



**THE LIFE OF BOYLE TRAVERS FINNISS (1807-1893)**

**By**

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## FOREWORD

Boyle Travers Finniss came to South Australia when his hopes of a military career had been shattered. His original intention was to become a member of the landed gentry in a new colony where only the best aspects of the British social system would be retained. When this proved impracticable he set out to make a name for himself in other fields.

Finniss was a prominent figure in South Australian politics for a quarter of a century and progressed slowly but surely until he reached the highest positions in the province. It is ironic that Finniss, a man who spent all his life endeavouring to keep his image before the public eye, should die in comparative obscurity and that today his name is rarely mentioned in South Australian school text books. Undeniably he had many opportunities to achieve his ambition to become a great figure in colonial history but he neglected to make the most of his chances. His failure to reach his goal was due partly to his limited ability and to a greater extent to this propensity in times of stress to sacrifice principles for expediency.

## STATEMENT

To the best of my knowledge and belief this thesis contains no material which has been accepted for the award of any other degree or diploma in any University. Furthermore it contains no material previously published or written by another person, except when due reference is made in the text of the thesis.

Cleve C. Manhood.



## CHAPTER I

### A YOUNG MAN LOOKS AHEAD

In 1884, at the age of seventy-seven, a tired, dispirited Boyle Travers Finniss looked back over his long life and bitterly lamented:

. . . I have nothing to leave behind me--My annuity is extinguished at my Death a sad return for a long life of Devotion and I can truly add of usefulness in the public Service.

. . . . .  
It is hard that I who had through life in the army and in the Civil Service won the highest posts whenever opportunity offered should be left in my old age to neglect and humiliation owing to the establishment of Responsible Government in 1857 which in that year threw me on the world with an annuity not an adequate compensation for the sacrifice of the best years of my physical and mental manhood . . . with all my hopes of certain preferment in the Imperial Service cut short and without capital<sup>1</sup> or a profession or business to fall back on. . . .

Admittedly this complaint does contain an element of truth, but most of the blame for Finniss's failures must be attributed to his own deficiencies.

In many ways Finniss was typical of the early-Victorian bourgeois settler who emigrated to the colonies during the nineteenth century. He, like them,

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<sup>1</sup>Finniss Papers, S.A.A., 76/119.

was often out of his depth in trying to adjust to the tide of changing ideas flowing through the national life of England after the American and French revolutions. The old order was doomed, but the new way of life with its spirited activity, electrifying innovations and recurrent social unrest seemed strange and frightening. Like many of his contemporaries Finniss, while paying lip service to the new ideas, found it difficult to abandon the traditional view that the three chief functions of government were to secure national defence, maintain order and protect property. Whereas a great number of emigrants adapted themselves to their new environment, Finniss found it impossible to shake off the feeling that the mere fact that he was an English officer and a gentleman was enough recommendation to open the doors of any colonial office. In this respect he was representative of the nineteenth century English officer class at its worst--condescending, officious and exasperatingly punctilious.

Boyle Travis Finniss was born at sea on August 18 1807 aboard the East India Company's Warbey<sup>2</sup> while his parents were en route for India where his father was to become paymaster in the 56th Regiment of Foot. From the

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<sup>2</sup>Pioneers' Association of S.A., S.A.A., 1384/5, p.3.

beginning there was little doubt regarding his future career. As the first male child of the marriage he was expected to follow his father into the army. Young Finniss appears to have enjoyed a pleasant childhood amidst the hubbub of life in an Indian military camp until he reached the age of six. He was then packed off to a boarding school at Greenwich, England, to be educated in the formal tradition by Archdeacon Charles Burney.

Here it was that Finniss became interested in Australia for a frequent visitor to the school was the headmaster's estimable brother, Captain James Burney. According to George Morphett, Matthew Flinders records that when it was conceded that New Holland and New South Wales were one land, it was in deference to James Burney's views that he derived the name "Australia" from the original "Terra Australis" of the old maps.<sup>3</sup> Captain Burney's fame did not rest there. He was at the time writing his authoritative five-volume work, A Chronological History of the Discoveries in the South Sea or Pacific Ocean, 1803-1817.<sup>4</sup> Doubtless the young and impressionable schoolboys were often entertained by Burney's stories, real or imaginary, of his exploits in distant lands.

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<sup>3</sup>Pioneers' Association of S.A., S.A.A. 1385/5, p. 4.

<sup>4</sup>British Museum General Catalogue of Printed Books, Vol. 30, 1965, p. 505.

Even in his old age Finniss could still recall the fanciful games the boys played at school based on their lives-to-be in the great southern continent.<sup>5</sup>

Finniss was an excellent scholar--he had no trouble with his lessons and he was a diligent worker. Apart from the news of his mother's death at Madras in 1815, his school life was uneventful and he headed the list of the sixteen candidates admitted to the Royal Military College, Sandhurst, in 1822.<sup>6</sup> Here he again acquitted himself well for at the end of his three-year course Lieutenant-General Sir Alexander Hope wrote to Finniss's father:

The Commander-in-Chief having been pleased to direct that a certain number of gentlemen cadets, distinguished for good conduct and superior diligence in study, should be recommended for commissions, I am happy to acquaint you that I have had it in my power to recommend Gentleman Cadet Finniss as deserving to receive this extraordinary mark of His Royal Highness's approbation.<sup>7</sup>

Gazetted at his own request to his father's old regiment, the 56th, Finniss served in England and overseas for two years. On March 29, 1827 he became a fully fledged lieutenant with the 82nd. Regiment.

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<sup>5</sup>Pioneers' Association of S.A., S.A.A. 1385/5, p. 4.

<sup>6</sup>B.T. Finniss, The Constitutional History of South Australia (Adelaide: W.C. Rigby, 1886), p. 248. Cited hereafter as Const. Hist.

<sup>7</sup>Ibid., pp. 248-249.

At this stage there appeared no reason why Finniss should not make a successful career in the British Army. He was ambitious; he took his work seriously and continued to study philosophy, military tactics and history even while performing his duties at home and overseas. By the time he reached Mauritius in 1833 he had collected a small library consisting mainly of a number of treatises on military strategy and the biographies of three great generals, Alexander the Great, Frederick II of Prussia and Napoleon. To improve his topographical knowledge--for he was convinced that all great military leaders had a natural flair for the subject--Finniss began to study surveying in his spare time.<sup>8</sup> If hard work and persistence had been the prime requirements for a distinguished military career, he would have been an outstanding success.

From 1833-1835 Finniss, now reunited with his father who had quit the army to become Police Commissioner on Mauritius, spent his free hours laboriously making a series of survey maps of the island. Once they were completed he donated them to the Royal Military College--a wily attempt to impress his superiors with his prowess. Even at this stage of his career it seems that he could see no point in doing a job unless it could earn him some

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<sup>8</sup>Pioneers' Association of S.A., S.A.A. 1384/5, p.4.

praise, notwithstanding that this might mean soliciting commendation. When his regiment was transferred to Ireland early in 1835, he could take with him a number of testimonials from senior officers on Mauritius praising his diligence and complimenting him on his surveying skill.<sup>9</sup>

At the age of twenty-eight Finniss, a well-respected figure in army social life and earning a salary of £200 per annum, considered himself in a position to marry. Although a prolific diarist and preserver of notes--from favourite recipes to rough drafts of government policy--he evidently regarded his private life as sacrosanct for in those of his papers available he seldom refers to family affairs. Nevertheless it is known that during the early summer of 1835 he met Frances Ann Rogerson in Dublin and married her in the August of that year.<sup>10</sup>

Just when things seemed to be going so well for him Finniss's dreams of a bright future were abruptly shattered. The Imperial Government suddenly announced its intention of reorganising its peace-time army. Finniss had no sooner finished celebrating his engagement than he received official notification that he would be retrenched in the near future. To a man who had spent all his working life trying to carve out a niche for himself

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<sup>9</sup>Ibid.

<sup>10</sup>Ibid.

in the army, it was a desperate situation.

The problem of finding another occupation was a worrying one. If Finniss were to remain in England he would have to be content with a minor position and a lower middle-class existence in some dull backwater. He could expect no assistance from his father who had re-married and was in the process of raising a second family. As his fiancée's parent's could not afford to set him up in a lucrative business, his prospects, in England at least, appeared bleak and discouraging. Under the circumstances Finniss became interested in the colonies, where it seemed that a young man with initiative and possessing a pioneering spirit could do well.

Ignoring the fact that he had no farming experience Finniss optimistically resolved that as he could not be an officer and a gentleman, he would become a landed proprietor. A few tentative enquiries convinced him that Australia offered the best opportunities, and that there were three possible regions where he could settle-- New South Wales, Van Diemen's Land, or the new province to be established in South Australia. Would it be better to make his home in the convict-stained eastern states or in the well-planned colony of South Australia, where all the best features of the English system were to be preserved?

As one would expect Finniss was soon attracted by the proceedings of the South Australian Association which were featured in the London press.<sup>11</sup> To him Wakefield's scheme had much to commend it. Prospective settlers were offered opportunities never likely to be available in England.

However, Finniss realised that before reaching a final decision, he had to carefully consider all economic and financial aspects if the limited capital at his disposal was to be put to the best use. He knew that regulations entitled all retiring army officers to a land grant in New South Wales, if a formal application were made when they left the service. Free land was also available in Van Diemen's Land but, as in New South Wales, it would be some distance from settled areas. According to Finniss's reasoning the remoteness of the farming blocks meant that considerable time must be spent carting supplies and produce to and from the settlements. If the men were paid the prevailing 6/- a day, he calculated that for the first year at least they would not be earning enough to pay their wages--and by the end of the second year each labourer would still be costing his

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<sup>11</sup>Extracts from the Reminiscences of the Hon. Boyle Travers Finniss, S.A.A., 1071, p. 1. Cited hereafter as "Reminiscences".

employer £60 a year.<sup>12</sup>

Against this the Colonization Commissioners were settling land in South Australia at £81 per block, but the allotments were to adjoin the main settlement. It did not take Finniss long to estimate that the cost of establishing a farm would be roughly the same in any of the three regions and to conclude that labourers in South Australia, by being seldom absent from their work-place, would be earning him a profit by the end of the second year. Ignoring such things as soil fertility, expected rainfall and the availability of markets, he decided that under normal circumstances he should be £50 better off after three years if he settled in South Australia.<sup>13</sup>

Such an assured but naive line of reasoning was typical of Finniss. Throughout his public life this belief in the infallibility of his own judgement was matched only by the shallowness of his thinking.

Meanwhile plans to settle South Australia were taking shape. After consultations between the Colonial Office and the Board of Commissioners, Captain John Hindmarsh, a distinguished naval officer with a jovial

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<sup>12</sup>B.T. Finniss, "Letters, Manuscripts, etc., 1833-36", S.A.A. 44, pp. 159, 162, 190, 191. Cited hereafter as "Correspondence, 1833-36"

<sup>13</sup>Ibid., p. 159.

manner but no colonizing experience, was selected as Governor. Originally it had been intended that one man should fill the offices of both Resident Commissioner and Surveyor General, but this idea was abandoned after Torrens protested that one man could not do the two jobs satisfactorily. Instead two positions were created and the allocated salary of £800 was divided equally between them. The first appointment went to the able administrator, J.H. Fisher. An ambitious lawyer with a ready flow of rhetoric, he seldom lost an opportunity to promote his own interests. The Surveyor Generalship was given to the idealistic Colonel William Light.

In August 1835 Finniss heard that surveyors were being recruited for the expedition which was expected to sail the following spring. As such positions offered a free passage out to the colony and steady employment for a year or two until all the required land was marked out, he immediately applied and supported his letter with references from friends and ranking officers. There were few other applicants and within a short time Finniss received notification of his appointment as Assistant Surveyor on a salary of £100 per annum.<sup>14</sup>

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<sup>14</sup>Reports of the Select Committee appointed to consider the Acts relating to the Colony of South Australia, and the actual state of that Colony (Parliamentary Papers, House of Commons, 1841, Papers No. 119 and 394, Appendix p. 55.

This was the period when the Colonization Commissioners were having trouble selling the preliminary landorders and it appeared likely that the whole scheme might have to be delayed for some time. Finniss, aware that his service life would soon be terminated, could not afford to await the pleasures of the Board. He therefore wrote to the Horse Guards for a letter of recommendation which, if presented to the Governor of New South Wales within a year, would entitle him to land grant in that colony. The requisite certificate was granted on November 9, 1835,<sup>15</sup> three weeks after Finniss sold out of the army.<sup>16</sup>

At the end of 1835, faced with choosing between the free passage to and steady employment in South Australia or a block in a remote region of New South Wales, Finniss saw no reason for further hesitation. He would give the new colony the benefit of his experience and wisdom. Knowing that the position of Deputy Surveyor General was still vacant and aware that the salary for that office was at least double what he was to receive, Finniss applied for the post. The officious Rowland-Hill, secretary to the Board, replied briefly

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<sup>15</sup>Finniss Papers, 76/3.

<sup>16</sup>B.T. Finniss, Const. Hist., p. 249.

but courteously that the "Colonization Commissioners for South Australia had decided not to fill up the appointment in question."<sup>17</sup> A few days later Rowland-Hill's personal friend, G.S. Kingston, whose qualifications for the job were no better than Finniss's, became Deputy Surveyor General.

Although Finniss never forgave either the Board or Rowland-Hill for this double-dealing, he had no intention of backing out. He began collecting food, clothing and farming equipment to take with him to South Australia. Here he showed considerable foresight and had all his future undertakings been planned as carefully as this one, his career might well have followed a more successful course. Arrangements were made for a two-roomed wooden house to be prefabricated for shipment to the colony. Such things as "carpenter's tools, a Scotch plough, with spare shares, a drill plough, wheel-barrow, cart wheels and axle,"<sup>18</sup> were bought and packed in boxes ready for shipment.

In his spare moments Finniss compiled a gardening calendar and methodically set out the planting seasons, the varieties of vegetables he thought best suited to the climate and the expected growing period for each:

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<sup>17</sup>Finniss Papers, S.A.A., 76/26, Rowland-Hill to Finniss, November 12, 1835.

<sup>18</sup> B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 8.

Feb. plant potatoes, prepare ground for turnips for artichokes Celery Cauliflowers, broccoli, peas and broad beans. All tender trees are best budded this month.

Field. prepare ground for wheat, and turnips, for cape Barley.<sup>19</sup>

This planning was based on Finniss's experiences on Mauritius and it is obvious that he believed that because the two regions were on approximately the same parallels, they would have a similar climate and therefore follow the same agriculture programme.

On December 2, 1835 Finniss took advantage of the Commissioners' decision to reduce the price of the preliminary landorders to 12/- an acre and he bought two sections--Nos 81 and 147.<sup>20</sup> Having thus become a landowner in the new colony, he then filled pages of his notebooks with plans to defend the infant settlement.<sup>21</sup>

Finniss did not confine all of his ideas to private notebooks. In the army one of his aims had been to keep his name before the eyes of his superiors and he pursued the same course in his new position. Although distrustful of Rowland-Hill and critical of Kingston,

<sup>19</sup>B.T. Finniss, Correspondence, 1833-36, S.A.A. 44, p. 195.

<sup>20</sup>List of Preliminary Landholders, S.A.A., 7/456.

<sup>21</sup>B.T. Finniss, Correspondence, 1833-36, S.A.A.44, p. 207.

he joined them in composing a letter to the Board of Commissioners recommending that as so little was known of South Australia a coastal survey should be made before the site of the first town was finally decided upon. It was a sensible suggestion which the Board accepted and incorporated into the instructions being framed for Colonel Light.<sup>22</sup>

The expedition began to assemble in London in early 1836. In their haste to move things along the Commissioners gave little thought to the necessity of sending the surveyors out ahead of the main party. Ships were hurriedly loaded; men and stores were distributed haphazardly through the small fleet and peremptory orders were issued for all members to assemble for the final briefing. The letter Finniss received concluded with the warning:

And I am directed to add that Col Light has been authorized to suspend or reduce any Officer on sufficient ground.<sup>23</sup>

Seeing no reason for this admonition Finniss loftily challenged the Commissioners:

As I cannot help perceiving after mature reflexion an indirect censure in this communication I trust that

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<sup>22</sup>A.G. Grenfell-Price, The Foundation and Settlement of South Australia, (Adelaide: F.W. Preece, 1924), p. 44.

<sup>23</sup>Finniss Papers, 76/27.

the Board will do me the justice to provide me with a letter explanatory of their opinion on the subject.<sup>24</sup>

It is clear that the Commissioners had no intention of censuring Finniss as a few days after the first order they notified him that he was to be third in command and should anything happen to either Light or Kingston, he must be prepared to assume a more responsible position.<sup>25</sup> This was followed three days later by an apology for the terseness of their original communication and an assurance that no disparagement had been intended.<sup>26</sup>

The first ships bound for South Australia left Gravesend during the last week in February. They were soon followed by the Lady Mary Pelham and the Rapid. Light had originally intended to depart at the beginning of March but he became ill at the last moment and it was May 1 before he could set sail. By the time he sighted Kangaroo Island on August 17 all but the Cygnets, which carried the bulk of the surveying staff and equipment, were at anchor in Nepean Bay waiting for him to select the capital site. By then too the remainder of the expedition, the Emma, the Africaine and the Buffalo with Governor Hindmarsh on board, were all at sea en route to South Australia.

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<sup>24</sup>Ibid., 76/27.

<sup>25</sup>Ibid., 76/28.

<sup>26</sup>Ibid., 76/30.

Finniss, his wife and most of their personal possessions were on the Cygnets when it left Gravesend on March 24, 1836. The 239 ton vessel was crammed to capacity with assorted stores and the luggage of the eighty-four men, women and children aboard. The deck space was cluttered with heavy equipment thus making it hazardous for any passengers wishing to use the area for recreation or exercise. Conditions were even worse below decks. Married couples had little or no privacy; their quarters were separated from the single men's berths by hastily rigged canvas screens. As there were not enough tables to accommodate all passengers, many were obliged to eat their meals sitting on their bunks. To add to the general discomfort the Cygnets was barely out of sight of land when it was discovered that the water was stale and the food supply inadequate.

Under the best of circumstances the voyage would have been a trying one, but the men themselves made it much worse. Kingston, who was in charge of personnel, was soon at loggerheads with the ship's captain, George Rolls, who was determined to uphold his position as master of the ship. Finniss, appalled and disgusted at the situation, made no effort to mediate. Instead he adopted a sanctimonious attitude and contrasted his own behaviour as an officer and a gentleman with that of the

majority of the other passengers. His favourite target was the Deputy Surveyor General:

His first act on board evinced his good taste and discretion. He seated himself at the head of the table to the exclusion of the Master of the ship, and commenced a system of bullying, which rendered the voyage one continued scene of wrangling and misery. . . . <sup>27</sup>

As the voyage progressed morale ebbed steadily. The cabin passengers refused to mix with those travelling steerage; petty differences mushroomed into violent quarrels. Before the ship had covered half its course even the crew had been dragged into the disputes. On May 16 Finniss glumly reported in his diary:

The whole crew got drunk this day, and were in a state of mutiny, constant complaints were urged by Kingston regarding the cuddy table; bad sugar, bad tea, scanty supply of meat.<sup>28</sup>

On Kingston's insistence the Cygnets changed course and called in to Rio de Janeiro for fresh supplies. Arriving there on June 22 the vessel remained in port for a fortnight while the captain, crew and passengers tried to iron out their differences. Once at sea trouble again started and Finniss saw Kingston become more and

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<sup>27</sup>B.T. Finniss, "Diaries and Letters, 1836-38", S.A.A. 1054, p. 24. Cited hereafter as "Letters, 1836-38".

<sup>28</sup>Ibid., p. 3.

more involved in the altercations between crew and passengers.

While the Deputy Surveyor General tried to settle the differences, Finniss concentrated on discrediting his superior. After one scene when Kingston attempted to stop a fight between two labourers and was nearly punched to the ground in the process, Finniss confided in Thomas Gilbert, the Colonization Commissioners' Colonial Storekeeper,

that Kingston was less fitted to command a body of men on such an expedition as this, than anyone of the cabin passengers. I told him we could not complain of the language used by steerage passengers after what he must have heard fall from the lips of the cabin passengers, that he could not be surprised at a man being quarrelsome in liquor since it was a failing common to our own table. . . . 29

Kangaroo Island must have been a welcome sight to the voyagers' sea-weary eyes when it appeared on the horizon on September 30, 1836. To Finniss the first glimpse of his new homeland was a disappointment.

The country had a brownish green appearance. Verdant green was to be seen only in one or two small patches, all else seem covered with thick bushes of a bottle-green hue, with detached reddish brown soil appearing in the intervals. . . . The whole Island seemed tolerably high table land about 100 feet, intersected here and there by small shallow ravines. 30

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<sup>29</sup>Ibid., p. 7.

<sup>30</sup>Ibid., pp. 7-8.

According to the terms of the charter the crew had only seven days to discharge the cargo once the Cygnets reached South Australia. As no-one knew where the capital site would be located, most of the stores were merely piled on the beach at Nepean Bay just above high water mark. While this work was in progress contact was made with the settlement at Kingscote and information received regarding the remainder of the expedition:

. . . the Duke of York had anchored 44 days, that the Lady Mary Pelham, the John Pirie had also arrived, as well as Colonel Light with the Rapid. We learnt also that Colonel Light, having waited for a fortnight, had left the Island to proceed round the Gulph St. Vincent about 2 days ago.<sup>31</sup>

The next few weeks were busy ones for Finniss. He supervised the establishment of a camp on the banks of the river near where they had landed. Naming this river the Cygnets, the men erected brush shelters as protection from the cold spring winds and frequent rainstorms. It was an uncomfortable period. Tents were unloaded but the men found difficulty in setting them up as the pegs would not hold in the sandy soil. Even when this was overcome, "heavy frosts froze the drops of moisture inside the walls of the tents and rendered them very cold and comfortless."<sup>32</sup>

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<sup>31</sup>Ibid., p. 7.

<sup>32</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 1.

Nevertheless Finniss was in his element. His military training and camping experience were put to good use as he strove to make conditions as comfortable as possible. Some sealers living on the island drifted into the camp and taught the migrants how to make damper from flour and water, but this was the only diversion. Once the camp was functioning satisfactorily there was little to do but await further orders.

The idleness and loneliness of life at the Cygnet camp were mitigated once contact was established with the Kingscote settlement about four miles to the west. This, however, proved to be something of a mixed blessing. With the weather miserable, the food unpalatable and rum selling at 3/6 a gallon in Kingscote, it is not surprising that some of the new arrivals enlivened their existence with a series of riotous parties.

Finniss, even more critical now of Kingston because "nothing was done to forward the surveys"<sup>33</sup>, took long walks across the island searching for good arable land. He found

ground covered with dead trees, about the size of mallee, which had fallen under the influence of the

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<sup>33</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 2.

fires of the sealers, or from the effects of hurricanes. I literally walked to Prospect Hill treading on dead timber and not touching the ground with my foot.<sup>34</sup>

This form of escapism could not be continued indefinitely. With Kingston frequently absent from the settlement Finniss was obliged to take command and he requested that a more seemly way of life be adopted. Matters, had, however, gone too far for such an appeal to be heeded.

Once Finniss realised that his pleas would not be obeyed, he resorted to other methods. He publicly condemned the actions of some of the men in his party and before long was engaged in a number of violent arguments. It was then that he lost the sense of objectivity which he prided himself in possessing and challenged one of the men to a duel. Had this example been followed by the other officers one can well imagine the ultimate result. Fortunately Dr Woodeforde, destined to become one of the infant colony's most respected medical practitioners, managed to convince Finniss that a written apology would be acceptable.<sup>35</sup>

It was mid-October before Light heard of the arrival of the Cygnets. By then he had decided that the eastern coastline of the Gulf of St Vincent offered the most likely site for the first permanent settlement.<sup>36</sup>

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<sup>34</sup>Ibid., p. 3.    <sup>35</sup>Ibid., p. 10.

<sup>36</sup>W. Light, Brief Journal (South Australian Facsimile Editions No. 1.), pp. 6-11.

To investigate the area thoroughly, Light resolved to divide the survey party into two sections. Finniss, with about one third of the work-force, was collected from Kangaroo Island and sent to Rapid Bay with instructions to examine the surrounding countryside. Kingston, with the main party, was sent to the Patawalonga area of Holdfast Bay.

It is difficult to understand Light's reasons for taking such action at this stage. He already knew that Rapid Bay was unsuitable as a site for an early settlement ; the anchorage was too open and it was dangerous to attempt to land stores on the narrow sloping beach in anything but the calmest weather. Holdfast Bay with its proven advantages was the obvious region on which to concentrate.

## CHAPTER II

### THE INDUSTRIOUS SUBORDINATE

During the next three years Finniss established a reputation for himself as a competent surveyor, a loyal and devoted friend of Light and a bitter critic of the Board of Commissioners in London. On the one hand, he showed his faith in the future prosperity of the colony by pioneering many new ventures. On the other, he exhibited a marked intolerance towards those whose views differed greatly from his own.

Finniss was not entirely happy at Rapid Bay. The weather was rough, temperatures fluctuated from day to day and the ship's food left with the company was of poor quality. To add to his worries his wife was in an advanced stage of pregnancy, and in spite of the presence of Dr Woodeforde, Rapid Bay was not the most salubrious place for her to give birth to their first child. Left in virtual isolation with a group of men, many of whom were still suffering from the effects of the voyage to South Australia and were incapable of doing a full day's

work,<sup>1</sup> Finniss had to find something to keep the men occupied.

The problem of boredom was overcome by making the camp as habitable as possible. Brushwood huts were built, a garden was dug and the fit men divided into working parties to make a topographical survey of the district.

No land surveys were, however, attempted since it was important that the site of the capital<sup>should</sup> be first settled in order that the agricultural lands might be surveyed in as close proximity to the City as practicable.<sup>2</sup>

Most of November and December was therefore spent in exploring the timbered hills and steep green valleys of the region. For recreation the men fished from the rocks or went swimming when the weather was warm enough.<sup>3</sup>

It was at Rapid Bay that Finniss made his first contact with the aboriginals whom he found friendly and co-operative. They assisted in the erection of the huts, rescued three of the men from drowning and acted as guides and mentors, teaching the white men a better way to cook the game they managed to shoot. Previously the birds had been dressed and fried, but this method was

<sup>1</sup>W. Light, Brief Journal, p. 30.

<sup>2</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 4.

<sup>3</sup>Ibid., p. 5.

unsatisfactory as the flesh was generally dry and stringy. The natives demonstrated that by merely singeing off the feathers, burying the birds in hot ashes and removing the intestines after cooking, a succulent meal could be obtained. Finniss was fascinated by the aboriginals. With ample time to study them he tried to understand their language and to learn something of their customs, but he found it difficult to communicate with them and to break down their natural shyness.

The one bright spot during the tedious and frustrating nine weeks' isolation at Rapid Bay was the birth of Finniss's daughter Fanny, on New Year's Day, 1837. The proud father was delighted--his wife had presented him with the first female white child to be born in the new colony.

It was January 3, 1837 before Light decided to concentrate all the surveyors on the Adelaide Plains. By then the colonists were already taking sides in what was to become a major issue--the setting up of the capital at some distance from the harbour. Hindmarsh already had the support of the erratic, volatile George Stevenson and the resolute, hard-headed T.B. Strangways, and it was these two men who introduced Finniss to the conflict in which he was to play a significant part.

As Hindmarsh wished to send Stevenson and Strangways to Kangaroo Island on official business, he suggested to Light that the Cygnets take them there and pick up the Rapid Bay party on the return trip. Light agreed and the Cygnets set sail. Reaching Rapid Bay on January 7, Stevenson sent a message ashore stating that he would return in a few days to collect the men and equipment.

Finniss and his men lost no time in breaking camp; goods were piled on the beach and everyone scanned the horizon for a glimpse of the returning Cygnets. Late in the afternoon of January 12 the vessel reappeared and anchored in the bay. It was 6:00 P.M. when Stevenson issued this ultimatum to a surprised Finniss:

Sir.--If any of your party are ready to embark and to come off to the Cygnets before eight o'clock this evening, we shall be glad to receive them, but public service requires that we should proceed to headquarters with the least possible delay, and it will not be in our power to remain after the hour I have mentioned.<sup>4</sup>

As there was no hope of loading all men and equipment in the stipulated time, the Cygnets sailed at eight o'clock leaving Finniss and his men fuming on the beach.

According to Finniss he reached Holdfast Bay about January 10<sup>5</sup>, but this date is obviously incorrect.

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<sup>4</sup>W. Light, Brief Journal, p. 39.

<sup>5</sup>B.T. Finniss, "Reminiscences," S.A.A 1071, p. 6.

Finniss was writing from memory in his old age--he had ceased keeping his diary up to date before January, 1837. Dr Woodeforde, on the other hand, was a meticulous diarist and in his day-by-day account of life at Rapid Bay he mentions walking towards Cape Jervis with Finniss on January 17.<sup>6</sup> From the doctor's diary and from Light's version of the Cygnets incident it is apparent that the ship did not return from Holdfast Bay for the party until January 20, and that it was another three days after that before the men finally reached the main settlement.<sup>7</sup> Dr Woodeforde, in particular, had good reason to be sure of the date for it was then that he was paid for his services:

Mr Finniss gave me 3 sov. for attendance on Mrs Finniss which I consider<sup>as</sup> liberal in a young Colony for an Accouchment---one job a week of this kind would give me a very pretty lift.<sup>8</sup>

Finniss could hardly have reached Holdfast Bay at a less opportune time. He found the infant settlement shimmering under the heat of the summer sun. Long lines of provisions were scattered haphazardly along the beach, and men, women and children milled around uncertain of what to do or where to go. The only person who appeared thoroughly at home was the wealthy and

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<sup>6</sup>Woodeforde's Diary, 1836-37, S.A.A. 1425, p. 59.

<sup>7</sup>Ibid., p. 59.

<sup>8</sup>Ibid., p. 60.

unorthodox Colonial Treasurer, Osmond Gilles. He was seated on the beach "like a Pacha under a large tent, surrounded by all the luxuries which are usually displayed in a restaurant,"<sup>9</sup> selling cigars and other exotic merchandise to bewildered colonists.

Although Finniss did not think this the type of leadership needed in a new colony, he had no time to express his opinions publicly as there was more important work to do. Equipment had to be unloaded from the Cygnets and stacked at some easily accessible point. To add to his worries his wife was suffering a suppurating breast and had caught a severe chill on the voyage from Rapid Bay.

Light of course wanted Finniss to start work immediately, and the young surveyor had to walk to the Surveyor General's camp, situated half way between Holdfast Bay and Adelaide, to report to him. It was a strenuous walk in the near-century heat, and after making several of these journeys and returning to find his wife in a distressed condition, Finniss decided to move to Adelaide before beginning his survey duties.

As the small tent he had brought from England proved unsuitable, Finniss purchased a larger one from

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<sup>9</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 7.

another settler for £17, carried it to Adelaide and erected it on the banks of the Torrens River near where Government House now stands. He then made arrangements for all his possessions, which by that time had arrived on the Tam O' Shanter, to be transported to the capital site. Some of the furniture and personal goods were trundled to Adelaide on a wheelbarrow brought out from England. Other possessions were pulled across the plain in one of the surveyor's carts borrowed from Light. The ailing Mrs Finniss had the unique distinction of reaching Adelaide by boat. Her husband obtained one of the seven-foot boats intended for the surveyors' use, lined it with mattresses and blankets, placed it on a survey cart and paid a young labourer 10/- to haul the contraption to the capital.<sup>10</sup>

By the time Finniss had established his home on the south bank of the Torrens River, reaction set in and he was unfit for work for several days. Light, on becoming aware of the situation acted in his usual magnanimous manner and gave Finniss and his wife a case of port wine and a cask of porter. Dr Woodeforde was equally sympathetic and ordered that fresh meat reserved for the senior staff and labourers engaged in heavy work

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<sup>10</sup>Ibid., p. 7.

be supplied to the family. This, together with nutritious stews made from parrots shot when they came down to drink at the river pools in the late afternoon, helped restore the family's health.

It was January 31 when Finniss joined the other surveyors.<sup>11</sup> A week later Strangways and six other preliminary landholders petitioned the Governor to call a special meeting to settle the question of the capital site once and for all. Hindmarsh acceded to the request and a general meeting was held on the evening of February 9 with Stevenson in the chair. After the method of voting was settled, Hindmarsh's supporters moved that the site of the capital was badly placed and Fisher replied by reading Light's letter defending his selection and then adding some comments of his own.<sup>12</sup> It was soon obvious that the Surveyor General would receive sufficient support to prevent the acceptance of the censure motion. When the vote was taken Light, with the backing of Fisher and Morphett, who controlled 115 and 47 votes respectively, obtained 218 of the 355 votes cast.<sup>13</sup>

Finniss naturally supported Light. His brush with

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<sup>11</sup>Woodeforde's Diary, S.A.A. 1425, p. 64.

<sup>12</sup>W. Light, Brief Journal, p. 62-65 <sup>13</sup>Ibid., 68

Stevenson at Rapid Bay had been sufficient to convince him that the underhand methods used by the Governor's men had to be checked before the colony suffered irreparable harm. Although he had only two votes and had just reached Holdfast Bay, Finniss did not remain in the background. Before the meeting closed he successfully moved a motion that "the colonists [could] now proceed in the immediate outlay of their capital in the colony . . . confident that the doubts thrown upon the expediency of such exertions[were] <sup>utterly</sup> unfounded."<sup>14</sup>

Unfortunately the matter did not end there. When a somewhat mollified Surveyor General agreed, while retaining the site of Adelaide for the seat of government, to mark out 437 acres at Port Adelaide for those of the preliminary landholders who might wish to live there, the opposition stubbornly refused to accept even this compromise. Hindmarsh appealed to the Commissioners in London, argued with Fisher over place names in Adelaide and stoutly maintained that the capital should be a seaport. To Finniss, who felt that right was on his side, this was a deliberate breach of faith in the democratic will of the majority, and he became one of the Governor's sternest critics.

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<sup>14</sup>Ibid., p. 67.

It was while the argument over the capital site was still blazing that Finniss joined the surveyors in their task of marking out the land around Adelaide. The town, as originally planned in England, was to consist of 1,000 acre blocks, 437 of which were to be reserved for the preliminary landholders and the remainder auctioned at the upset price of £1 per acre.

The surveyors faced a formidable task. They were working under primitive conditions without the aid of draught animals, and often the survey carts were commandeered by influential officials to transport personal belongings from Glenelg to Adelaide. Nevertheless remarkable progress was made. The surveyors began work on January 11 and within eight weeks marked out 1,042 acres. The magnitude of this undertaking can best be appreciated by comparing it with what happened in Melbourne, where as Grenfell-Price has pointed out, the surveyors with ample transport and an adequate supply of labour took twice as long to do one quarter as much.<sup>15</sup>

Finniss was put in charge of the men working on the section east from King William Street towards East Terrace.<sup>16</sup> The terrain was easy but there were few able

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<sup>15</sup>A.G. Grenfell-Price, Founders and Pioneers of South Australia, (Adelaide: F.W. Preece, 1929), p. 131.

<sup>16</sup>B.T. Finniss, "Reminiscences," S.A.A. 1071, p. 8.

men to assist him and he was kept busy instructing and supervising the less competent members of his group. Nevertheless he completed his set task in a fortnight and was then transferred to North Adelaide to help Kingston, who was finding the work beyond his capabilities. As The South Australian Gazette and Colonial Register remarked later, "the allotment of the town acres was in fact delayed for fourteen days till Messrs Finniss and Ormsby had done the very work Mr Kingston lacked the skill to accomplish."<sup>17</sup> Although Finniss began his surveying almost a month later than Light he displayed such zeal and industry that by the time the Adelaide sections were marked out his reputation as a competent surveyor was established.

Land was ready for selection by March 10, 1837. The ballot for order of choice was held a week later and landholders were then given a further week to examine the blocks before making their choice. Most of those fortunate enough to have early options chose corner sites between Victoria Square and the Torrens River. Finniss, lucky to gain twenty-ninth preference, took two sections facing King William Street between Hindley and Currie Streets.<sup>18</sup> He was also quick to see the advantages of

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<sup>17</sup>The South Australian Gazette and Colonial Register, June 16, 1838, p. 2d. (Cited hereafter as Gazette).

<sup>18</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 17.

investing in some of the extra town blocks which were auctioned immediately afterwards for an average price of £7 each. He bought two blocks at bargain prices in localities where he had been working--Lot 270, Section 628 in South Adelaide for £4-15-0, and Lot 538, Section 948 in North Adelaide for £3-3-0.<sup>19</sup> Most of the blocks were of course snapped up by speculators and sold a few years later for fifty or sixty times their initial value.<sup>20</sup>

Immediately Finniss obtained his two city blocks he arranged to establish himself on his property. The prefabricated wooden house--until then piled in sections on the beach at Holdfast Bay--was transported to Adelaide and erected on the site where the Australian and New Zealand Bank now stands on the corner of Currie Street. It was the first wooden house in Adelaide.<sup>21</sup> Shortly afterwards he added another first--at the cost of £50 he constructed a brick kitchen and oven alongside his two-roomed dwelling.<sup>22</sup> At this stage Finniss, aged twenty-nine, was one of the most enterprising and successful of the early settlers. While the majority of the colonists

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<sup>19</sup>Gazette, June 3, 1837, pp. 2c. and 2d.

