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GEORGE SALTER AND HIS HOUSE 1796-1817

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GEORGE SALTER AND HIS HOUSE: QUESTIONS AND ANSWERS

"All these inclosures [for cattle] are supplied with water; and only a part of the trees which grew in them being cut down, gives to them a very park like and beautiful appearance.....The beautiful diversity of the ground (gentle hill and dale) would certainly be reckoned pretty in any country....."

Watkin Tench, Parramatta, November 1790

In October-November 1993 Ralph Hawkins and Alan Croker made an important discovery based on a map compiled by Surveyor Grimes in 1796. The map indicated that the site of Building A known as the dairy precinct now within Parramatta Park is situated on land originally granted to George Salter by Governor Hunter in 1796. Subsequent research has led to the uncovering of a wealth of detail about the man, his house and the history of Parramatta in the Hunter, King and Macquarie periods. The first stage of the house was almost certainly constructed within two years of the 1796 grant, making it one of the only surviving eighteenth century houses in Australia and the earliest to be associated with a former convict.

The Parramatta stockyard was established in 1790/91 immediately to the south west of what became Salter's farm. The stockyard and the house for the overseer of cattle possibly occupied the same site in 1813. Their story is intimately connected with that of Salter, his house, and the adjoining government garden. Through their relationship with Old Government House the sites of the stockyard, the garden and Salter's farm have been preserved within the boundaries of Parramatta Park. The cultural significance of these sites has been magnified immensely by the contrast between the park and its surroundings as a vast city grew around it.

The report of the archaeological investigation of the building by Robert Varman in September 1993 established that Building A could almost certainly be identified as the "Old Farm House" which Governor Macquarie stated in 1822 had been converted to a dairy at an unstated time during his term (beginning 1810). Varman wrote that the earliest stage of the building appeared to date from the late 1790s.

George Salter's was one of 1,500 biographies of persons who arrived in the colony on the Second Fleet in my book *The Second Fleet: Britain's Grim Convict Armada of 1790*. At the request of Alan Croker of Design 5 (Architects), I set about expanding on the biographical data in the published Salter biography with a view to finding clues to his possible connection with Building A.

The main points to emerge from the research undertaken since November 1993 by myself (with help from Ralph Hawkins) are as follows:

1. The text of George Salter's original 1796 land grant, which stipulates that a condition of the grant is that he must "proceed to the Improvement and Cultivation" of the land, and that he must reside on the land for a period of five years after the date of the grant (Land Titles Office refs 1/191 & 2/65). Muster records show Salter residing on a flourishing farm in 1800, and temporarily moving to Sydney in 1801-02, five years after the date of the grant. This strongly supports the hypothesis that he built a substantial brick dwelling house on the land in the period 1796-1801 (presumably within a couple of years of the date of the grant). It should also be noted that grantees often moved onto and worked their land well before the date of the official grant. The Hawkesbury settlers officially granted land in November 1794 had actually moved onto the land in January 1794.

2. Surveyor Meehan's field book (AONSW ref. 2/4710 FB 32) records a survey completed in the vicinity of Government House Parramatta on 5 April 1804 giving bearings of "G. Salter's house". This house was facing the river in the vicinity of Government House with a "vineyard house" nearby.

3. Minutes of evidence at the trial of Matthew Kearns and Timothy Hector for the theft of a heifer belonging to George Salter, January 1813. Salter refers to his house in his evidence in a manner which identifies it as a farmhouse in a rural setting and states that he has lived at Parramatta for 21 years (i.e. since 1791-92). His comments and those of other witnesses indicate that his house is near Parramatta and close to a public stockyard (trial ref. Archives Office of NSW, Court of Criminal Jurisdiction, 5/1120, 11 Jan 1813). A series of trials of associates of Matthew Kearns for the theft a number of government cattle record important evidence which sheds light on the activities of the overseers of cattle and their stockmen. More research is needed to establish whether the house and stockyard occupied by Richard "Dickie" Dowling in 1811-1814 were the same structures shown on maps of the 1790s adjoining what became Salter's farm. The cattle theft trials prompted Macquarie to initiate a complete overhaul of the system of superintending the government cattle herds. The incorporation of the government dairy in the Parramatta government domain was a side-effect of this change.

