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'The lowest Ebb in life': Individual responses to the forced evacuation of Norfolk Island's first settlement, 1803-1814

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This article analyses memorials, or personal petitions, written in response to the evacuation of Norfolk Island's first settlement in the early years of the nineteenth century. The colonists' forced removal between 1803 and 1814 resulted in the forfeiture of homes, possessions and community. The personal narratives contained within the evacuees' memorials provide fresh insight into the impact of the island's closure and the preparedness of the inhabitants to protest the injustices they experienced. They convey the deep personal challenges associated with withdrawal from, and abandonment of, colonial outposts like Norfolk Island and the broader implications such decisions had on both colonists and administrators.

As Huzzey and Miller have demonstrated, petitions, memorials and addresses can be used 'to illuminate conflict, negotiation and resistance in a wide range of colonial settings'.[1] The Norfolk Island memorials, which have not been investigated closely before now, provide a rare cache of dynamic evacuation and protest texts. They are also highly personal documents. Although frequently written by a scribe, they strongly reflect the individual input and insight of those who signed their name to them. These were not rote, formulaic documents, but rather bespoke appeals to governance, reflecting the genuine and heartfelt concerns of ordinary people. As such, as Ilana Rosen says, while they may 'strengthen, confront, add, omit or leave things untold or unresolved', memorials bespeak a vital personal experience.[2] Because of this they have the potential to contradict the official and accepted accounts promoted by both contemporaries and historians, as Reinhart Koselleck has argued.[3] Their deeper significance

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1 R. Huzzey and H. Miller, 'Colonial Petitions, Colonial Petitioners, and the Imperial Parliament, ca. 1780–1918', *Journal of British Studies*, Vol. 61, 2021, p. 3.

2 I. Rosen, 'Personal Historical Narrative Shaping the Past and the Present', *European Journal of Jewish Studies* Vol. 3, No. 1, 2009, pp. 107-10.

3 R. Koselleck, 'Linguistic change and the history of events', *Journal of Modern History*, Vol. 61, No. 4, 1989, pp. 649-666; R. Koselleck, 'Im Vorfeld Einer Neuen Historik', *Neue Politische Literatur*, No. 6, 1961, p. 577. See also S. L. Hoffmann, 'Koselleck, Arendt, and the Anthropology of Historical Experience', *History and Theory*, Vol. 49, No. 2, 2010, p. 213.

lies in illuminating an era's historicism, or the unique identity reflected through the lives of contemporary men and women. Memorials allow us to 'step into the shoes of people in the past and see the world through their eyes', illuminating 'an unknown dimension of the past'.[4]

In analysing the concerns of the free colonists of Norfolk Island, this article reveals memorials as one of the few avenues for conscious, non-violent protest against injustice and loss. With their political, economic and social references, albeit coloured by the emotions and the perceptions of the memorialists, these eviction narratives reveal what Schulte and Von Tippelskirch called the 'political mobilization of the underclasses' as they sought redress, often unsuccessfully, for perceived injustices.[5] Given that memorials were a key form of resistance, it is surprising that they do not feature more in the scholarship of early colonial Australia.[6] Within the historiography, lower-class protest is addressed predominantly in relation to convicts in the post-Macquarie era (from 1822). During the period 1824 to 1838, convict resistance, according to Atkinson, manifested through attack (physical or verbal), compensatory retribution (punishing through other actions), withdrawal of labour and appeals to authority.[7] Hamish Maxwell-Stewart and Michael Quinlan have written extensively about go-slows, strikes, absconding and revolt.[8] But these seminal accounts do not give attention to memorials and petitioning as a form of protest. Similarly, Babette Smith and Joy Damousi overlooked memorialisation as a form of customary and accessible protest for convict women.[9] Perhaps memorials have been marginalised within the literature

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4 J. Tosh (ed.), *Historians on History*, 2nd Ed., London, 2014, p. 3; E. Hobsbawm, *On History*, New York, 1997, p. 204.

5 R. Schulte and X. Von Tippelskirch, *Reading, Interpreting and Historicizing: Letters as Historical Sources*, 2004, p. 5.; F. Cooper and A. L. Stoler, 'Tensions of Empire: Colonial Control and Visions of Rule', *American Ethnologist*, Vol. 16, No. 4, 1989, p. 612.

6 K. O. Akurang-Parry, '"A Smattering of Education" and Petitions as Sources: A Study of African Slaveholders' Responses to Abolition in the Gold Coast Colony, 1874–1875', *History in Africa,* Vol. 27, 2000, p. 42.

7 A. Atkinson, 'Four Patterns of Convict Protest', *Labour History*, No. 37, 1979, p. 30.

8 H. Maxwell-Stewart and M. Quinlan, *Unfree Workers. Insubordination and Resistance in Convict Australia, 1788-1860,* London, 2022.

9 B. Smith, *Defiant Voices. How Australia's Female Convicts Challenged Authority*, Canberra, 2021; J. Damousi, 'Beyond the Origins Debate: Theorising Sexuality and Gender Disorder in Convict Women's History, '*Australian Historical Studies,* Vol. 27, No. 106, 1996, pp. 59-72; J. Damousi, '"Depravity and Disorder": The Sexuality of Convict Women', *Labour History*, No. 68, 1995, pp. 30-45; J. Damousi, 'Chaos and Order: Gender, Space and Sexuality on Female Convict Ships', *Australian Historical Studies,* Vol. 26, No. 104, 1995, pp. 351-372.

because, in the words of K. O. Akurand-Parry, they are 'less spectacular' than other forms of protest.[10] However, memorials should be seen as examples of protest exercised by informed citizens utilizing their customary and constitutional rights. The right to memorialise could be employed by any woman or man, married or single, convict, emancipist or free settler, at any time and for any reason.[11]

Memorials reveal the significant impact of the evacuation on the colonists of Norfolk Island. Their reluctance to leave and the frustrations they experienced are not necessarily a contested fact, but the historiography has tended to focus on the evacuation rationale and processes, rather than personal evacuation narratives.[12] Considered together, however, the memorials equate to an archaeology of lived-experiences and responses, providing contemporaneous evidence which facilitates the reconstruction of how people lived, responded and adapted to changing conditions. At times these accounts are emotive, reflecting despair, sadness, frustration and anger. Some are measured, while others are laconic, providing only the barest information. Memorialists may 'annotate and re-interpret' events in line with their own world-view, nevertheless the Norfolk island petitions present, as noted above, a lived history through 'memorialising or voicing lesser-known events ... expressing critical views of other narrators'.[13]

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10 Akurang-Parry, *op. cit*., p. 39. One exception in the Australia literature is L. Ford and D. A. Roberts, 'Legal Change, Convict Activism and the Reform of Penal Relocation in Colonial New South Wales: The Port Macquarie Penal Settlement, 1822–26', *Australian Historical Studies*, Vol 46, No. 2, 2015, pp. 174-90, which considers a rare collective petition by convicts addressed to the colony's Chief Justice in the 1820s. While individual convict petitions were numerous and frequent, only a few collective petitions of that type are know to exist.

11 For discussion see H. W. Muller, 'Bonds of Belonging: Subjecthood and the British Empire." Journal of British Studies', Vol. 53, No. 1, 2014, pp. 29-58. Also note the use of petitions in America at this time. R. Bogin, 'Petitioning and the new moral economy of post-revolutionary America', *The William and Mary Quarterly: A Magazine of Early American History and Culture*, Vol. 45, No. 3, 1988, pp. 392-425.

12 For example, R. Nobbs (ed.), *Norfolk Island and its First settlement, 1788-1814,* North Sydney, 1988; G. Broxam, 'Abandoning the First Settlement of Norfolk Island: A Maritime Perspective', *Papers and Proceedings: Tasmanian Historical Research Association*, Sydney, 2012.; F. Clune, *The Norfolk Island Story,* Sydney, 1967; R. N. Dalkin, 'Norfolk Island-The First Settlement, 1788-1814', *Journal of the Royal Australian Historical Society,* Vol. 57, 1971, pp. 189-212; J. H. Donohoe, *Norfolk Island 1788-1813. The People and their Families,* Sydney, 1986.; M. Hoare, *Norfolk Island: An Outline of Its History, 1774-1981,* St Lucia (Qld), 1982; R. J. King, 'Norfolk Island: Phantasy and Reality, 1770-1814', *The Great Circle,* Vol. 25, No. 2, 2003, pp. 20-41.

13 Rosen, *op. cit*., p. 109.

As a form of personal petition — a formal letter — Australian memorials were written to a person of authority, namely the governor as the representative of the Crown, another senior colonial official, or a member of the British government. Their purpose was three-fold — request, relief or redress. The most rudimentary function of a memorial was to request land grants, leases, tickets of occupation, the services of an assigned convict or to be victualled (provisioned) from the government stores.[14] Relief could be sought through memorials to alleviate hardship, such as in the wake of a natural disaster. Finally, at their most sophisticated, memorials sought redress of a grievance, a constitutional right that Sir William Blackstone equated to the rights of life, limb, liberty and property.[15] In an autocratic colonial context, memorials of redress reflect the complex deferential negotiation that occurred between free colonist and colonial administrators. The right to memorialise represented 'a minimum form of citizenship', but this article questions the assumption that memorialisation equated to political power for the free colonists of early Australia.[16] The entitlement to seek redress occurred within a tightly constrained institutional framework. Memorialising the colonial governor for redress in situations exacerbated by his own government significantly restricted the effectiveness of a memorial.

