PLACE
OF
MANY CROWS

A brief history of the foundation of
Wagga Wagga, N.S.W.

by

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1. In the Beginning

For many years now the student of Wagga's early history has been at the mercy of misleading statements which have been repeated at every opportunity. Writers, in newspapers and elsewhere, have relied on these reports without, apparently, ever checking their source or their authority.

It is no wonder, then, that Wagga should have marked the achievement of its first century in 1946, in the mistaken idea that the town of Wagga was established in 1846 (1). The truth is that this event was celebrated three years too soon.

Here are a few of the mis-statements regarding the foundation of Wagga which have been printed again and again over the past forty to eighty years, and which have stood solidly in the path of the serious reader in search of the truth.

"In 1847, Wagga Wagga was proclaimed a township; in 1848 the first allotments were sold by auction in Sydney." (A correspondent writing in the Wagga Wagga Express and Murrumbidgee Advertiser, May 28, 1859.)

"Norton informed me on more than one occasion that he came to Wagga as Chief Constable in 1845." (Early Wagga, by James Gormly, M.L.C., in The Advertiser, September 5, 1905.)

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"John Joseph Roberts erected the first hotel at \Wagga, probably in 1846, but I think the licence dated from January 1, 1847." (As above.)

"Wagga Wagga (station) was origiinally owned by Robert Holt Best. The first homestead was built in 1832." (The History of Wagga Wagga, compiled by William J. Garland, 1913.)

"R. H. Best, who settled in the district in 1832, named his station Wagga Wagga." (J. J. Baylis in R.A.H.S. Journal No. 13, 1927.)

The first of these quotations may be cited as the perfect reason why there has been so much confusion in regard to the true story of Wagga's foundation. Here we have the case of a man only ten years removed from the events in which he participated, and about which he writes, and yet his facts (as it will be seen) are quite wrong.

Moving considerably further afield, it will be found that even a specialist such as S. H. Roberts can be equally careless about Wagga. In his book, the Squatting Age in Australia, he says: ". . . even townships were coming, first at Gundagai, then Albury, and then Wagga Wagga (1847)." And there is confusion implicit in his earlier statement that "Best, for example, came from Parramatta to the new Wagga in 1832."

Wagga, like so many other Australian inland towns, owes its existence solely to the pastoralists who, either themselves or through their proxies, trod in the footsteps of the explorers in a never-tiring search for new grazing lands. It was inevitable that the river flats of the Murrumbidgee should attract the hardier settler, who was prepared to endure any personal discomfort and hardship an overland journey of 300 miles from Sydney might entail for the chance of building and fattening his flocks and herds on good land, and thereby producing better stock or a better wool crop. The history of Wagga, therefore, begins with the discovery of the Murrumbidgee River.

Although he didn't know it at the time, John Oxley, in his exploration of the Lachlan River in 1817, came within 25 miles of discovering the Murrumbidgee. He was not looking for this river, but it is apparent from his

journals that he was aware of another, as yet unfound body of water in the interior, and not far from the areas he had set himself to explore. (2)

Explorers and others had heard at various times from inland natives of a river called the Morumbidgee, or, as Dr. Charles Throsby translated the word, "Mur, rum, bid, gie." Credit for the discovery of Lake George goes to Throsby, for it was he who, having heard from natives of the existence of a lake called, "Wee, ree, waa," fitted out a small party and set them the task of finding the lake. Hearing in a similar manner of the existence of the Murrumbidgee River, he determined that this also should be found and explored. It is in a letter he wrote to Governor Macquarie on September 4, 1820, reporting the discovery of Lake George (Wee, ree, waa) that we have the first recorded reference to the Murrumbidgee. (3)

On May 10, 1821, Throsby wrote a further letter to the Governor, in which he stated that he set out in search of the Murrumbidgee on March 18. From this letter it is apparent that he reached the spot on which Canberra now stands, and then pushed on to the Murrumbidgee just below Tharwa.

The next explorers known to have reached the Murrumbidgee were Hume and Hovell, who, in 1824, crossed the river on their journey to Port Phillip. In his report of this expedition Hamilton Hume wrote:

"About three o'clock in the afternoon of the 19th (October, 1824) we made the Murrumbidgee River, at Marjurigong, near Yass." (4)

They were followed five years later (1829) by Captain Charles Sturt, who travelled down the Murrumbidgee with the object of tracing its course and discovering the Murray. He is believed to have been the first white man to set foot on the site on which Wagga now stands.

"Captain Charles Sturt explored the Murrumbidgee in 1829. On December 3 he was at Wantabadgery (which he calls Pontebadgery). He passed what is now Wagga on December 5 or 6, and Narrandera on December 10, 1829." (5)

Three years after this, the first settlers had pushed down to the site of Wagga with their stock.

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In 1832 the Tompson family brought their stock to the right (North Wagga) bank of the river, and the Bests to the left (South Wagga) bank.

It is fairly certain that the Tompson and Best Brothers, in charge of a number of employees or shepherds who would be either assigned or hired servants, brought the stock to what they or their fathers had decided upon as a favourable spot, and there left it in the charge of shepherds. Certainly homesteads were not then erected, nor were the womenfolk of these families then brought to Wagga. These shepherds lived in crude hut-shelters of slabs and bark (or, in other cases, the type of shelter or gunyah they had seen the aborigines erect) which they erected themselves, and it was common practice to leave them for weeks in charge of grazing stock.

Life under these conditions was certainly no life for a woman—not in the initial stages, at least. Nor would people of the social standing of the Bests and Tompsons have thought it either desirable or necessary to move their families to a new location before adequate housing was provided.

"The earliest occupants of the Riverina were shepherds, stockmen and station workers who looked after the great station properties of that region. The lessees of these stations lived elsewhere, and it was not until the 'fifties and 'sixties that the squatters began to reside on their holdings." (6)

Having fixed on the location of the runs (in this case North and South Wagga) the young Tompsons and Bests would no doubt return to their homes to report the success of their efforts. All this is, admittedly, supposition, but existing evidence supports rather than refutes it. R. J. E. Gormly bears out this contention when he states:

"In 1832 the two Best Brothers (Robert Holt, and Peter) and the two Tompsons (Frederick and Edwin) were quite young, and not married, so their fathers were really the backbone of the enterprises." (7)

In 1832 Frederick Tompson was 18 years of age. His brother Edwin was his elder. With regard to the Bests, Gormly further states:

"The head of the Best family was William Best, who had an estate near Parramatta. When his sons, Robert Holt Best and Peter Best, came along to Wagga in 1832 Robert was only 17 years of age, and it was not until 1846 that he brought his wife and children to live at Wagga. The oft-repeated statement that Robert Holt Best's family was the first family to reside in Wagga is quite incorrect. Before 1846 there were only a hut and stockyards at Best's Wagga station, where shepherds cared for the stock." (8)

He then quotes his father (James Gormly, M.L.C.) as having placed it on record in June, 1907 that the Davis family were in residence at North Wagga as early as October, 1844. However, Gormly senior's statements on early Wagga are generally so unreliable, that this one must be taken at face value only.

The established fact, so far, is that the Bests and the Tompsons were the first settlers to inhabit the sites on which North and South Wagga now stand. It is doubtful, however, whether the boys established the respective runs. It is not very likely that their fathers would entrust to them, at their age, the difficult task of establishing a new run in virgin country inhabited by blacks. When it is borne in mind that these youths would also have been in charge of stockmen and shepherds considerably senior to them and requiring a strong and ruthless man to control them, it may safely be assumed that they undertook the journey in company with their respective fathers.

A further proof of this contention is contained in the notice of the death of the senior Tompson (Charles), who died at Clydesville, Surry Hills, on January 10, 1871.

"Our obituary notice this morning chronicles the death of Mr. Charles Tompson, the father of our townsmen Messrs. F. A. and E. H. Tompson. The deceased gentleman was the pioneer of squatting in this district, having opened up the Murrumbidgee in the year 1832 by forming Eunonyhareenyha and other stations extending from Kimo to Gobbagumbalin. He also formed a heifer station on the site of the present township of Hay,

but was driven off by the aboriginals. Mr. Tompson continued to hold extensive squatting property in this district until 1850." (9)

The Best station was named Wagga Wagga, a name said to have been derived from the aboriginal term for "place of many crows." The name exhibits a clear use, by the aborigines, of onomatopoeia, "Wa-gah Wa-gah" being a pretty fair imitation of the crow's cry. The earliest references to the name occur on the licences issued to William Best for the "Wogo Wogo" run. (10)

From the foregoing, therefore, it will be seen that a chronological list of events concerned with the establishment of the town of Wagga must commence with:

> 1832 — William Best and Charles Tompson established their runs on the south and north banks respectively of the Murrumbidgee.

