

PAPER V

JEM DAVIS OF GLASGOW - DURAMBOI

Fr Pat Tynan, 2-8-96

Our first stopping place tonight is Toowong Cemetery. A visit to the sexton's office soon finds the grave we are looking for - number 226 in Portion 7, where the headstone tells us that it is the resting place of a man and his wife, James and Anne Davis. She had predeceased him, dying on 28 April 1883. He died on 7 May 1889, and was buried by Fr Denis Fouhy, who will feature again at the end of our story tonight. The headstone does not tell us much except that Davis was born in Glasgow. Interestingly enough it does not mention 'Duramboi', the name by which he was most commonly designated for more than the last fifty years of his life.

The records of assizes held at Glasgow tell us that in September 1824 a James Davis was charged with being a thief and would be transported beyond the seas for a period of fourteen years. He would have spent the usual time on one of the prison hulks before being sent to Botany Bay on the *Minstrel*, where he arrived in August 1825. Of his family and youth almost nothing is known, except what he conveyed to Dr Dunmore Lang, whom he met one night at the Pine River, many years later. His father, he told Lang, had been a blacksmith and he himself had been trained in that trade. The place of his father's trade was one of the very old lanes in Glasgow called the Old Wynd, not far from Gallowgate, which as its name implies, was the place of hangings in that gray city. He grew up in an area close to the River Clyde, called Broomielaw.

Our next stopping place is Hyde Park Barracks in Sydney. Here Davis was quartered on his arrival in Sydney. The building was designed by the convict architect Francis Greenway and it has been authentically restored and is well worth a visit. Here Davis was placed and sent out on one of the clearing gangs that were opening up roads to places like Windsor and Parramatta.

Subsequently Davis was assigned to a free settler at Patrick's Plains, where alas, the records tell us, he was charged again with robbery at the quarter sessions

of 6 January 1829. He found himself again aboard a prison hulk, *The Phoenix*, in Sydney harbour awaiting shipment to the dreaded Moreton Bay.

Let us station ourselves under the most prominent building, the Windmill (still extant) at the Moreton Bay convict settlement, as the brig, *Governor Philip*, arrives with yet another load of prisoners (only four), livestock, despatches and stores. The grapevine which exists in all such closed communities, told the newcomers to expect no mercy from the Commandant, Captain Patrick Logan. Spicer's diary, a daily account of life at Moreton Bay for this time, lists almost daily who has run or absconded. Davis's stay was only forty days, and although there is no record of his having been flogged, he no doubt didn't want to give Logan the opportunity. He disappeared into the night and the bush with another convict on 30 March 1829. The previous day they had stood in the open (as there was no building large enough to hold everybody) and heard the newly arrived Chaplain, John Vincent, deliver his first sermon on the text of Isaiah 61/1 - 'he has sent me to proclaim liberty to captives' - (I kid you not!)

Let us go north now, to the small country town of Tiaro, not far from Maryborough. In front of the Shire Office here in 1961, the Maryborough Historical Society erected a cairn on which are written these words:

Nearby
Duramboi - James Davis
An escapee from Moreton Bay
Was recovered by Andrew Petrie
And Party, 13 May 1842
After living with Aborigines
Of the District for 14 years.

These fourteen years saw Davis become completely tribalised and accepted by the Aborigines as one of themselves. His survival during those years was due to using his wits and the opportunities that presented themselves. The other convict who escaped with him was not so fortunate. He seems to have died very early in the period. He unwittingly emptied out the bones of a dead Aborigine in order to use the basket container in which they were placed for collecting oysters. He was killed on the spot for desecrating the dead. Davis owed his survival to a belief among the tribes that when their dead come back they come with white skins. The origin of this belief came from their practice of skinning the dead who had died in fighting. Once the outer skin was peeled away the layer underneath appeared white. Davis, then, it would appear passed from tribe to tribe between Moreton

Bay and Wide Bay, being accepted as the dead relative of one or other native. Arriving at Wide Bay he was recognised by a local chief of the Ginginburra people, Pamby Pamby, as the re-incarnation of his dead son, because of similarity in appearance. Hence 'Duramboi' was born, that being the name of the dead son.

