Aspects of the career of Alexander Berry, 1781-1873

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Chapter 7

SHOALHAVEN UNDER JOHN BERRY

The concerns of Berry & Wollstonecraft required responsible managers in Sydney and at Shoalhaven, but for three and a half years from Wollstonecraft's death Berry was obliged to attend to both ends. From sale of Berry & Wollstonecraft's premises until his death Berry maintained an office in Sydney from which he managed marketing of the productions of Shoalhaven, filling requisitions for tools, machinery and stores, hiring staff and paying of accounts. Shoalhaven had to be left to the overseers, with Berry making periodic visits of inspection when the Legislative Council was not sitting. As this did not provide effective management he became increasingly desperate for the assistance his brothers could give him at Shoalhaven.

When Berry migrated to New South Wales he expected soon to be followed by his family whose Errol tenancies expired in 1821. In anticipation he and Wollstonecraft attempted to smooth the way for their settlement by approaches to the Colonial Office and Colonial Government.

James Berrie's tenancies ended in a dispute over his right to compensation for surplus straw and manure. This issued in a court case in which a verdict for Berrie was

1 Sir John Hay, 'An Australian Pioneer. Being Memorials of the Hon. Alexander Berry M.L.C. of Coolangatta, New South Wales: Together with a chapter on David, William and John Berry' (ML MSS 315/111), refers to Berry as a 'merchant' throughout his Australian life but from 1832 he was more what would today be described as a marketing manager.

2 Berry to Edward Barnard 15/2/1822, copy, BP.

confirmed by the House of Lords in 1829. James entered into a new tenancy at Cromwell Park in the parish of Redgorton a short distance above Perth. Alexander could see no reason for the whole family being tied to Scotland and expressed annoyance, telling Wollstonecraft in 1827 that 'if those procrastinating Blockheads my brothers had come in time [we] might have secured peaceable possession of all the good land on the River'. The deaths of James in August 1827 in consequence of a fall from his horse, of Isabell less than three years later and of James's childless widowed sister Janet in May 1828 removed the last of the older generation for whom Alexander's siblings had responsibility. Still the brothers tarried. In 1831 with the passing of the land grant system and of Ralph Darling's governorship the time when Berry might have advanced their interests to his own satisfaction had gone.

In the two and a half years following Wollstonecraft's death Berry wrote numerous letters to John asserting that the estate was at best returning less than half what it would under better management and calling for his brother's help. It was 'monstrous' to see such a concern as he possessed 'suspended by the thread of my own poor life'. Whatever they were doing at Cromwell Park was 'of very minor importance to what you might have done here'. These appeals and taunts that his brothers were idlers lacking


Berry to Wollstonecraft 12/8/1827, BP.

MS copies of invitations from John Berry 6/8/1827, 28/7/1828 and 31/3/1830 to attend the funerals. Berry to David Berry 24/9/1856, BP. The three were buried together in Logie churchyard under a very substantial tombstone suggestive of filial piety and earthly prosperity.

Berry to John Berry 9/6/1835, BP.
initiative produced only a single uninformative letter in reply. 8

By a letter from a Dr Cook Berry learned that his brother David had declined coming out even after a passage had been booked for him and that James Black laughed at the idea of any of the Berrys migrating. 9

Exasperated, Berry wrote in November 1834 berating his brothers and telling them that if they did not soon make their appearance he would be left only the choices of selling up or of adopting some steady young man in their place and renouncing them all forever - and as the estate was 'daily advancing to perfection' it was likely that he would adopt the second option.10 This brought a contrite, somewhat confused, reply from John stating the determination of the whole family to set off for New South Wales immediately.11 John made a number of journeys to Scottish seaports and to London to look at ships sailing to Sydney and it was not until November 1835 that he took passages.12 He was afraid to speculate with their capital and sent out £2,000 in bills.13 The three Berry brothers, John, David and William and two sisters Jess and Nancy emigrated. They were accompanied by Thomas Hall, a young man for whom John had been trustee for approximately twenty

8 Berry to John Hedderick 30/11/1833, BP.
9 Berry to David Berry 4/5/1832, BP.
10 Berry to John Berry 22/11/1834, BP. Berry's cousin Mrs Jess Methven of Cupar wrote to him 27/8/1834 that the Berrys 'propose soon leaving us and joining you in Sydney': BP.
11 John Berry to Berry 11/6/1835, BP. Only crops of the Perthshire red potato returned enough to pay the rents asked in Redgorton parish and failure of the potato crops in the last few years of the Cromwell Park tenancy probably contributed to the decision to emigrate. Rev. William Liston, 'Parish of Redgorton', The New Statistical Account of Scotland, v X, Perth, Edinburgh 1845, 184-185, 197.
12 John Berry to Berry 12/11/1835, BP.
13 John Berry to Berry 20/6/1836, BP.
years and who looked upon him as a father-figure. Until her death in 1871 Berry continued to write his married second sister Barbara affectionate letters and as a response to begging letters from her husband occasionally sent her substantial presents. He was highly critical of his brothers and sisters for not bothering to correspond with Barbara.

With the arrival of his siblings on 17 July 1836 Berry was relieved of the prospect of being forced to sell and thought it likely that he would end his days in New South Wales. After they took up residence at Coolangatta he rarely visited Shoalhaven.

Berry appointed John chief superintendent at Shoalhaven on £200 per annum, David first assistant on £100 and William second assistant on £50 per annum, dating from 1 June 1836.

Berry's intention was that John would run the estate by seeing to it that the superintendents or overseers performed efficiently. John, not temperamentally attuned to working through others, attempted to exercise personal oversight of everything. Berry acknowledged his brother's devotion to duty and good intentions and appeared more disappointed that the estate was not profitable and John 'slaving for nothing' than inclined to blame him for that outcome. He acknowledged to John that

I have always been annoyed to see you making a

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14 Extract of Registered Discharge. Peter Hall and others to John Berry 9/6/1835, BP.
15 Berry to William Berry 11/1/1864 p.s., BP.
16 E.g. Berry to David Berry 14/3/1853 & 12/8/1871, BP.
17 *Australian*, 19 July 1836.
18 Berry to W. Corben 27/1/1837, BP.
19 A. Berry, Accounts for salary 1 June 1836 to 1 Jan. 1845, BP.
20 Berry to David Berry 12/2/1844, BP.
Stockman of yourself ... and I beg you will cease to do so in future. Over anxiety will neither advance your interest nor mine. Your duty is merely to see that the people do theirs.  

John could not change.

