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- *General Muster of Male & Female Convicts in the Colony of New South Wales and Norfolk Island on the 31st December 1837*. Edited by N.G. Butlin, C.W. Cromwell & K.L. Suthern. Published by Australian Biographical and Genealogical Record, Sydney, 1987.

The following has been copied from the published volume, and whilst some of it is not relevant in terms of viewing the Database, it does give the reader a complete view of the data collected, the original records from which it came and other useful and interesting information. Some Appendix tables have not been reproduced here but can be viewed in a copy of the volume in major libraries.

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Preface

Just 150 years ago, the last great listing, that survives today, of individuals resident in New South Wales was drawn up. This was in the present General Return of Convicts in New South Wales, 1837. In other societies, such as the United States, personalised information collected by census routine has been available to the general public and to students of society. The possession of this information has been of inestimable value in the understanding of the development of those societies and of no obvious disadvantage to any member of them. Australian convict origins have formed part of the reasons for a secretive society and we live today with that fact.

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Secrecy cannot always be sustained. The present Return is testimony to this. As will be seen from the Introduction, it appears that we have, essentially in this volume, the convict section of the 1836 Census, supplemented by new convict arrivals to the end of 1837.

Despite the efforts of long-dead Australians to preserve the privacy of their origins, here, in these pages, rest the particular origins that they sought to conceal - the listing of convicts in New South Wales in 1837. Supposedly, this was destroyed some 80-odd years ago with the decision to burn the records of the Principal Superintendent of Convicts. Fortunately, the convict records, at least, survive and, ironically, the record of those who came free to Australia appear to have disappeared because of past prejudice.

The 1837 Return of convicts produced by Governor Gipps does more than extend the personalised information about Australians beyond the 1828 Census already published. (*Census of New South Wales, November 1828* - Library of Australian History, North Sydney 1985). The Return was completed immediately before the cessation of transportation to Port Jackson (though not to Port Phillip, Moreton Bay or Norfolk Island). As such, it marks the end not only of transportation but also the beginnings of the end of the convict system on the Australian mainland. This document is the point of departure for those who wish to follow this particular finale.

Genealogists will, hopefully, find this volume a rewarding source for their searches for ancestry. There are, indeed, surviving personalised fragments of the 1841 Census in New South Wales. But to those interested both in genealogical and general historical issues, the question arises - what happened to the New South Wales censuses of 1833 and 1836 and, indeed, those of 1841 and 1846? The recovery of these would be the discovery of a goldmine. It is scarcely credible that copies failed to reach the United Kingdom. We know, now, that a copy of the 1828 Census was forgotten in a trunk in Sydney. Are there similar forgotten but vital relics of Australian history in New South Wales or in Britain? It is, perhaps, not highly likely that the copies of these censuses will reappear. Their size makes them not inconspicuous. Nevertheless, at this stage in Australian history, a concerted search for possible surviving records of this type would be eminently desirable.

The Origin and Nature of the 1837 Return

On 11 December 1839, Sir George Gipps transmitted to the Marquess of Normanby "*a Return, or General Muster, of Convicts in New South Wales, on 31st Decr., 1837*". The Return was made up of four manuscript volumes, each internally numbered. The first volume, covering convicts whose names began with the letters A to C inclusive, was numbered 1 - 204; the second for those D to J was numbered 1 - 222 (page 1 was blank, as was page 3); the third, covering L to Q extended over pages 1 - 189; and the final volume for R to Y was numbered 1 - 213 - a nominal total of 928 pages. No K, X or Z is listed; and page 43 of the fourth volume is missing.

At the top of each page of volumes 1, 2, and 4, the title was given as "*General Muster of Male and Female Convicts in the Colony of New South Wales, and Norfolk Island on the 31st December 1837.*" Volume 3 lacks the normal titling on page 1 but

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a descriptive statement is written across this page in a hand different from those of the clerks who filled in the entries. The description gives an incorrect dating for the Return. There is also a reference to this volume having been used for legal purposes with the inscription: "In Chancery. Garrard & Trick shewn to George Everett on his Examination for the Complainant." This may explain some of the missing parts of the Return and may suggest opportunities for detective work to try, even now, to recover these parts.

In this reproduction, convict names have been listed in strict alphabetical order. The original page numbering has been preserved indirectly, so that the numbers in the final column give the pages of the original document on which each convict is to be found. This procedure means duplication of numbers. But the combination of relevant letters of the alphabet with the numbers listed will allow any user to relocate each name in the original.

The "*Return or General Muster*" despatched by Gipps seems to have been taken commonly by historians and genealogists as a muster in the tradition of the early convict musters - that is, as a direct assembly of persons or direct contact with masters. Moreover, the date specified by Gipps appears to have been accepted as defining the time to which the information relates. The Return has a special historical significance. It was prepared almost immediately before the cessation of transportation of convicts to Port Jackson and immediately before new assignments to the private sector were terminated. Genealogically, it is the "last great round up". In more general research terms, it offers a picture of the deployment of convicts substantially at the peak and end of assignment. If for no other reasons, it is important to evaluate its provenance.

The 1837 Return differs somewhat in form from some earlier musters. It lacks data on occupation. On the other hand, it purports to display a great deal of information. The Return is organised in 8 columns covering:-

- (a) Convicts' Names
- (b) Age
- (c) Name of Ship on which they arrived
- (d) Year of Arrival
- (e) Where Tried
- (f) Name of Master
- (g) Name of District
- (h) Remarks.

Gipps' Return closes a long gap in personalised information about the whole population of convicts that extends back to the Census of 1828. Because of older attitudes that led to the destruction of the records of the Office of the Principal Superintendent of Convicts in New South Wales, the details of the Censuses of 1833 and 1836 have disappeared in Australia. From several points of view, then, Gipps' Return has a special importance.

A General Evaluation

It is customary to recognise defects in the earlier musters. But because they were literally musters, they are all that we have or are ever likely to have. We accept the

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defects. It may seem egregious to attempt a critical appraisal of Gipps' Return. In doing so, it is not proposed that it is more or less accurate than its predecessors. Whatever comments may follow, it is not suggested that Gipps' Return was any better than it should have been or any worse than it might have been. Its composition, however, invites a close appraisal. This appraisal is a relatively complicated process and, for that reason, it seems appropriate to declare, after pursuing such detective work as is possible, one's "best" judgment on it in advance of the somewhat tortuous argument to follow. This judgment has some significance for both genealogical and general research.

Like the curate's egg, Gipps' Return looks good. Also, like the curate's egg, it turns out to be good in parts. The identification of these parts is important. Gipps represented it as a "Return or General Muster at 31 December 1837". This cannot be accepted.