In later life Davis was reluctant to speak about his experiences of those fourteen years. He certainly took an aboriginal wife and one of his children, a son, assumed the same name as himself. James Davis Junior worked in the timber industry around Kilcoy, and for many years was employed by the Cruice family. Some of you would know Father Tom Cruice, the Redemptorist. Had it not been for Duramboi's presence at Wide Bay in 1842, Andrew Petrie's party may well have been attacked and killed. Hundreds of blacks had gathered there at this precise time for a corroboree to mourn many of their tribesmen who had been killed some time before at Kilcoy Station by being given flour laced with arsenic. Anger was so high that without Duramboi to negotiate they would not have survived.

Back in Brisbane Town in 1842, by now a free settlement, let us connect our story once again with a prominent landmark. It is Wolston House at Wacol, one time home of Stephen Simpson, Magistrate, Commissioner of Crown Lands and Protector of Aborigines. Davis was fortunate in finding himself, officially, as he was still a convict, under the authority of this genial and compassionate man. Simpson arranged for Davis to be attached to the Border police, stationed at Woogaroo not far from Wolston House, which at this time had not yet been built. Simpson saw how invaluable Duramboi would be as an interpreter. As well as being attached to the Border Police, Davis also at this time led several parties north to Wide Bay whose geography he knew like the back of his hand. One of the most remarkable was when he led a flock of 20,000 sheep from the Maitland district to Wide Bay through country totally in a state of natural wilderness. Needless to say this first attempt at grazing was a total failure - many of the sheep were speared by the blacks while others disappeared into the bush.

Davis would have stood out in the Brisbane community in the early 1840s which numbered only 2000 people. His remarkable survival during those fourteen years would have been a major topic of conversation for a long time. This brings us to the next landmark connected with Davis's life - the historic German Mission cemetery at Nundah, now classified by the National Trust. Some of the first missionaries of 1838 and their family members are buried there, e.g. the Hausmanns. These were anxious to make contact with Davis in order to increase their vocabulary of aboriginal language and also to seek his help in visiting the Bunya country to see if that might be a more suitable place for relocating their mission. Accordingly, Simpson wrote to the Colonial Secretary that the party for

the proposed journey to the Bunya country would consist of himself, the Rev. Mr Eiper, the two runaways from Wide Bay (Davis and Bracefield), the bullock driver and his mob (ten bullocks) and six soldiers. This remarkable journey was preserved for us in Christopher Eiper's diary.

With the granting of his ticket-of-leave on 29 July 1844, Davis's period with the Native police came to an end and back in Brisbane Town he took up his old trade as a smithy at Kangaroo point. There was plenty of work. Fellow countryman John Campbell and Sir Evan Mackenzie had established businesses at the Point which both required the trade of a blacksmith. The Colonial artist George Fairholme has left a picture of life at Kangaroo Point at this time - 'the small slab and weatherboard cottages where the bars and sly-grog shops catered for the needs of the lusty young seamen and squatters. Here wild and alcoholic parties lasting far into the night with the ladies of the town were their compensation for the isolation of the bush, or long weeks at sea.'

The mention of the ladies of the town leads to our next landmark, long since demolished, the convict barracks which stood until late in the last century on the south-western corner of the present intersection of Queen and Albert Streets. Here in the central row of the old convict barracks, the only place of worship Catholics had at this time, on 3 November 1846, Father James Hanly, the parish priest of Queensland, married Davis to an Irish woman named Anne Shea. Although no primary sources have been found to reveal much about her, secondary sources identify her also as having been a convict. It would appear that henceforth Davis regarded himself as a Catholic - as we would say today a Catholic by marriage. They had no children and records show that Anne Davis continued to meet up with law officers on several occasions, even once serving a short term in gaol. Davis himself seems by the late 1840s to have been able to free himself entirely of the vestiges of his convict past. On 20 February 1849, he was granted his conditional pardon. He was now a free man, with the one proviso he could never return to his native land. On 23 May 1851, Davis's name appeared in a list of selectors published in the *Moreton Bay Courier*, asking Henry Hughes Esq to represent them, the electors of Stanley Borough in the Legislative Council of New South Wales. To be an elector one had to own property - Davis was already on his way to becoming a man of means.

