

An Involuntary Passage to Australia

by *Cathal Cavanagh*

The Cussen¹ family did not arrive in Ireland with the first wave of Normans but they appear to have already been established there prior to 1300. The tenacity with which successive generations of this family in Limerick retained the Norman first name Robert is remarkable; to an extent this also acts as a tracer of family lineage over time.

Canon Begley² refers to a Robert Óg Cussen³ who was killed in the 1580 Desmond rebellion. His land holdings had been in two blocks located in County Limerick around Askeaton and Grange, near Newcastle West. These lands were forfeited to the Crown in the aftermath of the rebellion, as the deceased Robert Óg⁴ was deemed to be "attainted" due to his participation in that rebellion. It is not possible to estimate precisely the extent of his land holdings, but the indications are that they were fairly substantial. The confiscation of Robert Óg's land in 1593 appears to have resulted in a split in the dispossessed family into the Askeaton and the Newcastle West branches, with both clinging on as tenants in part of the lands where they were formerly owners. The Newcastle West branch of the family flourished and has maintained a

prominent presence in the area to this day, whereas the Askeaton branch of the family appears to be less in evidence.

The Rockite Rebellion

Recently, James S. Donnelly⁵ has re-opened a chapter of Irish history that has tended to be somewhat neglected. The Rebellion occurred primarily within Munster, with West Limerick being a particular hotbed of rebellion of the "Whiteboy" guerilla type, including raids for weapons and attacks on perceived oppressors of the tenant farmers, and on their property and their allies.

Well before these troubles, trends were emerging in Irish agriculture, which eventually set the scene for the rural protest movements of the late eighteenth and early nineteenth century. As livestock farmers expanded and took up more available farmland, a landless class of poor peasants and labourers grew in tandem.

While better-off landowners were thriving from the mid-eighteenth century to the end of the Napoleonic wars in 1815, infla-

tion was slowly crippling the poor. As the landed elite was building their Georgian townhouses and Palladian mansions, the living standards of the landless and the poor were declining.

According to Donnelly, by 1841 there were 50,000 rich farmers with land holdings averaging about 80 acres; 100,000 comfortable farmers averaging 50 acres; 250,000 family farmers averaging 20 acres; and 1.3 million cottiers or poor peasants (300,000 with an average of five acres and one million with an average of only one acre), who laboured for the landowners and rented potato plots from them. The system offered the poor peasants just enough food, employment and land to ensure survival and, with their birth rates outstripping the rural Catholic middle class, the rural social structure became more and more imbalanced with each passing year. At the top of the scale, absentee landlords worried little about the trouble brewing in Ireland, as long as sufficient rent came through to fund their extravagant life styles in England.

The post-Napoleonic decline in farm prices, the trend towards increased cattle-raising at the expense of labour-intensive, employment-creating, tillage and the continuing burden of tithe exactions to support



The Square Newcastlewest

(Limerick Museum)

the established church, were all factors which stoked up the unrest. However, as Pat Feeley⁶ has pointed out, there was one basic consideration, which underpinned everything: 'the peasant was dependent on the land for his very existence and he would fight and kill to have and to hold it'.

A leader was appointed by the insurgents and was bestowed with a 'nom de guerre' of Captain Rock, to instill fear into their enemies and to be used when issuing threats.

It has been argued that the so-called Rockite movement was based on more than just agrarian unrest. The mobilisation of diverse bodies of people, from such a large area, have led some to conclude that there was a directing committee with a premeditated plan for a general insurrection. Although the existence of an overall plan is difficult to substantiate, outbreaks of violence were certainly swiftly copied and spread like wildfire among the districts involved.