The general evaluation is

- (a) It is not the product of a muster in the usually accepted sense;
- (b) It is the result of a wholly clerical reconstruction;
- (c) It is none the worse for these facts;
- (d) It cannot be regarded as tied to the date 31 December 1837 but rather:-
 - (i) The great majority of its entries are based on the 1836 Census;
 - (ii) For all letters of the alphabet other than K, X or Z, new arrivals have been added to the Census to the extent that these new arrivals occurred after 2 September 1836; hence the 1836 Census is amplified with little error,
 - (iii) The most thorough and detailed effort has been put into amending or extending entries relating to convicts with names beginning with the letters A - G;
 - (iv) For convicts with names beginning with letters H - Y (there is no K, X or Z), less complete adjustments were made;
 - (v) So far as ages of convicts are concerned, it seems that few if any convicts' ages were adjusted from 1836 to 1837;
 - (vi) There is some independent evidence that the names of masters to whom convicts were assigned were frequently (but not invariably) altered to accord with post-1836 changes;
 - (vii) The Return covered substantially only what was known as the "Middle Colony";
 - (viii) The completion of the compilation was prevented by the decision of the Governor to send the Return to London at the end of 1839.

This is a fairly complicated "general" assessment. One of the great merits of Gipps' Return is, however, that it exposes itself to clarification and one does not have to rest merely on some overall assessment as a rough approximation applying indiscriminately. One can, within reason, be selective in using it. The fact that parts are dated 2 September 1836, other parts 31 December 1837 and yet other parts somewhat obscure and perhaps even after 1837 is acceptable so long as we have a reasonably good idea as to which dating is to be allocated to any entry.

In general, Gipps' Return is a remarkable achievement. In terms of numbers of persons covered, it approaches the same scale as the 1828 Census. That it appears to have been carried through by two clerks is, despite the problems to be investigated, an extraordinary feat. If the following detailed evaluation may seem

super-critical at times, there is no intention to deride their work but rather to help modern users to understand and exploit the results of their labours.

The Context of the 1837 Return

After Sir George Gipps assumed the Governorship of New South Wales on 24 February 1838, he was engaged during 1838 and 1839 in a massive review and consolidation of a vast array of data relating to convicts in the colony. (He was also engaged in the recovery of other annual information about the society and economy). This review followed direct instruction and advice, formal and informal, that new assignment was to end and that the days of transportation to Port Jackson were drawing to a close. It is possible that, before he left London, Gipps was aware of the short time left and that this knowledge prompted him to immediate action after arrival.

The House of Commons Committee on Transportation had been deliberating for some 18 months before Gipps departure. It appears a reasonable evaluation that the British Government had already resolved to terminate assignment and reduce transportation and that Gipps was aware of this fact. Certainly, throughout 1838, advice from London strengthened this expectation and Gipps appears as determined to facilitate decision-making in Britain. He was made aware, before he left, that the Colonial Office was hungry for hard information to allow a final decision based on long-term experience and up-to-date information. It was this hunger that Gipps was instructed and sought to satisfy, to prepare for the termination of assignment and to assess the possibilities for ending transportation. He was, in fact, too late.

Gipps' data gathering during 1838 and 1839 was far more than a "last round up". It was designed to achieve a record extending far back in time and to cover a wide range of social and economic characteristics of the New South Wales convicts. The present Return was only one of the massive tasks undertaken. In fact, he attempted four large-scale projects. Since they interconnect with the present Return and were all delegated to the Principal Superintendent of Convicts, it is important to understand their scope.

The first was an extension of a task undertaken by his predecessor Bourke on 15 January 1837. This was "*a return in the accompanying Form of the number of Cases in which the punishment of Flogging has been inflicted in the Several Districts throughout the Colony in Criminal Cases in each year since 1st January 1830 and of the acts under which authority was given for the infliction of that punishment for transmission to the Secretary of State for the Colonies to be laid before the House of Commons*". (Col. Sec. Letters to Principal Superintendent of Convicts 15 January 1837 No 38/61).

The second was the present Return of Convicts 1837. This was ordered on 22 March 1838 and was much more substantial. The direction to the Principal Superintendent was to prepare "*a Nominal List of the Convicts of the Colony.... up to the latest date practicable*". (Col Sec Letters to Principal Superintendent [hereafter CS/PS] 22 March 1838 No 38/295).

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The third and fourth followed from the Colonial Secretary's Office on 26 June 1838. The third task was truly impressive in its statistical objective. It required *"a return of the total number of Convicts of New South Wales at the beginning or at any other period in each year, since the commencement of the Colony distinguishing those holding Tickets of Leave, on Assigned Service, in the employment of the Government on the Public Roads and in the Police, likewise the number of Convicts under sentence of Colonial Crimes distinguishing each description of punishment and in each of the above classes distinguishing Age, Sex and period of transportation."* (CS/PS 26 June 1838 No 38/569).

The fourth assignment specified *"A return of the number of convicts who in each year since the commencement of the Colony of New South Wales have been free by the expiration of their sentences, have obtained free or Conditional Pardons, have died, have absconded, have been Executed, and have been married distinguishing in each class the Age, Sex and period of transportation."* (Ibid).

Fortunately for the Principal Superintendent, Gipps relented a little. The third task was narrowed to the period 1828 to 1838 and the fourth had its beginning date advanced to 1810. Nevertheless, the total undertaking was a daunting one. It is possible that the first assignment was less demanding than now appears in that it seems possible that punishment records were maintained. One "Black Book" is known to survive in the Archives Office of N.S.W., relating to the Hunter Valley (Register of Convicts tried before the Bench (Singleton) 1833-39 AO NSW ref: 7/3714 Reel 681), detailing convicts' names, ship and date of arrival, offence, informant, master and punishment, covering most of the 1830s. This is, as will be seen, of some significance to the assessment of Gipps' Return of Convicts, 1837. (There is a second, a (Campbelltown) Register of Convicts tried before the Bench 1832-37 in Mitchell Library ML MSS 2482.)

The Problem in Interpreting the 1837 Return

Our focus is on Gipps' Return of Convicts in New South Wales 1837 though it is important to appreciate the pressures on the Principal Superintendent of Convicts and also the interconnection between the four tasks. When Gipps despatched his four manuscript volumes on 11 December 1839 (Despatch 70/1839) every one of his words and numerals "a Return, or General Muster, of Convicts in New South Wales, on 31st Decr. 1837" was laden with ambiguity. The words "General Muster" invite the assumption that this volume conforms to the preceding Musters. The date specification explicitly invites the inference that the information is tied to the end of 1837. Neither invitation should be accepted. Nor should one think that the words "New South Wales" are crystal clear.

