

THE CHEQUERED CAREER OF WILLIAM WHITEHILL

[Mr. Alfred James, of Wahrenonga, has kindly presented to the Society copies of articles written by him regarding ancestors and relatives who figured in the early history of this district—some of them founders of very well-known Illawarra families. We thank Mr. James for permission to publish these articles, further instalments of which will appear in subsequent Bulletins].

William Whitehill was born in 1794 in Dublin, Ireland of parents unknown. On 14 July 1825 he was found guilty at Drogheda in County Louth of "cow-stealing" and, although he had no previous conviction, was sentenced to imprisonment for life.

Subsequently he was transported to New South Wales with 129 other malefactors on the "Regalia," which left Dublin on 16 March 1826 and, coming via Rio de Janeiro, arrived at Port Jackson on 5 August 1826, a voyage of 144 days. All the company were issued with a grey cloth jacket, a waistcoat, a pair of "trousers," a pair of shoes, a shirt, two pairs of stockings, a handkerchief, a cap, a brush, a comb, a towel, a thread and needles and a bag "to hold spare Articles."

The Indents state that Whitehill was married with a wife and three children, was a cotton-weaver by trade, able to read and write and a Protestant (in fact, a Presbyterian). In appearance, he was 5'4½" tall with brown eyes, brown to grey hair and a dark and sallow complexion featuring a scar over his left eyebrow.

His conduct on the voyage was "very good" and he was immediately disposed to James Stares Spearing who had a grant of 1,000 acres at Paulsgrove on the slopes of Mount Keira. His duties there included cutting cedar and tending the gardens which, in 1832, consisted of 15 acres "well stocked with fruit trees and vegetables and two water mills."

In May 1827, Whitehill and another gave information against a fellow assignee who had murdered one of their number on "Paulsgrove" at the site in Byarong Valley consequently named "Hell Hole." On 6 March 1828 they were granted the reward of £20 which had been offered but slow payment prompted the following letter to the Colonial Secretary:-

29th March, 1828.

Sir,

I William Whitehill and Jas Grace Asined Servants to Mr. Spearing is in Town Since tuesday at the Police Office Waiting for the Reward of twenty pounds and we would take it as a great favour if your honour Would forward us as the(y) Say the Money is not Come from this office and our pays is out and our money likewise.

We remain your most obedient Servants,

Wm. Whitehill

Jas. Grace

Whitehill made five petitions between December 1827 and January 1831 to the Governor seeking permission for his family to join him. This is an example:-

To His Excellency Lieut. General Ralph Darling Captain Genl., General and Commander in Chief in and over the Territory of New South Wales and its Dependencies & Vice Admiral of the Same &c. &c. &c.

The Respectful Memorial of William Whitehill a Prisoner under Sentence of Transportation for life Most Humbly Sheweth —

That Memorialist arrived in this colony on the ship Regalia, Burt, Master 5th August 1826. That Memorialist has a Wife and two Children, residing at Malahide in the County of Dublin, namely Julia Walsh, Children, Margaret aged seven years, & Anne four years of age, who are anxious to join him here, for the truth of which Memorialist begs leave to refer your Excellency to John Espin Batty, & Hugh Loftus Gordon Esquires, the two nearest Magistrates to the residence of his wife, and also to the Revd. Francis Chambley for any further Information that may be required —

Memorialist therefore submissibly Implores your Excellency will be pleased to take his case into your humane and favourable Consideration, and be graciously pleased to give the Necessary directions for his wife and family to be permitted to Join him, and for which your Memorialist in duty bound will ever Pray —

William Whitehill

This is to certify that the within named William Whitehill has been in my Service ever since his arrival in this Colony during which time I have always found him Honest, Sober and Industrious. I have no doubt but he would be enabled from his industry to support his Wife and family, on their arrival, and as such I recommend him to your Excellency, as a proper person for this Indulgence.

J. S. Spearing

*Paulsgrove, Illawarra.
August 30 — 1828.*

Julia and her two daughters, having been given permission to come to Australia left Cork on 5 November 1832 on the "Surrey II", a barque of 363 tons built in Quebec in 1825. She conveyed 141 female convicts and 17 wives and 38 children of convicts and, coming direct, reached Sydney on 9 March 1833 after a voyage of 124 days. The following letter was attached to the Indents:-

*Dublin Castle,
7 November, 1832.*

Sir,

I am commanded by the Lord Lieutenant to send you the enclosed List of the Wives and children who have been embarked on board the ship "Surrey" and who have been recommended for a Free Passage to the Colony.

E. G. Stanley

*The Governor,
New South Wales.*

William was soon re-united with his family in Wollongong and within two months he was assigned from Spearing to Julia as approved in the following letter of 3 May 1833 from the Colonial Secretary to the Board of Assignment of Convicts:-

Gentlemen,

Several free women having arrived in the Female Convict Ship "Surry" at the Expense of the British Government for the purpose of joining their Convict Husbands in this Colony, and the Governor considering that there is an implied Engagement on the part of the Colonial and Home Governments to permit Prisoners having Wives and Families sent to them at the public charge, to labour for their support on their arrival . . . I have the honour by direction of his Excellency to request that the undermentioned Prisoners may be assigned in the District in which they are now employed to their respective Wives . . . Viz.

*Service of Mr. J. S. Spearing)
Willm. Whitehill, Regalia ..) to Julia Whitehill*

The family moved from Paulsgrove to the Berkeley Estate at the north-west corner of Lake Illawarra where a son, John, was born in June 1834. The Estate of 3,558 acres had been granted to the Jenkins family in 1816 and in the 1830s was cut up and let to tenants under the clearing-lease system. The whole place had a peculiarly English cast of character with a squire, an old manor house, a macadamized turnpike road, enclosed grass parks with exotic trees and an industrious tenancy. It was a life quite different from that experienced by the squatter on the waste lands of the interior with his multitudinous flocks and herds.