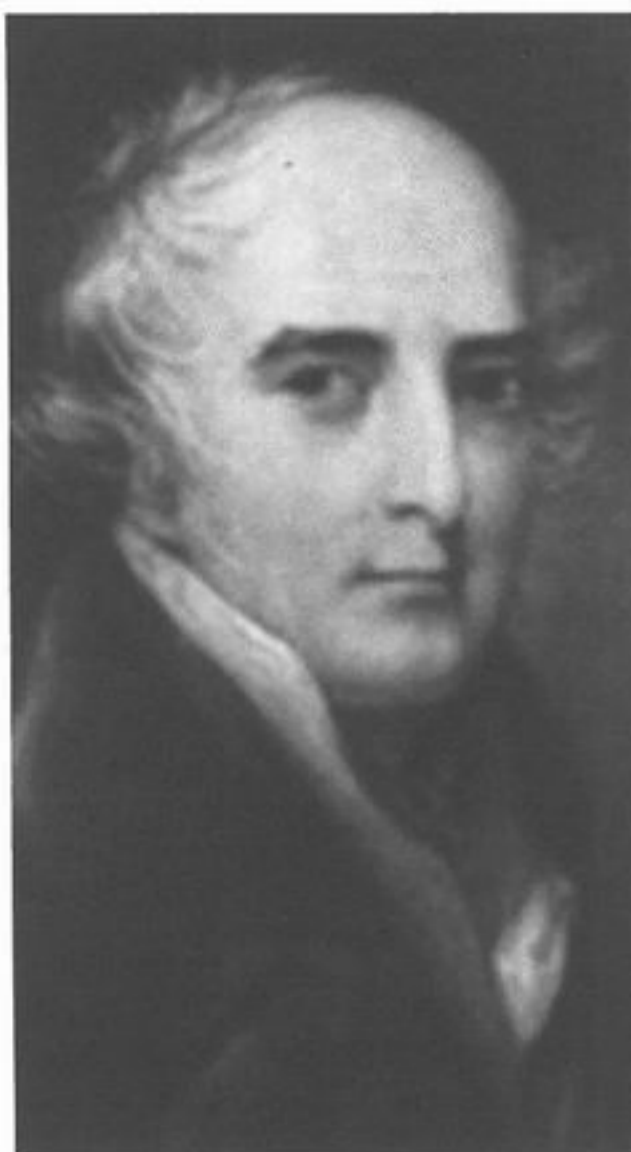
Attempts to seize and impound animals by landlords in face of rent or tithe default often resulted in Rockites subsequently breaking open the pounds and assaulting anybody left to guard them. Others in default simply did not wait for the landlords or tithe collectors to arrive but in anticipation drove off the animals with help from neighbours.

Perhaps one symptom of the near breakdown of rural Irish society in the 1820s can be found in the mass (50,000) applications for a scheme of assisted emigration to Canada. Among the landlords, William Courtenay was never seen on either his Irish or English estates. According to Donnelly, it was probably Courtenay's lack of interest in his 34,000-acre estate around Newcastle West in Co Limerick that helped to actually light the spark that became the explosion of Rockite violence. An Englishman, Alexander Hoskins, was appointed as agent to look after the Courtenay estate. Hoskins evicted many tenants and treated others harshly, to the extent where he could only go about his business with a police guard. Hoskins himself maintained a large body of armed men for his own protection and also paid spies to feed back information on the locals. Nevertheless, his enemies succeeded in murdering his 19 year old son, Thomas⁷ Hoskins also alienated the middlemen, some of whom were Protestant, and it was suspected that these in retaliation fomented some of the subtenant agitation. Matters deteriorated to such an extent that the estate suffered financially and the estate trustees finally deprived Hoskins of his agency at the end of 1821.

Official Repression and the Marquess of Wellesley's intervention

The Rockite attacks were followed by the inevitable cycle of official oppression and reprisals through application of the Insurrection Act and suspension of Habeas Corpus, arrests and judicial penalties, including imposition of death sentences.

In February 1822 on the proposal of



The Marquess Wellesley

Lord Londonderry, the House of Commons assented to the 1815 Act of Insurrection immediately being revived in Ireland and the suspension there of habeas corpus for at least six months. This was at a time when the number of British troops stationed locally exceeded 16,000. Moreover, with over 300 persons awaiting trial for crimes associated with the 'Munster war', it was anticipated that the number of death sentences imposed would reach a level 'neither humanity nor policy could sanction'.

As Valerie Thompson⁸ has pointed out, the British government was for once aware that despite widespread arrests and many death sentences, large-scale executions would be counter-productive and except where murder was proven, the death sentences tended to be commuted to transportation for life.

In fact, the newly appointed Lord Lieutenant of Ireland, Richard Marquess Wellesley⁹ sought Home Office cooperation to substitute transportation for the gallows whenever possible.

Robert Cussen and Convict Life in Australia

Newcastle West born Robert Cussen, an apothecary from a well-respected and comfortably well off family (as recounted by the police during his trial) was an unusual case. Initially, he was convicted of acting and dressing as the leader of a group of Rockites, which had attacked a gentleman's house in County Limerick with the objective of stealing arms.

In April 1822 Chief Constable Lamsden and Sergeant Jennings, of Major Carter's Police in County Cork arrived in Limerick city and identified Robert Cussen, as the leader of the party that attacked Churchtown Barracks in County Cork.¹⁰ The Chief

Constable, who saw Cussen in gaol 'could only swear as to the identity of him by belief' initially but subsequently stated that he was 'positive that Cussen was the leader'. Sergeant Jennings related 'several circumstances which occurred between him and Cussen on the night of the attack'. However, the sergeant made a strange admission that although 'he received a wound in the thigh, he owed his life on that occasion to Cussen's humanity'. Chief Constable Lamsden also commented that although he 'was desperately wounded, he acknowledged himself indebted to the interference of the unfortunate prisoner'.¹¹ Having initially been sentenced to death, Robert's conviction was commuted to transportation for life. It is not known whether his social standing or the humanity he displayed towards his adversaries played a part in having his sentence commuted.

