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David S. Jones

School of Architecture & Built Environment, Deakin University, Geelong, Australia

ABSTRACT

The 1840s in New South Wales, in Australia, was a time of unsettled citizen unrest about the governance of their colony articulated in debates between liberalist and conservative newspapers whilst the Governor looked on. The tone of these debates included reforms to the electoral system, trade tariff, land settlement, and increasing antipathy to the governance administration of the colony. Caught in the middle, the Governor took instructions from London, tried to mediate the situation, before being directed to facilitate the establishment of colonial self-governance for 1856. While considerable aspirational weight by both the Governor and the community was placed on the new Legislative Assembly, the system floundered due to political maturity, its desire to quickly effect change and create reformation, and inconsistency voting allegiances in absence of political parties. The situation was exacerbated by a political gerrymander in favour of pastoralists and squatters to the chagrin of urban Sydney residents and businesses. Within this period of the 1850s, the inaugural Legislative Assembly members like Parkes, Cooper, Cowper, Robertson and Forster honed their debating and oratory skills, and sought to navigate within this new political environment. Within this unsettled period was a seasoned compositor and newspaper journalist, Richard Jones.

KEYWORDS

Richard Jones; *Maitland Mercury*; New South Wales Parliament; electoral reform

The New South Wales electoral landscape 1823–58

Prior to the formation of the Commonwealth of Australia in 1901, the six Australian colonies were self-governing colonies with parliaments established at various times between 1825, when the New South Wales (NSW) Legislative Council was created, to 1891 when Western Australia became the last of the colonies to gain full self-governance. These colonies ratified the *Constitution of Australia* becoming states in the new federation, and ceding certain of their legislative powers to the Commonwealth Parliament, but otherwise retaining their self-governing status with their own constitutions and parliaments. The *Commonwealth of Australia Constitution Act 1900 (Imp)*¹ was approved by the

CONTACT David S. Jones david.jones@deakin.edu.au School of Architecture & Built Environment, Deakin University, Locked Bag 20001, Geelong, VIC 3220, Australia

¹United Kingdom, *Commonwealth of Australia Constitution Act 1900 (Imp)*, https://www.foundingdocs.gov.au/resources/transcripts/cth1_doc_1900.pdf, accessed 20 November 2019. Note: In Australian law, legislation which was enacted by the British Parliament and which has or had effect in Australia by paramount force (or was subsequently received

Parliament of the United Kingdom (UK) in 1900, given royal assent on 9 July 1900, proclaimed on 17 September 1900, and entered into force on 1 January 1901.

The focus of this article is upon the events surrounding the NSW colonial parliament in its formative years, and the major electoral reform changes that occurred crafted by Member of the Legislative Assembly (MLA), Richard Jones. To understand this context, it is relevant to survey the nature of the NSW parliamentary arrangements from 1825 to 1860, of which Jones was a MLA from 1856 to 1860.

Table 1 summarizes the NSW parliamentary ministries, elections, premiers, party representation, and the activities of Jones across 1858–91 within this period. Table 2 provides a detailed summary of the nature of NSW Legislative Assembly parliamentary representation arrangements for 1856–60, including the nature of electorate representation, the number of electorates, overall votes for each election, and which electorates that Jones served as a MLA.

The operational parliamentary structure of the NSW Parliament, today, is a bicameral (two House) legislature, analogous to that of the Parliament of the UK, consisting of an Upper House (Legislative Council) and Lower House (Legislative Assembly).

Initiating self-governance, in 1823 the Parliament of the UK passed the *New South Wales Act 1823* (4 Geo. IV c. 96) ‘for the better administration of Justice in New South Wales and Van Diemen’s Land [now Tasmania], and for the effectual Government thereof’. The act provided for ‘His Majesty to constitute and appoint a Council, to consist of such Persons resident in the said Colony, not exceeding Seven and not less than Five, as His Majesty, His Heirs and Successors, shall be pleased to appoint’ including the establishment of a court system and the judiciary.² The inaugural Members (MLCs) of this first NSW Legislative Council were the Lieutenant-Governor, the Chief Justice, the Colonial Secretary, the Principal Surgeon and the Surveyor-General. These MLCs were directly appointed by the Governor (then Major-General Sir Thomas Brisbane) to ‘advise’ him but they had no real law-making power. Only the Governor could initiate a bill. The proposed laws were reviewed with the MLCs, but the Governor could override the Legislative Council if he thought the need of the colony required it.

In July 1825, the Legislative Council was restructured, at the direction of the Parliament of the UK, to consist of seven MLCs. This reformation signalled a turning point in colonial self-government. Four of the seven MLCs were to be ‘official’ appointed MLCs and three MLCs afforded representation voices to the landed interests, the wealthy free settlers and squatters who were influential in the colony and the Legislative Council. A further amendment to the act in 1829 increased number of MLCs of the Legislative Council to a minimum of ten MLCs and a maximum of 15. The appointed MLCs, now numbered seven and there were seven non-appointed MLCs.

By 1842, with a NSW colony population of approximately 130,000 Europeans, and growing demands for self-governance, the Parliament of the UK passed the *New South Wales Act*, NSWs first Constitution Act.³ This act changed NSW parliamentary

into Australian law) is referred to as ‘imperial’ law, denoted with the ‘(Imp)’ abbreviation when citing legislation by its short title.

²United Kingdom, *New South Wales Act 1823* (4 Geo. IV c. 96) (Imp), <https://www.foundingdocs.gov.au/item-sdid-73.html>, and https://www.foundingdocs.gov.au/resources/transcripts/nsw5_doc_1823.pdf, accessed 20 November 2019.

³United Kingdom, *New South Wales Act 1842* (Imp), <https://www.foundingdocs.gov.au/item-sdid-77.html>, accessed 20 November 2019.

Table 1. New South Wales Summary Parliamentary History including Events linked to Richard Jones.

No.	Name	Term of office		Party	Election	Richard Jones parliamentary incidents
1	Stuart Donaldson (1812–67)	6 June 1856	25 August 1856	No Party	1856	1856 Jones elected to the NSW Legislative Assembly electorate of 'County of Durham'
2 I	Charles Cowper (1807–75)	26 August 1856	2 October 1856	No Party	–	
3	Henry Parker (1808–81)	3 October 1856	7 September 1857	No Party	–	
1. (2) II	Charles Cowper (1807–75)	7 September 1857	26 October 1859	No Party	1858	1857 Cowper invites Jones to serve as Colonial Treasurer. Offer accepted 1858 Jones elected to the NSW Legislative Assembly electorate of 'County of Durham' 1858 Jones resigns as Colonial Treasurer 1858 Forster tables Forster/Jones authored Electoral and Representative Systems Amendment Bill 1858 Forster/Jones authored Electoral and Representative Systems Amendment Bill passed
4	William Forster (1818–82)	27 October 1859	9 March 1860	No Party	1859	1859 Jones elected to the NSW Legislative Assembly electorate of 'The Hunter'
5	John Robertson (1816–91)	9 March 1860	9 January 1861	No Party	1860	1859 Governor Denison invites Jones to serve as Premier. Offer declined 1860 Governor Denison invites Jones to serve as Premier. Offer declined 1860 Jones retires from the NSW Legislative Assembly electorate of 'The Hunter'
1. (2) III	Charles Cowper (1807–75)	10 January 1861	15 October 1863	No Party		1862 Governor Young invites Jones to serve in the NSW Legislative Council. Offer declined
6 I	James Martin (1820–86)	16 October 1863	2 February 1865	No Party	1864–65	
1. (2) IV	Charles Cowper (1807–75)	3 February 1865	21 January 1866	No Party	–	
1. (6) II	James Martin (1820–86)	22 January 1866	26 October 1868	No Party	–	
1. (5) II	John Robertson (1816–91)	27 October 1868	12 January 1870	No Party	1869–70	
1. (2) V	Charles Cowper (1807–75)	13 January 1870	15 December 1870	No Party	–	
1. (6) III	Sir James Martin (1820–86)	16 December 1870	13 May 1872	No Party	1872	
7 I	Henry Parkes (1815–96)	14 May 1872	8 February 1875	No Party	–	
1. (5) III	John Robertson (186–91)	9 February 1875	21 March 1877	No Party	1874–75	
1. (7) II	Henry Parkes (1815–96)	22 March 1877	16 August 1877	No Party	–	
1. (5) IV	Sir John Robertson (186–91)	17 August 1877	17 December 1877	No Party	1877	
8	James Farnell (1825–88) Sir Henry Parkes (1815–96)	18 December 1877 21 December 1878	20 December 1878 4 January 1883	No Party No Party	–	

(Continued)

Table 1. Continued.

No.	Name	Term of office		Party	Election	Richard Jones parliamentary incidents
1. (7) III					1880 1882	1879 Premier Parkes invites Jones to serve in the NSW Legislative Council. Offer declined
9	Alexander Stuart	5 January 1883	6 October 1885	No Party	–	
10	George Dibbs (1834–1904)	7 October 1885	21 December 1885	No Party	1885	
1. (5) V	Sir John Robertson (186–91)	22 December 1885	22 February 1886	No Party	–	
11	Sir Patrick Jennings (1831–97)	26 February 1886	19 January 1887	No Party	1887	
1. (7) IV	Sir Henry Parkes (1815–96)	25 January 1887	16 January 1889	Free Trade	1887	
1. (10) II	George Dibbs (1834–1904)	17 January 1889	7 March 1889	Protectionist	1889	
1. (7) V	Sir Henry Parkes (1815–96)	8 March 1889	23 October 1891	Free Trade	1891	

Source: Author abridged from A. Green, *New South Wales Election Results 1856–2007* (Sydney, 2007); <https://www.parliament.nsw.gov.au/electionresults18562007/HomePage.htm>, accessed 20 December 2019.

Table 2. New South Wales Legislative Assembly Electoral Representative Systems 1856–60.