David's dilatoriness in attending to anything was a source of extreme annoyance to Berry. In February 1844 when Berry was under severe financial stress and John incapacitated he directed a verbal blast at David, telling him that he had not given John adequate assistance. Unless you show a little more energy and intelligence I will be entirely ruined. You have already disgraced me - but you know no more about the place than if you had never seen it. For God sake send for the Stockman! - and enquire if the Moroo paddock is finished - for God sake tell me how many cows & bullocks will be fit to boil down. Do tell me how much wheat you will be able to send to Sydney? How shocking it was with such a place to have to buy wheat and Tobacco. My only wish now is to meet my present difficulties - and to get rid of a place I cannot manage.  

There was a large and valuable herd at Meroo which required trustworthy oversight. In August 1837 Berry expressed his wish that William take charge of this herd and that a two-roomed weatherboard cottage be constructed for him, with a detached kitchen for his servant or servants. William, was not for accepting either responsibility or discomfort. He resisted all Alexander's efforts from his arrival to get him to contribute to running the estate and periodic suggestions that he should go and keep himself on land bought in his name. William claimed that he had been completely ruined and prostrated by the loss of a thumb in an accident at Cromwell Park. Alexander considered that what had ruined him was being

21 Berry to John Berry 8/8/1841, BP.
22 Berry to John Berry 15/8/1837, Berry to David Berry 12/2/1844, BP.
23 Berry to David Berry 12/2/1844, BP.
24 Berry to John Berry 15/8/1837, BP.
25 Berry to David Berry 27/12/1849, BP.
pampered and petted by his sisters, one of whom was sixteen years older, who had neither gudeman nor bairn of their own to care for. Eventually Berry concluded that William was quite useless.

John Berry had written that as Thomas Hall was 'very unsteady and his words not much to be depended upon I hope he will stop at Van Dieman's Land and not go to Sydney'. Hall continued with the family to Coolangatta where he was manager of Berry's cattle until about the end of 1840 he took charge of the agricultural establishment.

By arrival of Berry's family the estate had become 'a colony in miniature'. The estate then encompassed about forty thousand acres of which about six or seven hundred acres were under cultivation and the rest, where cleared, used for grazing nearly four thousand cattle, which from their breed were in considerable demand in Sydney. Timber, chiefly cedar, was sawn; wheat, maize and barley were grown; and salt beef and pork, wool, hides, tallow, butter, cheese, hay and other commodities produced and conveyed to market in Berry's own eighty-ton vessel. The estate made its own bricks, burnt lime, tanned hides, made its workers' shoes and built its own vessels. Then, or a little later, the estate was served by a wind-driven grain mill, several saw-mills, made all its own casks and performed all its own iron work. The family resided in 'an excellent brick

26 Berry to David Berry 21/10/1852, BP.
27 Berry to John Berry 25/11/1837 & 27/11/1843, Berry to William Berry 7/1/1850 & 23/12/1852, Berry to David Berry 29/11/1849, 28/3/1850, 28/10/1852, 21/7/1862 & 13/12/1870, BP.
28 John Berry to Berry 11/6/1835, BP.
30 Berry to William Corben 27/1/1837, BP.
house which crowns a rising ground', with well-built cottages in convenient situations for the accommodation of the various superintendents.\(^3^2\) About two hundred men were employed and Berry said that he would increase his productions and rate of improvement by employing double the number if he could get them.\(^3^3\)

Development of such self-sufficient estates inhibited growth of rural villages as centres for shopkeepers and artisans. At Shoalhaven neighbours had to purchase supplies and skilled services from the Berry estate on credit. Money was in short supply. It became a matter of course that no attempt was made to pay so that by 1839 Berry was contemplating the need for a rule that while the Berrys would purchase from neighbours they should never sell to them.\(^3^4\)

Berry was more ambitious for his brothers than they were for themselves. He was most anxious for them to occupy positions of social and political leadership locally, considering them entitled to do so as his representatives. He hated to see them wearing fustian, the uniform garb of settlers of all social levels,\(^3^5\) and in 1841 asked that they have bush coats made from superior cloth.\(^3^6\)

Because of his intelligence, education, extensive travels, exciting adventures and his good humour as well as his wealth and prominence Berry mixed with an array of interesting people, frequently having as dinner guests overseas visitors, ships' captains and men of science. As


\(^3^3\) Hay, *op.cit.*, 542.

\(^3^4\) Berry to John Berry 6/10/1837 & 17/5/1839, BP.


\(^3^6\) Berry to John Berry 8/8/1841, BP.
the Shoalhaven estate was his great achievement in life. Berry wanted to show it off to friends. To enable his brothers and sisters to dispense hospitality with credit he saw that they were kept supplied with wines and spirits and urged improvements in the house or its surrounding buildings. In 1840 when accommodation in Coolangatta house was proving inadequate for the number of short-stay visitors Berry urged rapid completion of three more bedrooms for 'as it now is when strangers arrive, the house puts me more in mind of a piggery than anything else'. During the years of John Berry's management a considerable number of visitors were received, among whom the better known were A.B.Spark, James Backhouse and George Washington Walker ('Quaker' emissaries), the Rev. M.D.Meares, Warham Jemmett Browne, the Rev. W.B.Clarke and the American Geologist James Dwight Dana. The most important visitor of all, Governor Sir Charles FitzRoy, was delighted with the property. John appears to have been a man of quiet charm, considerably more outgoing than either of his brothers. While he lived visitors were well received. A visitor of 1848 reported that the Berrys' 'hospitality is unbounded ; and "the travellers room", with its neat and clean beds, had been the place of rest of many a weary pilgrim'.

37 Berry to John Berry 21/3/1837, BP.
38 Berry to John Berry 21/3/1840, BP.
40 W.Jemmett Browne to Berry 16/1/1849, BP.
41 Joseph Phipps Townsend, Rambles and Observations in New South Wales with Sketches of Men and Manners, Notices of the Aborigines, Glimpses of Scenery and
Berry's ambitions for his brothers had always centred on their becoming landowners. He complained more than once to the Government that they had migrated to purchase land and had left funds in his hands but it was not until November 1837 that he had an opportunity to purchase land at Shoalhaven and did so for each brother. There was a practical need for the brothers to acquire land as soon as possible because the maximum number of convicts who could be assigned to any one landowner was seventy. As a temporary measure for maintaining a supply of assigned servants Alexander in October 1837 leased John thirteen thousand acres of Wollstonecraft's land.42

It is indicative of great improvement in labour relations during John's managership that they are very rarely mentioned in the sources. Berry's brothers were thoroughly imbued with the patriarchal, cooperative ethos of the Scottish tenant farmer class. They did not have to struggle to acquire land or worry about money. Alexander could then afford for them to live their ideal and start, as did others of the 'old' gentry, to bring his own conduct more into line with it. There is no hint in the multitude of letters which he wrote to his brothers that he ever mentioned the grim conditions forced on his workers in earlier times. In a wider context the shortage of rural labour from 1831 to the gold rushes helped undermine coercive labour relations, allowed workers to develop a spirit of independence and a more equal, friendly and cooperative atmosphere benefiting bond as well as free.43 Berry was in 1857 one of three members of the Legislative

Some Hints to Emigrants, London 1849, 127.

