A COLONIAL ENTREPRENEUR:
FRANÇOIS GIRARD
(1792?–1859)

To the memory of H. G. Morris

KENNETH R. DUTTON

For anyone setting out from Margaret Street in Sydney's Central Business District towards Darling Harbour, the most direct route is by means of a curving thoroughfare that winds its way downhill from Sussex Street to Kent Street, passing underneath the Western Distributor. Though apparently a prolongation of Margaret Street, this is in fact called Napoleon Street—a most unlikely appellation in an area redolent with memories of Sydney's colonial past. That the nearby Darling Harbour should be named after Lieutenant-General Sir Ralph Darling, Governor of New South Wales from 1825 to 1831, is hardly surprising. What is a great deal more remarkable is that the winding street was named in honour of the French Emperor by one of the most extraordinary figures of New South Wales colonial society, a Frenchman considered by Governor Darling to be amongst those responsible for his own recall to England amid accusations of maladministration.¹

Unlike most French nationals who came to live in Australia during the nineteenth century—usually either to escape the upheavals that followed the 1848 Revolution or else to seek their fortune at the time of the Gold Rush—François Girard arrived in Sydney while it was still a destination for convicts, the number of free settlers (though growing) being relatively small. The reason for his arrival is, however, easily explained, for he was a convict himself. By the time of his death, he had made and lost several fortunes, and had become known as both a pillar of the establishment and the bane of successive colonial administrations.

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Girard arrived in Australia on the convict transport Agamemnon, which reached Sydney Cove on 22 September 1820. Though born (in either 1792 or 1793) in Normandy, he had presumably moved to Paris at some point, since the Convict Indent for the Agamemnon lists

Francois Girard alias DeLisle — French teacher of Paris — age 27 — 5ft. 6in. — sallow complexion, brown eyes.²
His alias of De Lisle was in fact his mother’s maiden name, and his profession as a teacher of French had most recently been exercised not in Paris but in London. It was in England that he was charged with stealing two watches, found guilty and sentenced to seven years’ transportation on 17 February 1820.

Although something of a rarity amongst his fellow transportees, who were almost invariably English or Irish, Girard at first suffered no penalty for being a foreigner (and particularly a citizen of England’s traditional enemy, France). On the contrary, whereas most of the convicts were sent off soon after arrival to Parramatta, Emu Plains or Liverpool to work as labourers either for the government or for private settlers, only a month after his arrival the Sydney Gazette carried the following advertisement:

FRENCH LANGUAGE AND DANCING. — M. Girard, of Paris, presenting Compliments to the Families of Sydney, most respectfully informs them that he gives Instruction in his native language, and also in quadrilles, waltzes, &c. All kind of elegant dances, at Mr. Nott’s Academy, 44. Castlereagh street; and those Families, who desire it, may be waited on at their own houses.³

Two years later, the 1822 Muster recorded “Francois Girard, Ticket of Leave, Dancing Master”, and on 12 April 1825 he received a conditional pardon.⁴ Such a dramatic change in his circumstances calls for an explanation.

A clue may well be found in a Memorial that Girard addressed to Governor Darling on 31 January 1826. It reads in part:

Your Memorialist is a native of France and came to this country in misfortune, but in consequence of having served under Napoleon against the English, was recognized by an officer resident in the Colony, and indulged in his liberty as soon as he disembarked.⁵

Indeed, it does seem that he was “indulged in his liberty” in a quite exceptional manner. One can only speculate as to how a British officer could have recognized, in Sydney Cove, a Frenchman who had served in Napoleon’s army—presumably at the Battle of Waterloo five years earlier. One possibility is that Girard was an officer who had been engaged in the identification of French dead and wounded once hostilities were concluded; such a task would have been undertaken in cooperation with officers from
Wellington’s victorious army, one of whom might well have struck up an acquaintance with Girard.6

As to the charge of stealing a watch, the record becomes more complicated and more fascinating, indicating that Girard may have experienced a travesty of British justice. The Old Bailey Session Papers for February 1820 contain the report of Girard’s trial, on the 25th of that month, at which he was charged with stealing two watches from a jeweller’s shop on 13 September 1819. He was found guilty and sentenced to seven years’ transportation. But the February trial was in fact the second occasion on which Girard had been brought before the Old Bailey for the same alleged crime. The Session Papers for 12 January 1820, the previous month, contain the following entry:

331. FRANCOIS GERARD [sic] was indicted for stealing, on the 13th of September in the 60th year of Our Lord the King, two watches, value 40 l [pounds], the goods of John George Fearn and Joseph Littler.
COURT: The 60th year of Our Lord the King has not yet arrived, therefore this indictment is not good.
NOT GUILTY.
First Middlesex Jury (Half Foreigners), before Mr. Recorder.7

If one compares the two indictments, that of January and that of February, one finds that they are identical, except that the expression “the 60th year of Our Lord the King” is omitted in the second indictment. The curious comment “Half Foreigners” is also omitted in the record of the second trial.

One is led to wonder whether some English official had chosen the unusual form of reference to the date (a form not found in any of the other indictments for January and February 1820) to emphasize to the Court that this was no decent British subject being charged but—horror of horrors!—a Frenchman. In this context, it needs to be remembered that, following the end of the Napoleonic wars, fears of a Jacobin revolution abounded in Britain, reaching a climax in the years 1819–1820. In this period, protesting crowds of British workers were marching and demonstrating in the streets, carrying the tricolour and wearing the Phrygian “cap of liberty”. One result of the repression of such demonstrations was the celebrated “Peterloo Massacre” of August 1819, in which British cavalry actually drew their sabres and attacked the mob. The fear of a Jacobin revolution meant that no Frenchman in London was safe. Could the gratuitous reference to
“Our Lord the King” in Girard’s indictment have been a coded suggestion that the accused was a Jacobin intent on overthrowing the established order? All of the above leads us to ask whether it is possible that Girard did not steal the watches but rather that he was, in effect, framed. What would his motivation have been for stealing two watches in the first place? Admittedly, the teaching of French in a country only five years out from a twenty-year-long war with France would probably not have been a lucrative profession, and he may well have been indigent. Having chosen to leave France after the collapse of the Emperor’s regime, he would hardly have been in receipt of a military pension. Nonetheless, there is one tantalizing possibility that is perhaps worth mentioning.

Popular folklore has it—sometimes on the basis of stories handed down for generations within families of convict descent—that some people deliberately committed a minor crime in Britain in order to get a free ticket to a completely new world. According to one such account, a convict in New South Wales wrote home to his brother in England: “Try stealing a horse, this is a wonderful country.” That Girard might have engaged in such a ploy can, of course, be nothing more than pure speculation. However, there are so many extraordinary aspects to his transportation that such a theory seems just about as credible as any other.

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After his favoured treatment on his arrival in Sydney in 1820, Girard appears to have led a quiet life for a few years. Following the reference to him in the 1822 Muster as “Francois Girard, Ticket of Leave, Dancing Master”, the next record we have of him is a letter (in French) written by him to an unnamed person, dated 12 September 1822. Apparently an appeal for financial assistance, it reads in translation:

Sir,

I beg you to excuse my importunity, but the expenses I am obliged to meet are making me anxious and perhaps tiresome. I am a foreigner with no position or means. I have been in this colony for two years, and on my arrival enjoyed the same liberty as I do now. I suffered greatly at first, being destitute, and I now find myself on the brink of reverting to the same state of poverty if my request is refused. I hope that my situation will move you, and that you will lend a favourable ear to my request.
Whether or not this particular request was successful, his fortunes had certainly turned two years later when he applied to the Governor (again in French) for a pardon. He wrote as follows:

Your Excellency,

Mr Francis Girard begs to bring to Your Excellency’s attention that, having been condemned by the Criminal Court of London in February 1820 to deportation for seven years, he arrived in this colony in September the same year, on board the Agamemnon.

On disembarking he was favoured with a general pass, and since that time with a ticket of leave. He has provided for himself by giving dancing and French language lessons, which have supported him beyond his expectations.

He now presumes to beg Your Excellency to look favourably and mercifully on his cause, and to grant him a conditional pardon, recognizing that misfortunes and losses were the sole reasons for his deportation. His conduct, and the fact of being a foreigner, lead him to hope that you will condescend to grant his petition.

