

## Chapter 10 - Only a Working Carpenter (1820 - 1837)

Between his arrival in the colony and getting married, Thomas Brown is largely in the shadow of his father (David Brown senior) and brothers. In what light that family life cast upon him, he appears to have had difficulty coping with challenges and opportunities that came his way. Thomas was very much part of a family of carpenters. He was as Captain John Piper (of Point Piper fame) declared, 'bred a Carpenter';<sup>352</sup> alluding to Thomas learning his trade from his father from a very early age. Piper's comment suggests also a firsthand knowledge of Thomas' circumstances, probably from the time of the Brown's arrival in the colony and through their relationship with James Chisholm.

The family's Cockle Bay property acquired in 1813 is certainly one of the locations where Thomas would have worked with his father as a carpenter. As to Piper's comments and what is known of the times, it is likely that Thomas' training was well underway before then.

Thomas' means of security in family life was his trade, and the Erskine Street premises and other properties that his family assisted him in acquiring. However, Thomas had trouble holding on to his property gains, let alone expanding on them.

The first remotely personal account that can be found of Thomas is when he wrote to the government via a memorial of 3 July 1820. He requested that he be granted 40 acres of land adjoining 100 acres of land originally granted to his brother, James, at Little Cattai Creek. He states that he was 'in possession of a number of horned cattle' that could make good use of the land, if it were to be granted to him.<sup>353</sup> The inference being that the land that Thomas had his eye on was potentially productive. The 40 acres he sought had more than likely been tried and tested by him and other members of his family for some years. It is highly probable that his horned cattle were even then 'in situ'.

Thomas's memorial coincides with that of his brother, David, seeking land on the same day. If not responding to a recent public invitation, then one has to wonder if they had got a tip that then was a good time to apply?

On 31 March of the following year, Thomas was promised 60 acres of land by Governor Macquarie. On 28 April 1821 his name and that of his brother, David, was included in the Surveyor-General's list of those to receive grants of land.<sup>354</sup> The granted 60 acres was nominally twenty more than he had asked for. Unfortunately for Thomas, of that 60 acres, only ten were arable, fifteen acres were occupied by a lagoon, and the remainder was rocks.

### References to a BROWN, Thomas which may be relevant:

1820 Oct 11 Juror at inquest on David Douglas held at Sydney (Reel 6021; 4/1819 pp.185-6)

1820 Oct 11 Gave evidence at inquest on David Douglas (Reel 6021; 4/1819 p.187)

1821 Mar 1 Joseph Underwood, merchant, permitted to employ on board "Elizabeth and Mary" (Reel 6008; 4/3504 p.3)

Indicative of carpentry businesses of the day is this advertisement for an apprentice. Of special note is the range of carpentry specialities covered:

<p><b>WANTED</b>, an Apprentice in the Cabinet Business. He will have an opportunity of learning the different branches of an undertaker, chair and bedstead-making, ship joiners work, upholstery and turning; the whole being carried on at -.....<sup>355</sup></p>
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<sup>352</sup> Memorial of 1820 Jul 3 (NSW SR Fiche 3015; 4/1823 No.86 pp.194-5)

<sup>353</sup> Memorial of 1820 Jul 3 (NSW SR Fiche 3015; 4/1823 No.86 pp.194-5)

<sup>354</sup> SG 28 April 1821, p1.

<sup>355</sup> SG. Thursday, July 31 1823. n1a.

Sometime during 25 June 1823 and November 1824, Thomas met and proposed marriage to Bridget O' Neil (sometimes spelt "O' Neal"). Bridget was an immigrant from Dublin, Ireland<sup>356</sup> who had arrived in Sydney on 25 June 1823 on the TS 'Woodman'.<sup>357</sup> Bridget and her sister, Elizabeth, had come in response to their father, Thomas O' Neal having 'sent' for them. Thomas O' Neal was an ex-convict who had arrived in the colony aboard the TS 'Friendship' on 16 February 1800. He was a tailor by trade who had been sentenced to transportation as a result of his part in the '98' Rebellion. On his arrival he was made tailor to Governor King.

References to a BROWN, Thomas 1824 Jun 17 Memorial (Fiche 3080; 4/1836B No.105 pp.575-8) may be relevant.

