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This anomalous community: Dungog Magistrates' Letterbook, 1834-1839

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Bound in a single volume of copied letters, running from the beginning of 1834 until early 1839, is a record of the outward correspondence of magistrates sitting at the newly established courthouse at what was first referred to as 'Upper William' and from about August 1834, as Dungog.[1] This correspondence was to local landowners, magistrates of surrounding districts, the commissioner of the nearby Australian Agricultural Company (AAC), as well as to numerous functionaries in Sydney including the Superintendent of Convicts, the Colonial Storekeeper and most often, the Colonial Secretary.

This outward correspondence by Dungog's magistrates contains numerous insights into local administration in the convict period of Australian history, capturing as it does a slice of life across a wide range of matters over a few years in the late 1830s. Land grants had commenced along the Williams River by 1829 and the town of Dungog was newly established on this river a day's walk above the head of navigation at Clarence Town, which is just before the Williams meets the Hunter River at Raymond Terrace.[2]

The Letterbook gives a glimpse into Australian history at a time when convicts, Indigenous people and newly granted landowners lived side by side on the edge of white settlement, some 150 miles and at least two hard days' travel from Sydney. Perhaps most suggestive of the basis of this 'anomalous community' is the paradoxical phrase – 'free by servitude' – frequently used to refer to its many ex-convict members who had completed their sentences.

The range of matters dealt with in the letters is broad as the police magistrates at the time had a wide brief and extensive powers. Around 1834, there was difficultly getting people to act as a magistrate. George Mackenzie's property, for example, was 16 miles from the courthouse at Dungog, which was 'directly in the through fare between the AACompany's extensive establishment and Hunter River'.[3] The AAC's property between Port Stephens and Gloucester to the east of

Bank of Australasia, Stroud, formerly the headquarters of the Australian Agricultural Company. (RAHS Glass Slide Collection)

Dungog meant many convicts needed to be dealt with, while it was on the Hunter River that settlers and police were to be found.

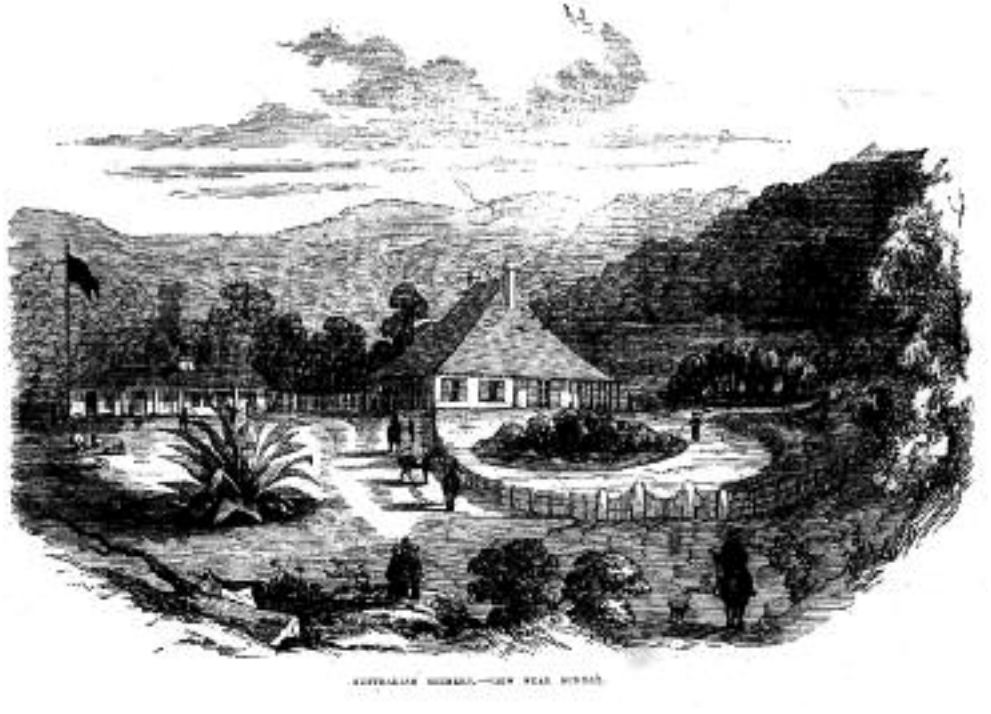
However, having a magistrate on this privately owned estate carried its own issues. Consequently in 1837, Thomas Cook, originally appointed as paid Police Magistrate at Port Stephens (as opposed to the local landowning justices of the peace acting as unpaid magistrates), was appointed to Dungog (or Upper Williams) but also with responsibility for Port Stephens and its court at Stroud.[4] That Cook was a paid official of government rather than a local volunteer landowner is apparent when ill health delayed him in Sydney and he supplied a doctor's certificate to back up this claim.[5] The magistrate and his clerk needed to make the trip once a fortnight from Dungog to Stroud to hear cases there, and once, in October 1837, Cook wrote that he was too ill to make this trip 'over the mountains'.[6]

As a Police Magistrate on a salary paid by government Thomas Cook was part of an ongoing political issue that pitched the power of local landowners, who often acted as honorary magistrates, against the authority of the governor in Sydney. While Cook's appointment was undoubtedly within the context of such political struggles, it is not possible to say 'what, if any, they had on magisterial practice'.[7] And in any case landowners' desire for a functioning legal system to handle the

'dangers of bushranging' outweighed their concerns about any threat to 'English liberties' as perceived by these landowners.[8] The Letterbook tells us much about 'magisterial practice' in dealing both with landowners and bushranging but little about the government in Sydney apart from its bureaucratic demands.

The bulk of the correspondence in the Letterbook occurs from 1837 under the name of Thomas Cook, after he had taken up residence at Dungog rather than simply visiting from Stroud, and runs until early 1839 when the volume becomes full. Thomas Cook, the son of a Scottish merchant, arrived as a free immigrant with his wife and several children in Sydney in April 1834, and he took oath as a magistrate in November that year to become the Police Magistrate of Port Stephens from which he originally visited Dungog.[9] His appointment may have been due to the influence of his brother-in-law, Colonel Kenneth Snodgrass, MLC.

Soon after this the police districts were reorganised and in 1837 Cook was appointed Police Magistrate of both Upper Williams and Port Stephens, but now residing at Dungog and visiting Stroud. Most of what is known of Thomas Cook comes from a period after the end of the Letterbook. While at Dungog Cook purchased a property that he named 'Auchentorlie'. Cook lost his position as Police Magistrate in 1843 when the government reverted to unpaid magistrates, but he



The estate of Thomas Cook, 'Auchentorlie', near Dungog, from the Illustrated Sydney News, 5 August 1854.

continued serving as a justice of the peace. He also lost both a daughter and a son to illness while living at Dungog. In the 1850s, Cook sold Auchentorlie and left Dungog, dying at Woollahra, Sydney, in 1866.[10]

The deliberate move to Dungog and thus outside the territory of the AAC is indicative of the power of this large landowner. The AAC was at the time the largest single landowner in New South Wales, consisting as it did of a private company made up of prominent and wealthy members of the British elite. The actual running of the enterprise was in the hands of managers. The Letterbook provides ample hints of the practical difficulties a magistrate such as Cook had in dealing with the AAC that is perhaps worth further investigation.[11]

Managing convicts and former convicts

The control and punishment of the convict population of the district was a major function of a magistrate at this period and, in fact, the first letter in the Letterbook complains that two years on a road gang was inadequate power to punish absconders.[12] This was written by the first magistrate of Upper Williams to use the Letterbook, George Mackenzie, JP, who at the end of January 1834 was investigating the activities of William O'Neil, 'here by servitude', who was occupying Crown land on the Clarence Town road and, having no visible means of sustenance, was suspected of receiving and stealing cattle. Having been convicted of harbouring prisoners of the Crown he was given notice to quit.[13] R. G. Moffatt (Captain 17th Regiment) added in March that O'Neil is 'a most notorious Sly Grog seller'.[14]

Thomas Cook's first letter in the Letterbook is more typical of convict administration and concerned a routine passing on of a ticket-of-leave application, as well as the answering of a circular requesting information about facilities within his district, namely that Singleton's Mill was the only public flour mill, located two miles above Clarence Town.[15] Also routine were the applications by landholders for assigned convict servants, as in September 1837, when Cook needed to ask James Edward Ebsworth of Boorall to sit with him in a 'Special Petty Sessions' for this purpose.[16] Authorising ticket-of-leave men's transfers to other districts was another increasing part of a magistrate's role, with Cook reporting at the beginning of 1838 on the transfer of 11 men to various districts.[17]

