

A Convict in the Family: Henrietta GREGORY

© Judy Stove

During the cricket match against the visiting team at Sydney in 1879, the Australian team and the parochial crowd were growing angry about poor umpiring decisions. They became even angrier when an English player, EMMETT, appeared to call them “*Sons of convicts!*”¹

Perhaps the phrase stung because it was so nearly true, at least in one famous case. The Australian captain, Dave Gregory, was the grandson of a convict: my four-times-great grandmother, Henrietta GREGORY, transported in 1814 for possession of forged banknotes.

My mother always believed that her great-grandmother, Dave GREGORY’s cousin Amelia, was related to the explorer and administrator Sir Augustus Charles GREGORY (1819-1905). In fact, we had no connection at all with A C, who died without issue. The tale clearly arose from a desire to disguise convict origins.

Henrietta’s story begins in the squalid, colourful fairgrounds of London in the early nineteenth century. Henrietta BENFLEET had married a fairground performer named Edward GREGORY in about 1800. Edward performed acrobatic tricks, while Henrietta worked as a servant.

Henrietta appeared at the Old Bailey on 15 September 1813, charged with

“feloniously forging, on the 27th of August, a bank note for the payment of 1l [i.e. £1] with intention to defraud the Governor and Company of the Bank of England.”

Without evidence, however, she was acquitted. A second charge of possession was brought – that

“she, on the 28th August, had in her custody and possession, divers [i.e. several] forged bank notes for the payment of 1l.”²

Henrietta was convicted, and sentenced to transportation for fourteen years. Her four children – Ann, aged about eleven, Edward (Dave GREGORY’s father) aged nine, Charles (my three-times-great grandfather) aged seven and George who was only two or three – were to travel with her.

On the same day, Edward GREGORY also appeared at the Old Bailey, charged with stealing “*from the person of Thomas Slate*” a pocket book to the value of 6d and a bank note to the value of £100, but since Thomas SLATE failed to appear in court, Edward was acquitted.³ He was to travel to Australia too, but while Henrietta and the children came on board the *Broxbornebury*, Edward came as a free settler on the *Surrey*.

The 1814 voyage of the *Surrey* amounted to an appalling waste of human life. Typhus struck the prisoners less than two weeks after the ship left England in March. On 26 July, as the *Surrey* was off the New South Wales coast, and fell in with the *Broxbornebury* off Shoalhaven, the ship’s master died of typhus. The remaining officers of the *Surrey* called for a volunteer from *Broxbornebury* to come on board to guide the stricken *Surrey* into Sydney Harbour. One brave man agreed to do so, and both ships arrived on 28 July.

A total of 51 people on board *Surrey* had died: the master, both mates, the surgeon, eleven other officers, seamen and soldiers and 36 convicts. The resulting inquiry concluded that one of the reasons for the severity of the illness had been that the master and surgeon had deprived the prisoners of soap for washing with, keeping it to sell instead; but that as both had died of typhus, they were beyond the reach of punishment.⁴

¹ Ray Robinson, *On Top Down Under: Australia’s Cricket Captains*, Melbourne, 1975, p12.

² The Proceedings of the Old Bailey, Henrietta GREGORY, Offences Against the King: Coining, 15 September 1813, Ref: t18130915-48 on the Internet at www.oldbaileyonline.org/html_units/1810s/t18130915-48.html

³ The Proceedings of the Old Bailey, Edward GREGORY, Theft, Pickpocketing, 15 September 1813, Ref: t18130915-48 on the Internet at www.oldbaileyonline.org/html_sessions/T18130915.html

⁴ Charles Bateson, *The Convict Ships*, Sydney and New Zealand, 1974, pp195-6.