Thomas, along with his brother, David, and father was granted 150 acres at Jerry's Plains on 22 June 1824.<sup>358</sup>

On 30 November, in that year of 1824, Thomas married Bridget (full name Mary Ann Bridget O' Neil) at St Phillip's Church of England. Mary is entered in the register as Ann O'Neal.

The folklore is that they had eloped – This may merely reflect that they married without seeking, or getting the blessing of, their respective families. However, they were both old enough to do as they wished in that regard.

Mary gave her age as being 18 years. This stands to be at least 6 years understated – Her father having been in the colony 24 years, and more likely 8 years understated given the cause of his imprisonment was implication in the 98 Rebellion. Whereas Thomas' age is shown as 30, which is by no means certain.

The witnesses to the marriage were Thomas Rice and Elizabeth Rice – Both made their mark on the register. Thomas and his bride were both able to sign their names. Thomas is described as 'Carpenter, & Bachelor'.

On 2 May 1825 Mary's father signed a deed transferring his 40 acres farm at Middle Harbour to Mary and Thomas. The farm was located in what is now known as Mosman. Given that the northern boundary of the farm was Middle Harbour itself, it is likely to have been a very pleasant setting. Governor Macquarie had granted the farm to Thomas O' Neil in 1811. He had resided there up to the date the deed was signed.

## Duhiel

It is doubtful that Thomas and Mary took up residence at Middle Harbour at that time. If they did it was a brief sojourn. They may well have rented the Middle Head property to others. For on 17 September 1825, Thomas appealed to the Governor, requesting that he, his wife, and Government Servant, Isaac Smith of the Ship 'Prince of Orange', be victualled from the King's Stores. Thomas gave his address as 'of the "Duhiel" of Lower Pitt Town'. Thomas and Bridget were occupying the land adjoining his brother, David the younger. It was in this appeal that he described his miserable grant of land. It was not the productive 40 acres he was expecting to get. His memorial was dated ten days later than the memorial submitted by his brother, who also was seeking victualling from Government Stores.

'Duhiel' seems likely to have intended the Gaelic word for inheritance. The Gaelic words "dùthail" or "dùthchail" (pronounced something like "DOOihil", with the stress on the first syllable) mean "hereditary",

<sup>356</sup> BDM Registration V1824 3461 3B O and V1824 379 8, St Phillip's.

<sup>357</sup> 1828 Census Ref B2771. Note: not Mary Ann Dunn as claimed by Blanche Jenkins in her history of 1946.

<sup>358</sup> NSWRSR Fiche 3269; 9/2740 p.3)

“rustic”, “rural” – from “dùthaich”, country; or “dùchas”, inheritance. There is also a word “dubhthuil”, pronounced roughly the same, which literally means “black hole” but which the Gaelic dictionary says it means diarrhoea.<sup>359</sup> ‘Duheil’ with ‘ei’ as opposed to ‘ie’ is a common family name in the Lorraine region of France.

The District Constable, Mr. Douglas, has annotated Thomas’ memorial to verify that there are only ten acres cleared and fit for cultivation, and that there was in fact a house on the site.<sup>360</sup>

## Back at Erskine Street

Thomas and Mary’ s stay at Duhiel was also brief! For the October 1825 Muster shows Thomas as a ‘ Cabinet Maker’ of Sydney, not Lower Pitt Town, and having come on the ‘ Earl Cornwallis’ in 1801. It also lists his father, David (I), as being in Sydney, but as a ‘ Landholder’ . It seems that about this time Thomas purchased the lease, or began to rent, the Erskine Street allotments from his brother, David and converted the single dwelling into two, more than likely with his father’ s help and guidance.<sup>361</sup> This allowed him and his family to take up residence there, and would have provided accommodation for his father next door.

*#A daughter, Sarah, was born to Thomas and Mary Ann Bridget on 30 October 1825 and baptised on 1 January 1826 at St Mary’ s.<sup>362</sup> Thomas’ profession is given as ‘ Carpenter’.*



*Old Watch House, corner of Erskine Street and Clarence Streets. Built in 1827. Up the hill from the Brown’ s address.<sup>363</sup> Still standing.*

**A**t this juncture, David senior, if not having left there, began to spend less time there. He is known have to stayed with grandson, James, at Lower Minto; and David junior and family at Cattai.

