

James Toohey: Brisbane Pioneer or First of the White Shoe Brigade¹

by **William J. Metcalf**

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Brisbane has two Toohey Streets, a Toohey Road, a Toohey Avenue, Toohey Forest Park and even a Toohey Village. All are named after James Toohey, one of Brisbane's most interesting 19th century pioneer land speculators. The impact of this man, and his descendants, can be seen in much of the suburban design of the inner south side of Brisbane, yet it is a story largely untold.

As so often happens with genealogical research, one's research trail simply disappears in the mists (and dusty records) of time. Patrick Toohey (James Toohey's grandfather) married Eleanor Stokes on June 6, 1810 in Limerick, Ireland. Their first son, also called Patrick (but sometimes known as Peter), was born in 1811.²

In 1827, 16 year old Patrick Toohey Jr married Bridget Duncan (20 yrs) of Loughrea, Ireland. They had a son, born in Galway that same year, whom they named James. A second son, Bernard was born in 1830 in County Mayo.

At Ennis, on 21 October, 1832, at the age of 21, Patrick Toohey enlisted in the 50th Foot (Queen's Own) regiment, then stationed at Dublin (Birr Barracks).³ There is no evidence of why he joined, except for the obvious need of an impoverished Irish peasant (with a wife and two children) for money ("Three pound bounty was paid to the recruit"). He signed up for 'unlimited service', little knowing that his family would be transported around the world and help shape the nascent Moreton Bay Penal Colony into the City of Brisbane.

In June 1833 Patrick Toohey was transferred to Chatham Barracks, England. On October 29, 1834, Private Patrick Toohey left Chatham Barracks and embarked with his regiment on the convict ship 'Waterloo', bound for New South Wales. Toohey reached Windsor, NSW "from Van Diemens Land" on April 1, 1835. Two months later he was transferred to Norfolk Island where he served until December 11, 1836, when he was again stationed in Sydney.

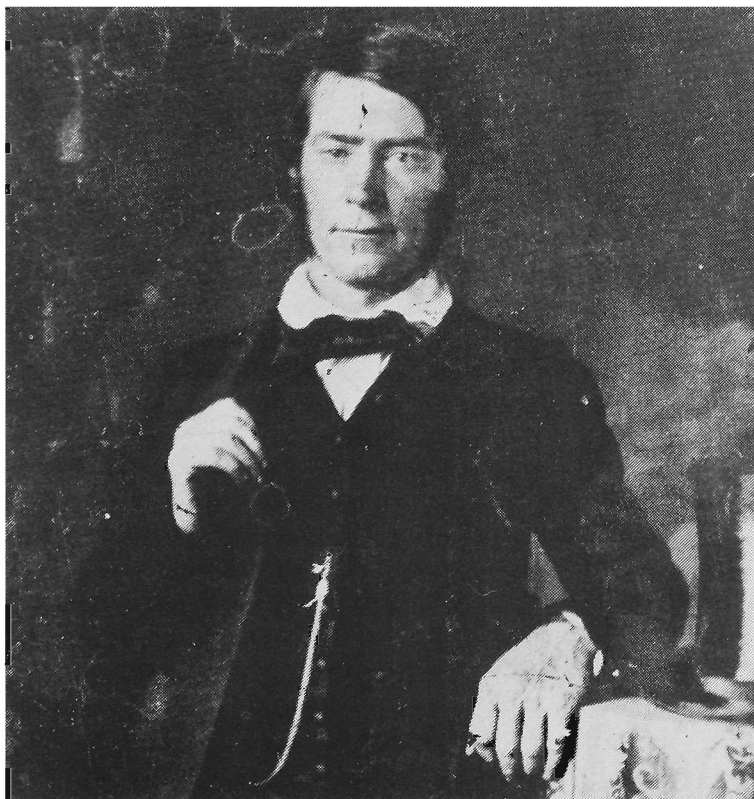
By this time, Patrick's wife, Bridget, had reached Sydney with their two sons, James and Patrick, and a surviving twin girl called Margaret.

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Patrick returned to Norfolk Island for a short tour of duty, then on February 4, 1841, he sailed on the ship 'Barretta' for India with his regiment, the 50th Foot, leaving his wife and three children in Sydney. Toohy served, without distinction, in Calcutta, Chuiswah, Cawnpore, and Loodianah [sic]. On October 13, 1847, Patrick Toohy died of an undisclosed reason in Calcutta Hospital. His only military acknowledgement in a notably unglorious career, was additional pay received for having served more than 14 years as a private.

