John and Sarah Warby

"The past is a foreign country, they do things differently there." [1]

When writing about the past one has to keep in mind that moral values, social customs, clothes and food have changed. There were few maps, roads were bad, transport and communication between towns slow; words had different meanings. The writer relies on primary records, comprising government papers, the journals and letters written by people of the time. At its inception New South Wales was a gaol. Thus, arrivals, departures and movement within the colony of settlers, be they free or convict, were well documented. Difficulties writing about John and Sarah Warby have been exacerbated by the fact that neither could write their own name. We rely on the written evidence of other people when we try to gain a glimpse of their lives. Sadly, later generations who could read and write, generally left very little journalistic evidence of their experiences.

Both John and Sarah had moved away from their place of birth by the time they faced conviction in court. This makes it virtually impossible to trace them back to their parents. On the other hand, the fact that they had both experienced changed living conditions probably helped them when they faced the journey, with all its hardships, into the great unknown.

The story of John Warby commences at the village of Cottered in Hertfordshire, an inland shire bounded in the south by Middlesex. The countryside is undulating, the greatest rise being the chalk downs which are a continuation of the Chiltern Hills and rise to about 908 feet in the extreme north of the county. The countryside is primarily rural with a small amount of mining of chalk, shale and gravel. Wheat, barley, oats, pease, corn and turnips were the main crops in the late 18th century whilst sheep, cattle and pigs were the most common form of animal husbandry. The only manufacture was the cottage industry of straw platting, mainly for hats, which was considered the province of women and children who very often commenced working at four or five years of age.[3]

The village of Cottered was described in the 1930's by Arthur Mee, "Cottered: It gathers about its green, on which cows and donkeys graze in the shadow of tall elms. There is an ancient farm house and a church 600 years old." [2]

There is no record of John Warby being baptised at Cottered. The most likely boy with the surname Warby or a variation named John, baptised in a Hertfordshire parish, was the son of John Walby and Ann nee Sipthorpe baptised at Barkway on 18th February, 1770. If this is our John he had younger siblings, Mary, Richard, Nathan and Edward. However, John Warby's date of birth is not clear because the 1828 Census lists him as 54 which would make his year of birth, c1774. On the other hand his burial certificate states that he died in 1851 aged 84 years which would make his year of birth c1767.

St John the Baptist Church, Cottered, Hertfordshire. (Photograph by Margaret Joyce Warby)

Interior of St John the Baptist Church showing the medieval mural. (Photograph W. J. Nartlett)

Manor House at Cottered, Hertfordshire. (Photograph by Margaret Joyce Warby)

Thatched cottages in the main street of Cottered, Hertfordshire.
(Photograph by Margaret Joyce Warby)

The spelling Warby varies in early documents and probably depended on how the writer heard the spoken word. Coming from Hertfordshire, John would have rolled his "rs" so that they sounded like an "l". Warby with its various spellings is not an uncommon surname in Hertfordshire and in the Domesday Book it is spelt "Walbi—village on the wold" or moor.

John was described as a labourer in an area where farm labourers worked from six to six in summer, and from seven to five in winter, their usual wages being eight shillings per week in summer and six shillings in winter. Their work would include hedging or ditching, felling timber, cutting underwoods, threshing and winnowing, mowing, shearing and ploughing. Few labourers in Hertfordshire occupied their own cottages and only one or two possessed enough land to support a cow. A few labourers near large commons kept cows but the right went with the cottage which belonged to the farmer and so the right could be taken away. Towards the end of the 18th century Enclosure Acts were passed by parliament. The reason given was the need to produce more food to feed a growing population. The landed aristocracy dominated parliament and so the enclosed lands were generally added to large estates and poorer people lost the privilege of free grazing on common lands. More corn was grown, but the Enclosure Acts drove labourers off the land and into the towns and cities. Perhaps John Warby and William Deards were part of this floating population, working as paid labourers on large estates.

The first definite sight of John Warby is in the Calendar of Hertford Gaol, Epiphany (January) Sessions 1791. "William Deards and John Waby committed 4th November, 1790 by the Reverend Mr. Baker, a Justice of the Peace, charged on oath with stealing two asses the property of James Climance and William Hurst." [4]

At the Lent Assizes opening Thursday 3rd March, 1791 at Hertford before Sir Henry Gould, Knight, a Justice of the Court of Common Pleas, and Sir Beaumont Hotham, Knight, a Baron of the Court of Exchequer, "William Deards, late of the Parish of Cottered in the county of Hertfordshire, labourer, and John Walbey, late of the same, labourer, on the 28th day of October, in the 31st year of the reign of our Sovereign Lord George the Third, now King of Great Britain, with force of arms at the Parish aforesaid in the county aforesaid, one male ass of the price of eighteen shillings ($1.80) of the goods and chattels of William Hurst then and there being found feloniously did steal, take away against the peace of the King and a further charge relating similarly to the stealing on the same day of one male ass at the price of twenty shillings ($A2) of James Climance—puts himself, Jury say guilty—no goods. Transported beyond the seas for the term of seven years to such place as His Majesty with the advice of His Privy Council shall think fit." [5]

Militia lists of the time record James Climance as a carrier, probably of letters and parcels from Cottered to the nearest main town where, after 1784, a mail coach could take delivery to more distant places. William Hurst was a blacksmith who no doubt would have found use for a donkey which has traditionally been a beast of burden.

Why did John Warby and William Deards steal two donkeys? History does not say. It is one of the infuriating questions which cannot be answered.

Prisons, as we know them, are a comparatively recent idea. County goals were used to house those awaiting trial. The outcome of a trial was not a prison sentence, but the administration of violence or humiliation. Until the 18th century the recorded outcome of trials at the assizes where serious crimes were judged would be 'not guilty', 'guilty, whipped' or 'guilty, hanged'. Lesser crimes could be punished by periods in stocks or pillories, ducking on ducking stools, or judicial mutilation such as burning on the hand.

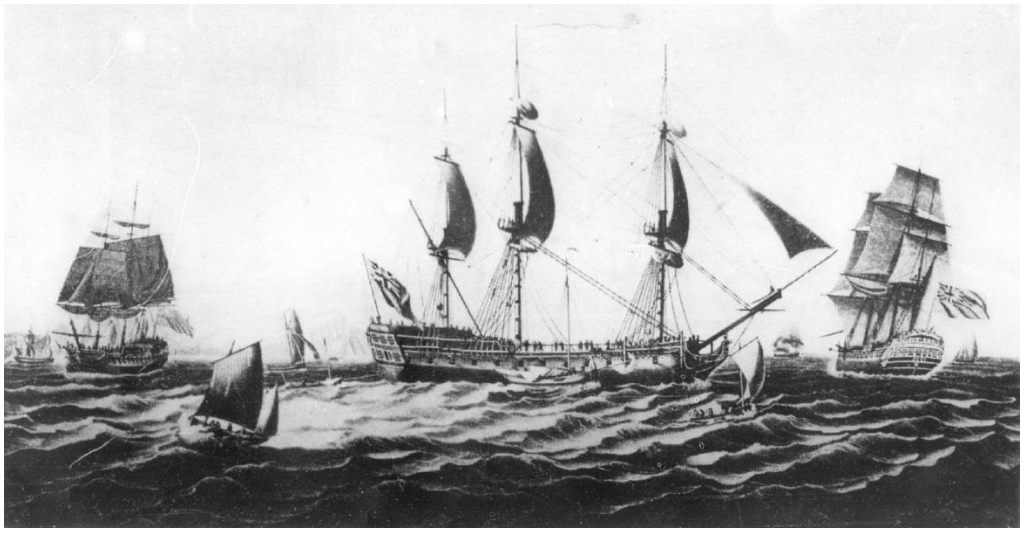
Prisoners were provided with only the bare necessities. If they had money they could pay for such privileges as hot food or proper beds. Prisoners without money were lucky to sleep on smelly straw on the floor and eat scraps of food and stale bread. Following outbreaks of typhus and smallpox the residents of Hertford petitioned for the construction of a new gaol in Hertford. In 1789 the keeper was able to report that debtors and felons were kept apart, that the cells were clean and well ventilated, although there was no separate accommodation for the sick and no baths were provided.[6] Conditions must have deteriorated by 1791. Towards the end of that year Cornelius Wilson wrote to his superiors regarding the state of Hertford Gaol:

"John Pestall committed 26th October, 1791 by Rev. K... until next quarter sessions, he is quite naked and very lousy so I have confined him in the women's ward, having none at present, until next meeting of the justices what I must do for him." Mr. Wilson went on to describe the very cramped conditions in the cells and he expressed his concern that there might be an outbreak of gaol fever (typhus).

In medieval times voluntary or involuntary exile was an option but transportation did not come into practice until Tudor times. In the early 18th century, in response to the rising urban crime rate, parliament made transportation the sentence for robbery, larceny, receiving, burglary and the destruction of property. By the early 1770's the British were transporting approximately 1,000 convicts annually, mostly to Virginia and Maryland. This practice ended when the American colonies revolted in 1776.[7]

On 30th May, 1791 the gaoler, who conveyed William Deards, John Warby and four others to the convict transport ship the *Pitt* at Graves End, was paid one shilling per mile over 45 miles.[8]

At the time the *Pitt* was the largest vessel to be employed in the convict service. She was built in the Thames in 1780. Before the *Pitt* sailed an anonymous complaint reported that in the prison section, should the 391 men be placed in the prison, every berth or space of eighteen inches would be occupied and, if a sickness should happen, a sick person would touch someone in good health. The women were accommodated in quarters built on the gun deck. The officers were also compelled to live in very cramped conditions. As a result of this report 33 sick male prisoners were re-landed.