*#A second daughter, Charlotte M, born to Thomas and Mary Ann Bridget on 15 July 1827, and baptised at St Mary’ s Catholic Church on 12 August 1827.<sup>364</sup> She died before the 1828 Census.*

**P**ortion 39, of 100 acres at Cattai, known as ‘ Brown’s Farm’ , and originally acquired in James’ name, was the subject of a ‘ Bargain and Sale between Thomas and his brother, David, on 1 October 1827. Portion 39 was now owned jointly by David and Thomas, though it was David who was in occupation and had been working the property.

At this point David acquired Thomas’ s share of Portion 39 by giving up his 100 acre grant (Portion 38) to Thomas. Witnesses to the contract were Thomas and James Arndell. Thomas, who already owned the 60 acre, Portion 37, now had a total of 160 acres at Cattai.

<sup>359</sup> [Caoimhín P. Ó Donnáil](#), of Sabhal Mór Ostaig, the Gaelic college on the Island of Skye.

<sup>360</sup> Memorial of 1825 Sep 17 (Fiche 3122; 4/1840C No.90 p.513). Reply, 19 Sep (Reel 6015; 4/3515 p.354)

<sup>361</sup> NSW Government Gazette No. 306 of Wednesday, November 1836.

<sup>362</sup> 1828 census shows Sarah aged 3 years. Ref B2772. Baptism Reg No V1826 539 127 0 and Reg No V1826 558 128 0, Mother shown as Bridget M. A. Archives of St Mary’ s Cathedral, NLA reference mfm. G22 932.

<sup>363</sup> Drawing by Cedric Emanuel. Philip Greeves’ Sydney, p110.

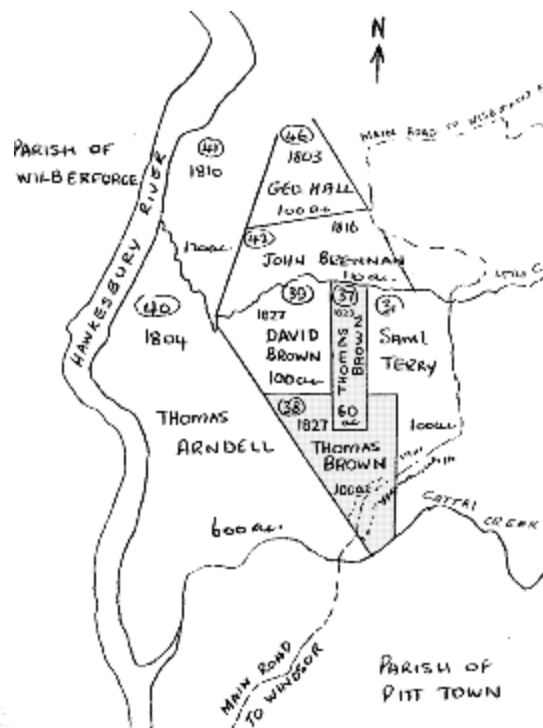
<sup>364</sup> Birth/Baptism Ref V1827853 128 but seems to have died before 1828 census.

#A third daughter, Johanna Frances Amelia, born to Thomas and Mary Ann Bridget. She was baptised at St Mary's Catholic Church on 21 August 1828,<sup>365</sup> and became known as 'Amelia'.

In the 1828 Census, Thomas Brown is listed as 'Carpenter',<sup>366</sup> address 'Erskine Street, Sydney'. In contradiction of their significant connection with St Mary's Church, Thomas, Mary Ann, and their daughters are listed as 'Protestant'. Thomas' age is given as 28, which is interesting in the light of his stated (& true) year of arrival in that census of 1801. Mary's age is given as 25 years, three years older than she had admitted to when she was married in 1824.

At the time of the census, Thomas is shown to employ a twelve year old girl called Ann Duncan as a servant, whose father, it seems was at the time a convict assigned on the Iron Cove gang.

On 13 July 1829, Governor Darling confirmed that forty acres of land at Middle Head had been given to Thomas O' Neil by Governor Macquarie in May 1825.



Ownership of Brown's Cattai grants as at 1827. Thomas's 160 acres shown shaded.

