William Warby and Jemima nee Middleton

Of all of John and Sarah Warby's children, William seems most to typify the New South Wales corn stalk. He was five feet seven and a half inches tall and had brown hair, grey eyes and a fresh complexion. His schooling would have been minimal and most of his youth would have been spent working on his father's farms or enjoying the freedom of the Cowpastures where he would have learnt bush craft and how to track cattle, skills which would be of great benefit to him later. It is not difficult to imagine him, the first generation born in the colony, riding at liberty in the Cowpastures.

Born at Prospect on 31st July, 1801, William was baptised, along with his brother John and sister Elizabeth, at St. John's Anglican Church, Parramatta on 23rd December, 1804.

When William was nineteen years old he married Jemima Middleton at St. Luke's Anglican Church, Liverpool. Both signed their names in the register. Strangely, over the next few years, although the outline of William's signature appeared constant, he alternated between spelling his surname, "Warbey" and "Warby". Jemima was a spinster living at Appin prior to her marriage. She arrived in the colony free on the *Kangaroo* in 1813 with her mother, Sarah Middleton. Jemima's father, William Middleton arrived on the *Earl Spencer* on 9th October, 1813 as a convict. In 1814 he held a ticket of leave and was employed as a carpenter in Sydney.¹

Although William spent most of his early years as a farmer, his name appears as an innkeeper at Airds in a list of Jurors dated 29th October, 1824².

In August 1821 William received a grant of sixty acres at Airds and he promised to deliver thirty bushels of wheat into His Majesty's Magazines at Liverpool in the following January. Twelve months after receiving his grant, William had cleared thirty acres and was growing seventeen acres of wheat, one acre of barley and one acre of potatoes. He owned eight horned cattle, fifteen hogs and had fifty bushels of maize in hand.

In an undated memorial to Governor Brisbane, William requested an additional grant of land for his small stock of cattle and horses as his original grant of sixty acres, given to him by Macquarie, was now entirely under cultivation. On 18th June, 1825 William wrote to the Colonial Secretary, Frederick Goulburn expressing his fear that his previous correspondence had gone astray as his memorial, written ten months previously, had not been answered. A month later both Captain Richard Brooks and the Reverend Thomas Reddall wrote, in answer to a request from the Colonial Secretary, stating that they believed that William intended to commence immediate cultivation of any land he might receive, that he would send his men and cattle to improve the land but he would not make it his permanent residence until after the ensuing harvest. One of the conditions of land grants was that the recipient would improve the land and could make it productive.

In May, 1825 William was a witness for the defence of John Clegg who was tried for the willful murder of his wife Lucy in February of that year. William and John Clegg had spent a day together in Liverpool and had returned to Clegg's inn, the Weaver's Arms on the Liverpool Road, sober but much fatigued with the heat of the day. William retired to rest on a sofa in an outside room. After some time Clegg asked William to come to tea and they sat down together at the bar. Some joking took place and William foolishly asked Clegg why he had been so greedy at Liverpool in having so many women. Mrs. Clegg coloured in the face. In anger and haste she knocked the chair from under her; suddenly reeling round, she fell and hit the wall. William assured her it was only a joke but having recovered; she grabbed a teapot and flung it at the door. Clegg tried to quieten her, as her conduct would offend his customers, and in doing so he pushed her whilst telling her that if she had a drop in her head she would sit down and be quiet. Clegg took his wife from the room and laid her on a bed. Sometime later he returned and expressed great concern for

her. Dr. Walker was sent for and after he gave her something she came too. The doctor diagnosed an epileptic fit. Next morning when William asked after Mrs. Clegg her husband said that she had fitted all night and he feared that he would lose her. At the trial William said that he supposed that she had cut her head against the wall or chimney-piece as she fell as he did not see the prisoner strike her. In summing up the evidence the judge expressed the opinion that this was not a case upon which a verdict of guilty could rest and the jury returned a verdict of not guilty.

The year 1826 marked the beginning of two years of the most severe drought experienced by settlers in the colony. Many drove their flocks and herds to distant areas for pasture and water as land close to the settlement became over grazed. Captain Charles Sturt wrote that it appeared the Australian sky would never again be traversed by a cloud.