I have the honour to be, with deepest respect, Your Excellency’s most humble and obedient servant,

F. Girard
Campbelltown, 10th February 1824

From now on, we will find more and more frequent references (including self-references) to François Girard as “Francis”. The above letter carries the following addendum:

Your Excellency’s Memorialist has held a Situation in my family as French Teacher &c. for several months, in which Department he has acquitted himself with great credit. He is very industrious, and being I am sure an honest man, I respectfully beg to recommend the prayer of his Petition to your Excellency’s good consideration.

Sgd. Rev. Thos. Reddall J.P.
The Reverend Thomas Reddall was at that time the first Rector of the Church of England Parish of Campbelltown. Another addendum follows:

I believe Mr. Girard to be a very good character.

Sgd. J.W. Mauntel J.P.

An undated note under the last signature reads: "To have a conditional pardon. T.B." The initials T.B. are obviously those of Sir Thomas Brisbane, Governor of New South Wales from 1821 to 1825. The Governor's note was not his immediate response to Girard's petition, however, since the Colonial Secretary (Frederick Goulburn) wrote back to Girard as follows:

Francis Girard,

I am to acquaint you in reply to your Memorial addressed to His Excellency Sir Thomas Brisbane, that your service in the Colony has not been long enough to entitle you to any other Indulgence, than the Ticket of Leave you now enjoy.

By His Excellency's Command

F. Goulburn

Colonial Secretary's Office

25th March 1824. \(^{11}\)

The annotation by J. W. Mauntel on Girard's 1824 petition is dated 13 March 1825. Brisbane's approval of a conditional pardon follows Mauntel's addendum, suggesting that after the passage of a further year, and thanks to the support of two pillars of colonial society, \(^{12}\) Brisbane revoked his earlier decision. As mentioned above, Girard obtained his conditional pardon on 12 April 1825.

In any case, the year 1824 was an auspicious one for Girard: the Colonial Secretary's Papers for that year include the following entry in a "list of persons praying the permission of His Excellency the Governor to be united in marriage according to the rites of the Roman Catholic Church":

Francis Girard, Convict, per Agamemnon, to Mary Hayes, free

Permission granted, 31st August 1824. \(^{13}\)

Girard's marriage to Mary Hayes took place less than two weeks after the Governor's permission was granted. Father J. Therry, the priest who at that time had responsibility for the care of the entire Roman Catholic community of New South Wales, made the following entry in his journal:
12th Sep. 1824 — married Mr. Francis Girard, a native of Normandy who arrived in this Colony per the Agamemnon, to Miss Mary Hayes a native of this Colony and the daughter of Mr. Michael Hayes by his lawfull [sic] wife Elizabeth Barker, in the presence [sic] of Richard Hayes, Eliza Hayes and Francis Murphy.14

Not only Mary, but other members of the Hayes family were to play such significant roles in Girard’s future operations that a brief account of their background would perhaps be appropriate.

Mary Hayes belonged to the third generation of a family that originated with two members of the First Fleet, Marine Sergeant William Baker and the female convict Susannah Huffnell. Their daughter Elizabeth Baker (not Barker, as recorded by Father Therry) was born at Sydney Cove and baptised on 1 January 1789.15 She grew up on Norfolk Island during the First Settlement there, and in 1805 married an Irish rebel by the name of Michael Hayes, who had been transported to New South Wales in 1800. Mary, born in 1806, was the first child of that marriage.

Mary’s father Michael Hayes,16 despite his background as an Irish rebel, is generally credited with being Australia’s first accountant (or “accomptant”, as he spelt it), and was highly influential in the development of the Catholic Church in Sydney. Indeed, it was largely thanks to his persistent letters to his brother Richard, a Franciscan friar in Rome, that Fathers Conolly and Therry had been sent to New South Wales in 1820. Hayes was an ambitious businessman, though not always a successful one: over the fourteen years from 1810 to the date of his daughter’s marriage to Girard his business ventures included a warehouse, a retail business, a boot factory and a hotel, but they also included a bankruptcy. Nonetheless, he would have been in a position to give Girard useful advice about running a business in Sydney, and within six months of obtaining his conditional pardon in April 1825 the latter was able to advertise that he had set himself up as a baker and was looking for staff. The *Sydney Gazette* of 17 October 1825 carried the following advertisement:

Wanted: A Pastry Cook. As liberal wages will be given, none need apply but those who understand well their business and may produce a good character. Apply Mr Girard, 16 Hunter Street.

It seems highly unlikely that he had any experience whatever as a baker, and one must assume that his decision to set himself up in this trade was made
for purely business reasons, based perhaps on the premise that bread was a commodity for which there would always be a need in the young colony.

Whether or not this decision was influenced by his father-in-law, the latter was not to see the outcome of Girard's venture: Michael Hayes was found drowned in Darling Harbour on 7 September 1825. The tragedy cast rather a pall over the family, tempering somewhat the joy experienced only a month earlier when the first child of François and Mary Girard—a girl, named Amelia after one of Mary's sisters—was born on 8 August. As the only adult male in Michael Hayes's family, Girard now carried a number of new responsibilities. Apart from his recent fatherhood and the administration of his father-in-law's estate, Girard and his wife Mary took into their care four fatherless teenagers: two of Mary's sisters and two of her brothers (Elizabeth, Michael's widow, kept the younger children with her). On top of this, there was his new bakery to run.

Nor was his new venture without its problems. Only a month after his advertisement in the Sydney Gazette, his premises (along with those of other bakers) were raided by the police, and he was one of five bakers charged with short-weighing their bread. Unlike the other four, Girard was not prepared to accept such a conviction, but issued a public statement in the Sydney Gazette in which he claimed to have been treated unfairly. In future, he declared, he would sell his bread by weight, having, as he conceives, been treated with uncalled for severity by the Police on account of 14 ounces having been found deficient in 180 loaves which were selected from all the bread contained in his shop, whilst had the whole of the bread been taken and weighed, agreeable to the practice in England, it would have been found to exceed the weight, as many single loaves were two and double loaves four ounces above the usual allowance. Such loaves however the Police would have nothing to do with.

On the same page of the newspaper, he announced in a public letter addressed to the Principal Superintendent of Police that he intended to appeal against the police court decision. However, he appears to have changed his mind after going to court to argue his case. The court was not unimpressed, and he was fined a smaller amount than the other bakers charged with the same offence—a fine which he paid.

This was the first of Girard's confrontations with the colonial authorities. It would certainly not be the last.
Engraving by Frederick Charles Terry from *The Australian Keepsake* (1855). Girard’s windmill on Woolloomooloo Hill (now Kings Cross) is the second from the right.
As his notices in the *Sydney Gazette* indicate, his bakery business was doing well. On 28 January 1826 he was able to “apprize Captains and Ship Owners that he will always have a constant supply of biscuit for which Spirit, Wheat, Maize, Salt Pork or Beef will be received in Payment”, and by May of the same year he could promise “every kind of fancy bread, of a superior quality for gentlemen’s tables. N.B. French Hot Rolls at half past 7 in the morning”. His staff, too, was increasing, and he advertised vacancies for a miller, a carter and a general cook. By September, he was further extending his catering operations:

A New Plan: For the Convenience and Comfort of the Ladies and Gentlemen of Sydney, M. GIRARD requests to announce to the Gentry, that from and after Monday next he intends to OPEN A COFFEE ROOM à la Française, where Pastry and Refreshments of any kind will be obtained. In order to secure the ready and entire patronage of the Ladies and Gentlemen of Sydney, Mr G. will spare no Pains to render his Coffee Room a Place of Fashionable Resort.

The announcement was warmly greeted by the *Sydney Gazette*, which commented:

We are glad to see that Mr. Girard, whose enterprising character is pretty generally known among us, is to open a coffee-room in the French style, for the reception of the Sydney beaux and belles, where will be had not only coffee at any hour of the day, but comfits, jellies, sweet wines, and fruits in their seasons. There is little doubt but Mr. Girard will experience every encouragement, as something of this kind which he is about to undertake, is really wanted in our Australian capital.

No doubt the *Gazette’s* endorsement was sincerely meant, though it needs to be kept in mind that Girard was a prolific advertiser in that paper and his patronage was obviously a valuable source of advertising revenue.

