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**\*\* Regarding The History of the Period**

**\*\*And HOW to RUN the Play**

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**THE PLAY REAL EVENTS-----REAL PEOPLE**

**“1829 to 1839- the HENTY FAMILY**  
**LEFT England- for farmland at Perth**  
**W.A.-then farmland at Launceston**  
**V.DL-then TOOK farmland at Portland**  
**VIC, then **TERRA NULLIUS!!****

**AIM:** A large English Family, after sending some sons and Servants (50) to Perth, then migrated to Tasmania, just when Land, that had to be purchased from the Government, became very expensive. The situation for the Family in Tasmania, and very unprofitable conditions around the Swann River land near Perth , made the Henty family desperate to find good land elsewhere. The land around modern day Portland seemed ideal.

**A SIMPLE PLAY TO ENCOMPASS ALL the CLASS.**

**SHOULD OCCUPY 3 classroom periods only.L**

**1 Signposts and Taste READINGS.by TEACHER**

**2 Select the PLAYERS. 3. Enjoy the PLAY.**

## **HOW:**

### **JOBS to be done:**

1. To include ALL THE CLASS..A job can be found for ALL.
2. Signs, drawings, and simple uniforms or period clothes.
3. Equal speaking time for all participants.
4. A Historical commentary, **and** Introduction for each ACT, should allow Girls, to make up for the historical imbalance of men (Boys).
5. Understudies should be given a go.

### **TEACHER READ: With possibly Some light discussion to follow.**

1. **SIGNPOSTS TO EARLY AUSTRALIAN HISTORY AND THE PLAY SETTING.**
2. **GET A "TASTE OF OUR EARLY PEOPLE."**

### **SELECT:**

1. Actors and Actresses.

**MAKE SIMPLE:** Uniforms or Clothing. Use a LARGE name SIGN..

**READ:** Directly From the script. Tutors may change how they like. **Have FUN!!**

**PERHAPS** attach a Video and Sound link.-Another job?

Please Note, All Sources and Acknowledgements are at the end of each appropriate book.

## SIGNPOST TO EARLY AUSTRALIA.

- **TEACHER'S use.**

Until the 18th century, most people in England, Scotland, Wales and Ireland, lived of the land Britain had a population of about 5.7 million in 1750.

Most people worked in an agricultural existence, defined by harvest seasons and the social elite, until along came Roads—Steam Engines—Railways—Canals—Factories and Mills, usually powered by Coal.

James Watt, Scottish Scientist developed efficient Steam Engines. Trade within the British Empire became very important.

Small holding (farms) peasant families, gave way to "Capitalist Large Farms." The legal act was called the "INCLOSURE ACTS. Open fields and common land began to be swallowed up. The displaced Peasants had to get day labour somewhere, or commence stealing to live. That gave rise to the overwhelming people sentenced to death for some 230 crimes at its peak. It also gave rise to sending convicts to Australia, when America won its Independence from Britain,

## TASTE OF OUR EARLY PEOPLE

### **TEACHER'S use**

Thomas Henty, whilst being a Gentleman farmer, also inherited money. His large Family, and what they would do in later life occupied his thoughts a great deal. King George of England and Captain John Macarthur from Parramatta, rated his Sheep and Farming methods very highly. Particularly the flocks of Spanish Merino Sheep that gave such a 'fine' class of wool, that suited the Manufacturing Mills of England and Scotland..

Henty also formed, with several others, a small Rural Bank. However after conversations with Captain Macarthur and William Wentworth, who was in Britain at the time, he decided that emigration to Australia was the best thing for his large Family.