<sup>20</sup>Ibid., September 15, 1838, p. 3c.

<sup>21</sup>B.T. Finniss, "Reminiscences", S.A.A., 1071, p. 17.

<sup>22</sup>Ibid.

were still living in tents or shivering in reed huts he had his own small house and appeared to have a bright future ahead of him.

The selection of the town acres was only the first step in the proposed scheme of settlement. Light had still to mark out land into country sections. To do this he divided his surveyors into two groups. One section, which he himself controlled, began work along the north bank of the Torrens River and moved westwards towards the sea. The other, led by Finniss, worked the area south of the river parallel to the first party. Kingston, who should have taken charge of the second group, was thus supplanted by Finniss, and much of the credit for the surveying of the southern country sections must be given to the energetic Assistant Surveyor.

The task of marking out such a huge tract of land was, however, beyond the capabilities of the small group of workmen and the colonists soon realised that unless the rate of work was speeded up it would be another two years before farmers could take up their holdings. A group of influential landholders therefore wrote to the Resident Commissioner urging that the staff be supplemented so that the preliminary surveys could be completed in six months.<sup>23</sup> Fisher, after unsuccessfully trying to

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<sup>23</sup>G. Dutton, Founder of a City, (Melbourne: F.W. Cheshire, 1960), p. 226.

entice skilled labour from the eastern colonies to South Australia, decided that if suitable men were to be found they would have to be recruited in England.

To explain the situation to the Commissioners in London--and to do some quiet lobbying for their cause--Fisher and Light agreed that someone should return home as their confidential agent. The first name suggested was that of Finniss, but he was now too valuable to waste on such an errand. Kingston, however, could easily be spared! The robust, aggressive Deputy Surveyor General was a poor choice for such a mission, but as Light ruefully admitted later, Kingston

is totally incapable of surveying--of triangulating a country he knows nothing. He is much worse than any of the junior assistants I had and whom he used to abuse so much to me, and for this reason I consented to his going home in the Rapid. I did not send him. . . . He felt here that he had stepped into a position for which he was unfit and confessed to me that surveying was not his forte, but that he was an engineer.<sup>24</sup>

Kingston, carrying confidential papers from the Resident Commissioner as well as Light's request for twelve competent surveyors, two hundred men, carts, oxen, drays, instruments and tents, left the colony on June 5,

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<sup>24</sup>M.P. Mayo, The Life and Letters of Col. William Light (Adelaide: F.W. Preece & Sons, 1937), p. 233.

1837 on a journey that was expected to take a year. Until he returned the remaining surveyors had to continue their wearisome task of marking out the country sections on the Adelaide Plains with inadequate equipment.

Knowing that it would be some time before they could expect to move to their country blocks, settlers began developing their town allotments. Some did the work themselves; others, like Finniss, employed labour. The first ground ploughed in South Australia was roughly where the Royal Oak Hotel now stands in Hindley Street when, as Finniss proudly recalled, "James Chambers borrowed of me a Scotch plough, which formed part of my farming outfit, and with a team of bullocks, brought by Mr J. Barton Hack from Tasmania, broke the first sod turned up with the plough in South Australia."<sup>25</sup>

Generally the landowners concentrated on growing vegetables and fattening poultry for the table. Early agriculture was, however, a frustrating affair. The crops often failed because of defective seed, badly prepared soil or a lack of rain. Even when the seed did germinate there was the vexatious matter of stock trespassing. To water their animals owners had to drive them to and from the river daily, and some men were neg-

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<sup>25</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 18.

lignant about shepherding the stock home from the water-holes. Many a promising crop was destroyed by scavenging beasts, and it was not long before irate horticulturists began to mete out summary justice to stock found trespassing on their properties.

Finniss was one of the first to buy pigs and poultry and, as he was also one of the early gardeners, it was not long before he was deeply involved in these disputes. One can imagine his chagrin at the following incident. He was the proud owner of

a young pig, which in due time grew up and promised a litter of young. She was, however, poisoned by a neighbour before the birth of her young, in retaliation, I believe, for the loss of one of his poultry, which I had shot as it was trespassing on my garden, in which I had valuable seeds and plants sent me from Mauritius by my father.<sup>26</sup>

Finniss felt that it was the Governor's duty to maintain proper law and order. He held that instead of trying to sabotage the work of Light and Fisher, Hindmarsh should have spent his time devising ways of protecting the property and possessions of the colonists.

In the winter of 1837 when Hindmarsh removed the Colonial Secretary, Gouger, the Emigration Agent, John Brown, and the Attorney General, the conservative Mann, and replaced them with his own followers Finniss was

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<sup>26</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 17.

affronted. That Stevenson, now editor of the colony's only newspaper, strongly supported the Governor's stand seemed the crowning irony. On July 31, 1837, Finniss therefore joined Gouger, Light, Brown, Mann and Fisher in the printing of a leaflet appealing to the colonists to start another journal.

If it were hoped that the move would discomfort the Governor's party, the men were doomed to disappointment. Stevenson's barbed pen easily coped with the situation. He featured the advertisement prominently, reiterated his determination to 'expose humbug, cant and hypocrisy, to speak the truth' and 'shame the Devil', and be withal one of the faithful chroniclers of [the] times.<sup>27</sup> Then, to rub salt in his adversaries' wounds, Stevenson contemptuously offered the group the use of his press and type.<sup>28</sup> The invitation was not accepted--there is much more to the production of a newspaper than the use of press and types-- and it was not until May 1838 that a rival newspaper, The Southern Australian, appeared to challenge the veracity of The South Australian Gazette and Colonial Register.

Finniss was not content to await the arrival of

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<sup>27</sup>Gazette, August 12, 1837, p. 5a.

<sup>28</sup>Ibid., p.56.

another newspaper. He wrote to Hindmarsh in his most acetic manner:

Your Excellency congratulates yourself upon the singular fact of having a Council whose opinions for the first time coincide precisely with your own. Does it not occur to your Excellency that you have taken the most effectual means to bring that about by dismissing all public officers, who presume to differ in opinion with your Excellency. . . . .

We have no prisons to receive felons, and those amenable for just punishment. We have no police to watch over those who are condemned to confinement. No laws to protect the Colonists from false weights. . . .

These are acts perhaps of rather too much detail to trouble a great mind, intent only upon defeating the provisions of an act of Parliament and sinking into ruin a new Colony.<sup>29</sup>

While there is a grain of truth in these accusations, it must be remembered that the colony was still in its infancy and that it was unrealistic to expect all the refinements of nineteenth century English society to be immediately apparent.

A few weeks later Finniss and Hindmarsh clashed over another matter--the aboriginal problem. From the beginning the Commissioners in London had made special provisions for the welfare of the natives. Indeed one of the first appointments made was that of Protector of Aborigines. Special areas were to be set aside for the natives, and it was agreed there should be no hint of slavery in the new colony. As a safeguard it was decreed

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<sup>29</sup>B.T. Finniss, *Letters, 1836-38*, S.A.A. 1054, pp.22.  
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that no natives should be employed by white settlers and that fraternisation between the two races should be kept to a minimum--for the first two years at least. Many of the settlers, however, regarded these instructions of the Commissioners as impracticable<sup>30</sup> and the policy was never strictly enforced.

Like most of the colonists, Finniss found it hard to decide whether to treat the natives as savages, murderous pagans or dignified representatives of an ancient civilisation. Soon after his arrival in Adelaide, he studiously observed two native tribes about to do battle on the banks of the River Torrens. The southern group, he discovered, was led by Peter, one of the men who had assisted him at Rapid Bay, and was prepared to fight to prevent the northern tribe invading their hunting grounds. Finniss afterwards wrote a semi-professional report of the encounter.

Captain Peter warned me to retire as the enemy were about to throw their spears. A few spears came. I stood out of the way of the combatants and watched the result. My friend Peter was . . . evidently the chosen warrior of his tribe. He rushed to the front and threw himself on one knee, covering himself with his shield in the left hand and balancing his spear at arm's length in the right hand. His warriors followed his example and ranged themselves on his right and left, receding so as to form a wedge, of which Peter was the front and apex. It recalled to

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<sup>30</sup>J.W. Bull, Early Experiences of Colonial Life in South Australia (1st ed.; Adelaide: The Advertiser, Chronicle, and Express Offices, 1878), p. 63. Cited hereafter as Early Experiences.

mind my school-boy recollections of the Grecian phalanx, described in Polybius, and the Greek wedge formation.<sup>31</sup>

After each group had thrown several spears without doing any damage, the northern tribe dispersed and hostilities ceased. There had been no casualties, little excitement and, for the white man, merely the recalling of a childhood memory.

By March 1838 this clinical attitude towards the aboriginals had altered. Some of the male settlers were habitually visiting the native camps to abduct the women for a few days. When an inebriated colonist, named Pegler, interrupted a corroboree in an attempt to molest some of the lubras, he was killed by the tribesmen. One man was subsequently apprehended and "placed in charge of the marines, who allowed him to escape, and not much trouble was taken to recover him."<sup>32</sup>

As Hindmarsh was in charge of the marines he came under some adverse criticism. Confident that he had the law on his side, the Governor set up a committee to enquire into the matter and himself presided over it in full naval regalia. According to Finniss it was a turbulent meeting.

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<sup>31</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 11.

<sup>32</sup>J.W. Bull, Early Experiences, p. 69.

The sheriff, Mr Smart, attended. There were also present the Rev. C.B. Howard (Colonial Chaplain), Dr William Wyatt (Protector of Aborigines), and myself. Captain Hindmarsh, in the course of a speech which he addressed to the crowd outside, urged them to take no reprisals and informed the settlers that they (the blacks) were British subjects, under protection of British law; and he finished by saying that he would hang up every white man who shot a black. . . . I made a few remarks in reply to what the Governor had said, when he got so exasperated that he turned to me and laid his hand on his sword.<sup>33</sup>

From what Finniss had previously written about the aboriginals and his comments on the depraved behaviour of some of the white settlers, his stand here was a complete about-face. Had Hindmarsh adopted the line that the natives should be taught a salutary lesson, Finniss, feeling as he did at the time, would probably have become their champion.

Finniss found another chance to disparage Hindmarsh when the Governor urged that Victor Harbor be made the capital site. Although some £200,000 had already been spent establishing Adelaide, Hindmarsh wrote to Lord Glenelg asking for authority to move the capital to a new site. This was followed up by a letter to the Resident Commissioner from the Governor and his friends. As landowners vitally concerned that only the best site be chosen for the capital of the new colony, they made

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<sup>33</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, pp.11 and 12.

an appeal that Encounter Bay be examined forthwith.<sup>34</sup>

Finniss and another surveyor, Nixon, were ordered to explore the whole region thoroughly. After mapping the coastline from Rosetta Head to the Murray Mouth, the men returned and Finniss issued a concise report contending that

a few vessels might lie there [Encounter Bay] safely as long as there was westerly or northing in the winds. A gale from east to south-east would render it a critical berth for any one ship; and I doubt if a vessel in any part of the anchorage could ride out a heavy gale from either of these quarters.<sup>35</sup>

He further held that there were no great areas of arable land immediately adjoining Encounter Bay; that the region was shut out from easy communication with more fertile districts and that there was little land in the vicinity suitable even for pasturage.<sup>36</sup> With a breadth of vision unusual for him he noted in his diary:

If Port Lincoln is a splendid harbour, if the land is fine and fresh water abundant, so much the better. If Nepean Bay could shelter whole fleets, so much the better. These are all elements of future prosperity, they will become the Plymouth and Portsmouth of South Australia, but Adelaide must as certainly be the Metropolis, because its advantages, commercial and agricultural, are vastly superior.<sup>37</sup>

<sup>34</sup>Gazette, January 16, 1838, p. 3b.

<sup>35</sup>Ibid., June 30, 1838, p. 2d. <sup>36</sup>Ibid., p. 3a.

<sup>37</sup>B.T. Finniss, Letters, S.A.A. 1054, p. 18.

Finniss's report was ridiculed by the Governor's party on the grounds that it was merely "the opinion of a landsman on a subject of which he can know little or nothing."<sup>38</sup> Finniss protested vehemently, but to no avail, that he had produced a fair and unbiased account of what he had seen. He found compensation in copying into his notebook the more impetuous of Stevenson's pronouncements and labelling them "George Stevenson's Fallacies." When any of these utterances were proved incorrect--and many were--Finniss jubilantly underlined and asterisked them.<sup>39</sup>

While Finniss continued his private war with the opposition, the cost of living in the colony increased sharply. As prices rose he found it increasingly difficult to live on his small salary. This led him to his first commercial venture. In summer when the Torrens River was often just a series of muddy, stagnant pools, settlers had to carry their drinking water a mile or more and many complained at the general inconvenience. What the colony needed, Finniss reasoned, was a water carrier.

To finance the operation he sold one of his land-

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<sup>38</sup>Gazette, June 30, 1838, p. 2d.

<sup>39</sup>Finniss Papers, S.A.A. 44, p. 238.

orders--No. 147) to Light for £210 and used the money to buy a horse and cart. The horse, imported from Tasmania, cost £90 and the remainder of the money was used to buy and convert the cart. Business was brisk:

I paid a driver, who had been a farm servant in England, two guineas a week wages and set him to work with the horse and cart to sell water to the town inhabitants and builders. After a short time he found the business so lucrative that he proposed to purchase a horse from the young Fishers and to carry it on for his own benefit.<sup>40</sup>

As Finniss estimated that he would make £300 a year profit from the venture, and as there was room for expansion, the two men entered into a partnership. The driver bought another horse and cart and a labourer was engaged to drive the second vehicle. The scheme worked well for a few weeks then Finniss lost his most valuable asset: "through the ill-temper of the new man, who did not understand its jibbing propensities, my horse backed the cart into the river and the horse was drowned."<sup>41</sup> By then Finniss had made enough money to cover the cost of the horse and had realised that his first estimate of likely profits had not taken seasonal changes into account. When the autumn and winter rains came there was little demand for the water carts and the partnership was dissolved.

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<sup>40</sup>B.T. Finniss, "Reminiscences", S.A.A. 1071, p. 19.

<sup>41</sup>Ibid.

Meanwhile the surveyors were doggedly marking out the Adelaide Plains into country sections. The men laboured for long hours and as they became more experienced the tempo of the work quickened. By the end of February 1838 Finniss had prepared a map showing that the two parties had surveyed some 60,000 acres. Contrary to first expectations the small band of surveyors had been able to delineate enough country to allow the 437 preliminary landholders to make their selection. Fisher thereupon called a meeting to determine how the ballot--set down for March 1--should be conducted.

The surveyors' efforts did not impress the Governor's party. Strangways, Hutchinson, Gilles and Captain Lipson immediately presented an injunction from the Supreme Court stating that, as the barest minimum of land was available and the landholder would not be given a wide choice if he were unfortunate enough to draw badly in the ballot, the whole affair should be deferred. The inference was that the colonists should not be forced to accept land on the clay pans and salt bogs of the Adelaide Plains when there were thousands of acres of lush green pasture at Encounter Bay.

Finniss, aptly described by Stevenson as "the preux Chevalier of the [survey] party . . . ready, on all occasions, to do battle on their behalf,"<sup>42</sup> challenged

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<sup>42</sup>Gazette, September 15, 1838, p. 3b.

the injunction. Incensed that all the hard work the surveyors had done should be disparaged for political reasons, he petitioned Hindmarsh that as there was a reasonable choice available the ballot should be held as planned. The Governor merely pigeon-holed the paper. Finniss saw this as yet another indication of the corruption he thought prevalent in the colony. His workmanship had been challenged and his protests thrown aside without examination because he was not one of the Governor's personal friends.

It was left to Fisher and Stevenson to work out a suitable compromise. The injunction was withdrawn and those desiring land outside the surveyed area were permitted to forgo their choice and to wait until later. The order of selection was decided on March 28, 1838. Each order was drawn separately and landholders were given until May 17 to either make their choice or reserve their right.

Light was lucky with No. 147 and drew first choice. Finniss, 235th on the list,<sup>43</sup> was not so fortunate but,

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<sup>43</sup>Land Meeting, March 28, 1838, S.A.A., 449/96.

helped by the fact that many of the Governor's supporters who had drawn favourably felt duty bound to reserve their right, he acquired 134 acres in North Adelaide in Section No. 375.<sup>44</sup>

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<sup>44</sup>Miscellaneous Papers relating to Land Grants and Land Selection, S.A.A., 449.

## CHAPTER III

### COMMERCIAL FAILURE

After an absence abroad of twelve months Kingston returned to South Australia in June 1838 with a number of peremptory instructions. Even though the Board in London was aware that it had miscalculated and realised that the colony was in danger of foundering, it was unwilling to take the blame. Hindmarsh was accused of misgovernment and the Commissioners asked the Colonial Office to have him recalled. Light was criticised for failing to predict the magnitude of the task confronting him. He was censured too for retaining incompetent surveyors and for allowing officers to draw rations when they were not engaged in field work.<sup>1</sup>

Convinced that Light's methods were too slow and expensive, the Board naively accepted a scheme put forward by Captain Dawson of the Royal Engineers, which promised by means of a running survey to mark out one hundred and fifty square miles of country around the capital in eight weeks--and to do the work with only half

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<sup>1</sup>G. Dutton, Founder of a City, pp. 250-251.

the men and equipment requested by Light! Instructed, tested and pronounced competent by Dawson, Kingston returned to Adelaide ready and willing to take over Light's position if, as expected, the Surveyor General carried out his threat to resign.

To a weary, ailing Light the order to take a running survey over the rough hills south of Adelaide was ludicrous. Indignant that the Commissioners should imagine that for a paltry £400 a year they could insult him as they pleased, he resigned. At a time when Major Mitchell was being paid £1,000 per annum and ordinary surveyors in Sydney were receiving as much as he was, Light felt he owed the Board nothing.<sup>2</sup>

To Finniss the issue was equally clear-cut. He could leave with his superior, to whom he was now closely attached--in some ways Light had become a father-figure to the younger Finniss--or he could stay to work under a man he regarded as a braggart and an incompetent surveyor. It is not surprising that he adopted the former course.

This was a turning point in Finniss's career. He forsook the relative security of government service to try his luck in the uncertain and competitive field of

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<sup>2</sup>M.P. Mayo, The Life & Letters of Col. William Light, pp. 243-248.

private enterprise. It was his failure in this area which ruined his chances of a commercial future and drove him back into colonial service.

When Finniss and the remainder of the surveying party forwarded their resignations to the Board they took their books and instruments with them. Ostensibly this was an insurance against any future charge of incompetency, but as the men expected, it virtually brought the surveying to a standstill. One can sympathise with the surveyors' point of view; they had faced a constant barrage of criticism for eighteen months, their best work had been ridiculed and they themselves made the scapegoats for events beyond their control.

Finniss, proud of the work he had done over the past eighteen months and resenting the implication that the men had not always given of their best, was not content to let matters rest there. With the other surveyors he wrote to the Board of Commissioners denouncing the Deputy Surveyor General and rebutting charges that the men had allowed personal feelings to hinder them in the performance of their duties. In a letter bearing all the phraseology so characteristic of Finniss, they declared:

The surveyors have the honour to state to you that Mr Kingston's unbecoming and ungentlemanly behaviour to those who had to co-operate with him during the short term he was supposed to be assisting Colonel Light in the survey, was probably the cause of that

discord which he reported that he perceived in the surveying body, and which he appears to have maliciously attributed to party feeling.<sup>3</sup>

The other surveyors were content with this one public expression of their dissatisfaction, but Finniss fought on stubbornly. He became Light's champion and the surveyors' crusader. Writing to The Southern Australian in June, 1838, he deplored the fact that Light had been treated so shabbily by the Commissioners:

After all, when they thought they had got all they could out of him--to sacrifice him--to insult him--to drive this man from their service when they would not dismiss him. But South Australians will remember this man--their children will learn to lisp his name.<sup>4</sup>

Finniss next tackled Rowland-Hill:

I have heard of a running survey when observations were made from a vessel running down a coast. I have heard of a flying survey made chiefly on horseback...Both these surveys depend upon trigonometrical principles for whatever accuracy they pretend to--but I never heard of a running survey such as that propounded for adoption by your ingenuity.<sup>5</sup>

To conclude his letter--copies of which he forwarded to all local newspapers--Finniss detailed all Kingston's blunders from the time he had joined him aboard the Cygnet.

Finniss was sure when he resigned that there was other work available in the colony. Instead of confining

<sup>3</sup>Colonization Commissioners' Third Annual Report, 1838. S.A.A., p. 35.

<sup>4</sup>The Southern Australian, June 30, 1838, p. 3c.

<sup>5</sup>Ibid., August 4, 1838, p. 3c.

settlement to the 150 square miles around Adelaide Fisher met the complaints of the few dissatisfied preliminary landholders by opening up approximately 1,000 square miles of country to the south and allowing dispersion to the north. This action created a demand from private individuals and companies for local surveys. The surveyors capitalised on this and formed a business partnership--Light, Finniss and Company. Renting an office in Hindley Street, Light, Finniss, William Jacob, Henry Nixon and George Thomas advertised themselves as land agents and surveyors and began work immediately.<sup>6</sup>

At first business prospered. There were many small jobs available, and a number of settlers banded together and engaged the Company to undertake a survey of the Glenelg district. Following upon this the Harbour Survey Company, established in September 1838, commissioned Light to survey the Port River at a rate of £3-3-0 a day.<sup>7</sup> Finniss worked hard at these undertakings, but the man responsible for the success of the work was William Light. Had Light remained in good health Finniss could easily have become one of the colony's most respected business men. Guided by someone he respected Finniss

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<sup>6</sup>Gazette, July 7, 1838, p. 1d.

<sup>7</sup>Ibid., October 27, 1838, p. 3b.

was a loyal and indefatigable colleague.

Unfortunately for Finniss and his colleagues Light was a sick man. By September 1838, he was unable to attend a dinner given in honour of Charles Sturt who had arrived overland with a mob of cattle from New South Wales,<sup>8</sup> and in the following months the former Surveyor General did progressively less and less work. This meant that the bulk of the surveying was left to Finniss, but he devoted his time to caring for Light and rebutting charges about the poor quality work the surveyors had done on the Adelaide Plains.

By the spring of 1838, Stevenson was publishing anonymous letters aimed at discrediting the original survey party. He alleged that the men had made many elementary mistakes when marking out the land, and that most of their work was hurried, careless and inaccurate. Finniss vigorously denounced these accusations. When Stevenson published a letter on the subject in the South Australian Gazette and Colonial Register, Finniss replied by writing to The Southern Australian:

Someone signing himself "An Observer" wishes the public to infer, that certain sections [were] incorrectly measured off by the late surveyors. . . . Section 88 and 136 contain the proper quantity, if the lines are correctly measured on the ground. . . . Section 152

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<sup>8</sup>Ibid, September 8, 1838, p. 3b.

does not exceed the true quantity by two acres . . . and any one who sees the position of 205 will readily admit, that 10 or 20 acres of unavailable sand hills intervening between the section and the sea, are not a very valuable gift.<sup>9</sup>

Again, when "An Expectant Landholder at Victor Harbor" complained that the map of the area surveyed by Finniss and Nixon was missing, and until it was found there was no possibility of any person taking up land in the area,<sup>10</sup> Finniss replied that all the papers were in his safe-keeping and would be produced at the appropriate time when "the state of the Survey Department will, I presume, be made the subject of careful enquiry by proper authorities."<sup>11</sup> As he neglected to indicate whom he regarded as the right person to receive these documents, his answer did not satisfy anyone in the opposition camp.

Meanwhile, on July 14, 1838, Hindmarsh left the colony and the pompous Advocate General, G.M. Stephen, was Acting Governor until Colonel George Gawler arrived. Once installed in office Gawler had to tackle the survey question. It was a chaotic situation:

The office of Surveyor General I found vacant. Colonel Light had resigned. Mr Kingston made application to me for the superior office. He is unpopular, particularly among the surveyors. His

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<sup>9</sup>The Southern Australian, September 8, 1838, p. 3c.

<sup>10</sup>Gazette, October 13, 1838, p. 4c.

<sup>11</sup>The Southern Australian, October 20, 1838, p. 3d.

differences with several young men, who left the Department on Col. Light's resignation, I tried to heal, but found it to be irreconcilable. The promotion would have had, I am persuaded, altogether a bad effect, I therefore refused it. Mr Kingston<sup>then</sup> tendered his resignation which I have accepted.<sup>12</sup>

At this stage Gawler could have reinstated Light and his staff and justified his action in a letter to the Board of Commissioners. There is little doubt that had Light been asked then to resume his duties he would have done so. Instead Gawler offered the position of Surveyor General to Sturt. So the impenitent, mercurial Light, living with Maria Gandy and dying of tuberculosis, was denied the salve to his wounded honour which would have made his last days so much easier. To Finniss it was yet another example of the inhumanity of officialdom. He believed passionately that Light was being martyred by the hierarchy and he staunchly supported the man who had shown him so much kindness:

I am not overanxious to intrude myself before the public as a newspaper scribbler;--but I am proud in the friendship of such a man as Col. Light--and when his judgment is attacked, and his talents<sup>are</sup> impeached, I will rouse myself to do him justice.<sup>13</sup>

Denied the opportunity to return to government service, Light and Finniss undertook a number of new

<sup>12</sup>Despatches from Adelaide, Gawler to Glenelg, October 26, 1838.

<sup>13</sup>The Southern Australian, October 20, 1838, p. 3d.

assignments. Early in January 1839 they began a special survey of the Lyndoch valley for the South Australian Company. Work proceeded for only a fortnight before Light became too ill to continue. Finniss did not hesitate; he immediately abandoned the lucrative contract and returned to Adelaide with his dispirited partner. From February until Light's death in October the firm of Light, Finniss and Company accepted only small jobs around Adelaide. They declined a request to survey Port Lincoln because Light was incapable of carrying out such strenuous work. Finniss, who could have done the job, was unwilling to desert his friend at this critical period. He did, however accept one piece of work--the survey of Gawler.

Light and Finniss had visited the area on their way to Lyndoch and subsequently recommended it to David Mc Laren, the manager of the South Australian Company. This advice was not acted upon and two recent arrivals from England, John Reid and Henry D. Murray, paid £4,000 for the land at the junction of the North and South Para Rivers, including Willaston and Clonlea. Having acquired the land Reid and Murray approached Light, Finniss and Company to conduct a special survey. Finniss meticulously designed the layout of the town along the banks of the river, in much the same pattern as that adopted by Light

in Adelaide except that the main portion of the town was north, not south of the river. When the plans were complete Finniss, still unwilling to leave Light, passed most of the practical work across to William Jacob, and it was he who marked out the various sections and completed the work in June 1838.<sup>14</sup>

Although Finniss apparently disapproved of Light's relationship with Maria Gandy--he seldom refers to her in his writings and never lists her among the people he saw at Light's bedside--Finniss's devotion to his former superior was unquestionable. He and his wife were frequent visitors to Thebarton Cottage and they seldom went there empty-handed. What annoyed Finniss more than anything else at the time was the attitude of some of the colony's leading settlers. These people conveniently forgot to remember that one of the province's most distinguished citizens was slowly dying; they seldom spoke of him, they never visited him. Finniss was particularly incensed by the behaviour of a few clergymen in South Australia, who piously moralised instead of performing the work they were expected and ordained to do. When, for example, Finniss approached the Reverend C.B. Howard and asked him to visit Light he was told:

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<sup>14</sup>S.A.A. Research Notes, Vol. I, pp. 146-148.

"It is not the practice of our Church to attend to the sick and dying unless they express penitence and desire the services of the Church."<sup>15</sup> Years later Finniss was still contrasting Howard's haughty attitude with that of more enlightened church leaders.

Light died on October 5, 1839 and the colony belatedly acknowledged his worth. The South Australian Gazette and Colonial Register was published complete with thick black lines and an emotional panegyric. The editor warmly supported the idea of erecting a monument to honour the man who had done so much for South Australia.<sup>16</sup> Gawler, who towards the end had made some diffident attempts towards a reconciliation, wrote to the Colonial Office eulogising the man he had neglected to reinstate.

Altho' Col. Light had not been connected with, for a year and a half, the public service, and although a difference existed between him and the Government at home, and in the Colony, yet as he had been from early life, a zealous gallant and devoted Officer, had been the first Surveyor General of this colony and especially as he had been the founder of this City, and by this last act had rendered, by the judicious choice of its general situation, benefits to the Colony which are becoming apparent more and more, every day, I considered it to be a public duty to call the attention of the Council to the propriety of giving a marked testimony of respect to his memory.<sup>17</sup>

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<sup>15</sup>B.T. Finniss, Reminiscences, S.A.A. 1071, p. 16.

<sup>16</sup>Gazette, October 12, 1839, p. 4d

<sup>17</sup>Despatches from Adelaide, S.A.A., pp. 94-95.

As though to make amends for having treated this man so shabbily, the colonists closed their businesses for the day and turned out in full force for his funeral. To Finniss this recognition of his mentor's worth came too late but he was an enthusiastic supporter of the monument appeal and donated what was for the times a large sum--£10.

Finniss's wholehearted attention to Light helped ruin his business. By the late winter of 1839 such firms as the South Australian Company were doing their own survey work, and once it was realised that Finniss was reluctant to undertake large scale projects, clients looked elsewhere. Intent on completing the country survey, Gawler employed skilled labour at high wages and the staff gradually drifted away from Finniss, Light and Company until only Finniss and Nixon were left.

Realising that his business had failed, Finniss cultivated the Governor's friendship by offering him important information "on numerous points with regards to former Surveys."<sup>18</sup> In August 1839 Gawler, convinced that Finniss was too good a man to lose, asked Sturt to offer him and Nixon positions in the Survey Department. Sturt, always the gentleman, wrote to Finniss:

If the Governor's suggestion to me is worth your

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<sup>18</sup>Despatches to the Colonisation Commissioners, 1838-41, S.A.A., p. 107.

consideration I shall be most happy to second it. . . . I want one of your feelings and character with whom to consult and divide the labours of <sup>the</sup> Office, and I need not say that I shall <sup>not</sup> be either inconsiderate nor overexpectant.<sup>19</sup>

This was the beginning of a long and profitable association for Finnis. Given an able and considerate commander to serve he proved once again that he was a most loyal and dependable worker. Unsited to the cut and thrust of commerce, lacking the ability to anticipate possible trends and to make allowances for them and a poor judge of human nature, he needed someone to point out the way and put him on the path. Once this was done he would head towards his goal with commendable--or obstinate--single-mindedness.

Offered employment as Deputy Surveyor General at a salary of £400 per annum, Finnis accepted because he was too independent and too steeped in military tradition to attempt to rebuild his business. Nevertheless he rationalised plausibly:

My income [was] considerably more than four hundred per annum; indeed, more than double that amount, but my previous habits of life made me consider a Government appointment of inferior salary preferable on many accounts to carrying on a more lucrative business.<sup>20</sup>

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<sup>19</sup>Finniss Papers, 76/33.

<sup>20</sup>Ibid., 76/34.

A study of this man's character leads one to wonder whether one of those "many accounts" was the fact that Finniss regarded a government position as carrying more social prestige than that of a man of commerce--especially a mediocre one.

As well as the appointment of Finniss other additions were made to the surveying staff by the Governor without first obtaining the approval of the Commissioners in London. They, in turn, made their own arrangements to deal with the situation. On hearing of Light's resignation and Kingston's failure the Board decided to send Lieutenant Frome and fifteen sappers to South Australia to complete the work. It was argued that even if the sappers were inexperienced they would learn quickly and, being subject to military discipline, they would be unable to partake in any colonial controversy.

Frome, accompanied by Thomas Burr, arrived from England in September 1839 prepared to take over the Survey Department, and found instead Sturt and Finniss already installed as Surveyor General and Deputy Surveyor General respectively. Gawler solved the dilemma with Solomon-like simplicity. Sturt resigned, was appointed Assistant Commissioner and retained his salary and seat on the Governor's Council. Frome then became Surveyor General and, as such, was given another seat on the Council

The Finness-Burr case was settled by appointing two deputies, for as Gawler remarked, Finness knew the difficulties likely to be encountered.

However talented the gentleman may be whom the Commissioners intend to appoint, it will even take him many months to understand the country and his duties. I will take the liberty of retaining Mr Finness and the other Surveyors alluded to until I hear again from the Commissioners on this subject.<sup>21</sup>

The salary for this position had been fixed in England at £300 per annum, and to avoid reducing Finness's remuneration Gawler decreed that both Finness and Burr should receive £400 per annum.<sup>22</sup>

With an adequate income and an apparently secure social position, Finness again decided to enter the commercial field. He planned to set up as a flour miller. The first wheat crop had been planted in 1838 and by 1840 there were over one thousand acres under cultivation. All this grain had to be milled locally and few people were making any effort to cater for the expected harvest. Finness reasoned that a grist mill would be a boon to the colony and a profitable venture for the owner.

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<sup>21</sup>Despatches to the Colonisation Commissioners, 1838-1841, S.A.A., pp. 113-114.

<sup>22</sup>Statistical Records of South Australia, 1840, p.110.

In August 1840, John Cannan, one of the surveyors who had come to South Australia with Finniss, offered for sale his partially fenced eighty-acre block at Burnside.<sup>23</sup> The property, with an acre of enclosed land, three small rough plastered cottages and a water mill built on First Creek, appealed to Finniss. The mill, built by Cannan the previous year, had an eighteen foot overshot wheel and the building could easily be converted into a flour mill.<sup>24</sup> Seeing the block when the winter rains had transformed the normally straw-coloured foothills into a carpet of green grass and had swollen First Creek until it resembled a small river, Finniss was convinced that he could easily develop the property. Although he had been in the colony for nearly four years he optimistically accepted Cannan's assertion that there was "sufficient water during nine months in the year to work 12 hours per diem on an average,"<sup>25</sup> and decided to buy the holding.

To raise the £1,000 needed Finniss sold his town and country sections. As these brought good prices and as his wife had just presented him with a son, the proud father thought that this was the auspicious time to build

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<sup>23</sup>The Southern Australian, August 25, 1840, p. 238d.

<sup>24</sup>E. Coleman (ed.), The First Hundred Years: A History of Burnside in South Australia. (Corporation of the City of Burnside, 1956), p. 43.

<sup>25</sup>The Southern Australian, August 25, 1840, p. 238d.

a country residence on the new property. Confident that his future was assured Finniss was prepared to spend heavily. The house, he reasoned, would be the family seat for generations; it therefore must be pretentious and imposing. The mill, which would make the family fortune, should blend with the surroundings and complement the gracious house. It was an expensive project, but the final result was eminently pleasing and became a showpiece in the colony.<sup>26</sup>

Finniss did not concentrate only on the house and mill; he set about making his garden one of the best in the province. He proudly named his estate Traversbrook after his son--Travers Nixon Finniss--and here he grew some of the first orange trees to be found in South Australia. There, too, he planted the first vines when, as he recalled,

a vessel arrived from the Cape of Good Hope with a number of vine cuttings of the choicest varieties. These were purchased and shared equally between Major O'Halloran, then located at Lizard Lodge, and myself, and thrive vigorously in my garden, which was well supplied with water. From this beginning I grew some of the finest grapes that can be produced, and afterwards made excellent wine.<sup>27</sup>

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<sup>26</sup>Ibid., March 21, 1843, p. 2d.

<sup>27</sup>B.T. Finniss, "Reminiscences", S.A.A., 1071, p. 19.

By this time Finniss's ambition was leading him into dangerous waters. He did not have the money to compete with the more prosperous of the settlers, and he would have been wiser to have lived quietly until he was firmly established. Finniss, was, however, eager to set himself up as a country gentleman and the fact that he had made a profit from his land deals--and so obtained a large sum of money for the first time in his life--led him into speculative ventures. He presumed that as the colony had survived the first crucial years its future economic progress was assured.

Unfortunately for Finniss he began his venture at an inopportune moment. In 1841 the colony was drifting towards bankruptcy. The wild speculation of the previous two years coupled with the lack of any economic planning led to an almost inevitable crash. By the time Finniss had completed the purchase of Traversbrook there was a steady depreciation in land and stock prices. He was unaffected by the change at first as he had bought and sold on a buoyant market and was able to buy building material for his house and mill cheaply. But this was not to last.

In May 1841 the youthful Captain Grey arrived without ceremony to take over the administration of the colony. He had been given orders to reduce expenditure

and was intent on doing this promptly. Gawler had left the province £294, 000 in debt, and to Grey the obvious way to reduce public expenses was to lower wages, halt public works, increase taxes and retrench staff. He lost no time in removing one of the Deputy Surveyors General.

Before His Excellency directed the removal of Mr Finniss from Office, he carefully considered who in strict justice should be continued as Deputy Surveyor General, Mr Burr or Mr Finniss. His Excellency decided that Mr Burr had the better claim to be continued in Office.<sup>28</sup>

Grey did not summarily dismiss Finniss. He offered him a position in the Lands Office where there was a vacancy for a draughtsman in charge of land grants. Finniss, however, could not adjust quickly to the changing situation and declined the post:

I regret exceedingly that His Excellency having fixed the Salary of that Office at £200 a year that I cannot upon mature consideration prudently accept an Office however temporary upon such a remuneration.