Election year	Voting period	Number of seats	Number of single-member electorates	Number of 2-member electorates	Number of 3-member electorates	Number of 4-member electorates	Total number of enrolled voters	Total number of votes cast	Electorate held by Jones
1856	11 March–19 April	54	18	13	2	1	n/a	38,044	County of Durham
1858	13 January–12 February	54	18	13	2	1	n/a	38,924	County of Durham
1859	9 June–7 July	80	58	7	0	2	78,231	52,153	The Hunter
1860	6–24 December	72	52	6	0	2	91,410	46,308	n/a

Source: Author abridged from Green, *New South Wales Election Results* <https://www.parliament.nsw.gov.au/electionresults18562007/1856/Totals.htm>, accessed 20 December 2019; <https://www.parliament.nsw.gov.au/electionresults18562007/1859/Totals.htm>, accessed 20 December 2019; <https://www.parliament.nsw.gov.au/electionresults18562007/1860/Totals.htm>, accessed 20 December 2019.

Notes: the drop in the number of seats from 80 to 72 between the 1859–60 elections reflects the excise of the Queensland electorates from the NSW electoral map as a result of the creation of the colony of Queensland.

arrangements increasing Legislative Council membership to 36, each with a five-year tenure, with 12 MLCs nominated by the Crown and appointed by the Governor. Of these, 24 members, including six from the Port Phillip district (later to be the colony of Victoria formed on 1 July 1851), were elected by landowners and householders who fulfilled property qualifications. The latter resulted in the first elections ever to take place in Australia. Additionally, the Governor ceased to be a member of the Council, and one of the MLCs was to be elected Speaker.

In 1850 the *Australian Colonies Government Act*, formally known as the *Act for the Better Government of Her Majesty's Australian Colonies (1850)*,⁴ was passed by the Parliament of the UK. The act enabled the creation of new Australian colonies with a similar form of government to NSW with a bicameral parliament watched over by a vice-regal representative. The act specifically mentioned Port Phillip (soon to be Victoria in 1851) and Moreton Bay (soon to be Queensland in 1859) as districts that were likely to become separate colonies in the foreseeable future. The act addressed demands of the latter districts, who felt inadequately represented in the NSW Legislative Council and who resented their taxes being channelled to the NSW area.

For NSW, this act expanded the Legislative Council so that by 1851 there were now 54 members with two-thirds being elected. In 1853 a NSW Legislative Council Select Committee, chaired by colonialist William Charles Wentworth (1790–1872), began drafting a constitution for responsible self-government for NSW. The committee's proposed Constitution Act was tabled to the NSW Legislative Council in late 1853, and in part accepted removing proposals for a Legislative Assembly gerrymander that heavily favoured country and squatting interests, and an Upper House of Hereditary Peers. The revised Constitution Act, with an Legislative Council whose members were appointed for life, was sent to the Parliament of the UK and, with some further amendments, was passed into law on 16 July 1855 as the *New South Wales Constitution Act 1855*.⁵

The act created a new Legislative Assembly of 54 members comprising men qualified and registered as voters, except for holders of office or pension under the Crown, public servants, active military officers and ministers of religion. Sixteen of the 34 electoral districts would return more than one member. Voters had to be men over 21 who met a property or income qualification, and voters who fulfilled the qualifications in more than one district could have multiple (plural) votes. Under the act, the Governor still retained significant powers.

Following an election, on 22 May 1856, the bicameral NSW Parliament opened and sat for the first time. The establishment of responsible self-government in 1856 was an important basis for liberal democratic government but did not achieve democracy. Manhood suffrage, universal suffrage, secret ballot, equal value votes, a universal right to stand for parliament, payment of members, and an elected Upper House, were future changes.

Under the *Act*, only landowners had the right to vote. But, the electoral reforms embodied in the *Electoral Reform Act of 1858 No 23a*,⁶ discussed in this article, significantly

⁴United Kingdom, *Australian Colonies Government Act 1850* (Imp), <https://www.foundingdocs.gov.au/item-sdid-17.html>, accessed 20 November 2019.

⁵United Kingdom, *New South Wales Constitution Act 1850* (Imp), <https://www.foundingdocs.gov.au/item-sdid-78.html>, accessed 20 November 2019.

⁶New South Wales, *Electoral Reform Act of 1858 No 23a* (NSW), https://classic.austlii.edu.au/au/legis/nsw/num_act/tea01858n23179/, accessed 20 November 2019.

changed this electoral landscape, and this is where Jones played an instrumental role. These 1858 electoral reforms resulted in malehood suffrage, whereby every male over the age of 21 years could vote if he was ‘natural born or who being naturalised ... shall have resided in this Colony for 3 years’; an equivalent privilege not afforded to UK males until 1914. Workers, such as gold miners who had flocked to the NSW colony in the 1850s, now had the right to vote in any Gold Fields Electoral District subject to holding a Miner’s Right,⁷ business licence or mining lease for six months. An electoral roll was formally established. The secret ballot⁸ was also introduced, copying Victoria and South Australia electoral reforms; a system that first occurred in the UK in 1872.

More importantly, electoral boundaries were totally changed in 1858, reflecting real population numbers, but there were still great disparities between electorates. These electoral changes are reflected in [Table 2](#) between 1856 and 1858 elections where the nature of electorates dramatically numerically changed, also resulting in Jones having to stand in a newly drawn electorate in 1858. Despite this, Pastoral Districts sent one MLA for approximately 3000 voters, while Sydney elected one MLA for 5900 voters. This meant, in effect, that the pastoral vote was worth twice as much as the urban one. While most male residents now had the right to vote and stand for parliament, very few could afford to, since members were not paid until 1889.

Until the emergence of political parties in the 1880s in NSW, after which members were paid election expenses, candidates also needed money to run election campaigns. Until 1893, elections took place over several days and held at different times in different electorates. This meant that a candidate defeated in one electorate could then run for another seat. The wealthy and better-educated of the colony, however, retained a disproportionate strong voice in government. Additionally, because parliamentary sessions in the mid-nineteenth century could last as long as 10 months, and country MLAs often needed to be at home during shearing and harvest time, it is not surprising that many country electorates came to be represented by city-based lawyers, merchants or professional men. Thus, Sydney-based Jones was elected in seats that represented the Maitland region of the Hunter Valley, an area some 170 km north of Sydney.

Although many significant changes have been made over time to the NSW parliamentary system, the broad electoral reformation structure established in 1856 remains today. While changes occurred, it did little to temper the political allegiances of MLAs, resulting in fragile alliances under Premiers, as reflected in the multiple changes of Premiership reflected in [Table 1](#).

In the shadow of the significant 1858 electoral reforms, it is with some irony that Jones declined, twice, in 1862 and 1879, to be elevated to serve as a NSW MLC for life.

In terms of additional reforms, while plural voting remained in the UK until 1948, when university graduates and some business proprietors could cast a second vote, this system ceased (for a ‘University of Sydney’ electorate) in NSW in 1893 in favour of the ‘one man, one vote’ system. In 1889 NSW parliamentarians were granted salaries, whereas this change occurred in the UK in 1911. Compulsory voting occurred at the

⁷A Miner’s Right is a mining exploration and extraction licence that allows you to remove and keep minerals discovered on Crown land, your own land or private land.

⁸The secret ballot is a voting method in which a voter’s choices in an election or a referendum are anonymous, negating attempts to unduly influence the voter. The system is one means of achieving the goal of political privacy.

Commonwealth level in 1918, and in NSW in 1928; women's suffrage over 21 occurred at the Commonwealth level in 1902 and in NSW in 1902.

The Liverpool and Sydney years

Richard Jones (1816–92) appears a quiet but influential member of the New South Wales (NSW) community, in Australia, from the 1850s to 1890s. Migrating to Sydney from England, Jones successfully entered journalism and newspaper production before turning to politics, and thereafter commerce. This article focuses upon his political activities, in particular in 1856–60 when he served in the inaugural NSW Legislative Assembly. During this time, and thereafter, he served as Colonial Treasurer (1857–58) in the second Charles Cowper Ministry (1857–59), was twice invited by the Governor-General⁹ Sir William Denison (1804–71) to serve as Premier¹⁰ and form a ministry, and twice declined offers by Premier Henry Parkes (1815–96) of a life seat in the NSW Legislative Council. Jones' significance is his authorship and parliamentary advocacy of the Electoral and Representative Systems Amendment Bill of 1857, resulting in the *Electoral Reform Act 1858* that totally changed the electoral enfranchisement map of New South Wales.

As a point of clarification, this Richard Jones¹¹ (1816–92) has occasionally been confused with Richard Jones¹² (1786–1852) who was a merchant, Maitland-region pastoralist at *Bolwarra* and a member of the NSW Legislative Council (1829–43, 1850–52). Further, his son, also Richard (1843–1909), a stock and station agent and company director, also served in the NSW Legislative Council between 1899 and 1909.

Richard Jones was born on 4 October 1816 at Liverpool, England, to innkeeper John Jones and Elizabeth, *née* Bond. Orphaned at an early age, he was educated at free schools of the Church of England in Liverpool before obtaining a six-year apprenticeship in 1831 as a printer on the *Liverpool Chronicle* when he was fifteen. Richard married Martha Olley (1817–59), a dressmaker, in Liverpool. Reputedly, health reasons prompted the young couple to emigrate soon after his apprenticeship ended in 1837. Richard and Martha, aged 22 and 21 respectively, arrived at Port Jackson from Liverpool as bounty immigrants on the ship the *Fairlie* on 5 December 1838. The *Fairlie's* manifest lists Richard as 'Robert' and his occupation as a 'Printer', Martha as a 'Dressmaker', that they both 'reads and writes', and they were both 'Protestants'.¹³

During 1838 Jones gained employment as a compositor on the bi-weekly and liberal *Sydney Monitor* (1828–38). Established under political reform advocate Edward Smith Hall (1786–1860) in 1825, the *Sydney Monitor*, with a motto 'nothing extenuate nor set down aught in malice', was openly critical of the colonial administration of Governor (1825–31) Lieutenant-General Sir Ralph Darling (1772–1858), in particular Darling's

⁹As a note, the 'Governor' of NSW was for many years known in title as the 'Governor-General' of NSW, and this title was formally transferred in 1901 when the Commonwealth of Australia was created.