William wrote a memorial in April 1826 to Governor Ralph Darling requesting a further grant of land for his increasing herd of cattle. His supporting reference was again signed by Mr. Reddall and Captain Brooks, both being magistrates at Campbelltown who thought him deserving of encouragement. William appeared before the Land Board on 27th July, 1827 with George Tate, a settler from the Illawarra, to support his request for additional land. Tate considered William to be a respectable, temperate young man who was a very industrious farmer at Goulburn Plains. A month later the Land Board wrote to the governor recommending that William be given a moderate addition to land he had already received. William had explained to the Land Board that he had obtained a grant of sixty acres from Governor Macquarie on 10th September, 1817 which he exchanged with his father for 68 acres in another situation and that after improving this land; he sold it for four hundred pounds to Mr. Scarr, clerk to the Bench of Magistrates at Campbelltown. William invested this money in the purchase of cattle with which to stock a grant of 240 acres at Goulburn Plains in County Argyle which he received from Governor Brisbane on 21st November, 1825. On this land William had built a temporary dwelling house and stock yard and he had fenced twenty acres for the cultivation of crops. William requested more land on which to graze his growing herd of cattle and presented to the Land Board a schedule of capital amounting to £937.³

At 9.00am on 27th November, 1828 Captain Charles Sturt reached William's property on the Murrumbidgee River. He was far beyond the acknowledged limits of the colony and William's station was the last at which Sturt could expect to obtain fresh supplies such as milk. The valley in which Sturt's party had slept opened on to an extensive plain, to the east of which the Murrumbidgee formed the extreme boundary. William had built his dwelling on elevated ground above the plain, opposite the junction of the Tumut and Murrumbidgee Rivers. He advised Sturt that he would have to cross the Murrumbidgee as its banks were too steep and the ranges too abrupt for Sturt's party to remain on the right side of the river. William and Charles Sturt rode down the river over rich flats, almost entirely cleared of timber to a place where stockmen had previously made a crossing. Above the river flats rose ranges that were partially wooded to their summits. William's cattle were scattered and appeared lost in the lush vegetation. The ranges served as a natural barrier to prevent the cattle from straying away.

On the following morning Sturt's party set out for the river crossing which was about five miles from William's house but because of the rough ground, the drays did not reach the crossing until about midday. A punt was constructed with tarpaulins on an oblong frame and a rope was secured to a tree on the opposite side of the Murrumbidgee. A running cord was fastened to the punt making a temporary ferry. Very hard work by the men enabled Sturt to deposit his considerable stores and sheep across the river before dark. His horses and cattle were driven across a ford lower down the river, the cattle nearly being swept away in the current.⁴

Jemima's mother, Sarah Middleton was charged in January, 1829 with receiving a silver watch knowing it to have been stolen. For this offence she was transported to Moreton Bay for fourteen years—a severe punishment for receiving goods valued between two and three pounds by a widow aged fifty with five dependent children.⁵ William and Jemima took care of the children but Jemima was tormented with worry about her mother's welfare. On 12th September, 1831, Jemima wrote a petition to Governor Darling requesting that her mother be assigned to her care at her husband's residence on the Murrumbidgee. Jemima hoped that the governor would take into consideration the fact that Sarah Middleton had arrived as a free immigrant, that she was of advanced years and in infirm health and that it was unlikely that she would outlive her term of banishment, thereby leaving no hope of her unfortunate children ever seeing her again,

excepting through the gracious clemency of the governor. Jemima collected three witnesses to her petition and added three written references to emphasise the correctness of her statement. Thomas Reddall stated that William and Jemima lived in good circumstances and had conducted themselves in an industrious and honest manner during the time of their marriage, that they had supported the younger children in a way that did them every credit and that they possessed the means to support the unfortunate mother. He strongly recommended Jemima's petition for the governor's consideration. Written across the left hand corner of Jemima's petition is a note dated 20th September, 1831, "The governor would not interfere in this case." However, some thought must have been given to Sarah Middleton's plight as she died in Sydney aged 56 years and was buried on 23rd June, 1836.

William made a further application for land on 12th March, 1830. This time his referees were William Howe, Superintendent of Police who described William as being respectable, sober and industrious and Captain Charles Sturt who acknowledged assistance given to him by William when he was in William's neighbourhood on the Murrumbidgee.

