

# Notes on the early European settlement on the Sandy Point peninsular

## Background

Prior to the infiltration of Europeans into the area, indigenous peoples occupied the land in and around the Sandy Point and Waratah Bay area. Their rich and complex culture and lifestyle had no need for a system of land tenure the British could recognise, and it was therefore assumed not to exist. The land was considered inhabited only by ‘uncivilized inhabitants in a primitive state of society’<sup>1</sup> and as such, under British law it followed that the land could be legally claimed. Denied any rights to the land they had occupied for tens of thousands of years,<sup>2</sup> the indigenous occupants were gradually forced out. A full description of the impact of European settlement on the indigenous peoples of the Waratah Bay area is beyond the scope of this article and its capacity to do the subject justice.

Following annexation by Britain, free settlers began arriving and started claiming large tracts of grazing land for themselves. By the 1830s, ‘squatters’ as they were known expanded their sphere into the western and central areas of what is now Victoria. Coming mainly from England, where land was a finite quantity and ownership limited to a select few, the settlers were drawn by what they must have perceived as free and unlimited acres. Incensed by this audacity and suspicious that the lack of a definitive response might advance the squatters’ legal entitlement to the land, ‘squatterdom’ continued to be regarded as illegal and all applications for land were refused. However, the prevailing view changed as it became clear that the squatters were making a significant contribution to the economy and advancing the government’s mandate to open up the country. In 1836 a land registration and licensing system was introduced which set an annual fee of £10 on application and imposed penalties for unlicensed occupation of land. The Act to Restrain the Unauthorised Occupation of Crown Lands served to secure the Crown’s tenure over the grazing lands and to encourage further production of the food, tallow and wool for both for export and to meet the increasing demands of the colony’s growing population.

This so called ‘Squatters Act’ marked was the beginning of a series of land reforms that were accompanied, particularly in the 1850s and 60s by bitter and polarised debate. Opposing viewpoints can be roughly characterised into two separate two positions. One favoured the British system of land tenure of the time in which land was owned by an elite few and farmed by tenants and labourers. The other, more liberal view favoured a break-up of the large pastoral runs into smaller holdings. These could then be made available for selection by self-supporting families contributing to the economy by selling their excess farm produce. The practical concerns for the government at the time were to establish and maintain a sustainable and thriving economy through primary production, population growth and developing infrastructure. The debate remained unresolved for some time and following separation from New South Wales and the formation of the Colony of Victoria in 1851, the new Legislative Council made land reform a priority.

The model of land management and tenure which eventually prevailed as the Land Act 1860, saw million acres of Crown land broken down into 80, 320 and 640-acre sized allotments and made available for selection by anyone meeting the legislated criteria. Potential selectors applied and if successful were granted a licence. This could be converted to a leasehold after a minimum license period and eventually converted to freehold through a grant of Crown Land. Subsequent amendments to the Act sought to further improve affordability and accessibility to make land available to selectors with limited means. In 1865 for example, a lease could be extended for 3 – 7 years provided the selector made improvements to the land to the value of £1 per acre over 2 years. Lessees could apply for a grant of Crown Land after a minimum of three years, giving them freehold title over their selection.

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<sup>1</sup> Per Justice Richard Blackburn (1971) 17 FLR 141, 20.

<sup>2</sup> Frankel, D. *Between the Murray and the Sea: Aboriginal Archaeology in Southeastern Australia.* (Sydney University Press), 2017.

## European settlement and the pastoral runs of Corner Inlet and Waratah Bay

European settlement of the Corner Inlet and Waratah Bay area lagged the central and western areas of the District of Port Phillip mainly because of the challenges of access and terrain. The 'discovery' of Port Albert in 1841 and its development as a shipping port provided access to markets for beef, mutton, tallow and wool in Melbourne and Van Diemen's Land. This encouraged further settlement of the area and expansion into unsettled areas.