A Convict in the Family: Henrietta GREGORY

© Judy Stove

Meanwhile, on the *Broxbornebury*, one of the GREGORY boys – either Edward or Charles, from his age – had entertained the passengers with acrobatic tricks:

“A little boy amused them on deck, tumbling, his mother a convict for uttering forged notes, his father a free settler on the *Surrey*. Their name was Gregory, and his father did tricks at fairs ... and the boy said he could tumble while on horseback. This was the same boy who had been whipped for stealing water.”⁵

So Henrietta and her children began their lives in Australia in harsh circumstances. But things got even worse for the young family.

Edward GREGORY, the father, departed for England on the *Surrey* in about 1816. There is no evidence that he planned to return.⁶ Henrietta died at the age of 45 in 1819. The three boys were taken into Sydney’s new Male Orphan Institution, of which the patron was His Excellency, Governor MACQUARIE himself.⁷ The Committee minutes of the Institution give a vivid glimpse of early Sydney: Mr Samuel MARSDEN and Sir John JAMISON were on the Committee, while Mr Francis GREENWAY gave a report on the state of the Institution building in 1821.

Under the Institution’s articles, the boys were apprenticed to learn a trade when they were old enough. Edward learned the craft of shoemaking, Charles tailoring. Of their younger brother George, little is known, but he was probably apprenticed also.⁸ The oldest child, Ann, married in 1823 with unhappy results.⁹ While orphanage life would seem to be a last resort for children who had no other care, it is clear from the Committee minutes that many struggling parents applied to have their children accepted into the Institution: at every meeting the Committee accepted some applications and rejected others.

Governor MACQUARIE took the time to make decisions concerning the orphans and attended a display of the boys’ work. The minutes of 10 January 1821 describe the open day:

“... the members of the Committee ... were exhibited specimens of the progress the Boys had made in Tayloring and Shoemaking; with the whole of which His Excellency, as well as the company present, were pleased to express themselves highly gratified. The Patron then distributed six Silver Medals, suitably inscribed, as also a number of books, to the most deserving boys ... viz [inter alia]

Edwd Gregory Best Reader
Chas. Gregory [Best] Taylor”

Orphanage life is painfully conjured up by a petition presented in 1821 to the Committee, signed by Edward (then aged about 16) and some other teenage boys:

“Hon. Sir

We the Orphan Boys appointed to be bound Apprentices to the [Orphan] Institution, do most humbly solicit the favour of your attention, as we find ourselves ill used. ... Now Sir, for the last 14 days we have had bread and Tea but twice for breakfast, otherwise Rice and Flumery [oatmeal porridge], and that in so small a quantity, if it were not for the kindness of the Servants, we should be almost in a state of starvation: when we have got nothing from them, we have been so weak that we could not work ...

⁵ Condensed from diary of Jeffery Hart Bent, first NSW Supreme Court judge, 26 March 1814, in Elizabeth Hook’s *Journey to a New Life: the story of the Ships Emu in 1812 and Broxbornebury in 1814, including Crew, Female Convicts and Free Passengers on Board*, UWS Macarthur, 200, p15.

⁶ Peter Leithhead, *A Tale of Converging Paths*, Goulburn, 2002, p162 (cites three London marriages of men named Edward GREGORY in 1820, 1821 and 1822).

⁷ Male Orphan Institution information: State Records NSW, Colonial Secretary’s Papers, Reel 6040 section 4/400.

⁸ Edgar Millett, *North and South*, Christchurch, 2001, pEG-13.

⁹ Marriage to Joshua BUSHELL: Hook p69, Leithhead pp163-4.

A Convict in the Family: Henrietta GREGORY

© Judy Stove

... Every night there is 12 to 16 boys to go without Supper for trifling offences, which is served out next time we have bread. Sir pray consider these boys when they have Rice for breakfast, Fish for dinner, and no Supper. A good dinner is provided when any Gentleman is expected. Sir, the Servants are able to attest all we have told is the truth.

We remain your Most obedt. Boys,
J. Lee, Carpenter, J. Chapman, ditto
E. Gregory, Shoemaker
G. Freeman, ditto

P.S. Sir we most humbly beg that you will keep our Names a Secret, that we may not be ill-treated otherways.

