ARCHAEOLOGICAL & HERITAGE MANAGEMENT SOLUTIONS PTY LTD

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13th July 2007

Redfern-Waterloo Authority PO Box 3332 Redfern NSW 2016

Attention: Ms Joanne McGuinness (Senior Town Planner).

Re: Supplementary Archaeological Assessment - former Rachel Forster Hospital (Lot 7, DP 664804).

Dear Ms McGuinness,

I refer to my company's initial archaeological assessment report (dated 14 June 2007) for the abovementioned site and our subsequent discussions regarding the necessity to clarify the age and cultural significance of archaeological relics, in particular an historic well in the basement at Rachel Forster Hospital. You will recall that clear identification of the age and significance of the relics, particularly the well, was the key issue that was not resolved by the initial archaeological assessment for the site. Further to this, a possible association between this well and the noted Colonial Surgeon, William Redfern was considered to be a significant constraint on future redevelopment of the site. In order to address these issues we undertook targeted historical research in an attempt to answer the following questions:

- 1. Did William Redfern ever build on his grant?
- 2. If so, where and in what form?
- 3. Is there any documentary correlation between William Redfern's occupation of land incorporating the Hospital site and the remains identified in the basement at the Hospital?
- 4. If there is no documentary correlation between Redfern's occupation and relics at the Hospital, then which of the mid-Nineteenth Century allotments are the relics associated with?
- 5. Who lived in the dwellings on these allotments, when did they live there, and what activities did they undertake on the land?
- 6. What was the spatial relationship between the well and the former buildings associated with Redfern Lodge?

The detailed results of this research and significance assessment are presented in the attached report, but for brevity's sake they may be summarised as follows:

1. No documentary evidence was found to suggest that structures were built on the subject land in the period prior to, or during William Redfern's tenure;

- 2. Similarly, there is no documentary evidence to suggest that Redfern, or his heirs constructed any buildings (or any other forms of construction, including a well) on the subject land;
- 3. The naming of the historic building that once occupied the site 'Redfern Lodge' has resulted in speculation that this building was an ancillary structure associated with a larger residence occupied by Redfern. This speculation has resulted in an unsupported association between Redfern and the site;
- 4. The documentary evidence clearly indicates that Redfern Lodge was constructed on Redfern's former grant after 1842. The building was oriented to, and faced Pitt Street. This line of road was not created until after the failure to sell the Redfern Estate as a single property in February 1842, after which the Estate was subdivided into eight sections for sale;
- 5. Deposition of the relics in the basement of the Hospital would have commenced between 1842 and 1865 and been added to progressively through until the early decades of the Twentieth Century;
- 6. They have archaeological potential to yield historically relevant information regarding occupation on the fringe of Sydney and development of the Redfern Grant. As such they are considered to be locally significant.

I trust that you will contact me in due course if you have any queries regarding the research results or the significance of the site.

Yours Sincerely,

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Peter Douglas. Director.

Site Specific History

The following history documents results of research undertaken to address the questions drafted to guide investigation of the site's significance. The documentary research focussed upon the tenure by William Redfern and occupation on site in succeeding decades through to its subdivision in the mid-Nineteenth century. The objective of the research was to clarify whether or not the archaeological remains in the basement at Rachel Forster Hospital were associated with Redfern's tenure, and if not, then which occupation phase resulted in their establishment. A secondary consideration was to obtain better data for review of the significance of the remains, regardless of their date and associations with notable historical identities.

The Initial Land Grant

The site is located within a 100-acre grant (Redfern) that incorporated an early grant of 30 acres. William Roberts received the first grant in the district on 8 January 1794. The terms of the grant were as follows:

Granted 30 acres between the ground used as a brickfield without the town of Sydney and the east end of the land allotted for the maintenance of a school master.¹

The only certain part of this description is the indication that the property was located south and east of the present Haymarket (the location of the town boundary and the brickfield). No plan has been located showing the location of Roberts' grant and even his identity remains unclear. By 1800 Roberts' 30 acres had been purchased by former convict John Boxley.² The details of Boxley's conviction and transportation were described in the Proceedings of the Old Bailey:

"Boxley was indicted for feloniously assaulting Elizabeth Monk, in a certain open place, near the king's highway, on the 12th day of September last, and putting her in fear, and feloniously taking from her person, and against her will, two linen shirts, value 4 s. two shifts, value 4 s. a cotton gown, value 5 s.and a cotton skirt, value 4 s. her property.³