Just prior to the evacuation there were 626 free adult colonists residing on Norfolk Island.[17] Given that there were only twenty memorials and a relatively small quantity of related documentation protesting the evacuation and related compensation, consideration must be given as to why more free colonists did not protest forced removal.[18] Their possessions were precious but few. When we exclude

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14 J. Pelosi, Archivist, State Archives and Records Authority of New South Wales, pers. comm. with N. Phelps, 4 January 2020.

15 J. E. Pfander, 'Sovereign Immunity and the Right to Petition: Toward a First Amendment Right to Pursue Judicial Claims Against the Government', *Northwestern University Law Review*, Vol. 91, No. 3, 1996, p. 925.

16 S. A. Higginson, 'A Short History of the Right to Petition Government for the Redress of Grievances', *Yale Law Journal*, Vol. 96, No. 1, November 1986, p. 153. Higginson states that petitioning, and by extension memorialisation, 'meant that no group in colonial society was entirely without political power'.

17 In May 1803, the population stood at 1028, with 626 free adults (including civil and military personnel) 297 children and 205 convicts. The 626 free adults, comprising 461 males and 165 females, are the subject of this study. R. Nobbs, 'Viewing the First Settlement', in Nobbs (ed.), *op. cit.*, p. 5.

18 This article is founded on archival analysis of first-hand accounts including memorials and associated documentation contained within the NSW State Records Colonial Secretary's Papers 1788-1825, the Records of the Colonial Office (NSW

the personal items that were taken with the evacuees, the inventories reveal the relatively limited nature of household chattels.[19] Acceptance of the loss of those items may have prevailed in a population which had already experienced forfeitures through trial, transportation and servitude. Further, high rates of illiteracy and the practical inequalities associated with the capacity to memorialise made the writing of memorials challenging. It must not be assumed, however, that the absence of a greater number of memorials equated to satisfaction regarding the evacuation or a slavish absence of agency. There is sufficient material, both first-hand and official, to indicate generalised concern and distress amongst colonists, supporting the first-hand accounts that survive. Governor William Bligh, for example, wrote to Viscount Castlereagh in October 1808 that 'the poor settlers of Norfolk Island' were 'discontented'. Joseph Foveaux, then Commandant of Norfolk Island, stated that the colonists' 'inclination' to remove from the island 'which was before so manifest, almost totally disappeared'.[20] In 1806, Governor Philip Gidley King re-iterated the 'dislike' and 'reluctance' of settlers to removal unless 'compelled'.[21]

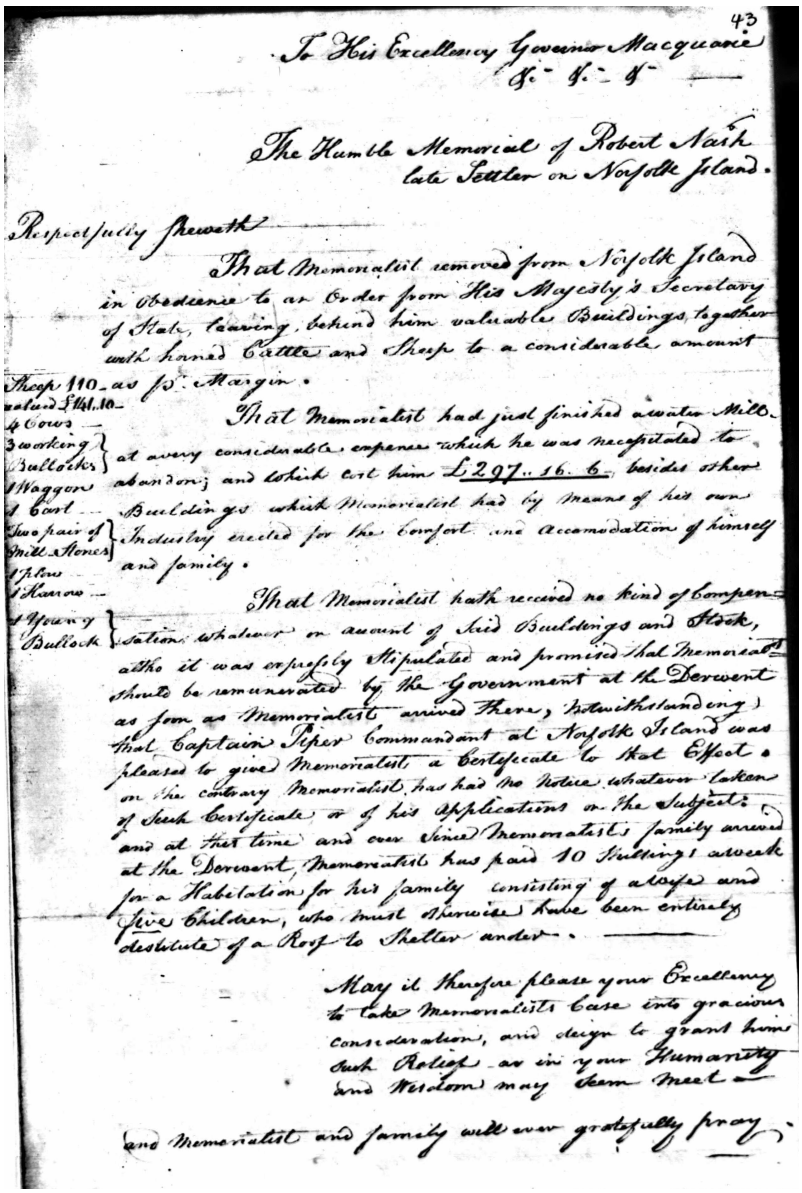
Original Correspondence, Secretary of State, 1783-1900) and *Historical Records of Australia*. The material includes a total of 14 memorials written by 10 colonists as well as 5 detailed statutory declared statements indexed by the State Archives of New South Wales as memorials, one address signed by 12 colonists, and 40 inventories associated with the memorials relating to assets impacted by evacuation. These personal accounts were contextualised using family history methodology.

19 For Martin Tims, who arrived on the Third Fleet in 1791 as a private in the NSW Corps and remained on the island until 1813, those possessions included 21/2 acres of land, 6 sheep, grain, a bedstead, two stools, two tables, six chairs, one tub, one cask and three buckets. Elizabeth (Haywood) Lowe, a First Fleet transportee who remained on the island until 1813, had 55 sheep, 8 goats, 2 bedsteads, 1 corner cupboard, 3 chairs, 3 tables, 4 stools, 6 trays, 1 bucket and one horse. Lowe, aged thirteen when convicted in 1787, was the youngest female convict on the First Fleet. She remained on the island until 1813, having resided there for a total of twenty-three years. John Drummond, a seaman on First Fleet vessel *Sirius*, was stranded on Norfolk when the vessel hit the reef there is 1790, becoming a settler there the following year. His material possessions, to the value of £47.10s included 10 stools, 10 tables, 2 bedsteads, an ironwork carriage, 18 casks, 2 tubs, 8 chairs, 7 buckets, 1 flour trough, 1 saddle and a pair of mill stones. His buildings were valued at £70 and his stock at £971.00, a significant sum. Sarah Clayton, a free woman who accompanied her convict husband to the colony in 1803, had 91 sheep, 15 goats, hogs, a dwelling house valued at £10, 1 bedstead, 4 stools, 3 tables, 5 chairs, 4 trays, 4 buckets, 1 wheelbarrow and 3 sieves and a dwelling house valued at £10.

20 Forveaux, 26 March 1805, *Historical Records of New South Wales*, Vol. 5, Sydney, 1897, p. 58, concerning the removal of the settlement of Norfolk Island, 26 March 1805.

21 C. Potter (ed.), *Historical Records of New South Wales, Vol. 6. King and Bligh, 1806, 1807, 1808*, Sydney, 1898, pp. 35-36.

Figure 1: The First Page of Robert Nash's Memorial of 1810



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To His Excellency Governor Macquarie
&c. &c. &c.

The Humble Memorial of Robert Nash
late Settler on Norfolk Island.

Respectfully Sheweth

That Memorialist removed from Norfolk Island in Obedience to an Order from His Majesty's Secretary of State, leaving behind him valuable Buildings together with horned Cattle and Sheep to a considerable amount

Sheep 110 as p. Margin.
valued £161.10-
4 Cows
3 working Bullocks
1 Waggon
1 Cart
Two pair of Mill Stones
1 Plow
1 Harrow
1 Young Bullock

That Memorialist had just finished a water Mill at very considerable expence which he was necessitated to abandon; and which cost him £207.16.6 besides other Buildings which Memorialist had by means of his own Industry erected for the Comfort and Accomodation of himself and family.

That Memorialist hath received no kind of Compensation whatever on account of said Buildings and Stock, altho it was expressly Stipulated and promised that Memorialist should be remunerated by the Government at the Derwent as soon as Memorialist arrived there, notwithstanding that Captain Piper Commandant at Norfolk Island was pleased to give Memorialist a Certificate to that Effect. on the contrary Memorialist has had no Notice whatever taken of such Certificate or of his Applications on the Subject; and at that time and ever since Memorialist's family arrived at the Derwent, Memorialist has paid 10 Shillings a week for a Habitation for his family consisting of a Wife and five Children, who must therefore have been entirely destitute of a Roof to Shelter under.