I Warly's Whent spoke he Necerto Murras hage River ha 1 12. 1830 Itake the liberty of suclosing an application for Land to you hopens that you will oblige me by forwarding the same to Her Excellency . In case the concernationce through have slipped your Mumory I beg to security you that San the person that last monday week brought a detter of recommendation to you from bathan Thirt form the 1. Ho Grating ate Scoretary Murram ledge there recommending me to the governor for the apistance afforaia lan while on that A letter written by William Warby from Murrumbidgee Reightonohon River on 12th March, 1830 to Governor Darling's secretary. Hen the hours tothe Note the clerical comment at the top of the letter referring Jan part Hedren Per to Captain Sturt. Million May

On 12th September, 1830 William applied for an allotment of town land in Campbelltown on which he planned to build a cottage for the accommodation of his wife and family. By this time he owned four hundred head of horned cattle, four breeding mares, two saddle horses, five hundred sheep and two teams of bullocks which were constantly employed.

In September 1833 William applied to purchase two sections of land. The first was for himself and became known as Darbalara comprising long river frontages of flat, rich land within a fork formed by the junction of the Tumut and Murrumbidgee Rivers. The second section was on behalf of his father and was described as being on the east side of William's station, bounded on the north by the Murrumbidgee River about two miles below its junction with the Tumut River. These properties sloped back to the ranges and were covered with grass and light timber.⁷

Whilst in Campbelltown, William had his daughter Sarah Eliza baptised at St. Peter's on 30th September, 1833. She had been born at Darbalara on 2nd February that year.

Until this time William had been well rewarded for initiative, resourcefulness and hard work. He had amassed a herd of about 2,000 cattle in a short period of time and was in the habit of sending 100 head to the Sydney market each year.⁸ Because he was held in high esteem by his neighbours; no one suspected that his success was due to anything but endeavour on his part, and luck. However, his destiny changed when a warrant was issued for his arrest on the suspicion of cattle stealing. Fearing that if convicted his property would be confiscated by the Crown, William hurried to Campbelltown where his brother, Benjamin lived. Together they consulted Mr. Francis Stephen, a lawyer in Sydney. Following Mr. Stephen's suggestion, a bill of sale was drawn up turning all William's stock and farming utensils over to Benjamin for the sum of two thousand, five hundred pounds, the full sum to be paid over a period of three years. Having finalised their business the brothers returned to Campbelltown where William was arrested on a warrant which had been forwarded from Yass.

It was at Yass that William was committed for trial. Henry O'Brien, on hearing that Benjamin was moving cattle from William's station intending to send some to Sydney for sale, rode over to William's station, accompanied by some friends and warned Benjamin the consequences of what he was doing. Benjamin replied that the cattle were now his own and that he had taken legal advice on the subject and was perfectly safe.⁹

In February, 1836 William was charged in the Supreme Court, Sydney with receiving from Robert Beaver 21 oxen, 20 cows, 10 heifers and 10 calves knowing them to have been stolen from Henry O'Brien. Mr. R. Terry applied to the Court on behalf of William for postponement of the trial on the grounds that six material witnesses, who had been subpoenaed, had not arrived from their residences about two hundred and fifty miles from Sydney. The Solicitor General opposed this application on the grounds of insufficiency as the witnesses for the prosecution, residing in the same district, had arrived. Mr. Justice Bowling rejected the application on the grounds of informality in the affidavit, it not stating who served the subpoenas on the witnesses or where they were last seen.

Evidence was given that towards the end of 1835 a man named Glover, who was employed by Messrs. Hill and Roberts at the Murrumbidgee, was apprehended on a charge of cattle stealing. In order to save himself Glover gave information against several receivers in the district. From his evidence and that of a man named Cooper, it appeared that about five years previously Robert Beaver, an overseer to Mr. O'Brien at Yass, asked Glover to give him a hand in collecting Mr. O'Brien's cattle. Whilst they were mustering, Glover observed a calf with Warby's brand sucking a cow with O'Brien's brand. Glover and Beaver obtained a dog from the station and caught the calf. They skinned it and destroyed the brand marks after which they returned to the stockyard and drafted twenty of O'Brien's calves from their mothers and drove them about ten miles to Warby's station where they were received by Warby without making any remark. Next morning Glover returned from his place of residence to Mr. O'Brien's to give Beaver further assistance. In a hut Glover saw a piece of blue cloth and he asked Beaver how he had obtained it. Beaver replied that it would not do to let Warby have the calves for nothing.

On receipt of this information, a search was made among William's cattle and two cows were found and identified by Glover to be two he had driven to William's property. Glover said they resembled Mr. O'Brien's cattle but he would not undertake to swear to their positive identity. When apprehended, William said one of the cows was only three years old and could not have been stolen five years previously. An expert examined the cow and judged her to be older than three years. Glover said that he received no payment for assisting Beaver. He only did it as a favour which he thought Beaver would return if necessary. Glover said that he had not come forward voluntarily before this as one man had been burned and another had his teeth knocked out for giving information.

