
KNOX & HARGRAVE

BRG 3
Series List

South Australia's oldest law firm.

Variety of partnerships since the practice commenced in 1838. Original partners were eccentric, short-sighted Henry Jickling, who arrived on the Buffalo and later became a judge, and firebrand Charles Mann, who became a Crown solicitor in 1850. The original partnership was shortlived, however, more long-serving partners since then have included Edward Gwynne, Nathaniel Knox, William Lawrence and Charles Hargrave. The firm has been known as Knox & Hargrave since 1905; 3 generations of Hargraves have served as partners. Company was appointed branch solicitors for AMP and Union Bank (now ANZ) latter part 19th century. Corporate and banking clients generate majority of firms work to this day.

C.Read
April 1996

This inventory was prepared by Mrs. Marjorie Findlay, who worked on it in an honorary capacity during the years 1967 to 1969.

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INTRODUCTION

The Knox & Hargrave Papers comprise mainly legal documents recording claims on persons and properties reflect the function of the firm which drew them up and kept them for reference and safety. The firm of solicitors had several changes of nomenclature. The first available reference is to E.C. Gwynne, Sol. practising on North Terrace in 1839. Nath. Knox's name appears in 1851. With the following:

1851 to 1858	Gwynne & Lawrence (W.J.)
1862	N. Knox, W.J. Lawrence
1864	Lawrence & Knox
1865 to 1867	Lawrence, Knox & Thrupp
1869 to 1876	Knox & Thrupp
1877 to 1881	Knox & Gwynne
1882 to 1905	Knox, Gwynne & Hargrave
1906	Knox & Hargrave

The original arrangement of the deeds included a system of Special Boxes for the larger "groups" involving a person, estate or company and a numbered system for the items or small bundles of related items. The numbered deeds also bear a notation denoting their record in Deed Books. (The Deed Books are not included in the material made available to the Archives). The original numbering system used by the firm is broadly chronological but not entirely so. Because some of the deeds were without numbers, it was decided to break the Group down into series which kept this division of type. Subseries have been introduced to preserve the "packaging" of items related in a special way to a common subject. Other series comprise the material which would have been part of the, Special Box system. The present arrangement of the numbered deeds follows the original numbering order. Where the deeds were unnumbered, a chronological arrangement has been used. Some special lists have been made to clarify content of the series other than Series 1. The only exception to the rule of leaving bundles or packages in their original order applies to some early deeds which had no apparent common relationship (see description of Series 1). The bulk of the papers being in manuscript form provide a source of reference for examples of style as well as for early transactions of interest.

SUMMARY OF SERIES

Miscellaneous deeds. 1837-1918. 10 cartons	<u>1</u>
Records of the Australian Mining Company 1845-1908. 3 cartons.	<u>2</u>
Records of the Adelaide Silver Lead Mining Company. 1848-1909? 1 carton and 1 outsize parcel. (Outsize 1)	<u>3</u>
Indenture of the Adelaide Smelting Company. 1849. 1 vol. (Outsize 1)	<u>4</u>

Men-Koo Mining Company. Rough minute book of directors 30 Oct. 1850 - 14 Oct. 1852. 1 vol. Manuscript.	<u>5</u>
Papers relating to the estate of John Magor. 1853-1925. 20 items.	<u>6</u>
Papers relating to the estate of Thomas McTurk Gibson. 1870-1908. 7 items.	<u>7</u>
Papers relating to the estate of George L.J.McHenry. 1851-96. Approx. 25 items.	<u>8</u>
Bevan papers. . 1837-64. 50 items	<u>9</u>
Papers relating to Section 92 at Cowandilla. . 1839-82. 1 envelope containing 11 items. See list of items.	<u>10</u>
Document. E.C. Gwynne. 1845. Envelope.1 item.	<u>11</u>
Press cuttings. 1891-93. 1 vol 1	<u>12</u>
Miscellaneous deeds and correspondence. . 1838.1908. 31 items	<u>13</u>
Shipster papers. . 1847-56. 1 bundle. Approx. 30 items	<u>14</u>
Glen Osmond Union Mining Company. 1845-65. 1 bundle. 9 deeds and approx. 45 other items.	<u>15</u>
Records of payments made by the Alberton Meat Preserving Company Limited and engraved copper plate used by the Company for printing scrip. 1874-1881. 6 volumes & 1 plate. Manuscript and printed [Miscellaneous papers relating to the Company have been pasted into the back of the volumes; they include insurance policies, an indenture, correspondence, balance sheets, etc.]	<u>16</u>

Miscellaneous deeds. 1

1837-1918. 10 cartons.