Not only catering operations, but more general commercial activities were now in his sights. As his bakery needed flour, it occurred to him that he could increase his profits by going into the milling business himself. He did this by leasing the government “Military Windmill” situated in Clarence Street, not far from his bakery and house near the present intersection of Hunter and O’Connell Streets. It was in connection with this operation that
the miller and carter for whom he advertised were required. By the end of 1827 he had tendered for (and obtained) a government contract to supply bread to all of Sydney’s troops and convicts for the next twelve months, and by the following year he had obtained similar contracts for the military and convict establishments at Parramatta and Liverpool.22

His advertisement directed at “Captains and Ship Owners” indicates that Girard had seen a market niche for himself in the supply of ships’ biscuits. It appears that he actively sought to build up relations with those in the shipping trade, and it was no doubt in this context that he made the acquaintance of Richard (“China”) Jones, Sydney’s whaling king.23 Jones had major interests in at least five deep-sea whalers, all of them with crews that would need ships’ biscuits. In return, Jones wanted a market for some of his whale products, and Girard saw a new business opportunity for himself in the manufacture of spermaceti-wax candles—spermaceti being a fatty substance derived from sperm-whales (and some other whales and dolphins) from which candles could be made. He decided to make application to the Governor for permission to build a factory for this purpose. At the same time, finding the windmill he was leasing in Clarence Street to be unsatisfactory, he decided to seek permission to build his own windmill on the same grant of land he wanted for his candle factory. He had in mind, for these enterprises, a site on Woolloomooloo Hill (now Kings Cross). “China” Jones supported his application, recommending him to Darling as “steady and industrious, and worthy of the best consideration of His Excellency the Governor”.24

The application was to set in motion a sequence of events that led to Girard’s lengthy argument with Governor Darling, and eventually to the Governor’s naming of Girard as one of the persons who engineered his removal from office.

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The initial dealings between Girard and Darling were civil enough, and of a kind by no means unusual in any bureaucratic system. They have been described by Waldersee as follows:

Darling took careful note of the circumstances: that he could not grant land to an alien, that he did not particularly want a candle factory in the heart of Sydney, yet that he should encourage local enterprise, and arrived at a compromise by directing Oxley, the Surveyor-General, to
show Girard some sites on the south-east side of South Head Road, suitable for a windmill and available for lease. But Girard refused them all.25

Finally, Girard obtained a personal interview with the Governor, who gave him assurances of support for both his windmill and candle factory proposal. These, however, proved to be empty promises. On 4 April 1827—some fourteen months after his first application—Girard was told by letter that, as an alien, he could not obtain a grant of land. He immediately replied that he intended to remain in the colony and had no objection to becoming naturalized, but the Colonial Secretary responded that the Governor did not have authority to naturalize him.26 He was caught in what is known nowadays as a "Catch-22" situation. To quote Waldersee again:

Oxley therefore pointed out another available site, near the present-day Rose Bay golf course, but again Girard declined. His sights had been set on Woolloomooloo Hill, and at his next meeting with the Colonial Secretary, Alexander MacLeay in June 1827, he announced that he had bought for £90 an acre of land near the present intersection of Macleay Street and Darlinghurst Road, on which he proposed to erect a mill. Both his own and MacLeay's versions agree that he thereupon asked for some adjacent land for the proposed factory, and that Darling vaguely agreed to let him have it (but not of course as a free grant), if Girard would point out what he wanted.27

It subsequently became apparent however that Governor Darling had his own ideas about the future of the area in which Girard was planning to build his windmill and candle factory. Shortly after the "difficulties" of giving a grant of land to Girard were raised, the Governor ordered the subdivision of Woolloomooloo into town allotments suitable for large homes and extensive gardens. He then issued deeds of grant to select members of colonial society, in particular his senior civil servants. One can be excused for drawing the obvious conclusion.

Unaware of the Governor's plans for Woolloomooloo, Girard had purchased his one-acre block and now started building his own solid stone mill there. Once again he asked for a small grant of land next to his block, fully expecting that the Governor would give the support he had promised in their personal interview. Once again he was refused. Letters now flew back and forth between Girard and the Governor or his Colonial Secretary
McLeay (Goulburn’s successor), leaving Girard with the understanding that he could use the adjoining block that he was requesting, so he promptly fenced it in. By this time he had notified the Colonial Secretary that he was no longer interested in a candle factory, but would use the additional land as a vegetable garden. He was then told to vacate the additional block as it formed part of a large land grant given to none other than the Colonial Secretary himself, Alexander McLeay.

In 1828 another matter arose, complicating even further the relations between Girard and the colonial administration. There was at the time a severe shortage of wheat flour in the colony, and Girard (as a government bread contractor) had obtained permission from the Colonial Secretary to use up to 50 per cent maize flour in his bread. This flour could make only hard bread—similar to ships’ biscuit—but this was not explained to the troops. The latter’s reaction was immediate, and was described by Girard himself in a letter to the Secretary of State for Colonies:

Your Memorialist became exposed both in his person and property to the most serious risque [sic] from the Military, for, though the officers had surveyed the bread and pronounced it good according to the Government Order, the soldiers attacked Memorialist’s dwelling house, and demolished all his windows with the loaves and stones to the extreme jeopardy of himself and family; and though this outrage was committed in sight of and within twenty yards of the ‘Main Guard’, no steps were adopted for its prevention, nor were any means used to identify and punish the rioters or to afford reparation to your Memorialist.29

When the Colonial Secretary—McLeay again—reported the matter to London, he conveniently omitted to mention that the bread mixture had carried his official approval. He represented Girard as trying to cheat on his bread contract. Darling later went further, condemning Girard’s irresponsibility in undertaking the contracts in the first place: “The fact is, he possessed neither money nor credit, and depended on the government to supply his wants”.30 Waldensee comments:

To a large extent this was true, but in awarding the contracts the Government had had little other choice. To accept a higher tender would invite an official reprimand from the home Government; to accept Girard’s tender meant being obliged to help him fulfil it with
Darling was later to suggest that Girard had brought the riot upon himself: “He practised the grossest imposition, and the soldiers in revenge broke his windows with the ill-baked and unwholesome loaves he had supplied.” Nonetheless, the Governor did set up a court of inquiry, which was unable to identify those responsible since the soldiers refused to give evidence against their comrades. A General Order was issued by the Major of Brigade (Charles Sturt, later to become a celebrated explorer), mildly rebuking the rioters.

Despite a series of further complaints about his bread during 1829, the difficulty of finding a new contractor obliged the government to renew Girard’s contracts until the end of the year, but he was informed that he would not be considered for a government bread contract in 1830. His response was to have his young brother-in-law Patrick Hayes (an apprentice at John Dickson’s mill) submit a tender in his place. The ruse was unsuccessful: the tender was rejected on the grounds that Patrick, at eighteen years of age, was too young, and had no assets, to support his obligations under a bread contract. Needless to say, Girard saw this as yet another example of unfair treatment, claiming that even though Hayes’s tender was for a sum 25 per cent below the present contract, it had been “summarily rejected on account of his Connexion and Affinity with your obnoxious Memorialist”.

It was at about this time that he lost patience. By now, Darling was refusing to see him: McLeay later reported that Girard “attended at Government House, in the hope of an audience by His Excellency; but was rudely repulsed by the young officer, who acts as His Excellency’s Aide de Camp”. Flatly refusing to vacate his mill site in Woolloomooloo, Girard now wrote (in French) to the French Ambassador in London, setting out his unfair treatment and requesting that the Ambassador take up his case with the Secretary of State for the Colonies. A “Please Explain” letter from the Secretary of State for the Colonies went to Darling, including an enquiry as to why the Governor had granted his own Colonial Secretary an area of some 58 acres on Woolloomooloo Hill instead of the mere eight to ten acres he had advised London that he would grant his senior civil servants. There can be no doubt that Darling was caused severe embarrassment by the outcome of this land dispute with the troublesome Frenchman. Bickering continued between the two of them ever after, fuelled by more “Please
Explain" letters from London concerning the ill-judged action by the Colonial Secretary (supported by the Governor) in refusing government bread contracts to Girard.

Quite apart from maintaining his running battle with the colonial administration, Girard was defending a number of court actions, usually the result of arguments into which his volatile temper had led him. Meanwhile, his business activities continued at a frenetic pace—baking, pastry cooking, flour milling and the building of a stone windmill (with stone from his own quarry, to boot). One can only wonder where the money came from to fund his business ventures: certainly his bakery seems to have been profitable, and he may have had access to funds from the estate of his late father-in-law Michael Hayes. Perhaps Hayes, being an accountant, had advised him as to how he could raise money by planned borrowing on the strength of his good ideas.