He selected the area known as the Swan River in Western Australia near modern Perth. The Land would be given free to settlers. The British Government was trying to put a ring of settlements around Australia so that it would hopefully discourage the French from occupying parts of Australia

## **POTENTIAL PLAYERS as HISTORICAL CHARACTERS:-**

### **Act 1.**

**Mrs. Mary Bushby (Servant of James Henty)-- James Henty (aged 22)-- Stephen Henty ( aged 17)**

**Mrs. Stirling Lieutenant Governor's wife-- Mrs Bussell (companion of Mrs. Stirling**

**Henry Camfield ( a fellow settler)—John Henty (aged 16) The Lieutenant Governor, Captain Stirling.**

### **Act 2.**

**Thomas Henty. Thomas Archer. William Archer. Turf Club Chairman. Commissioner of Police.**

**Chief Magistrate. Chief Customs Officer. Launceston Town Clerk.**

### **Act 3.**

**Mrs. Henty ( wife of Thomas). Old Mrs. Jane Henty. Newspaper Reporter. Young (20 year old)Mrs. Jane Henty. Young (21 year old Mrs. Jane Henty. Miss Pace (sister of Mrs. Jane Henty). Mrs. Eliza Henty ( wife of the Frank Henty} Mrs. Byass (wife of Doctor Byass) Mary- Household Servant.**

## **ACT 1. Scene 1**

### ***Prelude.***

After Naval Captain, James Stirling, had examined the area above and below Perth W.A. he promoted it as the ideal place to make a British Settlement. At that time the British Government wanted colonies all around Australia to protect it from a French invasion.

Swan River “mania” had hit Britain. The Government sponsored FREE LAND for settlers. It attracted many people.

The Henty brothers, James-Stephen and John, and appropriate Indentured Servants, live stock and plants arrived at Fremantle 4 months after Stirling arrived in Fremantle as Lieutenant Governor. The easy rich land was given to Officers and Public Servants as a way of “keeping” them at the site.

Everyone expected the Land to be like the rich Bathurst Plains in N.S.W. In fact Thomas Peel, a nephew off Sir Thomas Peel,( later English Prime Minister, was allowed to sail to Fremantle on the undertaking that if he arrived before November the 1<sup>st</sup>, he would be given 240,000 acres of land! The Fremantle Perth area was not good land. Simply sandy and only grew grass and other items around river flats. After months of expeditions, walking, riding and boating on home made boats, and experiencing belligerent (understandably) Aborigines, by many people including the Governor, the area did not look prosperous. Many people had to live in tents or home made humpies, experiencing mosquito’s, sand flies and flies.

The Henty brothers of whom the leader was James, decided that the land was not for the Henty Family, and the money outlaid by the Henty family should be reimbursed by the British Government. As such he wrote a letter to his Father advising him NOT to sail to Fremantle but to go to Launceston where free land was still to be given by the British Government. He in the meantime would sail on a ship and bring the Henty family plight to the attention of the British Government. His letter finally arrived 2 weeks before his Father was to sail from England, with other indentured people, stock and crops.

## ACT 1

**Mrs. Mary Bushby.** Well Sir, you look very resplendent.

**James Henty.** Thank you Mrs. Bushby, for cleaning my linen so well. I feel like a gentleman now.

**Mrs. Mary Bushby.** Well Sir, since you built the shed for yourself and my Husband and 2 children, instead of living in our tents, it is a lot easier to look after your washing and meals.

**James Henty.** It was truly very hot and cold in those tents.

**Mrs. Mary Bushby.** Anyway Sir you will not be disgraced in the company of the Lieutenant Governor and Mrs. Stirling, or any other gentlemen and their wives. You truly look like the Magistrate that you are.

.....later.....at the Governor's Rudimentary Home.....

**Stephen Henty.** Well Mrs. Stirling, you and Mrs. Bussell look absolutely delightful. I must write to my Mother and sister Jane all about this evening. It is really a great feeling to be in a British Colony without convicts.

**Mrs. Stirling.** Well Master Stephen, even in this hot weather we have to dress to the standards of Home and the Officers Mess.

**Stephen Henty.** My Mother will be very pleased with that. She is getting rather worried about the long sea voyage and what to expect here at Perth

**Mrs. Stirling.** I too have taken long sea voyages. With proper precautions your Mother and Sister will survive.

**Mrs. Bussell.** A 70 year old woman arrived the other day from England. She has suffered no ill effects.

**Henry Camfield.** Hello Mrs. Stirling and Mrs. Bussell, I have just arrived. I was writing to my three sisters in England, with the intention of sending the letter on that ship that is leaving for England tomorrow. What's James talking to the Governor about Mrs. Stirling ?