This series which forms the main part of the Group is a collection of deeds of kinds familiar in legal work, viz.:

Agreements, Assignments, Bills of Sale, Bonds, Certificates, Conveyances of land, properties and premises, Co-partnerships & dissolutions of same, Court proceedings, Declarations, Deed Polls, Feoffments, Grants of Right of Way, Heirship, Land Grants, Leases & releases, Letters of Administration, Maps, Marriage certificates & settlements, Mortgages, Notices, Plans, Powers of attorney, Settlements & surrenders, Titles, Trust deeds, Wills, probate & exemplifications.

They vary in size from single sheets (folded) to complex indentures and refer mainly to property and persons in South Australia. All deeds are numbered in the top left hand corner. The order has been maintained together with the original "packaging". The earliest document is a Power of Attorney 6 Oct. 1837. There are a number of Land Grants dated 23 Dec. 1837. A rough list in the first carton indicates the order of a tied package which was disassembled and placed in numerical order in the series. A list of items has been prepared.

Records of the Australian Mining Company 2

1845-1908. 3 cartons.

Comprising deeds, numbered and unnumbered, correspondence and miscellaneous papers.

The records relate to the formation of the Company with three English Trustees, John Capper, Frederic Mildred and Henry Rendell Wotton. The Deed of Settlement is dated 25 Nov. 1845. The Committee of management in the Colony comprised George Alexander Anstey. A Memorial of 17 Mar. 1851 lists the Company's original sections of property as 536 acres in the County of Light. Deeds include leases of the Reedy Creek Special Survey, the Tungkillo Special Survey and Charlton Estate near Mt. Remarkable, and of allotments in the townships of Palmer and Port Augusta. There are references to the New Reedy Creek Mining Co. in liquidation to the A.M. Co. in 1898 and a number of agreements on rights to prospect etc. also powers of attorney including those to Sir Samuel Davenport. At the death of Messrs. Capper and Wotton, Messrs. Cuthill and Collier were appointed Trustees. A review of the Co. at that date (1902) reports the Co. as having taken grants of lands, minerals etc. and of having disposed of portions of land absolutely or with reservations; of property in County Sturt (the Reedy Creek Survey of 20,000 acres), 596 acres known as Charlton in County Frome, half acre plot in Port Augusta and minerals under certain lands called Allen Creek. The Company was wound up in 1908.

Sub-Series Nos.

Numbered deeds. 2/1

1849-1908. approx 53 items

Including leases, powers of attorney, grants and agreements for rights to search for minerals, also a bundle relating to the New Reedy Creek Gold Mining Liquidation of 1898. See list of items

- Unnumbered deeds. approx. 70 items. 2/2
Arranged chronologically, these include the Deed of Settlement of the Co. 1845, the Special Survey of Reedy Creek 1846-50, leases of sections, abstracts of title, conveyances, a list of deeds of the Co. in 1882, and drafts of deeds of Section 8 Port Augusta. See list of items.
- Supreme Court proceedings. 2/3
1850. 13 items.
Dealing with accusation of trespass against John Baker who had forcefully ejected John Doe from property before his term expired; the property was let by Henry John Enthoven, Samuel James Capper and John Masterman.
- Miscellaneous letters etc. . 2/4
35 items
Containing a bundle(A.M. Co. & P.Heynes), letters from E.C. Gwynne, Norman Campbell (Gen. Superintendent in S.A.), Henry Ayers, John Baker, A. Burlaqua, and a package sent to S. Davenport in 1866 via Marseilles.

**Series 3 : RECORDS OF THE ADELAIDE SILVER LEAD MINING COMPANY.
1848-1909? 1 carton and 1 outsize parcel.**

Consisting of a collection of typed historical accounts of the mines at Glen Osmond, business record books (8 vols.), bundles of correspondence and deeds relating to the mines, properties and leases; also maps of mine levels. A list of Sub-Series has been made to indicate content. The papers fall into two chronological periods (1) 1848-53 and (2) a later period 1888-1909. Both periods include litigation between the Company and the Peachey family from whom the sections were originally leased.

Sub-Series Nos.

- Mine histories. 10 items. 3/1
A collection of typed accounts of the Silver Lead mines at Glen Osmond. The Co. was formed 1848 to acquire from P. Peachey a lease of several sections at Glen Osmond. The Committee holding shares were Wm. Young-husband (Chairman), Marshall Macdermott, F.H. Dutton, P.C. Singleton, Wm. Samson with L.B. Gilles as Sec., L.W. Gilles acting in his absence, Henry Gilbert, Solicitor and J.B. Pascoe, Capt. The collection includes particulars of the mines from 1841, 3 reports from Capt. Pascoe (of Cornwall) on the Wheal Watkins, or Peachey's Mine, 2 duplicated copies of an account from the South Australian Register 5 Oct. 1888 of Gilles' Glen Osmond Mine and 2 papers.