He was sentenced to death in October 1786 but this was commuted to transportation for life on 9 September 1789. He arrived in NSW on the *Scarborough* in 1790 and on 24 Oct 1792 he married Ann Barker. Roberts did not appear to have improved the property to any great extent; nor did Boxley initially because by 1802 Boxley had only 2 acres sown in wheat and 10 acres ready for maize.⁴ The farm was known as 'Boxley's Clear' and according to Obed West the present line of Regent Street passed through part of the property.⁵

West's is the only detailed description of the district prior to its subdivision. West indicated that Boxley's property was the only cleared ground in what would later become the Redfern district. The property was adjacent to an extensive swamp (known as Boxley's Lagoon), which was on the present site of Redfern Park. West provided a further indication of Boxley's Clear in a description of a horse race held in 1822 from Mt Carmel (on the present corner of Elizabeth and Kellick Streets) around the Lagoon, finishing at Boxley's Clear on the site of the present Redfern Courthouse (Redfern Street).⁶ This description suggests that it is possible that the study area was located within Boxley's Clear but it is more likely that the Hospital site lies immediately adjacent to the southern boundary of Boxley's property. Obed West's descriptions suggest that 'Boxley's Clear' is more likely to have been located between Cleveland and Redfern Streets rather than between Redfern and Phillip Streets.

Boxley died on 20 Nov 1816, but before this he had sold or transferred the property to the Quartermaster named Thomas Laycock. By 1805 the property was referred to as 'Laycock's Farm'. The only reference to use of the property around this time was made in the Sydney Gazette of 11 August 1805 following the break-up of a cock fight the following day in the Blackwattle Swamp (the reclaimed low-lying land between Glebe and the Pyrmont Peninsula):

¹ 1794 Book 1A No 140 in (Ryan (1981): 18)

² Flynn (1993): 169-170

³ The Proceedings of the Old Bailey Ref: t17861025-3

⁴ Flynn (1993) 169-170

⁵ Marriott (1988): 44

⁶ Marriott (1988): 46

...a number of idle people assembled at Mr Laycock's Farm (formerly Boxley's) for the renewal of sport, supposing themselves out of the reach of the Magistracy; and having finished the cock fight, concluded the day's amusement by burning down the house.⁷

This is the only reference to any structure on the former Boxley property. Laycock does not appear to have undertaken any substantial development of the property before he died in 1809. His affairs had been placed in the hands of an administrator three months before his death due to family concerns regarding his mental health. Details regarding the operation of the site following Laycock's death are unclear however, Dr. William Redfern became the new owner some time before 1815. The first reference to Redfern's association with the site comes from a notice in the Sydney Gazette:

Mr Redfern requests that no person will cut TIMBER on his FARM at the Sand Hills formerly called Boxley's as he has sustained considerable injury by this Species of Trespass and out of necessity adopt every means the Law affords to prevent the continuance of the practice.⁸

It would appear that Redfern's holdings at this stage consisted of the original 30-acre Roberts/Boxley property.

Redfern had originally been commissioned as a surgeon's mate in the Royal Navy but his involvement in the Nore Mutiny while on HMS Standard resulted in his court martial.⁹ His death sentence was commuted and he was transported to Sydney on the *Minorca*, arriving in 1801. His medical career began as the assistant surgeon on Norfolk Island where he advanced his expertise and standing as a physician, eventually becoming the most popular doctor in the colony. He was known to have the largest practice (he was personal physician to the MacArthur and Macquarie families) and he was the leading obstetrician in the colony.¹⁰

William Redfern formally received his grant of 100 acres on 8 October 1816 (Figure 1). It incorporated an area bound by the current lines of Cleveland Street in the north, Elizabeth Street in the east, Phillip Street in the south, and Cope and Regent Streets in the west. As well as his Sydney estate Redfern also held extensive properties at Airds, near Campbelltown, Bathurst and Cowra.¹¹ Later land title documents cited in the Heritage Impact Statement for Rachel Forster Hospital indicate that the Redfern grant included the former 30-acre Roberts grant (Boxley's Farm).

⁷ Sydney Gazette 11 Aug 1805 p 2

⁸ Sydney Gazette 7 October 1815 : 2

⁹ Edward Ford, 1967, Redfern, William (1774 - 1833)', ADB: .368.