Nonetheless, in November 1822 the convict transport ship *Mangles* anchored in Sydney Cove, in New South Wales, had Robert among its contingent of prisoners.

This group was fortunate, as it had a ship's captain of good reputation and a surgeon superintendent who had been appointed following previous complaints of inhumane treatment. Only one of the 191 passengers that originally sailed from Cork died en route and the remainder were reported to be in good health on arrival.

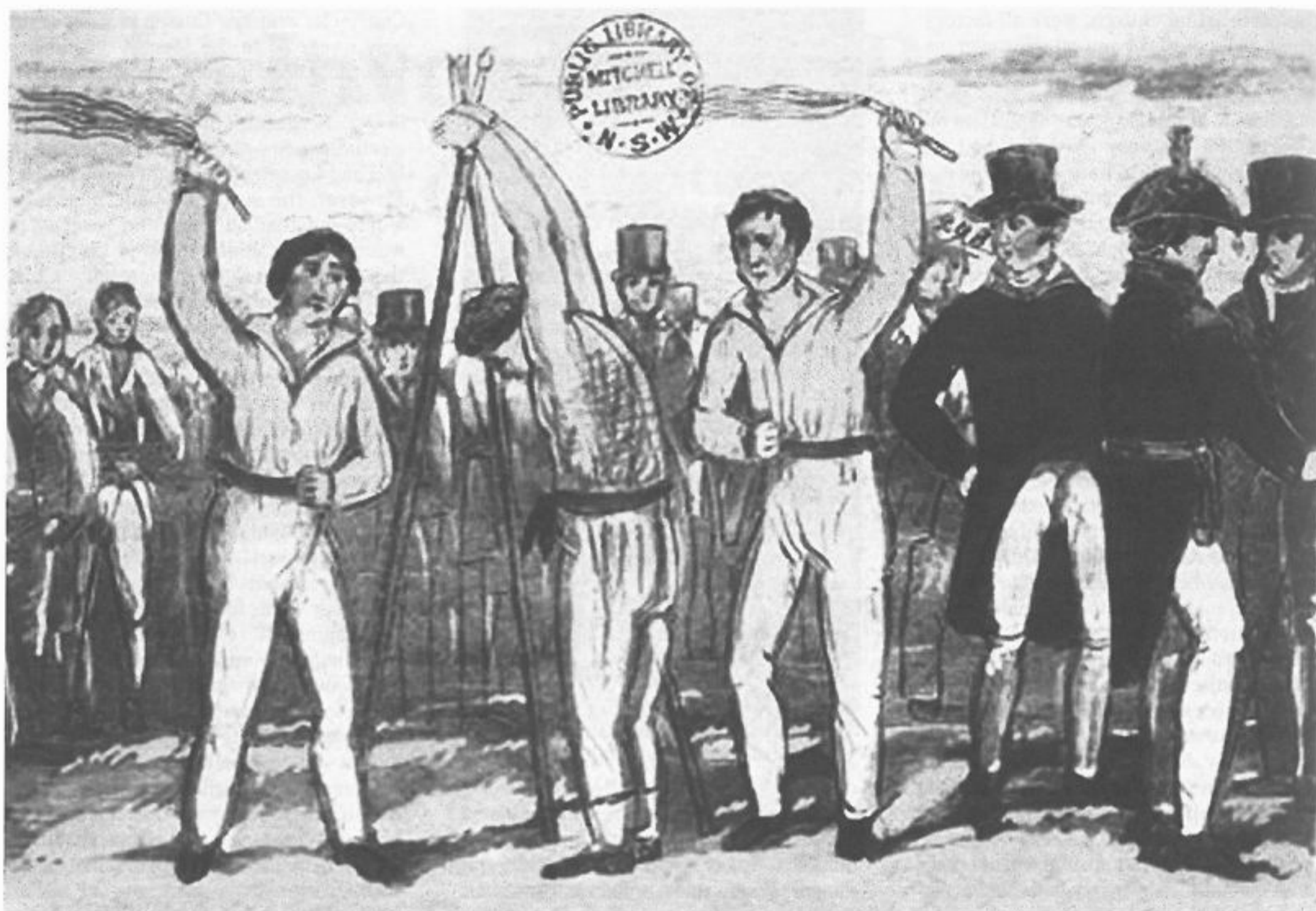
Many Irish, convicted of rebellion, faced harsh treatment in Australia, as the authorities were terrified they would also ignite rebellion in the colonies. However, there is no evidence that this prejudice applied to the 191 convicts (73 of whom were from Limerick) on board the *Mangles*. The convicts were allocated somewhat randomly (apparently without regard to their skills) among various settlers who requested their services. They arrived at a period when the colony was being expanded which made it more difficult to obtain a precious 'ticket of leave'.¹²

Robert Cussen obtained his 'ticket of leave' in 1832 and also became a police constable, but had it withdrawn in 1834 due to drunkenness on duty. However, the Governor of Brisbane subsequently reviewed the case and approved its reinstatement. He had moved from Maitland to Tocal, a town just north of Maitland, and in 1836 he was still as a constable in Paterson.