2. Police Beyond the Boundaries

In the fourteen years which followed the establishment of the Best and Tompson holdings, various other squatters established themselves on both sides of the Murrumbidgee River in what were then known as the Lachlan and Murrumbidgee districts. By the year 1846 many homesteads were also established, but the area was still officially "beyond the boundaries" (i.e., outside the settled districts). By 1848 practically all the land along the Lachlan, Murrumbidgee and Murray River frontages had been occupied. Occupation of the country between the rivers (the back blocks) came later. (11)

The consequent increase in the population of the area, coupled with the fact that it lay on the route taken by overlanders travelling their stock between Melbourne and Adelaide, brought many attendant troubles to employers of assigned and hired labour. Hired servants absconded from service; assigned servants were insubordinate or neglected their duties, and the nearest police centre to which employers could apply for a legal settlement of the many disputes and inconveniences which thus arose was distant some 70 miles, at Tumut.

The Government in Sydney was not ignorant of the state of affairs which existed in general beyond the boundaries, and in 1846 the Legislative Council passed a law which authorised the establishment of police stations and Courts of Petty Sessions beyond the boundaries, at points to be fixed upon by the Government, on the advice and/or request of settlers.

On February 22, 1847, sixteen licensed occupiers of Crown lands beyond the boundaries, who had properties on the north and south banks of the Murrumbidgee River and elsewhere in the Lachlan and Murrumbidgee districts, applied to Governor Fitzroy for the establishment of a Court of Petty Sessions "at such part of our district as on mature consideration your Excellency may deem advisable, begging leave however respectfully to suggest that a station called Wagga Wagga 70 miles lower down the river than the Tumut Court would in our opinion be found peculiarly eligible."

It is because of this letter, and the men who appended their signatures to it, that the town of Wagga was ulti-mately established.

"To His Excellency Sir Charles Augustus Fitzroy, Knight, Captain General and Governor in Chief of the Territory of New South Wales. May it please your Excellency.

"We the undersigned licensed occupiers of Crown lands and proprietors of stock beyond the boundaries, beg leave most respectfully to rep-resent to your Excellency that we inhabit a large tract of country on the North and South banks of the River Murrumbidgee, known as the districts of Lachlan and Murrumbidgee.

"That these districts being on the great lines of thoroughfare leading to Melbourne and Ade-laide, are very peculiarly situated, inasmuch as they are exposed to the evils arising from the opportunity and inducement afforded to numerous travellers and overland speculators to entice and lure away our servants, who, in the absence of all magisterial authority and control, are not only thus, to our most serious inconvenience, frequently at the most critical periods, inveigled from our

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service, but from the consciousness of impunity are engaged in a most reckless spirit of insubordination.

"The distance from most of our respective stations to the Tumut or Binnilong, which are the nearest Courts of Petty Sessions, is from one to two hundred miles. Under these circumstances we feel assured that your Excellency will see and admit that we are virtually without that protection which as licensed occupiers of the soil we have a right to expect, and we confidently believe that we have but to make our position known to obtain from your Excellency such relief as it is in your power to afford.

"We therefore most earnestly request that your Excellency will be pleased out of the provision noted by the Legislative Council last session for such purposes, to allow so much as will provide for the maintenance of a Court of Petty Sessions at such part of our district as on mature consideration your Excellency may deem advisable, begging leave however respectfully to suggest that a station called Wagga Wagga 70 miles lower down the river than the Tumut Court would in our opinion be found peculiarly eligible.

"As a proof of our deep anxiety to obtain so desirable an object, we would propose to contribute amongst ourselves, should it be deemed requisite by the Government, the funds necessary for the erection of suitable buildings." (12)

Then followed the signatures of the property owners concerned: George Macleay, Henry Osborne, Charles Tompson, E. W. Flood, M. Backse (or Barker), F. A. Tompson, G. Hill, J. B. Holden, B. Boyd, W. Robinson. W. Walker and Co., James Devlin, R. H. Best, John Peter, John A. Dallas, and W. Wentworth.

In the margin of the letter appear the words: "Wagga Wagga notified as a Court of Petty Sessions 30 April, 1847." A further note asks: "Shall the gentlemen signing this be informed?" date May 6, followed by a terse "Yes" under the same date and a note to the effect that William Macleay had seen the letter on May 11.

POLICE BEYOND THE BOUNDARIES

On April 30, 1847, the N.S.W. Government Gazette bore notices to the effect that Mr. Michael Norton was appointed to be Chief Constable at Wagga, and that Wagga was appointed as a place for the holding of Courts of Petty Sessions. Mr. Norton was given a policeman named Murphy to assist him in carrying out his police duties. R. J. E. Gormly states that he had "three assisting constables." (13)

On May 1 of the same year the Gazette listed Mr. Frederick Walker (who had been appointed C.P.S. at Tumut on January 6, 1846) as clerk at the newly-formed Wagga Court of Petty Sessions. The Gazette for June 16 listed the appointment of John Peter, of Gumly Gumly, and Frederick Tompson, of Oura, Murrumbidgee, as Justices of the Peace (magistrates of the territory and its dependencies).

It is apparent that John Peter was the first magistrate to sit on the bench at Wagga. The appointment of Justice of the Peace in those days was an important and sometimes onerous one, for these men were the law's "maids of all work." It is significant that of all the men who signed the application of February 22, 1847, to the Governor (and John Peter was among them) not one added the initials "J.P." after his name, as any one of them would most certainly have done had he held the appointment.

Therefore it is safe to assume, in the face of any evidence to the contrary, that John Peter was Wagga's first magistrate. F. A. Tompson, as it will be seen, sat on the Gundagai bench before, in 1849, he came to Wagga.

The exact date on which Michael Norton arrived at Wagga to establish the desired legal machinery is not known. James Gormly, writing in "The Advertiser" in 1905, stated that Norton took up his duties in July, 1847, and although many other of this writer's claims are suspect there is reasonable evidence in existence to support this date. Writing from Wagga to the Colonial Secretary on August 24, 1852, John G. Church, John Peter and William Macleay (who signed the letter as the Wagga bench) said: "This court having been established in July, 1847."

It so happens, however, that in this letter their memories were at fault. John Peter, in particular, should have remembered that on June 21, 1849, he signed a letter to the Colonial Secretary in which it was stated: "It will be borne

in mind that our Court of Petty Sessions has been established little more than two years, and its first sitting took place on August 10, 1847." Even this letter leaves a doubt, for if the first sitting was held on August 10, 1847, and as this letter is dated June 21, 1849, the court would not have been "established little more than two years." It would have been a little less than two years.

However, we know from a paragraph in the Sydney Morning Herald in 1847 that Norton had to forward a prisoner to Tumut in July for trial as the lockup at Wagga was not completed. Apparently it was completed for the first sitting in August, 1847.

3. A Plan Takes Shape

With the establishment of the necessary machinery such as resident police and a Court House, on a spot a little over a mile from the Best station on the south bank of the Murrumbidgee (Gormly senior describes the spot as being "now part of the river, and about 100 yards above where Kincaid Street joins the stream." However, as he made three verifiable mistakes at the same time as he made this statement, it too must be taken at face value only), the sixteen pastoralists were able to restore some measure of the order they desired among their employees, and the place, Wagga, began to appear for the first time in the news.

At this time a Sydney Morning Herald correspondent who apparently lived at Gundagai (and who, judged on literary style, was certainly F. A. Tompson) used to contribute material under the general heading "Lower Murrumbidgee." His first mention of Wagga (or, as the Herald printed it, "Warga Warga") dealt with the theft of the Melbourne mail by some thieves in the Wagga district, and their capture by Michael Norton and Murphy.

"Too much praise cannot be awarded to Mr. Norton and Murphy for their zeal and energy, and the rapid capture of the scoundrels is a strong proof of the efficacy of the Warga Warga police, and an earnest of the public benefit likely to accrue

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from the establishment of police beyond the boundaries." (14)

The report then continued:

"The maiden session of the Warga Warga court will come off this week, and from the business indicated there can be no doubt but the locality chosen for the establishment is the best that could have been selected to meet the wants of the district."

Later on this correspondent reported, in a tone which even to today's reader carries the conviction of "no better than they deserve," the general clean-up among recalcitrant hirelings made by the Wagga bench at its first sittings.

"At Warga Warga a court is held regularly every fortnight, and a great deal of business transacted. The Bench, by punishing hired servants for insolence and neglect of duties are impressing some wholesome lessons upon the operatives, who imagine they are punishable for nothing short of absconding from their agreements." (15)

This paragraph contains a clue to the fact that there were two or more magistrates sitting at the Wagga Court at the time. If, as seems likely, the phrase "the Bench . . . are impressing some wholesome lessons" is meant to indicate the presence of more than one active magistrate at Wagga, then the chances are that this second magistrate was F. A. Tompson himself. He was, in 1847, resident at Gundagai, and would have thought nothing of travelling between that place and Wagga once a fortnight to attend the court.