## The Entrusting of the Erskine Street Property

In December of 1829, Thomas entered into an arrangement with the Reverend Father John Joseph Therry (1790 – 1864), Roman Catholic priest at St Mary's chapel, for the care of his wife and children. Father Therry had baptised most if not all of Thomas' children. Father Therry played a significant part in the affairs of Thomas Brown and family. Thomas' family was one of many that were to benefit from Father Therry's unstinting assistance of those in need. Father Therry, an Irishman, was noted for his determination, energy, sheer hard work for the Church, and for his concern to tend the needs of his congregation.<sup>367</sup>

This arrangement conveyed the Erskine Street and Middle Harbour properties to the Reverend Father and a Mr. John C. Sullivan in trust. Any rent received from the properties was to be paid to Mary Ann during her life 'without being subject to her husband's debts or Interference'—'And after her decease to dispose of the rents for the maintenance and support & education of the issue during their minority'.<sup>368</sup> Thomas' property at Erskine Street to which the instrument applied was described as comprising a 'cottage tenement or dwelling-house now divided into two dwellings situated in the North side of Erskine Street in Sydney'. It was said to be 'at the bottom of such Street and near to the officers' 'athing house'. The 'vacant land adjoining on each side' and 'the garden behind the same', 'running down to low water mark on the Shore with the appurtenances thereunto belonging or in anywise appertaining'.

<sup>365</sup> Births/Baptism Ref V18271050 127. Births/Baptism Ref 1828 Census shows Amelia aged 3 months Ref B2773. Archives of St Mary's Cathedral, NLA reference mfm. G22 932.

<sup>366</sup> Thomas gave his age at the time of Census as 28 though at marriage in 1824 he stated it to be 30 years. There is speculation that the 28 years given by for the Census was a misreading of '38'.

<sup>367</sup> Father Therry was banished to service in Tasmania at one time by the Church hierarchy for perceived irregularities.

<sup>368</sup> Memorial No 247 Book C.

The Instrument was lodged with the Court of Claims on 29 December 1829 but not awarded by the Court until 28 February 1838. The Court awarded that the Erskine Street property be transferred to be held 'in trust' for Thomas' wife for her life and then to his children.<sup>369</sup>

This exceptional trust arrangement may reflect a very poor and uncertain state of health on the part of Thomas, and the desire to protect his family in the event of his demise. Perhaps large debts already looming that threatened the removal of all the material possessions that the family own, may have also played a part/ Whatever the motivation, it was to prove to be one of the wisest actions that Thomas ever did.



Reverend Father John Joseph Therry  
(1790 – 1864)

*#A fourth daughter, Mary Rosanne, born to Thomas and 'Mary A B' and baptised at St Mary's Catholic Church in 1830.<sup>370</sup> She became known variously as 'Rosanne' and 'Rosann'.*

**O**n 14 August 1830, Mary Ann wrote to Mrs. Gordon, Matron at the Female Factory, at Parramatta. She sought a servant who was used to children. Mary Ann complained that the last one **'was married from me'** and that no response had yet been received in consequence of her two applications.<sup>371</sup>

**A**bout this time, Thomas sold his 150 acre grant at Jerry's Plains to John Duff, son of Peter Duff (I). It is unlikely that Thomas ever cast eyes on that particular piece of real estate let alone spent any time there.<sup>372</sup> The irony is that it was far better land than he owned at Cattai and proved to be one of the most significant pieces of real estate in the development of Jerry's Plains.<sup>373</sup>

**I**n a petition to Governor Darling, of September 1831, Thomas appealed to His Excellency to relieve **'the Distressed and unprovided Parents and Infant Offspring of Native-born Children'**. Thomas states that he had four daughters, one since died<sup>374</sup> and that the remaining three are dependent on him and his wife for **'support, maintenance and education'**. He describes himself as **'only a working carpenter'**. Thomas explained that he came to Australia on the **"Cornwallis" with his 'sister and two brothers when they were very young'**, and that **'his sister married James Chisholm of George Street but has since died.'** This association with James Chisholm was meant to impress. It was an association that James Chisholm took seriously, and that was to prove significant and valuable to Thomas' family in years to come.

<sup>369</sup> NSW Government Gazette No. 306 of Wednesday, November 1836. Deeds were transferred 7 April 1838.

<sup>370</sup> Births/Baptism Ref V18301534 127. Archives of St Mary's Cathedral, NLA reference mfm.G22, 932.