Patrick Toohy's 'widow', Bridget, had not bothered to wait for his death, having married Francis Timmins in the Parish Church of St James, Sydney on Feb 2, 1842, less than a year after her husband sailed for India, and five years before Patrick died.⁴ Bridget soon had two more children, Francis and John Timmins, in addition to her three older children, James, Bernard and Margaret Toohy. The family ran a fruit shop at 170 George St, Sydney, later moving to 539-541 George St where they ran a fruit shop and stables.⁵

The Toohy 'family memory'⁶ records that Patrick went to New Zealand where he died in 'the Maori Wars'. This was presumably a discreet ruse to explain the absence of Bridget's first husband when



James Toohy 1827-1883

she married her second. It is doubtful if Bridget or her children were ever aware of the fate of Patrick in India.

The inner Sydney, Irish-Catholic poverty, and the growing family of half brothers and sisters, forced the 21 year old James Toohey to sail for the California gold rush to make his fortune. There is no record of James Toohey's movements until he returned to Sydney. In 1853 he moved to Brisbane, a prosperous young man who listed his vocation as 'Blacksmith'. We can only accept that he struck it rich on the goldfields of California (this is another one of the "family memories") and picked up his blacksmith's trade along the way.

In 1853 Brisbane was only a frontier town, barely a decade away from being opened to free settlement. James Toohey's relative affluence and his useful skills gave him an advantage over many of his fellow colonists. He opened a blacksmith shop on Ipswich Road, Kangaroo Point (now Main St.), near the present Kentucky Fried Chicken.

James Toohey soon began his land speculation and development activities, buying up several house blocks in South Brisbane, plus, in 1857, most of the land that would later form the western half of Greenslopes.⁷ He established a pattern of trying to acquire from the Crown medium to large 'agricultural blocks' on the south side of Brisbane, and using them for cattle grazing until he could subdivide.

Bernard, James Toohey's younger brother, married Rosanna Armstrong (born 1833) on December 3, 1855 in Holy Trinity Church, Sydney, then also moved to Brisbane. They lived next to James, just off Main Street, Kangaroo Point, on what is now Toohey Street. Bernard and Rosanna had twelve children, but only four survived — a reflection on the appalling infant mortality rate of the time. Bernard Toohey worked as a timber getter and rafter, as well as a minor land speculator. Without having James's financial backing, however, he never became wealthy.

On August 30, 1859, in St Stephen's Church, Brisbane, James Toohey married Anne Dogherty, born 1836 in Donegal, Ireland. She had arrived in Brisbane, with her family, in 1855. James and Ann lived on Short (now Bromley) St, Kangaroo Point, in a still existing brick house, near his brother.

The Toohey brothers and their rapidly growing families were important in the developing residential and commercial areas of Kangaroo Point and South Brisbane. Bernard and Rosanna's four surviving children were John, born in 1859, Margaret 1862, Sarah 1864, and Bernard James 1871. James and Anne Toohey's nine children were Peter, born in 1862, Fanny 1863, Mary Ann 1865, Ellen 1867, Bridget 1869, John 1872, Margaret Cecillia 1873, Sarah Ann 1875 and Mary Agnes 1877.

James and Bernard's sister, Margaret, joined her brothers in Brisbane where she married Thomas Slattery, a 'Cab Proprietor' in 1865. They had six children. John, Bill, Mary Bridget and Thomas survived, while two died as infants.

Following the creation of Queensland as a separate colony in 1859, there developed a land speculation 'boom', and James Toohey took full advantage. In 1864 the area to the west of Slack's Track (Logan Road), which now comprises Holland Park, Ekibin, Greenslopes and Tarragindi, was surveyed into 'agricultural blocks'. James Toohey already owned Lots 101 and 104 (see Figure 1), an area of 62 ha., in what is now Greenslopes shopping centre. As this newly surveyed Crown land was offered for sale, Toohey was one of the more astute purchasers. In 1865 at the Crown land sales, he acquired a continuous strip of about 100 ha. of land extending southward through the above suburbs (again refer Figure 1). Most of these blocks were 10-20 ha of rough bush, with no buildings, although he did continue to trade in houses and house blocks in Kangaroo Point and South Brisbane, as well as operate his blacksmith shop.