From experience as a Resident in the Colony since its commencement I know that it is impossible to maintain a family in the enjoyments of the common comforts and decencies of life on a less income than £400 a year.<sup>29</sup>

Finniss then concentrated his whole attention on his flour mill. Here again he showed poor judgement; the season was bad, the crop yield low and competition

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<sup>28</sup>Finniss Papers, S.A.A., 76/35.

<sup>29</sup>Ibid., 76/36.

between the millers keen. With the exception of the windmill operating near West Terrace Cemetery, other mill owners were using high pressure steam engines to turn the stones.<sup>30</sup> Finniss tried to do things differently by using a water wheel. He reasoned that water power was the cheapest available, and that by using this method he would be able to undercut his competitors' prices. He did not pause to consider that South Australia's wheat crop is generally harvested before Christmas--that is during the driest months of the year. In the hot, rainless summer months First Creek was no more than a trickle of water and certainly did not have the power to turn a water wheel. Finniss's memory appears to have been remarkably short as it was this same lack of summer rain which enabled him to begin his first commercial venture--the water carrying business.

Once the farmers had harvested, they wanted their grain milled as soon as possible; few were prepared, or had the facilities, to store the wheat until the rains came in April or May. Finniss for his part had spent all his money building a useless showpiece. He could not afford to buy more machinery and reconvert the mill to use steam as well as water power. The mill could operate

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<sup>30</sup>The Southern Australian, March 28, 1843, p. 2c.

efficiently only during the winter months, and even then the water supply from First Creek was not thoroughly reliable.

By mid-winter of 1842 Finniss was in a difficult situation. With no regular employment and the mill barely paying the miller's wages, he was facing financial ruin. All he could do was petition Grey for a position--any position--in the government service. On September 1, 1842 Finniss humbly and thankfully accepted the temporary post of Chief Draughtsman in the Lands Office on a salary of £200 per annum.<sup>31</sup>

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<sup>31</sup>The Statistical Record for South Australia for 1843, p. 88. S.A.A. 54. Cited hereafter as Statistical Record.

## CHAPTER IV

### POLITICAL ASPIRATIONS

For the next decade Finniss was a diligent and devoted servant of the state. Determined, because of his uncertain financial position, to secure a satisfactory niche in the public service he steered clear of controversy and accepted the principle that anything the Government decided was above and beyond criticism. His main aim was to please his superiors, and to do this he was willing to sacrifice his own ideals and adopt a very flexible outlook. Such a course of action meant that on some occasions he supported one line of policy, while on others he blandly advocated the opposite.

Finniss's first return to government service was brief and unsatisfactory. As his position in the Lands Department was only a temporary one terminating at the end of 1842, he wrote in December of that year to the Chief Secretary expressing his gratitude for the appointment and stating that he would be happy to continue as a government employee.<sup>1</sup> Grey, however, was intent upon

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<sup>1</sup>Finniss Papers, 76/37.

order and uniformity to the public service. He calculated that the budget could not stand the expense and terminated Finniss's appointment.<sup>2</sup>

In August 1842 the Imperial Parliament passed legislation abolishing the rule of the Colonisation Commissioners and placing South Australia on the same footing as other Crown colonies.<sup>3</sup> The most significant feature of the new laws was the establishment of a Legislative Council consisting of the Governor and seven other persons, three official and four non-official. This was the first step towards granting the colonists some voice in the management of South Australian affairs. While it fell far short of what the more liberal-minded settlers deemed satisfactory, it was at least a step in the right direction.

Governor Grey, reluctant to share his autocratic powers with anyone else, was in no hurry to create a Legislative Council--even though he could select the seven officials himself--and it was June 1843 before he announced the composition of the Council. To many colonists this delay of more than six months was a deliberate flouting of their rights and privileges and there were numerous public protests at the Governor's lack of enthusiasm in

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<sup>2</sup>Statistical Records of South Australia, 1843, p. 88.

<sup>3</sup>5 & 6 Victoria, cap., 61.

accepting the changing situation.<sup>4</sup>

Finniss took no part in this debate. He was facing financial ruin and had no time to spare on what to him were side issues. Trying desperately to salvage something, Finniss tried to make use of the land grant he had received in 1835 but never taken up. He wrote a long appealing letter to the Secretary of State in London pointing out the misfortunes that had befallen him and asking that the New South Wales land order be transferred to South Australia:

South Australia being now a Crown Colony Memorialist respectfully prays that your Lordship will be pleased to cause the requisite authority to be forwarded to South Australia to entitle him to the indulgence of being allowed the regulated amount of remission in the purchase of land in this Colony.<sup>5</sup>

This was of course a forlorn hope. It is doubtful whether Finniss really expected the Secretary of State to transfer land grants from one colony to another for the personal convenience of an importunate, indigent ex-lieutenant. Even had Finniss been granted the land he could not have used it effectively as he had no money to buy stock, fencing, implements, seed and labour. The land, however, would have been valuable later and Finniss had nothing to lose by asking.

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<sup>4</sup>The Southern Australian, March 17, 1843, p. 2b.

<sup>5</sup>Finniss Papers, 76/3.

Meanwhile Grey was continuing his iron-handed policy of abolishing all positions he considered unnecessary. In April 1843 he decided to amalgamate the posts of Police Magistrate and Commissioner of Police, thus saving £250 per annum. This did not suit the wealthy landed proprietor, T.S. O'Halloran, who was at the time Commissioner of Police, so he resigned and returned to his valuable estate south of Adelaide. Grey had little trouble finding a successor. The importunate Finniss had no scruples about accepting the dual post; he pledged his loyalty to Grey and on April 13, 1843 became Police Magistrate and Commissioner of Police with a salary of £350 per annum.<sup>6</sup>

O'Halloran had taken over the police department three years before and had found it a disorganised, corrupt force. He left behind a well-disciplined, efficient body of seventy-eight men and, furthermore, gave Finniss detailed accounts of how the establishment was administered. Natives found wandering naked through the streets of Adelaide were apprehended and detained "for 24 hours without sustenance of any kind."<sup>7</sup> There were also numerous details regarding police discipline:

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<sup>6</sup>Statistical Record, S.A.A. 54, p. 88.

<sup>7</sup>O'Halloran to Finniss, S.A.A., A498.

For offences of a minor description such as neglect of duty, neglect of a horse, insolence or disrespect to a superior, being late for duty or parade, neglect of arms, Clothing or Appointments, unnecessary violence towards persons apprehended, or insolence to any civilian, etc., I generally inflict fines from one to six days pay. . . .<sup>8</sup>

Once he assumed O'Halloran's duties, Finniss found that he had a "book of rules" to guide him in all police matters. He had no difficulty in settling down and for the next three years the department functioned smoothly under his capable management.<sup>9</sup> As Police Commissioner Finniss eschewed local politics and concentrated upon improving his administrative skill. He did not allow himself to drift into a backwater, however. He still cultivated the friendship of Charles Sturt and tried to impress Grey by submitting long and detailed reports on the activities of the police department.

When, in October 1845, Major F.A. Robe succeeded Grey as Governor of South Australia, the change did not affect Finniss greatly. Grey had demanded absolute loyalty from his staff and had not been greatly influenced by colonial opposition to any measures he adopted. Unpopularity was to him an occupational hazard. Robe, a staunch Anglican, was equally unwilling to sacrifice his principles for provincial approbation.

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<sup>8</sup>Ibid.

<sup>9</sup>Finniss Papers, 76/41 - 76/46.

Finniss's willingness to serve any master loyally did not go unrewarded. On May 1, 1847 Robe appointed him Acting Colonial Treasurer and Acting Registrar General. The first post carried with it a salary of £250 a year, the second was an honorary one. As Finniss's main task was to assist Sturt on a part-time basis, he retained his position as Police Commissioner on a reduced salary of £200 per annum.<sup>10</sup> George Dashwood, who was to be groomed to take over the post permanently when Finniss moved higher up the ladder, became Acting Police Commissioner. The whole arrangement was extremely pleasing to Finniss who now became one of the top colonial officials in South Australia, and gained an extra £100 a year in salary as well. Having reached this important position at the age of forty, and as most of the senior members of the government were considerably older, his chances of advancement seemed bright.

In August 1848, Sir Henry Fox Young, the first civilian to become Governor of South Australia, replaced Robe at Government House. Coming to Adelaide from the Eastern Provinces of Cape Colony, Young showed from the beginning a marked inclination to compromise when faced with difficult administrative decisions. Moreover he was

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<sup>10</sup>Statistical Record, 1848, S.A.A., 54, pp. 88, 106 and 114.

always willing to discuss the question of popular representation and to delegate authority.

Finniss found no difficulty in adjusting to the new situation. His ambition had been fired by his recent promotion and he was willing to assist the Governor in any move that would increase the importance of the colonial administrators. In May 1849, Alfred Mundy, Colonial Secretary since 1843, left the colony after obtaining about eighteen months' leave of absence on half pay. It was no easy matter to fill his place; the paucity of local talent which had bothered Grey<sup>11</sup> was still evident. Very few colonists were interested in, or had the experience to undertake, such full-time work. Finniss was in fact one of the few professional administrators in South Australia and it is not surprising that he was made Acting Colonial Secretary on Mundy's departure.

Almost immediately upon assuming his new post, Finniss, confident of his own ability, took full advantage of the situation and wrote to Young suggesting that the appointment be made permanent should Mundy resign as was rumoured.<sup>12</sup> He received a favourable reply from the diplomatic Governor:

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<sup>11</sup>D. Pike, Paradise of Dissent (London: Longmans, Green & Co. Ltd., 1957), pp. 244-245.

<sup>12</sup>Finniss Papers, 76/5.

I shall say that your discharge of the office . . . was entirely to my satisfaction and that I have every expectation that your services as acting secretary, during Mr Mundy's leave, will be such as to justify my recommendation of you for a permanent continuance in that office if a vacancy should occur by the retirement or resignation of Mr Mundy.<sup>13</sup>

Had Mundy delayed his resignation for a year it is very possible that Young would have honoured his promise. The Governor found Finniss's deferential behaviour very easy to take and the two men were seldom in conflict over matters of government. Mundy, however, resigned as soon as he reached England and when Charles Sturt showed interest in the position, protocol demanded that Finniss be passed over in his favour.

Finniss's disappointment was assuaged when he was made a Member of the Court of Appeals and as well as his police salary received pay and allowances as Assistant Commissary General in charge.<sup>14</sup> By 1850 his salary was little short of that allocated to Sturt. Within two years he had moved from the ranks of the minor officials to become one of the most influential men in the colony. He had a permanent seat on the Legislative Council and was anxious to play his part in shaping colonial politics.

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<sup>13</sup>Finniss Papers, 76/5.

<sup>14</sup>Statistical Record, 1849, S.A.A. 54, pp. 132-133 and pp. 140-141.

Nevertheless Finniss was still in a delicate position. Theoretically he could express his opinions freely in debate, but he realised that to do this could jeopardise his career--especially if he should offend the Governor. Unlike most other members of the Legislative Council, he had no other occupation to fall back on; he was dependent on the Governor's patronage and therefore subject to a genteel form of bribery.

Finniss undoubtedly entered the select circle of the Legislative Council opposed to the extension of commercial privilege. He believed that the blind pursuit of wealth had been one of the major causes of the depression of 1841-1846 and that much of the hardship could have been avoided if businessmen had shown a little more public-spiritedness. However, because of his personal position and the general dominance of commercial interests in colonial affairs, he could see no point in wrecking his own career to force what would obviously be an unsuccessful showdown with the majority of the Council.

Instead he tried to make a name for himself by improving the colony's communication system. He urged the building of more railways, the introduction of penny postage and the opening up of the interior by a system of main roads. Metropolitan interests maintained that many of these worthy ideas were too expensive to be practical and

that the money needed for these schemes could be better used elsewhere. Finniss, however, refused to admit defeat and continually urged the government to take some positive action. This was one issue on which he felt he could afford to take a stand.

Introducing the subject of penny postage Finniss announced that as the scheme was working well in England he could see no reason why it should not prove advantageous to South Australians.

If the penny postage system were adopted, and the plan of prepayment was resorted to . . . a great part of the expense would be saved, if the carriers had only to walk round, and deliver the letters.<sup>15</sup>

There was little disagreement with this statement, but what Finniss had not considered was the great difference in population between England and South Australia. Metropolitan interests were quick to point out that there would not be enough local business to justify the low rates proposed. They urged that a system likely to show a modest profit would be preferable to one that was bound to run at a loss. Once Finniss realised that he was in a minority he showed little inclination to push the matter and agreed that it might be wiser to fix the rates at  
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 fourpence for ship's letters and twopence for inland mail.

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<sup>15</sup>Finniss Papers, Political, 1849-51, S.A.A., 49/15.

<sup>16</sup>The South Australian, June 21, 1850, p. 2d.

Meanwhile outside the Legislative Council there were increasing demands for a more representative government within the colony. The depression was over and the colonists believed they were secure and mature enough to manage their own affairs. The conservative attitude so noticeable in the Council came in for more criticism and the press began a campaign urging that some members of the governing body should be elected by the colonists themselves.<sup>17</sup>

Earl Grey originally intended that the granting of responsible government should be a slow process. In 1848 he had taken the first step towards giving the settlers an increased voice in colonial government when he permitted local councils to be formed. The main duty of these boards was to attend to the district roads, and as these were in a shocking state of disrepair many settlers felt that the Imperial Government had surrendered nothing of value.

Grey next produced a bill designed to give the settlers a nominated Upper House and a Lower House of elected members. This idea appalled the more politically-conscious colonists. It was, they said, tantamount to creating a colonial aristocracy; it was against the spirit

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<sup>17</sup>The South Australian Register, September 23, 1850, p. 3a. Cited hereafter as Register.

of the original founders of the colony.<sup>18</sup> However, it was grey's second proposal--to set up a federal assembly to control all Australian affairs--which united all factions against his scheme. Most colonists believed that if this federal system had eventuated the effect on South Australia would have been catastrophic. Land values could easily drop to the same level as in the eastern states and local businessmen would be at the mercy of Sydney commercial interests. The plan was therefore rejected.

On August 5, 1850 the Imperial Parliament passed the Australian Colonies Government Act ~~after~~ forwarding the draft to the various colonies for comment. The Act provided for a new Legislative Council of eight nominated and sixteen elected members and was seen by all but the most conservative as the first instalment of a long-overdue debt. Obviously much still remained to be done for although the colonies were granted enlarged Councils they were still saddled with Civil Lists, forbidden to interfere with the expenditure of the customs and excise departments and had no control over Crown land.

As the debate proceeded Finniss found himself in an invidious position. On the one hand he felt that if too much power were placed in the hands of the commercial classes the development of the colony might become lopsided. On the other he was sceptical of too much consideration

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<sup>18</sup>Ibid., October 13, 1849, p. 2c.

being given to the masses.<sup>19</sup> He therefore found himself adopting the role of a political sage; he offered advice and delighted in citing examples of what had happened elsewhere; but he seldom committed himself fully to any one line.

When the South Australian Legislative Council met on February 5, 1851 its chief business was to prepare a bill to establish its successor. As expected there was keen debate on the desirability or otherwise of introducing equal electoral districts and on the vote by ballot. Finniss was more intent on furthering his career than on debating matters of principle. He knew that because of his failing eyesight Sturt was unlikely to remain Colonial Secretary much longer, and that as he had been Sturt's loyal assistant for some years, he was the logical man to succeed to the position. His attitude was therefore extremely punctilious. At the opportune moment he did argue the case against one faction obtaining control of an elected assembly and opposed the idea of a single electorate because "the best men of business, the bankers, merchants, and the nominee interest generally, would predominate to a most mischievous extent, if allowed to have<sup>the</sup> uncontrolled power..."<sup>20</sup> Finniss was on safe ground here; he was merely

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<sup>19</sup>B.T. Finniss, Miscellaneous Correspondence, 1860-61, S.A.A., 91/1.

<sup>20</sup>Register, February 19, 1851, p. 3b.

expressing the viewpoint of many colonists. When more contentious issues were aired--the vote by ballot and the electoral boundaries--he was decidedly conservative. He readily accepted the principle that all electors should have at least a £100 freehold estate, occupy a house of a clear annual rental of £10 or have the leasehold of an estate to the value of £10 before they be entitled to vote in the forthcoming elections.

From February to July 1851 there was almost incessant political activity in South Australia but few important issues were resolved. Most people were content to leave matters such as constitutional reform, immigration, communication, land settlement and inflation to the new Council. With little left to debate and candidates desperately trying to whip up enthusiasm among the electors, the 1851 elections eventually crystallised around the question of state aid to religion.

Members of the Church of England had from the first days of settlement been anxious to make their faith the state religion. The Dissenters were equally determined that each denomination have the same level of opportunity. In 1846 Robe had enforced Ordinances 13 and 14 granting per capita aid to all religious faiths. During the eighteen months the Act was in operation £2,629 was allocated, but only one-third was used on education, the

remainder being spent of church buildings and clergymen's salaries. To rectify the situation Ordinance 10 of 1847 was introduced and religion was separated from education by distributing the money on a subsidy rather than a per capita basis. This proved slightly more effective than the preceding Act, but the Government did not police the Ordinance and the system was abused. By 1851 the struggle between the various factions had ceased to be one of principle and had degenerated into petty squabbling between the divided religious groups and the voluntaryists.

The 1851 election was a triumph for the voluntaryists who secured twelve of the sixteen seats contested. They realised immediately that if the official government party provided the Speaker for the new Legislative Council from the eight nominated and four elected members it would not be able to muster enough support to ensure further aid to church schools.

At this stage with the situation delicately poised, Smillie, the Advocate General, became ill and was granted leave of absence for two years. Governor Young, whose feelings regarding state aid were not so decided as Robe's, offered the position to the newly elected liberal Hanson. He accepted on the understanding that he could vote with the voluntaryists when the move was made to abolish state aid to religious bodies. When another election was held

in Hanson's district, Yatala, William Giles, a voluntary-ist, was returned and all hope of granting state aid was lost. In fact the bill to renew the church ordinance was thrown out at its first reading.

Finniss's part in all this was most interesting and informative. From the time of Robe's governorship he had as a practising Anglican loyally supported the official line of state aid to established religious denominations. His views were clearly stated.

Why should the State be excluded by law from contributing to the support of the Christian religion, which was, as he before observed, part of the common law of the country?<sup>21</sup>

In December 1851 Governor Young returned the bill to promote education to the Legislative Council with a request that the fourth clause be amended so as to permit ministers of religion to take seats on the Education Board. Again Finniss advocated state aid and unsuccessfully argued that

it would ill become that Council to restrict civil liberty in attempting to establish religious liberty. They should avoid falling into an extreme opposite to that which they were desirous of avoiding, and thus become intolerant in an attempt to secure toleration.

. . . . .

It would be found,generally speaking, that ministers of religion were, from the peculiar nature

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<sup>21</sup>Register, August 30, 1851, p. 3a.

of their studies, best fitted to test and estimate the qualifications of teachers.<sup>22</sup>

Yet it seems that in principle Finniss was not in favour of any religious interference in educational matters.

Writing in The Constitutional History of South Australia he states:

If the State is to teach religion, or pay the clergy to do so, which is the same thing, what standard is to be adopted? The State must teach the truth, and to do so must ascertain the truth amid the conflict of opinions. It must adopt some uniform system and compel obedience. In other words, the State must persecute for conscience sake. . . . No man in a free community should be taxed to support what he deems error in sectarian teaching or doctrine.<sup>23</sup>

Finniss defended his action of repeatedly voting for state aid, while all the time opposing it in principle, on the grounds of expediency. It was typical of the man that his principles should occupy second place when his status could be affected. One could accept this materialistic outlook had Finniss been consistent enough to concede that others be allowed to do the same. Unfortunately, he expected his associates to live by a different code from that which he himself followed.

The dedication with which Finniss courted the Governor's approval was eventually rewarded. While the

<sup>22</sup>Register, January 1, 1852, p. 3b.

<sup>23</sup>B.T. Finniss, Const. Hist., p. 574.

Education Bill was being debated, the Council was also considering a suitable pension for the retiring Colonial Secretary, Charles Sturt. After the usual laudatory speeches this was fixed at £600 per annum and the colony awaited the appointment of another Colonial Secretary.

Although Young was not blind to Finniss's faults, he was well aware of the loyal and faithful service that had been accorded him. Finniss had invariably accepted the Governor's suggestions regarding official policy, even when they ran contrary to his own views. Furthermore he did not appear the type of man likely to be led away by colonial radicalism. It was no surprise therefore when, on January 3, 1852, it was announced that, subject to Royal approval, Boyle Travers Finniss would become South Australia's next Colonial Secretary.<sup>24</sup> Financially he was only a few pounds better off but his prestige and power in the colony were greatly enhanced.

From 1852 until the granting of responsible government Finniss performed his work as the colony's leading administrator capably, if unimaginatively. He dealt effectively with the majority of the domestic problems confronting the administration, and showed some discernment in handling matters which did not vitally concern him.

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<sup>24</sup>Statistical Record, 1852, S.A.A. 54, p. 92.

His great interests were still communication and defence but, although suspicious of the Port Adelaide group, he was willing to support legislation sponsored by commercial and pastoral interests. Finniss saw himself not as an innovator of new ideas, but as an independent arbitrator, a judge of colonial politics and a final court of appeal. He was proud that he did not represent any pressure group and was distrustful of too much power being granted to the masses.<sup>25</sup>

Finniss dealt competently with the first major problem facing the government--the effect of the gold rush on the South Australian economy. The discovery of gold in Victoria threatened South Australia with insolvency:

The pastoral lords found their flocks without shepherds, and their banking credits suddenly restricted in the face of rapidly rising rates of wages and cost of the necessaries of life. Small farmers sold or mortgaged their properties to obtain the means of joining in the rush to Forest Creek and Mount Alexander. . . . Riding through deserted districts the traveller would see the cottage and garden with, in general, a small wheat stack left for the support of the wife and family, but no male inhabitants.<sup>26</sup>

As the labour force drifted away from South Australia there was a general fear that business life

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<sup>25</sup>B.T. Finniss, Miscellaneous Correspondence, 1860-61, S.A.A., 91/1.

<sup>26</sup>B.T. Finniss, Const. Hist., pp. 71-72.

would be brought to a standstill. The Chamber of Commerce petitioned the Governor to legislate to induce the miners to send their gold back to South Australia. On the advice of George Tinline, the manager of the Bank of South Australia, it was suggested that the local banks be empowered to buy gold at £3-11-0 an ounce and to issue notes as legal tender against deposits of gold assayed and stamped by the government. As the price offered was ten to sixteen shillings above what was being paid in Melbourne, it was argued that such an Act would entice miners to sell their gold to South Australian banks.

Confronted by the petition Governor Young displayed his customary uncertainty and consulted Hanson and Torrens. The former supported the idea maintaining that it would counteract the temporary depression. Torrens, at times as brilliant and aloof as Hanson, opposed the scheme on the grounds that it would create an unhealthy trade balance. He held that conditions were not as serious as the petitioners made out.<sup>27</sup> At this stage Finniss, in his role of an independent arbitrator, gave his casting vote to Hanson. The Legislative Council was then summoned to a special sitting, the Advocate General

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<sup>27</sup>H. Brown, "The Life and Work of Sir Richard Davies Hanson", Manuscript in S.A.A., 1393, p. 80.

presented the Bullion Act Bill and the measure was rushed through in record time.

It is difficult to assess exactly what influence Finniss had on the passing of the Bullion Act. Young's account gives much of the credit to the commercial class and states that the Act was the work of "an Association of Mercantile Men wholly independent of <sup>the</sup> local Government" and drawn up only after consideration by the Government, the Banks and the Chamber of Commerce. <sup>28</sup>This is quite true, but the Act was introduced only after the Governor had accepted the advice of Hanson and Finniss. Had the latter joined Torrens the result could have been different. Nothing had been done about earlier petitions presented to the Governor by men outside the Council. Young's record is not that of a man of action; he invariably looked for support and advice when faced with controversial topics. Finniss was as convinced as the majority that drastic action had to be taken to rectify a dangerous situation and his concern must have had considerable effect on Young.

Like many South Australians Finniss hoped that gold would be discovered locally and the migration to Victoria halted. He enthusiastically supported a government scheme

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<sup>28</sup>Despatches from Adelaide, Young to Colonial Office, August 6, 1852.

offering a reward of £1,000 to anyone finding a field capable of producing £10,000 worth of gold in twelve months. In August 1852 when Chapman claimed the reward for discovering a rich field on crown land near Echunga, Finnis, who had just received from London notification of the confirmation of his appointment as Colonial Secretary, dashed off to investigate the matter himself.

Ready to believe that a great gold find had been made he went to Echunga and searched diligently for corroborating evidence. A less impetuous man would have examined the region critically but the new Colonial Secretary was over-anxious:

I filled a dish myself, making a selection of the spot away from where any other person had been, and on the earth being washed gold-dust was obtained. I then requested three men, of whom Chapman was one, to take earth from any place of their own selection and wash until they obtained an ounce of gold; this was accomplished in less than an hour with no other appliances than one spade and three tin dishes.<sup>29</sup>

On the basis of this brief examination Finnis then made a sweeping generalisation:

As country of a similar formation extends to a considerable distance to the north, and stretches away to the south towards Encounter Bay and Cape Jervis, it is not unreasonable to suppose that goldfields may be discovered in other places--probably also on Kangaroo Island. The formation at the goldfield upon which I am reporting consists of sand, quartz, and ironstone in a state of gravel. . . . As this formation is

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<sup>29</sup>B.T. Finnis, Const. Hist. p. 92.

indicated in this province generally by the growth of the stringy-bark tree I am induced to believe that all our stringy-bark forests will be found auriferous.<sup>30</sup>

This of course was wishful thinking. The goldfields at Echunga never developed beyond a few score primitive shafts and little gold has been found in South Australia.

It could be argued that Finnis's prediction was merely an error of judgement which anyone could have made under the circumstances, but this was the type of statement which he was continually making. In isolation each one is perhaps excusable but when seen together an entirely different picture emerges. Many people are wrong occasionally but Finnis, unless guided by a strong leader, was frequently unable to estimate accurately the likely course of events.

Another example of his poor judgement is to be found in Finnis's opinions of the River Murray. Like many South Australians, he was convinced that the Murray was another Mississippi and that ultimately most of the produce from the interior of New South Wales and Victoria would be exported by river boat.

Too obstinate to learn from past mistakes and too impetuous to examine the situation critically--the Mary Ann had demonstrated that river trade might be irregular

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<sup>30</sup>Ibid., pp. 92-93.

because of the fluctuating level of water in the Murray--Finniss enthusiastically backed a plan put forward to redirect the course of the river. He contended that an opening could be cut through the sandhills south of Goolwa to give deep-sea vessels direct access to the inland waterway. When this idea was proved impracticable he urged that a canal be built from Victor Harbor to Goolwa.<sup>31</sup> Ocean-going ships could then unload their cargoes at Victor Harbor and barges take the products to the out-back areas of Victoria and New South Wales. Victor Harbor could thus become the New Orleans of the Australian Mississippi. This was a remarkable recantation of what he had said when Hindmarsh advocated the establishment of the capital in the same area,<sup>32</sup> but Finniss failed to notice his own capriciousness.

By 1856 Finniss had visions of South Australia controlling a great trading venture along the River Murray and collecting tariffs for New South Wales and Victoria:

We should collect <sup>the</sup> duties for all these Colonies only so long as it [does] not involve too much expense or intricacy. We should then have it in our power to avert the formation of Border Customs Houses until we discovered that they were not to be dreaded.<sup>33</sup>

<sup>31</sup>B.T. Finniss, Const. Hist., p. 133.

<sup>32</sup>Gazette, June 30, 1838, p. 2d.

<sup>33</sup>Finniss Papers, S.A.A., 76/47.

Here again as was the case with his water mill and later the Echunga gold, Finniss's ambitious plans did not take Nature into account. The River Murray is not, and, so far as present-day knowledge goes, never will be another Mississippi.

Finniss had more success in the field of defence. From his earliest days in the colony he had been keenly aware of the lack of military preparedness among the settlers. He was one of the first to join the volunteer corps formed in the early 1840's and his notebooks are full of elaborate plans to defend the colony from surprise attack:

The Town [of Port Adelaide] and shipping may be shelled from the sea at a distance of 3,000 yards.  
 . . . An armed party might be landed under cover of the guns of a squadron a few miles south of the Semaphore and take the Town . . . by a march inland of about 5 miles.<sup>34</sup>

Until the Crimean War most colonists laughed at the few volunteers who spent their weekends marching and manœuvring on the Adelaide Plains. Finniss did not believe that the Russians would land forces in South Australia but he did think it possible that their frigates might raid the province. When the Crimean War began he produced his plans for the defence of the colony with a

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<sup>34</sup>Finniss Papers, S.A.A., 69/3.

scheme for turning Torrens Island into a fortified garrison with "the construction of bomb proof magazines, stores and vaults for the men within the work itself."<sup>35</sup>

On July 24, 1854 he presented a minute to the Executive Council on "measures to be adopted in South Australia by the Local Government to meet the consequences of war between Great Britain and Russia."<sup>36</sup> A few days later, with the newspapers whipping up anti-Russian sentiment, Finniss, as Colonial Secretary, was empowered to form a committee to investigate local defence. As expected the report recommended the formation of a new volunteer corps and a grant to purchase modern weapons. Within a fortnight one of Finniss's most cherished wishes was granted:

I was appointed by Sir H. Young . . . Inspecting Field Officer of all Volunteers and Militia with the rank, then the first and highest in the Colony of Lt. Colonel.

. . .  
I raised and drilled a Company of Volunteers without assistance from any drill instructors.<sup>37</sup>

Finniss's jubilation at his rapid promotion was not shared by Captain Biggs, the staff adjutant in the colony. Biggs was a regular soldier with the army his career and he resented seeing a colonial politician, who had never

<sup>35</sup>Ibid., 69/27.

<sup>36</sup>Ibid., 69/18.

<sup>37</sup>Ibid., 69/43.

risen above the rank of lieutenant in the British army, promoted over him. There was little that Biggs could do at the time except to urge that the corps be placed on a professional basis, that a force of 2,000 men be raised and that conscription be introduced if necessary. This was considerably in advance of Finniss's thinking; his defence force would have been a few hundred men engaging in Saturday afternoon recreational exercises.

The unexpected support Finniss received from Biggs coupled with the mounting wave of patriotism that swept through South Australia, encouraged him to rush through the Legislative Council on December 16, 1854 a Militia Bill allocating an extra £15,000 for colonial defence. Saner counsel prevailed in 1855-56<sup>37</sup> when the expenditure of the previous year was criticised and Finniss was blamed for wasting the colony's money. The conservative members of the Legislative Council saw him as an impetuous politician willing to lavish large sums of public money on harebrained projects. Others felt that he was too narrow and prejudiced. Actually Finniss was an opportunist but unfortunately for him--and at times the colony--he too often backed the wrong horse.

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<sup>37</sup>B.T. Finniss, Const. Hist., p. 161.

## CHAPTER V

### THE CHAMELEON

By the 1850's Britain was prosperous and buoyantly self-confident. Glorifying in the strength of the national character and the political institutions underlying this progress, the Imperial Government was benignly sympathetic towards the colonists' pleas for self-government. As the Reform Bill and the Catholic Emancipation Act had proved successful many English parliamentarians felt that the more conservative of the colonists could now be entrusted with extra responsibilities.

In South Australia the discussion on responsible government opened up new vistas for Finniss. Although he dutifully followed the official line in the debates, he soon realised that if more power were granted to the local assemblies, the leaders of these councils would become the most important men in the colony. Seeing a chance to go down in history as the man who led the colony to a bright, prosperous future, he thereupon embarked on a political course which would bring honour for himself as well as progress for the state.

It has been stated that Finniss had a profound influence on South Australian politics.<sup>1</sup> Perhaps, but one would be unwise to overestimate his contribution or to imagine that his actions were prompted by a liberal or even conservative outlook. His political principles were flexible and his main concern was to improve his own status. During the debates on the constitution he offered nothing original. He was always present when the most important issues were raised; he generally spoke at length but was merely tautological.

One of the biggest headaches for South Australian governors during the decade before self-government was the dearth of able officials to fill the top government posts. Few of the men elected to the Legislative Council in 1851 were possessed of outstanding ability. Many were more concerned with maintaining their own position than in committing themselves to any effective programme, and consequently most of the debates were pedantic arguments over trivialities. In such dull company Finniss's efforts tend to stand out.

His main contribution to the Constitution came later with his insistence upon restricting the power of the Governor. While many members of the Legislature were

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<sup>1</sup>D. Pike, Paradise of Dissent, p. 109.

dubious about reducing the Governor's position to that of a virtual figurehead, Finniss was adamant that the Queen's representative should not have the right to amend or veto legislation passed by the local assembly. With a man like Finniss one wonders whether this stand was taken as a matter of principle or for personal gain. Obviously as the power of the Governor decreased that of the Colonial Secretary would be correspondingly increased.

Early in the 1850's Finniss, as a loyal government servant, opposed the idea of reform. When the liberal Hanson first presented an electoral division plan which he claimed would give equal representation to each major sectional interest in South Australia and leave the nominated members to look after the general welfare of the population, Finniss was unimpressed. The same distrust of change can be seen when the Legislative Council was faced on February 18, 1851, with a petition from 2,500 colonists asking for vote by ballot and for equal electoral districts.

The first move to alter the electoral act was made by the impetuous radical member for East Adelaide, F.S. Dutton, in September 1852. Assisted by Waterhouse and Hanson he prepared a motion advocating adult male suffrage, vote by ballot, triennial parliaments and the abolition of property qualifications. Other elected



members of the Council such as Elder, Giles, Neales, Kingston, Peacock and Hare pledged their support. The move alarmed the more conservative members who maintained that it would be wiser to work with the Governor than to rush blindly forward.<sup>2</sup>

Finniss of course had no compunction about supporting the Governor. It was through Young that he had obtained his power and as he had no intention of advocating measures which might reduce his own importance, he joined the nominated members in opposing the Bill. Nevertheless the debate was keen, the argumentation pointed and it needed the casting vote of the Speaker, wealthy landowner John Morphett, to defeat the move.

Having won the initial skirmish with the reformers in the Council, the conservative members pressed forward to make the victory complete. John Baker, representing the rich agricultural district of Mount Barker, proposed that a Select Committee be formed to investigate the question of electoral change. This was a not very subtle attempt to strangle the whole business as it was well known that if a committee were appointed the majority of the members would be conservatives and not liberals.

Baker's motion posed many problems for Finniss. If

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<sup>2</sup>Register, October 4, 1852, p. 3c.

he supported it he would be bound to an alliance with the very classes which had opposed so many of his schemes in the past. If he voted with the opposition he could--and probably would--incur the Governor's displeasure. It was in his own interests to find a compromise and he produced what he hoped would be an acceptable solution.

After preparing his case carefully Finniss argued that the intended constitution was the most suitable for the immediate needs of the colony. The fact that there was not general agreement on the nature of the changes that should be introduced was a clear indication to him that the colonial legislators should not rush forward and do things which they might later regret.

He should therefore vote against every measure of change; so as to give the present Constitution a fair trial until experience of the present system should guide <sup>them</sup> to future deliberative changes. It was evident that the time had not come when any change should be made.<sup>3</sup>

Although Finniss put his case persuasively it did not appeal to the extremists on either side and although supported by a number of middle-of-the-road members it was defeated. This left Finniss like the ass between two bundles of hay. He must take one side or the other or become a nonentity.

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<sup>3</sup>Ibid., October 21, 1852, p. 3d.

At this stage the Legislative Council was prorogued and Finniss had several months in which to ponder his problem. By the time the Council reassembled Governor Young was ready to announce his scheme for a new constitution. Addressing the members on July 21, 1853, he proposed that South Australia should have a bicameral legislature. The lower house, which was to have the same control over finance and administration as possessed by the House of Commons, should consist of thirty-six members elected triennially by adult males who had resided in the district for twelve months. The upper house was to consist of twelve nominated members who would hold their positions for life. The Governor presented his recommendations persuasively but offered the Council no alternative.<sup>4</sup>

He did suggest that although the nominated upper chamber be accepted, it "might be reconstituted on the Elective principle after a period of nine years, upon an address to the Crown by two-thirds of the Lower House, in two successive sessions followed by a General Election."<sup>5</sup> Such a scheme was too distant to have any appeal to the reformers, but it did enable the conservatives to claim

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<sup>4</sup>Ibid., July 23, 1853, p. 2f.

<sup>5</sup>Minutes of Executive Council of South Australia, August 8, 1853, p. 428. S.A.A.

that they were willing to consider and to make provision for genuine democratic thought. The opposition argued that there was nothing to indicate that "Her Majesty's Government would not part with the land fund except to a Parliament half popular and half nominee."<sup>6</sup> Finniss thereupon came to the Governor's aid.

He would not enter into that question, as he had no wish at present to excite discussion; but he hoped that the hon. members would not leave the House with the impression . . . that the Home Government was indifferent as to the manner in which the Upper Chamber was constituted.<sup>7</sup>

Finniss rallied enough support to defeat a radical attempt to have both houses elected, the Council accepted Young's proposals and then moved on to consider electoral boundaries and the Civil List. Finniss was not vitally concerned about the first of these questions and was quite happy to see the province divided into fourteen double and eight single electorates, each with an expected electoral roll of approximately 2,000.