Your most obed. Orphans."¹⁰

Following this petition, and the questioning of witnesses, the Committee took steps to ensure that such abuses did not recur. These measures included getting a doctor to set out a basic diet for the boys, and ruling that staff not set the boys any jobs other than their Institution chores and apprentice tasks.

Eventually, the GREGORY children gained something from their absent father Edward. At the Committee meeting on 8 October 1823, Mr MacARTHUR, representing the colony's Savings Bank, paid to the Committee the sum of £60.10.4. This was the amount raised from the sale of "*the absconded father and deceased mother of three of our Orphans.*" The Committee members agreed that one quarter be paid to Ann (GREGORY) BUSHELL, with the other three quarters to be "*reserved for the Orphans as they respectively came of age.*"¹¹

How had Edward GREGORY senior, and poor Henrietta, been in possession of £60 worth of goods between them? In any event, £15 represented an excellent windfall for each of their sons, starting out in trade for himself.

Charles next appears as a tailor, employing other men, in Castlereagh Street, in the 1828 census.¹² Bridget (or Ellen) Byrne is shown as "Housekeeper" to Charles, and in fact they had married the year before.¹³

Over the coming years, Charles and Ellen had ten children. Charles acquired property in northern Sydney and later he and his family moved north to Maryborough in Queensland. There many of their children married and settled down, including their daughter, Amelia, who at the young age of 16 married a Scottish squatter and publican named Alexander THAYNE.

Amelia (GREGORY) THAYNE left her husband some years later and moved to Fiji with her second husband, a builder named John READING. This was a scandal successfully concealed within the family for many years. But the fate of Amelia's father, Charles GREGORY, is also a mystery, and this one remains unexplained.

In June 1866, aged 55, Charles died after "exposure to wet" at Canobie station near Cloncurry. He had been working as a shepherd and had been ill for three weeks. The informant on his death certificate was his employer, a Mr PALMER, who noted that his worker Charles was "married, [but] particulars unknown."¹⁴

Why was Charles estranged from his wife, children and their numerous extended families? Was it to do with the betrayal of Amelia into a wretched marriage? Or perhaps with religious differences? Charles had been baptised in the Anglican church, but he and Ellen had been married according to Catholic rites.¹⁵

¹⁰ State Records NSW: Reel 6040, 4/400 pp44-45.

¹¹ *ibid.*

¹² *Census of New South Wales*, ed. M Sainty and K A Johnson, Sydney, 1980; apprentices John CURRANT p112, Thomas HALLIT p175, Charles himself p170.

¹³ *Census* p76, NSW marriage 236 V127/1827.

¹⁴ Queensland death 101-35/1866.

¹⁵ Thanks to E MILLETT for this suggestion.

A Convict in the Family: Henrietta GREGORY

© Judy Stove

Curiously, the fate of Charles GREGORY may have encouraged the ‘famous explorer’ myth. One fanciful family account states that Charles had gone north on a mission of exploration, never to return. After Ellen’s death in 1876, Charles’ property was divided among his surviving relatives.¹⁶ Ironically, Charles had become, like his father Edward GREGORY before him, an absconder, his effects sold to benefit his children.

And the cricketing GREGORYS? These were Edward, who married Mary Ann SMITH in 1835, and their numerous children, including Dave, and their descendants. The glorious history of Australian cricket began when the GREGORYS and their friends bowled balls in the Domain and Hyde Park to the young men and boys of Sydney who had little else in the way of entertainment.¹⁷ And perhaps that sledge, “*Sons of convicts!*” helps us to understand why so much was concealed in our family stories. In the Sydney of 1879, many of the crowd could remember the floggings, the chains and the true misery of convict life.

¹⁶ Oral tradition in Millett, *North and South*, MS after page LF-10.

¹⁷ *ibid.*