

THE IRISH R.M.:

Capt. John Molloy of the Vasse

Gil Hardwick

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INTRODUCTION

Capt. John Molloy is best known through his association with the pioneering Bussell family, about whose tribulations on the Vasse much has been written. He is also known for his marriage to the extraordinary Georgiana Kennedy, a woman much younger than himself who achieved fame in her own right. The story of their tiny settlement at the end of the earth is wrought with tragedy. As the senior administrative official charged with managing the situation in which they found themselves, Capt. Molloy stamped an enduring mark entirely his own on Western Australian history.

His life spanned a longer period than any of theirs. Of the settlers at the Vasse in 1840 only Elijah Dawson, his Waterloo corporal and later constable, and the surgeon Alfred Green lived to a greater age. After a distinguished military career he emigrated to Western Australia with a new bride said to be half his age. Yet while published works focus on his wife, the Bussells and the whaling industry, mystery still surrounds this enigmatic man.

From the available sources, it appears that he was raised in London by the Molloy family who owned a property called 'Millicent' in Co. Kildare, Ireland. His childhood was spent during the tumultuous aftermath of the American War of Independence and the subsequent establishment of the penal settlement in New South Wales, through the French Revolution and the Irish Rebellion of 1798. After attending Harrow School he served in the Royal Navy as a midshipman from 1804, fighting at Trafalgar in 1805 before purchasing a commission in the experimental Corps of Riflemen on the outbreak of war on the Continent.

Naval service, the Peninsular Campaign, and the defeat of Napoleon at Waterloo during the final years of the reign of George III stole away the prime of his youth. During a break in the Napoleonic Wars he studied for two years at Great Marlow, now the Royal Military Academy, Sandhurst. Under George IV he continued on active duty with his regiment in Scotland and Ireland before handing in his commission and marrying his beloved Georgiana. For twenty five years from his first naval commission in 1804 until emigrating in 1829 his career was in the armed forces.

He arrived in Western Australia on the *Warrior* in the coronation year of William IV. He then served another thirty one years in the Lower South West under William and then Victoria as Resident Magistrate and Collector of Customs for the Sussex District.

Finally, in 1861 he requested permission to retire on the grounds of age and infirmity.¹ He died peacefully at his home in 1867² and is buried in St. Mary's churchyard, Busselton.

EARLY LIFE

Published accounts vary as to the facts of his birth. Miss Cammilleri writes: 'He was born in England in 1760 [sic] but his family belonged to Millicent, County Kildare, Ireland.'³ Jennings states that he was born on 5 September 1780, but that little is known of his childhood.⁴ Cresswell adds: 'It is believed that he was the illegitimate son of a pretty serving girl and the Duke of York, brother to King George III . . . born in London 1780 [he] was raised by an Irish couple named Molloy.'⁵ He is said to have been allowed a stipend of £200 per annum while at Oxford. On gaining his majority he is said further to have been given £20,000 and a commission in the Royal Navy.⁶

Alexandra Hasluck, the most respected authority on the subject, writes that '[his] was not a face to be easily forgotten; in fact, the most striking thing about it was that it reminded the observer of some face very well known - but whose?'⁷ On the basis of circumstantial evidence and lacking direct proof, Hasluck suggests that his natural father was Prince Frederick Augustus, Duke of York, second and favourite son of King George III.⁸ A daughter of the Molloy family may have been a servant in the Duke's household but if they were gentry that seems unlikely. Rather, it is known there was an affair at Kew when the Prince was seventeen. The girl was discouraged from following him to Germany where he was sent to keep him out of further trouble.⁹

An unreliable report says that John Molloy 'never knew his father nor his mother'¹⁰ and if Hasluck is correct, he may have been fostered out to Captain Anthony James Pye Molloy of the Royal Navy.¹¹ Anthony Molloy was court-martialled on 18 April 1795 for failing to have 'kept to the wind when the signal was made for passing through the enemy's line' while in command of HMS Caesar during the Battle of the 'Glorious First of June' in 1794.¹² There is no evidence that he had any link with Kildare.

Something of a puzzle remains, moreover. If John Molloy attended Oxford, why did he not follow his peers into a higher public position? All accounts state further that throughout his military career he was older than his fellow officers by as much as ten years. It was not until attaining his majority that he is supposed to have entered the navy, although it was customary for boys to do so during their teens. If that is so, the year would have been 1801 when his naval commission was purchased. Jennings suggests that he 'soon changed to the army, however',¹³ while Lines states that he did not obtain his army commission until 1807. If Hasluck's account is allowed, at this stage from six to ten years are missing from his life.

According to John Molloy's great-great-grandson Patrick Bunbury of Perth, his age at death given as 87 on his death certificate in 1867 was supplied by the coffin maker, William Layton, and this was duly recorded on his gravestone. It is from this record that his year of birth is generally assumed to have been 1780. Bunbury states that the birth on 5 September 1786 of a boy named John is registered to William and Mary Molloy of St. Giles, London. John Molloy's age on entry at Harrow in 1802, however, is recorded as being 13, making his year of birth 1789. The archivist at Harrow has stated emphatically that if the boy had been 16 on entry, any deception would have been immediately apparent. Further, the first Crown Solicitor for Western Australia, George Walpole Leake, stated in his recollections of 1890 that as a boy of eight in 1833 he knew John Molloy and that he was born in 1789.¹⁴

The Royal Archives at Windsor Castle further dismiss the idea that the Duke of York was Molloy's father, suggesting that he was unable to support the boy as he too spent all his income and was as much in debt as his spoilt, philandering siblings.¹⁵ Before the passing of the Royal Marriages Act of 1772 the previous Prince of Wales, later King George III, is said to have legally married a Hannah Lightfoot in 1759. An issue of this marriage may have been the Mary who married William Molloy. Hannah's father was a shoemaker of Wapping while William Molloy was himself in that trade, owning a shoe warehouse in St. Giles, so they would have known one another.¹⁶ Bunbury speculates then that the John Molloy born in 1786 may have died

in infancy, at least before 1789, and that the couple adopted another male infant to replace him.¹⁷

In all this there appear to have been two unrelated John Molloy's born in London three years apart. It is certain that the John Molloy we know was a gentleman, the other being 'trade' with poor prospects, regardless of wealth, for the sort of advancement that families of the period aspired to. Talk in Perth's social circles during the 1920s was inclined to relate him to George IV when he was himself the Prince of Wales. Hasluck dismisses such gossip since the Prince was entangled with Mrs Perdita Robinson in 1780 and no issue had come of the liaison.¹⁸ In 1785 he secretly married a Catholic widow, Maria Fitzherbert, and in 1795 also married Princess Caroline of Brunswick in return for payment of his debts.¹⁹

A precedent exists here suggesting the manner in which illegitimate children of the House of Hanover were secretly cared for. The Prince's union with Mrs Fitzherbert is said to have been without issue, despite rumours that they "had at least one child, and possibly two."²⁰ An infant born in the early autumn of 1786 was smuggled out of England to Spain by a Catholic, James Ord, who gave the child his name. In 1790 as war threatened between Britain and Spain, the family sailed to America on the same ship as the newly consecrated and first American Bishop, Archbishop John Carroll.

Following the death of his 'mother' Mary Ord in 1792 young James Ord spent the next eight years living with various members of the Carroll family before enrolling at the Jesuit College in Georgetown, DC; finally in 1806 entering the Jesuit Order itself. It remains a mystery that "such distinguished American Catholic families would have bothered with an obscure young foreigner"²¹ beyond the suggestion that his father was one of the sons of George III; perhaps the Duke of York since it was he who had obtained the elder James Ord's position in Spain for him, but most probably the Prince of Wales himself whose claim to the throne would have been lost had the issue become public knowledge.²²



John Molloy's startling likeness to Frederick Augustus and their apparent closeness throughout his military career remain similarly compelling.²³ It was much later, in 1809, that the Duke became involved with Mary Anne Clarke and the scandal involving the sale of army commissions. When he returned from Germany in 1787 his liaison was with the notorious Susanna Hussey, Countess of Tyrconnel, from Co. Donegal, Ireland.²⁴ Recalling that York was also Earl of Ulster, the boy appears likely to have been the issue of this affair, also fostered out to avoid further embarrassment since Hanover was viewed with contempt among the English ruling classes²⁵ and Tyrconnel among the Irish.²⁶ Given that she was independently wealthy, moreover, it is probable that it was his mother who paid his allowances, not his father.

