

JAMES ORCHARD OXLEY

A CHIP OFF THE OLD BLOCK

**SURVEYOR, MINING ENTREPRENEUR
AND BUSINESSMAN**

By Robyn Knight

Acknowledgements

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James Orchard Oxley

James Orchard Oxley is a larger than life character who has not been easily researched or accurately recorded by Oxley family historians, largely due to the aura of mystery of actual, and sometimes scandalous, events of his life. He is a newly discovered relation of mine (half first cousin 3 times removed), and the fact that he lived in the Western Australian Goldfields and Perth, Western Australia for a time during his career, as did I, and my fanatical urge to solve puzzles and mysteries in family history, I decided to investigate what really occurred in the life of James Orchard Oxley and his family. It has been a fascinating journey.

James was born on 13 November 1860 at Wingecarribee, Berrima District, New South Wales to Henry Molesworth Oxley, JP, MLA and Emily Liardet Orchard, hence James' middle name.¹ (Appendix 1) He was baptized at Berrima Holy Trinity Church on 12 December 1860². His paternal grandfather was John Joseph William Molesworth Oxley, commonly referred to as Lieutenant John Oxley, Surveyor General of New South Wales, formerly of the Royal Navy.



John Oxley

Background and Early Life

James' grandfather, John Oxley, had died at the young age of 42. After much negotiation, the government granted 5000 acres of land at Wingecarribee, near Berrima, NSW to his widow, Emma Oxley. John Oxley had two daughters from his relationship with his convict assigned housekeeper, Charlotte Thorp³ and a daughter (who drowned at age four⁴) with a "common prostitute", Elizabeth Marmon⁵. His sons, John Norton Oxley and Henry Molesworth Oxley, were only four and two years old respectively, when John Oxley died. The children initially lived with their Uncle, Nathaniel Norton and then boarded at King's School, Parramatta, NSW⁶.

On return from a trip to England, John Norton Oxley managed Kirkham, John Oxley's principal estate at Camden, NSW and Henry Molesworth Oxley lived at Wingecarribee, now Bowral, New South Wales, at Wingecarribee House. Henry was a J.P., Berrima's Commissioner for Crown Lands and Coroner⁷. Henry married Emily Liardet Orchard at the Holy Trinity Church, Berrima on 4 November 1854⁸. In 1858, he sold 4200 acres of the Wingecarribee property to his brother, John⁹, the same year his first child, a daughter, Emma Caroline was born¹⁰.



Henry Molesworth Oxley, Junior followed in 1859¹¹, the year Henry Senior was a member for Camden in the Legislative Assembly¹². Then James was born in 1860. Two more brothers were born, John Evelyn Oxley in 1862¹³ and Ernest Albert Oxley in 1866¹⁴.

Wingecarribee House Early 1900s Photo
- Berrima Historical Society



John Oxley's Piano, in Wingecarribee House Photo – Berrima Historical Society



Wingecarribee House today

Henry Molesworth Oxley, Senior died at age 41, after complications from a fall from his horse. He suffered greatly from cerebritis and brain abscess¹⁵. His children then ranged in age from nine years to one year, James was only six years old.

Disaster struck again in 1871 when Ernest Albert was killed, at age five, when a dray he was travelling on overturned¹⁶. Wingecarribee House was let for a while and the family resided in Darlinghurst, NSW in 1880¹⁷, however, Emily Oxley, described as Bowral's oldest resident, died at Wingecarribee, in 1902¹⁸.

James and his brothers were educated at Sydney Grammar School, James being admitted there in January 1875¹⁹, and it is clear that they were well educated. Henry Junior became a renowned and prosperous solicitor in Bowral²⁰, and although he married and had 2 sons and a daughter, he had no grandchildren. John Evelyn Oxley enlisted in the Boer War, serving as a Major. He eventually lived and married in London in 1911, had three children, and died in Paris, France on 6 March 1940²¹. Wingecarribee House and property passed out of the Oxley family when it was left to Henry Junior's daughter-in-law's nephew.

James Orchard Oxley



James Orchard Oxley first came to official notice in the New South Wales Government Gazette of 11 February 1880 when he was appointed supernumerary draughtsman in the Surveyor General's Office.²² His grandfather would have been quite proud, following in his footsteps.

On 27 January 1886 James Orchard Oxley was appointed a licensed Surveyor by the Department of Lands.²³ He had worked as a field assistant on the permanent staff of the Surveyor General's Department from 1881²⁴ and sat the Surveyor's

examinations in 1885²⁵. He was listed annually as a licensed Surveyor in NSW e.g. in 1887²⁶, 1890²⁷ and again in 1891²⁸. It is unclear whether he was still in NSW by 1891, however he is named as being owner or occupier in land being resumed for Parish roads in December 1888 Parish of Mangrove near Hawkesbury River, NSW²⁹ and again in June³⁰ and August 1889³¹ where he is described as conditional purchaser.

In October 1887, an advertisement for Oxley and Mocatta, Civil Engineers, Licensed Land and Mining Surveyors at 109 Pitt Street, Sydney appeared³². James obviously gained experience in mine surveying as a glowing report of his for the Rose Hill Tin Mine at Vegetable Creek, NSW, (now the historic mining town of Emmaville), appeared in the Sydney Morning Herald³³. However, early 1888 James advertised as J. O. Oxley, Licensed Surveyor at 109 Pitt Street, Sydney³⁴ but later in March he is listed as Oxley and Mocatta of Castlereagh Street, Sydney for an auction sale of land at Mittagong³⁵. In 1889, James is advertising as Oxley and Mocatta, Civil Engineers, Licensed Land and Mining Surveyors at the Lands' Office, Penrith NSW or Victoria Arcade, Castlereagh Street, Sydney³⁶. George Voss Mocatta was appointed to the permanent staff of the Surveyor General's Department in 1880³⁷, and was licensed in 1883, so it is clear that James met him there. In May 1889, Messrs. Vernon, Joseland, Oxley and Mocatta secured £250 for their design in laying out the intended model suburb of Kensington, Randwick³⁸. This was the last advertisement noted for Oxley and Mocatta. Also, in 1889 he was living in Victoria Street, Waverley, NSW³⁹.

James Orchard Oxley is next reported in Western Australian Newspapers in January 1891 as a licensed surveyor in the Colony of Western Australia⁴⁰ and he is noted in Katanning, Western Australia as being from the Government Survey Office, doing the same work as Mr. (Richard) Brazier's party, cutting 135,000 acres into agricultural areas of different sizes⁴¹, a job that took nine months to complete. Katanning then had a road named Oxley Road⁴². May 1892 saw James advertising for axemen for a survey camp at Narrogin, WA⁴³ and he played cricket with the Survey and Land Titles Office staff in March 1893⁴⁴ excelling as a bowler, but, as a risk taker, was run out at 8 runs⁴⁵. In 1894, he was run out again, gained 10 runs and failed to bowl anyone out, bowling only 12 balls⁴⁶.

James sued Messrs. Saw and Saw, Narrogin Hoteliers, for £25 for lost horses they were agisting in their paddocks in August 1893⁴⁷. (See Appendix 2) As his brother, Henry Molesworth Oxley Junior, was a solicitor in Bowral, New South Wales, James was probably quite comfortable with legal matters.

James was obviously planning on quitting Perth as an advertisement to sell the furniture from his residence in Lamb Street, South Perth, an exclusive address which overlooks the beautiful Swan River, appeared in the West Australian in April 1894⁴⁸. The sale items listed included a drawing room suite in silk tapestry, a Wilmer piano and an eight piece bedroom suite, the list demonstrating high end luxury⁴⁹. If this is an indication of James wealth, then he had done so much better than his grandfather in his financial endeavors, as John Oxley was always in debt in New South Wales.

**SALE OF HIGH-CLASS FURNITURE
AND EFFECTS.**

—

B. C. WOOD & CO. have received instructions from J. OXLEY, Esq., to SELL at his residence, Lamb-street, on FRIDAY, the 20th April, the whole of the

SUPERB AND ELEGANT FURNITURE,

Comprising one of the Best and most Complete Households in Perth.

—

Full particulars later.

—

SALE FRIDAY, 20TH APRIL, 1894.

An Abstract of Auctions states ...“at the residence of Mrs. Oxley, Lamb Street”⁵⁰. This is the first mention of there being a wife for James Orchard Oxley, as no record of a marriage has been found in NSW, Victoria, Tasmania, South Australia, Western Australia nor Queensland. Mrs. J. O. Oxley is listed as a passenger in the saloon of the steamer, *Bullara*, heading for the Eastern colonies via Albany on 16 April 1894⁵¹.

A
M E E T I N G
of the
WEST AUSTRALIAN CARRYING
COMPANY
Will be held at the
PERH STOCK EXCHANGE,
on
THURSDAY EVENING NEXT,
at 8 o'clock.
OXLEY & BRAZIER,
Promoters.

The first mention of James Orchard Oxley joining in partnership with Richard Brazier was on 16 May 1894 in the West Australian – pictured. This venture is not strictly surveying and shows that James has now branched out as a businessman. A few days later it was reported in the Daily News that

OXLEY AND BRAZIER,
Licensed Land & Mining Surveyors
Of Western Australia, Victoria and New
South Wales. Brokers and General Agents.
Reliable reports and inspections of mining
properties made. Managers of Goldfields
Carrying Co., Ltd.
JAS O. OXLEY
RICHARD BRAZIER
Offices : Southern Cross and Coolgardie.

the planned company was to be named the Goldfields Carrying Company and that Oxley and Brazier were to manage it^{52, 53}.

Quickly following were a series of announcements in the classified advertisements that James O. Oxley and Richard Brazier had set up offices in Southern Cross and Coolgardie as licensed Land and Mining Surveyors and Managers of Goldfields Carrying Company⁵⁴, their first step to becoming mining entrepreneurs.

OXLEY AND BRAZIER
(Jas. O. Oxley) (Richard Brazier)
SHAREBROKERS,
Mining and General Agents, specially
licensed Land and Mining Surveyors, hav-
ing 15 years' experience with N.S. Wales,
Victorian, and West Australian Govern-
ment departments. Mining work at the
Warden's Court undertaken. Properties
floated, etc.
Head Office: BAYLEY-STREET, COOLGARDIE.
Branch Office: SOUTHERN CROSS.

By July, 1894 Oxley and Brazier had further branched out to include being General and Forwarding Agents and Sharebrokers, etc⁵⁵ and added a large warehouse in Bayley Street, Coolgardie^{56, 57}. James was also mentioned as a Director of the Coolgardie South Gold Mining Company on 10 August, 1894⁵⁸. The year was developing into placing James in a great position to take advantage of the Western Australian Mining Boom at its infancy! They were even involved in

importing 200 Camels from Calcutta⁵⁹. And James still found time to play cricket for the Stock Exchange team where he was caught out for 5, but bowled out an opposing player^{60, 61}. James was also called to give evidence in Warden Finnerty's Court re disputed mining surveys⁶². Oxley and Brazier also floated another company on the Coolgardie Stock Exchange, The Coolgardie Land Purchase and Development Company⁶³ and were appointed by the Government to perform mining surveys⁶⁴.

In November 1894, James purchased 2 lots of townsites at the Wardens Court, Coolgardie Government Land Sale, paying £66 and £113⁶⁵ and at the same time, M. Schroder took over the management of the Goldfields Carrying Company⁶⁶. James was fully involved in all activities of the town, was obviously a very busy man with a strong work ethic and some skill in business, and he was instructed by the Minister for Lands to prepare a plan to extend the town which was submitted to the Coolgardie Council for approval^{67, 68}.

However, James O. Oxley and others were sued in the Perth Local Court for £100 wages due for services as a prospector by John Williamson, but he agreed to accept £30⁶⁹. (See Appendix 3) This suggests that James may have skated close to the edge with his business dealings, as many of the wheelers and dealers of the goldfields did at that time.

A major breakthrough came for Oxley and Brazier when James was involved in the discovery of a rich gold find. On 31 January 1895, he brought back to Coolgardie £3,000 worth of specimens from a site north east of Kanowna. I reproduce part of the news report in the Daily News here⁷⁰. The report waxes eloquently about the gold pieces actually breaking from the stone. The story was picked up by all the major Western Australian newspapers. The mine was later named the *Hit or Miss*⁷¹. Oxley and Brazier pegged out an adjoining claim for their company⁷².

Following this find, James was asked by a signed petition to become a candidate in the municipal elections, however, he could not respond immediately, being busy at the *Hit or Miss* mine⁷³ and was nominated on 14 February 1895, with the election to be held a week later⁷⁴. Whilst he was keen to be a candidate and had made relevant and highly regarded speeches in support, James withdrew as he was required to go to England on business⁷⁵, but acted as an auditor at the election⁷⁶.

An unusual notice in the Coolgardie Miner on 21 February 1895 stated "*The friends of the late HARRY CHIPPER who desire to subscribe to his Memorial Fund will kindly forward their donations to W. K. ADAM, ESQ., R.M., Kattanning; or to JAS. O. OXLEY ESQ., Coolgardie.*"⁷⁷ This appeared the same day James was reported to be heading for England. He must have retained friendships in Katanning from his time working there in 1891.

COOLGARDIE NEWS.

ANOTHER RICH FIND.

NORTH OF THE WHITE FEATHER.

TWO BOXES OF SPECIMENS.

VALUED AT £3,000.

FULL PARTICULARS.

THE LUCKY OWNERS.

FIVE FROM NEW SOUTH WALES.

ONE FROM VICTORIA.

SEVERAL PARTIES GONE OUT.

[BY TELEGRAPH.]

COOLGARDIE, Feb. 1.

Another sensational find is reported, this time situated 20 miles north of the White Feather on the road to Lake Carey. Mr. J. O. Oxley, of Oxley and Brazier, surveyors, came in last night, bringing with him two boxes of stone, weighing about three hundred pounds,

PUBLIC NOTICE.

WE, the undersigned, **JAMES ORCHARD OXLEY** and **RICHARD BRAZIER**, trading under the name or style of Oxley and Brazier have mutually agreed to dissolve partnership as from the 26th day of January, 1895. All debts owing to the late firm must be paid on demand to W. T. Cornev Bayley-street, Coolgardie, whose receipt will be a sufficient discharge.

Dated at Coolgardie, this twenty-first day of February, 1895.

Witness to the signature of James O. Oxley.

JAS. O. OXLEY.

Witness to the signature of Richard Brazier.

R. BRAZIER.

A month later, James and Richard Brazier dissolved their partnership⁷⁸ and the next week a new company was advertised⁷⁹.

J. O. OXLEY AND Co.,

MINING ENGINEERS, MINING AND LAND SURVEYORS.

Properties sold or floated in London and Colonial Markets.

Consulting Engineers "Cardiff Castle G.M. Co." Members Coolgardie Stock Exchange.

BAYLEY STREET, COOLGARDIE.

And James was finally on his way to London in March 1895. “MR. JAS. O. OXLEY during his visit to London will personally attend to any business his Clients may entrust to his care. Shares Sold or Bought in all Stocks. Mines Floated or Sold : For particulars, apply to W. T. CORNEY, Coolgardie.DURING my absence from the. Colony, MR. W. T. CORNEY will transact all my business. JAS. O. OXLEY.”⁸⁰ And in the same publication it seems that Oxley and Brazier were responsible for the floating of the Castle Cardiff Mine and were described as having “the best of credentials and reputation upon the field.”

The Daily News on 18 March 1895 implied that James was off to London to sell the Hit or Miss Mine for £40,000 cash and James was travelling to London by the ship *Ophir*⁸¹. However, I think it appropriate to reproduce here the news item it published just 2 days later⁸². Interesting that the journalist refers to London as “home”. It certainly was not (yet) home to James and by 1895, one would expect a bit more commitment to Australia, compared to England.

By 26 March 1895, news reports state James is taking “home his two hundredweight of marvellous specimens by the *Austral*, leaving Albany tomorrow.”⁸³ (Not the *Ophir*.) And James’s interest in the Cardiff Castle Mine as “Consulting Engineers” is noted for his attention in “the old country” as well as his interest in the *Hit or Miss*⁸⁴. If, as the news items suggest, James was carrying unique gold specimens to London via ship, security for them would have been vital and I speculate that he would need a guard or have the specimens secured in a safe.

The magnificent specimens from the Hit or Miss Mine near the White Feather which are now in the strong room of the National Bank, and which have been inspected by many interested in mining ventures here, have caused great admiration. There are at least two hundredweight, and they are estimated to go on the average as much as a thousand ounces to the ton. Those who know the property describe it as offering the richest possibilities of any mine in the district, which is saying a great deal, and they consider that Mr. Oxley, one of the owners, would have acted unwisely in accepting the best of the many offers that have been so far made for it. He goes home this week under excellent auspices, and if he succeeds in floating the property—as it is almost certain he will at a large price—he will be cordially congratulated by the many who are pleased at his good fortune.