The "Pitt" off Dover 1787. (National Maritime Museum, Greenwich)

The *Pitt* sailed from Yarmouth Roads on 17th July, 1791 and arrived at Port Jackson on 14th February, 1792. Before the ship reached St. Jago in the Cape Verde Islands there had been fifteen deaths from smallpox amongst the prisoners. It was very hot and an unhealthy season, but despite this, both the sailors and soldiers were allowed ashore. In the doldrums the *Pitt* experienced calms and incessant rain with severe thunder and lightning for a month, during which time she made scarcely any headway. The prisoners showed symptoms of scurvy and developed ulcers on their bodies and legs but otherwise remained comparatively healthy.

Among the soldiers and sailors and the families of the soldiers, who were also confined below decks because of the weather, a malignant fever appeared and it was said to have resulted in 27 deaths in a fortnight. The fever spread so rapidly that for some time they were almost afraid to approach each other. The *Pitt's* crew was so depleted, that when she left the doldrums and ran into heavy gales, some of the convicts were recruited to help navigate her. This would have been a welcome relief from the stench and heat experienced below deck. Major Francis Grose, who sailed in the *Pitt* with the middle contingent of the Rum Corps, claimed that the mortality rate amongst the soldiers and sailors was due to the dreadful stench which rose through gratings placed on each side of the ship. Although these gratings brought fresh air to the convicts below deck, the stench that rose from them was so dreadfully offensive as to bring on fever amongst the soldiers and sailors who slept above them. However, the *Pitt's* master, Edward Manning blamed the call at St. Jago for the fever which appeared amongst those who went ashore but did not spread to the convicts.

At Rio de Janeiro the sick were sent to hospital where they would have been treated for such complaints as fever, dysentery, boils, scurvy and mouth-rot caused by lack of adequate diet and cramped, unventilated accommodation. The healthier convicts were landed on an island not far from the ship where they were placed in the care of Mr. Jameson and given a diet of fresh meat, fruit and vegetables. Captain Manning found it necessary to send four convicts ashore in the ship's boats from which the convicts escaped. The captain feared they had drowned in the attempt although they could have been hidden in the convent of Friars. Fresh provisions and the spell ashore did much to restore the health of all.

Reluctantly after resting for three weeks at Rio de Janeiro, the *Pitt* resumed her voyage and 24 days later arrived at the Cape. By the time she arrived at Port Jackson, twenty male and nine female prisoners had died on the voyage and 120 men were landed sick.[9]

David Collins,[10] the colony's first judge advocate, recorded the disappointment of those already in the colony that the *Pitt* brought only salt provisions. The authorities in England had assumed that the colony was not short of flour and that grain might have been raised in the settlement. In March, 1792 Governor Phillip wrote to Henry Dundas, Secretary of State for the Colonies requesting, tools and clothing both of which were in very short supply.

By the end of 1972 Sydney was beginning to take on the form of a town. The central building was a complex of storehouses. After four years of famine the food situation had improved slightly. Vegetables were grown but the soil was poor. Food had to be stored safely and the new storehouses were important to the survival of the settlement. The new prison and gallows were a deterrent to pilfering. Ships rarely came to Sydney. A few American ships called and made a quick sale of desperately needed goods. British ships brought convicts and few supplies. Ships had to sail away in ballast, as there was nothing to export. There was little to indicate that within fifty years, Sydney would become a thriving port city. With eagerness to break the awful isolation, the men and women of Sydney awaited the arrival of a ship that might bring much needed provisions and news from home.

Convicts in Sydney in 1792 were housed in brick huts which were 26 feet long and 16 feet wide. About 10 convicts were housed in each hut. The huts had gardens in which Governor Phillip encouraged the convicts to grow their own vegetables.[11] Perhaps it was here that John first showed his much needed knowledge of agriculture.

Governor Phillip sailed from Sydney on 12th December, 1792. Before his departure, he settled John on fifty acres, five miles from Parramatta, close to Prospect Creek at the foot of Prospect Hill. *(See map* 1) From the highest point of Prospect Hill the Blue Mountains could be seen wrapped in a mysterious blue haze. Another 21 years were to pass before explorers found a way across this barrier to extensive grazing land on the western plains.

It is probable that John was allowed a year's provisions and a supply of clothes, seed grain and implements. In time he prospered but those first few years must have been difficult as he battled flooding rains one season and a drought the next. Familiar English farming methods would have failed and he would have had to adapt to different seasons and climate. He was lucky that at Prospect the soil was black and fertile and ranged between fourteen and twenty inches (36—51cm) in depth.

John married sixteen year old Sarah Bentley on 12th September, 1796. Surely this marriage was as blessed as that of the Biblical Sarah with descendants as numerous "as the sand upon the sea shore". The service was conducted by the Reverend Samuel Marsden and recorded at St. John's Anglican Church, Parramatta. Ten days previously a temporary church had been opened, built from the materials of two old huts.[12]

Sarah Bentley arrived in the colony following an indictment for stealing, on 27th July 1795, two cotton gowns, value five shillings (50c); a scarlet cloth cloak, value five shillings; a check linen apron, value six pence (5c); a muslin check handkerchief, value six pence and shawl handkerchief, value one shilling (l0c), being the goods of John Taylor. She was committed to New Prison, Clerkenwell.

At Sarah's trial on 16th September, 1795 her mistress, Jane Taylor of Hornsey said, "I took her in and educated her and brought her up; on Monday morning, I went to fetch a little water. I left that girl in

the house for a while, and when I came back she was absent and I was robbed." Here we have a glimpse of residential London with no piped water supply. Sarah probably went into service at the age of twelve and her education would have been in the skills of a housemaid and no more, as she could not sign her own name. Compulsory education did not begin in England until 1870.

James Aldens, the pawnbroker to whom Sarah attempted to pledge a gown, stopped her and took the things which she produced. He suspected that they were not hers because the dress was not her size. According to Aldens she told him that she came from the country and had no friends. He then took her to Marlborough Street where the goods were taken from her to be produced at her trial at the Old Bailey where she was sentenced to transportation for seven years.[13] Sarah sailed in the *Indispensable* which carried 133 female convicts, only two of whom died on the voyage.

The journey via Rio de Janeiro took about six months and the *Indispensable* arrived at Port Jackson on 30th April, 1796.[14]

Unfortunately, there are no physical descriptions of John or Sarah but it is not hard to imagine Sarah being frightened, anxious, lonely, seasick and miserable. Convict women were regarded as "damned whores" no matter what their crime. Strangely, prostitution was not a transportable offence.

By 1800 John was beginning to see a reward for years of grinding work at Prospect. He owned five pigs and had five acres under wheat and four acres planted with maize. The wheat crop was used for making bread whilst maize was grown as fodder for animals. A year later he had ten pigs, eight acres under wheat, thirteen acres under maize and 25 bushels of maize in stock. Two men, one free and one a government servant, were in his employ.

In 1802 a Government proclamation included Prospect Hill in the Parish of St. John, Parramatta. In the same year, Governor King reserved a large area almost identical with the present City of Blacktown for the Government livestock and in 1805 an area to the east of this reserve was proclaimed as a Common for Prospect farmers.[15]

A son to be named Edward was born on 20th April, 1800 and he was baptised on 18th May of the same year. He was followed in quick succession by William born 31st July, 1801; Elizabeth born 30th September, 1802 and John born 3rd November, 1803. The three latter children were baptised at St. John's Anglican Church, Parramatta on 23rd December, 1804. Sadly, Edward died on 27th July, 1804. Benjamin was born on 3rd March, 1805.

According to the register taken on 10th April, 1802, John was in possession of a gun. This may have given the household some feeling of security in 1804 when Irish convicts rose in rebellion, armed with pikes and muskets looted from farm houses in the Castle Hill and Parramatta areas.