It appears that Toohey only ran a few cattle on his blocks and made little attempt at developing the area. He was not anxious to sell, instead holding off to protect his strategic position. The family income came



Margaret Toohey (Slattery) sister of James & Bernard Toohey

from rents on domestic property in South Brisbane, as well as his blacksmith business. In 1865, Cobb and Co started a stagecoach service along what is now Logan Road from 'One Mile Swamp' (Woolloongabba) to the Logan River. This rapidly raised the value of Toohey's properties in the Greenslopes/Holland Park area.

During the 1860s, the Government of the infant colony of Queensland was desperately trying to attract settlers. While there was a great deal of conflict between pastoral and agricultural interests, there developed a generally perceived notion that more liberal land acquisition policies would promote prosperity by attracting migrants and encouraging settlement.⁸

The 1868 'Crown Lands Alienation Act' allowed for the acquisition of Crown land on a ten year lease for a nominal rent. Provided the lessee had shown evidence of 'developing' the land, the rent already paid could be applied toward purchasing the property. Evidence of agricultural development usually meant that a hut had been built, the property fenced, and at least some land cleared for agriculture. If the selector did not live on the property, he must reside nearby and have an employee or associate in residence, on site.

On March 19, 1872 James Toohey acquired a ten year, Crown lease for Portion 390 (193 ha) for £11.18.6 p.a (see Figure 1). On August 5, he acquired from the Crown a lease for the adjoining Portion 392 (262 ha) for £20.0.0 p.a. This 455 ha of contiguous land now comprises QE 2 Stadium, Mount Gravatt Cemetery, Griffith University and most of Toohey Forest Park, as well as much of southern Tarragindi. In the following year, he acquired the adjoining Portions 224, 225 and 226 (52 ha), again for a nominal lease.

This made James Toohey the largest landholder in that area of Brisbane. In 1874, he turned over his house on Short (now Bromley) Street Kangaroo Point to his mother and step-father, Bridget and Francis Timmins, who had moved up from Sydney. James built a house on Portion 101 for his family of seven children. He named the house "Mount Galway", after his Irish home district. It was typical of his frugal (stingy?) ways that although he was a very prosperous man, he built a substandard home which had to be replaced within 15 years. This house was on the ridge between the present Bridge and Denham Streets, in Greenslopes.

It appears that James Toohey was obsessed by a drive to create a form of 'landed estate' which would provide for his descendants the status which had been denied to him. Ronald Lawson describes the parochial, circumscribed social world of Brisbane's 19th Century Irish Catholics:

Brisbane's Roman Catholics, who were practically all Irish or of Irish descent, were very much a group set apart. Still acutely aware

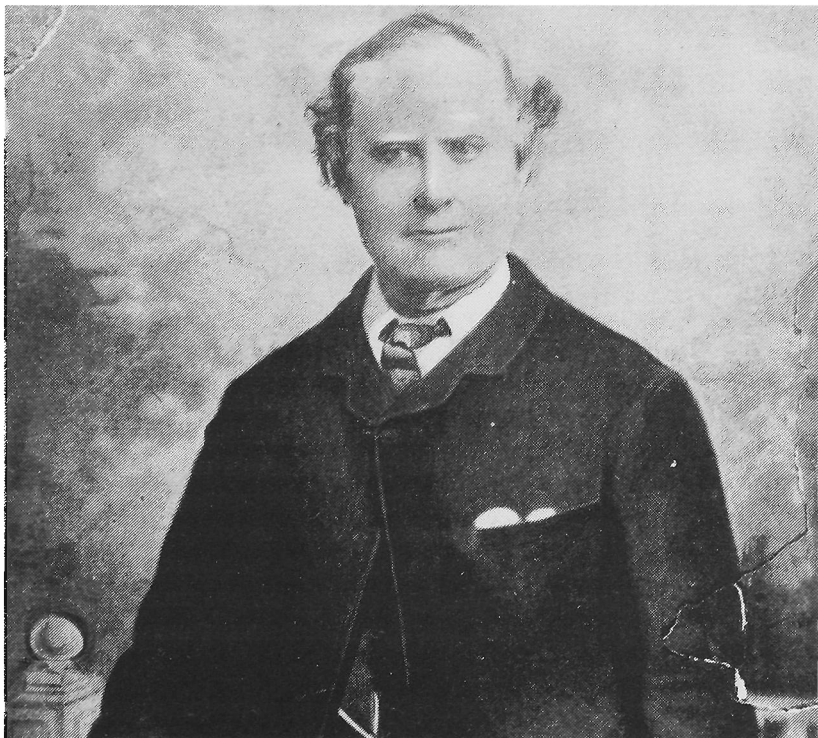
of the political oppression and religious persecution they had suffered in Ireland, suspected and accused of attempting to subvert the politics of the colony, occupying the lowliest positions in the community, and so discriminated against socially, they had become a 'cohesive inward-looking minority group'. From within, Catholic insularity was generated and perpetuated by the independent school system and by the consciously separatist policy of the hierarchy.