The present 1837 Return is not the product of a general muster in the sense of direct counting in a traditional personal assembly or personal contact with individuals whether those listed as convicts or their masters. It is possible that this may need to be qualified to the extent that the Return included persons arriving after 22 March 1838 when the instructions for the work were issued, though, in principle, this should be irrelevant. In essence, the 1837 Return is, in the terminology of the day, predominantly a "Nominal Listing" prepared from clerical records in the Office of the

Principal Superintendent of Convicts and in other colonial Departments. It is none the worse for that (and might even be better).

What is important to determine, if possible, is the extent to which the clerical record available at the time was literally dated and up-dated and back-dated to 31 December 1837. Both genealogical and more general research may be significantly affected by that determination. Though the Return includes convicts arriving during the closing months of 1836 and throughout 1837, the central question is: Is Gipps' Return to be treated essentially as a reproduction of the convict section of the 2 September 1836 Census, with supplementation for new arrivals, or is it really to be accepted as dated at 31 December 1837?

On the face of the document reproduced here it is clear that 31 December was not taken to be a hard and fast cut-off date. Entries are made relating to 1838 and, indeed, on a few occasions, 1839. If this were all, accommodation would be simple. But there are other reasons for doubting the precision and timing of the 1837 Return. To understand these, it is necessary to turn first to the circumstances and manner in which the Return was originally sought.

The Origins of the 1837 Return

Gipps assumed the governorship in New South Wales on 24 February 1838. Soon, he was immersed in major colonial adjustments in the deployment of convicts and in receiving despatches and less formal letters advising of the impending end of transportation and not merely the necessity to stop new assignments. In short order, all new assignments as servants or in urban activity were stopped and a complete ban placed on all further female assignments. But from both his and London's point of view, a crucial problem was the absence of information.

So far as the present 1837 Return is concerned, Gipps had received comparatively vague instructions from Glenelg to "*cause a general Muster of Convicts in the Colony to be taken once in three years*" (Glenelg to Gipps 5 October 1837 Despatch No 4198). This conveyed no great sense of urgency and certainly did not mention a return relating to 31 December 1837 (it would have been manifestly impossible to ask Gipps to conduct an actual Muster at a date before he could be expected to arrive in Port Jackson). Glenelg's formal written explanation of his instruction was disarmingly vague. It derived from a "*desire*" of Lord John Russell "*respecting the Musters of Convicts*" as conveyed in a letter from T.M. Phillips to James Stephen dated 4 August 1837 (contained in Despatch No 4198).

Phillips requested Stephen to bring to Glenelg's notice the "*inconvenience*" felt by Lord John Russell over the inadequate arrangements for regular musters in New South Wales and Van Diemen's Land and over the absence of an annual record of the "*Casualties among the prisoners of Death or otherwise*". Phillips went on -

"the last General muster taken in N.S.W. was in Decr. 1828. Two supplementary Musters have also been recd. containing lists of such Prisoners as have arrived in that Colony between the last named period & 31 Decr 1834 but no further account or List of Casualties have been transmitted to this office."

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In fact, two Censuses had been held after 1828, one in 1833, the other in 1836. By implication, Lord John Russell had not been able to sight these census returns or any list of convicts extracted from them. Unfortunately, so far as Australian archives go, the records of the Office of the Principal Superintendent of Convicts have been destroyed and the remaining fragments contained in letters from the Colonial Secretary's Office in New South Wales and the Principal Superintendent of Convicts imply that the original 1833 and 1836 censuses were held by the Superintendent and were destroyed along with his records.

However, it is hardly credible that London failed to receive copies of the censuses, most specifically the 1833 census even though there is a gap in routine returns of deaths of convicts during 1835-37. Thus Bourke reported (Despatch Bourke to Stanley 26.11.33) the passage of 4 William No 2 that *"Provides the means of taking a general Census of the Inhabitants of this Colony. When this Census is completed I shall have the honor to transmit the Return made under the act to His Majesty's Government"*. Nevertheless, the only record found is Bourke's statement of sending an Abstract of the 1833 Census to London. Bourke also reported (Despatch Bourke to Glenelg 14.9.36) the passage of 7 William No 1 for the 1836 census; in this case no promise was made to deliver a copy. As matters now stand, there is no obvious sign of the survival of either census in Britain today. They are of sufficient importance to warrant a major effort to attempt to locate them or even parts of them.

There is, however, no reason to attach much importance to Lord John Russell's ignorance. It is possible that Glenelg, in responding to the advice about Lord John Russell's feelings, may have been politely holding him at arms length and this may account for the vagueness of Gipps' formal written instructions. Certainly Gipps' actions soon after arrival in Sydney point to a much more definite prescription and a much wider range of information gathering than Glenelg's nominal instructions imply.

That London did receive limited deliveries relating to new arrivals and their disposition up to 1834 may be explained by the comparatively coarse words used by Alexander McLeay in writing to the Principal Superintendent on 4 April 1832. Then, McLeay requested on the Governor's behalf the preparation of *"a transcript of the Returns of Prisoners of the Crown kept in your Office from the year 1825 the date of the last (sic) muster received in England, up to the latest period."* Not to mince words, McLeay went on to say that *"should any irregularity in this respect be hereafter brought to his notice, (Lord Goderich) will be compelled to take such steps for preventing it's (sic) recurrence as cannot fail to be most unpleasant to you"*. (CS/PS 4 April 1832 No 92/294).

Unfortunately, this bluntness preceded the 1833 census (and the subsequent 1836 one). By this time, however, Lord Goderich had departed the scene and perhaps his stern threats evaporated. At all events, Stanley, Aberdeen and Glenelg were the potent British actors over the period of the 1833 and 1836 censuses and the 1837 Return. In 1837, Deas Thomson was distinctly ambivalent in sending the 1836 census to the Principal Superintendent:

"Referring to my Predecessor's Letter of 9th January 1834 No 34/27 forwarding the Census Returns for the Year 1833 to enable you to prepare the Nominal Lists of Convicts in the

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Colony for the Secretary of State, I am directed by His Excellency the Governor to transmit to you a List of Similar Returns for 1836 & to request that you will have the goodness to acknowledge their receipt.” (CS/PS 28 Feb 1837 No 37/189).

Thus the 1833 census had passed to the Principal Superintendent; so, too, did the 1836 census; and an instruction was issued to complete a nominal listing of convicts from the 1833 census but not, according to Deas Thomson’s letter, from the 1836 census. When Gipps arrived at Port Jackson, it appears that the 1836 census remained an unexploited document. This is central to subsequent action and to the nature of the 1837 Return.

Within 9 days after becoming Governor, Gipps turned his attention to Glenelg’s instructions to prepare a “General Muster” once every three years. In following the subsequent action, the absence of the records of the Principal Superintendent’s Office compels dependence on a few fragments of correspondence and internal memos, together with inferences from the nature and content of the 1837 Return itself.