The town of Alberton was surveyed and set out by Thomas Townsend in 1842<sup>3</sup> after he had completed a detailed survey of the coast that included Waratah Bay and Corner Inlet. The sale of land did not occur until 1844<sup>4</sup> and James Dobson was amongst the first purchasers.<sup>5</sup> James Dobson is also recorded as having taken-up the Mangrove Run of 10,000 acres<sup>6</sup> on the site of what was to become the township of Toora and later, the run at Sandy Point. George Donald Smythe a contract surveyor built on Townsend's 1841 map of Waratah Bay and extended its coverage by exploring further inland. Smythe also surveyed and laid out 'special survey lands' around Alberton and in March 1841. he took up 19,200 acres at Cape Liptrap which he purportedly held (or it was held in his name) until 1859.<sup>7</sup>

In 1856 there is an entry in the Victorian Government Gazette (the "Gazette") confirming the approval of a claim for approximately 15,000 acres 'situated about Cape Liptrap' by Robert Morgan<sup>8</sup>. It is described as lying between the runs of Messrs Black and Dobson. At this time in the area described, George Black had the Tarwin River run<sup>9</sup> and it can be presumed that James Dobson had the Sandy Point run. This Gazette entry therefore indirectly identifies the existence of the Sandy Point run in 1856. The map below sets out the various pastoral runs in the area.

Robert Morgan's obituary was published in the Bairnsdale Advertiser in 1900 and although there are some inconsistencies with other records,<sup>10</sup> it gives some background to the settlement in the area and his association with James Dobson:

[Robert Morgan] was born in Wales in 1816 and arrived in Sydney from London in the barque *Elizabeth* in 1830. Seven years later he started shipbuilding and followed up the business with considerable success for some years. Gippsland was little known and thinly populated but claiming a good deal of attention from graziers. Land was being taken up and expeditions fitted out in Sydney to drive cattle overland to occupy the new country. In 1839 Mr Morgan married Ms Robson [sic], and in 1845, accompanied by his brother-in-law James Dobson ... travelled overland with a mob of cattle, their destination being the Port Albert District. Mr Morgan took up a run at Port Albert and afterwards one at Cape Liptrap. A considerable trade was being done at that time in shipping cattle to Tasmania.<sup>11</sup>

Robert and Margaret Morgan (nee Dobson) lived on the Cherry Tree Flat Run (see map below). Morgan also ran the general store in Alberton and held the Cape Liptrap run from 1859-1864<sup>12</sup>.

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<sup>3</sup> Adams, J *From these Beginnings. History of the Shire of Alberton 1990*, (Alberton Shire Council 1990), 9.

<sup>4</sup> New South Wales Government Gazette 1842, No 77, 1433.

<sup>5</sup> Adams, J *From these Beginnings* 12.

<sup>6</sup> Spreadborough, R and Anderson, H. *Victorian Squatters*, 1893.

<sup>7</sup> Billis R.V. and Kenyon A.S. *Pastoral Pioneers of Port Phillip*, 2nd Ed. 1974 p166.

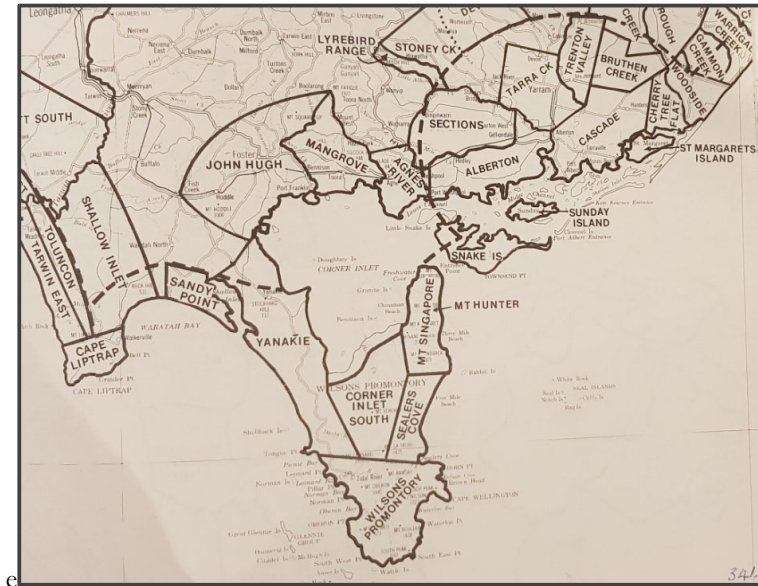
<sup>8</sup> Vict Gazette 1856 No 108, 1462.