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- Business record books. 8 vols. (1 OS) 3/2
1 Cost book 16 Oct. 1848 - May 1851, prefaced by 18 Rules & Regulations; containing rough draft of description of Wheal Watkins Mine also a list of ores raised and sold 1848-50 and loose entries 1848-53-
1 Bank book for Bank of Australasia, Adelaide 1848-49.
1 Cheque book 1848-9.
1 Requisition book 1848-49?
1 Rough cash book Oct. 1848-Jul. 1850.
1 Subsist book 1849-50.
1 Minute book 14 Oct. 1848-27 May 1853.
Practical miners' guide By J. Budge.(London 1845). Printed.
- Papers. 1848-53. 3/3
Including a package of deeds and papers relating to the purchase by Wm. Hinde of property held by P. Peachey who died in 1849, involving his wife, Elizabeth and heir, Percival Peachey.
- Papers relating to the Wheal Watkins mine and Target Gully Quarry, 1880-90. 2 bundles and 1 vol. Correspondence relating to the Wheal Watkins Silver and Lead Mining Syndicate 1888-90? with lists of shareholders; rights of the Peachey family etc. to Sections 1270 & 1277. Also a Day Book of the Target Gully Quarry June 1880 - Jan. 1881. 3/4
- Maps. 3/5
1907-09. 3 items.
Shafts and stopes of Glen Osmond Watkins & Wheal Watkins Silver Lead Mine.

Indenture of the Adelaide Smelting Company

4

1849. 1 volume

Consisting of one handwritten suede covered deed in book form of 48 pp., it relates to an agreement made in 1849 which was drawn up to dissolve a previous indenture. The original agreement between William Paxton, Matthew Smith, Henry Collier Edward Pavy and James Runes and John Brown was made 1 Jan. 1848 for 13 years guaranteeing Patent Rights of a smelting process for which James Dunce and John Brown advanced the sum of £1000. The indenture of 4 Jan. 1849 was made between Osmond Gilles of the one part and John Brown, Matthew Smith and Samuel Stocks the Younger. It refers to conveyance of lands and hereditaments for the purposes of smelting and for the use of Messrs. Brown, Smith and Stocks. All parties advanced sums £4.000 in aggregate and the indenture of 1848 was dissolved. The indenture goes on to record the formation of a Public Joint Stock Company requiring capital of £20,000 which would include the £4.000 already paid. Among the 107 clauses are those stating that business was to be confined to smelting ores in all branches in S.A., buying and selling the smelted ores and manufacturing on the premises near Albert Town. There were to be 7 directors. The first were John Brown, James Bunce, Wm. Henry Clark, Ed. Davy, Wm. Crane, Matthew Smith and George Coppin. John Brown, Matthew Smith and Arthur Jennings Smith were the first Trustees.

Men-Koo Mining Company. Rough minute book of Directors.

5

30 Oct. 1850 - 14. Oct. 1852. 1 Vol. Manuscript.

The entries are concerned with the administration of the mine by Capt. T. Cornelius, then by Capt. Simmons; with the resignation of the secretary and his replacement by Mr. Eamer; with Eamer's application for leave to go to the Gold Diggings, and his complaint that there were insufficient funds to meet his salary; with accusing Capt. Simmons of absconding with a dray also to the Diggings, denied by the Capt.; the final entry describes how the Secretary, having terminated his other positions, sold the furniture of this company and others at an auction room where it made £4.5 6.

Papers relating to the estate of John Magor

6

1853-1925. 20 items.

Consisting of deeds including will, land grants, property transactions of John Magor of Bakewell Town near Payneham who died 12 Sept. 1894 leaving six children viz. Mary Ann Trenberth, Maria Knox, Elizabeth Butcher, Lavinia Rowe, John Magor and James Magor. Charles Townsend Hargrave and Charles James were named Trustees & Executors. Also included is the will of his wife, Harriet Victoria Magor of Albert Street Rugby near Payneham who left her estate to a son, Frank Laffin (?). Harriet died 15 Jan. 1899. Claims and 'certificates of identity of children and grandchildren, releases etc. make up the Series. Magor's properties were situated at Two Wells, Munro Park, Smithfield, and Port Gawler. See list of items.