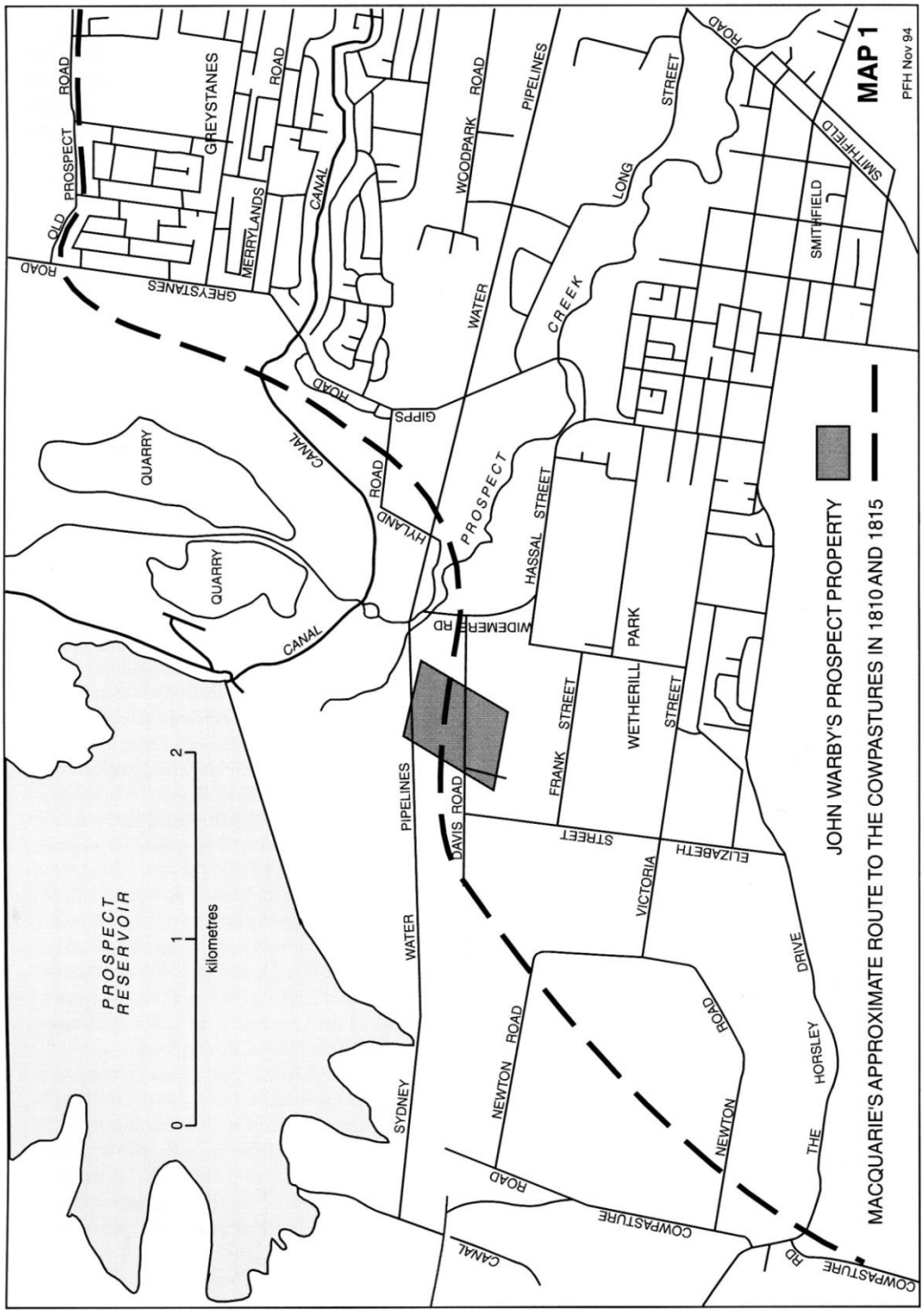
The First Fleet landed seven black cattle brought from the Cape of Good Hope. By the following May one heifer was dying and four cows and two bulls escaped into the bush leaving no trace of their whereabouts. Seven years later their progeny were found grazing on pasture land along the Nepean River in a district which was to be named Cowpastures. In 1802 Ensign Francis Barrallier of the New South Wales Corps reported seeing 600 cattle in several herds in the area of Douglas Park. Barrallier made several exploratory expeditions into the Southern Highlands and took John Warby on at least one of these journeys. In 1803, following a number of attempts to capture and kill the wild cattle, Governor King issued a proclamation forbidding anyone, except those who had first obtained his permission, to cross the Nepean or disturb the cattle. This proclamation made the Nepean River the south-western boundary of the colony.

George Caley was a colonial naturalist in New South Wales between 1800 and 1810. He was a botanical collector and minor explorer. He was hot tempered and somewhat eccentric. Caley made numerous expeditions exploring the Cowpastures and nearly crossed the Blue Mountains in 1804. He was defeated by steep, narrow ravines at the bottom of gentle sloping valleys in the region of Mount Banks when he was only six miles, in a direct line, from Mount Victoria.

In July, 1806 Governor King commissioned Caley to retrace Barrallier's route along the Nattai and Kowmung Rivers and Christy's Creek as he doubted the accuracy of Barrallier's report. Caley took three

companions including John Warby and a native guide. Unfortunately, like Barrallier, when writing his journals, Caley did not name his companions.

Whilst they were away on their 28 day journey William Bligh arrived in Sydney to take up his posting as governor. King and his wife moved to Government House, Parramatta. On 22nd August, 1806, King wrote to Bligh, "Caley is just returned and ... is much fatigued and in want of rest... He is certain that the wild cattle cannot pass their present enclosed station, which was a great point I wanted to be certain of. He has confirmed the existence of a large tract of forest land beyond Nattai which is a very satisfactory circumstance. I have not seen the settler who accompanied Caley, but will send for him tomorrow (if he is to come, as I am told he is quite knocked up) and talk to him on the subject of killing the bulls, but I think it is more than possible, were he inclined to undertake it, that time would show 50 would be mutilated for one shot..." [16]



On 24th August Josepha Gidley-King wrote to Bligh on behalf of her husband who was temporarily incapacitated by gout in his right elbow and hand.

"John Warby a very good character and Settler at Prospect Hill who will deliver you this, was with Caley on his last expedition and accompanied Mr. Barrallier also—and from his having a very thorough knowledge of the country where the wild cattle are—he waits on you in case you may wish to question him on that subject—as he has gone down with the others to get his proportion of spirits—if you will sign his orders—sent last week."

On 12th September, 1806 Governor Bligh confirmed his predecessor's proclamation forbidding any person passing the Nepean excepting officers, people employed by Messrs. Macarthur and Davidson when attending their flocks of sheep, and a limited number of people appointed by himself to assist John Warby in taking care of bulls. Such persons were to be provided with tickets signed by Bligh and countersigned by the magistrate at Parramatta. Thomas Harper and John Warby, constables of Camden County were provided with a military guard and a hut at Cawdor.[17] This hut was the first building erected by white men in the Camden district. The exact date of its construction is unknown but Caley described it as, "No more than a small hut built of boards thatched with grass and a wooden chimney."

Twins, Sarah and Jane were born on 10th October, 1806. This meant that their mother had care of six children under the age of six and much of this time she was alone as John appeared to spend considerable time away from his family at Prospect. Although John employed many convict men there appears to be no record of his employing women to help Sarah with the children or in the home.

A grant of 100 acres was made to John by Lieutenant Governor Paterson. However, on his arrival Governor Macquarie recalled grants made by his immediate predecessor.[18] A glimpse of the farm at Prospect is gained through an advertisement placed in the Sydney Gazette on 5th February, 1809 when John thought he was about to move to the grant promised by Paterson. *"To let for the Term of Three Years, with present Entry, a Capital Fifty acre Farm at Prospect containing two paddocks of 20 acres enclosed; the whole well supplied with water and equally admirable adapted both to flock and tillage."*

When Governor Lachlan Macquarie arrived at the end of 1809 he found the colony more advanced than administrators in Britain realised. There was an ordered civil service and better living conditions than in England. A breakdown had occurred in traditional British society. Colonial society was obsessed by money—money reigned.

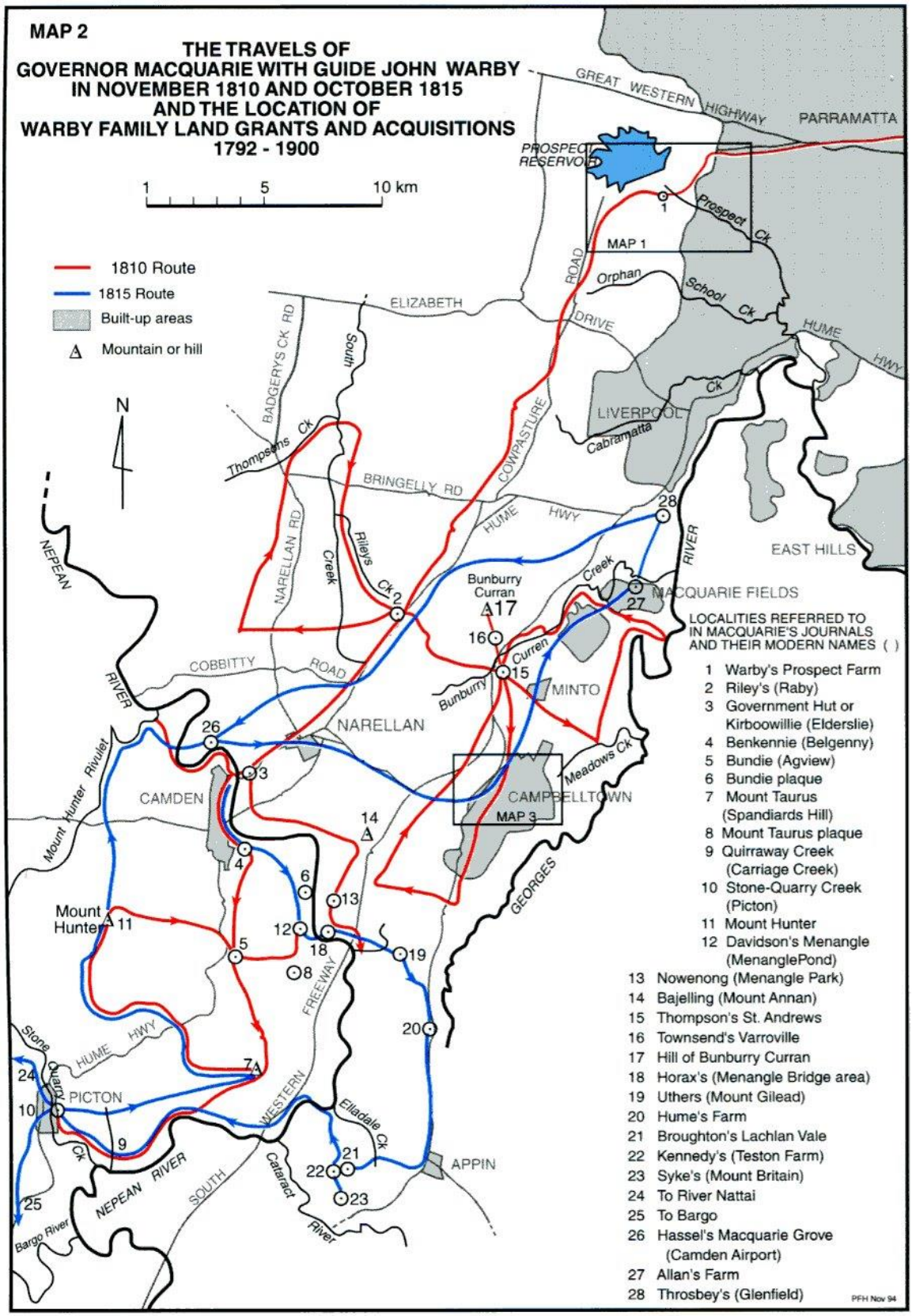
In a memorial to Governor Macquarie dated 31st January, 1810 asking for confirmation of the grant by Paterson, John gave as references the fact that King had brought him to the notice of Bligh who had appointed him Superintendent of the wild cattle of the Crown. In writing this memorial to Macquarie, John brought himself to the attention of the governor who later employed him as a guide in the Cowpastures. In fact the Old Cowpasture Road ran south from near the Warby farm to the Nepean River. *(See maps 1 and 2)*