On 3 November 1836 William was granted a Ticket of Leave on the grounds that, as a lifer, he had worked for two masters for a minimum of ten years. As a condition he was confined to the district of Illawarra.

Julia died suddenly on the Berkeley Estate on 8 December 1839 at the early age of 42. She had borne four children:-

1. Unknown.
2. Margaret b. 2/12/1819 in Dublin, Ireland.
m. John Alger (1810—14/11/1876) on 10/7/1837 at Wollongong.
d. 16/6/1915 at Paddington.
3. Anne b. 1824 in Belfast, Ireland.
m. Joseph Burgess (1810—6/2/1886) on 1/12/1838 at Wollongong.
d. 31/3/1874 at Berkeley.
4. John Frederick b. 9/6/1834 at Berkeley
d. post 1856.

(To be continued)

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(Continued from May Bulletin)

At the Census of 1841 William was still living on Berkeley Farm but the death of his wife and lack of money apparently caused a reversion to original sin for he was convicted by the Wollongong Bench on 28 September 1841 of 'clandestinely Stealing and Killing a Heifer Calf.' His Ticket of Leave was cancelled and he was sentenced to '12 calendar months' on the 'Iron'd Gangs and Road Parties.' He passed this time helping to construct the Hyde Park Barracks in Sydney until he was released on 11 June 1842.

On this he was assigned to Windsor and petitioned for another Ticket of Leave which was granted on 26 September 1843 on the condition that he remain in that district. It was soon cancelled when it was discovered that he had been found guilty of 'Fraud' by the Windsor Bench on 25 June 1843 and had been sentenced to another twelve months in irons. He spent this time constructing a road at 20 Mile Hollow until discharged on 19 July 1844.

He received a Third Ticket of Leave on 22 February 1847 on the condition, ironically, that he remain 'in the District of Sydney in the service of the Supreme Court' in whose employ he had been, presumably, for the previous 31 months.

On 25 February 1848 he was refused permission to marry one Georgiana Cupples alias Barnett on the vague grounds that he was 'married on arrival.' She was aged 51, a widow with five children and had arrived as a convict on the 'Mary Ann' (5) in 1839.

Within ten months he was clearly on good terms with one Christiana Lewis and did not bother with official sanction to marry her at St. Andrew's Presbyterian Church in Sydney on 18 November, 1849. She was born at Ashford, Kent, in December, 1825 and was thus 30 years junior to William. She had arrived in Sydney in a family group on the 'Lady Nugent' on 27 November 1838. The company consisted of her parents, David and Ann, five brothers and sisters, an uncle, an aunt and three cousins. The 'Lady Nugent' carrying 238 Government immigrants, had left Gravesend on 23 July 1838 and so took 128 days en passage.

The new Whitehills at first lived in Goulburn Street before moving to upstairs rooms at 208, Castlereagh Street (then a bootshop, now consumed by the Hyde Park Tower), a short distance from the Supreme Court in Elizabeth Street.

Christiana produced two daughters who died in infancy, a month apart.

1. Julia b. 28/8/1849 in Goulburn St.
d. 14/11/1855 in Castlereagh St.
2. Helen b. May 1853 in Castlereagh St.
d. 13/12/1855 in Castlereagh St.

Soon after, William's health declined and he hastened to tidy up his affairs. He sought and was granted a Conditional Pardon on 28 April 1856 and sought a pension through his employer Senior

Puisne Judge (later Sir) John Nodes Dickinson M.L.C. (1806-1882). Several letters on this subject were sent to the Colonial Secretary. On 20 June Dickinson forwarded a medical certificate which stated that Whitehill was 'dangerously ill' and would not live for a twelve-month longer' and wrote . . . 'Under these circumstances I beg leave most respectfully to recommend William Whitehill to Her Majesty's Government for a pension. The Chief Justice and Mr. Justice Therry allow me to say that they concur in this recommendation . . .'

On 25 June the Auditor General wrote:

'On reference to the records of this office it is found that Whitehill was appointed Messenger to the Master in Equity on the 1st January 1848 and Tipstaff from the 1st April in the same year. He will have served, therefore, at the close of this month 8 years and a half, for which he would be entitled under the regulations to a gratuity of £45.4.10 being at the rate of one month's Pay for every year of service. Pensions are not granted for a less period of service than ten years.'

The Returns of the Colony ('Blue Books') shew that he received an annual salary of £36.10.0 as a messenger and £63.17.6 as a tipstaff in 1848 which had increased to £123.3.9 by 1856.

William died at his home on 6 July 1856 at the age of 61 from the combined effects of asthma and dropsy. He was buried in the Scotch Burial Ground in Devonshire Street but was not one of those transferred to Botany when Central Railway Station was built on the site.

The Executive Council approved the gratuity on 8 July and on 17 July Christiana petitioned that the payment be made to her. Dickinson supported her with the following statement:

'I hereby certify that William Whitehill was my Tipstaff for the period of 8½ years and that I have been informed that he was employed in the Court House for about 15 years inclusive of the period during which he was my Tipstaff; and that I have heard and believe that his widow is destitute, and that he has left a son and daughters by a former wife, and that the latter are in comfortable circumstances.'

Christiana transferred the lease of a house at Glebe in 1857 and went to live at Camperdown with one George Smyth (1801-1870), the Keeper of the Supreme Court. She had three children by him but nothing more is known of her except that she was alive when her father died on 25 August 1864.