By 5 March, 1838, it is obscure whether Gipps may have contemplated a literal muster of convicts. At that date, we have a note scrawled across the foot of Phillips’ letter to Stephen (cited above):

‘A new General Muster is required that should contain the name of every Convict now within the limits of the Government or illegally absent. Former documents of a similar nature? The form of General Muster to be submitted before the document is prepared.’

The reference to a General Muster is ambiguous because the words had a variable connotation. Moreover the words “before the document is prepared” could relate to the schedule form or imply a ‘nominal listing’ from existing records.

Later notations at the foot of the same letter add supplementary and clarifying notes:

“All the Census Returns for 1836 transmitted to the PI Supt of Convicts 27 Feby 1837 to prepare a nominal list of convicts in the Colony for the Secy of State - the Muster Papers are not now here -apply to whoever has them”.

“The Governor wishes the communication to be made today.”

“Today” was 22 March 1838. Although these notes bring the 1836 census to the forefront and contemplates a “nominal list”, it does not mention the date 31 December 1837 which Gipps gave at the end of 1839 as the date to which the 1837 “Muster” related. This specification emerged later from interchange between the Colonial Secretary’s Office and the Principal Superintendent.

Action on the Governor’s Wishes

The Governor’s wishes were, indeed, acted on promptly. On 22 March 1838, T.C. Harington wrote to the Principal Superintendent from the Colonial Secretary’s Office (CS/PS 381295). He referred to a letter of 27 February 1837 “*transmitting to you the returns of the general muster taken in 1836*” and requested “*that you will transmit the*

form in which you propose to prepare the Nominal List of the Convicts of the Colony which you are therein called upon to furnish to the Secretary of State”.

Unless he had added a letter of his own to that of Deas Thomson (cited above), Harington appears to have been rewriting history. No evidence has been found that the Principal Superintendent was asked earlier to exploit the 1836 census in this way. On the contrary, Deas Thomson's letter cited above makes no such proposal. But Harington was, now, for the first time explicitly nominating the 1836 census as a basic source for a return to London; and he adopts the appropriate term “Nominal List”. He went on to request the Principal Superintendent to state “up to what period you will be enabled to prepare it I which should be to the latest date practicable / and the probable time it will take to complete it.”

This letter disposes of any lingering doubts one might have that Gipps' predecessor Bourke might have ordered a muster of convicts for 31 December 1837. Such an order would have been highly unlikely given the 1836 census. The core of the task to be undertaken by the Principal Superintendent narrowed to the exploitation of the 1836 census to satisfy Gipps' orders.

In response, on 24 March 1838 (Col. Sec. Register of Letters Received 1838 No 38/142), the Superintendent returned the form that he proposed to use and some (unspecified) amendments were made to it. The Superintendent accepted, however, the terminology of a “nominal list” based on the 1836 census. He did, however, assert that the proposed form “differs materially from the Census Returns” in that the census did not cover all the information called for. He had to contemplate the use of other records. He saw the need “to examine the Registers of this office” to amplify and correct the census; and he noted that, in extending the “nominal list” beyond 2 September 1836 he would need to utilise “the Indents, subsequent to the 2nd September 1836, &,for the places of trial, of each of the Convicts, named in the Census Return of 1836”

He was somewhat dismayed by the magnitude of the task. He noted that there were 25,254 male convicts in the census and that “up to 31st of December last” (1837) some 4,243 male convicts had subsequently arrived, making a total of males of 29,497. Here was the first mention of the date, 31 December 1837, that became attached officially to the Return that Gipps subsequently sent to London in 1839. And here was mutual acceptance of the term “nominal list”. No muster was contemplated and the return was to be achieved by clerical reconstruction.

The Principal Superintendent formally protested inadequate staff. He estimated that it would take two extra staff 294 days to carry out the task and recommended that female convicts be omitted “*from very frequent changes of service & other casualties*”. He recommended four clerks to do the job in half the time. He was allotted two.

Female convicts do, in fact, appear in the final 1837 Return. But the point made about them might suggest several possibilities. It could have been that the records of the Principal Superintendent were suspect in attempting to up-date the census to 31 December 1837 particularly in relation to assignment. It is possible also that these

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records were suspect merely to ascertain *the most up-to-date* position (i.e. beyond 31 December 1837). Here is the nub of the problem in interpreting the 1837 Return. Was the 1836 census up-dated to 31 December 1837 (with additions for new arrivals after 2 September 1836), implying variations to age, employers, civil status, survival etc?

The Conduct of the Compilation

In carrying out the clerical task, the Principal Superintendent soon found himself engaged, as indicated earlier, in not one but four massive tasks throughout 1838 and 1839. Given that they were interconnected, it is unclear how far work on the one conflicted with or complemented any other. A surviving internal memorandum of the Office indicates the state of the tasks - here listed as five - and, specifically, the duration of time absorbed by the 1837 Return of Convicts (it will be noted that, in this document, the Return has now become a "census").

"Memorandum for Captain McLean

A Return of Extra work performed in the office of the Principal Superintendent of Convicts during the Years 1838 & 1839

Nature of the Returns called for	When Commenced	When Finished	Amount of Expenditure	& remarks
1. Flagellation Return	1st Feby 1838	23rd Feby 1839	£51.18.0	Two Clerks were employed at this Return at 3/- per diem
2. Census Return for 1837	11th April 1838	18th Oct. 1839	£287.8.0	Two Clerks were employed on this Return at 6/- per diem
3. General Distribution Return from the yr 1828 to the year 1838, of prisoners within the Colony.				This Return is compiled for the Year 1828, 29, & 1830. that for 1831 is very nearly finished. This is the most voluminous Return of the whole. & can be completed in six months.
4. General Return of Prisoners in the Colony under sentence of Colonial Crimes from 1818 to 1838.	11th Aug 1838	30th Nov 1839	£699.15.4	The information to complete the whole of these Returns is now obtained, & will only be required to be entered into the Forms, which are also ready for its reception they can be finished in six weeks or two months.
5. General Return of Prisoners of the Colony who have become free by servitude, Free & Conditionally pardoned, who have Died, have Absconded, have been Executed, & have been married from 1810 to 1838.				

These Returns are complete for the Years 1810 to 1835, excepting the column for Execution they can be finished up to the 31st Decr 1838 in about 3 months.

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N.B. On these three last mentioned Returns (7) Seven Clerks have been employed (sic), under the Superintendence of the Chief Clerk for three hours daily before & after office hours, and eight hours on Sunday, it may also be remarked that the Age, Sex, & Sentence of the Prisoners, enumerated in these Returns, are stated, they in fact will be when completed a precis of all information contained in this Office, connected with Prisoners of the Crown."

Working six days per week during 11 April 1838 to 18 October 1839, two clerks would have put in just on 7624 hours. At ninepence per hour (6 shillings per day), this almost exactly accounts for the sum of £287.8.0 nominated as the cost of the 1837 Return (the clerks were allowed some extra coal in winter).

