

First Fleeters Henry Kable and Susannah Holmes

Acknowledgement is made to Paul Kable OAM and June Whittaker's book *"Damned Rascals"* - a well researched account of the couple's history.

Unlike some other stories of the First Fleeters, Henry and Susannah both have records of their ancestors in England and, most unusually, their relationship that began in England before they sailed with the First Fleet.

Both Henry and Susannah were indicted for theft of goods over the value of £20 and so mandatorily were condemned to hang but were granted a reprieve and their sentence commuted to transportation. After their trials, both were incarcerated in Norwich Castle prison where they met in the communal felon's yard and formed a relationship. During this time they sought, on several occasions, permission to marry which was refused on the grounds that they were felons and therefore had relinquished all rights. In spite of these refusals Henry and Susannah's relationship resulted in Susannah bearing Henry's child (Henry Jnr.) in 1786. When a decision was made to establish a new penal colony at Botany Bay Susannah Holmes was one of the prisoners nominated and transferred to the waiting prison hulks, but Henry was not and this created great distress for the couple. On arrival at the hulk Susannah experienced further distress when baby Henry was refused permission to board, as the ship's master had no orders to admit her baby.

Faced with the responsibility of caring for the baby the gaol's turnkey, Simpson, took it upon himself to seek permission for baby Henry to be reunited with Susannah. He set out from Plymouth, with baby Henry, to travel to London to make a direct approach to Lord Sydney who was responsible for the organisation and preparation of the First Fleet of ships to travel to Botany Bay. The long plea process attracted much publicity and eventually the Sheriff of Norfolk was directed to transfer Henry Snr. from the gaol to the hulk and for the baby to be reunited with his parents. The publicity also resulted in support for the couple from local citizens and £20 was collected to purchase goods for the family to use in the new colony.



Henry, Susannah and baby Henry embarked the *"Friendship"* on 11th March 1787, leaving Portsmouth on the 13th May 1787, for Botany Bay. Once in the new colony Henry and Susannah, who were still serving their sentences, were among those married in the first ceremony in the colony conducted on the 10th February 1788 by Rev. Richard Johnson. Already having their son Henry Jnr. they became what some have termed "the first family of the Colony." Together they produced 11 children, 10 being first generation "Australians".

Possibly the most socially and culturally significant contribution of Henry and Susannah to the developing colony of New South Wales relates to events that occurred 6 months after their arrival. In July 1788 they became litigants in the first legal case of the Colony when the property (including goods and money) gathered for them prior to leaving England could not be found on arrival in Botany Bay. The property had been entrusted to the stores of the ship *"Alexander"* and thereby the ship's Captain. Attempts to locate the property were unsuccessful. General reports indicated that Captain Duncan Sinclair who had kept their property had, boasted that because Henry & Susannah were felons they could not sue him for loss for its loss.

On advice from the Judge Advocate of the colony, David Collins, the case was raised and several depositions of the whereabouts of the property at various stages of the First Fleet voyage were taken and several witnesses were called to give evidence. Eventually Henry and Susannah were successful in their claim against Duncan Sinclair and were awarded £15 in damages.

The consequence of this legal case was to prove monumental to the formation of the social and cultural identity of modern Australia. Professor David Neale, wrote about this case in his work, *"The Rule of Law in a Penal Colony"* and stated that Henry and Susannah's "use of the rule of law transformed New South Wales from a penal settlement to a free society" (Cambridge University Press, 1991, pp. 1995-96). To this day there remains the general and well accepted attitude that Australian society is based on the belief of a "fair go for all."

By 1789 Henry was appointed to the role of nightwatchman protecting the Governor's food garden. By 1792 he was appointed overseer of women and soon afterwards, made a constable. He became Chief Constable in 1794, retaining this position until 1802, at which time he was dismissed by Governor Bligh for misbehaviour including "illegally, buying/importing pigs from visiting ships."

Henry was able to commence farming in 1792 when he received his first land grant of 30 acres at Petersham. This was soon followed in 1795/6 by grants amounting to 115 acres. As well, in 1802 he owned 205 acres through purchase. In 1809 he was granted 84.5 rods on High Street (Sgt Major's Row) and between 1803 and 1810 he was granted almost 600 acres in the areas of Minto and Airds where one property was named "Holmes Farm." By 1809 his acreage in the Hawkesbury had swelled and after the devastating floods from 1806/9, he acquired a number of small allotments that were transferred to him as payment of debts. In 1823 he was granted 100 acres at Bathurst for his son to farm which was known as "Gormans Hill".

Concurrent to Henry's farming ventures, was his involvement in a syndicate to build shipping vessels. Henry's shipping business activities became his mainstay and included, from the early 1800's, involvement in the sealing trade as well as international trading. His shipping interests included sole ownership of several ships and with his partners Simeon Lord and James Underwood eventually had up to 20 ships which travelled to China, India and Oceania.

By 1797, Henry had been granted one of the first early licences to operate an Inn which he named the "The Ramping Horse" It operated in premises which were adjacent to his house and the gaol at which he was the Chief Constable. This liquor licence was followed by a licence to operate the first stage coach service in the colony that operated between the Hawkesbury and Sydney Cove. Henry also operated one the first Mills described in the Sydney Gazette as "an excellent post mill, the first that had been erected in this settlement." The location of the mill has been identified as standing where Governor Bourke's statue currently stands front of the State Library of NSW.

By 1811 Henry's extensive referral to the "rule of law" had left him with many legal issues surrounding business dealings. One major action saw a finding against him amounting to £12,000. Some suggested that as a consequence of this legal case in 1809, Henry Snr. divested himself of his business interests, leaving son Henry Jnr. responsible and he eventually moved most of the family to Windsor where he had property holdings. Others suggest that the murder of his son, James aged 15, in 1809 (by pirates in the Malay straits) was devastating and also a trigger for changes in his life.

The family lived for many years on the Balmain estate leased from William Balmain and near to McGraths Hill at South Creek, Windsor. Susannah survived another 14 years, passing away in 1825 aged 62. Following Susannah's death Henry moved to his property at Pitt Town. Henry continued to make his mark in the colony with a street in Windsor named after him - he was a member of the Windsor Benevolent Society and the Windsor Bible Association. After a remarkable life Henry died on 16th March 1846 at Windsor aged 84. Henry and Susannah are buried in the grounds of St Matthew's Church, Windsor in a marked family crypt.