The second issue, the Civil List, was a different matter; it involved Finniss personally. A committee comprising Baker, Ellis, Waterhouse, Kingston and Edward Stephens had submitted a report recommending that £17,200

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<sup>6</sup>Register, July 23, 1853, p. 3a.

<sup>7</sup>Ibid., p. 3c.

be earmarked for colonial administrators and that men who had given long and faithful service to the colony, men who could possibly lose their positions when responsible government was introduced, should be suitably recompensed.

Only five men were involved in the question of compensation--Attorney General Hanson, Treasurer Torrens, Commissioner of Crown Lands and Immigration Bonney, Collector of Customs Dashwood, and Finniss. Most of these indicated that they felt they deserved some recognition, but none was so outspoken as Finniss, who vehemently maintained that past service must be adequately rewarded. He bargained strenuously to obtain the best possible terms. Officials displaced by the 1831 Reform Bill had been granted five years' income, but Finniss did not go so far. He

merely asked for justice. They had a right to make a bargain; for when they accepted office they knew the salaries, the duties, and chances of promotion. They understood the appointments were, with good behaviour, for life; and any alteration of that tenure entitled them to compensation.<sup>8</sup>

Finniss should have been politically astute enough to realise that his insistence on pleading his own case would adversely affect the opinions of others not directly involved. There was no dispute regarding the payment of suitable compensation to men who were retiring from, or were forced to quit, all active political positions, but

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<sup>8</sup>Ibid., October 20, 1853, p. 3c & d.

this was not the case here. For many Finniss's action could only be interpreted as an opportunistic attempt to obtain some extra money for himself.

After bitter debating it was decided that the Governor, the Chief Justice and the Chief Secretary should receive £4,000, £1,700 and £1,300 per annum respectively. To compensate the five officials who might be adversely affected by the new constitution, it was agreed that they each receive a lump sum equivalent to four years' salary. Thus, if the constitution were accepted by the Imperial Government, Finniss would be given an honorarium of £3,400 and be in line for a £1,500 a year position as Chief Secretary.

The radicals were more worried about the question of nomineeism than the distribution of seats and the money paid to various officials. In an effort to delay the passage of the Bill until they could muster enough support to defeat it, they eagerly contested any measure put up by the government.

Finniss was not unduly worried by these tactics as he felt he had the measure of the opposition. What happened next is best summarised by a letter published in the local newspaper of the day.

The executive made a great mistake. They miscalculated their strength. If they had<sup>had</sup> the slightest notion that Mr Dutton's motion could be carried they would have

prevented it being brought forward. . . . But they gave Mr Dutton the most chivalrous permission to do his worst, under the comfortable assurance that he would certainly be defeated, and it was not till one after another of the elective members rose to give their voice in favour of the ballot, that the Colonial Secretary saw his mistake. . . . It was too late<sup>then</sup> to withdraw his permission, and an immediate defeat<sup>^</sup> was only saved by an adjournment.<sup>9</sup>

A week later Finniss made his position crystal clear:

If the question of the ballot was carried, the Government would have no course open but to decline proceeding with the Bill, and he must say they would<sup>also</sup> oppose any measure that might be substituted for it.<sup>10</sup>

This was enough to rally conservative and uncommitted members to the government side and the bill was passed before the Legislative Council was prorogued for the Christmas break. It was generally assumed that by the time the Council met again in 1854 the Imperial Government would have approved the constitution.<sup>11</sup>

The Governor and his followers had, however, underestimated the persistence of the opposition. Kingston began a campaign in South Australia to obtain 15,000 signatures protesting against the "attempt made by the South Australian Executive to show that the Bill for an altered Constitution is in accordance with the views and

<sup>9</sup>Register, August 29, 1853, p. 3e.

<sup>10</sup>Ibid., September 7, 1853, p. 3d.

<sup>11</sup>Ibid., December 21, 1853, column b. of supplement.

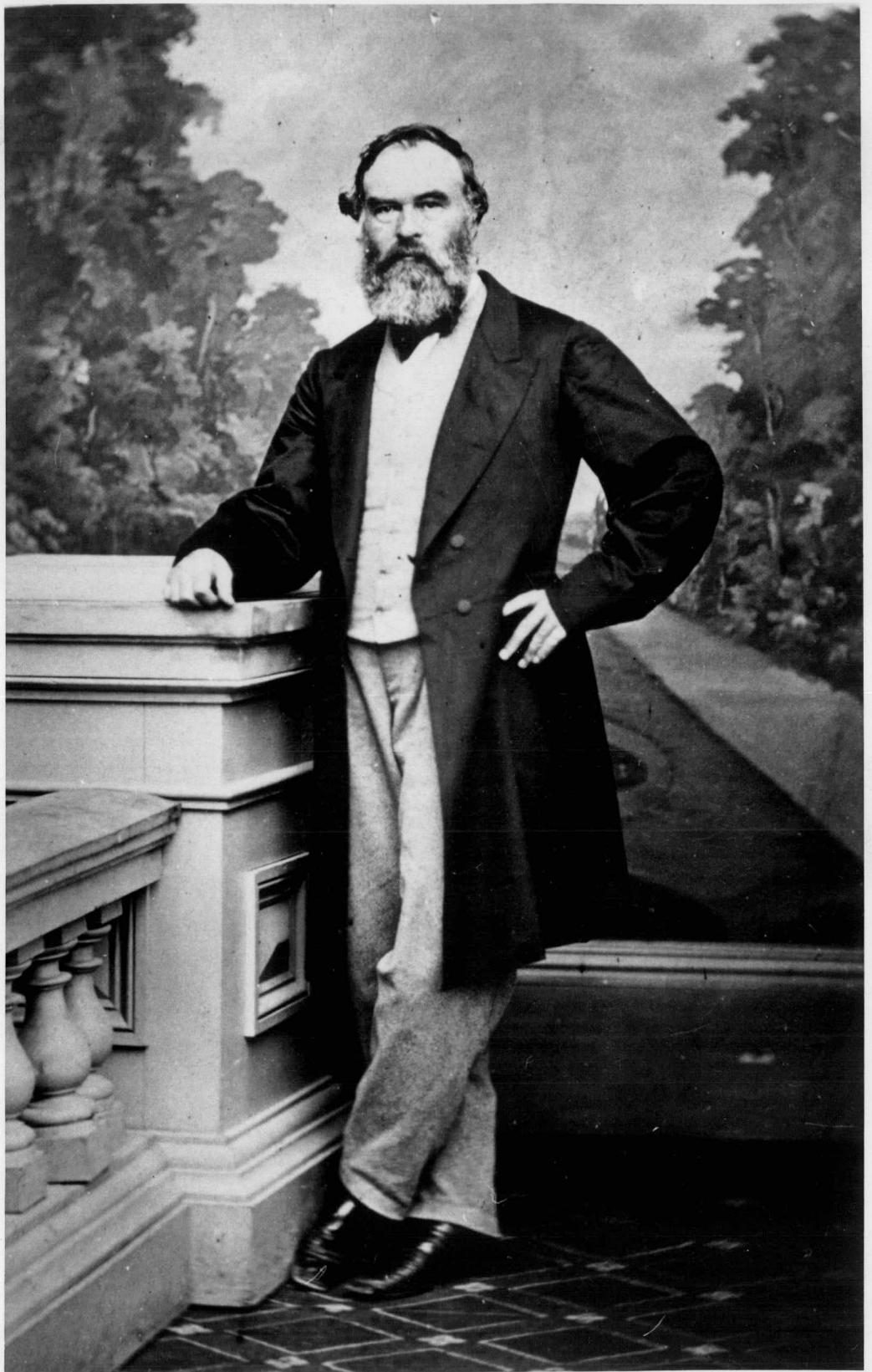


Fig. 1. B.T. Finnis--Colonial Politician

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wishes of the colonists."<sup>12</sup> After collecting 5,000 signatures the paper was forwarded to the House of Commons, where it was subsequently rejected under a standing order of the House which states that all addresses must have more than one signature inscribed upon the sheet on which the petition is written.

Other dissenters were luckier. Anstey and Elder had been active in London and, using Hutt as a contact, they made appointments with Sir George Grey and the Under Secretary, Peel. They presented their case with the skill of desperation, and Grey eventually assured them that because of the late arrival of the bill it would not be considered during the summer session of the Imperial Parliament.<sup>13</sup>

Neither Young nor Finniss had anticipated such an eventuality. They had been aware of the lobbying going on but both men were so confident of the outcome that they made no effort to present their side of the case to Grey.

The Legislative Council assembled in 1854 before any word of the fate of the Constitution Bill was received from England and was confronted with the problem of the Governor's successor. Young's five year term had expired and he was to take up his new post in Tasmania at

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<sup>12</sup>Ibid., January 9, 1854, p. 3a.

<sup>13</sup>Ibid., October 23, 1854, p. 2d.

the end of 1854. Naturally there was much speculation as to who would succeed him, and the first name put forward was that of Francis Lawley--a relative of Gladstone with an unenviable reputation as a playboy and unsuccessful gambler.

Finniss, alarmed at the thought of such a man governing South Australia and knowing that he had the support of the majority in the Council, planned his moves carefully. Realising he would cause a furore he advocated that the Governor's salary be increased by £1,000 per annum on the grounds that the position would become increasingly important during the next few years. Fisher, who had lost little of his fire with increasing age, objected:

"But suppose the Governor was a worthless one; how would the colonists like to find that they had voted him an increased salary?"<sup>14</sup> Finniss then successfully moved that the bill "be withdrawn, not for any fixed time, but until further advices should be received from England with reference to His Excellency's successor. . . ." <sup>15</sup> He then voted with the remainder of the Council that the Queen be petitioned to rescind Lawley's appointment.<sup>16</sup>

<sup>14</sup>Ibid., October 27, 1854, p. 2h.    <sup>15</sup>Ibid., p. 3a.

<sup>16</sup>Ibid., November 2, 1854, p. 3a.

As it turned out the matter had already been decided in the House of Commons, but Finniss felt that he had neatly extricated himself from an awkward position. As senior minister he had attempted to increase the Governor's salary, and only after this had been rejected by the other members had he bowed to the wishes of the majority.

Just before Young left the colony in December 1854 news was received that the new Governor would be Sir Richard Graves MacDonnell. A forty-one year old Protestant, MacDonnell had been a lawyer, Chief Justice of Gambia and Governor of St Lucia and St Vincent before being appointed to South Australia. According to the first reports reaching the province, the new Governor had a reputation for harshness and severity. Nevertheless the colonists consoled themselves with the thought that when MacDonnell found that he had to deal with a thriving and intellectual colony of Saxons rather than a handful of Creoles, halfcastes and Mulattoes, his outlook would change.

As MacDonnell was not expected to reach South Australia until the middle of the following year, an Acting Governor had to be found to fill the vacancy when Young departed. Finniss had been Young's trusted senior official and had managed Council affairs reasonably well.

The retiring Governor therefore had little hesitation in promoting the Colonial Secretary to the position and Finniss was duly sworn in on December 20, 1854.

With the Legislative Council in recess until the arrival of the new Governor, and most people content to mark time while awaiting news of the fate of the Constitution Bill, the next six months were quiet ones. It was the ideal political climate for Finniss. He performed his duties punctiliously and observed all necessary protocol. As Acting Governor he received an additional allowance of £1,000 per annum, enjoyed the homage and respect accorded to him as the Queen's representative and was away from the hustle and bustle of petty administrative problems:

No exciting events disturbed the public tranquility. We were revelling in the improved state of things which had been created by the growing wealth of the community. . . . Our revenues were elastic, and various sources of industry were developing their producing powers.<sup>17</sup>

Enjoying the elevation to the full Finniss gave his support to a committee formed to send relief to the distressed wives and orphans of soldiers killed in the Crimean War. South Australia, with a population of just over 97,000, raised a creditable £6,000 which Finniss proudly transmitted to the Secretary of State.

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<sup>1</sup> 7B.T. Finniss, Const. Hist., p. 256.

The highlight of Finniss's term as Acting Governor was the levee held at Government House on May 24, 1855 to honour the Queen's birthday. The gathering had originally been planned as a welcome for MacDonnell, but as he had not arrived by that date Finniss himself received the guests. It was the most impressive ceremony yet held to commemorate such an event and the Acting Governor invited 274 local dignitaries. After the levee Finniss proceeded to the parklands to inspect the volunteer corps which had been raised a few months before.

No movements were attempted, as the Commandant of the volunteers, Major Moore, stated that he did not feel sufficient confidence in the training of the volunteers to do more than present them in line for inspection. <sup>18</sup>

Altogether it was a most satisfactory day for Finniss. Even The South Australian Register, which seldom lavished praise on anyone, felt that the occasion merited a compliment:

Mr Finniss's businesslike, though quiet and unostentatious, management of the affairs of the colony since the departure of Sir Henry Young has given great satisfaction to the colonists; and we are glad of this opportunity of uniting with the general voice in expressions of approval. <sup>19</sup>

Had Finniss been able to continue in the position he would probably have proved to be a hardworking, efficient

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<sup>18</sup>Ibid., pp. 265-266.

<sup>19</sup>Register, May 25, 1855, p. 2d.

Governor. He was admirably suited for such a role and delighted in performing prescribed duties. His personal tragedy was that he held the post just long enough to fully appreciate the taste of power before being displaced by a man determined to rule autocratically.

## CHAPTER VI

### A CLASH OF PERSONALITIES

MacDonnell, who arrived in South Australia a few days before he was sworn in on June 7, 1855, was hardly the type of governor to take over at such a delicate period. With strong ideas of his own as to what role the settlers should play in the administration he was unwilling to meet the wishes of the more radical colonists. From the beginning he sided with the conservative land-owning and commercial classes who were convinced that the future prosperity of the state was dependent upon the establishment of a nominated upper house. While maintaining that he had come to govern constitutionally, MacDonnell stated that the province would need a population of at least 150,000 before it could manage anything more than a single elected chamber of thirty-six plus four nominated members. Consequently he was soon at loggerheads with a small but vocal section of the community.

Finniss was finding readjustment to his duties as Colonial Secretary very difficult. Having enjoyed the

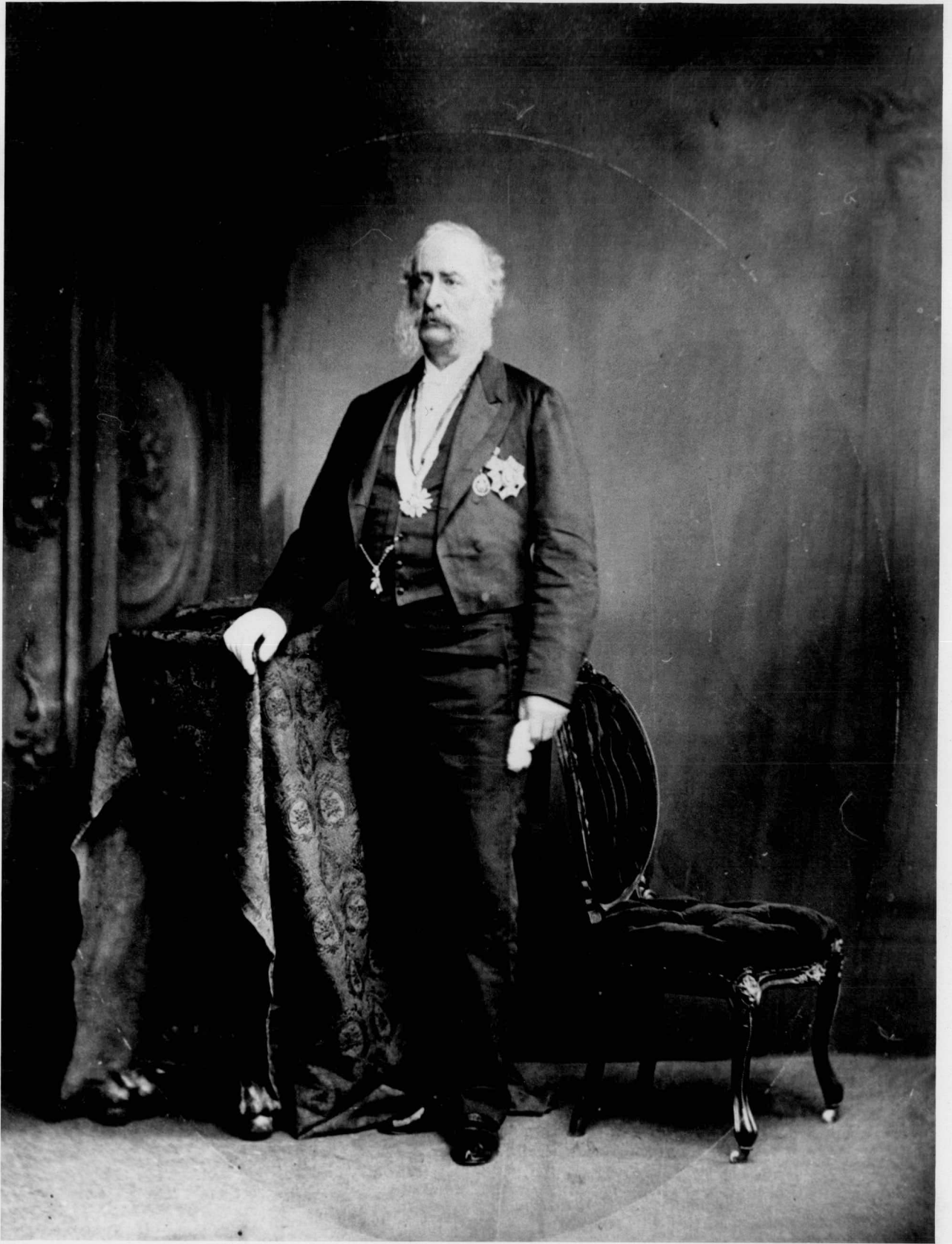


Fig. 2. Sir Richard Graves MacDonnell

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exalted position of Acting Governor to the full, he was irritated by the new Governor whom he found to be aggressive, assertive and illiberal. The tactless MacDonnell did not make the change over any easier for Finniss when he let it be known that he intended to take an active part in the debates on the new constitution. Formerly Young had always worked with and through his Colonial Secretary; now it appeared that Finniss was expected to become merely a servant of the Governor.

When Lord John Russell returned the Constitution Bill to South Australia and suggested that it be re-examined, he evidently assumed that the Legislative Council would be dissolved and a new one elected before the matter was discussed. His directive reached South Australia a few days before MacDonnell had been installed in office. Finniss, priding himself on his local knowledge and anxious to create a good impression, hastened to advise the Governor that fresh elections would be a waste of time. MacDonnell, however, was determined to assert his authority:

I am convinced, both on general constitutional grounds, and also in consequence of the publicity already given to Lord John Russell's despatch of May 3rd last, that an immediate dissolution is at once desirable and necessary. . . . Accordingly, I last night (August 14th) decided on the course I would take, and directed a communication to be made

to one of the papers.<sup>1</sup>...

He thereupon dissolved the Council on August 15, 1855 and elections were scheduled for the following month.

The results completely vindicated Finniss as only one of the old members contesting the election failed to secure a seat. In all there were four newly-elected members and the only remarkable change was the replacement of the four non-official nominated members. The new appointees--Fisher, Davenport, MacDermott and Stirling--differed little from the old; they could be counted on to support the Governor and oppose radical reform.

To a man who had recently tasted the heady fruits of power, the Governor's obvious intention to treat the colonial legislators as adolescents was galling. While prudence urged Finniss to ally himself with the official party, pride impelled him in the opposite direction. It was at this stage that he found an ally in Hanson whose ideals had already been affronted by MacDonnell's authoritarian attitude.

Hanson was the most progressive of the colonial administrators in South Australia. He believed the colony needed a liberal constitution and he had clear ideas on how this could be brought about. It was natural

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<sup>1</sup>B.T. Finniss, Const. Hist., pp. 277-278.

for Finniss to accept Hanson as a friend and confidant; here was someone with decided views, a leader for Finniss to follow. The two were a strange pair--Hanson a coldly-logical, aloof lawyer, Finniss a painstaking, officious administrator--yet each complemented the other. Although they had minor disagreements--their policies were not always identical--they teamed together to thwart MacDonnell.

Finniss moved to oppose MacDonnell when the Governor insisted that South Australia was not yet ready for self-government and announced plans for a single chamber with additional nominated members. Such a plan could have established a "Governor's party" and forced colonial administrators into a position where they were completely subservient to the Governor's wishes. Feeling as he did, it is no wonder that Finniss voiced his objections, first verbally and then by letter, to MacDonnell:

It is my duty to you, to the colonists, and to myself to tender you my opinion upon that form of Constitution which I believe will be most generally acceptable, and, therefore, which alone can be carried in the Legislative Council. With such strong convictions as I have upon the point not resulting altogether from my reasoning powers as to the theory of the best Constitution for Australia, but founded largely upon my impressions of the temper of the people and the strength of parties, it is my duty to urge them in this crisis with more force than I can do verbally.<sup>2</sup>

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<sup>2</sup>Ibid., p. 284.

MacDonnell expected his colonial assistants to follow his lead, not to suggest that they knew better, and it was not long before he found a means of reprimanding his Colonial Secretary. When Finniss vacated the Acting Governorship on MacDonnell's arrival, a section of the public started a collection as a mark of respect for what he had done during his term of office. It was too good an opportunity for MacDonnell to miss:

It gives me great pleasure to perceive that these services are not forgotten by the Colony, but at the same time as you are aware that neither of us is permitted to accept from the Public any pecuniary or other valuable consideration whatever in testimony of our public conduct—you will not be surprised at my being desirous that such advertisements should cease and that the project to which they refer should be abandoned.<sup>3</sup>..

By the time the Council met in November, 1855 the Colonial Secretary found himself in an invidious position. The Governor was obviously intent upon ruling according to his set principles, even if it meant ignoring the advice of his senior ministers. It is true that MacDonnell announced that while he personally favoured the single chamber system it was apparent that the colonists wanted a bicameral legislative body, and therefore they should

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<sup>3</sup>Letters from Gov. MacDonnell, 1855-58, used by B.T. Finniss in Const. Hist., S.A.A., 78/9. Cited hereafter as MacDonnell Letters.

all work towards this latter end.<sup>4</sup> Having assented to the wishes of the majority, he then outlined his new ideas on what was best for the province. These included an eighteen member upper house chosen by responsible citizens and a lower house of thirty members elected by all adult males who had been resident in the colony for at least two years. He also urged that the Civil List and the method of voting approved in 1853 should be retained, but that electoral boundaries be altered so that pastoral and agricultural interests should not be swamped by a heavy urban vote.<sup>5</sup> It was all very conservative and would have little appeal to the reformers.

At this stage Finniss was still unwilling to oppose the Governor publicly. He compromised by making a long speech in which he looked at past achievements but avoided making too many references to the current problem. Nevertheless during the second reading of the Bill on November 21, he was still sufficiently conservative to point out the dangers of allowing the upper house to be elected by the whole state considered as one constituency.

It would have the effect . . . of increasing the power of towns, which is the power of capital. All the

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<sup>4</sup>Register, November 2, 1855, p. 2f.

<sup>5</sup>Ibid.

strength of the colony would be given to the towns and their suburbs. It would be a power opposed to the agricultural and pastoral interests, and to those thousand improvements so necessary to the advancement of the colony.<sup>6</sup>

Finniss never explained why he considered the minority more likely than the metropolitan capitalists to satisfactorily carry out the important tasks of government. As a member of the administration for over a decade he should not have overlooked the fact that the two groups were frequently interchangeable. Many of the agriculturists and pastoralists had considerable commercial interests as well, and at this stage there was little conflict of opinion between the moneyed classes. Finniss was far more afraid of the working man's vote than he was of "the power of capital." When he supported the idea of a conservative upper house he was still hoping to reach some form of rapport with the Governor. Had he been able to achieve this he would probably have remained a staunch conservative to the end.

Unfortunately for Finniss the debate on the Bill only aggravated the ill-feeling between him and the Governor. Before the Legislative Council could examine the Constitution Bill clause by clause there were two other items to be resolved--the Estimates for 1856 and the

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<sup>6</sup>B.T. Finniss, Const. Hist., p. 331.

Governor's salary. The Estimates caused little trouble; a committee was appointed to deal with them and to report back later. The Governor's salary was another matter; it had been left in abeyance since the row over the proposed appointment of Francis Lawley.

The Imperial Government had already stated that they felt the Governor should receive £4,000<sup>7</sup> and Finniss, apparently persuaded by MacDonnell,<sup>8</sup> proposed that the legislature place the Governor's salary on a permanent basis and to this sum add a further £1,500 to cover contingencies.<sup>9</sup>

Her Majesty's representative should not be in a position of dependence as regards income upon the Legislature, otherwise he would be obnoxious to the charge of being swayed by promises of increase or threats of diminution of his salary.<sup>10</sup>

It is doubtful whether Finniss expected this plan which would virtually treble MacDonnell's salary to provoke as much fierce opposition as it did. The reformers, Kingston, Reynolds and Dutton, were against any scheme which would pay the Governor twice as much as would be paid to any of the leading colonial administrators. Others

<sup>7</sup>Register, November 24, 1855, p. 3f.

<sup>8</sup>B.T Finniss, Const. Hist., p. 304.

<sup>9</sup>Ibid., p. 312.

<sup>10</sup>Register, November 24, 1855, p. 3e.

realistically argued that the colony's financial position could not support such an increase.

Had MacDonnell been a more tactful character things might still have been worked out amicably, but he blamed Finniss for having bungled the whole affair and wrote him a caustic letter:

I know of no way in which I can effectually prove how repugnant to my reason and to my feelings is the position in which you have placed me by such notice, than by requesting it to be withdrawn. I infinitely prefer either living on £2,000 per annum, or leaving the colony, which, I presume, would then be the only alternative, to having my name associated with a motion against which might have been urged, and have been urged, the most conclusive arguments.<sup>11</sup>

Baker, assuming the role of mediator dropped by the wrathful Finniss, then moved that MacDonnell receive £3,000 a year. Finniss agreed and wrote to the Governor explaining that the Council could not grant him £4,000 as they identified that sum with the coming into operation of a form of legislation having extended powers.

MacDonnell was now determined to control the obstreperous Council and he attempted to do this by appointing Torrens, a staunch supporter of the old order and a self-confessed Tory, as Treasurer. This the Governor hoped would give him an influential voice in the Council and an effective counter to the liberal Hanson and the assertive

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<sup>11</sup>B.T. Finniss, Const. Hist., p. 313.

Colonial Secretary.

The Bill for Responsible Government was introduced on November 20, 1855. The government proposal, largely the work of Hanson and Finniss, was for an elected upper house of eighteen members chosen from twelve electoral districts. To prevent the urban groups dominating that chamber, the city electorates were made larger than the rural ones. This short-sighted move ensured that the "country aristocracy" would always be able to control the house.

The government plan was not immediately adopted. Even with the assurance that the country regions would be more adequately represented, some wealthy elements felt that as no-one could predict the likely drift of population in South Australia, further safeguards were needed. Rural areas after all could contain important mineral resources which might bring a big influx of workers and upset the voting balance. If wealth, not population alone, were to decide the composition of the upper house this danger could be averted. Finniss, who had little faith in the democratic will of the masses, agreed that some safeguards were needed, but he was not prescient enough to visualise the likely outcome of supporting the idea of a privileged upper house.

So far as Finniss was concerned the upper chamber would never be more than a paternal authority "for all

measures which passed one House must pass the other, and finally receive the sanction of the Governor."<sup>12</sup> He still believed that

the Government would be and must be in the Lower House. The Ministry must command a majority there and it was the people themselves who would in reality, wield the governing power, as all votes of supply, all money votes, must emanate from their representatives.<sup>13</sup>

Other members, including Kingston, Dutton and Peacock, had a different view and protested loudly but unavailingly. Their task was made all the harder because once the conservative groups saw that their position in the upper chamber was secure they disclosed a willingness to allow the reformers a liberal lower house. Originally Finnis, as the government spokesman, proposed that the House of Assembly should consist of thirty members elected from twenty-one districts. Kingston wanted more than this; he and his supporters pleaded that the electorates be reduced to seventeen and the number of members increased to thirty-six. The final outcome, with a vote to all adult males after a six month residential qualification period and triennial parliaments, appeared both liberal and progressive. Nevertheless it is significant that the city area, where the bulk of the population was concentrated, was granted only eight seats. Mining interests, rural commerce and

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<sup>12</sup>Register, November 28, 1855, p. 2e.

<sup>13</sup>Ibid., September 30, 1853, p. 2f.

wool growers were given three each and the agriculturists received the remaining nineteen.<sup>14</sup>

There is little doubt why Finniss voted as he did during these debates. Firstly he was still hoping for a reconciliation with the Governor; a person such as Finniss could not easily throw aside habits of a lifetime. Secondly he hoped that by supporting the conservative interests he would receive their backing for his plan that important posts in the Treasury, Customs and Crown Lands should be filled permanently by experienced men not at the mercy of the swing of the political pendulum. There was little interest in the idea, however, and Finniss found few willing to back him. Thirdly Finniss was no reformer.<sup>15</sup>

By January 1856 the Constitution Bill was ready for MacDonnell's signature before being forwarded to England for royal assent. All that could be done then was to await official news from the Imperial Government. It had been a frustrating period for Finniss as the Governor had shown no inclination to treat his Colonial Secretary other

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<sup>14</sup>S.A.P.P. 1855-56, No. 121.

<sup>15</sup>B.T. Finniss, Miscellaneous Correspondence, 1860-61, S.A.A. 91/1.

than as a glorified servant. In his final despatch for the year to London, MacDonnell criticised his chief minister for lack of co-operation<sup>16</sup> and before this had pestered him with requests for statements regarding corrections and alterations made to the Constitution Bill.<sup>17</sup> He had also asked that special Council meetings be summoned and that important matters should be discussed before such meetings "as otherwise it might be requisite to adjourn the Council for further consideration."<sup>18</sup>

In February 1856, MacDonnell launched another move to restrict the powers of his colonial administrator. He objected to Finniss dealing with routine matters and using the Governor's name without authority. The irate Colonial Secretary bit back sharply pointing out that

hitherto no letters have been written without the Governor's . . . authority, and they are always supposed to be written in his name as the Col. Sec. not<sup>19</sup> being responsible can only write in the Governor's name.

On this occasion Finniss was right, and the Governor did not pursue the matter any further. A few weeks later, however, he found another opportunity to reprimand his first minister. Finniss had made a small mistake over the

<sup>16</sup>Despatches from Adelaide, December 31, 1855.

<sup>17</sup>MacDonnell Letters, S.A.A., 78/13.

<sup>18</sup>Ibid., 78/14.

<sup>19</sup>Ibid., 78/15.

salary allocated to the Chief Clerk of the Post Office.

MacDonnell seized upon this immediately:

Altogether the mistake is most unfortunate as compromising the good faith of the Govt. and should be remedied as speedily as possible.<sup>20</sup>

The whole affair was an unfortunate clash of personalities. The dutiful, straightlaced Colonial Secretary was deeply hurt by the Governor's actions and his tiffs with MacDonnell brought out the worst side of his character. Instead of approaching the Governor directly and attempting to iron out their differences he avoided meeting him. Rationalising that his own behaviour had been impeccable and that MacDonnell had caused all the trouble by behaving autocratically, Finniss communicated with his Governor mainly by letter.

Torrens, whose sympathies were divided in this case, tried to assume the role of peacemaker and suggested that the Colonial Secretary call on the Governor. In Finniss's words,

The Treasurer . . . informed the Colonial Secretary, on his way to his office after a sitting in the House, that his official position was in considerable peril as he had gathered from the Governor in conversation. The Colonial Secretary informed Mr Torrens, in reply, that his health was already giving way under overwork, and that his non-attendance on the Governor was due to that and not from any inattention to His Excellency's commands.<sup>21</sup>

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<sup>20</sup>Ibid., 78/26.

<sup>21</sup>B.T. Finniss, Const. Hist., p. 346.

MacDonnell, for his part, failed to understand how Finniss could find time to attend the Legislative Council debates and yet not be able to spare a few minutes to see him.

Finniss did not stop there. Convinced by then that there was no likelihood of the Governor changing his ways he began to condemn any of MacDonnell's actions which he felt were unconstitutional. He accused the Governor of showing undue favour to certain ministers and ignoring the advice of other, perhaps more experienced, men.

MacDonnell replied in his most superior manner:

I believe it would puzzle--and has puzzled--people in every colony, whose government I have administered to say who "has my ear" in the sense meant. Knowing as you must that I judge always for myself--and knowing also that the records of the Executive Council do not prove the Treasurer's opinion<sup>to have</sup> more weight . . . than that of yourself and the Advocate General--it is desirable . . . to contradict them flatly.<sup>22</sup>

It was true that the Governor made his own decisions, but once having done so he invariably looked for support, not opposition. Regarding himself as every bit as important as his Colonial Secretary he failed to appreciate Finniss's feelings. For his part Finniss had found it hard to re-adjust after his term as Acting Governor. Although he had little faith in Torrens's ability he was exceedingly jealous of anyone likely to be considered more talented than himself.

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<sup>22</sup>MacDonnell Letters, S.A.A., 78/27.

The bitter feud between MacDonnell and Finniss ensured that the differences of opinion highlighted by the Constitution debate were kept simmering. Each side refused to appreciate that the other had some right on its side, tempers became shorter and all thought of co-operation was drowned in a flood of continual recrimination. It was hardly the opportune moment to introduce democratic government to South Australia.

## CHAPTER VII

### THE RISE AND FALL OF THE FIRST MINISTRY

News that the Constitution Bill had been accepted by the Imperial Government reached South Australia in the spring of 1856. The Bill was proclaimed on October 24 and the Governor then had to appoint the first responsible ministers to hold office until elections could be held. In spite of his antagonism towards Finniss, MacDonnell was too hidebound to change his advisers at this stage.

The members of the existing Government not having been selected by himself he had incurred no responsibility in accepting as Ministers those <sup>whom</sup> he found in office. . . . His own feeling was that it was desirable to leave those in office whom he originally found in office-- and to presume that they enjoyed the confidence of the country till an opposite conviction should be forced on him by the representatives of the people in the Legislature.<sup>1</sup>

Thus Finniss was made Chief Secretary with a salary of £1,300 per annum, and Torrens and Hanson became Treasurer and Attorney General respectively.

Had MacDonnell decided otherwise Finniss may have

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<sup>1</sup>Minutes of Executive Council of South Australia, 1856, p. 318.

found himself in sore straits. He had no desire to enter business, he could not afford to set up as a pastoralist and he was too young to retire on his pension of £425 a year. Under Section 39 of the Constitution Act he was not precluded from taking other government positions because should he receive any emolument under the Crown, "then such retiring allowance shall merge or be reduced pro tanto during the tenure of such appointment, according as the salary or emolument of such new appointment."<sup>2</sup>

Finniss sincerely believed that he had the support of the majority in the Legislative Council in his campaign to prevent the Governor from dominating proceedings. He thought that because his cause was just he would be regarded as a public benefactor, no matter what methods he used. Unfortunately he was a poor propagandist; he seldom kept his followers fully in the picture but expected them to always respect his judgement. He had in fact grown accustomed to governing and was unwilling to court political popularity by descending to what he thought was the mass level. This self-righteous attitude, very similar to that adopted by MacDonnell, made him distrustful of the rising, if disunited, working class groups in the colony. Seeing colonial administration as the right and duty of the elite

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<sup>2</sup>The Constitution Bill of 1856, Section 39.

few, Finniss lacked the sensitivity to realise that others too had feelings, convictions and ambitions. A decade of service in colonial politics, where it was customary to dismiss the opposition as being uninformed, was not the best apprenticeship for the post of Chief Secretary.

MacDonnell did not make things any easier. He continued to lecture Finniss on the best way of conducting business in the Legislative Council. The Chief Secretary was inclined to allow opposition members full opportunity to air their views. MacDonnell regarded this as a waste of time and pointed out by letter:

It is well known that the Govt...can always make a House when they choose whilst counting out is often by far the most expedient course of meeting either frivolous or inconvenient questions.<sup>3</sup>

Finniss was in no mood to receive gratefully such condescending instructions.

During the last months of 1856 the Council drew up plans for the coming election and made arrangements to place various departments under the jurisdiction of cabinet ministers. There were few definite ideas as to which ministers should control which sections of the civil service and eventually it was agreed to model the system on that already advocated for New South Wales.<sup>4</sup>

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<sup>3</sup>MacDonnell Letters, S.A.A., 78/39.

<sup>4</sup>Minutes of Executive Council of South Australia, 1856, p. 321.

At this stage Finniss had two main concerns--his differences with MacDonnell and his role in the coming elections. He anticipated correctly that the Legislative Council would become the resting place of the wealthy. The House of Assembly, on the other hand, should contain a wider cross-section of the populace and might, he reasoned, emulate the House of Commons. It was therefore fitting that he should contest a seat in the lower house.