The anomalousness of this community is emphasised by the fact that, according to Cook, 'no convict can legally possess any money'. Cook goes on to say that it was usual for constables to search prisoners for the purpose of taking their money,[18] presumably to turn it over to the authorities. The month following this Cook forwarded £2/9/- taken from a prisoner, which was 'the mode followed by me when any money was found in the pocket of convicts sent up for trial, it being illegal and unsafe for them to possess any means'. The money was to be put in the bank on their behalf. If this was not done, Cook feared the prisoner population would soon be too much.[19]

However it was not all routine and in May 1835, Cook gave a detailed report on the escape from Dungog lock-up of Timothy Fogarty, a captured bushranger who managed to lever down the wood panelling of his cell, remove the outer bricks and then scramble over the 10-foot yard wall. Although a constable was living inside the courthouse, and the jailer and his family also lived in a small room off the court house, Cook stated that 'from sundown to sunrise' there was no observation of prisoners.[20] Other escapees passed through the area, with one from Port Macquarie described as wearing a green cloth jacket, blue trousers, blue waistcoat, check or striped pants and a straw hat.[21]

Escaping from custody was usually preceded by escape from one's place of assignment and so dealing with absconders and suspected absconders was also standard. When local landholder W. F. Forester declared that Margaret Sheedy was an absconder, and that she was free, Margaret was held in custody while Cook determined the case.[22]

Another was Thomas Mullins who, 'not giving a satisfactory account of himself', was liable to be arrested as a vagrant.[23] In this case, Mullins was an absconder from Brisbane Waters for which the constable who picked him up was rewarded £5.[24] This Constable Harcourt, who was 'free by servitude', was still waiting for his reward to be paid three months later.[25] In the meantime Mullins escaped again. 'A more troublesome villain than Mullins I never did meet before now. The constable had a job of him.' This time Cook felt it 'right to claim the "Five Pounds" from the Constable and Gaoler who allowed him to escape'.[26]

Crimes such as cattle and horse stealing were also frequent, with for example, cattle slaughtered at Wallarobba being identified by Mr Chapman as his.[27] Assault was another common occurrence, and Charles White and Pat Brady were charged for 'assaulting and molesting John O'Brien at improper hours in his own house'.[28] Another common crime was forgery, as when Patrick Brenan, alias Maccurran, forged a draft for £13/15 on 'Mr Lord of Sydney' and a local landowner. Brenan attempted to cash the draft at O'Brien's store near Clarence Town. The draft was supposedly drawn by Lord's superintendent Mr Flitt. O'Brien called on Mr Flitt to check and so the forgery was discovered. A warrant for Brenan's arrest was issued by another landowning JP, Lawrence Myles, in Cook's absence.[29]

Punishment

For absconding and other crimes, punishment with the lash was often inflicted, as when William Forbes and William Daley received 50 lashes each. John Ford was given 50 lashes plus 12 months on the 'Ironed gang' and John Cairns also 12 months.[30] Michael Welsh received 100 lashes for 'Cooking' sheep and cruelty to animals, and 12 months in an 'Ironed Gang' for absconding a second time.[31] William Evans, who dared to complain against his Master, a complaint Cook regarded as

'trifling and vexatious', was given 50 lashes and returned.[32] Some exceptions were recognised, however, as when Edward Birmingham was described as a simpleton who 'absconded through ignorance'.[33]

A more common punishment than the lash was to be deprived of one's ticket-of-leave. Both John Walsh and Harry Trowbridge lost their tickets-of-leave 'for improper treatment of Constable Powers when on duty on the Road between Stroud and Dungog'.[34] With William Pepper, who had been a prevaricating witness in Cook's opinion and 'attempting to defeat the ends of justice', Cook recommended the loss of his ticket.[35] In August 1837, James Lyman and John Cane also had their tickets withdrawn, the first for harbouring a prisoner and attempting to bribe a constable, and the latter for stealing a jacket.[36] However, a magistrate's decisions were subject to review, and in July 1837 Cook's sentence of two years in the 'Ironed gang' for James Howatt for slandering a Dr Whitfield was overturned by the governor.[37]

Loss of ticket-of-leave was a punishment that limited a person's mobility and thus made a servant of less use, as when J. M. Pilcher wrote to complain that his overseer Downs had been so punished. Cook reminded Pilcher that such a ticket was 'only to be enjoyed during good behaviour'.[38] Other technicalities associated with punishing a useful class of people was the need to inform the bench before trial that a master wanted a convict back, otherwise they would be sent to Sydney on conviction.[39]

The ticket-of-leave was a significant document and proof of it was required if a person was not to be arrested on the spot. Charles Romance claimed that his was lost when children in his hut took it from his coat pocket and destroyed it.[40] Lawrence Sullivan offered as evidence of his certificate of freedom what Cook described as a 'scrap of paper'.[41] Cook also felt he could accost anyone on the road and demand such proof, as he did of William Robissis 'on the Clarence Town Rd about 7 miles out'. When the reply was not satisfactory, he ordered him to appear before him in court.[42]

Constables

Cook as a paid magistrate did not entirely solve the shortage of magistrates, as in many cases, such as the assignment of convicts, two magistrates were needed. This need to get a second magistrate was a constant concern, with Cook explaining four years into his appointment that it was easier to get Johnston from Paterson than Esbworth from Port Stephens as he lived at Booral, which was 30 miles from Stroud.[43] This delay in getting the required second magistrate often led Cook to send prisoners on to Sydney rather than hold them while waiting for a second magistrate.[44]

The constables used by magistrates such as Cook for escorting prisoners to Sydney and elsewhere were usually ex-convicts and this often caused difficulties. In September 1834, Senior Constable Thomas Rodwell was replaced in his position due to being intoxicated 'while in the discharge of his duty'. His replacement was Michael Connolly, a ticket-of-leave man and former constable at Bathurst.[45] A few

years later, a constable brought in his prisoners drunk, having given them rum at a public house near Paterson – 'the day being wet & cold'. Magistrate Cook seems to have sympathised and waived the charge of neglect but did fine the Senior Constable £5 for breach of the Licensing Act; half of this to go as a reward to the informer, in this case the Police Magistrate at Paterson.[46]

However, when a constable was found to be reliable, Thomas Cook at least was prepared to act accordingly. In February 1839, for example, Cook recommended that Robert Mason replace James Edwards as constable at Stroud. This was despite Mason having been dismissed by Major Sullivan, though 'for no removable act' in Cook's opinion. Mason was sent to Stroud that same day with a note to the AAC requesting he be provided with provisions and accommodation 'on usual terms'.[47]

Cook was also very pleased with the work of what seems to have been a lone constable placed at Gloucester, Patrick Conway, who gave 'good service in taking bushrangers and putting down sly grog shops'. Cook felt that Conway's one shilling per day pay should be increased.[48]

Convicts as servants

Cook spent much time dealing with the relations between convicts and the masters to whom they were assigned. As such, Thomas Cook was part of a government bureaucracy that included the Board of Assignment of Servants, responsible for the placement of convicts and to which Cook as magistrate could only make recommendations if a crime were not involved. In October 1836, Cook was investigating a complaint of J. Devlin, assigned to Mr Holmes. Devlin was described as 'a poor simpleton'.[49] Later that same year, James Williams requested 'slop Clothing'.[50] The following year, Joseph Webster found himself removed from service with Mr Rogers for complaining from 'Peak, and not ill usage'. Cook felt Webster was 'one of those Convicts who pretend to know Rules Laws, and regulations better than their superiors', and feared this 'leveling Spirit Contaminate whatever they come near'. Cook suggested Webster go to the 'Ironed Gang' at Port Macquarie.[51] The assignment of servants did not always work out, as when Cook ordered that Sarah Robinson be removed from the house of Michael Doyle, 'she being a greater burden than a comfort to an industrious Family'.[52]

Local landowners such as Lord and Myles also needed to abide by the restrictions on their workers but appeared reluctant to always do so. At the end of 1837, for example, Cook needed to remind John Hooke that application must be made to the Superintendent of Convicts before 'your man' could leave the district, as Hooke proposed.[53]

Cook also queried matters between landowners that he felt were not legal, as when this same John Hooke purchased the property of Lawrence Myles, including all his assigned servants. Cook wrote for advice on the legality of this to the