From the fact that sittings of the Wagga court under the Small Debts Act took place as early as the first week in November, 1847 (16) it is apparent that hired servants were cowed into submission by the full rigour of the law. What the Masters and Servants Act commenced, the Small Debts Act completed. In fact, so successful was this new police post, and the choice of Wagga as its site, that it was only six months after the appointment of Wagga as a place for the holding of Courts of Petty Sessions that the pastoralists again petitioned the Governor—this time for "the establishment of a village at Warga Warga." (17)

At this time the embryo village of Wagga could boast a combined Court House and lockup, with one or two huts housing policemen and the first man to hold a publican's licence for Wagga, Henry Collis. (18). The whole collection would not have made one substantial building, but these bark-roofed slab huts were temporary affairs erected pending the erection of a brick Court House and police buildings, and the establishment of a town at Wagga.

Notes

(1) The Daily Advertiser, April 25, 1946. This newspaper, first established in 1868, was known as The Wagga Wagga Advertiser and Riverine Reporter.

(2) Australian Discovery by Land, edited by Ernest Scott, 1929.

(3) Royal Australian Historical Society, Journal and Proceedings, Vol. VII, Part 5, 1921: Exploration between the Wingecarribee, Shoalhaven, Macquarie and Murrumbidgee Rivers, by R. H. Cambage.

(4) A Brief Statement of Facts in Connection with an Overland Expedition from Lake George to Port Phillip in 1824, by Hamilton Hume. Second Edition, 1873.

(5) R.A.H.S. Journal and Proceedings, Vol. XXXVIII, Parts I to V, 1952: The Western Riverina. A History of its Development, by James Jervis.

(6) Ditto.

(7) and (8) Daily Advertiser, April 23, 1949.

(9) Daily Advertiser, January 11, 1871.

(10) R. J. E. Gormly in the 1949 series of articles in the Daily Advertiser.

(11) Same as (5).

(12) Quoted by permission of the Mitchell Library, Sydney, from the records of the Chief Secretary's Department, N.S.W., held in that library.

(13) Daily Advertiser, March 18. 1953.

(14) Sydney Morning Herald, August 16, 1847.

(15) Sydney Morning Herald, October 7, 1847.

(16) Letter to the Colonial Secretary, dated August 24. 1852.

(17) Same as (15).

(18) Same as (10)

CHAPTER TWO

1. The Background

Wagga was born at a time when the world was full of social injustices, and it is as well to know something of the background against which it was conceived and grew.

The juxtaposition of assigned servants and free labourers (hired servants) in the same employment field led to some strange anomalies, and masters, used to having their own way with convicts, succeeded in having legal machinery set up which gave them nearly all their own way with free labour as well. A case in point was an Act of the Legislative Council of N.S.W. on Masters and Servants, 1828, which was for many years afterwards in force. Under this Act, it was comparatively simple to cook up charges against a hired servant, and to have him sentenced to gaol or hard labour, deprived of whatever money might have been owing to him, and branded as an unreliable or untrustworthy servant. It was an Act which left some remarkably wide loopholes for unscrupulous employers, a fact of which many were not slow to take advantage.

This Act was amended in 1840, and further amended five years later—in each case, ostensibly, to lessen the punishment and guard workers against malpractices by masters—but the balance of power was still in the hands of the employer. (1)

Hand in hand with the exploitation of convict and free labour went the development of enormous holdings. Of the sixteen signatories to the petition for the establishment

of a court at Wagga, E. W. Flood held 76,800 acres at Narrandera; George Hill, 57,600 acres at Yanco; Benjamin Boyd 700,000 acres at Deniliquin, 22,000 at Poon Boon, an unspecified number at Nyang, 12,000 acres at Neimer; John Dallas 42,200 acres at Golgeldrie and William Wentworth 200,000 acres at Tala—all this in the year 1848, when "stations in the pastoral districts were clearly described and their boundaries defined" for the first time. (2)

Four years later Riverina stations, their stock and surroundings were described in a newspaper report:

"Among the more extensive squattages may be enumerated the four stations of the Royal Bank Company numbering between them one hundred thousand and two hundred thousand sheep, and those of Mr. Wentworth numbering at least forty thousand, while squatters possessing fifteen and twenty thousand sheep are by no means rare. Perhaps the number of sheep on the plains watered by the Murray, Wakool, Neimer, Edward, Billabong, Yanko, Murrumbidgee, Lachlan and Lower Darling may be hazarded at 500,000 sheep and 60,000 cattle. And all this country is not without population, far from it, the banks of these rivers are studded at certain distances with head stations, in which are accumulated many comforts, and not a few elegancies of life; at each of which are congregated six or seven men, besides, in many instances, women and their consequences, plenty of children, and which are surrounded by a little group of out-stations in which are a hut-keeper and shepherd; but in very many instances a married shepherd and family dwell. A chain of decent inns, too, runs over all lines of travel. (3)

The Royal Bank stations were sold on the collapse of Benjamin Boyd's top-heavy financial undertakings.

Of Benjamin Boyd and John Peter, to mention but two of the sixteen signatories to the petition, there are many things which could be said, and few of them to their credit. They were both ruthless in their pursuit of money and power, and both regarded the assigned and hired labourer as little more than a chattel.

"The assignment system was an arrangement whereby convicts, on arrival at Port Jackson, were

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sent direct to service on the properties of settlers, who thereby acquired an authority over their servants which—in spite of the subtle legal sophistry which drew a distinction between 'property in person' and 'property in services'—was perilously near to the chattel-slavery against which Britain somewhat inconsistently set her face elsewhere in the world. Under the assignment system the convict, though theoretically not in confinement, was actually so." (4)

John Peter, if reports are to be believed, was a land pirate and opportunist of the worst type. Starting with nothing (he was managing a station for Alexander Macleay) he laid the foundation of his fortune by marrying the widow of the original owner of Gumly Gumly station in 1847. (Gumly Gumly, a river frontage property of 30,000 acres, was established in 1832 by James Bourke). By 1871, Peter owned twenty-one stations in the Murrumbidgee and Lachlan districts, and an unspecified number elsewhere in the State and in Victoria.

Peter's method of gaining what he wanted is best illustrated by the Gumly Island incident. Gumly Island, an area of about 220 acres set in the Murrumbidgee River, was occupied by the Macnamara family at the time when Peter first "acquired" Gumly station by marrying the owner's widow. He decided that the island was part of "his station," and was successful in calling on the asistance of one of the Commissioners of Crown Lands of the time, who ordered his men to burn down the Macnamara home, destroy all livestock, and drive the family from the island. Peter got his island. (5)

E. M. Curr, in his "Recollections of Squatting in Victoria," has left a firsthand description of the power and pomp of Crown Lands Commissioners of this time. They travelled beyond the boundaries with an impressive retinue, the one Curr describes consisting of an orderly, a sergeant, three troopers and a man in charge of a spring-cart. The troopers were armed with carbines and pistols, the sergeant with a cavalry sabre. The Commissioner rode a horse accoutred in the manner of a cavalry officer's charger.

He had many duties, the most important of them having reference to the Crown lands of his district, on which he issued licences to squat.

"He also settled disputes about boundaries. Disagreements on this score, which in later times would have taken a judge, with his jurors, barristers, witnesses and attaches of the court, a week to dispose of — Bah! the Commissioner settled them in half-an-hour, or less; sometimes probably hearing only one of the claimants, and sometimes neither." (6)

Of Benjamin Boyd, leader of the "haughty, selfish, gentlemanly class" of the squattocracy, who at one time had two hundred shepherds and stockmen, two steamboats, built a port at Twofold Bay and owned a steamer-yacht, little more need be said than that he once stated "he despaired of the colony's future unless shepherds' wages could be brought to £10 per annum (3/10 per week). Anything over that, in his opinion, did harm by sending the shepherds to the public house." (7)

There was a considerable outcry in N.S.W. against transportation in the late 1830's, and the abolitionists succeeded in forcing their views on both the Colonial and the Home Governments. But in 1838 the N.S.W. Legislative Council decided against the abolition of transportation, in the face of a public opinion which, though articulate, was not then so well organised as it very soon became.

Among the reasons given by the Council for the continuation of transportation to the colonies were:

"That, in the opinion of this Council, the sudden discontinuance of transportation and assignment, by depriving the colonists of convict labour, must necessarily curtail their means of purchasing Crown lands, and consequently the supply of funds for the purposes of immigration," and

"That, in the opinion of this Council, the produce of the labour of convicts, in assignment, is thus one of the principal, though indirect means, of bringing into the colony, free persons: it is obvious therefore that the continuance of immigration in any extended form, must necessarily depend upon the continuance of the assignment of convicts." (8)

However, the Council was defeated by the abolitionists, for in 1840 transportation to N.S.W. was abolished, Various attempts were made in succeeding years to revive it, but the people had discovered their power and how to use it.