<sup>9</sup> Billis and Kenyon, *Pastoral Pioneers*, 259.

<sup>10</sup> According to his biography published in "People of Australia" (<http://peopleaustralia.anu.edu.au/biography/morgan-robert-john-26451> accessed 18 Dec 2010). Robert Morgan travelled to Australia with his widowed mother Elizabeth. However, according to this obituary, Elizabeth was his sister, not his mother. Elizabeth married James Dobson in Sydney in 1834.

<sup>11</sup> Bairnsdale Advertiser, 30 January 1900 2.

<sup>12</sup> Billis R.V. and Kenyon A.S. *Pastoral Pioneers of Port Phillip*, 2nd Ed. 1974.



*The pastoral runs of South Gippsland and the County of Buln Buln taken from:  
Spreadborough, R and Anderson, H. Victorian squatters, 1893, 341.*

It is not clear when the Sandy Point run was first taken-up, but it is possible that prior to appearing in the records, the run was unlicensed and/or part of a larger run incorporating Cape Liptrap, the Yanakie isthmus and/or parts of Wilson's Promontory. The Townsend-Smythe map of 1848 below describes the area as consisting of as good grass, she oak, gum, banksia, and wattle trees and further to the east, drift sand.



*Map adapted from Coastal Survey Cs14C From Cape Liptrap to Shoal Inlet (Map 4972) held at the  
Public Record Office Victoria.*

## James and John Dobson

The first licensee of the Sandy Point run recorded in the Gazette was James Dobson in 1859<sup>13</sup>. Under the regulatory scheme at this time, licence holders of pastoral runs were required to pay a six-monthly moiety of eight pence for every head of sheep and three shillings for every head of cattle based on their annual assessment of the run's stock numbers. In Jan 1859, Dobson returned an 'assessment on stock' of £6. 1s 10d.<sup>14</sup>

James Dobson's name as licensee of the Sandy Point run appears again in 1860 but this time in relation to having failed to pay the assessed amount for 4 horses and 56 head of cattle.<sup>15</sup> The reason is not clear, but James's brother John appears in his place in the Gazette in 1861 as licensee of the Sandy Point Run.<sup>16</sup> John Dobson's tenure comes to an end after he is declared insolvent later in 1861 for reasons of 'losses occasioned by disease and death of cattle' and a judgement against him in the Supreme Court.<sup>17</sup> An administrator is appointed by the court and the licence is purchased by James Flanner.

## James Flanner

James Flanner was born in London in 1813 and is recorded as having the lease of the general store in Port Albert, Melbourne in 1863.

He first visited the Sandy Point run in August 1862 and found that John Dobson had not left. Dobson put up some resistance to leaving the station and Flanner went to the police in Foster and had him charged with trespass. Dobson was fined twenty pounds and ordered to pay costs by the court.<sup>18</sup>

It was then reported to Flanner that Dobson had taken some milking cows with calves from the run. Flanner placed a series of notices in the Gippsland Guardian cautioning anyone dealing with '10 head of milch cows with calves illegally driven from his station by John Dobson and oths.' John Dobson responded by placing his own notice<sup>19</sup> stating "the cattle are not the property of John Flanner but belong to my brother for whom I hold Power of Attorney empowering me to sell and dispose of the same".<sup>20</sup>

At this time, and until the Shire of South Gippsland was established in 1894, Sandy Point was part of the Alberton Road District (1855-1864) and then the Alberton Shire. Rate records for 1863 show that when James Flanner took over as the licensee of the Sandy Point Run he had already accrued extensive holdings: a house, shop and lumber yard at Port Albert, land in Yarram, Tarraville and the Orrs Survey, and a house in Palmerston.<sup>21</sup>

He died aged 53 in 1866 and is buried in the Alberton Cemetery.<sup>22</sup> His wife Elizabeth continued to run the store at Port Albert, but the Sandy Point run passed to John Elliot.