Yet another venture in which he became involved while still building his new mill was to move his business from his Coffee Room at 16 Hunter Street in order to become the licensee of the Sydney Hotel in George Street. This was a very respectable establishment (it was the former residence of the Lieutenant-Governor), which now became the home of Mary's two young sisters. Unfortunately, the Sydney Hotel was near the approach to the main barracks and parade ground, and the two girls soon became the object of rude and insulting remarks from some arrogant young officers who regularly passed by. Girard now had a new reason to complain to Darling:

I have further to acquaint Your Excellency that I am the protector of two young ladies, sisters of my wife, whose virtue and good conduct are well known by all who are acquainted with them; since I took the Sydney Hotel they could not walk under the veranda without being insulted by some of the military officers.

Not that he himself had been prepared to put up with this behaviour: on the contrary, he had already complained to the Colonial Secretary about a certain "Adjutant-Major" [sic], who had "treated [sic] a Captain" and struck an ensign, and in all probability would have committed myself if they had not discontinued their insult. I was even under the necessity of having to shut up a shop I had opened for the sale of confectionery in order to keep them from insult.
There was no satisfactory reply from the Colonial Secretary, but in any case the incidents ceased. Moreover, Girard had other problems to worry about: heavy rain in April 1831 resulted in the demolition of a wall at the rear of his house; then, on 2 May, a new newspaper known as the *Sydney Herald* reported that the south end of Mr Girard’s house had fallen to the ground “with a tremendous crash”. In November of the same year, the same paper reported:

> On the evening of Sunday week, the oven of Mr. Girard’s bakehouse having become over heated, the shingles on the roof ignited, and the whole premises were immediately enveloped in flames. The constables were promptly on the spot, notwithstanding the supply of water was short; the flames were speedily got under. A considerable quantity of biscuit was however spoiled. [...] Had the wind at the time been from the West, the whole neighbourhood, from being principally built of timber, must have been destroyed by the devouring element.41

Despite all of the setbacks, it was obvious that Girard was not a man to let anything stand in his way. He continued with his Sydney Hotel business (along with his mill, bakery, stone quarry and now a produce store in George Street “opposite the Main Guard”) until 1831, when the hotel property, owned by Sir John Jamison,42 was cut up and sold.

The produce store in George Street was intended for the sale of flour, bran and the like, which Girard was now able to process by more modern means, having in 1829 hired a steam engine for this purpose. The use of more modern technology was clearly of enormous advantage: unlike a windmill, which relied on the vagaries of the wind to drive the machinery, a steam-driven mill not only delivered far greater power but could be relied upon to maintain that same level of power over long periods. The *Australian* was fully supportive of Girard’s initiative, and distinctly critical of the government’s dealings with him:

> Mr Girard of the Sydney Hotel we understand has taken Mr Cooper’s powerful steam engine at Black Wattle Swamp, paying for the use of it £1000 yearly. [...] The proprietor and supporter of every steam engine in a young colony like this, where abundant labour is our great and leading desideratum, should be liberally encouraged by the Government. [...] It is on men who thus contribute a share of their talents and enterprise to benefit society that half a score of the dirty acres or
so in the gift of the Government would not be ill-bestowed—on men who employ the latent resources of the colony and augment them, rather than on lazy pen-and-ink pensioners who live upon suction.43

For Girard, the success of this new technology meant that the way forward was clear: instead of continuing to hire a steam engine, he would purchase his own. Placing his wife’s young brother, Patrick Hayes, in charge of the bakery business, he bought a large block of land in Darling Harbour, and on 25 September 1832 wrote to the Colonial Secretary:

Having purchased a hole in the ground in Darling Harbour in the rear of the Government Windmill, on which I am erecting a steam engine, I seek permission to extend my wharf into deep water.44

Amazingly perhaps, this time his application was approved. Accordingly, he built a private lane leading from Margaret Street to give access to his mill and wharf, and in a proud reference to his military background gave the lane the name of Napoleon Street.45 One can imagine his feeling that, in some small way, the defeat at Waterloo had now been repaid in kind, Darling having been recalled by the Home Government in early 1831 amid exasperated protestations concerning (inter alia) the false statements made about him by Girard, “an alien and a convict”.46

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Girard’s general provision warehouse in George Street, alongside Kings Wharf, had to be closed in December 1833 as a result of fire damage from a serious accident, in which a cargo of gunpowder on the Ann Jamison exploded and seven people were killed.47 With Kings Wharf now useless, Girard moved his operations to his Darling Harbour premises. It appears that it was around this time that he also sold his windmill in Woolloomooloo, probably to finance the store and house he was building on his Darling Harbour land.

The new steam engine was an impressive item indeed. Girard had enlisted the services of Mary’s uncle Patt Hayes to undertake negotiations in England to obtain the best such machine available, with no limit on price. The result was his purchase from Aspinall, Brown & Co. of a fourteen-horse-power engine costing about £700, together with a full range of French
burr millstones, pearl barley stones and other accessories. By December 1833, he was able to write to Patt Hayes:

I have just received my Engine; my Buildings are ready to receive it and will be at work in about two months. When in operation [i.e. the whole operation, including the engine and the building to house it] it will have costed me eight thousand pounds. The premises are adapted [sic] for a large Tread [sic], being a Water Side of 100 upon 150 feet, and where a Ship of 5 or 600 Tons may discharge alongside. The Stores are 90 feet in Length, 40 feet in Breadth, six Stories high, the Walls of cut Stones in and outside with detached buildings for stables etc. I have spared no expenses to make it substantial and convenient. I am able now to carry my tread [sic] to any extent.

As his large mill moved into full production, the mere milling of flour, bran and the like was apparently not enough to keep it fully occupied—even though it was employed in the grinding of wheat for other businesses as well as his own (at a price of one shilling per bushel weighing 60lb) “with a view to keep his machinery constantly at work”, as he put it in a public notice.

Even so, a six-storey building provided far more capacity than would be needed for the sole purpose of housing his steam engine and flour mill. Either he had provided room for expansion into other activities if an opportunity arose, or else he wanted to exploit an opportunity that had already arisen. He was obviously aware that, as well as milling grain, a steam engine could be used for other purposes—notably the milling of timber. This was especially important as the timber business was booming at the time, thanks in particular to one kind of wood which was highly prized—cedar.

The red cedar of the coastal forests of eastern Australia was eagerly sought after by colonists, the relatively small stands on the south coast of New South Wales having been cut almost to extinction by about 1825. As the north coast started to develop, there was a real bonanza. This was the area of the “big scrub”, and cedar merchants with their gangs of cutters moved steadily north, opening up the land for settlement as they went. Cutting started at Port Stephens in 1821, Port Macquarie in 1823, the Manning River in 1828, the Macleay River in the 1830s, the “Big River” (the Clarence) in about 1836, and the Richmond River in 1841. It would have been in or shortly after 1834, once his steam-driven mill was in
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operation, that Girard moved into the cedar trade—not only in the milling process, but also in the transport of timber from the northern rivers and the organization and supply of cedar-cutting teams.

Girard applied to rent land on the Macleay River in 1836, with the intention of building a shipyard, but his application was refused. (What other outcome could he expect in relation to a river named after the former Colonial Secretary, who had caused him so much trouble ten years earlier?) The following year, he applied to rent land on the Hastings River, but again his application was rejected. He must have felt himself back in the dark days when he was constantly arguing with Governor Darling. However, he had obviously found ways around these bureaucratic obstacles, having (probably illegally) set up operations on the Macleay even before he applied to rent land there, and opening a shipyard in partnership with one Dan O’Callaghan, a boat builder.

Many theories have been advanced as to who it was who first made known in Sydney the existence of cedar on the Big River, later known as the Clarence. The most commonly accepted version is that of Thomas Bawden, who in his 1886 lectures on the history of the Clarence (“The Bawden Lectures”) claimed that an escaped convict from Moreton Bay, Richard Craig by name, was the first to do so, following his wanderings with Aboriginal tribes in that area. Having given himself up, Craig described to Thomas Ryan, Chief Clerk of the Convict Department, what he had seen of a big river with rich cedar stands, some miles north of the Macleay. As it happened, Thomas Ryan was none other than François Girard’s brother-in-law and close associate, having married Elizabeth Hayes, one of Mary’s younger sisters, in 1830. Whether or not Bawden’s story of Craig is correct—and there are several competing accounts—the fact is that cedar cutters from the Macleay were already operating illegally on the banks of the Clarence in 1835, and Girard’s vessels may well have been servicing them. By 1837, when cedar cutting on the Clarence was still illegal, he certainly had cedar gangs and at least one cedar depot in full operation there. His three vessels, the Taree (a 52 ft. brigantine), Eliza (a 56 ft. schooner) and Francis (a 58 ft. schooner), described by him in a public advertisement as “fine, fast-sailing traders”, were being used for the regular transport of cedar from the river to his mill in Darling Harbour. Being relatively small, such ships were better able to negotiate the difficult shoals and sandbars at the entrance to the North Coast rivers than would have been medium-sized vessels of, say, 100 tons capacity.
By September of that same year (1837), Girard was auctioning nearly a quarter of a million super feet of cedar in logs and boards, either from the Clarence or from the Macleay. In October, the Sydney Monitor reported that four men had been committed for trial for stealing a large quantity of Girard’s timber.