The Sydney Gazette reported on 22nd September, 1810 the dreadful accident to the infant daughter of Mr. J. Warby of Prospect Hill. The unfortunate child was so severely scalded that there was little hope of her recovery. Evidently, a large pot of boiling water had been taken off the fire and left unguarded on the open floor. Was this child one of the twins, and survived, or was there another daughter born between 1806 and 1809? There was no reported death or burial of the child. However, in 1837 John sent a memorial to Governor Bourke in which he stated that out of a family of 23 children born in wedlock, eleven had survived.

Charles was born on 7th November, 1810.

Nine days later Governor Macquarie and his wife, Elizabeth, set out from Parramatta in their carriage to visit the Cowpastures.[19] They were accompanied by many servants and a great deal of paraphernalia to make the journey comfortable. Macquarie employed John as a guide who joined the party on the road near his farm below Prospect Hill. *(See map* 2) After passing along the Cowpasture Road through open forest with tolerably good soil, they arrived at the Government Hut on the Nepean at 9.30am. Two carts had preceded them and were waiting on the opposite side of the river. Servants had pitched a

small tent in which the party ate breakfast. Later they passed through Mr. Macarthur's farm Benkennie to Bundie, a beautiful lagoon of fresh water where more tents were pitched. Mount Taurus, later known as Spaniards Hill, was about three miles (4.8 km) to the south and Mount Hunter about four miles (6.5 km) to the north. Dinner was served at 5 o'clock and Macquarie appeared relaxed and happy. Being tired they went to bed early after placing fires around the camp and a watch to guard them from the wild cattle.



On Saturday 17th Macquarie's party rose early. During the night they had heard the eerie bellowing of wild cattle in the woods. Early in the morning Mr. Blaxland and John Warby went out and shot a wild bull which was brought to camp for the use of the servants.

At about 10.30am they set out on horseback to explore the country to the south and west as far as Stone Quarry Creek, Picton which was about ten miles (16 km) from their camp. *(See map* 2) During the day they passed through rich, hilly country which was covered by open forest. They approached several herds of wild cattle which were unused to and unafraid of men. The party managed to hunt down five calves, three of which being males were sent home to be reserved for veal for Macquarie's table. He gave the remaining two which were female as presents to his guide, John Warby and William Cosgrove who was a servant to Mr. Blaxland. A cow was valuable, not only for its milk supply for the growing number of Warby children, but animal manure was much needed to fertilise soil used for crops.

At 5 o'clock the party returned from Stone Quarry Creek to Bundie by way of Quiraway (Carriage) Creek. Macquarie seemed very pleased with their excursion and commented on their keen appetites at dinner.

Next day, being somewhat tired after the previous day's excursion, they slept in and did not have breakfast until 9 o'clock. Mrs. Macarthur paid them a visit while they were eating breakfast. She had come the evening before to the Cowpastures to look after her farms with their flocks of sheep. Macquarie asked Mrs. Macarthur to dine with them and she expressed a desire to ride about the country with them during the day. At 11 o'clock they set out from Bundie on horseback to visit Mount Taurus and Mount Hunter *(See map* 2) where they came across two or three herds of wild cattle which allowed the group to come very close to them. However, one herd charged directly at the onlookers but were scared away by the noise and shouting of John Warby and other attendants. Macquarie enjoyed the view from Mount Hunter, but was disappointed at the height of both it and Mount Taurus which would only be classed as hills anywhere else. They returned to camp by a different route at about 2 o'clock.

After eating and resting they set out for Menangle to visit the 2,000 acre farm on the banks of the Nepean belonging to Mr. Walter Davidson. *(See map* 2) After viewing the farm they returned to camp at 5 o'clock. Macquarie was pleased with the fine rich country they had passed through. Mrs. Macarthur returned to her own farm, Benkennie, after dinner.

In the evening Koggie, the Chief of the Cowpasture Tribe, his wife and half a dozen other natives were fired up with a glass of spirits before dancing a corroboree much to the entertainment of the watchers.

On Monday 19th they broke camp and set out at 9.30am allowing the servants to bring the baggage at a leisurely pace to the ford on the Nepean at Kirboowallie. They called on Mrs. Macarthur at Benkennie with whom they sat for a little while in a small miserable hut. *(See map* 2) Crossing the Nepean at the ford, they continued on for about four miles (6.5 km) to Hunters Creek. They passed through tolerably good land although not generally as good as that in the south. They did not see any wild cattle but traces of dung indicated that a herd had been grazing lately in this area. They returned to the ford at 1 o'clock and found that the servants and baggage were just arriving. After marking out ground on the east side of the river for their camp for that night, Macquarie set out at 2.00pm, accompanied by Captain Antill and John Warby, to explore the country to the south on the right bank of the Nepean River. *(See map* 2) They rode at a smart rate for an hour and a half passed Bajelling (Mt. Annan) to Nowenong (Menangle Park) immediately opposite to Mr. Davidson's farm, Menangle where they had been the day before. They continued for about a mile along the Nepean until further progress was interrupted by a deep valley or creek later named Menangle Creek. Macquarie did not think it necessary to continue any further. The return journey was by a shorter route to avoid bends in the river and lagoons and swamps which had to be ridden around on the outward journey. The tents had been pitched when they arrived back at the ford at 4.30pm. After dinner Macquarie took his wife for a walk along the road leading from the river where they enjoyed the cool of the evening and the tranquil scene of the forest around them.

During the night there was heavy rain but their tents were watertight and they slept very comfortably. Rain in the morning prevented the party from moving as early as they intended. While they ate breakfast they received a visit from Mrs. Macarthur who had just crossed the river from the

Cowpastures on her way back to Parramatta. The rain ceased and they broke camp at 11.30. Macquarie planned to spend a couple of days at St. Andrew's, the home of the late Andrew Thompson on Bunburry Curran Creek and, from there, explore the country lying towards the Georges River. *(See map* 2) After leaving his wife at Mr. Riley's farm, Macquarie rode with Captains Antill and Cleaveland, Ensign Maclain, Dr. Redfern, John Warby and two dragoons to explore the country for some miles on either side of South Creek. They spent the afternoon exploring the Minto and Cooks Districts and then on through Bringelly until their progress was stopped by a deep creek (Thompsons Creek) that ran east west and joined South Creek. They crossed South Creek and rode through the Cabramatta District, collecting Mrs. Macquarie at Mr. Riley's farm at 4.00pm after a ride of about fifteen miles. From there Macquarie accompanied his wife back to St. Andrew's in the carriage. Macquarie was very pleased with the organisation of St. Andrew's and found the farm house very clean and neat. An excellent dinner was served, no doubt provisioned from mutton, fowls, butter, milk, eggs and vegetables produced by the farm and they drank to the memory of their deceased friend.

On the morning of the 21st Macquarie set out with his attendants to explore the country south and westwards of St. Andrew's returning in a north east direction at 3.00pm. (*See map* 2) He met Mrs. Macquarie, accompanied by Mr. Meehan and a dragoon, returning from a visit to Dr. Townsend's farm. Mrs. Macquarie enthused about the view from the top of Bunburry Curran Hill which was nearby. The governor immediately rode to the top on horseback and was highly gratified by the extensive view of the surrounding countryside.

Rising early the next day, the governor and his men set out at 5.30am. After passing through fine rich country they reached a very deep stony creek, later called Peter Meadows Creek. From there they continued north east by north until they came to rocky land. John Warby was of the opinion that they were very near the Georges River. (*See map* 2) On his advice the party altered course and after about half a mile they suddenly arrived on the banks of the Georges River. Leaving their horses in charge of a dragoon, they scrambled down the steep, rocky banks to a stream of clear, well tasting running water. They rode back to St. Andrew's having travelled fourteen or fifteen miles before breakfast through some of the finest country Macquarie had seen in the colony. He planned to assign allotments in this area to small settlers and named the area Airds in honour of his wife's family estate.

After breakfast Macquarie and his wife set off from St. Andrew's in the carriage for Parramatta. Macquarie reported that his "excellent guide, Warlby" parted with them near his farm at Prospect.

After resting for a couple of days in Parramatta, the vice regal entourage set out for the Evan District. When returning on Monday 10th December, Macquarie visited the farms at Prospect where he found good soil which produced alternate crops of wheat and maize. The houses of the settlers at Prospect were better and they appeared to live more comfortably and were more decently clothed than those of Seven Hills and Toongabbie.

While the governor was making his inspection, Mrs. Macquarie rode in the carriage to the house of Warby his trusted guide. It is not hard to imagine John and Sarah being overcome by this honour. Not many of their descendants have entertained a vice regal party in their home. At two o'clock Macquarie joined his wife at the Warby household where John introduced his wife and "numerous family of children" to the governor. Macquarie promised John an additional grant of land.