The clerks had the *initial* task before amending any census entries of adding over 5,000 names of new arrivals between 2 September 1836 and 31 December 1837 to the 1836 census listing. The four volumes that they produced intermingled new arrivals and the 1836 stock of convicts so that the former were not incorporated as a block addition in each letter of the alphabet. In other words, they took the ordering of names in a relatively complex manner. Even so, the writing down of the 29,000 odd names, with the various particulars, as a simple copy task could not have absorbed more than a tiny fraction of the total hours said to have been taken. What then were the clerks up to?

Collation of the census returns with records of place of trial (from the Convict Indents?) that were included as an extra would have added something to the task. In fact, the "place of trial" entry is filled in only for a limited number of letters of the alphabet. The clerks also entered in the Remarks column not only standard information relating to having become free or holding tickets of leave but also a few records of death and the circumstances and date of death, of marriage etc. This might have been more arduous but again these entries only apply to a limited number of letters of the alphabet. They might have attempted to record all convict ages, all current masters and their location, checking all the entries in the 1836 census and up-dating all entries to 31 December 1837. And they might generally have doubted the accuracy of all of the 1836 census and have tried to reconstruct it from internal and other office records. Only effort covering substantially all these tasks could reasonably explain the stated manhours absorbed.

It is no longer possible to tell from surviving records. One matter is, however, indicated in the records. The Governor lost patience. By the declared date of completion, on 18 October 1839, Gipps blew the whistle. He wanted to get the Return back to London. The activity was brought to a close before it could be finished in its entirety. He knew that transportation was then ending. There was no point in further documentation.

If we cannot go back to records to determine what the clerks did or did not do, is it possible to draw any inferences from the transmitted volumes themselves? Before doing so, it is useful to consider the general research value of the 1837 Return in a wider context.

The Value of the 1837 Return

From a genealogical aspect, the 1837 Return has an obvious significance. This is the last time that extensively documented information is available on convicts in New South Wales. In this respect, its detailed accuracy and completeness are vital.

From a more general perspective, we need to appreciate that Gipps was engaged in fact gathering exercises far beyond the convict record. Also, he attempted during his governorship to restore a great deal of prior data on the society and economy and moreover to systematise this information so that continuous annual records were available. This record had, in many areas, been missing since Macquarie's departure. Gipps' governorship extended from 1838 to 1846 during which he made profound improvements in the annual flow of information - on agriculture, land use, livestock, public revenues and expenditures and the like. Although he appears to have begun these tasks at Whitehall's behest, the flow of information became increasingly important to a colony that was nearing self-government and, indeed, acquired a form of responsible government in Gipps' day.

Within this broader picture, Gipps traced annually from 1837 many of the characteristics of the convict population. These were not done in the personalised detail of the 1837 Return. Nevertheless, they give us a valuable insight over a crucial decade into the changing composition of the convict section of New South Wales society. The record is not perfect and there are some inconsistencies in it. But it does provide an account of change; and it is an important source with which to check the accuracy and completeness of the 1837 Return. As developed, Gipps' information is recorded in the annual *Blue Book*. The central statistical series are shown in the following Table.

The total convict population reached its peak just three years after the 1837 Return and about 20% above the figure in that year. Convict assignment peaked, however, in the year of Gipps' arrival in 1838. Between 1838 and 1841, but most importantly between 1840 and 1841, it slumped drastically. By 1845, assignment was virtually at an end in New South Wales. Gipps' *Blue Book* figures imply, however, that the decline in assignment was not counter-balanced by a rise in the number of convicts in government hands. Certainly, government-held convicts tended to increase a little until 1842 but then their numbers also fell rapidly away to be very small by 1847.

The Decline of the Convict System in New South Wales

	Government	Convict Population			How Freed		
		Ticket of leave	Assigned	Total	By Servitude	Conditional Pardon	Absolute Pardon
1836	?	?	?	28131 (a)	1225	172	40
1837	5277	5679	21153	32109	948	294	49
1838	6024	6020	25929	37975	1026	182	32
1839	5778	6935	25322	38035	2189	362	24
1840	6188	9292	22299	38415	1951	209	16
1841	6185	9928	10432	26505 (b)	1631	334	35
1842	6576	10978	7391	24945	2076	332	25
1843	5176	12254	4669	22099	2109	312	18
1844	3503	13225	2211	19175	1750	328	78

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1845	2595	13766	476	16843	1517	628	20
1846	1465	9417	379	11271 (c)	1053	472	11
1847	657	5929	58	6664	?	?	?

(a) Females 2577, (b) Females 3133, (c) Females 917.

By contrast, the convicts holding tickets of leave increased strongly to 1845. This may seem to be the simple explanation of the main changes in the total of government-held and privately assigned convicts. However, if we take the series of convicts holding tickets of leave together with the numbers freed by servitude or granted conditional or absolute pardons, it is clear that we do not have anything like an adequate explanation for the declining number of convicts. The conflict is striking in the change between 1840 and 1841 but it is significant also in other later years. The elementary question that arises is: how were convicts as a whole freed? And there is a related question: what importance did the freeing of convicts have to employers? There appears to have been little interest displayed in these questions in existing historical writing.

Clearly the convict system would have wasted away by servitude and death. But it did not wait on these events. The most striking feature of the *Blue Book* series is the concentration of change in the first few years of the 1840s. These years were ones of increasing and eventually deep depression, including a massive reversal of fortunes for the pastoral industry. They also covered the period when Britain withdrew fiscal support, forcing the colony to financial self-dependence. Neither the pastoral industry nor government in New South Wales was in a position to maintain unfree labourers. It seems likely, then, that the depression was a major factor hastening the freeing of the convicts. It is possible many convicts were simply allowed to go loose, as now surplus to requirements and no longer worth the expense of being subject even to the statistical tabulations of government. This is, at the moment, a preliminary hypothesis that would be worth testing.

However, given that assigned servants dominated the total number of convicts in the closing years of the 1830s and given also that it was their numbers that declined dramatically after 1840, it is most important to try to test the accuracy and completeness of the 1837 Return from the point of view of assigned convicts. If this coverage is reasonably complete and accurate, we have the essential baseline from which to explore those employers most affected by the break-up of the convict system or most willing to tolerate its disappearance at a time of severe depression. From a general research point of view as well as for reasons of genealogical interest, the quality of the 1837 Return needs to be appraised as thoroughly as possible. It is not merely a question of trying to reconstruct how the two clerks might have filled in their time.