Adjusting John Molloy's birthday by nine years, both his father and his mother come into view and the circumstances of his birth are more evident. Through other sources at least one cousin in similar straits can be taken into the account. Through War Office records Molloy himself traced reliably from the age of thirteen in 1802,²⁷ leaving the ultimate mystery of his parentage and childhood years to intrigue the historian for some time to come.

MILITARY CAREER

As a lad, Molloy was provided with an education considerably advanced for the day. He was at Harrow under the liberal scholar, Joseph Drury, and in the company of the future Prime Ministers Goderich, Peel, Aberdeen and Palmerston.²⁸ He served as a midshipman in the Royal Navy, fighting at Trafalgar in 1805.²⁹ He then transferred to the army as the war moved to the Iberian Peninsula.³⁰ During the break in military engagements from 1810 to 1812 he attended Great Marlow.³¹ It is relevant that following naval service,

Molloy's new post was with an elite, experimental regiment formed in 1800 and known as the Corps of Riflemen.

After General Braddock's defeat by a French and Indian alliance in North America in the summer of 1755, the 60th Regiment was raised there in response. Based on the regulations prepared by de Rottenburg in 1797, and drawing on the experience of the 60th, the Corps of Riflemen was raised by Col. Coote Manningham in England in 1800.³² The instructions issued by Manningham also emphasised individual intelligence, initiative, and readiness for action. Instead of open engagement with the enemy, Riflemen acted as forward scouts and snipers, picking off enemy officers and doing whatever was necessary to prevail in battle. The new regulations, finally, stressed humanity in place of the usual floggings and abuse, not merely towards the soldiers but their families as well.

It was this entirely innovative military milieu into which John Molloy moved as a 2nd Lieutenant in 1807. To his credit, the purchase of his commission would not have come easily since the new regiment selected the cream of the English military establishment. Riflemen were graded according to their marksmanship and classified as first, second or third class shots. It was a young man's game and the competition was fierce to be accepted into this elite regiment. It is doubtful whether his social connections would have helped had he not possessed the personal attributes enabling him to pass muster. In the event he was well regarded by his men, being known to have intervened on their behalf in the face of his fellow officers.³³

The British War Office records indicate that following Trafalgar and his army posting, Molloy fought as a 1st Lieutenant in Sir John Moore's army during the Peninsular Campaign of 1808-10 before attending Great Marlow for two years. In 1812 he rejoined his regiment and fought again from 1812 to 1814 under Wellington. In all he was present during engagements at Roliça, Vimiera, Vigo, Salamanca, San Millan, Vittoria, Pyrenees, Vera, Bidassoa, Nivelle, Nive, Tarbes and Toulouse, taking part in eight of the battles to receive the General Service Medal with eight bars.³⁴ In 1815 he fought at Waterloo where he was badly wounded and lay among the dead on the battlefield overnight until picked up the next morning. He received the Waterloo Medal for this near-sacrifice.³⁵

Recovered from his wound Molloy remained on active duty with the Rifles,³⁶ later attending each year the commemorative dinners the Duke of Wellington gave to celebrate his first pitched battle against the French.³⁷ He was posted to Glasgow during 1819-20 before leaving for Ireland where he remained until 1825. Because of the widespread agrarian unrest following the failed potato crop of 1822 his regiment was first headquartered at Fermoy in Co. Cork and then at Rathkeale in Co. Limerick. Detachments of English troops were posted widely across the south of Ireland to suppress insurrection and guard against gathered bands of up to 700 men spoiling for a fight.³⁸ In 1823 Molloy was in charge of a company stationed at Glandoff, Co. Limerick. Correspondence addressed to him there alludes to actions against the Whiteboys, agrarian rebels who clad themselves in white sheets and went out at night using violence and intimidation to protect the interests of tenant farmers and landless labourers. The following year he was promoted Captain along with his friend John Kincaid.³⁹

It was on the day after the battle of Talavera in 1809 that Molloy met and became comrade-in-arms with Lieut. Harry Smith, later one of England's most famous soldiers. They remained close friends and correspondents throughout their lives.⁴⁰ Smith was also involved with the capture and burning of Washington by the British during the War of 1812. After a brief trip back to England he was despatched to New Orleans where in late 1814 the British forces were routed by the Americans.⁴¹ To save themselves they had to escape overland to the seaport of Mobile where HMS Brazen was waiting to pick them up. The ship's commander was Captain James Stirling, and the two men took a great liking to each other. It was Smith who recommended Stirling to John Molloy.⁴² There is no doubt that they knew of one another before they

met at Swan River in 1830.

During this time and during the period of his residency at Augusta and the Vasse, John Molloy was widely regarded as autocratic and high-handed.⁴³ This contrasts markedly with his friends' descriptions of him as excellent, courteous, kindly and of good humour. It is interesting that Stirling is himself described as autocratic and ambitious. Hasluck goes further to suggest that a possible clash of personalities may have been the reason Stirling posted Molloy to such an extremely isolated location as Augusta. It seems more reasonable to suggest, however, that Molloy's posting in the new colony had been anticipated.

EMIGRATION TO WESTERN AUSTRALIA

The most important person in Molloy's life up to this time was Georgiana Kennedy, who was born in Abbey Road, Carlisle, in 1805.⁴⁴ The family were long established landowners, owning the house 'Crosby Lodge' in Co. Cumberland. Georgiana's father was David Kennedy, a Scot from Ayreshire who had married into an old Border family, the Grahams of Netherby.⁴⁵ In 1821 when Georgiana was sixteen he died after a fall from a horse and her mother moved the family soon after to Rugby to pursue her sons' education and arrange suitable marriages for her daughters. It is not known where Georgiana first met her future husband, although it is apparent from their correspondence that by 1828 they had known one another for quite a long time.⁴⁶ Before being transferred to Ireland Molloy was stationed in Glasgow and it is likely that they met socially at nearby Renfrew, the seat of Clan Graham, perhaps at a ball in honour of the regimental officers.



It is interesting to speculate on what attraction there may have been. Georgiana was by this time fatherless and had fallen out with her family. She became deeply religious and sought refuge from the instability, discord and unhappiness in her life.⁴⁷ While not getting along with her own sisters, Georgiana was particularly fond of the Dunlops of 'Keppoch House' in Dunbartonshire, regarding their daughters 'as sisters more than her own flesh and blood.'⁴⁸ It was through the Dunlops that she was inspired by the schism beginning to take place in the Church of Scotland. When her friend Helen Dunlop married the Revd Robert Story of Rosneath Parish, she was invited to stay with them. Rosneath had become a centre of religious fervour, producing numbers of inspired teachers and divines.⁴⁹ For Georgiana, life at Rosneath was a spiritual retreat. While there she engaged widely in correspondence on religious and moral issues, leading to a further falling out with her own siblings.⁵⁰

John Molloy had by this time been promoted to Captain. According to Georgiana's standards he must have appeared an ideal prospective husband. He was not only a charming Christian gentleman with an outstanding war record, but was handsome and well-connected. In his old age he was described by one contemporary as 'very humorous, very fond of a joke, and the grace with which he makes a bow or turns a compliment I have seldom seen equalled'.⁵¹ On her death bed he was described by Georgiana as an 'excellent husband'⁵². For her part she was a gentlewoman with a serious nature, also well connected and used to living in the country. Hasluck suggests that he was 48 and she 24 when they married⁵³ but he was probably 39, a difference not unusual in those days.