. . . Because of the pattern of geographical dispersion of Catholics . . . they were everywhere a minority.⁹

James Toohey devoted more and more of his time to property development. He, unlike many of his Irish-Catholic peers, had little involvement with the church, no political interests, and a narrow social world. His family were relatively isolated on the fringe of Brisbane Town.

The bulk of Toohey's land was only held under a 10 year Crown lease. To conform to the requirement that the land be developed for agricultural purposes, Toohey had to show suitable improvements. In 1876, H. Massie, an inspector with the Department of Public Lands, reported on Portion 390 as having¹⁰:

A slab house, shingle roof, in one compartment occupied by W.Wells [the Bailiff for James Toohey]. Value about £ 15.2 water dams £ 11 made 5 acres cleared. The selector's enclosure is complete with a



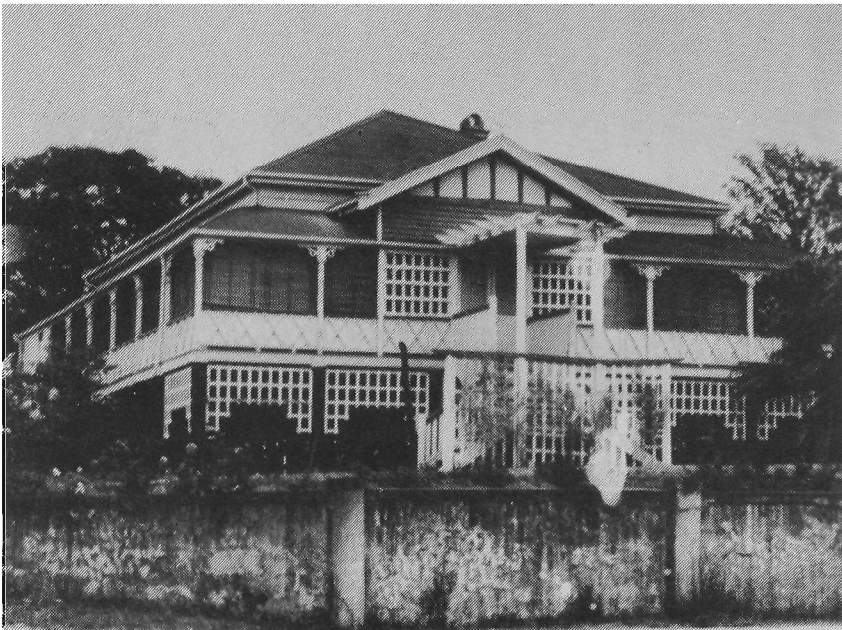
Bernard Toohey

two rail split fence, a 3 rail fence enclosing about 5 acres for cultivation . . . [there were] some cattle owned by J. Toohey. 5 acres prepared for cultivation.

Value of improvements:

House	£ 15.0.0
60 rods 3 rail split fence	£ 15.0.0
740 rods 2 rail split fence	£ 138.0.0
5 acres cleared	£ 20.0.0
2 dams @ 3	£ 6.0.0
Total improvements	£ 194.15.0

On December 4, 1879, the 193 ha. of Portion 390 was converted from leasehold to freehold title for £ 119.5.0. Four days later, Toohey arranged to have Portion 392 inspected. All the inspector could report was that the whole block was “enclosed with 2 rail split fence . . . used for grazing horses and cattle of Toohey”.¹² Nevertheless, Toohey was able to successfully argue for this land to be given ‘agricultural’ status, since it adjoined his existing (as of 4 days!) block (Portion 390), on which he had established a farm. On January 23, 1882, Toohey acquired freehold title for £ 162.2.6. He used the same strategy of demonstrating agricultural potential because of proximity to his pre-existing freehold blocks, to successfully acquire freehold title to all the rest of his land in the area. Thus, through a clever exploitation



Mount Galway House, Logan Road, Greenslopes (demolished 1968. Site now occupied by Autumn Lodge Nursing Home.

of the Crown Lands Alienation Act of 1868, Toohey was able to acquire freehold title to much of the area of present day Nathan, Moorooka, Holland Park and Tarragindi, as well as all of Toohey Forest Park and the Griffith University Campus. Toohey Road was the connecting route between all of his properties in the area.