During all of James’s adventures in the Goldfields there has been no mention of Mrs. Oxley whom we only knew existed from a passenger list heading to the eastern colonies and in regard to the furniture auction. This was not unusual, as it has been my observation that women were rarely mentioned in the newspapers of the Goldfields, and little had changed in attitudes to females and their level of importance in the 1970s when I lived there. However, the passenger list for the *Austral* which took James to London reveals that Mr. and Mrs. Oxley, Gentleman and wife, both aged 36 and Miss Oxley, aged 15 were listed as cabin passengers, embarking at Albany, Western Australia⁸⁵.

Albany	Mr. & Mrs. Galston	47	42				
	Mr. & Mrs. Oxley	36	36				
	Miss - - -				15		
	Mr. & Mrs. Elliott & Inf.	42	40				
	Mr. W. Blackney				50		
	Genl Wife					1	1
	"					1	1
	Spinster					1	1
	Genl Wife					1	1
	Genl					1	1

This is the first concrete indication that James had a wife **and a daughter** with him in Western Australia and I wonder if they had remained in Perth so that his daughter could attend school. A Miss Oxley was attending Perth Ladies College in 1892 when she was named as singing the Skylark’s song at the speech day. The journalist stated that it was

“heard to great advantage”⁸⁶. Perth Ladies College is only a short distance from the Lamb Street, South Perth address and later research reveals a vast talent for singing for Miss Oxley. In 1896, James was paying rates on a cottage in Beaufort Street, Perth⁸⁷.

James’s time in London was hugely successful with the *Hit or Miss* mine floated “on the market at £150,000 and was subscribed twice over”⁸⁸. He is reported to have left London early January 1897 to return to “*The Golden West*” to make a report to Shareholders in regard to the *Hit or Miss* and to visit *Mount Malcolm Proprietary* as well as stay in Coolgardie.



The Coolgardie Chambers, Bayley Street where James O. Oxley and Co. traded 1897 in Coolgardie, WA
Picture: Courtesy Lyn Myles

James’s office was now in the Coolgardie Chambers (pictured when completed in July 1895).

But James must have returned to London as his company was sued in his absence, and James’s alleged actions in relation to the King Solomon’s Gold Mines Limited required defending in the Warden’s Court. The case was complex, and with jurisdiction issues, with John Andrews alleging that his sale of Lease 18 to James Oxley should be cancelled due to fraud and misrepresentation by James O. Oxley and Co., represented by Mr. Corney, who were also agents for King Solomons, and encroachment and trespass. It seems that John Andrews believed that work on a nearby reef

(Lease 376) owned by King Solomon’s Gold Mines had encroached into Lease 18 and Mr. Corney had stated King Solomon’s Gold Mines wanted the land for a battery as it was useless for anything else, lowering the lease’s value. Meanwhile, in England, James Oxley had promoted King Solomon’s Gold Mines for a further £20,000 stating that they had already worked in Lease 18. This was also complicated by the fact that James must have returned only briefly to Coolgardie when he organized the sale for himself and was again in London in July, 1897 during the court case. Mr. Corney denied there had been work on any reef in Lease 18 and did not believe the reef entered Lease 18, but it might. Mr. Oxley had been down the mine and they were unaware of any encroachment at the time of sale. And that when the Lease was sold, Mr. Andrews had insisted on selling, not vice versa and King Solomon’s Mines were not involved in the purchase⁸⁹. (See Appendix 4) This case highlights the cunning practices on the Goldfields related to lucrative mine claims, on both sides.

It is clear that James owned a number of shares in various mines and in September 1899, he was again in Western Australia where he was interviewed in Menzies where he owned two leases (24 acre blocks) of *Dunn’s Find*⁹⁰. In May 1900, James was again in court over a dispute about his sale of 40,000 shares in the *Lady Evelyn Mine*⁹¹. (See Appendix 5) He was highly regarded and the results of such cases seem to favour him. Plus, he had apparently undertaken a number of sea voyages back and forth for his business interests in London and “*The Golden West*”.

Family – Ethel and Beatrice Oxley

The 1901 English Census reveals James O. Oxley in London at 21 Kensington Court Mansions, Kensington, London, aged 40 and living on his own means. With him is Ethel, wife, married, also aged 40 and born in Tasmania. They also have two housemaids, a Cook-housekeeper and a Cook living in and using the adjoining unit⁹². He was still there in 1905⁹³.

The British phone book has James listed at 7 Woodchurch Road, Hampstead in 1907, with his business, J. O. Oxley and Co. listed at 31 Lombard Street, London⁹⁴. This address is noted for merchants, banking and insurance and has often been compared to Wall Street in New York⁹⁵.

In the 1911 English Census, James Orchard Oxley, is living at No. 3 D Bickenhall Mansions, Baker Street, Marylebone, London, aged 50, married and, in the record, there is a line in the completed years married as well as for the children born, although this question refers to “for each married woman”. He has no trade or profession. His wife, Ethel, has 33 years married, with one child born alive and still living. With them is daughter Beatrice Oxley, aged 28, single, a Vocal Artist, born in New South Wales⁹⁶.

James Orchard Oxley	Head	57	Married	—	—	—	no trade or profession	none	0	—	New South Wales British	no
Ethel Oxley	Wife	57	Married 33	—	—	—	one child born alive	—	0	—	of Australia Subject	no
Beatrice Oxley	daughter	28	Single	—	—	—	Vocal Artist	—	2	—	Tasmania 45	no
											New South Wales Australia do	no

This age must be fudged down as Miss Oxley was 15 in 1895 so she would have been born in 1880, and if she was 28 in 1911, she would have been born in 1883. I checked for her in the 1901 census⁹⁷ and found Beatrice E. Oxley, aged 22 (therefore born circa 1879), no profession or occupation, born Sydney, New South Wales, Australia, as a visitor with Eveline H. Upton, a widow, her family and 4 servants at Upper Bognor Road, Mordington, Bognor, Sussex. It is not clear why Beatrice was there.

Beatrice was training as a Vocal Artist in Paris in 1904 with Madame Marchesi, whose pupils gave an annual concert in Paris. One can only get the sense of the importance of the occasion by reading the relevant news item from the Suburban and Municipal Recorder of Claremont, W.A.⁹⁸, reproduced here. This praise for Beatrice’s talent was repeated on the Melbourne Argus in 1906⁹⁹ and in the Kalgoorlie Miner in 1906¹⁰⁰ which described Beatrice as a fine *Contralto*.

One of the events looked forward to by the musical world of Paris (writes the Paris correspondent of the “Queen”) is the annual concert given by the pupils of Mme. Marchesi. This took place on May 13, and was attended by the elite of cosmopolitan society, together with some of the most noted in the world of music staying in the gay capital. The Salle Hoche has never been more crowded than for this occasion, which proved an immense success for the celebrated mistress of song and her clever pupils. Among those notably to be congratulated on their performance should be mentioned Miss Beatrice Oxley, a young Australian girl, who charmed her audience with Tchaikowsky’s “Qui brula d’amour.”

The great mystery with Beatrice is, there is no record of a birth for Beatrice Oxley to James Orchard Oxley and Ethel. Indeed, there is no marriage record, either in Australia or England, for James and Ethel. The only possible official documentation for *Beatrice Oxley* is a confirmation in the Parish of Minchinhampton by the Bishop of Gloucester on 26 February 1907¹⁰¹, but at age 24, in keeping with her recorded but reduced age in 1911.

To investigate the search for Ethel and Beatrice, I will fast forward to Ethel Oxley’s death in Perth, Western Australia in 1922. Her death certificate, (Appendix 6) with information obviously supplied by James to A. E. Wallis, indicates that Ethel’s maiden name was Harris, her father was Alexander Harris, she was born in Tasmania and married in Melbourne, Victoria to James Orchard Oxley. She died on 10 July 1922 at Darlington, Western Australia from Diabetes and Cardiac Failure, at age 63 years. Issue recorded as one female, deceased.

There is no record of a credible marriage in Victoria, NSW, South Australia, Queensland, Tasmania or Western Australia for a Harris married to an Oxley or Orchard in the relevant time period. The other issue is that if they were married for 33 years, then they both would have been 18 years old.

Due to the lack of a birth certificate, I decided a search for a baptism for Beatrice, using the surname Oxley, Orchard, Harris or Beaufort, was required. The last name was listed as the name of Ethel on James's death certificate. No birth registration that fitted was found for a Beatrice with a mother Ethel in any state of Australia. I contacted the Society of Australian Genealogists (SAGs) which had access to Catholic Baptisms and provided the background information. I let it slide for a while to decide if I wanted to pay the required research fee. Then I was contacted by the researcher who advised that she had found what was very likely Beatrice's birth registration. I paid the fee!

That birth certificate opened up a complete rethink about Ethel, and revealed her start in life as one of dire poverty, deprivation and degradation. Beatrice Ethel Oxley, born 29 August 1878 at the Sydney Infirmity (later Sydney Hospital) was registered, four months after the birth by declaration, as Beatrice Ethel Harriss [sic], illegitimate, Mother - Catherine Harriss [sic], birthplace, Tasmania. The informant was Catherine Harris [sic], Mother, address - Benevolent Asylum¹⁰². (Appendix 7) (This date of birth fits exactly with the given age of 22 for Beatrice Oxley in the 1901 English census which was taken on 31 March 1901.)

It is significant to note that at this time it would have been highly unusual for women to give birth at the Sydney Infirmity and may indicate that there were birth complications, which may explain why there were no children for James and Ethel. It may also have been the case that as the birth was imminent, Catherine may not have had a fixed abode, living rough on the streets.

The SAGs researcher, Sue Comrie-Thomson, went the extra mile and checked the Benevolent Asylum, Sydney records. They listed Beatrice Ethel Harris's, aged 10 days, admission to the asylum on 7 September 1878 from the Sydney Infirmity, and her mother, Catherine Harris, aged 18, from Tasmania, Church of England, single. **Father of the child was recorded as Ferdinand Plumer [sic], living with his parents at Tasmania.** Catherine and Beatrice were readmitted twice (13 November 1878 and 4 December 1878) and were discharged with permission 19 December 1878. Their destination was not recorded¹⁰³.

Further research in Tasmania revealed no birth registration for Catherine and no relevant Alexander Harris, Ethel's alleged father. However, Tasmanian reports of crime in 1875 reveal Catherine Harris, aged about 16 years, black curly hair and five feet high, an apprentice from the Queen's Asylum, had absconded from the service of Alexander Campbell, West Tamar¹⁰⁴.

The Queen's Asylum records are available and quite extensive and tell a very sad tale. Catherine was the daughter of William Harris and Mary nee Regan¹⁰⁵. Both parents were convicts, William, from Truro, Cornwall, being transported on the *Lord William Bentinck* in 1838 for stealing 6 pints of port¹⁰⁶, ¹⁰⁷ and Mary Regan, from Waterford, Ireland, on the *Arabian* for habitual vagrancy and drunkenness¹⁰⁸.

Catherine was initially admitted to the Queen's Orphan School on 15 February 1865 (and readmitted on 21 July 1865). Her siblings, Mary Ann and Caroline were admitted 3 days

later. Matthew at nine and a half, and Thomas at seven years, were each given an allowance of ten shillings per week. Only half the children were civilly registered and half were baptized Anglican and Catherine and Mary Ann were baptized by Reverend Mr. Maguire, Roman Catholic Priest. It is assumed that the children were briefly discharged when their mother was discharged from the Lunatic Asylum, however, as Mary Harris was readmitted on 24 July 1865, the children were obviously in need of care again, hence their readmission.

No. 44

This Application to be made in Duplicate.

FORM of Application for Admission of Children into the Queen's Orphan School.

Name of Applicant— *William Harris*
 Residence— *Glen Snu*
 Police Office, *Saunderston*
15 February 1865

APPLICATION for Admission of the under-mentioned Children into the Queen's Orphan School.

Name	Age.			By whom baptized.
	YEARS	MONTHS	DAYS	
<i>Matthew Harris</i>	<i>9</i>	<i>6</i>	<i>n</i>	<i>Rev. Mr. Wright Church of England ditto</i>
<i>Thomas ditto</i>	<i>8</i>	<i>n</i>	<i>n</i>	<i>Rev. Mr. Wright Church of England ditto</i>
<i>Mary Ann ditto</i>	<i>6</i>	<i>4</i>	<i>n</i>	<i>Rev. Mr. Maguire Roman Catholic Priest ditto</i>
<i>Catherine ditto</i>	<i>5</i>	<i>n</i>	<i>n</i>	<i>ditto</i>
<i>Caroline ditto</i>	<i>3</i>	<i>3</i>	<i>n</i>	<i>Rev. Mr. Wright Church of England</i>

Religion— *Church of England*
 Name of Father— *William Harris*
 Residence— *Glen Snu*
 Religion— *Church of England*
 Ship to the Colony and date of arrival— *Sunderland*
 Whether arrived Free or Bond— *Bond*
 Civil Condition, Free by Servitude, Conditional Pardon, or Ticket-of-Leave— *Free by Certificate*
 Date of Freedom or Pardon— *1860 27 May 1860*
 Trade or occupation— *Farm Labourer*
 Maiden Name of Mother— *Mary Pagan*
 Residence— *New Norfolk Lunatic Asylum for the Insane*
 Religion— *Roman Catholic*
 Ship to the Colony and date of arrival— *Arabian*
 Whether arrived Free or Bond— *Bond*
 Civil Condition, Free by Servitude, Conditional Pardon, or Ticket-of-Leave— *Free by Certificate*
 Date of Freedom or Pardon— *1857 16 May 1857*
 How employed— *In the Asylum for the Insane*

Catherine's initial Admission to the Queen's Orphan School authorised by the Governor, from Tasmanian Archives

There are some distressing documents regarding the Harris children running naked, unwashed and hungry in the bush after their mother left, and urgent pleas were sent to the Governor's Secretary for the children to be accepted at the orphan school. William signed for the admission. It seems that both parents were habitually drunk and neglected the children. Mary eventually succumbed to meningitis at the New Norfolk Lunatic Asylum on 2 June 1868¹⁰⁹ (Appendix 8). William went on to marry again and have a further nine children, bringing his total to fifteen.

Children who were admitted to the orphan school were mostly convicts' children, and were not released until their parent/s had their Tickets of Leave and could care for their children. Many children were never released to their parents and were apprenticed out until they were 18 years of age. Most of them were not orphans bereft of both parents.

Many locally born children who were admitted, were children of ex-convicts who had either come upon hard times or were imprisoned.¹¹⁰ The following statements by Joyce Purtscher, author of "Children in the Queen's Orphanage Hobart Town 1828-1863", in a presentation at

Church and Orphans School, St John's Avenue, New Town 1872 courtesy of Queens Orphan Asylum Website

the first Annual General Meeting of the Friends of the Orphan Schools in 2008 about the conditions in the Orphan School, highlight the deprivation that Catherine would have endured. *The health of children was also deemed poorer than the children on the outside. They were*



smaller in stature and weighed less. Girls slept two or three to a bed, which added to the spread of infection. Food consisted of bread and milk and tea for breakfast and evening meal, and meat and vegetables for midday meal. Any child caught stealing food from others, was stood in a prominent position in the dining room and his/her food distributed amongst the others¹¹¹.



Ethel Oxley, January 1912, Photo Courtesy of Pamela Slaney, great granddaughter.

The apprenticeship system of the Orphan school was a source of free labour for the settlers and Catherine was apprenticed twice, firstly to Alexander Campbell from whom she absconded on 13 August 1875, leading to her arrest on 3 September 1875 by Constable Cole¹¹². She was then apprenticed to Jonathan Plummer (a Shipwright) whose son was George Ferdinand Plummer, the apparent father of Beatrice. One can only speculate that Catherine was either seduced or worse, by Ferdinand, who was 4 years older than her, and instead of marriage, she was sent away, or fled to Sydney, New South Wales. The Benevolent Asylum Sydney records, linked with the Queen's Orphanage records show that Ethel Oxley is definitely Catherine Harris, daughter of William Harris and Mary Regan, from the Orphanage. **Catherine/Ethel was so blessed to become pregnant and flee to Sydney to eventually meet James Orchard Oxley.** And we only know of this through the Benevolent Asylum records naming the father of Beatrice.