Governor Macquarie's party had travelled to the boundaries of civilization without ever being more than about fifty miles from Sydney Cove.

The aim of most convicts was to serve their seven or fourteen year sentence and become "free by servitude". Of course, this option was denied prisoners with a life sentence. An absolute pardon conferred before the sentence expired was not as common as a conditional pardon which bore the condition that the recipient did not return to Britain until his or her sentence had expired. A ticket of leave allowed the convict to go about his own business until his sentence was completed. However, he remained a convict and was kept under the scrutiny of the bench magistrates. A brush with the law could return the ticket holder back to assignment or the government gang.

No record remains of John Warby's pardon although Governor Macquarie described him as a free man. Sarah Bentley/Warby gained her ticket of emancipation in February, 1811.[20]

In 1812 John Warby made a donation of ten shillings ($1) towards enclosing the burial ground at Parramatta.[21] It is more than probable that this is where his son Edward was buried.

Mary was born on 3rd January, 1813 and baptised at St. John's Anglican Church, Parramatta on 24th January of the same year. Robert followed on 10th April, 1814. The 1814 Muster lists the Warbys, along with the family of Matthew Everingham, as being the two largest families in the colony, with nine children each under the age of fifteen years.

The dry summer of 1812-13 was followed by a dry winter and spring and a drier summer. The wheat harvest was poor and stock losses were great due to the want of food and the drying up of ponds and rivers. The summer of 1814 was dry and in March caterpillars made their appearance. At the end of the year rain brought relief to the stock and a better harvest than had been expected. Winter, spring and summer of 1815 continued dry but the drought broke in December. In these years the loss of stock was reported to be considerable. However, John could not have been that badly affected as he made an application to the Deputy Commissary General's Office to supply the Government Stores with 2,000 pounds weight (1,000 kg) of fresh meat.[22] At this time he had two convicts assigned to him.[23]

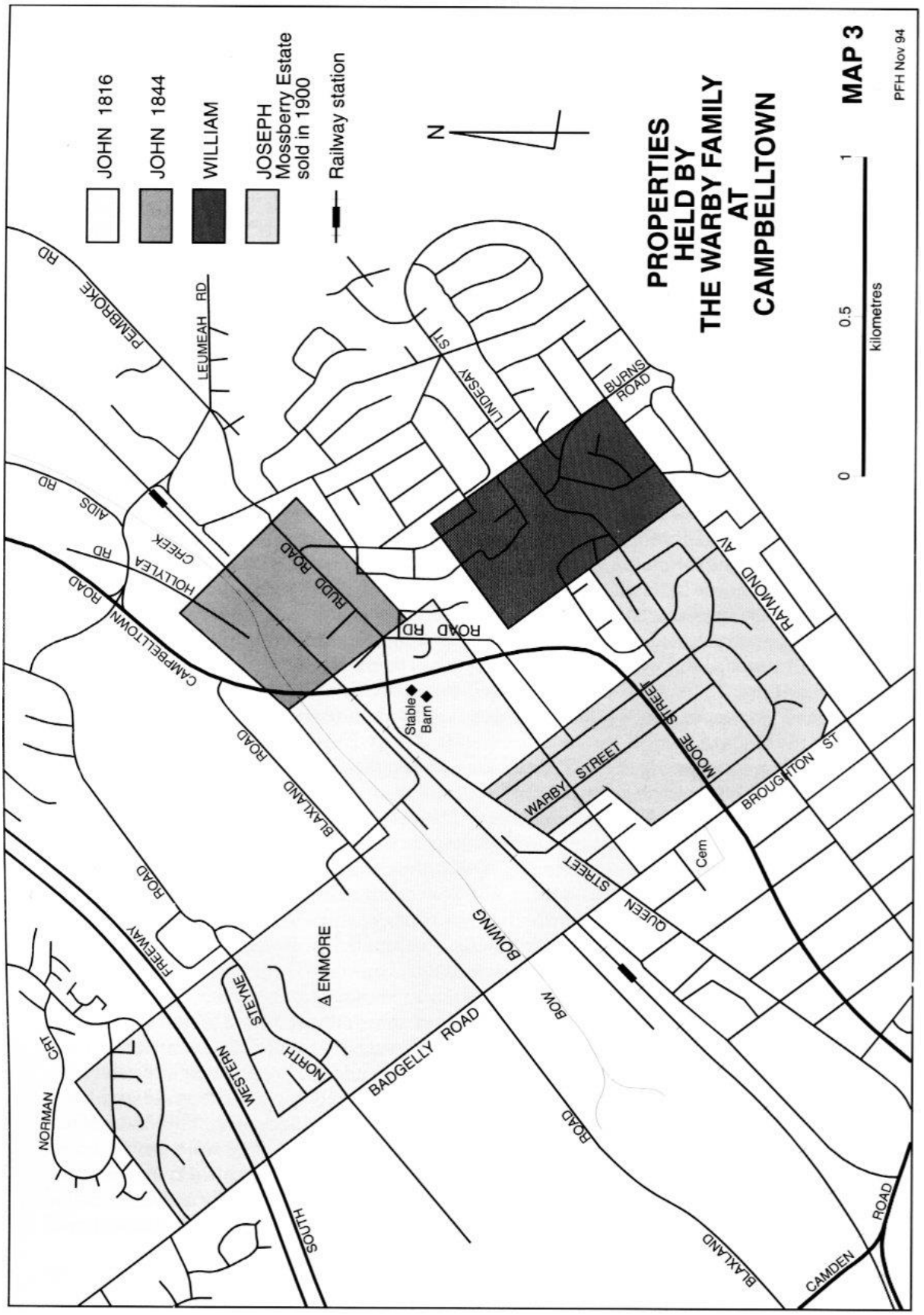
Feeling the pinch and probably thinking that someone was taking advantage of him in difficult times, John placed the following advertisement in the Sydney Gazette dated 19th February, 1814: "If the cow and heifer calf that John Warby received from the Pound at Prospect at the Owner's request, is not taken from his Flock within fourteen days from the date hereof they will be sold to defray Expenses."

The indigenous people of the Sydney area were simple hunters and gatherers. When Macquarie arrived in the colony he found them living in "a state of perfect peace and friendliness" with the European settlers. He saw the Aboriginals' lives "wasted in wandering through their native woods, in small tribes of between 20 and 50, in quest of the immediate means of subsistence, making opossums, kangaroos, grub worms and such animals and fish, as the country and its coasts afford, the objects of their fare." Macquarie believed that by teaching them a sense of duty they could be brought to a state of comfort and security. However, the scene which was to be played over many times in Australian history was about to unfold.

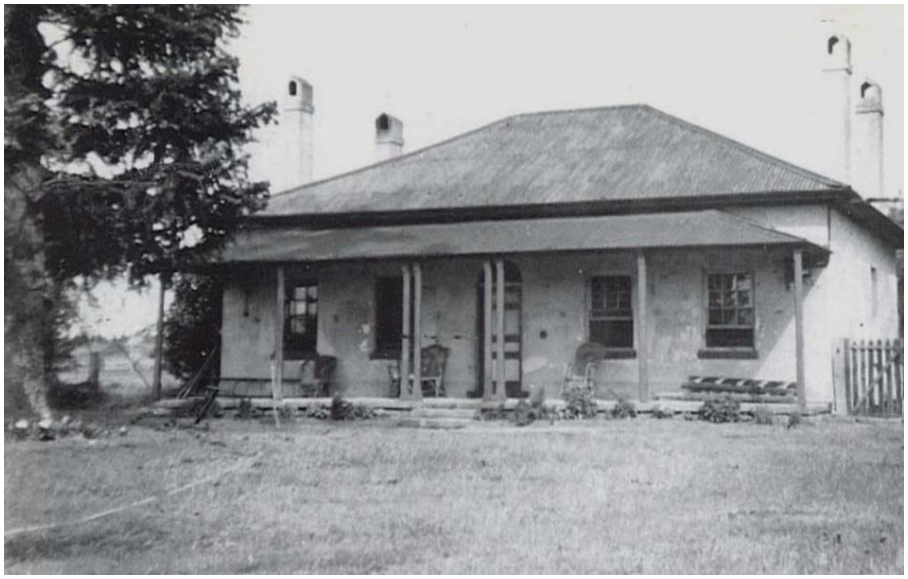
In a population over endowed with males, European men found their recreation with the native women. This and alcohol contributed to a souring of relations.

Dry conditions in April-May 1814 forced the Aboriginals out of the mountains. They could not understand that the unfenced maize, which had sprung up along the Bunburry Curran Creek, was not communal property. They eagerly picked the grain and were bewildered when the farmers fired on them with guns killing some. The Aboriginals retaliated with spears. In July, 1814 two children of James Daley were murdered at Bringelly and outlying settlers armed themselves as they awaited attack. Macquarie's patience was exhausted and he was forced to abandon his conciliatory approach to the natives. He believed that five natives, Goondel, Bottagallie, Murrah, Yellamun and Wallah were the principal perpetrators of the acts of hostility against people and property.