Commissioner for the Assignment of Servants.[54] This case continued for some time and in the following month, Cook wrote to Myles pointing out that the 'alienation of his Wallarobba meadow' had not been reported and that he needed to see the assignment regulations.[55] At the same time, Cook wrote to Hooke, the purchaser of the 'Wallarobba meadow', to point out 'an apparent irregularity in the construction of your present establishment as regards some convict servants'. He requested that Hooke 'without delay turn to the 15th paragraph of the assignment regulations'.[56]

Despite Cook's (seemingly prescient) disquiet, the transfer of both land and convicts from Myles to Hooke went ahead and Cook was reduced to overseeing the details. He wrote to Hooke to insist that the appropriate forms be filled in, particularly all servants' names.[57] Cook informed J. M. Slade, Superintendent of Convicts, that Hooke had complied and Myles not, but that the transfer would go ahead anyway.[58] A couple of days later Myles wrote with the list of convicts, 24 in total, including such names as William Mumford (*Lady MacNaughton*), John Farrell (*Clyde*) and John Pritchard (*Printra*), to complete the transfer of property and servants to 'John Hooke of Wiragully Farm'.[59] The Wallarobba meadow property under question consisted of four lots of 2,560/790/640 and 940 acres, and 25 men.[60]

Despite these formalities, the following year this transaction took an unexpected turn when Hooke swore that Myles and MacKay had entered into a conspiracy to deprive him of one of the convicts, John Lingfoot. Cook was obliged to write to Slade asking him to check the original list of convicts to be transferred, as Lingfoot was not on the copy Cook had.[61] A few days later Cook appears to have accepted Hooke's claims, reporting that 'the name Lingfoot has been by some Chicanery withdrawn from this list', and that Lingfoot had joined his 'former master', Myles, in Sydney.[62]

Convict economy

While the landowners were seemingly manipulating the system, those with less resources were doing what they could. A glimpse of such economics is seen in Cook's account of the activities of Thomas Ford, an absconder who had been recaptured and while free had been selling and branding cattle 'for the purpose of raising money and deceiving government'. Ford had made contact with a Dark of Hinton who had borrowed money from Andrew Lang of Paterson. Phillip O'Brien was the principal purchaser of cattle, and one of Hooke's had been killed and six others stamped over 10-12 days according to witness James Doherty. Ford and partner Latham had bought casks off William Miller to cure four tons of beef. Thomas Bamford was their cooper employed to seal the casks, whereabouts unknown.[63]

Cook was concerned that absconding convicts such as Ford were easily able to obtain work among an increasing population of either ex-convicts or people simply anxious to obtain a worker and not keen to ask too many questions. As Cook

described an absconder from his own property, named Joseph Ailkens, he was 'a sort of rough carpenter and being a plausible fellow will easily find employment'.[64]

This concern grew as settlement on the Peel River to the north opened up new opportunities for employment far from authority. Cook wrote in May 1835 of five absconders from AAC lands who, once past Maitland, hoped to find employment on the Peel. Cook suggested mounted police be sent to recapture them and a fine imposed on any that employed them.[65]

Soon after this, in July 1838 Cook emphasised the point that settlers too easily assisted runaways by detailing the case of Pat Brady (alias Brown) who absconded in December 1836, taking a steamer to Sydney (presumably paying with money he should not have had), from where he walked to Parramatta. Here he took up with a party being taken down to Port Philip, being paid £3. He then returned to the Hunter region and took a contract with Mr Dawson of Black Creek as a shepherd for £22 and a large ration 'without anything to show for his freedom'.[66]

Cook would have been pleased when in the following October he was able to summons 'a Mr MacKay for harbouring & employing 2 convicts illegally at large', namely Bing Petty and John Smith.[67] However, continuing frustration over this issue was expressed soon after when Cook wrote that 'Bushranger is merely a prettier name for High Wayman' and complained again of people 'harbouring & employing'.[68] The crackdown in this area continued, and in November at least three people were fined substantially for 'harbouring & employing': R. B. Dawson of Black Creek – £224/14/4; Alex McLeod – £112/9/8 and Alex L. Dave – £112/9/8.[69]

Convicts – mental health

The magistrate often needed to deal with problems relating to the mental state of convicts. At least one prisoner complained enough to receive some attention from Cook, who wrote to Doctor Park at Paterson that he was sending Thomas Ford, who had been some time in the lock-up and wished to consult a medical practitioner for an 'imaginary disease'. Cook sent him to the Paterson lock-up where Dr Park could advise him.[70] A little later Cook seems to have modified his opinion, writing that Ford, who had been charged with cattle stealing, 'seems to labor under some nervous affliction – arising I believe from confinement and anxiety of mind'. Cook suggested Ford 'be either committed for trial or at once discharged'.[71]

In November the same year Ford's 'anxiety of mind' was recognised, another prisoner, this time in the watch-house at Stroud, attempted to commit suicide. John Williams was declared insane and sent to Newcastle.[72] Early in 1839 a servant of James Walker of Brookfield was declared not fit for service due to his being subject to 'common fits'. Walker was therefore short of hands.[73]

Other cases seem less clear, as when the wife of local landowner Mr Hooke requested leniency for a Mary Williams, who had been absent without leave and

placed in solitary confinement. Later Mary was declared 'filthy' and diseased and sent to Newcastle.[74] And in another case, the situation was clearer but the solution less so when Cook, concerning a Mrs Park, wrote: 'What is best to be done for a woman in her destitute situation?' All he could do was send her and her two children to Newcastle jail 'to await His Excellency's pleasure regarding them'.[75]

In addition to mental health problems the risk of death was also high and investigation of deaths, including the many accidental ones, were also the preserve of local magistrates. At 'Cairnsmore', the estate of Crawford Logan Brown, according to the deposition taken by Cook, William Mitten was 'killed by an explosion of gunpowder which he himself had placed in a well for the purpose of blowing up the rock'.[76] That same month an inquest was held into the death of a servant of W. J. Forster, named William Wilson, killed by a falling tree.[77]

Two months later there was another death by falling tree, this time on AAC property, of Robert Launders, who had just come to the colony. Cook was moved to think in terms of prevention and wrote to fellow magistrate and sometime Commissioner of the AAC, Edward Ebsworth that, as this was one of four such cases in four months and that as many such accidents were due to 'inexperienced youth', such people should be paired with 'old hands' to provide training.[78] It is not known if this was done. Cook was also concerned with drinking and the following year suggested a ban on selling more than two gallons at a time.[79]

Cook in some letters does appear to show sympathy on occasion for others. William Dewhurst lost his ticket of leave as a warning to other overseers of the value of the flocks of the AAC. Dewhurst, it seems, was able to be understood only by George Jenkins, who had been superintendent at the AAC for many years and Cook suggested that Dewhurst be sent to Liverpool Plains where Jenkins now lived.[80] In apparent contrast to this concern, when his own servant John Flynn died in hospital, Cook applied to the Commissioner of Assignment to send another, in 'stout health' and 'one that can eat his bread and earn it'. Cook declared that as he had 40 acres cleared he was entitled.[81] The next day Cook wrote to the Superintendent of Convicts to inform him that John Flynn had had an accident 'on my farm' in early February and had died.[82]

Traditional owners

While dealing with various aspects of the convict population was the main concern of the magistrate, the remaining traditional owners also often came within the purview of the Dungog bench.[83] In April of the first year of the Letterbook, a request for arms and ammunition was made because 'at present the Aborigines are very troublesome', with mounted police from Patrick's Plains also requested due to a spearing and 'well grounded alarm'.[84] In the same month a John Flinn was killed

in the camp of 'our own tribe' and 'although Blacks may not be considered as being of such importance as Whites in these cases', Cook's predecessor Magistrate Moffatt nevertheless committed the accused murderer for trial.[85]

Some of the early letters are signed not by magistrates but by the Clerk of the Bench, D. F. MacKay, a local landowner. MacKay wrote to nearby Paterson for assistance in July 1835 when he felt 'the Blacks have again commenced committing serious depredations in the neighborhood', including spearing cattle in the bush opposite his own residence.[86] Earlier in the year, a reward was offered for 'an Aboriginal Black named Jemmy' for 'many outrages'.[87] The following year reference was made to the murder of Mackenzie's men on the Gloucester in May 1835, the accused being 'Jemmi' and 'Kotra Jacki'.[88] Lawrence Myles, JP, also requested mounted police in May 1836 under the shadow of this attack, citing 'intelligence that the Blacks are becoming more troublesome'.[89]