Beaver and William's brother-in-law were apprehended but escaped. William's brother-in-law was Thomas McAlister who married Jemima's sister Caroline in April 1828. Thomas had been involved in some burglaries and left the silver watch with his mother-in-law. When things at Appin got too hot, he and Caroline dashed down to Darbalara. It would appear that he eventually settled in the Tumut area.

Several witnesses were called for the defence but from their evasive or misleading statements, their testimony did not sway the jury. Mr. Rose told the court that he considered William to be honest and Mr. O'Brien said that until the present time he had held a similar view of William.

After a short period of consultation the jury returned a verdict of guilty and in passing a sentence of fourteen years in a penal settlement, the judge observed that there were seven other charges against the prisoner.

It would seem harsh that William was given such a long sentence based on circumstantial evidence. During the trial he was supported in court by a crowd of friends and relatives.¹⁰

The Government Gazette advertised the sale of William's property at public auction in Goulburn on 14th July, 1836. Included in the sale were about one thousand head of cattle, seventeen horses, about 200 bushels of wheat and farming utensils.¹¹ Proceeds from this sale went towards paying his court expenses.

William was transported to Tasmania on the *Siren* which left Sydney on 30th July and arrived in Hobart on 11th August, 1836. He would have spent a very miserable 35th birthday on the first full day at sea as the little ship bobbed down the coast. Travelling steerage on the same ship were Jemima and their daughter. Initially, William was employed on public works at Waterloo Point on Oyster Bay.

Tasmania proved inhospitable for Jemima as she returned to Sydney on the brig *William* arriving in Sydney on 15th July, 1837. Certainly she brought a tale of woe to her in-laws because on 29th July John Warby sent a memorial to the governor, Sir Richard Bourke asking for mitigation of his son's punishment. John asked that governor take into consideration that prior to the trial William had been an honest, sober and industrious man; an affectionate husband and father and that he had left behind him a virtuous wife and an infant child. Attached to this memorial were endorsements by Captain Charles Sturt, Mr. Samuel Terry, Surgeon William Bland, Captain Francis Allman, Father John Joseph Therry, and the Reverend Thomas Reddall. John's memorial was referred to the Acting Chief Justice, James Dowling who judged that this was not a case for mitigation.

It is probable that Jemima returned to Hobart on the *Marian Watson* which sailed from Sydney on 13th September, 1837 only to return to Sydney on 2nd July, 1838 on the *William*.¹²

Jemima would have been consumed with righteous anger. Twelve months after William's conviction, Robert Beaver was tried and acquitted for stealing the very cattle for which William was convicted of receiving. Jemima was a determined and persistent lady who would not give up. Her father-in-law's memorial had failed to sway Sir Richard Bourke so she prepared her own memorial for presentation to his successor, Sir George Gipps. Jemima pointed out to the new governor her husband's irreproachable character prior to his conviction. She was careful not to plead William's innocence in the face of a verdict of a jury but she asked the governor to consider the fact that Beaver had been acquitted and to consider the helpless state in which she and her child found themselves. Attached to this memorial were supporting references of Thomas Reddall, William Bland, William Faithfull, Charles Sturt and a letter signed by eleven landholders who had known William for many years, some from childhood. Included in the list were John Hurley, Henry Fowler (Junior) and John Bray.

It would have taken Jemima time to collect the supporting references to her memorial. Attached to the front of it is a letter written by Benjamin Warby dated 11th January, 1839 in which he stated that Mrs. Warby would have presented her memorial to the governor herself but for her unfortunate death a few days previously, leaving an infant daughter dependent upon others for protection and support.

Sir George's comment was that William had only served three years of his fourteen year sentence and, therefore he, the governor could not interfere.¹³

Jemima was 36 when she died and was residing in Campbell Street, Sydney. Her burial took place on 7th January, 1839 details of which were recorded in the parish of St. Lawrence. It is not known who brought up her daughter Sarah Eliza.

It is assumed that William served most of his sentence in the Oatlands District, although he was in Launceston on 21st October, 1842. He received his ticket of leave on 18th November, 1842 and his free pardon on 14th September, 1843.