42 Berry to John Berry 15/8/1837 & 6/10/1837, BP; David Berry to Col. Sec. 30/9/1839 39/11, 711, William Berry to Col. Sec. 7/9/1840 40/9/506, CSIL, Registers 1839, 1840.

Council who voted against a master and servant Bill as unnecessary.\textsuperscript{44}

In 1839 the population of the estate was about 270, not counting numerous Aborigines. Annual expense of the work force was about £7,000; the greater part represented by food produced and consumed on the spot.\textsuperscript{45} By the New South Wales Census of 1841 the population had dropped to 212, of whom 182 were aged fourteen or above. No fewer than fifty men residing at Coolangatta were returned as mechanics and artificers. Ninety-four men were or had been convicts.\textsuperscript{46} In the mid eighteen forties the work force settled at around two hundred and with fluctuations remained there until the property passed from Berry hands in 1889.\textsuperscript{47} In the 'middle district' of New South Wales the number of tradesmen fell sharply from 8,100 in 1846 to 5,857 in 1851\textsuperscript{48} but the Berry estate does not appear to have been short of artisans at any time. John and David wished as far as possible to employ Scots Presbyterians and avoid Catholics. Berry did not entirely sympathise, telling John:

\begin{quote}
In hiring people I see no reason why you should not hire protestants in preference to Catholics as you prefer them - but I cannot see the difference betwixt a protestant drain or fence and Catholic ones.\textsuperscript{49}
\end{quote}

For a decade and a half from about 1837 Berry was constantly concerned to find an adequate supply of what he considered affordable labour. As Charles Campbell pointed

\begin{itemize}
\item \textsuperscript{44} JLC, v I, 1856-57, 60, 5 Feb. 1857; SMH, 6 Feb. 1857: LC 5/2/1857.
\item \textsuperscript{45} Berry to Pickering 10/4/1839, BP.
\item \textsuperscript{46} 1841 Census. Illawarra (NSWA 4/1243), Returns 608, 618, 622, 623 & 624.
\item \textsuperscript{47} DT, 10 May 1890: Informant John Hay.
\item \textsuperscript{48} T.A. Coghlan, Labour and Industry in Australia: From the First Settlement in 1788 to the Establishment of the Commonwealth in 1901, London 1918, v I, 4.
\item \textsuperscript{49} Berry to John Berry 16/3/1843. See also Berry to John Berry 3/3/1842 & 17/4/1848, BP.
\end{itemize}
out the landowner class was given to attempting an impossibility:

to make land dear when it is extremely plentiful, and labour cheap where from the nature of things it must be inadequate to the demand and consequently dear.  

Colonists were already preoccupied with the problem of securing an adequate labour supply when notice was given in November 1837 of Her Majesty's Government's decision to discontinue assignment. As with other members of the old gentry want of an alternative supply of cheap labour induced ambivalence in Berry's responses. Conservatives advocated cessation of transportation arguing that, apart from issues of morality and social health, convict labour was uneconomic and inadequate to meet demand. Job advertisements from 1833 reveal preference for free labour. Berry expressed such a preference. Privately the great landholders believed that without convict labour small settlers - likely to be troublesome as trespassers, stock thieves, harbourers of bushrangers and dispensers of bad liquor - would be forced off their farms and into the ranks of wage labourers.

Because of the difficulty of securing labour Berry supported twelve resolutions on the efficacy and economic importance to the Colony of the assignment system adopted by the Legislative Council on 17 July 1838. Privately Berry was saying that convicts were far better workers than the drunken people brought in by assisted immigration and the assignment system permitted a degree of control over the worker which could not be exercised over freedom-

50 Legislative Council, Report from the Committee on Immigration, 13 Aug. 1841, Ev., 12, q.9.
51 SG, 18 Nov. 1837.
52 Coghlan, op.cit., v I, 198-199.
53 Colonist, 16 Nov. 1839: LC 13/11/1839.
abusing immigrants. However in 1839, when it was clear that convict labour would be withdrawn, Berry said publicly that he wanted to see transportation done away with and expirees from Norfolk Island prevented from landing.

In the period 1846 to 1850 when the Colony's conservatives failed to settle on a united attitude on resumption of transportation and the Legislative Council voted in a highly erratic fashion Berry was inconsistent and apparently unsure of the way to go. In September 1847 he voted against reception of any more convicts but by October 1850, had apparently decided that transportation was the best means of securing cheap labour.

Because of his belief in the need to preserve a class of large landed proprietors and his opposition to democracy Berry was prepared to go against the ascendant values of the time and advocate resort to cheap coloured labour. In July 1837 he testified to a legislative enquiry that from want of sufficient farm servants he could not keep cultivation up to its former extent. While he decidedly preferred European labourers he did not believe them procurable in sufficient numbers and called for importation of ten thousand Indian hill coolies in a year as 'not more than sufficient to meet the wants of the Colony'. The committee recommended bringing in three hundred to five hundred coolies, which it would not have done 'were not the demand for early relief so very urgent, and the present distress of the Settlers so great and the general interests

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55 Berry to Everina Wollstonecraft 12/4/1838, Berry, 'Thoughts on the Present Crisis', 1839, BP.
58 *V&PLC*, 1847, v I, 199, 14 Sep. 1847.
59 *SMH*, 3, 4 & 7 Oct. 1850.
60 Minutes of Evidence taken before the Committee on Immigration, Indian and British, 1837, 72.
of the Colony suffering so much'. 61 Neither Governor Bourke nor Secretary of State Glenelg approved of this proposal. 62 A small number of coolies were imported from 1837 to 1839 under a 'not very improved version of the slave trade' which reportedly excited indignation in India. 63 In 1841 when shepherds were unprocurable the coolie issue was revived, with Berry alone amongst Legislative Councillors in expressing unqualified support for their introduction as 'productive of great benefit'. 64 It was

chimerical to expect that cheap white labour could ever be procured in this colony, for if wages should sink below £20 per year, persons would have no inducement to emigrate from Great Britain. 65