¹⁰ ADB

¹¹ *Ibid*, and *New South Wales Calendar* 1832 and 1833.

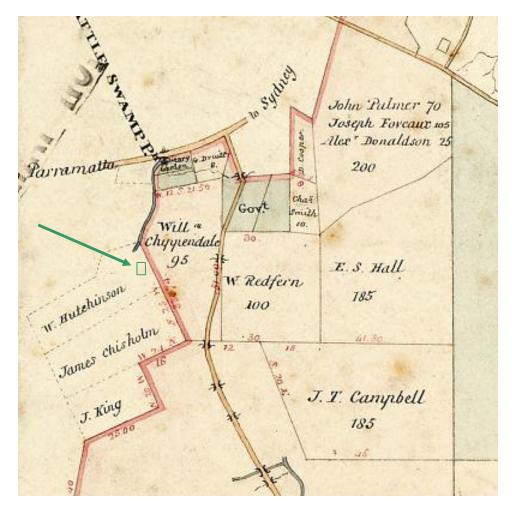


Figure 1: Undated Parish map showing the area prior to subdivision of the Redfern Grant. (NSW Lands Department). The location of Rachel Forster Hospital site is overlaid in green upon the historic map.

No immediate development of the land appears to have taken place following the formal issue of the grant to Redfern. In 1820 Redfern issued another notice in the Sydney press regarding trespass on his grant:

Notice. Numerous Depredations being daily committed on my Farm, commonly known by the Name of Boxley's Farm I do hereby caution all Persons against committing Trespass thereon. Whether by Cutting Timber, making charcoal or destroying Brushwood, and that I have given Mr William Hutchinson Authority to prosecute every Person detected in committing the above Trespasses.¹²

The notice suggest a number things in respect to the property. Firstly, the presence of timber and scrub indicates that at least a portion of the 100-acre property remained under natural vegetation cover. That Redfern would transmit authority for policing the property to a neighbour, William Hutchinson, indicates that Redfern himself was not residing on the property and that a bailiff or estate manager, who would otherwise be empowered to apprehend trespassers, was similarly not present.

Redfern would soon leave the Colony for an extended period. In 1817 the status of emancipists was imperilled by a ruling of the King's Bench that persons freed by the Governor's pardon, unlike those under pardons issued under the Great Seal in London, could not maintain personal action at law or acquire, retain or transmit property. At a meeting held in January 1821 it was decided to send Redfern and Edward Eager to present a petition to the King appealing against this ruling. Redfern sailed for

¹² Sydney Gazette 22 June1820 p 1

England on 27 October. The delegation was successful and the position was rectified by the New South Wales Act of 1823.

After a brief period in Madeira, for reasons of health, he returned to New South Wales in the *Alfred* in July 1824. He lived at Campbell Fields and devoted more time to his farming activities, gradually withdrawing from his medical practice (this was finally abandoned in September 1826). Two years later he took his son William to Edinburgh to be educated. Though he intended to return to New South Wales he never made the journey back to Australia, instead dying in Scotland in July 1833.¹³

No record has been located of any improvement of the estate during Redfern's ownership. In other words apart from land clearance, for which there is no record, there is no evidence to suggest that buildings were constructed on Redfern's land prior to 1833.

In June 1834 Redfern's widow Sarah married John Alexander of Glasgow and returned to Sydney. Alexander subsequently figured as trustee for Redfern's surviving son. On 19 January 1842 the Redfern Estate was offered for sale by auction as a single property. The newspaper notice described the property as:

Auction sale in February. 100 acres situated at the back of Cleveland House and Grounds, a portion being now in GARDENS all CLEARED.¹⁴

The advertisement was repeated five days later with the proposed auction date of 23 February. There is no sale recorded for this date and the property may have been withdrawn. It was then offered for sale by auction on 16 March 1842 in a subdivided form consisting of eight sections each containing up to 44 lots (see Figures 2 and 3). None of the lot descriptions contain any references to assets such as buildings or fences that might otherwise have distinguished particular lots from others. Conveyance of the properties from Redfern's estate to J Alexander in trust for W.L.M. Redfern and James Alexander and Sarah did not take place until 3 April 1842.

The purchaser of the lots on which Redfern Lodge and later Rachel Forster Hospital were located was George Cooper Turner. In 1839 Governor Gipps restructured the Crown Solicitors' Office into two branches, Criminal and Civil. In November 1839 George Cooper Turner was appointed Civil Crown Solicitor. Turner held this post for ten years and acted as the legal representative for at least one British bank. He also acquired or leased a number of properties in Sydney during this period including *Brooksby* at Darling Point.