In 1848-49, in the Murrumbidgee district, and in Wagga particularly, attempts were being made by the pauper-labourers (9) to make a stand against the constant attempts of employers further to lower wage standards. The Wagga correspondent in the Sydney Morning Herald had quite a lot to say about this state of affairs:

> "Wages have fallen considerably during the last four months. Shepherds were then getting from £21 to £23 per year, and watchmen from £18 to £20. The former may now be hired at from £16 to £20, and the latter from £14 to £18. After shearing there is no doubt but shepherds will be had at £15 and watchmen at £13 and £14 per year . . .

> "We have always found that high wages produced habits of extravagance in the labourer, for their moral and social conditions being depressed below the standard by which good order and economy is insured, the motive to spend is always in excess above the disposition to save, and high wages remove the little economy they possess altogether. As a proof of this, nearly all our 'old hands' who have had the advantages of wages, varying during the last nine years (with the exception of 1844) from £1 per week to £23 per year, are little better than paupers. These men offer the most determined resistance to the advancing reduction of wages, and owing to their dogmatic and shortsighted opposition, the settlers have generally to replace them by new hands, who keep constantly arriving from the counties where they ranked as 'old hands' themselves, having been displaced by emigrants." (10)

From its literary style, and the sentiments it contains, it is fairly obvious that this biased and patronising paragraph was the work of F. A. Tompson.

When the privileged classes began to see that an end to transportation was inevitable, their outcries were loud

and long. They saw all to clearly that the day would arrive when they would not only have to pay for all their labour, but would also be liable at law for maltreating it. However, in 1849, Earl Grey gave them some little hope when he attempted to reintroduce transportation. One ship, the Hashemy, actually landed its miserable cargo, and such "enemies of their country" (as they were termed by the Goulburn Herald of the day) as the residents of Wagga, Gundagai and Yass asked for 50, 100 and 200 convict servants respectively to be sent to their areas. (11)

The letter sent from Wagga to the Colonial Secretary on April 2, 1849, and signed by William Macleay and John Peter, read:

"Sir: With reference to Earl Grey's despatch of September 8, 1848, having relation to the sending of convicts to this Colony, we have the honour to request that His Excellency the Governor will on the arrival of the first ship containing convicts be pleased to forward at least 50 ticket-of-leave holders to this district. Independent of our approval of the proposal contained in the despatch alluded to, we are induced to make this request from the very great scarcity of labour in this district, and the remote probability of emigration at the expense of the Colony fully satisfying its wants."

It is odd to think of a "very great scarcity of labour" at a time when, according to the Wagga correspondent of the Sydney Herald, the employers were busy reducing wages to the barest minimum. Wagga got none of these convicts, but E. W. Flood did.

Convicts were intimately connected with the establishment and growth of Wagga, supplying both labour and brains from the day in 1832 when the first stations were established in the district. Later, when the police post was established, convicts and ex-convicts were among the members of Wagga's early police force—as they were throughout the force in the Colony.

One of them was a highly respected and, ultimately, very wealthy blacksmith in the town. Another founded and ran for many years what is still to this day one of Wagga's best hotels. A third, who had been an assigned servant on

the Hume and Hovell expedition in 1824, later came to the Wagga district and settled on the land, where he founded a family whose name still lives in Wagga.

The police office at Wagga, for some years after its foundation, was a clearing house for convicts of all types who passed through the district. F. A. Tompson, as Clerk of Petty Sessions, wrote numerous letters to the Principal Superintendent of Convicts in Sydney, requesting tickets-of-leave, renewals of tickets-of-leave, and conditional pardons for these men. The last batch to arrive in the district (per Hashemy, 1849) were all registered or checked at the Wagga police office on their way to Edward Flood's property, presumably the one at Narrandera.

2. The Three Fredericks and the Last

Mr. Frederick Walker, apparently, didn't ever take up his position as C.P.S. at Wagga; or, if he did, he very soon resigned it, for in the Sydney Morning Herald of July 22, 1848, there appeared a notice to the effect that Mr. Frederick Robert D'Arcy had been appointed C.P.S. at Wagga. D'Arcy proving, in the long run, as elusive as Walker, he finally gave way a few months later to Frederick Anslow Tomrson, who was appointed C.P.S. at Wagga on November 11, 1848.

This was the same Frederick Tompson who, at the age of eighteen, in the year 1832, had made the pioneer trip to Wagga. At the time of his apointment as C.P.S. he was just on 34 years of age, and had been married twelve years. He then had seven children, a number which was increased to twelve within the next eleven years. His father before him had had fourteen children.

If his two predecessors could be said to have hidden their merits or demerits so well that nobody today is aware of them, the reverse may be said of F. A. Tompson. He was a man who, whether he sought publicity or not, got more than his share of it in Wagga and other newspapers.

He was first mentioned in the Sydney Morning Herald on June 16, 1847, when a notice appeared stating that F. A.

Tompson, of Oura, Murrumbidgee, had been appointed a magistrate of the territory and its dependencies—in other words, a justice of the peace. He pursued his duties as magistrate in the town of Gundagai, and in the Sydney Morning Herald of July 27, 1848, there is mention of him presiding at an inquest in that town. He also wrote lengthy letters of self-justification to that and other papers, more or less "at the drop of a hat" it would seem.

Although F. A. Tompson was appointed C.P.S. at Wagga on November 11, 1848, it is apparent that he did not take up residence in that town until early 1849. In the meantime, he managed to combine the duties of magistrate at Gundagai; C.P.S. at Wagga; landowner or pastoralist at Oura (North Wagga); at the same time angling for the position of Wagga Postmaster as well.

Under the heading "Gundagai" there appeared a paragraph in the Sydney Morning Herald of November 25, 1848 to the effect that " . . . Mr. F. A. Tompson, who has been performing the duties of justice of the peace in this township . . . resigns the commission, having been appointed C.P.S. at Wagga Wagga, and we are now without a resident magistrate."

This sounded an optimistic note, whereas a somewhat similar paragraph in the Goulburn Herald of November 18, 1848, carried a frank note of thankfulness. It too, was under the heading "Gundagai":

"A Mr. Tompson who has resided here during the past few months in an official capacity, has obtained the situation of Clerk to the Wagga Wagga Bench, which it is thought will much better suit his qualifications."

Tompson's magisterial decisions in Gundagai did not meet with entire approval, and were the cause of many rancorous letters appearing in both the Sydney and Goulburn Heralds. This applied particularly to one decision of his, in which he sentenced a shoemaker to seven days in Gundagai's gaol for saying his (the shoemaker's) dog had a better countenance than that possessed by Gundagai's chief constable. (12)

On February 17, 1849 the Goulburn Herald's Gundagai correspondent resumed his war against F. A. Tompson:

THE THREE FREDERICKS

"During the past week three cases from Wagga Wagga were entertained by our Bench, and several summonses were granted to parties in that neighbourhood. It came out there was neither Magistrate nor Clerk there, nor had there been for some time; there has not been a resident clerk there these six months, and the last that was appointed still resides at Gundagai. Truly, this Bench of Wagga Wagga is a byword of scorn and contempt. We have heard of a person coming 150 miles twice, but could see neither magistrate nor clerk; we trust some members of council will inquire into the utility of this Bench, and if it is, as we hear, of no accommodation or benefit to the public, it should be broken up and the country saved £400 a year."

This was enough to send Tompson hot-footing it for Wagga, where he took up residence possibly in March, 1849.

Tompson was obviously a headstrong, impetuous, autocratic and, on occasions, kind-hearted man. He was very conscious of an assumed superiority to the majority of his fellow creatures, and never failed to get himself into trouble of one kind or another when he tried to impress this superiority on someone who wilfully refused to recognise it. He was only too obviously aware of the deep gulf between himself and the labouring classes, and was capable of nursing deep and bitter enmities against those who thwarted him. For many years there existed a feud between him and the proprietor/editor of the Wagga Express, Samuel Hawkins. Hawkins was a man who would not tolerate any form of high-handedness or asumption of superiority, and it was inevitable that he and Tompson should clash. To such a pitch did they irritate each other than on one occasion Tompson horsewhipped Hawkins, and the resultant court cases were a discredit to all concerned.

On the other hand, Tompson was capable of many spontaneous acts of kindness, as instance the time when he incurred a reprimand from Sydney for hiring a cart to convey prisoners from Wagga to Goulburn. Tompson said in his explanatory letter of September 23, 1853, to the Auditor General:

"I beg respectfully to state that although five prisoners are therein named, the cart was engaged

solely in consequence of the condition of one pris-
oner, who was under commital for trial at the
Goulburn Quarter Sessions on June 23, and who
was wholly unable to walk by consequence of a
severe attack of influneza resulting in diarrohea of
a serious character, and which completely pros-
trated him. Only fourteen days intervened between
the despatch of the prisoners hence and the Ses-
sions at Goulburn, and the distance being 220 miles
the cart was hired under the impression that the
prisoner in question was physically incapable of
performing the journey. As the cart was engaged,
all the prisoners had the benefit."