The Coverage of the 1837 Return

The 1837 Return contains entries for 28,479 individual convicts as a “nominal list” of “all” the convicts in the colony of New South Wales at 31 December 1837. We can compare this total immediately with the *Blue Book* total for 1837 at 32,109. To make matters worse, there are 375 persons for whom the entries are duplicated in the Return, so that the clerks actually enumerated, net, only 28,104. There is then an

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apparent shortfall of 4005 or about one-eighth of the *Blue Book* figure. This would imply serious error.

Of course, the *Blue Book* could be wrong. However, for reasons already given, Gipps was engaged on a massive review of convicts during 1838 and 1839 and he developed many sources on which to draw for his *Blue Book* count. Moreover, for reasons that will shortly emerge, he did not rely on the two clerks but patently did use alternative sources. Even if this does not reassure on the accuracy of the *Blue Book*, it does mean that we have a count for 1837 that has a substantial degree of independence and that can be used as an alternative check on the 1837 Return.

Before attempting to set the Return beside the *Blue Book*, it should be noted that the former has no entries for convicts with names beginning with K, X or Z. The latter two are of no moment. The pages on which K and Z letters fell were at the end of volumes 2 and 4 respectively in the manuscript returned by Gipps. It is not probable that the clerks simply chose to omit these letters but does seem likely that a mishap occurred at some stage between 18 October 1839 when the clerks declared their job done and the passage of the manuscript to the governor, to Britain and to today so that these pages were lost.

Taking the 1828 Census, which contained 36,598 entries in both the free and convict population, the entries then for the letter K totalled 1,048 or 2.864% of the total. If this percentage remained stable in 1837 and can be applied to the convict population, one would expect some 8-900 convicts with names beginning with K in the Return. In fact, however, the Irish element might have raised the proportion of K-names amongst the convicts. We might tentatively suggest that the loss of the pages for K has cost us between 800 to 1000 names. There is no reason to believe, however, that this would introduce a special bias in the descriptive detail of the Return.

Some attempt has been made in an Appendix to this reproduction to reconstruct some of the K-names for convicts known to have been in New South Wales, as convicts, in 1837. This recovery gives about 250 names, a significant fraction of the numbers lost. Minute investigation could, no doubt, recover more, but it is not proposed to take this step at this stage, even though sources such as the Convict Indents offer a large array of K-names.

The absence of K-names would explain about one-quarter of the shortfall in the 1837 Return. The second problem that arises with the Return is that it is geographically constrained. The *Blue Book* records 1331 convicts in Norfolk Island in 1837, 335 at Moreton Bay and 102 at Port Phillip. There are some entries for these locations in the Return, but its listing includes only 1 on Norfolk Island, 6 at Moreton Bay and 14 at Port Phillip. All the names entered were of convicts arriving after the 1836 Census. It would seem that the clerks, essentially, omitted these three areas (perhaps they were also omitted in the 1836 Census - it would be expected that Port Phillip would be absent then). Their count, in fact, substantially covers the "Middle Colony" as it was known, or the New South Wales that we know today. Thus, the justification of the title adopted by the clerks ostensibly including Norfolk Island hangs by the slender thread of one convict's name included in the Return!

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Nominally, there is a shortfall on this account of 1,816 names. Some of the convicts in the Blue Book would be K-names. Since these have already been estimated, this geographical limitation of the Return, after subtracting the probable number of K-names, would explain a shortfall of about 1,770 convicts. The two issues together, alphabetical and geographical limitations, would then account for around about 2,770 of the total shortfall. We have to account for another 1,200 or so.

A third possible factor is suggested by the initial reluctance of the Principal Superintendent to include women in the Return. There is no ready alternative check on this. The 1836 census recorded 2,577 female convicts. During 1837, a further 533 arrived according to Shaw (*Convicts & the Colonies* Faber & Faber 1966) and ships arriving between 2 September and 31 December 1836 carried another 291 (Convict Indents), making a total supplement of 821 females for the 15 months' period. These raise the gross total at the end of 1837 to 3,401. Some of these would be K-names and some at Norfolk Island, Moreton Bay and Port Phillip. These latter groups might be estimated at about 100, leaving an initial comparison of an estimated gross number at 3,300 at 31 December and the 2,339 recorded in the 1837 Muster. Against this probable missing number of about 1000 there were 275 who were freed by servitude and 16 pardoned over the 15 months' period between census and Return. There would have been 150 - 200 deaths. We have about 500 female convicts to locate.

Although it does not distinguish convicts by sex, the *Blue Book* appears to help to clarify this matter. It does list a total of 511 at the Parramatta Female Factory (implying a little less than 500 when one subtracts an estimated number of K-names). The Return, however, lists only 35 at the Factory - the undercount at the Factory that is implied is very close to the number that is predicted. It may seem strange that the clerks chose to omit one of the most obvious groups. However, there are two reasons tending to give some support to this having happened. First, the movement in and out of the Factory for assignment, return and reassignment would have exposed the clerks to risk of double counting and they were aware of this problem. If, as seems possible from later comment, they were more concerned to get the private assignment picture accurate, it was not an unreasonable outcome. Secondly, the treatment of the Factory is consistent with the apparent clerical treatment of what might seem to be the "easiest" male group, those in the iron gangs. These too, were exposed to problems of transfer in and out because of assignments and returns. This point is taken up next. Factually, all but two of the women listed at the Factory at Parramatta arrived after the 1836 Census. With the Factory substantially omitted, we do have a major explanation of the remaining shortfall in the Return and, at the same time, probably are left, so far as this matter goes, with a complete picture of private assignment of females.

There remains about 700 of the total shortfall in the Return to explain. Does the fourth element in explaining the missing numbers lie anywhere amongst the males in the colony? It is not possible to make close comparisons with the male listings in the *Blue Book* and the Return in any detail. The *Blue Book* does, however, present several categories of convicts held by government. Several of these tally reasonably well with the Return even though the correspondence is far from perfect. The

numbers recorded in the two sources are reasonably alike for convicts at Port Macquarie, at Illawarra, in the Surveyors' Department, at Hyde Park Barracks and, with some uncertainty, when one allows for patients in hospital, probably also for those associated with the medical establishment. There is, however, one striking conflict between the *Blue Book* and the Return - this is the number specifically reported in Iron Gangs. The *Blue Book* gives the figure of 981 whereas the Return lists only 248. Even though correspondence between other groups is only approximate as between the two sources, this is a major difference in numbers. Moreover, it has one feature in common with the Female Factory - this is the major male group affected by transfers in and out as persons are assigned, returned and reassigned. On the other hand, in contrast with other omissions, the shortfall is not explained in this case by arrival after the 1836 Census - perhaps there were really some well-recognised hardened criminals in the Iron Gang. We certainly cannot be sure, but the shortfall in this group is just about the balance that needs to be found to complete the likely explanation of the overall shortfall in the Return.