Support for coolie immigration grew during 1842 but the agitation was countered by the Imperial Government prohibiting assistance from public funds. 66

The ending of assignment in 1838 forced settlers to look principally to immigrants for workers. This and the drought of the late eighteen thirties combined to force up wages. By November 1840 Berry was refusing to hire British immigrants because he was convinced that settlers could not continue to pay wages at the rates demanded. 67 Wages fell during 1841 and 1842 as recent assisted immigration provided an abundance of labour but men were unwilling to take jobs 'up country' for fear of being cheated of their


62 Bourke to Glenelg 8/9/1837, Glenelg to Gipps 14/12/1837, HRA, v XIX, 83-84, 202-203.

63 Sydney Monitor, 2 Nov. 1838.

64 Ibid., 21 July 1841: LC 20/7/1841, 23 July 1841: copy of petition.


66 Stanley to Gipps 4/8/1843, HRA, v XXIII, 166.

67 Berry to John Berry 11/11/1840, BP.
wages and employers were commonly reluctant to employ married men because of the custom of rationing non-productive wives and children.

Berry at first supported the assisted immigration schemes and in July 1840 was one of a small group of prominent colonists who backed Richard Jones in forming the unsuccessful Australian Immigration Association to raise £50,000 to bridge the gap between actual cost and the bounty for migration of 'really useful people'. By 1841 Berry had been turned into a severe critic of assisted migration, objecting to impoverishment of the Colony to pay interest on loans to finance an inflow beyond the capacity of Crown land revenue and for purchase of foreign produce to feed the immigrants. British immigration was such a sacred cow that he was attacked on the ground that everything he said on the subject was injurious and acknowledged that no one would listen to him.

In the eighteen twenties Sir John Jamison had become the Colony's first large proprietor to render his estate profitable while avoiding problems of labour supply, management and discipline by letting out his estate to

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68 Coghlan, op.cit., v I, 430-431; Crowley, op.cit., 235-236.
69 Coghlan, op.cit., v I, 203.
70 *Sydney Monitor*, 22 Nov. 1839: LC 19/11/1839.
74 *Colonial Observer*, 8 June 1842: LC 7/6/1842.
Subsequently other substantial landowners followed his lead and by about 1835, when managing his affairs alone, Berry was anxious to do the same. In 1836 his Cupar friend John Hedderick secured publication in the *Fife Herald* of his appeal for Scottish tenant farmers. There was no response. Robert Methven, Procurator Fiscal of Fife and husband of Berry's cousin Jess Tod, was not surprised. Scotland's farmers were 'not so depressed in their condition as to be enticed to leave their country unless they clearly see that they are to better their situation beyond all doubt'. There were strong prejudices against a convict colony and Fife men were making the relatively short trips to Upper Canada or the United States where they could acquire land for a few dollars an acre.

The gradual change over the period 1839 to 1843 from a tied labour force of convicts to free labour unwilling to accept the old dispensation brought home to rural landowners and squatters the dependence of their aspirations upon a labour supply and the need for change. The gentry were forced to abandon their ideal of a society in which they ruled patriarchally over a multitude of bond servants and hired hands working their broad acres and turn to tenant farming of their estates. From 1841 onwards tenant farming steadily increased, particularly on the Hawkesbury and in much of Illawarra, the Colony's prime agricultural areas. There are occasional references in the Berry papers from April 1842 to the Berry brothers' activities.

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77 Robert Methven to Berry 22/11/1836, BP.

78 D.N. Jeans, *An Historical Geography of New South Wales to 1901*, Artarmon 1972, 125.
desire to obtain tenants. Berry agreed to clearing leases along the northern border of the estate at Gerringong whereby the lessee would acquire ownership of an acre for every three he cleared, provided leases were not for long periods or much land and a lease terminated if a specified area was not cleared each year. By early 1844 he was in financial difficulty and wanted as many tenants on clearing leases as he could get.

In July 1844, when he had only about half a dozen tenants, Berry testified that he would have been glad to take tenants but the country did not afford means of obtaining a respectable tenantry. There had never been any significant number offering. In some instances he had given a considerable number of dairy cows, land fit for cultivation and implements but such tenants as he did obtain would neither pay rent nor leave and became nuisances. Later in that year the press reported that the difficulty numbers of industrious working men found in obtaining employment favoured landlords and was causing 'multitudes' to resort to tenant farming for a livelihood. Berry did not benefit from this development. At the beginning of 1846 he wrote: 'I wish I could only get a tenantry of any kind for Shoalhaven'.

Generally agriculture was the preserve of the small farmer who made no use of crop rotation, artificial manures or labour-saving machines. Much agricultural produce was for grower use or the supply of a restricted area. From

79 Berry to John Berry 1/5/1842, 6/2/1843, 2/3/1843 & 12/2/1844, BP; 'South Coast Pioneer in War of Hatred', Sun, 11 Sep. 1975, 114.

80 Berry to John Berry 12/2/1844, BP.

81 Legislative Council, Report from the Select Committee on General Grievances, 6 Dec. 1844, 2, q. 26, 3-4, qq. 67-70.

82 SMH, 5 Nov. 1844, edl. See also McMichael, op.cit., 142.

83 Berry to John Berry 1/2/1846, BP.
neglect of farming, market gardening and dairying the Colony had still not become self-sufficient in breadstuffs, vegetables, preserves, butter or other products difficult to handle or carry. The Berry estate was notable for the variety of its crops, use of improved methods and production on a large scale for the general market. Nevertheless, the proportion of the estate under crop at this time was significantly less than for alienated land as a whole. Berry testified in 1837 that for want of labour he had been unable to keep up the extent of cultivation.