In 1828 when Molloy married and began preparing his establishment, he discussed the prospects of emigrating to Western Australia with another Rifleman, Capt. Francis Byrne, and the Scottish merchant, George Cheyne, among others.⁵⁴ The final contact Molloy made in England before embarking for Swan River was at a ball in Southampton where he met John Garrett Bussell, a young Oxford graduate preparing for

ordination into the Anglican priesthood. Bussell's father had died some nine years previously leaving his mother struggling to raise her large family. Her eldest son William had entered the medical profession and her third son Lenox was in the Navy.

The difficulty the Bussell family faced was to find suitable careers for the younger boys and to that end the fourth son Charles was keen on the idea of migration.⁵⁵ In the event John Bussell agreed to accompany Charles and their two youngest brothers Vernon and Alfred to Swan River, travelling steerage to husband their meagre resources while Lenox and the girls waited until they had established themselves.

In October 1829 the party sailed from Plymouth on board the *Warrior*. By mid-January 1830 they had arrived at Cape Colony where they were met by Molloy's old friend Harry Smith, now Quartermaster-General with the rank of Colonel. Another old Rifleman there was the Colonial Secretary, Col. John Bell. The Governor at that time was General Sir Lowry Cole under whom Molloy and the others had served during the Peninsular Campaign. After two weeks of hunting, entertainment and discussions the party rejoined their ship and six weeks later anchored in Gage Roads to await a landing on the beach at Fremantle.⁵⁶

THE SETTLEMENT AT AUGUSTA

Apart from the Molloy, the Byrnes and the Bussells there was another substantial establishment on the *Warrior*, that of James Woodward Turner, a wealthy London merchant who had himself decided to emigrate. While Molloy and Byrne went upriver to stay in Perth and wait on Lieutenant Governor Stirling, the Bussell and Turner households settled down in Fremantle. John Bussell and James Turner were both anxious to select their land grants and taking the boat upstream spent some time looking at available land. By this time the supply of good land along the Swan and Canning River frontages was limited since it had been selected by the Challenger and Sulphur officers for themselves.⁵⁷

In the event, Capt. Byrne selected land in the Avon Valley while Turner agreed to join the Molloy and the Bussell establishments on their trip south to Augusta.⁵⁸ During April and May the various parties were granted permission to select land on the basis of their capital: Molloy 12,813 acres, the Bussells 5,573 acres, and Turner 20,026 acres. Others joining the group were George Chapman and John Herring, allowed 1800 acres and 740 acres respectively,⁵⁹ and John Dawson, a skilled carpenter from Ireland who had independently arrived in the colony during February on the *Egyptian*. Another arrival was George Layman who in 1829 worked his passage across from Van Diemen's Land where his brother had been killed by a convict.⁶⁰

Up to that time the coast from Cape Chatham west to Cape Leeuwin remained unexplored by the British and it was in this area that Stirling had reason to believe that sealing and whaling ships were active.⁶¹ He was more concerned with the collection of customs duties now that sovereignty had been declared, however, than with preventing foreign incursion. In late April 1830 the group including Stirling and his official party sailed from Gage Roads on the *Emily Taylor*. They included Captain Currie the Fremantle Harbour Master, Lieut. Richard Dawson and four sailors, and John Kellam the Assistant Government Surveyor. On landing at the mouth of the Blackwood River, Stirling, Currie, Molloy and the other gentlemen spent the next four days exploring up-river by boat while servants landed their respective households and set about erecting tents. It was decided that a settlement should be established there and named Augusta. Before returning to Perth, Stirling presented Capt. Molloy to the new settlers as their Resident.⁶²

A month after his arrival at the Swan River in mid-March 1830, with Byrne appointed the first Resident Magistrate for the York District,⁶³ Molloy was himself appointed Justice of the Peace. At Augusta he was appointed Government Resident for the Sussex District with the dual role of Magistrate and Collector of

Customs.⁶⁴ Apart from his household, Molloy brought with him livestock to the value of £101/19/-, machinery and ironmongery to £240/10/7, provisions to £418/19/4, seeds and plants to £24/2/1, and rifles, ammunition, saddlery, furniture, medicine, boats, etc. to £213/10/1. The investment totalled £1112/19/3 of which £392/10/2 was paid out of the public purse.⁶⁵ He was further allowed a stipend of £100 per annum as Resident, on top of his existing £127 per annum as a Brevet Major on a Captain's half pay.⁶⁶

Unlike the other establishments at Augusta which employed civilian servants, grooms and gardeners, the new Resident had with him Elijah Dawson and Robert Heppingstone. These two men were at Waterloo with Molloy as his corporals. Dawson remained in service with Molloy in Scotland and Ireland and by this time had been with him for over fifteen years.⁶⁷ Heppingstone drowned in an accident in 1835. Had he lived a parallel might have been made with Dawson's appointment as Constable only a month before.⁶⁸ The accident cost Molloy one of his loyal, seasoned men and was a source of considerable frustration later when he found need of them.

In 1831 the garrison at King George's Sound which had been supplied from New South Wales was withdrawn to Sydney.⁶⁹ In the same year a small detachment of the 63rd Regiment was assigned to Augusta from Perth.⁷⁰ By the end of the year the tiny outpost was beginning to take on the semblance of a small town. The construction of houses progressed with the help of the soldiers and in particular the carpenter, John Dawson.⁷¹ For the first few years Molloy was busy with land allocations. Building development seems to have taken place satisfactorily, though the small and isolated community found it increasingly difficult to get along with one another. The sheer hard work of clearing the forest by the inexperienced, middle class settlers meant that food and fresh vegetables were at a premium. The difficulties caused by late supply ships, lack of fencing and wandering livestock caused considerable friction. By early 1832 matters came to a head when the government cow was shot for trespass near Robert Heppingstone's allotment.⁷²

This period saw a great increase in the number of ships visiting the coast, by 1839 the American whaling fleet across the Southern Ocean alone numbering 557 vessels.⁷³ Every year the fleet was expected from December to March, calling in at every settlement and trading station from Albany and Augusta to Castle Rock, Vasse, Bunbury and Fremantle.⁷⁴ Whaling and sealing crews working the bays along the coast were regularly in port and a great deal of grog, probably rum, along with quantities of locally brewed beer,⁷⁵ was available.

The Resident soon found that the crimes he had to deal with included stealing, murder and drunkenness. In 1833 the Bussells' boy servant Pearce was up before him for stealing, and on seeking to enquire of Turner's servant Andrew Smith about a theft of clothing he was threatened with a beating. Molloy's dignity caused him to temper punishment with caution in the circumstances,⁷⁶ although he sought persistently to obtain further administrative and logistical support from Perth. It did not take him long to realise that the government was extremely frugal in its support for the settlement. As time went by his repeated requests to the government for relief became increasingly tinged with irony and despair.⁷⁷

CONFLICT WITH THE ABORIGINES

The land on which they had chosen to settle belonged to the Bibbulmen people living on the Scott River Plain to the east. Relations with them were at first friendly enough, even welcomed, although the Bussell family regarded them as savage and uncultivated.⁷⁸ Before long, however, suspicion set in as the Aborigines began to help themselves from the same gardens where the cow had been shot. As they were officially subjects of the British Crown, Molloy initially attempted to have them provisioned from government stores and eventually managed to arrange a system of work in return for food and supplies. When Stirling returned to England in 1832, Capt. Frederick Irwin, Commander of the 63rd Regiment, served as Acting Governor.

The task proved far from easy. By early 1834 relations had deteriorated to the extent that the Aborigines were beginning seriously to attempt scaring the British colonists away.⁷⁹ The period saw increasing outbreaks of retribution from among the Swan River clans against the settlers there,⁸⁰ while Irwin's administration replied to them with ever more determined force.