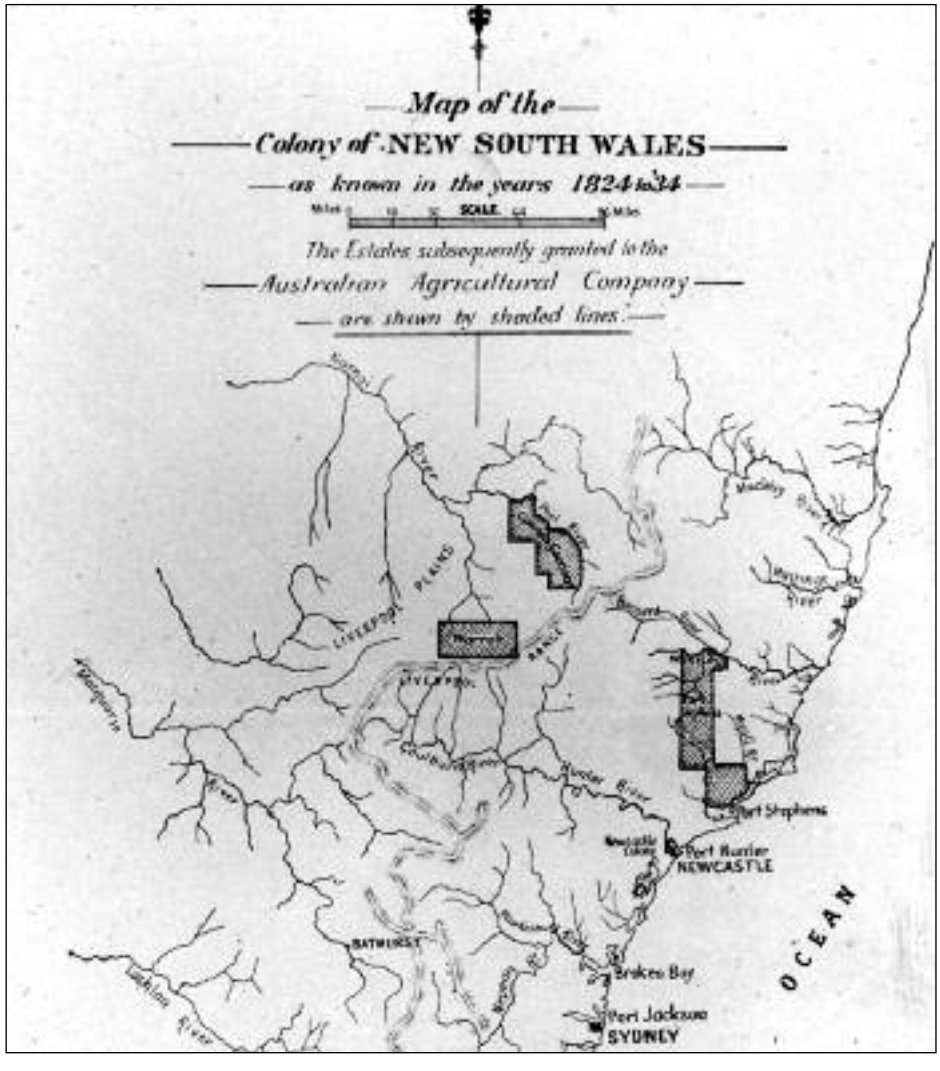
In the beginning of 1836, for example, Cook too was fearful of a rescue attempt being made on 'Black' prisoners being sent to Newcastle and requested two troopers from Maitland.[90] This was granted and in September, MacKay, as Clerk of the Bench, wrote that 'Jimmy' was sent under escort of two mounted police and a reward of £10 was to be paid.[91]

Dealing legally with the local Aboriginal people meant talking to them and in July 1834, a request was made for the Reverend Lancelot Threlkeld, a missionary working on the nearby coast who had learned a related Aboriginal language, to act as interpreter in King vs Jacky.[92] Possibly, this was the same Jacky sent down to Maitland the year after for the 1831 spearing of a Robert Weddis, from where he would go by steamer to Sydney.[93]

In theory the traditional owners were not only subject to the law administered by Cook but also under its protection. In 1837 an incident occurred that shows the limits to the authority of the police magistrate, at least in dealings that concerned the native people. Cook needed to write to 'The Hon E. Deas Thomson', the Colonial Secretary, seeking advice on how to proceed in a 'case of native wives being detained against their will and that of their friends'. After a 'formal complaint by a respectable person' was made in favour of five Aboriginals, Cook interviewed the five 'blacks', including Fullam Derby and Pirrson, whom he described as 'most intelligent fellows', and that 'Derby is a king and speaks English well'. Cook discovered that the superintendent of Mr John Lord, Mr Flitt, had detained their wives, in fact that he 'keeps quite a seraglio'. Cook sent a note to Flitt 'via one of the blacks', only to have them report back that Flitt had torn it to pieces. Cook wrote that he 'feared ill blood and foul murder may result', and requested 'instructions how to proceed'.[94] While the results of this case are unknown, it is apparent that Flitt's arrest was not one of them.

Jurisdiction

If the local people found it difficult to invoke the protection of the law, the more recent arrivals, or at least those with land grants, felt more confident complaining about it. Thus, the newly established settlement of Upper Williams, soon known as Dungog, was a convenient link between the AAC lands to the east and the much larger settlement at Maitland on the Hunter River, and this position was a reason for its early courthouse. However, Dungog was not so convenient for those living along the Allyn River, which runs parallel to the Williams, and settlers there wrote in 1836 to request they be allowed to deal through magistrates at Paterson rather than Dungog.[95]



The Australian Agricultural Company Grant covered large tracts of land in the Dungog/Port Stephens district. (RAHS Glass Slide Collection)

The question of whether Allyn River settlers belonged to Paterson or Dungog was part of the evolving administrative organisation of the Sydney-based government and as part of this, a census was to be taken, which in turn required the district's boundaries to be defined. In 1836 these were from Singleton's Mill, the head of navigation above Clarence Town, then west to Stony Creek, that creek being the south-west boundary, then north to the head of the Williams, including Wallarobba.[96]

Routine

Much of the magistrate's work involved administrative routine such as the sending on of monies collected to Sydney. In October 1837, for example, £41/16/2 was paid to the Colonial Treasury and £2/10/- to the Benevolent Society.[97] In the October quarter of the following year a total of £63/2/8 was collected in fines and £22/10/- in fees.[98] Other routine matters for the magistrate included advising Donald Campbell, the poundkeeper, that he needed to move closer to the pound, or resign.[99] This was in response to a complaint by William Miller of Glen William to whom Cook wrote saying that Campbell had come to see him and promised to move.[100]

Thomas Cook was an active magistrate and often wrote in an attempt to improve facilities, such as the lock-up at Dungog.[101] He was also responsible for the facilities at Stroud, but here he needed to rely on the Australian Agricultural Company, a bureaucracy it seems every bit as slow as the government's, and so he also wrote to speed up the new lock-up at Stroud.[102] As well as facilities, Cook frequently sent reminders about arrears of pay for his Lockup Keeper, John McGibbon, and about expenses paid during the 1837 Census.[103] Money was still owed McGibbon six months later and eight months after the census.[104] And in a reminder that the system was not only slow but brutal, Cook requested 'scourging Cats' at the same time that he required ammunition, flints, and handcuffs; obtaining each from a different department of government.[105] In December 1837, a request was made for less violent but urgently needed 'fine foolscap paper and Quills'. Cook asked that these to be sent by the sloop *Northumberland* to Clarence Town, or if that had sailed, by steamer to Raymond Terrace.[106]

Resources

Cook was Magistrate of two police districts, the Upper Williams River (courthouse, Dungog) and Port Stephens (courthouse, Stroud) and thus oversaw considerable resources. The AAC, whose many convict shepherds caused much work for the court, was required to share some of the expenses, such as a new lock-up and payment of constables.[107] In 1837, the force Cook controlled within the Port Stephens district was three constables paid by the government and four constables plus a 'scourger' paid for by the AAC.[108]

The Letterbook provides a fascinating snapshot of the wide range of matters that magistrates were required to deal with. (Photo Michael Williams, July 2010)

The full force of the law under Police Magistrate Cook is laid out in the 'Statement of the Police force authorized and existing in the Districts of Port Stephens and Upper Williams River up to the 30th June 1837', viz:

Dungog	**Port Stephens**
1 Resident Magistrate	
1 Clerk	3 Ordinary Constables in Government Pay
1 Gaoler	a Clerk
1 District Constable	4 Ordinary Constables (one acting as Lockup keeper)
3 Ordinary Constables	and Scourger in AAC pay and 1 Scourger'[109]