**Mrs. Stirling.** I suspect it is about all things to do with James acquiring good farming land. Your party arrived here only 4 months after my husband and I did.

**Henry Camfield.** For good friends they look angry with each other. Maybe I had better not go over and see if I am needed. John why don't you tell the ladies about the party your Father gave on our last night in England.

**John Henty.** Ladies it seems so long ago! At Worthing, we had loaded all our horses, 150 sheep, cattle, chickens, rabbits and casks of seeds, boxes of vines. Farm equipment, ladders, harness, and dairy utensils. Pistols, shotgun, shaving soap, silver spoons, pens and ink, and lots of books. On and below decks bails of hay were stored. All of our indentured people from West Tarring, were on board. All 33 of them. Probably leaving only two hundred people left in the parish.

**Stephen Henty.** Don't forget the 3 chests of clothes. One each for my brothers and myself, and a Large chest of household linen for the servants and laborers. The hay was stored anywhere and everywhere. Must have made the ship look like a floating barnyard.

**Mrs. Bussell.** Goodness me Master John, it sounds like you brought a whole Village with you. You appeared not to have lost too much stock on the voyage. But what about the party?

**John Henty.** Indeed we did Ma'am. You must remember that our Father, Mother, Sister and other brothers are expected here soon. Anyway the party started because Father had a dispute with the Lighterman about the cost of a return trip from the Caroline to the nearby shore. So Father simply paid the Captain extra to sail about 6 miles down the coast to Littlehampton. That took us about 6 hours, because of the tide and wind. Anyway of us Henty's arrived at the New Inn and we all had a gay time.

**Henry Camfield.** You neglected to recount that you and you brothers James and Stephen slept on board the ship that night, with all us Fare paying passengers and our servants. A total of 65 people other than the crew.

**.....the conversation between Lt. Governor Stirling and James Henty.....**

**Lt. Governor, Captain James Stirling.** James, you know that I had to give all the surveyed land around Fremantle and Perth to the Officers and Officials of the Colony to encourage them to stay, this was on Colonial Office Instructions. This has the effect of denying the French a Settlement on this Western side of this large Land.

**James Henty.** Governor, this Colony was promoted in England as the place to migrate. It would not be full of convicts. Free Land and support from the Government. My Father sold farms and property in England, to support this venture. He gave me a lot of money and 33 villagers, live stock and seeds so that the whole Family could migrate here.

**Lt. Governor Stirling.** I know that James. I have offered you 20,000 acres of land. And after our convivial explorations together, I have offered you land in other areas. And as a Magistrate you dealt very fairly with Mr. Peel's request for 240,000 acres of prime land so that he could set up migration from England and make lots of money, but dividing up the land. Just because he is the nephew of probably the next British Prime Minister, and that other fellow, Colonel Lautore, did not mean that they could just arrive here and claim the best land.

**James Henty.** Well Governor, as you know Mr. Peel, is not a very nice man, and he did arrive here AFTER the November 1<sup>st</sup>. deadline. **As** magistrate, I ordered his claim null and void, and I also ordered that his farming people should be freed of their obligation to him. But Governor, that does not affect MY claim. The land that I can take up is useless for our farming. Particularly for our Merino Sheep, Also for growing crops for the animals and our Farm Hands.

**Lt. Governor Stirling.** Well James I cannot offer more. More land or help! As you know, it was at my urging that the British Colonial Office promoted this area as a Settlement Place. Particularly as the Government decided to close down the Settlement on Westernport Bay known as Corinella, and have now decided to close down Port Dundas on Melville Island in the North of this vast country.

**James Henty.** Well Governor, I must get a letter to my Father, on the ship that is returning to England tomorrow, and tell him not to come here, with the other members of my Family and the remaining indentured servants. I hear, from Mr. Bryce, that free land, a lot more suitable for sheep farming is, is readily available and free, in Van Diemens Land at Launceston on the Tamar River. Also that particular area also grows and sends lots of wheat to the Sydney Colony

## **ACT 2.**

### ***Prelude.***

Well, what was Thomas Henty to do at Launceston, in his later life?

His sons had become successful at all their pursuits. His daughter had married into a rich family.

Racing horses, overseeing his rented, and owned properties. Looking after the Families of the Indentured Servants and their welfare.