By this time the Bussells' twice-failed attempts at establishing a landholding at Augusta and again at The Adelphi on the Blackwood River where their house burned down, caused them in 1834 to move to the Vasse on Geographe Bay. This belonged to neighbouring Aboriginal clansmen known as the Wardandi. In doing so they attracted several others to go with them, including George Layman, Charles and Henry Chapman, and two of the soldiers. Molloy sent Elijah Dawson to accompany the party and keep an eye on them while Charles Bussell remained behind for the time being as government storekeeper.⁸¹

At Augusta relations with the Bibbulmen people remained tense, although apart from threats and intimidation with the intent to gather potatoes, the settlers appear to have been safe.⁸² They were described by Vernon Bussell as still friendly at The Adelphi in 1833.⁸³ The mounting conflict on the Swan, however, began to spread south to involve the Murray River clans as well. On Stirling's return he determined that it had 'become an urgent Necessity, that a Check should be put upon the Career, of that particular Tribe.' In October 1834 a dawn raid led by him against a still sleeping Aboriginal camp at Pinjarra involved twenty-five mounted men, including eleven soldiers and five constables.⁸⁴ Numbers of people killed in their cross-fire range from 14 to 80 according to settler accounts, and up to 750 according to current Aboriginal belief, indicating the devastation the killings brought to their culture and social organisation.⁸⁵

At the Vasse in early 1835 the Wardandi were not yet regarded as threatening. Following the Pinjarra incident, James Turner found it safe enough to walk from Augusta all the way to Perth 'with the object of inducing Governor Stirling to send relief to the remnant of the Augusta settlers.'⁸⁶ In late 1836 Lieut. Bunbury came to the Vasse overland from Pinjarra to supervise the small detachment of soldiers already assigned to the settlement, followed a day later by the Governor and Capt. Molloy on the colonial schooner *Champion*. A military outpost was formed about five miles away between the estuaries, located in Bunbury's words 'in a place more fit for Dutchmen and frogs than British soldiers, where there were no settlers and no land to be taken up, and where in fact, we were about as useless as it was in the Governor's power to render us.'⁸⁷

Stirling was reluctant to employ soldiers any further as police and petitioned the Secretary of State for Colonies, Lord Glenelg, on the matter: 'Unless a police corps be established and maintained for the purpose of protecting, controlling, managing and gradually civilizing the Aboriginal race of this country, there will be a fearful struggle between the invaders and the invaded, which will not cease until the extermination of the latter be accomplished, to the discredit of the British name.'⁸⁸ Glenelg, however, 'was committed to the protection and evangelization of colonial peoples'. His instructions were that settlers should not interfere with the rights of Aborigines and that the first object of government was their moral improvement. From 1837 he was concerned for their legal status, insisting that all native peoples must be considered as subjects of the Queen.⁸⁹

The position of the Legislative Council in Western Australia was 'that although the amelioration and civilisation of the aboriginal race was an object highly desirable, yet that the protection and security of the British subject was a matter of more urgency and still greater importance, and when the funds at their disposal were not sufficient for the attainment of both these objects, that which is most pressing should first be provided for . . .'. It suggested that the Home Government itself should fund Glenelg's otherwise enlightened policy toward Aboriginal peoples.⁹⁰

From the view of the people affected by all this debate, of course, they were simply clans moving seasonally between the coastal wetlands in summer and the shelter of the forest on the Darling Escarpment

in winter. It is easy to see that a large assemblage of people from September onwards in the lower South West was not a threatening gesture, merely a seasonal gathering to exploit food resources and conduct ceremonies.⁹¹ Under John Bussell's leadership the situation remained under control. While he distrusted the Aborigines, he nevertheless treated them well and provisioned them in return for work. In late 1836, however, he left for England to pursue his plans for marriage, leaving his brother Lenox as acting Vasse Magistrate while the Resident remained at his post in Augusta. According to his brother Charles, Lenox was 'big with magisterial honours' although suffering poor nervous health.⁹²

OUTBREAK OF VIOLENCE

On the 11 April 1837, Lenox, Charles and the surgeon Alfred Green accompanied Lieut. Bunbury to Leschenault, leaving Alfred Bussell alone with Dawson, Henry Chapman, the women and some servants.⁹³ Apparently thinking the outpost was also being deserted the Wardandi began moving back to their traditional lands. The settlers on their sparsely scattered holdings became increasingly frantic at the imagined threat. After the Leschenault party returned in June a calf went missing and when the culprits were pursued, nine Aborigines were shot dead and two wounded in retaliation.⁹⁴ Const. Dawson was subsequently speared in the arm while ploughing his field, apparently by a young warrior named Knockindon whose traditional land it was⁹⁵, and since Mrs Dawson's baby was due it was decided that they move into one of the servants' cottages at 'Cattle Chosen'.⁹⁶

Soon reports were received by the settlers of a large party of warriors descending upon them from winter quarters on the escarpment. For the next four weeks continued skirmishing resulted in another round of shooting in late July in which numbers of Aborigines were killed, including three women and a boy. A fourteen month old child was taken hostage by the settlers and held for ten weeks.⁹⁷ As the local people were now fearful of returning to retrieve their dead, the next day the settlers went out with spades to bury them.⁹⁸ Lenox duly reported the incident to the Resident in Augusta. Molloy replied that he was 'deeply sensible to the unprotected state of some of the settlers in that part of the district' and apologised that he could afford them no more assistance.⁹⁹ Lenox refused to provide depositions Molloy requested of him on the matter. Constable Dawson himself then wrote to Molloy reporting the attack on him, which Molloy sent on to the Colonial Secretary with his report on the killings and the correspondence between himself and Lenox Bussell.¹⁰⁰

Stirling had by this time tendered his resignation as Governor, to be replaced after a long wait by John Hutt in January, 1839. Hutt was highly critical of the idea of British citizenship being granted to Aborigines without modifying the law to take their differences into account. His position was that they should be advanced in civilization through education, by encouraging settlers to employ and train them, and by encouraging missionary activity.¹⁰¹ In line with Glenelg's policy, he established the Office of Protector of Natives and instructed all the Residents on their conduct toward them.

Molloy himself was preoccupied with the whaling trade. He was often away at King George's Sound as Collector of Customs, calling on his friend George Cheyne who had emigrated and from 1831 was operating a trading station and try-works there.¹⁰² His well-educated, scientifically-inclined wife Georgiana thought the Bibbulmen interesting in many ways and spent hours in the bush with them collecting the botanical specimens for which she later became famous. She kept herself busy making up seed packets and pressing flowers to send back to England, regarding 'her natives' as 'much better auxiliaries than white people'.¹⁰³

Hardening of the settlers' attitudes turned them against the new governor,¹⁰⁴ however. After two failed attempts at Augusta and on the Blackwood, with their new endeavour on the Vasse now also at risk, accumulated anger and frustration persuaded the settlers that the Aborigines must be taught to 'pass them

by', and that the lesson could no longer wait.¹⁰⁵ Charles Bussell had for some time been advocating war, while Lenox had become a nervous wreck.¹⁰⁶ Finally abandoning Augusta in 1839 in the face of Hutt's demand that he remain at his assigned post,¹⁰⁷ Molloy removed his establishment to the Vasse¹⁰⁸ with the assistance of Captain Cole of the whaler *America*.¹⁰⁹ There he employed an Aboriginal constable by the name of 'Bunny', officially attached to the Protector of Natives but reporting to Molloy directly on the movements of the Wardandi leaders.¹¹⁰

RETRIBUTION

The mounting tension resulted in the spearing at Wonnerup early in February 1841 of the hot-headed George Layman by Gaywal (or Gayware)¹¹¹, apparently because of an insult arising from a dispute over the distribution of damper.¹¹² It is probable however that accumulating confusion and resentment on their part drove the Wardandi into desperate actions by this time. An earlier attempt on Layman had resulted in his wounding and it is obvious that he had become a marked man.¹¹³ Gaywal was a senior Wardandi elder and apart from his meeting his obligations in traditional law enforcement he had also been active against the British usurpation of their lands for some time.