4. Letter dated 28 October 1813 from Governor Macquarie's secretary John Thomas Campbell referring to George Salter's sale of his 1796 grant to Government (Archives Office of NSW ref. 4/3492 pp280-2). This letter clearly identifies the 1796 grant as the farm acquired by Macquarie in 1813.

5. A careful reading and transcription has been undertaken of Richard Rouse's returns of government labour at the Parramatta Lumber Yard (c1808-c1820). They contain specific references to Salter's house and the post-1815 dairy. These documents also appear to indicate that a house was constructed in 1813-14 for the Parramatta government gardener. This house (now vanished) was separate from Salter's house and may have been in the vicinity of the Crescent and the old overseer of cattle's house. The returns also confirm that the government dairy was at Toongabbie in 1811-1815.

6. The record of evidence given at the inquest into the drowning of the Parramatta Dairy stockman John Holland in December 1817 provides a remarkable view of the new dairy and its position in relation to the Domain Creek, the Gardener's house and George Howell's mill across the river. The discovery of the dairy inquest by Bob Crosbie should be acknowledged.

GEORGE SALTER (1751-1832)

George Salter was baptised in the village of Kentisbeare, Devonshire in 1751, the son of George and Elizabeth Salter. George senior had been baptised in the same village in 1721 and acted as doorkeeper in the parish church. He was buried there in 1799. George junior married Thomazin Southwood at Kentisbeare in 1780 (whether they had any children has not been ascertained). By a remarkable co-incidence an English descendant of the Salter family, Pat Salter of Pinhoe near Exeter, was undertaking research into her background in 1993 which shed fresh light on the circumstances of George Salter junior's conviction and transportation. She is a descendant of his brother who raised a large family in Kentisbeare. Her article titled "From a note on a flyleaf" (published in the *Devon Historian*, October 1993) derived from her discovery of a note in the Kentisbeare parish register recording the hanging of William and Peter Salter for murder on 24 March 1788.

Ms Salter's research led her to an 8 November 1787 report in the *Exeter Flying Post*:
Friday last a terrible affray happened between Honiton and Axminster with three Officers of Excise and a party of smugglers. Two of the former were killed on the spot, the other escaped. It is also said that some of the smugglers were much hurt".

In a report in the same newspaper on 16 November 1787 the government offered a 200 pound reward for information leading to the capture and conviction of the smugglers. The notice declared:

"WHEREAS it has been represented to the King that on Friday Evening, the 2nd Day of November Instant, a most inhuman Murder was committed on the bodies of William Jenkins and William Scott, late Officers in His Majesties Excise, by a gang of smugglers, when the said Officers were in the Execution of their Duty, in attempting to seize some Run Goods, at a place called Roncombe's Girt, on the Road between Honiton and Beer, in the County of Devon."

The smuggling of "run goods" such as liquor, tea or imported clothing to avoid excise or customs duties was rife in eighteenth century Britain. The Devonshire coast of south west England was known as a centre of smuggling activity. The neighbourhood of Kentisbeare, characterised by a network of lanes running through deeply shaded hollows, was an ideal spot. Ms Salter writes that the site of the fight between smugglers and excise officers may be precisely identified on the 1:25,000 Ordnance Survey map of Honiton and Cullompton (169945 "Roncombe's Gate") where *"the present B3174 road runs on a narrow ridge between the headwaters of two streams on the boundary between the parishes of Farway and Sidbury."*

George Salter had been sentenced to death by Justices Hotham and Buller with William Salter (1730-1788), Peter Salter (1762-1788) and Daniel Gosling (1759-1788) at the 17 March 1788 Exeter.(Devon) Assizes for the murder of William Jenkins and William Scott, both excise officers. William and Peter Salter were father and son. Although both had been born in Kentisbeare, they were not closely related to George Salter and were probably cousins in some remote degree.