May it therefore please your Excellency to take Memorialist's Case into gracious consideration, and deign to grant him such Relief as in your Humanity and Wisdom may seem meet

and Memorialist and family will ever gratefully pray.

Memorial re. claim for remuneration for buildings and stock left on Norfolk Island, 21 May 1810, SANSW 4/6977A, p.43

As early as 5 September 1804, twelve colonists expressed their 'alarms upon the intended evacuation' of Norfolk Island to Foveaux.[22] Details were emerging regarding the terms of resettlement for islanders removed from their homes and the colonists, through this address, protested those terms.[23] Marine 'settlers' Thomas Williams, Thomas O'Brian, William Mitchell and Thomas Lucas; 'settlers' Edward Kimberley, Jacob Billett, Richard Morgan and Andrew Goodwin and 'Land and House holders' William Cross, Francis Flexmore, John Herbert and William Sherburd requested that Foveaux represent their interests to Lord Hobart on his return to England.[24] The signatories to the address recalled the 'first colonisation of this Island' when 'the Inhabitants thereof [were] generally young, healthy, and unremittingly assiduous'.[25] Those who arrived later 'have become possessed of Land and Tenements therein by purchase enabled by the effects of long Industry, Economy and integrity having thereby contributed to the improvement of the Island both in agriculture and Stock'. They had 'borne all those hardships and privations, not only of the Comforts, but the necessaries of Life ... happily however in that respect then Unincumbered [sic] with Numerous families and not broken down by years of hard labour'. The islanders 'looked forward for the Support of declining age' to 'their landed interests and improvements' which 'they are justly apprehensive likely to become illusive if the evacuation of

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22 This document is an address, rather than a memorial. It is, however, the first vital response of individuals to the evacuation and therefore included in this analysis.

23 The appeal was addressed to Foveaux with the specific request that he represent their concerns to Lord Hobart, the Secretary of State for the Colonies.

24 Thomas Williams lived on the island for fifteen years between 1790 and 1805. Thomas O'Brian arrived on the island in 1791 and was evacuated in 1808. William Mitchell spent seventeen years on Norfolk Island, arriving in 1790 and evacuating in 1807. Thomas Lucas was evacuated in 1808, having resided on Norfolk Island since 1792. Edward Kimberley was a First Fleet convict who spent fourteen years on Norfolk Island between 1791 and 1805. Jacob Billett, a First Fleet convict, arrived on the island in 1790, remaining there until evacuation in 1808. Richard Morgan, made famous by Colleen McCullough's novel 'Morgan's Run', was a First Fleet convict who spent between 1790 and 1805 on Norfolk Island. Andrew Goodwin, a First Fleet convict, resided on the island for seventeen years between 1790 and 1807. William Cross was a convict who, by the time he arrived in the colony aboard the First Fleet in 1788, had served his full sentence. He lived on Norfolk Island between 1791 and 1808. Francis Flexmore, a Second Fleet convict, spent between 1791 and 1808 on Norfolk Island. John Herbert settled on Norfolk Island in 1790, two years after arrival in the colony. It remained his home for twenty-three years. He was evacuated in 1813 to Norfolk Plains, Van Diemen's Land. William Sherburd, a Second Fleet convict, lived on Norfolk Island between 1790 and 1808.

25 Settlers, Landholders and Householders of Norfolk Iland to Foveaux, 5 September 1804, New South Wales Original Correspondence, 1794, TNA, Colonial Office (CO) 201-30, pp. 351-52.

this Island shall take place' according to the terms detailed by King. Concern was expressed at the insufficient compensation for 'removal from a Settled habitation' and the fact that their property was largely not 'moveable' nor 'remunerated' under the 'regulations for evacuating'. Over the years they had 'continually applied the Surplus of their annual savings, after support of the Families, to the improvement of their respective Premises, by erecting permanent buildings ... clearing and reclaiming Ground and ... endeavouring to attain and secure proper asylum'.

Despite the official accounts making reference to 'the great backwardness of the Settlers in giving their Names to remove from Norfolk Island', this powerful document provides significant evidence of the toll that the island's initial settlement took on colonists, a concept only rarely acknowledged by authorities.[26] The signatories had all arrived within the first three years of the island's settlement and all felt that the proposed compensation would fall 'far short in reinstating ... such comfortable or valuable Situation and circumstances ... and consequent forfeiture of their possessions in this Island'. The historiography surrounding the island's first settlement does, in some cases, mention this address. Raymond Nobbs believes it reveals that 'the inducements held out by the government were not sufficiently attractive to lure [a number of residents] from their cleared farms and comfortable homes'.[27] Michael Roe highlights the address's role in detailing the 'rigours borne by the settlers' and their concerns over being denied the benefits of their labours in old age.[28] Yet the document itself is richer and more revealing. It reflects the investment of time, labour and initiative that colonists made and the pride they felt in their contribution 'to the improvement of the Island'. That contribution, however, took a heavy toll and having to begin again when they were 'broken down by years and hard labour' poignantly encapsulates a fear of, and resistance to, relocation. The document is an emotive plea for understanding made directly to the British Government, and only the words of the signatories adequately capture the colonists' trepidation.

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26 King to Camden, 15 March 1806, *Historical Records of Australia 1*, Vol. 5, pp. 645-46.

27 Nobbs, 'Viewing the First Settlement', p. 14.

28 M. Roe, 'The Slow Death of Norfolk's First Settlement', *Tasmanian Historical Research Association Papers and Proceedings*, Vol. 56, pp. 244-257.

The island's evacuation, directed by the British and colonial government, continued despite the colonist's concerns. Settled on 6 March 1788, just five weeks after the First Fleet landed at Sydney Cove, the island mirrored the political and economic structures and dynamics of the colony. It was directly administered by a commandant, answerable to and acting on behalf of the colony's governor. As Bruce Kercher notes, in the absence of legislative or democratic mechanisms and because of the distance from the home government in London, the governor 'enjoyed a legal position that was as close to autocracy as English law allowed'. He maintained 'personal control' over all aspects of colonial society including the judiciary, administration and law-making. Proclamations or government orders replaced legislation controlling all aspects of the colony and applying to free colonist and convict alike.[29] As a result, the governor ruled what was assumed to be a convict colony with the total authority of a garrison commandant.

Lord Hobart, Secretary of State for War and the Colonies, first ordered the partial closure of Norfolk Island in June 1803. He advised King that the settlement was no longer viable due to its distance from Sydney, its lack of a safe harbour and the cost involved in its maintenance.[30] A proportion of free colonists were to be transferred to Port Dalrymple with the express purpose of supporting and furthering the settlement of Van Diemen's Land, thereby becoming pawns in the drive for colonial expansion. It was believed that the Norfolk Islanders' 'habits of Industry' would serve as a positive role model in that fledgling settlement.[31] As Nicola Goc puts it, the 'replanting of emancipated smallholders' required the islanders to leave behind all that represented stability as they were 'uprooted to another crude convict station at the very end of the world'.[32] To achieve this end the colonial administration was prepared to exert force over free citizens. John Piper, commandant of Norfolk Island from 1804 to 1810, was given 'verbal orders' from Bligh to 'send the settlers off the island, and

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29 B. Kercher, 'Resistance to Law under Autocracy', *Modern Law Review* Vol. 60, No. 6, November 1997, p. 780. See also D. A. Roberts, 'Criminal Law and the Administration of Justice in Early New South Wales and Van Diemen's Land', *The Cambridge Legal History of Australia*, Cambridge, 2022, pp. 581-604.

30 Nobbs, 'Viewing the First Settlement', p. 5. Over the next eleven years evacuation occurred in stages. By December 1808 there were 205 people on the island and only forty-five by February 1814.

31 K. Reid, *Gender, Crime and Empire: Convicts, Settlers and the State in Early Colonial Australia*, Manchester, 2007, p. 40.

32 *Ibid*., p. 40; N. Goc, *Sandy Bay: A Social History*, Sandy Bay (Tas), 1997, p. 23.

in case any of them refused to go, he was to use military force; and if any of them took to the woods, he was to outlaw them and to shoot them'.[33]

Significantly, seventy percent of Norfolk Islanders were emancipist and free settlers by June 1805.[34] Social and political boundaries were shifting as a growing number of emancipists regained their rights as free citizens. The colony's 'experimental' governance which was, in the words of Lisa Ford, 'grossly unconstitutional', struggled to deal appropriately with those who were free.[35] In practice, there remained a coercive relationship between administration and free colonists resulting in oppression and instances of unrest. Colonial governance was based on a 'radically defective' system whereby 'uncontrolled authority' was invested in the hands of one individual'.[36] New South Wales, which incorporated Norfolk Island and Tasmania, possessed neither a council, a house of assembly, nor trial by jury. One of the few to analyse the impact of autocratic governance on free colonists was William Charles Wentworth who, in 1820, questioned the relevance of an autocracy in meeting the needs of a changing colonial society. Citizens who have 'no rights [and] no possessions that are sacred and inviolable' could be likened to 'a slave ... devoid of that noble feeling of independence, which is essential to the dignity of his nature'. He recognised that the governor's authority included the right to 'invade the property, and violate the personal liberty of those, whom he ought to govern with justice and impartiality'.[37] Governors appointed to administer a penal colony often struggled to recognise and appropriately meet the needs of free and emancipist colonists, resulting in 'the bastardization of basic procedural safeguards' to the detriment of free subjects.[38] That certainly seems to have been the fate of the Norfolk Island settlers, at least in their own eyes.