Being a Magistrate.

Things were beginning to happen in Australia, The name Australia was made up by Mathew Flinders. England was still a long way away

There existed quite a link between Charles Darwin and Thomas Henty. Darwin visited Bathurst in N.S.W. where the Thomas Henty friend John Street lived. After Darwin visited Hobart, he sailed to King George Sound, at Albany Western Australia. That was a place that Thomas Henty had explored, looking for suitable Land.

## ACT 2

.....applause.....

**Turf Club Chairman.** That was a fine speech about your Farm and Home life in England, your sons at Fremantle, you and your wife here at Launceston and your other sons at Portland Thomas. It was interesting to hear that some of your sons playing cricket for your County. I admit I particularly liked that part about shipping to Fremantle that half brother colt to the Derby Stakes Winner at Epsom.

**Thomas Henty.** Unfortunately that colt and the other 2 horses died at Perth, however I have some very good young ones coming along, as you know.

**Turf Club Chairman.** I think we are going to have a very good race meeting in December. Your son James, who as you know is our Treasurer assures me, that the prizes will be very good this year..

**William Archer.**I have a very fine colt Thomas, he may be a bit young for the Special Steeple Chase this year, but he is going over the fences very nicely at Brickenwood. Our Father would have liked him very much, not like that awful horse that bucked him off and he then died of injuries.

**Thomas Henty.** You have some lovely river flats and hilly ground at Brickenwood to build up your horses stamina. I think your Father and I would have become good friends. It was quite a blow to our Community here on the Norfolk Plains, when he died.

**Thomas Archer.** When you come out to look at my best Merino Rams this year, you could look at William's horse going over the jumps.

**Thomas Henty.** As you know William, I get my horses fit, by getting them to pull my cart and self between Cormiston and Red Hills Landfall, about 3 times a week. Then I school them over logs and fences.

**Commissioner of Police.** Thomas , I hear that Governor Gipps and Captain LaTrobe are having difficulties, agreeing to your choice and occupation of land at Portland.

**Chief Magistrate.** That's not quite true, Commissioner of Police. We Magistrates feel that the British Colonial Office in England, misrepresented the quality of land at the Western Australian Colony, and here in Van Diemens Land. The "free" land quickly became taken. Only the valleys in this land at Norfolk Plains, are suitable for Farming.

**Commissioner of Police.** That's not! what I am hearing from the Colonial Office representatives.

**Chief Magistrate.** Well look at that great ride of 250 miles that Thomas undertook when he rode from Launceston to Hobart and back to complain to Governor Arthur, about how he was unfairly treated by the Colonial Office. And what about that big sailing trip on his son James boat the "Thistle" over to the Swann River at Perth, then sailing the coastline of South Australia back to here at Launceston

**Launceston Town Clerk.** I can vouch for that , it is a vexatious problem. Drawing our maps of property and matching them with the Colonial Surveyors reports, and drawings is difficult.

**Commissioner Of Police.** That's what I mean. Unfortunately it could affect your esteem as a Magistrate Thomas. Even John Batman and Pascoe Fawkner are under suspicion, for grabbing Land around Port Phillip Bay.

**Chief Magistrate.** Thomas even asked me if Black Men and Bushrangers were in the area before his ride, so I remember it well.

**Launceston Town Clerk.** The difficulty we have here in Van Diemens Land, I suspect also occurs in Mainland Australia. Land should be able to be taken up, if it is going to be worked for the good of the colonies. Now that we have had the "Black Line" roundup of Natives, and shipped them off to King Island under the charge of Augustus Robinson, all the land can be safely worked.

**Chief Customs Officer** Anyway Thomas that last cargo of Tea, Rum and Tobacco that your son James imported should give you enough money to purchases more property. James declared a high value of the cost of the goods.

**Thomas Henty.** Well Chief Customs Officer . You certainly know the value of our imported goods, that we have to declare to you so you can collect appropriate Customs Dues for the Government.