Until 1839 wheat growers found a market at an acceptable price. From 1838 to 1840 drought affected eastern Australia and the annual value of imported grain rose from £60,000 - £70,000 to an average of £233,000 and uncertainty of supply induced a good deal of reckless speculation. Millers naturally preferred to purchase South American wheat at 2s 6d or 3s per bushel to paying the 7s or 8s which the local producer needed to cover his costs. With the free trade ideology dominant Berry accepted by 1841 that agriculture would never again be profitable in New South Wales. It would be best to lease sufficient farming land at a rent payable in wheat and maize to feed the stockmen and a few horses and to move out

84 Coghlan, op.cit., v I, 250, 506-507.
85 Legislative Council, Immigration. Minutes of Evidence taken before the Committee on Immigration, Indian and British, into New South Wales, 11 July 1837, 302.
86 Coghlan, op.cit., v I, 481; William George Mathews, Reminiscences, Sun, 15 Oct. 1938; Berry to John Berry 5/12/1842, BP.
88 Berry to John Berry 12/9/1841, 5 & 6/12/1841, BP. Agriculture had not always been profitable in the past. A visitor to Shoalhaven about this time was told that while the estate had once produced two thousand bushels of barley Berry could find purchasers for only half that quantity: Townsend, op.cit., 128.
of agriculture altogether. By 1844 Berry had only four hundred acres under crop. Because 'government has declared systematic war against cultivation ... have been obliged to put land, which was in cultivation, down in grass'. At about this time many other capitalists farming small blocks with the market as only a secondary consideration ceased to cultivate wheat, opening the prospect of more employment and profit for small men but in 1850 the contribution of agriculture to the GDP was only about half what it had been in 1840.

Berry was always looking for new crops which might prove profitable, and urging experimental sowings. Tobacco was still grown, but without much success.

In March 1844 the Illawarra Agricultural and Horticultural Society was formed at Wollongong with John Berry elected to the committee. Berry was a fervent supporter of all such organisations and when John failed to attend a meeting early in 1846 he received the severest rebuke from his brother in the record:

You are a hundred years behind your neighbours in intelligence activity and enterprize - a sufficient proof of this is that the Grahams & the Glanvilles now send 4 times the quantity of produce you do to Sydney.

Berry to John Berry 16/5/1841, BP. In 1841 Berry engaged an expert to examine the estate and make recommendations for making it more productive of revenue than in the past. He recommended leasing of the agricultural land: Hay, op. cit., 564.

Legislative Council, Report from the Select Committee on General Grievances, 6 December 1844, Berry's ev., 3, q. 66.

SMH, 5 Nov. 1844.


Berry to John Berry 21/8/1842, BP.

Berry to John Berry 12/7/1841, BP.

SMH, 15 Mar. 1844. Unlike some other such societies this proved to be successful: IM, 27 Jan. 1860, report on fourteenth annual show.
It is really a pity that you will not learn from your neighbours - They are advancing at a railroad pace - but you are going Crab like backwards.  

With neither agricultural workers nor tenant farmers to be had in the desired numbers John Berry shifted the estate's productive emphasis from agriculture to stock breeding and beef production. Most early settlers had not troubled much about breed, being content to judge a cow on the quantity of milk produced. The Shoalhaven herd, while superior to any other in the Illawarra-Shoalhaven region, had suffered poor management, particularly from want of fences, and had too many faults for stud purposes. John, who took particular interest in breeding fine stock, was said virtually to live on horse-back seeking more cattle. In 1844 the Berrys' cattle numbered eight thousand. John set about improving the breed, purchasing at great expense imported Ayrshire and Durham bulls. The most famous of these was Ella, a magnificent longhorn Durham for which Berry paid the huge sum of £500. Berry had doubts about this investment, confessing to John that

altogether I rather regret that I purchased him, and I confess I did so, more out of kindness to Ryder than from a regard to my own interests - formerly when Ryder was in other circumstances I have occasionally received kind offices from him.

Draining work continued at Numba in preparation for enlarged and improved agricultural production, in the large meadow behind Coolangatta and at Meroo and Gerringong to

96 Berry to John Berry 1/2/1846, BP.
97 McCaffrey, *op.cit.*, 173.
98 Berry to John Berry 17/5/1839, BP; Hay, *op.cit.*, 553.
100 Hay, *op.cit.*, 564.
101 Berry to John Berry 19/8/1840, 9/9/1840 & 11/11/1840, BP.
102 Berry to John Berry 30/9/1840, BP.
make the swamps available for grazing. Berry agreed with John that it was desirable to clear a little more of the Coolangatta grant to ensure a supply of green food for stock at all times. Fencing was extended to permit better management of stock. Draining and fencing were both so essential at Meroo that they had to be continued during the financially hard times of the early eighteen forties. Pasture improvement continued with spreading of earlier clover plots and new seeding and in 1845 with rye and timothy, which John had long wanted. A visitor to the estate in 1842 described how select Ayrshire and Durham bulls for sale were kept in an extensive clover paddock devoted to them alone. This informant reported that

Some of the bullocks, reared and fed on the swamps, attain a great size, and a few weigh fifteen hundred weight; and the rolls of fat on their backs forms hollows something like a saucer .... One beast yielded 250lbs of caul and kidney fat; and 5cwt. of tallow were obtained by boiling down two of them. I have never seen, in England, cattle equal in size and weight to those on this princely property (and none of them are stall-fed).

Drafts of fat cattle were regularly sent to Sydney to market. Many dairy cows were sold to settlers. About thirty head was sold at Wollongong market on 16 March 1844. While cash prices of only £3 each downwards were paid, this gives some indication of the desire to obtain Berry cattle for graziers everywhere were boiling down stock.

The local market for beef lagged behind supply partly because of the English preference for mutton and partly because cattle were increasing faster than the human population. Sale of fresh meat was supplemented as a source of income by export of salt beef, hides, tallow and

104 Townsend, *op.cit.*, 126.
105 *SMH*, 19 Mar. 1844.
bones. Putting up salt beef in casks was a difficult business and defects caused Berry problems over a long period of years. The estate was a major supplier to government on contract and an exporter.

In May 1841 Berry wrote to his brother that to enable him to meet demands bullocks must be sold for whatever they would bring:

The plain fact is, you have taken too much trouble about improving these cattle, and I have put myself to too much expense in the purchase of Bulls - & Shoalhaven is a bad place to sell stock as there are no roads - and it is so out of the way that the most common herd elsewhere, is more valuable than your breed. The best way in future will be to leave them to chance like other herds - it is quite ridiculous your riding yourself to death among them to no purpose - and in the Course of another year I hope we will be able to reduce the place to a mere common stock station with a few hands - so that if the returns may be small the expences will not be great.

He could not afford to buy land at Meroo at a coming sale and as all their cattle went to the ranges for winter he feared that they would be able to keep very few cattle when confined within their own boundaries.

In June 1843 'Black Harry' O'Brien boosted morale of pastoralists by showing that a live sheep which would not sell for more than 3s could be made to yield between 6s and 7s by boiling it down for its tallow. The process was quickly applied to sheep and cattle across the Colony, giving rise to a considerable export industry.

By November 1843 Berry was seeing bankers in search of accommodation. Cattle were unsaleable and not a single cask
of the previous season's beef had found a buyer. He ordered that boiling down begin as soon as the harvest was in.