It is not known how Catherine/Ethel met James Orchard Oxley. However, from the known practices of the Sydney Benevolent Asylum, women were supported to find domestic situations, and it may be that Catherine/Ethel became housekeeper for James and the relationship developed from there, and her new life as Ethel Oxley began. Her first public mention was in 1894. From 1910 she is paying rates on house numbers 50, 52 and Town Lot 30, Lindsay Street, North Perth, WA¹¹³, whilst apparently in London, England.



These backed onto properties James owned in Beaufort Street, North Perth, a short distance from the WA State Library, so between them they owned a substantial section of a significant city block.

Current photo of James and Ethel Oxley's Beaufort Street, North Perth Property, Built by James in 1896, Photo Courtesy Lyn Myles

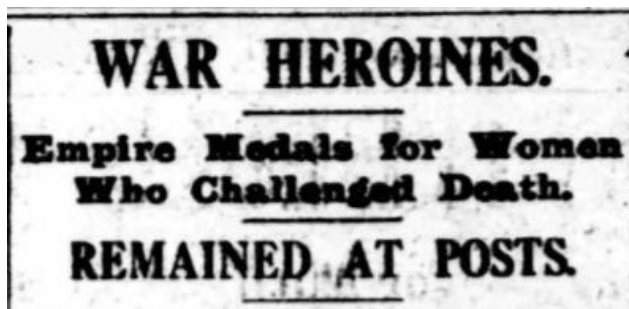
James and Ethel arrived back in Australia at Albany, Western Australia on the SS Medic on 19 April 1915¹¹⁴. Beatrice was not with

them. Perhaps James was concerned in regard to World War 1? They took up a property, named Depot Glen, for their retirement in the Perth Hills at Darlington, Western Australia. James had become a property tycoon, with a continuing interest in Western Australian properties in prestigious locations in Cottesloe and North Perth (now of heritage value) (Appendix 9) as well as Darlington¹¹⁵.



235 to 241 Beaufort Street owned by Ethel Oxley in 1915 – Photo - Lyn Myles

After the 1911 English Census, we next hear of Beatrice, as Beatrice Beaufort aka Oxley, receiving a British Empire Medal for bravery in 1918, during World War 1. The headlines reproduced here from April 28, 1918 say it all. The report states that “*Beatrice Oxley, Clapham Road, continued to do very dangerous experimental work undeterred by injuries received...*”¹¹⁶ and the London Gazette Supplement, 8 January 1918, stated that she was *Beatrice Oxley Beaufort* who was given the award “*for courage and high example in continuing to do very dangerous experimental work in spite of injuries received in consequence.*”^{117, 118} It is not known where the name Beaufort originated. Could it be as simple as James Orchard Oxley’s properties being in Beaufort Street, North Perth?



The British Empire Medal



And the next report found for Beatrice was a probate notice from the Principal Probate Registry, London¹¹⁹.

BEAUFORT Beatrice otherwise Beatrice Oxley of The Lady Amphill Nurses Institute Mount-road Madras **India** spinster died 16 September 1920 Administration **Perth** to James Orchard Oxley orchardist. Effects £75 16s. in England. Sealed **London** 10 June.

And it is not known why she went to India, other than for her job.

The above sad probate record makes it quite clear that there is a connection to James Orchard Oxley, but in this instance, James has also become an *Orchardist*. (He had such a wide range of business interests. The Darlington property had an orchard.) Beatrice was buried on 17 September 1920 at Madras St. Mark’s (Cassimode Cemetery), Madras, India¹²⁰, the service being performed by H. N. Bridge, M. A., Garrison Chaplain. Her burial certificate (Appendix 10) states she was Acting Lady Superintendent, Lady Amphill’s Nursing Institute, aged 37 (she was actually 42) and her cause of death was a skull fracture!¹²¹ The Pioneer Mail reported the event that lead to Beatrice’s death, a car accident¹²².

A TRAGIC MOTOR DRIVE.

MADRAS NURSE KILLED.

MADRAS, 16TH SEPTEMBER.

Another motor accident resulting in the death of Miss Beaufort, Superintendent of the Lady Amphill Nursing Institute, took place to-day on the road opposite Conzemara Hospital Hotel. Mr D. A. Price of the Olive Engineering Company, with a party of friends comprising Miss Beaufort, and Miss Jenkins, of the Lady Amphill Nursing Institute, was returning from an engagement when the car, a big twin six cylinder Packard, collided with a tree on the side of the road. The car was completely wrecked by the impact and three of the occupants were severely injured and miraculously escaped with their lives. The fourth, Miss Beaufort, was flung out of the car as it spun round from the force of the collision and was thrown on to her head many feet away. When she was picked up life was found extinct. Medical aid was telephoned for and Mr. W. R. Gibson was quickly on the spot.

Beatrice had several career changes in her short life from Vocal Artist, to a war related dangerous occupation and then a Nurse Superintendent, a wide range of skills. It is also apparent that World War 1 interrupted a potential successful career in opera for her. I am surprised that James and Ethel left Beatrice in England when she was undertaking war related work, and they seemed devoted parents supporting her voice training and education.

A surprising aftermath to Beatrice's death was the arrival in Fremantle, aboard the *Orvettio* on 3 December 1920, of Miss O. Beaton from Colombo to the care of Mr. J Oxley Esq., care of Bank of Australia, Perth¹²³ (Appendix 11). As at this time Ethel was quite ill, Olive Beaton was placed into St Joseph's College (a Catholic school in Fremantle, Western Australia). It became clear in the probate papers of Ethel Oxley that Olive Beaton was at least *her* grandchild, the daughter

of Beatrice, although the affidavit states that Olive was a lawful child of Ethel (See Appendix 12). This was highly unlikely at the age of 53 years and one may extrapolate that one's daughter's orphaned daughter is lawfully the child of her grandmother. No record of Olive's birth has been found, although she used the date 14 May 1913, and stated she was born in Cornwall. Imagine the trauma for a seven year old girl, losing her mother then travelling apparently alone on a ship to Australia to unfamiliar grandparents, who promptly placed her in a boarding school.

Complicating the situation was James's relationship with Ethel's carer housekeeper, Elsie May Hort, whose brother was a neighbour. Ethel's diabetes had resulted in a fall and she required help in the home¹²⁴. The relationship first came to light when Elsie May Hort and James Oxley Orchard were recorded as parents of Patricia Oxley Orchard, born at Queen



St Joseph's School, 1923, photo courtesy of Pamela Slaney, Olive's daughter.

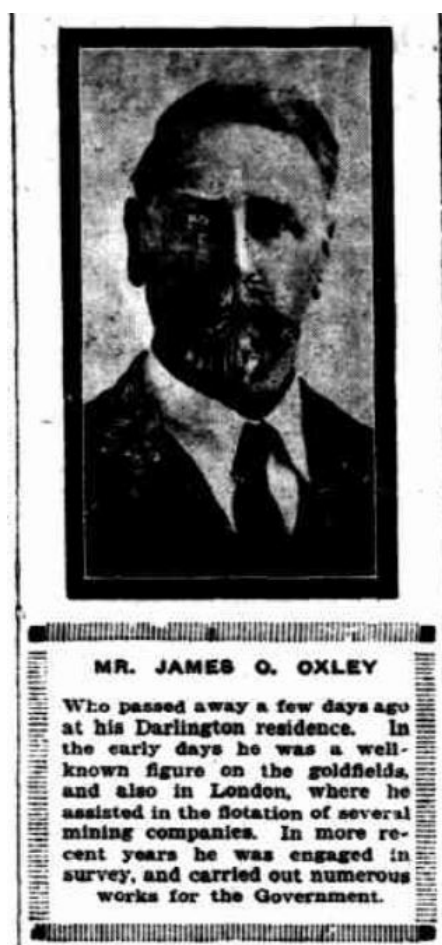
Victoria Hospital, Rose Park, South Australia on 19 September 1920¹²⁵. To avoid scandal, it seems that Elsie May travelled to Adelaide, South Australia to give birth in a hospital renowned for assisting with illegitimate births.

Patricia Orchard was also placed in the St. Joseph's Convent. The associated photograph shows three year old Patricia at the school and Olive Beaton holding the sign. Both Olive and Patricia were there in 1924 when James remade his will, naming them both. (Appendix 13)

Elsie May Hort

Elsie May Hort was born 15 September 1891, in Dandenong, Victoria¹²⁶ making her 31 years younger than James. Her parents were Thomas Hort and Louisa Amelia Hort nee Dallimore. The relationship between James and Elsie May continued, with another daughter Josephine conceived around June 1922. Meanwhile, Ethel died on 10 July 1922, aged 62, from Diabetes and Cardiac Failure¹²⁷ (Appendix 6) and was buried at Karrakatta Cemetery, Karrakatta, Western Australia¹²⁸. Six months later James Orchard Oxley married Elsie May Hort on 5 January 1923 at Fremantle, Western Australia¹²⁹, ¹³⁰. Their daughter Josephine, registered as Orchard, was born on 23 February 1923 at Albany, Western Australia¹³¹ (Appendix 14), perhaps another distant place of birth to limit the scandal from a birth 6 weeks after the wedding. Coincidentally, James *had* followed in his grandfather, John Oxley's footsteps in that *he* had a relationship with his housekeeper, resulting in the birth of two daughters, as had John. John Oxley, however, did not marry the housekeeper, and his eventual wife, Emma Norton, took special concern for those illegitimate daughters, liaising with her lawyer brother to ensure their welfare. John Oxley had also not amassed a fortune, but had actually died in debt¹³².

In James's will dated 2 April 1924, he lists Josephine Orchard at Gwentyfred Road, Victoria Park, Western Australia, so she was therefore not living at the Depot Glen, Darlington home with her parents. Another attempted cover up? A third daughter, Mary Molesworth Oxley was born on 30 May 1924 at Guildford, Western Australia and her birth was announced in the newspaper¹³³.



But tragedy was to strike again. James Orchard Oxley died on 11 August 1925, aged 64, a little over a year after Mary's birth. His cause of death was Chronic Nephritis, Cardiac Failure and complications¹³⁴ (Appendix 15). He was buried with Ethel in the Anglican section of Karrakatta Cemetery¹³⁵. His obituary (pictured) in Perth's Sunday Times, given his amazing life, was very short and uninformative¹³⁶.

Analysis of James's death certificate reveals a further cover up. His only listed child was the last born, Mary Molesworth Oxley, who had been born a "respectable" time after the marriage between James and Elsie May. Also, Ethel, as wife number one, was named Ethel Beaufort, perhaps as a result of Beatrice being known as spinster Beatrice Beaufort. It also indicated that James and Ethel had been married in New South Wales at his age of 25 years. No marriage has ever been found for James Orchard Oxley and Ethel.

James's will also made fascinating reading (Appendix 13). He left his estate to Elsie May Oxley for the rest of her life and then it was to be divided equally between his 3 daughters and Olive Beaton.

James was well educated and a successful businessman who must have been very astute in assessing the character traits of everyone with whom he came in contact, and his business acumen was acute. By the time he drafted his last will and testament, his foresight was, in hindsight, perhaps lacking, but reflective of the times when he made it, and cognisant of the fact that a will's customary function was to deal with material assets.

Olive Beaton

Olive remained at St. Joseph's School until she was 14 years old, when she returned to Darlington to keep house for Elsie May. In 1928 she is recorded in the Western Mail as attending the Darlington Parent's and Citizen's annual children's fancy dress ball¹³⁷. Olive would have been 14 or 15 years old then. When Olive turned 16, she was told to leave and make her own way in the world¹³⁸. She undertook a Home Nursing Course with The St John Ambulance Association in Western Australia, passing the examination in December 1936¹³⁹.

Olive, also known as Olive Beatrice Beaton, made her way to Victoria, Australia, where she had a career as a nurse and then Boarding House keeper. She married, on 28 December 1946, William Cecil McCreery at the Presbyterian Manse, Brunswick, Victoria¹⁴⁰ (Appendix 16).

In late 1950 and early 1951, lawyers for Elsie May Oxley advertised for Olive to come forward as Elsie May wished to sell some land covered by the will of James Orchard Oxley¹⁴¹, ¹⁴². Olive's daughter Pamela states that Olive was unaware of the notice, being in Victoria, and was also unaware that she was entitled to a share of James Orchard Oxley's assets at that time¹⁴³. Olive's family lived a very poor existence.

William and Olive had 3 children, who spent a number of years in an orphanage, as William McCreery had a serious drinking problem and Olive could not manage the children without the support of an extended family. Olive died at age 67 on 14 August 1980 in Melbourne, Victoria¹⁴⁴ and was buried at Fawkner Cemetery¹⁴⁵. From her death registration it was sad to realise that Olive and her children did not know of her parentage, her mother being recorded as Beatrice Glover and her father James Beaton.

They were delighted, however, to have in their possession photos of Olive's (apparent) grandparents, though there was some confusion about whether they were her parents. They knew there was a connection to John Oxley, but were unaware how the connection fitted and who he was. An explanation for the names given by Olive for her parents was a suggestion that she was embarrassed that she did not really have the facts, so she created them.



Olive Beaton, Photo courtesy of Pamela Slaney, Daughter

Whilst Olive received her fourth share of financial assets in accordance with the terms of James Orchard Oxley's will in 1974, six years before she died¹⁴⁶, as an orphan with no

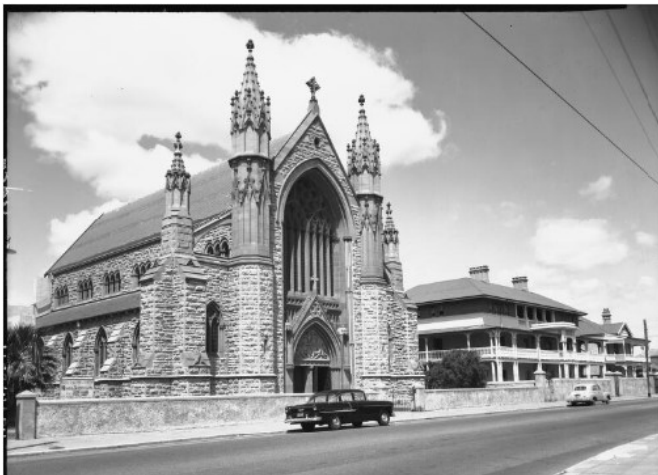
known relations, she lacked the comfort of having an extended family and maternal support for most of her life. I suspect in relation to Olive, James's step granddaughter, and his daughters, he was relying on them to be nurtured and supported during their formative years, as James had nurtured and supported his step daughter, Beatrice, who was able to pursue voice training in Paris, France. This was not the case for Olive, who was sent off to make her own way in the world at 16 years of age, reflective of the poorer class's approach to transitioning children into adulthood and the world at the time.

Patricia Oxley Orchard, Josephine Orchard and Mary Molesworth Oxley

What of the fate of the three daughters of James Orchard Oxley and Elsie May Hort?

Patricia Oxley Orchard, known as Patti, remained at St. Joseph's Convent and also worked as housekeeper cleaner for her mother after she left the convent. She eventually became a shorthand typist. Patricia married, at age 19, Atlee James De Atta on 6 April 1940 at the Church of the Ascension, Midland, Western Australia¹⁴⁷ (Appendix 17). Atlee James was born in Fremantle on 3 May 1919, so was actually a year younger than Patricia, not aged 20 as stated on the marriage certificate.

Their first daughter was born 4 months later. Atlee James enlisted in the RAAF in World War 2¹⁴⁸, eight months after their second child a son was born in 1942. A third child, a daughter was born two years later, and Atlee James, known as James, was discharged from the RAAF in 1946. Their early married life was lived in Rockingham, Western Australia. The marriage certificate has a notation that the marriage was dissolved on 23 May 1973. Patricia lived for some time in Darwin, Northern Territory and in Forster, New South Wales where she died in 2017. Her children are not close and the girls have lost touch with their brother.



St Joseph's Church and College, Fremantle photo courtesy Darlington History Group Inc

In an interview on 3 March 2007 with Pamela Slaney, daughter of Olive Beaton, who was seeking her family history, Patricia stated she did not want to revisit her past and was very bitter as she had a very, very unhappy childhood. She was sent to the St. Joseph's convent, which she regarded as an orphanage, by her mother and had thought that Olive Beaton was a distant cousin whom she vaguely remembered.

In regard to her mother, Elsie May, Patricia "*portrayed Elsie May as a cruel ++ mother. She was the only person in the district with a motor car and was very fond of her many men friends who*

*would come and stay over... She claims her mother's life was full of lies and deceit. She had 3 birth dates.*¹⁴⁹"

Her three children have all suffered broken marriages as well.