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33 *Proceedings of a General Court-Martial Held at Chelsea Hospital, which Commenced on Tuesday, May 7, 1811, and Continued by Adjournment to Wednesday, 5th of June Following, for the Trial of Lieut.-Col. Geo. Johnston.*, London, 1811, p. 336.

34 Biographical Database of Australia, *Musters of New South Wales and Norfolk Island 1805-1806: Overview of Data*, <www.bda-online.org.au/files/MC1805_Muster.pdf.> (13 November, 2020). Fifty-five percent of New South Wales' population were free.

35 L. Ford, *The King's Peace: Law and Order in the British Empire*, Cambridge (MA), 2021, p. 216.

36 W. C. Wentworth, *A Statistical, Historical, and Political Description of the Colony of New South Wales: And Its Dependent Settlements in Van Diemen's Land*, London, 1820, p. 288.

37 *Ibid*., pp. 198, 288.

38 Parliament of New South Wales, *The Role of the Governor in New South Wales: 1788-1856*, <www.parliament.nsw.gov.au/about/Pages/The-Role-of-the-Governor-in-

Although generalisations regarding autocracy are unhelpful, it must nevertheless be acknowledged that 'none [of the settlers] chose to go unless they were compelled' and that it was as a result of the orders of the British government and their representatives the governors that the settlers were 'compelled'.[39] Evidence suggests that King was sympathetic towards islanders 'whose long exertions had achieved comfort for themselves and their families'.[40] He was unique amongst the early governors in having acted as commandant of the island. His seven years there, from its foundation in 1788 until 1796, enabled King to both understand and share the colonists' allegiances to the settlement. Joseph Spruson, in his early history of the island, suggested that King 'would probably have relinquished New South Wales itself in preference to giving up Norfolk'.[41] Rather than total evacuation he pressed for partial relocation, acknowledging that he 'did not wish to force removal of any settlers who were valuable and industrious, and who might be ruined by having to give up their land after the expenditure of so much labour and the endurance of so much hardship'.[42] As a result, evacuation under King was half-hearted but on 30 December 1806 the British government ordered King's successor, Bligh, to 'take the measures forthwith for withdrawing the settlers'.[43] Bligh, keen to demonstrate his 'readiness to comply with the directions for evacuation', carried out these orders 'uniformly and gradually', and interrupted only by his arrest.[44]

New-South-Wales-1788-.aspx.> (21 October 2021). A penal colony is defined as a settlement established to punish criminals through isolation and forced labour.; Ford, *op. cit.,* p. 5.

39 King to Canden, 15 March 1806, *Historical Records of New South Wales,* Vol. 6, p. 36. This leyter defends the slow evacuation of the island due to the 'great backwardness of the settlers in giving their names to remove from Norfolk island'.

40 Roe, *op. cit.*,p. 245.

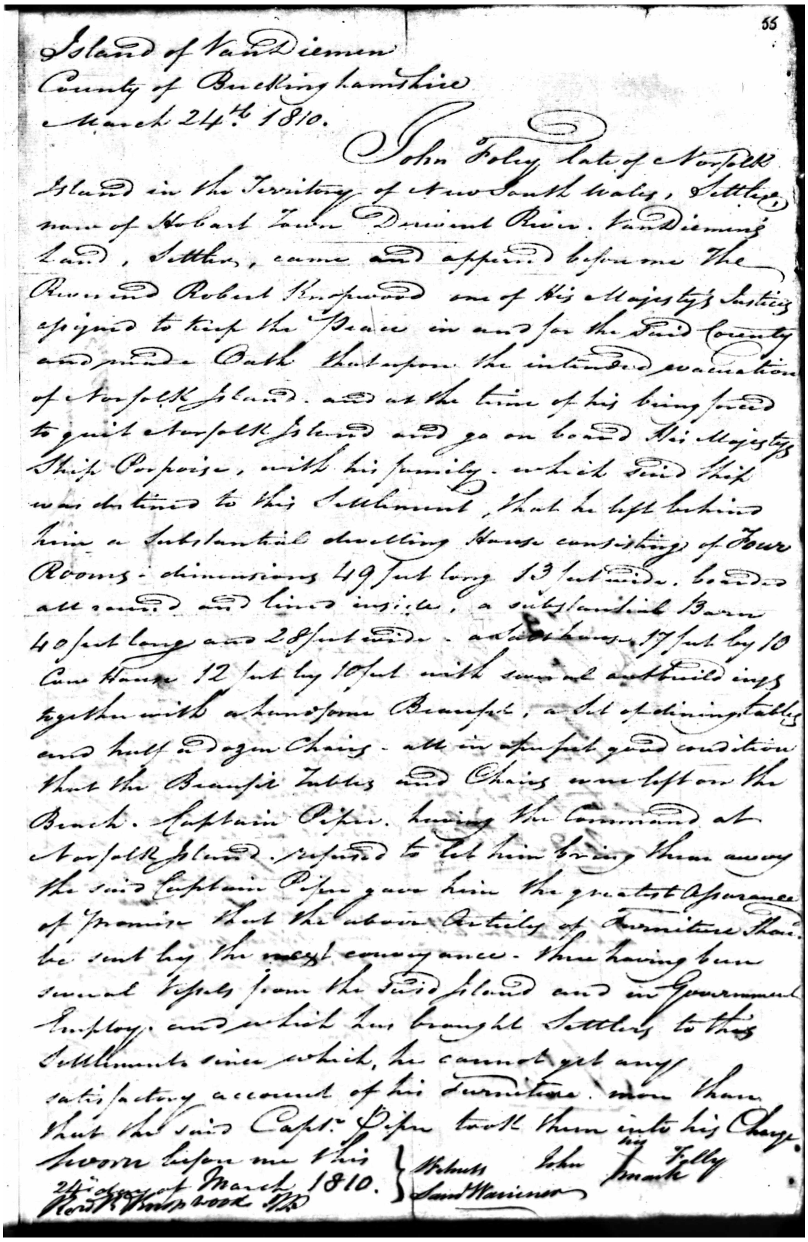
41 J. J. Spruson, *Norfolk Island: Outline of its History from 1788 to 1884,* Sydney, 1885, p. 12.

42 King to Forveaux, 20 July 1804, *Historical Records of New South Wales,* Vol. 5, p. 403. King demonstrates considerable understanding of the reluctance of colonists to leave, citing many of the issues expressed in the colonists' address to Foveaux that same year. He advised that 'indescriminate removal will tend to the ruin of several industrious well-disposed people with large families, who have just acquired a degree of comfort and independence after struggling with and getting the better of many hardships and difficulties'.

43 Windham to Bligh, 30 December 1806, *Historical Records of New South Wales*, Vol. 6, p. 226, on the pressing subject of 'Withdrawing of the establishment from Norfolk Island'.

44 *Ibid.,* p. 667; Bligh to Windham, 31 October 1807, i*bid*., p. 675.

Extract from the Memorial of John Foley, March 1810.


55

Island of Van Diemen
County of Buckinghamshire
March 24th 1810.

John Foley late of Norfolk Island in the Territory of New South Wales, Settler, now of Hobart Town Derwent River. Van Diemens Land, Settler, came and appeared before me The Reverend Robert Knopwood one of His Majesty's Justices assigned to keep the Peace in and for the said County and made Oath that upon the intended evacuation of Norfolk Island. and at the time of his being forced to quit Norfolk Island and go on board His Majesty's Ship Porpoise, with his family. which said Ship was destined to this Settlement, that he left behind him a substantial dwelling House consisting of Four Rooms - dimensions 49 feet long 13 feet wide. boarded all round and lined inside, a substantial Barn 40 feet long and 28 feet wide - a [illegible] 17 feet by 10 Cow House 12 feet by 10 feet with several outbuildings together with a handsome Beaufet, a Set of dining tables and half a dozen Chairs - all in a perfect good condition that the Beaufet Tables and Chairs were left on the Beach. Captain Piper. having the Command at Norfolk Island. refused to let him bring them away the said Captain Piper gave him the greatest Assurance of promise that the above Articles of Furniture shall be sent by the next conveyance - there having been several Vessels from the said Island and in Government Employ. and which has brought Settlers to this Settlement since which, he cannot get any satisfactory account of his Furniture. more than that the said Capt.n Piper took them into his Charge.

Sworn before me this 24th day of March 1810. } Witness Saml Warriner } John his mark Foley
Robt Knopwood JP

Memorial on behalf of John Foley claiming remuneration for buildings and stock left on Norfolk Island, 24 March 1810, 4/ 6977A, p. 55.