Boiling down continued in full swing at Coolangatta for some years. David, in charge of these operations, received periodic castigation about the slowness with which he attended to anything, the poor quality of preparation of hides and beef so poorly salted and packed that no one would buy it. In twelve months to May 1846 upwards of a thousand head of fat bullocks, some weighing 1,400lbs, were slaughtered merely for their hides and tallow. Meat could be salted only during the cool winter months. Along with some others, Berry considered boiling down beneficial to the Colony in that it led to destruction of a great deal of inferior sheep and cattle. He thought colonists ought to be compelled to boil down at least half their sheep and cattle.

At times Berry asserted that dairying was the only activity on the estate yielding a profit. Throughout the eighteen forties the Jindyandy dairy brought in £Stg70 a week for butter alone, being profitable even in 1848 when drought brought dairies in other districts to a standstill. In 1842 about two hundred cows were milked each

111 Charles Campbell to Berry 9/11/1843, BP.
112 Berry to John Berry 27/11/1843, Berry to David Berry 14/12/1843, BP.
113 Berry to David Berry 21/1/1844, 12/2/1844 & 29/5/1844, BP.
114 Berry to Barbara Berry-Armit -/5/1846, quoted Hay, op.cit., 568.
117 Berry to John Berry 25/11/1837, 29/11/1841 & 24/1/1842, BP.
118 Townsend, op.cit., 128; McCaffrey, First Century of Dairying, 48, quoting Henderson.
morning for a yield of about two gallons a head. A second major dairy was operating at Gerringong by 1840. At the turn of the century an old settler recalled this as the golden age of dairying in the district. The Berry herds yielded milk never subsequently equalled in quantity or quality. A greater yield could doubtless have been obtained by a second milking daily but the Berry philosophy was that half starving calves was not the way to produce quality cattle.

Butter, the estate's main dairy product, usually sold quickly and, very importantly, always for cash, but the industry was subject to market variations and butter produced on the estate varied in quality under different dairymen and sometimes was so poor as to be unsaleable. Skimmed milk went to feed a small army of pigs which returned more than did the wool clip.

Cattle rustling, a crime causing concern Colony-wide, continued a major problem for the Berrys. In September 1839 Berry formally complained to the Government about its practice of permitting ex-convicts use of small blocks of Crown land on annual rental. In countries where there was 'no morbid affect[at]ion of Liberalism' ex-convicts remained under police surveillance for years after serving their sentences but in New South Wales were 'placed in a situation where the temptation of Stealing is

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119 Townsend, op.cit., 126-127.
120 Evening News, 15 July 1905.
121 Berry to John Berry 29/6/1837 & 2/3/1843, W.G.Mathews to Berry 20/4/1848, BP.
122 Berry to W.Corben 28/12/1837, BP; Townsend, op.cit., 127.
123 By 1837 Attorney General Plunkett was conducting more prosecutions in the hope of bringing the problem under control: John N. Molony, An Architect of Freedom: John Hubert Plunkett in New South Wales 1832-1869, Canberra 1973, 109.
strengthened by its facility & comparative impunity'. For many years past, so he alleged, a succession of ex-convicts had become squatters on Crown land at Shoalhaven ostensibly to graze a few cattle but really to rustle. Berry wanted appointment of a Commissioner for Crown Lands to Shoalhaven, at least until the thieves were removed, and for a policy of not allowing ex-felons indiscriminately to rent land. Governor Gipps considered that as ex-convicts were allowed to buy land it would be hard to prevent them from renting but he conceded appointment of Berry's nominee as Commissioner of Crown Lands for the district.

Berry alleged that there were at this time two families of ex-convict thieves operating in his neighbourhood. The head of one of these, William Gates, was currently in custody on a cattle stealing charge. Berry predicted that Gates would escape conviction. At Gates's trial after an incarceration of more than six months two of Berry's stockmen testified to identifying the heifer alleged to have been stolen as one of Berry's and to the mother cow having suckled it when brought to it but Chief Justice Dowling directed acquittal for want of sufficient evidence.

It was suspected that stolen cattle were marketed in Melbourne so in 1840 Berry decided to publish a warning in the newspaper there against purchase of cattle branded 'B&W'. A probable variant of duffing was substitution of inferior animals.

Horse-breeding appeared profitable and this division underwent further development. Berry considered that it had

124 Berry to Col. Sec. 23/9/1839 39/10,530 with Gipps's minute, CSIL, Miscellaneous Persons 'B', 1839 (NSWA 4/2454.2).
125 Sydney Monitor, 12 Feb. 1840: report of trial.
126 Berry to John Berry 21/3/1840, BP
127 See generally Berry to John Berry late 1841-early 1842, especially letters 14/2/1842 & 6/3/1842, BP.
the advantages of requiring only the making of a few waterholes and a very ordinary stockyard. In 1841 the estate grazed six hundred horses. Lt Townsend noted in 1842 that there were many beautiful mares amongst the herds and a stallion from the English turf in the stalls. Horses bred on the property 'attain a great size; their points are well developed'. In October 1837 a pair of chestnuts sold for £80 each, A.B.Spark paid £65 for a horse for his cabriolet and Berry was disappointed with, but accepted, an offer of £50 for a horse which had done a good deal of work. Returns of this order could not be obtained for any other kind of stock.

Between 1842 and 1856 the number of horses in New South Wales tripled: a faster rate of increase than for sheep or cattle. This increase was matched by a great demand for an animal which was a symbol of social status as well as an economic asset. Berry sought to profit from this demand by putting on the market large lots of well-broken, high quality horses. Breeders and merchants looked also to obtaining needed income by developing trade with India from 1843 in consideration of its large population and want of a breeding industry and availability of much unused cargo space in ships sailing from Sydney to that country. Berry was amongst those who engaged in this trade but twenty years later reported his experience

128 Berry to John Berry 6/10/1837, BP.
129 Hay, op.cit., 564.
130 McCaffrey, First Century of Dairying, 47, quoting Henderson.
131 Spark, Diary 3/10/1837, in Abbott and Little, op.cit., 82; Berry to John Berry 6/10/1837, BP.
133 Berry to John Berry 27/11/1836, BP.
of exporting to have been very unsatisfactory. Expenses were high, returns very uncertain. Quite numerous deaths occurred in transit. Insurers paid only on the total loss of a ship. After paying the agent in Sydney Berry lost money on the best shipment of horses he sent to India. Horses sent to California produced the same negative outcome.  