The Warby family showed interest in William's welfare as a Mr. Warby left Launceston on the Black Swan on 11th August, 1840 and Robert Warby left Launceston for Sydney on 31st July, 1845.¹⁴

William's conviction had an overwhelming effect on the Warby family. In 1836 John and Sarah celebrated their fortieth wedding anniversary. During their marriage they had lived unblemished lives. They had endeavoured to instill good and honourable principles into the minds of their children and they had been regular parishioners at St. Peter's. William's conviction left them devastated. Several years later Charles Warby was accused of allowing some cattle to stray. In his letter of complaint, Lieutenant Sayers drew attention to the fact that Charles' brother had recently been charged with stealing cattle. So the convict blemish reappeared.

William died in his daughter Sarah Eliza's home at Hotham in Victoria on 18th August, 1885 aged 84 years. The cause of his death was bronchial pneumonia. He had spent the previous twelve years in Victoria but his whereabouts between 1843 and about 1873 is unknown. He did not marry again.

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- 3. Liverpool Muster—September, 1822
- 4. Archives of N.S.W. 2/7998 Reel 1194
- 5. *Two Expeditions into the Interior of Southern Australia during the Years 1828, 29, 30 and 31* by Captain Charles Sturt. Volume 2.—Mitchell Library
- 6. *The Australian* January 9th, 1829
- 7. Archives of N.S.W. 4/2167 Reel 2194 Petition No. 3
- 8. Archives of N.S.W. 37/8909 Letter to Colonial Secretary by Acting Chief Justice, James Dowling
- 9. The Colonist 12th May, 1836
- 10. The Australian 19th February, 1836
- 11. Government Gazette, 7th June, 1836, page 436
- 12. The Australian 18th July, 1837, 15th September, 1837, 3rd July, 1838
- 13. Archives of N.S.W. 4/2458.5
- 14. Launceston Advertiser, 13th August, 1840

Descendants of 2nd Child

William WARBY

b.31 Jul 1801 Prospect, bapt. 23 Dec 1804 St. John's, Parramatta d. 18 Aug 1885 Hotham, Victoria m. 18 Jan 1821

Jemima MIDDLETON

b. 5 Feb 1803 Bermondsey, Surrey bapt. 15 May 1803 Church of St Mary Magdalen, Bermondsey d. Jan 1839 Sydney

1. Sarah Eliza WARBY

b. 2 Feb 1833 d. 26 May 1910 m. 24 Jan 1853

William PAYTON

b. 1821 d. 10 May 1890

1. Elizabeth PAYTON b. 19 Mar 1856 d. 2 Feb 1933 m. 1880 Michael O'CONNOR b. 14 Apr 1855 d. 7 Jun 1911

1. William (Willie) O'CONNOR b. 18 Dec 1880 d. c1970 m. Maggie?

1. Everet O'CONNOR

- 2. Evelyn Mary O'CONNOR b. 25 Dec 1882 d. 1 Mar 1978
 - m. 27 Nov 1909 Henry (Harry) Thomas ORR b. 1871 d. 17 Mar 1955
 - 1. Charles Henry ORR b. 13 Sep 1910 d. 28 Jun 1999
 - m. 29 Jun 1936 Mary Susan HARGREAVES b. 24 Mar 1911 d. 2006
 - 1. Private ORR b. 5 Mar 1938
 - 2. Allan Joseph ORR b. 4 May 1940 d. 8 Jan 2013
 - 3. Carmel Mary ORR b. 22 May 1943 d. 5 Feb 1975
 - 4. Private ORR b. 25 Dec 1944
 - 5. Margaret Anne ORR b. 28 May 1948 d. 15 Aug 2004
 - 2. Hazlett Frances ORR b. 10 Jan 1913 d. 7 May 2010
 - 3. Evelyn Brenda ORR 21 Sep 1914 d. 7 Aug 1999
 m. 1 Jul 1949 Clive Norman Gaynor PERRY b. 10 Feb 1900 d. 25 Dec 1954
 - 4. Private ORR b. 12 Aug 1916
 m. 22 Sep 1951 Joseph Robert BOND b. 20 Jun 1915 d. 25 Jul 1981
 - 5. Private ORR b. 21 Jan 1919
 - m. 11 Jul 1942 John Justin Prospere SMYTH b. 17 Feb 1918 d. 5 Oct 1999
 1. Frances SMYTH b. 2 Jun 1941 d. c Dec 1983
 2. John SMYTH b. 23 Jul 1942 d. c May 1983
- 3. Lillian May O'CONNOR b. 29 Oct 1883
 - m. Danny FOX
 - 1. Manus FOX
 - 2. Rona FOX b. 26 Jan 1917
 - m. Steve Murphy
- 4. Sarah Victoria O'CONNOR b. 16 Jul 1885 d. c1960
- 5. Victor O'CONNOR b. 15 Nov 1887
- 6. Vincent John (Jack) O'CONNOR b. 2 Jun 1889 d. 9 Apr 1976
- 7. Myrtle O'CONNOR b.7 Jul 1891 d. 1892
- 8. Herbert Michael O'CONNOR b. 19 Sep 1892 d. 10 Jul 1967