¹³ ADB

¹⁴ Sydney Herald 19 January 1842: 4

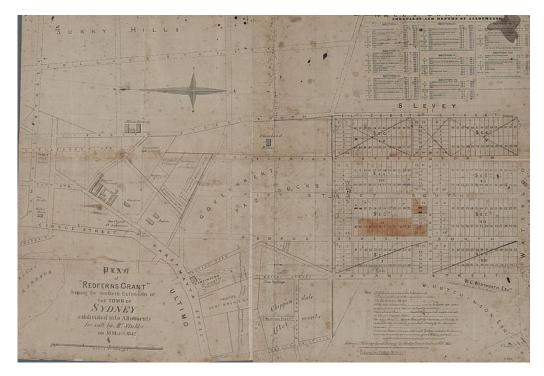


Figure 2: Plan of early proposal for subdivision of the Redfern Estate in 1842. The Study area is shown as section VIII at bottom right of plan. "Plan of Redfern's Grant Forming the Southern Extension of the Town of Sydney for Sale by Mr. Stubbs on 16 March 1842" (NLA Map-f356).

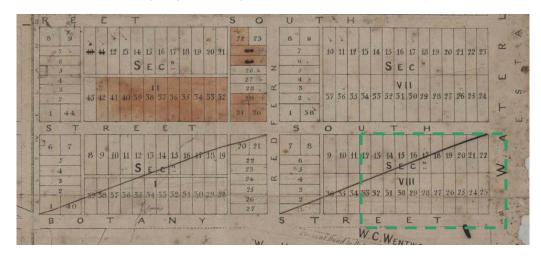


Figure 3: Detail of above map showing Lots 16 17 and 18 of Section VII purchased by G. C. Turner.

In 1849 Turner discontinued his legal career in New South Wales with a flourish of embezzlement and reportedly fled to California. His career in California remains unclear but he may have made contact with the Tong family of Hong Kong. Turner appears to have died in Hong Kong between 1858 and 1861.¹⁵

G. C. Turner's property was next acquired by the wine and spirit merchant Archibald Thompson (of Archibald Thompson & Co. at 196 Pitt Street, Sydney). It is unclear whether or not Thompson built on the land or acquired a property with a standing building, ie the cottage that occupied the site until c.1938. Thompson was listed as resident in Pitt Street Redfern in 1863 and in the following year the

¹⁵ Hong Kong Public Records Office HKRS144-4-105 Will dated 4 April 1858 probate file PROB 248/1861

property was listed as 'Redfern Lodge'¹⁶, the first use of the name for the building. Other dwellings had been established in this part of Redfern by the early 1850s. In 1858 they were described by W. S. Jevons:

East of George Street or south of Redfern Street however, the cottages are less thickly set and are much more neat and comfortable..... In Pitt Street as I have said are many first class houses surrounded with Native Fig trees or Norfolk pines standing in handsome gardens.¹⁷

The cottage on the subject land was first depicted in the Trigonometrical Survey of 1865 (Figure 4).



Figure 4: Detail of 1865 Trigonometrical Plan of Sydney showing the study area. Redfern Lodge is the large structure on the central allotment (SR 1865 Trig Plan Section 152).

Following Thompson's departure from the site in c.1876 the property was occupied by one further tenant of some note: Captain Malcolm Melville Macdonald (1819-1899). Macdonald was a veteran of the Indian frontier and had commanded the Poona Horse in Upper Scinde and Baluchistan in 1847. This was followed by several important staff appointments, until in about 1854 he was given leave to proceed to Australia for health reasons and to act as a buying agent for horses for the army in India. A well-known figure in Sydney, Macdonald is remembered for one particular incident involving the Rev. John Dunmore Lang.

In March 1860 Lang announced in a letter in the *Empire* that, following a recent English Divorce Act, a divorced husband with three Scottish names had married his adulterous concubine. Such marriages, Lang said, were abominable in God's sight, and he suggested that the parties concerned, instead of applying to a Protestant clergyman, might rather have approached the lessee of the parish bull, or the jockey who let out stallions for hire. Soon afterwards Lang was accosted in Hunter Street by a large muscular man, twenty years his junior, who thrashed him with a horsewhip and left his card entitled Malcolm Melville Macdonald. Captain Macdonald, a well-known Sydney sportsman, was fined £5 for assault.¹⁸ Macdonald is also remembered as the father of Australian Cavalry. In 1884 he was

¹⁶ Sands' Sydney and Suburban Directory (1863 and 1864).