This large area of 570 ha, on the southside of the rapidly growing State capital, was intended to ensure the Toohey family's longterm wealth and social position. James Toohey had worked hard and cleverly to put together such a contiguous area of land on the edge of Brisbane, and he was determined not to allow the Toohey Estate to be divided and squandered.

James Toohey died of 'liver disease' on November 22, 1883, at his Mount Galway home. He was survived by two sons and seven daughters, as well as his wife Anne. He was only 56 years old, and seems to have been very fit and active until shortly before his untimely death. Only two days prior to his death, Toohey prepared a complicated will, which he believed would ensure a prosperous and long-lasting 'Toohey Estate'. He provided for his widowed mother to remain in his old house in Kangaroo Point. Any income from the area which now comprises QE2 Stadium, Griffith University and the Cemetery was given to his eldest son, Peter, then 22 years old. Any income from the area of the present Toohey Forest Park was given to his other son, John, then 11 years old. Both properties were leased to William Baynes, a butcher, for running his cattle. Neither son had the right to dispose of this property, but had to hold it in trust for his own sons. In the event of 'lack of male issue', the property and income would be passed to the brother's sons. A large part of Brisbane's southside was thereby legally encumbered for a further generation.

Thomas Burke, of Burke's Hotel (still operating on Annerley Road), and William Smith, a 'Master Mariner' of Kangaroo Point, were appointed executors, with an obligation to support James Toohey's widow and 9 children. Under the peculiar terms of the will, however, they were given no rights to dispose of any of the estate during the lifetime of James's illiterate widow, Ann Toohey. Although the estate was valued at £50,000 (a fortune at the time) the family was almost destitute, with little income. Two years after his death, a new, substantial Mount Galway House was built for £600, the previous house being described as in an almost "uninhabitable condition. . . . The furniture in the house of the said deceased at the time of his death was insufficient for the requirements of his family and was very scanty and of inferior condition."¹³ The new Mount Galway House, constructed largely of red cedar, was built on a prominent rise, between the present Mount and Galway Streets,

Greenslopes. This house would have offered sweeping views north to the rapidly developing and encroaching city of Brisbane. The illiterate Anne Toohey and her growing family of 9 children at last had a grand home suited to the social position sought by James Toohey. The lovely palm trees from in front of this house still stand.

Because the Toohey Estate trustees were legally not able to realise on the sale of any of James Toohey's assets, and because most of those assets were not income producing, a special "Toohey Estate Enabling Act" had to be prepared and passed through the Queensland Parliament in 1887.¹⁴ The legal and administrative costs for this came to £15,000, almost a third of the value of the entire estate. The 'Schedule' of the above act includes 12 house blocks plus 14 unsubdivided 'suburban' blocks with a total area of 188 ha, all in what is now the inner southern suburbs of Brisbane.

Only two of the Toohey daughter's married. Fanny married John Tighe, a widower with three children, but she had no children. On July 9, 1888, Mary Ann married Thomas O'Neill, an Irish Catholic policeman from Bundaberg. O'Neill was born in 1858 in the Faulkland Islands where his father, Timothy, was secretary to the Colonial Governor. James Toohey's eldest son, Peter, married, but the younger son, John, because he was subnormal, never married but stayed home to be looked after by his mother and five unmarried sisters at Mount Galway.

James Toohey's mother, Bridget, died on May 31, 1884. James Toohey's wife, Anne, lived until December 26, 1901, while his brother, Bernard, died on Oct 23, 1904. In James Toohey's will, he had given 12 ha of land (now southern Tarragindi) to the Roman Catholic Church on condition they build a church and Catholic Cemetery. James had specified, "I desire that my body may be buried in the cemetery the land for which I have in this my will devised". The Church never acted on his desires, but otherwise (with questionable ethics) disposed of the land. Eventually this land became part of the Holland Park Soldier Settlement Scheme. Because the Church did not establish a Catholic Cemetery, in 1901, as part of the family's aspirations for higher status, the Toohey Estate established Toohey Private Cemetery on the northern edge of the present Toohey Forest Park, on a rise with lovely city views. Anne Toohey was buried there, and the remains of her husband, James, were transferred from South Brisbane Cemetery. Six other members of the Toohey family were buried there before the cemetery was relocated to Mount Gravatt, in 1940.¹⁵