<sup>371</sup> Rev. J J Therry Manuscript Collection ML MSS 1810 Vol 10 Mitchell Library

<sup>372</sup> First village of Jerry's Plains, by Ian Ellis, Hunter Valley News 30 September 1992. Ellis refers to Thomas, settling in Jerry's Plains in 1832, but seems to be confusing David's brother with David's eldest son who very much involved himself in his father's business affairs in Jerry's Plains.

<sup>373</sup> First village of Jerry's Plains, by Ian Ellis, Hunter Valley News, 30 Sept 1992. Ellis refers to David and his brother Thomas settling there in 1832 but seems to be confusing David's brother with David's eldest son who very much involved himself in his father's business affairs in Jerry's Plains.

<sup>374</sup> Official record of death of second daughter, Charlotte M not yet found.

Thomas says in his petition that ‘lately some Casual Unforeseen Misfortunes having happened to him Incurred by lawyers costs seeking after his just rights have much reduced his circumstances by leases of cattle and expenditures on’ his father-in-law’s 40 acre farm at Middle Harbour. As a consequence of the marriage, Thomas’ father-in-law Thomas O’ Neil had agreed to assign the property over to Thomas and his bride in 1825<sup>375</sup> - The Deed was duly registered in the Supreme Court. However, his father-in-law was to remain on the property until it was ‘Conveyed to the Petitioner and his Wife’. After more than six years delay in getting the transfer officially endorsed, Thomas asked the Governor, to intervene. Thomas asked that the Governor order the grant of the farm at Middle Harbour, to be made out to him (Thomas) and his wife ‘which will be the means of enabling Him and his Wife by their residence thereupon to bring up their Offspring’ and thus relieve their distress.<sup>376</sup>

In his petition, Thomas gave his address as ‘Erskine Street’. Darling granted his petition in the same month. It seems that for a short while, Thomas and family moved to the Middle Harbour farm. For in the following year the NSW Calendar & General P.O Directory of February 1832, produced by the Post Master of NSW, James Raymond, shows a **William Brown** of Erskine Street but not Thomas, being in residence. There was however, a Thomas Brown at Sussex Street.<sup>377</sup> It is likely that they were soon promised the grant (No 123) and their request was formally acceded to by the Governor in December 1833.<sup>378</sup>

David senior is noted to have kept a servant with him for years who was known as Elkin or Elgin, a person who was with him when he died. It may well be a nickname for William Brown who seems to frequently pop up in the vicinity Brown affairs?

**A** son, Joseph Aloysius, was born to Thomas and Bridget on 2 May 1832 and baptised on 3 May 1832.<sup>379</sup> As to how long Joseph or any other of Thomas and Bridget’s sons lived is another question.<sup>380</sup>

Indicative of the hazards of living in Sydney at that time is this event that took place very close to Thomas and family:

“ child fell down a well in Clarence Street, on Tuesday evening but its life was saved, by a man descending by	the rope, and bring it up. It is surprising that accidents of this type are not more frequent, considering the	careless manner in which wells are left throughout Sydney.” <sup>381</sup> Thursday, 14 June 1832.
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**T**homas’ financial difficulties again caught up with him about this time through the court. For the Sheriff’s Office of the Supreme Court, Sydney, gave notice on 26 June 1832 concerning the consequences of a law suit involving ‘Carter in Trust &c. v Brown’ that:

On the Monday, the 2 <sup>nd</sup> July, at One o’ clock, the Premises, Erskine street, the Sheriff will cause to be sold, all	the Right, Title, Interest, and Estate of Defendant, in and to all that House and Premises, situated in Erskine street, near the Military	Officer’s Bathing place, in Darling Harbour; unless the execution be previously satisfied.” <sup>382</sup>
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<sup>375</sup> The ownership to revert to Thomas O’ Neil in the event that Thomas and his wife died without issue to inherit.

<sup>376</sup> Any clearer understanding and interpretation of these events welcome. Question of whether Thomas O’ Neil was being difficult in this?

<sup>377</sup> A William Brown sentenced to transportation for ‘life’ at a trial in Winchester in 1798 came to the colony aboard the **Royal Admiral** c1800 as a convict. Occurs in the 1828 census as Conditional Pardon, Comments/ Employer: Capper Pass; and residing in George Street.