One other possible candidate can be ruled out - the extent to which the clerks did or did not account sufficiently for new arrivals between 2 September 1836 and 31 December 1837. Did they cover new arrivals adequately? The test here is confined to arrivals during calendar 1837. Shaw (*op.cit.*) estimates the number at 3,348. The *Blue Book* proposes 3,425. The Return lists 3,314. Once the absence of K-names is taken into account, it appears that the clerks did a reasonably accurate job on the new arrivals.

Summarising the coverage, the 1837 Return largely omitted Norfolk Island, Moreton Bay and Port Phillip, suffered an "office mishap" resulting in the loss of K-names and probably missed out most of the Parramatta Factory and the Iron Gangs while reasonably accurately reporting new arrivals. If this assessment is correct, it follows that we probably have a fairly complete coverage of the convicts in private assignment and that the omissions are to be found in identifiable areas of the government-held convicts. Though the errors are not random, it is possible to accommodate to the particular parts of the Return that are not complete.

The point on the completeness of the coverage of the assigned servants and the names of their masters is worth stressing a little further. The Return actually made no entry in the master of assignment column in 3,665 cases. Of these, however, 3,169 were ticket of leave holders and a high proportion of these would not work for masters (the Return does list a good many other ticket of leave holders with masters' names). Of the convicts not reported as holding tickets, totalling 400, as many as 96 are accounted for as invalids, unfit for assignment, married etc. Some, but far from all, of the remaining 304 would be assigned to masters whose names we do not know. This is a tiny number, implying that we have, in the Return the names of virtually every private employer of convict labour in 1837 (in respect of the 'Middle Colony and subject to those employing exclusively those with K-names).

Accuracy in Updating the 1836 Census Detail

There remains a completely separate question as to whether the clerks succeeded in up-dating the material that they drew from the 1836 census which, by 31 December

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1837 was 15 months out-of-date. It has already been suggested that they incorporated new arrivals quite well.

Leaving aside, for the moment, the actual completeness of individual columns, it is useful to consider the question of up-dating. Given that the matter of the over-all completeness of the Return has been dealt with so far as is possible, the question at issue is whether the entries originally made in 1836 have been varied to suit the later date. In dealing with this, only two columns are relevant - ages and master of assignment (who determine location).

The matter of age-advancement from 2 September 1836 to 31 December 1837 can be approached in a variety of ways. The first test made was to take matching names (supplemented by ship and date of arrival) in the 1828 census and 1837 Return. This is a fairly tricky business partly because the use of ages is notoriously difficult, partly because of the long time lapse and partly because of the different dates, 2 September 1836, 5 November 1828 and 31 December 1837, that are to be dealt with. It is assumed that birth dates are randomly distributed throughout the year. One would expect convict ages to be advanced by 8 years to 1836 from 1828 except that approximately one-sixth would have their ages advanced by 7 years to the census date. Moving to the end of 1837, one would expect that convicts would have their ages advanced by 9 years except that, in this case, one-sixth would have their ages advanced by 10 years.

Using matching names, the expected age adjustment bears little relationship to the recorded comparison between the 1828 census and the 1837 Return in one quarter of the cases. This illustrates the problem with age records, particularly in a period in which many convicts would probably not know their birth dates and very little of the arithmetic required to advance their ages. About one-quarter of the ages in the "1837" Return appear as if the ages were adjusted to the end of 1837. Nearly half appear to be in conformity with 2 September 1836. In other words, in dealing with any four names, it would be expected, on this test, that one would be completely astray, one would be correct to the end of 1837 and two would apply to September 1836. This is not very reassuring.

The second possibility is to take the convict indents for 1836 and 1837 with their given ages. The answer here is very clear. Ages were not at all adjusted to accord with 31 December 1837. It seems very probable that the 1836 census ages were unadjusted and, so far as the age column goes, we have the 1836 census data (the appearance of some age adjustment is likely to reflect errors rather than conscious adjustment).

The other possibility is to explore the one other column subject to variation - the name of master to whom convicts were assigned. In this case, the reasonable expectation would be that little change would occur at least in the case of males. Masters would not readily return anyone other than the most recalcitrant to government; and few convicts would be likely to challenge authority to the extent of demanding a change in masters. It would be reasonable to assume, therefore, that we would be dealing with changes in a small fraction of cases. This may make the test fragile. But it also would mean that the test is not particularly vital. The mass of

the convict population at the end of 1837 was most likely to be distributed as it was in September 1836, at least for males.

The test that can be made of this matter is very limited. It is confined to the area of the Hunter Valley dealt with by the Magistrates' Bench in Singleton in a surviving "Black Book" (effectively, a punishment book, cited above). The Black Book gives, amongst other things, the convicts' names, name of master and punishment for nominated offence. This information can be used in a variety of ways. In some cases, more than one master is listed throughout the 15 months between the census date and the nominal date of the Return. If despite these changes, the earliest master's name is listed in the Return, one would expect the information to relate to the 1836 census (or near it). Again, some convicts were subjected to gaol sentences extending beyond 31 December 1837. If, despite this, a master is recorded, it is possible and perhaps likely that the 1836 census record is being presented. Thirdly, if a convict is returned to government for reassignment by a stated master but that master is entered in the Return, the information is likely to relate to the 1836 census.

The result of this test is that there appears to have been a considerable effort made by the clerks to update the distribution of convicts to masters at least during 1837, if not altogether precisely at 31 December. The probability is relatively high that the information in the Return relating to master (and location) can be taken as dated at the end of 1837 (but equally that, apart from new arrivals, it conforms very closely to the 1836 Census).

In all, this assessment would imply that, subject to identifiable omissions that one can accommodate to, the 1837 Return seems to have been a relatively competent product. The question of convicts' ages stands out as an unadjusted item. The clerks probably did not regard this as significant and those who wish to make adjustments would probably be adopting a reasonable procedure in advancing ages of virtually all convicts by one year. The underlying errors are too large for greater sophistication.

Limitations in Individual Columns

There are several shortcomings in the Return when one considers individual columns. The following comments take each in turn.

(a) Convicts' Names

It should be appreciated that there were often conventional spellings for names. Quite apart from the question of legibility, the census (or trial) rendering of names was often phonetic; and the clerks clearly had their own individual views on appropriate spellings.

The problem of K-names has already been discussed. Reference is made to the Appendix for a limited list of these names with some supplementary information.

(b) Ages

It is clear that, whether because of the clerks or the respondents, there are large errors in perhaps 10-15% of all ages (the same age reported over as long a period as eight years; remarkable increases or even reductions in ages etc.). Nevertheless, the test referred to above, in advancing ages from 1828 to either 1836 or 1837 suggests that most of the age record is accurate to within one year for a population with a mean age at about 30 years. This is a relatively high order of accuracy.

(c) Date of Arrival

(d) Ship of Arrival

These columns have not been checked in detail for other than spelling.