The previous Chief Constable had been paid £75 per year and the current District Constable @ 3/- 'per diem'.[110]

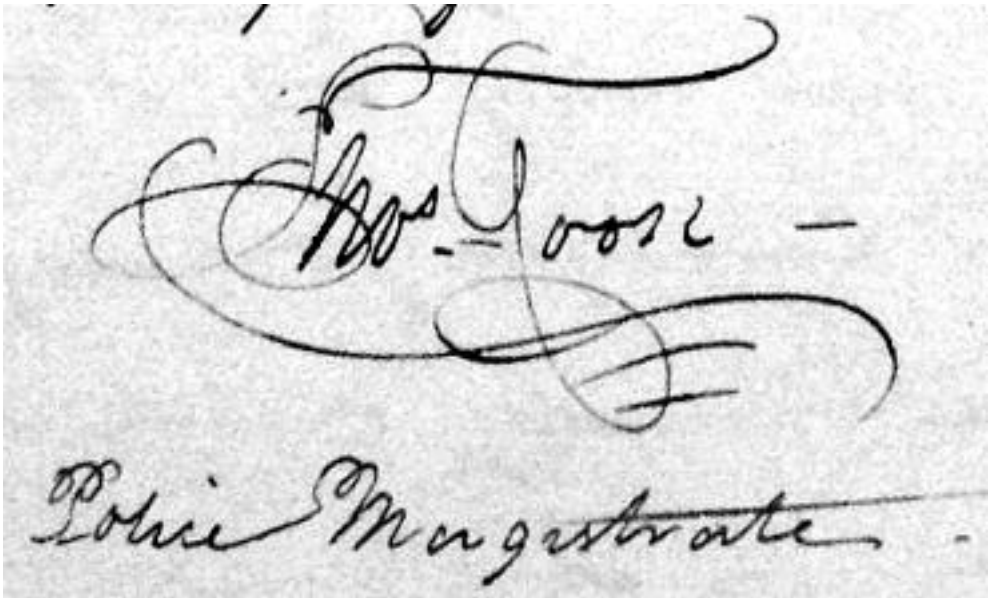
In 1838, Cook gave a clear account of the budget of his domain in an estimate of expenses for the following year, including 'absolutely necessary' expenditure on facilities.[111]

Estimated Expense 1839

Dungog		
Magistrate	£250	
Clerk	£100	
Chief Constable	£75	
Lock up Keeper	£54	
3 Ordinary Constables	£139/10/-	
Scourger	£40/10/-	
		Total – £659
Port Stephens		
Lock up Keeper	£54	
2 Ordinary Constables	£81	
Scourger	£40/10/-	
		Total – £175/10/-
Rations for Lockup & gaol	£40	
Lighting	£2	
Escort expenses	£3	
Postages	£3	
		Total – £48

Supplementary	
Verandah for Courthouse 'absolutely necessary'	£10
Rebuilt chimney	£4
Magistrates Rm (renovation)	£6
Minor repairs Court Hse/Lockup	£6
Lockup House with 2 strong rooms	£40
	Total – £66

This came to an annual budget to run the two police districts of £948/10/-.



The signature of Police Magistrate Thomas Cook.
(Photo Michael Williams, July 2010)

Cook was also responsible for changes in the personnel and needed to inform the Colonial Secretary that Alexander Hamilton, the lock-up keeper in Stroud, was relieving for McGibbon in Dungog;[112] also that John Powers had been appointed scourger at Stroud at 2/3d per day and 'performs his duty well'.[113] Similar information was conveyed to Dumaresq at the AAC when it was recommended that John Powers continue as scourger and the AAC Commissioner noted that this was not a claim on the AAC. In the same letter, Cook reported he would be visiting the next Tuesday and 'will be glad to listen to any case you or Mr Arkins may have to bring forward'.[114] Later in the year, McGibbon transferred to Stroud as lock-up keeper and was replaced in Dungog by James Boland.[115] In March 1838, Constable Brown resigned, eventually becoming a clerk in Sydney gaol.[116]

Sometime during 1837, Cook's control over the AAC constables seems to have been withdrawn.[117] Nevertheless, Cook continued to complain about this large landowning company, this time to a fellow Police Magistrate, about being forced to hold court in a 'Common School Room'.[118] Perhaps the Colonial Secretary was also becoming frustrated with the complaints, however, this official merely wrote to 'call your attention to the expediency of acting in concert with the Commissioner'.[119]

Infrastructure

Due to the increasing number of absconders from the AAC, a 'small force of mounted police' formed by 'Sir Rich Bourke KGB', was established at Dungog at around the time Thomas Cook was there. However, as Cook pointed out, no accommodation was available, but a 'slab-building' could be put up by the government party and a long requested watch-house and lock-up keeper's apartments at the same time. All of which was 'now undisputedly necessary'.[120] In support of his feeling that more buildings and accommodation were needed, Cook provided the Colonial Secretary with a detailed description of what existed at the time in terms of police buildings in Dungog. There was the courthouse itself, off which was a small consulting room and 'a dark place' for securing property in charge of the police.

The dimensions of the rooms were:

Court Room	18 feet by 14 feet with a 9 foot ceiling
Consulting Room	9 feet by 8 feet with a 9 foot ceiling
Place for books	9 feet by 6 feet with a 9 foot ceiling
Yard	80 feet by 54 feet and a 10 foot fence
Cells	7 feet by 4 feet, height 7½ feet[121]

The cells at the back of the courthouse were surrounded by a high slab fence. It seems these cells were for prisoners sentenced to solitary confinement, although as Cook pointed out, they were not much good for this purpose as the prisoners could talk to each other. In these cells sometimes eight to 10 prisoners could be kept for days or weeks awaiting a second magistrate. This was a 'great inconvenience' – whether for Cook or the crowded prisoners is not clear.[122]

Australian Agricultural Company

Relations with the AAC were sometimes difficult, as with a dispute in August 1837 over the cost of feeding a prisoner in custody. According to Cook, 'when convicts are sent by their masters to any lock-up in the country, to await the appointed day for the coming of a Magistrate, it is understood the culprit brings his rations with him; but having once been before the Court and remanded, all subsequent expense falls on Government'.[123] This is a fine distinction about one's status in custody that must have left many convicts wondering where their next meal was coming from.

Some time later Cook's frustrations in his dealings with the AAC is evident in the mild scorn he allows himself in a letter to fellow magistrate Major Johnston, when he wrote that the Commissioner of the AAC had discovered that he was 'on an equal footing with other respectable settlers in regard to the assignment regulations'.[124] Difficulties with the AAC over petty matters continued, however, such as when Cook wrote concerning a dispute between Thomas Brown, one of his constables based in Port Stephens and described by Cook as 'ready, steady and active in the performance of his duty', and the AAC, which had refused to sell the constable provisions from the public stores.[125] It was the government, Cook reminded the AAC, that had requested a lock-up keeper, two ordinary constables and a scourger be placed 'on the north side of the Williams'.

Postal service

In addition to legal matters, the postal service was also part of a magistrate's responsibilities and in the Letterbook's opposite end are a few letters written concerning post office matters. This was because at first the Clerk of the Bench, Duncan MacKay, also handled postal matters. The first of these letters is in fact MacKay's resignation, in which he stated that William Cormack would act as Post Officer but not if he got the Clerk of the Bench position.[126] Cormack is described by Cook in another letter as a 'respectable free Emigrant'.[127] Two months later Cormack himself writes to the Post Master that he is too busy as he often spends a week in Port Stephens, a fortnight if a flood and that court related work had trebled since MacKay resigned. Cormack felt he could find someone in Dungog for the role if the salary were £30 a year,[128] a salary that Donald Campbell, the poundkeeper, was willing to accept, according to Cook.[129]

Regardless of the salary paid, not all was satisfactory with the mails and in September 1837 Cook complained about the post service; Friday's letters arrived in Sydney the following Thursday and Tuesday's letters the following Monday, while special letters required the expense of being sent down to Raymond Terrace.[130] The postal service seemed to be in high demand and in November 1837 a total of £9/12/11 was taken in postage over three months.[131] In March the following year a joint complaint was made about the poor postal service, signed by Cormack and two

others.[132] Complaints continued nevertheless and Cook was forced to declare that postal delays were not his fault.[133]