Josephine Orchard enlisted in the RAAF on 18 March 1942, and was posted to 6 Transport and Movement Office¹⁵⁰ as a clerk. Her enlistment form has her address as Depot Glen, Darlington, crossed out, and University, Crawley listed. A notation states her name is Josephine Orchard on her birth certificate and a *Statutory Declaration* (for the change to Josephine Oxley) is attached to the form. Josephine worked as a Clerk at the University before joining the RAAF. The medical report reveals that she had some very severe scarring on her body when she enlisted, with a large scar on her upper back, scars on left thigh and right leg. Even though she was 19 years old, there was no indication that she was given consent to enlist by a parent or guardian, however, Elsie May Oxley, Mother, is recorded as a person to inform of casualties¹⁵¹.



**Josephine Orchard Oxley –
Photo from Service Record**

Her marriage to Francis McDonald Smith on 4 August 1945 occurred at Townsville, Queensland¹⁵². Francis, also in the RAAF, enlisting 20 June 1942, was born on 24 December 1921 in Melbourne, Victoria¹⁵³ to Francis McDonald and Jessie Smith. He was discharged on 16 May 1946, however appears to have remained in the Airforce after the war, as he was based at McMillan and Ipswich post war¹⁵⁴. Josephine was discharged from the RAAF on 27 September 1945. Josephine had her birth certificate amended to reflect her real name of Josephine Oxley, not Orchard, on 5 March 1983¹⁵⁵ (Appendix 14).

Josephine and Frank had one son, Derek Francis McDonald Smith who lives in Queensland. They lived in Darwin, and in Queensland and retired to Mermaid Waters, Queensland. Francis died there on 27 September 2002¹⁵⁶ and Josephine died in 2005¹⁵⁷.

Mary Molesworth Oxley also joined the RAAF, on 28 November 1942, and was based at Air Defence headquarters in Perth where she was a nurse and she continued a nursing career after discharge from the services. She was discharged on 7 May 1946¹⁵⁸. At Bethesda Maternity Home, Marrickville, New South Wales, on 6 September 1956, Mary had a son, Ian John Oxley, father unrecorded¹⁵⁹. Ian John is known as John and they returned to live in Western Australia, where John attended Darlington Primary School¹⁶⁰.

Unfortunately, Mary developed cancer of the wrist which eventually progressed to lung cancer, and she died on 1 April 1963 at Darlington. “*She was the first person in WA to have her chest opened and her heart pumped back to life*” when she arrested after an allergic reaction during anaesthesia while undergoing surgery for the wrist cancer.¹⁶¹ Mary was cremated at Karrakatta Cemetery and her ashes joined James and Ethel in the family grave¹⁶².

John was then briefly cared for by Patricia’s oldest daughter, Joy Fern Telford, then Hort family relatives. His education, initially at Darlington Primary School, progressed to Masters and Graduate Diploma level and he has a very successful career in information technology. He and his family live in Queensland¹⁶³.

Elsie May Oxley nee Hort

Elsie May lived a very active social life, financed by James’s assets and his life insurance policy. Immediately after James’s death, Elsie May sold the 235 – 241 Beaufort Street, North Perth properties¹⁶⁴. She tended the orchard on the Darlington property and picked and sold

the fruit. She developed dementia, was admitted to a nursing home in about 1968 and died at Touhy Memorial Hospital, Midland, Western Australia on 2 September 1972, aged 80 years. She was cremated at Karrakatta Cemetery and her ashes added to the family grave there¹⁶⁵.

Most of her family don't remember her fondly. As Olive Beaton and Patricia were placed in St Joseph's Convent and Josephine was placed elsewhere from very early in her life, a close, caring, maternal bond was undoubtedly affected. And Olive was not a blood relation. However, the technical terms of James's will were met after Elsie May's death.

Any remaining memorabilia and effects were removed from the Darlington house by family members, and the wooden house was so badly deteriorated that it was eventually demolished and the land sold and subdivided¹⁶⁶. A sad end to a life of honest toil and achievements by James Orchard Oxley.

Headstone at Karrakatta Cemetery, Perth, WA



Transcription

To The Memory
of
ETHEL
BELOVED WIFE OF
JAMES O. OXLEY
Died 10th July 1922
Aged 62 Years
God Rest her Soul in Peace
Also
JAMES ORCHARD
BELOVED HUSBAND OF THE
LATE
Ethel and Elsie May Oxley
Died 10th August 1925
Aged 64 Years

Conclusion

Many questions still remain about the life of James Orchard Oxley and his family, despite the extensive investigation undertaken. Where was James educated? Did he officially marry Ethel Harris? Did he know of Ethel's very difficult beginnings as Catherine Harris? Why did Ethel travel East alone in 1894? What did Beatrice actually do in her War Service to gain the British Empire medal? Where is the medal? Who was Olive Beaton's Father? Where did the name Beaufort come from? Was James really the father of Patricia, Josephine and Mary Molesworth Oxley? Who lived at Gwentyfred Street, Victoria Park where Josephine, at age two, resided in 1924? Who has any of the memorabilia, if any survived, from the Darlington residence? Some questions can be solved with DNA testing but most we will never know.

Suffice to say that James Orchard Oxley worked very hard, excelled at business, treated his partner Ethel as an equal, supported his family in lavish style and set up the future for himself and his dependents. It is sad that the legacy of his life and achievements are only commemorated in naming of Oxley Road and Place in Darlington. World events such as World War 1 and the “Spanish Flu”, and decisions and events in James’s later personal life with attempts to blur the unorthodox arrival of his first two daughters, James’s relatively early death, later family discord, scattering of his family to eastern Australian states and the passage of time, have obscured the impact and import of James’s achievements.

His children were very young when he died, his relationship with Elsie May Hort relatively short and they were therefore probably unaware of his vast contribution to the discovery and development of gold mines in Western Australia. His mining surveying, entrepreneurial and share broking skills, both in Western Australia and in London, assisted in putting the Western Australian Goldfields onto the world stage! Family memorabilia and history, if known, were not shared with all his descendants, adding to loss of knowledge about the past.

It is interesting to note as well, how history has repeated over the generations. Both John Oxley and James Orchard Oxley developed relationships with their housekeepers, resulting in illegitimate children. John Oxley died young leaving a family of four, aged two to fifteen years. His son, Henry Molesworth Oxley died young leaving a family of five, aged one to nine years. His daughter Frances’s husband, William Waugh, was murdered, aged 45, leaving a family of five, aged four to fifteen and John’s grandson, James Orchard Oxley left a family of three, aged one to four years of age, and an orphaned step granddaughter aged twelve. In all cases, this left the children in single parent homes as the spouses did not remarry. James was indeed a chip off the old block.

Appendix 18 gives an outline of James Orchard Oxley’s family relationships. Appendices 19 and 20 provide more detailed summaries of Ethel Oxley nee Catherine Harris’s family and Henry Molesworth Oxley Senior’s descendants.

APPENDIX 1 – James Orchard Oxley’s birth transcription

NSW BIRTH REGISTRATION TRANSCRIPTION		REF NO 1860/5230
NAME	JAMES ORCHARD OXLEY	
SEX OF CHILD	MALE	
DATE OF BIRTH	13 NOV 1860	
PLACE	WINGECARRIBBEE (SIC), DISTRICT OF BERRIMA	
FATHER	HENRY MOLESWORTH OXLEY	
OCCUPATION	GENTLEMAN	
BIRTHPLACE	NEW SOUTH WALES	
AGE	34	
DATE OF MARRIAGE	1854	
PLACE OF MARRIAGE	BERRIMA	
MOTHER	EMILY ORCHARD	
BIRTHPLACE	MIDDLESEX, ENGLAND	
AGE	29	
PREVIOUS ISSUE	1 MALE, 1 FEMALE LIVING	
INFORMANT	H M OXLEY, THE FATHER, AT BERRIMA	
PRESENT AT BIRTH	MRS WARBURTON	
REGISTERED	13 DEC 1860 - BERRIMA	
NOTES		
Ref No 9801665		Printed 2 October 2020

NB: THIS TRANSCRIPTION IS NOT A CERTIFIED COPY FROM THE REGISTERS AND CANNOT BE USED IN ANY LEGAL PROCEEDINGS WHATSOEVER



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SATURDAY AUG. 12.

J. O. Oxley, surveyor, sued Messrs. Saw and Saw, hotel-keepers, Narrogin Kalam-scott, for £25, claimed as the value of two horses which had been placed in the defendants' paddock for agistment and got away. The defendants denied responsibility. Mr. Haynes appeared for the plaintiff, Mr. Burnside for the defendants. The plaintiff's case was that in February last he arranged with F. J. Saw to leave two horses in the homestead paddock, to be looked after, at 1s 6d a head per week, and the fences being stated to be good repair in June the plaintiff sent for the horses but they had got away. He had given £12 and £6 for the horses, and after getting used to his work they were worth to him £25. H. Farmer and H. Burrows gave some evidence in corroboration. For the defence, F. J. Saw deposed that he agreed to take the horses in, but the only promise made was that there was plenty of rough feed and water to keep the horses in condition. He said nothing about responsibility. Two roads went through the paddock, and the public used them, leaving the gates open occasionally. The fences were thoroughly horse-proof. He always examined the fencing after a bush fire. A fallen tree broke the fence, and on being discovered the damage was repaired. He had five or six other horses in the paddock, and they did not get away.

Mr. Burnside contended that, in the absence of express agreement as to responsibility, the question was whether reasonable care had been exercised; that the payment of 1s. or 1s. 6d. a week for grass feed could not reasonably imply that the keeper of the paddock should ride round the fences every day; and that no payment was made for taking special care of the horses. Also, no negligence had been shown. Mr. Haynes, for the claimant, contended that the defendants were professional agisters, and were bound to exercise every care, according to decided cases; and that in taking the horses in for agistment they had, admittedly, not disclaimed responsibility. His Worship found the defendants were public agisters, and must exercise reasonable care, and not having disclaimed responsibility, nor exercised reasonable care, according to their own evidence, they must pay the claim to the amount of £18 and costs.

The court adjourned until Monday next at 10:30 a.m.

At the Perth Local Court yesterday, before Mr. Cowan, P.M., John Williamson sued J. O. Oxley and others for £100, a claim for wages due for services as a prospector. Mr. G. Leake appeared for the plaintiff and Mr. R. S. Haynes for the defendant. After evidence had been heard, plaintiff agreed to accept £30. A judgment for this amount was accordingly entered by Mr. Cowan, with £10 costs.

AN INTERESTING CASE.

ALLEGED FRAUD.

In the Warden's Court to-day a case of unusual interest came on for hearing. The suit is one in which John Andrews applies for the rescission of a contract in respect to the sale of gold lease No. 18, such sale having been negotiated by fraud on the part of the purchasers—the King Solomon Gold Mines, or their agents, James Orchard Oxley and Thomas Corney, the defendants named, being cited as parties to the fraud. The evidence given was that Andrews was approached last year for the sale of lease 18 as a machinery area, the defendants representing that the same was no good, and giving an agreement for £200 and 3000 shares in the King Solomon gold mines. Later on in the year Andrews visited London, and then ascertained that the company were fully aware of the great value of the adjoining lease, and also that they had advised its purchase. He now applies for the sale to be upset as obtained by fraud and conspiracy, submitting, in addition, that lease 18 has been trespassed upon by the King Solomon Mines Company, and that gold-bearing quartz to the value of £30 had been abstracted. The plaintiff deposited £200, the purchase money, in Court. The Court required a distinct defence by the defendants to clause 3 of the plaint alleging prior knowledge of the developments on lease 18. The case was adjourned for further hearing till Monday, the Bench intimating that the defendants would be committed if they disobeyed the order of the Court.

THE KING SOLOMON GOLD MINES.

DISPUTED SALE OF A LEASE.

Before Mr. Finnerty in the Warden's Court yesterday, John Andrews proceeded against James Orchard Oxley, Thomas Corney and the King Solomon Gold Mines, for the rescission of a contract in respect of the sale of gold-mining lease No. 18, such sale having been negotiated by the fraud of the purchaser or his agent's, inasmuch as they were aware of the value of gold-mining lease No. 18, and had trespassed on the underground workings and penetrated the lode within its boundaries, and abstracted gold-bearing quartz to the value of £30. The plaintiff applied for the whole sale to be upset, as the same was obtained by fraud and conspiracy.

Mr. Andrews appeared for the plaintiff, and Mr. Jenkins for the defendants.

Mr. Jenkins raised the point that the court had no jurisdiction.

Mr. Andrews asked the court to proceed with the case, as all the defendants named were parties to the alleged fraud. Under sub-section 6 of the Act he said the Warden has power to rescind, and specially cited a case in point decided last year, viz., Armstrong v. Macdonald, in which judgment was given, execution levied, and no appeal was made.

Mr. Jenkins again objected, whereupon counsel for plaintiff asked that the case be proceeded with under Section 52. He also asked that Mr. Jenkins be made to appeal to the Court of Mining Appeal, and not to state a case for one judge only.

The Warden agreed that he had jurisdiction.

The plaint was amended accordingly, for rescission only. The contract of sale was from Andrews to John Oxley.

John Andrews, registered holder of lease No. 18, said that last year the defendants approached him for the sale of the lease as a machinery area, saying the same was no good, and giving an agreement for £200 and 3000 shares in the King Solomon Goldmines. Mr. Andrews signed the deed on Oxley assuring him that he was making nothing personally out of it, but was acting for the King Solomon Goldmines. Mr. Andrews went to London, and found that the company knew full well the great value of lease 18, and also that they had advised the purchase of same. Mr. Andrews returned, and asked the Warden for a special survey, and the results fully assured Mr. Andrews of the truth of his surmise. Mr. Andrews thereupon asked the Warden to rescind the order, and deposited the amount of £200 into court.

At this point Mr. Jenkins asked for an adjournment on the ground that a special commission was necessary to examine Mr. Oxley, who was now in England. This Court had not the power to make such an order, but such was possible for the Supreme Court.

Mr. Andrews showed that the plaintiff was the representative-in-chief of the property in dispute. No notice of defence had been lodged. On reference being made to the Bank by the Warden, no such document had ever been received. A defence was accordingly put in.

Referring to paragraph 5. The defendant Oxley denied such assertion. He did not know of his own knowledge anything of the developments before making the contract.

The Court required a distinct defence to be put in by the defendants to clause 3 of the

The Court required a distinct defence to be put in by the defendants to clause 3 of the plaint. Such was refused by the defendants.

The Court therefore adjourned till Monday next for such defence to be put in, defendants to pay costs of the day, such costs to be paid into court on Monday morning before 10 o'clock.

Mr. Jenkins, for the defence, intimated that he could only come in with same defence, which was a distinct denial of the whole case.

The Court intimated that the defendants would be committed for contempt of court if they did not carry out the order.

WARDEN'S COURT.

MONDAY, JULY 5.

(Before the Warden, Mr J. M. Finnerty, R.M.)

THE KING SOLOMON CASE.

JOHN ANDREWS V. JAS. OXLEY, W. P. CORNEY, AND THE KING SOLOMON MINES, LIMITED.

This case was resumed yesterday morning. At the opening, Mr Andrews, counsel for the plaintiff, said the defendants had handed plaintiff a defence on which, subject to his Worship's consent, the plaintiff wished to proceed.

Mr Jenkins said that the judges of the Supreme Court might consider they had power to remove the case from the Warden's Court, and asked for an adjournment to enable them to commence the preliminary proceedings.

Mr Andrews contended that the case was absolutely within the jurisdiction of the Court.

The Warden agreed with this view, but the fact of Oxley being in England rendered it desirable to obtain his evidence. He suggested that the evidence for the plaintiff should be taken, after which the case might be referred to the Supreme Court.