The trial had taken place in Exeter Castle and had ended with the judge intoning solemnly: *"Let them be severally hanged by the Neck until they are dead on the twenty second of March Instant...and let their bodies be delivered to Robert Patch - a Surgeon to be dissected and anatomised and let the Gaoler until the time of their execution as aforesaid confine them in cells or Places separate and apart from other Prisoners and no person or Persons whomsoever except the Gaoler or his servants have access to them without a licence from the Judge the Sheriff or his under Sheriff and until the time of their Execution let them be fed with bread and water only except they shall be desirous of receiving the Sacrament of the Lord's Supper"*.

George Salter was reprieved to transportation for seven years, while the other three men were hanged at Heavitree Gallows near Exeter within a week of sentencing (refs: Public Record Office, London, ASSI 23/8, *Nottingham Journal*, 5 April 1788, *Exeter Flying Post*, March-April 1788). Salter was held in Exeter Castle until 4 May 1788, when he was sent on board the *Dunkirk* hulk at Plymouth, age recorded as 37 (PRO London ref. T1/665-680), whence he was embarked on the Second Fleet transport *Neptune* in late November 1789, reaching Sydney Cove in June 1790.

The published Salter biography (M.Flynn, *The Second Fleet* p517) notes his receipt of a 30 acre land grant on Parramatta Creek in September 1796. The grant in the Land Titles Office (refs 1/191 & 2/65) has no annotations according to the LTO's typed copy. The document grants to George Salter, his heirs and assigns 30 acres to be known as Salter Farm in the District of Parramatta on Parramatta Creek, bounded on the north west by Pleasant Farm. The land is to be held by Salter free from fees, taxes or quit rents for ten years provided Salter shall reside on it and *"proceed to the Improvement and Cultivation thereof"*. Any timber on the land deemed fit for naval purposes is reserved for the use of the Crown. An annual quit rent of one shilling is to be paid after ten years. The grant goes on to say that: *"George Salter shall reside upon and cultivate the land hereby granted for and during the term of five years from the date hereof provided that the said George Salter shall so long live and any sale or conveyance of the said land before the expiration of the said term of five years shall be void and the said land shall in such case revert to His Majesty his heirs and successors except it shall be certified under the Hand and Seal of the Governor or in his absence the Lieutenant Governor of his Majesty's colony of New South Wales signed Jno Hunter 15 September 1796 witnesses Jas Williamson, William Stephenson, William Sutton Registered in Secretary's Office signed David Collins"*

On an 1814 map of land grants in New South Wales Surveyor Grimes marked a land grant to the north west of Salter's farm as a 25 acre grant to James Wherret on 25 May 1795, registered as being in the Northern Boundary Farms area. This man was a NSW Corps soldier and possibly never cultivated the land and almost certainly sold it soon afterwards. But according to the Salter grant Pleasant Farm was immediately to the north west, forming a boundary. Pleasant Farm (30 acres) was granted on 23 August 1794 to Ann Robinson. She was the wife of the former Second Fleet convict Richard John Robinson; prior to her marriage to Robinson she had been Philip Gidley King's mistress on Norfolk Island, where she bore King two sons.

By July 1801 Ann Robinson and her husband owned both Pleasant Farm and Wherret Farm. In that month they assigned the title of both properties to Anna Maria Crossley, wife of the convict lawyer George Crossley. At the same time the Robinsons also assigned to Mrs Crossley the title to the lease of their Parramatta victualling house "The Yorkshire Grey" (the entry suggests that they may have assigned the titles to Crossley as a security for loans, rather than making an actual sale). It seems highly likely that Toongabbie Creek formed the border between Pleasant Farm and Wherret Farm. It may well be that the 1814/Grimes map confuses the two, with no.74 representing Wherret Farm and no.21 Pleasant Farm (refs Land Titles Office, Old Register, 1801; M. Flynn, *The Second Fleet*, p504).