After seventeen years in Australia (Botany Bay) his sisters and daughter petitioned in 1839 that he be returned to Ireland. The absence of his wife's name from the petition would suggest that she was then no longer living. There is no indication that this petition was granted.¹³ There is no evidence that Robert Cussen ever returned home or saw his family again.

SOURCES

- 1 The original name was apparently 'Le Cosin'. While 'Le' at the beginning of a name often indicates Breton origins, there is no evidence to confirm this. 'Cosin' is thought to derive from old French, meaning 'kinsman'. The rapid and complete hibernicisation of the family can be gathered from the fact



Flogging a convict at Moreton Bay, 1836

that an Adam Cussen was one of the Gaelic scribes of the Book of Uí Máine at the end of the 1300s.

- 2 John Begley, *The diocese of Limerick: Ancient and Medieval* (Dublin 1906).
- 3 Edward McLysaght, *More Irish Families*, (Dublin 1992)." p.73, refers to 'Robert Oge Quayshen' of Grange (near Newcastle West), Co. Limerick; but it is likely that he either based this reference on Canon Begley's work or drew on the same original source.
4. This author's maternal ancestry included a Robert Cussen from Askeaton and he is confident (based on land holding records) that, despite the absence of any definite paper trail, his ancestral family line probably stretches back to the aforementioned Robert Óg.
- 5 James S. Donnelly *Captain Rock, The Irish Agrarian Rebellion of 1821-1824* (Cork 2009).
- 6 *Rockite Uprising in County Limerick 1821* The Old Limerick Journal Volume 21 Autumn 1987.
- 7 A blacksmith named Patrick Dillane from Shanagolden reputedly led the group who shot Hoskin's son. Dillane boasted of being the first Captain Rock, the name allegedly being derived from his stone throwing escapades. To the astonishment and disgust of many of his comrades he eventually turned informer and was embarked on board a ship to Canada in 1824. One man accused of the attempted murder of

Hoskins and another of being involved in the murder of his son were acquitted when defended by the redoubtable Daniel O'Connell, who had earlier reduced Hoskins to a figure of ridicule in a separate case. Two more men were acquitted of shooting at a foreman employed by Hoskins.

- 8 Valerie Thompson *Men of Mangles-1822*, The Old Limerick Journal Volume 38 Winter 2002.
- 9 Wellesley, 2nd Earl of Mornington, who was appointed Lord Lieutenant in 1821, was the brother of the Duke of Wellington, who had married as his second wife, Marianne, a granddaughter of the (Catholic) Charles Carroll of Carrollton, the last surviving signatory of the United States Declaration of Independence. It also appears that the Wellesley ancestors in County Meath may have taken part in Silken Thomas's rebellion against the Crown in 1534.
- 10 *Limerick Chronicle* 1 May 1822. Churchtown is a village just over the Cork and Limerick county boundary.
- 11 Ibid.
- 12 A Ticket of Leave (TOL) was a document given to convicts when granting them freedom to work and live within a given district of the colony before their sentence expired or they were pardoned. TOL convicts could hire themselves out or be self-employed. They could also acquire property. Church attendance was compulsory, as was appearing before a Magistrate

when required. Permission was needed before moving to another district and 'passports' were issued to those convicts whose work required regular travel between districts. Convicts applied through their masters to the Bench Magistrates for a TOL and needed to have served a stipulated portion of their sentence:

- Seven year terms needed four years service with one or five years with two masters
- Fourteen year terms needed six years service with one, eight years with two or twelve years with three masters
- Lifers needed eight years with one, ten years with two, or twelve years with three different masters.

- 13 A thinly disguised fictional version of Robert Cussen's career appears in an 1850 publication: "Sketches Of The Irish Bar, by the Right Honorable Richard Lalor Shiel, M. P., with Memoir and Notes by R. Shelton, Mackenzie, D. C. L. The text is available online at: <http://archive.org/details/sketchesofirishb021854shei>

In this fictionalized account the Captain Rock character is entitled John Cussen. Having been sentenced to transportation to Australia for Whiteboy activities, he subsequently obtains his ticket of leave and then a pardon. He earns sufficient money practising as a surgeon in Australia to emigrate to America and become a cotton planter there.