John Andrews, registered proprietor of lease 18, said he had returned from England in the first week of January this year. Mr Cumbræ-Stewart was his attorney, and in consequence of what he said witness saw Mr Corney. Mr Oxley was then on his way from England. Witness spoke to Corney about lease 18; he said it was no good, only fit for a battery site. The matter was adjourned at Corney's suggestion until the return of Oxley, who represented, Corney said, the King Solomon's Mines. When Oxley returned they approached witness again as to the purchase of the lease. The three of them had several conversations, and they always informed witness that the lease was of no value. Witness asked them both on February 17 whether the reef they were working on lease 376 went into his ground or near it. Oxley said he had been down the mine with Corney, and that the reef did not go anywhere near witness's lease. Witness pressed them on those statements, and asked them as man to man to tell him the truth. Their answer was always the same. Mr Corney said the reef might go into witness's ground at 500ft, but he did not think it would. Witness asked them if they were working anywhere near his boundary. He repeated the question several times, and both of them absolutely denied it. Witness asked to be allowed to go down

times, and both of them absolutely denied it. Witness asked to be allowed to go down to see for himself, but Mr Corney refused, and witness then accepted their word. He understood that their primary object in effecting this purchase was to use the ground as a battery site, it being valueless for other purposes. Mr Oxley told witness he was buying the property for the King Solomon's Gold Mines. Witness asked Oxley whether he was making anything out of it, as he would not sell except to the King Solomon's Gold Mines; and Oxley said he would not make anything unless the company gave him a bonus in the shape of some shares and a £50 note. Witness had told Oxley that he would not sell if he—Oxley—was to make anything out of it on his own account. Witness remembered the night of February 17, and Corney and Oxley pressing the agreement upon him, and he then agreed to sell the lease. He signed the agreement next morning in Oxley's office in Coolgardie Chambers. The agreement produced was the one signed by witness, and provided that if the share capital of the company was increased, the number of shares given to him as purchase money should be increased *pro rata*. 3,000 shares only were lodged to witness, but the capital of the company had been increased by £20,000. The transfer was signed the same day. He was induced to make the agreement because, by what he had been told, he considered that the property was valueless to him and of some value to the company as a battery site, and it was therefore advisable to make the best of a bad bargain. Their representations were most certainly the cause of his selling. He would not have signed the contract or transfer if he had known they were working his lease. The agreement and transfer were witnessed by W. T. Corney. It was represented by both Oxley and Corney that Oxley had come out here with special powers from the company to treat for the property. He had never been informed by any of the defendants that they were working on his ground, and he had no knowledge of it. Some two months after the sale, it was brought to witness's notice that the company was increasing its capital by £20,000, and witness obtained an order from the Warden to have the ground surveyed, and gave notice to the defendants repudiating the contract. He had frequently asked for more than 3,000 shares during the negotiations, but he had been told that the property was not worth more than £150, and Oxley said he was getting all the company could afford to give. Both Oxley and Corney promised that the capital of the company would not be increased without reconstruction, and if there were any increase he would set his increase *pro rata*. About £3,200 had

tion, and if there were any increase he would get his increase *pro rata*. About £3,200 had been spent on the mine in buying other shareholders out and in working.

Cross-examined: He had no definite occupation, but was the director of several companies, such as the Kalgoorlie Gold Mines, Ltd, the New Zealand and West Australian Syndicate, and the Chingford Syndicate. He had never sold the property, except to Mr Oxley. He had never sold the property to the Chingford Syndicate, but the syndicate had an interest in the lease. He had given the syndicate an agreement to sell the lease. He was the holder of a two-thirds interest in the syndicate. Mr W. T. Holmes was also a director of the syndicate. To his knowledge the Chingford Syndicate had never re-sold the property in London.

Mr Jenkins asked how the witness explained these statements, as the Chingford Syndicate had lodged a caveat against the sale of the lease 18 which they claimed as their property. He also held an agreement entered into between the syndicate and John Andrews, which stated that the purchase money had been paid, and that he held the property in trust, to hand over to the syndicate when desired.

Witness contended that the sale had not been completed. The syndicate had no power to sell except after consultation with him. He had full power to sell. He had spoken to Mr Wright, of the Clyde Company, about it, and Mr Wright had cabled Home. He thought he had mentioned to Mr Wright purchase money of £1,000 in cash and 12,000 shares in the Clyde gold mines. Witness had asked Mr Alison Smith about the mine, and had asked him, he thought it was about 12,000 shares and about £1,000 cash. It was not £800 and a small interest in the lease. If Mr Smith said so he would be mistaken. He had never been told by anyone that the King Solomon Mines people were encroaching upon his lease.

The Warden—They did not know it themselves; Mr Corney told me so distinctly.

Mr Jenkins—I don't think so, Sir; there must be some misapprehension.

The Warden—There is no misapprehension. Mr Corney told me himself that they had never encroached.

Mr Jenkins—Well, Mr Corney will be put in the box later on.

Mr Smith had never told him, and he had not replied to that "I don't care if they are, I must sell the property. He had never been told by Mr Corney of the encroachment, and had never made a similar reply to him. The Chingford Syndicate had no money to keep on working the lease. Witness had not found the lease to have any value outside the King Solomon's work-

value outside the King Solomon's workings. Had the representations not been made to him, he would still have been willing to sell for £200 and 3,000 shares. He would swear that Corney was present with Oxley on the night of February 17, at the Club, when they had the conversation about the sale. He had no reason to think that defendants were working in his ground. Corney had told him he could not go down the ground to see the workings, but the day the contract was signed Corney gave him permission to go down. The Union Bank placed the money for the sale of the lease to

the credit of his account, but they asked him not to operate on it, because there was a caveat lodged from England. The Chingford Syndicate lodged the caveat, he thought, because they heard the lease was being sold for one price here and another price in London. On May 5 he had received the letter produced, and he had instructed his solicitors to forward the reply put in. On May 7 he instructed them to send the second letter produced. On May 17 he applied for an underground survey to be made, which was started the same day or the next day, and the surveyor then found that the King Solomon's Mines had encroached upon lease 18. Witness was informed of this within the space of four days. He instructed his solicitors to repudiate the contract immediately. Nobody had told him that the Chingford Syndicate had sold the property in London. He had heard something from other people, but not referring to this sale.

Re-examined: He had formed the Chingford Syndicate in England with 4,500 shares, of which he himself was bound to take up 3,000. They were to provide funds for the working of the lease, but they had not done so. They had not paid up since September, and he looked upon himself as the sole owner.

Louis Willis, general speculator knew Oxley and he remembered having a conversation with him after the sale of the lease, and Oxley offered him the reconstruction of the King Solomon's Mines, and Oxley acted as the principal in the matter.

John Wilson Archibald knew Oxley and lease No. 18, and that Andrews had sold it to defendants. He remembered driving with Mr Oxley after this sale, and Oxley told witness that he was instructed to report upon King Solomon's Gold Mines. Witness had been down the workings six months ago, and could then see that a crosscut had been put into lease 18. On that occasion his opinion after seeing the plan, was that the reef dipped into lease 18. In the course of con-

dipped into lease 18. In the course of conversation Oxley mentioned he was buying the lease from Mr Andrews. Witness presumed that Oxley certainly knew the reef dipped into lease 18.

The Warden remarked that the plan put in as seen by witness, showed that the lode went into lease 18.

The Warden: I will put the question to you straight. Could anyone seeing the plan help knowing that the reef was running into lease 18.

Witness: I should say not.

Cross-examined: No restrictions were placed upon him in respect of that plan.

Jean Pierre Charra, manager of the Franco-Australian Company, said he had gone down the King Solomon's mine on February 18; he had received instructions from his company to report upon that mine; it was evident that the reef was dipping into the next lease. Witness took samples of the reef. They were satisfactory, and he reported favorably upon the King Solomon's Mines. He also stated that the reef was dipping into lease 18. The samples he took assayed about 3oz.

Ellis Willa, assayer at the Franco-Australian Company, had gone down lease 376 with Mr Charra. He took samples in block 18, but did not know what they assayed. Anybody could see that the reef was running into lease 18.

H. Hartung, mining surveyor, deposed that he had gone down King Solomon's Mines by order of the Warden, and made a complete survey. Encroachments had been made on lease 18, and these were shown in the plan produced. Part of their main drive, about 40ft, and a crosscut about 20ft were in block 18. There was a reef showing in the crosscut.

Cross-examined: All the stoping was done on lease 376.

The case was here adjourned for lunch.

On resuming after lunch, Mr Jenkins said he had received a wire to the effect that a judge of the Supreme Court would grant an injunction restraining proceedings in the case before the Warden's Court.

The Warden said he did not consider that one judge of the Supreme Court had any power over a Warden in a case of that kind. It was the Court of Mining Appeal to which they must go. He did not believe that the Supreme Court would be willing to take the case out of this Court.

Joseph Crane Watts, mining surveyor for the King Solomon's Mines, knew that their workings were in block 18 in December of last year. He had first seen that the workings were on lease 18 from a plan made by his draughtsman. Mr Corney had access to the plans.

Cross-examined: Had made a survey of

the plans.

Cross-examined: Had made a survey of the mine in May.

John William Blackett, manager of King Solomon's Mines, said that their workings went into block 18 about last October. Mr Corney frequently went down the mine, and Mr Oxley had been down some time in the latter part of last year. Oxley and Corney went into the crosscut which encroached upon lease 18. He could see in October that the reef was tending towards lease 18. He told Corney that he was in lease 18.

To the Warden: The King Solomon's Mines paid the cost of the workings on lease 18.

William Henry Armstrong, mining agent, remembered the plaintiff telling him about the sale of lease 18, and had said that he had sold the lease to the King Solomon's Co., through Messrs Oxley and Corney, as a battery site.

Mr Jenkins objected to this evidence, and a note was made of his objection.

Richard B. Andrews, solicitor, deposed that the plaintiff instructed him about May 17 to apply for a survey. This was done, and witness first saw the plan on May 21, when he advised Mr Andrews that he would have to repudiate the contract. Witness was instructed to do so, and drew the notices of repudiation, but held them back for three or four days to obtain Mr Andrews' signature, as he had gone out to Kalgoorlie.

This closed the plaintiff's case.

Mr Jenkins raised the objection that no Miner's Right had been produced by Mr Andrews to entitle him to bring a suit in this Court, secondly there was no proof before the Court that Oxley was acting on behalf of the King Solomon's Company; and thirdly that there was no proof before the Court that the encroachment was known to Oxley.

The objections were overruled.

Mr Jenkins stated that the defence was that the encroachment was within plaintiff's knowledge at the time of the sale.

Alison D. Smith, mechanical engineer, had been a friend of plaintiff for many years. Plaintiff had told him about January 11 that he desired to dispose of lease 18. They talked on several occasions about the King Solomon's Mines, and witness informed Mr Andrews that he was firmly under the impression that the best gold which had been got on King Solomon's had been got just on the boundary or inside the boundary of block 18. Mr Andrews replied that he believed there were good reefs, but he could not help himself. Andrews asked witness to try to sell the property, and the selling price agreed upon was £800 and one-tenth of the shares of any company, out of which witness was to receive his commission. Witness submitted that offer to Mr Corney on behalf

was to receive his commission. Witness submitted that offer to Mr Corney on behalf of the King Solomon's, but Corney declined to deal; also to Mr Henry Wright. Mr Andrews approved of its being submitted to Mr Wright. He also saw Mr Oxley about the sale of the lease, and Oxley offered £200. Plaintiff had told him he could not keep up the expenses of working the lease, and that he must sell for a reasonable price.

Cross-examined: This was in the early part of January. When he was trying to sell lease 18 he mentioned to both Oxley and Corney that their workings were on the lease.

To the Warden: He had not received any commission for the sale of the lease.

Norman M'Dougall, living at Mr Corney's camp, remembered Oxley returning one evening and telling Corney and witness that he had concluded the purchase with Mr Andrews, who would sign the contract in the morning.

Cross-examined: Oxley returned late, about 12. He would not swear that Corney was in before 11 that night. He could not fix the date.

George P. Stewart, accountant at the Union Bank, said that the sum of £250 was received from the National Bank in connection with the purchase of lease 18. Instruc-

to the Union Bank. Owing to some difficulty about obtaining the money, he cabled to Collins and Co. to instruct the Bank in the matter, and subsequently he received the money, and paid £175 to the credit of John Andrews account and lifted the transfer, which was drawn in favor of John Oxley. Witness took the transfer for registration, but found that there was a caveat lodged against its being registered. He saw the plaintiff on the matter afterwards, but he said he could not understand it, and would have it removed at once for him. On subsequent occasions plaintiff told him he was doing his best to have the caveat removed; this had not been done. Before the contract of sale was signed Andrews had said he would like to go down the mine, and witness told him he would take him down some day; no appointment was made, and Andrews had never demanded to go down. Before Oxley returned from England, plaintiff had frequently asked witness to buy block 18 on behalf of the King Solomon's, as he could not afford to keep on working it. Plaintiff had frequently asked witness if they were near his boundary. At that time they were not. Witness did not answer, and plaintiff had said—"Well, it doesn't matter if you are or not, I must sell."

The Court was then adjourned until 10 a.m. on Tuesday.

tions were subsequently received to pay the money to Corney's order; £175 of the amount was credited to John Andrews, and the transfer of the block lifted.

Cross-examined: The transfer was lifted by Mr Corney under cable instructions from London. Witness had advised plaintiff not to touch the money at present, and he had agreed to it.

Walter Thomas Corney, attorney for the King Solomon's Gold Mines, Ltd, said Mr Oxley never had been the attorney, nor had he ever held any power of attorney for the company. Knew the plaintiff, and had frequent conversations with him about the sale of block 18. Had never agreed to purchase it on behalf of his company. To the best of his belief he was never at the Club on the night of February 17. He would swear he was not present at the completion of the sale from plaintiff to Oxley. It had never been said in his presence that Oxley was acting on behalf of the King Solomon's Mines. The purchase money was not remitted through the King Solomon's Company. Was not a partner of Oxley, and was not a partner in any profits Oxley may have made by the re-sale of lease 18. The money came from Collins and Co. through the National to the Union Bank. Owing to some difficulty about obtaining the money, he

LADY EVELYN-

In the Court of Appeal, on March 29, before Lords Justices A. L. Smith, Collins, and Romer, Mr Rufus Isaacs, Q.C., mentioned the case of Oxley v. Trower, in relation to which Mr Justice Mathew had made an order in chambers against which the defendant appealed. He said that originally the action was brought by Oxley against Trower, and then the latter counter-claimed, upon which an order was made compromising the action. Then a summons was taken out by plaintiffs asking that an order should be made by the judge enforcing the transfer of certain shares. Some 40,000 of the Lady Evelyn Gold Mines, Limited, shares were to be lodged in the hands of two persons, one to be nominated by plaintiffs and one by defendants, upon the terms that defendants were to be paid out of the proceeds of sale. Defendants nominated one Charles Trower, while plaintiffs' nominee was James Sullivan. On February 24 last plaintiffs purported to have sold 19,000 of the shares to a Mr Burnand, a member of the Stock Exchange, at 3s. Prior to that they had parted from shares amounting to £19,947 at divers prices, the lowest of which was 5s, and it was alleged that the sum of 3s was totally inadequate, and that a proper exercise of discretion had not taken place. Mr Justice Mathew, however, the previous day, had ordered that the transfer should be executed by 10.30 today (March 22), and if that happened, Mr Oxley, the plaintiff, would be at liberty to go away with the money. What was desired, therefore, was that the funds should be protected. It was alleged that the sale referred to had been

effected by the plaintiff with his own broker, Burnand, and counsel submitted that was sufficient to justify him in asking that the transfer be restrained until at least defendants had had an opportunity of an inquiry into the whole transaction.

In answer to Lord Justice Smith Mr Rufus Isaacs said he should be glad if the sale went on, provided the money was brought into court, Lord Justice Smith said the Court must vary the order of Mr Justice Mathew; the sale would go on, and the proceeds must be brought into court.

Inclemency of weather has led to production of a really effective cough remedy. Pepp'ar price, 1s. W.A. DRUG STORE."

Appendix 6 – Death Certificate Ethel Oxley

CERTIFIED COPY OF REGISTER OF DEATH.

C. of D. 28304

(88 Y., 18, Sections 13 and 34—Sub. 4.)

1932 DEATHS in the

SWAN

District of Western Australia.

Registered by *Diana S. Mabbitt* District Registrar

No.	DESCRIPTION.		Name and Surname of Father, (1) With Rank or Profession. (2) Mother's Maiden Name, if known.	(3) Signature, (4) Description, and (5) Residence of Informant.	(6) Signature of District Registrar, (7) Date, and (8) Where Registered.	IF BURIAL REGISTERED.			IF DECEASED WAS MARRIED.										
	When and where Died.	Name and Surname, Rank or Profession.				Sex and Age.	(9) Cause of Death. (10) Duration of last Illness. (11) Medical Attendant by whom certified; and (12) When he last saw Deceased.	(1) When and where Buried. (2) Undertaker by whom certified.	(3) Name and Religion of Minister, or (4) Place of Burial.	(5) Where Buried. (6) At what Age. (7) To whom.	(8) Where, Birth, then Sex, and Age.								
57	10th July 1932	Ethel Oxley	63 years 59	Female	Diabetes Cardiac Failure	10th July 1932	Darlington W.A.	63 years 59	Female	10th July 1932	Darlington W.A.	10th July 1932	10th July 1932	10th July 1932	10th July 1932	10th July 1932	10th July 1932	10th July 1932	10th July 1932

Fee paid, 5/-

Diana S. Mabbitt District Registrar
 OFFICE OF THE DISTRICT REGISTRAR
 MIDLAND JUNCTION 15th July 1932
 Registrar

I, *Diana S. Mabbitt*, District Registrar for the State of Western Australia, do hereby certify that the above is a true copy of an entry in a Register of Deaths kept in this Office.