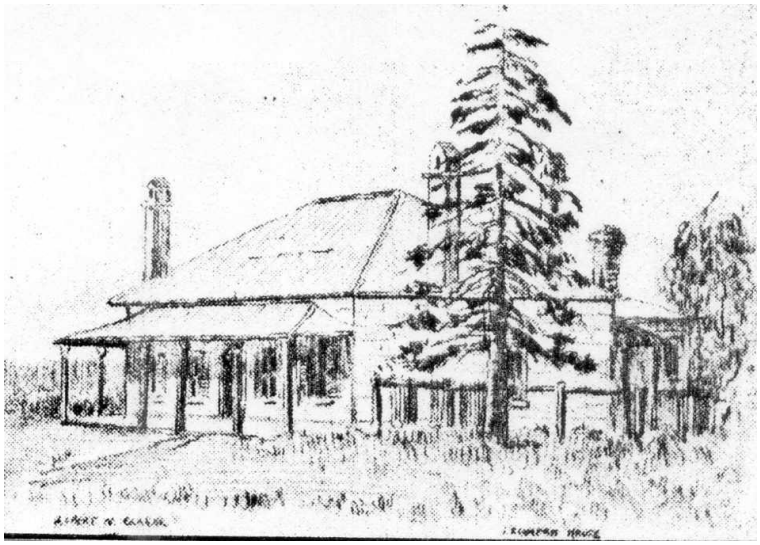
On 22nd July Macquarie authorised John Warby and John Jackson to lead a party of twelve armed Europeans and four friendly native guides to apprehend and take the five natives alive. They were to be brought as prisoners to Sydney in order that they might be punished for their crimes. Should Warby and Jackson not be able to bring the five in peacefully, then they were authorized to use force in compelling the natives to surrender without making terms with them or holding out to them any promise of pardon for the crimes they had committed. Warby and Jackson were cautioned not to molest any of the innocent natives who might be in the company of the hostile five. Macquarie left the leaders' final actions to their discretion and humanity and hoped that the authority that he had invested in them would not be abused. He sent them off confident that they would act with mutual cordiality in the execution of their very important service.[24]


PROPERTIES
HELD BY
THE WARBY FAMILY
AT
CAMPBELLTOWN
MAP 3
PFH Nov 94
JOHN 1816
JOHN 1844
WILLIAM
JOSEPH
Mossberry Estate
sold in 1900
Railway station
N
0
0.5
1
kilometres
PEMBROKE RD
LEUMEAH RD
AIDS RD
HOLLYLEA CREEK RD
CAMPBELLTOWN ROAD
RUDD ROAD
ROAD RD
LINDESAY ST
BURNS ROAD
RAYMOND AV
MOORE STREET
WARBY STREET
BROUGHTON ST
Stable
Barn
BLAXLAND ROAD
FREEWAY
ENMORE
STEYNE
NORTH
WESTERN
NORMAN CRT
BADGELLY ROAD
BOWING
BOW
ROAD
QUEEN STREET
Cem
SOUTH
BLAXLAND
CAMDEN ROAD

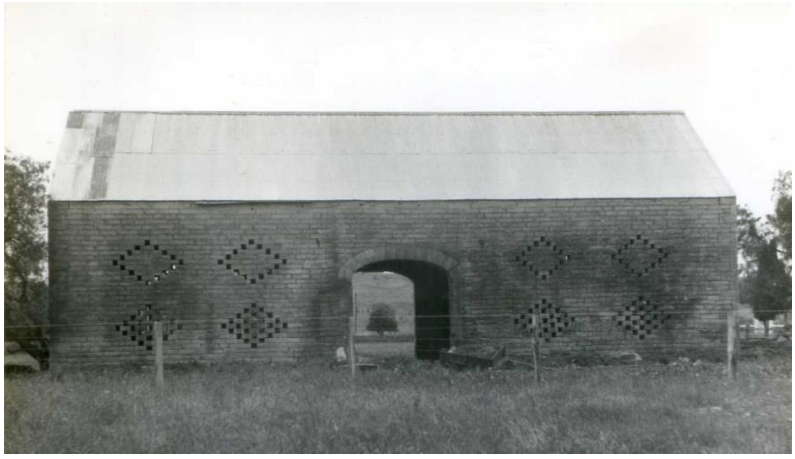
John Warby's cottage at Campbelltown, later known as Leumeah House, built between 1816 and 1826.



Leumeah House 1948



Etching in Sydney Morning Herald, 7th June 1941, captioned as Leumeah House

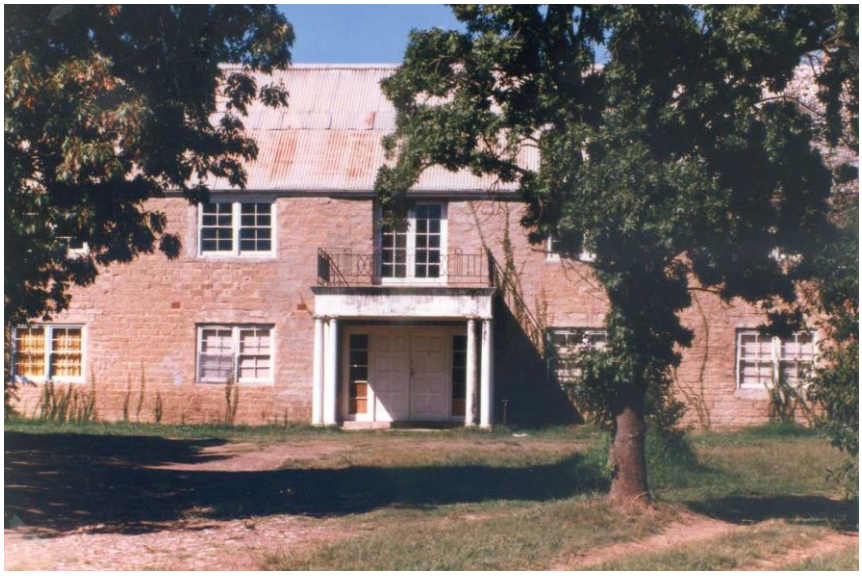


John Warby's Barn at Campbelltown, later known as the Leumeah Barn. Built between 1816 and 1826

(Photo courtesy of the Campbelltown and Airds Historical Society

The Leumeah Barn converted into flats.

(Photograph Norman Harvey about 1989)



The Leumeah Barn is now part of the Campbelltown Colonial Motor Inn at 20 Queen Street.

(Photograph Ray Steele, 1992)

The party was issued with stores for sixteen men for twenty-one days on the following weekly ration: 10½ lbs. (5 kg) biscuit, 3 lbs. (1½ kg) rice, 1½ lbs. (¾ kg) sugar, ¼ lb. (125 g) tea, 2 ounces (67 g) tobacco and 6 lbs. (3 kg) pork. The Europeans in the party were issued with shoes. In anticipation of aggression by the natives, the party was also issued from His Majesty's store, 12 good muskets, 144 rounds of ball cartridge, 24 rounds of buck shot and 2 lbs. (1 kg) gun powder.

John Warby and John Jackson returned reporting that they had not made contact with the offending natives. This is not difficult to comprehend as Goondel was chief of the Gandangarra Tribe whose territory extended over mountain ridges, then impenetrable to Europeans, between the present towns of Goulburn and Katoomba. The fire arms were returned to Government Stores.

In September, 1814 a party of soldiers was sent out to capture the notorious bushranger, Patrick Collins who had robbed and murdered several people in the Hawkesbury area. John Warby and several natives led the soldiers to his hiding place. While trying to escape, Collins was speared by the natives in the leg and arm. He was overpowered and brought in to face trial.[25]

On Monday 3rd October, 1815, Governor Macquarie set out with a party of eight gentlemen to revisit the Cowpastures. He wished to reassess the quality of this area for farming and to find out if it was practical to tame the wild cattle. Again he employed John Warby as his guide. At 8 o'clock, Macquarie and his party arrived at Moore Bank on the Georges River where they had breakfast. From Moore Bank they travelled by water to Liverpool where he inspected several improvements in the town. Macquarie transferred to his coach in which he drove through fine open forest until he crossed the Nepean at the ford near the Government Hut. He continued south for about a mile where he found his tent pitched and his servants camped. They were in a very beautiful place close to the river bank and about four miles (6.5 km) east of Mount Hunter. The party spent the afternoon walking in the countryside before returning for dinner at 5 o'clock.

Next day Macquarie set out to inspect farms in the districts of Appin, Upper Minto and Airds. He visited Mrs. Macarthur at Camden and Mr. Davidson's farm, Menangle, where he crossed the Nepean and passed into the District of Airds. (*See map* 2) Here he visited several farms including that of Mr. Horax. At 11 o'clock they entered the District of Appin at Mr. Uther's farm, Mount Gilead, and continued on to Mr. Hume's farm. They proceeded along a very rough road to William Broughton's farm named Lachlan Vale. Nearby at Mr. Kennedy's farm they partook of a light refreshment of bread and wine. Half a mile to the south, they visited the most southern farm in Appin belonging to Mr. Sykes. Macquarie seemed pleased with the improvements he saw and as a reward for their industry; he gave several settlers additional grants. Arriving at Stone Quarry Creek in the Cowpastures at 4 o'clock, Macquarie found that his servants and baggage had arrived about an hour before.

An early start at 7 o'clock was made when Macquarie and his party set off for the Nattai Mountains which were just over eight miles away. From the tableland they had a fine view of a very deep ravine below them. This ravine led to the Nattai River. They proceeded on horseback through very thick bush until they came to the top of a very deep gully, the sides of which appeared to be almost perpendicular and down which it was impossible to ride a horse. They left their horses at the top of this gully which John Warby informed Macquarie was known as Brimstone Gully. Led by John and a native named Boodbury, the party took over an hour to scramble down to the Nattai River. Here they rested for an hour and enjoyed a glass of cherry brandy and a biscuit brought down by Captain Antill. It took them an hour and twenty-five minutes to climb back to the top of this tremendous gully. Macquarie named the ravine Glencoe because it reminded him of the valley of the same name in Scotland. They rode back by a different track passing through good grazing country. All through this journey to the Cowpastures Macquarie commented on the depletion in the numbers of wild cattle.