Some free colonists were initially receptive to the prospect of transfer to Van Diemen's Land, however resentment soon ensued. There followed what Michael Roe identifies as 'a recurring theme — Norfolkers blowing hot, cold, and various — as to removal'.[45] Their reluctance to leave their colonial home reflected the colonists' strong ties to the island, enhanced by its unique social fabric. The islander's lifestyle was regarded as generally better than at Port Jackson, punishments were less severe and food during the early years of settlement was in more plentiful supply.[46] James Wallis, in his 1821 account of the colony, wrote that the island's evacuation was to 'the infinite regret of the majority of the inhabitants' who were forced to tear 'themselves with regret from a spot endeared to them by so many cherished recollections'. It was, according to Wallis 'a heart-rending scene to behold them, with their wives and children, quitting abodes in which they had spent so many years of felicity, to go and raise, in their old age, new habitations, and to clear and cultivate new fields in an uninhabited country'.[47] The island's demographics also distinguished it both materially and psychologically in that the majority of its population were free after 1796.[48] Its isolation, size and confined geography necessitated a significant degree of self-reliance, independence and agricultural autonomy.[49] In 1791 Major Ross encouraged co-operation to increase agricultural yields, forming small food-producing units of six people. This initiative served not only to

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45 Roe, *op. cit.*, p. 245.

46 Smith, *op. cit.*, p. 93. It must be noted, however, that Smith states that, in the earliest months of the island's settlement, the women 'probably worked harder than those in Sydney'. Due to the very limited number of convicts, the women were involved in clearing the settlement site, burning cleared vegetation and clearing ground to sow wheat. Valda Rigg, 'Convict life: a ''tolerable degree of comfort''', in Nobbs (ed.), *op. cit.*, p. 99.

47 J. Wallis, *An Historical Account of the Colony of New South Wales and its Dependent Settlements: in Illustration of Twelve Views; to which is Subjoined an Accurate Map of Port Macquarie, and the Newly Discovered River Hastings,* London, 1821, p. 13. Wallis, a captain of the 46th Regiment, arrived in Sydney in 1814 and in 1816 was appointed commandant of the settlement at Newcastle. He departed the colony after serving in that role for two-and-a-half years. The Wallis Album was compiled in association with artist Joseph Lycett and first published in NSW in 1819. D. A Roberts and D Garland, 'The forgotten commandant: James Wallis and the Newcastle penal settlement', *Australian Historical Studies*, Vol. 41, No. 1, 2010, pp. 5-24; J. Hoorn, Jeanette (ed.), *The Lycett album: drawings of Aborigines and Australian scenery*, Canberra, 1990.

48 Nobbs, 'Viewing the first settlement', pp. 4-5. In 1796 only 34.83% of the population were convict. By August 1802 19.96 were convict and in February 1805 17.28%.

49 R. Wright, 'Land Usage', in Nobbs (ed.), *op. cit.*, p. 118.

reinforce self-sufficiency but to increase the sense of community.[50] By May 1792, 58 ex-service colonists and 53 emancipists had received land grants, well in advance of the first grants made on the mainland. This enhanced the sense of 'ownership' and investment in the island stimulating industry, enterprise and self-determination.[51] That self-determination was exemplified in 1798 when 'settlers and other persons upon Norfolk Island' formed the *Fraternal Society of Norfolk Island* aimed at discussing 'complaints or grievances' against the government.[52] Those who had been on Norfolk for more than a decade had enmeshed their identity with that of the island, resisting deportation due to a strong desire to 'continue their old associations with their old companions'.[53] Of the fifteen original convict settlers who arrived on the island in March 1788, eight remained until its final evacuation.[54] In October 1788 an additional 32 convicts arrived (21 males and 11 women) and, of those, four males and four females remained until their forced removal. The island was their colonial home and evacuation represented a second exile every bit as challenging as their first. The islanders knew what lay ahead of them including years of uncertainty, privation and humiliation exacerbated by their age, weariness and wariness.[55]

Memorials reveal that free colonists were aware of their rights, be they under law or under proclamation, and were prepared to protest to uphold their entitlements. According to the terms, finalised in December 1806, the population was divided into categories, each receiving different compensation according to their classification.[56]

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50 M. L. Treadgold, *Bounteous Bestowal: the Economic History of Norfolk Island*, Canberra, 1988, p. 10. Wright, *op. cit*., p. 118 states that wheat production rose from 56 bushels in 1788-89 to 500 bushels in 1789-1790 and 2,059 bushels in 1791-92. By 1794 output was 34,676 bushels.

51 R. C. Wright, *The Trial of the Twenty-one: A Reassessment of the Commandants of Norfolk Island, 1788-1814 and 1825-1855*, PhD thesis, Macquarie University, 2001, p. 56.

52 Government and General Order, 12 July 1798, *Historical Records of New South Wales,* Vol. 3, Sydney, 1895, pp. 409-10; M. Britts, 'The Commandants', in Nobbs (ed.), *op. cit.,* p. 75. Governor Hunter, whose alarm was perhaps triggered by his intense dislike of the islanders' show of independence, regarded the society as an 'unwarrantable association', seditious, dangerous and illegal in nature.

53 I. Mead, 'Settlement of the Norfolk Islanders at Norfolk Plains', *Papers and Proceedings: Tasmanian Historical Research Association*, Vol. 12, No. 2, 1964, p. 70.

54 They were: Nathaniel Lucas, Edward Garth, John Mortimer, Noah Mortimer, Edward Westlake, John Rice, Olivia Gascoigne and Susannah (Gough) Garth

55 J. Martin, *Refugee Settlers: a Study of Displaced Persons in Australia,* Canberra, 1965, p. 5.

56 Roe, *op. cit*., p. 246.

First-class settlers — industrious and deserving ex-government servants and discharged marines and seamen — would receive the highest level of compensation including being clothed and fed from the stores for two years and having the services of four convicts for nine months and two convicts for a further fifteen months. Second-class settlers — well-behaved ex-convicts — would be maintained for two years and have two convicts for two years while third-class settlers — the remainder of the islanders — were to be supported by the store for a year and have the labour of two convicts for that time.[57] Monetary compensation to any one settler was not to exceed £1000. Two-acres of land were to be given for every acre of cultivated land surrendered. Houses were to be erected to an equal value to those surrendered and settlers were to be victualled for two years.[58] Given that the intention was for the islanders to supplement areas of new settlement, the land they were to be granted would be 'at Port Phillip, King Island, or wherever else a new settlement may have arisen'.[59]

Islanders confidently cited their entitlements when seeking redress. Former marine John Beresford's memorial states:

> By Mr Wyndham's Instructions 'the Settlers of the first Class with their respective families are to be victualled and clothed for two years at the public expence [sic]. They are to be allowed the labour of four Convicts for the first nine Months and two for fifteen months longer. The Convicts also to be victualled and clothed at the public expence'.[60]

Yet Beresford complains that he received 'only eight Months labour of one Man, and no clothing either for himself, family nor Servant'.[61] John Best, who wanted remuneration for property and stock, wrote a memorial on 27 May 1811 stating that 'he is, agreeably to Mr Sec. Windham's Dispatch, entitled to a Claim of 127 Acres'.[62] He deferentially requested that 'With respect to Memorialist's Buildings on Norfolk Island he humbly presumes your Excellency will be pleased to

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57 Windham to Bligh, 30 December 1806, *Historical Records of Australia 1,* Vol. 6, Sydney, 1916, p. 73; S. Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England*, Cambridge, 1992, p. 15.

58 Windham to Bligh, 30 December 1806, *Historical Records of Australia 1,* Vol. 6, p. 74.

59 Roe, *op. cit.*,p. 244.

60 Memorial of John Beresford, 17 March 1810, SANSW 4/6977A, pp. 61, 65.

61 *Ibid.*

62 Memorial of John Best, 27 May 1811, SANSW 4/6977A, pp. 93, 95-6.

order him the payment for such'. Having achieved no response, Best wrote a second memorial in February 1814. Three years after evacuation he wrote that 'from a long service of Industry' he 'accumulated a large Stock, which was transferred to government on his leaving that Settlement'. He is, he reminds the governor, entitled to 'remuneration of Stock in kind or to be paid for at fair valuation agreeably to Mr Windham's instructions'.[63] Best, formerly a convict of the 'First Fleet', arrived on Norfolk Island in March 1790 at the age of thirty-six and was farming twelve acres of land by November 1791. He rose to the position of overseer and then superintendent of convicts before evacuation. In 1811, Best relocated to Windsor on the mainland, having been given permission to return to Sydney due to ill-health. He had to purchase or lease property and rebuild, yet he received no compensation for the loss of his Norfolk assets, despite numerous appeals. Likewise, Anthony Chandler with his wife and child relocated to Van Diemen's Land in 1807 leaving behind three houses in Sydney Town on Norfolk Island, and one farm house. In March 1810, more than two-years later, Chandler complained of having 'received no remuneration'.[64] These memorials illustrate the systemic failure of government in delivering remuneration and, in so doing, personalise the reality of the hardship faced by emancipists in the face of administrative inefficiency.

That hardship is recognised in both official sources and the historiography. J. B. Walker, solicitor and early Tasmanian historian, acknowledged in his 1895 analysis of the deportation of Norfolk Islanders to the Derwent that the infant settlement of Van Diemen's Land was under-resourced and, given that some 330 people arrived there from Norfolk Island by mid-1808, the government had 'little means to provide for their wants'. Many, 'in a most wretched condition, immediately applied ... for clothing and bedding which it was not in his [Lieutenant-Governor David Collins'] power to give them'.[65] Evacuees arrived with every expectation of compensation when in reality their reception resulted in personal hardship. Walker recognises Collins' futile attempts at accommodating the islanders, billeting the majority with existing inhabitants and assisting others to

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63 *Ibid*.