When the elections had first been mentioned many local pundits asserted that there would never be enough candidates to fill the parliament. These predictions proved unfounded when nominations closed on February 26, 1857--there was in fact a surfeit of aspiring politicians. All former Council members, excluding Watts and Dr Rankine, nominated and ten of them--Angas, Baker, Davenport, Fisher, Foster, Freeling, Peacock, Scott, Stirling and Younghusband--were among the twenty-seven candidates seeking seats in the upper house. With the exception of Peacock, who was something of a fish out of water in such company, all represented the pastoral and commercial wealth of the colony. They were, as Finniss aptly declared, men who had

taken refuge in the Upper House, where they felt secure in a long continuance of power, and safe in their ability to resist any encroachments on property which might be originated in a larger and more Democratic assembly.<sup>5</sup>

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<sup>5</sup>B.T. Finniss, Const. Hist., p. 441.

Nevertheless these men judged the feeling of the electorate accurately for only the liberal Peacock failed to obtain a seat.

The other members of the Council--Bagot, Blyth, Dutton, Hart, Hughes, Kingston, MacDermott, Neales, Reynolds, Torrens, Hanson and Finniss--joined fifty other candidates to contest the thirty-six House of Assembly seats. Although Finniss was sceptical of granting urban interests too much power, he had no compunction about offering himself as a city candidate, and joined Hanson, Torrens, Neales and Dutton to contest the six seats allocated to the Adelaide district. That conservative Torrens, ambitious Finniss, opportunistic Neales and radical Dutton should join forces to campaign as "liberals" is indicative of the political immaturity so prevalent in South Australia. In other electorates the old guard, campaigning under equally inappropriate labels, appealed to the colonists to support them as members they knew and could trust.

Election day, March 9, 1857, was gazetted as a public holiday. Voting was by secret ballot and, although some of the candidates tried to entice support by spirited campaigning, there was no suggestion of intimidation. An elector had in effect eighteen votes for the upper chamber and could use all or part of that number. He merely struck

out the names of those for whom he did not want to vote and left untouched the names of those candidates he supported. The same procedure was followed for the lower house, but in this case the number of votes depended on the district allocation.

It was a quiet day; there was little to interest the general public and there were no political parties with platforms likely to excite partisanship. When the poll was declared it was clear that the populace preferred to trust the men who had laboured so long to bring responsible government to South Australia.

The feud between Finniss and MacDonnell did not abate during the bustle of the elections. The Governor's brash enthusiasm to lead the colony was by this time waning. He was frequently absent from Government House and even asked Finniss to prepare despatches for Victoria and New South Wales.<sup>6</sup> When asked for details of a speech he was due to give shortly after the elections, the Governor replied in an off-hand manner:

There is not a word of the Speech written--at least to my knowledge-- I shall however throw no obstacle in the way of your having<sup>the</sup> earliest information when there is any to give.<sup>7</sup>

Such conduct was to the officious Finniss a further

<sup>6</sup>MacDonnell Letters, S.A.A., 78/40.

<sup>7</sup>Ibid., 78/41.

indication that MacDonnell was not doing his work properly.

The Governor's attitude was not due to laziness; he was as disappointed with the colonial administrators as they were with him. As there was no marked change in the personnel of the new parliament, he had no excuse for interfering with the administration. Finniss was therefore asked to form the first ministry just before the two houses met on April 22, 1857 and thus given an opportunity to put into practice the liberal ideas he had presumably acquired during the previous year.

The situation was not so simple as at first it might appear. Until 1855 Finniss had worked with a leader to guide him; now he was expected to be the decision maker. There is a great difference between following and leading, and although the Chief Secretary was a first-class lieutenant he was too poor a judge of men and situations to be an effective general. Furthermore he lacked the ability to create a popular image of himself. Often his moves were poorly timed and out of step with public opinion. At a time when he should have attempted to reconcile the divergent interests of the various factions within the colony, he tried to solve his problems by authoritarian methods.

On taking over the reins of government Finniss found that he had to deal with a potentially hostile Legislative

Council, a discordant House of Assembly and an unsympathetic Governor, yet he had to announce the government plans for the coming session of parliament. His first move, that of restoring former office holders to their old positions, revealed his lack of imagination and his failure to assess the situation accurately. The Council had been hopelessly split for years and by merely restoring the old hierarchy Finniss ensured that the factional struggles would continue--only this time he, not the Governor, would become the scapegoat. A more astute leader would have chosen his team more carefully so that likely supporters were not left on the back benches to become dissatisfied rebels. The most glaring example of Finniss's poor judgement was the retention of both Hanson and Torrens in the ministry. These two men were certainly the most accomplished politicians in South Australia, but their temperaments were such that they could not work amicably together for long periods. As Finniss lacked the strength of character to control these two, he should have made a choice between them.

The new government faced many problems in framing its programme. There were conflicting views on such subjects as land-leases, immigration, railway development, road and postal communication, taxation and free distillation to be considered. Nonetheless Finniss produced plans

which tackled most of the problems systematically.<sup>8</sup> However, he had not reckoned with the Legislative Council. The members there were determined that their interests should be safeguarded before the colony's finances were frittered away on less important ventures. Baker summarised the Council's attitude clearly:

He would caution the Ministry against being too favourably impressed with the railway scheme merely because there was a large sum in the Treasury. It was but fair that some part of the land fund should be pledged for immigration purposes. Let that be done, and let the necessary cost of Government be deducted, and they might then see how much would be left for railroads.<sup>9</sup>

The Council had no intention of allowing an over-enthusiastic House of Assembly to lead the colony into bankruptcy.

In this, the first important issue to be settled by parliament, Finniss had the full support of the House of Assembly. He had not expected that the Legislative Council members would argue that while the House of Assembly had the exclusive right to originate money bills, they had the power to amend them. When as a matter of course he forwarded the Tonnage Duties Repeal Bill to the Council after it had passed through the lower house, he did not expect it to be returned with a number of amendments.<sup>10</sup>

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<sup>8</sup>B.T. Finniss, Const. Hist., pp. 428-436.

<sup>9</sup>Ibid., p. 442.

<sup>10</sup>Ibid., p. 448.

Although Hanson was at his eloquent best in the debate that followed, the Council stood firm and eventually the House of Assembly had to accept the fact that the Council, while relinquishing the right to amend ordinary appropriations, retained the prerogative to suggest alterations to all other bills.<sup>11</sup>

This early setback should have been warning enough to Finniss. It was clear that the Legislative Council was going to have more power than the House of Lords. Future legislation would have to be prepared carefully and receive the unqualified backing of the House of Assembly before being submitted to the upper chamber.

Finniss, however, was anxious to make his mark quickly and, ignoring the Council, concentrated on pushing through a number of schemes which he contended would greatly benefit the colony. He urged that the Assembly should endorse his idea of building roads to all the main centres in the province, should extend the existing railway services, support a large public works programme and introduce a new electoral bill.

The plans were progressive enough and most of them were adopted later, but the colony could not afford them in 1857. By attempting to do too much too soon the Chief

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<sup>11</sup>Ibid., pp. 540-568.

Secretary laid himself open to the charge that he was a poor economist with a confused sense of priorities.

When he proposed that the newly elected Houses should embark on a scheme of electoral reform, he received a cool reception. Few members could see the pressing need to change a system which had just elected them--especially as the men now recommending change were the original sponsors of the first bill. Undeterred Finniss next proposed that the colony should be given direct postal service with England, and that money for this should be borrowed on a short term basis. In spite of Hanson's objections to the idea of raising a loan for such a purpose and Torrens's lack of interest, Finniss persisted. The move was defeated at the third reading.

By presenting these measures so quickly, and by failing to muster adequate support within the House of Assembly, Finniss united many of the members against him. These men may have had few constructive ideas of their own, but they were not the type to be jostled into line, or greatly impressed by the Chief Secretary's repeated assertions that he knew what was best. Most of the members were new to colonial politics and had Finniss approached them as individuals he may have obtained their support. By lecturing to them he aroused their resentment.

On top of this there was the Governor. MacDonnell

was determined, that the colonial administrators should not usurp any of his power. Once he saw that Finniss was bent on reversing decisions accepted but a few months before, he lost no time in pointing this out. Finniss was in no mood to take such carping criticism now that he was the head of an elected government. He tried to put the Governor in his place once and for all:

Should any occasion hereafter arise for the personal vindication of any Member of the former Council, it will be for him individually, in such mode as he may deem most fitting to defend the policy which the Ministry now adopt, and show in what manner it can be reconciled with his previous views and conduct.<sup>12</sup>

MacDonnell met the attack in typical fashion by accusing Finniss of not keeping him informed of all that was going on in parliament.<sup>13</sup>

It was an exasperating situation, but Finniss doggedly refused to try to reach an agreement with MacDonnell and claimed that the Governor was trying to sabotage the working of the government. MacDonnell frequently consulted other members of the executive and this gave Finniss a chance to imply that this was done for an ulterior purpose:

If I found that private and confidential intercourse existed between any Member of the Ministry and Your Excellency, on matters of Public Policy, I should

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<sup>12</sup>Minutes of the Executive Council of South Australia, 1856, p. 365.

<sup>13</sup>Official Correspondence between Finniss and MacDonnell, 1857, S.A.A., 92/40. Cited hereafter as Finniss-MacDonnell Correspondence.

consider that <sup>the</sup> Public Service would be seriously damaged by the weakness and distrust which would be occasioned in the Government.<sup>14</sup>

With a situation such as this it was natural for the opposition forces to unite. MacDonnell had always been sympathetic towards the colonial aristocracy and, as this group was well represented in parliament, it soon courted the Governor's favour by introducing a motion that all important bills, before being discussed in parliament,

should be laid before the Governor in Chief by the Chief Secretary, in order that His Excellency may take such action thereon as he may deem fit.<sup>15</sup>

Finniss, disgusted by the whole proceedings, recorded the event in his scrap book, scrawling in the margin, "This is making the Governor a Cabinet Minister too and Premier."<sup>16</sup>

The argument between Finniss and MacDonnell had by now gone so far that neither man felt he could back down without loss of prestige. While Finniss was certain that the Governor was conspiring to defeat the forces of responsible government, MacDonnell felt that the Chief Secretary was likely to let power run to his head and so undertake schemes likely to ruin the colony. He therefore suggested that the Governor should have power to add to

<sup>14</sup>Ibid., 92/3.

<sup>15</sup>Ibid., 92/7.

<sup>16</sup>Ibid.

the Executive Council, and also that provision be made for an Acting Governor to take control when he himself was out of the state. Finniss condemned the first suggestion:

This power would, I think, operate to damage and obstruct the working of Responsible Government, by giving the Governor the right to such advice from members of the Government not directly responsible for the consequences; for having no office to lose there could not be that degree of responsibility which is intended by our Constitution.<sup>17</sup>

The second suggestion Finniss regarded as a personal insult. He had assumed the role of Acting Governor after Young's departure and could see no reason why he should not do so again. What he failed to realise was that the situation had changed considerably since 1855 and that MacDonnell's idea was a good one. Worried and suspicious he asked to see

a copy of the Despatch which you propose to address to the Secretary of State, on the subject of an alteration in the mode <sup>prescribed</sup> of providing for the temporary administration of the Govt. during the absence of the Governor in Chief.<sup>18</sup>

MacDonnell replied brusquely that his secretary had no time to make copies of despatches which were always available to Finniss at his office.<sup>19</sup>

<sup>17</sup>B.T. Finniss, Const. Hist., p. 421.

<sup>18</sup>Finniss-MacDonnell Correspondence, S.A.A. 92/13.

<sup>19</sup>B.T. Finniss, Const. Hist. p. 418.

Undaunted by this reply the Chief Secretary informed MacDonnell:

The mere perusal of any despatches which may be put into my hands at Government House would not enable me to derive the information I <sup>might</sup> seek. I cannot, therefore, suppose that Your Excellency intends otherwise than <sup>20</sup> that I should find the means of copying the despatches.

After going on to say that he had arranged for a clerk to go to the office to copy despatches, he could not resist another thrust at MacDonnell's integrity:

"Therefore, if the despatch is not written I shall be glad to know when it is in a state to be copied."<sup>21</sup>

It was against this stormy background that Torrens's Real Property Act was first introduced to parliament. The debate on the first reading underlined the dissension not only in the House, but also within the Finnis ministry. Hanson, like most other legal-minded members, opposed the Act and was soon at loggerheads with Torrens. Finnis had two alternatives--to postpone the introduction of the Act or to obtain the resignation of either Torrens or Hanson and fill the vacancy with a man certain to follow the official line. As leader of the government he should have ensured that all legislation introduced by his party had the full backing of the majority of members. It was absurd to sponsor the Torrens Act at a time when

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<sup>20</sup>Ibid., p. 418.

<sup>21</sup>Ibid., p. 419.

he knew that it would inevitably lead to bickering within his own cabinet.

Although the Real Property Act divided the ministry, it was the Main Roads Bill and another clash with MacDonnell that brought down the government. Both of these issues could have been avoided had Finniss shown a little more diplomacy.

Early in August 1857 Finniss proposed that certain changes be made in the Standing Orders under which the House of Assembly operated. He had decided that the Orders, as used in the old Council and accepted by the new parliament, had proved cumbersome. To MacDonnell this was yet another case of the Chief Secretary trying to usurp more power. Quoting Section 27 of the Constitution Act, he challenged Finniss's right to make the contemplated changes without first consulting him.<sup>22</sup> Although the Chief Secretary replied that the standing orders had been "provisionally adopted by the House pending the grave consideration which they will require before being presented to the Governor for approval,"<sup>23</sup> it was clear that Finniss had no intention of working with the Governor.

On August 7, 1857 Finniss pushed forward a bill

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<sup>22</sup>B.T. Finniss, Const. Hist., p. 454. <sup>23</sup>Ibid.

aimed at giving South Australia a network of main roads. In all he urged that the colony build 668 miles of highway during the next three years at a total cost of £1,336,000, thus linking Adelaide with all main country centres within fifty miles of the capital. The idea was commendable, but many members of the House of Assembly doubted that the colony could afford to undertake such a costly venture at that time. Had Finniss done some quiet lobbying before advancing the bill he would have known how slight were his chances of success. As it was the bill was defeated and he was once more discredited.<sup>24</sup>

This was the climax. Finniss blamed the Governor for the troubles with which he was confronted<sup>25</sup> and went so far as advising MacDonnell

that it would be unconstitutional for His Excellency, as representing the Crown, to interfere in any question of privilege which has arisen, or may arise, between the two branches of the Legislature.<sup>26</sup>

MacDonnell, in turn, sharply reminded his Chief Secretary that it was unconstitutional for a government to hold office after any measure sponsored by it had been defeated. As three of the bills brought forward had already been rejected, the implication was obvious.

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<sup>24</sup>S.A.P.D. 1857-58., pp. 476-482.

<sup>25</sup>B.T. Finniss, Const. Hist., p. 423.

<sup>26</sup>Ibid., p. 456.

Censured by the Governor, opposed by both Houses and uncertain of continued support within his own group, Finniss conceded defeat:

The Ministry having maturely considered their position in Parliament, and especially in the House of Assembly, where they were lately defeated in three important Bills, viz., the Electoral Law Bill, the Postal Bill, and the Main Roads Bill--find that they cannot command the support of the majority of the Members of Parliament, and have therefore decided to tender their resignation of the appointments respectively held by them in the Ministry.<sup>27</sup>

Finniss's resignation surprised the Governor. MacDonnell was well aware of the intrigue and opportunism prevalent in local politics and although authoritarian at heart, he realised that South Australia could not afford to lose the services of the majority of its most experienced administrators at such a time. There were many willing to side with the Governor to bring about the Chief Secretary's downfall, but these men were all unknown quantities and their reckless ambition might prove injurious to colonial administration.

MacDonnell knew also that South Australia needed a period of settled administration to overcome the problems associated with the introduction of responsible government. He therefore tried to reach an agreement with

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<sup>27</sup>B.T. Finniss, Const. Hist., p. 456.

Finniss and asked him to summon a special meeting of the Executive Council for August 11 to discuss the situation and to attempt some form of settlement. If at this stage Finniss had been able to examine the predicament less emotionally he could easily have saved himself, and South Australia, an immense amount of trouble. It is quite probable that had he displayed a willingness to discuss common problems, he could have reached some understanding with the Governor who, after all, had to give an account of the incident to the Imperial Government. The early break-up of the first ministry was not going to benefit MacDonnell's chances of future promotion.

Finniss, however, obstinately rejected this attempt to reach agreement:

On Tuesday, the 11th, the Governor sent for me to his office a few minutes before the meeting of members of the Assembly in my office. He then said that he had not accepted my resignation; that I must continue to act as his adviser; that I could not divest myself of my functions as an Executive Councillor. I said I could not advise him in Executive Council or elsewhere, unless, indeed, he failed to make a Government, when, if I were requested to form a Government, I should again advise him.<sup>28</sup>

Later the same day when the Governor requested a meeting of the Executive Council Finniss ended all chance of further meetings by declaring that "we could not attend His Excellency in Executive Council because it would be

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<sup>28</sup>B.T. Finniss, Const. Hist., p. 458.

indelicate to advise him in any official matter."<sup>29</sup>

Finniss was by this time so involved in his various problems that he had lost all sense of proportion. The defeat of his legislation and the criticism he now received from men who earlier would not have dared to criticise government policy, seemed to him almost treasonable. Like so many leaders of popular movements, Finniss was caught in the undertow and lost. Had he been able to subdue his feelings of outraged dignity and to realise that other people also had to be considered, he probably would have survived the crisis.

It can be argued that Finniss came to power at an unfortunate period when there were too many leaders and not enough followers. Each important politician had his small band of confidants, many of whom were willing to sell their votes to the highest bidder. There were no parties in the modern sense of the word, and as few politicians were yet representatives of any particular pressure group, they were more concerned with fostering their own image than with the affairs of state. Ideas were seldom considered on their merits; they were judged more often by who put them forward. As Finniss sourly, but accurately, noted later:

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<sup>29</sup>Ibid., p. 459

The weakness of the first Ministry was apparent from the very first. It was composed of incongruous elements. High-reaching ambitions were ready to grasp the reins of power and self-interest discerned in the distance the inviting fields of place and patronage.<sup>30</sup>

Finniss himself, however, was as pliant and self-seeking as any member of the Council. He was no victim of circumstances beyond his control, nor was he a martyr to his principles. He was a man of mediocre ability trying to use a situation for his own benefit and at the same time condemning those who adopted a similar course.

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<sup>30</sup>B.T. Finniss, Const. Hist., p. 425.

## CHAPTER VIII

### THE POLITICAL SLIPPERY DIP

The next six years saw the ruin of Finniss's political career. Although he had resigned the Chief Secretaryship, Finniss, in 1857, was still an influential member of parliament and had he profited from his experiences he could have remained a respected figure in colonial administration.

After his attempts to reach an agreement with Finniss had been contemptuously rejected, Governor MacDonnell turned first to Waterhouse, who refused to accept office, and then to the Legislative Council and Baker. At the same time he struck back at Finniss:

So long as the ministers hold office they are ex officio Executive Councillors, and cannot strip themselves of the duty of obeying the Governor's summons to attend the meetings of that body, though circumstances might make it as indelicate in them to offer, as for the Governor to require, advice on matters involving grave considerations of general policy.<sup>1</sup>

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<sup>1</sup>B.T. Finniss, Const. Hist., p. 463.

Nevertheless the Governor did not forget to thank Finniss for his services:

Although thus forced to terminate our long official connections, I am fully sensible of the zeal, integrity, and ability to promote the public interests which have been so continuously manifested by yourself and your colleagues during that period.<sup>2</sup>

Baker had trouble in forming a government and it was not until August 21 that he presented his ministry to MacDonnell. Composed largely of conservatives, the new administration came under strong criticism from the House of Assembly and lasted only nine days. MacDonnell's next choice fared little better--Torrens remained in office for twenty-nine days.

It was not until the Governor turned to Hanson on September 30, 1857 that a satisfactory coalition was formed. Hanson was defeated in the House on May 27, 1859 on Strangways's motion regarding the Babbage Expedition. When Strangways declined to form a government, however, Hanson continued in office until the close of the first parliament.

Hanson naturally offered Finniss a post in the government he was commissioned to form and suggested that he become Treasurer, but when Finniss heard that Hart was to be included in the cabinet, he rejected the offer.<sup>3</sup>

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<sup>2</sup>Ibid., p. 464.

<sup>3</sup>Finniss Papers, 76/87.

Hart, a representative of the Port Adelaide commercial interests, had long been one of Finniss's most outspoken critics and at this stage Finniss was too proud to forgive past quarrels. In his The Constitutional History of South Australia, he claims that he rejected the offer because of his "own unpopularity, both in Parliament and in the Press."<sup>4</sup> This seems doubtful as Finniss was not the type of man to worry about such matters as this when his own status was concerned.

The next eighteen months were bitter ones for Finniss. He had become so accustomed to the limelight that he failed to realize the public could soon forget him once he became a back-bencher. Deprived of the £1,300 a year he had received as Chief Secretary, he now had to live on his pension of £425 per annum. This was a considerable sum in 1858, but Finniss had been spending twice as much during the preceding years. He soon found it impossible to live at Finnissbrook--he had renamed Traversbrook after the tragic drowning of his son, Travers--and moved to more modest premises in North Adelaide.<sup>5</sup>

There was also the difficult task of readjusting to

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<sup>4</sup>B.T. Finniss, Const. Hist., p. 488.

<sup>5</sup>E. Coleman, (ed.) The First Hundred Years: A History of Burnside in South Australia, p. 70.

his new parliamentary status. Previously his long, prosy speeches had generally been heard in silence and with some respect; now little attention was paid to his utterances. To make matters worse he lacked the ready wit to deal effectively with the numerous interjections which became a feature of the debates.

Finniss was one of the few members to attend most sittings of the House of Assembly. Others frequently absented themselves to attend to their private business. To them politics was but one of many chores and unless there was something vital to discuss, they felt that they could spend their time more profitably elsewhere. Only gradually did these members become the representatives of particular pressure groups. On the other hand Finniss had no outside interests and remained an independent representative of an age that had passed.

In June 1858, when Hart resigned as Treasurer, Finniss was again offered the position and this time accepted it with alacrity. Eighteen months of political obscurity may not have improved his popularity rating but his outlook had changed and the thought of the £900 per annum was too good to reject.

Under Hanson Finniss's job was not to formulate policies but merely to present them and fortunately for him many of his ideas and those of Hanson coincided.

Both agreed that although times were bad with unemployment figures rising and government funds low, the immigration programme should continue. They were also in favour of a large public works project and both laboured strenuously to have a Main Roads Bill passed through parliament. They differed, however, on how such measures should be financed. Finniss still favoured the idea of short term loans and low taxation on the grounds that the money borrowed would earn a quick dividend and be available later to meet the capital commitments. Hanson would have none of this. He intended to raise the necessary finance by increased taxation on the principle that public benefits must be procured at public expense.

Finniss was soon advocating such schemes as the Assessment of Stock Bill, which taxed the carrying capacity of pastoral lands, and opposing heavy borrowing to hasten colonial development. As these ideas were contrary to what he had asserted two years before, the new Treasurer was roundly criticised for his change of outlook and again he found it hard to defend himself.

By the end of 1859 the province was in the grip of depression. A Destitute Board had to be set up to deal with extreme cases of privation and there was general feeling that the public works programme should be

extended to find work for as many as possible. Hanson, however, believed that the situation was not as bad as his critics made out and refused to adopt hasty measures. As Treasurer, Finniss was obliged to do the same. In fact, in attempting to defend a system with which he was not in complete agreement, he grew so dogmatic and authoritarian that he was made the virtual scapegoat for the whole affair.

It is clear that even at this stage Finniss lacked political wisdom. Shortly before nominations closed for the second parliament in March 1860, the Central Committee of the South Australian Political Association wrote to most members of parliament asking their opinions on the issues of the day. As this was a working man's organisation it was obvious what kind of answers were sought. Realising this most parliamentarians acknowledged receipt of the communication and then hedged adroitly. Finniss, however, still defending Hanson's austerity measures, wrote back to the committee heartily disagreeing with the Association:

The moneyed interest gave you a good road system. It built up a fund from the sales of lands. . . .

. . . . .  
 The wealth in the Colony is not confined to a few but that there is a <sup>very</sup> general distribution amongst all classes in different amounts of course but still in so fair a proportion that the producers of wealth as a mass assumed to consist only of artisans, mechanics and laborers cannot be in a state of misery and starvation but have the means generally of enjoying not

only the necessities but even some of the comforts and luxuries of life.<sup>6</sup>

Considering that Finniss had frequently changed his policies to suit the occasion this statement was certainly ill-timed, especially as this was the very district where he intended to stand for re-election.

It was not surprising therefore that when Finniss, Hanson, Dutton and Neales nominated for the Adelaide district, the Association opposed their candidature. The four men, together with other aspiring candidates, presented themselves in early March, 1860 to the one large meeting held prior to the elections and outlined their policy. Reynolds, the Association's supporter, spoke first and launched a bitter attack on the Hanson ministry, especially its failure to find work for the unemployed. In reply Hanson extolled the accomplishments of his government and dealt deftly with the hecklers. Finniss was nowhere near as capable and fell back on a number of his stock assertions:

Taxing lands and houses must interfere with letting them. He was quite sure that direct taxation would press more heavily on society than indirect, and be more expensive in collecting.<sup>7</sup>

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<sup>6</sup>B.T. Finniss, Miscellaneous Correspondence, 1860-61, S.A.A., 91/1.

<sup>7</sup>Register, March 2, 1860, p. 3a.

He concluded his speech by implying that the farming community was the lifeblood of the colony. Such logic had little appeal to the urban labourers present.

After all prospective candidates had spoken the Association decided to endorse six new men to represent its interests in the Second Parliament. Hanson, Dutton, Neales and Finniss were left to stand as independents. Neales--involved at the time in a mine lease scandal--felt the situation hopeless and withdrew. The others, relying on the votes of the middle-class city dwellers and the unemployed labourers for support, continued their campaign.

When the votes were counted after a quiet polling day, of the independents only Hanson had survived. With 658 votes he finished fifth in a field of ten and thus had the mortification of seeing four Association candidates poll more than he, the leader of the government. Finniss and Dutton, who had been able to do little more than argue Hanson's case, finished eighth and last with 583 and 368 votes respectively.<sup>8</sup>

Defeat at the Adelaide poll did not end Finniss's political career. Although the city elections were over, country nominations were not due to close until March 19,

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<sup>8</sup>Register, March 14, 1860, p. 2g.

and as some of the members of these districts had indicated that they would not stand again there were vacancies to be filled. In Mount Barker where the prosperous grain merchant, John Dunn, was persuaded to seek re-election, the other representative, F.E.W.H. Krichauff, decided he could not afford another term in parliament. This decision created a gap that was hard to fill. Those who were approached declined for either health or financial reasons and the only people who did come forward were hardly likely to serve that rich agricultural district with distinction.

Finniss's speech had failed to create a good impression in the Adelaide district but was more kindly reviewed in Mount Barker. Soon there was a move to have him nominate to represent the people of that district in the next parliament. On being approached Finniss accepted at once and toured his electorate for a week speaking at Strathalbyn, Milang and Mount Barker. His theme was simple--the agricultural potential of the country must be protected and developed. This could best be done by avoiding a fixed quota of immigrants, rejecting direct taxation, extending railways and deciding against free distillation.<sup>9</sup>

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<sup>9</sup>B.T. Finniss, Miscellaneous Correspondence, 1860-61, S2A.A., 91/4.

He received a favourable hearing and when the poll was declared had a comfortable majority over Dunn. The whole campaign had cost him £21-6-3.<sup>10</sup>

To be returned with a majority over the sitting member was a great boost to Finniss's morale. He felt that it was an indication that the more responsible elements in the community were in favour of an enlightened elitism in colonial politics. What he failed to realize was that the electors had voted him in because they believed he was irrevocably committed to the furtherance of the colony's agricultural interests--which was not the case.

Once Hanson saw the results of the elections he summoned a meeting of his supporters to decide the composition of his cabinet and future party policy. It was a critical period as Reynolds and his confidants had done well and could be expected to issue a strong challenge to the government as soon as parliament reassembled. To many it appeared doubtful that Hanson would survive the onslaught.

Finniss's estimate of the situation was based on how he himself would be affected by the likely changes. It was evident that if Hanson were defeated, Reynolds would not offer Finniss a cabinet post, and as matters

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<sup>10</sup>Ibid., 91/11.

stood he saw no advantage in becoming Treasurer for just a day or two. From Hanson's point of view too, there was no value in having the unpopular Finniss as Treasurer. The government stood a better chance of survival if it could remove Finniss from that post and place him elsewhere.

When it was suggested to Finniss that he become Speaker in the new government he accepted eagerly. There, he believed, his talents could be put to good use; he was well-versed in parliamentary procedure and his knowledge of protocol was unexcelled. There was also the additional point that the Speakership had a degree of permanency not noticeable in other positions. Finniss calculated that if he took the post, the salary added to his annuity would give him a return of £675 per annum. While this was considerably less than the £900 he was receiving as Treasurer, it would last out the next three years. He saw nothing odd in condemning the payment of members of parliament<sup>11</sup> and yet preparing to accept a position in that institution because of the financial rewards available.

Nor did he have any compunction about notifying his constituents at Mount Barker of his decision:

<sup>of the</sup> Many members of the House of Assembly have waited on me to express their wish that I should allow

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<sup>11</sup>Ibid., 91/1.

myself to be put in nomination for the Speakership and I have reason to believe that it is the unanimous wish of the members or at least the desire of a very large majority. It is probable therefore that I shall be placed in this position.....

.....  
 I am inclined to consider that when a large majority of the House of Assembly representing the country as they do are of opinion that I can best serve the country in the capacity of Speaker that a true sense of public duty should determine me to except (sic) the nomination.<sup>12</sup>

Here was another case of wishful thinking. Some members had encouraged Finniss to accept nomination, but he was being unduly optimistic if he believed that they did this out of respect to his outstanding ability.

The Second Parliament assembled on April 2, 1860 and Finniss learnt that he had again misjudged the political climate. Reynolds, keen to upset the Hanson ministry, took advantage of the first available opportunity--the election of the Speaker. Instead of waiting for the government to move on the matter he proposed that C.C. Hawker be nominated for the post. Rather than face a vote of confidence Hanson agreed and the new Speaker was immediately installed.<sup>13</sup>

Capitalising on this early success, Reynolds and his supporters then launched an attack on the government's past financial policies, specifically condemning the Treasurer for his failure to deal with current

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<sup>12</sup>B.T. Finniss, Miscellaneous Correspondence, 1860-61, S.A.A. 91/12.

<sup>13</sup>S.A.P.D. 1860, p. 5.

problems. It was too much for Finniss. His expectations had been shattered, Hanson had failed to come to his assistance and now he was being made the scapegoat for the depression. He had no alternative but to resign as Treasurer.

Up to the previous Thursday he had every intention and desire of working with the present Government unless he had been placed in the office of Speaker. The result of the private meeting in reference to the Speaker was that he was not elected to that office, and finding it was not the wish of the House that he should be placed in that position, his colleagues informed him that the step which he had taken had considerably weakened their position. They, in fact, considered his rejection as Speaker as a Ministerial defeat, and upon that intimation he felt bound to tender his resignation. . . .<sup>14</sup>

What Finniss had overlooked was that he had caused most of his troubles by his own actions. It was true that Hanson had not supported his candidature for the Speakership, but Finniss had virtually abandoned Hanson when he indicated his willingness to accept such a post. Furthermore a less naive man would have made sure of the backing he was likely to receive before asserting that the majority of the House of Assembly felt he was the best man for the job. Finniss had gambled and lost, and under the circumstances there appears little justification for the bitter note he wrote to Hanson.

I solicited no one I acted as I believed on a general invitation to accept the office and when I

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<sup>14</sup>S.A.P.D. 1860, p. 22.

had finally made up my mind that no personal considerations would prevent my acceptance of such<sup>an</sup> office, I at once informed the ministry and would then have stopped all proceedings with regard to my nomination as I stated at the meeting. . . . The cabinet<sup>then</sup> expressed an opinion from which I do not recollect one dissentient expression, that they did not consider my acceptance of the Speakership would damage them.<sup>15</sup>.

In spite of Hanson's efforts to avoid a vote of confidence, Reynolds forced the issue and the ministry was decisively defeated.<sup>16</sup> Finniss's resignation had merely anticipated the fall of the government. When the Reynolds ministry was formed Finniss once more retired to the back benches. He was now regarded as one of the elder statesmen of colonial politics, and repeatedly assailed the ruling group when it violated "the rules of confidential intercourse which always characterised the proceedings of the Executive Council."<sup>17</sup> Believing that his expert knowledge of defence, finance and communications should be put to the best use, he never hesitated to give the Assembly the benefit of his wide experience whenever these subjects were raised.

To compensate for his political failure, Finniss turned to the Volunteer Corps which had been raised largely through his efforts during the Crimean War. By

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<sup>15</sup>B.T. Finniss, Miscellaneous Correspondence, 1860-61, S.A.A., 91/14.

<sup>16</sup>S.A.P.D. 1860, p. 40.      <sup>17</sup>Ibid., p. 286.

1860 this force consisted of about 2,000 men divided into twelve companies. Unfortunately for Finniss he showed renewed interest in the men at a time when Colonel Blyth arrived in South Australia with two companies of Regulars. The local force outnumbered the newcomers but the latter were professionals and looked down on the amateurs.

Blyth maintained that it was absurd to have two army units in the state and argued logically that it would be best to place them both under one command. However, he was not anxious to serve under a man who had not risen above the rank of lieutenant in the British Army. The merit of the argument could not be denied. Blyth was given charge of all military forces in South Australia while Finniss was left in command of the Adelaide Regiment.

It is noticeable that after his failure to carve out a niche for himself in the Volunteer Corps Finniss became even more pedantic and officious in parliament. In 1861 when the vain, egotistical Judge Boothby, a stormy petrel on the local judicial scene for some years, forthrightly declared that the acts of the local parliament could never over-ride the common law of England, he threw the colony into turmoil.<sup>18</sup>

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<sup>18</sup>A. J. Hannan, The Life of Chief Justice Way, (Sydney: Angus & Robertson, 1960), pp. 32-34.

Boothby's assertion, coupled with his insistence on interpreting the law strictly according to the book was taken up in the House of Assembly where it was moved that the judge be removed from office. Most members who spoke on the issue were critical of Boothby and his behaviour, but Finniss, another disappointed letter-of-the-law man, defended the obstreperous judge.<sup>19</sup> In spite of representations from Mount Barker, he pugnaciously contended that there was little the government could do about the matter as the Crown had no power to dismiss the judge.

That Finniss should adopt a line contrary to popular sentiment, plus the fact that he had shown little inclination to attend to the interests of his constituents, was too much for a hundred and forty-seven electors. They petitioned him to resign. Instead of attempting to meet them to discuss the issue, Finniss bluntly refused to consider the matter further. He was right; he knew best:

Members of P. in their places have the advantage of arguments and information to guide their decisions which cannot reach those who have to look at their conduct from a distance. . . . .  
 . . . . .  
 When a general election ensues I shall not fear your opinions on my political conduct and till then I abide the issue. This is the true meaning of representative Institutions and the only practical way in which Parliamentary Government can be carried to its fair

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<sup>19</sup>S.A.P.D. 1861, p. 444.

and legitimate results,<sup>20</sup>

Needless to say this reply did not increase his popularity.

By 1862 Finniss was a thwarted, bitter man hostile towards a government which he believed refused to recognise his worth, and was especially critical of the administration's defence, constitutional reform, financial policies and public works programmes.<sup>21</sup>

When the government announced plans to build permanent post offices at Kadina and Wallaroo Finniss, forgetting his earlier grandiose schemes regarding postal communication, opposed the measure because:

Suppose all their buildings now were built of borrowed money, what would be the consequence? Why, they would be overwhelmed with the interest of this money. . . . He said a Post Office was not yet required at Kadina or Wallaroo; one or two of those iron Post Offices could be laid down, and would answer every purpose for some time to come...He could not support the principle of borrowing money for such works.<sup>22</sup>

During the discussion on the Estimates for 1862-63 Finniss complained that the compilation of agricultural statistics and the printing of Hansard were a waste of time and money. This frugality, however, had its limits as he passionately supported a plan to buy a battery of guns, estimated to cost £4,000, to defend the Port River:

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<sup>20</sup>B.T. Finniss, *Miscellaneous Correspondence, 1860-61*, S.A.A., 91/16.

<sup>21</sup>S.A.P.D. 1862, p. 815.    <sup>22</sup>S.A.P.D. 1861, p. 786.

The guns they now had were mere popguns, and would be utterly useless against those which would be brought against them in case of attack. He believed this was one of the most important matters for which the House could vote money.<sup>23</sup>

As the danger of war appeared remote and one battery of artillery hardly enough to defend the harbour in any case, the move was defeated.

Feeling as he did and consistently voting against the government,<sup>24</sup> Finniss was obviously heading for trouble. It is not surprising that his intemperate behaviour soon involved him in a rumpus which ended his chances of further political success. In July 1862 it was generally expected that the Registrar General, Torrens, would soon return to England where his ailing father had considerable assets. Finniss, never backward in promoting his own cause, thereupon wrote to Waterhouse, who had taken over from Reynolds, and asked for the position.