## John Elliot

John Elliot held both the Sandy Point and Cape Liptrap runs simultaneously for about a year during 1865 and 1867.<sup>23</sup> His wife Sarah McDougall was born in Kilchoan, Ardnurchan, Scotland in 1828. She died

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<sup>13</sup> Vic Gazette 1859 No.186, 2552.

<sup>14</sup> As above (*aa*) 1860 No. 153, 2295.

<sup>15</sup> *aa* 1860, No. 153, 229.5

<sup>16</sup> *aa* 1861 No. 85, 1060.

<sup>17</sup> The Herald Melbourne, 5 September 1861, 6.

<sup>18</sup> Gippsland Guardian Friday 14 November 1862, 3.

<sup>19</sup> *aa*.

<sup>20</sup> For example, The Gippsland Guardian, 20 February 1863, 1.

<sup>21</sup> The Orrs Survey was laid out by George Donald Smythe in 1843 and lay between the Albert and Tarra Rivers north of Alberton. (Adams, *From These Beginnings*), 12.

<sup>22</sup> *Australia Billion Graves Cemetery Index* accessed via 'Find my Past' on 18 Dec 2020.

<sup>23</sup> Vic Gazette 1866 No 64, 1237 and No 141, 2746.



aged 38 in Feb 1866 at the Ship Inn, Port Albert<sup>24</sup> following the birth of their fifth child. He remarried in March 1867<sup>25</sup> to Mary Anne Walker.

### David Fraser

David Fraser first appears as licensee of the Sandy Point run in 1867<sup>26</sup> and his tenure remained in force until 1889.

David (aged 17) and his brother James (aged 21) arrived in Melbourne from Liverpool aboard the *Mindoro* in 1859.<sup>27</sup> They had left behind their parents, James and Ann and 4 siblings and followed their uncle, Gilbert Brown, who had emigrated to Australia earlier and settled in the Alberton Shire.<sup>28</sup> Gilbert Brown established a brewery at Tarra Rivulet at a place known as Turnbull's Bridge.<sup>29</sup> He successfully made an application for a Crown Lease of 58 acres at Woodside<sup>30</sup> and a further Crown Grant of 150 acres in Woodside<sup>31</sup> under the Land Act 1862.

Mary Kydd Findlay from St Vigeans near Arbroath, on the south west coast of Scotland, travelled to Australia aboard the 'Great Britain' from Liverpool in July 1868<sup>32</sup> arriving in Melbourne on Sept 4th 90 days later. Whether or not they knew each other before they married or arrangements were made on their behalf is a mystery but nine days after disembarking, Mary Kydd married David Fraser from Sandy Point at a private residence on Elizabeth Street in Melbourne.<sup>33</sup> They had 5 children: John (1869), Norman (1871), Annie (1874), Douglas (1878) and Jessie (1880).



*David and Mary Fraser and Family c1888 (courtesy of Melinda Fear)*

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<sup>24</sup> Ancestry.com. Web: Global, Gravestone Photograph Index, 1265-2014 [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2016.

<sup>25</sup> *The Argus*, Melbourne Sat 2 Mar 1867, 4.

<sup>26</sup> *Vic Gazette* 1867, No 131, 2295.

<sup>27</sup> Public Record Office of Victoria *Unassisted Passenger Lists* 1839-19, 23.

<sup>28</sup> Ancestry.com *Family Trees*.

<sup>29</sup> Port Phillip Government Gazette No. 25, 60.

<sup>30</sup> *Vic Gazette* No. 45, 981.