The five unmarried Toohey women, and their brother John, continued to live a life of late-Victorian gentility in the lovely Mount Galway House. With almost no income, they lived off the slow

disposal of their father's assets. Their brother, Peter, was in serious financial trouble with the Bank of NSW, and was in danger of losing all his property for back taxes and unpaid debts. The bank's estimate of Peter's share of the estate decreased from 4000 to 2000 from 1910 to 1912.¹⁶ Peter pressured his sisters to sell off more of their inheritance, so he could get a share. With dramatically poor planning, in 1912 they sold all the land now comprising Greenslopes Shopping Centre to a developer who resold the land as "The City View Estate Greenslopes". When the tramline was extended to Greenslopes two years later, the land value increased dramatically, but of this the family received little. In 1914 the family sold off all the land along both sides of the present day Ridge Street. It was then subdivided and resold as "Toohey's City View Estate". Again, the Toohey family missed out on any large profit from this.

Peter Toohey had a gambling problem and, through poor management, got ever deeper in debt. As his debts mounted, his sisters eventually refused to bail him out any further. His main asset was Portion 392 (presently Griffith University, QE 2 Stadium and Mount Gravatt Cemetery). In 1912, this area was resumed by Stephens Shire for rate arrears of £150. As well, the Bank of NSW had an outstanding mortgage of £ 219.3.9. The land was purchased by the Trustees of the South Brisbane Cemetery, for £800. In 1913 it was signed over to the State Government and was then gazetted as Cemetery Reserve Number 444.¹⁷



The Toohey Sisters in 1911 or 1912, back row: Sarah Ann 1875-1959; Mary Agnes 1877-1957; front: Bridget 1869-1937, Ellen 1867-1945, Margaret Cecillia 1873-1968.

There was a proposal to run a tram line to this new cemetery (“without equal in the Commonwealth”), from either Logan Road or Beaudesert Road, or even via Ekibin, across what is now Toohey Forest Park. There was another proposal in 1915 to purchase the rest of what is now Toohey Forest Park and create a National Park (“the natural beauty of the spot suggested the urgency of government action to acquire the land”).¹⁸ Neither example of such remarkable foresight was ever realised. A serious impediment to the development of this proposed National Park was the confused nature of the title to the land (a result of James Toohey’s will). A letter from the Minister for Lands on Oct 7, 1918, observed “that the reputed owner or owners [Toohey family] of the portion in question [now Toohey Forest Park] have no title, and from inquiry it seems there is no one who has sufficient authority to enter into a contract for the sale or surrender of this land”.

During this time, as the Toohey women aged, Brisbane changed from a town to a city, and subdivisions went out past their grand Mount Galway home. They had already disposed of all of their house blocks in South Brisbane, and slowly sold off their land in Holland Park and Tarragindi. They were very involved in Roman Catholic Church affairs in the local area. They attended St. Josephs of Kangaroo Point (built on land previously owned by their father) until they were instrumental in helping build St James Roman Catholic Church, on Old Cleveland Road, Coorparoo.¹⁹

John Toohey died in 1917, Mary Ann (O’Neill) in 1920, and Peter in 1921. Following the dictates of their fathers will, the area of Toohey Forest Park was then inherited by Peter Toohey’s sons, James and Anthony. According to their grandfather’s will, they now had the right to dispose of this property, which had only been a ‘white elephant’ in any event. They had no real interest in this block of land, so transferred it all to their cousins, James and Thomas Joseph O’Neill (the sons of Mary Ann Toohey). Increasingly, the management of the diminishing Toohey Estate was entrusted by the unmarried Toohey women at Mount Galway, to their nephew, Thomas Joseph O’Neill, a public servant.

O’Neill’s task was to generate enough income to support the aging household of maiden aunts. More and more of their smaller blocks of land were sold off for subdivision, but rarely did the family profit from this. In order to facilitate subdivision of their ‘calf paddock’, Mount Galway House was moved in 1927 (for 350) to a much smaller block, on Logan Road (the site of the present Autumn Lodge Nursing Home). The old house site (including what is now Mount and Galway Streets) was then sold off. Thomas Joseph O’Neill undertook a detailed geological survey of the present Toohey Forest Park, and

Toohey Mountain, in the hopes that mineable minerals might be found. A small gold mine was started on the west of Toohey Mountain, but was a complete failure.