Dungog town

In 1838 a Dungog town plan was drawn up, with allotments to be sold at auction. Cook was involved in the preparations for this, writing to Colonial Secretary Thomson that no allotments had yet been sold in Dungog but a ready market would be found when 'properly defined and portioned off'.[134] In October that year, Cook received the 'plan for this township', which he 'kept for the inspection of the Public'.[135]

The need for a town at Dungog was perhaps based on a government survey undertaken the year before. Magistrate Cook had sent out this survey of both Upper Williams and Port Stephens requesting information on the average wages of 'mechanics' and prices in the district for the six months to 30 June.[136] The major landowners surveyed in Dungog were James Marshall, C. L. Brown, W. H. Windeyer, James Walker, Lowe, D. F. MacKay, John Hooke, J. Forester, Myles, E. Ross, Barrymore, Meyer, and Holmes. The information was returned and compiled by the beginning of November and included average wages, with and without board and lodging, numbers required in addition to those already employed and average prices. Overall, Dungog was a more expensive place than Port Stephens but paid higher wages.[137]

Return showing the average Prices of Provisions and Agricultural Produce in the District of the Upper Williams for the Six Months until 30th June 1837

Articles	**Average Prices**
Maize	3/6 – 4/- bushel
Wheat	6/6 – 7/- bushel
(Indian) Corn	3 – 4½ lb
Beef	3½ – 4 lb
Pork	6 – 7 lb
Mutton	6 lb
Tea	3/- – 4/- lb
Sugar	6/- lb
Tobacco	3/6 – 4/- lb
Butter	1/6 – 2/- lb
Cheese	6 ?
Milk	3 quart

NB: When the Settlers here supply their free servants with groceries, they usually charge 25 per cent on the Sydney prices.

Return showing the average Prices of Provisions and Agricultural Produce in the District of Port Stephens for the Six Months until 30th June 1837

Articles	**Average Prices**
Maize	2/6 – 4/- bushel
Wheat	4/- – 9/- bushel
Barley	4/- – 5/- bushel
Tobacco	2 – 3 lb
Lemons, Potatoes	
& every vegetable	½ – 1 lb
Flour, Fine	2½ – 3½ lb
Flour, Seconds	2 – 3 lb
Beef	4 – 5 lb
Mutton	4 – 5 lb
Pork	6 – 8 lb
Tea	2/6 – 3/- lb
Sugar	6 – 7 lb
Salt	1½ lb
Soap	6 – 7 lb
Cheese	6 lb
Butter	1/- – 1/6 lb
Talcom	4 – 5 lb
Hogs lark	6 – 8 lb
Lamp oil	3/- – 3/6 gal
Rum	16/- gal
Wine (cup?)	5/- – /8/-

Return showing the average Wages of Mechanics & Others in the District of Upper Williams for the Six Months until 30th June 1837 and the numbers required in addition to those already employed

Trade	**Average Wages per day without B&L**	**Per Annum with B&L**	**Number required**
Carpenter & Joiner (rough)	4/- – 5/-	£40 – 50	15
Cabinet Maker	6/- – 7/-	£70 – 80	5
Blacksmith & Farrier	6/- – 7/-	£70 – 80	6
Wheel Wright	7/-	£80	4
Cooper	4/6 – 5/-	£40 – 50	2
Stone Mason	5/- – 6/-	£60 – 70	5
Brick Maker	5/- – 6/-	£60 – 70	4
Sawyer	5/- – 6/-	£60 – 70	10
Fencer & Splitter	4/6 – 5/-	£40 – 50	0
Shoemaker	4/-	£40 – 45	5
Taylor	4/6 – 5/-	£40 – 50	2
Nailor	5/- – 6/-	£60 – 70	1
Plasterer	6/- – 7/-	£70 – 80	5
Turner ?			2
Harness Maker			1
Shepherds	3/6 –	£30 – 35	12
Laborers of all sorts	3/- – 3/6	£25 – 30	150

Return showing the average Wages of Mechanics & Others in the District of Port Stephens for the Six Months until 30th June 1837 and the numbers required in addition to those already employed (allowance for B&L 10/- – 12/- per week)

Trade or Calling	Average Wages per day without B&L	Per Annum with B&L	Number required
Builder	about 6/5	£100	
Carpenter & Joiner	about 1/11	£35 – 35	4
Bricklayer & Plasterers	about 3/10	£60	2
Saddler & Harness Maker	about 2/7	£40	1
Blacksmith	about 3/10	£60	1
Farrier			1
Shipwright	3/2 –	£50	
Brickmakers	1/-	£15 – 20	
Sawyers	are generally paid by the price 7/6 per 100 feet sawn timber		
Bullock drivers and shepherds	1/- – 1/6/-	£20 – 25	
Laborers	1/- – 1/6/-	£20 – 25	

At the beginning of 1838, another return was required, this time concerning an 'estimate of Agricultural Produce'. One flour mill and one threshing machine was reported in the Upper Williams district and one mill and two threshers in the AAC lands, but no quarries or mines.[138]

Conclusion

The Dungog Magistrate's Letterbook ends in early 1839 as it began, with routine matters, such as fines being sent to the Benevolent Institution and a deposition being taken in a robbery case.[139] Also at the beginning of 1839, Thomas Cook, writing from his estate, Auchentorlie near Dungog, took the 'oath of allegiance' and so was prepared to continue in his position. This he does until cost cutting in 1843-44 saw him acting as an unpaid magistrate just as any landowning JP, such as John Hooke and others he had dealt with.[140]

The scope of duties of the Dungog Magistrate can be seen to be wide-ranging; from the punishment of prisoners and routine ticket-of-leave applications, to collecting statistical information, forwarding on of fines, fees and 'Benevolent

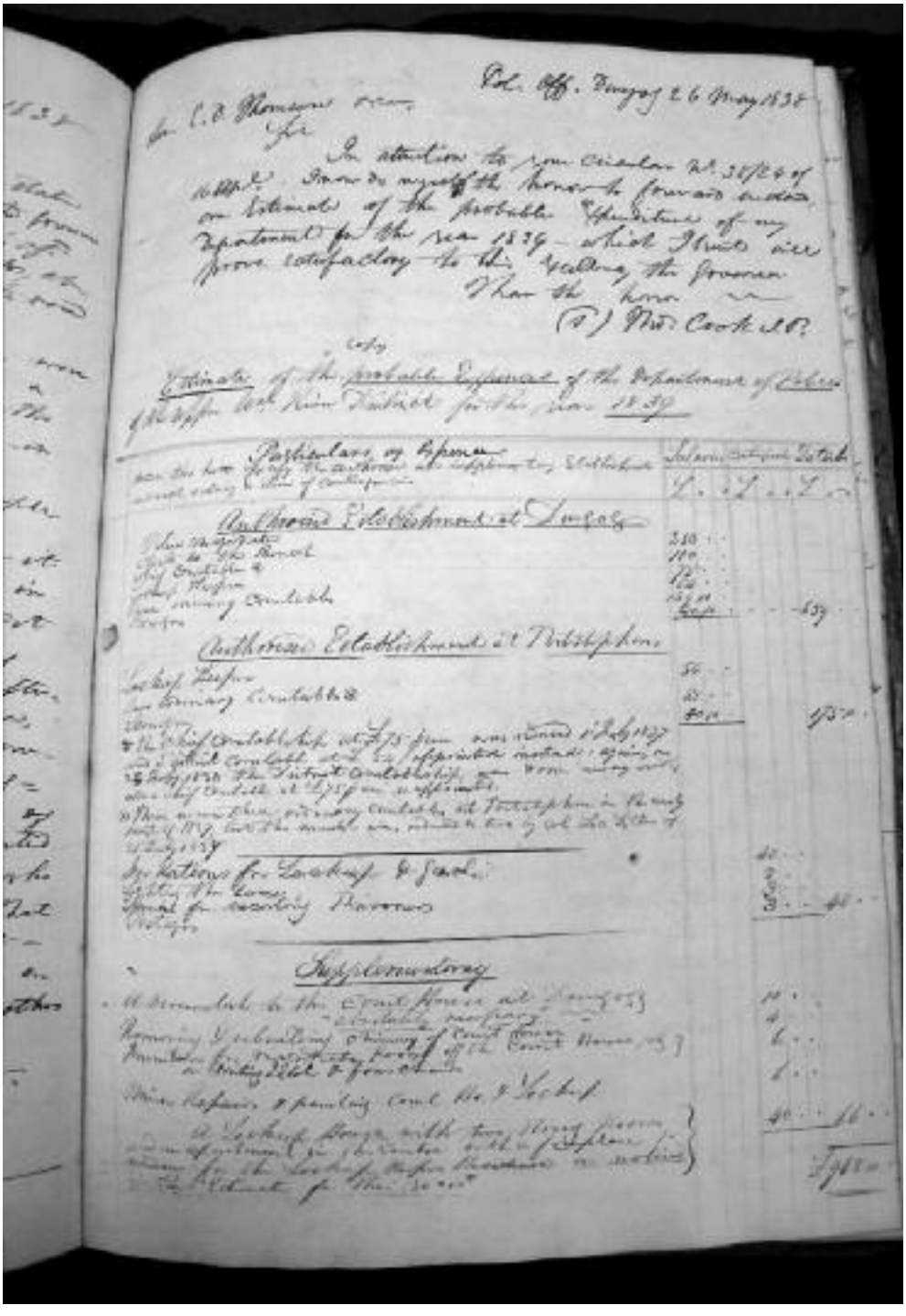
Society' collections, as well as ordering supplies and hiring constables, including 'scourgers'. Much is also revealed about this community, anomalous or otherwise, through the nature of the most common offences brought before the bench: absconding, being absent from one's district of ticket of leave, cattle stealing, and harbouring absconders. Also exposed in the letters is the administration's weakness in dealing with the oppression of the original inhabitants of the Williams River valley by those nominally under its authority.