Before anything could be done about the matter Waterhouse had to battle to retain control over some of his vacillating supporters. With his government under attack in September 1862, for failing to honour promises made to agriculturists, many thought that the ministry would be forced to resign. Once Finniss saw the

<sup>23</sup>S.A.P.D. 1862, p. 821

<sup>24</sup>S.A.P.D. 1862, pp. 863 - 882.

opposition marshalling its forces he joined in the attack:

The hon. Attorney General [Waterhouse] had made serious mistakes in his duty. As Attorney General he had omitted from the Electoral Act a usual provision which rendered the measure useless almost, and the House had lost all confidence in his legal opinions. As regards the Treasurer it was his duty as Minister of Finance when he saw the revenue falling off to restrain the expenditure of the House, but they found the hon. member was helpless in his attempt to do this. . . . He believed the Ministry had been dragging the seals of office through the mire, and they now held the most degraded position which any Cabinet had ever held in that colony.<sup>25</sup>

It was an ill-considered speech to make at such a time.

Waterhouse, justifiably annoyed at the criticism, quickly pointed out that Finniss had been "seeking office from them lately."<sup>26</sup> Cornered, and lacking the ready turn of phrase which may have enabled him to extricate himself from the position, Finniss vehemently denied the charge. Waterhouse thereupon produced the letter<sup>27</sup> and Finniss was disgraced. Not until some time later did he admit his mistake.

Little did I expect that what I deemed private and therefore privileged correspondence would be used in political warfare; and my surprise at the impression sought to be made on the House to my prejudice, had me, in a moment of haste to rise to contradict the Attorney General, in placing me in a position which I never intended to assume, but which his words conveyed. Subsequent reflection makes me regret that I contradicted him on that occasion, because he, who had recent

<sup>25</sup>S.A.P.D. 1862, p. 923.

<sup>26</sup>Ibid., p. 924.

<sup>27</sup>Ibid., p. 939.

access to my note may have been justified in a construction which I never intended it to bear.<sup>28</sup>

Exactly what Finniss imagined Waterhouse should have done is not disclosed but the whole tenor of the letter is a good indication of Finniss's expectation that others hold stonger principles than those he exhibited. He shows little regret for twisting the truth and is more concerned about being found out.

To add to Finniss's discomfiture, Waterhouse rallied sufficient support to remain in office for another year. It was no surprise that when Torrens left South Australia in October 1862, Andrews and not Finniss became Acting Registrar General.

With the close of the Second Parliament Finniss had to reconsider his position. Residents of Mount Barker, not keen that he continue to represent their district, supported two local stalwarts, Dunn and McFarlane.<sup>29</sup> Finniss was not even invited to address his former constituents.

One can criticise Finniss for his lack of anticipation, his poor sense of timing and his inability to assess a situation accurately, but there is no doubting his persistence. He applied for the Surveyor

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<sup>28</sup>B.T. Finniss, Miscellaneous Corres. 1860-61, S.A.A. 91/17.

<sup>29</sup>Register, October 31, 1862, p. 2f.

Generalship which had recently fallen vacant<sup>30</sup> and decided to contest a seat in the Second Parliament. Under Waterhouse's Electoral Act the old Adelaide district had been broken up, the West Adelaide electorate created and two seats assigned to the area. A few days before nominations closed early in November 1862 only one man appeared interested in representing the new district so Finniss allowed his name to be submitted. When two others, Solomon and Fuller also announced their intention to stand against Verco and Finniss, a four cornered contest was assured.

It was a period when few of the candidates were prepared to state their convictions openly, and in districts where old candidates presented themselves they were quietly accepted as a matter of course. Even where there were contests there was little bias in favour of any particular candidate.<sup>31</sup> These conditions favoured Finniss and had he noticed the trend and copied the tactics of the other candidates he may well have succeeded.

Because of public apathy and the late entry of three of the candidates there was only one major political rally in the West Adelaide district before the elections. In trying to

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<sup>30</sup>Register, November 3, 1862, p. 2d.

<sup>31</sup>Ibid., p. 2e.

make the most of this Finness overlaid his hand. Instead of emphasising his experience in colonial politics and avoiding controversial subjects, he launched into a long, rambling speech which did his candidature more harm than good:

He had always been a friend of equal political rights, manhood suffrage, and vote by ballot. . . . As to education, he regarded the existing system as a very excellent one, except that the religious element was mixed up with it.<sup>32</sup>

Before pledging that "he would never sacrifice the interests of the constituents for personal gain,"<sup>33</sup> he announced that if he were offered the Surveyor Generalship he would accept it. As well as this he offered his views on taxation, distillation, customs duty and immigration and the current world situation.

He believed, in regard to America, that the independence of the Southern States would be declared in less than six months, and there might be very soon a war between England and America, which would render it necessary that the colony should be prepared to protect itself in case of aggression.<sup>34</sup>

It was no vote-catching speech in any sense of the word. When the poll was announced Finness was third on the list behind Solomon and Verco.<sup>35</sup> It was the end of his political career. After a quarter of a century of public service he was unable to find a place in the legisla-

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<sup>32</sup>Ibid., November 5, 1862, p. 3e.

<sup>33</sup>Ibid.    <sup>34</sup>Ibid.    <sup>35</sup>Ibid., November 12, 1862, p. 3b.

ture he had helped to create.

A deeply disappointed man, Finniss looked for excuses and rationalised that the Constitution Act of 1856 was the cause of his sorry state. It had:

destroyed all my chances of progress and of a brilliant future by abolishing the office of Colonial Secretary. . . . I had hitherto served the colony as a nominee of the Crown under a despotic, although useful and necessary, regime, and had thus become obnoxious to all who had extreme democratic or republican tendencies. . . . My mistake was in not foreseeing this consummation and remaining in a position which offered me emoluments that might [not] have led to riches, but which at all events would have left me better able to maintain my place in the social system and to assist the progress of my family.<sup>36</sup>

Finniss had become obnoxious not because he had served the Crown; but because his blatant opportunism had destroyed public confidence. Through his own actions he had lost the popularity he had built up during his term as Acting Governor. Although he talked glibly of democracy, liberalism and equality for all, he was a staunch advocate of elitism. He had been as keen as any to see the office of Colonial Secretary abolished, when he realised that as Chief Secretary he was likely to receive more money and social prestige. His battle with MacDonnell was not fought to uphold the spirit of liberal democracy, but to further his own political power.

Deprived of all chance of a political future and

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<sup>36</sup>B.T. Finniss, Reminiscences, S.A.A. 1071, p. 20.

passed over for the Surveyor Generalship, Finniss turned once again to his favourite hobby-horse--colonial defence. He took an increased interest in the training of the Adelaide Regiment, conducted numerous parades and for manoeuvres took the men on long marches across the hot, dusty Adelaide Plains. It was an impressive display. There was, however, an ulterior motive--Colonel Blyth was due to return to England and his departure would create a vacancy which Finniss hoped to fill.

When Blyth resigned as expected in April 1863 Finniss, not the least discouraged by the fate of his last letter, wrote to Waterhouse asking for the position:

I beg to offer my services to Command the whole and as much time would be required and expense incurred by me in continuing the training of the Volunteers, I trust I may venture to hope that His Excellency will be pleased to appoint me Commander with <sup>the</sup> pay and allowances granted to Colonel Blyth.<sup>37</sup>

As Blyth's salary was considerably more than the pension he was receiving, Finniss reminded Waterhouse that his appointment would in fact save the government £425 as by paying him Blyth's £725 per annum, it would be no longer necessary for him to receive the annuity granted him under the Constitution Act.

Finniss knew he had a strong case. His recent work with the Volunteers had been praised, he was the senior

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<sup>37</sup>Finniss Papers, 69/29.

ranking officer in the colony and Blyth had recommended him for the post.<sup>38</sup> At first all seemed favourable.

Finniss was asked to command the forces for the annual review held on the Queen's Birthday weekend in May 1863. He controlled the complicated manoeuvres of some 2,000 men on what is now the municipal golf links and put on one of the best displays yet seen in the colony.<sup>39</sup> The volunteers were well trained and were hardly to be compared with the men who a few years earlier could be expected only to stand in line for inspection.

Nevertheless the Volunteer Corps was criticised. Some observers believed that it was an expensive toy which the colony could not afford to play, and noted the disparity between the numbers on the roll and those attending the parades.<sup>40</sup> While Finniss still awaited his appointment the Waterhouse ministry collapsed, the Dutton government ruled for eleven days and Henry Ayers came to power. These changes alarmed Finniss, especially once he realised there was a possibility that another man might be given the post and defence spending cut. Hoping to influence a favourable reply he approached the Chief Secretary offering "to command and direct the work of the Staff without pay receiving only allowances to cover

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<sup>38</sup>Ibid., 69/43. <sup>39</sup>Register, May 28, 1863, p. 3e.

<sup>40</sup>The Adelaide Observer, June 20, 1863, p. 6f.

travelling and actual expenses incurred."<sup>41</sup>

As there was no response Finniss wrote to the  
Treasurer:

Captain Biggs is making a move to obtain the command of the Volunteer Force to my prejudice who am his superior officer, holding the Superior Rank, and always entitled to command the whole Force as well as the Regt. whenever they are in the Field and Brigaded together.

.....  
If Captain Biggs with inferior Rank to me now is placed over my head, it would be degradation of rank which no rule of the Service could justify.<sup>42</sup>

To add more force to his argument he went on to suggest that it was unnecessary to have both a regular and a volunteer force in South Australia:

In my opinion the time has arrived when we could dispense with the cost of the Military altogether. The two Forces Regular & Volunteers will never act together. . . . There are inseparable jealousies which cannot be controlled . . . and there is a sensitiveness on the part of the Regulars to do that [which] interferes with the regular discipline to which they are subject having their whole time devoted to the Military life which renders them unwilling to admit that for real fighting purposes a volunteer organization may be as effieient as their own.<sup>43</sup>

This was the crux of the matter and no matter how successfully Finniss might argue that he could train his men as effectively and as cheaply as the professional, Biggs maintained that regular soldiers should not be asked to serve under the command of a man who had obtained his promotion as a reward for political services.

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<sup>41</sup>Finniss Papers, 69/43. (Reminiscence of May, 1877).

<sup>42</sup>Ibid., 69/34.

<sup>43</sup>Ibid.

The government was determined to cut defence expenditure and Sir Dominick Daly, who had succeeded MacDonnell the previous year, wanted a professional, not an amateur, to fill the defence post. On August 19, 1863 Biggs was proclaimed Commandant of the South Australian Volunteer Force.

The ministry justified the appointment--and at the same time rubbed salt into Finniss's wounded pride--by announcing that the forces would soon be reorganized. Under the new scheme there would be only one chief staff officer, Biggs, and the Adelaide Regiment would cease to be the nucleus of the system. As commander of the Adelaide Regiment, Finniss would in fact be no more important than any other local volunteer captain. It was too much; he resigned a few days later.

There is little doubt that Finniss was unfortunate here. He had never been able to forget his first love and this enforced retirement from the military forces had been a bitter blow. He was not the type of man to make a successful politician in the days of ferment following the granting of responsible government to South Australia. In the army, where he would always have a rule book to follow and traditional discipline to support him, he would probably have made a capable commander. In the

Volunteer Force his enthusiasm and willingness to undertake responsibility would have been an invaluable asset.

## CHAPTER IX

### FORTUNE KNOCKS AGAIN

Finniss's failure to make the grade in politics and defence coincided with an upsurge of neo-colonialism in South Australia. By 1850 all the good land in the colony had been taken up; squatters, agriculturists, pastoralists and speculators were looking for fresh pastures. Exploration to the north revealed the possibility of there being vast areas of fertile country just waiting to be settled in the Northern Territory. The only question unresolved was that of ownership. Would it be granted to South Australia, or to Queensland, or would the Imperial Government settle the region?

Hitherto the Imperial Government had been mainly concerned with the formation of military posts and convict settlements, financing these ventures from the Treasury. The idea was discarded in the 1850's in favour of a new system designed to make the colonies self-supporting. As the tropical climate of the Northern Territory was supposedly unsuited to the active labour of Europeans, it was generally considered that it would

be some time before the British undertook the colonisation of the area. This left the gate wide open to any Australian colony anxious to extend its boundaries.

By the early 1860's Queensland and South Australia were competing for the privilege of developing the Northern Territory, and as each appeared determined to move in the prize became more attractive to the other. At first Queensland seemed likely to obtain jurisdiction over the region. In 1862 Sir Charles Nicholson, recommended to the Duke of Newcastle that either the British Government establish a new state in the north the whole of the North and the Northwest Territory be placed under the guardianship of Queensland.<sup>1</sup> The expense involved influenced the Imperial Government against adopting the first course and they hesitated to grant the second after vehement objections from patriotic South Australians.<sup>2</sup>

Glement Sabine of the Pastoral Association added the support of his organisation to these protests. Writing to the Colonial Office he advocated that the area be provisionally annexed to South Australia in recognition of the pioneering work carried out by Sturt, Stuart and McKinley.<sup>3</sup>

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<sup>1</sup>S.A.P.P. 1863, No. 37, p. 2.

<sup>2</sup>Ibid., p. 3.

<sup>3</sup>Ibid., p. 4.

Queensland was also active but the South Australians were the more persistent and on May 26, 1863 Newcastle notified Daly "that the Council are desirous that this portion of North Australia should, at all events, temporarily, be placed under the Government of South Australia."<sup>4</sup> This was confirmed officially in a despatch dated July 16, 1863.<sup>5</sup>

To some it must have appeared that South Australia had acquired a veritable El Dorado. It is true that there was little information available on the country, but what there was indicated that it would be most valuable. Stuart had been most enthusiastic on his return from the north the previous year. The country, he reported, was "well adapted for the settlement of an European population. The climate being in every respect suitable, and the surrounding country of excellent quality and of great extent."<sup>6</sup> Lieutenant Helpman, who visited the area in July 1859,<sup>7</sup> had been particularly impressed with the Adelaide River:

The Adelaide has a clear navigable mouth, and easy of

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<sup>4</sup>S.A.P.P. 1863, No. 127, p. 3.

<sup>5</sup>S.A.P.P. 1863, No. 113, p. 1.

<sup>6</sup>Stuart's Diary, S.A.P.P. 1863, No. 21, p. 41.

<sup>7</sup>S.A.P.P. 1864, No. 36, p. 9.

access, for nearly eighty miles; it abounds with fish and wildfowl. The whole course, as far as we saw, is of a rich fertile character; it did not appear subject to any violent torrents. . . .

The Victoria, on the contrary, can scarcely be considered more than an estuary, dangerous of approach, with the stream running ebb and flood at the rate of from four to five miles per hour.<sup>8</sup>

Having been granted the Northern Territory on the understanding that they would develop it, the South Australian government had to find some means of financing the undertaking. There was a shortage of money locally and the colony was still feeling the effects of the depression, but this was not enough to deter local talent. Finnis's old rival Hart, who was once again Treasurer, came forward with an ingenious plan whereby the Northern Territory could be settled without the government paying a penny.<sup>9</sup>

The Treasurer recommended that half a million acres of northern land be sold in two quantities each of 250,000 acres. The first lot, he suggested, should be sold at the bargain price of 7/6 per acre, the second at 12/-. Although nobody knew where this land would be situated, Hart confidently predicted that once discovered it could be easily divided into 160-acre farmlets and half-acre city blocks. Anyone purchasing a preliminary landorder for £60-3-9 would receive a country section

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<sup>8</sup>Ibid.

<sup>9</sup>S.A.P.P. 1864, No. 16, pp. 1 - 3.

and a city living area as well. By adopting a planned, concentrated settlement scheme land values would be maintained and the city would become the commercial centre of a rich agricultural district. All the lessons learnt during the establishment of the southern colony could be used to found a new South Australia in the north. Even the city itself was to be modelled on the Adelaide plan:

A principal square should be reserved near the centre of the township, measuring six acres, and four smaller squares of three acres each, should be arranged at equidistant intervals, as in South Adelaide; and a reserve of land, half-a-mile wide, should be left all round the town for park lands, if possible.<sup>10</sup>

In spite of obvious weaknesses in the design there were surprisingly few critics, and those who did protest were ridiculed by their more optimistic contemporaries. Angas, for example, predicted a dismal end to such a wild venture and suggested that the whole region be thrown open to pastoralists and squatters. This too was rejected as a dishonourable attempt by the grazing interests to monopolise the area for their own use.<sup>11</sup>

The government of 1863 was in no mood to listen to the dull and conservative where the Northern Territory was concerned. The publicity given to the proposed settlement of the region was an excellent way of taking

<sup>10</sup>S.A.P.P. 1864, No. 36, p. 13.

<sup>11</sup>E. Hodder, History of South Australia, Vol. I (London: Sampson, Low & Co., 1893), pp. 376-378.

minds off the conditions in Adelaide, and the government made full use of its opportunities. Of all that was written on the subject, the spirit with which South Australians entered the scheme is best illustrated by an article in The South Australian Register during March 1864. The writer sharply attacked those misinformed, unenterprising citizens who were immature enough to criticise the undertaking and then went on:

Its seas are too deep and its birds too small. If there are buffaloes their skins are too thick; and if sheep should be taken there, their wool would all turn to hair. The only reason even for the sun shining upon such a country, according to the writers we have quoted, is to dry up the rivers and torment the natives with heat and thirst. Such misrepresentations, however, are no worse than some which used to be circulated in reference to South Australia, whose soil was pronounced to be too hard for cultivation, and whose climate was said to be altogether unsuited for Europeans.<sup>12</sup>

Once Hart's plans were approved by the government, land offices were opened in Adelaide and London to sell the landorders. Although the venture received considerable publicity most investors were cautious and few bought more than one or two blocks. In London, where the Northern Australian Company was floated, there were only seven private buyers willing to commit themselves for ten or more blocks.<sup>13</sup> It was much the same story in South Australia where, apart from Henry Ayers and P. Levi who

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<sup>12</sup>Register, March 10, 1864, p. 2e.

<sup>13</sup>S.A.P.P. 1866-67, No. 104, pp. 1 & 2.

took 135 of the 690 allotments purchased, there were only four other buyers taking ten or more landorders.<sup>14</sup> Nevertheless the money flowed in steadily and after paying brokers' fees the government was left with £82,553-4-6 with which to find, survey and settle the first quarter of a million acres in the Northern Territory.

While the money was being collected the government was making feverish plans to send an expedition north. With so little reliable information available there was considerable speculation as to the best area to settle. The issue was debated at length. Some favoured the Port Darwin area while others were inclined towards Victoria River, but the majority felt that the Adelaide River offered the best chances. Instead of despatching a small party north to investigate the matter thoroughly before committing the whole expedition, the government decided that it would save time if all the men went north together. The immediate task then was to select a suitable leader--a man of integrity, enterprise and judgement.

It is hard to understand why Finnis was chosen to head such a mission. It may have been that he received his appointment out of sympathy, or perhaps the government was so confident of success that they felt this to

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<sup>14</sup>Ibid., pp. 2 - 4.

be a just reward for a man who had devoted so much of his life to colonial politics. There is also the possibility that this was a convenient way of removing a persistently vocal critic from Adelaide for a few years. Whatever the reason it was a poor choice. Finniss was now fifty-seven years of age, he had no recent large scale surveying experience and his leadership qualities were questionable.

The government chose to overlook Finniss's defects and adopted an almost maudlin attitude which The South Australian Register captured:

The very men who twenty-eight years ago landed at Glenelg to establish a settlement on these shores, are now preparing to renew the work on the other side of the continent. . . . Seldom has the first step in the founding of a new colony been <sup>under-</sup>taken by one so experienced in the work as Mr Finniss is. Like a shipbuilder who has already helped to turn one noble vessel out of hand and has seen her sailing away on a prosperous voyage, he now prepares to lay the keel and to build up the sides of another.<sup>15</sup>

The analogy was not a sound one. There is a big difference between helping to build and being in charge of a ship. In 1836 Finniss had been a young, inexperienced surveyor supporting the accomplished Colonel Light. Since then he had done little work in the field and had not obtained any bushcraft experience--a necessary requirement surely of the leader of an expedition into a virtually unknown part of Australia. Obviously the men who were to

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<sup>15</sup>Register, April 18, 1864, p. 2e.

serve under him could not be expected to admire his pioneering, exploring or surveying skills. Added to this was the fact that his record showed that he was not the type of man to inspire confidence and loyalty if the unexpected happened.

With his usual aplomb Finniss had no hesitation in accepting the position of Government Resident of the Northern Territory with a salary of £1,000 per annum. It offered him a chance to redeem his fortunes, and he must have often compared his position in 1864 with that of 1835. It would never have occurred to him that he might not be the man for the job. Finniss conformed to pattern immediately. He prepared long lists of needed provisions, filled journals with abtruse calculations and was pathetically eager to fall in with all the government suggestions.

There was no shortage of volunteers eager to join the expedition. No attempt was made to inform the hundreds of applicants that they would be expected to do much more than ride through a romantic, tropical countryside inspecting new land. The government showed an equal lack of foresight in selecting the personnel; many of the men came from behind counters or from city offices. Once chosen the men equipped themselves for the expedition by investing in, not serviceable labouring clothes, but the

latest style top boots and the more fashionable riding gear.<sup>16</sup>

By the time members of Parliament, investors and senior government officials had sponsored their friends,<sup>17</sup> and Finniss had added his son, Frederick, along with W.P. Auld and a few other acquaintances, the party was complete. In all ten officers and thirty men were to form the spearhead of the expedition. They were under the control of the Government Resident who had the authority to suspend officers or men "who may be guilty of insubordination, or any other misconduct, which, in your judgment, may justify suspension;"<sup>18</sup>

Although later Finniss was to complain bitterly that the party was an ill-chosen one,<sup>19</sup> in 1864 he was delighted to echo the optimism prevalent throughout the province.<sup>20</sup> Most people agreed that "Finniss and his Forty Thieves"<sup>21</sup> as the men were jocularly known, were a jolly fine bunch of fellows who "would secure the confidence of the first settlers."

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<sup>16</sup>Finniss Papers, N.T. Survey Expedition, 1864-65, S.A.A. 70, Folio 3/292, Paper 1, p. 2.

<sup>17</sup>Ibid., p1.

<sup>18</sup>S.A.P.P. 1864, No. 36, p. 1.

<sup>19</sup>S.A.P.P. 1866-67, No. 17, p. XIX.

<sup>20</sup>Register, April 18, 1864, p. 3e.

<sup>21</sup>Finniss Papers, S.A.A. 70, Folio 3/292, Paper 1, p.2.

## MEMBERS OF THE 1864 NORTHERN TERRITORY EXPEDITION

<u>Name</u>		<u>Appointment</u>	<u>Salary</u>
Finniss,	B.T.	Government Resident	£1,000 p. a.
Manton,	J.T.	Engineer-Surveyor	£500 "
Goldsmith,	F.E.	Surgeon, Protector of Aborigines	£400 "
Ward,	E.	Chief Clerk, Post Master	£350 "
Pearson,	W.	Surveyor	£350 "
King,	S.	Storekeeper, Stock Supt.	£280 "
Davis,	J.	Asst. Storekeeper	£200 "
Watson,	R.	Draftsman	£160 "
Bennett,	J.W.	"	£120 "
Wadham,	J.	Junior Surveyor	£120 "
Hamilton,	A.R.	" "	£120 "
MacMinn,	W.	Chainman	6/- per day.
Packard,	F.J.	"	" " "
Atkinson,	J.R.	"	" " "
Finniss,	F.R.	"	" " "
Wiltshire,	D.B.	Able Seaman, Chainman	" " "
Machell,	C.W.	Chainman, Able Seaman	" " "
Fitch,	M.E.	" " "	" " "
Read,	W.	" " "	" " "
Moorshead,	W.	Carpenter	7/- per day.
Howe,	J.A.	"	" " "
Braman,	T.	Blacksmith	" " "
Boucaut,	B.	Labourer	5/- per day.
Ware,	R.J.	"	" " "
Gilbert,	J.	"	" " "
Roberts,	J.F.	"	" " "
Murray,	W.S.	"	" " "
Hake,	C.	"	" " "
Litchfield,	F.H.	"	" " "
Auld,	W.P.	"	" " "
Baumgertel,	H.	Labourer & Miner	" " "
Baker,	S.	Labourer	" " "
Ward,	A.	"	" " "
Edwards,	F.	"	" " "
Styles,	H.T.	"	" " "
Bohn,	J.	Labourer, Able Seaman	" " "
King,	T.	" " "	" " "
Cowie,	J.	Shoemaker & Labourer	6/- " "
Smith,	W.	Labourer	5/- " "
Dyer,	J.	Labourer & Bullock Driver	" " "
Chandler,	S.	Labourer	" " "

There was an air of urgency about the planning and eight weeks after land sales began in London the expedition was ready to sail. Three ships, the 500 ton Henry Ellis, the 150 ton Beatrice and the decrepit Yatala, were obtained and loaded with much the same haste and confusion that characterised the departure for South Australia in 1836. The Henry Ellis was chartered to carry the bulk of men and equipment while the two government vessels were to play supporting roles and be available for coastal surveys. A second party of men was to follow on the heels of the first forty<sup>22</sup> and the whole settlement was expected to be established in a little more than eighteen months.

Finniss was given two months to estimate all his requirements and long before the time expired he proudly submitted his detailed lists. Everything was calculated mathematically with even a percentage allowed for loss and wastage. Horses were to receive 15 lbs of oats, 5 lbs of bran and 5 gallons of water a day. There was a weekly ration of 10 lbs of meat,<sup>10<sup>1</sup>lb</sup> flour or biscuits, 2 lbs of sugar,  $\frac{1}{2}$  lb of tea and 7 gills of spirits for each man.<sup>23</sup> In keeping with his instructions<sup>24</sup> Finniss also included a few extra provisions to win the confidence and

<sup>22</sup>Finniss Papers, 70/93.

<sup>23</sup>S.A.P.P. 1864, No. 36, p. 8.

<sup>24</sup>Ibid., p. 3.

good will of the natives.

There is no doubt that the theory was excellent, but there is more to arranging an expedition than making plans on paper. Finniss did not make certain personally that all the supplies he requested were ordered or loaded. Nor did he check the provisions supplied to ensure that they were in a satisfactory condition. Errors and omissions were discovered only when the expedition was at sea on the way to the Northern Territory.

While stores were collected and loaded, the recruits were mustered and drilled. Little was known of the natives in the north;<sup>25</sup> it was generally believed--and Stuart's journals appeared to confirm this--that they were likely to be warlike, bloodthirsty savages.<sup>26</sup> Most members of the expedition were therefore instructed in musketry drill, and Finniss successfully urged that he be appointed Commander of the Volunteer Forces in the Northern Territory. In spite of all the hullabaloo over the native danger Finniss was quite prepared to venture into presumably hostile territory with forty partially trained men and thirty rifles.

He was so anxious to please that it was not until most of the provisions, equipment and livestock had been collected that Finniss sounded the first note of warning:

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<sup>25</sup>S.A.P.P. 1864, No. 36, p. 3.

<sup>26</sup>Finniss Papers, S.A.A. 70, Folio 3/292, Paper 1, p.1.

This surveying force . . . must be considerably strengthened if it is desired to complete the rural surveys, to the extent of 250,000 acres in anything like a reasonable time, say, 12 months.<sup>27</sup>

Instead of elaborating on this point and demanding an increased number of surveyors, he hurried on to deal with more pleasant things. He was apparently quite sure that in spite of obvious shortcomings, the expedition would be a success and that he had no need to cover himself against future accusations of incompetency.

The government, for its part, was equally unwilling to face reality. Blinded by romantic visions of new territory to bring prosperity to the still infant colony, its members drew up elaborate, Utopian instructions to guide Finnis.

You will, during the voyage, make yourself acquainted with the advantages of Adam Bay as a place of settlement, by a careful perusal of the works and documents particularized in the margin; and, on your arrival there, you will proceed to ascertain, by personal inspection, whether it offers the following advantages:

- (1) A secure port or harbor, easily navigable, conveniently situated as a port of call for vessels trading to Malaysia and India.
- (2) A healthy site for a capital, at or near to the port or harbor, in close proximity to fresh water and timber.

Should it be impracticable or undesirable to form the capital and port on one and the same site, then high table land, as near to the port as possible, should be selected for the capital, having regard to the means of communication with those parts of the interior from whence produce may be expected to arrive.

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<sup>27</sup>B.T. Finnis, "Journal, etc. of the Northern Territory Survey Expedition, 1864-67," S.A.A. 455/15.

Salubrity of climate is of the utmost importance; therefore, swamps, mudbanks and landlocked harbors, must be avoided; as such places are the chief sources of malaria.<sup>28</sup>

As well as the official instructions Finnis also received letters from experts giving him the benefit of their wisdom and experience.<sup>29</sup> These armchair explorers offered advice on a range of subjects covering various aspects of the expedition. Letters of this kind did the writers no harm. If the venture were successful the adviser could claim some of the credit; if not it was always possible to point out that the advice had been misinterpreted.

Finniss handled the influx of mail in his best official manner. He did not foresee danger in tacitly accepting suggestions, nor did he consider difficulties likely to arise if he were unsuccessful.

Before the expedition sailed a farewell dinner was held under a marquee on the wharf at Port Adelaide. Finnis, along with local dignitaries including the Governor, was seated on a flag-bedecked dais under the grand motto, Finis Coronat Opus. Confidence was expressed in the expedition and in the man chosen to lead it.<sup>30</sup> Finnis himself made a number of rash statements:

<sup>28</sup>S.A.P.P. 1864, No. 36, p. 2.

<sup>29</sup>Finniss Papers, 70/94 & 96.

<sup>30</sup>Register, April 18, 1864, p. 3d.

He doubted nothing of the success of the expedition . . . and he went with<sup>the</sup> arms, equipments and all other things necessary to contribute to success. . . He had his full complement of men. . . . These were<sup>the</sup> men who would stand by him in the hour of difficulty and the hour of need, and having them, he wanted nothing which prudence could guard against or foresee.<sup>31</sup>

Once the dinner was over there was a rush to hurry the expedition away;<sup>32</sup> stores which could not be loaded were cheerfully left on the wharf--after all Finniss had made allowance for wastage! Originally it had been decided that 300 sheep would be taken, but when it was seen that the Henry Ellis could not accommodate that number, 200 were left behind. As the sheep were to form the bulk of the expedition's fresh meat supply the omission was serious, but no-one thought of protesting. Admittedly Finniss was a busy man at the time but he should have supervised operations more closely. Instead he entrusted all arrangements to Ebenezer Ward, one of Hart's close friends, and left the matter there. Ward, once he was appointed, decided to take a holiday in Melbourne before the expedition sailed and was not present when the vessels were loaded. When Finniss discovered that Ward was absent he complained vociferously--thus earning the enmity of the hot-tempered Chief Clerk--<sup>33</sup> but made no alternative arrangements.

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<sup>31</sup>Register, April 18, 1864, p. 3c.

<sup>32</sup>Finniss Papers, S.A.A., 70/292/1.

<sup>33</sup>Ibid.

To avoid any unnecessary delay the Henry Ellis with the majority of the expedition aboard, left port on April 26, 1864 and anchored off the Semaphore to await the arrival of the salt pork ordered from interstate. The remainder of the expedition was ferried out over the next two days, the barrels of meat were loaded and on April 29 the vessel set sail.

Insurance companies, unwilling to risk the Henry Ellis sailing through the Torres Strait, stipulated that that ship take the westward route. The Beatrice and the Yatala went the other way, so splitting the expedition into two sections at the outset. This was, however, a minor matter. The Yatala was in such bad repair and such a slow sailer that it is unlikely that the ships could have kept together no matter what route was taken.

Much of the trouble that was to wreck the expedition's morale began during the voyage north. Even by the standards of the time it was a rough, uncomfortable trip under cramped conditions. The senior officers were reasonably well off with their shared cabins, but the juniors amidships and the labourers in the steerage had to compete with the cargo for space. Once the travellers settled down to sea life, Finniss methodically arranged dances, boxing matches, singing groups and games to keep everyone occupied. In fine weather drill sessions were

conducted on the deck and also rifle practice with targets thrown from the ship.

This was good commonsense but Finniss organised the activities badly. With a complete lack of tact he divided the men into four groups for physical exercises and rifle drill. While he took one party, which for obvious reasons he called the awkward squad, two officers and his own eighteen-year-old son, Frederick, instructed the others. As the squads were a mixture of officers and men, the selection of Frederick Finniss to take charge of a group was not the soundest way to engender a strong sense of party loyalty.

From this unsatisfactory start Finniss went on to do the very things he had earlier condemned in others. While his son, a six-shillings-a-day chainman, instructed officers, Finniss, apart from his work with the awkward squad, isolated himself from his men. Apparently recalling old naval tradition he dined alone, or with a few of his chosen friends. Instead of working to build up team spirit he took an almost perverse delight in watching some of his officers quarrel. The two most volatile members of the expedition proved to be Ward and Goldsmith who were soon arguing bitterly in public.

At first, much to the delight of the less responsible members of the party, these two clashed over such

trivial subjects as the respective merits of their dogs, with Ward frequently losing his temper and threatening the doctor who retired sullenly to his cabin. After the ship-board magazine published a cartoon of a donkey, remarkably like Ward, kicking the good doctor, some of the younger members of the expedition took to greeting Ward with a "Hee-haw" whenever they saw him, thus enraging him more than ever.<sup>34</sup> Later when Ward's dog mysteriously disappeared the whole company was suspect and the irate owner threatened to shoot whoever had thrown his pet overboard.<sup>35</sup>

Before long it was like the voyage of the Cygnets all over again--except that now Finniss was playing the role previously carried by Kingston. The trouble among the expedition members spread to the crew and there was even a plot to throw the brutal second mate, Harper, overboard.<sup>36</sup> When this was thwarted the voyage continued for several days with the crew confined below decks on a bread and water diet and the ship manned by apprentices, cooks and some of Finniss's men.<sup>37</sup> It was not until Captain Phillips and the crew compromised by agreeing that either

<sup>34</sup>Finniss Papers, 70/292, No. 2, p. 5. (F.Finniss.)

<sup>35</sup>B.T. & F.R. Finniss, Diaries, S.A.A. 451, page dated June 5th. (inaccurate).

<sup>36</sup>Finniss Papers, 70/292, No. 2, p. 4. (F. Finniss).

<sup>37</sup>Ibid., p. 5.

Harper or the rest of the crew would be paid off at the next port of call that some semblance of order was restored. Throughout the dispute Finniss remained aloof. It may have appeared to him the correct thing to do, but his men were too involved in the issue to appreciate their leader's detachment.

This was not the last of the expedition's ordeals. Hay loaded in Adelaide became damp--or had been delivered green--and most of it had to be thrown overboard to avoid spontaneous combustion, thus causing a serious shortage of stock food. Instead of taking the planned six weeks, the voyage dragged on for seven and a half. Water was short, men and animals were put on rations and a general air of gloom hung over the ship. To add to the uneasiness, the longer the voyage lasted the more reckless Captain Phillips became:

He would not anchor at night though we were amongst reefs and shoals on a little known coast and the lead (if there was one belonging to the ship on board) was not once used. . . . It appeared as though the skipper was trying his level best to bring the voyage to a disastrous termination.<sup>38</sup>

After almost grounding on Quail Island, the Henry Ellis stuck fast on a sandbank in the Clarence Strait. Ahead the men could see the Beatrice safely at anchor-- she had been there twenty-three days. While the crew

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<sup>38</sup>Finniss Papers, 70/292, No. 3, p. 2. (F. Finniss).

tried to move the ship Finniss rowed across to the Beatrice. He learnt that some of that ship's officers "had been sixty miles up the Adelaide River which they described in glowing terms, as a noble River, and they had been visited by natives who were very friendly."<sup>39</sup>

The news left Finniss with no alternative but to sail the refloated Henry Ellis to the mouth of the Adelaide River. On arrival the expedition members were not impressed by what they saw. The entrance to the river appeared dangerous; as the tide ebbed a desolate mudflat was exposed leaving Escape Cliffs, a hillock thirty feet above sea level, the only high ground in a swamp. Finniss suspected that there was water at Escape Cliffs but after landing there and walking about a mile inland he did not bother to investigate any further. Instead he moved the party forty miles upstream and disembarked on the western bank.

After the unloading of the livestock Finniss faced his first real challenge. Captain Phillips, who had taken innumerable risks during the voyage, declared flatly that he would not take his ship up the river. Finniss decreed that the heavy cargo should therefore be dug out of the sand ballast, loaded aboard the Beatrice or the expedi-

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<sup>39</sup>Ibid., p. 4.

tion's big whale-boat, the Julia, and then towed or rowed up the river. Under favourable conditions this was strenuous work for even hardened labourers; after a seven week trying voyage it was backbreaking for men coming from soft city jobs. In his eagerness to superintend the unloading, Finniss spent most of his time sailing between the base camp and the Henry Ellis oblivious of the fact that men labouring sometimes waist deep in mud and slime would not feel kindly disposed towards their leader as he sailed regally past on trivial errands. A wiser man would have helped with the work and shared some of the privations with his men. To Finniss there were more important things to be done.<sup>41</sup>

If he had any intention of exploring the coastline before deciding on the capital site, Finniss received a setback when the Yatala arrived at Escape Cliffs on June 29, 1864. The vessel, driven ashore at Port Essington, had lost her rudder and false keel and was leaking badly by the time she reached her destination. With the Henry Ellis due to return south as soon as unloading was completed, and the Beatrice needed to bring fresh supplies from either Timor or Djakarta, Finniss was deprived of his one chance to explore the coast quickly and effectively.