64 Memorials of Anthony Chandler re his claim for belongings left on Norfolk Island, 23 March 1810, SANSW 4/6977A, pp. 81-82; 89; 91-92.

65 J. B . Walker, *The Deportation of the Norfolk Islanders to the Derwent in 1808,* Hobart, 1895, p. 22.

construct housing.[66] However, the addition of so many new inhabitants stretched the resources of the local administrators.[67] In June 1809 Bligh, the recently deposed governor biding time at the Derwent, noted that 'the late inhabitants of Norfolk Island ... say they suffered and are still suffering the greatest hardships. I have visited many of them, and their situations ... do not contradict their assertions. They complain of not being recompensed for their losses'.[68]

Robert Nash's memorial of May 1810 exemplifies Bligh's observations. Nash expressed frustration that there has been 'no Notice whatsoever taken' of his appeals for remuneration for his home and water mill on Norfolk Island 'which he was necapitated [sic] to abandon'. Two years after having forfeited this property he writes that 'ever since Memorialist's family arrived at the Derwent, Memorialist has paid 10 shillings a week for a Habitation for his family ... who must otherwise have been entirely destitute of a Roof to Shelter under'.[69] In November 1811 Nash wrote a second memorial, this time to John Murray, Commandant of Norfolk Island. He requested Murray 'lay before His Excellency the Governor in chief the inclosed [sic] certificates being unsatisfied claims against government for property taken in charge by the Crown since my departure from Norfolk Island'.[70] His protracted battle with the authorities over compensation remained unresolved, more than three years after evacuation and despite his willingness to memorialise for redress.

In his memorial of September 1808, Robert Anderson echoed Nash's determination to pursue his rights, taking his appeal for remuneration to The Lords Commissioners of His Majesty's Treasury in London.[71] A retired ensign in the New South Wales Corps, Anderson outlined King's refusal to pay the agreed compensation of £352 for sheep taken by the government when he left Norfolk Island in June 1804. In writing to the Treasury, Anderson exemplifies an appeal to authority aimed, in Huzzey and Miller's words, at 'asserting supremacy' over the governor, suggesting a lack of faith in the

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66 Walker, *op. cit.*, p. 22.

67 *Ibid.*, p. 23

68 Bligh to Lord Castereagh, 10 June 1809, *Historical Records of New South Wales. Bligh and Macquarie. 1809, 1810, 1811*, Vol. 7, Sydney, 1901, p. 182. It must be noted that, while he was governor, Bligh did little to address the hardship of evacuees.

69 *Ibid.*

70 *Ibid.*

71 Anderson to The Treasury, TNA, CO 201-27, pp. 127-28.

governor's capacity or willingness to provide redress.[72] Anderson's belief that the British government would be more proactive in providing compensation was, however, misplaced. He was notified by his brother that the matter had been finalised with payment of just over £496 in March 1813, nine years after evacuation and over four years after memorialising the Treasury.[73]

Robert Anderson, like many islanders, also used his memorial to emphasise that his evacuation was involuntary, writing that he was 'ordered to quit' his station.[74] Thomas Chipp wrote that he was 'removed ... by order of HM Government and was in Consequence ordered to go to the Derwent'.[75] Chipp arrived in New South Wales in 1788 as a marine, leaving the service to become a settler on Norfolk in 1791. He was never a convict yet had no say over his removal from the island. William Redfern had been a convict, albeit an unusual and privileged one given his position as Assistant Surgeon at Norfolk Island from 1802. He later wrote that 'In consequence of the order for the Evacuation of Norfolk Island', 'found himself compelled to remove thence'.[76] It was seemingly rough treatment for one who had been a respected emancipist for five years before his forced evacuation. William Broughton, who arrived in the colony in 1788 as a free twenty-year-old assistant surgeon, informed Macquarie that 'Memorialist was ordered by Colonel Johnston to proceed from Norfolk Island to Van Diemen's Land'.[77] The use of words such as 'removed', 'ordered' and 'compelled' communicated the memorialists' resentment of coercive control and highlighted their desire to have remained on the island. That they were compelled to leave against their wishes was also an important part of their case for remuneration.

Robert Nash's resistance was expressed in both his memorial and, more explicitly, through his actions. He and his wife Ann Hannaway lived on Norfolk Island for eighteen years before being forced to evacuate their 'idyllic home ... among the pine trees and wild guavas'

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72 Huzzey and Miller, *op. cit*., p. 5.

73 Papers of Alexander Anderson Seton, 1800-1813, 2787/5/2/17/11, Aberdeen University Library.

74 Anderson to The Treasury, TNA, CO 201-27, pp. 127-28.

75 Memorial of Thomas Chipp, 24 November 1809, SANSW 4/1821 No. 60.

76 Memorial of William Redfern, 29 January 1809, SANSW 4/1822 No. 271.

77 V. Parsons, 'Broughton, William (1768-1821)', *Australian Dictionary of Biography*, Vol. 1, Melbourne, 1966, <adb.anu.edu.au/biography/broughton-william-183> (8 February 2022); Memorial of William Broughton, 31 January 1810, SANSW 4/1821 No. 38B.

in 1808.[78] That home 'one story high, with Farandra [verandah] at back and front' had been 'by means of his own Industry erected for the Comfort and Accommodation of himself and his family'.[79] Nash, an emancipist who had received his free pardon in 1800, states in his 1810 memorial that 'Memorialist removed from Norfolk Island in obedience to an Order from His Majesty's Secretary of State'.[80] An 1880s newspaper article provides further insight into Nash's response to eviction through the reminiscences of fellow-evacuee James Belbin.

It is known that the forced removal of this people from their happy island home and pleasant little homesteads to commence life anew in a land of convicts and savages, was most displeasing to them; and some of them even ventured to resist or rather to evade the Imperial mandate for their expulsion. Of these recusants the only two whose names have reached me are, firstly, the plucky old fellow [James Belbin] ... and Mr Robert Nash, who took the bush ... sooner than be evicted from their lands. But ... they were hunted down by the crew of the boat employed to take them on board the vessel, the *Estramina*, or *City of Edinburgh* ... on to the decks of which they were finally pitched like a couple of dogs; and in this manner it was they were embarked on the 3rd of September 1808 reaching Sullivan's Cove on the 2nd of the following month.[81]

This account verifies that Bligh did order the employment of force should colonists protest evacuation.[82] In his effort to 'evade the Imperial mandate' in an emotionally contested place, Nash was also prepared to employ active resistance to protest eviction.[83] Flynn highlights the 'vivid oral tradition' of the family's evacuation experiences which 'survived ... to be told to younger generations'. Not

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78 M. Flynn, *The Second Fleet: Britain's Grim Convict Armada of 1790*, Sydney, 1993, p. 313. Ann Hannaway was a Second Fleet convict, who arrived in 1790.

79 Memorials of Robert Nash, 21 May 1810, and 27 November 1811, SANSW 4/6977A, pp. 43, 45, 47.

80 *Ibid.*

81 J. E. Calder, 'A Topographical and Historical Sketch', *Mercury*, 2 April 1880. Belbin had been born on Norfolk Island. His father was a friend of Robert Nash. J. P. Fawkner, *Reminiscences of Early Hobart Town, 1804-1810*, Malvern (Vic), 2010. Fawkner, reminiscing of the early days of Hobart Town, had also heard tales from the Norfolk Islanders living there and validated Calder's account, writing that officials threatened to shoot those who hid in the bush to evade evacuation.

82 *Proceedings of a General Court-Martial Held at Chelsea Hospital, which Commenced on Tuesday, May 7, 1811, and Continued by Adjournment to Wednesday, 5th of June Following, for the Trial of Lieut.-Col. Geo. Johnston.*, p. 336.

83 Calder, 'A Topographical and Historical Sketch', *Mercury*, 2 April 1880.

only were romantic stories told of the family's 'idyllic' life on Norfolk Island, but Nash's daughter recounted tales of resentment 'at their forced transfer to Van Diemen's Land and the discomfort of the voyage'. She also recalled the family's 'life under canvas at New Town Rivulet until a stone and timber mill and house were built'.[84] It appears likely from Nash's memorials that the family of eight lived in tents for some time while awaiting compensation for their island assets.

Other colonists employed the powerful instrument of narrative within their memorials to convey their evacuation experience. Nathaniel Lucas captures his affiliation with his island home of sixteen years, taking us on an emotive roller-coaster ride of colonial experiences. He expresses pride in being 'one of the first who landed in the Colony ... and when an Establishment was founded in Norfolk Island Petitioner volunteered himself for that settlement'. Pride is also evident when 'by his useful services and good conduct there, he was confirmed Master Carpenter of the Civic Department'. Lucas' memorial reveals an emotional investment in the island and in having attained professional success there. His emotions shift however as he describes how 'the reduction of Norfolk Island ... not only impoverished him but destroyed him to the lowest Ebb in life'.[85] Herein lies the power of memorials. In presenting a personal glimpse of history through the experiences of the participant, the emotional and economic toll of the forced evacuation becomes evident. Lucas explicitly states that 'shortly after his arrival [at Port Jackson] his Misfortunes heaped upon double fold in consideration of the great and many losses he had sustained'.[86] This memorial, a commanding evacuation narrative, encapsulates Norfolk Island as a 'home' invested in deep personal meaning, the loss of which reduced Lucas to his lowest ebb.[87]

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84 Flynn, *op. cit.*, p. 313.