The clerical methods employed can also be seen, such as the practice of referring to a convict or prisoners in general terms in a letter and then adding the name in the margin. The identification of convicts was via their ship of arrival, and sometimes the length of their sentence, a system that seems to have worked, with only one case where identification could not be determined.[141] Other traces of the administration's procedures can be noted: the varying handwriting as the scribe or Clerk of the Bench changes, or the red sealing wax used to glue in the occasional loose sheet. Another touch, this time of the hierarchy inherent to the administration, is demonstrated by the formal acknowledgments used, graded according to the status of the person addressed, as in: 'Sir', 'I remain', 'I have the honour…', and 'I do myself the honour ...'[142]

The need for the magistrate to balance the legal requirements of a convict-based system with the landowner's requirements for labour is seen in letters discussing punishments that lessen the usefulness of an assigned convict.[143] This is most clearly observed in a dispute between landowners over the transfer of a convict with the sale of land.[144]

The checking of identification for possible absconders is a recurring matter, even if most often displayed in the magistrate's frustration that this was not being done enough.[145] This inbuilt tension within the system is seen to increase when the landowner is the Australian Agricultural Company, an ongoing source of concern for a magistrate given charge of the AAC's area and, it seems, purposely stationed outside it in response to earlier pressure being brought to bear on the nominal representative of the Crown.[146]

Rare aspects of the lives of those on the fringe of society are also glimpsed in cases where a convict is certified insane, a mother is sent to jail because she is destitute, or when a traditional owner speaks English sufficiently to tell the magistrate that women of his group are being held against his (and presumably their) will.[147] Names appear and then disappear back into the obscurity of the past. And although these are official letters, some of the personality of Police Magistrate Thomas Cook slips through from time to time, such as in his concern for the accidental deaths of young newly arrived convicts and his suggestions for improved training, his frustration with the actions of the AAC, and his apparently futile efforts with the original inhabitants. These attitudes, alongside Cook's seeming callousness over the death of a servant, or his assumption of faking by a sick prisoner, provide a picture that is well within the range of average human strengths and frailties.



Magistrates' Letterbook for the police districts of Dungog and Port Stephens, New South Wales, 1834-1839. (Manuscript; nla.obj-232787744, National Library of Australia)

The Letterbook is scattered throughout with the names of members of this anomalous community. In addition to Police Magistrate Thomas Cook himself, there are those of landowners and grantees, names that are also known from other sources, such as Myles, Hooke, MacKay, Mackenzie, Lord, and Brown; names that even now appear on the street signs of Dungog town. There are also the names of various workers within the system, Clerks of the Bench D. F. MacKay and William Cormack, also known elsewhere, and of others less well known or known only in these pages: the pound keepers, William Spencer at Paterson and Donald Campbell at Dungog; watch-house keepers John McGibbon and James Boland at Dungog, and Alexander Hamilton at Stroud.

Not to be neglected are the many ex-convict enforcers of the law, constables such as Michael Connolly at Dungog, John Tippary and Patrick Conway at Gloucester, and James Edwards and Robert Mason of Stroud, and of course the scourger John Powers, also of Stroud. Naturally, there appeared before the Dungog Magistrate many convicts, such as the patient escapee Thomas Fogarty, the nervously afflicted Thomas Ford, the 'troublesome villain' Thomas Mullins and the much-desired John Lingfoot, most of whom, if they survived, would have eventually become 'free by servitude'.

Also appearing in these letters are the names, even if they are sometimes names of foreign origin, of the traditional owners of the Williams valley, Fulham Derby, McAuthy, Jemmi and Kotra Jacki, witnesses to, victims of and players in, the great changes influencing and destroying their society as the anomalous community glimpsed in this Letterbook establishes and transforms itself.

Perhaps no single letter in the Dungog Police Magistrate's Letterbook tells us anything previously unknown about this period of colonial history. But taken in its entirety the Letterbook provides a fascinating snapshot of this early handful of years at a time when magistrates were required to deal with a wide range of matters within a community that Thomas Cook quite rightly describes as 'anomalous'. Close reading of such sources can perhaps tell us more than broader approaches ranging over wider sources. It is because this source is so rich in detail that the preference has been to deal with it as a whole, leaving more specific analysis to the many specialists it will undoubtedly interest.

Western Sydney University

Notes

1 Magistrates' Letterbook for the police districts of Dungog and Port Stephens, New South Wales, 1834-1839, MS 3550, National Library of Australia (now digitised). All references are to the Letterbook unless stated otherwise. This volume of the Letterbook is the first of a series by the Dungog magistrates, separated and eventually finding itself in the National Library of Australia, while the rest of the series (by no means as interesting) is in the NSW State Archives (NRS-2965, Copies of letters sent, Dungog Court of Petty Sessions, 1839-1851).

2 For a history of Dungog, see Michael Williams, *A History in Three Rivers*, Dungog Shire Heritage Study, Carste Studio Heritage Consultants, Dungog Shire Council, 2014.
3 Mackenzie to Colonial Secretary, 16 April 1834. Then and now the AAC styles itself AACo, but this is never the case in the Letterbook.
4 *Sydney Gazette*, 16 November 1839, p 4.
5 Cook to Colonial Secretary, 15 July 1837.
6 Cook to Dumaresq, Commissioner for AAC, 11 October 1837.
7 Hilary Golder and Ian Pike, *High and Responsible Office: a history of the NSW magistracy*, Sydney University Press, Oxford University Press, Melbourne, 1991, p 37.
8 Golder and Pike, *High and Responsible Office*, p 42.
9 *Sydney Gazette*, 5 April 1834, p 2; *Sydney Herald*, 20 November 1834, p 3; 15 November, p 4.
10 *Sydney Morning Herald*, 21 November 1842, p 3; *Maitland Mercury*, 2 June 1852, p 3; *Sydney Morning Herald*, 12 February 1866, p 1. For more on the life of Thomas Cook, see Michael Williams, '"By the Pleasing Countenance of My Superiors": The life of Dungog Magistrate Thomas Cook, JP', https://williamsvalleyhistory.org/wp-content/uploads/2012/10/Thomas-Cook-final.pdf
11 The Australian Agricultural Company's archives are held in the Noel Butlin Archives Centre, Menzies Library, ANU, Canberra and are included in the UNESCO Australian Memory of the World Register.
12 Moffatt to Colonial Secretary, 3 January 1834.
13 Moffatt to Colonial Secretary, 31 January 1834.
14 Moffatt to Mackenzie, 7 March 1834.
15 Cook to Superintendent of Convicts, 27 December 1834.
16 Cook to Edwards, 30 August 1837.
17 Cook to Superintendent of Convicts, 21 January 1838.
18 Cook to Commissioner for AAC, 10 August 1837.
19 Cook to Colonial Secretary, 9 September 1837.
20 Cook to Alexander Macleay, 19 May 1835.
21 Cook to Superintendent of Convicts, 6 May 1835.
22 Cook to Superintendent of Convicts, John McLean, 17 October 1837.
23 Cook to Paterson Bench, 31 August 1837.
24 Cook to Colonial Secretary, 17 September 1837.
25 Cook to Colonial Secretary, 12 December 1837.
26 Cook to Henry Denin, Brisbane Waters, 5 January 1837.
27 Cook to Colonial Secretary, 25 August 1838 and 17 September 1838.
28 Cook to Colonial Secretary, 6 October 1838.
29 Cook to Colonial Secretary, 1 November 1837.
30 Cook to Colonial Secretary, 21 September 1837.
31 Cook to Colonial Secretary, 12 October 1837.
32 Cook to Police Magistrate, Maitland, 24 November 1838.
33 Cook to Colonial Secretary, 21 September 1837.
34 Cook to Cormack, 23 November 1837.
35 Cook to Colonial Secretary, 27 March 1837.
36 Cook to Colonial Secretary, 8 August 1837.
37 Cook to Commissioner for AAC, 18 July 1837 and 19 July 1837.
38 Cook to Pilcher, 1 October 1837.
39 Cook to Ebsworth, 8 June 1838.
40 Cook to Superintendent of Convicts, 11 July 1838.

