible for any debts she may contract.

He has been and is now confined to His Majesty's Gaol at Sydney for a debt contracted by her which he is wholly unable to pay and which at his advanced age he feels very hard.

James Larra

Sydney Gaol 10th August 1825

***Merino Rams for sale-**

Mr Macarthur begs to inform the public that he intends to dispose of his 40 Thoroughbred Merino Rams by public auction at Parramatta Market Place on 14th September 1825.

Macarthur had returned to the colony in 1818 after ten years in exile for political interference.

The Victory Coach

Sydney Town to Parramatta – the coach stop at Parramatta



A Victory Coach



The proprietors of the Eclipse Coach beg to inform the public that their new coach Victory now runs from Hill's Tavern Hyde Park to Walker's Inn Parramatta and returns again the same day. Departure from Paramatta will be at 4pm. In order to render the conveyance safe, respectable, convenient and commodious the fares will be: Inside 5/-, Outside 3/-

Sydney Gazette Page three was largely made up of detailed reports in the Supreme Court in a case of malicious prosecution. Also, in the Supreme Court several men were sentenced to death for such offences as highway robbery and stealing two lambs.

There appeared a long article, clearly taken from London papers and possibly circulating the Empire, regarding Prince Augustus, the Duke of Sussex. He was a son of George III and had marriage problems by marrying a lady inside the romish faith and outside the consent of the king (George IV). The king demanded that the marriage be annulled even though the prince offered to relinquish all financial claims so long as the marriage was not disturbed. The marriage however was declared null and void. Previously Prince Frederick had a settlement of 12000 pounds per annum, later raised to 18000 pounds p.a. The Duke of Sussex was, in 1825, far from being on good term with his family. Later however things improved and he was at the wedding of Queen Victoria in

1840, he was her favourite uncle and he gave her away. The next Duke of Sussex following Augustus was Harry.

“A Letter to Lord Bathurst”

There followed an even longer article printed in close type. It appeared as an editorial purporting to be a letter to the Colonial Secretary Lord Bathurst. In circuitous prose the anonymous “letter” -

Supported the Emancipist population “whose only ambition was to redeem their forfeited rights and to raise themselves by honest industry”.

My Lord (the letter stated) considering the letters you have received against our present governor you may suppose that Sir Thomas is not qualified to hold the reins of government. We may inquire as to the cause of this disturbance. A veteran colonist remarks: “If Sir Thomas be unfit to govern this colony it is because he has not enough of the devil in him”.

A gentleman, my Lord, who is intended to hold the reins of colonial administration ought to be tutored in the arts of dishonesty and dissimilitude. No governor should come here who is not prepared to look at praise, attachment, dissatisfaction and opposition with equal indifference. It is easy for triflers to find fault with any executive. As in all infant states many measures must be pursued by way of experiment. Some measures have failed and the Executive has had to make changes. But the carpers at the administration collect subjects to address your Lordship. No credit is given to the Government.

This was the flavour of the article dated August 1825. For Brisbane and his family time was up. He left the colony soon after; it was in a state of exponential growth.

Map of NSW



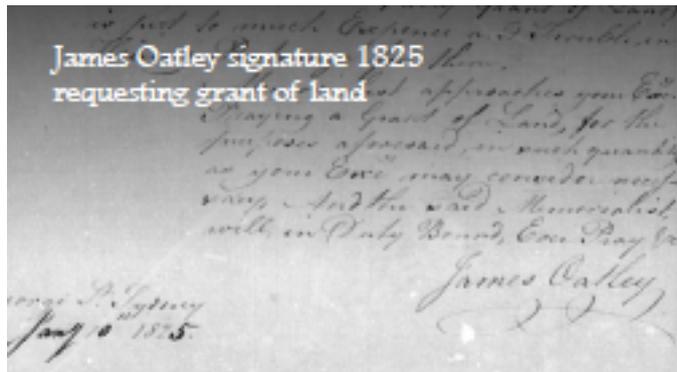
A painting of Sydney

Sidney (sic) 1823



James Oatley had benefited from this growth through his business and his land acquisitions despite stories of his alcoholism.

Oatley's Signature on a letter requesting a promise of land.

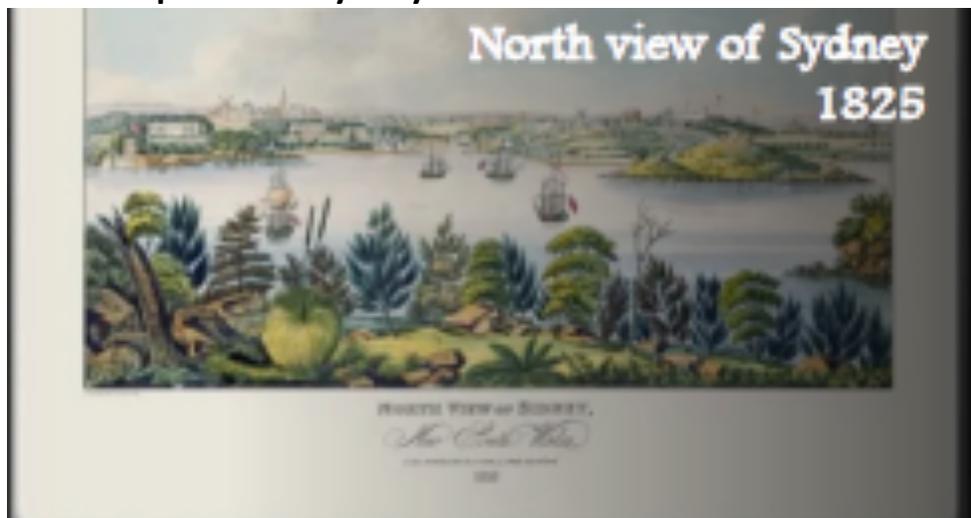


Governor Brisbane had Oatley's interest at heart when he made a promise to him without requiring the necessary land improvements to his estate.

Governor Brisbane



Idealised picture of Sydney from the north shore



When Brisbane left the colony in November 1825 Sydney was a turbulent, expanding place in a hurry but it was also a town of beauty especially on the periphery as shown in this idealised view across the harbour.

As for James Oatley, clockmaker, land holder and drunk there was space for him to clear his head in the natural beauty of his Needwood Forest.

Julian Sheen