According to the law and practice of the time, pris-
oners were required to cover the distance of 220 miles on
foot, secured to the mounted constable's saddle by means
of a rope or chain.

But the same Tompson constantly had his eye to the
main chance, and very early in his Wagga career he was
C.P.S., postmaster, owner of a general store, auctioneer,
drew up agreements (for a fee) between contracting
parties, was commissioner for taking affidavits in Supreme
Court cases, registrar of births and deaths, agent for intes-
tate estates, insurance and bank agent, and carried on other
sidelines in his spare time.

From the day of his arrival in Wagga in 1849 until
the time some 22 years later when he was appointed first
town clerk of Wagga, there was hardly a pie into which he
did not poke an exploratory and predatory finger. Though
he was brought up to follow pastoral pursuits, and early in
his career gave his address as Oura, Murrumbidgee, his
real interests were purely commercial, and his activities in
Wagga were, wittingly or unwittingly, largely responsible
for power passing from the hands of the pastoralists into
those of the commercial interests in Wagga.

Having once established himself in the place, Tompson
was from then on passionately pro-Wagga, and played a
leading part in driving the Government to provide for
Wagga whatever amenity or service it lay in its power to
provide.

There is reason to believe that he was one of the
prime movers in the application for the establishment of a

township at Wagga; and it is known that he also took a leading part in the establishment of Wagga's first school, church, hospital, and School of Arts, and the erection of the first bridge across the Murrumbidgee at Wagga.

3. Axe and Saw are Heard

There are in existence two first-hand accounts of what the Wagga of 1849 was like. The first is a contemporary account, which appeared in the Sydney Herald of December 14 that year:

"The site of Wagga Wagga is extremely well chosen, and was selected by some experienced residents originally as the site for a police station. Its public house and blacksmith's shop may appear to many a very weak hypothesis to found the structure of a city upon, but there is no doubt that it will one day become a mighty place, and completely eclipse Gundagai and all those villages struggling into existence with an energy too desperate to last."

Besides displaying prescience to a remarkable degree regarding the future of Wagga, the writer of this paragraph also assumed his readers would know that in addition to the public house and blacksmith's shop there would also be the court house, gaol and constables' huts which were established there two years earlier.

Another account of Wagga in 1849, in this case recollected over a distance of more than 20 years, is also in existence. This agrees in every respect with the contemporary account. It was given by Mr. P. S. Murray (for some years postmaster at Wagga) during the speeches at the first Mayoral Ball to be held in Wagga.

"When, in 1849, he first visited the district, before reaching what was then called the township he had to travel over the sandhill, which is now covered with public and private buildings, but which was then a scrub. The township consisted of a slab court house, surrounded by bark huts occupied by constables; a small public house and a few

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unpretending cabins, upon the gable of one of which it was notified that Holloway's Pills were sold there, which was the only indication of commerce to be found in the place." (13)

A further contemporary account records the initial stages of Wagga's growth after it had been proclaimed a town:

"The sale of Wagga Wagga allotments having taken place at the Treasury, purchasers are commencing operations. When last we wrote our humble village boasted of but one inn and one blacksmith's shop; such is the colossal stride of improvement here that we have now two inns and two blacksmiths' shops, whilst the owners of allotments are busy marking out the sites of future residences and stores. Brickmakers are busy, the sound of the axe and saw is heard everywhere, and the embryo city begins slowly to emerge from dust and ashes." (14)

When F. A. Tompson took up his duties in Wagga Michael Norton was still chief constable, and he had under him three ordinary constables. John Peter and William Macleay were Wagga's magistrates. John G. Church, of Uranquinty, appointed a magistrate on December 2, 1848, joined them soon afterwards, or may have officiated with them earlier.

By March, 1849, Tompson had duly completed the requisite bond and had been appointed first postmaster, although the place had not then been proclaimed a town. Mail was carried from and to Tarcutta and Wagga once a week by the contractor (Robert Holt Best) or his men. On December 22, 1848, Macleay and Peter had written to the Postmaster General in Sydney proposing, if he had no objection, to make an offer to R. H. Best in order to get him to run the mail service twice a week, at no extra cost to the Government. By March 6, 1849, this arrangement was in practice.

By May of that year the magistrates at Wagga were writing letters to the Colonial Secretary in support of the Gundagai Bench's request for a road to be built around the Kymo Range. Wagga was growing, and communication with the outside world, which was by road only, had to be made safer and quicker if the inland towns were to prosper.

AXE AND SAW ARE HEARD

In June a letter to the Colonial Secretary forwarded a "Return of Sittings of Courts of Petty Sessions in and for this District," in which it was stated that in the "interval embraced by the return a total of 178 cases" had been brought before the Bench. The interval was, it is assumed, August, 1847, to the end of May, 1849.

It will be remembered that the pastoralists in October, 1847, petitioned the Government for the establishment of a village at Wagga. On July 31, 1849, the Wagga magistrates forwarded a further letter on the same subject.

"We do ourselves the honour of stating that we have received a memorial from a number of persons resident in this district, praying that we would communicate with the Government upon the subject of the proposed township of 'Wagga Wagga,' such persons being desirous of becoming purchasers of allotments so soon as they are thrown open for sale, and praying that we would press upon the notice of His Excellency the necessity and utility of this being done as early as possible. We do ourselves the honour, accordingly, in compliance with the aforesaid memorial, to request that the allotments in North and South Wagga Wagga may be declared open for purchase as early as the circumstances of the Government will admit, and beg most respectfully to be informed, in reply hereto, within what period it is probable that the township of Wagga Wagga may be gazetted."

From this it is clear that Wagga had been surveyed as a township at that date, and allotments marked out. This assumption is proved true by a letter of F. A. Tompson's dated September 19, 1849, in which he states: "Wagga Wagga not yet having been gazetted as a township, although measured and subdivided." According to R. J. E. Gormly (15) surveyor Thomas Scott Townsend made the first plans of the town in April, 1849.

It was not long after the date of this letter that the Sydney and Goulburn Heralds carried news of the proposed sale in Sydney of land at Wagga, and the proclamation of the establishment of the township of Wagga. The Goulburn Herald announced that land would be offered for sale by public auction at the old Military Barracks, George

Street, Sydney, on Wednesday, November 21, 1849, the land to consist of ten South Wagga lots and eight North Wagga lots; and in its issue of December 8, 1849, carried the following notice:

"Wagga Wagga. A site has been fixed upon for a township at Wagga Wagga, on the Murrumbidgee River. A copy of the approved plan may be seen at the office of the Surveyor General, Sydney, or at the police office, Wagga Wagga." (16)

The Sydney Herald, on the other hand, announced the date of the land sale as being November 22, and announced the establishment of the town in its issue of November 26, 1849.

The ten South Wagga allotments were sold at prices ranging from £10 to £4 each. They were located in Section 1, numbers 1 to 5, (Section 1 is the block bounded by Gurwood, Fitzmaurice, Kincaid and Trail Streets) and Section 4, numbers 1 to 5 (Section 4 is the block bounded by Kincaid, Fitzmaurice, Crampton and Trail Streets). These allotments, in both sections, had Fitzmaurice Street frontages.

Numbers 1 to 5 in Section 1 were all bought by J. J. Roberts, from the corner of Gurwood Street to roughly the centre of the block. Buyers of Section 4 allotments, from the corner of Kincaid Street to roughly the centre of the block, were: S. D. Gordon (1), C. Tidyman (2), S. D. Gordon (3 and 4), T. S. Townsend (5).

The prices paid for these allotments were, naturally enough, very low, for Wagga was not gazetted as a township until the day after the sale. Not only was it unknown, but there was nothing whatever in 1849 to indicate that it would grow to any size. However, by the time the next public auction of Wagga land was held (in the following year) things were somewhat different. Stores and houses (of a kind) had been built, and there was every indication that the town of Wagga was destined not only to stay put, but also to grow.

The second sale of Wagga land was the first to be held in Wagga itself. The sale was conducted at the Court House by F. A. Tompson on July 31, 1850, and 33 allotments were disposed of—25 in South Wagga and eight in North Wagga. The average price realised per allotment was £10/13/11

or £21/7/10 per acre, the highest price paid for a single allotment being £30/6/8, which was paid by Robert Davison for the Kincaid-Fitzmaurice Street corner of Section 1. At this sale the remaining allotments in Section 4 (6 to 20) were sold.

The third land sale took place in Wagga the following year, on January 23, when South Wagga lots only were made available. Eleven were sold, made up of the last of the allotments available in Section 1 (12 to 20) and two lots (5 and 6) in Section 5. (Section 5 is the river bank block bounded by Kincaid, Fitzmaurice and Crampton Streets. Lots 5 and 6 are centre lots.)