**Chief Customs Officer** At least the ships he uses and your son Stephens ships are not like the naval ship *HMS Beagle*, under the Command of Robert Fitzroy that came into Hobart some time ago. A young rich man, called Charles Darwin, related to the Wedgewood family who make most of our crockery, is being allowed by the British Government to fill up bottles and preserve skins and other things so that they may be studied later by the Royal Society in England.

**Thomas Henty.** I am well aware of the doings of Mr. Charles Darwin. My friend John Street, was in charge of making things available to Mr. Darwin, when and several others visited that fine Town of Bathurst in N.S.W.

**Thomas Archer.** Anyway Thomas, come as soon as you can to my property, "Woolmers." I know that King George, the farmer King, and Sir Joseph Banks thought very highly of you as a breeder and raiser of Merino's and ranked you number 2 in England for knowledge of the Merino's.

**Thomas Henty.** My dear friend, John Street in Bathurst in N.S.W. and Captain John Macarthur in Camden N.S.W, would know as much as I do now about Merino's and their adaption to life in Australia. However, I have heard that John Macarthur has been suffering ill health and has been declared a lunatic, so he is not be allowed to be anywhere in Public.

**Chief Customs Officer.** Your purchase of land at Kelso, on the entrance to the Tamar River was a very sensible purchase. You can save many hours of navigation down the river. Has your son Stephen, thought about getting a Paddle Steamer Tug Boat, to pull the sailing Ships up and down the river. I hear they have one in Sydney that operates between Sydney and Parramatta.

**William Archer.** Anyway Thomas, you must be very happy now that all your lads are settled in very good situations here in Australia. And your daughter Jane has married into a rich land owning family, the Bryan's, here in Van Diemens Land at Ross. So you may rest easily about your Family now.

## **ACT 3.**

### ***Prelude.***

The Henty enterprise at Portland existed as a “FREE from Government Interference Settlement” before Melbourne was officially settled, and for some time after Melbourne’s existence, even after Governor Bourke’s visit when he named the settlement Melbourne.

The site at Portland had been occupied by Sealers and Whalers on a seasonal basis. One name that keeps on arising is William Dutton, a Ship’s Captain, who also choose to stay at the Portland site when the sealing and whaling seasons finished. So when the Henty family members arrived he was already settled there.

Whaling, sealing and its oil sales, became very important to the Henty Family, It made lots of sailing boats from Launceston, visit Portland with cargo and passengers, and then go to Melbourne, South Australia, Sydney and Western Australia with whale oil supplies, wool, wattle bark for tanning leather, and people.

Old Mrs. Thomas ( Jane) Henty, was interviewed by the Newspaper, after the death of her husband Stephen Henty. He had become a Magistrate and a Member of the Legislative Assembly. She did not give the details that are in the Play.

## ACT 3 Scene 1

### “Portland Guardian and Normanby General Advertiser January 1873”

**Reporter.** *Thank you for consenting to this interview Mrs. Henty. We at the Newspaper feel that you are in a position to tell our readers more about the settling of Portland.*

**Older Mrs. Stephen Henty.** *I will probably repeat some information I have already given you, so you will have to select what to print.*

**Reporter.** *Why not tell us about when, Mr. Thomas Henty Mrs. Francis Henty, accompanied your husband Stephen, yourself and young Richmond arrived back to Portland, aboard the Henty barque Sally Ann.*

**Older Mrs. Stephen Henty.** *Well from the later half of 1838 to October 1839, was quite tumultuous.*

.....

**Young (20 years old) Mrs. Jane Henty.** Well Mother Henty, what do you think of our Home. It is not the same as when I came here at age 19. My husband and your sons have greatly enlarged and extended the homestead. Do you think Father Henty and yourself will be comfortable while you are here?

**Mother Francis Henty.** I am just very happy to be here Jane, with you and some of my sons. Father is going to ride all over the place to see all that is happening. He already thinks the countryside can support hundreds more sheep, especially if that new place Melbourne, according to Governor Bourke when he visited there, already supports at least 100,00 sheep. The letters from here and the boys visits to Launceston do not explain all the goings on, so he actually wants to stay with some of the outlying shepherds in their shacks.

**Young Mrs. Jane Henty.** You can see how well the vegetable gardens are kept, Stephen says that soon we will have more than enough vegetables for ourselves, our laborers and servants, to take the remainder on our boats and sell in South Australia.