It appeared from the evidence of Mr Girard, and his Superintendent, Mr Hayes, that Mr Girard has property on the Macleay River, and is an extensive dealer in cedar. A person named Maddox was sent there as overseer, to protect the property. Maddox however became ill, and Mr Hayes was sent down to supercede [sic] him; shortly after the arrival of that gentleman at the Macleay, he purchased for Mr Girard about two hundred thousand feet of cedar from Messrs Rudder, Sullivan, Thompson, and others there. [...] The cedar was brought to the beach, and measured by Hayes, and a great portion of it branded by him for Mr Girard.55

Hayes [Patrick Hayes, Girard’s brother-in-law] spotted the miscreants in the act of loading Girard’s timber onto their own vessels, and—bearing “a loaded fowling piece”—challenged them. The men, however, were armed with muskets, and Hayes was obliged to desist from further action, “fearing that bloodshed might ensue”. It was not until the stolen timber reached Sydney that Hayes was able to board the two vessels concerned, the Jane and Emma and the Speculator, identify the timber as belonging to Girard and take out warrants against the thieves. The Sydney Monitor reported: “They were all committed to take their trial, but admitted to bail each of them in £80, and two securities in £40 each.” The following January, they were sentenced to short terms in gaol.56

By 1839 “Girard’s Saw and Flour Mills” were providing up to 4,000 super feet of timber a day in any thickness. In Waldersee’s words, he announced that he intended to keep a timber yard on a very extensive scale, and advertised for another quarter million super feet of hardwood. Three years later he was still offering to purchase great quantities of squared hardwood logs, as well as seeking a foreman to take charge of this side of the business which now featured both horizontal and vertical power saws. Admittedly it was a time of boom, but even so the wage offered, £4 a week, was very good, and in keeping with the owner’s policy of sparing no expense.57
The above wage was payable to free labourers. But, even in the days when he was constantly arguing with the authorities, Girard was granted assigned convicts on a scale comparable with some of the influential landholders.\textsuperscript{38}

Having profited from the best of the cedar stands, Girard now allowed his entrepreneurial instincts to take over, commencing a campaign to attract interest in the area of the Big River by describing its prospects to his rich and influential friends in the Australian Club, of which he is reported to have been a founding member.\textsuperscript{59} This led to the chartering of the paddle steamer \textit{King William}, which took a party of leading citizens to the Big River in June 1839 to examine its possibilities—a journey which was the crucial factor in opening up the Clarence area to settlement.\textsuperscript{60} It was probably Girard who, some ten years later, recommended the area to the Swiss settler Etienne Bordier and his French companions Léon-Emile Chauffert and Baron Gabriel de Milhau, who in consequence set up a boiling-down works at the junction of the Clarence and the Orara. Unfortunately this enterprise proved to be a complete disaster.\textsuperscript{61}

\* \* \*

Given his early knowledge of the Big River district and his obvious enthusiasm for its potential, it is not surprising that Girard headed the rush to obtain a pastoral lease there. Even the name he chose, "Waterview", suggests what his hopes might have been. His mill and house in Sydney, on the eastern shore of Darling Harbour, looked across the water to the area which is now the suburb of Balmain. In Girard's day, one of the most prominent houses in that area stood on an estaté known as Waterview; built in 1835, the house was occupied by Mr N. D. Stenhouse, a noted lawyer.\textsuperscript{62} A hamlet had grown up around the estate, and the nearby bay became Waterview Bay (now known as Mort Bay). Almost certainly, Girard hoped to establish a similar village at his own Big River estate, for which a pastoral lease was obtained in late 1839 by his estate foreman James Williams acting on his behalf (perhaps in order to forestall the refusal which could have been predicted if Girard himself had applied for the lease).\textsuperscript{63} "Waterview" on the Clarence was an estate of some 22,400 acres, with a grazing capability of 1,200 cattle.\textsuperscript{64} It is apparent that Girard saw the Clarence as offering him better opportunities than the Macleay, where he curtailed his activities in early 1838.

Although he had only recently acquired a block of land next to his Sydney mills with the intention of quarrying sandstone—and had even adver-
tised for six quarrymen—, Girard now sold the block and some other lots he owned, mostly in Napoleon Street and some with harbour frontages, and early in 1840 announced his intention to "remove to his estate at the Big River". On 11 February that year he applied to the Colonial Secretary:

As I am going in a few weeks to the river "Clarence" with my family, I hope His Excellency will be pleased to allow me 10 acres of land at the minimum price for the erection [sic] of a House and Stores. I am taking with me 600 head of Horne [sic] Cattle with Twelve Breeding Mares. I also intend to cultivate land for grain and vines.

As had happened so often in the past, the application was declined. There was now a delay in his plans: admittedly, he was highly optimistic in thinking that he could dispose of his Sydney assets within "a few weeks", and in any case his wife Mary was pregnant—a daughter, Marie Louise, being born in Sydney in June that year. Perhaps Mary was reluctant to move to such a frontier area either while pregnant or with a new-born child. For whatever reason, the Girards never established a family home at "Waterview". Nonetheless, François persisted with his business plans, writing to Governor Gipps on 30 November 1840:

Having sold the whole of my premises in Darling Harbour it is my intention to proceed to the Clarence River in a few days and having been requested by some of the principal graziers there to erect a store for the reception of their rural products which I would willingly do—and having built a brig of 143 tons expressly for that river and which answers remarkably well over the barr [sic] and goes 40 miles up river—I hope Your Excellency will let me have 10 or 20 acres on the same conditions as that sold to Mr Wilson of "Siveres".

Girard's plan was to establish what would probably be the first general shipping depot on the Clarence. His intention of moving his residence there is underlined by the fact that in the period 1840–1843 he sent his two eldest sons, Alfred Michael Girard and Francis Napoleon Girard (known as "Frank"), to the Kings School at Parramatta as boarders. However, in spite of the usefulness of his project to the whole community and his evidence of good faith in building a large vessel (the Alfred) expressly for trade on that river, his application was again declined. In view of the fact that he sought "the same conditions as that sold to Mr Wilson of "Siveres"", it does
seem that the refusal of his request could once again have been the result of discrimination on the grounds of his foreign background.

Although he was not to establish his home on the “Waterview” property, he did send his stock there and it is apparent that he frequently visited it, controlling his cedar and pastoral interests. The *Alfred*, which appears to have replaced Girard’s little fleet of smaller vessels, became a regular traveller between Sydney and the Clarence. One of his other ships, the *Taree*, having been wrecked on the Clarence bar, he then purchased the *Martha* and had it fitted out for the timber trade, and later bought the *Speculator*, previously the property of one of the men gaol for stealing his timber.69 A full farming staff was obviously established on the property, and the 1841 census shows 11 people at “Waterview” (nine males and two females): eight of the males were agricultural workers, one was a male child, and both females were “domestic”. Misleadingly, the property is referred to in the census as “the residence of F. Girard”.70

Girard’s plans were to receive an even more serious blow. By 1841, following the wreck of several of his vessels, he had to sell off some of his assets at less than he paid for them. Then, on 26 May 1842, his name was published in a Court list of insolvents.71 This was the time of a major depression in the colony’s business affairs, and Girard was one of many victims. He was shown as having debts amounting to thousands of pounds, whilst declaring assets of only £12. The “almost ludicrous extent of his official liquidity”, as Waldersee puts it,72 is readily explained. Girard had clearly been preparing for this financial crash for some time by transferring all of his assets into his wife’s name. This must have included transfer of the “Waterview” lease, as well as ownership of the brig *Alfred* and virtually everything else he possessed. Shortly after the declaration of insolvency, Girard arranged with his brother-in-law, Thomas Ryan, to exchange Mary’s “Waterview” lease for Thomas Ryan’s property, “Branga Park” near Walcha in the New England district. By 1844, he was evidently still in business, advertising in the *Sydney Morning Herald* for “ten experienced shepherds, four hutkeepers and one bullock driver”.73

Five years later, Girard was involved yet again in a dispute, this time in the Equity Court and concerning the use of some land at Walcha. The hearing went against him, and he was ordered to pay £100. He claimed to have a total estate of only £10 and stated that he merely managed the station for his wife, who controlled all the money. He explained that “Branga Park” was purchased with Mary’s money in 1844,74 and that the family lived there from August 1847 onwards. Since the dispute arose from
a matter involving the property, the Court ordered that sufficient stock
be sold to cover the debt. Whilst Girard may have had to suffer the em-
barrassment of publicly stating that he was no longer fully in charge of his
affairs, it appears that he and his family could still maintain the same
comfortable lifestyle as many members of the pastoralist society of the time,
for whom commuting between their country estate and a Sydney home was
not unusual. Various Postal Directories show François and Mary Girard
residing at different Sydney addresses over the next few years—perhaps at
times when more significant domestic events such as family marriages,
illnesses or births required their presence.