This sale showed a drop in prices, for the average was £6/11/2 per allotment. The highest price paid was £14 for allotment 6, Section 5.

From all this it will be seen that, after Wagga had been surveyed and laid out, and up to the end of the year 1851, Wagga consisted of that area of land enclosed by Gurwood, Fitzmaurice, Crampton and Trail Streets, bisected by Kincaid Street. This particular area remained the business section until well into the 'sixties, after which more substantial and flood-free buildings were built up to the then boundary of South Wagga, the Wollundry Lagoon.

Early in the same year (1851) a request for Section 7 (the block bounded by Crampton, Fitzmaurice, Travers and Trail Streets) to be opened up for sale was forwarded from Wagga to Sydney. In August of that year, also, ten lots were sold at auction in North Wagga. On September 3, nine allotments in Section 7 were sold (the whole of the Fitzmaurice Street frontage, plus a Crampton Street allotment next to the Crampton-Fitzmaurice Street corner allotment). At this sale, thanks to the discovery of gold, prices were lower than they had ever been, each allotment realising only £4.

After this there were several auction sales, but no buyers. The gold rush, drought and floods brought everything to a standstill in Wagga until almost the end of 1853.

As is usual when a new town or suburb is opened up, the majority of buyers who, either in person or by proxy, obtained the 18 Wagga allotments which were auctioned in Sydney were people who apparently bought on the chance of the land suddenly increasing in value, rather than from

any real need for land in the new township. J. J. Roberts, for instance, was living in Wagga at the time he bought his land, then being the licensee of Wagga's first hotel, the Wagga Wagga Inn. From the scant records available about him, it would seem that he sold out towards the end of 1850 and left Wagga.

S. D. Gordon, as far as this account of Wagga is concerned, is only a name—though he may have been related to the John Gordon who was a Wagga magistrate in 1851. Christopher Tidyman was Wagga's second blacksmith (the first was John Franklin). T. S. Townsend was the man who surveyed the town.

The eight North Wagga allotments sold on November 22, 1849, were bought by Robert Davison(of Gundagai), Duncan Menzies, William Davis, William Brown and William Hendrie.

Robert Davison was a storekeeper and hotel proprietor of Gundagai. At the first auction sale of land in Wagga itself (July 31, 1850) he bought land in South Wagga, and later erected Wagga's first brick store. His licence to sell spirits at this store dates from October 18, 1851. In 1855 he sold out to George Forsyth, and Wagga saw him no more.

Davison is always referred to, erroneously, as Dr. Davison. He was, in fact, an apothecary and amateur surgeon, and on occasion set bones quite successfully. He had practised as a chemist in Wollongong for some years, and went to Gundagai in 1842. (17) The term "doctor" was given in the early days to almost every purveyor of pills and medicine. As late as 1854 a Sydney Herald correspondent writing from the Westgarth (Vic.) gold diggings said: "Everybody in the line, from the apothecary upwards, is doctor here."

Of Duncan Menzies little more is known than that he later bought additional land at North Wagga. The same may be said of William Davis, although according to R. J. E. Gormly he was a member of a family which was in residence at North Wagga as early as October, 1844. (18)

William Brown opened the first hotel in North Wagga (the New Ferry Hotel) and operated Wagga's first punt. Of William Hendrie nothing is known.

AXE AND SAW ARE HEARD

These, then, were the men who bought the first Wagga land to be offered for sale. Of them all, not one remained in Wagga ten years later, some having died and the others having moved on.

Notes

(1) Select Documents in Australian History, 1788-18b0, by C. M. H. Clark, 1950.

(2) Royal Australian Historical Society, Journal and Proceedings, Vol. XXXVIII, Parts 1 to 5. The Western Riverina, a History of its Development, by James Jervis.

(3) Sydney Morning Herald, January 3, 1852.

(4) Men and Manners in Australia, by J. Alex Allan, 1945.

(5) R. J. E. Gormly in the Daily Advertiser.

(6) Same as (1).

(7) Same as (4).

(8) Same as (1).

(9) "The pauper-labourer," a term used by that great English colonist Edward Gibbon Wakefield to describe the unfortunate subsistence-level working man of his time.

(10) Sydney Morning Herald, September 29, 1849.

(11) The Goulburn Herald and County of Argyle Advertiser, June 9, 1849.

(12) Goulburn Herald, August 12, 1848, and Sydney Herald, August 19, 1848.

(13) The Daily Advertiser, May 27, 1871.

(14) Sydney Morning Herald, December 22, 1849.

(15) Daily Advertiser, March 18, 1953.

(16) In point of fact, the proclamation appeared in the N.S.W. Government Gazette of November 23, 1849. "Notice is hereby given that a site has been fixed upon for a township at the undermentioned place - - - Wagga Wagga on the Murrumbidgee."

(17) R.A.H.S. Vol. XXXIII, Part 3, 1947. Earliest Gundagai Medical Practitioners, by Richard T. Kennedy, M.B., B.S.

(18) In the Daily Advertiser.

CHAPTER THREE

1. The First Ten Years

From 1847 right up to the early 'seventies the Wagga
Court House was the centre of the town's social, religious,
recreational and legal life. Even in the early years, when
it was no more than a crude slab structure with a bark
roof, it was the natural centre of the life in that area.
For many years it remained that centre, being used to
house church services of all denominations, travelling
theatrical shows, music recitals, political meetings, bazaars,
magic-lantern showings and the many meetings held to
discuss the town's public affairs. The 1847 building could
not have been much longer than 20 feet, and was divided
into two rough rooms. At first, one room was the lockup,
complete with heavy log to which prisoners were chained;
and the other was the court room and office for the Clerk
of Petty Sessions.

On March 6, 1849, Peter and Macleay wrote to the
Colonial Secretary:

> "The shingling of the Court House, which we
> have suggested in the 'Return of Buildings,' we
> beg most respectfully may be sanctioned by His
> Excellency, as the roof of bark with which it is at
> present covered is wholly insufficient to exclude
> the weather, and so frail that it is constantly fall-
> ing into disrepair; and although erected with a
> view to economy is, we believe, eventually more
> expensive than a roof of shingles."

PLACE OF MANY CROWS

On August 30, 1849, the Legislative Council voted £15 "to Wagga Wagga for repairs to police buildings."

On March 8, 1850, vouchers "for the payment to William Brown, of North Wagga, of the sum of £15" for materials and workmanship in connection with the roofing of the Court House were forwarded from Wagga to the Auditor General. Possibly the roof was not actually shingled until 1850.

Twelve months later this slab and shingle building was plastered and whitewashed, and thus stood for a further five years, when the first brick Court House was completed.

The original buildings were inundated in the flood of June, 1852, and in January, 1853, the Colonial Architect was instructed to prepare plans for a proposed Court House and lockup at Wagga. In the same year, at the request of the Wagga Bench, the police reserve was changed from the site of the original Court House on the river bank between Gurwood and Kincaid Streets to the present site of the Court House and police buildings.

In the meantime, two more floods ravaged Wagga, and for two months the timber building was rendered untenable. F. A. Tompson conducted his clerk's business from his home (where he continued to work until 1856) and no Wagga Court was held from July 1 to August 31. These floods were on July 1 and July 13, 1853.

By October, 1855, the Wagga Bench was able to report that the new Court House was nearing completion, and by December, 1856, that the building was completed except for the ceiling, and "that we occupy it regularly for despatch of police business."

A year after Wagga was proclaimed a town, F. A. Tompson wrote, in a letter to the Agent for Immigration dated November 21, 1850, drawing attention to the fact that "wages have risen in this district since the final settlement of the convict question."

This year also saw the beginning of the 1850-1851 drought, when flour rose to £100 per ton. On March 10, 1851, a letter signed by two of the magistrates (John Church and John Gordon) was sent to the Colonial Sec-

retary, apologising for the fact that a census had not yet been taken. In the course of this letter it was stated:

"We fear, however, that some delay will occur, and from circumstances over which we can exercise no control. Words are inadequate to describe the fearful condition of our generally beautiful district, which presents in every direction the cheerless aspect of a parched and thirsty desert. When we state that one person has had 8,500 sheep perish from thirst, and that on most large establishments they are dying by hundreds from starvation, and that in the back country water has on very many stations become so precious it is doled out in fixed quantities by day to the occupants, and at night has to be watched, that the famishing stock may not break in upon it and consume the precious element, some idea may be formed of our distressed condition."

On April 1 the required census return was furnished to the Colonial Secretary, in which it was revealed that North Wagga had a population of 61, and South Wagga (located then in the area between the Murrumbidgee River and the Wollundry Lagoon) 168.