**Mother Francis Henty.** I can still remember when the Thistle sailed past Cormiston for this place you now call Portland, Edward was much younger then, and of course so was Henry Camfield.

**Young Mrs. Jane Henty.** Edward has told me about that voyage from Launceston to form this settlement. They had on board the *Thistle*, lots of stores for building a settlement, some animals, and stores for the Sealing people who lived here during the sealing season. Captain Dutton especially required some special stores, like tobacco After all he chooses to remain here when the whaling season, closes down.

**Mother Francis Henty.** Yes, the distance from Launceston to Portland, is about 400 miles, but it took the boys 34 days to get here. The winds blew up every day, They got to within 5 miles of this Bay, but the wind from the W.N.W. blew them back to seek shelter at King Island

**Young Mrs. Jane Henty.** I must see to young Richmond, he has just woken up.

**Mother Francis Henty.** Whereabouts did Major Thomas Mitchell, and his small party, arrive and camp when they were here in August 1836. Frank told me that he suggested to Major Mitchell, that the *Sally Ann* would be arriving with more stores so he should wait until the barque arrives.

**Young Mrs. Jane Henty.** About here!. Whenever I have discussed that surprising visit with Frank and Edward, they said that whilst Major Mitchell was very surprised at the Settlement here ,he soon enlisted Edward and Franks help in surveying near Cape Bridgewater and the supplies the boys gave him for the remainder of his party that were camped quite a long way away.

.....

## ACT 3 Scene 2

**Reporter.** *Why not tell us about when your sister Miss Mary Pace arrived from Fremantle, in May 1839, on the Henty schooner Sally Ann.*

**Older Mrs. Stephen Henty.** *That was a day I will never forget, had been looking forward to her visit for several months. She and my Mother had to make arrangements to cover her absence in the Shop and Public House that they own in Perth. Her visit started with my housekeeper Mary.*

.....

**Mary.** Mrs. Henty! Mrs. Henty! Mr. McVea says a barque has just arrived around the Headland, and it could be the *Sally Ann*. Your sister could be on it!

**Young (21 years old) Jane Henty.** If my sister is on board, I will be so pleased. I have been waiting several months for her to arrive.

**Mary.** Aye!, the last arrivals we had were Doctor Byass and his wife Rebecca, who had sailed from South Australia, and arrived here in January.

**Jane Henty.** I presume all my wishes have been carried out?

**Mary.** Och aye! All the new crockery, washed and ready. Blankets folded and ready. A mirror and space for her travelling trunk. Everything is ready. I have told Mr. McVea, to get some heplpers and meet the boat at the jetty.

.....later.....

**Miss Pace.** Jane, the smell of the whale meat being boiled down is dreadful.

**Mrs.Jane Henty.** You are very lucky that the tide has dragged away some of the carcasses and bones from the beach area, that adds to the smell. But you know, the whale oil business adds greatly to our income. Everyone seems to want burn it in little lamps to give off a light at nighttime, instead of using candles.

**Miss Pace.** The jetty we tied up to when we came ashore is a little rickety.

**Jane Henty.** You are lucky, the first time I came here, our boat from the ship was being washed all over the place, Mr. McVea had to carry me ashore, on his shoulders, in the surf.

**Miss Pace.** Should we go and visit Dr. Byass's wife, she has only just had that baby girl? John and Eliza when they come down here from Merino Downs, will look for us.

**Jane Henty.** Yes, we can walk. It will give me time to tell you about that horrible man Collier, who pretended to be a Doctor, and who wrote horrible lies about us Henty people to Governor Gipps in Sydney. Then I can tell you how Dr. Byass, a real Doctor, amputated the tops off three toes on Uncle Sam Bryant's right foot, after he was brought here after the sinking of the barque *Children* that was on the way to Adelaide from Launceston.

**Miss Pace.** Jane, what is this Terra Nullius I keep hearing about. I do believe it has something to do with why your brother in law James, who sailed on the *Sally Ann* with me, is here.