The 1800 muster (published version ed. by C. Baxter *Musters and lists NSW and Norfolk Island 1800-1802* 1988) shows Salter occupying a flourishing farm fully cleared and cultivated with 10 acres sown in wheat and just under 20 in maize. The muster records Salter, an unnamed woman, and three unnamed convict workers on the farm, all five persons receiving public rations. Salter owned one pig and one horse. The ownership of a horse in 1800 was a sign of relatively high income and status. The issue of public rations and the number of convict workers together suggest in this context that he held some kind of government position (possibly as a stock overseer) as well as farming his own land, but neither the muster, nor any other record so far traced, state explicitly what this position might be. Muster records did not record details of houses or other buildings on landholders' properties.

Salter does not appear as a landholder in the 1802 muster, but another muster record dated approximately 1801 lists him as a resident of Sydney, living with Winifred Marsh, a former convict who had arrived in the colony on the ship *Royal Admiral* in 1792 (and who was almost certainly the unnamed woman with Salter at Parramatta in the 1800 muster).

A *Sydney Gazette* report in 1803 [see photocopy] mentions Salter in a court case relating to a contest over liability for payment for a shipment of grain lost in bad weather. The references to him in the trial report are not very specific, but suggest that he was signing promissory notes relating to fairly large payments for grain. Whether he was dealing in a private or public capacity is not clear (but it seems more likely that he was a private dealer).

In June 1804 a notice in the *Sydney Gazette* advertised for lease a Sydney Town allotment which was stated to have been recently occupied by Salter in Chapel Row next door to John Driver's house. Included was a "roomy dwelling house" with a large and excellent garden and a good well. The site, on the south west corner of modern Hunter and Castlereagh Streets was leased from about this time by fellow second fleeter William Roberts who developed a large public house on the site. He operated this establishment, known as the Kings Arms, until his death in 1819. Roberts acted as Macquarie's chief road contractor in the period 1813-1819, supervising the construction of roads and bridges throughout the Hawkesbury, Nepean and Liverpool districts. Like Salter he was able to fill a responsible position supervising tradesmen and labourers and handling large sums of money while signing receipts with a mark "X".

In occupying what was clearly an expensive Sydney house Salter appears to have been prospering. His name (signed with a mark) appears on an address dated November 1804 to the merchant Robert Campbell from "the principal settlers of New South Wales" [including many emancipists who had become superintendents, substantial farmers or businessmen - reproduced in D. Hawking *Bound For Australia*, 1989, p139]. The Old Register No.2 (p8 no.273) in the NSW Land Titles Office records the bill of sale by which Thomas Newsham sold George Salter a gelding known as Cheesmans [Horse?] for the princely sum of 52 pounds. The transaction is undated, but took place around 1809, giving another indication of Salter's prosperity.

Salter may have been back at his farm by April 1804 when Surveyor Meehan's report refers to "G. Salter's house" (although he may have still referred to it as Salter's if a tenant was living there). By the spring of 1806 he was certainly back at Parramatta where the 1806 muster lists Winifred Marsh as living with him there. The Rev. Samuel Marsden's list of women compiled in the same year records her as childless (see C. Baxter, *Musters of NSW & Norfolk Island 1805-06*, 1989). Salter himself does not appear in either the general population muster or the landholders' muster. It is not clear whether he was occupying his Parramatta farm and was omitted from the muster in error, or whether he had temporarily leased the property to another person.

Another snippet of information appears in the *Sydney Gazette* of 11 August 1810 in which a notice offers a reward for the return of "Two Store-house Receipts for 50 Bushels of Maize, each payable to George Salter". Anyone finding the receipts was asked in the notice to bring them to Samuel Terry in Sydney or George Salter at Parramatta. In the same newspaper on 22 September 1810 Salter advertised that he was planning to leave the colony on the schooner *Unity*, Captain Cooper. This vessel was about to leave on a sealing voyage but whether Salter actually sailed in her is not clear. A notice of 27 October 1810 described several missing cattle and offered a two pound reward for anyone bringing information relating to their whereabouts to William Roberts in Sydney or George Salter at Parramatta [note that this is the same William Roberts occupying Salter's former Sydney residence].