¹⁷ W S Jevons (1858) quoted in Groom (1982): 74

¹⁸ ADB John Dunmore Lang

instrumental in forming the New South Wales volunteer mounted forces, eventually becoming Colonel commanding NSW Mounted Forces.

This brief history has to date covered available information regarding development of the site from first grant to a period in which the structure known as 'Redfern Lodge' was standing and occupied.



Figure 5: Entitled "Cottage built by Dr Redfern 150 Pitt Street Redfern" Date 1938. NAA C4076 [box 612]. The title is almost certainly incorrect because no evidence exists for construction by Redfern on his grant. The flagged surface adjacent to the cottage may form part of the flagged surface exposed in the present hospital basement.



Figure 6: Entitled "Dr Redfern's cottage at Redfern demolished in 1938" [Item undated] NAA Series C4076 [box 607]. As with the image shown at Figure 5 the caption on the original of this photograph is probably incorrect given the complete absence of evidence for construction by Redfern on his grant



Figure 7: "House at Redfern" Sam Hood, September 1937. State Library of New South Wales NCY38/412.



Figure 8: "House at Redfern" Sam Hood, September 1937. State Library of New South Wales NCY38/411.



Figure 9 "House at Redfern" Sam Hood, September 1937 [State Library of New South Wales NCY38/413].



Figure 10: "Section of the exterior, Rachel Forster Hospital" Sam Hood January 1942 State Library of New South Wales [NCY31/403]. The vegetation visible in front of the hospital is the same as that visible in the 1937 photographs of 'Redfern Lodge'. The tree at right survives on the site.



Figure 11: "Ambulance access road to casualty, Rachel Forster Hospital" Sam Hood January 1942 State Library of New South Wales NCY31/407.

Location of Physical Remains

Figures 12-14 illustrate the location of structures and allotment boundaries at the site prior to construction of the Rachel Forster Hospital. These figures indicate the former location of 'Redfern Lodge' and its associated outbuildings relative to the existing Hospital buildings.

Location data for the relics exposed in the Hospital basement were plotted against both the overlays of 1865, 1887 and 1894 located on current survey. These suggest that the well was formerly located within an outbuilding, associated with Redfern Lodge. This building was constructed after 1842 and before 1865. It has not been determined if this was the original configuration or if the well was enclosed at a later date. The overlays suggest that for most of the Nineteenth Century the well was located within a structure.

Revised Fabric Assessment

Given the opportunity to revisit assessment of the site it was considered prudent to also obtain a second opinion regarding the date of fabric within and stratigraphically above the well. This reassessment was undertaken by Graham Wilson (consultant historical archaeologist). Wilson's conclusions are as follows:

The visible remains within the basement consist of a section of brick-lined well, sandstone flagging, box drains and footings.

The material used in the construction of the well is inconsistent with a date prior to c.1840.

The mortar used in the construction of footings above the well suggests a date prior to 1870.

The material in the backfill for the well cut contains inclusions that are also consistent with a post-1840 date.

A reasonable date range for the construction of all features visible in the basement lies between the mid 1840s and c1860 with the well bricks having been recycled from buildings constructed and demolished by c1840.



Figure 12: 1842 subdivision on current aerial photograph.

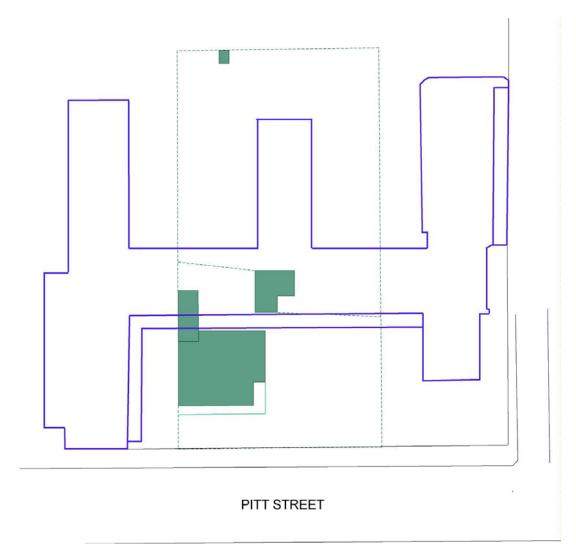


Figure 13: 1865 plan on current survey. The Hospital footprint is coloured purple. Structures present in 1865 are coloured green.