Appendix 7 – Birth of Beatrice Ethel Harriss aka Beatrice Oxley

NSW BIRTH REGISTRATION TRANSCRIPTION		REF NO 1878/3403
NAME	BEATRICE ETHEL HARRISS	
SEX OF CHILD	FEMALE	
DATE OF BIRTH	29 AUG 1878	
PLACE	SYDNEY INFIRMARY	
FATHER OCCUPATION	ILLEGITIMATE	
BIRTHPLACE		
AGE		
DATE OF MARRIAGE		
PLACE OF MARRIAGE		
MOTHER	CATHERINE HARRISS (SEE NOTE**)	
BIRTHPLACE	TASMANIA	
AGE	19	
PREVIOUS ISSUE		
INFORMANT PRESENT AT BIRTH REGISTERED	CATHERINE HARRIS (SEE NOTE**), MOTHER, BENEVOLENT ASYLUM DR FREAN 20 DEC 1878 - SYDNEY	
NOTES	**TRANSCRIBER'S NOTE: MOTHER'S NAME IS CLEARLY RECORDED AS "CATHERINE HARRISS" IN THIS REGISTER; INFORMANT IS CLEARLY RECORDED AS "CATHERINE HARRIS, MOTHER" IN THIS REGISTER	
Ref No 9807769		Printed 6 October 2020

NB: THIS TRANSCRIPTION IS NOT A CERTIFIED COPY FROM THE REGISTERS AND CANNOT BE USED IN ANY LEGAL PROCEEDINGS WHATSOEVER



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Appendix 8 – Newtown Lunatic Asylum Records Mary Harris nee Regan – Ethel Oxley's Mother – From Tasmanian Archives

Mary Harris Aged 43		Admitted 17 th January 1865		Folio 91
Date.	Disease, with detailed symptoms.	TREATMENT.	Class of Diet.	Extra Allowance.
1865	<i>Amentia</i>			
Jan 17	Admitted from Hamilton on a notice under a writ by J. Walker and Joseph Jackson Esquires with a medical certificate from Dr. MacLaurin stating "Melancholia a refusal of all food and constant tendency to remove her clothing".	Jan 8. C.C. Dublin 3grs Morphine		
25	Absent health, but no serious medical phenomena developed. Tactum melancholicum, can not be induced to think or answer questions, and, considered to set this disposition in motion, improving. Would have been very content but have been well served by medicine and she appears now somewhat improved.	May 27. Apperun quite convalescent from 28 th Constantine 10 and I recommended her discharge on trial for 12 months.		
Feb 25	Is much better both in the head & has had a long sleep on the back of the bed.	Approved W. J. MacLaurin W. J. MacLaurin		
March 8	Was an epileptic fit this morning	July 8 th Discharged to her husband on 120		
13	Has had a suspension of fits since the 8 th	July 24 Readmitted appearing imbecile and so if she had been taken private in March is very much excited about the arms & legs. She has been told to be brought here and she had been very violent.		
30	Much better has had no fits for the last 14 days.	27 th She refused to go to have been violent and says her husband has been violent in being imbecile in manner.		
April 27	Very much improved	Aug 26 Much better. Indigestion Sept 28 th Same Oct 31 st Imbecile in temper, disordered ch being detained Nov 23 rd Much the same		

Mary Harris Aged 43		Admitted 17 th January 1865		Folio 120
Date.	Disease, with detailed symptoms.	TREATMENT.	Class of Diet.	Extra Allowance.
1866	<i>Amentia</i>	From fol 91		
Jan 30	This woman has simulated progress for some months, but had an attack of epileptic convulsions 2 or 3 weeks ago when it was found she was not so. She is somewhat improved but still thin to a point that is probably permanent.	July 30 Remains the same		
July 27	The same	August 30 Much excited		
Mar 26	Has been very much excited & violent since last entry, but in latter part suffering from stomachic disorder.	Sept 30 th The same		
April 30	Has somewhat better. Discontinue	Oct 30 Without change		
May 30	Fits & excitement -	Nov 30 th now ill with fits.		
June 19	Simulated paralytic of left arm & leg, under 2 days	Dec 31 st They lasted some days - is now as usual.		
29	After four hrs attack left imbecile	Jan 31 st Has had fits, most severe, is now suffering from another on the left shoulder, violent great heat.		
July 31	Same	July 26. He better health, but was the nearly healed.		
Aug 28	The same	March 26. Remained to work ward, 3 rd of last night was called upon the night, great abdominal pain, has vomited the last 24 hours. For death, has been suffering		
Sept 26	Imbecile. Still suffers from stomachic disorder.	April 29 Has had a suspension of fits attendant with paralytic in a very weak state & cannot get long		
Oct 30	Same	May 30 th Has calmed, but is still in bed.		
Nov 28	Had severe fits lately.	June 7 th Slightly better		
Dec 31	The same	Sick at		
Jan 30	No change			
Feb 27	Very imbecile.	June 11 th Not much improvement		
Mar 28	Much calmer	Body in good condition - The vessels of the brain torpid, Sina mala very adherent in the spinal line. Arteries stiff & full of water, 1/2, water also much enlarged nearly to the extent of the natural portion. Membranes - Heart enlarged, flabby & fatty, lungs adherent to the walls of the chest.		
April 29	No change			
May 24	Excitable & without change			
June 29	Her husband came to see her & she received him kindly - has been violent & excited.			
		Height of brain 4 1/2 In front 2 2 In bottom 2 2		

Appendix 8 continued - Mary Harris admitted January 17th 1865 - Transcription

Jan 17th Amentia

Admitted from Hamilton in a Justices order signed by J.T. Walker and Joseph Clarkes Esquires with a medical certificate from Dr Sharland stating “Melancholic” and refusal of all food and constant tendency to remove her clothing.

Jan 25th A stout healthy looking woman. mediocre phrenology ? development~~at~~ taciturn melancholic. cannot? with difficulty be induced to speak and answer questions and disinclined to eat. This symptom is however improving. Bowels have been very costive but have been well opened by medicine and she appears now somewhat improved.

Feb 28th Is much better, works in the wash house and has had a large anthrax? on the back of her neck.

March 8th Had an epileptic fit this morning.

March 13th Has had a succession of fits 3 or 4 a day since the 8th.

March 30th Much better has had no fits for the last 14 days.

April 27th Very much improved

May 27th Appears quite convalescent

June 28th Continues to and I recommend her discharge on trial for 12 months – signature Approved ?? – another signature 30th June.

July 5th Discharged to her husband’s care - signature.

(3 girls admitted to care on 17th July 1865)

July 24th Readmitted appearing imbecilic and as if she had been intemperate in drink. Is very much bruised about the arms and body, The man who brought her said she had been very violent.

July 27th She acknowledges to have been drinking and says her husband has ill treated her very imbecile in manner.

August 29 Much better industrious

Sept. 28th idim

Oct 31st Irritable in temper. Dissatisfied at being detained.

Nov 25th Much the same.

Year 1866

Jan. 30th This woman has simulated pregnancy for some months. But had an attack of epileptic convulsions , 2 in 3 weeks ago when it was found she was not so. She is somewhat improved but still there is a good deal of imbecility remaining.

Feb 27th The same

March 26th She has been very much excited & violent since last citing but is calmer now. Suffering from haemorrhoids.

April 30th Haemorrhoids better. Tincture??

May 30th Fits and excitement

June 19th Simulated paralysis of left arm and leg. check in 2 days

June 29th Better from her attack but imbecile.

July 28th Idim

August 28th The same

Sept 26th Imbecile. She still suffers from haemorrhoids.

Oct 30th Idim

Nov 28th Had severe fits lately

Dec 31st The same

Year 1867

Jan 30th No change

Feb 27th Very imbecilic

March 28th Much angst
 April 29th No change.
 May 24th Excitable and without change
 June 29th Her husband came to see her and she received him kindly - has been violent and excited.
 July 30th Hemastitis The same.
 August 30th Much excited.
 Sept.30thThe same.
 Oct. 30th Without change.
 Nov 30th Is now ill with fits.
 Dec 31st They lasted some days – is now as usual.

Year 1868

Jan 30th Has had fits most severe, is now suffering from Anthrax in the left shoulder. Ordered yeast poultices.

Feb 26th In better health. Carbuncle nearly healed.

March 26th Removed to sick ward, Dr McCarthy was called up in the night, great abdominal pain, has improved the last 24 hours. Evidently has brain softening.

April 29th Has had a incursion of fits attendant with paralysis. Is in a very weak state & cannot last long.

May 30th Has rallied but is still in bed.

June 2nd Evidently dying. Died at -? Dr Name signed. Moore

June 4th Post Mortem appearances

Body in good condition – the capsule of the brain turgid, dura mater very adherent in the medial? line. Brain soft and full of water, ? , ventricles much enlarged nearly to the extent of the anterior and posterior dimensions.

Heart enlarged, flabby and fatty. Lungs adherent to the walls of the chest.

Weight of brain lbs oz

?Cerebrum 2 2

Cerebellum 6

2 8

Signature

Appendix 9 – The Beaufort Street North Perth Terrace Houses - Source Heritage Council of Western Australia ¹⁶⁷

Heritage Assessment Documentation from website - has Conservation Order from 2008

Terrace houses, 225-227 Beaufort St are a very fine and relatively intact example of Terrace houses in the Federation Filigree style. The group is located in Beaufort Street, opposite the landmark group at 235-241 Beaufort Street and Joseph Chester's Cottage, forming a prominent cultural grouping. Constructed as middle class housing its changing fortunes reflect those of the area over the past century. Terrace Houses, 225-227 Beaufort Street demonstrates the type of buildings constructed as investment properties in the late nineteenth century by wealthier citizens taking advantage of the growing population and prosperity of the State, having been constructed, together with adjacent terraces at 54-60 Lindsay Street, for investors James Oxley and his wife Ethel.

Terrace Houses, 225-227 Beaufort Street comprises two, two storey brick, stucco, and iron terraced houses in the Federation Filigree style constructed in 1897 for investor James Orchard Oxley and his wife Ethel. Early plans for the city of Perth mark Beaufort Street as a major northern access route into the central city.

The area north of Wellington Street developed slowly, as it was separated from the heart of Perth by low-lying swampy ground and, from 1881, by the Fremantle-Perth-Guildford railway. Attempts to more strongly connect the northern section with the city had limited success. Drainage of some of the swamps allowed for the development of agricultural enterprises, in particular market gardens, with associated small cottages. From the 1890s, as the population of the State boomed on the back of the gold rushes, the area developed as a residential area serviced by commercial strips along the major roads.

Beaufort Street developed as an important street in the area, particularly as it was the route of the northern tramway.

Terrace Houses, 225-227 Beaufort Street is situated on part of a large grant made in 1873 to James Cowle, Surveyor. It was purchased in 1891 by the Perpetual Trustees Executors and Agency Company of Tasmania Ltd, and subsequently subdivided.

James Orchard Oxley of Narrogin, Surveyor, purchased Lots 134 and N30 in 1893, and in 1897 both were transferred by endorsement to his wife Ethel Oxley. She is recorded on one of the titles as being of Shirley Lodge, Southern England, in February, but by July the other shows her as a married woman of Darlington.

The houses along Beaufort Street were then numbered 229 to 239.

Rate books list Oxley's land as being vacant in 1896. A building permit was issued in November 1896 for the construction of two buildings at the site on the corner of Beaufort and Moore Streets (Lot 134), with the builder to be William McDiarmid.

In 1897, James Oxley is listed as having land and buildings in Beaufort Street with a value of £2,000. The following year three houses are listed, although no tenants are noted, with a further two houses under construction. One of these was at Lot 134, on the corner of Beaufort and Monger Streets. Lot 134 is valued at £1,600 at the time, suggesting that construction was substantially underway on the new residence.

Unlike Australian cities on the eastern seaboard, Perth did not develop a local culture of terrace or row housing. A number of two-storey terraces were developed in the central city area, most of which were demolished in the 1960s as the city expanded. By the late 1890s, high-density housing was considered to be a health hazard, and generally undesirable. As suburban residential land close to the central city area was readily available in Perth, few terraces or row houses were developed.

Following the gold boom of the 1890s, Western Australia's population expanded fourfold, corresponding with an economic decline in the eastern states. The rapidly expanding population created a high demand for temporary housing, especially rental accommodation close to the city. By the late 1890s, the City of Perth was issuing up to 150 lodging house licenses each year. Thousands more lodgers found informal accommodation, or were long-term tenants in hotels, and still the demand for accommodation could not be met, with tent settlements established by the river for a

number of years from 1895. North Perth's central location and proximity to public transport made it an attractive location for short and medium term accommodation.

In 1893, Post Office Directories listed only approximately 30 boarding houses in Perth, Fremantle and Guildford combined. By 1897 this number had doubled, with twelve listed in the North Perth area. A further six opened in North Perth in the next two years, with the total number of metropolitan boarding houses burgeoning to 92 by 1899. These were mostly located in Fremantle, Central Perth and North Perth, with a smaller number grouped in East Perth and Guildford. Operating boarding houses was a job often undertaken by women, with nearly twice as many women as men listed in the State as boarding house managers in 1899.

By 1898, one of the terraces at Terrace Houses, 225-227 Beaufort Street was in use as a boarding house, at 231 (now 227) Beaufort Street. The other was still vacant at the time, suggesting they had recently been completed. By the following year, both houses were occupied.

Ratebooks for 1899 list a Surgeon as the tenant at 231 (now 227). Post Office Directories for the same year, however, note the terraces operating as boarding houses. Within ten years, the street numbering had changed to its current configuration, with the residence at Lot 134 numbered as 225 and 227 Beaufort Street. By 1915, Ethel Oxley is listed as owning numbers 225 to 241.

The terraces are shown on a c.1903 sewerage plan for the area with what appears to be their current (2011) footprint, although the prominent side entrance to 225-227 Beaufort Street is not marked at this time.

Throughout the Oxleys' ownership, 225-227 Beaufort Street was rented out to tenants. A high proportion of the occupants listed in Rate Books are women, and there appears to have been a rapid turn-over of tenancies. While the place is not listed specifically as a boarding house after the first few years, this high turnover suggests that 225-227 Beaufort Street is likely to also have been in use for this purpose.

Following Ethel Oxley's death in 1922, the titles returned to her husband James, then recorded as a resident of Darlington. James Oxley died in 1925, and the titles were transferred to Elsie May Oxley, widow, of Darlington.

The following year, 235-241 Beaufort Street was purchased by Barnot Rogalasky of the Sandringham Hotel, Belmont, a retired hotel keeper, who retained ownership from 1926 until his death in 1956.

Elsie May Oxley retained ownership of 225-227 Beaufort Street for over forty years, but was never resident there.

During the depression years, Perth experienced a severe housing shortage. Many larger houses were rented out to multiple tenants. As husbands went to the country seeking any available work, families often had to give up their homes, with wives and children seeking the cheapest available accommodation. In other instances, families enclosed and rented out verandahs to supplement family income. A Royal Commission was established in 1938 to investigate the housing shortage and the resultant slum areas. Many tenanted residences crammed whole families into one or two rooms, providing a gas ring in the rooms but not increasing the overall number of bathrooms or toilets for the house. Other cases identified outbuildings in use as residences, often shared with animals. North Perth was one of the areas targeted as a developing slum in the investigation.

From the 1930s, 225-227 Beaufort Street is listed with only one tenant, Mrs Olive Solomon. Mrs Solomon operated the place as apartments until the early 1940s. By 1946, the tenant is listed as Olive Oakley. It has not been established whether this was the same woman with a different married name. She is no longer resident in 1949.

A 1950/54 Sewerage Plan shows two brick terraces at 225-227 Beaufort Street with a party wall running their full length. 227 Beaufort Street extends slightly at the rear to abut Monger Street, but there is no major entrance or steps marked to Monger Street at the front of the building. 225 Beaufort Street has a small timber extension to the rear and its front half is slightly wider than its neighbour. Otherwise the two residences appear identical, with verandahs to their Beaufort Street elevation, where they are set back from the street.

Due to the intervention of World War Two and associated post-war shortages of building materials, the recommendations of the 1938 Royal Commission into housing were not implemented until the mid-1950s. Many older houses that were considered to be dilapidated, and either a fire or health risk, were demolished at this time.

In North Perth during this period, affordable and accessible rental accommodation was attracting large numbers of migrants. In the 1950s and 1960s the percentage of residents of Italian origin was so high that the area was informally known as 'Little Italy'.