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<sup>41</sup>S.A.P.P. 1866-67, No. 17, pp. xviii-xix.

Faced with the alternative of waiting for further equipment--thus admitting that his estimates had been incorrect--or deciding that conditions along the Adelaide River were so good that it would be a waste of time to look elsewhere, Finniss did not hesitate for long. A cursory examination of the surrounding countryside disclosed that Beatrice Hills offered a possible site for the capital, and as far as Finniss was concerned further exploration was conducted merely to confirm the suitability of the present camp.

My mind is strongly <sup>determined</sup> in favour of making this the capital, with Adam Bay for an outer, and the mouth of the river for an inner harbor. It appears to me that we have everything sought for, and certainly more than the Ministry expected.<sup>42</sup>

Others were not so impressed. Ebenezer Ward summed up his impressions of the country in his inimitable manner:

A perfect jungle of reeds and grass grew to a height of 6 feet, and so thick that it had to be literally trampled down to afford a passage.<sup>43</sup>

What Finniss regarded as lush grazing was in fact swamp grass!

It did not take the expedition long to discover that their base camp was in a low-lying area liable to

<sup>42</sup>S.A.P.P. 1864, No. 163, p. 1.

<sup>43</sup>Finniss Papers, 70/3. p. 3.

flooding when the summer rains came and the river rose. Auld, who had been a member of Stuart's expeditions, was sent out with a small party to explore the hinterland.<sup>44</sup> He made a thorough search, found no trace whatsoever of Stuart's tracks but did find ample fresh water at Escape Cliffs. On hearing the news Finniss decided to move his main camp back to the mouth of the Adelaide River. There, he reasoned, it would be safe to bring ships right to the river bank and the camp would be free from flooding.

The decision meant that once again all the stores had to be moved. While the men slaved in the tropical heat, Finniss repeated his sailing trips up and down the river to ensure that everything was done to his satisfaction. It may have appeared right to Finniss, but few of the men could see the necessity of two major moves in less than three months. Their grievances were not assuaged by Finniss's subsequent actions. He persisted in secluding himself from all but the few chosen friends and lost contact with the majority of the members of his expedition. It is not surprising therefore that those who frequently joined the Government Resident for a meal were labelled "toadies" and in the shelter of their mess the officers became increasingly critical of their leader.<sup>45</sup>

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<sup>44</sup>S.A.P.P. 1865, No. 89, p. 16.

<sup>45</sup>S.A.P.P. 1866-67, No. 17, p. 46.

The fact that the majority of the members of the expedition felt that Escape Cliffs was unsuitable for a settlement was no deterrent to Finniss. Like Light he was empowered to make the final decision and the increasing opposition from his officers appeared to him to parallel the situation in South Australia in 1837. He ignored Goldsmith's contention that the place was unhealthy and ridiculed other officers when they condemned the region because of the lack of good quality timber.

This superior attitude did not impress Ward or Goldsmith and they soon became convinced that Finniss was not a fit person to lead an expedition of this kind and they gathered a strong band of supporters around them. In such a situation, with Manton the second in command too weak to assert his authority, neutrality became virtually impossible.

While Ward grumbled loudly in the mess and made a great show of avoiding Finniss wherever possible, Goldsmith used different tactics. The work of transferring the supplies back to Escape Cliffs was arduous and some men reported sick to avoid the hard labour. To all who complained Goldsmith was sympathetic and prescribed wine and spirits. This meant that King, the storekeeper, spent much of his time rummaging through the jumbled supplies searching for medical comforts. Eventually he complained

to Finniss who in turn wrote a short letter to Goldsmith pointing out that King could not be expected to

issue stores in detail a bottle of wine or a case of arrowroot at a moment's notice. . . . Allowances must be made for the want of regularity inevitable in a new Colony, and you and the other officers must bear the privations and difficulties of new settlements.<sup>46</sup>

Finniss concluded his letter by asking the doctor to estimate his weekly needs and then store them in a chest from which he could issue them personally.

In a camp of forty men it appears ludicrous that two supposedly responsible men should spend the next three months writing official letters to each other, but this is what did happen. On receipt of Finniss's letter Goldsmith replied that he had no suitable storage place and then became as officious as the Government Resident:

I shall according to my printed instructions continue to demand [medical supplies] from Mr King from time to time and should any difficulty or delay in procuring them arise I shall hold you responsible.<sup>47</sup>

By August 1864 it needed but a spark to start a conflagration, and this the natives supplied. From the time the expedition landed in July the natives had been friendly and inquisitive. At first the men invited them into their tents, gave them presents and bartered weapons for flour. Once the novelty wore off, however, the keen

<sup>46</sup>Finniss Papers, 70/115.

<sup>47</sup>Ibid., 70/117.

interest displayed by the natives in the white men's activities became annoying. Attempts to keep the aboriginals at a distance failed and after some of the warriors helped themselves to the flour supplies it was decided to post guards to keep the natives away from the camp.

On August 8, 1864, while the River camp guards were at tea, a group of natives plundered the stores. Although the raiders were noticed immediately, the guards, possibly afraid of being speared, did nothing and it was not until Auld and a few others arrived that they were driven off. By then fifteen bags of flour had been cut open and their contents scattered.

With Finniss away at Escape Cliffs, the men at the camp decided to take matters into their own hands by organising a punitive expedition against the nearby native camp from where it was presumed the raiders had come. After a council of war the men divided themselves into two groups--one to move in on horseback and the other to follow on foot. The attack, planned for the cold light of dawn, was a complete success; the aboriginals, bewildered and frightened, threw a few spears and then fled.

During the affray Alaric Ward, one of the labourers, killed a native in most unusual circumstances:

A native now approached me with a spear,--whom I

dodged round a tree; I fired at him with a revolver, but missed, I pulled again but the pistol missed fire; I said, "All right, old fellow;" he said, "All right, old fellow;" the third time I fired he fell. . . .<sup>48</sup> I considered my life to be in danger when I fired.

Ward may have been in fear for his life, but it is hard to believe that a hostile, armed native would permit a frightened white man to take three shots at him and do nothing more than repeat the nervous words of his adversary.

Goldsmith, who was with Ebenezer Ward at the base camp at the time and had raised no recorded objection to the raid, now took what he imagined to be a certain way of discrediting Finniss. As one of the three stipendiary magistrates with the expedition--Finniss and Manton were the other two--he convened a Coroner's inquest. He appointed himself presiding officer, chose the jury and conducted a full investigation. After returning a verdict of justifiable homicide--thus freeing Ward from a possible charge of murder--the jury added a rider which they had apparently prepared before coming into court.<sup>49</sup> It was "their unanimous opinion that the disasters . . . are solely attributable to the fact that the camp at this place has been pitched upon a site surrounded on all sides by dense mangrove scrub."<sup>50</sup>

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<sup>48</sup>S.A.P.P. 1865, No. 89, p. 9.

<sup>49</sup>S.A.P.P. 1866-67, No. 17, p. 48.

<sup>50</sup>S.A.P.P. 1865, No. 89, p. 9.

As Finniss alone had selected the camp site the implication was obvious. It was useless for him to protest that

the camp was placed in the only situation available, . . . and it was impossible to carry the goods and stores and tents on men's shoulders to a greater distance from the landing-place to reach an open spot.<sup>51</sup>

By August the ideals and enthusiasm of the previous March tasted sour, team spirit no longer existed and Finniss had become a despot in a tropical colonial outpost of the Northern Territory.

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<sup>51</sup>S.A.P.P. 1865, No. 89, p. 6.

## CHAPTER X

### THE PERILS OF DESPOTISM

Once the coroner's verdict was recorded there was little that Finniss could do; he had no means of quick communication with Adelaide, nor could he order another inquest. He could have approached Ward and Goldsmith and tried to reach an amicable agreement with them but instead he chose to launch a wild verbal attack against the two men and to justify his actions in a long letter to Henry Ayers.<sup>1</sup> Thus at the critical moment his leadership was found wanting and he became as cantankerous and vindictive as the men who condemned him.

Neither Goldsmith nor Ward was the type to be overawed by Finniss's display of complacent righteousness. Immediately Ward heard that the Government Resident had criticised his behaviour he wrote to Ayers protesting vehemently:

My reputation is quite as valuable to me as Mr Finniss's may be to him, and I appeal, with confidence, to you, Sir, to protect me from such a sweeping, but unfounded, condemnation.<sup>2</sup>

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<sup>1</sup>S.A.P.P. 1865, No. 89, pp. 18-19.      <sup>2</sup>Ibid, p. 18.

In accordance with official instructions he then forwarded the letter to the Government Resident for transmission to Adelaide. Goldsmith used a different method and wrote directly to Finniss complaining of "the very indelicate course pursued by the Government Resident in founding the charge 'that there is an ungenerous spirit of mischief,<sup>3</sup>etc.'" It was very much like the letters Finniss himself had written a quarter of a century before, but he was not sensitive enough to appreciate the connection.

Having begun his offensive against established authority, Goldsmith next used his official position of surgeon to berate Finniss for dereliction of duty because of his failure to dispose of the carcass of a horse which died from eating some poisonous herb. The doctor accused Finniss of endangering the lives of the members of the expedition. Finniss replied that from reports he had seen few men were ill.

If you conceal from me the state of health of my party, and thus tacitly authorise or lead me to write despatches having reference to the climate and its effects, you do the public and those interested in the settlement of this territory manifest injury. If, on the other hand, as your medical report to me would imply, your statement is only an exaggeration . . . then your conduct would be inexcusable; but one or the other of these conclusions is inevitable.<sup>4</sup>

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<sup>3</sup>Ibid., p. 30.

<sup>4</sup>Ibid., p. 37.

On re-reading his official instructions Goldsmith found another way to embarrass his superior. According to the orders he had been given in Adelaide he was to collect seeds and plants and forward them south for research purposes. He therefore asked Finniss to furnish him with men to undertake the work. As the request came at the time the camp was being transferred to Escape Cliffs Finniss was unable to spare the men and the doctor had another chance to suggest that the leadership was at fault.<sup>5</sup>

The accusations Goldsmith levelled at Finniss were often based on half-truths and he appears to have spent more time composing letters than in treating the men. His stock remedy for all illnesses reported in the camp-- and they included impetigo, ulcers, gastric irritation, dysentery, rheumatism, diarrhoea and ulcerated fingers-- was to prescribe "wine and preserved meats" for the labourers and "wine, porter and brandy with preserved meats" for the officers.<sup>6</sup> Nevertheless his tactics succeeded in harassing Finniss.

Finniss again proved his ineptitude in his handling of the native question. On hearing of the August raid, he doubled the guard around his quarters,<sup>7</sup> ordered that

5S.A.P.P. 1865, No. 89, p. 30. <sup>6</sup>Ibid., p. 40.

<sup>7</sup>Ibid., p. 15.

no natives be permitted to approach within a hundred yards of the camp, reminded all members that they must shoot to kill and not merely to frighten,<sup>8</sup> and wrote an explanatory letter to Adelaide:

They are apparently very numerous, divided into many tribes, and warlike and powerful. . . . They are most determined thieves, regular wreckers, and keep us continually on the alert when they present themselves. They do not fear to travel by night, and creep about our parties by night for the purpose of plunder.<sup>9</sup>

He went so far as ordering that a stockade be built at Escape Cliffs to protect the expedition. One wonders, if Finniss's statement were based on sound evidence, why did these "warlike and powerful" savages not attack the white men?

Some expedition members were not so alarmed as their leader and felt there was little to fear providing the men did not incite the aboriginals. They argued that had the natives wished to attack they had had ample opportunity, and that the best defence lay in friendly relations. Ebenezer Ward, for example, by now thoroughly disgusted with Finniss, believed that

the treatment adopted towards the natives, in first encouraging their curiosity and then punishing them for it, was calculated to provoke the hostility they afterwards displayed.<sup>10</sup>

<sup>8</sup>SA.P.P. 1864, No. 163, p2.

<sup>9</sup>Ibid., p. 6.

<sup>10</sup>S.A.P.P. 1866-67, No. 17, pp. 40-41.

Future dealings with the natives was a problem confronting the whole of the expedition and had Finniss discussed the matter with the other members some plans may have been agreed upon. By now he was living in some fanciful world of his own, out of touch with reality and contemptuous of all who disagreed with him. His feelings on this matter are admirably expressed in a letter to his daughter:

We are too weak in men and<sup>in</sup> arms to do much. . . . The Natives are very treacherous. . . . They need a good lesson. When I get my stockade up, which I am now delayed from doing for want of hands, I shall take an early opportunity of bringing them into subjection, for conciliation is to no purpose.

Mr Ward and the Doctor are cowardly curs and do all they can to hide their fears under attacks on me. Unless the Government pay me better and support me I must leave, for my health will not stand the exposure and bad food and worry.<sup>11</sup>

Exactly how Finniss reckoned to crush the numerous warlike tribes he mentioned with only forty men and thirty rifles is unknown, but the letter indicates the disturbed nature of his mind.

Once the mangrove logs forming the walls of the stockade were in place in early September, Finniss moved in and set up his headquarters in the centre of the fort. His next move was equally ill-considered.

Three wooden buildings had been brought north with

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<sup>11</sup>Finniss to Julia Finniss, August 15, 1864, S.A.A. A993.

the expedition. One was to serve as Finniss's residence, the second was for Manton and Goldsmith and the third was to house the remaining officers. The timber had been lying exposed to the tropical sun for some time with resultant deterioration, but this was hardly the opportune time to begin the erection of a personal residence. To many of the men, Finniss's order that the carpenters concentrate immediately on the building of his cottage seemed indicative of his general attitude of looking after himself first, regardless of what happened to the remainder of the party.

The two carpenters and their assistants spent three months building Finniss's house, complete with spouting and iron tanks to catch rainwater. In the meantime the rest of the expedition continued living in tents. This action brought down upon his head more criticism of his selfishness and lack of rapport with his men. To Finniss, however, the presence of white ants "which in three months leave the wood of the country <sup>12</sup> nothing but a shell," was sufficient excuse for building his own quarters first. Apparently the only timber which white ants in the Northern Territory will attack is that left lying on the ground!

After the August raid on the supplies the natives

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<sup>12</sup>S.A.P.P. 1866-67, No. 17, p. 78.

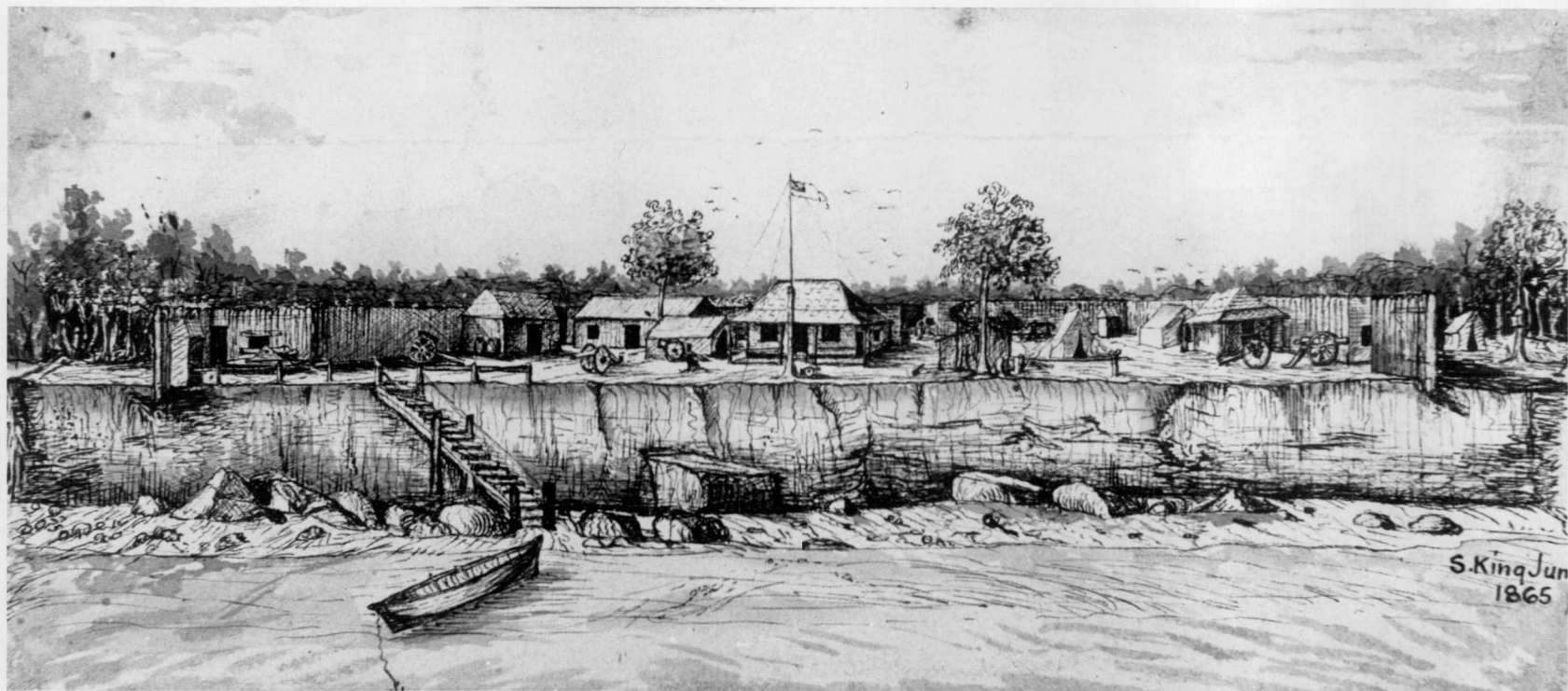


Fig. 4. Escape Cliffs Stockade

were not seen again until September 4, when a band of nine men were sighted and a horse speared. Although the aboriginals had made no aggressive move--they could easily have attacked the shepherds attending the grazing sheep--the Government Resident assumed that this was the vanguard of a party destined to attack the camp. He decided on surprise tactics to disperse the natives before they could muster their forces:

I determined at once to give the natives a lesson, and to treat them as armed bushrangers acting against the laws and property of the men of the expedition. I sent out a party of men on whom I could rely, and put them under the orders of my son, because they render him cheerful obedience, because as the best-trained volunteer in camp he was the best soldier, and the senior sergeant of the volunteer force, and I knew that I could trust to his courage, zeal, and discretion, notwithstanding that he is my son and a young man. I picked out the man best suited to<sup>th</sup> command<sup>d</sup> such an expedition; and I did not give the command to madmen like the doctor, or others who had shown by their performances at the River Camp, and in the views which I know they entertained with respect to the aborigines, that they were not suited to such a command.<sup>13</sup>

As soon as Goldsmith heard about the intended foray, he protested and, as Protector of Aborigines, demanded that he be allowed to join the party.<sup>14</sup> The two men clashed in public over the raid and Finniss derisively asked Goldsmith whether he was prepared to assume his

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<sup>13</sup>S.A.P.P. 1865, No. 89, p. 32.

<sup>14</sup>Ibid.

official position and go ahead, alone, into the native camp "and civilise them!" Naturally enough Goldsmith refused and was thereupon contemptuously ordered to return to his mundane duties and to leave the native issue to men who knew how to handle it:

I felt exasperated at what I considered the madness of a man whose education and position in the Colony, and respect to me should have taught him better, and I used words not suited to official correspondence, expressive of my contempt and anger. If I had put a straight jacket on him, it would, perhaps, better have suited the emergency.<sup>15</sup>

To many observers it must have appeared that the straight jacket would have been better used on Finniss. His behaviour at this stage seems to indicate some degree of mental instability, and it was certainly not the type of leadership to inspire the confidence of the men.

From a military point of view the attack on the native camp was a complete success. The aboriginals, taken by surprise, were routed. Young Finniss led his men triumphantly through the encampment firing at the few bewildered natives foolish enough not to flee at the first sight of their attackers. Officially there was one certain casualty--"another native was shot dead, a noted chief and thief, to whom [the Government Resident] had shown the greatest kindness."<sup>16</sup>

<sup>15</sup>S.A.P.P. 1865, No. 89, p. 32.

<sup>16</sup>Finniss Papers, 49/176.

This version was hotly disputed by Goldsmith and his supporters:

One of the natives--an old man, unarmed--was fired at whilst retreating, and wounded in the leg, when the man who fired and his companion decided upon taking the native prisoner; but I have reason to believe that their intentions were frustrated by a laborer named W.P. Auld, who galloped up, and, deliberately holding the pistol to the native's breast, shot him. Several more shots were fired at the natives, but I cannot ascertain with what result. No spears, however, were thrown by the natives at the attacking party.<sup>17</sup>

On the evidence available Goldsmith suggested that another inquest was warranted but this Finnis rejected. He realised that another magisterial inquiry could result in a ludicrous situation with himself and the whole party, either as culprits or witnesses, sent to Adelaide to await trial.

Goldsmith was not thwarted for long. A few days later when Boucaut, one of the labourers, died, the doctor immediately attributed his death, in part at least, to the unsuitable drinking water at Escape Cliffs. He wrote a long letter to the Chief Secretary in Adelaide complaining about the behaviour of the Government Resident.<sup>18</sup> After a perusal of reports and diaries kept

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<sup>17</sup>S.A.P.P. 1865, No. 89, p. 33.

<sup>18</sup>Ibid., pp. 35-36.

kept by various members of the expedition, however, it would seem that Boucaut's delirium tremens was caused by drinking something a little stronger than deleterious water. When Finniss asked for an analytical report on the water,<sup>19</sup> the doctor replied,

I . . . gave you the results arrived at by the tests in my possession, and as you have refused me the Government box of tests placed under your care, I can make no further analysis.<sup>20</sup>

Later an Adelaide analyst's report was to vindicate Finniss by showing that the water was quite suitable for human consumption<sup>21</sup> but at the time, with Goldsmith the only medical representative in the party, it was difficult to discredit a professional opinion. When Goldsmith reiterated his earlier advise to all personnel to boil and filter any drinking water,<sup>22</sup> Finniss compromised by ordering the digging of a new well. This was sound policy, but his own action and attitude nullified it. Wherever possible Finniss himself refrained from using the well water for drinking purposes and relied on the rainwater caught in the iron tanks at the side of his dwelling.

It is obvious that many charges levelled at Finniss were fabricated to dishonour him, but by his subsequent

<sup>19</sup>Ibid., p. 38.

<sup>20</sup>Ibid., p. 39.

<sup>21</sup>S.A.P.P. 1866-67, No. 17, Appendix 1, p. ii.

<sup>22</sup>S.A.P.P. 1865, No. 89, p. 49.

actions he often made them appear justified. Weaknesses in his character which had been discernible in colonial politics were now highlighted by the difficult conditions at Escape Cliffs. Finniss was convinced that as leader of the expedition he deserved the unswerving support of all members and he saw any criticism of his actions as a direct insult. Instead of explaining his policies and reasoning to his men he withdrew from them, surrounded himself with cronies such as Auld, Litchfield and Bennett and tactlessly disclosed what he thought of his critics.<sup>25</sup> It was Finniss's job as leader to weld his men into a team. There was no point in priggishly exposing character defects at a time such as this.

Goldsmith's continual complaints finally stung Finniss into taking direct action--he ended all communication with the doctor and suspended Ward<sup>26</sup> but as usual his timing was poor. Had he dismissed Ward immediately after the publication of the inquest rider, he would have shown himself as a leader who was not going to have his command questioned even by his senior officers. By delaying the action for six weeks and by his method of choosing replacements he proved nothing and almost made

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<sup>25</sup>Finniss Papers, S.A.A., 70/291.

<sup>26</sup>S.A.P.P. 1865, No. 89, p. 18.

Ward appear the victim of a vicious attack.

Finniss must have realised that by appointing his son, Frederick, as Chief Clerk, Bennett Assisting Clerk and Stephen King Acting Postmaster, he would arouse more hostility within the camp. Nevertheless he went even further and increased his son's salary by £75 and that of the other two men by £50 per annum<sup>25</sup> and ignored the opposition argument that he was buying support. His tactless handling of the situation did nothing to increase his popularity and gave Ward ideal grounds for complaint in another letter to Ayers.<sup>26</sup>

A week later Finniss aggravated matters even further. When one of the chainmen was dying Goldsmith ordered him to be taken into the back room of Mr Finniss's house, which was then in the course of erection and unoccupied, it being the coolest place at hand. Finniss no sooner heard what was done than he sent twice and ordered the man to be immediately removed.<sup>27</sup>

This was hardly the action of a humanitarian and the majority of the men saw it as another instance of their leader's poltroonery.

During this period Finniss was worried about the

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<sup>25</sup>S.A.P.P. 1865, No. 89, p. 19.

<sup>26</sup>Ibid., p. 22.

<sup>27</sup>Finniss Papers, 49/179.

non-arrival of the relief party promised him when he left Adelaide. By late September supplies were running short, there was a large quantity of mail waiting to be sent south and the Yatala was in urgent need of an overhaul. He therefore decided to send the Beatrice and the Yatala to Timor for refitting, thus enabling the mails to be forwarded and fresh provisions to be obtained. Before the two ships sailed Finniss made a move calculated to impress the government in Adelaide and grandly announced that the site of the capital had been chosen.

There are many sites along the coast that have elevation enough to secure a sea breeze; but I do not believe that a more healthy and cheerful site for a settlement [exists] on the whole north coast than Escape Cliffs....It is open to the sea breezes of both monsoons, and the soil is dry and well timbered for shade and building purposes.<sup>28</sup>

There is no doubt that Finniss made his choice after reasoning that the government had given him sole authority to make the decision. He was not astute enough to see all the implications in such a mandate and genuinely believed that he would be supported by the government if he offered some evidence in favour of his choice.

On October 8, 1864, the Beatrice sailed for Timor

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<sup>28</sup>S.A.P.P. 1865, No. 89, p. 5.

to collect supplies and take the Government Resident's letters to a port from where they could be forwarded to Adelaide. Also on board was the volatile Ward, resolutely committed to return to Adelaide to tell his side of the story regarding his suspension. Wallowing far behind came the Yatala, leaking and captain-less--Finniss had suspended Captain Humbert two days before for insubordination<sup>29</sup> and in such bad condition that many doubted that she would reach her destination.

At Escape Cliffs the news that Finniss had recommended the site to be that of Palmerston, the future capital, raised a storm of protest. One of the first to complain was Manton who asserted that the land between the Narrows and Malacca Creek was "entirely worthless for agriculture, the whole of it being composed of sand and ironstone gravel."<sup>30</sup> An anonymous newspaper correspondent reporting on the expedition was also very critical:

Even small boats can only land [at Escape Cliffs] for about two hours at high water, and then great care must be exercised to avoid the rocks which line the coast along the whole break in the mangrove border.<sup>31</sup>

Here Finniss found an ally in Wiltshire who took

<sup>29</sup>S.A.P.P. 1865, No. 89, p. 46.

<sup>30</sup>Finniss Papers, 70/241.

<sup>31</sup>Ibid., 70/208.

exception to this particular report and wrote to the Government Resident defending his choice of the site.<sup>32</sup>

In his selection Finniss ignored what was to become a most important consideration in any plan for settlement of the north--the monsoonal rains. He regarded the land along the Adelaide River as rich alluvial soil covered by low, somewhat rank grass, and he believed that with the first rains the whole area would freshen and make ideal pasturage. Others, whose judgements were not so influenced by their predilections, flatly announced that the majority of the allotments would be valueless. "All those round the creek and the river banks would be submerged at the high spring tides. . . . You would be over your ankles (sic) in mud whenever you walked out of doors." Another declared, "I would not take it at a penny a mile in the Northern Territory for any kind of stock."<sup>33</sup>

To such criticism Finniss made no reply; as Government Resident he felt immune from such minor irritations and had no intention of entering into common disputes with mere chainmen and the like. Instead he consoled himself by remembering what had happened earlier:

<sup>32</sup>Ibid.

<sup>33</sup>S.A.P.P. 1866-67, No. 17, pp. 19 and 26.

The founders of Adelaide were similarly maligned and attacked; but South Australia and its capital have risen and thriven in spite of early evil prognostication.<sup>37</sup>

Obsessed by the idea of creating another Adelaide, Finniss could see no reason why the city and the port should not be successfully separated in the north.<sup>38</sup> He failed to realise that while there were certain similarities regarding the type and purpose of the expedition, there were greater differences between north and south in other respects. The isolated nature of the northern settlement made it difficult to obtain advice and supplies, and whereas the first colonists in South Australia had been able to lean heavily on the eastern settlements, there was no one to turn to in the north. Climatic and geographical differences made it almost impossible to set up another Adelaide, and the expedition should have realised this from the beginning. By stubbornly trying to recreate a thirty-year-old dream, Finniss only made things worse.

Until now Finniss had made no real attempt to explore the surrounding countryside. On October 13, 1864, in spite of earlier orders he had issued banning small scale expeditions, he sent four of his supporters--Auld, Litchfield, Dougall and Bennett--to examine the Chamber

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<sup>37</sup>S.A.P.P. 1865-66, No. 15, p. 6.

<sup>38</sup>Finniss Papers, S.A.A., 70/162.

Bay region. The men were away ten days and on their return reported that they had seen little land higher than fifty feet, but Finniss was unworried. He was sure that his intuition was correct.

In November the Beatrice returned from Timor with fresh supplies and the news that the Yatala had fallen to pieces when beached at Koepang and the hulk had been left there to be auctioned. A month later the South Australia reached Escape Cliffs with provisions and reinforcements from Adelaide. Aboard were forty workmen, a German meteorologist, Bauer, with his wife and children, and two preliminary landholders, J. Stuckey and J.P. Stow.

The expedition members were unimpressed with the quality of the supplies they received. The sheep had suffered badly on the voyage and the horses were "unsuit-<sup>36</sup>able for draft, and for the most part, not fit for saddle!" The new arrivals were just as distressed about conditions at Escape Cliffs. They had arrived after several days' rain and when the captain eventually managed to bring the South Australia close enough for the party to land, it was seen that much of the country was under several inches of water--and this was the area Finniss intended to survey

for settlement!

There was little that the hired labourers could do about the matter, but the private settlers were all important people in Adelaide. The most influential of the three was Stow, brother of the Attorney General, Randolph Stow, and a special reporter for the southern newspapers. Believing that the Victoria River was the most suitable area for settlement, he was predisposed to reject Escape Cliffs even before his arrival. A week at the Adelaide River camp was enough to convince him that Finniss should change his plan for establishing the capital there. With Stuckey and Bauer he complained that

the land about and around Escape Cliffs, for many miles, is of the most worthless description, being principally scrub, sand, and swamp, utterly unfit for arable or pastoral purposes. That during many months, the proposed town will be cut off from land communication with the back country by swamps and flooded lands. . . . It will have neither open country, pastoral land, elevation, agriculture, commerce, surface water, nor building materials.<sup>40</sup>..

Stow, Stuckey and Bauer therefore suggested that the Government Resident should examine the land beyond the Alligator River and Port Patterson before confirming his decision.

Finniss's faith in his own invulnerability was unshaken and he replied stiffly that the site of the



capital had been chosen several months ago and he could see no reason for changing this decision.<sup>41</sup> Stow, Stuckey and Bauer thereupon resolved to explore the Adelaide River headwaters. As they were not official members of the expedition they felt themselves free from any order of Finniss's limiting exploration. Leaving Escape Cliffs on Christmas Day, they rowed sixty miles upstream--an area Finniss had not investigated although he had been in the Northern Territory nearly six months. All they found were miles of mangroves and mudflats.

By the time the disheartened explorers returned the rains had washed out the track between Palmerston and Port Daly and Finniss ordered the labourers to begin marking out the flooded land for future settlement. Stow, Stuckey and Bauer renewed their protests and flatly contradicted most of Finniss's assertions regarding the suitability of the site and reminded him:

Your bullock-dray, drawn by six bullocks, and having only about 12 cwt on it, has stuck fast on the road to the Narrows.

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 We<sup>shall</sup> feel it our duty to represent to proprietors the 42 insanity of supposing a settlement can be formed here.

Even this could not shake Finniss; he refused to reconsider his choice.<sup>43</sup>

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<sup>41</sup>S.A.P.P. 1865-66, No. 15, p. 7.

<sup>42</sup>Ibid., p. 9.

<sup>43</sup>Ibid.

He rebutted the argument regarding the bullock dray by enclosing a report from Manton which claimed

that drays with fair loads can travel along the natural surface of the ground . . . at all times of the year, if care be taken to keep on the high ground which can easily be done by increasing the distance to about eight miles.<sup>41</sup>

Since the direct distance between the two points--North and South Palmerston--was four and a half miles, many could not see the necessity for such a long detour.

Finniss's obdurate behaviour was undoubtedly influenced by the despatches he received from Adelaide when the South Australia arrived. The government had indicated that it expected great things of him.

You will have, 'ere this, received some benefit from the planting of the vegetable seeds which you took with you. . . . .

Before this reaches you the site of the capital will in all probability have been determined upon and you will have proceeded with its survey.<sup>42</sup>

Safe and complacent in Adelaide, the government had no idea of the difficulties confronting the men in the Northern Territory. Its members were so intent upon applying the South Australian yardstick to measure progress in the north that they failed to realise that the vegetable seeds could not be satisfactorily planted there in July. As it was most of the seed was defective and therefore brought no benefit to the struggling settlement. For his

<sup>41</sup>S.A.P.P. 1865-66, No. 15, p. 17.

<sup>42</sup>Finniss Papers, 70/149.

part, Finniss was determined that he would satisfy all the government's expectations.

In a situation such as this the opposition spurred Finniss on. He reasoned that once the region was adequately surveyed there would be no further point to the criticism, and so the sooner it was done the better for all concerned. He therefore ordered a speed up in the survey work and at the same time wrote to Adelaide.

If the Government and the shareholders in the purchase of land--whose views must direct me, and whose interests are at stake--prefer the reports and judgment of their own particular agents to mine, I am relieved of future responsibility with regard to the selection of a suitable site, and shall do my best to give effect to those wishes when communicated through the Government, whose servant <sup>alone</sup> I am, although I have in all my <sup>46</sup> proceedings acted in the interests of the landholders.

However, even Finniss could not completely ignore some of the disadvantages of the present site. He admitted that navigation of the Adelaide River was difficult, but then claimed that things were worse elsewhere:

I find no ship can pass up the Adelaide River without being towed by three boats, with a favorable tide. The current is strong and the reaches tortuous, therefore sails are useless. . . . .

. . . . .  
In the Victoria district, these difficulties are much increased--as the tides rise and fall thirty feet and upwards, and the currents are from five to six knots an hour.<sup>47</sup>

Considering that Finniss had not yet visited the Victoria

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<sup>46</sup>S.A.P.P. 1865-66, No. 15, p. 11.

<sup>47</sup>S.A.P.P. 1865, No.89, pp. 57 & 58.

River area and that much of the information made available earlier regarding the Northern Territory was now being proved false, there was little justification in this assertion. The Government Resident was, however, committed to the Adelaide River region; he had staked his reputation on it and he was unwilling to admit that he could be wrong.

## CHAPTER XI

### A FIASCO ENDS

The South Australia reached Adelaide on New Year's Day, 1865 with the mail from Escape Cliffs. The following day Ward arrived aboard the Beatrice which had returned via Djakarta. The letters from the north and Ward's campaign of vilification to discredit Finniss caused a furore in South Australia.<sup>1</sup> Once it was realised that the great plans were not being put into practice as easily as had been anticipated, questions were asked in parliament and ambitious politicians tried to dishonour the government. The Ayers ministry had to silence the criticism quickly and the obvious way to do so was to send the Government Resident fresh instructions.

The Beatrice was hurriedly refitted and ordered north again with fresh despatches. The government supported Finniss over the inquest proceedings and censured Goldsmith for his unco-operative conduct. The Chief Secretary in fact promised "to relieve Dr Goldsmith

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<sup>1</sup>S.A.P.P. 1865, No. 89, p. 91.

of his duties as soon as an eligible successor [could] be obtained."<sup>2</sup> It refused, however, to sanction the appointments given to Frederick Finniss and Bennett and both men were demoted to their former positions. Ayers then went on to admonish Finniss for his handling of the September raid on the native encampment and reproached him for having failed to examine Port Darwin and for wasting nearly one hundred days taking stores up to the River Depot and bringing them back to Escape Cliffs, and urged him to adopt a more active policy.<sup>3</sup>

To ensure that Finniss thoroughly understood the purpose of the despatches Ayers concluded by ordering the Government Resident to use the Beatrice to explore the remainder of the coast before undertaking any more survey work at Palmerston:

You say that your reputation, honor, and welfare are involved in [the expedition's] success--and I may add, that the interests of the purchasers of land are also deeply involved.<sup>4</sup>

Finniss was not unduly concerned about the investors, but when he received the despatches in April 1865 and saw the government's apparent lack of faith in his leadership, he decided to obey his orders literally. Although April was not the best time to send out

<sup>2</sup>S.A.P.P. 1865, No. 89, p. 62.

<sup>3</sup>Ibid., p. 64.