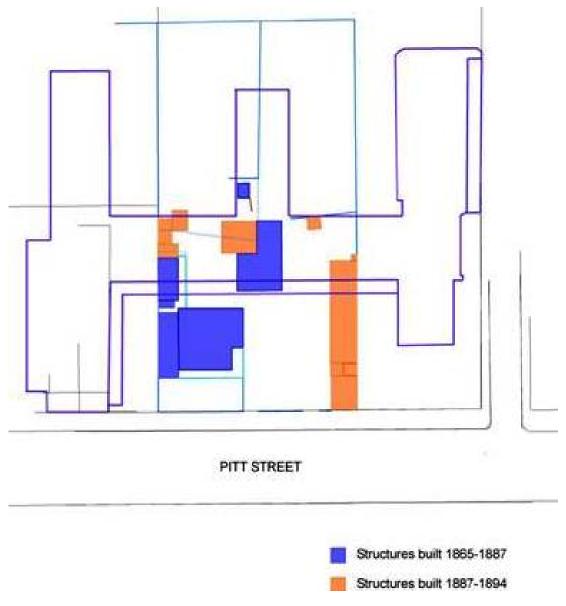


Figure 14: 1887 and 1894 plans on current survey.

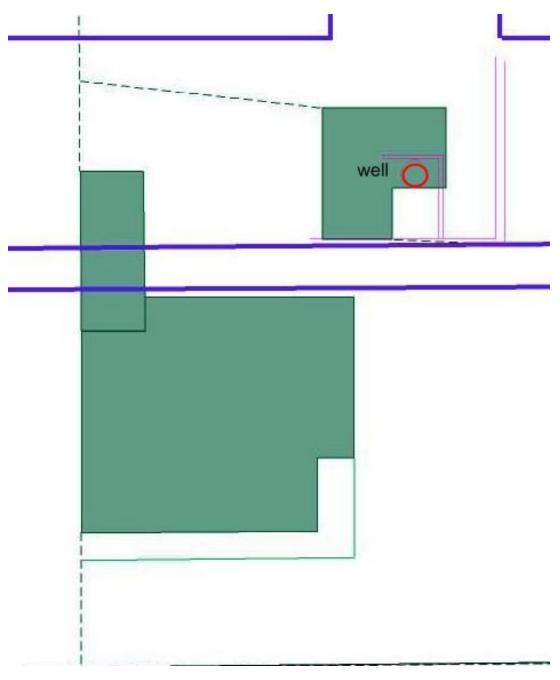


Figure 15: Position of well in relation to 1865 plan and current survey. The pale pink lines represent current basement walls.

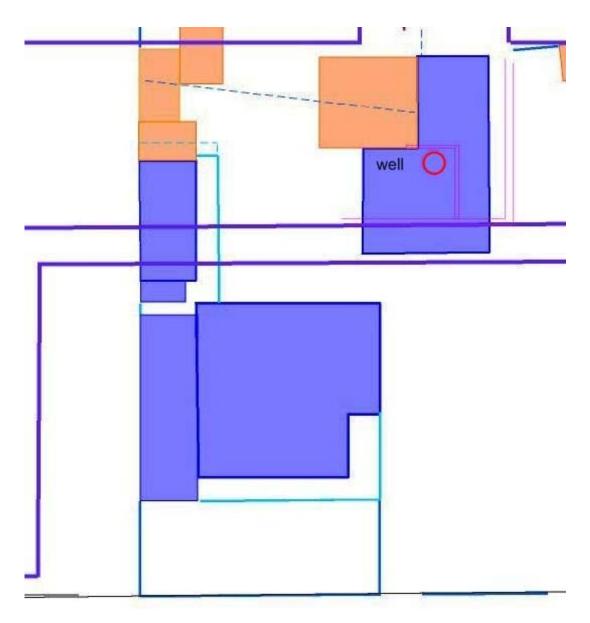


Figure 16: Position of well in relation to 1887 and 1894 plans and current survey.