(e) Place of Trial

This column is very incomplete. Substantially, the place of trial is entered for the letter A and about half of B and for the letters D through to the first half of O. An internal office memo records that no further work was done "*because the Governor wished to send the Returns home at once*". (n.d.). The information is readily recoverable from the Convict Indents.

(f) Master of Assignment

(g) Location

These two are based on the same sources. As already suggested, there seem to be defects in the reporting of the Parramatta Factory for women and the Iron Gangs for males. This only enhances the value of the Return as a description of the assignment system. There are clearly many variants in the spelling of masters' names.

(h) Remarks

This is very incompletely filled in. There is some suggestion that it was dealt with at the same time and was carried through to the same extent as the "Place of Trial" column. Thus there are a number of "intimate" entries such as "*Murdered between Illawarra & Sydney*", "*Killed by the Natives at Mr Bowmans, Liverpool Plains, 12 October 1837*" or "*Married to Carroll*". These are confined, almost but not quite entirely, to the letters A to G, similarly to the place of trial. In columns (e) and (h), there seems to be some similarity.

The remarks column contains other information. It lists persons holding tickets of leave but, unfortunately, for far fewer individuals than the *Blue Book* proposes. It lists some deaths, but many fewer than would be actuarially expected. Where these deaths are reported, it is obscure as to the date to which the rest of the information applies. It is possible that the few that are recorded are accidental remnants and that the majority of those dying have been removed from the Return. But one can only speculate on this point.

The Preparation of the Reproduction of the 1837 Return

Six persons, in all, have made substantial input into this reproduction. They are N.G. Butlin, C. W. Cromwell, J. Howard, M. McLean, K. Suthern and D. Whaite all of the Department of Economic History, Research School of Social Sciences, A.N.U. Microfilm of the Return was obtained from the P.R.O. in London and access was also made to the microfilm in the National Library. We have to thank the P.R.O. for formal permission to reproduce the Return and for help in interpreting a couple of pages that appeared out of order.

The microfilm was printed out half the image at a time to A4 paper size and the sheets joined to give a large image and the entries recorded by hand in tabulated form for data-punching to a DEC KL10 computer. The resulting print-out was double-checked to the original by different groups and majority rule prevailed on obscure handwriting entries in the original. In many doubtful cases, the microfilm was used directly to blow up words to very large images in order to reach final decisions. Although every care was taken, some of the handwriting and some of the original

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copy make it difficult to be confident. In some cases, we had to acknowledge defeat and simply enter “illegible”.

The DEC computer record was printed out by separate fields and each column checked with the original. The DEC disk record was transferred from disk by separate letters of the alphabet to a Macintosh micro-computer for re-arrangement and further editing. In the process, a number of editorial changes were made. These changes have preserved all the literal entries on each line and, to that extent, the integrity of the original document has been fully respected. However, significant rearrangements have been made. These rearrangements have three objectives. First, in order to simplify use of the hard copy reproduction, all convict names have been re-sorted to strict alphabetical order. Secondly, to assist computer use, some standardisations have been made, but only to a limited degree. Thirdly, to facilitate printing the document, some material that would occupy too much line space has been transferred to end-notes. These are not very numerous. They relate to intimate details given in the Remarks column for 156 cases. And they cover cases where convicts are recorded as having aliases or variants of their given names. Indications are given in the lists to guide readers to these supplementary items.

Detailed points relating to each column are given below.

(a) Convicts' Names

The surname is first, arranged in strict alphabetical order. To the immediate left of this column is placed a continuous running order number to facilitate computer use. In the last column on the extreme right of each page as set up, the number entered is the number of the page, in the particular alphabet section of the original, so that using the alphabet and the page number users are referred readily to the page of the original on which each convict was entered.

In this column, two variations from the original were made. First, all aliases are stripped out because they would take up too much space. Where this is done, an asterisk is given. Readers are referred to the end notes in which all aliases are printed out, as given, and linked to the original name. Secondly, where the original entry offered alternative given names (such entries as “Mary or Jane), similar asterisks and endnotes are entered and given.

The other deviation from the original source is the adaptation of the given name. The original source might give, for example, “Rd”, “Richd” or “Richard”. All have been converted to the full spelling of “Richard”. The chief uncertainty here was “Jno” which has been interpreted as Jonathon since the main alternative John is typically given in full in the original.

(b) Age

No adaptation has been made.

(c) Name of Ship on which they arrived

All spellings have been standardised to I.H. Nicholson, *Shipping Arrivals and Departures Sydney Vol. II - 1826 to 1840* (Roebuck 1981). There are one or two qualifications. We have left the original entry “BBB even though this is almost certainly “The Three Bees”.

(d) Year of Arrival

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No adaptation has been made and no checking has been done with ship arrivals.

(e) Where tried

No adaptation has been made except for a small number of cases where obvious inconsistencies occurred as in "Surry" and "Surrey". We accepted the clerks' strong preferences, in this case without an "e".

(f) Name of Master

To a limited degree, some names have been standardised. Institutional names such as the Australian Agricultural Company have been rendered in standard form (in this case Aust Agric Co). We have refrained from changing variants of personal surnames. Courtesy or status or distinguishing titles have all been moved to the end of the entry so that we show, in order, surname, given name and title. Variants such as "senior", "snr" and "sen" have been standardised at the end of the entry. Abbreviations of given names were treated as in the case of convicts.

At the end of this volume, there is an index of masters. This gives beside each master the serial running number of convicts assigned to them to allow immediate reference back. Since, in the 1837 Return, almost all convicts were assigned there was no point in providing an indication beside each convict that a listing of the master is given. The number(s) given beside each master allow identification of their convict employees and also the location in which the master deployed the convict servants.

(g) Name of District

These have been standardised to accord with R.P. Whitworth (comp.) *Bailliere's New South Wales Gazetteer and Road Guide*, Sydney 1866 and W.H. Wells *A Geographical Gazetteer of the Australian Colonies 1848* (William Dixson Foundation Publication No 14).

(h) Remarks

All remarks not exceeding 13 characters have been entered. We have summarised standard items such as "Ticket of Leave" to be T of L and condensed "Has become free" or "Since free" to be simply "freed". For "Ticket of Exemption", T/Exempt is entered. In 156 cases, a long "remarks" entry was made in the original. These have been removed and a double asterisk directs the reader to end notes for the full original entry.

The original Return omitted the letter K. Appendix 1 gives, for what they are worth, the names, with some details, of convicts whose names began with the letter K. Some are identified having been before the Bench of Magistrates at Singleton in Hunter Valley during 1836 and 1837. The majority listed in the Appendix are for convicts arriving before 31 December 1837 and known to have been convicts in 1837 according to the published tickets of leave and pardons in the *New South Wales Government Gazette*.

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