<sup>31</sup> *Gippsland Times* 25 Aug 1868, and *Vic. Gazette* No. 105, 1551.

<sup>32</sup> Public Record Office Victoria. *Unassisted Passenger Records*.

<sup>33</sup> *The Argus* Melbourne, *Family Notices* 12 September 1868 4.

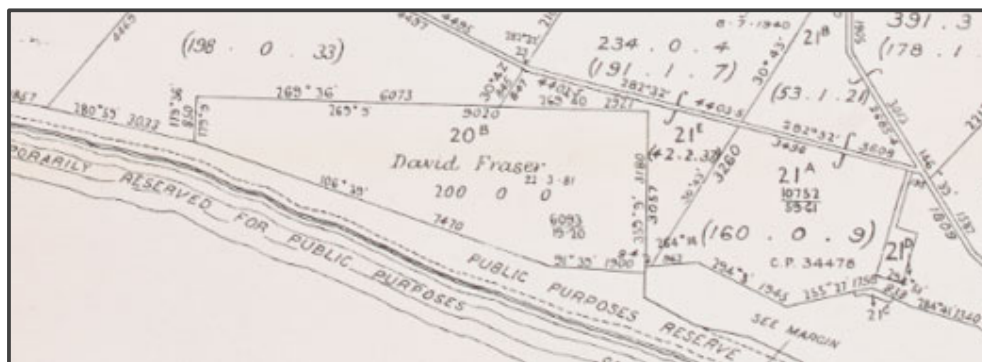
The Gippsland Times records Mrs Fraser as winning prizes for her butter and cheese at the South Gippsland Agricultural shows on several occasions. David Fraser was equally successful over the years with prizes in the livestock categories.<sup>34</sup>

In 1871 rent due in the Sandy Point run was assessed to be £50.<sup>35</sup> The determination of rents to be paid by the lease holders of pastoral runs was provided for by the Land Act 1869 and set at 8 pence for every sheep and 4 shillings for every head of cattle. The extent of the run was approximately 16,000 acres.

The right of a squatter to purchase a section of their run, known as a pre-emptive right, was available from 1847 – 1898. This enabled the holder of a pastoral licence to rent, lease and then purchase a selection of up to 640 acres around their homestead. David Fraser exercised this right in applying for a licence for 200 acres in 1874 and then later applying a grant of Crown Land in 1881. The block he selected is situated to the west of the Sandy Point township parallel to the dunes. As was often the case, the pre-emptive right boundaries were set out at an earlier time and do not align with those of the Crown Allotments surveyed later.



Map showing the location of David Fraser's 200-acre freehold property outlined on a modern map adjacent to the township of Sandy Point. (adapted from State of Victoria (Department of Environment, Land, Water and Planning) Land and Survey Spatial Information)



Map showing David Fraser's freehold property obtained under the pre-emptive right provisions of the 1869 Land Act. (Adapted from Wuratab North Parish Plan, Imperial measure 3737 from VPRS 16171 Regional Land Office Parish and Township Plans Digitised Reference Set)

<sup>34</sup> For example, Gippsland Times, *Advertisements* Fri 26 Nov 1886, 3.

<sup>35</sup> Vic Gazette 1871 No 25,598.

It is not clear why he limited his pre-emptive right claim to 200 acres when 640 acres would have been available to him. It is perhaps possible that he had some foresight into the potential of Sandy Point to be developed into a township and holiday destination. *The Illustrated Australian News for Home Readers* published an extensive piece in 1875 about Waratah Bay. The following extract from this article describes Waratah Bay's potential:

*This pretty indent in the coast lies, between Cape Liptrap and Wilson's Promontory ... Its distance from Melbourne is about 120 miles, and from Port Phillip Heads about 80 miles. On this eastern side, too, valuable limestone deposits exist in apparently unlimited quantities... Waratah Bay is therefore likely to become a port of some commercial importance, as well as a favorite resort for holiday folks.*<sup>36</sup>