¹⁰As a note, the 'Premier' of NSW was for many years known in title as the 'Prime Minister' of NSW, and this title was formally transferred in 1901 when the Commonwealth of Australia was created.

¹¹E. Guilford, 'Jones, Richard (1816–1892)', *Australian Dictionary of Biography* (Canberra, 1967); <https://adb.anu.edu.au/biography/jones-richard-2281>, accessed 1 September 2017.

¹²D. Shineberg, 'Jones, Richard (1786–1852)', *Australian Dictionary of Biography* (Canberra, 1967); <https://adb.anu.edu.au/biography/jones-richard-2280>, accessed 1 September 2017.

¹³Ships' Passenger Lists of Arrivals in New South Wales, 1828–44, 1848–49, New South Wales, State Archives.

failure to address the needs of the poor and convicts.¹⁴ In August 1839 Jones joined the bi-weekly Catholic broadsheet *Australasian Chronicle* as a printer and reporter, where he remained until December 1842. The newspaper sought ‘to explain and uphold the civil and religious principles of the Catholics, and to maintain their rights’. His shift of employer is interesting because Jones was Protestant, held strong allegiances with the Church of England in his later life, while the *Chronicle* editor at the time was William Duncan (1811–85), a Scottish immigrant who was a convert to Catholicism.¹⁵

From 1838 to 1842 Jones displayed a keen interest in local politics and public affairs, but was wary of standing as a candidate in local elections. His apprehensiveness appears to be due to the lack of an income from being a local councillor at the time, and his need to support his young family that had now grown to include two children. Despite this Jones spoke at several meetings in Sydney against the *Masters and Servants Act 1823* (UK) which was designed to regulate relations between employers and employees during the 1700s and 1800s. This legislation required obedience and loyalty from servants to their contracted employer, with contractual infringements punishable before a court of law, often with a jail sentence of hard labour. The *Masters and Servants Act 1823* (UK) was superseded by the *Masters and Servants Act 1845* (NSW), and a revised *Masters and Servants Act 1857* (NSW).¹⁶ Ironically Jones contributed to the drafting of the *Masters and Servants Act 1857* (NSW) as a Member of the Legislative Assembly.

Jones was also one of a citizen delegation who presented a petition to the Governor (1838–46) Sir George Gipps in 1842 advocating the extension of the municipal franchise in the City of Sydney Council.¹⁷ At the first municipal elections on 1 November 1842, Jones was urged to stand as an alderman candidate but declined. The reasons for his decline may be his young family or because he lacked the pre-requisite of owning property to the value of £1000; the franchise to vote in the City of Sydney Council elections was dependent upon property ownership and rate payment until 1941 whereupon every adult resident in the city became entitled to vote.¹⁸ About this time he met a young and

¹⁴M.J.B. Kenny, ‘Hall, Edward Smith (1786–1860)’, *Australian Dictionary of Biography* (Canberra, 1966); <https://adb.anu.edu.au/biography/hall-edward-smith-2143>, accessed 1 September 2017; R.C. Pogonoski, ‘The History of Journalism and printing in the North of New South Wales’, *Journal of the Royal Australian Historical Society* 24, (1938), p. 403; V. Isaacs and R. Kirkpatrick, *Two Hundred Years of Sydney Newspapers: A Short History* (Sydney, 2003), p. 4; E.L. Ihde, A Manifesto for the New South Wales: Edward Smith Hall and the Sydney Monitor, 1826–1840 (Melbourne, 2005).

¹⁵Isaacs and Kirkpatrick, *Two Hundred Years of Sydney Newspapers*, p. 4; B.J. McGrath, ‘Catholic Journalism in New South Wales to 1850’, *Journal of the Australian Catholic Historical Society* 1, (1964), pp. 27–32; C. Fowler, ‘Anti-Catholic Polemic at the Origins of Australia’s First Catholic Newspaper’, *Journal of the Australian Catholic Historical Society* 37, (2016), pp. 147–60.

¹⁶J. Turner, ‘Newcastle Miners and the Master and Servants Act, 1830–1862’, *Labour History* 16, (May, 1969), pp. 30–6, 39, fn 1.

¹⁷In 1840, Governor Gipps introduced a bill to the NSW Legislative Council to establish municipal institutions in NSW. On 20 July 1842, the *Corporation Act 1842* was passed ‘to declare the town of Sydney to be a city and to incorporate the inhabitants thereof’. The ‘City of Sydney’ was thereupon established on 20 July 1842 with the gazettal of the *Corporation Act 1842*, creating the second oldest municipality in Australia, that encompasses present-day Woolloomooloo, Surry Hills, Chippendale and Pyrmont, an area of 11.65 km². The gazettal of the Corporation of the City of Adelaide precedes Sydney by 2 years and is the oldest municipal council in Australia.

¹⁸To clarify, at the first municipal election, some 3000 adult males were eligible to vote, in six wards with four Councillors per ward and each male had to hold property worth £1000. When the results were declared on 3 November 1842, a majority of electors had chosen local businessmen to run local affairs. Prior to the elections, the Governor Gipps had nominated magistrate Charles Windeyer as interim Mayor. At the first Sydney Council meeting on 9 November, merchant and contractor, John Hosking, became the first elected Mayor of Sydney but less than a year later Hosking was declared bankrupt in the early 1840s financial depression he had to resign as Mayor. H. Golder, ‘A Short Electoral History of the Sydney City Council 1842–1992’, (2001), https://www.cityofsydney.nsw.gov.au/__data/assets/pdf_file/0011/65549/hs_chos_electoral_history.pdf; Anon., ‘The Death of Mr. Richard Jones’, *Sydney Morning Herald*, 26 August 1892, p. 6.

an equally politically idealistic (Sir) Henry Parkes, and their allied interests and values resulted in a long-term friendship.

The Maitland years

Over the course of 1842 Jones had been considering his career options, and a close friendship with *Sydney Morning Herald* reporter Thomas William Tucker (1815–95) resulted in a partnership being formed in December 1842 to establish a newspaper at Maitland.¹⁹ Maitland is a city in the Lower Hunter Valley of NSW, situated on the Hunter River approximately 170 km north of Sydney. The name Maitland celebrates Sir George Maitland, an Under Secretary for the Colonies, and MP for the Borough of Whitchurch, in Hampshire, England.

A year earlier a printer from the Port Phillip District of NSW, Thomas Strode (1812–80), had unsuccessfully established the *Hunter River Gazette* in Maitland, the first weekly newspaper in regional NSW, but was forced to cease publication in June 1842 because of its unprofitability.²⁰ The *Gazette* was published at offices on the corner of High and Bulmer Streets in Maitland; Strode was also a former *Sydney Morning Herald* overseer employee.²¹ Despite knowing of Strode's unsuccessful venture, Jones and Tucker with their families shifted to Maitland in December 1842, and on 7 January 1843 issued the first *Maitland Mercury and Hunter River General Advertiser*. The *Mercury* was printed at the former *Gazette's* offices, on the corner of High and Bulmer Streets, with a cover price of six pence a copy. The *Mercury* under Jones by the late 1840s employed five staff. In 1938 retired printer Reg Pogonoski wrote that the *Mercury's* copy may have been printed on the same printing machinery purchased by Strode, as it involved laboriously setting up the type face by hand, with galley proofs taking several days to compile, and each single sheet printed on an old Britannia Caxton press by hand.²²

1843 heralded the first colonial elections to the NSW Legislative Council. While the Council had existed as a five-member Governor-appointed legislature since 1824 under the *New South Wales Act 1824*,²³ under the *NSW Constitution Act 1843*,²⁴ the Legislative Council was expanded to 36 members, of which 12 were appointed by the Governor, and the remainder elected from eligible landholders. The *Mercury* financially benefitted from the electoral debates and advertisements ensuring its economic viability and establishing its reputation as a fair arbitrator of values and regional concerns.²⁵ Jones conceded, retrospectively in January 1844, that 'we commenced our existence a very critical period, and but for the advantage which we received from all the stir and bustle of the general election

¹⁹Anon., 'The Late T.W. Tucker – A Pioneer Journalist', *Australian Town and Country Journal*, 9 November 1895, p. 33.

²⁰Untitled [Strode obituary], *Australasian Sketcher with Pen and Pencil*, 22 May 1880, p. 99.

²¹Pogonoski, 'History of Journalism', pp. 408, 410.

²²Anon., 'Papers Hot Off the Press', *Maitland Mercury – 170th Anniversary Special Edition*, 7 January 2013, p. 8; Pogonoski, 'History of Journalism', pp. 408, 410.

²³*New South Wales Act 1823* (4 Geo. IV c. 96) entitled an Act of the Parliament of the United Kingdom with the long title 'An Act to provide, until the First Day of July One thousand eight hundred and twenty-seven, and until the End of the next Session of Parliament, for the better Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof and for other Purposes relating thereto'.

²⁴*New South Wales Constitution Act 1843*, entitled 'An Act to provide for the division of the Colony of New South Wales into Electoral Districts and for the Election of Members to serve in the Legislative Council, Act No. 16 of 23 February 1843'; https://www.austlii.edu.au/au/legis/nsw/num_act/ea1843n1130.pdf, accessed 20 December 2019.

²⁵R.B. Walker, *The Newspaper Press in New South Wales, 1803–1920* (Sydney, 1976), p. 44; Anon., 'Editorial', *Maitland Mercury and Hunter River General Advertiser*, 6 January 1844, p. 2; Pogonoski, 'History of Journalism', p. 410.

should have found it a matter of considerable difficulty to make our good stand'.²⁶ Clearly, from these comments, Jones was continuously worried about the financial viability of the paper.

Despite its small regional subscription catchment, the *Mercury* prospered, becoming a Wednesday and Saturday bi-weekly paper in 1846. Increased frequency of issues, coupled with a reduction of the cover price from six to four pence, resulted in immediate success in increasing its regional subscription catchment.²⁷ This success was remarkable because the *Mercury* had to compete with the short-lived *Hunter River News*, published at the adjacent Maitland East that commenced in 1850.²⁸ By 1848 the *Mercury* was described by the NSW Governor (1846–55) Sir Charles FitzRoy 'as one of the colony's leading newspapers'.²⁹ Much of the readership success of the *Mercury* arose from provocative and often liberalist editorials written by Jones, many of which were passionate about development of the Hunter Valley's resources and readily conceded that its additional role was to educate public opinion in the district.