On the evening when the news came that Layman had been killed, Molloy and the Bussells broke off their religious devotions and rode from 'Cattle Chosen' to Wonnerup to call out the military and bring Gaywal to justice.¹¹⁴ The Wardandi often sought refuge and alliance among the foreign whaling and sealing crews still calling in regularly to trade and replenish their supplies. Molloy was able to undermine their relationship in this case by writing to Captain Plaskett, then in port, 'at the service of humanity and your actual love of justice to beg you would interest yourself in the apprehension of these natives', being Gaywal and his sons Wobadung, Kenny and Mungo.¹¹⁵ Although successful, in doing so he stretched his diplomatic prerogatives and brought upon himself even more criticism from the Governor not only for offering Captain Plaskett a reward, but for having drawn him, an American, into the affair at all.¹¹⁶

The entire settlement then turned out. While ostensibly tracking Gaywal down, armed men ranged through the Aboriginal camping grounds for weeks afterward. During those tragic weeks before the Wardandi leader was finally killed, any Aboriginal the search parties came across was ordered to 'stand and surrender' for questioning. The letter of the law duly observed, as the fleeing population characteristically failed to stop they 'risked the charge of shot which inevitably followed.'¹¹⁷ Hasluck may have been correct in asserting that Molloy 'had maintained a soldier's discipline over a district where isolated units might have panicked and shot every native on sight',¹¹⁸ although she concedes that there were no troops under his command and that he 'would doubtless have preferred the safety of the district to rest on soldiers obedient to orders than on settlers not under the same control.'¹¹⁹

In their own way he and John Bussell had done their best to pursue a humane and disciplined policy toward the Aborigines. His report dated 17 March 1840 mentions five Aborigines who helped get in the harvest, stating that 'their conduct merits notice.'¹²⁰ It is obvious however that the tension among the settlers had progressively spread south and the situation developed beyond their capacity to manage events. Ultimately, Molloy had been preoccupied with other duties. John was not himself the head of the Bussell household, merely the eldest of the five brothers at 'Cattle Chosen'. His stammering, antisocial brother Charles in particular insisted that the only way the Wardandi could learn to respect their livestock and stored provisions was through intimidation, and it seems to be he who led an already nervous Lenox and the adolescent Alfred into violence. They are likely to have heard many stories of the battles already raging in New South Wales, and were thus swayed in their attitudes by 'the task and the mood of the moment' rather than facing the basic issue of their intrusion upon Aboriginal land and seeking thoughtfully to resolve it.¹²¹

From this point the historical record is incomplete since numbers of documents dating from this period are missing, including both of Molloy's reports to Governor Hutt,¹²² and it is now impossible to assess the extent of the killing. While the majority of deaths went unrecorded, Alfred Bussell was subsequently reported during February 1842 as having shot two Aborigines deemed a fugitive and a thief. In March the same year his brother Charles was holding hostage a seven year old girl named Cummangoot, and shot her in the stomach during interrogation on the whereabouts of other fugitives. Molloy reported the incident as an accident and bound Bussell over "to appear whenever called upon to answer any charges that might be brought against him" on a bond of £100 and two sureties of £50 each.¹²³ While ultimately convicting him of the crime, Molloy is said to have fined Bussell just one shilling.¹²⁴ An Aboriginal named 'Crocodile' was later hanged by settlers at Willyabrup at a place called 'The Gallows Hollow' for stealing cattle. Though there is no evidence he was involved, Molloy is said to have been criticised by the government and severely reprimanded in person during a visit by Hutt.¹²²

Hasluck writes in their defence that rather than their numbers being 'decimated after the advent of the colonists', the Aboriginal population within the triangle formed by Swan River, Augusta, and King George's Sound had not in any event exceeded '1,000 souls'.¹²⁶ Several features of Aboriginal behaviour mitigate against a reliable account of their population during the early years of the colony, however. The colonists were obviously sedentary while the Aboriginal people they encountered were moving back and forth past them. The clans were highly localised, travelling between their own seasonal territories along their own paths and tracks, even to the extent of individuals owning particular blackboy trees or birds' nests.¹²⁷ Passing contact between groups would inevitably see men at the forefront, while the women and children stayed back in the bush out of notice, and this pattern was repeated in contact with the new arrivals who in this manner saw fewer people on a regular basis than were actually living in the district.

As Hallam suggests, 'we can expect to do no more than define the range of possibilities.' She regards the estimate of 1,000 souls as 'rather low', and Stirling's estimate of 'probably one native to two square miles' (45,000 people within Hasluck's triangle) as 'surprisingly high' although 'by no means impossible' for the fertile coastal strip centred on the Swan River estuary.¹²⁸ On the basis of similar environments and traditional economies in the Northern Territory, the author calculates something in the range of 9-12,000 people living at the time of British settlement within that South West triangle.¹²⁹

This figure is consistent with the whole area, though Dortch believes on the basis of traditional Aboriginal birth control practices that the number was nearer 5,000.¹³⁰ Hallam comments further on the probability of high population density on the coastal inlets south of the Murray River including Geographe Bay and the Leschenault, where during the summer of 1836-37 Lieut. Bunbury reported nearly 200 men gathered to fish, and another 150 men 'belonging to another tribe' beyond the Collie River. Turning southward toward the Vasse, well into Wardandi territory, he travelled 'in company with a large number of native men, women and children . . . going to a great Corroboree with some other tribes', estimated to have numbered three to four hundred men plus their women and children.¹³¹

It is clear from both Stirling's early estimate and current figures that in defence of the settlers' actions the numbers of Aboriginal people living between the Vasse and Minninup during this period have been systematically downplayed. In the aftermath very large numbers of people remain unaccounted for, casting a shadow over the events. A great-grandson of John Dawson, who was present at the time, insists that something dreadful had happened which seriously affected the moral of the whole community.¹³² This is in contrast with Hasluck's view that 'the capture of Woberdung and Kenny had shed a state of blissful calm over the whole district.'¹³³ Fanny Bussell noted in her diary on 11 April 1841 that Molloy was very ill and Hasluck herself suggests that may have been due to the 'worry and strain of the previous weeks.'¹³⁴ He may well have been severely depressed over the way things had turned out.

It is further apparent that faced with instructions on the proper treatment of the Aborigines issued by Hutt, which they viewed as a radical departure from the example set by Governor Stirling at Pinjarra, and plainly in ignorance of Aboriginal traditional law, the settlers had dealt out a stern justice of their own.¹³⁵ Aware of Molloy's reputed origins and his distinguished war record, this isolated, conservative, highly class-conscious community appear to have justified their actions as carrying the royal imprimatur against the idealistic, impractical, pettifogging policy of Governor Hutt and the Colonial Office¹³⁶ and later closed ranks against further enquiry.