**Jane Henty.** Governor Bourke in Sydney and now Governor Gipps in Sydney, have said that no one can own land in Australia, without paying the Government money, Even the Aborigines. But we can RENT many acres to grow our sheep, because they believe this colony of Australia, needs to export sheep wool to England and Europe so that it does not make claims on the English Government for money.

**Miss Pace.** You cannot own land unless the Governor says it is for sale? But you can rent many acres to run sheep on?

**Jane Henty.** Yes, that's what it is all about. Even John Batman, who lived in a little village outside Launceston, and who claimed he had purchased or was able to rent land from the Aborigine tribes, was over ruled by Governor Bourke. Do you know that our Frank spent a week or two at Batman's anchorage on the Yarra River, He never misses an opportunity to tell everyone that he helped Batman put up his tent.

**Miss Pace.** Aha, that's why the Surveyor Robert Hoddle drew up a map of what Melbourne should look like, and then he acted as the First Auctioneer to sell of blocks of land.

**Jane Henty.** What's that commotion over on the hill there? The dogs are barking and I can see what looks like mounted troopers?

### ACT 3 Scene 3

**Reporter.** *1839* Was that when the Police Magistrate Foster Fyann arrived.?

**Older Mrs. Stephen Henty.** *It certainly was! It put everyone in a peculiar mood. But it was to be taken very very seriously. That year in June Mr. John Batman died, and in October father Thomas Henty died. We think the struggles with the British Government about land ownership, perhaps contributed to both their deaths.*

.....later.....

**Miss Pace.** What's happening Jane? All the dogs are barking, the Police Troopers looking serious, and there Leader looking very serious. Luckily they are camped out of site behind that small hill

**Jane Henty.** It is very serious indeed. It seems that that man Collier who said he was a Doctor, and just walked into our Settlement from where we now have Merino Downs, Sandford, Muntham, and Runnymede has made terrible accusations about our treatment of the local aborigines, to the Governor in Sydney.

**Eliza Henty.** According to Frank, the Leader is, Geelong Police Magistrate Foster Fyann. They also have along a Surveyor and Chains man, for drawing pictures and measuring this settlement.

**Miss Pace.** Aha, that also supports James's idea, that some of the persons who had to buy land from the Government Auctions in Melbourne, want to cause trouble for the Hentys here.

**Jane Henty.** Anyway Ladies, my husband Stephen has requested that we write down the names of all people that are here so that Mr. Fyann, can select who he wants to see about the terrible accusations

**Eliza Henty.** All right, at least I know the area around Merino Downs so I can make up that list. My husband told me that all the Henty brothers will have to make a sworn statement to Mr. Fyann.

**Jane Henty** Perhaps sister you could walk down to the whaling area. Captain Dutton or Mr. Wedge, can give you names. I can get the Henty employees from Stephen.

LATER.....

**Eliza Henty.** Well Jane and Miss Pace, I think there at least 338 persons in the area. Made up from you Jane and Husband Stephen and two children, two women servants to farming and stockmen. Doctor Byass, wife and child. Some farmers like Mr. Archdale, Mr. G winter and their servants. Shepherds, Whalers, Boatmen and crews.

**Miss Pace.** That is quite a lot of people at this settlement, and the outlying sheep stations. I wonder how long you can be free from Government interference?

**Mrs. Byass.** Well I can tell you, the Surveyor in Police Magistrate Foster Fyann,s party is human. My husband had to treat him for boils on his legs.

**Eliza Henty.** Well it was very lucky for us when you and your husband arrived on the Barque *Socrates*. You only just missed seeing that imposter Doctor Collier.

**Mrs. Byass.** We find this is a most delightful place for us. The small kitchen I have is perfect for boiling up and mixing up the herbs my Husband uses for treating people.

**Jane Henty.** I think Dr. Byass should have a look at my Richmond. He does not appear very well.

**Mrs. Byass.** As soon as he comes back from treating the feet of that shepherd up near your Station Eliza, I will ask him to look at Richmond.

**Eliza Henty.** What did Doctor Byass put on the toes of my Uncle Sam Bryant, when he arrived here after the *Children* shipwreck.

**Mrs. Byass.** I am afraid you will have to ask my husband that Eliza. I know he was very worried about the wounds, they kept on weeping. At one stage it looked like he would lose his foot.