After all the frenetic activity of his earlier years, it seems that
Girard had become somewhat more subdued by the time he moved to
"Branga Park" in 1847. He was by now 55, and the family living with him
would have included his two eldest boys Frank and Alfred, aged 17 and 16
respectively, who no doubt took a practical hand in the running of the estate.
No more is heard of his business activities until an article in the Armidale
Express of 24 May 1856 reported on a public meeting held at the "Horse
and Jockey Inn" on 19 May to discuss the best route for a road from Armidale
to the coast. The routes most commonly spoken of at the time were via
Maitland, Port Stephens, Port Macquarie, the Macleay and the Clarence.
Various speakers having extolled the advantages of one route or another,
the report continued:

MR. GIRARD stated that he had taken a load of ten bales of wool
down by the Port Stephens line some time ago, when the road was
much worse than at present. [Cries of "How often did you unload?"]
He had only unloaded thrice on the way [laughter], and had then
returned with a tandem.76

Although Girard’s advocacy of the Port Stephens route clearly did not find
favour with all the others present at the meeting, his son Alfred (by now a
Justice of the Peace) was to promote the same scheme at a meeting of
Walcha residents held two months later.77

It was at "Branga Park" that François Girard died on 16 November
1859. The recorded cause of his death was "nervous debility", and one can
only echo Waldseer's comment, "it is not surprising".78 He left behind his
widow Mary (who survived him by 17 years) and her nine surviving chil-
dren.79 Though it appears that he was buried in the old Walcha cemetery,
his headstone no longer exists. Perhaps his best memorial is a stand of old
willow trees lining the banks of part of the Cobrebald River which flows through the property. The story passed down by his descendants is that they were planted by Girard, who imported the seedlings from the island of St Helena, where Napoleon died in exile. Like Napoleon Street in Sydney, they now serve as a memorial both to the Emperor and to one of his loyal officers.

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**Notes**

1. The present article is based on information gathered towards a family history by Harry Morris (a descendant of Florence Morris, née Girard, granddaughter of François Girard). Regrettably, because of ill health, Harry Morris was not able to play an active part in writing this article; he died on 25 August 2005, and the present article is dedicated to his memory. I am extremely grateful to his cousin Don Morris and to Emeritus Professor John Ramsland for their assistance in tracking down references. Special thanks are due to his widow, Joan Morris, who kindly read the present article in draft form and suggested some corrections and amendments. Apart from material collected by Harry Morris, the chief source of information on Girard is J. Waldersee, “Emancipist in a Hurry: François [sic] Girard”, *Journal of the Royal Australian Historical Society*, 54, 1968, pp. 238-255. Thanks are also due to a number of other persons who provided relevant information or assisted in the location of documents, notably Edward Bridle, Denise Donnelly, Bill Oates and Denis Rowe.


4. The Index to Convict Pardons lists “Surname: Girard; First Name: Francis; Alias DE LISLE, Francis; Vessel: Agamemnon; Date of Pardon: 12 April 1825” (NSW State Records, microfilm reel 774, p. 195). The conditional pardon was made public in the *Sydney Gazette* on 21 April 1825.

5. François Girard, Memorial to Governor Darling, 31 January 1826, Colonial Secretary’s In Letters, Box 4/2039, NSW State Records. It was subsequently claimed by Darling that Girard’s Memorial was actually drawn up by H. Halloran, the son of one Dr L. H. Halloran, who had set up a “Memorials Office” for the purpose of assisting aggrieved persons to draw up lists of their grievances for submission to the authorities. See *Historical Records of Australia*, Series I, Vol. XV, p. 625. This would account for the fact that the Memorial is expressed in somewhat better English than Girard himself was able to command.
Napoleon fought the English on only two occasions: the first was in Portugal when Girard was only a boy, and the other was at Waterloo. What is commonly referred to as the Battle of Waterloo involved three phases: (1) 16 June 1815: (a) the Battle of Ligny, in which Napoleon defeated the Prussians and split Blücher’s army away from the British; (b) the Battle of Quatre-Bras, in which Ney attacked the British and misinterpreted their planned withdrawal as a victory; (2) 17 June 1815: the Battle of Waterloo itself, in which Napoleon was defeated by British and Prussian forces.

The French Second Corps was involved in Phase 1, the Battle of Ligny. One of the Divisions of that Corps (the Seventh Division) was commanded by a certain General Girard. In the latter stages of the battle, Girard’s Seventh Division made a successful attack on the village of Saint-Amand la Haye, but was severely cut about in the process. All its generals were killed, including Girard himself. Its losses were so heavy that it took no part in the actual Battle of Waterloo but remained in reserve, where its main function was care of the wounded. It seems reasonable to ask whether François Girard might have been a young relative of General Girard: such favoured appointments were perfectly normal at the time. After the Battle of Ligny, the messy business of cleaning up—care of the wounded, the exchange of prisoners, battlefield salvage, etc.—would have required several days and would have brought together officers from the opposing armies. There can be little doubt that Girard held officer rank: along with his advertisements in the Sydney Gazette mentioning “instruction in French and dancing”, he sometimes described himself as a fencing instructor—all of these being skills with which a common soldier would be unlikely to be equipped. Add to this the fact that he could speak English (his later employment in London makes it obvious that he knew both languages), and one has a plausible—if speculative—explanation for his being “recognised by an officer resident in the colony”.

Central Criminal Court, London (Old Bailey), January 1820 Sessions (“Francois Gerard [sic], Theft: Simple Grand Larceny, 12 Jan 1820”, in The Proceedings of the Old Bailey Ref: t18200112-121). There are a number of anomalies in Girard’s arrest and trial(s). The prosecution evidence given against him at the February trial covers 24 lines, represents him as a suspicious character and includes the claim that when arrested he was lodged in a garret in Bath and going by the name “Captain DeLisle” (Francois Gerard, Theft: Simple Grand Larceny, 17 Feb 1820, in The Proceedings of the Old Bailey Ref: t18200217-94). The prisoner’s defence, which covers only five lines, is weak and confused. The prosecution evidence, however, is at times almost incredible, as witness the claim by the jeweller’s clerk that Girard took the watches from the jeweller’s shop in London on 13 September 1819 and was apprehended by the same jeweller’s clerk in Bath, all of 150 miles from London, on 2 December. One must at least wonder what a mere jeweller’s clerk from London was doing in England’s most fashionable watering-place almost at the height of the festive season. Then, too, the same clerk was to make the
extraordinary claim that he had allowed Girard (a stranger) to remove the watches from the shop in order to get an opinion from a friend “in the next room”.

It is hard to avoid the impression of a certain xenophobia amongst the officers of the Court. For instance, at Girard’s first trial, in which a foreigner is found Not Guilty, the reference to the jury as “First Middlesex Jury (Half Foreigners)” is a signal departure from normal practice, the jury usually being designated in the trial reports simply as First Middlesex Jury, Second Middlesex Jury, etc. Quite apart from the fact that the names of the jurors are listed and that only two of the twelve names could conceivably be considered non-British, it would seem highly unlikely that a British jury in the early years of the nineteenth century could contain any foreigners at all. It is tempting to conclude that some person in authority was attempting to belittle and, as far as possible, conceal from the public record a trial which had been bungled.

8. Told to Harry Morris by Ruth McClymont of Toowoomba, who was given this account by an elderly relative from whom she had sought information concerning Girard.