85 Memorial of Nathaniel Lucas, 6 February 1810, SANSW 4/1822, No. 198.

86 *Ibid.*

87 Nathaniel Lucas, letter to his father, 20 October 1796, SAFE/C 189 (Safe 1/324), Series 02: Philip Gidley King Papers, Norfolk Island, Vol. 2, MIC376025, State Library of New South Wales, Sydney. Complimenting Lucas' memorial is a letter he wrote to his father in England on October 1796. Lucas states that on Norfolk Island he is 'very comfortably situated', having surmounted the 'misfortunes liable to those who transgress the Laws of their Country'. Despite his apparent appreciation of this place, Lucas expresses a desire to 'return to my native Country', illustrating the challenges of exile. He talks of his 'present good fortune', acknowledging the 'humane goodness and assiduous respect' of Lieutenant-Governor King and singing the praises of the island which he believes 'to be one of the most fertile in the world'. Lucas' appreciation and affection for the island is evident as is his satisfaction in telling his father that he had 'the honour ... to construct a water mill for the

Lucas was transferred from Norfolk Island to Port Jackson in April 1805.[88] There he constructed windmills for government, became a private builder, had two more children and was appointed superintendent of carpenters then superintendent of the lumber yard. Despite his apparent post-evacuation success, Lucas failed to thrive in his second exile. He began to drink and, on 5 May 1818, committed suicide, his death 'proceeding from his own act, owing to mental derangement'.[89] His was not the only suicide associated with the island's evacuation. Samuel Hussey, who arrived on Norfolk in October 1788, committed suicide by hanging at Van Diemen's Land six months after his eviction from the island. A hard-working and industrious fifty-four-year-old man, Hussey appears to have found 'his disappointment at the crude little camp and the unwelcoming bushland surrounding Hobart Town ... so heartfelt that life became untenable'.[90] Nicola Goc, in her analysis of Hussey's demise, writes that Hussey 'had already spent twenty hard years building up a farm from the fertile virgin soil of Norfolk Island, having being exiled from his native Oxfordshire in 1788 at the age of thirty. Perhaps the prospect of starting all over again ... was just too much'.[91] Martin Tims, a married man who owned a small farm on the island and rose to the position of superintendent with over 300 convicts in his charge, also struggled post-evacuation. Tims' biographer R. L. Whitehall concludes that 'Whereas he had been a model of steadfastness on Norfolk Island, his performance in Van Diemen's Land was quite different. Well past the prime of life, he was no match for Hobart Town's complex and corrupting society'. Appointed Provost-Marshall of Van Diemen's Land, Tims, 'a humble man who achieved much, especially in agriculture [sunk] amid the complexities of administering justice in Van Diemen's Land ... dragging on a miserable existence, his wife earning a little pittance washing clothes'.[92] Through forced evacuation it appears that Tims lost far more than his home, community and

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government and a windmill on my own estate'. His use of the words 'my own estate' is significant. It evidences appropriation, territoriality, possession, satisfaction and pride in the constructed grandeur of 'his' place.

88 M. Hermon, 'Lucas, Nathaniel (1764–1818) ', *Australian Dictionary of Biography*, Vol. 2, Melbourne, 1967 < <adb.anu.edu.au/biography/lucas-nathaniel.2380> (15 February 2022).

89 *Ibid.*

90 Goc, *op. cit.*, p. 26.

91 *Ibid*.

92 W. L. Wentenhall, 'Tims, Martin (1750–1830), *Australian Dictionary of Biography*, Vol. 2, Melbourne, 1967 <adb.anu.edu.au/biography/tims-martin-2736> (21 February 2022).

possessions. He also lost his sense of self, his capacity to function appropriately within the new context and, eventually, his reputation.[93] Andrew Goodwin, a First Fleet convict who lived on Norfolk between 1790 and 1807, attained self-sufficiency there for himself, his wife and nine children through farming and labouring. Five years after the family's forced evacuation, Andrew and his wife Lydia were described in police reports as vagrants and vagabonds.[94] The inferred evidence in the cases of Lucas, Hussey, Tims and Goodwin complements the explicit evidence contained within Lucas' memorial, namely that evacuation provided challenges that some were unable to overcome.

The loss of valued possessions invested with significance and memories contributed to colonists' feelings of dislocation. Their importance is indicated through the tenacious pursuit of colonists, through the writing of memorials, to be reunited with their goods. William Cross, writing from Hobart on 19 March 1810, begins by stating that he left the island in 1808 'at the request of Captain John Pipper [sic]'.[95] He added that he left in his dwelling house:

> five Sash Windows, each Window Containing Twelve panes of Glass ... Which said Windows so left by him ... under a promise of him the said Capt John Piper sending the same by the first Conveyance ... to the River Derwent, but the said William Cross here by Testifies upon Oath that he never has received the said nor herd [sic] from the said Capt John Piper respecting the same.[96]

Three years later, on 15 February 1813, those windows valued at £6.5s still appeared on the List of Property at Norfolk Island belonging to the Settlers residing in the Derwent.[97] The windows held sufficient significance for Cross to desire to have them shipped to his new home in Van Diemen's Land. Given that it was not until 1804 that we have

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93 *Ibid*. Tims increasing found solace in drink, received several admonitions and was eventually sacked 'because he dared to do his duty by arresting some of the would be Great Men of the day'.

94 C. Dunn, 'Andrew Goodwin, Convict, Scarborough 1788 and Lydia Munro, Convict, Prince of Wales 1788. HMS Sirius 1786-1790', <hmssirius.com.au/andrew-goodwin-convict-scarborough-1788-and-lydia-munro-convict-prince-of-wales-1788/>, (13 January, 2022).

95 Cross, a First Fleet convict, had resided on Norfolk Island for seventeen years and was approximately forty-five years of age when sent to Van Diemen's Land.

96 Memorial of William Cross, 19 March 1810, SANSW 4/6977A p. 73.

97 'List of property at Norfolk Island belonging to settlers now at the Derwent', 15 February 1813, SANSW 4/6977A p.25.

mention of glass being used in the colony's houses, its rarity would have added to the windows intrinsic value.[98] Just as there had been little consideration given to the impact and significance of forced evacuation on the residents of Norfolk, so too was there little respect accorded to their possessions. There is no indication that Cross ever received his windows.

John Foley echoed the complaints of William Cross, angry at the loss of goods significant to him. His memorial of 24 March 1810 stated that he left 'behind him a substantial dwelling House ... a salt house, Cow House ... with several outbuildings together with ... a set of dining tables and half a dozen chairs all in perfect good condition'.[99] On evacuation, his furniture was 'left on the beach' although 'Captain Piper gave him the greatest Assurance of Promise that [they] should be sent by the next conveyance'. Foley, a First Fleet marine, was perhaps angered due to having hand-crafted the furniture himself from Norfolk Island pine utilising a saw and adze.[100]

In responding to Foley's criticism, Piper epitomised the heavy-handed and at times arrogant nature of colonial governance. He notated the cover sheet of John Foley's memorial, writing: 'John Foley and Mrs Foley have always made themselves troublesome to every Officer who have Commanded at Norfolk Island and they are by no means deserving of any indulgence further than their claims'. Piper's comment was irrelevant given that there is no indication that Foley desired anything more than his entitlement and that this entitlement included the agreed compensation, the fulfilment of promises made to him and his constitutional right of memorialisation to seek redress for injustice. The very personal attack made by Piper hints that Foley's comments had struck a nerve. Convict John Grant, who had been assigned to the Foleys on Norfolk and educated their sons, presented a different picture of Foley when he wrote of him in his diary. The Foleys were a 'good' and 'virtuous family' and possessed 'one of the best Farms on the Island' where he found both 'Solace' and 'Shelter'.[101]

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98 J. L. Guy, 'Building Construction Practice in the Colony of New South Wales from the Arrival of the First Fleet to the End of the Primitive Era and Its Influence in Later Time', <arct.cam.ac.uk/Downloads/ichs/vol-2-1475-1500-guy.pdf.>, (20 January 2022).

99 Memorial of John Foley, 24 March 1810, SANSW 4/6977A, pp. 55-56.

100 Flynn, *op. cit.*, p. 329.

101 'Transcript of the Journal of John Grant, January 1805-March 1810', <nla.gov.au/nla.obj-740058480/view> (12 January 2022). Grant was an educated convict, regarded as a political agitator and trouble-maker by authorities.

Grant perceived that Foley, 'formerly a Sailor ... is the most hardworking and intelligent of men' and with him he found 'friendship and excellent Generosity'.[102] In comparison Grant regarded Piper as a ruthless and inhumane master.[103] Reg Wright, in his analysis of the commandants of Norfolk Island, believed Piper's congenial, sociable and generous personality camouflaged a self-indulgent, extravagant, flirtatious and vindictive nature.[104] Wright cites several examples of Piper's maliciousness when criticised. Piper's observations, appended to Foley's memorial, evidence this.[105] They also raise the possibility of vindictiveness prejudicing Piper's effective execution of his official duties including those associated with the compensatory processes.