At the end of 1837 the Berry estate grazed about two thousand sheep. In mid 1839 Charles Campbell and Dr Martin made a large purchase of sheep from Lachlan Macalister - rather too large a purchase as they came to believe, although sheep prices rose fifty per cent following acquisition. To help them reduce their investment Berry purchased a one-third interest for John, telling him 'you are now a flock master and a Squatter'. Berry thought this 'an excellent purchase' because two days after the deal Campbell and Martin were offered £500 to renege on the bargain. The sheep were to be cared for by Campbell's brother at Strathaird, county of Argyle, but costs were such that it was considered best for John to remove his share, between two and three thousand sheep, to Shoalhaven, necessitating purchase of land at Crookhaven.

John Berry was given to hard and rather careless riding on old and unsafe horses. His sister Nancy often expressed fears for his safety and Alexander cautioned him to keep the best horses for his use. In November 1843

135 Berry to David Berry 2/1/1864, BP.
136 Berry to W.Corben 28/12/1837, BP.
137 Berry to John Berry 17/5/1839, BP.
138 Berry to John Berry n.d., BP. It is difficult to see how C.M.H. Clark could justify his repeated references to Berry as a 'sheep man' in the mid eighteen-forties: C.M.H.Clark, op.cit., v III, Melbourne 1973 296, 302, 348 & 372.
139 Berry to John Berry 21/3/1840 & 6/12/1841, W.Jemmett Browne to Berry 16/1/1849, BP.
John suffered a serious fall. News of this caused Berry to start in half an hour for Shoalhaven where for several weeks he served as his brother's physician and nurse. John never really recovered from his fall. Berry worried ceaselessly about the condition of his favourite brother and served up stern rebukes to David and William for not taking better care of him. On the afternoon of 19 April 1848 John suffered another accident when his horse fell. Berry again hastened southwards but John died before he could reach him.

Under John Berry's management the estate attained the peak of its prosperity, being described at the end of his time as a 'principality', 'a princely possession' and a 'noble property' which 'cannot be equalled in the colony, nor yet excelled in England'. It was noted particularly for the breeding of high quality cattle and horses. For forty years Illawarra claimed the best dairy herds in New South Wales with most of the cattle originating from Coolangatta herds established by him.

As the depression of the early eighteen forties deepened Berry's letters to John reveal his growing gloom about prospects for the old established landowners of New South Wales. He mortgaged land in 1837, 1840 and 1842 to

140 Berry to John Berry [really to David Berry] 27/11/1843, Berry to David Berry 14/12/1843 & 10/11/1845, BP.


143 Hay, op.cit., 553, 844.

144 Berry to John Berry 31/5/1841, 6/12/1841, 10/1/1842, 3/3/1842 & 21/8/1842, BP.
obtain cash.145

The Bank of Australia was compelled to close its
doors in March 1843 when John Terry Hughes and John
Hosking, failed owing £m146. As the Bank of Australia was
not protected by limited liability each shareholder was
answerable for the full extent of its debts. Many of the
Colony's leading landowners and merchants, including Berry
and nine other Members of Council, were amongst the 176
shareholders threatened with economic extinction and
reduced to a state of nervous apprehension.

Berry was most unfortunate to be in this jam. Long
before the crash he had disposed of his shares save for one
left as a result of a miscount and retained to preserve a
nominal holding in an institution which he had helped
found. He was also joint trustee with three others for
twenty-five shares but had not acted in any way in relation
to this trust and had nearly forgotten about it. Berry was
obliged to pay two calls of £100 each on his share and as
only he and one other trustee still possessed means he paid
a total of £2,500 in calls on trust shares.147

As a tactic for forcing large contributions the
Bank's directors informed the Bank of Australasia, which it
owed almost £m, of the identity of wealthy shareholders
that it might issue writs of scire facias against them. A
writ for £220,000 was issued against Berry's closest friend

145 Berry Estate List of Deeds 1825-1886, Hay Family -
Miscellaneous Papers (ML MSS 802).

146 Barrie Dyster, 'Prosperity, Prostration, Prudence :
Business and Investment in Sydney 1838-1851', in Alan
Birch and David S. Macmiller, eds, Wealth & Progress:
Studies in Australian Business History, Sydney 1967,
54, 59; C.E. Smith, Dr James Mitchell, Newcastle 1966,
20; Gwyneth M. Dow, Samuel Terry: The Botany Bay
Rothschild, Sydney 1974, 59, 227-228; Abbott and
Little, op.cit., 35.

147 Berry to Rev. G. Walker 29/1/1868, Letters to Rev.
George Walker, D.D., 20; Hay, op.cit., 588-589; A List
of Shareholders. Shewing the amount of Capital paid by
each as well as the various sums paid on their shares
31st December 1842, encl. no. 4, Gipps to Stanley
1/1/1845, HRA, v XXIV, 167.
William Lithgow and £2,000 extracted from him under threat of selling him up. Berry family lore had it that Lithgow's health was irrevocably shattered by this event. Having put this example before them the directors offered a number of other shareholders, of whom Berry was one, release from further liability in consideration for a payment of £1,000. Berry protested against this tactic as immoral but from fear of worse victimisation capitulated and paid.  

It was not until July 1851 that the whole of the debt was paid up and the Bank of Australia wound up. The institution lost all its capital and each shareholder in New South Wales had to contribute an amount equal to his shareholding. After paying all its creditors the Bank was left with a surplus of £26,000 and in March 1851 it was decided to distribute this to shareholders. Berry, Lithgow and others who had been forced to compromise for release from a share of the bank's liabilities were excluded from the distribution and in response instituted an action at law. After notice of this had been served Berry was accosted by one of the directors:

We have received your notice; you will rue what you have done; the judgment debt is not yet finally settled, and while any part of it remains unsatisfied the directors have great power. You may expect a scire facias, and even if you get a verdict, we will so arrange that you will be obliged to look all over the world for your money, and this will make it valueless to you.

Berry reported this threat to his solicitor and on his advice the suit was dropped.