<sup>4</sup>Ibid.

exploratory parties he asked Auld and five men to make an overland survey of the country between the Adelaide River and Port Darwin. The men were away ten days and on their return reported that the land was largely useless for pasturage and agriculture and that the area had only limited possibilities.<sup>5</sup>

A month later Litchfield and F. Finniss, both of whom had accompanied Auld earlier, were sent out with another group to explore the Adelaide River area. Their report was a most enthusiastic endorsement of the Government Resident's policy. They had found

beautiful broad valleys and hills, most of it well grassed, with a fine description of kangaroo grass, timber, gum, honeysuckle, wattle, box, and various other trees. . . . Travelling through this part of the country is like travelling through a cultivated meadow, and parts of it resemble very much the Ovens diggings in Victoria.<sup>6</sup>

This was what Finniss needed to justify his faith in his choice of Escape Cliffs. He had selected his men carefully and they had dutifully submitted the type of report he required. He now had sufficient evidence to go ahead with the plans for building the capital on the banks of the Adelaide River.

By the time the Bengal arrived at the camp on

<sup>5</sup>S.A.P.P. 1865-66 No. 15, Auld's report, p. 15.

<sup>6</sup>S.A.P.P. 1865-66, No. 83, p. 3.

April 20, 1865 Finniss was beyond reasoning with and the men were too apathetic to take direct action. Stow, who had endured three frustrating months amidst the muggy heat and rain, was the Government Resident's severest critic. He wrote a long, bitter letter to Ayers complaining about Finniss's gross inefficiency:

The Govt. Resident's explorers understand their duties thoroughly; they know well that Mr Finniss shows marked favor to those who tell him of good land, and that he treats as a personal enemy every one who expresses an unfavourable opinion of the country.

. . . . .  
I distinctly and formally charge him with gross selfishness, inhumanity, scurrilous and abusive conduct—sometimes publicly displayed—towards his officers and men, and falsehood.<sup>7</sup>

After writing the letter Stow, at Hamilton's suggestion, bought a twenty-three foot whaleboat from the captain of the Bengal for £60 and prepared to leave the settlement. Believing that the nearest white colony was six hundred miles to the west at Camden Harbour, he decided to sail there and explore the coastline along the way. Stow sardonically christened the whaler The Forlorn Hope, recruited a crew of six--Hamilton, White, Davis, Edwards, McMinn and Hake--and left the colony on May 6, 1865.

To Finniss this was another indication of the foolish, imprudent outlook of the majority of the men.

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<sup>7</sup>Finniss Papers, 70/215.

He placed no obstacles in the group's way. Stow was a free agent, the other men had served their year according to the contract signed in Adelaide. If the voyage should end in disaster Finniss would not be blamed--in fact his case would be all the stronger. He was therefore on the beach with the remainder of the party to see The Forlorn Hope set out on what was to become one of the classic small boat voyages of the century.

Stow's party was not the only one to leave Escape Cliffs. Thirty other members of the expedition--men whose contracts had expired or who had been suspended--left aboard the Bengal for the East Indies.<sup>8</sup> This was a roundabout way of returning to Adelaide but to the majority it was vastly preferable to rotting in that tropical outpost. Again, Finniss refused to be perturbed. He saw the men as deserters, as urban workers unable to adjust to their new environment. He did not believe that their departure would reflect in any way upon his leadership, but maintained that these particular men should never have been chosen in the first place.

Once the Bengal sailed the expedition was left to its own devices for some months. The Beatrice explored the eastern entrance of the Clarence Strait but that was

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8S.A.P.P. 1865-66, No. 83, p. 1.

all. Finniss, thwarted in his attempts to push ahead with the surveying and marking out of the twin townships by the departure of so many of the labourers, became even more overbearing and officious. To justify himself he attempted to show that the delays were due to the inefficiency of the workmen. Those whom he thought to be laggards, or those who did not accord him the deference he felt due to him, were suspended. Stuckey, who was in a unique position because he did not belong to the official party, annoyed the Government Resident and was excluded from the Officers' Mess even though from the time he landed in the north he had lent all his cooking utensils to the government service.<sup>9</sup>

Under such leadership the officers became lackadaisical and drunkenness increased among the men.

Finniss's numerous orders were obeyed apathetically but there was little enthusiasm and few bothered to do the little extra things which make camp life comfortable.

While morale was at this low ebb Alaric Ward, the man involved in the shooting incident a year before, was murdered by natives. After the September raid the aboriginals had not been seen for many months, and it was June 1865 before small bands were sighted wandering

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<sup>9</sup>Finniss Papers, 70/236.

through the countryside. Finniss once again adopted aggressive measures and sent out parties to attack the natives.<sup>10</sup> After the death of Ward the men were afraid to leave the safety of the camp. It was not known whether the aboriginals had especially chosen their victim or whether it was merely an act of vengeance and a coincidence that Ward should be the only casualty.

On hearing the news of the disaster Finniss ordered Litchfield, who had formed a police force at Escape Cliffs, to select some volunteers and punish the murderers. As nobody was certain which natives had committed the crime, the instructions were tantamount to directing Litchfield to attack and disperse any natives seen on the peninsula. Fortunately when the volunteers made a sweep of the region they found none to harry.<sup>11</sup>

On August 12, 1865, barely a week after Ward's murder and at a time when the whole camp was jittery over the possibility of another such incident, Finniss decided to use the Beatrice and the Julia to explore the coastline from Port Darwin to the Victoria River. It was an inopportune time to leave the settlement but Finniss convinced himself that he must obey the instructions forwarded to him in April and failed to anticipate that

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<sup>10</sup>S.A.P.P. 1865-66, No. 83, pp. 5-6. <sup>11</sup>Ibid., p. 8.

his actions were bound to be misconstrued.

Taking some of his supporters with him and leaving the expedition under the command of Young rather than Manton, his second-in-command, Finniss set sail to confirm that there was no other river in the Northern Territory comparable with the Adelaide.<sup>12</sup> His report was comprehensive and accurate and showed clearly that he was quite capable of assessing the potential of various areas. The tragedy of the whole affair was his failure to examine dispassionately any event in which he himself was involved. He could criticise the other regions fairly but was unable to apply the same yardstick to Escape Cliffs.

Finniss's inability to anticipate likely trends or to understand other people's point of view is well illustrated by his next action. Instead of returning to Palmerston and without even checking on conditions at the main camp, he ordered the Julia back to Escape Cliffs while he himself continued on to Timor aboard the Beatrice. He considered the shortage of supplies an adequate explanation for his action.

I shall proceed in he both to save the time which would be lost were she to return with me to Escape Cliffs before going to Timor, and to obtain supplies of fresh provisions vegetables fruit and seed for

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<sup>12</sup>S.A.P.P. 1865-66, No.83, pp.8-10.

the forthcoming time for cultivation.<sup>13</sup>

This again is indicative of Finniss's inadequacy; he would not delegate authority to anyone whom he thought might have ideas even slightly different from his own, and only by surrounding himself with men of lesser calibre could he feel safe. Some aspects of this behaviour must have seemed odd to the men left behind and would hardly have helped to boost their morale. In the previous year, after the successful raid on the native camp and the apparent exodus of aboriginals from the area, the Government Resident had entrusted the buying of stores in Koepang to other officers. Now after the murder of Ward and at a time when there was still some conjecture that this was merely the beginning of reprisals, Finniss deemed it necessary for he himself to go to Timor for the supplies.

The Beatrice arrived at Koepang on September 13, 1865 and remained in port for twelve days. In spite of the urgent need of supplies which had prompted his rushed trip, Finniss was in no hurry to return and spent the days writing despatches, visiting the local dignitaries and recuperating from the voyage. It was not until October 4, seven weeks after leaving the settlement, that he returned.

My mission to Timor was successful. I procured

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<sup>13</sup>B.T. Finniss, Journal of the N.T. Expedition, 1864-1865, entry of September 1, 1865, S.A.A. 39.

supplies which were of the utmost importance to the party, and I found that, with the exception of several cases of scarvy (sic) and a general feeling of depression, that were occasioned almost solely by the want of animal food, which had again failed, and the inadequate nature of the sustenance for some time past, all had gone on well. The supplies which I bought had a great effect in restoring the health and spirits of the party.<sup>14</sup>

However, it did not take Finniss long to discover that all was not well. Morale had not improved and the majority of the men--with the notable exception of Litchfield--did as little as possible. Finniss then commented sourly:

Mr Manton cannot discover available land anywhere or any locality fit for the site of a town. The plains are too wet; the hills are too rocky. There is a thorough disgust with the country, because the men's positions and prospects are not what they expected. It is up-hill work; and were it not that there are some staunch men amongst the party . . . there would be nothing left but to abandon the place. . . . .

I could pick out twenty men who will do their duty, the rest are not worth the rations they receive, and the sooner they are permitted to depart the better.<sup>15</sup>

He still emphatically rejected the idea that the whole purpose of the expedition might be wrong and that the government had made a mistake in sending it out in such haste.

Although events were moving slowly in the Northern Territory great changes were occurring in Adelaide. Those members of the expedition who had left Escape Cliffs

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<sup>14</sup>S.A.P.P. 1866-67, No. 17, p. XXII.

<sup>15</sup>S.A.P.P. 1865-66, No. 83, p. 13.

aboard the Bengal reached Melbourne from Batavia on July 26 and their stories made headlines in the colonial press. Men like Goldsmith, Roberts, Smith and Ware were unanimous in blaming Finniss for the appalling conditions up north:

The Government Resident is almost isolated in the midst of his officers and men, and . . . seems to be subject to a good deal of mental agitation and excitement. His physical energies, moreover, appear to be unequal to the task; and it is said that whilst drilling the men he sits in a carpet-chair, with his feet in another chair, and that he travels through the<sup>16</sup> country in a cart, reclining<sup>at</sup> full-length on a mattress.

Although many of these stories were spurious or exaggerated they did appear to confirm rumours which had been prevalent for some time. Nobody was anxious to speak up for Finniss. Even Auld, who had returned to take over his father's estate, remained silent on the question of the Government Resident's leadership qualities.

There was one obvious solution. On September 21, 1865 the government decided to recall Finniss and to replace him with McKinley.<sup>17</sup> The Ellen Lewis arrived at Palmerston with supplies, reinforcements and the notice of Finniss's recall on November 5, 1865. There were no fireworks from the surprised but not unduly alarmed Finniss who was still certain that, given the men and equipment,

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<sup>16</sup>Finniss Papers, 49/VI, p. 157.

<sup>17</sup>S.A.P.P. 1865-66, No. 15, p. 19.

he could establish a thriving settlement in the area. He was sure that when he explained his side of the story he would be strongly supported by the government.

Before handing over to his successor Finniss issued his final order and dutifully thanked all personnel for "the unvarying respect and obedience which they have manifested towards him from the first."<sup>18</sup> Accompanied by his son and ten other members of the expedition, he then boarded the Ellen Lewis to return to Adelaide. Taking for granted that his actions had been above reproach or criticism he seems to have enjoyed the five week voyage south. Apart from copious notes in answer to Stow's defamatory letter, he does not appear to have prepared a case for his defence but jotted down observations on the quality of shipboard food and other trivia as is usually recorded by tourists.<sup>19</sup>

Finniss's admirable sangfroid was shattered once he reached Adelaide. He received a frosty welcome from the Hart ministry which had taken over from Ayers and felt itself duty bound to support the scheme to settle the north. An unsympathetic press demanded an official inquiry. Hart, never one of Finniss's friends and unwilling to believe

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<sup>18</sup>S.A.P.P. 1865-66, No. 134, p. 3.

<sup>19</sup>B.T. Finniss, Journals, N.T., 1865, S.A.A. 451.

that £40,000 could have been lost on an idea he had formed, agreed to appoint a Select Committee to investigate the whole affair and chose the Auditor General, W.J. O'Halloran, as chairman. The board was completed by the addition of A.G.W. Milne and C.H. Goode, two members of parliament, and immediately set to work.

The government had no intention of holding an open investigation into all aspects of the Northern Territory Expedition; it was more intent on finding a scapegoat than in deciding whether an agricultural settlement, as planned by Hart, could be successfully established in the north. The terms of reference were such that Finnis was likely to be adjudged guilty and the government would have an excuse for the loss of the £40,000:

- 1 . . . he showed an utter want of management of the men under his charge, leading to the total disorganisation of the party, the destruction of stores and other great waste of the funds of the settlement.
- 2 That he neglected to carry out the instructions of the Government contained in . . . Despatches dated 14th April, 1864, and 10th February, 1865 . . . .
- 3 That without previous examination of the country, and contrary to the opinions expressed by the Government . . . he ordered surveys to be made and continued in localities where the lands for the purposes of settlement [were] worthless.
- 4 That in sending away an armed party for the express purpose of retaliating upon the blacks . . . he caused the death of a defenceless prisoner. . . .
- 5 That he greatly erred in trusting the command of such a party to a person of insufficient responsibility. . . .
- 6 That without authority first obtained from the Government, and without sufficient reason, he left

the Territory and the party under his charge and proceeded to Timor in the Beatrice.<sup>21</sup>

The great care with which the indictment was drawn up can best be understood when it is realised that the sixth charge was for actions which had taken place after the letter demanding Finniss's recall had been written. Furthermore as communications between Adelaide and Palmerston were so slow and irregular it was ludicrous to expect Finniss to await a reply from Adelaide before leaving the settlement.

The Select Committee met in March 1866 and sat for five weeks during which time they heard twenty-two witnesses. Evidence for the prosecution was given by McMinn, Roberts, Hake, Hamilton, Warland, Stowe and Ebenezer Ward. The defence testimony was supplied by Litchfield, Lloyd, Murray, Fitch and Finniss's son, Frederick. Pearson tried to be impartial and blamed both Finniss and the lack of co-operation given him by the senior officers for the expedition's failure. Auld-- later to be tried for and acquitted of his part in the murder of the aboriginal--wisely refrained from committing himself on any major point and proved to be an unsatisfactory witness.

Finniss was allowed to question all the witnesses

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<sup>21</sup>S.A.P.P. 1866-67, No. 17, p. 2.

but was not permitted to give evidence himself and it was soon apparent that he would be found guilty. All that he could do was submit a deposition at the end of the hearing and this of necessity had to be in the form of an apologia.

The persons among the laborers . . . treated with this marked consideration were, Mr William Patrick Auld, the son of Mr Patrick Auld, of Auldana, Mr Litchfield, the son of an officer in the army--the equals in social position, in education, and in manners, of any of the officers, and my own son. . . . .

. . . . .  
I found almost from the first, that I could rely upon no support or help from my officers. . . . .

The fact is, that the natives will not, except under the influence of fear, tolerate the presence of any white settlers among them; and they will always be ready here as they have been in every settlement which has been formed or attempted in the region, to slaughter any defenceless member of the party who may be away from the rest, or to attack the party itself if it is found off its guard.<sup>21</sup>

It was almost a statement of Finnis's philosophy. He believed that the officer and the gentleman were God-chosen to command and that those of lesser birth should follow uncomplainingly. He was now certain that most of the men chosen for the expedition were lacking in spirit and perseverance. The natives, with whom he had so little personal contact, were designated as inferior beings who could be controlled through fear alone.

It was no surprise when the verdict was announced

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<sup>21</sup>Ibid., pp. XVII, XIX, XXIII.

in May, 1866, that Finniss was castigated for his failure to carry out "the spirit of the instructions framed for his guidance."<sup>22</sup> His actions in the Northern Territory were condemned, and although O'Halloran submitted dissenting opinions on the second and third charges, Finniss was blamed for the failure of the expedition.<sup>23</sup>

From the time of his recall until the announcement of the Committee's verdict Finniss had received no salary and, as his annuity had ceased when he accepted his appointment as Government Resident, he was in financial difficulties. Nevertheless he battled on to clear his name but the government had no intention of reopening the matter. There is no doubt that Finniss could have found many incorrect statements in the evidence put before the Committee--his opponents had had no scruples about stretching the truth to emphasise their arguments--but the government had its own problems to consider.

The Hart ministry overcame the embarrassing situation of having an indigent, importunate Government Resident in its employ by informing him that it intended to dismiss him, but that "His Excellency is willing to accept of your resignation of the office, if tendered without delay."<sup>24</sup> A braver, higher principled man might

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<sup>22</sup>Ibid., pp. 2-4.

<sup>23</sup>Ibid., p. 4.

<sup>24</sup>Finniss Papers, 70/45.

have continued the fight, but Finniss was too bound up in the system to risk complete disgrace. He resigned the day after receiving the Chief Secretary's letter.<sup>25</sup>

His next move also conformed to pattern. Finniss petitioned the government for some form of compensation for the work he had done over the past year and asked that he be given another position:

It is reported that the post of Collector of Customs at Port Adelaide will shortly be vacant. Should such be the case, I should be glad to be considered a candidate for the post.<sup>26</sup>

However, the government had no intention of using Finniss at this stage and the Chief Secretary informed him that he was not entitled to any retiring allowance for his work in the Northern Territory. Another man in the public service was appointed to fill the vacancy at Port Adelaide.

The Northern Territory was not so easily disposed of as its Adelaide Resident. The government, unwilling to admit that their programme was impracticable, continued in attempts to settle the region. McKinley was no more successful than Finniss<sup>27</sup> and on hearing this news the latter offered to survey the area if a suitable contract price could be agreed upon:

<sup>25</sup>Finniss Papers, 70/46.

<sup>26</sup>Ibid., 70/60.

<sup>27</sup>S.A.P.P. 1866/67, Nos 82, and 82A.

Such a contract can only be undertaken with any assurance of success, by some one who, like myself, has the necessary scientific qualifications, together with a knowledge of the nature of the country, and of the obstacles to be encountered, in the shape of attacks by <sup>the</sup>Aborigines, climate, seasons, means of transport, and acquaintance with the best mode of providing a party for such work.<sup>28</sup>

The idea was good, the government could think of nothing better, so tenders were called for the survey of a settlement in the Northern Territory.

When these closed on October 23, 1866 Finniss's submission was by far the lowest, but the Surveyor General, G.W. Goyder, was sceptical of Finniss's ability to do the work for the price quoted and advised against acceptance. Finniss, convinced that if he took another party north he could recoup all previous losses, protested vehemently:

Mr Goyder says "Mr B.T. Finniss's tenders No 7 & 8 offered to do in 1867 for 3/11½d per acre, what cost him but recently £3 per acre to effect."

Now, I have offered to survey 300,000 acres, within a given time, and the Surveys in the N. Territory effected under my orders, do not, including two Townships, exceed 16,000 acres, therefore no comparison can be instituted. But I presume Mr Goyder charges the whole of the Government expenditure incurred up to the 5th Nov. 1865 in the Northern Territory, against the few acres surveyed as a commencement, in which I was interrupted by the Government recalling me to Adelaide, thus putting a stop to all further progress.

.....  
 Would a master-builder who had contracted to complete an edifice for £60,000, and who had at an outlay of perhaps £20,000, collected his plant and materials on

the spot, be satisfied to estimate the cost of the whole work at the cost of the first cubic yard of erections?<sup>29</sup>

The government did not have another £60,000 available nor could it open the area to private settlement without first reaching some agreement with the preliminary landholders. With Finniss submitting the lowest tender and publicising his displeasure the government decided not to accept any of the offers. Instead Goyder was sent north in 1868 with carefully selected personnel, ample provisions and the limited objective of finding land for those entitled to it. He chose Port Darwin as the capital site and although the area enjoyed a brief prosperity the land proved to be unsuitable for agricultural purposes.

It was not until the Brackenbury Report was published in 1895 that the government admitted that the country chosen was largely useless. The bulk of the good land along the Adelaide was liable to flooding; the first ninety miles of the Victoria was barren sandstone; there was only a narrow belt of arable land adjoining the Daly River.<sup>30</sup>

This report was released after Finniss's death but

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<sup>29</sup>Finniss Papers, 70/69.

<sup>30</sup>S.A.B.P. 1896, No. 65, p. 4.

it is doubtful that he would have accepted the verdict had he been alive. In fact from 1867 onwards he conducted a long and futile campaign to justify his actions in the north. Almost every time the Northern Territory was mentioned in parliament or the press he wrote to the newspapers--often under the nom de plume of "Finis Coronat Opus"--drawing attention to some accomplishment of his expedition. His letters all pounded the same theme:

Had Mr Finniss's selection been upheld tens--aye, hundreds of thousands of pounds--squandered in subsequent expeditions, satisfying the claims of clamorous land-order holders demanding the return of their money, interest on loans, etc., would have been saved to the Government.<sup>31</sup>

In the end, once time had dulled the sharpest impressions, Finniss probably believed that his conduct had been absolutely blameless and that he had been a victim of circumstance beyond his control.

The South Australian government had erred in its impetuous desire to create a new Adelaide in the north, but Finniss aggravated the situation by stubbornly insisting on the selection of a capital site whether or not it met all requirements. His dreams of recovering lost prestige and of salvaging his fortune led him to reject reality. The one advantage of the site at Escape Cliffs was its position at the mouth of a fine river.

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<sup>31</sup>Finniss Papers, 49/V, p. 117.

Seizing on this , Finniss built an imaginary city of impressive magnitude and ignored the fact that the river was difficult to approach from the seawards because of sandbanks and that on the landward side it was surrounded by mangroves.

## CHAPTER XII

### AN OLD MAN LOOKS BACK

Finniss's last years were not what he had anticipated; the great plans of his youth were never realised and he was left to live out his life in comparative obscurity. He was not, however, the type of man to sit and brood silently, and a feature of his old age was his continued determination to obtain recognition in one field or another. At the age of sixty when most men would have been content to live on what was after all an adequate pension, Finniss petitioned the Imperial Government for a position either at home or abroad.<sup>1</sup>

When this produced no results he decided to visit England to make a personal approach. To help finance the journey he took advantage of the unsettled European situation and became a political and military correspondent for local and interstate newspapers. Arriving in London aboard the S.S. Orient in May 1870 he was ready

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<sup>1</sup>Finniss Papers, S.A.A. 76/18.

for work when the Prussians invaded France in the following July. A sceptic regarding the merits of republicanism, Finniss firmly supported Bismark:

The French seem to be utterly unable to realise the truth of their position. It is quite probable that none but those who have witnessed the success of the Prussians and the defeats of the French forces even now believe in the full extent of the national lapses.<sup>2</sup>

Finniss had no intention of launching out into a journalistic career at the age of sixty-three. He wanted a stable position and once he saw that there was no hope of obtaining a post with the Imperial Government he approached the British-Australian Telegraph Company. In this instance his timing was good.

This particular company was at the time under contract to build the overseas portion of the telegraph line between Asia and Port Darwin. There was an urgent need for men with some knowledge of the Northern Territory and who could assist with establishing a base there. Finniss fitted the bill admirably and was offered the position of the Company's agent at Port Darwin with a salary of £1,000 per annum.<sup>3</sup>

Immediately he received his appointment Finniss returned to Adelaide and took up his duties in May 1871. Part of his work was to select supplies and take them to

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<sup>2</sup>Finniss Papers, S.A.A. 51, Book A, p. 264.

<sup>3</sup>Finniss Papers--Port Darwin Cable, S.A.A., 73/12 & 15.

Port Darwin. This gave him no trouble and with his assistant, J.E. Squiers, and three labourers he soon arranged the loading of 500 tons of equipment aboard the chartered Bengal. By September 29, 1871 he was once again in the Northern Territory.

Finniss went north expecting to find men and equipment awaiting his instructions but he found that things were not nearly as advanced as he had anticipated. Confronted by the unexpected, he interpreted his instructions literally and selected a site for the Company's telegraph station on a portion of the Government Reserve near Doctor's Gully.<sup>4</sup> It was a commanding site on a rocky headland within easy access of Peel's Well, but the builders complained that the region was inaccessible. Finniss thereupon chose Fanny Bay, "by no means the most desirable situation for a station, as it is low and in close proximity to a Swamp,"<sup>5</sup> but more satisfactory to the builders.

Once this was decided there was little more for Finniss to do. A less pretentious man would have accepted the position and been content to remain in Darwin for the remainder of the year. Finniss, however, still wanted to make an impression and in December, three months after

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<sup>4</sup>Finniss Papers, 73/65.      <sup>5</sup>Ibid., 73/73.

his arrival, he sailed for Adelaide.

Unfortunately for him he once again miscalculated badly. The Company intended that Finniss remain in Port Darwin in case any unexpected delays occurred, and his return to the south was soon criticised:

My Board were surprised that you should have quitted Port Darwin before seeing that the Contract for the erection of the Buildings had been properly carried out--it was almost for this purpose that you were sent to Australia.<sup>6</sup>

The Company allowed Finniss to serve out his contract in Adelaide but dispensed with his services in May 1872.

Finniss was now too old and too proud to accept minor administrative positions either with the government or private enterprises, so he turned once again to colonial politics. In 1857 he had been most critical of the men who had slunk off to take their seats in the Legislative Council. Now he decided that the country could best use his talents if he were to become a member of that body. Probably the most important reason to influence his thinking was the knowledge that there were seven vacancies to be filled in the upper chamber and only four members--Ayers, Hogarth, Mildred and Taxford--were offering themselves for re-election. Furthermore there was little public interest in the coming poll.

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<sup>6</sup>Secretary of British-Australian Telegraph Company to Finniss, January 25, 1872. Finniss Papers, 73/95.

Nominations for the seven positions closed in March 1873 and Finniss was one of the thirteen candidates. His campaign showed that he had learned little from his past experiences and he failed to make the most of his opportunities. Presenting himself as a retired gentleman and relying on a recitation of his long, illustrious career as a public servant, he tried to cajole votes from an apathetic electorate. His lofty and somewhat superior air of independent elitism failed to impress.

The poll was held at the beginning of April--only at the Burra did anything like half of the eligible voters trouble to record their votes--and Finniss finished ninth on the list.<sup>7</sup> While the result was a blow to his pride it did have favourable repercussions. As usual he was voluble in defeat and in the course of his public utterances on the subject, he developed the theme that he had lived too long and that his work had been forgotten. His contemporaries were mostly retired or dead; his true worth was unrecognised by the new generation.

The complaints came at a time when the government was constituting a Forestry Board to investigate and develop afforestation in South Australia. To silence

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<sup>7</sup>Register, April 4, 1873, p. 5e.

the persistent petitioner it was decided to offer Finniss a position on the Board. The salary was meagre--members were paid a guinea for each meeting they attended and they met on an average once every three weeks<sup>8</sup>--but the position carried some social prestige and to Finniss this was the most important consideration.

The Forestry Board was a very active body and enthusiastically set about enclosing forestry land and making experimental plantings in various parts of the colony. It soon had large tracts of land under its control and developed a policy of its own. The spirit of independence exhibited by some of the members of the Board--particularly W. Barber and G. McEwin--eventually led to a conflict with approved government policy. Under pressure from the Commissioner of Crown Lands, T. Playford, the Board let part of the Wirrabara Forest Reserve to A. Copas, a local market gardener.<sup>9</sup> This established a precedent and in 1881 the Laura Gardening Company applied for some forestry land. The Board refused the request and the Company appealed to A. Catt, who had taken over Playford'd portfolio. He naturally supported the Company, the Board refused to release the

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<sup>8</sup>S.A.P.P. 1879, No. 83, p. 5.

<sup>9</sup>S.A.P.D. 1882, p. 649.

land and the government found its authority flouted.

Goyder, the government's official representative on the Board, thereupon recommended that a regular department take over the running of the organisation. This was too much for Barber who resigned. Finniss, who had supported the Board as strenuously as anyone, was in a quandary as to whether to follow Barber's example or to remain in his position. He hesitated only until it was clear that the government intended to place afforestation under the control of the Commissioner of Crown Lands,<sup>10</sup> and then resigned with a flourish.<sup>11</sup> It was a fine gesture. He relinquished the post a few weeks before it was abolished in 1882.

In 1876, during the absence of W. Hitchin, Finniss served as Deputy Auditor General while still remaining on the Forestry Board. When this same post became vacant a few weeks after the abolition of the Board, he wrote asking that his claims should not be overlooked. At the age of seventy-five he was being unduly optimistic and it was not surprising that a younger man received the appointment.

Even while working intermittently on the Forestry Board Finniss began collecting, arranging and collating

<sup>10</sup>Act No. 252 of 1882.

<sup>11</sup>Finniss Papers, 68/18.

material for a book. The Constitutional History of South Australia was intended to be a faithful account of events leading to the establishment of responsible government in South Australia. It became a vehicle for Finniss to propound his beliefs and, occasionally, to justify past errors of judgment. The book did not bring him the great financial reward for which he hoped, but it was a creditable accomplishment for a near-octogenarian.

In many ways the years from 1874 to 1886 were curiously satisfying to Finniss. Unlike many old men, he did not lose his powers of critical appraisal, his eyesight remained fair and he could spend hours browsing through books, writing articles for local newspapers and arranging his papers. After completing his history of South Australia he began working on a book outlining the growth of Christianity.

It is in the rough notes of this last work that some of Finniss's most thoughtful and provocative statements are made. No longer chasing promotion and dealing now with subjects in which he was not directly involved, he was able to write in a manner which he would never have contemplated a decade before:

With materialism hope and fear vanish from the human mind as regards a future life; but we leave our freedom to act within the limits of our condition and it remains in our power . . . to add to the sum of happiness on earth and to promote health and longevity

to meet the demands of a higher consciousness.

.....  
 The Deist, the Christian, and the Materialist are all steadily approaching the same goal. It is but to assimilate the name of ideas to the same thoughts and to face and seek the truth not because it conveys good news . . . but because it is the truth. Man will then study to improve the social condition on earth instead of looking on this life as a huge mistake of their Creator as Christianity implicitly teaches.<sup>12</sup>

Unfortunately Finniss had not the time to develop his argument fully. Old age finally caught up with him and what he intended to be a major work of philosophical importance became merely a collection of random ideas.

Finniss retained his interest in local politics to the end of his life and, like many old people, contended that the colony had not advanced as it should have.

If the decade before 1886 was a reasonably happy one for Finniss, his last years were disappointing. He became subject to fits of anguish and despair. He had so much to do and so little time left. When his daughter Julia died in 1890 a heartbroken old man recorded his disillusionment and attempted to rationalise away his failure to give his children the start in life they had deserved:

I have lived to the great age of 83 and I bequeath to S. Australia the care of the family I leave behind me. I cannot leave Title or wealth to them, but I have given something superior to nobility and wealth (Nobility of Character) so that they are fitted to be

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<sup>12</sup>Finniss Papers, S.A.A. 51/E, pp. 145 & 146.

the worthy descendants of one who is among the chief founders of the Colony.<sup>13</sup>

This letter underlines the tragedy of Finniss's life. Above all else he had yearned for social recognition and prestige and this dictated the course of his actions. From the beginning he believed that loyal public service would be adequately rewarded and for this reason he eschewed the commercial field where the returns were always monetary and often subject to chance. He believed--and his experiences seemed to support his contention--that in private enterprise one was never sure of receiving one's just deserts. He imagined that by renouncing a chance to make a fortune and accepting a smaller salary than his abilities warranted he would in his old age be revered as a public benefactor. He did not realise that man's memory for good deeds is short and his political loyalty fickle. He overlooked the fact that he was a follower rather than a leader, impetuous rather than deliberative, a man who thought that position alone earned respect. Finniss could seldom see the other person's point of view and his high-handedness evoked distrust, not the adulation his naivete led him to expect.

Finniss died on December 25, 1893. The end came quietly to the man who had grown progressively weaker

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<sup>13</sup>Finniss Papers, S.A.A. 76/110.

over the last four years. The local newspapers were kind to him. Their obituaries praised his contribution to South Australian history and gave one explanation of why he had failed to maintain his place in colonial politics:

He was never what may be termed a popular man, but this did not trouble him greatly, for the simple reason that the recognised methods of securing popularity did not commend themselves to him. It was enough for him to strive to do his duty irrespective of such ephemeral rewards as the plaudits of the multitude.<sup>13</sup>

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<sup>13</sup>Register, December 25, 1893, p. 5a.

APPENDIX

ABBREVIATIONS

- S.A.A. South Australian Archives.  
S.A.P.P. South Australian Parliamentary Debates.  
S.A.P.P. South Australian Parliamentary Papers.

## BIBLIOGRAPHY

### PRIMARY SOURCES

#### Papers

Despatches from Adelaide, 1854-1860. S.A.A.

Finniss, B.T. Finniss Papers. S.A.A.

36 Rough notes kept by Finniss while Chief Secretary, 1856-1857.

39 Journal of the Northern Territory Expedition.

42 Views on State Aid to Religion, 1880.

43 Notes on the Marriage Laws and the Real Property Act.

44 Letters, Manuscripts, etc., 1833-1836.

47 Notes on the Bullion Act, 1852.

48 Notebooks used in the compilation of The Constitutional History of South Australia.

49 Newspaper Cuttings.

51 Miscellaneous notebooks.

68 Miscellaneous correspondence while a member of the Forestry Board, 1875-1882.

69 Papers on defence and the volunteer forces, 1854-77.

70 Miscellaneous Papers--Northern Territory Expedition and inquiry, 1863-69.

72 Annotated Parliamentary Papers, 1864-72.

73 Correspondence and manuscripts, 1871-72.

- 76 Miscellaneous papers, 1835-1891.
- 77 Notes used while compiling The Constitutional History of South Australia, 1855-1877.
- 78 Letters from Governor MacDonnell, 1855-1858.
- 91 Mixed official correspondence, 1860-1861.
- 92 Official correspondence between Finniss and MacDonnell, 1857. Lately renumbered by SAA. to GRG.24.
- 102 Defence notebook, 1876.
- 103 Correspondence between Finniss and Goldsmith, 1864-1865.
- 104 Rough Journal at Victoria River, 1865.
- 105 History of start of Northern Territory Expedition, 1863.
- 106 Notes made on voyage to Darwin, 1865.
- 116 Out letter book--Cable Co.--1871.
- 118 Letter to Governor Daly, 1865.
- 311 Copies of letters--Northern Territory Expedition, 1864-1865.
- 450 Mixed papers--N.T.
- 451 B.T. & F.R. Finniss--N.T. Diaries, 1866. (Old Diary, 1862, used, dates inaccurate).
- 452 Notes on the Northern Territory Expedition.
- 453 Notes and newscuttings, Northern Territory Expedition, 1868-1870.
- 454 Miscellaneous notes used while compilation of The Constitutional History of South Australia.
- 455 Journal, copies of correspondence--Northern Territory Expedition, 1865-1866.
- 457 Notes concerning the Northern Territory Inquiry, 1866.

993 Copy letter to Miss Julia Finniss, 1864.

1054 "Cygnet" diary and copies of letters, 1836-39.

1071 Extracts from the Reminiscences of the Hon. Boyle Travers Finniss.

Light, W. Brief Journal. South Australian Facsimile Editions, No. 1. S.A.A.

Minutes of Executive Council Meetings, 1852-1858. S.A.A.

Miscellaneous Papers and Letters, S.A.A.

Morphett, J. Morphett's Letters, South Australian Facsimile Editions, No. 5. S.A.A.

Statistical Records of South Australia. S.A.A.

Wakefield, E.G. A Colony in South Australia. South Australian Facsimile Editions, No. 6, S.A.A.

Ward's Diary, 1864-1865. S.A.A.

Woodeforde's Diary, 1836-1837. S.A.A.

S.A.P.D.

1858-1883.

S.A.P.P.

The following papers were found particularly useful:

1863 No. 21 J.M. Stuart's Explorations, 1861-2.

" 37 Colonisation of North Australia.

" 127 Annexation of Northern Territory.

1864 " 16 Northern Territory Land Regulations.

" 36 Settlement of Northern Territory.

" 163 Reports from the Northern Territory.

1865 No. 18 Report of the Surveying Schooner Beatrice.

- 1865 No. 89 Northern Territory Correspondence.
- 1865-66 No. 131 Exploration of the Northern Territory.
- " 83 Despatches from Northern Territory.
- " 15 Northern Territory Correspondence.
- 1866-67 No. 17 Report of Commission appointed by the Governor-in-Chief to inquire into the management of the Northern Territory Expedition.
- No. 104 Purchasers of Northern Territory Allotments.
- 1896 No. 65 Northern Territory--Report on Agricultural and Other Lands.

#### Newspapers

The South Australian Gazette and Colonial Register.

The Southern Australian.

The South Australian.

The South Australian Register.

The South Australian Gazette and Mining Register.

The Adelaide Observer.

The Advertiser.

#### SECONDARY SOURCES

- Brown, H. The Life and Work of Richard Davies Hanson (1805-1876). Manuscript S.A.A.
- Bull, J.W. Early Experiences of Colonial Life in South Australia. (1st. ed; Adelaide: The Advertiser, Chronicle, and Express Offices; 1878.
- Coleman, G. (ed.) The First Hundred Years: A History of Burnside in South Australia. Corporation of the City of Burnside, 1956.

- Dutton, G. Founder of a City. Melbourne: F.W. Cheshire, 1960.
- Finniss, B.T. The Constitutional History of South Australia. Adelaide: W.C. Rigby, 1886.
- Grenfell-Price, A. The Foundation and Settlement of South Australia 1829-1845. Adelaide: F.W. Preece, 1924.
- \_\_\_\_\_. Founders and Pioneers of South Australia. Adelaide: F.W. Preece, 1929.
- Hannan, A.J. The Life of Chief Justice Way. Manuscript S.A.A.
- Hodder, E. The History of South Australia from its foundation to the year of its Jubilee. Vols. I & II. London: Sampson Low & Co., 1893.
- Mayo, M.P. The Life and Letters of Colonel William Light. Adelaide: F.W. Preece & Sons, 1937.
- Pike, D. Paradise of Dissent. London: Longmans, Green and Co., 1957.