9. The French text reads as follows (Girard’s spelling is retained):

Monsieur,

Je vous prie de me pardonner mon importunité, mais les dépenses que je suis obligé de supporter me rendent inquiet, et peut-être fatigant; je suis étranger, sans état et sans moyens. Je suis dans cette Colonie depuis deux ans, et à mon arrivée j’ai joui de la même liberté que j’ai maintenant. J’ai souffert beaucoup dans le commencement, étant denué de tous moyens; et je me vois à la veille de retomber dans la même misère, si je suis refuse. Je desire que ma position vous touche et que vous pretiez un [sic] oreille favorable à ma demande.

J’ai l'honneur d’être Monsieur avec tout le Respect possible,

Votre très humble et très obeissant, Serviteur

Fr. Girard

Sydney the 12th Septr 1822
the Golden Lion
(NSW State Records, Reel 60551, 4/1761, p. 170).

The letter has an interlinear English translation, in the handwriting style of the time. Though generally accurate, the translation of one phrase is somewhat off the mark: *je me vois à la veille de tomber dans la même misère* is translated as: “I see myself in my old age reduced to misery”. (Girard was at most 30 years old at the time.)

10. Girard’s original reads as follows (his spelling, or that of whoever wrote the letter—it is in a copperplate somewhat different from the other Girard letter still in existence—is retained):

A son Excellence le Gouverneur en chef le Baron Brisbane.

Monsieur le Baron
Le sieur Girard Francois à l’honneur de représenter à votre Excellence qu’ayant été condamné par la cour criminelle de Londres, à un exil de sept ans, Février 1820, et arrive dans cette colonie, Septembre même année, à bord de l’Agamemnon.

A son débarquement il fut favorisé d’une passe générale, et depuis [a ticket of leave] et a pourvu à ses moyens d'existence en donnant des leçons de dance et de langue Françoise, professions qui l'ont supporté audela de ses expectations.

Il ose maintenant supplier votre Excellence de vouloir bien regarder sa cause avec commisération et de lui accorder un pardon conditionnel; et de croire que des malheurs et des pertes sont les seuls motifs de son exportation. Sa conduite et étant étranger [sic] lui font espérer que vous condescendrez à sa prière.

Il a l'honneur d'être, avec le plus profond respect
Monsieur le Baron
De votre Excellence
Le très humble et très Obéissant Serviteur
F. Girard
Campbell Town the 10th Feb. 1824

(NSW State Records, Fiche 3240, 4/1872, p. 49).

11. NSW State Records, Reel 6012, 4/3510, p. 574. Goulburn was Colonial Secretary from January 1821 to January 1826.

12. An undated document in the Girard papers, presumably issued by Goulburn, reads: “The Character of Girard to be inquired of Mr Hutchinson.” This is followed, in a different hand, by the statement: “Not advisable, Mr Hutchinson says, to be granted.” (NSW State Records, loc. cit.) The document appears to be the folded cover of a letter, addressed to “F. Goulburn Esq.”. William Hutchinson, the Principal Superintendent of Convicts, was frequently called upon by the Colonial Secretary to produce a “character” of a convict applying for a pardon or ticket of leave.

13. Colonial Secretary’s Papers 1788–1825, p. 293.


15. On Susannah Huffnell, see John Coble, comp., The Crimes of the First Fleet Convicts, Sydney, Angus & Robertson, 1982, p. 138. She was transported on the Lady Penrhyn, having been tried in Worcester for “Pettit Larceny” in 1786 and sentenced to serve in the colony for seven years. Her name is spelt variously in documents of the time: “Huffnall” in the Returns of Major Ross, “Hufnall” in Surgeon Bowes-Smythe’s list of convicts on the Lady Penrhyn. William Baker came to Australia as a corporal on the First Fleet vessel Charlotte and on arrival was appointed Orderly Sergeant to Governor Phillip, a post which gave him responsibility for the day-to-day running of the Governor’s affairs both at Government House and in the field. How he met Susannah Huffnell is not known, but their daughter Elizabeth was baptised on 1 January
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1789 (see John Coblentz, *Sydney Cove 1789–1790*, Sydney, Angus & Robertson, 1963). In March 1790 Susannah and Elizabeth were included among those transported to Norfolk Island to escape the famine in New South Wales. Baker accompanied them there on the *Sirius*, but after its wreck apparently returned to Sydney on the *Supply* a week or so later. While in Australia, he was the first to catch a hitherto unknown species of fish (*Aulopus purpurissatus*), which was subsequently named the “Sergeant Baker” in his honour and is still known by this name. In 1792 he accompanied Phillip back to England in the company of Baker’s friend, the Aborigine Bennelong. He returned to Australia in 1794 as Superintendent of Convicts on the transport *Surprise* and received a grant of land at Toongabbie, but a year later was put in charge of the Government Store at Green Hills (later re-named Windsor); having been cheated in business, he moved to Hobart and died there in 1836. (H. G. Morris, “Some Facts about a Windsor Baker”, *Journal of the Royal Australian Historical Society*, 26, 1990, pp. 16-26)

16. On Michael Hayes, see Vivienne Parsons, “Hayes, Michael (1767?–1825)”, in *Australian Dictionary of Biography*, vol. 1, 1788–1850 A–H, Carlton, Vic., Melbourne University Press, 1966, pp. 527–528; and Russell Craig, “Michael Hayes: colonial ‘accomptant’”, *Australian CPA*, November 1998, pp. 68-69. Hayes was transported to New South Wales for life for administering the United Irishmen’s Oath during the Irish Rebellion of 1798; he arrived in Sydney aboard the *Friendship* in 1800. His advertisement in the *Sydney Gazette* of 28 August 1803 seeking employment as an “accomptant” was the first advertisement mentioning this profession in the colony, and he is credited by the *Guinness Book of Australian Firsts* with being Australia’s first accountant. He was to manage the substantial business affairs of Charles Bishop and the explorer George Bass. Following the discovery that his premises were being used by one of his employees for the distilling of illicit liquor (though Hayes claimed this was without his knowledge), he was transported to Norfolk Island in September 1805. It was here that he married Elizabeth Huffnell and their daughter Mary was born. On his return to Sydney, he was granted a free pardon and engaged in business activity with varying degrees of success. In addition to his role in obtaining Catholic priests for the colony, he was a member of the committee which selected the site for the Roman Catholic chapel (later St Mary’s Cathedral) in 1820.

17. According to the *Sydney Gazette* (15 September 1825), it was “feared the poor man destroyed his life in a fit of despondency”, presumably because of the failure of some of his business enterprises. It seems unlikely, however, that such a devout Catholic would have committed suicide, this being considered a mortal sin. A Mass celebrating Hayes’s contribution to the Catholic community of colonial Sydney was held at St Mary’s Cathedral on 8 September 1985, to mark the 160th anniversary of his death (Craig, p. 69).