The infamous Ned Neal of Ned Neal's lookout at the western end of Sandy Point worked as a labourer for David Fraser on the Sandy Point Run. He has been recorded as a selector (in Toora) and grazier (in Welshpool) in the 1888 Trades Directory.<sup>37</sup> He was born in 1863 in Victoria and aged 25, he was arrested and tried for stealing cattle from David Fraser on 18<sup>th</sup> July 1888. He served his sentence in the Sale Gaol and records describe him as: 5'9<sup>1/2</sup>" with sandy coloured hair, a fresh complexion, of stout build, long thin nose, scar on forehead, face and arms freckled. Sandy coloured hair and blue eyes<sup>38</sup>. There is no record of him being married but a possible record that his father Thomas died in 1874 when he was eleven years old. The following extract is from the Gippsland 'Times' coverage of his trial:

*Edward Neil charged on the first count with stealing on the 23rd January last five bullocks and three steers the property of David Fraser ... Mr Leon appeared on behalf of the prisoner.*

*...David Fraser on being called deposed: I am the prosecutor in this case. I have known the prisoner about fourteen or fifteen years. He has been in my service nearly the whole of that time, and he has borne a good reputation as far as I know. He met with an accident by falling from his horse, and his conduct has been very different from what it used to be. At the Foster police court when this charge was examined into, he appeared half "lunatic" instead of being of himself, he treated it as a joke. This is totally inconsistent with his conduct as it used to be... The Crown prosecutor stated that on the 6th June the prisoner had an interview with Mr Fraser and on that occasion he admitted distinctly and frankly that he had taken thirty-seven head of his cattle and that he was going to make restitution. His conduct at the time seemed to Mr Fraser very remarkable. The Crown Prosecutor here went on to say that when he, Mr Smith, had made his customary visit to Sandy Point at Christmas time, where prisoner lived, the latter was always ready and willing to do all in his power to oblige himself and his friends, and prisoner had an excellent character. On two different occasions of late the prisoner had come to the Criminal Court at Melbourne where Mr Smith was engaged, and although he was not aware Neil had had this charge hanging over his head - nor did he give him the slightest intimation of it - he observed that a great change had come over the prisoner. He had known Neil favourably for years and when he read of the depositions in this case he must say that he was very much surprised at the prisoner's conduct. There was indeed a great alteration in his character and mode of life since he knew Neil four or five years ago. With regard to its being a case for clemency, the fact of the information as to prisoner's admission was a very important element.*

*Other evidence was heard in reference to the commission of the offence and the state of the prisoner's mind.*

*Mr Leon in addressing His Honor on behalf of the prisoner said it was the first time he had been before the court. It certainly seemed an inexplicable thing when they found before them on a charge like this a man such as prisoner had once been, that he should have by this act destroyed the result of so many years of hard work and industry, and of so many years of a life that was characterised by a strong desire to do humane acts to show himself as a charitable hearted young man. Supporting his mother by means of his small salary, they found that by this one feat he had destroyed all those years of well doing. It seemed to him, Mr Leon, a case that had a very painful side, and in which the clemency of a court of justice might well be exercised. While the law is vindicated, it goes forth that no one shall break the laws of society without being punished, yet at the same time the punishment shall be tempered, with humanity. The prosecutor, who was evidently much shocked at the position the prisoner was now in, - and it would be contrary to human nature if he were not so, expressed himself in a fashion as to link (? make?) them believe that he would like to see Neil restored to his work again as speedily as possible so that he might regain the reputation he held prior to this unlawful act. He asked His Honor to remember the circumstances of the case when dealing with the accused and again pointed out that it was one where the clemency of a court of justice might well be exercised.*

*His Honor in addressing the prisoner said he found great difficulty in dealing with his case. He could not exercise the prerogative of mercy. It rested with the prisoner to petition for mitigation of sentence. If there were any grounds for so doing.*

<sup>36</sup>Monday 14 Jun 1875, 90.

<sup>37</sup> Ancestry.com. Australia, City Directories, 1845-1948 [database on-line]. Provo, UT, USA

<sup>38</sup> Police Gazette No 2, 218.