THE CASE OF GEORGE SALTER'S STOLEN HEIFER

On 10 October 1812 Salter, described as being of Parramatta, offered a reward for the capture of his absconded government servant John Hill. It was at this time that one of Salter's cattle had gone missing. Matthew Kearns and Timothy Hector were tried at the Sydney Court of Criminal Jurisdiction for the theft of a heifer valued at 10 pounds belonging to George Salter. They appeared first on Wednesday 30 December 1812, but they were remanded in custody when the case was adjourned in the absence of a material witness, John Thomas. They appeared at the next sitting, Monday 11 January 1813.

In his evidence Salter stated that his heifer had been in the care of Molly Morgan who had a farm near Parramatta. She was a former Second Fleet convict who had escaped from the colony and was retransported in 1804. From around 1806 she lived with a NSW Corps soldier Thomas Burn who left the army around 1810 to become a farmer in the colony. In 1814 Molly was transported to Newcastle for receiving stolen cattle.

Salter described a meeting with Kearns which ended with the latter abusing him. Both men were survivors of the horrific Second Fleet voyage of the *Neptune*. Kearns had become a wealthy butcher, farmer and grazier; he was closely involved with the colony's increasingly popular sport of horseracing.

Salter told the court of his failure to locate the missing heifer among Kearns's cattle, but recalled hearing suspicious lowing from nearby bushland. He later returned with his free employee Jack Hannabus, [per ship *Ganges* 1797], his government servant and two constables. They brought with them some working bullocks familiar with the missing heifer. Eventually she appeared from the bush to join the bullocks. A number of other witnesses gave evidence, including William Moore, who described himself as a freeman employed "keeping cattle belonging to different people of Parramatta", John Norris and Thomas Clowers who had been working on the construction of a toll house near the Kearns property on the Parramatta-Windsor road.

George Salter appeared as the first witness and testified as follows [transcribed from the minutes of proceedings]:

"George Salter, sworn, examined for the prosecution, says - I live at Parramatta. I have lived there twenty one years & have been free during the greatest part of that time. I have about ten or eleven head of horned cattle. I recollect losing a heifer some time ago. I think it was some time in the beginning of October that I missed her. She was a black heifer with white spots. She used to run with a flock belonging to Molly Morgan and Tom Burn in the neighbourhood of Parramatta. She was heavy in calf. The heifer used to come with the flock about my house. One evening in October I went to look for her and I could not see her. She was the only one of my cattle which went with that herd. I enquired of Tom Burn and was informed by him that he had not seen her for some days. I looked for her again the next night and could not see her. The following morning Molly Morgan sent to inform me that she had not seen my heifer with her cattle for ten days or a fortnight. I thought she was dead, drowned or [illegible word]. I then told William Moore who has the care of the Parramatta Town Herd to look for her about the pools of water and was then informed by him that he had seen Timothy Hector and Matthew Kearns driving her towards the Race Ground. The Race Ground is a place between Parramatta and Windsor where Kearns lives. In consequence of this information the next morning I took my horse and rode to the Race Ground to Matthew Kearns's house. I cannot precisely say what morning that was. I got there about between five & six in the morning, they had just begun to milk. I passed the herd which was in the yard but could not see her there. I then went to the Lieutenant Governor's farm, but she was not there. I then came back to Kearns herd, alighted, fastened the horse to the fence & went into the yard. I examined his herd & she was not there. I then got on my horse and rode up to Matthew Kearns's servants where they were milking. I asked if they had any stray cattle in the herd; they said "no". At this time I heard some cattle making a noise at the bottom of the wheat; where it was fenced, separate from the herd I had examined. I asked what that cattle was. The answer was, there is nothing there belonging to you: there is nothing there but two working bullocks, a cow & calf, one heifer, with some lame calfs that belonged to Matthew Kearns. With that Matthew Kearns came out of his house enquiring what I wanted there. I told him I had lost an heifer and did not know if she had come up along with his cows & calves - and I was come up to see. He gave me some very