AFTERMATH

In June 1841 Captain Molloy was called to Perth by the Governor for consultation on the site of a new church on the Vasse. Miss Capel Carter, a cousin of the Bussells, had for some years been raising money in England to establish a church at Augusta. The sum of £280 had been collected and was being held by the Society for the Promotion of Christian Knowledge. By August, Hutt had managed to convene a meeting of magistrates and inhabitants which universally agreed on a spot for the church about halfway between Vasse and Wonnerup, on land owned by the Bussell family. They agreed to offer the land only on the condition that they had the choice of land within the Busselton townsite, which the Governor promptly rejected. Molloy was then directed to make arrangements for constructing the building on the site originally set aside for it in the Busselton town plan. He and John Bussell were subsequently appointed trustees, and a few days later an application made for an eligible location which the Governor approved. The foundation stone was not laid until 4 March 1844.¹³⁷

A peculiar feature of first settler families studied, including those of Molloy, John, Vernon and Alfred Bussell, George Layman and Roger Guerin, is that out of 59 children born 40 were girls.¹³⁸ Four of those girls and six boys, including Molloy's only son John, had died in infancy leaving 36 girls and 13 boys in the next generation. Apart from the death of their mother on 24 June 1835, followed less than a week later by Lenox¹³⁹ after an extended period of mental illness¹⁴⁰, Charles Bussell himself died unmarried in 1856 aged 46.¹⁴¹ His younger brother Vernon died on the Blackwood in 1860 at the age of 47. Alfred John Bussell born at Wallcliffe in 1865 was to recall in the late 1930s that as a small child he was nursed by Aboriginal women and learned their language.¹⁴² Most of the white children of that generation also learned to speak the native language but by then the close-knit community was determined to remain silent on the issue.

By the mid 1840s economic depression had spread to Western Australia. Apart from continuing visits by the whaling ships, some of the settlers from the failed project at Australind moved down to the Vasse and to Augusta to try their hand at farming, whaling and fishing for a livelihood. A series of major disease epidemics including influenza, tuberculosis, typhus, whooping cough and measles from 1841 to the turn of the century wiped out large numbers of Aboriginal people in the area.¹⁴³

Through the 1840s and 1850s increasing numbers of whalers visited Geographe Bay, to Molloy's approval so long as they remained 'temperance ships'. His protest to the Governor over the issuing of a licence in 1840 to Roger Guerin to deal in liquor brought the reply that the government had no powers to refuse retail dealers licences to anyone, and that the only remedy was "the infliction of the severest penalties on individuals who may be convicted of drunkenness."¹⁴⁴ After the 1851 influx of convicts to the colony numbers of ticket-of-leave men found farm employment on the Vasse, much to his annoyance. The ageing magistrate struggled to thwart smuggling activities in his district,¹⁴⁵ apparently on this account. He continued to complain to the government about the 'Conditionals and Ticket of Leave men exceeding the grown-up male population' and foreigners adding to the numbers of idlers caused him to worry over the lack of moral discipline and to call for a larger gaol to be built.¹⁴⁶

In 1856 construction of the Busselton Court House began when a tender for £250 from the sawmiller Henry Yelverton of Quindalup was accepted. Work on the complex continued for many years, the Magistrate's Court itself not being added to the bond store and prison cells until 1897.¹⁴⁷ Until then, story has it, a post was installed on the site to which the men Molloy had convicted for various petty offences, including stealing, drunkenness and using foul language, were chained for want of proper facilities.¹⁴⁸ In fact he may have had new stocks installed at the Vasse rather than removing the old stocks from Augusta.¹⁴⁹

EPILOGUE

After Stirling and Capt. Byrne had both left the colony in 1838, Molloy stayed on. Perhaps Georgiana encouraged him since she had enjoyed living in Augusta free 'from many unpleasant circumstances now existing in England,' hoping 'the Almighty will have mercy on [that] irreligious land, and not smite according to their ill-doings.'¹⁵⁰

The Molloy family had also made friends of their own class among the ships' captains and frequently invited them to formal dinners. After Georgiana's death at the Vasse in 1843, Molloy evidently decided to stay and be buried near her and two of their children who had died in infancy at Augusta. After St. Mary's Church was built in Busselton, all three bodies were disinterred and removed to their own crypt under the new building. He was buried in the churchyard. In 1848 their eldest surviving daughter Sabina married Deacon Matthew Hale who later became the first Anglican Bishop of Perth. While on a visit to England in 1850 Molloy made a special visit to his old Commander-in-Chief, the Duke of Wellington. He also spent some time with now Rear Admiral Stirling and his father-in-law, Captain Mangles.¹⁵¹

Four years after his return in 1852, his second daughter Mary Dorothea in 1856 married Edmund duCane, Visiting Magistrate of Convict Stations (later Major-General Sir Edmund duCane). In 1857 his next daughter Amelia married the pastoralist William Richardson Bunbury, a son of Lady Richardson Bunbury of Co. Tyrone, Ireland. These two were the only members of the Molloy family to remain on the Vasse and some of their descendants still live in the Lower South West. In 1859 Flora married William Locke Brockman, another pastoralist and son of one of the first immigrants. Molloy's last daughter, Georgiana, was engaged to marry Frederick Kennedy Panter, also from Ireland and a nephew of Governor Kennedy. He was killed by Aborigines on an exploratory survey out of Roebuck Bay in 1864 and she died unmarried in 1874.¹⁵²



In his old age Molloy was generally considered wealthy, owning large tracts of land from the Vasse across to Quindalup. His holdings included Molloy Island on the Blackwood which he donated in 1857 to the newly-formed Perth Bishopric held by his son-in-law, Bishop Hale.¹⁵³ In 1859 he received advice of his promotion to Brevet Lieut.-Colonel but sold the commission the same day,¹⁵⁴ thereafter however being referred to as 'Colonel Molloy'. His memory was failing, and while still fond of a joke he was given to repetition as he forgot what he was saying.¹⁵⁵ He survived his wife by 24 years, ruling his small world as a benign autocrat.¹⁵⁶

About the time of his resignation in March 1861 on the grounds of old age and infirmity he handed management of his property over to Richard Gale, who later purchased 'Fairlawn' and succeeded the eccentric Dr Joseph Strelley Harris as Resident in 1875.¹⁵⁷ While he could still ride, Molloy would go over to Elijah Dawson's house on the anniversary of the Waterloo victory every year where the two old

soldiers would dine together and reminisce about Napoleon and the Peninsular Campaign. Later, no longer able to mount his horse, he would occasionally drive out in his carriage to visit the shops whose owners would come out respectfully and take his order. He died on 6 October 1867, a gentleman of the old school right to the very end.

END NOTES

¹ M.G. Cammilleri, 'Fairlawn', *Early Days* [Journal and Proceedings, Royal Western Australian Historical Society], December 1946, p.32.

² A. Hasluck, *Portrait with Background*, Fremantle, 1990, p.259.

³ Cammilleri, 'Fairlawn', p.32.

⁴ J.R. Jennings, *Busselton . . . 'outstation on the Vasse'*, Shire of Busselton, WA, 1983, p.15.

⁵ G.J. Cresswell, *The Light of Leeuwin*, The Augusta-Margaret River History Group, 1989, p.15.

⁶ H. Stirling, 'Links with the Past', *Sunday Times* (Perth), 22 May 1921, cited in Hasluck, *Portrait*, p.7.

⁷ Hasluck, *Portrait*, p.18.

⁸ Prince Frederick Augustus of Hanover 1763-1827, Duke of York and Albany, Earl of Ulster, Bishop of Osnaburg.

⁹ Hasluck, *Portrait*, Appendix C, p.264.

¹⁰ Stirling, 'Links with the Past'.

¹¹ J. Harby, letter to N. Hackett, Augusta Historical Society, 2 November 1993.

¹² *Ibid.*

¹³ Jennings, *Busselton*, p.15.

¹⁴ Bunbury, personal communication, 18 June 1999.

¹⁵ *Ibid.* See also, J.B. Priestley, *The Prince of Pleasure and his Regency, 1811-1820*, New York, 1969.

¹⁶ Bunbury, personal communication.

¹⁷ The Regency Act of 1751 actually prevented such a marriage since Prince Frederick Lewis, the heir to King George II, died in March of that year and his 13 year-old son George became next in line to the throne (J.C. Long, *George III: A Biography*, London, 1960, pp.38-9). Hannah Lightfoot was in fact a Quaker who had met Prince George while staying near St. James' Palace with her uncle, a linen draper, and helping in his shop. It is recorded in the St. George's parish register that she had married George Axford in 1754, when her supposed paramour was only 16. Though she is mentioned frequently among gossip mongers in connection with royal scandal, historically she is better known for the Denial issued by the Quakers against her in 1756 for having married outside their rules (*ibid.*, pp.45-7).