Residency in Maitland from 1842 to 1855, and prominence as editor of the *Mercury*, resulted in Jones becoming involved in many local activities. At various times he served as president of the Maitland School of Arts, as treasurer of the Hunter River Agricultural Society established in 1842 (Hunter River Agricultural Association from 1843), as Secretary of the Anti-Transportation Committee, and joined the Committee to Establish a Free Port at Newcastle. These were all causes that continued in his political career when he was later elected to the Legislative Assembly in 1856.

In 1846 Jones gained sole proprietorship of the *Maitland Mercury and Hunter River General Advertiser*, with Tucker returning to Sydney to set up a bookselling and stationary business. In 1847 Jones shifted the paper's office to new premises comprising a single storey shop on the corner of High and Hunter Streets Maitland, and by 1851 employed ten staff.³⁰ Despite this prosperity, in late 1854 Jones sold his interests to Tucker, Richard Cracknell and Alexander Falls (1824–70) for £6000. Kirkpatrick claimed that the sale was 'because of illness',³¹ but it may have been due to his wife's ill-health. For the partners, Tucker was returning to the business, Cracknell was one of its first employees, while Falls had joined the staff in 1847.³² The investment valuation was 'exceptional' as this was the first country newspaper to be put on the market in the colony, and by 1858 it had a circulation of 2550. Interestingly the *Mercury* was again sold in 1860 for £12,791, based upon a business valuation of nearly £13,000 (comprising £3735 for copyright, an average annual profit over the previous three years, £5662 for good book debts and £3394 for plant and stock), and in 1874 for £10,150 to Tucker, J. Gillies and John

²⁶Anon., 'Editorial', *Maitland Mercury and Hunter River General Advertiser*, 6 January 1844, p. 2.

²⁷Walker, *The Newspaper Press*, p. 44.

²⁸Pogonoski, 'History of Journalism', pp. 408–9.

²⁹R. Kirkpatrick, *Maitland Mercury*, <https://www.austlit.edu.au/austlit/page/9597480>, accessed 1 September 2017.

³⁰Walker, *The Newspaper Press*, p. 45; Anon., 'Editorial', *Maitland Mercury and Hunter River General Advertiser*, 30 September 1854; Anon., [untitled], *Maitland Mercury and Hunter River General Advertiser*, 3 January 1943; Pogonoski, 'History of Journalism', pp. 410–11.

³¹R. Kirkpatrick, *Country Conscience: A History of the New South Wales Provincial Press, 1841–1995* (Canberra: Infinite Harvest, 2000); R. Kirkpatrick, [untitled], *Maitland Mercury*, <https://www.austlit.edu.au/austlit/page/9597480>; accessed 1 September 2017.

³²Maitland Family History Circle, *Maitland District Pre 1900 Pioneer Register* (Maitland, 2001), pp. 92–3; Walker, *The Newspaper Press*, p. 45; Anon., 'Editorial', *Maitland Mercury*, 30 September 1854; Anon., [untitled], *Maitland Mercury*, 3 January 1943; Pogonoski, 'History of Journalism', p. 411.

Thompson.³³ Additionally, most colonial papers had to pay in advance for paper and printing ink to be sent from England, so purchase and sea freight represented a risky investment by newspapers.³⁴

An insight into Jones' role in the Maitland community is offered in the speeches made at a public dinner held on 19 March 1855 honouring his contribution to the community.³⁵ A farewell dinner with 70 guests held at the Rose Inn in West Maitland, following his sale of the *Mercury* in late 1854, 'was an excellent one, abundant and good'. The Reverend Dean Lynch opened the addresses observing that:

... we ... record our full approval of the manner in which you discharged for nearly twelve years ... as Proprietor and Editor of the *Maitland Mercury*. We cheerfully and cordially bear testimony to the indefatigable industry and strict impartiality which marked your support of every measure calculated to develop the resources and promote the welfare, of the northern districts.³⁶

Politician and Colonial Treasurer

With the *Mercury* sold the Jones family returned to Sydney in March 1855. Thereupon he soon accepted nomination as a candidate for the Upper House Legislative Council electorate of 'New England & Macleay', but was defeated by station owner Robert G. Massie. In 1855, prior to his attempts to stand for the NSW Colonial Parliament, a fellow journalist and politician, possibly Parkes given their mutual friendship through journalism, wrote that:

As a journalist Mr Jones was a compact, vigorous, plain writer of temperate tone, displaying considerable powers of reasoning and always strict conscientiousness in his comments. As a public speaker his style and method in the statement of his subject, and his earnest conviction and directness of purpose give force to every word he utters. If there is a single-minded and conscientious man in the Legislative Assembly it is Richard Jones.³⁷

The 1856 NSW election heralded the first election held since the introduction of self-government in NSW. Held between 11 March and 19 April 1856, the election was for all of the 54 seats in the new NSW Legislative Assembly involving 18 single-member electorates, 13 two-member electorates, two three-member electorates and one four-member electorate using the first-past-the-post electoral system with 38,044 votes being cast.

Jones successfully stood for the 'County of Durham' electorate, encompassing the Maitland area of the north side of the Hunter River. Jones was elected 'at the head of the poll' (30.73 per cent) with Samuel Deane Gordon (25.61 per cent) and William Munnings Arnold (17.69 per cent) in a three-member electorate.³⁸ Across the colony the actual voting period was between 11 March to 19 April 1856, to deal with travel distances

³³Kirkpatrick, [untitled], *Maitland Mercury*; Walker, *The Newspaper Press*, pp. 47–8, 179, 180; Anon., [untitled], *Maitland Mercury*, 7 January 1943.

³⁴Walker, *The Newspaper Press*, p. 48; Pogonoski, 'History of Journalism', p. 410.

³⁵*Maitland Mercury*, 21 March 1855.

³⁶Anon., 'Rev Dean Lynch, Public Dinner and Address to Mr. Richard Jones', *Maitland Mercury*, 21 March 1855.

³⁷Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, 26 August 1892, p. 6.

³⁸B. Walsh and C. Archer, *Maitland on the Hunter* (Tocal, 2000), p. 111; Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, 26 August 1892, p. 6. Data source: <https://www.parliament.nsw.gov.au/electionresults18562007/1856/Durham.htm>, accessed 20 December 2019.

particularly in rural electorates, and there were no formal political parties as commonplace today; rather just 'independent' individuals.

Upon entering the Legislative Assembly on 22 May 1856, Stuart Donaldson (1812–67), member for the 'Sydney Hamlets' electorate, was elected inaugural 'Premier' of the NSW colony, holding office from 6 June 1856 to 25 August 1856. 'In all respects an English gentleman', Donaldson held conservative values as advocated by fellow conservative colonialists and prominent NSW Assembly Members Charles Wentworth (1790–1872) and James Macarthur (1798–1867). Upon losing a vote Donaldson resigned as Premier due to his 'highmindedness ... [in not being able to] submit to attacks prompted' and was criticized in the press for standing down so easily; but he responded, 'my colleagues and myself are all too independent of office to cling to it'; a somewhat prophetic remark observes Draper.³⁹

On the first day of the Legislative Assembly proceedings Jones took an active role. In the votes he supported Cowper's nomination of liberal-minded (Sir) Daniel Cooper (1821–1902), the elected member for the 'Counties of Murray and St Vincent' electorate, to the inaugural Speaker's Chair. Politically Cooper was aligned to both Cowper and Parkes in his liberal democratic values, and he also financially supported Parkes's tenure as the founding editor of the prominent liberal newspaper the *Empire* (1850–58). This vote successfully thwarted the Donaldson Ministry's conservative candidate, the Governor-appointed Member (Sir) Henry Parker (1808–81), by one vote from gaining the Speaker's Chair; a position Cooper held until 1860. While Cooper's election was not popular within the Legislative Assembly membership, he was successful in setting a dignified and impartial tone to the role, setting a standard for future speakers, and established the formative rules of procedure and parliamentary conventions for the assembly. This vote foreshadowed the fractious nature of formative colonial politics in the Legislative Assembly that would continue for the next five years. The Legislative Assembly became a battle-ground between liberal and conservative interests, the former seeking legislative and political enfranchisement reform, the latter seeking to protect their pastoral interests and conservative values (Figures 1 and 2).⁴⁰

With Donaldson's resignation Cowper gained the Premiership from 26 August to 2 October 1856 but fell on 'a motion of want of confidence'.⁴¹ He was Premier on five occasions from 1856 to 1870, his ministries having a soft liberal predilection, laying the formative steps for a liberalist party later associated with colonial governments of Parkes that became formalized as the Free Trade Party. Parkes initially characterized Cowper as of a 'mild, affable and benignant character' and later wrote of his 'quick insight in dealing with surrounding circumstances, and much good humour and tact in dealing with individuals'. This political adroitness attracted him the popular sobriquet of 'Slippery Charley', as first expressed by John Dunmore Lang, in the Parkes' writings and the larger period media.⁴²

³⁹S. Draper, 'Donaldson, Sir Stuart Alexander (1812–67)', *Australian Dictionary of Biography*, <https://adb.anu.edu.au/biography/donaldson-sir-stuart-alexander-3425/text5209>, accessed 1 September 2017; C.E. Lyne, *Life of Sir Henry Parkes*, GCMG, *Australian Statesman* (Sydney, 1896), p. 51.

⁴⁰Anon., 'Sydney Mae 156,dp

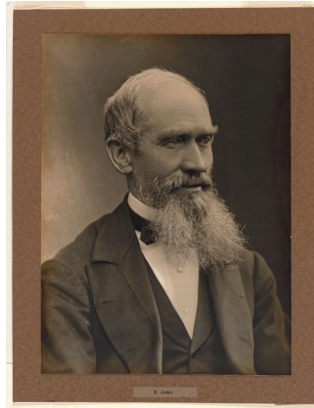


Figure 1. Richard Jones, ca.1855. Source: photograph donated to William Charles Wentworth's 'Vaucluse House' by Misses Alice, Nellie and Bessie Jones (daughters of Richard Jones) in the 1920s, and transferred to Mitchell Library in 1989 (P3/170). Reproduced with the permission of the NSW Mitchell Library.