abusive language and told me to go on about my business. I went away and did not hear anything more of it till some days after when while I was in bed I received information that she was in Matthew Kearns's herd. The next day I procured a warrant from Mr Marsden to search Matthew Kearns's premises. That day my self, Jack Hannabus, and two constables [illegible word] went towards Kearns's but stopped at the turnpike house. I got there in the middle of the day, & remained there in consequence of hearing that Kearns's herd would pass that way, & that my heifer had been seen in the herd that mornin'g. I went out in the bush but did not see her. I returned to Parramatta and left Hannabus and another man in the bush. The constables also came home. The next day I went up again & on my way I met the heifer coming home under charge of Hannabus along with some working bullocks. I was not present when she was found. I think the heifer is worth ten pounds. The heifer that Hannabus brought me back is the heifer I lost. I never saw her in Kearns's herd or in his premises. I did not ask Kearns to let me examine the place where I heard the cattle making a noise as I have said. At the conversation I had with Kearns, there was a woman, a boy and a man present whom I do not know.

The Witness withdrew.

William Moore sworn and examined for the prosecution says - I live at Parramatta. I am a freeman. my employment there is that of keeping cattle belonging to different people at Parramatta. I am acquainted with George Salter. I know the heifer he lost. It was a black one with a little white speck on its forehead and little white dots on its flank. I know Matthew Kearns, he lives at Hawkesbury, but I do not know the place. One morning, I think about thirteen weeks ago, I was going out with my flock and the prisoner Timothy Hector overtook me with a few of Matthew Kearns's cattle. I did not know that Timothy Hector was in Matthew Kearns's employ. I had not particular conversation with him at this time. I did not see the heifer in question among the cattle he had. About the middle of the day he overtook me a second time. At this time Kearns was with him. The cattle were with them. Among them I saw many of Molly Morgan's cattle and this heifer of George Salter's. Timothy Hector told me he had a deal of trouble since I saw him in the morning. He said his cattle were mixed with Molly Morgan's cattle and he could not separate them. He told [me] Molly Morgan gave him leave to take her cattle and he would send them back again. I asked him if I should separate them for him. He refused and said they would go better together. George Salter's heifer came out of his flock and wanted to join mine. He went & turned her back again: I said to him let her go - he turned her back again and said it was Matthew Kearns's heifer. I am sure it was George Salter's heifer - I don't know that I told him so. I thought he would bring all the cattle back again that did not belong to him. I asked Matthew Kearns how many cattle he had got - but what answer I got I do not know. Kearns was just behind the cattle during the whole of this time in a gig. I think he could have heard all that had passed: he might be five or six rods [distant]. The horse was walking during the whole of this conversation. Matthew Kearns DID NOT say the heifer was his. I have seen the heifer since. Salter has since got her. I think she was worth ten pounds. I am sure that the heifer which I saw at Parramatta is the one I saw with Kearns's cattle & is George Salter's heifer. It was on the road leading from Parramatta that I saw the prisoners & the cattle as I have mentioned. On Salter enquiring of me concerning his heifer which he had lost I told him what I knew.

Being questioned by the Prisoner - It might be about a couple of mile from Parramatta that I saw the prisoners a second time with the Cattle - the first time I saw Hector Kearns was not with him: when I saw him in the middle of the day he was driving his gig along the road, and made no attempt to drive the cattle as I saw. I was busy engaged minding my flock & cannot say whether he drove by & left them behind. I did not see any other cattle run back besides this heifer. I saw no more of the prisoners or the cattle during that day. I had not any conversation with Kearns. Molly Morgan's cattle were not with Hector the first time I saw him in the morning.

John Norris sworn and examined for the prosecution says - I was employed in building the toll house on Parramatta & Windsor road some time in October last. A man of the name of Thomas Clowers was employed with me. I know the prisoner Timothy Hector by sight. Kearns lives with about two miles or two miles and a half of the Toll House we were building. Kearns's cattle came frequently about the toll house while we were there. A mulatto and a boy belonging to Sal Thomas were generally with them. I know George Salter. I know the heifer he claims to be his. I saw that heifer feeding in company with Kearns after I heard that Salter had lost an heifer. The boy I have mentioned was in charge of the flock that day.