2. James PAYTON b. 1857 d. 1921

3. Esther Ann PAYTON b. 1859 d. 1859

4. Thomas Christopher PAYTON b. 1864 d. 18 Aug 1940 m. 1 Jul 1885 Bedelia Catherine Agnes DOYLE b. 1860 d. 5 Dec 1932

- 1. Esther Elizabeth PAYTON b. 1886 d. 14 Mar 1962
 - m. 1911 William Lodge MONKS b. 1880 d. 27 Feb 1942
 1. Ronald Doyle MONKS b. 1912 d. 30 Mar 1996
 - m. Amy CAROLINE b. 1917 d. 18 Feb 1990
 - 2. Clement Anthony MONKS b. 1922 d. 1923
- 2. Thomas William PAYTON b. 13 Apr 1889 d. 20 May 1950
 - m. 20 May 1914 Ellen Margaret GINIVAN b. 29 Sep 1891 d. 18 Jul 1966
 - Patricia PAYTON b. 20 Nov 1917 d. 5 Jun 2010 m. 4 Apr 1939 Robert V. VALE b. 25 Jan 1917
 - Gerard Laurence PAYTON b. 6 Jun 1921 d. 31 May 1968 m. Rose HORRIGAN b. 28 Mar 1922
 - Thomas William PAYTON b. 27 Sep 1924
 m. 29 Nov 1948 Maureen Mae WALSH b. 9 Apr 1927
 - Shirley Isobel PAYTON b. 18 Sep 1927 m. 7 Mar 1953 Ronald ARNOLD
- Charles Frederick PAYTON b. 1892 d. 1970
 m. 2 Feb 1916 Mary Keziah GINIVAN b. 1890 d. 1975
- 4. Catherine Theresa PAYTON b. 1895 d. 1 Jul 1939
 - m. 14 Oct 1911 William Alexander COYLE b. 23 Feb 1893 d. 10 Oct 1974
 - Catherine Mavis COYLE b. 5 Feb 1912 d. 1956 m. Stan ALFORD
 - 2. William Thomas COYLE b. 21 Jun 1913 d. 1957
 - James Alexander COYLE b. c 1914 d. 1 Mar 1967 m1. 1936 Eunice Alice Caroline BROWN
 - m2. 1959 Dorothea DEAS
 - 4. Lyla May COYLE b. 5 May 1917 d. 10 Nov 2001
 m. 11 Oct 1940 Ernest John Ryan b. 30 Mar 1918 d. 28 Apr 1998
 - 5. Norma Veronica COYLE b. 1919 d. 2001
 - 6. Leo Robert COYLE b. 1921 d. 1994
 - 7. Patricia Marie (Eva) COYLE b. 1925 d. 1989
 - 8. Therese Valda COYLE b. 12 Sep 1927 d. 1928
 - 9. Peter Anthony COYLE b. 18 Dec 1931 d. 11 Nov 1991
 m. Betty Lilian BOYD b. 10 Feb 1933 d. 29 Jul 1995
 - 10. Ella COYLE b. 1932 d. 1932

5. Edward PAYTON b. 1867 d. 1867

- 6. Margaret PAYTON b. 1869 d. 1945 m. 1888 Peter Daniel DOYLE
- 7. Hugh PAYTON b. 1872 d. 1872

8. Joseph PAYTON b. 1873 d. Dec 1915 m. 1905 Mary Ann CURTIN d. Jan 1916

- 1. Joseph Henry PAYTON b. 1906 d. 1914
- 2. Lillie PAYTON b. 1907
 - m. ? ARMSTRONG

9. Sarah Ellen PAYTON b. 1875 d. 1945 m. 22 Apr 1907 Peter Antonio CORDOVA b. 1882 d. 1953