Response to Research Questions

In regard to the seven questions that define this study:

- 1. Did William Redfern ever build on his grant?
- 2. If so, where and in what form?
- 3. Is there any documentary correlation between William Redfern's occupation of land incorporating the Hospital site and the remains identified in the basement at the Hospital?

There is no documentary evidence to support a proposition that William Redfern constructed any structures on his 100-acre grant. The available evidence suggests that the Redfern Estate was left in a fallow condition, and may only have been cleared completely of timber and scrub in the years following Redfern's death in 1833.

The only connection between the remains exposed in the hospital basement with William Redfern is that the remains are located on land once owned by Redfern. The physical evidence (bricks, mortar and inclusions in the well cut backfill) all suggest a post-1840 date, that is, after Redfern's death.

4. If there is no documentary correlation between Redfern's occupation and relics at the Hospital, then which of the mid-Nineteenth Century allotments are the relics associated with?

The allotment that contained the relics is shown in Figure 13. It was one of numerous allotments subdivided from the former Redfern Grant in c1842.

5. Who lived in the dwellings on these allotments, when did they live there, and what activities did they undertake on the land?

The remains exposed in the basement consist of a brick-lined well, sandstone flagging, sandstone box drains and footings. These are related to the use and occupation of a single dwelling, 'Redfern Lodge'. Since the date of construction of 'Redfern Lodge' is still unclear it is not certain that the corrupt Civil Crown Solicitor, George Cooper Turner ever occupied the site. The first known occupant was wine and spirit merchant Archibald Thompson in c1863. The most notable resident was Captain (later Colonel) Malcolm Melville Macdonald, a former India Army officer and father of the Australian Cavalry. Given the middle to upper class status of these inhabitants it is considered highly improbable that the allotments were the subject of any activity other than the domestic. So, for example it is unlikely that the land was used for "backyard industry" of the sort commonly undertaken with allotments associated with lower class housing in Surry Hills and the Rocks.

The well and other basement remains were associated with an outbuilding. The precise function of this structure is unclear but it may have been a kitchen or wash house. The house itself is only recorded as a private residence.

6. What was the spatial relationship between the well and the former buildings associated with Redfern Lodge?

The well is located within the footprint of an outbuilding located at the rear of Redfern Lodge. This structure was standing by 1865 and underwent several modifications during the following decades. It may have been standing in its 1880s configuration until demolished in 1938 with the other buildings on the site in preparation for the construction of the Rachel Forster Hospital.

It should be noted that remains of 'Redfern Lodge', together with its attached wings, are likely to survive beneath the current driveway between the main hospital building and Pitt Street.

Research Summary

In summary no documentary evidence was found to suggest that structures were located on the subject land in the period prior to or during William Redfern's occupation of the site.

Similarly the evidence for alienation of the subject property prior to Redfern's ownership is not confirmed by available historic documentation. The Roberts/Boxley 30-acre grant formed the core of the later Redfern grant but is unlikely to have extended any great distance south of Redfern Street.

There is no documentary evidence to suggest that Redfern or his heirs constructed any buildings or any other forms of construction including a well on the subject area prior to the subdivision of 1842. The naming of the cottage as 'Redfern Lodge' has resulted in speculation that this building was an ancillary structure associated with a larger residence occupied by Redfern and this has resulted in the unsupported association of Redfern with this structure. A further body of evidence supporting a post-1842 construction of 'Redfern Lodge' is that the building was oriented to, and faced Pitt Street. This line of road was not created until after the failure to sell the Redfern Estate as a single property in February 1842 after which the Estate was divided into eight Sections for subdivision.

Significance and Management

Taking into consideration the above research results the significance assessment and management recommendations for the site presented in the initial archaeological assessment are considered to remain accurate. In brief:

The historic relics are assessed as being locally significant for their values in relation to the assessment criteria (a) **History** - important in the course or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area); and (e) **Potential to yield information** – potential to contribute to an understanding of NSW's cultural or natural history (or the cultural or natural natural history of the local area).

In regards to their management during future development it is recommended that the Statement of Commitments for the Concept Plan should include an undertaking to conduct the following work:

- 1. Preparation of an Aboriginal Heritage Impact Assessment (AHIA), in accordance with draft Department of Conservation Guidelines 1997;
- Integration of the statement of significance and the results of the AHIA within an Archaeological Management Plan for the site that considers (i) heritage interpretation of the archaeological site within the proposed development and/or (ii) archaeological excavation and documentation of the remaining portions of the historic site prior to construction.

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