The next place I want you to visit in your imagination is the old convict barracks in Queen Street, where Justice Roger Therry has been presiding over the trial of an aboriginal native, called among several other names, Make-I-Light. As was so often the case there is confusion on the part of the white prosecutor as to the identity of the accused. Finally, Make-I-Light, in his frustration at the way things

are going pleads with his accusers to send for Duramboi. Make-I-Light would have known Davis from his tribal sojourn and knew he would be able to identify him and prove his innocence. Davis arrives but refuses to act or interpret unless his expenses are paid. Therry put him in gaol overnight for contempt of court and when the court met again things proceeded. Davis frequently found it necessary to remind those in authority that he would like to be paid for his services as a court interpreter, as was everyone else connected with the court system.

The case of Make-I-Light is interesting because Davis has to switch roles at one point, and is also sworn in as a witness. Against unbelievable odds, as was often the case with aboriginal trials, and very often still is, the jury brings in a verdict of guilty, after a very short recess. This was Saturday, 15 November 1851.

Our next landmark is the little church of St. Stephen in which we are gathered. Sunday Mass is being celebrated by Father James Hanly. In the congregation there is certainly Mr Justice Therry, one of the leading Catholic laymen in New South Wales. Also in the congregation are James and Anne Davis - Duramboi the Blacksmith and Court Interpreter. All are surely thinking about the events of the previous day - the unbelievable conviction of a man who was condemned on the most uncertain evidence. What would Father Hanly have said on this Sunday - for those whose memories don't go back before the Liturgical Reforms of the Vatican Council I should explain what Sunday it was. It was the 24th Sunday after Pentecost. In 1851 there were 25 Sundays after Pentecost, hence it became the 24th Sunday after Pentecost and so one of the remaining Sundays after the Epiphany had to be used. Have I lost you yet? The Sunday used for 15 November, 1851, would have been that of the unused 5th Sunday of the Epiphany, for which the Gospel was (I am coming to the point) that of the cockle and the wheat (Mt.13/24-30). Let us suppose Father Hanly like many a good preacher today, sometimes found that he needed a few more thoughts to add to his own. He may have used from time to time those of the French preacher Masillon. Masillon's homily for this Sunday, translated into English and published in England at the start of the 19th century, is entitled 'Salvation'. (I should point out, in case some are unaware, that before the Vatican Council very often sermons had no reference to the Scripture readings of the day). To get to the point, Masillon's sermon, and maybe Father Hanly's too, contained this thought: the penance we may be asked to practise in our Christian lives may involve clemency and justice when we are in authority over others. Surely Judge and Interpreter in St. Stephen's must have thought about that. Did they speak to one another after Mass that day? Who knows? The upshot of it was that Moggy Moggy - another one of the names by which the aboriginal native was designated, was given a reprieve. Therry overthrew the jury's decision and Moggy Moggy became one of the only two blacks on trial for murder before separation to escape execution. Davis interpreted for many of these.

When the Court system expanded to take in places like Ipswich, Drayton Maryborough, Rockhampton, Gayndah, he was called upon to travel there and interpret for those on trial. To link up with one of the circuit trials let us note another landmark, and go at this time, of all places, to Lang Park. Why Lang Park? Prior to its relocation to Toowong, Lang Park was originally the site of Brisbane's second cemetery. It was divided into denominations. To the Catholic section of Paddington Cemetery came a funeral on Saturday 24 January 1874. The deceased is John Killeen Handy and the prayers are read by Father James Horan, nephew of Bishop Quinn, who had also anointed the dead man in his final illness, because you see, John Killeen Handy had been a priest, got married and studied the law. It is as a lawyer that he comes into our story. (Handy's fascinating history can be read in Peter McEniery's book, a biographical novel called 'One Life').

Handy was appointed by the Crown to defend Jacob, an aboriginal native on trial for rape in April 1869 at Maryborough. Davis was interpreter. McEniery devotes a whole chapter in his book to this trial, which he says 'demonstrates the kind of justice aboriginal Australians received last century'. In the newspaper report of the case both the judge, Chief Justice Cockle and Handy pointed out the inaccuracies and contradictions in the evidence of the principal witness. The jury retired for a mere twenty minutes and returned with a verdict of guilty. Cockle said to the interpreter, Davis, 'Tell the prisoner I feel great pain in having to pronounce upon him the sentence I must pronounce. It is useless for me to say much to him for he would not understand my feelings at all. He must know that it is necessary to protect women; that such crimes as that for which he has been found guilty should be punished; and that by the sentence of the law - not my sentence - the punishment is that you be taken hence to the place whence you came, and thence to the place of execution, and there hanged by the neck until your body be dead. I am distressed to have to pronounce such a sentence, but the God of all mercy may, I hope, extend his pardon to you.'