*If he were in such a condition of health at the time the offence was committed, as that he was not really conscious of what he was doing, then of course he committed no offence. The foundation of all offences in criminal law was the intention, the intention of doing something wrong and having the mind capable of doing it. His Honor would deal with the case as a first offender.*

*Everyone gave the prisoner an excellent character, and this appeared to be the only criminal transaction in which he had been engaged. He could only deal with the case as presented by the Crown, and he sentenced the prisoner to six month's imprisonment with hard labor in the Sale gaol.<sup>39</sup>*

The Sandy Point run remained intact, avoiding the inevitable breakup into smaller Crown Allotments until the 1880s. The 1884 Land Act provided for the grouping of remaining unsold Crown Land for lease or sale, reservation for public use, or reserves. Land offered for lease or sale was further classified according to its productive capacity and from this, conditions of tenure and allotment sizes were tailored accordingly.<sup>40</sup> The map below shows some of these classifications: pastoral land (coloured blue). Class 1 land which was the best quality land for grazing and agriculture under the Act does not appear on this map. Class 2 land is coloured brown made up of leasehold (Crown Allotments 15-18 and 22) and freehold (Crown Allotments 20A, B and C). Allotments 22A and 23, coloured purple were classified as Class 3 grazing lands and often subject to tidal inundation from Shallow Inlet. Initially, the Sandy Point grazing land was divided into Crown Allotments of approximately 800 acres each. Under the legislation, selectors could apply to lease the land and if improvements were made (such as fencing, clearing and cultivation), they could apply to have the leasehold converted to freehold title after 7 or 14 years. Boundaries and allotment sizes were modified in later surveys.



Map (c 1885) showing the location of David Fraser's 200 acre freehold and his 800-acre Crown Lease of Allotment (Allotment boundaries were later modified). Adapted from the Land Classification map of Buln Buln LC (2)123 prepared by Department of Crown Lands and Survey and held by the Public Record Office of Victoria in the Historic Plan Collection.

<sup>39</sup> Gippsland Times Monday July 23<sup>rd</sup>, 3.

<sup>40</sup> Public Record Office of Victoria: Map Warper Land Classification Map: LC 2123A BULN BULN accompanying description <https://mapwarper PROV.VIC.GOV.AU/maps/6922> accessed 19.11.2020



David Fraser successfully applied to lease Crown Allotment 22, land that had previously been a part of his licenced run and he continued to lease the remaining area making up the original run until the Crown Allotments were sold. The leases of Crown Allotments 15-18 and 20 were taken up initially by five members of the Lowry family, possibly in response to the property boom of the 1880s. However, all were reported in the Gazette to be in arrears in 1890.<sup>41</sup> David Fraser continued to lease the remaining portions of the Sandy Point run until 1889 when his licence is forfeited for non-payment of rent.<sup>42</sup> His lease payments for Crown Allotment 22 and also for 180 acres at Jindivick near Warragul are recorded as being in arrears in 1893.<sup>43</sup>

David Fraser was not alone in experiencing grave financial difficulties at this time. 1893 marked the peak of the 1890s economic depression and financial crisis. Such was the number of Crown lease and licence holders with payments in arrears, the entire issue of the 5 January 1893 Victorian Government Gazette of 37 pages was devoted to the publication of Crown Land arrears notices. The property boom in the 1880s had attracted a rapid growth in bank lending, the entry of new financial institutions into the industry and poor lending practices. The overextended lending institutions failed when the property market boom reversed, and a cascade of events followed resulting in a financial crisis and economic depression. Mortgagors faced reduced prices for their produce, a drop in property values, and recall of loans. A drought in 1895 further exacerbated the ability of the graziers to meet their payments.<sup>44</sup>

Several of David Fraser's land holdings were offered up for sale in a mortgage auction in 1895. These included:

- The Hawthorn Bank Estate consisting of 852 acres with a homestead and outbuildings suitable for dairying.
- 108 acres on the Tarra River.
- Two grazing freehold properties of 640 and 192 acres in the Woranga Parish.
- 108 acres at Yarram.
- 200 acres parish of Yanakie (likely a mistake as the freehold is likely Sandy Point property in the neighbouring parish of Waratah North) with a comfortable house, well-watered and fenced.<sup>45</sup>

It appears that the 200-acre property at Sandy Point was not sold at auction. The Certificate of Title shows that the property was transferred from the Bank of Victoria Pty Ltd on 16 June 1898 to Frederick William Pilkington and Sandham Elly Pilkington.