"This return is considerably less than it would have been" (it was stated in the covering letter) "but for the unprecedented drought which has driven (temporarily) from our district many large stockholders with their flocks and herds, which has had the effect of lessening our population by at least two hundred, and this is exclusive of many small settlers who, by the fearful state of the country, have been forced permanently from the district."

By April, 1852, the effect of the gold finds had added further worries to the men who wished to see Wagga grow. On April 9 a letter signed by John Peter referred to "the furore for gold digging which pervades our community, and which has completely checked the advancement of the village and put a stop to all trading speculations."

F. A. Tompson went into more detail on this subject when he wrote, on May 4, that since the opening of the gold fields "no less than nineteen married couples, with seventy-

two children, have left this young township, and in addition thiry persons without families (but many of whom are married) making in all no less than one hundred and forty souls, or more than half the population of the town when the census was taken twelve months since."

Drought—the discovery of gold—and then floods: these were the three obstacles which stood squarely in the path of early Wagga's development. However, the town managed to survive them all, and in 1856, when another census was taken, it was revealed that North Wagga then had a population of 125 males and 68 females, while South Wagga had 174 males and 93 females.

In 1857, ten years after the Court House which was ultimately responsible for the establishment of the town had been built, the following description of Wagga appeared in the Yass newspaper:

"Wagga Wagga police district has ten public houses, of which five are in the town; stores on a large and small scale are scattered everywhere, the town has five, four of which are registered spirit stores." (1)

At this time, eight magistrates were available for the conduct of legal business in Wagga, and here is a list of the justices ordinarily resident in the district and the sittings which they attended over a four-year period.

	1853	1854	1855	1856	Total
William Macleay . . .	3	5	9	2	19
John Peter	11	10	10	2	33
John George Church . .	10	25	14	4	53
John Gordon	11	7	22	12	52
Robert J. Alleyne . . .	—	—	7	4	11
Walter Clarke	—	—	—	4	4
Alex D. Macleay	—	—	—	3	3
Donald Mackellar	—	—	—	3	3

William Macleay, of Karaberry, was very prominent in the early life of Wagga. He was appointed a J.P. on December 18, 1846, when he was described in the N.S.W. Government Gazette as "William Macleay, Esq., of Morumbidgee." In 1856 he was elected to the first N.S.W. Parliament as member for the Lachlan and Lower Darling. In 1859 he was returned as member for the Murrumbidgee,

and remained its representative until the dissolution of the Parliament of 1874 (2). John Peter and William Macleay were described in an election speech made by the latter in Wagga in 1859 as "the founders of Wagga." (3)

J. G. Church, of Uranquinty, was appointed a J.P. in 1848. In 1858 he owned the Pomingalarna and Collingullie runs. (4)

John Gordon is known to have been on the Wagga Bench from 1851 to 1866; Robert J. Alleyne from 1855 to 1866; Walter Clarke from 1856 to 1864; Alexander D. Macleay from 1856 to 1864, and Donald Mackellar from 1856 to 1859.

In 1858 Wagga's first resident Police Magistrate, Henry Baylis, was appointed. He was, of course, assisted on the Bench by resident magistrates. It is interesting to note that even as late as 1866 the list of these was quite a lengthy one: William Macleay, John Gordon, John Lupton, Robert J. Alleyne, John Leitch, Hugh Wallace, Thomas W. Hammond, Walter O. Windeyer, Alexander McNeil, John Clark, Alexander Burt, Francis Desailly, James Cochrane, George Forsyth. (5)

The name "Francis Desailly" is certainly a corruption of De Sales or De Salis, the family which, headed by Leopold F. De Sales, occupied Darbalarra in 1848. Leopold was a J.P., and appeared on the Wagga Bench with Macleay and Peter in 1848.

2. Public Institutions

Wagga's oldest public institution, of course, is the Court House. Next in order are its public school, erected in 1851 (though Wagga's first school, a private one, was established in 1849 by F. A. Tompson's brother Edwin); its hospital, established in 1855; its church (St. John's Church of England), the foundation stone of which was laid in 1859, and its School of Arts, established in the same year.

In January, 1848, the National Board of Education, which laid the foundation of our present system of State education, was established, and those men who had the

advancement of Wagga at heart were not slow in taking advantage of the educational facilities which the new (Lord Stanley's) system offered. (6)

On October 6, 1849, a public meeting was held at Wagga "for the purpose of adopting the necessary preliminaries for the establishment of a public school" in accordance with the regulations issued by the National Board of Education on May 10, 1848. The meeting appointed local patrons of the scheme, appointed F. A. Tompson as secretary to the patrons(or board as they later became) and subscribed £40 towards the cost of erecting a school to still "the anxiety so generally evinced by the labouring classes here for the education of their children." (7)

Construction of this school, which was located on the river bank near the site of the present bridge, was commenced in 1850, and the building was completed in 1851. It was built of brick with a shingle roof, and was capable of accommodating 70 to 80 children. Unfortunately, this school never functioned. Wagga was unable to obtain a teacher, drought and the gold finds depleted the population, and. at the very time when a teacher was finally obtained the floods of 1852 destroyed the building.

On July 4, 1857, the Wagga correspondent of the Yass Courier and General Advertiser for the Southern Districts of N.S.W., reported that:

"The flood of 1852, however, so damaged the schoolhouse as to make it untenable, and drove the schoolmaster abroad, and matters have remained as they were ever since."

In 1858 Inspector Wilkins of the National Board visited Wagga to try and arouse interest in the opening of a school, and in 1859 tenders were called for the erection of a new building. This time it was located out of flood danger in Tarcutta Street, on the site of the present Riverine Club. The building was completed in 1860, and opened the following year.

"The first teacher at the school was Mr. George Robinson. The average daily attendance . . . for the year ended December, 1861, was 47." (8)

PUBLIC INSTITUTIONS

It was only a matter of nine years after this that the new school was found to be overcrowded and totally unsuited for its purpose. A new site was chosen (that of the present Demonstration School in Gurwood Street) and building operations commenced in 1871. The school was opened on April 15, 1872. The total cost of the land and buildings was £2,462, towards which £583 was raised by public supscribtion, £1161 was received by way of a grant from the Council of Education, and £550 from the sale of the old school premises (part of which are said to have been incorporated in the Riverine Club building). The deficiency of £168 was made up at a later date. There is a note of pride in the newspaper description of the new school:

"The schoolhouse is certainly the most commodious we have seen out of Sydney. It comprises a boys' schoolroom 37ft 6in by 20ft, and a boys' classroom 16ft by 13ft. The girls' school and classrooms are respectively 31ft by 17ft and 17ft by 15ft. All these rooms are light and airy, and well supplied with every species of apparatus, from maps and blackboards to natural history pictures and arithmetical beads, used in the elaborate business of education." (9)

From 1847 to 1855 a percentage of the fines mulcted by the Wagga Bench was paid to the Sydney and Gundagai Benevolent Institutions, which were the hospitals of their day. It was in March, 1855, that the first appropriations from the Wagga Bench were paid to the Wagga Hospital or Benevolent Institution. This high-sounding title disguised what was in fact a slab hut with a bark roof in Kincaid Street. In 1858, the second annual report of the Wagga District Hospital (as it had by then become) stated:

"Although the balance in the hands of the treasurer, £276/2/-, appears large, it must be remembered that in the course of the next twelve months the committee will have to erect suitable premises, as the lease of the present one expires in July, 1859." (10)

On October 26, 1858, a meeting of the committee decided to apply to the Government "for a suitable site of land for the erection of a commodious hospital during the ensuing year." (11)

The site requested was on Church Hill, and was granted for church purposes; in its stead the committee was granted land on the corner of Tarcutta and Johnston Streets, on the site now occupied by the police superintendent's residence. The Wagga Hospital remained on this site until the open- of the present Wagga Base Hospital in 1910.

At a public meeting held in the Court House on August 13, 1850, measures were taken for the erection of a Church of England building, and the sum of £220 was subscribed. However, the matter lapsed until 1858, when tenders were called for the erection of the building. The tender was let to Robert Nixon, who in 1853 built the first bridge over the Kyeamba Creek, and who in 1857 opened a flour mill on the site now occupied by the Bank of New South Wales. In the period between 1850 and 1858 a temporary place of worship had been erected. (12)

On June 21, 1859, the foundation stone of St. John's was laid by the Police Magistrate, Henry Baylis. The news- paper report of the event commented:

"Although the foundation stone of the Church of St. John has only now been laid, pro forma, we desire to state that the western front and both side walls are carried up to a point level with the intended window sills, a spot having been pur- posely left at the south eastern corner of the edifice for laying the foundation stone. Rapid progress is being made with the building . . . and it is calculated that within a month the fabric will be ready for the roof. The building is sixty feet long and thirty feet wide, and is calculated to accommodate a congregation of 300 persons comfortably." (13)

In the same year (1859), but not until December 4, the first St. Michael's Roman Catholic Church was opened in Wagga.