The interpreter would have transmitted a similar speech to condemned men on numerous occasions, in Brisbane, Ipswich, Maryborough, Rockhampton and so on. He could but have been aware of how much prejudice and how little fairness or justice was displayed by the juries that handed them down. Perhaps at some time in the future some one will make a complete study of all of the cases in which Duramboi was called upon to interpret. On a few rare occasions condemned Aborigines confessed they were guilty on the scaffold and asked forgiveness. For example, in 1865, Jacky was executed inside the walls of the gaol opposite the cathedral where the Post Office is now situated. He was attended on the scaffold by a Father Patrick Sheehan who had baptised him in the gaol but a few days

before. The *Moreton Bay Courier* reporting Jacky's hanging said that his last words were to the effect that he was sorry for what he had done and that he hoped God would forgive him.

Some who knew and met Davis in his old age said he became taciturn and uncommunicative - no doubt the many miscarriages of justice he witnessed and which he was powerless to alter may have had something to do with this.

Our next landmark is Burnett Lane, the small laneway that runs between George and Albert streets, parallel to Adelaide Street. The Davis' moved there from Kangaroo Point before Separation in 1859 and this was his home for the rest of Davis's life. He bought land and opened a crockery shop in George Street, on the northern side, between Queen and Adelaide Streets. Obviously someone else had to look after this while he was away when the court went on circuit. Fellow Scots, like the Grays who ran a boot shop in George Street, were close friends for all of his life.

Our next landmark is St. Stephen's Cathedral just opposite. Here on 28 July 1883, Davis was married for the second time to an Irish widow, Bridget Hayes, by Father Denis Fouhy. He was 64 and she 49 years of age according to the certificate. Anne Davis had died, as we saw, on 28 April of that year. By all accounts this was not a happy marriage and after Davis's death Bridget was charged with man slaughter, but the case was dismissed.

The best known landmarks for Davis's long and extraordinary life are at the Royal Brisbane Hospital in the lower ground floor, Block 7, near the lift. These are part of the hospital's historical display. There is a photograph taken after his death by Oscar Fristram and a few short lines about his life (some of the facts of which are inaccurate). Next to the photograph is the Duramboi clock, donated by him to the hospital and which is still in working order over 100 years later. Nearby are the hospital's donor boards, acknowledging donations of £100 and more. Davis's name occurs four times on this. In 1888 he gave £750; after his death three more bequests came out of his estate between 1894 and 1911 totalling £1275. In all over £2000 came to the hospital out of his fortune, which would have made him quite wealthy by present day standards.

This brings us to the conclusion of this unique life story. On 7 April 1888, he made out his will leaving most of his wealth to Potter Batson, his tenant who occupied a building he had recently purchased in Adelaide street, probably back-to-back with his home in Burnett Lane. He also left money to Frank Gowan, who at that time was managing his crockery shop in George street. Events over the

next twelve months altered his disposition to both his wife and Frank Gowan. By a codicil dated 8 April 1889, just a few weeks before his death, his wife was excluded from his will, as was Gowan, who no longer had a job as the crockery shop had been sold just a few months before Davis's death. By the codicil, new beneficiaries of the will were now the Convent in Ann Street, the Christian Brothers connected with the Roman Catholic Schools, Brisbane, Archbishop Dunne and Father Denis Fouhy. All these received 200 pounds.

What happened in the last twelve months of his life to bring about this change in his will we will probably never know. Needless to say the funeral was conducted by Father Denis Fouhy in Toowong cemetery, as I have already noted.

Any producer would find more than enough natural material for a mini-series in Davis's long and eventful life. He paid society back more than a hundred fold for the follies of his youth. Next time you visit the Royal Brisbane Hospital you will be better informed as you enter by the door on the lower ground floor, about the clock there and the picture of the dour looking man in the black cap, near the lifts.

Fr Pat Tynan was ordained for Brisbane in 1961. He is the author of *Pioneer Priest and Botanist - Benedict Scorthechini* (C.A.S. T'ba, 1989), *Fr Joseph Augustine Canali* (C.A.P, Bne.) and *Duremboi* (C.A.P. Bne 1997)