41 Cook to Superintendent of Convicts, 31 January 1839.
42 Cook to Police Magistrate, Paterson, 26 January 1839.
43 Cook to E. Deas Thomson, 18 June 1838.
44 Cook to Police Magistrate, Paterson, 21 September 1837.
45 Mackenzie to Colonial Secretary, 18 September 1834.
46 Cook to Police Magistrate, Paterson, 25 August 1838.
47 Cook to E. Deas Thomson, 8 February 1839.
48 Cook to E. Deas Thomson, 26 October 1837.
49 Cook to Holden, Government House, 7 October 1836.
50 Cook to Superintendent of Police, Newcastle, 16 December 1836.
51 Cook to John Ryan Brennan, 26 April 1837.
52 Cook to Bench of Magistrates, Newcastle, 26 September 1838.
53 Cook to Hooke, 23 November 1837.
54 Cook to Commissioner for the Assignment of Servants, 26 October 1837.
55 Cook to Myles, 22 December 1837.
56 Cook to Hooke, 22 December 1837.
57 Cook to Hooke, 22 December 1837.
58 Cook to Slade, 16 January 1838.
58 Lawrence Myles to Police Magistrate, 18 December 1837. (This is the only example in the book of a copy of a letter addressed to the Dungog court rather than being as all others, an outwards letter.)
60 Cook to Colonial Secretary, 19 December 1837.
61 Cook to Superintendent of Convicts, 17 March 1838.
62 Cook to Superintendent of Convicts, 21 March 1838.
63 Cook to Colonial Secretary, 17 October 1837.
64 Cook to Superintendent of Convicts, 19 December 1837.
65 Cook to Colonial Secretary, 26 May 1838.
66 Cook to Colonial Secretary, 23 July 1838.
67 Cook to Police Magistrate, Paterson, 8 October 1838.
68 Cook to Colonial Secretary, 20 October 1838.
69 Cook to Clerk of the Peace, 24 November 1838.
70 Cook to Park, 23 February 1838.
71 Cook to Alexander Livingston, 5 March 1838.
72 Cook to Colonial Secretary, 14 November 1838.
73 Cook to Colonial Surgeon, 1 February 1839.
74 Cook to Colonial Secretary, 9 February 1839.
75 Cook to Colonial Secretary, 6 June 1838.
76 Cook to William Dun, 10 August 1837.
77 Cook to William Dun, 18 August 1837.
78 Cook to Ebsworth, 6 October 1837.
79 Cook to Colonial Secretary, 25 April 1838.
80 Cook to Superintendent of Convicts, 2 December 1837.
81 Cook to Commissioner of Assignment, 2 March 1838.
82 Cook to Superintendent of Convicts, 3 March 1838.
83 For an account of the Indigenous peoples of the Williams River commonly known as the Gringai, see Michael Williams, '2.1 Aboriginal', *A History in Three Rivers*, pp 15-31.
84 Mackenzie to Colonial Secretary, 4 April 1834.

85 Mackenzie to William Dun, Coroner, Paterson, 15 April 1834.
86 MacKay to Major Croker, Officer Commanding, Paterson, 2 July 1835.
87 MacKay to Paterson Magistrate, 21 January 1835. (See also *NSW Government Gazette*, 30 May 1835 and 15 July 1835.)
88 MacKay to Attorney-General, 26 February 1836.
89 Myles to Lieutenant Beckham, Commander Mounted Police, Jerry's Plains, 20 May 1836.
90 Cook to Officer Commanding Mounted Police, Maitland, 29 January 1836.
91 MacKay to Francis Fisher, Crown Solicitor, 3 September 1836.
92 Mackenzie to George Brooks, Newcastle, 14 July 1834.
93 Cook to Attorney-General, 24 July 1835 and 8August 1835.
94 Cook to Thomson, 14 December 1837.
95 MacKay to McPherson, Collector of Internal Revenue, 20 August 1836. The original 'River William' gradually became 'Williams' River' and finally as now, the 'Williams River'.
96 Cook to Johnston, Superintendent of Police, Newcastle, 31 August 1836. The census was 2 September 1836.
97 Cook to Colonial Treasury, 27 October 1837, Cook to Richard Jones, 26 October 1837.
98 Cormack to Colonial Secretary, 1 January 1838.
99 Cook to Campbell, 24 August 1837.
100 Cook to Miller, 25 August 1837.
101 Cook to M. W. Lewis, Colonial Architect, 28 February 1837.
102 Cook to Commissioner for AAC, 2 August 1837.
103 Cook to Colonial Secretary, 26 April 1837 and 2 August 1837.
104 Cook to Attorney-General, 16 September 1837 and 25 October 1837.
105 Cook to Superintendent of Convicts, Major of Brigade, and Colonial Storekeeper, 3 March 1837.
106 Cook to Colonial Storekeeper, 2 December 1837.
107 Cook to Colonial Secretary, 22 July 1837.
108 Cook to Colonial Secretary, 3 July 1837.
109 Cook to William Lithgow, Auditor-General, 15 July 1837.
110 Cook to William Lithgow, Auditor-General, 3 July 1837.
111 Cook to Colonial Secretary, 10 August 1838.
112 Cook to Colonial Secretary, 30 September 1837.
113 Cook to Colonial Secretary, 30 September 1837.
114 Cook to Dumaresq, 22 November 1837.
115 Cook to Thomson, 5 December 1837.
116 Cook to Smith, 5 March 1838.
117 Cook to Colonial Secretary, 30 August 1837.
118 Cook to Police Magistrate, Illawarra, 11 October 1837.
119 NSW State Archives, Colonial Secretary's Correspondence, reel 2812: Colonial Secretary to Police Magistrate, Dungog, 18 October 1837.
120 Cook to Colonial Secretary, 18 August 1837.
121 Cook to Colonial Secretary, 16 August 1837.
122 Cook to Colonial Secretary, 16 August 1837.
123 Cook to AAC, 10 August 1837.
124 Cook to Johnston, 28 November 1838.
125 Cook to AAC, 17 August 1837.
126 MacKay to Post Master, 10 July 1837.
127 Cook to Colonial Secretary, 16 September 1837.

128 Cormack to Post Master, 15 September 1837.
129 Cook to Colonial Secretary, 26 September 1837.
130 Cook to Colonial Secretary, 26 September 1837.
131 Cormack to Post Master, 23 November 1837.
132 Cormack, Sullivan, Warn to Post Master, 17 March 1838.
133 Cook to Colonel Lacy, 30 July 1838.
134 Cook to Colonial Secretary, 17 March 1838.
135 Cook to Colonel Lucy, 27 October 1838.
136 Cook to Colonial Secretary, 3 October 1837.
137 Letterbook copy of returns, November 1837.
138 Cook to Colonial Secretary, 12 January 1838.
139 Cook to Colonial Secretary, 9 February 1839, 2 March 1839.
140 Cook to Colonial Secretary, 9 February 1839.
141 Cook to Principal Superintendent of Convicts, 15 November 1837.
142 These examples are to be found throughout the Letterbook.
143 Cook to Pilcher, 1 October 1837.
144 For example, Cook to Slade, Superintendent of Convicts, 19 March 1838. This case is discussed in detail below.
145 For example, Cook to E. Deas Thomson, Colonial Secretary, 23 July 1838.
146 *Sydney Gazette*, 16 November 1839, p 4, 'Report of the Committee on Police and Gaols'.
147 Cook to Ebswoth, 9 November 1838 (John Williams), Cook to Colonial Secretary, 6 June 1838 (Mrs Parker), and Cook to Thomson, 14 December 1837 (Fullam Derby).

IN THIS ISSUE

BOOK REVIEWS