Being questioned on behalf of the Prisoner says - The same evening I saw the heifer feeding in Kearns herd the boy absconded and left them there, and Kearns came bye in his Gig - it was late in the evening.

Thomas Clowers sworn and examined for the Prosecution

says - I live at Parramatta - I have known George Salter for these many years. I heard from him that he had lost a heifer. I saw her when she was a calf sucking, but never saw her after before she was lost to the best of my knowledge. I was employed in October last in building the toll house between Parramatta & Windsor. While I was employed there was some cattle grazing bye & a heifer was along with them & [I] made the observation that it was something like George Salter's old cow. A few minutes later George Salter's man, John Hannabus, was coming with a cart, & I asked him if he should know his master's heifer if he saw her. I pointed this heifer out & he looked at her & said he was certain it was her. This was after I had heard that this heifer was lost. She was then grazing along with Mr Kearns's I believe them to be. A little boy of the name of Thomas had charge of them. The next day but one the heifer came by the toll house singly by her self. I told Norris this was George Salter's heifer & we ran & turned her among George Salter's bullocks, which George Salter, two men, & two constables had brought up the day before in search of her. I do not recollect the day of the month - it was on a Tuesday we first saw her & on the Thursday morning she joined the Bullocks. They drove her & the Bullocks to Parramatta the same day.

The witness withdrew.

John Hanabus, sworn and examined for the prosecution says - I am a servant to George Salter. I recollect his losing a heifer some time in October last. It was a little black heifer with two white spots on her thigh. I have been with George Salter ever since the heifer was calved. I was going to the Hawkesbury, & Jack Norris & Tom

Clowers pointed her out to me. She was grazing near the toll house they were building. She was in Matthew Kearns's herd. The boy Thomas was with the herd at the time. I went to within a few rods of her & knew her to be the one my master had lost & to be my masters. There was a small white speck in her forehead & a few white hairs. I went on to the Hawkesbury & returned to Parramatta the same evening, & met Kearns & his son about seven miles the other side of Parramatta going towards the Hawkesbury. I had not any conversation with Kearns. I communicated with my master that I had seen the heifer & we went out for her on the next day. George Salter, two constables & his government man went with me. We did not see her that day or night. On the following morning we saw her. We had three working bullocks with us. I was not present when she did join the bullocks. She came out of the woods & I did not see her after Tuesday until she had joined the Bullocks. The Government man & myself brought her into Parramatta to Salters with the bullocks on Thursday evening. She is now at George Salters. She was taken to the court house at Parramatta afterwards. She is a very quiet heifer.

Questioned by the Prisoner says - There are a number of herds of cattle that feed in the neighbourhood of the Toll house where I saw her. No other herd of cattle as I know of was near on the morning she joined the bullocks. She was not accustomed to go from flock to flock after she was weaned. When she was first weaned we wanted to get her in to mark her, but we could not: she would not go out of the flock of Tommy Burns: she was always with that flock from the time she was weaned. I heard no complaints of her till I was informed she was lost. Almost three weeks elapsed from the time she was lost till she was found. She was lost on a Friday & found first on the Tuesday fortnight afterwards. She was not branded with a marking iron.

Mary Mears sworn says, I was formerly known by the name of Mary Morgan. Mears is my name. I know this heifer of George Salter's. It went in my flock. It ran sometimes in my stock and sometimes in the stock of other persons. On the twelfth of October it was in my flock. On the 12th of October I parted my dry herd from my milch cows. I put the dry herd into the public pound at Parramatta. On separating them I saw this heifer. Me and another was going to drive them down to Squires, and this heifer and two others broke away and went into the bush".