148 SMH, 28 June 1866, report of Berry & ors v Stirling & ors; Hay, op.cit., 590, 592.


150 SMH, 28 June 1866, report of Berry & ors v Stirling & ors; Hay, op.cit., 598, quoted.
Berry's share in the Bank of Australia and service as trustee had resulted in his having to pay £3,700 to the bank and his share of costs in the abortive legal action and to finance on an ongoing basis interest on mortgages given to raise the money. He had been blackmailed by unprincipled men he was powerless to resist and had to cope with the stress over a long period of threats of even worse aggressions. It is small wonder that he reacted with outbursts of anger. On one occasion he expressed himself with such force about the directors' treatment of him that Robert Campbell feared that he was going to challenge him to a duel. Berry was forced under threat of arrest to give his word that there would be no breach of the peace.151

In 1856 Berry persuaded Lithgow and William Macpherson to join him in another equity suit against the late directors for a share in the surplus. The plaintiffs lost when both primary judge and Full Bench upheld a plea that they were estopped by tacit acquiescence in the final arrangements through omitting to take steps for assertion of their claims between 1851 and 1856. The case was very much Berry's. He was primarily responsible for rejecting an offer of a compromise settlement, his co-plaintiffs were inactive and both died before the appeal stage, and he had to indemnify Macpherson's estate against further costs before his executor agreed to be listed as a party to the appeal. A dazzling array of legal talent appeared: three QCs and six junior barristers at the appeal hearing,152 and the costs, no statement of which has been located, must have increased Berry's losses greatly.

For protection of his family from possible ruin as a result of the Bank of Australia mess Berry early in 1845 mortgaged a large area of land and the livestock to his

151 Meg Swords. Alexander Berry and Elizabeth Wollstonecraft, North Sydney 1978, 26. I have not located a primary source for this incident.

152 Various documents, Macpherson of Cluny Muniments (SRO GD 80/962); Berry to William Lithgow 20/12/1859, BP; SMH, 28 June 1866: report on Berry & ors v Stirling & ors.
brothers\textsuperscript{153} and to save Crows Nest from possible seizure should it come into his hands, arranged for Elizabeth to will to John this and the other properties which she had inherited from her brother. There is no reason to believe that sums stated in mortgage and release transactions actually changed hands. It can be argued that Berry was merely seeing to it that his brothers received what was owing to them. The brothers were formally his employees and at the time the mortgages were drawn up they had worked twenty-five and a half man-years and received no payment of salary. In calculating what he owed them he included ten per cent interest and rent and interest on use of land held in their names. Berry calculated that he owed his brother John alone £3,765,\textsuperscript{154} and the younger brothers lesser sums.

Thomas Hall arrived in the Colony with money of his own. On 19 July 1837 he gave Berry a cheque for £500 which was apparently the sum secured by a mortgage dated 14 January 1843. In January 1845 Hall advanced Berry a further £1,000 on mortgage.\textsuperscript{155} Berry's principal response to the need to find money was mortgaging of a large part of the Shoalhaven property to the Trust Company at the high rate of ten per cent interest.\textsuperscript{156} A number of grants were also mortgaged to Hastings Elwin and subsequently to Sir Charles Nicholson.\textsuperscript{157}


\textsuperscript{154} A.Berry to Mr John Berry, for salary at rate of £200 per annum commencing 1st June 1836 to 1st January 1845, BP.

\textsuperscript{155} Mortgage A.Berry to T.Hall 14/1/1843, with discharge endorsed, Documents left with Norton & Co. 1855, Hay Family - Miscellaneous Papers; Berry to David Berry n.d. (incomplete),BP.

\textsuperscript{156} Berry to David Berry 26/5/1853, BP.

\textsuperscript{157} Berry to David Berry 20/8/1860, BP.
Despite his own problems Berry was willing to hold out a helping hand to a friend. In January 1845 he joined with six others in signing a bond for a loan of £6,000 plus one year's interest to help Alexander Macleay remain solvent. He was a guarantor of William Carter's overdraft and paid his share when the Commercial Banking Co. ceased business in June 1848. In the same month he was one of the several friends asked by Thomas Barker to go surety in return for a mortgage on his mill to allow him to buy out his partner. However, in July 1848 Berry was obliged to surrender the deeds to his Numba grant to the reconstituted Commercial Banking Co. as security for a £2,000 overdraft.

From the latter part of 1848 through to mid 1852 Berry's letters to his brother David advert constantly to the urgent need to ease pressures on him from his debts and David's 'cargoes of orders' and to help retain his credit at the bank. At times he wrote in tones of desperation. In April 1852 Berry was threatened by the Collector of Quit Rents with distraint if he did not pay within ten days £117 due for arrears to the end of 1851. Berry then mortgaged 3,255 acres of land in the County of St Vincent to William Macpherson and the Rev. John McGarvie as security for a 

158 L.Duguid, Managing director Commercial Bank, Sydney to T.Icely, T.Barker, A.Berry, W.McPherson, Wm Dumaresq; Major Genl Stewart & George McLeay who have signed a Bond and C.Nicholson, W.Lithgow and J.Campbell who have signed Pro-Notes 20/1/1845, BP.
159 E.Mort to Berry 17/2/1848, BP.
160 Thomas Barker to Berry 20/6/1848, BP.
161 E.Mort to Berry 11/7/1848, Berry to David Berry 3/5/1870, BP.
163 G.Jilks, Collector of Quit Rents to Berry 2/4/1852. Bill for arrears of Quit Rents 1/7/1852, BP.
loan of £1,100. In 1853 Berry took advantage of an opportunity to pay off the Trust Company by borrowing elsewhere at six per cent per annum, the difference in interest saving him £400 a year. Crows Nest had been unavailable for use in any way to raise money because of the nature of the deed of settlement. Berry was able to arrange with the trustees for Crows Nest to be conveyed to David Berry as John's heir. David then 'sold' Crows Nest and 13,460 acres of Shoalhaven land to Alexander for a stated price of £10,000 on 14 June 1853. On 29 July T.S.Mort auctioned seventeen acres of Crows Nest adjacent to the town of St Leonards at prices ranging from £120 to £205 per acre. Two days later Berry sold two acres more privately at £200 per acre. Berry claimed that realising on this land gave him the means to clear his debts but it was not until mid 1858 that he remarked that he was prepared to pay off the mortgage 'amounting with Interest to £10,300'. An undated notation on the mortgage to Hall indicates that it was eventually discharged, some time after 1864.

The failure of the Bank of Australia was a major setback for Alexander Berry, costing him heavy financial loss and a small but valuable part of the Crows Nest estate and forcing him once again to live for years on end under constant stress.

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165 Berry to David Berry 20/8/1860, Berry. Memoranda 21/2/1864, BP.
167 Indenture for Sale by David Berry to Alexander Berry 14/6/1853, Norton Smith Papers, No. 86.
168 SMH, 16 July 1853, advert.; Norton Smith Papers, No 76, 25, 27, 29, 31(a), 31(b), 35-36, 51, 53, 55, 57-59; Berry to David Berry 4/8/1853. p.s., BP.
169 Berry, Memorandum [date in pencil 1864?], BP.
170 Berry to David Berry 9/7/1858, BP.