<sup>378</sup> NSW GG No. 95 of Tuesday, 24 December 1833. P. 534 of Mitchell Library bound copies.

<sup>379</sup> Births/Baptism Ref V1832 2177 125. Archives of St Mary’s Cathedral, NLA reference mfm. G22 932, p295.

<sup>380</sup> There is record of an infant, Joseph Brown, as having been buried in 1833 at St Phillips. Burials Ref V1833 294 17 0. However, this proved to be the child of another couple.

<sup>381</sup> The Sydney Herald. Accidents, Offences & c, p3

<sup>382</sup> GG No 15, Wed, June, 1832. P159.

Thomas obviously benefited from a ‘last minute’ reprieve from this threat. He possibly made good his debt to Mr Carter. Or more likely, Thomas, Mary Ann, or even Rev. Therry himself, acquainted the Sheriff of the fact of the Erskine Street property was at the time the subject of a long standing consideration by the Court of Claims. The telling fact is that Thomas' family still had possession of Erskine Street property many years later. It is possible that the Sheriff made efforts to sell off the contents of the property?

**T**homas O' Neil petitioned the Governor on 9 July 1832 in support of Thomas Brown's petition of September 1831. He states amongst other things that he is 80 years old and that his grandson, Joseph, is one of four ‘perfect infants’, the eldest being 6 years old.

<p>'n Sunday night a young man named Kelly, an apprentice belonging to the "oodlark" was knocked down in Cockle Bay and robbed of a new</p>	<p>hat by five ruffians, who might have easily made themselves masters of the property without the use of brutal violence. The young man is severely</p>	<p>injured in the hand by the blow he received. Scarcely a night passes without some act of violence being committed in this part of Sydney." Thursday, 14 June 1832<sup>383</sup></p>
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*#A second son, William G, was born to Thomas and 'Mary A' and baptised at St Mary's Catholic Church in 1833.<sup>384</sup>*

*# Joseph Aloysius, the eldest son of Thomas and Mary, was buried on 27 November 1833<sup>385</sup>.*

**I**ndentures of Lease and Release dated 9 and 10 January 1834 concerning Thirty acres of the land at Middle Harbour were conveyed from Thomas Brown and wife, and Thomas O' Neil to a Mr. Hickson.<sup>386</sup>

*#A third son, Andrew A, was born to Thomas and 'Mary A. B.' and baptised at St Mary's Catholic Church in 1834.<sup>387</sup>*

**M**ary Ann wrote a letter to the Reverend Therry, January 9<sup>th</sup>, 1835 on her husband's behalf, about financial difficulties that Thomas was experiencing with a Mr. Unwin over a transaction involving cattle from the ‘**Coal River**’.<sup>388</sup> Mary Ann also complained to the Reverend Father about a related unsatisfactory offer by Mr. Unwin, for the farm at Middle Harbour, by way of settlement of his claims against her husband. How this relates to the ‘Lease and Release’ of the 30 acres to Mr. Hickson twelve months before, is unclear.

**I**t was in January of 1835 that Erskine Street was officially aligned and named.<sup>389</sup>

**T**homas', brother, David junior, and his wife, brought their baby son, Alexander, to Sydney to be baptised on 4 March 1835, as a Presbyterian, at Scots Church, in Elizabeth St.<sup>390</sup> This is likely to have been used as an opportunity for the Sydney members of the Brown family, such as Thomas, to gather and celebrate.<sup>391</sup>

<sup>383</sup> The Sydney Herald. Accidents, Offences, & c, P3.

<sup>384</sup> Births/Baptism Ref V1833 218 126. Archives of St Mary's Cathedral, NLA reference mfm. G22, 932.

<sup>385</sup> Per Merryll Hope January 2009.

<sup>386</sup> NSW Court of Claims, Case 281 of 16 March 1839.

<sup>387</sup> Births/Baptism Ref V1834 521 129. Archives of St Mary's Cathedral, NLA reference mfm. G22, 932.

<sup>388</sup> Coal River is the old name for the Hunter River. It is interesting that old name was in use this late.

<sup>389</sup> Archaeological Assessment, The Kens Site, Sydney. Page 13

<sup>390</sup> BDM Reference V1834 2898 Vol 45B 0. NSWRS Reel 5016, V1834 76 Vol 47 0. NSWRS Reel 5017 (NLA mfm 229)

<sup>391</sup> There has been a suggestion that financial burdens and ill health may have precluded Thomas involvement in the family reunion?