Other witnesses at the trial included: John Thomas aged 13 next March, who had been employed by Kearns to watch his herd.(questioned at some length), Pierce Condon, a free man who was overseer to Kearns; Eleanor Carty who had been in the service of Kearns 6 years next June; James Flaharty, stockman to Mr Fitz (the Fitz farm adjoined that of Kearns); Antonio Roderic, stockman to Kearns, a prisoner who was almost certainly the "mulatto" mentioned by Norris; Patrick Ryan, a prisoner employed by Kearns; John Flynn, a stock keeper at Seven Hills.

Hector's statement was as follows:

"The Prisoner Timothy Hector states to the court that on taking Kearns's cattle up they were joined by Molly Morgan's herd - that he tried to separate them but could not - that he took them with him along the road, parted them near Kelly's at Baulkham Hills & sent them back by his wife: and that he took to Kearns's only four cows & four calves".

THE SALE OF SALTER FARM, 1813

The above trial took place as Salter was preparing to leave New South Wales for Van Diemens Land. On 6 February 1813 a notice appeared in the "Sydney Gazette" calling for any claims or demands on George Salter to be made before his departure from the colony on the ship "Spring Grove", Captain Duglass. On Saturday 27 February the paper noted that this ship had sailed the previous Monday for the sperm whale fishery. It seems likely that Salter travelled in this ship to Hobart. Salter's departure and the sale of his farm are confirmed in a copy of a letter sent by Macquarie's secretary John Thomas Campbell to Lieutenant Governor Davey in Van Diemens Land. The letter (Archives Office of NSW ref. Colonial Secretary Correspondence 4/3492 pp280-2) reads as follows:

"Secretary's Off. Sydney
28 Octr 1813

Sir,

I have the honour to inform you that his Excy the Govr has purchased for the use of this Govt, a farm of Land from Mr George Salter, situated in the Neighbourhood of Parramatta for which he has agreed to give him [from] the Govt Herds in Van Diemens Land Thirty Heifers of Young Breeding Cows. Agreeably to the foregoing terms of Purchase it is His Excys desire that you will order Thirty Head of Cattle of the above Description to be assigned to Mr George Salter and that you will take his receipt in Triplicate for them.

They should be witnessed by Respectable Persons, and to save trouble I now transmit the description of Receipt in Triplicate which you will be so good as to have signed and transmitted to my office by an early opportunity.

*I have the honor to be Your Honor's Most Obt Hble Servant
Jno Thos Campbell
Secty*

[To] His Honour Lt Govr Davey, Van Diemens Land

[draft receipt]

Hobart Town Van Diemens Land Novr 1812

Received from His Honour Lieut Govr Davey by order of Govt Thirty Heifers or young breeding cows being the cows expressed in a certain transfer or Indorsement, made on the back of a certain Grant of thirty acres of Land under the hand of John Hunter Esqr Governor of NSW Wales and the Colonial Seal bearing date the 15th day of Septr 1796, wherein and whereby I the undersigned George Salter released and surrendered all claim to the said Thirty acres so given and granted to me and for the uses of Government in consideration of rec'g Thirty Heifers of breeding cows at Van Diemens Land aforesaid and which having received I do hereby acknowledge the same in full compensation of the said transfer in complete satisfaction thereof. Witness my hand the Day and Year above written

witnesses present"

In the same series (p191) appears a related letter to Davey from Campbell dated Secretary's Office, Sydney, 20 November 1813:

"Sir,

I have the honor to inform you that His Excy the Govr was some time ago pleased to authorize George Salter who lately returned from hence to the Derwent to turn into the Govt Herds at this place certain Cattle his own Property previous to his going to the Southward and to promise him other cattle in Van Diemens Land in lieu of them.

The Supt of Govt Herds having since the departure of George Salter certified his having recd from him one cow, two calves, and three working oxen on the above conditions, his Excy directs that you will be so good as to order Mr Salter Six Heifers or young cows from the Govt Herds in Van Diemens Land as a compensation for those received by Govt from him here. This issue of cattle is not to be considered as at all concerned with that ordered to Mr Salter for the Farm lately surrendered to Govt at Parramatta.

I have the Honor to be Sir, Your Obt Hble Serot
Jno Thos Campbell

[To] His Honor Govr Davey Van Diemens Land"