In 1966, ownership of 225-227 Beaufort Street was transferred to Frances Thomas, single woman, of Rockingham. In 1973, Michelle Hopkins Thomas, minor, born 1960, was included on the title as a tenant in common with Frances. The two women are recorded on the title to the present in 2011 as owners.

In 1989, Terrace Houses, 225-227 Beaufort Street was included in Towards Dawn: Federation Architecture in Australia 1890-1915. It was noted that the terraces featured elements that were not only rare but also possibly unique in Australia. These included the prominent Monger Street side-entrance to 225-227 Beaufort Street, described as creating a Shavian effect, or being reminiscent of the work of George and Peto. Overall, it was stated that the competency of the design work implied an architect rather than a builder being responsible for the plans.*

In 1999, 225-227 Beaufort Street were again included in a national publication on architecture of the period, Terrace Houses in Australia. The terraces are described as being 'unmatched in their generosity of scale'. The roofscape and fine timber detailing are noted as significant features.

In 2009, Terrace Houses, 225-227 Beaufort Street operates as North Lodge Travellers' Accommodation, a family business run by the owners. The place was entered on the Register of Heritage Places on an interim basis on 31 July 2007 as a group, P17093 Beaufort Street Terraces, which comprised 225-227 and 235-241 Beaufort Street. The interim registration expired on 31 July 2008 and the place was subsequently removed from the Register of Heritage Places on 8 August 2008.

** Refers to the architecture of style of Sir Richard Norman Shaw (1831-1912), a prominent Victorian period architect whose work extended from the domestic scale of Bedford Park, a garden suburb of London, to one off houses, from which a number of Federation period buildings drew elements of their architectural vocabulary. He designed several residences in the 'Queen Anne' style. The entrances in Monger Street are both reminiscent of Shaw's architectural devices. Shaw made use of the tower, jettied half timbered gables, and balconnettes. Shaw also undertook large public commissions such as Scotland Yard. See Chambers, James, The English House, Guild Publishing, London 1986, Chapter 11*

Appendix 10 – Beatrice Beaufort aka Beatrice Oxley’s Burial Registration

BURIALS at ST. MARKS St. Marks (Goodmode Cemetery), Madras St. Mary's, Madras St. Matthias (St. Paul's Cemetery)

WEEKS				Christian name	Surname	Age	Quality, trade or profession, etc., etc.	WEEKS SERIES			Cause of death	Signature and designation of the person by whom the ceremony is performed.
Year	Month	Day	Year					Month	Day			
1920	Sept	15 th	Alfred	Holding ✓	15 yrs	P.W. Inspector 164 S. M. Railway Madras St. Mary's	1920	Sept	15 th	Heart failure	E. Ball Chaplain	
1920	July	16	Dena	Hankam ✓	6 months	daughter of R. S. M. Albert Victor Hankam 1 st 32 nd 164 S. M. Rifles	1920	July	17	Fever	H. N. Bridge, M.A. Garrison Chaplain	
1920	August	7	James	Nicholson ✓	50	Sergt. Inote Civil Orphan Asylum	1920	August	8	Hotheim	H. N. Bridge, M.A. Garrison Chaplain	
1920	August	30	Ernest Henry	Ware ✓	38	Plate-laying Inspector, S. M. Railway (Ex-Soldier R.A.S.C.)	1920	August	31	Malignant liver	H. N. Bridge, M.A. Garrison Chaplain	
1920	September	16	Beatrice Oxley	Beaufort ✓	37	Ag. Lady Superintendent, Lady Ampthills Nursing Institute Madras St. Matthias (St. Paul's Cemetery)	1920	September	17	Fracture of the Skull	H. N. Bridge, M.A. Garrison Chaplain	
1920	July	9	Charles Arthur	King ✓	56		1920	July	10	Cancer	John de Burman Officiating Priest	

Appendix 11 – Olive Beaton’s Arrival in Fremantle, Western Australia

ORIENTO.		3rd December 1920		FREMANTLE		LONDON.	
W.A.S. HELPFORD.		J. McCAUSLAND		Thos Day Esq.		Orient Line.	
1 ✓	Adams, J. Miss	Eng.	London	Fremantle.	o/o Western Australian Bk. Perth W.A.		
2 ✓	do J. E. Mrs	"	"	"	do	do	do
3 ✓	do R. S. Miss	"	"	"	do	do	do
4 ✓	Alexander R. J. Mr & Mrs	"	"	Sydney	Rugby Auckland North Kaipari Line N.S.		
5 ✓	Appleby M. J. Miss	"	"	"	o/o Miss J. Boot 79 Gargill St Dunedin N.S.		
6 ✓	Adinell A. I. Miss	"	"	"	West Eyreton North Canterbury N.S.		
7 ✓	Benton, P. Miss	"	Colombo	Fremantle	o/o J. Oxley Esq. o/o Bk of Australia Perth.		
8 ✓	Bellringer J. J. Mr.	"	London	Sydney	o/o Bellringer Bros Ltd. P.O. Box 66 New Plymouth N.S.		
9 ✓	Bridges G. G. Mr. & Miss.	"	"	"	24 Cashel Street Christchurch N.S.		
10 ✓	Brown G. H. Mr	"	"	"	Tavros Taihape N.S.		
11 ✓	Bailey J. A. Miss & Miss S. Bailey.	"	"	"	Taimai Pelling 8th Island N.S.		
12 ✓	Barnister E. Mrs	"	"	"	o/o Mrs Gray 240 Roberts Rd. Subiaco Perth W.A.		
13	Bertman Mr Mrs & Family	"	Colombo	Melbourne	o/o Pension Paymaster Melbourne.		
14 ✓	Boran James Rev.	"	London	Sydney	o/o St Mary's Cathedral Sydney N.S.W.		
15 ✓	Brown E. P. Miss	"	"	"	o/o Mrs Moore S. Chanders St Ashfield Sydney N.S.W.		
16 ✓	Bates L. Miss	"	"	"	115 Upland Rd. Kelburn Wellington N.S.		
17 ✓	Boot J. Miss	"	"	"	79 Gargill Street Dunedin N.S.		
18 ✓	Carr M. Miss	"	"	"	Unaderra South Coast. N.S.W.		
19 ✓	Cooper F. D. Mr Mrs & Master	"	"	"	Kelaon N.S.W.		
20 ✓	Crook M. Miss	"	"	"	Coocani Tinsdale Rd. Aitahoron Sydney. N.S.W.		
21 ✓	Chambers. T. Mr Mrs Miss & Master	"	"	"	"Kiandra" Church Street Waratah N.S.W.		

Appendix 12 – Probate Affidavit for Ethel Oxley's Will

Affidavit Verifying Statement.

IN THE SUPREME COURT OF WESTERN AUSTRALIA. } Probate Jurisdiction.

In the matter of the (a) Will of
 ETHEL OXLEY late of Darlington
 late of (b)
 in the State of Western Australia, Married Woman,
 deceased.

I, JAMES ORCHARD OXLEY,
 of Darlington in the State of
 Western Australia, Orchardist, make
 oath and say:—

1. That the paper writing hereunto annexed marked "A" contains a true statement of all and singular the real and personal Estate of or to which the above-named deceased was at the time of her death possessed or entitled; that the values thereof as therein set forth are the full and true values of the several particulars therein mentioned respectively; that the liabilities therein stated are justly due thereon and that the balance of the said Estate is a debit ~~therein appearing is the full net value of the said real and personal Estate~~ balance as appears by the said Statement.

2. That to the best of my knowledge and belief the said deceased did not within the space of two years preceding the date of her death convey or otherwise dispose of for other than adequate valuable consideration any real or personal property of which she was seized or possessed.

3. That the beneficiaries mentioned in the Will of and myself deceased namely Oliver Beaton and myself this deponent, a lawful child and husband respectively of deceased, were at the date of her death, and still are bona fide residents and domiciled in the State of Western Australia.

SWORN at Perth
 Western Australia this 29th day of September one thousand nine hundred and twenty four.
 Before me
J. B. Walsh

A Commissioner in the Supreme Court of Western Australia to administer oaths.

In the Supreme Court of Western Australia.

PROBATE JURISDICTION

No

IN THE ESTATE OF ETHEL OXLEY

late of Darlington in the State of Western Australia, Married Woman, deceased

Affidavit Verifying Statement OF Assets and Liabilities



Handwritten notes:
 16/76 Ee
 63 ↓
 200 6.0-0
 3.0
 631

J. B. Walsh,
 Solicitor, Perth.

LAWSON PARAGON (W.A.) LTD.

(c) If any such copy was made by the deponent, he must state the date and the names of the persons to whom it was given, and the names of the persons to whom it was given, and the names of the persons to whom it was given, and the names of the persons to whom it was given.

A This is the Will referred to in the annexed Affidavit of Elsie May Oxley sworn this 17th day of August 1925 Before me
A. Macgregor
Commissioner

15-9
Elsie May Oxley.
A. Macgregor
Commissioner

This is the last will and testament of me James Orchard Oxley of Darlington Western Australia I will and bequeath the whole of my real and personal estate to my wife Elsie May for her use and benefit for the period of her life time and upon her death the said estate to be equally divided between (any children I may have by my wife) and (Olive Beaton of St Joseph's Convent Fremantle) and (Patricia Oxley Orchard, commonly known as Patsie also of St Joseph's Convent Fremantle) and Josephine Orchard of Sweeney Road, Victoria Park Western Australia - The said Elsie May Oxley shall have the sole right of appointing a trustee or trustees to administer the estate after her death and shall determine when & how the property shall be disposed of for the purposes of division to the above named legatees and during her lifetime shall be the sole administrative
Dated this the 2nd day of April 1924

Signed by the said James Orchard Oxley in the presence of J. Walsh J. S. O. Oxley
and John Smith

and in the presence of each other for

James Oxley
Widow to James Walsh,
Solicitors Perth

This is the will marked "A" referred to in the affidavit of James Oxley sworn the 16th day of August 1925, before me

A. Macgregor
Commissioner of the Supreme Court of Western Australia etc.

Appendix 14 – Josephine Orchard's Birth Certificate

PLANTAGENET District of Western Australia. Registered by *L.H. Kaye*, District Registrar.

2951 (S.A. 1) (8 V. 10, Sections 12 and 17-Sub. 3) BIRTHS in the District of Western Australia. Registered by *L.H. Kaye*, District Registrar.

No.	GUILD.		PARENTS.		MOTHER.	INFORMANT.	WITNESSES.	REGISTRAR.		Name, if added after Registration of Birth, here - The Registrar, who is to be inserted.
	(1) When and (2) Where Born.	(3) Name and (4) Whether present at Registration or not.	(5) Name and Surname, in full (6) Age, and (7) Birth-place.	(8) Name and (9) Where born, and (10) Occupation.				(11) Signatures, (12) Description, and (13) Residence of Informant.	(14) Names by whom certified, and (15) Names of Occupations or other Witnesses.	
1	1923		(5) James Richard (6) 34 years (7) Melbourne (8) James Richard (9) 34 years (10) Melbourne (11) 28th Albany Hospital (12) not present	(13) 14 June 1917 (14) Melbourne (15) 34 years (16) Melbourne (17) Victoria	(18) Mrs. M. E. Johnson (19) by James Richard	(20) M. E. Johnson (21) 28th Albany Hospital (22) M. E. Johnson (23) 28th Albany Hospital	(24) M. E. Johnson (25) 28th Albany Hospital	(26) 10 1923 (27) Albany	(28) <i>L.H. Kaye</i>	(29) 12

Being a child of the marriage of *James Richard* and *M. E. Johnson*, both of whom were lawfully married at the time of the birth of the child, and being born on the 11th day of June 1923, at the residence of *James Richard*, 28th Albany Hospital, Albany, Western Australia, the name of the child is hereby registered as *James Richard*.

Acting REGISTRAR GENERAL, 29th August 1923.

1923 2951

1923 2951

Appendix 15 - James Orchard Oxley's Death Certificate

CERTIFIED COPY OF REGISTER OF DEATH.

3. G. 10a. C. of D. 30471

(88 Y. 48, Sections 13 and 34-Sub. 4.)

1925 DEATHS in the **SWAN** District of Western Australia. Registered by David S. Halliday, District Registrar.

No.	DESCRIPTION.		IF DECEASED WAS MARRIED.			
	When and where Died.	Name and Surname, Rank or Profession.	(1) Name and Rank of Minister, or (2) Name of Burial.	(1) Where Born, and (2) How long in Australia, stating which.	(1) Where, (2) At what Age, (3) To whom.	Issue, in order of Birth, and Ages.
1	11 August 1925	James Orchard Oxley	13 August 1925 David S. Halliday	11 Wingcombe, Victoria, N.S.W.	1) 29 June 1925 2) 29 June 1925 3) 29 June 1925	2 and Mary
63	Narlington	Surveyor Deceased	22 August 1925 J. E. Chittor & Son	22 August 1925 Midland, Western Australia	1) 25 years 2) 25 years 3) 25 years	Mary Orchard
		Emily Orchard	844 Stuyvesant Perth	Midland, Western Australia	15 years	
		Deceased	Undertaker	Perth	1 year	
		Henry Moloney Oxley	844 Stuyvesant Perth	Midland, Western Australia	15 years	
		Deceased	Undertaker	Perth	1 year	
		Emily Orchard	844 Stuyvesant Perth	Midland, Western Australia	15 years	

Fee paid, 5/-


I, David S. Halliday, District Registrar for Swan, do hereby certify that the above is a true copy of any Entry in a Register of Deaths kept in this Office.

27 August 1925
OFFICE OF THE DISTRICT REGISTRAR, MIDLAND JUNCTION

David S. Halliday
District Registrar



Appendix 16 – Olive Beaton's Marriage Certificate

In the State of Victoria.		In the Commonwealth of Australia.	
		20055	
FOURTH SCHEDULE, ACT No. 874 and ACT No. 794—FORM C.		10	
CERTIFICATE OF MARRIAGE.			
Year 1946		Parish or Church District <u>North Essendon</u>	Denomination <u>Presbyterian</u>
No. in Register.	(1.)	501.	
When and where Married.	(2.)	28th December 1946 Presbyterian manse, Brunswick	
Name and Surname of each Party.	(3.)	William Cecil McCreery.	Olive Beatrice Beaton
Conjugal Condition, also date of Decause of each former Spouse (if Widowed), or date of Order Absolute (if Divorced).	(4.)	Bachelors.	Spinster
Children by each former Marriage.	Living.	(6.)	
	Dead.	(6.)	
Birthplace.	(7.)	Belfast North Ireland.	Bornwall England.
Occupation.	(8.)	Bootmaker.	Nurse.
Age in years (last Birthday).	(9.)	29.	32.
Exact Residence of each Party.	Present.	2 Essex Street. East Brunswick	8 Hope Street. West Brunswick
	Usual.	2 Essex Street. East Brunswick	8 Hope Street. West Brunswick
Parents' Names.	Father. Also occupation.	John McCreery. Brickmaker	James Beaton Surveyor.
	Mother. (Full Maiden Name.)	Elizabeth McDaniel	Beatrice Glover.
We declare that the above is a true statement of the particulars relating to each of us respectively; and that Marriage <u>by licence</u> was solemnized between us on the date and at the place mentioned, according to <u>the rites of the Presbyterian Church</u>		W. H. McCreery O. Beaton Signatures of Parties.	
Signatures of Witnesses.		H. Stephens G. Stephens	
I, <u>Alfred W. Dickie</u> being <u>minister of the Presbyterian Church</u> do hereby certify that I have this day duly celebrated Marriage between the above-named parties, after notice (had been dispensed with by permission of <u>Reg. J.P.</u>) and after declaration duly made as by law required (and with the written consent of <u> </u>).			
Dated this <u>28th</u> day of <u>December</u> 19 <u>46</u>			
Signature of Minister, Government Statist, or Registrar of Marriages.		<u>Alfred W. Dickie</u>	

N.209/11.59.—1492.

By Authority: H. E. Daw, Government Printer, Melbourne.