John Beresford also appears to have driven Piper to defensiveness. In his memorial of 6 August 1811, Beresford wrote that:

> contrary to his Expectations and the promise of the Commandant Capt Piper, was forced to leave behind him ... nine horned cattle in all beside one timber carriage & a Cart All of which Capt Piper gave your Petitioner his word should be sent by the first Conveyance to the Derwent None of which have been sent nor any satisfaction obtained on that amount. [106]

This claim was met with a long notation by Piper citing Wyndham's directive relating to alternatives should it be impossible to ship stock. Claims could be 'paid for in such articles of clothing or other necessities as the Public Stores may furnish'.[107] Ironically, Beresford's memorial indicated that neither Beresford, his family nor his convict servant had received the clothing promised as part of the terms of relocation. Promising more of what could not be delivered was an inappropriate response on Piper's part, highlighting the ineffectiveness of government. First Fleeter Edward Kimberley complained that he left in Piper's charge 'under a promise of their being sent after him to the Derwent One Cow, one Heifer and One

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102 *Ibid*. p. 70.

103 Dalkin, *op. cit*., p. 205.

104 R. C. Wright, 'The Trial of the Twenty-one: A Reassessment of the Commandants of Norfolk Island, 1788-1814 and 1825-1855', PhD thesis, Macquarie University, 2001, pp. 116; 17-18; 21-22.

105 Grant, *op. cit.*, pp. 111-15.

106 Memorial of John Beresford, 6 August 1811, SANSW 4/6977A, pp. 61, 65.

107 *Ibid*.

working Bullock'.[108] Daniel Stanfield Jnr claimed that 'he left in Government Charge, under a promise of their being sent after him to the Derwent, one Cow and three Ewes'.[109] Francis Flexmore's memorial said that 'on his leaving Norfolk Island in Consequence of its Ordered Evacuation, he There Left in Charge of Captain John Piper ... One Ox Three Ewes and One Lamb exclusive of the Sheep for Which he holds Captain Piper's Official Receipt'.[110] Piper notated that 'Francis Flexmore is an industrious Sober honest Man with a large Family' but also noted that his agent on Norfolk was responsible for his claim.[111] Jacob Billett's memorial claims that he left 'One Cow and One Heifer' 'in the Charge of Captain John Piper' and that his cow has since had a male calf.[112] Piper noted that Billett was 'a very industrious Man with a large Family', that his claim was correct but that his stock was in the charge of his agent Mr Mitchell.[113] In all cases, Piper acknowledged the items specified for compensation but denied any personal responsibility for shipping them. The settlers continually stressed that the stock was left in Piper's charge with the promise of their being shipped. The weight of evidence suggests that Piper failed in delivering on his promises.

Even when compensation was delivered it was not always in accordance with the official terms of relocation. William Seals, who spent eighteen-years on Norfolk Island, informed Macquarie that he:

> was lately a Settler by purchase on Norfolk Island and that he has not yet received the proportional quantity of land agreeable to the Secretary of State's Instructions relative to the removal of the settlers from there but that he has received from the Government stock here four cows a payment for his buildings on said Island.[114]

There is no evidence of later land grants made to satisfy his claim, yet Seals now had stock that required pasture. William Redfern's memorial revealed similar challenges. He wrote that:

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108 Memorial of Edward Kimberley, 19 March 1810, SANSW 4/6977A, pp. 85, 86.
109 Memorial of Daniel Stanfield Jnr, 21 March 1810, SANSW 4/6977A, pp. 83-4.
110 Memorial of Francis Flexmore, 22 March 1810, SANSW 4/6977A, pp. 71-2.
111 *Ibid.*
112 Memorial of Jacob Billett, 16 March 1810, SANSW 4/6977A, pp. 79-80.
113 *Ibid.*
114 Memorial of William Seals, 29 January 1809, SANSW 4/1822, No. 291.

> in conformity with the Instructions of His Majesty's Ministers, he delivered up to the Commandant of that Island such buildings and stock he then possessed, receiving certificates entitling him to remuneration ... in Articles from ... the Public Store ... or if this were found incompatible — in cash.[115]

Despite this Paterson did not 'feel himself justified in complying' with provision of that kind 'and Memorialist was consequently necessitated to receive Stock from the Government Herds'. Redfern received fifteen heifers, but 'The cattle became an expensive incumbrance [sic] ... having no land'. He thus applied to Lieutenant Governor Paterson for a land grant in 1809.[116]

William Broughton informed Macquarie that he too was to be compensated 'in such articles as the Stores in New South Wales afforded. On the arrival of Colonel Paterson for Port Dalrymple, Your Memorialist stated his Claim ... and your Memorialist received in compensation ... Thirty-Three Cows'. Having stock and no land created the same problem for Broughton as it did for Redfern. 'Memorialist was particularly induced to apply for a Grant of Land as it must appear to Your Excellency that stock without Land would have been a useless burthen, rather than a compensation'.[117] Broughton, who had served 'in Public situations of importance' including store-keeper and acting deputy commissary, received appropriate and timely compensation. His thirty-three cows were valued at approximately £2,640, a significant sum.[118] As owners of stock both Broughton and Redfern were prioritised for a land grant in New South Wales, each receiving 500 acres as generous compensation for their Norfolk Island losses. Their cases reveal that compensation could be awarded swiftly, when desired, suggesting that settlers of lower social standing, like William Seals, were unnecessarily disadvantaged.

The experiences triggered by the forced evacuation of Norfolk Island sits within the broader colonial context of other forced withdrawals from British-held settlements. In 1702 an outpost was settled on Con So'n Island, also known as Pulo Condore, off the Vietnamese coast. Failing to live up to its promise as a trading post it

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115 Memorial of William Redfern29 January 1809, SANSW 4/1822, No. 271.
116 *Ibid.*
117 Memorial of William Broughton, 31 January 1810, SANSW 4/1821, No. 38B.
118 Wentworth, *op. cit.*, p. 54.

was abandoned and destroyed in 1705. Echoing the problems experienced by the British in Norfolk Island, the English occupation of Tangier between 1661 and 1684 proved overly expensive, given it failed to offer the anticipated commercial or military advantages. Infrastructure was destroyed and the outpost abandoned. Scottish attempts to establish colonies on the Isthmus of Darien led to failure and eventual forced evacuation of the settlement in 1698 and 1699.[119] The short-lived and unsustainable British occupation of the Andaman Islands between 1789 and 1796 also resulted in withdrawal, the 'precarious garrison' proving to be 'unviable as a colony'.[120] Wherever colonial withdrawal occurred, colonists became collateral damage. The evacuation of the Mosquito Shore in 1787 brought to an end the British occupation of disputed territory first settled in 1732. Like Norfolk Island, the Black River (Mosquito) settlement promised lucrative resources and a strategic base.[121] After Spanish pressure necessitated evacuation, memorialists argued for the importance and value of the settlement's resources, but like the Norfolk Islanders they were powerless in resisting their forced removal. Some 2,650 British dependants were resettled.[122]

Thus the strategic retreat from Norfolk Island echoes other failed colonisation experiences. Faced with the loss of homes, possessions, security and community, colonists on Norfolk Island, the Black River settlement and elsewhere, protested through memorials to authority. Within this broader colonial context, the Norfolk Island memorials represent invaluable colonisation and evacuation texts, contributing not only to the historiography of early Australian history but to our broader understanding of strategic colonial retreats. Memorials provide fresh insights into how that was experienced. In the Australian case they reveal that, while government failed to deliver on its own terms of transfer, memorialists were prepared to fight the injustice they experienced, self-advocating to challenge the authority of the colonial

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119 Scottish *Centre* for Global History, '"Right of Dominion"?: A Comparative Analysis of Legal Doctrine in the Colonial Claim-making of British Settlements in the Spanish Peripheries of Darien, the Mosquito Coast, and the Yucatán Peninsula, c. 1630–c. 1790', <globalhistory.org.uk/2021/06/right-of-dominion/> (25 February 2022).

120 S. Sen, 'On the Beach in the Andaman Islands: Post-mortem of a failed Colony', *Economic and Political Weekly*, Vol. 46, No. 26-27, 2011, p. 185.

121 F. G. Dawson, 'The Evacuation of the Mosquito Shore and the English who stayed behind, 1786-1800', *The Americas,* Vol. 55, No. 1, 1998, p. 65.

122 *Ibid.,* p. 67-68. Some memorialists argued that its fertile lands could grow a diversity of crops including sugar cane, coffee and cotton more cheaply than other Carribbean settlements.

government.[123] In highlighting the disconnect between free colonist and authoritarian penal governance, this article reveals that protest through memorialisation did not necessarily equate to free colonists' wielding political power or, indeed, having effective agency within the context of an imperial mandate.[124] The evacuation occurred at the expense of the interests and desires of the free colonists. Memorials highlight the discontent and demoralisation that followed evacuation and the significant toll that colonial retreat exacted on them.

123 Roe, *op. cit*., p. 252. With Macquarie's governorship came a determination to satisfy the settlers' claims. The dogged determination of several memorialists was, it seems, finally successful in maintaining the profile of the colonists' concerns, ensuring attention was finally paid to their plight. In October 1810 Macquarie cited £7000 as the cost associated with compensation. It was not until 1813 that it was 'agreed that, for the most part, the government would compensate settlers for the value of their stock and possessions rather than load them on the ships'. It took until April 1814 for Macquarie to report that claims 'are now finally liquidated to the entire Satisfaction of all those persons'. Broxam, *op. cit*., p. 135.

124 Higginson, *op. cit*., p. 153.