Figure 2. Richard Jones. Source: Illustrated Supplement to *The Sydney Mail*, 30 July 1892, np.

The infancy, fragility, and lack of clear political party mechanisms in the late 1850s in the NSW Legislative Assembly meant that there was considerable instability of political allegiances and thus leadership, and thereupon changes in premiership. Charles Lyne has remarked that 'its life was short, for it was found difficult in the early days of the new order of politics ... for Ministries to remain long in office'.⁴³ This repeatedly frustrated the aims of the staunchly conservative Governor (1855–61) Sir William Denison. While vesting political power and enfranchisement in the new colonials, Denison had expectations that they could successfully lead the administration of the colony, despite harbouring 'considerable reservations about the advent of responsible government'. Despite this Denison successfully inaugurated the bicameral system of representative government in NSW on direction from the Parliament of the UK, and demonstrated

⁴³Lyne, *Life of Sir Henry Parkes*, p. 51.

patience and wisdom in managing the infancy of these unsettled formative parliamentary years.⁴⁴ In contrast, the local media enjoyed the fractious debates and discourses, because they not only sold papers, but demonstrated the democratic merits of the new Legislative Assembly.⁴⁵

With Cowper's resignation Denison turned to Parker to form a government on 3 October 1856 that continued until 7 September 1857. NSW parliamentary historians Loveday and Martin have observed that Parker's Ministry very much reflected the previous conservative Donaldson Ministry in policy and appointments, and thus experienced from the largely Cowper-led liberalist factions the 'same obstructive opposition that had frustrated Donaldson, and his support was equally unsteady'.⁴⁶ Denison later commented that his choice to offer the premiership to a politically naïve Parker resulted in an administration that was 'weak in every sense of the word' and was unable to apply political astuteness and mediation in debate and governance practice.⁴⁷

On 7 September 1857 Charles Cowper formed his second ministry that held office until 26 October 1859.⁴⁸ Cowper became the head of an administration, and having with him James Martin, Terence Aubrey Murray, and Richard Jones, again found it impossible to proceed effectively with public business, but he managed to remain in office until he could secure a dissolution, as Parkes later explained.⁴⁹ As member for the 'City of Sydney' electorate during 1856 Parkes watched these machinations, having declined the offer for a portfolio under Cowper, but resigned from his seat in August 1858 due to personal financial matters. At Parkes' farewell dinner, Jones was one of the speakers with Cowper, John Robertson and William Forster.⁵⁰ As part of his second ministry, on 7 September 1857 Cowper invited Jones to serve on the Executive Council and as Colonial Treasurer and Collector of Internal Revenue, which he accepted.

But on 3 January 1858 Jones resigned from both positions allegedly 'on purely personal grounds' but maintained his support 'for a Government to which he still gave his support in the Chamber'.⁵¹ Jones' membership of Cowper's Ministry was conditional on the Governor-appointed member and liberal-minded lawyer John Plunkett (1802–69) serving as the Attorney-General. At the time, Cowper stated in the Legislative Assembly that Jones 'expressed his wish to resign not from any difference of opinion be entertained as to the principle of his colleague, but for private reasons of this own'.⁵² Plunkett had

⁴⁴D. Clune and K. Turner, *The Governors of New South Wales 1788–2010* (Sydney, 2009), pp. 239–47; D. Clune and G. Griffin, *Decision and Deliberation: The Parliament of New South Wales 1856–2003* (Sydney, 2006), pp. 17–18; A. Powell, *Patrician Democrat: The Political Life of Charles Cowper 1843–1870* (Melbourne, 1977), p. 72; R. Travers, *The Grand Old Man of Australian Politics: The Life and Times of Sir Henry Parkes* (East Roseville, NSW, 2000), p. 116; A. Martin, 'The Legislative Assembly of New South Wales, 1856–1900', *Australian Journal of Politics and History* 2, (1956), pp. 46–67.

⁴⁵Clune and Turner, *The Governors of New South Wales 1788–2010*, pp. 239–47; Clune and Griffin, *Decision and Deliberation*, pp. 17–18; Powell, *Patrician Democrat*, p. 72.

⁴⁶P. Loveday and A. Martin, *Parliament, Factions and Parties: the first thirty years of responsible government in NSW, 1856–1889* (Melbourne, 1966), p. 28, Note 3.

⁴⁷Letter, Sir W. Denison to H. Labourchere, 15 July 1857, *Sir William Denison – Correspondence and Related Documents, March 1856–December 1857*, FM3/795, cited by T. McMinn, 'Henry Watson Parker', in Clune and Turner, *The Governors*, p. 64.

⁴⁸Parkes, *Fifty Years in the Making of Australian History*, pp. 116–17.

⁴⁹Parkes, *Fifty Years in the Making of Australian History*, p. 117; Lyne, *Life of Sir Henry Parkes*, pp. 53–4.

⁵⁰Lyne, *Life of Sir Henry Parkes*, pp. 53, 54, 70, 72.

⁵¹Letter, C. Cowper to R. Jones, *Order to be Appointed to the Executive Council*, 7 September 1857; Letter, C. Cowper to R. Jones, *Order to be Appointed Colonial Treasurer and Collector of Internal Revenue*, September 7, 1857; Letter, C. Cowper to R. Jones, *Order to be Appointed Colonial Treasurer and Collector of Internal Revenue*, September 7, 1857; Anon., 'Charles Cowper', *Sydney Morning Herald*, 15 January 1858, p. 3.

⁵²Anon., 'Charles Cowper', *Sydney Morning Herald*, 15 January 1858, p. 3.

previously served as Solicitor-General for the colony, but refused Cowper's offer. The member for the 'City of Sydney' electorate and commercial businessman Robert Campbell subsequently became treasurer on 4 January 1858. Thus, Jones demonstrated principle and continued to keep his distance from the mainstream political decision-making and fragmented party politics.⁵³ All these debates were occurring as the colony was again in election mode to elect candidates to the NSW Legislative Assembly.

The fragility of Cowper's Ministry in 1857, with no fewer than 13 men holding the seven positions in its life of just over two years, led to the dissolution of parliament on 19 December 1857 by Governor Denison following its loss in a vote to increase the rents of pastoralists and to levy an assessment on their stock. On the advice of the Premier Cowper, Denison called an election to be held between 3 January and 12 February 1858 for all of the 54 seats in the NSW Legislative Assembly. The electoral system at this election involved 18 single-member electorates, thirteen two-member electorates, two three-member electorates and one four-member electorates, all with a first-past-the-post electoral system. Electoral suffrage was limited to adult white males. Standing again in the three-member 'County of Durham', this time Jones was elected third in the poll (28.22 per cent) with Samuel Gordon (33.07 per cent) and William Arnold (32.43 per cent) in the three-member electorate.⁵⁴

Demonstrating his full support of Jones, Parkes wrote that:

Believing as I do that Mr Jones is one of the most upright men before the public, and a thorough liberal, through perhaps a little too cautious, I would under any circumstances rather see him in the house [of Assembly] than myself.⁵⁵

Cowper was again Premier following the 1858 election, but had a very unstable minority government. It was during this period that the Forster/Jones Electoral and Representative Systems Amendment Bill, that is discussed in detail below, was tabled and passed resulting major electoral reforms including secret ballot, universal manhood suffrage, representation primarily by numerical population and more population-equal electoral districts. The other highlights of this short ministry was the creation of 40 new municipalities, the establishment of a district courts system, and the prohibition of grants to support public religious activities.

With the dissolution of parliament on 11 April 1859 by Governor Denison, on the advice of the Premier Cowper, an election was held between 9 June and 7 July 1859 for all of the 80 seats in the NSW Legislative Assembly. The electoral system at this election involved 58 single-member electorates, seven two-member electorates and two four-member electorates, all with a first-past-the-post electoral system. Electoral suffrage was limited to adult white males. As a consequence of an electoral re-distribution, the three-member 'County of Durham' was abolished and seven single-member electorates created. With this, for the 1859, Jones stood successfully in the electorate of 'The Hunter', focused upon Maitland, in a two person election obtaining 60.70 per cent of the vote.⁵⁶

⁵³Powell, 'Charles (late Sir Charles) Cowper', pp. 69–70; P. Mennell, *The Dictionary of Australasian Biography* (Sydney, 1892), p. 254; J.H. Heaton, *Australian Dictionary of Dates and Men of the Time* (Sydney, 1879), p. 104; Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, 30 July 1892, p. 6.

⁵⁴Data at: <https://www.parliament.nsw.gov.au/electionresults18562007/1858/Durham.htm>, accessed 20 December 2019.

⁵⁵H. Parkes, 'Representation of Durham', *The Maitland Mercury and Hunter River General Advertiser*, 2 February 1858, p. 2.

⁵⁶Data at <https://www.parliament.nsw.gov.au/electionresults18562007/1859/Hunter.htm>, accessed 20 December 2019.