Friday 6th October dawned bright and clear and another early start was made to explore the country south of Stone Quarry Creek called Bargo. After riding about eight miles they crossed the Bargo River, a small branch of the Nepean, dividing Bargo from the Cowpastures. (*See map* 1) Around Bargo, in this time of drought, they found the country barren and bare of feed for cattle. Messrs. Oxley and Moore had large herds of cattle grazing in this area but many of them had died. The party continued on through rocky country to the meeting of the Nepean and Bargo Rivers. On the return journey they crossed the Bargo River at the same place as on the outward journey but they took a different track across the Cowpastures as they returned to camp, having ridden 38 miles that day.

Macquarie and his party set out at 8 o'clock on Saturday 7th October after sending their baggage on to their next camping spot at Mr. Hassall's farm, Macquarie Grove on the eastern bank of the Nepean

River. (*See map* 2) Their intention was to explore the country lying between Stone Quarry Creek and Mount Hunter Creek. After riding over several beautiful valleys and high ridges they ascended the southern end of Mount Taurus and continued along the ridge which connects it with Mount Hunter, at the same time admiring the very extensive view of the country to the north and to the Blue Mountains in the west. Descending Mount Hunter they proceeded in a north westerly direction towards Mount Hunter Creek through the finest grazing country Macquarie had seen in the Colony. From Mount Hunter Creek they rode to the Nepean which they forded below Mr. Hassall's farm. The day's journey had been about thirty miles and they had been eight hours on horseback.

Breakfast was eaten at 8 o'clock on Sunday and Divine Service was performed on the veranda of Mr. Hassall's house at 10 o'clock. The whole of Macquarie's party, including his attendants, and Mr. Hassall's family were present. At noon Macquarie set out to inspect some of the farms in Upper Minto near the Nepean River. He then passed into the District of Airds returning to camp at Macquarie Grove through the Allan and Throsbey farms. (*See map* 2)

Macquarie discharged John Warby from his service as he no longer needed a guide for the Cowpastures. John received twenty shillings ($2) per day for seven days, including Sunday 8th October, and ten shillings ($1) per day for the hire of his horse.

John returned home in time for the birth of another daughter, Eliza, born on 10th October.

Further hostilities occurred between the outlying settlers and the natives in 1816. On the evening of 8th April and on the following morning, Governor Macquarie received reports of large bodies of natives assembling in the Districts of Appin and Airds where they were "committing all sorts of depredations on the persons and properties of settlers". Macquarie ordered a military detachment commanded by Captain James Wallis to proceed to Liverpool. Here they refreshed themselves and then, following Macquarie's instructions, marched towards Airds and Appin taking with them John Warby and the natives Boodbury and Bundell as guides.

Perhaps unknown to John and the native guides, Macquarie had issued instructions that Wallis was to take as prisoners any natives he met. Should the natives not submit or run away, Captain Wallis and his soldiers were to fire upon them. The bodies of those men who were killed were to be placed in the trees where they fell as a warning to others. Any women and children who were killed were to be buried.

The fact that this was not going to be a passive expedition, as had been the one of 1814, dawned on John and the natives very early. Captain Wallis set out for Liverpool on 10th April. Here he received news of a large gathering of natives in the Botany Bay area. Because of John Warby's advice that they were friendly, Captain Wallis did not follow them. However, Captain Wallis was surprised when John advised him, in the presence of Mr. Moore, that he would not lead the native guides. The night of 11th April was spent at the home of Mr. Woodhouse. Captain Wallis placed the native guides in a small kitchen and did not think it prudent to place a sentry to watch them. Much to Wallis' indignation, the native guides escaped with their blankets. On the 13th, Captain Wallis reported that John Warby had absented himself from the party and, on 14th, Warby argued that if the natives saw him with the soldiers they would be suspicious of the soldiers' activities and he left the party.[26] At dawn on 17th April Captain Wallis crept up on a native camp on Broughton's farm, Lachlan Vale, Appin. In the darkness men and women were shot at as they ran from rock to rock. Fourteen Aboriginals were killed and a few were taken prisoner. How many women and children met their deaths as they rushed terrified over adjacent precipices, nobody knew.[27]

It is not certain when the Warby family moved to Airds which was later known as Campbelltown. In 1810 Macquarie had promised John a grant in the Airds region and in August 1811 James Meehan visited Airds and surveyed an area of land for him. On 20th June, 1816 Macquarie officially granted John 260 acres of fertile, alluvial land, watered by the Bow Bowing Creek and situated in a wide sheltered valley. (*See map* 3) Conditions associated with the grant were that he did not sell the land for five years and that within that period he had 35 acres under cultivation. The Government reserved the right to make a public road through the grant and the crown reserved the right to any timber which it saw fit to use for naval purposes.[28] It was in the Campbelltown area that Macquarie settled a number of small landholders who were mostly emancipists.

On May 11th, 1816 Robert Cable placed an advertisement in the Sydney Gazette cautioning persons from trespassing on the farm at Prospect known as Warby's Farm. This gives the impression that the Warby family had moved.

Benjamin, Sarah, Jane, Robert and Eliza were baptised at St. Luke's Anglican Church, Liverpool on 11th August, 1816. It could be assumed that the rector of St. Luke's paid a visit on his new parishioners and found that six of their ten children had not been baptised.

Charles Kable (Cable) Warby was baptised at St. Philip's Anglican Church, Sydney on 25th August, 1816.

The Deputy Commissary General's Office, Sydney published a list of people tendering supplies of fresh meat for the Government Stores. Amongst those listed was Mr. John Warby who would deliver 500 lbs (250 kg) to Liverpool on 23rd November, 1816.[29] This also gives the impression that John had an established herd at Airds in 1816.

Did the family move at once or did they move in stages? What accommodation did they live in when they first moved to Airds: were Sarah and the children excited about the move or did they miss friends left behind at Prospect? Certainly William Deards had a 30 acre grant nearby at Airds and they were to make friends with the families of new neighbours, Jonathan Brooker, John Mitten and John Bent. By 1826 John Warby had built a house, barn, stables, fowl house and men's hut. (*See map* 3)

Middle age brought prosperity to John and Sarah. James was born on 7th February, 1817 followed by Joseph on 7th November, 1818. Sarah's death certificate of 1869 lists another son, Richard born at Airds in 1821. There is no other documentation relating to him and so it is assumed that he died as an infant.

In August 1817 and in March 1818 John tendered 2,500 lbs. (1,250 kg) of fresh meat for use of the Government stores.

The Warby family may have been present on 1st December, 1820 when Governor Macquarie marked out the town of Campbelltown with sites for a church, school house and burial ground.

John Warby's stables built between 1816 and 1826 at Campbelltown, formerly known as Sid's Leumeah Barn Restaurant. (Photograph taken by Norman Harvey, about 1989)

Large families seem to overlap the generations. John and Sarah's eldest daughter Elizabeth married James Layton at St. Philip's Anglican Church, Sydney on 8th February, 1820. At the tail end of John and Sarah's family, James followed by Joseph were the first children baptised at St. Peter's Anglican Church, Campbelltown on 6th May, 1821.

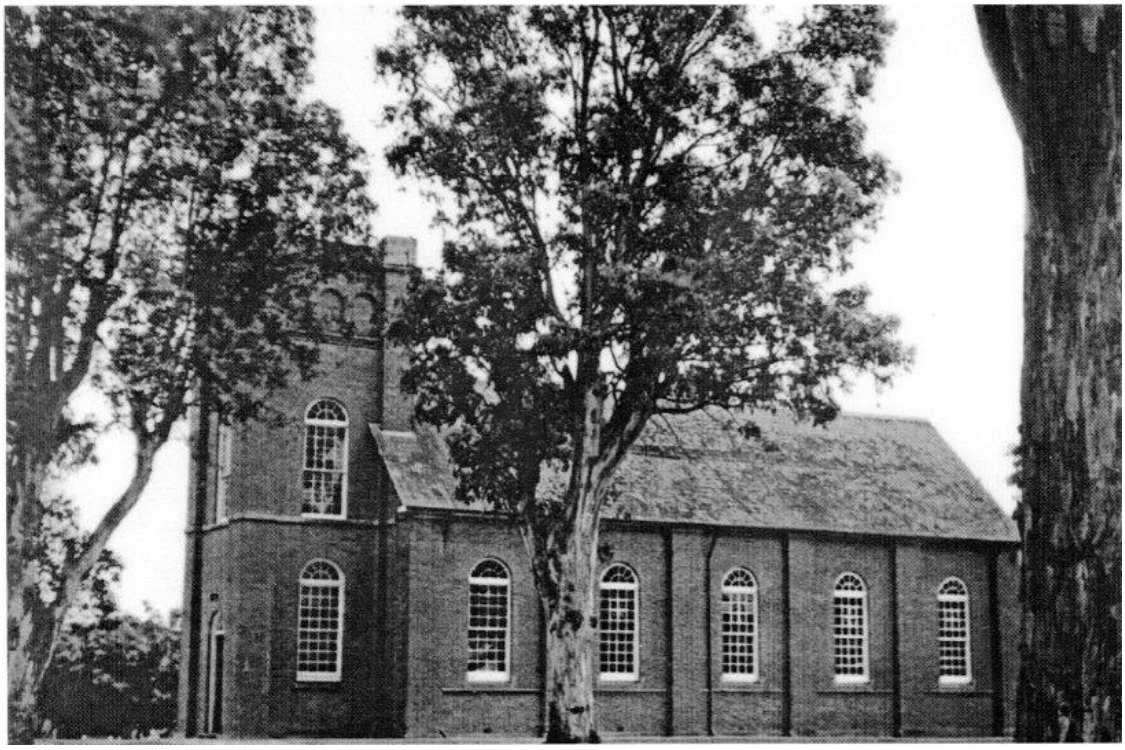
On 29th May, 1820, John the Elder and his eighteen year old son John, petitioned Governor Macquarie for further grants of land. Grants were awarded to both early in 1821[30] and later in the year William received a grant.[31]

Not only were John and Sarah thriving at Airds but their sons were now becoming independent. The Commissariat Office received 30 bushels of wheat from each of John the Elder, and sons John and William in January, 1822.[32]

It would have been with great pride that John the Elder joined the Macquarie Monument Committee in Campbelltown in 1825.[33]

The shadow of grief fell on the family with the death of John the Younger in August, 1826. Tradition tells us that he was thrown from a horse.