This year also saw the establishment of the Wagga School of Arts, which, despite statements to the contrary, it was called right from the start. For a time it carried on in temporary premises, until the erection of its first build- ing in 1863 in the centre of its present allotment.

3. A Name with a Swaggering Tang

The town of Wagga was named after William Best's station, but it was established in an area on the river bank known to the aborigines as Guna Guna Bogie, " a camping and bathing place" (14) or Guna Gallie Bogy, "a temporary camping place." (15) It has a name which has never ceased to cause amusement or incredulity to those hearing it for the first time.

Nowadays, in the interests of speed and brevity, Wagga Wagga is usually called Wagga only, except in official communications.

In its early days Wagga was notable for the fact that its residents had primitive notions of hygiene, and that large numbers of goats and pigs (particularly the pigs) were allowed to roam its streets at will. These constituted themselves a sort of unofficial but highly profitable garbage-disposal unit. The neighbouring town of Albury, in the spirit of semi-friendly semi-jealous rivalry which existed between it and Wagga, was not slow to seize upon this peculiarity and to rename Wagga accordingly. Discussing a proposed visit to Albury by a team of Wagga cricketers, an Albury newspaper reported: "The stores will be closed during the day, and every means dictated by hospitality will no doubt be taken to welcome our friends from the southern Porkopolis." (16)

The first recorded instance of a Wagga complaint about the town's name occurred in 1866, when the Wagga Express, reporting the visit to the town of a "con" man who had defrauded a number of publicans and storekeepers, stated: "The Wagga Waggonians (what a vile, unmanageable name the town has) are certainly a trustful set." (17) The same paper also used, on occasion, the even more unmanageable "Wagga Waggians."

Others who exercised their wit or spleen at the expense of the "melliflous name of the town of Wagga Wagga" (18) were the numerous distinguished and not so distinguished visitors to the town, the first being the then Chief Justice of N.S.W., Sir Alfred Stephen, in 1869.

Sir Alfred, from the inviolacy of the Bench, indulged a sardonic sense of humour at the expense of Wagga

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and the Wagga "higher ups" in connection with a visit to the town a year earlier by the newly appointed Governor of N.S.W., the Earl of Belmore. Wagga had never before seen anything so distinguished as an Earl, and it appears that his visit was responsible for an exhibition of snobbery and ruthless, blatant jockeying for position which has never been parallelled from that day to this. The Advertiser took the Chief Justice's remarks up in its second leader.

"Of course, the judicial joker asked the old question—what's in a name?—and the answer happening to be in this particular instance 'crows' launched out into a learned disquisition on the natural history of that obscene bird. Well, we may admit there is nothing very melodious in such a concatenation of syllables as Wagga Wagga, especially if pronounced as written. We pronounce the hideous words as if spelt 'Wogga,'' and thus secure a little euphony at the cost of a trifle of orthographical truth. But those who have never had the felicity of making the personal acquaintance of our township are, of course, not up to this harmless dodge . . . .

"The Chief's remedy was a total change of name, and here the learned wit waxed very funny warming with this theme, and actually suggesting as a suitable substitute for the word signifying crows, the lordly title of Belmore. Considering how intimately that name must always be associated with one of the most stirring episodes in the history of Wagga Wagga, the suggestion may, at first sight, seem a good one. But, on the other hand, considering how much there was in that stirring episode of which Wagga Wagga may very properly feel thoroughly ashamed, it seems a little too like the broadest sarcasm to ask us to perpetuate the memory of our own egregious folly. The present name is, doubtless, bad enough, but at the worst it simply excruciates, and after all, like many other familiar nuisances, it is nothing when you are used to it. But fancy a name, the very sound of which would, or at any rate should, set half the town blushing—if, indeed, it did not have a still direr effect, and again set the whole

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place by the ears! Still, a change of some kind is necessary." (19)

This brought at least one reply, in the form of a letter to the editor, suggesting that Wagga should be renamed Forsyth, after George Forsyth, an elderly and highly respected townsman. It may be assumed that this suggestion did not receive any support, although Forsyth was frequently and throughout his lifetime referred to as "the king" and "the father" of Wagga.

Most of the people who objected to the name did so on grounds of euphony. Too many took it as read, and pronounced it to rhyme with dagger. Others found it uncouth or unsuitable. Others again regarded it as somewhat pretentious for a small inland town. Such a one was a Mr. Heaton, a reporter who travelled to various N.S.W. country towns and wrote descriptions of them for the Sydney weekly "Town and Country Journal."

Before describing it and its institutions, he wrote: "It may be admitted that there is an unpleasant, coarse, swaggering tang about the 'name, particularly when pronounced as it appears to have been in the English Law Courts and as it is spelt, viz: Wagga Wagga in place of Wogga Wogga, or at least Waugga Waugga, which latter seems to be the proper and local pronunciation. Wagga Wagga in the aboriginal tongue means "a meeting of crows." or "the place where crows congregate." That is a literal translation of the name; the first syllable 'wau' is very expressive of a crow's note. It must be confessed that the name is not a nice one, but the inhabitants, with a few exceptions, do not desire to have it altered: in fact, most of them seem to like the name, on the principle, I suppose, that in the case of names. like other more important things, we come to like in time features by no means attractive. 'We pity first, endure, and then embrace.'" (20)

His article did not endear him to the Wagga Waggonians. Nor did a subsequent paragraph in a Forbes newspaper noticably affect the risibilities of the inhabitants.

PLACE OF MANY CROWS

The School of Arts formed a Literary Association, which made its bow to the public in 1873 with an entertainment for which a prologue was specially written. Couched in a language which was a strange mixture of erudition, bravado and self-mockery, its opening stanza must have proved just as amusing to the people of Wagga as it was offensive to the Forbes newspaper.

> "Hail, beauteous borough! mayst thou ever reign.
> Sweet Wagga! 'loveliest village of the plain.'
> Would that some local Goldsmith might upraise
> Hymns to thy honour, paens to thy praise;
> Would that some worthy voice might sing thy fame,
> And wreathe bright garlands round thy silv'ry
> name." (21)

The Forbes newspaper came out with all guns smoking:—

> "Wagga is distinguishing itself. Whatever clouds of ignorance may have rested upon 'the brightest gem of the Murrumbidgee' in days gone by, they have all rolled back at the advent of its Literary Association. So gushingly felt is this metamorphosis that the public heart yearns for some local Goldsmith to hymn its honour and proclaim its praise, and sighs for

> > Some worthy voice to sing its fame,
> > And wreathe bright garlands round its silvery
> > name.

> Surely the mantle of Oliver has descended upon someone there, and in their exuberance they don't realise the fact. But the 'silvery name' is a poser. Ever since the time when an English lawyer asked a witness in the Tichborne case whether he knew a place called 'Waggy Baggy' we have failed to see any poetry in the name. Perhaps it was a 'waggish' pun of the counsel; perhaps it was his ignorance, but, at any rate, now would be a favourable time to rechristen it."

There was much more in the same strain, the whole concluding with the magical incantation "Oh Waggy! Oh Baggy!"

The Express replied, with remarkable self-restraint, "We pity the Literary Association. To be chaffed is bad enough, but to be chaffed in such questionable English must be well nigh unbearable."

Notes

(1) The Yass Courier and General Advertiser for the Southern Districts of N.S.W., July 4, 1857.

(2) N.S.W. Parliamentary Record, Seventeenth Edition, 1950.

(3) Wagga Wagga Express and Murrumbidgee Advertiser, June 11, 1859.

(4) R. J. E. Gormly.

(5) Waugh's Australian Almanac for 1866.

(6) Sydney Morning Herald, January 8, 1848.

(7) From a letter to the National Board of Education, September 19, 1849, signed by F. A. Tompson.

(8) From a speech in 1931 by the Minister for Education (William Davies), when he opened an addition to the Wagga High School, reported in the Daily Advertiser in 1931, and reprinted in its issue of October 10, 1938.

(9) Wagga Wagga Advertiser and Riverine Reporter, April 17. 1872.

(10) The Yass Courier and General Advertiser for the Southern Districts of N.S.W., May 1, 1858, reprinted from an earlier issue of the Goulburn Chronicle.

(11) Wagga Express, October 30, 1858.

(12) Wagga Express, June 25, 1859.

(13) Same as (12).

(14) James Gormly in the Advertiser, September 5, 1905.

(15) Matthew Best in the Advertiser, December 5, 1905.

(16) Albury Border Post, reprinted in Wagga Express. June 4, 1859.

(17) Wagga Express, June 30, 1866.

(18) Wagga Advertiser, October 23, 1869.

(19) Wagga Advertiser, October 23, 1869.

(20) Town and Country Journal (Sydney), July 6, 1872.

(21) Wagga Express, March 22, 1873. The account from the Forbes newspaper was reprinted in the Express of April 5, 1873.