On 26 September 1859, the member for the 'Murrumbidgee' electorate, lawyer, pastoralist and trade tariff reformer, John Hay successfully moved a vote of 'no confidence' in the Cowper Ministry after it had lost the vote on an educational bill. Out of frustration, Cowper resigned both his position as Premier and his East Sydney seat the following day. Upon Cowper's resignation and Hay's recommendations Denison invited Jones to form a ministry. Cowper appears to have proposed Hay first, and then Jones second, as prospective Premier nominees to Denison. Denison wrote to Jones on 26 October 1859 that 'both Mr Cowper, and Mr Hay whom I have since consulted, have entrusted to be their opinion that you are the only person who could hope to form an administration likely to carry without this supporting the Legislature'.⁵⁷ After conversations with members of the Legislative Assembly, and after 'failing to secure the co-operation of Mr John Hay', Jones declined the offer to serve.⁵⁸ The press reported that Hay

... declined on the ground that Mr Jones should be first consulted, and that course was jointly recommended by Mr Hay and Mr Cowper. As the report in the Herald at the time stated: Mr Jones took time to consider. Mr Cowper, it is said, promised to take any office under him, providing that the other members of the Cabinet were persons with whom he could cordially co-operate. But on the following morning, chiefly it is believed on the score of health, Mr Jones surrendered his commission to Sir William Denison, at the same time recommending his Excellency to entrust the commission to Mr Hay. The latter gentleman accordingly received a letter from his Excellency desiring him to form an Administration, but was understood to decline definitely undertaking his task until he had consulted with Mr Jones, in which he endeavoured to persuade him to forego his resolution not to take office; but the result of their consultations was Mr Jones's determination to adhere to his former determination. Mr Hay abandoned his work, and Mr W. Forster formed an Administration.⁵⁹

Thus having little choice, Denison turned to the writer and magistrate, erratic conservative and then Member for 'Queanbeyan', William Forster (1812–82), to form a ministry. Forster gained the support of the Legislative Assembly on 26 October 1859 as incoming Premier, but resigned on 9 March 1860. Cowper did not stand for 'East Sydney' in the Legislative Assembly, but was appointed to a five-year term in the Legislative Council in March 1860 at the invitation of Denison.

Foreshadowing Forster's resignation, Denison wrote to Cooper inviting him to form a ministry. Cooper immediately declined due to 'his health, and other obstacles'. Turning to Jones, on 6 March 1860 he expressed his confidence that Jones form 'a gov't ... I trust that you will feel yourself justified in taking office, as I know of no man in whom I can place mine [sic.] confidence than yourself'. Denison's wish was that Jones would mediate to 'bring together men whose talents and abilities are acknowledged by all, and whose differences have in reality reference more to the detail of measures than to principles'.⁶⁰ Again Jones declined, recommending that Denison first approach Hay, or the liberalist pastoralist and later prominent land reformer John Robertson to form a government. Hay

⁵⁷Letter, Sir William Denison to Richard Jones, October 26, 1859 [private collection].

⁵⁸Loveday and Martin, *Parliament, Factions and Parties*, p. 31; Powell, 'Charles (late Sir Charles) Cowper', p. 78.

⁵⁹Anon., 'Mr. Richard Jones', *The Sydney Mail and New South Wales Advertiser: Illustrated Supplement*, 30 July 1892, p. 254.

⁶⁰Letter, Sir W. Denison to R. Cooper, 1 March 1860; Letter, Sir W. Denison to R. Jones, 6 March 1860, Government House Papers, Miscellaneous Correspondence, 1855–61, 4/1665, pp. 499, 503 cited in Loveday and Martin, *Parliament, Factions and Parties*, p. 33.

declined, and Robertson accepted, serving as Premier from 9 March 1860 to 9 January 1861.⁶¹

Despite this parliamentary instability, Jones was one of a few members with a mastery of the parliamentary committee system and its investigatory and policy capacity. As a consequence he was very active in this area,⁶² and served on over 60 committees including as Sole Commissioner of Railways Incorporation Bill Committee No.22 (1856–57), Railway Terminus and Wharfs at Newcastle Committee No.25 (1856–57), Deepening the River Hunter Committee No.16 (1856–57), Australian Mutual Provident Society's Bill Committee No.26 (1856–57), Bathurst School of Arts Bill Committee No.16 (1858), and the Murders by the Aborigines on the Dawson River Committee No.22 (1858) Select Committee of the Legislative Assembly, that was appointed on 15 June 1858 'to inquire into and report upon the murders which have recently taken place on the Dawson River, and generally on the state of outrage between the white population and the aborigines in the Northern Districts, with a view to providing for the better protection of life and property' [sic.]. He also served on the Australian Gas Light Company's Bill Committee No.18 (1858), Navigation of the Murray, & c. Committee No.8 (1858), University of Sydney Committee No.5 (1859–60), Federation of the Australian Colonies Committee No.38 (1860), Sydney Grammar School Committee No.6 (1859–60) arising from the *Sydney Grammar School Act 1854*, the Newcastle Wallsend Coal Company's Railway Bill Committee No.14 (1859–60) resulting in the *Newcastle-Wallsend Coal Company's Incorporation Act of 1860* (23 Vic), and the Wesley College Bill Committee No.21 (1859–60).⁶³

Historian Geoffrey Hawker has observed that 'a number of members used their membership of committees to exceptional effect'. Parkes was exemplary in this role, and 'other members who were unusually active throughout their careers included ... Richard Jones'. The *Sydney Mail* wrote that Jones 'framed a measure to deal with the main roads before the days of railways, holding that anything beyond these should be under the control of local government bodies [and] ... with the late Mr W. Forster he framed the new Electoral Bill of the day'.⁶⁴

Electoral reform and the Parker Ministry

While there was no formal liberalist party in the formative years of the Legislative Assembly, various Legislative Assembly members coalesced around mutual interests on various topics, but also held allegiances to various eclectic electorate-specific or over-arching policy interests. Thus, there were identifiable factions that were either conservative or liberal, of which the latter tended to associate with Cowper as their notional spokesperson. Core to liberalist interests were land and electoral reform in the late 1850s.

⁶¹J.M. Bennett, *Reluctant Democrat: Sir William Denison in Australia 1847–1861* (Sydney, 2011), pp. 264–5; Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, p. 6; Anon. 'Mr. Richard Jones', *The Sydney Mail and New South Wales Advertiser*, p. 254; Loveday and Martin, *Parliament, Factions and Parties*, p. 33.

⁶²G.N. Hawker, *The Parliament of New South Wales 1856–1965* (Ultimo, NSW, 1971), p. 87.

⁶³Anon., 'Murders by the Aborigines of the Dawson River', *Moreton Bay Courier*, 18 August 1858, p. 4; See <https://www.parliament.nsw.gov.au/members/formermembers/Pages/former-member-details.aspx?pk=445> for a detailed list; accessed 1 September 2017.

⁶⁴Anon., 'Mr. Richard Jones', *The Sydney Mail and New South Wales Advertiser*, p. 254; Hawker, *The Parliament of New South Wales*, p. 87.

Land access reform was a key priority for the liberals, including Jones, in the Legislative Assembly; this was an interest that placed him at odds with Cowper and his liberal associates. Jones believed in land selection following survey whereas many of his liberalist political colleagues favoured ‘a policy of free selection before survey’. In his second Ministry, Cowper introduced a Lands Bill in October 1857 that protected existing leases and rental levels and ensured pastoralist pre-emptive rights to buy land preserved. But the Lands Bill also imposed a stock levy, limited the tenure of leases to five years, and authorized extensive land auctions of land at fixed minimum prices. In addition the Lands Bill ensured survey before sale, and a chance to better return land sale monies to the treasury whilst enabling liberalist land expansion across part of the colony.⁶⁵

Electoral reform was also a priority to Jones and his liberalist colleagues who, with the period newspapers, credit Jones as one of the key ‘framers’ of the *Electoral Act of 1858*.⁶⁶ This is contrary to contemporary writings that label the *Electoral Act of 1858* the ‘Cowper Electoral Reform Bill’ or ‘Cowper Electoral Act of 1858’, and without acknowledging that the Bill was tabled for its first reading in the Legislative Assembly without Cowper’s knowledge under the conservative Parker Ministry of 3 October 1856–7 September 1857. Cowper eventually, as the notional liberalist leader, had to reluctantly accept and sponsor its eventual passage through the Legislative Assembly.⁶⁷ As reported by the *Sydney Morning Herald*, the Electoral and Representative Systems Amendment Bill was ‘the one prepared by Mr Forster and Mr Jones’, and was published in *The Empire* on 9 January 1857 before it was presented to the Legislative Assembly on 16 January 1857 under ‘the auspices of Mr Forster and Mr Jones’. The *Mercury* reported the tabling as ‘Mr Forster’s Bill, launched by the courageous exertions of Mr Forster, Mr Jones, and their coadjutors’ [sic.], in early January 1857.⁶⁸ But it was the *Sydney Morning Herald* that stated that ‘Mr FORSTER, who acts as organ to Mr JONES, gracefully divided the credit of this bill’, thus attributing co-authorship to Jones.⁶⁹ It appears that Forster, respected as a cultured and honest man, tabled and led the bill debate drawing upon his respected debating skills, despite his poor oratorical skill, inspired by his desire to hold an independent course and do what was best for his country. But, that it was Jones who championed the detail arguing and explaining in every debate and committee meeting the merits of the bill and its clauses.

Forster and Jones at the time were allied with the liberalist factions, not in the conservative Parker Ministry, but the bill was successfully tabled for its first reading under the Parker Ministry’s administration. Aided by the predominantly Sydney citizen-led Electoral Reform Movement, in part a response to the lack of its mention in Denison’s speech at the beginning of the Parker Ministry session, prepared by the Parker administration, Forster and Jones’ Private Member Electoral and Representative Systems Amendment Bill prompted major debate on electoral reform in the Legislative Assembly. In

⁶⁵ Anon., ‘The Death of Mr. Richard Jones’, *Sydney Morning Herald*, p. 6; Anon., ‘Mr. Jones’, *Maitland Mercury*, 14 April 1860, p. 2; Powell, ‘Charles (late Sir Charles) Cowper’, pp. 81–2.

⁶⁶ Powell, ‘Charles (late Sir Charles) Cowper’, pp. 44–5; New South Wales 1858, *An Act to amend the Electoral Law*. [24 November 1858]; Anon., ‘The Death of Mr. Richard Jones’, *Sydney Morning Herald*, p. 6.

⁶⁷ Travers, *The Grand Old Man of Australian Politics*, p. 125; Lyne, *Life of Sir Henry Parkes*, p. 115.

⁶⁸ Anon., ‘The Electoral Bill’, *The Empire*, 16 January 1857, p. 3; Anon., ‘Parliament of New South Wales’, *Sydney Morning Herald*, January 15, 1858, p. 2f; Anon., [untitled], *Maitland Mercury*, 26 February 1857, p. 2.

⁶⁹ Anon., ‘Electoral Act Amendment Bill’, *Sydney Morning Herald*, 28 January 1857, p. 3; Anon., ‘Electoral Act Amendment Bill’, *Sydney Morning Herald*, 29 January 1857, p. 4.