During the Depression a number of impoverished squatters moved onto the Toohey Forest Park site. Because of this, the area near the present Salisbury Hotel had the nickname 'Compo Valley', and the present Evans Road was known as 'Compo Road'. The area had come under the jurisdiction of Brisbane City Council in 1925, and the Council exerted pressure on the family to evict the squatters, in order to avoid a repeat of what was seen as the disaster of the nearby Mayne's Squatter Camp (also known as 'Metho Hill').²⁰ The Toohey family seems to have resisted these efforts, and squatters remained in Toohey Forest until the end of the Second World War.

Bridget Toohey and her sister, Fanny Tighe, both died in 1937. Ellen Toohey died in 1945. One of Thomas Joseph O'Neill's sons, Brian, returned from the war to find the family's fortunes even worse than when he left, so he acquired from his remaining 4 maiden aunts all of their remaining land to the south and west of Toohey Mountain. He then subdivided and developed this area himself, and appeared to do quite well out of it. He is responsible for the naming of "Galway Shopping Centre", as well as O'Neill Street. Timothy, Rachael, Sharon and Charmaine Streets and Kerriane Place were all named after O'Neill's children, while Desanne Place is named after Desmond O'Neill (James Toohey's great grandson) and his wife Anne.



Remains at the site of Toohey Private Cemetery, Toohey Forest Park

In 1946 the Brisbane City Council, as part of its post war redevelopment, sought to establish a green belt.²¹ The Council already owned all the area of the present Griffith University as a Cemetery Reserve, having acquired it in 1937 after the recision of Cemetery Reserve 444.²² The Brisbane City Council purchased 31 ha (portions 224, 225 and 226) including Toohey Mountain from the Toohey women for £ 919.19.0. At the same time James and Thomas Joseph O'Neill, despairing of finding any economic use for it, sold the remaining 178 ha of Portion 390 to Brisbane City Council for £ 3,750. These blocks now comprise the bulk of Toohey Forest Park.

This was the last major transaction by the Toohey women. They continued to live in Mount Galway House on busy Logan Road. Their main social life was Thursday afternoon euchre games with the local nuns. Mary Agnes died in 1957, and Sarah Ann in 1959. This left only the aging Margaret Cecilia, rattling about in the huge house



which was slowly falling down about her. On November 18, 1968, the last of James Toohey's children, then 95 years of age, died. Mount Galway House was sold as demolition material for \$400, and Autumn Lodge Nursing Home was erected on the site.

From James Toohey's arrival in the infant settlement of Brisbane in 1853, until the death of his last daughter in 1968, is a span of 115 years. As Brisbane grew, the family became wealthy and powerful. James Toohey was fortunate (or wise) in acquiring nearby Crown land which would increase dramatically in price. Had he lived longer than his 56 years, he might well have put the family's finances on a footing to ensure the survival of the Toohey Estate — his driving ambition. He was, however, so tight fisted with his money, and so distrustful of even his own family, that his goal of a 'Landed Estate' was probably doomed, no matter what. While the family affairs could certainly have been handled better, with no income other than the disposal of assets, the dismal end of the Toohey Estate was unavoidable.

Unlike many other family saga's, at least they are commemorated in the lovely Toohey Forest Park, one of Brisbane's best bushland areas. This poor, Irish Catholic, peasant family who made their way to Australia offer a dramatic rags to riches and back to rags story, spanning most of Brisbane's history.