Appendix 17 – Patricia Oxley Orchard's Marriage Certificate

WESTERN AUSTRALIA
CERTIFICATE OF MARRIAGE

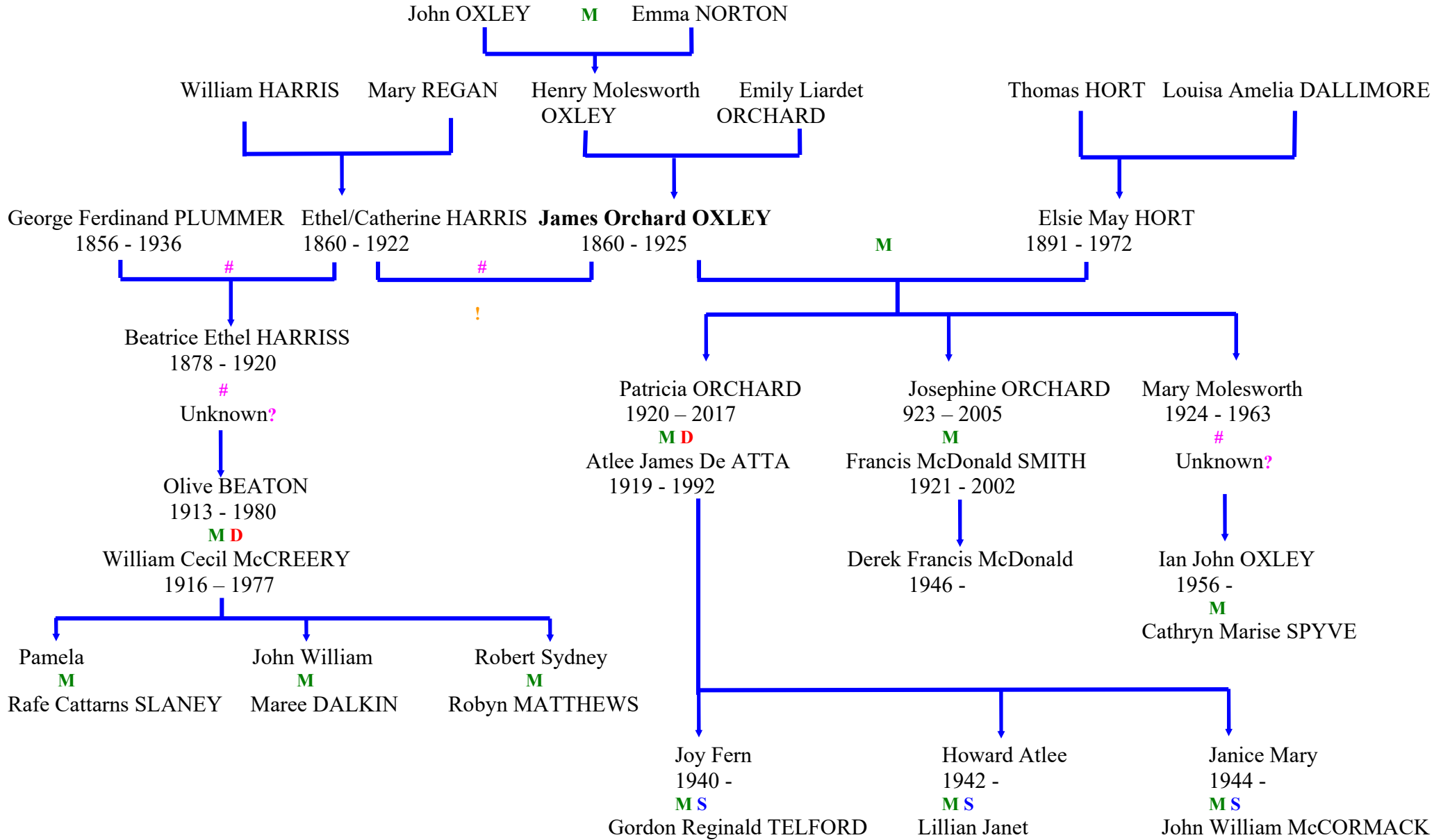
4824

R.G. No. 28/22. The Marriage recorded in Registration No. 28/22 was Dissolved by Deed of the Supreme Court of Western Australia on the 21st day of 1972. Date of 29/72 1972. Registrar General

1	2	3	4	5	6	7	8	9	10	11	
No.	When and where Married.	Christian Name and Surname of the Parties.	Age Year	Condition of the Parties (Bachelor or Spinster, Widower or Widow)	Rank or Profession, or Occupation	Place and Country of Birth	Residence	Father's Christian Name and Surname	Rank or Profession of Father	Mother's Christian Name and Maiden Name	
144	1940 April 6 Midland Junction.	Wife James De aka Patricia Orchard	20 19	Bachelor Spinster	Labourer Shorthand Typist	Perth WA Australia S.A.	45 Roose 45 Roose	Walter Walter De aka James Oxley Orchard	Cartwright Deceased	Mavis Fern Mc Grew Elsie May Hart	
Married in <u>Perth</u> of <u>Western Australia</u> according to <u>The Rites and Ceremonies</u> of <u>England</u> by me, after <u>reading</u> and <u>production</u> of <u>District Register</u> Signature of Minister or District Registrar <u>J. Price</u>		I certify that the consent of <u>Walter Victor De aka</u> a minor (or of <u>Walter James De aka</u> a Justice of the Peace), was given to the Marriage between the parties named in this Certificate. Signature of Minister or District Registrar <u>J. Price</u>		I certify that the consent of <u>Elsie May Oxley Orchard</u> a minor (or of <u>Patricia Orchard</u> a Justice of the Peace), was given to the Marriage between the parties named in this Certificate. Signature of Minister or District Registrar <u>J. Price</u>		This Marriage was solemnized between us <u>A. J. De Alth</u> <u>P. Orchard</u> <u>A. V. De Alth</u> <u>Stan E. Hart</u>		In case of consent given by wife and they Oct 4/1940.			

Date of Issuance 10/10/40
Minister Registrar

Appendix 18 – James Orchard Oxley’s Family Relationships



Key: **M** = Married, **D** = Divorced, **S** = Separated, **#** Not Married, **!** No Issue, **?** Unknown

Appendix 19 - Descendants of Henry Molesworth OXLEY

1- Henry Molesworth OXLEY MLA, JP b. 10 April 1826, Kirkham near Camden, New South Wales, Australia, bap. 16 August 1826, St James, Sydney, New South Wales, Australia, m. 4 November 1854, Camden, New South Wales, Australia, d. 20 March 1867, Wingecarribee, New South Wales, Australia, par. John Joseph William Molesworth OXLEY Surveyor General and Emma NORTON
+ Emily Liardet ORCHARD b. 30 November 1825, Isle of Wight, Hampshire, England,
d. 31 May 1902, Wingecarribee, New South Wales, Australia
|--2-Emma Caroline OXLEY b. 1858, Berrima, New South Wales, Australia, d. 24 May 1913, Manly, New South Wales, Australia
|--2-Henry Molesworth OXLEY b. 26 June 1859, Berrima, New South Wales, Australia, d. 22 September 1941, Bowral, New South Wales, Australia, Bur. Bowral, New South Wales, Australia
| + Kathleen Margaret JOHNSTON b. 1870, Sydney, New South Wales, Australia, m. 1898, Bowral, New South Wales, Australia, d. 13 April 1952, Bowral, New South Wales, Australia, Bur. Bowral, New South Wales, Australia, par. David Frederick JOHNSTON and Jane Rebecca
| |--3-Henry Molesworth OXLEY b. 21 February 1899, Bowral, New South Wales, Australia, d. 14 August 1924, Woollahra, New South Wales, Australia, Bur. Bowral, New South Wales, Australia
| |--3-Jean Molesworth OXLEY b. 1901, Bowral, New South Wales, Australia, d. 17 August 1972, Bowral, New South Wales, Australia, Bur. Bowral, New South Wales, Australia
| |--3-John Molesworth OXLEY b. 25 December 1904, Bowral, New South Wales, Australia, bap. 1 February 1905, St Judes, Bowral, New South Wales, Australia, d. 6 May 1972, Bowral, New South Wales, Australia, Bur. Bowral, New South Wales, Australia
| + Vera Margaret EARL b. 1901, Gosford, New South Wales, Australia, m. 27 February 1947, Sydney, New South Wales, Australia, d. 20 May 1987, , New South Wales, Australia, Bur. Bowral, New South Wales, Australia, par. William EARL and Eliza M
|--2-**James Orchard OXLEY** b. 13 November 1860, Wingecarribee, Berrima, New South Wales, Australia, bap. 12 December 1860, Berrima, New South Wales, Australia, d. 11 August 1925, Darlington, Western Australia, Australia, Bur. Karrakatta, Western Australia, Australia
| + **Ethel HARRIS** b. Circa 1860, Hamilton, Tasmania, Australia, d. 10 July 1922, Swan, Western Australia, Australia, Bur. Karrakatta, Western Australia, Australia, par. William HARRIS and Mary REGAN
| + **Elsie May HORT** b. 15 September 1891, Dandenong, Victoria, Australia, m. 5 January 1923, Fremantle, Western Australia, Australia, d. 2 September 1972, Tuohy Memorial Hospital, Midland, Western Australia, Australia, Bur. Karrakatta, Western Australia, Australia, par. Thomas HORT and Louisa Amelia DALLIMORE
| |--3-Patricia Oxley ORCHARD b. 19 September 1920, Rose Park, South Australia, Australia, d. 2017, , New South Wales, Australia
| | + Atlee James DE ATTA b. 3 May 1919, Fremantle, Western Australia, Australia, m. 6 April 1940, Swan, Western Australia, Australia, d. 30 November 1992, , Western Australia, Australia, Crem. Karrakatta, Western Australia, Australia, par. Walter Victor DE ATTA and Marie Fern McGLEW
| | |--4-Joy Fern DE ATTA b. 28 August 1940
| | | + Gordon Reginald TELFORD b. 24 May 1937, m. 10 June 1961, Darwin, Northern Territory, Australia
| | |--5-Jennifer Joy TELFORD b. 17 July 1966
| | |--5-Felicity Jane TELFORD b. 20 July 1968
| | |--5-Peter Gordon TELFORD b. 28 August 1980
| | |--4-Howard Atlee DE ATTA b. 3 February 1942, , Western Australia, Australia
| | | + Lillian Janet
| | | |--5-DE ATTA
| | | |--5-DE ATTA
| | | + Wendy Judith
| | |--4-Janice Mary DE ATTA b. 3 November 1944, , Western Australia, Australia
| | + John William McCORMACK m. 1968, , New South Wales, Australia
| |--3-Josephine OXLEY b. 23 February 1923, Albany, Western Australia, Australia, d. 2005, Gold Coast, Queensland, Australia
| | + Francis McDonald SMITH b. 24 December 1921, Melbourne, Victoria, Australia, m. 4 August 1945, Townsville, Queensland, Australia, d. 27 September 2002, Gold Coast, Queensland, Australia, par. Francis McDONALD and Jessie SMITH
| | |--4-Derek Francis McDonald SMITH b. 1946, Townsville, Queensland, Australia
| |--3-Mary Molesworth OXLEY b. 30 May 1924, Swan, Western Australia, Australia, d. 1 April 1963, Swan, Western Australia, Australia, Bur. Karrakatta, Western Australia, Australia

| + Unknown

| |--4-Ian John OXLEY M ED. BA, B Ed. b. 6 September 1956, Bethesda, New South Wales, Australia

| + Cathryn Marise SPYVE b. 12 April 1859, Rockhampton, Queensland, Australia, m. 16 December 1979, Morisset, New South Wales, Australia

| |--5-Gareth OXLEY b. 6 March 1985, Wahroonga, New South Wales, Australia

| |--5-Caitlin OXLEY b. 18 February 1992, Brisbane, Queensland, Australia

| |--5-Mitchell OXLEY b. 12 October 1993, Brisbane, Queensland, Australia

|--2-Major John Evelyn OXLEY b. 4 March 1862, Berrima, New South Wales, Australia, d. 6 March 1940, Hospital Bichot, Paris, France

| + Hilda Dorothy NIXON b. Circa 1887, Wood Green, Middlesex, England, m. 23 November 1911, St Mary Magdalene, Islington, London, England, d. Circa 1966, , London, England, par. Thomas Alfred NIXON and Jane BEAVAN

| |--3-Betty Emma Hilda OXLEY b. 8 October 1912, Portsmouth, Hampshire, England, d. 9 June 2006, Kent, Kent, England

| | + Hubert Aubrey DODMAN b. 29 April 1912, Docking, Norfolk, England, m. March 1940, Brentford, Middlesex, England, d. December 2002, Leeds, Yorkshire, England, par. Unknown and COOK

| |--3-Margery Emily OXLEY b. 1913, Kingston, , England, d. September 1996, , Hampshire, England

| | + Montague Reginald Woodward RIPPON b. 9 July 1914, Paddington, London, England, m. June 1938, Islington, London, England, d. May 2005, Harrow, , England

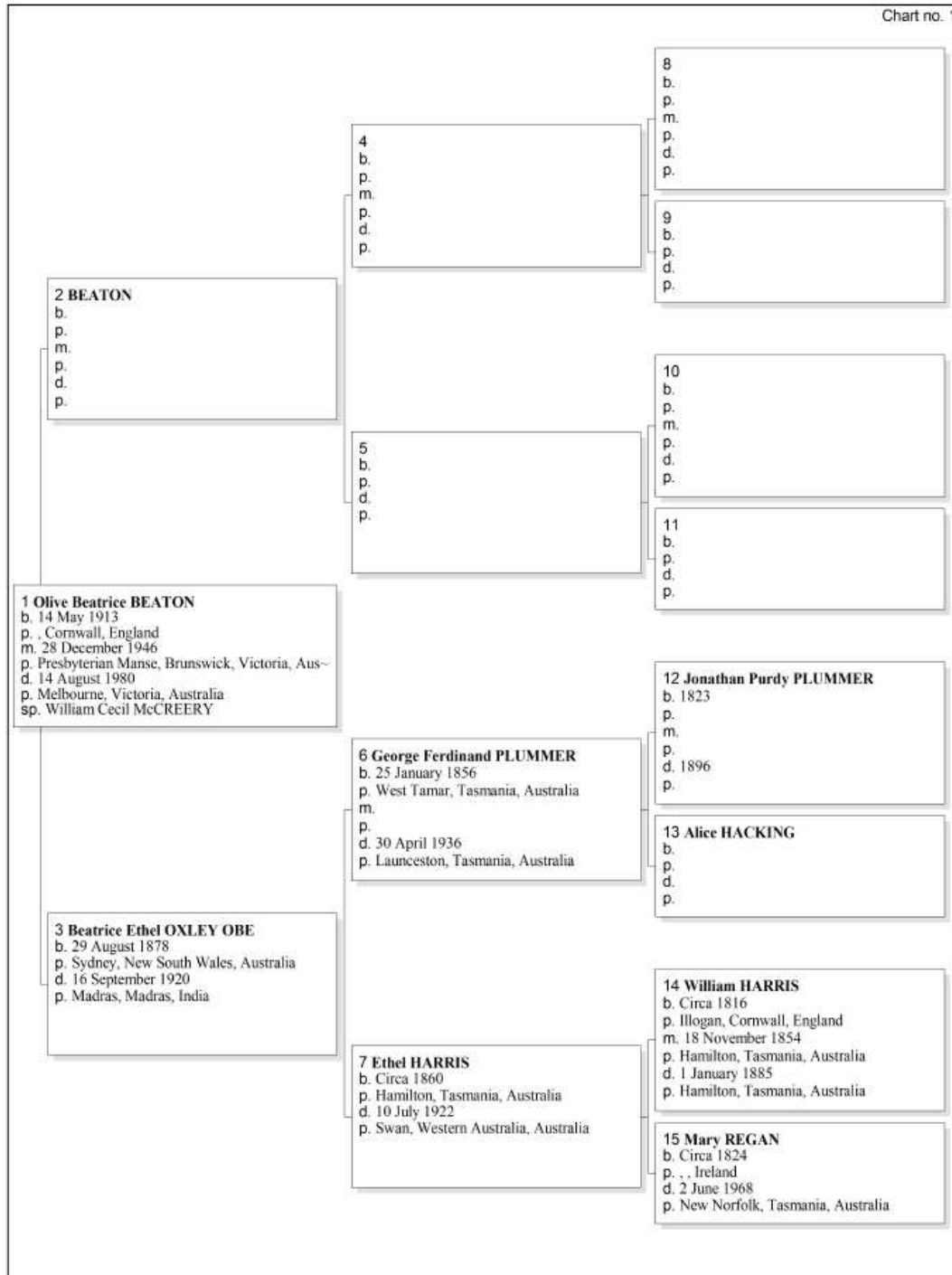
| |--3-Sergeant John Molesworth OXLEY b. September 1916, Paddington, London, England, d. 13 March 1941, Germany, Bur. Ohlsdorf Hamburg-Nord, Hamburg, Germany

|--2-Ernest Albert OXLEY b. 27 January 1866, Berrima, New South Wales, Australia, d. 17 August 1871, Berrima, New South Wales, Australia

Appendix 20 - Olive Beatrice Beaton Pedigree

Pedigree Chart for Olive Beatrice BEATON

Page 1



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