Forster's words, it ignited 'a powerful and unmistakable impulse to colonial politics'.⁷⁰ The bill sought to enable equitable representation across the colony, and to re-dress the pastoral gerrymander. The latter had resulted in only four out of the 54 electoral districts in the Legislative Assembly being Sydney-specific, so the bill sought to better reflect the actual distribution of the colony's population. It proposed to provide 'representation of the basis of population, manhood suffrage, and vote by [secret] ballot', requiring the drafting of electoral districts linked to human population patterns reflected in police districts instead of grazing hectareage, removing property and income requirements to vote, and increasing the size of the Legislative Assembly membership to eighty.

The first Legislative Assembly had comprised 54 members from any men qualified and registered as voters, except for holders of office or pension under the Crown, public servants, active military officers or ministers of religion.⁷¹ The electorate system contained in the New South Wales *Constitution Act of 1855* was based upon the upper house Legislative Council representation system that divided electorates into pastoral districts, counties, towns and Sydney. This resulted in a Legislative Assembly electorate design of 18 single-member electorates and 16 multi-member electorates comprising a membership with a fixed-term parliamentary period of five years. Voters and candidates had to be men over 21 years who met a fairly modest property or income qualification (a freehold valued at £200 or a householder paying rent of £20). Voters who fulfilled the qualifications in more than one district could have multiple (plural) votes.

The tabled Electoral and Representative Systems Amendment Bill gained momentum in the newspapers, leaving Cowper with no option but to take up the lead on negotiating its passage through the Legislative Assembly. What Forster and Jones, and indeed Cowper, had not foreseen was the division in liberal and conservative thinking that the bill generated. Cowper, for example, was absent from its second reading, possibly out of annoyance from lack of consultation, while other liberals wanted a wider eligibility of voting population requirements. The conservative Parker Ministry immediately opposed the bill on the basis of its timing being tabled near the end of the first session. Parker argued that the voting population principle proposed that was 'unphilosophical, unsupported by experience an analogy', and their perception that while a two-thirds majority of the Legislative Assembly would need to pass such a bill the non-liberalists were in the majority in the Legislative Assembly.⁷²

Confusion, because of Cowper's failure to attend and be involved, and thus take leadership, enabled Parker the window of opportunity. Parker therefore announced in the Legislative Assembly that he would introduce his own electoral reform initiative in the next session by amending this bill. He then moved to support the second reading of the Forster/Jones Bill that was carried 24 votes to 14. Forster was exceedingly pleased, finding that his reform platform had suddenly been supported by a conservative government, and Parker saw the vote as an act of political mastery against Cowper noting his absence. But time quickly moved against Parker. On 24 February 1857, member John Robertson moved a carefully worded motion that required all deliberative bodies empowered with legislative responsibilities in the colony to be elected by the people in their

⁷⁰Anon., [untitled], *The Empire*, 13 August 1857, p. 3.

⁷¹Clune and Griffin, *The Governors of New South Wales*, pp. 17–18; Anon., 'Parliament of New South Wales', *Sydney Morning Herald*, 23 May 1856, pp. 2–5.

⁷²Anon., [untitled], *Maitland Mercury*, 5 March 1857, p. 2.

respective assemblies, successfully forcing the Legislative Assembly members to vote twenty-seven to eleven in favour of this embodied principle.⁷³

The Parker second session commenced on 11 August 1858. Included in the Governor's speech, prepared by the Parker Ministry, were the topics of land and electoral reform. Dogged by several days of parliamentary debate about land reform, Parker unexpectedly brought forward the second reading of his Electoral Reform Bill on 3 September 1858 that he had tabled on 19 August 1858. Included in this bill was a proposal to increase the Legislative Assembly membership from 54 to 104, a rural-biased gerrymander system of 100 Pastoral District eligible votes to 300 in the counties and 600 hundred in the towns, no changes to suffrage voting rights, and the introduction of the secret ballot. The latter was a device intended to challenge the liberalist members.

Parker's bill offered little substantive changes to the existing New South Wales *Constitution Act of 1855*, and possessed a 'few touches of Machiavellism' in its notional compromise to the overall electoral reform debates in the Legislative Assembly.⁷⁴ Ironically, he had little consulted and kept his own conservative supporters informed. They only heard about the contents of his bill in newspapers three weeks before Parker's second reading speech than personally from Parker. The situation resulted in rowdy dissension in the Legislative Assembly, many members arguing that it was a political mistake by the Parker Ministry. The debate came to a head when Forster tore the Parker bill 'to shreds' in the Legislative Assembly on 26 August 1858 when it was passed.⁷⁵

The Member for the 'Country of Cumberland', the barrister John Darvall (1809–83), sought to defer the third reading debate on bill for 10 days, but his attempts were thwarted. Darvall's motion of deferment was lost on a tie of votes of Legislative Assembly members, with the Speaker, Cooper, procedurally siding with the noes. Cowper, physically back in the Legislative Assembly, capitalized on this disarray, and successfully moved that the Forster/Jones-authored Electoral and Representative Systems Amendment Bill be read for a third reading. Discussion on this motion ensued the following day wherein the Member for the 'County of Camden', the influential neo-conservative pastoralist James Macarthur, who normally did not attend Legislative Assembly sittings, entered the debate offering further differences of opinion. Macarthur adhered to a social conservatism ideal wherein colonial society owed a right to those colonists who did not own property or possessed economic-social status, but not where it infringed upon political privilege and advancement. Thus the Parker Electoral Reform Bill was vehemently disliked by Macarthur because he perceived the secret ballot to be 'un-English, unmanly and cowardly mode of voting' and that any increase in the number of members in the Legislative Assembly would further negate quality parliamentary governance.⁷⁶

Put to a vote on 4 September 1858, Macarthur with many of his neo-conservative followers unusually voted with Cowper and his liberalist colleagues resulting in a 26–23 vote that passed the Forster/Jones amendment bill. The vote defeated Parker and his Electoral Reform Bill, and resulted in the resignation of the Parker Ministry on the same day, 4

⁷³Anon., [untitled], *Maitland Mercury*, 5 March 1857, p. 2.

⁷⁴Anon., [untitled], *The Empire*, 3 September 1857, p. 2.

⁷⁵Anon., [untitled], *The Empire*, 4 September 1857, pp. 2, 4.

⁷⁶Anon., [untitled], *Sydney Morning Herald*, 4 September 1857, p. 3.

September 1858.⁷⁷ Thus, *The Empire* wrote, ‘Mr PARKER’S Government falls by their treatment of the electoral question’.⁷⁸

In the detail of the Legislative Assembly debates, the House went into a committee of the whole, and each clause was incrementally discussed and reviewed. Cowper, Donaldson, Parker, Faucett, Dalley, Parkes, Forster, Hay, Jones and Byrne were all active speakers. Both in *The Empire* and the *Sydney Morning Herald*-printed Hansard-equivalent proceedings it is clear that Jones was a far more a proactive debater in the committee’s deliberations than Forster, although both were valuable contributors. For example, in debating clause 13 that proposed a common polling day, Forster argued, ‘Provided also that at every general election the poll shall be taken at every polling place throughout the colony upon the same day’ seeking ‘to deprive the Government of any discretion which would enable them to provide seats for those friends who had been rejected at previous elections’ and thus seeking to prevent factional voting. Jones concurred, stating that the one-polling day clause ‘would prevent persons having property in different electorates from recording their votes’. For clause 14, regarding the establishment of an electoral roll and the collection of names, ‘Cowper wanted to amend the clause to do away with the system of having collectors to collect the names of the electors of the various districts’ based upon claim of eligibility, whereas Jones ‘was decidedly more in favour of the arrangements now in existence for collecting the names of the electors in the various districts ... [because] the more remote districts would be disfranchised if the clause were passed, owing to their non-acquaintance with the time of sending in their names’.⁷⁹

In electorate design, Jones stated that ‘they (Mr Forster and Mr Jones) proposed to cut Sydney into four divisions – three of them having three members each, and one of them two members ... to prevent a more numerical majority from swamping the other constituencies in the Assembly’. The principle of equitable representation ‘according to population must of necessity embrace the whole question of property and interest; because a certain number of persons residing in any one town must of necessity have a good qualification in the shape of money and property as the same number in any other town’. Thus Jones ‘was in favour of a representation based upon population’, the secret ballot, and the bill sought to address a ‘defect which he complained of was injustice – done to the populous districts of the country by the apportionment of the representation’.⁸⁰

To Cowper, on reflection, the Electoral and Representative Systems Amendment Bill was ‘torture’ in negotiating it through the Legislative Assembly as he had to support and discuss each clause progressively as the bill moved through the whole-House Committee. It required patient listening skills and tact, and a compromise of his own values wherein he ‘bowed to the wishes of the country and House’, publicly disavowing his personal opposition to the concept of secret ballot. Cowper stated, ‘This mode of voting, ... he desired to state that, so far as he was personally concerned, he was quite willing, in deference to the feeling of the House, to yield the point’. Further, during the Electoral and Representative Systems Amendment Bill’s debates in August 1858, Cowper, Jones,

⁷⁷Anon., ‘The Electoral Bill’, *The Empire*, 4 August 1858, p. 4.

⁷⁸Anon., ‘The Electoral Bill’, *The Empire*, 5 August 1858, p. 5.

⁷⁹Anon., ‘The Electoral Bill’, *The Empire*, 4 August 1858, p. 2; Anon., ‘The Electoral Bill’, *Sydney Morning Herald*, 6 August 1858, p. 4; Anon., ‘Electoral Law Amendment Bill’, *Sydney Morning Herald*, 5 August 1858, p. 5; Anon., ‘The Electoral Bill’, *Sydney Morning Herald*, 6 August 1858, p. 4.

⁸⁰Anon., ‘The Electoral Bill’, *The Empire*, 4 August 1858, p. 2.