¹⁸ Hasluck, *Portrait*, Appendix C, p.264.

¹⁹ *The Hutchinson Dictionary of World History*, Oxford, 1993, p.228.

²⁰ Saul David, *Prince of Pleasure: The Prince of Wales and the Making of the Regency*, London: Abacus, 1999, p.76 (Other children mentioned include Henry Augustus Frederick Hervey, Major G.S. Crole, William Hampshire & Charles Candy, pp. 78-80)

- ²¹ David, *ibid.*, p.76
- ²² David, *ibid.*, p.77-78
- ²³ Hasluck indicates several peculiarities in Captain Molloy's life suggesting favour from the Duke, including entry to Great Marlow despite long waiting lists and the fact that a number of streets in Augusta are named after him. It was the year after the Duke of York's death from dropsy in 1827, moreover, that Molloy resigned his army commission and prepared to emigrate (*Portrait*, Appendix C, p.264.)
- ²⁴ Long, *George III*, p.283. Susanna Hussey was the only daughter and heir of George Carpenter, 2nd Earl of Tyrconnel. Tyrconnel had originally belonged to the O'Donnell, a sept of the Northern O'Neill which had also produced the Earls of Tyrone. Their flight in 1607 saw the end of Gaelic rule in Ulster. It is of considerable interest here that the Anglo-Irish Tyrconnel rather produced naval officers. Susanna's grandson became the Hon. Admiral Walter Cecil Carpenter, MP for Waterford. His father was Naval ADC to Queen Victoria.
- ²⁵ Priestley, *The Prince of Pleasure*, pp.15ff.
- ²⁶ Richard 'Lying Dick' Talbot, Earl of Tyrconnel, was sent by James II to rule Ireland with the title of Lord Deputy following his dismissal of the Lord Lieutenant, Henry Hyde, Earl of Clarendon.
- ²⁷ Hasluck, *Portrait*, Appendix C, p.264.
- ²⁸ W.J. Lines, *An All Consuming Passion*, Sydney, 1994, p.39.
- ²⁹ Hasluck, *Portrait*, p.13.
- ³⁰ This must have been when he was 16, like his fellow officers, not 25 as previously supposed.
- ³¹ The academy had been founded about this same time by the Duke of York when he was Commander-in-Chief of the Army (Hasluck, *Portrait*, Appendix C, p.257).
- ³² This experimental corps of riflemen was designated the 95th of Foot from 1802 to 1816. During the Peninsular Campaign and at the Battle of Waterloo it established its fighting reputation and became famous until 1966 as The Rifle Brigade, before merging with the remaining British army light regiments to form The Royal Green Jackets.
- ³³ Hasluck, *Portrait*, pp.18ff.
- ³⁴ *Ibid.*, Appendix C, p.265.
- ³⁵ *Ibid.*, p.23.
- ³⁶ *Ibid.*, p.23.
- ³⁷ *Ibid.*, p.20.
- ³⁸ D.J. Mulvaney and N. Green, *Commandant of Solitude: The Journals of Captain Collet Barker 1828-1831*, Melbourne, 1992, p.20.
- ³⁹ Hasluck is clear that while he was in Ireland Molloy gave no indication that he regarded it as his own country, but like his comrades considered himself a professional soldier in the service of the English Crown (*Portrait*, p.24).
- ⁴⁰ *Ibid.*, p.20.
- ⁴¹ Smith also fought in both Cape Frontier Wars in South Africa during 1834-5 and 1850-3. In 1840 he was

sent to India as a general officer where he fought the Sikhs during 1845-6. In 1847 he was knighted and created Baronet, and sent back to South Africa as Governor. In that same year he annexed the Orange River Sovereignty to prevent the Boers escaping British rule. In 1848 he defeated Andries Pretorius at Bloomplatts, but was recalled to Britain in 1852 for his precipitate manner and costly handling of the 2nd Frontier War.

⁴² Hasluck, *Portrait*, p.22.

⁴³ *Ibid.*, p.71.

⁴⁴ Augusta Historical Society museum display, July 1999.

⁴⁵ Hasluck, *Portrait*, p.14. For more than 400 years the 'debatable lands' along the border of England and Scotland had been subject to constant feuding. Until the seventeenth century the Grahams along with the Nixons, Armstrongs, Archibalds, Maxwells and other families known as the Border Reivers fought to control the area.

⁴⁶ Hasluck, *Portrait*, p.17.

⁴⁷ *Ibid.*, p.15.

⁴⁸ *Ibid.*, p.15.

⁴⁹ It was not until the Victorian period that this religious revival had succeeded in transforming English sensibilities and moral values generally (H. Schlossberg, *Religious revival and the Transformation of English Sensibilities in the Early Nineteenth Century*, Washington, 1998, passim).

⁵⁰ Hasluck, *Portrait*, p.17.

⁵¹ Richardson, 'A Pleasant Passage', cited in *Busselton Historical Society Newsletter*, May 1991.

⁵² Hasluck, *Portrait*, p.252.

⁵³ *Ibid.*, p.36.

⁵⁴ Smith was transferred in 1828 to Cape Colony with the rank of Major (*ibid.*, p.35).

⁵⁵ Jennings, *Busselton*, p.14.

⁵⁶ Hasluck, *Portrait*, pp.59ff.

⁵⁷ *Ibid.*, pp.63ff.

⁵⁸ *Ibid.*, p.65.

⁵⁹ Jennings, *Busselton*, p.18.

⁶⁰ At that time a virtual war was raging between the settlers and the Tasmanian Aborigines.

⁶¹ Hasluck, *Portrait*, p.72.

⁶² *Ibid.*, p.79.

⁶³ R. Erickson (ed.), *The Bicentennial Dictionary of Western Australians*, vol. I, Perth, 1987, p 432.

⁶⁴ D. Hassan, State Records Office of Western Australia, facsimile transmission, 16 June 1999.

⁶⁵ Hasluck, *Portrait*, Appendix B, p.263.

⁶⁶ *Ibid.*, Appendix C, p.265.

- ⁶⁷ Ibid., p.42.
- ⁶⁸ Jennings, *Busselton*, p.109.
- ⁶⁹ Crowley, *Australia's Western Third*, p.3.
- ⁷⁰ Hasluck, *Portrait*, p.82.
- ⁷¹ In 1833, John Dawson walked 60 miles to Geographe Bay to meet a ship from which he purchased an 80 lb keg of nails. He then walked back to Augusta carrying the keg on his back (T. Higgins, personal communication, July 1999).
- ⁷² Hasluck, *Portrait*, p.100.
- ⁷³ By 1846 the total American fleet operating around the world had grown to 678 ships and barques, 35 brigs and 22 schooners (I. D'Arcy, *Bay Whaling in and Around Flinders Bay*, Augusta Historical Society, 1970, p.5).
- ⁷⁴ Ibid., p.6.
- ⁷⁵ T. Tuckfield, 'Early Colonial Taverns and Inns' (Part 1), *Early Days*, vol. VII, pt. III, 1971, p.65.
- ⁷⁶ Jennings, *Busselton*, p.73.
- ⁷⁷ Ibid, p.72.
- ⁷⁸ Ibid., p.74.
- ⁷⁹ Ibid., p.74.
- ⁸⁰ A. Hasluck, 'Yagan the Patriot', *Early Days*, vol.V, pt. VII, 1961, passim.
- ⁸¹ Jennings, *Busselton*, pp.77ff.
- ⁸² Hasluck, *Portrait*, pp.127ff.
- ⁸³ O.E.G. Shann, *Cattle Chosen*, Perth, 1978, p.94
- ⁸⁴ One of the party, Thomas Peel, had been seeking possession of the land. The month after the killings he took up the 250,000 acres he had been granted in January 1830 and by December was offering 100,000 acres for sale (C. Fletcher 'The Battle for Pinjarra: A Revisionist View', in R.H.W. Reece and C.T. Stannage (eds), *European-Aboriginal Relations in Western Australian History* (Studies in Western Australian History, vol. VIII), Perth, 1984, pp.1-6.
- ⁸⁵ D.J. Mulvaney, *Encounters in Place: Outsiders and Aboriginal Australians 1606-1985*, Brisbane, 1989, p.169.
- ⁸⁶ Shann, *Cattle Chosen*, p.101.
- ⁸⁷ Jennings, *Busselton*, p.96.
- ⁸⁸ Shann, *Cattle Chosen*, p.100.
- ⁸⁹ R.H.W. Reece, *Aborigines and Colonists: Aborigines and Colonial Society in New South Wales in the 1830s and 1840s*, Sydney, 1974, p.135.
- ⁹⁰ P.Hasluck, *Black Australians: A Survey of Native Policy in Western Australia, 1829-1897*, Melbourne, 1942, p.60.