18. *Sydney Gazette*, 7 November 1825. His conviction on the charge of short-weighting was recorded in the *Sydney Gazette* of 10 November 1825.
20. Ibid., 13 September 1826.
23. Ibid., p. 238.
24. Jones's favourable opinion is quoted by Girard himself in his Memorial to Governor Darling dated 31 January 1826. Colonial Secretary's In Letters, Box 4/2039, NSW State Records.
26. "[T]he instructions of His Excellency the Governor do not admit of the naturalization of foreigners in the Colony." (MacLeay to Girard, 25 April 1827, in *Historical Records of Australia*, Series I, Vol. XV, p. 610)
27. Waldersee, p. 240.
29. Girard to Darling, 13 July 1829, Colonial Secretary's In Letters, Box 4/2039, NSW State Records.
34. Girard to Deputy Commissary-General Laidley, 10 December 1829, in ibid., p. 615 ("Supplementary Remarks").
36. Darling to Sir George Murray, 24 July 1830, in ibid., p. 602.
38. Girard announced that "in consequence of his increase in Business (more particularly in the shipping line) he has been compelled to remove to more extensive Premises. [...] The Premises in George street are devoted to the purposes of an Inn and Hotel, called the Sydney Hotel, where every Comfort and Accommodation will be given". (*Australian*, 20 July 1830)
39. Girard to Darling, 13 July 1829, Colonial Secretary's In Letters, Box 4/2039, NSW State Records.
40. Loc. cit.
41. *Sydney Herald*, 7 November 1831. The year 1831 was not a good one for Girard. In addition to the damage caused to his premises in April and May, his name was mentioned in the first issue (vol. 1, n° 1) of the *Sydney Herald*, dated 18 April 1831, as one of a number of "insolvents declared by the Supreme Court".
42. Sir John Jamison, a physician and landholder, was the founder of the Bank of New South Wales.
43. *Australian*, 20 February 1829.
44. Colonial Secretary’s In Letters (Land), Item 2/7865, NSW State Records.
45. By 1840 Girard had subdivided all the land adjoining his wharf and mill into twelve lots, which were advertised in the *Australian* of 18 January 1840 (cf. note 67 below). The advertisement’s very detailed description of these lots makes frequent reference to Napoleon Street, indicating that the private lane running across Girard’s property had already become well known by that name.
47. *Australian*, 2 December 1833.
48. Patrick (Patt) Hayes of Dublin was a successful brewer and importer. Like Richard Hayes the Franciscan friar, he was a brother of Michael Hayes. The three brothers were in regular correspondence with one another, and Girard took up this contact after Michael Hayes’s death. The Hayes Letters are preserved in the Mitchell Library (A3586).
49. Girard to Patt Hayes, 18 December 1833, Hayes Letters.
50. “Francis Girard feels much pleasure by announcing to the Public in general that having at last completed his Mill, his Stores are open for the reception of grain. [...] As the power of the Engine is calculated to grind over three thousand bushels of Wheat per week, Francis Girard, with a view to keep his Machinery constantly at work, will receive from and after 1st August, Wheat to grind for the Public, but not less than ten bushels, for which one shilling will be charged per bushel of 60 lbs. weight, to be paid before the Flour is removed, either by Cash or Wheat at a fair market price.” (*Australian*, 25 July 1834)
51. On 3 September 1836, Girard wrote to the Colonial Secretary applying for land on the southern bank of the Macleay River. The Colonial Secretary annotated the request with the instruction: “Inform Mr Girard, that I regret it is entirely out of my power to comply with his request.” Colonial Secretary’s In Letters (Land), Item 2/7865, NSW State Records.
52. On Richard Craig, see The Bawden Lectures, June–August 1886, Grafton, New South Wales, Clarence River Historical Society; Louise Tiffany Daley, *Men and a River: Richmond River District 1828–1895*, Sydney, Angus & Robertson, 1966, pp. 16–17; Nola M. Mackey, *European Settlement in the Clarence River District before 1850*, Grafton, Grafton Family History Centre, 2001, pp. 7–10. Mackey (p. 6) points out that “Black Jack” Sheik should share with Craig the credit for making the Big River known to the rest of the world.
53. “[Richard Craig’s] tales of the Big River [...] earned him a £100 reward. In 1836 he was sent down to Sydney on a ticket-of-leave, worked at Thomas Small’s Kissing Point shipyard on the Parramatta River and talked so much of the Big River’s cedar that both Girard and Grose sent vessels to explore it. First vessel to travel upriver was Small’s 22-ton schooner *Susan*, with Craig on board as guide. She sailed fifty miles up to a large island, later named Susan Island, loaded cedar and left a party of sawyers there to establish a timber camp. This was at the end of 1837.” (George Farwell, *Squatter’s Castle: the
54. *Australian*, 17 November 1837. The *Taree* was not built for Girard, but purchased by him from others: it had been built in 1834 by William Wynter on the Manning River. The *Alfred* was built for Girard on the Macleay in 1840 (Mackey, pp. 27, 31). The *Eliza* was built for Girard on the Macleay in 1836 by Dan O'Callaghan.

55. *Sydney Monitor*, 9 October 1837. Not all of Girard's timber was stolen, and one of his ships (the *Eliza*) arrived in Sydney on 13 October from the Macleay. In anticipation of its arrival, Girard placed the following advertisement in the *Sydney Monitor* of 11 October:

"CEDAR
By A. Pollack

On Saturday, the 14th October, at Eleven o'clock precisely, at Mr F. Girard's, Darling Harbour. Two Hundred Thousand feet of Cedar, in logs and Boards, divided in lots to suitable purchasers. Terms made known at time of sale."

Evidently, Girard was including in the cedar for sale the timber stolen from him on the Macleay. Because of a dispute with the accused as to whether the timber in their possession belonged to them or to Girard, the sale had to be postponed until his ownership was established.

56. See Mackey, *European Settlement*, p. 15.

57. Walderssee, p. 250.

58. The *Sydney Gazette* records Girard's assigned servants Bryan Murphy (8 February 1826), John Hill (25 January 1828), Walter Hughes (21 April 1828) and George Roberts (17 September 1828). See Walderssee, p. 255.

59. See Farwell, op. cit., p. 106. Farwell does not provide a reference for this claim, which does not appear to be otherwise attested. The objects of the Club were to promote "the social and literary interests of individuals resident in the Colony, and for country gentlemen". The Governor, Gipps, was Patron. The Australian Club still exists, and is one of Sydney's most exclusive clubs.

60. See Farwell, op. cit., p. 115. Farwell describes the activities of the early cedar traders on the Clarence as follows: "Thomas Small and a brother already had Woodford Island, where their sawyers were at work. Girard's overseer, Williams, claimed a bank of the South Arm that Perry had not even sighted. Girard himself made plans to backload cattle to his cedar concession at Waterview, opposite Susan Island, where Phillips and Cole had their depot and slip." (Ibid., p. 117)


62. Nicol Stenhouse (1806–1873) was a well-known lawyer and patron of letters who became Mayor of Balmain (see *Australian Encyclopaedia*, art. "Stenhouse, Nicol Drysdale").
63. Mackey, p. 140.
64. Ibid., p. 141.
66. Colonial Secretary's In Letters (Land), Item 2/7865, NSW State Records.
67. Loc. cit.
68. The Register of Pupils of the Kings School 1840–1843 lists “Alfred Girard and Frank Girard, sons of F. Girard, Publican, Sydney”.
69. See Mackey, p. 21.
70. The New South Wales Census for 1841 lists “Girard F., Waterview, Clarence River, County Macquarie, District Port Macquarie” (NSW State Records, microfilm Reel 2222).
72. Waldersee, p. 251.
73. *Sydney Morning Herald*, 2 April 1844.
74. It appears that Mary was actually only a part-owner of “Branga Park”: the Return of Licensed Occupants in the District of New England as at 30th June 1853 (NSW State Records) lists the property as licensed to Dacre and Ryan, with an undated transfer to Ryan and Girard.
75. The NSW State Records, under Bankrupts, list “Girard Francis, Branga Park New England, grazier 23/3/1849”.
76. *Armidale Express*, 24 May 1856. It is assumed that the “Mr Girard” referred to here was François, given that the journey took place “some time ago”. It is, of course, possible that the reference is to Alfred (see below), but the latter was only 25 years old at the time.
77. The *Armidale Express* of 29 July 1856 carried the following public notice:
   Walcha, July 29, 1856
   TO A. GIRARD, Esq., J.P., BRANGA PARK
   SIR – We, the undersigned inhabitants of this township, respectfully request you will CALL A MEETING, to take place at the “Apsley Inn”, on Monday, the 25th August, at Two p.m., for the purpose of taking into consideration the best means of “OPENING THE PORT STEPHENS LINE OF ROAD.” We are, Sir, your obedient servants,
   [14 names follow.]
   In compliance with the above requisition, I hereby CONVENE A PUBLIC MEETING, to be held at the “Apsley Inn”, Walcha, on MONDAY, the 25th August, at Two o' clock p.m., to take into consideration the matter set forth in the above requisition.
   ALFRED M. GIRARD, J.P.
   Branga Park, Aug. 8, 1856.
78. Waldersee, p. 251.
79. The twelve children born to Mary and François were Amelia Ann (1825), Frederick (1827), Elizabeth (Eliza) (1828), Francis Napoleon (Frank) (1830), Alfred Michael (1831), Rosilia (1833), Alphonse Bede (1837), Leopold Thomas
(1838), Marie Louise (1840), Emma (1844), Jules (1846) and Theresa Josephine (1851). Although such records as remain do not permit of complete precision, it appears that three of these children (Frederick, Marie and Amelia) died in childhood, and Theresa died of typhoid at the age of 15. Girard’s widow Mary subsequently moved to the Richmond River district, taking up Lismore Station from the William Wilson family in 1861. Louise Tiffany Daley records that “Lismore station, which was purchased by the widow of Francis Girard of the Clarence and her two sons [Frank and Alfred], shrank to less than half its size because of the selectors, and in the great flood of 1870 the family lost hundreds of their cattle from the out-station at Dungarubba” (Daley, *Men and a River*, p. 100). A hill overlooking the town of Lismore is still known as Girard’s Hill.