Parkes, and Forster were all active in dealing with amendments to strengthen the Electoral and Representative Systems Amendment Bill's ambit.⁸¹ The result was newspaper acclamation of the 'Cowper Electoral Act', particularly by the liberalist newspaper press in Sydney that did much to ensure his re-election as Premier on 7 September 1858.⁸²

Parker's administration disliked the Electoral and Representative Systems Amendment Bill, and Jones and Forster's action pre-empted a bill by the Parker administration to reinforce the pastoral-biased electorates. While electoral reform was a key policy for the loose amalgam of liberals in the Legislative Assembly, their notional leader Cowper was caught unexpectedly with the Bill's tabling. Initially rejected by the Assembly, the Bill experienced a series of convoluted political steps by Cowper to re-surface as a deliberation that the liberalist and neo-conservatives precipitating the resignation of the Parker Ministry administration and the formation of the second Cowper administration, and its highly successful re-election in June 1859.⁸³

Perhaps exhausted from all these political machinations, and recognizing that his aim in enabling NSW electoral reform had been achieved, in April 1860 Jones resigned from his seat of 'The Hunter' in the Legislative Assembly to devote his time to commerce and a by-election was subsequently held.

Upon his retirement the *Mercury* wrote:

Thoughtful, moderate in temperament and tone, delighting in political discussion from early youth, gifted by nature with many of the qualities required by political speakers – few men are to be found in the colony so well fitted for the debates of a legislative house as Richard Jones.⁸⁴

With the dissolution of parliament on 10 November 1860 by Governor Denison, on the advice of the Premier Robertson, an election was held between 6 December and 24 December 1860 for all of the 72 seats in the NSW Legislative Assembly. The electoral system at this election involved 52 single-member electorates, six two-member electorates and two four-member electorates, all with a first-past-the-post electoral system. Electoral suffrage was limited to adult white males. This was the first election after the separation of the colony of Queensland from the colony of NSW in December 1859, thus the removal of eight seats from the overall NSW Legislative Assembly compared to 80 seats in the 1859 election.

After politics

Jones appears to have relished the shift out of politics, and the opportunity to apply 'his clear-sighted knowledge of finance'.⁸⁵ In 1860 he was elected to the Board of Directors of the Commercial Banking Company (CBC) of Sydney Ltd, and acted as the CBC's Chair for some twenty years. During his directorship the bank's assets rose from £2,500,000 to £14,000,000. In about 1882, as Chair, his shareholders voted him a special sum of £1000 in recognition of his 'invaluable services' but he distributed the bulk of this honorarium

⁸¹ Anon., 'Parliament of New South Wales', *Sydney Morning Herald*, 5 August 1858, p. 4; Anon., 'Parliament of New South Wales', *Sydney Morning Herald*, 6 August 1858, p. 4.

⁸² Anon., 'Parliament of New South Wales' *Sydney Morning Herald*, 3 December 1860, p. 4; Anon., 'Parliament of New South Wales', *Sydney Morning Herald*, 6 August 1858, p. 4.

⁸³ Lyne, *Life of Sir Henry Parkes*, pp. 115–16; Powell, 'Charles (late Sir Charles) Cowper', pp. 72–6, 86–7; Travers, *The Grand Old Man of Australian Politics*, pp. 124–6.

⁸⁴ Anon., 'Mr. Jones', *Maitland Mercury*, 14 April 1860, p. 2.

⁸⁵ Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, p. 6.

to various Sydney charitable institutions. Upon his retirement as Chair, in July 1892 the shareholders presented him with a personal cheque for £2500 in recognition of his 34 years' service, but he again distributed this honorarium to charity.⁸⁶ Jones also served as Chair of Directors of the Alliance Assurance Co. in Australia (later Royal and Sun Insurance), as a Director of the Sydney Marine Insurance Co., a Director of the London, Liverpool and Globe Insurance Co. in Australia (later Royal and Sun Insurance), and a Director of the Australian Gaslight Co (now AGL). Between 1862 and 1866 he served on the Committee of the Australian Library (later the State Library of New South Wales). He was also an active member of the Church of England, and a prominent member of the Sydney Synod.⁸⁷

While Jones retired from politics in 1860, his expertise and oversight continued to be drawn upon. 'He was several times offered a seat in the Legislative Council, but the all-important considerations of health and family', negated his willingness to accept a life appointment. Jones continued to support Cowper 'on the hustings', and nominated (Sir) George Houstoun Reid to the four-member electorate of 'East Sydney' in 1880. He was also appointed a Commissioner under the Lands Titles Act on 2 January 1863 following Cowper's invitation on 5 December 1862.⁸⁸ The first 'official and formal offer for a seat in the Upper House', for life, in the Legislative Council came from Governor (1861–67) Sir John Young on 19 May 1862, under Cowper's third Ministry. Jones 'respectively decline[d] ... with great reluctance' on 22 May 1862 citing 'personal considerations for myself with those most intimately connected with me'.⁸⁹ The second invitation came from his old parliamentary colleague Premier Henry Parkes on 29 September 1879. Parkes 'was desirous of recommending you for one of the seats' and 'in making this offer to yourself I am qualifying very personal feelings supported by my early knowledge of your public worth'. Again Jones declined this offer from a long-standing friend which had been forged by mutual interests in journalism and liberal politics.⁹⁰ While both left the Assembly in late 1858, their friendship continued until Jones' death in 1892. In his 1892 memoirs, Parkes describes Jones as 'a highly respected man, still living', in accepting the Treasury portfolio. In 1887 Parkes held a special dinner 'to the surviving members of the first Parliament under Responsible Government', and conservative William Bede Dalley 'remarked that Mr Jones had been one of the foremost men of the day, and might be still if he chose'.⁹¹

Family and retirement

Jones was married twice; first in Liverpool to Martha Olley who died aged 41 as a consequence of the stillborn birth of their tenth child in 1859.⁹² He then married Emma Felton of Sydney in 1860. Nine children were born from his first marriage to Martha, several of

⁸⁶Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, p. 6.

⁸⁷Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, p. 6.

⁸⁸Cowper to Jones, 5 December 1862; Cowper to Jones, December 24, 1862; Cowper to Jones, *Order to be Appointed Land Commissioner under the Real Property Act*, 2 January 1863 [private collection]; Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, p. 6.

⁸⁹Letter, Sir J. Young to R. Jones, 19 May 1862; Letter, R. Jones to Sir J. Young, 22 May 1862 [private collection].

⁹⁰Letter, H. Parkes to R. Jones, September 29, 1879 [private collection].

⁹¹Parkes, *Fifty Years in the Making of Australian History*, p. 117; Anon., 'The Death of Mr. Richard Jones', *Sydney Morning Herald*, p. 6.

⁹²Heaton, *Australian Dictionary of Dates and Men of the Time*, p. 104; Martin, 'The Legislative Assembly of New South Wales, 1856–1900', pp. 46–67; A.W. Martin and P. Wardle, *Members of the Legislative Assembly of New South Wales 1856–1901* (Canberra, 1959), p. 11; Anon., 'Births, Deaths', *Sydney Morning Herald*, 22 April 1859, p. 1.

whom went on to play a prominent role in the colony or who married influential partners. These included Mary Jane (1839–1919), John Rider (1841–1929), Richard (1843–1909), Elizabeth (1845–1925), Helen Ann (1948–34), Henry Arthur (1850–1938), George Robert (1852–1923), Emma (1855–91), and William Sydney (1858–90).⁹³ He had seven more children with Emma; Martha Olley, Frank Felton, Alice Maud, Harold, Nellie, Bessy, and Leslie Richard.

In the late 1850s the family lived in Stanley Street in Darlinghurst. In 1870 Jones purchased the now state heritage listed two-storey Victorian Regency-styled residence ‘Stoneleigh’, erected in 1865 in Darley Street in Darlinghurst. The residence served as the family residence until his death in 1892, and until its sale in 1895. Jones died there on 25 August 1892, after an illness of four months, and was buried in Rookwood Cemetery.⁹⁴

ORCID

David S. Jones  <http://orcid.org/0000-0003-3990-5520>

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Notes on contributor

David S. Jones is Foundation Professor of Landscape Architecture and Planning at Deakin University, Australia. He was worked in partnership with several indigenous communities in Australia including the on projects associated with telling stories about their *Countries*, assisting and enabling their contemporary planning and design activities, and including rural out-settlements for the *Goolarabooloo* and *Yawuru*; seasonal calendars and designs for *Victoria Square/Tarntanyangga Regeneration Project* (2017) for Taylor Cullity Lethlean and the *Kaurna* as well as including their cultural information in the *Adelaide Park Lands and Squares Cultural Landscape Assessment Study* (2007) that informed the successful National Heritage Listing of these spaces; on designs for the future of land adjacent to Healesville Sanctuary as well as the Forest Gallery project inside Museum Victoria for the *Wurundjeri*; on coastal management and planning priorities and stories for the *Boon Wurrung*; on design scenarios for *Gunditjmara* lands associated with the Budj Bim National Heritage Landscape and their World Heritage Listed place; and, with the *Wadawurrung* on various land planning, design envisaging, tertiary training projects. He is co-author of *Geelong’s Changing Landscape: Ecology, Development and Conservation* (Clayton, 2019), *Re-casting Terra Nullius Blindness: Empowering Indigenous Protocols and Knowledge in Australian University Built Environment Education* (Canberra, 2017), *Creating Healthy Places: Railway Stations, Biophilic Design and the Melbourne Metro Rail Project* (Melbourne, 2017), *Aboriginal Reconnections: Understanding coastal urban and peri-urban Indigenous people’s vulnerability and adaptive capacity to climate change* (Southport, Gold Coast, 2013). He has co-contributed significant chapters to *Routledge Handbook to Landscape and Food* (London, 2018) and *The Handbook of Contemporary Indigenous Architecture* (Singapore, 2018).

⁹³Anon., ‘Births, Deaths’, *Sydney Morning Herald*, 22 April 1859, p. 1.

⁹⁴Anon., ‘Mr. Richard Jones’, *The Sydney Mail*, 30 July 1892; Anon., ‘Presentation to Mr. Richard Jones’, *Sydney Morning Herald*, 23 July 1892; Anon., ‘The Death of Mr. Richard Jones’, *Sydney Morning Herald*, p. 6.