The final licensee of the Sandy Point run is recorded as D. McMullen who held the licence when it expired in 1893.<sup>46</sup> After the 1898 Land Act, pastoral leases were no longer issued.

The 800-acre lease of Crown Allotment 22 was gazetted as having been transferred to Frederick and Sandham Pilkington in 1898.<sup>47</sup>

David and Mary moved to Morwell, perhaps to be closer to their sons John and Douglas for whom there are Gazette records of them holding property in the area. David, Mary, Jessie and Douglas are all listed in the electoral roll for Morwell in 1912. Mary's younger sister Elizabeth (b 1848) is listed as living nearby in Hazelwood. There is a record of an Elizabeth Findlay arriving in Melbourne in 1911 aboard the Otway from London.<sup>48</sup> Prior to this, Scottish census records indicate she was living with her sister-in-law in the family home as a 'housekeeper'. She remained in Hazelwood until her death in 1922.

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<sup>41</sup> Vic Gazette, 1880, No. 11, 610

<sup>42</sup> aa 1889, No 10, 458.

<sup>43</sup> aa 1893, No 5, 185.

<sup>44</sup> The Reserve Bank of Australia RDP 2001-07: *A History of Last-Resort Lending and Other Support for Troubled Financial Institutions in Australia. The 1890s Depression*. Bryan Fitz-Gibbon and Marianne Gizycki. October 2001.

<sup>45</sup> Leader (Melbourne), Sat 1 May 1897, 2.

<sup>46</sup> Vic Gazette 1893, No. 117, 3787.

<sup>47</sup> aa 1898, No. 75, 3050.

<sup>48</sup> Ancestry.com. UK and Ireland, Outward Passenger Lists, 1890-1960

David Fraser died in 1916 aged 74 and Mary died the following year.

At the time of his death, probate records indicate he was managing a farm in partnership with his youngest daughter Jessie, to whom he left the majority of his estate. His Will and probate documents detail a net personal worth of approximately £800 but real estate, or property held under a Crown Lease or Licence.<sup>49</sup>

Jessie died in 1922 aged 42 and is buried with her parents and Mary's sister Elizabeth in the Hazelwood Cemetery. The headstone inscription reads:

*In memory of loved father and mother DAVID FRASER died 29th June 1916 aged 75 years and his beloved wife MARY K. FRASER died 31st August 1917 aged 73 years. At rest JESSIE ELIZABETH loved daughter of DAVID and MARY FRASER died 26th Sept. 1922 also ELIZABETH FINDLAY sister of MARY FRASER died 4th Jan 1922.*



*Headstone of David, Mary and Jessie Fraser, and Mary's sister Elizabeth Findlay. From: "Find a Grave Memorial no. 187290903, Hazelwood Cemetery, Morwell, Latrobe City, Victoria, Australia; Maintained by SueM (contributor 47776904)*

The sale of David Fraser's freehold and the break-up of the Sandy Point run marks the end of one era in the settlement of Sandy Point and the beginning of another. As a result of the depression, new settlers including the Pilkington brothers, who had recently arrived in the area from Ireland, had the opportunity to take advantage of lowered land values. The new era had begun characterised by smaller holdings, improved transport, better access to markets, and an increasing population. A school followed and in the 1960s residential sub-division took place and the township of Sandy Point was laid out.

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<sup>49</sup> Ancestry.com, Victoria, Australia, Wills and Probate Records, 1841-2009.