On 29/30 January 1836 Thomas sold his 100 acres, Portion 38; and 60 acres, Portion 37; properties at Cattai, to the Reverend Father, John Joseph Therry, for one hundred and twenty pounds.<sup>392</sup> Witnesses were W. Thurlow, Patrick Corrigan, and John Lowe.<sup>393</sup>

For Father Therry, these Cattai Portions were just two of many rural properties that he acquired. He was known to invest in a range of property to generate funds for his work. Father Therry had 'great faith in the accelerating growth of the colony.' 'Many of Therry's



Sydney Town near Erskine Street in 1836,  
(Between Military Barracks and  
Military Bathing Area)

properties, being in untamed scrub, brought no dividends during his own time.' It is more than likely on this occasion, as previously with the trust arrangement for Erskine Street, the Reverend was coming to the aid of one of his parishioners. This sale is likely to have timed with much needed cash for Thomas or his wife to pay various creditors. It is possible that some of that land was eventually used for a church for those of the Roman Catholic faith.

Thomas died in Sydney on 27 May 1836 survived by a wife, and three daughters. Sarah was 10 years old, Amelia, was three months short of her 8<sup>th</sup> birthday, and Roseanna about 6 years old.

The Sydney Gazette of Saturday, 2 December, 1837, carried the following advertisement:

#### COURT OF CLAIMS.

NOTICE is hereby given, that the following Claims for Deeds of Grant of Land and Town Allotments will be ready for examination by the Commissioners appointed for that purpose, under the Act of Council 5 William IV, No. 21, at the expiration of two months from this date, before which day any caveat or Counter claim must be entered at this office. Due notice will be given of the day appointed for the hearings. Case No. 160-Rev- J. J. Therry and John O'ullivan, in trust for Mary Ann Brown, widow.

Fifty two perches, in the county of Cumberland, town of Sydney, parish of St. Phillip, allotment No. 2 of section No. 56 This was originally two allotments, and they were located it is alleged, about the year, 1813, to David Brown the younger and to Thomas Dunn.

David Brown senior, purchased Dunn's allotment, and conveyed to his son, D. Brown, junior, who sold both to his brother Thomas, deceased, who devised in trust as above to his widow for her life and then to his children.

Thomas left little in the way of money for his family, in the event of his death.<sup>394</sup> The Supreme Court, on 3<sup>rd</sup> January 1837, granted Mary Ann, the authority to administer Thomas' estate. As of 4<sup>th</sup> January 1837, the estate was sworn not to exceed £100.

<sup>392</sup> NSW Land Titles Office, Memorial Book J No. 282, Absolute Conveyance by Lease and Release.

<sup>393</sup> Lands Titles Office Ref:91M102(235) of 11 November 1993. Re: Portion 39, Parish of Maroota ' Crowngrant dated 5/8/1806 of 100 acres to James Brown' . Memorial Book No. 864 dated 9 May 1843.

<sup>394</sup> Supreme Court Will No 792 Series 1 - ' BROWN, Thomas, of Sydney, died 27 May 1836. Administration granted 3<sup>rd</sup> January 1837 to Mary Ann Brown, widow of the deceased. Dated 4<sup>th</sup> instant. Goods sworn not to exceed the value of £100. CH Chambers, Proctor.'

Mary declared that she had three female infants. Indicating that all three male children born had predeceased Thomas.

Mary also had to rely on a housekeeper in Elizabeth Street and a surgeon in George Street to act as sureties for the bond which had to be promised before she could administer the estate. Another indication of how their fortunes had deteriorated was Thomas being described as a 'labourer'. This suggests that Thomas no longer had his tools of trade --Perhaps having had them taken by creditors, or having had to sell them to meeting debts?



*St Mary' s Chapel in the background in this Sydney street scene of 1836<sup>395</sup>*

However, Thomas' arrangement with Father Therry of 1829 for the Erskine Street to be held in trust was something Thomas got right and it proved a great boon to his daughters in the long term.

In the short term, Thomas' family was in serious difficulties, and matters were soon to get worse.

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<sup>395</sup> St Mary' s Cathedral, Sydney. 1821–1971.