- ⁹¹ S.J. Hallam, *Fire and Hearth: A Study of Aboriginal Usage and European Usurpation in South-Western Australia*, Canberra, 1979, pp.105ff.
- ⁹² *Ibid.*, p.102.
- ⁹³ *Ibid.*, p.103.
- ⁹⁴ *Ibid.*, p.104.
- ⁹⁵ H. Bull to Colonial Secretary, 21 May 1840, *Resident Magistrates Volumes 1840-1845*, vol. 85, n.p., Colonial Secretary's Office Letters Received [CSR], Public Record Office of Western Australia, Perth.
- ⁹⁶ Hasluck, *Portrait*, p.173.
- ⁹⁷ N. Green, *Broken Spears: Aborigines and Europeans in the Southwest of Australia*, Perth, 1984, p.218.
- ⁹⁸ Shann, *Cattle Chosen*, p.107.
- ⁹⁹ Hasluck, *Portrait*, p.173.
- ¹⁰⁰ *Ibid.*, p.173.
- ¹⁰¹ Hasluck, *Black Australians*, p.60.
- ¹⁰² Erickson, *Bicentennial Dictionary*, vol. I, p.522.
- ¹⁰³ Hasluck., *Black Australians*, p.191.
- ¹⁰⁴ Hasluck, *Portrait*, p.224.
- ¹⁰⁵ Shann, *Cattle Chosen*, p.108.
- ¹⁰⁶ *Ibid.*, pp.111ff.
- ¹⁰⁷ Jennings, *Busselton*, pp.172-3.
- ¹⁰⁸ Hasluck, *Portrait*, pp.192ff.
- ¹⁰⁹ D'Arcy, *Bay Whaling*, p.7.
- ¹¹⁰ Hasluck, *Portrait*, pp.224-5.
- ¹¹¹ *Ibid.*, pp.225-6; Jennings, *Busselton*, p.182.
- ¹¹² Gaywal is said to have suffered great insult by Layman tugging at his beard and abusing him. The word wanna, however, means 'women's digging stick' (G.F. Moore, *A Descriptive Vocabulary of the Language in Common Use Amongst the Aborigines of Western Australia*, London, 1842), indicating that Wonnerup was regarded by the Wardandi as women's country. Under customary law the white men should not have been there to start with. Such an offence in itself would traditionally have been punished (G. Webb, personal communication, 1996).
- ¹¹³ The circumstances suggest that he had done something particularly bad. Oral history of the lower South West insists repeatedly that Layman had committed numerous sexual transgressions against Aboriginal women, serious offences under Nyungar Traditional Law.
- ¹¹⁴ Hasluck, *Portrait*, p.226.
- ¹¹⁵ Molloy to Captain Plaskett, 8 March 1841, *Res. Mag. Vols*, vol. 100, n.p., CSR.
- ¹¹⁶ Hasluck, *Portrait*, p.229.

- ¹¹⁷ Ibid., p.227.
- ¹¹⁸ Ibid., p.229.
- ¹¹⁹ Ibid., Appendix F, p.270.
- ¹²⁰ Molloy to Colonial Secretary, 17 March 1840, *Res. Mag. Vols*, vol. 85, n.p., CSR.
- ¹²¹ Shann, *Cattle Chosen*, p.92-3.
- ¹²² Ibid., p.118.
- ¹²³ Molloy to Colonial Secretary, 31 March 1842, *Res. Mag. Vols*, vol. 114, p.60, CSR.
- ¹²⁴ Green, *Broken Spears*, p.216.
- ¹²⁵ J. Kinsella, 'Whence Came the Name 'Gallows Hollow'?', Margaret River History Research Group Files, n.d.
- ¹²⁶ Hasluck, 'Yagan the Patriot', p.34.
- ¹²⁷ Hallam, *Fire and Hearth*, p.43.
- ¹²⁸ Ibid., p.108.
- ¹²⁹ Bathurst and Melville Islands maintain a stable population of 1,500 to 2,000 people in a similar marine, estuarine and dry woodland ecosystem covering 3,000 square miles.
- ¹³⁰ C.E. Dortch, Western Australian Museum, personal communication, 7 July 1999.
- ¹³¹ Hallam, *Fire and Hearth*, pp.108-9.
- ¹³² T.Higgins, personal communication, August 1999.
- ¹³³ Hasluck, *Portrait*, p.233.
- ¹³⁴ Ibid., 234.
- ¹³⁵ Ibid., pp.230ff.
- ¹³⁶ Jennings, *Busselton*, p.190.
- ¹³⁷ Hasluck, *Portrait with Background*, p.240.
- ¹³⁸ Erickson, *Bicentennial Dictionary*, relevant entries.
- ¹³⁹ Jennings, *Busselton*, p.255.
- ¹⁴⁰ Ibid., p.210.
- ¹⁴¹ Charles may have fathered children, however. He is said to have been responsible for the pregnancy of the Bussells' servant Emma Mould at Augusta in early 1835 (Hackett, personal communication).
- ¹⁴² A.J. Bussell, 'South West Legends', *West Australian* (Perth), 25 September 1937, p.5.
- ¹⁴³ Green, *Broken Spears*, pp.235-6. Despite quarantine imposed by the Protector of Natives, the bubonic influenza pandemic of 1919 also killed great numbers of the Aboriginal population still living between Augusta and Wonnerup, as many as thirty in one week wandering into the bush to die (G. Juniper, personal communication, July 1996).
- ¹⁴⁴ Hasluck, *Portrait*, p.217.

¹⁴⁵ Jennings, *Busselton*, p.271.

¹⁴⁶ Hasluck, *Portrait*, p 257.

¹⁴⁷ Public display, Old Court House, Busselton, August 1999.

¹⁴⁸ The story goes that the prisoners would uproot the post from the sandy soil and carry it with them to the pub while they had a drink. Before morning they would return to the site and place the post back in its hole before going to sleep (E. Ashton, personal communication, 28 July 1999).

¹⁴⁹ Hasluck, *Portrait*, pp.217ff.

¹⁵⁰ H. Colebatch , *A Story of a Hundred Years: Western Australia 1829-1929*, Perth, 1929, p.388.

¹⁵¹ Hasluck, *Portrait*, p.256.

¹⁵² *Ibid.*, pp.257ff.

¹⁵³ *Ibid.*, p.259.

¹⁵⁴ *Ibid.*, Appendix C, p.265.

¹⁵⁵ Richardson, 'A Pleasant Passage'.

¹⁵⁶ Cammilleri, 'Fairlawn', p.35.

¹⁵⁷ *Ibid.*, p.36.