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- Papers relating to the estate of Thomas McTurk Gibson** 7
1870-1908. 7 items.
Including the will, settlement, land title etc. of Thomas McTurk Gibson of Yudnapinnie, Port Augusta, who died 24 Sept. 1879 leaving 2 daughters, Mary Hannah and Maud; also marriage settlements of daughters. See list of items.
- Papers relating to the estate of George L.J. McHenry** 8
1851-96. Approx. 25 items.
McHenry, Doctor of Medicine of Carisbrooke Villas, Collierswood, Tooting, Surrey owned property in S.A. including Sections 182 & 183 near Glenelg and 168 & 169 in Adelaide. The deeds relate to leases, letters of administration, will and a case Rymill v King 1896. McHenry died at Cannes 9 May 1890.
Freehold estate in Australia was granted 27 July 1898 to Henry Rymill, Frank Rymill and John. Bennett.
See list of items.
- Bevan Papers.** 9
1837-64. 50 items
Relating to properties of Robert Bevan of Bury St. Edmunds and Rougham, Suffolk, England, who died 26 Jan. 1854; and to his sons and heirs, William Robert Bevan, Frederick Robert Bevan and Robert Bevan who inherited lands in S.A. There are references to the Township of Greenock. See list of items.
- Papers relating to section 92 at Cowandilla** 10
1839-82. 1 Envelope containing 11 items. See list of items.
Marked "E.C.Gwynne", the deeds contain references to Messrs. Clay, Mann, Bakewell and James E. Shaw; also 2 rent lists and 3 letters.
- Document. E.C. Gwynne. .** 11
1845. Envelope. 1 item
Single deed in Envelope No.4891. E.C. Gwynne to Messrs R.E. Borrow, C.B. Rodwell & E. Kingender. Settlement of marriage with Miss Marian Borrow. 19 July 1845.
- Press cuttings** 12
1891-93. 1 Vol.
"Record Facts". Australasian Insurance and Banking Record.
Made by Frederick Wright, Agent for Adelaide. A collection of newspaper cuttings 5 Oct. 1891 to June 1893 pasted into a book.
- Miscellaneous deeds and correspondence.** 13
1838-1908. 31 items.
Consisting of unnumbered deeds arranged chronologically and including several early land grants, some leases (for example of Joseph Gilbert); deeds of the Chapman estate, of T.G. Williams and Archbishop Short; also the sale of Thorndon Park. See list of items.

Shipster Papers.

14

1847-56. 1 Bdle. Approx. 30 items.

The papers relate to inquiries made by the Court into the estate of George Frederick Shipster who died Dec. 1844. The estate which consisted of 7 acre sections in Adelaide; various small allotments, including a house and premises in the village of Kensington; 751 acres of country land in various parts; sums due on Mortgage amounting to £1242-10s; a sum of £894-6s. in the Bank of South Australia; and a yearly income of £239-6-6. was left to a son, Henry Frederick Shipster, legally an infant. The papers consist of reports and decrees, commencing with a suit, filed 8 October 1847 by George Morphett, Solicitor (described as a friend) to administer the Estate of the Intestate and to take into account money spent by the Defendant James Hurtle Fisher. Fisher had been made administrator of goods and chattels during the minority of the Infant. The court had to decide whether Fisher should continue as Guardian and to consider the need for a receiver (to collect rents etc.) and how to invest money in the Bank. The findings gave approval of facts and guardianship. Another report compiled in 1851 records John Hector appointed as Receiver.. A list of tenants and mortgagors is given for 1851. Petitions were made by C. Flaxman, W. Blyth and W.J. Lawrence. Another report made in 1854 contains directions by Mr. Belt. The last Order of the Court was made 4. April 1856. A deed dated 1856 is a copy of a conveyance of portion of Section 270B from H.F. Shipster to Jas. Quinn and Arthur Hardy. See Series 15 for mention of this title.

Glen Osmond Union Mining Company.

15

1845-65. 1 Bdle. 9 Deeds and approx. 45 other items.

The handwritten deeds include a Conditional Agreement of 1845 and a Deed of Settlement 1 May 1846. Other items consist of drafts, agreements and misc, correspondence relating to the mine, including correspondence between L.V. Gilles, Mine Superintendent, and O. Gilles, Proprietor. A duplicate of a letter directed to be written by O. Gilles to the Company 7 Dec. 1846 sets out bases of disagreement between O. Gilles and L.V. Gilles. The General Release 29 April 1854 gives further reasons for cancellation of leases, involving 134 acres on Section 295B. Reference is made to Section 270B (see Series 14).