In a society which was land hungry, John was gradually adding acres. No doubt realising that free grants were coming to an end, he applied for an additional grant of land without purchase on 18th October, 1826. In this memorial he lists his major possessions as: 400 acres of land by grant and 400 acres by purchase (300 of which were cleared or under tillage); 120 head of cattle and seventeen horses. On his land John had built a barn 74 feet long and 18 feet wide; a granary, stable, storeroom and cow house under one roof; a dwelling house; a fowl house and a men's hut. He had completed five and a half miles of fencing and during the previous year he had employed and maintained eight convict servants. He owned a good mixed farm with 115 acres under wheat, 7 acres of peas, 7 acres of rye, 4 acres of barley acres of potatoes. In addition he owned about 100 pigs. He also owned four ploughs, four harnesses, a stage tilted waggon, a tilted cart, three open carts and one dray.



St Peter's Anglican Church, Campbelltown. Construction of this church began in 1821.
(Photograph taken in 1983 by Helen Enright)

By 1828 the Warby household had shrunk by half with Jane, Mary, Robert, Eliza, James and Joseph still living at home. William had married Jemima Middleton and was squatting on the Murrumbidgee River. Benjamin married Elizabeth Hunt and with their son, Benjamin, lived on 20 acres in the District of Airds. In the census of that year, Charles, now eighteen, is listed as the servant of Robert Armstrong at Bathurst. Sadly, James Layton had died leaving Elizabeth with sons William and James and a daughter, Eleanor. Sarah had married Alexander MacDonald and they had a son George and a daughter Margaret.

Because of a financial crisis in England and local drought conditions, a boom period ended in 1827. "For three years" wrote Lang "the heavens became as brass and the earth as iron". Wool prices dropped and farming conditions deteriorated. John and Benjamin Warby were amongst 94 settlers who, through the medium of the Sydney Gazette on 20th January, 1829, thanked Governor Ralph Darling for his kind consideration and prompt assistance to the settlers in the Airds district. Poor conditions would have forced the farmers to allow their fields to lie fallow except for maize seed obtained from the government.

Hard times in March, 1829 forced John to advertise 200 acres for sale. On this land was a substantial weather-board house, a granary 57 feet by 32 feet, and an excellent six stalled stable. The land comprised seven paddocks of rich and perfectly cleared land suitable for a dairy farm. There was an abundance of water and several springs. It is not easy to identify this property but it was near Campbelltown and was on the north-west side of the high road.[34]

Mary, now known as Mary Ann, married James Graham on 19th April, 1830 at St. Peter's.

On 6th July, 1832 an address was given to Captain Thomas Meyrick of the 39th Regiment who had been Superintendent of Police in the Airds District and was leaving for India. Amongst the signatures were John Warby, William Warby, Benjamin Warby, Michael Byrne and James Graham.

Prior to 1825 grants of land were free, subject only to an annual quit rent which was not levied until a stipulated time had passed. Governor Brisbane was instructed from London to change the system and, after 1825, land was sold at market price. There were some exceptions up until 1831. Title deeds dated 19th October, 1832 were issued by the Colonial Secretary's Office for grants of land, upon payment of fees prescribed by the government, to John one hundred acres and to William sixty acres at Minto. (*See map* 3) A further sixty acres was granted to William in the Parish of St. Peter.[35] The Minto land had dry alkaline soil and 160 years later was closely covered with ironbarks.

Just how far did John Warby go in his travels? Certainly he took Macquarie as far as Bargo and the Nattai River. In 1833 William applied, in his father's name, for a section of land bounded in the north by the Murrumbidgee River. It is quite conceivable that John with his inquiring mind would have travelled south to the Murrumbidgee to inspect this land. After William's transportation to Tasmania for receiving stolen cattle several members of the family followed, probably only for a short time, to ascertain conditions in that colony. John could have been one of the Mr. Warbys who are listed as having sailed to or from Tasmania.

John died on 12th June, 1851 at Spring Valley near Campbelltown. The Sydney Morning Herald on 24th June reported that his death was much regretted by a very numerous family and extensive circle of friends. He outlived his sons, Edward, John and James. At the time of his death John's family covered all levels of colonial society whether emancipist, free, colonial born, English, Irish, Scottish, catholic or protestant.

John left his estate to Sarah and appointed his son Joseph and son-in-law William Fowler as executors of his will. On Sarah's death John's property was to be divided equally between their children, Elizabeth, wife of Doctor Kiernan: Sarah MacDonald, widow; Jane, wife of Michael Byrne: Mary, wife of James Graham: Robert Warby: Eliza wife of William Fowler and Joseph Warby.

Sarah lived on until 19th October, 1869. Her death certificate gave her cause of death as "decay of constitution" over a period of nine weeks. Today we deposit our "wrinklies" into retirement villages but who nursed Sarah in those last weeks of her life?

The story of John and Sarah Warby is one of persistent endeavour in spite of their social and physical environment. They were both able bodied. John grasped opportunity when it came his way. He was lucky to arrive in the colony in 1792. As a landless farm labourer in England he may have already been part of the agricultural population that was drifting towards the industrial cities. Physical fitness enabled him to survive the journey on the *Pitt.* He arrived in Sydney as the first terrible years of famine were coming to an end. The penal settlement had no skilled residents such as clerks, surveyors, architects and farmers. These people had to be found amongst the convicts. John's agricultural experience was much needed. A dependable personality allowed governors Phillip, King, Bligh and Macquarie to entrust him

with responsibility and he seemed to have the knack of being able to communicate with a cross section of the community from the early governors through to black trackers. Hard work brought him land and good living conditions which he could never have dreamed of in England. He gained much of his land while it was granted free and before it became available only by purchase.

Acknowledging his good fortune, John gave land to his son, Joseph for a nominal sum because Joseph was too young to receive free land. (*See map* 3) It is probable that John gave similar gifts to Elizabeth and Benjamin. He gave land as marriage settlements to his sons-in-law, Alexander MacDonald and James Graham and he exchanged land with William. Exploring the Cowpastures would have given John a great sense of freedom. Perhaps he had the need to "see what's round the corner", a trait which has been evident in many of his descendants. After 1820 conditions under which convicts served their sentences became more severe in order to make transportation a greater punishment. Tickets of leave and pardons became harder to obtain.

Macquarie did not believe that convicts who had paid their debt to society should carry the stigma of emancipation to the grave. Sadly, John Warby's contemporaries who arrived free did, and this idea persisted down to the fourth generation born in Australia. It is because of their attitude that so little was known about him until almost 200 years after his arrival. However, the Campbelltown community recognised his achievements and honoured his memory by naming a street with his family name. But far more remarkable was their naming a primary school after him—The John Warby Public School. Great recognition for a man who could not sign his name!

By his will John Warby left to his wife, Sarah, a life interest in his property, after which it was to be divided between his surviving children. The farm then comprised 272 acres 1 rod and 15 perches.

After the death of Sarah on 19th October, 1869 the siblings agreed to sell the property at auction on 28th February, 1872. Together with another 4 acres it was purchased by John Benjamin Moore and Benjamin Robert Moore, licensed victuallers and sons-in-law of Joseph Warby, for the sum of £1,130/9/-. On 12th December 1876 this land was purchased by William Fowler of Campbelltown for two thousand pounds. William Fowler was married to John Warby's daughter Eliza.

Nearly seventeen years later on 28th June, 1893 William Fowler made a settlement of the farm and other land for his daughter, Eliza Eve Rudd to make provision for her livelihood. She was married to Joseph Rudd of Campbelltown and it was Eliza Eve Rudd who applied for the title of the land to be converted to Torrens Title in 1905. She transferred the farm to May Eliza and Edith Clare Rudd, her daughters, on 6th July, 1922. They sold to Charles Beechworth King, a grazier residing in Sydney, on 17th March, 1924. He commenced subdividing the land in the 1920's.

Thus the land which was merged by John Warby by the 1820's continued in family ownership for one hundred years.[36]

The Warby grave in the grounds of St Peter's Church, Campbelltown prior to restoration. (Photograph Norman Harvey)

The Warby grave, St Peter's Church, Campbelltown after restoration. (Photograph Norman Harvey about 1987)

Sacred to the Memory of
John Warby Jnr.
Who Departed this Life
August 20th 1826
Aged 23 Years
Blessed are the Dead
Which Die in the Lord
Hallelujah Amen
Also
John Warby Snr.
Died on the 12th of May 1851
Aged 84 Years
And also of
Sarah Warby his Wife
Who Died on the 19th of October 1869
Aged 89 Years

The drooping round the grave we mourn
A Melancholy train
Earth at the Resurrection morn
Shall yeild that up again

The Warby grave after second restoration in 2001.

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