NOTES

1. This research was undertaken with financial assistance from Griffith University and from a Commonwealth University Research Grant. Other information from this research has already been published in: Metcalf, W and A. Hill, "European Land Use History" in *An Island in Suburbia: The Natural and Social History of Toohey Forest*, (eds) C. Catterall and C. Wallace, Brisbane: IAER, Griffith University, 1988, pp 10-22. Hill, A. and W. Metcalf, "The Toohey Family: Irish Catholicism and Land Speculation in Early Brisbane" in *People, Places and Pageantry*, (ed) R. Fisher, Brisbane: Brisbane History Group, 1987, pp 61-70. Dale, P., A. Hill, W. Metcalf and G. McTainsh "Sedimentological Tools to Solve Historical Problems: An Example from Toohey Forest, South East Queensland", Proceedings of the Royal Society of Queensland, 101, 1991, pp 1-12.
2. The Irish genealogical data was obtained from *Sheet F 0045*, Mormon Church Fiche.
3. Information collected from The Public Record Office, London, War Office Files *WO 12 6125* to *WO 12 6140*.
4. The Australian genealogical data has been collected from various marriage, birth and death certificates held in the Registry Offices of Sydney and Brisbane.
5. This data was gleaned from appropriate Post Office Directories.
6. As part of this research, many of the Toohey descendants were interviewed. As well, I had access to various private family papers, and a scrap book compiled by family members. Several items from the 'family memory' were accepted as factual, in previous writings, but, now appear, after further investigation, to be incorrect.
7. All information on land dealings comes from archival sources such as Lands Office records and Depositions. There are too many to individually acknowledge here.

8. R. Fitzgerald, *From the Dreaming to 1915: A History of Queensland*, St Lucia: University of Queensland Press, pp. 125-131.
9. R. Lawson, *Brisbane in the 1890s: A Study of an Urban Society*, St. Lucia: University of Queensland Press, 1973, pp 251, 253.
10. Queensland State Archives (Q.S.A.), LAN/AG 74 (Brisbane Sel 1481).
11. The location of the remains of the first of these 19th century dams has recently been documented in an article by Dale et .al. in *the Proceedings of the Royal Society of Queensland*, 101, 1991, pp1-12. This is an interesting example of a combination of industrial archeological and sedimentological research approaches. The remains of the second dam have been tentatively located, but are yet to be positively confirmed.
12. Q.S.A., LAN/AG 77 (Brisbane Sel 1593).
13. From an affidavit by Thomas Burke and William Smith (executors of James Toohey's Will) sworn before H. Wilkinson, a Commissioner for Affidavits, and filed in the Supreme Court of Brisbane (Ecclesiastical Jurisdiction) on March 18, 1885.
14. Assented to 7th December, 1887, *Queensland Government Gazette*, pp 4404-4408.
15. The other family members buried in the Toohey Private Cemetery were James's daughter Mary Ann (O'Neill), his sons, John and Peter, Peter's wife Kate, James's sister, Margaret (Slattery) and her son, John.
16. Extracts from South Brisbane Branch Managers Half-Yearly Returns (Return No 44-45) 1909-1912, Bank of NSW, Westpac Archival Records, Sydney.
17. Order In Council, Queensland Government Gazette, No 84, Vol CI, Oct 11, 1913, p. 828. Also see Q.S.A. TRE/A 1010/1938.
18. "New Cemetery: Government Assistance Wanted", *Brisbane Courier*, 20/8/1915, p.4. Also see Q.S.A. TRE/A 1010/1938, letter of Oct 7, 1918.
19. The Catholic Church Archives indicate that the Toohey women were heavily involved in trying to have a new church built on 0.4 ha of land which their father had set aside in present day Buranda. Archbishop Duhig felt that this site was too close to St Joseph's of Kangaroo Point, so adroitly arranged to acquire the land on which St James was built. Duhig then arranged to have the Queensland Parliament pass *The Roman Catholic Church Land Sales Bill* (introduced by W H Barnes) allowing the subdivision and sale of the Toohey land which had been given to the Catholic Church, on condition a church was built. This chicanery does not seem to have embittered the Toohey descendents, however, even though it was the second time they had been cheated by the Church hierarchy. The present Toohey Street, Buranda, resulted from this. Eventually, St Lukes Church was built on this property, at the end of what is now Taylor Street.
20. See for example "Pensioners Upset: Face Threat of Eviction", *Sunday Truth*, Oct. 16, 1955, p. 5.
21. D. Le Clercq, A Case Study of Toohey Forest Park in Relation to an Overview of Leisure and Recreation in the Urban Open Space System of Brisbane, Mount Gravatt C.A.E., unpublished dissertation, 1979.
22. *Queensland Government Gazette*, No 117, p. 1259). Brisbane City Council paid £2497.14.7, to the State Treasury, to clear the last of the debt of £5349.19.3 which had built up under the Trustees of the Mount Gravatt Cemetery. Freehold title was then turned over to the Brisbane City Council, who made clear their intentions to dispose of all the western section which was not required for cemetery purposes (Q.S.A., Treasury Dept Correspondence Book, TRE/A 1010/1938).